

SHOALHAVEN CITY COUNCIL

P O L I C Y A N D P L A N N I N G C O M M I T T E E

To be held on Tuesday, 12th February, 2008
Commencing at 3.30 pm.

City Administrative Centre
Bridge Road
NOWRA NSW 2541

6th February, 2008

Councillors,

NOTICE OF MEETING

You are hereby requested to attend the meeting of the Policy and Planning Committee of the Council of the City of Shoalhaven, **to be held in the Council Chambers at the City Administrative Centre, Bridge Road, Nowra on Tuesday, 12th February, 2008 commencing at 3.30 pm** for consideration of the following business.

Yours faithfully,

R Pigg
General Manager

Membership (Quorum – 7)

All Councillors
R D Pigg - General Manager or Nominee

BUSINESS OF MEETING

1. Apologies
2. MAYORAL MINUTE
3. REPORT OF THE GENERAL MANAGER
 - City Services & Operations
 - Strategic Planning
 - Finance & Corporate Services
 - Development & Environmental Services
 - Strategic Planning / Development & Environmental Services

Cell Phones:

Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

MAYORAL MINUTE
POLICY & PLANNING MEETING
TUESDAY, 12 FEBRUARY 2008

1. NSW Government Planning Reforms - "Improving the NSW Planning System"

File 31157-03

As Council would be aware the LGSA is particularly concerned about the reforms proposed in the current Discussion Paper and those being separately proposed to the Section 94 system. (Council has made separate representations to the Department of Planning through the Southern Councils Group on proposed changes to Section 94 development contribution legislation).

Generally the LGSA support:

- The gateway model for LEP's and the rationalization of planning instruments.
- Establishment of an independent commission to deal with Part 3A developments.
- Measures to improve the efficiency and effectiveness of the development assessment process, but not those that reduce local decision making and legitimate public involvement.
- Proposal to strengthen enforcement measures and reduce conflicts of interest related to private certifiers however, there are concerns that this will not adequately address existing problems.
- Improved coordination, standardization, and resourcing of land based information systems at a State level and the extension of e-planning initiatives with appropriate resources and support.

The LGSA however has concerns with:

- Proposed joint regional planning panels and the extension of exempt and complying development provisions – will reduce the role of council in planning and limit public participation;
- Impact on amendment and character of local areas if the proposed state wide mandatory code for exempt and complying development is implemented;
- The extension of the role of private certifiers given existing problems with the current model and questions surrounding the cost of some of the proposed measures;
- Significant cost and staffing implications for Councils of many of the recommendations, with little consideration of how costs can be recovered or resourced;
- The arbitrary nature of the targets set in the discussion paper and a lack of analysis of the impacts of the actions and resources required to achieve the targets.

On 30th January 2008 the LGSA held a Leaders Forum in Sydney to discuss the proposed reforms. The Deputy Mayor Councillor Green attended on Council's behalf and as a result the following resolution was made:

1. *That the meeting supports the actions of the Presidents and Executive of the LGSA in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of Section 94 developer contributions and the recommendations in the Governments*

Discussion Paper, and preparing an alternative reform package as a basis for discussion with the Government, Councils, stakeholders and the community.

2. *The meeting calls on all NSW Councils to refuse to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by Councils to the Government.*
3. *The meeting supports in principle the proposal that the LGSA seek contributions from member Councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign.*

The LGSA has written to all Mayor's in NSW requesting that they seek a resolution of Council endorsing the three points above and advise them as soon as this has occurred.

Thus, Council needs to specifically consider whether it supports the LGSA's position on the planning reforms and it is proposed to move a resolution containing the LGSA's three points.

RECOMMENDED that

- a) **Council support in principle the LGSA's position on the proposed planning reforms and endorses the following three points that were resolved at the Leaders Forum on 30th January 2008:**
 - i. **The meeting supports the actions of the Presidents and Executive of the LGSA in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of Section 94 developer contributions and the recommendations in the Governments Discussion Paper, and preparing an alternative reform package as a basis for discussion with the Government, Councils, stakeholders and the community.**
 - ii. **The meeting calls on all NSW Councils to refuse to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by Councils to the Government.**
 - iii. **The meeting supports in principle the proposal that the LGSA seek contributions from member Councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign.**

Greg Watson
Mayor

REPORT OF GENERAL MANAGER
POLICY AND PLANNING COMMITTEE
TUESDAY, 12TH FEBRUARY, 2008

GENERAL MANAGER

1. Proposal for Shoalhaven City Council Newspaper

File 31362

Background

Council has asked for a report on the costing and other aspects of Council producing its own newspaper with the frequency of issue being every two weeks [following each Council meeting] and the means of distribution being by delivery to every letterbox within the Shoalhaven local government area. The council also requested a report on “other strategies to increase distribution of a proposed newspaper into households”.

The issue arose from a Notice of Motion, which was not supported by notes, however Council staff understand that the rationale for this investigation is to raise awareness among Shoalhaven city households of the works, projects and services that Council undertakes each year. Council’s Media Manager has researched this matter and other alternatives.

Proposal

Under present staffing levels and resources, Council would not be able to produce a newspaper for the week following each Council meeting. A newspaper would require at least a 12-day production schedule, including news identification, item compilation, writing, editing and approval. This would be followed by layout, design of the newspaper, printing and finally distribution. For a small tabloid size four-page newspaper this process would take at least 12 working days.

This timetable includes four days for printing such a publication, followed by at least five days for distribution to occur throughout the city to each residential, commercial and rural letter box.

A newspaper of four-tabloid sized pages would require about 12 to 14 different news items, with at least 10 to 12 images accompanying those news items. The newspaper could include the Council’s advertising of public notices, positions vacant, public workshops and other projects and services requiring public notification.

To manage, compile, write, edit and produce a newspaper of this magnitude would require an additional full-time communication officer. The layout, design and pre-production of newspaper would require the services of a graphic designer for at least four days each fortnight.

Photography for the newspaper could be completed by the communication officer, but there would be instances where an external photographer was sought to produce images for the newspaper content.

Council would require about 53,000 copies of each newspaper for distribution to each letterbox in the city.

Currently the position description of the Media Manager does not include preparation, editing, management of a newspaper of this nature.

At present the Media Manager capably handles media inquiries, media releases and inquiries for all sections / units / Groups in Council on projects, services and other issues relevant to Council. The Media Manager also coordinates photography at a number of events that are used in several media. The Media Manager is also involved with internal communication, internal strategy, internet development, and development of projects such as Our Workplace Values in Council and the 2007 Shoalhaven City Council Staff Survey.

If a Communication Officer were appointed the role could be tasked with producing a Council newspaper. The position would then entail coordinating news items, photography, writing, gathering material and information, editing, gaining approvals and collation of the news for each issue. The officer could also be required to collate positions vacant and public notices from various sources in Council.

These news items, photography, public notices and positions vacant would also require lay-out and design by an internal graphic designer prior to printing by an external party.

Costs

Production of such a newspaper would require the costs and resources associated with another position within Council to provide the skills necessary to produce a fortnightly newspaper. This would include a communication officer [full-time] within the General Manager's office as well as a dedicated graphic designer [for four days each fortnight] in Finance and Corporate Services.

Both of these positions would be new positions to resource the project.

Costs associated with employment of people within Council or contractors to manage and produce a newspaper would include:

One full time officer to be assigned to producing material from Council business papers, estimated at \$100,000 a year, including wages, superannuation, information technology, telecommunications, and other associated costs.

One graphic designer required for two days a week, estimated at \$16,500 a year.

Photographer for various projects, services where appropriate at \$10,000 a year

Total costs of \$126,500.

Costs of distribution are as follows.

Pinpoint Advertising Pty Ltd has provided the following costs:

Cost of distribution by Pin Point to all commercial, residential and rural areas is \$3,232 per issue.

Cost for distribution per year is \$84,032.

Costs associated with Australia Post is as follows:

Large letter as per Unaddressed Mail to 53,000 addresses, the cost is 17.6 cents per item or \$9,328 per issue. Cost per year is \$242,528.

Cost of printing is as follow:

Rural Press has provided the following quote for printing a four page, full colour newspaper folded.

For 53,000 copies, delivered to one distribution point in Nowra, printed on 52gsm (same as Domain section in the South Coast Register) the cost per issue is \$5,069.90.
Cost per year for printing is \$131,820

Total costs for production, printing and distribution of council newspaper using the lowest cost option is as follows:

Management, writing, editing, proofreading	\$100,000
Printing	\$131,820 [Rural Press]
Distribution	\$84,032 [Pinpoint Pty Ltd]
Graphic design	\$16,500
Photography	\$10,000
Total	\$342,352

This total cost does not include the current employment costs for the current Media Manager.

Cost offsets

At present Council spends \$122,500 in advertising in regional press, and \$73,000 in advertising in the Milton Ulladulla Times, for a total annual cost of \$195,500 in regional newspapers. It is not practical to consider that the total amount could be used to offset costs. There will be some advertising that will still be required to be placed in local and national media. This is estimated at about 30 per cent of current advertising.

Other considerations

It is considered that printing and distributing Council's own newspaper is a task intensive and narrow and restrictive use of Council resources. This does not take into account any of Council's other communication and media outlets, such as internet, radio, television, community and local government national magazines and newsletters, which currently receive and use Council's media releases and information.

Distribution of a Council newspaper to each letterbox in the Shoalhaven increases the likelihood of people perceiving the newspaper as "junk mail" or Council's propaganda. Research shows that "junk mail" delivered in a letterbox has a low retention rate, possible as low as 30 per cent of recipients.

Alternate proposal from The Shoalhaven Mail

The Area Manager of the Shoalhaven Mail has provided a proposal for including six pages for council information and news each fortnight in The Shoalhaven Mail.

The proposal includes providing six full-colour pages for Council information and news. The Shoalhaven Mail would be printed each fortnight and distributed to 30,000 households in the city.

The Shoalhaven Mail has provided Council with a quote for \$582 per page, or \$3,492 per issue [excluding GST], or \$90,792 per year [26 issues].

This proposal includes full colour production, printing and distribution to about 60 per cent of Shoalhaven residences. At present the Shoalhaven Mail is a fortnightly newspaper distributed to various sites throughout the Shoalhaven where it is left to people to take a copy. The newspaper is not sold directly to consumers. Currently there are 10,000 copies printed of the Mail.

There is also a fortnightly electronic newsletter associated with the Shoalhaven Mail which is directly emailed to 4,800 subscribers.

The proposal includes printing 30,000 copies of the Shoalhaven Mail and then distributing them to 30,000 homes in the city. There are currently 53,000 rateable properties in the city, including commercial and business properties.

Attached is a letter from the Shoalhaven Mail outlining distribution details.

Costs for this proposal include:

Management, writing, editing, proofreading	\$100,000
Printing, distribution [30,000 copies]	\$90,792 [The Shoalhaven Mail]
Graphic design	\$16,500
Photography	\$10,000
Total	\$217,292

Cost offset would be about 70 per cent of local advertising costs, that is, \$136,850. Therefore the net additional cost of this proposal would be \$80,442.

It would also include the Council news highlighted in an email to 4,800 residents who subscribe to an email newsletter from The Shoalhaven Mail.

The risk with this option is that The Shoalhaven Mail is not widely associated with providing quality news to the citizens of Shoalhaven City. It is a free magazine which is presently “dropped off” at various sites throughout the city. Under the proposal the Shoalhaven Mail would be delivered to 30,000 properties in the city. There are a number of other commercial and business properties [approximately 40 per cent] that would not receive copies of the newspaper.

Under this proposal Council would still be required to promote and advertise specific projects or issues if there were urgent need, or the project or issue fell outside the required two-week deadline for the Mail production schedule. Council is also required to advertise a number of positions and projects in national media. These costs would be in addition to the above listed costs for The Shoalhaven Mail proposal.

Other ramifications for Council is the creation of a role for a Communication Officer responsible for managing, writing, editing, gaining approval and collating photographic images for the news items each fortnight. Currently there is no role for this position in Council.

A Graphic Designer would also be required for those specific days each fortnight. As this timetable would not allow for delays this position would have to be available on the days required for design and production.

Currently council employs one fulltime graphic designer and one part-time graphic designer. It is envisaged that the part-time position could become a fulltime position to complete the work on this project.

Other options for consideration

Council’s internet site contains a vast amount of information and material that is relevant to all citizens in the city and all media representatives accessing the city’s information.

Currently the internet site is difficult to navigate and contains a basic search engine.

The creation of a role for the upgrading and creation of better internet site[s] could provide Council with a better ability to make use of this medium.

An internet site that provides better information, access, and communities of interest for citizens of the Shoalhaven could also be a revenue stream for Council in the future.

Other options to increase Council's provision of information to all citizens could include the following:

Upgrade the Council's internet site

Under this proposal Council could upgrade its internet site to include portals for community consultative bodies, the media, tourists, citizens seeking information on Council's projects and services, and other people using the internet site.

The community portals via the internet site could be created to allow people with differing information needs to access as much information as they require, or as little. An upgrade of this nature would require the services of an external provider or the employment of a suitable officer with some internet design skills.

Employment of an officer with responsibility for working with the Media Manager, Information Technology and owners of Group information in upgrading the internet would cost Council about \$100,000 per year.

Targeted HTML emails to various communities in the city

Council could create HTML emails which contain images, brief news and links to current and new information and services contained on Council's internet site.

Upgrade media release portal on the internet site

All media personnel could be provided with a HTML email providing information on the new media information / images and other information available on the media portal on the Council's internet site.

This HTML email could provide media personnel with direct links and information on the Council's upgraded media portal.

The media portal could also include the ability for journalists to access information via their mobile phones, PDAs or Blackberry. There could also be the ability to gain feeds from the internet site via an RSS feed.

Rates notices

Better use could be made of information provided to city ratepayers via the rates notices and Shoalhaven Water accounts. Information in these channels could be designed to reflect the current content of the upgraded internet site and the internet portals.

Quarterly newsletter to all city householders

A quarterly newsletter [four-page A4 sized] in full colour could be used to complement the above channels in providing information to citizens and visitors to the city. This would involve

associated costs for the resources required to produce the newsletter as well as the costs of printing and distribution.

OPTION 1 (Preferred)

- a) **Not produce a newspaper following each Council meeting.**
- b) **Continue to provide media content to all appropriate media outlets through the Media Manager.**
- c) **Employ a Communication officer with specific duties of upgrading and creating an internet site that is aimed at providing richer data and information for all citizens of the city and other users and further duties to include the management and production of a quarterly newsletter.**
- d) **Pursue the development of a broader internet site with inclusion of portals to accommodate information for various communities and to include provision of broader communication channels, such as blogs, RSS feeds, video streaming, messages to mobiles and SmartPhones, Blackberrys, and instant messaging within the internet site.**
- e) **Make provision in the 2008/09 budget for additional staffing requirements.**

OPTION 2

Retain the status quo.

OPTION 3

Accept the alternative proposal submitted by The Mail Newspaper and make provision in the 2008/09 budget for additional staffing requirements.

SUBMITTED FOR CONSIDERATION

**RD PIGG
GENERAL MANAGER**

ADDENDUM REPORT OF GENERAL MANAGER

POLICY AND PLANNING COMMITTEE

TUESDAY, 12 FEBRUARY 2008

ASSISTANT GENERAL MANAGER

1. Provision of Warra Warra Road Roundabout - Princes Highway, South Nowra

File 3897-02

Council resolved on the 30th October 2007 that:

Council provide \$0.5m in the 2008/2009 Management Plan as a contribution towards the proposed Warra Warra Road Roundabout, Princes Highway and that investigations be undertaken into the feasibility of a Section 94 Plan to recoup some of the contributions.

Since the Council resolution, Council has been advised that the development of new Section 94 Plans for some types of major infrastructure may not be allowable under the proposed new Guidelines. Information has been sought from the Department of Planning to clarify the situation, however, the Department of Planning is unable to clarify Council's position on the Section 94 Plan in the short term. It is therefore unknown whether Council will be able to make a Section 94 Contribution Plan for this project.

Advice from the RTA has been received that it is not in a position to advance further funds to this project at this time. In order to complete the expenditure for the financial year, the RTA now needs to determine whether to proceed with the work on the Warra Warra Road Roundabout or defer until such time as the full funding can be confirmed. If the RTA are unable to confirm funding arrangements during the next week, it will need to program resources to undertake other work and it is unlikely that work at the Warra Warra Road Roundabout will be completed by the 30th June 2008. The RTA are seeking Council's financial commitment of \$500,000 in 2008/2009 as a contribution towards the roundabout.

It is suggested Council should continue to pursue a Section 94 Plan, which will include the goal, to recoup some of the \$500,000.

RECOMMENDED that Council include in the 2008/08 Budget \$500,000 as a contribution towards the Warra Warra Road Roundabout.

J. Gould
ASSISTANT GENERAL MANAGER

R.D. Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

POLICY AND PLANNING COMMITTEE

TUESDAY, 12 FEBRUARY, 2008

CITY SERVICES AND OPERATIONS

1. International Women's Day 2008

File 9357-02

According to the NSW Office for Women's official website, International Women's Day is a day to celebrate the gains women have made over the years and to bring our attention to the issues women still face. Most of all, it's a day to recognise that women have made, and continue to make, a difference. It is a day to celebrate women's contribution to making Australia and the world a better place for everyone.

This year the theme for activities to celebrate International Women's Day is "100 years of active women in paid and unpaid work". In 2008 we celebrate 100 years since the first protest march where 15,000 women marched through New York City in 1908 demanding shorter hours, better pay and voting rights.

International Women's Day (IWD) recognises the countless contributions that women in NSW have made towards improving workplaces and working conditions, as well as their tireless volunteering work which has contributed to the growth of more vibrant and robust communities.

In the Shoalhaven a small dedicated group of women have planned a wide range of events starting from the 2 March to 26 March. The Shoalhaven International Women's day committee which includes representatives from Shoalhaven Women's Health centre, the YWCA, Meroogal Historic House, TAFE, The Older Women's Network (Shoalhaven), the South Coast Register and Council have organised the events shown hereunder. Council has been successful in receiving a grant of \$1,000 from the NSW Premiers Department, Office for Women to go towards the costs of venue hire, catering, printing and promotion of the events.

- **Women's Bushwalk/ Picnic - Sunday 2 March 2008 10.00am – 1pm**

Come along for some fun, exercise and socialising. We will meet at the Currarong shop at 10am and do the "Abraham's Bosom" walk. Bring your own lunch and drinks.

Venue: Abraham's Bosom walk Currarong.

Cost: Free

Contact: Melissa Hedger 0423 606 100

- **Y Quest Launch - Monday 3 March 2008 6.00pm to 8.00pm**

Launching Y Quest 2008. Y Quest is a leadership program for young women aged 15 – 25 and this years entrants in the program will have an opportunity to introduce themselves to the community.

Venue: Shoalhaven City Arts Centre

Cost: No cost

Contact: YWCA NSW 4423 8501

- **Bay And Basin IWD Morning Tea - Wednesday 5 March 2008 9.30am – 11.30am**

Venue: Sanctuary Point Schools as Community Centre
Sanctuary Point Primary School Idlewild Ave
Sanctuary Point.

Cost: Free

Contact: Michelle Woszatka 4443 0520

- **IWD Morning Tea And Award Presentation - Friday 7 March 2008 10.00 am – 12.00 noon**

Morning tea, entertainment and awards to local women in recognition of their services to the community

Venue: Ulladulla & Districts Community Resource Centre, 78 St Vincents Street
Ulladulla

Cost: Free

Contact: Maria Peters 4454 0477

- **Women's Performance Night - Saturday 8 March 2008 7.00pm until late**

This women only event is loads of fun and an excellent opportunity for women to perform for the first time. Meals will be available to purchase, come at 6pm to eat and mingle and BYO drinks. Performances start at 7.30pm

If you wish to sing, dance, read poetry, fire twirl or entertain in any way ring Sandra

Venue: Tomerong Hall, Tomerong

Cost: \$10 or \$5 concession. Pay at door

Contact: Sandra on 4443 5020 or 4421 8150

- **Women's Surfing/ Body Boarding - Sunday 9 March 2008 8:00am – 12:00pm**

No matter if you're a good surfer or beginner or just want to watch, come along and surf/not surf and have a good time. Stay for lunch. BYO body board/ surfboard. (There will be spare bodyboards)

Venue: 7Mile beach Gerroa Enter off 7 mile beach road, opposite shop.

Cost: Free

Contact: Marg McHugh 4422 0103

- **Women In Abstract – Art Day - Tuesday 11 March 2008 10.00am – 2:00pm**

All women artists (and would be artists) invited for a morning of art. BYO materials or call to check. BYO lunch to share. Learners catered for.

Venue: Bomaderry Community Room

Cost: Free

Contact: Marg McHugh 4422 0103

- **IWD Breakfast - Wednesday 12 March 2008 7.15am – 9.00am**

Indulge in coffee, croissants and fresh fruit for early morning breakfast. Guest speaker will reflect on women's history over the past 100 years/ Ring Marg for further information

Venue: Nowra Neighbourhood Centre

Cost: Gold coin donation

Contact: Marg McHugh 4422 0103

- **Well Women Health And Wellbeing Expo - Thursday 13 March 2008 11.00am – 6.00pm**

Join us and participate in a variety of experiential workshops including relaxation, light exercise, resilience and singing. Visit a number of stalls promoting a range of available health and wellness services and businesses available in the Shoalhaven.

Venue: Wesley Hall. Opposite old Post Office building, Nowra

Cost: Gold coin donation

Contact: Judith Reardon 4423 8501

- **International Women's Day Dance - Saturday 15 March 2008 7.30pm – 11.30pm**

Groove the night away with DJ Kung.

Lucky door prizes. Bring Supper to share.

Venue: School of Arts Annex

Cost: \$10 or \$5 concession. Pay at door.

Contact: Marg 4422 0103 Women only event

- **IWD Awards 2006 - Sunday 16 March 2008 2.00pm – 4.00pm**

Awards presented in appreciation and recognition of women's work and creativity in all areas of their lives and the Shoalhaven community

Venue: Meroogal Historic Home, Worrigee Street, Nowra

Cost: Free

Contact: Sandra on 4443 5020 or 4421 8150

- **Ageing With Attitude - Wednesday 19 March 9:00am – 3:00pm**

Topics include: Challenging your myth conceptions about ageing, diet and exercise, self care, examining the myths and challenges of ageing.

Venue: Shoalhaven Women's Health centre

Cost: \$15 includes handouts, morning tea, lunch and afternoon tea

Contact: Bookings essential 4421 0730

- **Menopause Workshop - Wednesday 26 March 9:00am – 3:00pm**

Topics include: What is Menopause? HRT, diet/nutrition, pap smears/breast checks, continence, sexuality.

Venue: Shoalhaven Women's health Centre

Cost: \$15 includes handouts, morning tea, lunch and afternoon tea.

Contact: Bookings essential 4421 0730

RECOMMENDED that Council supports and endorses the events planned for International Women's Day 2008.

J J Wells
DIRECTOR CITY SERVICES & OPERATIONS

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
POLICY AND PLANNING COMMITTEE

TUESDAY, 12 FEBRUARY, 2008

STRATEGIC PLANNING

1. Draft LEP No.LP 379 – Lot 1 DP 130825, Princes Highway, Meroo Meadow

File 31906

Reason for the Report

This report seeks Council's direction in regard to aspects of the proposed draft plan prior to proceeding to request a certificate to publicly exhibit the Draft LEP.

Background

On Tuesday 25th of January 2005 Council resolved to;

- a) *“Support preparation of a draft LEP (at the owners cost);*
- b) *The General Manager (Planning Group) be requested to consider a reduction in the buffer zone area adjacent to the Princes Highway.”*

This resolution resulted from a request from the current landowner to rezone the subject land to enable residential subdivision.

The subject land is located between the Princes Highway (west) and the recent Maddor Park subdivision (east) – see attachment “A”.

Reduction in the Buffer Zone Area adjacent to the Princes Highway

As part of the preparation of the draft LEP the landowner has requested that Council consider identifying a 50 metre buffer zone from the Princes Highway in the draft plan.

The landowners request has been reviewed and considered by staff. However, the requested 50 metre setback is generally not supported or favoured for the following reasons:

- Is inconsistent with the North Meroo Structure Plan, prepared by Council and accepted by the Department of Planning in 1998;
- Is not consistent with the existing setback established through residential development to the South;
- Future development could have a significant visual impact on the northern entrance to the Nowra-Bomaderry urban area unless it is setback;
- Does not allow for sufficient land to be established as a visual buffer;

-
- Need to consider future Highway upgrading and the need to provide adequate noise attenuation measures.

The landowners believe that some of these impacts (eg. noise) could be mitigated through the establishment of a landscaped earth berm within the proposed 50 metre buffer. However, there is concern that this will not alleviate all the issues and may only provide sufficient noise attenuation for single story development.

The establishment of a 100 metre buffer from the Princes Highway is favoured for the following reasons:

- It is acknowledged that this would be inconsistent with the North Meroo Structure Plan, which indicates a buffer of 150 metres. However subdivisions to the south of the subject land have a 100 meter buffer to the Princes Highway. The proposed reduction of the buffer in this location to 100 metres would be consistent with this and would achieve a reasonable development footprint;
- Still allows for the planting of a reasonable visual buffer between the proposed development area and the Highway. This will assist in reducing the visual impact of development and allow for a softer transition into the Nowra- Bomaderry urban area;
- Takes into account the need for noise abatement measures and will ensure any visual impact from noise abatement measures will be screened by a landscaped visual buffer. The visual impact of noise abatement schemes is not only measured from public locations such as the Princes Highway, but must also be assessed taking into account the impact such schemes may have on future dwellings.

Environmental Study

The Department of Planning requested that the proposed draft LEP be supported by an environmental study that addresses:

- Consistency with the North Meroo Structure Plan report prepared by Council in May 1998
- Flooding and Water Quality Assessment
- Visual Impact Assessment
- Traffic Impact Assessment

These studies have largely been completed and will form the provisions of the draft LEP.

Proposed draft LEP

It is proposed that the draft LEP will contain the following three zones for the subject land:

- Residential 2(c)(living area)
- Environmental Protection 7(d1)(scenic)
- Natural Hazards 9(a) (Urban Flooding)

The Residential 2(c) zone will apply over the residential component as it provides flexibility and will help achieve the 60/40 housing split that is outlined in the South Coast Settlement Planning Guidelines that arose from the South Coast Regional Strategy. The zone also provides the landowner with greater development options.

The Natural Hazards 9(a) zone ensures development is located outside of the 1 in 100 hundred flood zone that has been established through site specific study and ensures that the risk to life and property from flooding is minimised. This zoning is also consistent with the existing zone established through the Maddor Park rezoning to the east.

The Environment Protection 7 (d1) zones will allow for the preservation and enhancement of the visually important parts of the subject land. This zoning is also consistent with the existing zone established through the Sheraton Gardens rezoning to the south and Maddor Park rezoning to the east.

Specific provisions will also be incorporated into the draft plan to:

- a. Ensure that the primary vehicular access to the subject land is via Emerald Drive to the east and not the Princes Highway; and
- b. Encourage any higher residential densities to be located in the western part of the proposed 2(c) zone to minimise conflict with the adjacent 2(a1) zone.

Council direction is sought at this point on the width of the proposed buffer to the Princes Highway, which will be established through the use of the 7(d1) zoning.

The following options are presented in this regard:

Option 1

100 metre buffer from the Princes Highway.

This is the preferred option as it provides a compromise between the 150 metre buffer identified in the North Meroo Structure Plan and the 50 metre setback suggested by the landowner.

The inconsistency of a 100 metre buffer with the Structure Plan can potentially be justified and is also consistent with a buffer zone that is already in place for the existing residential subdivision to the south.

Option 2

50 metre buffer back from the Princess Highway as preferred by the landowner.

This option would provide for additional residential zoned land in this location, but it has a greater inconsistency with the North Meroo Structure Plan and as a result may not be supported by the Department of Planning.

Option 3

As per the Structure Plan, i.e. 150metre buffer.

It is recommended that the option of including a 100 metre buffer to the Princes Highway zoned 7(f1) be included in the draft LEP (see attachment “B”) and that the draft plan progress on this basis and be forwarded to the Department of Planning to enable a certificate to publicly exhibit.

An aerial photo of the area is provided as attachment “C”.

RECOMMENDED that

- a) **Option 1 of a 100 metre buffer to the Princes Highway zoned 7(f1) be included in the draft LEP; and**
- b) **The draft plan progress on this basis and be forwarded to the Department of Planning to enable a certificate to publicly exhibit.**

2. South East Weight of Loads Group (SEWOL) - Staff Authorisations

File 1068-03

Council is a member of SEWOL and accordingly it is necessary for Council to be a party to the employment of SEWOL staff and to authorise these staff to initiate prosecutions under relevant legislation.

SEWOL is managed by the Council of the City of Queanbeyan for the primary purpose of enforcing road load limits. Council contributes, as do other member Councils, about \$14,500 per annum towards operating costs.

To fill a vacancy Inspector Neil Brown has been employed and an Agreement to Employ has been forwarded to Council for endorsement under seal. Other members of SEWOL include Queanbeyan, Cootamundra, Yass, Goulburn-Mulwaree, Cooma-Monaro, Snowy River, Palerang, Harden and Wollondilly. The appointment as authorised officers of two existing Queanbeyan staff is also required but this does not require endorsement under seal.

A copy of the Agreement to Employ is attached.

Signing of the agreement will be a variation to the recent Council policy in respect of referral of potential prosecutions to Council, but this variation is considered warranted in this circumstance.

RECOMMENDED that

- a) **Pursuant to Section 130A(C2) Motor Traffic Regulations 1935 and Section 8G(C2) of the Environment Offences and Penalties Act 1989 that Neil Jason BROWN, Simon Daniel CASSIDY and Ann Patricia SETTIN, be appointed as authorised officers for the specified purposes of Acts and Regulations.**
- b) **Pursuant to section 251 of the Roads Act 1993 and other enabling powers, that Neil Jason BROWN, Simon Daniel CASSIDY and Ann Patricia SETTIN, be appointed as authorised officers for the purposes of each of the provisions of part 14 of the Roads Act 1993 and authorises those persons to exercise the powers conferred by Section 27C of the Road Transport (Vehicles Registration) Act 1997.**
- c) **The delegations given in b) to include authorisation to proceed with prosecutions under the Road Transport (Mass, Loading and Access) regulation 1996.**

Introduction

In 2006/07 Council received \$5,000.00 from the RTA to review and revise the existing Shoalhaven Road Safety Strategic Plan (RSSP) and in 2007/08 a further \$2,000 was secured from the RTA to enable printing of the completed document.

The revised Road Safety Strategic Plan has been under development for several months. Development of the plan has required:

- a comprehensive review of the road crash statistics,
- ongoing negotiation and collaboration with key stakeholders including members of Council staff and key community groups
- extensive literature review to ensure better practice

Details of the process followed to update the Road Safety Strategic Plan are outlined in the Plan.

The Executive Summary and Summary of Shoalhaven Statistics for the draft plan is attached and a full copy has been provided in the Councillors Room.

The draft Road Safety Strategic Plan covers the period 2007 -2012 and is comprised of three major sections.

Section one – a comprehensive review of road statistics which help to identify target groups and issues.

Section two- comprehensive strategies and actions outlined under 7 major areas:

1. Safer People - Behavioural aspects of improving road safety
2. Safer Roads – Engineering aspects of improving road safety and traffic environments
3. Land Use Planning: - ensuring safer roads and pathways
4. Transport Planning – planning and managing safer transport
5. Community Involvement : developing community ownership of and effective participation in road safety
6. Safer Vehicles and Equipment
7. Strategic Policy – co-ordinating road safety planning and action among contributing organisations

Section three – annual action plan provided by the road safety officer which is proposed to be updated and reported to Council each year.

The draft plan is now ready for public exhibition and review, and the Council's concurrence is now sought to exhibit the draft plan.

Status of the Road Safety Officer Position

Council and the RTA have entered a formal agreement for 50- 50 funding of the salary and on costs of the Road Safety Officer (RSO) position until July 2010.

In addition to the RTAs support of 50% of the RSO position salary there is additional funding available each year for road safety projects – (\$11.5K in 2007/08).

In response to RTA position Council have employed the current RSO on a fixed term contract until July 2010.

The RTA have not yet announced funding commitments beyond 2010.

If funding by the RTA will not continue beyond 2010 it is considered that this will place increased pressure on Council to consider funding the 50% salary shortfall or alternatively terminate the position of RSO or engage on a basis of 5 days per fortnight or share the RSO position with a neighbouring Council.

Failure to secure this RSO position at SCC will mean implementation of the strategies outlined in the RSSP can not be guaranteed beyond 2010, which is likely to impact the long term effectiveness of the strategy.

It is proposed to write to the RTA requesting feedback in regards to ongoing funding support of the RSO position and ongoing funding of road safety programs in the Shoalhaven. Upon RTA reply provide a further report to Council on options for Councils consideration of continuing with the Road Safety Officer position and/or any suggested changes to the Draft Shoalhaven Road Safety Strategic Plan.

RECOMMENDED that

- a) **the General Manager (Director Strategic Planning) arrange for the draft 2007 – 2012 Road Safety Strategic Plan to be placed on public exhibition**
- b) **Community consultation be undertaken by public advertisement for a period of 28 days**
- c) **The draft document be placed on Council's Internet site with easy links to make comments electronically**
- d) **Forward to all Community Consultative Bodies**
- e) **A further report be submitted following public exhibition**

4. Developer Contributions Available for Active Recreation Capital Works Expenditure File 28705

Purpose of Report

To recommend how section 94 developer contributions held by Council for active recreation projects be allocated, in support of Council's capital works program.

Background

Under Council's 1993 section 94 Contributions Plan (CP), Council has received developer contributions for application to public facilities and services, including sporting facilities.

One of the obligations of Council in collecting these funds is to spend them in accordance with the CP. However, the demand for particular facilities changes over time and Council is permitted reasonable flexibility in spending these funds. Such changes are brought about for various reasons, including:

- the location of a proposed facility is changed because the original location is no longer available or faces environmental or geotechnical constraints;
- the numbers participating in a particular sport have not increased as expected, so fewer facilities are required to meet demand;
- it is more useful and cost effective to provide clustered centralised facilities that provide higher competition standards; and
- increasing use of new technology playing surfaces, lights and irrigation enables an increase in participation rates at existing locations.

This report summarises where changes have been identified by way of a Council resolution, as identified in Council's draft Sporting Facilities Strategic Plan 2007-2036 or where there are inconsistencies between site plans and facility descriptions in the 1993 CP or where additional changes might be considered. Where changes are identified, it is recommended that developer funds be applied to meet demand from the same or similar sporting code from the same area that contributions were collected (i.e. Council's 5 planning areas). Minor changes of this nature do not require formal amendment to the CP. The CP also identifies how the cost of a facility is apportioned between Council and developer contributions; however no changes are recommended for cost apportionment. Active recreation recoupment projects are not included in this analysis.

Impact of Changes to s94 Proposed by NSW Department of Planning

In November 2007, the NSW Department of Planning announced a new legislative framework for the application of s94, which will limit Council's ability to collect developer contributions for sporting facilities and other projects under plans and amending plans made after 12 November 2007. Whilst details have not been provided by the Department, other than by way of Ministerial direction in January 2008 for designated Growth Centres, it is apparent that Council will no longer be permitted to adopt new plans which require contributions for citywide projects and projects that are not totally resulting from new development. Consequently, it appears that Council will be unable to amend the CP to include major new projects, including the proposed Northern Shoalhaven Leisure Centre, or to make significant changes to other features of the existing CP. Following representations from Local Government generally it is hoped the proportional rationale will be rethought and retained by State Government.

Proposed active recreation capital works projects and comparison with 1993 Contributions Plan

Tables 1-7 summarise the projects that were included in the 1993 CP, proposed changes to the range of projects, and references to the Council resolutions that relate to proposed changes. Note that these Tables only list those sporting facilities that were included in the s94 plan and do not list all facilities in the Shoalhaven.

Proposals listed here are consistent with Council's draft Sporting Facilities Strategic Plan, which has been distributed to sporting clubs and other organisations for comment. Council has adopted the strategic directions outlined in the draft Plan (MIN07.1843) to allow public comment.

Following the briefing to Councillors on the 10 year Financial Forecast on Tuesday 5 February 2008, a review has been provided to Councillors which notes Council's past resolutions in relation to the South Nowra Soccer fields. These resolutions have been followed in preparation of the draft Sporting Facilities Strategic Plan and proposed actions in this report.

Table 1
Works Included in 1993 CP and Proposed Changes
Project 01AREC0001 – Planning Area 1

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
Bernie Regan Sporting Complex	West Cambewarra Rd, North Nowra	football/cricket 5 fields	football/cricket 2 senior & 1 junior fields provided.	Continue expansion of facilities at Bernie Regan Sporting Complex.	
Allsands sporting field	Rayleigh Dr, Worrigeer	football/cricket 2 fields	Not constructed. Site investigations have recommended not to develop just the one sports field in a flood retention basin.	Transfer to South Nowra Soccer Fields to meet increased demand for soccer.	MIN06.295 & MIN07.21 acknowledge increased demand for soccer
Worrigeer sporting field	Sophia Rd, Worrigeer	football/cricket 2 fields	Not constructed. Site investigations have recommended not to develop this facility due to this site needing to channel and retain flood water from surrounding residential areas.		
Nowra Fair Sporting Complex	Nowra	football/cricket 4 fields	Not constructed.	Incorporated into Wondalga Sporting Complex Master Plan, since renamed as Lyrebird Sports Park.	MIN06.1139 & MIN07.1572
Cambewarra School	Cambewarra	football/cricket 1 junior field	Not constructed. A sports field has been provided in the Ray Abood Estate.	Expansion of Ray Abood Village Green proposed to	

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
				allow for a second field.	
Narang Road Tennis Complex	Bomaderry	tennis 9 courts	12 courts provided.	Continue expansion of Narang Road Tennis Complex.	
Park Road tennis courts	Nowra	tennis 2 courts	Facility was built but subsequently demolished to provide space for a community services facility.	Demand met at Narang Road Tennis Complex.	MIN05.596
Nowra West tennis courts	Cavanagh Lane, West Nowra	tennis 2 courts	Not constructed. Council has a preference to cluster these facilities.	Demand met at Narang Road Tennis Complex.	
Solon tennis courts	Stanbury Pl, Worrige	tennis 2 courts			

Table 2
Works Included in 1993 CP and Proposed Changes
Project 01AREC0002 – Planning Areas 1 & 2

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
Nowra Fair Sporting Complex	Nowra	basketball 2 courts netball 11 courts	Not constructed.	Transfer part to Park Road netball courts, part to Berry Sports Complex (netball), balance to proposed Northern Shoalhaven Indoor Sports Centre.	MIN06.298 & MIN06.1638 relate to development of Multipurpose Indoor Sports Centre
Culburra Sporting Complex	Culburra Rd, Culburra Beach	netball 2 courts			
Callala Bay Sporting Complex	Emmett St, Callala Bay	netball 1 court	1 court provided.		

Table 3
Works Included in 1993 CP and Proposed Changes
Project 02AREC0001 – Planning Area 2

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
Culburra Sporting Complex	Culburra Rd., Culburra Beach	football/cricket 2 fields tennis 2 courts	Not constructed.	Continue development of facilities in Planning Area 2.	
Callala Bay Sporting Complex	Emmett St., Callala Bay	football/cricket 2 fields tennis 1 court	football/cricket 1 senior & 1 junior field provided.		

Table 4
Works Included in 1993 CP and Proposed Changes
Project 03AREC0001 – Planning Area 3

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
Huskisson Tennis Courts	Park Street, Huskisson	tennis 2 courts	2 courts provided.	Council has resolved to expand sporting field facilities at this location.	MIN06.87 8 (see note below)
Vincentia High School	The Wool Road, Vincentia	basketball court	Provided in conjunction with Community Facilities project 03CFAC0003.	Project to be deleted from CP when Developer Contributions proportion has been fully recovered.	
Jervis Bay & St Georges Basin Sporting Complex	The Wool Road, Vincentia (Vincentia Sportsground)	football/cricket 4 fields Netball 6 courts	football/cricket 2 fields provided. Further expansion of this facility faces environmental constraints.	Alternative utilisation under consideration. Some funds to be transferred to Huskisson Sportsground and St Georges Basin Sports Field.	
Sanctuary Point Sporting Complex	Larmer Ave, Sanctuary Point	football/cricket 6 fields	Not constructed. Site investigations have recommended not to develop a sporting facility at this venue due to	Site abandoned. Alternative locations under consideration.	MIN07.12 75 & MIN07.14 25

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
			this land being highly flood prone.		
Vincentia Sports Field	Argyle Street, Vincentia	football/cricket 2 fields	Not constructed. Site investigations have recognised environmental constraints at this site.	Transfer to expansion of Huskisson Sportsground and St Georges Basin Sports Field.	MIN06.878 (see note below)
Wool Lane Sporting Complex	Links Ave, Sanctuary Point	Tennis 2 courts	Not constructed.	Alternative locations under consideration.	

Note: MIN06.878 authorises the transfer of available developer funds to three projects (Huskisson Sportsground, St Georges Basin Sports Field and Francis Ryan Reserve) as part of an on-going review of the provision of sporting facilities in Planning Area 3. St Georges Basin Sports Field and Francis Ryan Reserve are not listed in the 1993 CP but serve to meet demand from the same planning area. The transfer of developer funds to Francis Ryan Reserve will be dependant upon continuing investigations (MIN07.699).

Table 5
Works Included in 1993 CP and Proposed Changes
Project 04AREC0001 – Planning Area 4

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
Cudmirrah Sporting Complex	Fifth Ave, Cudmirrah	football/cricket 2 fields	Not constructed. Site investigations have recognised environmental constraints at this site.	Unlikely to proceed. Transfer to other facilities in Planning Area 4.	
Thompson Street Sporting Complex	Sussex Inlet	football/cricket - 2 fields tennis 3 courts- netball 3 courts	football/cricket 2 fields provided	Continue expansion of this facility.	

Table 6
Works Included in 1993 CP and Proposed Changes
Project 05AREC0001 – Planning Area 5

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
West Ulladulla Sporting Complex	Camden St, Ulladulla	football/cricket 4 fields tennis 6 courts netball 3 courts	football/cricket 3 fields; netball 6 courts provided. Tennis 8 courts provided (& 2 committed) at Warden St, Ulladulla.	Continue expansion of this facility, renamed Ulladulla Sports Park.	MIN06.780 & MIN07.1834
Village Drive Sports Field	Ulladulla	football/cricket 1 junior field	Not constructed. Insufficient area for expansion; retained as open space.	Transfer to Ulladulla Sports Park.	
Kioloa Sporting Complex	Kioloa	tennis 1 court	1 court provided.	Demand met.	
Lake Conjola Sporting Complex	Thorne St, Lake Conjola	football/cricket 2 fields	football/cricket 2 fields partially completed.	Complete proposed facility	

Table 7
Works Included in 1993 CP and Proposed Changes
Project CWAREC0003 (Hockey) – all Planning Areas

Projects proposed in 1993 CP			1993 CP Facilities provided	Current proposal	Reference
Description	Location	Facilities			
Nowra Fair	Nowra	A grade international field with 'supergrass' surface	Not constructed.	Synthetic hocky field now proposed for Bernie Regan Sporting Complex.	MIN05.1417 & MIN05.1505
Sanctuary Point Sporting Complex	Sanctuary Point	2 fields	Not constructed. Wool Lane hockey field meets some demand.	Future demand to be met at Bernie Regan Sporting Complex.	

Contributions and Expenditure History

Table 8 summarises expenditure by Council, plus amounts committed but not yet spent, toward the financial targets set in the 1993 CP. Also listed are the developer funds currently held by Council (including interest) made by way of s94 contributions, which are the subject of this report.

The final column indicates how closely the CP has achieved its initial financial objectives for active recreation facilities. For Planning Areas 2 and 4, much of the scope of the CP was based on expected development which is now somewhat uncertain.

Table 8
Summary of Financial Accounts for s94 AREC Projects as at 22 January 2008

Project code	s94 target (developer share of estimated total cost) in 1993 CP	s94 target as % of total cost	s94 Expenditure & Committed funds	s94 Expenditure & Committed funds as % of s94 target	Developer funds available	s94 Expenditure, Committed & Available funds as % of s94 target
01AREC0001	\$6,005,792	65%	\$1,155,750	19.2%	\$3,597,908	79.2%
01AREC0002 (basketball & netball - Areas 1 & 2)	\$1,680,879	60%	\$0	0.0%	\$1,123,096	66.8%
02AREC0001	\$1,305,761	50%	\$121,822.21	9.3%	\$14,680	10.5%
03AREC0001	\$2,162,858	25%	\$242,114	11.2%	\$931,620	54.3%
04AREC0001	\$760,095	42%	\$79,894	10.5%	\$39,289	15.7%
05AREC0001	\$1,634,690	39%	\$1,051,931	69.3%	\$170,245	79.8%
CWAREC0003 (Citywide - Hockey)	\$1,565,308	44%	\$27,600	1.8%	\$1,144,623	74.9%

Proposed Distribution of Available Funds

Table 9 recommends how the available developer funds could be allocated. This has been calculated by the following steps:

- available funds were initially allocated to the projects in the 1993 CP in the same proportion as the expected cost of those projects;
- the initial allocation was adjusted by the amount of developer funds spent on specific projects;
- for projects that are recommended to be continued, the adjusted amount becomes available;
- for projects that are recommended not be continued, the allocation is transferred to its most similar project, having regard to known Council priorities and previous Council decisions on capital works expenditure; and
- for some projects, the amount allocated exceeds the expected cost of the facility, in which case funds in excess of the expected cost have been transferred to another project in the same Planning Area(s).

Also listed in Table 9 is the amount of Council funds needed to match the available developer funds, using the cost apportionment rules specified in the 1993 CP.

These amounts do not represent the actual costs of any project, nor does Table 9 prescribe when funds will be expended. Rather, Table 9 identifies the amount of developer funds that are available to meet future costs, which provides information for the annual review of Council's capital works program.

In regard to project 03AREC0001, Council has resolved to recoup part of the acquisition costs of St. Georges Basin Sports Field (MIN02.255). The purchase cost was \$115,000 in November 2002, which represents a cost to Council of \$130,640 after application of CPI. Of this, 25% or \$32,660 is the developer share and it will be recommended this amount be transferred to Council.

Table 9
Recommended Distribution of Available AREC Developer Funds

Project code	Project description	Proposed allocation of available developer funds	Council share %	Council matching funds
01AREC0001	Lyrebird Sports Park	\$913,587	35%	\$491,932
	Bernie Regan Sporting Complex	\$1,164,322	35%	\$626,943
	South Nowra Soccer Fields	\$735,818	35%	\$396,210
	Ray Abood Village Green	\$108,951	35%	\$58,666
	Narang Road Tennis Complex	\$675,230	35%	\$363,585
01AREC0002	Northern Shoalhaven Indoor Sports Centre	\$703,097	40%	\$468,731
	Park Road Netball Courts	\$300,000	40%	\$200,000
	Berry Sporting Complex	\$120,000	40%	\$80,000
02AREC0001	Planning Area 2 sporting facilities	\$14,681	50%	\$14,681
03AREC0001	Huskisson Sportsground	\$150,000	75%	\$450,000
	St Georges Basin Sports Field	\$150,000	75%	\$450,000
	St Georges Basin Sports Field recoupment of 25% of acquisition cost	\$32,660		
	Additional site, Planning Area 3	\$598,960	75%	\$1,796,881
04AREC0001	Planning Area 4 sporting facilities	\$39,289	58%	\$54,256
05AREC0001	Ulladulla Sports Park	\$170,245	61%	\$266,281
CWAREC0003	Bernie Regan Sporting Complex (Hockey)	\$1,144,623	56%	\$1,456,793

Contributions continue to be levied on residential development applications, as per Council's CP, including consents issued but not yet acted upon. It will be recommended that future contributions be distributed to, and in the same proportions as, the projects listed in Table 9 until such time as Council resolves otherwise. Contributions income and targets are reviewed and reported to Council periodically, as are requests for expenditure of contributions, which allows Council to adjust the expenditure of developer funds accordingly.

Conclusion

The recommendations in this report capture the strategic direction of the current review into provision of additional sporting facilities, and are necessary to authorise expenditure of developer funds held by Council. The application of developer funds to construction of the facilities described in this report will provide a significant boost to the delivery of high class sporting facilities across the Shoalhaven. Whilst some changes from the detail of the 1993 contributions plan are proposed, the recommendations retain the principles of nexus and cost apportionment established in the 1993 CP.

RECOMMENDED that

- a) **Developer funds held by Council for active recreation projects be distributed as follows:**

Lyrebird Sports Park - \$913,587

Bernie Regan Sporting Complex - \$1,164,322

South Nowra Soccer Fields - \$735,818

Ray Abood Village Green - \$108,951

Narang Road Tennis Complex - \$675,230

Northern Shoalhaven Indoor Sports Centre - \$703,097

Park Road Netball Courts - \$300,000

Berry Sporting Complex - \$120,000

Planning Area 2 sporting facilities - \$14,681

Huskisson Sportsground - \$150,000

St. Georges Basin Sports Field - \$150,000

Transfer to Council from 03AREC0001 as recoupment of 25% of acquisition cost for St Georges Basin Sports Field - \$32,660

Additional site, Planning Area 3 - \$598,960

Planning Area 4 sporting facilities - \$39,289

Ulladulla Sports Park - \$170,245

Bernie Regan Sporting Complex (Hockey) - \$1,144,623

- b) **Future contributions income for active recreation projects be distributed in the same way until resolved by Council otherwise.**

5. **Quarterly Report - Planning Work Program (Environmental Planning & Assessment Act Projects)** **File 28283**

Planning Work Program Update

As indicated in the last quarterly report (November 2007) staff are currently finalising a new work program format that will be available on line via Councils intranet site so that Councillors and staff can review and monitor the progress of planning projects as required.

The software preparation of the new on line system has been completed, however due to staff shortages and other more pressing project commitments planning staff have not been able to complete the necessary final check of the data in the system before it can become live. It is intended that this will be done shortly and a separate briefing session will be arranged for Councillors to explain the new system prior to it being used in the next Quarterly Report.

Current Status Report

The following is a status report on the Work Program and some of the higher profile projects in the existing program and supplements both the more comprehensive work program provided in the Councillor's Information Folder for today's meeting and those matters referred to in the Management Plan reporting process.

This is also an opportunity for Council to review the priority of items shown on the comprehensive listing and whether Council wishes to add items to the list.

1. Completed Projects

The following projects were completed since the last quarterly report:

DCP No.119 – Nowra Hotel Site – Became effective 5 December 2007

CP 78 – S94 Review – Fire/SES – Became effective 9 November 2007

M0250 – Sussex Inlet Settlement Strategy – Completed – published December 07.

2. Major Projects

Small lot rural subdivisions

Heritage Estates

Work has commenced on preparation of the Public Environment Report (PER) required under the Commonwealth *EPBC Act*. Dr David Bain from Eco Logical Australia Pty Ltd has been engaged to address certain EPBC-related biodiversity impacts. Judith Stubbs & Associates have also been appointed to research and document social and related economic issues affecting the landowners for inclusion in the PER.

When completed, (late February / early March) the draft PER will be submitted to the Department of the Environment, Water, Heritage and the Arts (DEWHA) and then placed on public exhibition by Council

Jerberra Estate

Council considered a detailed report on this matter during last month and resolved on the 29th January 2008 to:

- a) *Council write to the Department of Planning to obtain their advice on whether they will issue a Section 65 certificate based on Council's preferred option.*
- b) *Report back to Council upon receiving this advice.*

The resolution will be acted on in the near future and Council will be advised of the outcome in due course.

Nebraska Estate

Council is currently awaiting receipt of a draft Threatened Biodiversity Study from Bushfire & Environmental Services (BES) Pty Ltd. No further work on flooding has been undertaken since a draft preliminary flood study was prepared in the first quarter of 2007 utilising digital elevation data from the airborne laser scanning (ALS) survey.

Verons Estate

The draft report on the 'Stage 1 Threatened Biodiversity Study' was received from BES in mid January 2008. The report provides vegetation and preliminary habitat mapping and additional targeted surveys to enable completion of the necessary constraints mapping. A survey of the Leafless Tongue Orchid was completed by BES in December 2007. Staff are currently reviewing the draft report and it is also intended that targeted surveys will commence in the near future to avoid delays in the rezoning investigations.

The road and drainage design work has been completed and it is intended that construction will commence in the 2008/2009 financial year.

Goodland Road

The Ecological Report for the rezoning investigations of Goodlands Road has now been completed by the consultants AHA Ecological. The constraints mapping from this report is being used by staff for the onsite effluent disposal assessment.

Citywide Growth Management Strategy

Carla Rogers, of Evolve Facilitation & Coaching was engaged to conduct three initial community workshops as part of this project in early February 2008. The initial community consultation period will continue until the end of February 2008, with a report on the consultation outcomes being prepared after this time.

A Community Information Paper has been produced to assist community members who wish to attend the community workshops or contribute to the process and is available on the Council's website and includes a questionnaire. The Paper helps establish the parameters for the consultation process by outlining what is on the table for discussion and what is beyond the scope of the project.

Sussex Inlet Settlement Strategy

The final Settlement Strategy was published and released during December 2008. The Strategy document is now available on Councils internet site and in hard copy and CD versions.

Arising from the Strategy, Council has recommenced the draft Local Environmental Plan (LEP) for the Badgee investigation and various meetings have been held with the Department of Planning and the proponents regarding a concurrent Part 3A Development Application and rezoning process. A planning focus meeting and site inspection was held with relevant government agencies in early November 2007 and the Council received a response to its Section 54 Notification enabling the rezoning investigations to proceed further. Formal Section 62 consultation letters are currently being finalised and will be sent out to relevant Government Agencies shortly.

Section 94 Contribution Plan Major Review

The Fire & Emergency Services major review in regard to RFS projects has been completed with an amendment to the Contributions Plan made effective in November 2008.

Council is still waiting for further guidelines from NSW Department of Planning in regard to the mooted changes to the Section 94 and related legislation for plans and amending plans made after 12th November 2007. This has created considerable uncertainty over future amendments to the Plan, and for plans applying to future land release areas. Consequently, work toward amendments for Car Parking at Berry and for Nowra CBD Traffic Facilities & ENSA have been considered by Council but not yet progressed to adoption.

The Town Centre Contribution Plans for Huskisson and Ulladulla have been drafted, and the plan for St. Georges Basin town centre is in preparation, but will require Department of Planning advice before completion.

Council will shortly be considering recommendations for expenditure of accumulated developer funds in Active Recreation projects in lieu of a formal amendment to the Plan. Amendment 98 for the provision of road works at Princes Highway and Warra Warra Road, South Nowra is in preparation. Council has successfully defended a legal challenge to the status of amendment 77.5.2 although the decision has been appealed.

The draft policy for Section 93 Planning Agreements is currently on exhibition and will be reported back to Council at the conclusion of the exhibition period.

It should be noted that the uncertainty created by the Department of Planning's proposed changes to the Section 94 system has the potential to affect the delivery of projects proposed under the planning work program.

Nowra-Bomaderry Structure Plan

The Nowra Bomaderry Structure Plan has been granted conditional endorsement by Department of Planning (DoP) based on minor amendments being made to the document. Council has made the required changes to the Structure Plan and submit the final document to DoP for formal endorsement.

Once the Structure Plan has been formally endorsed in the near future, a limited number of hard copies and CD copies will be made available. Work has however also continued on the resultant LEP Review.

The draft report on the possible bio-certification of the proposed draft LEP for the Nowra-Bomaderry Structure Plan area has been received from the selected consultants AHA Ecology and is currently being reviewed. GHD Pty Ltd has also been engaged to undertake a verification exercise of the waterways and riparian areas within the Structure Plan investigation areas to assist with the placement of appropriate zones as part of the draft LEP.

Ulladulla CBD DCP Review

Following the preparation of a draft plan the project Working Party met in late November 2007 and recommended that the plan be submitted to Council in the first quarter of 2008 with final recommendations for consideration. It was also resolved that the facilitator submit a report regarding the outcomes of the four workshops held to date by the Working Party.

It is intended that a further meeting of the Working Party will be scheduled as part of the formal exhibition process of the draft DCP.

Shoalhaven LEP Review (LEP2009)

Allen Grimwood from Zenith Town Planning has been working in house on the project and three Councillor Briefing Workshops were held in late 2008. The aims and objectives of the new plan and the proposed zone change over were discussed at these workshops.

Three/four further Councillor briefing workshops have been arranged and will be held during February and March 2008.

The Department of Planning made substantial changes to the Standard LEP Instrument in mid December 2007 and this has complicated the work being undertaken on the project. However the intent of this project is to deliver a draft of the new LEP by mid 2008.

Application for additional Planning Reform Funding (PRF) for this project from the Department of Planning was unsuccessful – advised that it could however be moved from the PR Funding previously allocated to the Growth Management Strategy.

The Mayor has requested that staff look at the possibility of bringing forward the program to have the final draft plan adopted by Council in August 2008 to allow forwarding to the Department of Planning for gazettal.

Such a program would require the following as well as possibly incorporate special Council meetings.

Now – end April	Finalise draft LEP including mapping
Start May – mid June	With Department of Planning for S64 (6 weeks)
End August	Report to Committee / Council meeting
September	Submission to Department of Planning

To achieve this timetable will require commitment of Councillors and concentrated staff resources. In addition government agencies will be required to meet deadlines which will be a difficult ask considering the number of Councils progressing their major LEP review.

Concentration on this project will therefore have impacts on other program projects. It is envisaged that most rezoning projects will be delayed to achieve the desired timetable. Use of additional consultancy resources could assist but final quality assurance will be an ongoing input from existing staff.

Shoalhaven DCP Review (DCP2009)

Kerry Rourke from Planscapes Consultancy commenced work in house on the project and work is underway to transfer our current DCP's and planning polices into a single DCP. The intent of this project is to deliver a draft of the new DCP by mid 2008.

3. Other Work Program Alterations

Following Council resolution the following projects have been added to the work program since it was last considered:

LP397 – Nowra Swimming Pool Site – Reclassification of Land
LP398 – Comberton Grange – Rezoning to facilitate the Shaolin Temple Proposal
LP399 – Depot Farm and Rockhill Road, North Nowra – Reclassification of Land
DCP No.52 – Dolphin Point – Design Guidelines for 3(g) zone
DCP 106.2 – Shoalhaven Floodplain Management Plan amendment to incorporate St Georges Basin and Lower Shoalhaven Floodplain
M270 – S93 Voluntary Planning Agreement
CP97 – Sussex Inlet – Service Road adjacent to Sussex Inlet Road
CP 98 – South Nowra – Warra Warra Road Roundabout

Council also resolved in November 2007 that the issue of the deferred 1(c) zones be included as a priority in the planning work program for the next 12 months (i.e. 2008) and be part of the LEP2009 review.

The following projects have been removed from the work program since it was last considered or will be removed following this report:

Draft LEP No.LP357 Princes Highway, Milton (Papas) – was a “deferred” matter from the Milton-Ulladulla LEP. The landowner’s representative advised in December 2007 that the rezoning is not being pursued at this date. The potential residential rezoning of the land will be reconsidered in the future should Council revisit the detail in the Milton-Ulladulla Structure Plan and associated LEP.

Draft LEP No.LP394 Huskisson Car Park Reclassification – Council subsequently resolved not to proceed with the reclassification LEP.

Draft LEP No341 Flooding Provisions Update – Given the issues raised by State Government Agencies, will now be considered as part of LEP2009.

Draft LEP No. 393 Amend Clause 28 Danger of Bushfire – Have received advice that the Statute Law (Misc. Provisions) Act 2007 has already amended Council’s LEP to update reference to the Planning for Bushfire Protection Guidelines.

4. No Projected Completion Date Listing

The work program provided in the Councillor’s Information Folder contains a list of projects that have no projected completion date. Those projects listed are not deleted from the Work Program but are in a position where outside circumstances or decisions make it impossible to anticipate when work can recommence or when a likely completion date can be achieved.

5. Items with Department of Planning or Subject to Recent Response

Project No.	Task/Strategic Project	Comments/Progress Statement
LP362	Milton/Ulladulla deferred matter – Dolphin Point – Elderslie	LEP with DoP for gazettal
LP363	Shoalhaven – LEP 1985 1(c) tree policy	Response from DoP required
LP373	Shoalhaven – Exempt tree removal from LEP 1985	Response from DoP required
LP377	Ulladulla – Ulladulla Harbour land change to Operational	No projected completion date
LP393	Shoalhaven – Amend Clause 28 Danger of Bushfire (Sect 73A)	Currently with the Parliamentary Counsel for an opinion. Note: Advice has been received that the originally prepared wording change has occurred through the assent of the Statute Law (Misc. Provisions) Act 2007. Amendment no longer needed.
LP395	Berry – Anderson Lane - Reclassification	With the LEP Review Panel for reconsideration
LP396	Currarong – Heritage Item Deletion (Manson)	With the LEP Review Panel for consideration
LP397	Nowra Riverfront Precinct/Pool Site - Reclassification	S54 notification and LEP Review Panel referred to DoP
LP398	Comberton Grange – Tourist/Residential Development	S54 notification and LEP Review Panel referral with DoP
M0068	Nowra / Bomaderry Structure Plan Review	Final Structure Plan Document with DoP for formal endorsement

6. Other Involvements

In addition to the work program planning staff have coordinated or had major input/advice to other matters during the reporting period including:

Bio-banking Legislation – was report to Council in January 2008. Submission will now be made.

Planning Reform Discussion Paper – staff attended briefing sessions during December 2007. Was the subject of a Councillor Briefing in January 2008. Will be reported to Council in February 2008 to enable submission to be made.

Section 94 Planning Reforms – staff have provided feedback to the Southern Councils Group and others on the proposed changes to the Section 94 system,

Jervis Bay National Park Draft Plan of Management – will be the subject of a future report to Council prior to submission being made.

Lake Wollumboola RAMSAR Listing – providing technical input into proposed survey of Culburra Beach residents and ratepayers.

Infrastructure SEPP – The SEPP was gazetted in late December 2007 and became operational on 1st January 2008. Currently reviewing potential implications prior to report to Council.

Aboriginal Land Claims at Conjola Beach – Was reported to Council in January 2008. Submission will now be made.

7. Additional Requests/Projects

One Tree Bay Rezoning Request – was received by Council during the report period. Council resolved in January 2008 to prepared the required draft LEP. Will now be progressed in accordance with the Council resolution.

8. Staff Resources

There are currently four positions that remain vacant in the Strategy Planning Section – three existing senior planners' positions and one funded strategic planner's position. Advertising has been continual in an attempt to fill these positions; however the continued lack of senior planners has the potential to continue to impact on the delivery of the planning work program.

Council staff have provided position details to Local Government Recruitment who are visiting an employment expo in the United Kingdom during the first week of March 2008 to provide employment opportunities for key positions where there is a skills shortage in Australia.

Opportunities were previously explored in New Zealand and negotiations with a possible South African recruit currently in Australia on a visa, fell through.

RECOMMENDED that the quarterly report of the General Manager (Strategic Planning) in relation to the Strategic Planning Group Work Program be received for information and the work program adopted.

6. Sustaining Our Shoalhaven Project - Assistance and Opportunities for Involvement

File 33821

Sustainable housing involves designing, planning and building dwellings to make them more socially, environmentally and economically workable. A 'Sustainable House' features and promotes:

- Common sense housing design that is attainable for everyone;
- Safety, adaptability, security and universal design;
- Resource efficiency in water, waste and energy and cost-efficient over time.

The end result is a house that is more comfortable to live in, more economical to maintain, and has less impact on the environment. It also has substantial lifestyle and investment benefits and could better meet people's needs as they change throughout life.

On 25 September 2007, Council resolved to:

1. *"Offer "in principle" support (non financial) to Timbercrete Pty Ltd to establish a consortia of local businesses to construct a Sustainable Show Home;*
2. *Staff negotiate Councils practical involvement in the project and report back to Council."*

The consortia of local businesses, lead by Timbercrete Pty Ltd have now finished its feasibility study and are ready to commence this project. This report provides an overview of the opportunities for Council involvement in this project in accordance with the second part of the above resolution.

It is proposed that construction would commence in April and would require six months for completion. They are hoping to launch the commencement of this project at the end of February 2008 and have sought Council support to provide a venue and host the launch.

The proposal is to build an affordable home to demonstrate the costs of various environmental options and trade-offs. These would be clearly demonstrated to enable home builders make better decisions. The home would also be built to suit Shoalhaven's aging population (adaptability principles) as well as demonstrating energy and water saving products and techniques.

It is proposed the house be built on the corner of Browns Road and Hanover Place in Worrigee. The Show Home will be funded by a consortia of local businesses. All local businesses have been offered the opportunity to contribute eco-friendly service or products and services for the house. These items will carry the label and information about the business which will generate promotional benefits for the proprietors. The University of Wollongong and several local High Schools have also expressed an interest in having their students involved in project. The consortia have offered Council free use of the house as a venue to run community education programs and workshops. This will be particularly useful in the case of organic waste management demonstrations.

Council Involvement

This project will send a positive message to the community that Council is collaborating with the private sector in this important area and is keen to promote sustainable development and is seeking innovative ways to reduce the cost of living. It is also a way to demonstrate that Council is a proactive and thoughtful community leader, assisting the building industry and the community to

better understand the practical application of efficiency measures. The house could also showcase the necessary elements of age-friendly, adaptable housing.

A table outlining various opportunities for Council to be involved in this project is in Table 1. Other opportunities may arise as the project eventuates and these can be reported up as appropriate for due consideration.

Table 1 - Opportunities for involvement

	Group	Task & Details	Benefit for Council/Group	Approx Hours/Cost	Time frame
1	Councillors	Task: Council provide a venue and host morning tea reception for Timbercrete to launch the project. Details: Attendees would include representatives from Wollongong University, local high schools, local businesses involved in the project, healthy cities, and media.	<ul style="list-style-type: none"> • Council is seen to be supportive of a project that is open to all local businesses and will have an extended community benefit. • Council can be seen to be nurturing sustainability within the community. 	35 people \$3 per head = \$105	Feb 2008
2		Task: Attend opening of house. Details: To demonstrate Council's support of this project to the community.	<ul style="list-style-type: none"> • Positive media opportunity for Council 		Aug-Sept 2008
3	Strategy Planning	Task: Point of Contact for Council involvement -Environmental Planner. Details: Liaise with consortia regarding Council's involvement. Provide guidance on sustainability and accessibility issues.	<ul style="list-style-type: none"> • Ensure that Project is handled in a structured and efficient way. • Ensure that the display home is as relevant as possible to Shoalhaven ratepayers and their housing needs. • Demonstration of 'accessibility' principles. 	Approx 1 hour per week for 26 weeks = \$936	Through out project
4	Development and Environmental Services	Task: Staff comment on draft plans	<ul style="list-style-type: none"> • Ensure house will cater for the needs of your average Shoalhaven Resident – eg. appropriate for aged persons, reasonable cost. Ensure that house meets all of Council's requirements for a domestic dwelling. • Potential to improve the standard of development applications. • A resource to send proponents to for information. • Example for developers/builders. • Opportunity to involve local builders and developers. • Display grey water reuse opportunities for households and it's benefits. • Help community with transition into complying with BASIX and ACCUATE systems. • Demonstrate how to maintain vegetation on block without compromising safety or aesthetics (Tree Preservation Order). 	1 hour x 4 staff = \$120	Feb 2008

	Group	Task & Details	Benefit for Council/Group	Approx Hours/Cost	Time frame
5		<p>Task: Building approvals.</p> <p>Details: Provide advice and refund associated development application and other Council fees for – Development, construction certificate, inspection and occupation certificate, long service levy and drainage. Provide advice and refund associated development application and other Council fees for – Development, construction certificate, inspection and occupation certificate, long service levy and drainage.</p>	<ul style="list-style-type: none"> • Council seen to be actively supporting a local project. 	\$ 3041	March 2008
6		<p>Task: Workshop with local builders.</p> <p>Details: Demonstrate sediment erosion control during construction by holding workshops.</p>	<ul style="list-style-type: none"> • Sediment control is one of the highest compliance issues that Development Services deal with – this is an opportunity to reduce the number of non-compliances that occur by providing an example of best practice). • Demonstrate ways to reuse stormwater (minimising complaints received by Councils concerning inadequate stormwater control). 	2 hour x 2 staff = \$120	May 2008
7	City Services and Operations	<p>Task: Use venue for waste management workshops.</p> <p>Details: Examples- composting, non-toxic, worm farm, no dig.</p>	<ul style="list-style-type: none"> • Time savings - A venue that is permanently set up with education materials is a huge time saving benefit to education workshops. Transporting and setting up of education resource materials is very time intensive. • Perfect demonstration site for the workshops, with "permanent" compost and worm farms set up. Each of the workshops No-dig component could actually participate in building and/or extending part of the gardens. • Opportunity for participants to explore other components of sustainability that they could apply in their homes. • Showcase best practice bushfire prevention measures. 	Already in work plan as task	Oct 2008 – Oct 2009
8		<p>Task: Landscape Designer.</p> <p>Details: Provide feedback: - Species selection - Draft landscape plan - Water saving ideas</p> <p>Note: This task could also be sourced by Timbercrete Pty Ltd from a local nursery without Council's involvement.</p>	<ul style="list-style-type: none"> • Demonstrate appropriate species of plants for this area – natives can look good and use less water. 	21 hours = \$840	March 2008 & June 2008

	Group	Task & Details	Benefit for Council/Group	Approx Hours/Cost	Time frame
9		Task: Landscape Designer. Details: Choice and images of materials for landscape plan. Final landscape concept.	<ul style="list-style-type: none"> This will allow Council to have input to the layout of the yard to ensure that it is conducive to our proposed composting and kitchen garden workshops. 	14 hours = \$560	May 2008
10		Task: Bushcare. Details: Use house as a demonstration for how to incorporate native plants/weed management.	<ul style="list-style-type: none"> We already have the education materials ready for this. 	Can be factored into current activities.	Oct 2008
11	Shoalhaven Water	Task: Use house as a demonstration for water saving devices. Details: Comment on draft plans, identify issues. Send interested members of the public through house – provide funding for any particular items they would like displayed.	<ul style="list-style-type: none"> Can show the savings of AAA shower heads, garden-hose spray guns etc. Can demonstrate the savings over a year for a family of four. Demonstrate water smart garden principles. Demonstrate 'silent wastage costs' – eg. one leaking tap can waste more than 2000 litres of water every month. Demonstrate dual flush toilets hooked up to a rain water tank. Potential for demonstrating water reuse. 	1 hour = \$40 \$? other ideas as budget allows	Oct 2008 –Oct 2009
12	Communication and Electrical Section	Task: Comment on the electrical plan.	<ul style="list-style-type: none"> Energy efficient globes and technology (house could have sensors installed to automatically turn lights off when rooms are not being used. Demonstrate the \$\$ savings by turning appliances off (standby mode is an energy drain) Benefits and costs of solar heating Energy savings of solar passive design Example of photovoltaic (and potentially wind) feeding back into the grid to power the dwelling 	1 hour = \$40	03/08
13	Media officer	Task: Assist with publicity of the project. Details: Seize opportunities for media attention.	<ul style="list-style-type: none"> Council has positive media item Council seen as involved in helping the community and local businesses to become more sustainable. 	Media = 1 hour per month – 12 months = \$500	Feb 2008 – Dec 2009
14	IT	Task: Handle electronic media. Details: Load information onto Council's website.	<ul style="list-style-type: none"> Positive addition to Council's website 	3 hours = \$120	Sept 2008
15	Counter Staff	Task: Advise DA applicants of the existence of the display	<ul style="list-style-type: none"> Helping to educate community about sustainable options – products services and techniques 	-	Sept 2008 – Sept 2009

	Group	Task & Details	Benefit for Council/Group	Approx Hours/Cost	Time frame
16	General	Task: Provide relevant interpretive material for distribution at Show Home. Detail: Work with Consortia to produce appropriate interpretive material.	<ul style="list-style-type: none"> The main benefit will be to residents of the Shoalhaven. If Council staff are involved in determining and producing the interpretive material we can ensure a significant proportion is aimed at retrofitting opportunities. 	\$2000	July 2008
APPROXIMATE TOTAL in-kind COST				\$8422	
Optional Extra					
17		Task: Staffing the house one day per week. Detail: One staff member (on a rotational basis?) based at the house with full computer access. They could undertake their normal work and be available to answer queries from people coming through the house.	<ul style="list-style-type: none"> Effective way to promote ESD to the community Council is seen to have a presence in the house Non-threatening atmosphere for people to ask general questions relating to Council approvals. Staff could still undertake normal computer-based work. 	\$6300 (averaged at \$36 per hour, half a day a week to allowing for the fact other Council work will be undertaken)	Sept 2008 – Sept 2009

The above list is tabled to provide Council with a suit of actions from which to choose its level of involvement in the project.

RECOMMENDED that Council provide direction as to which actions from the “Opportunities for Involvement” table it wishes to be involved.

E J Royston
DIRECTOR, STRATEGIC PLANNING

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
POLICY AND PLANNING COMMITTEE

TUESDAY, 12TH FEBRUARY 2008

FINANCE AND CORPORATE SERVICES

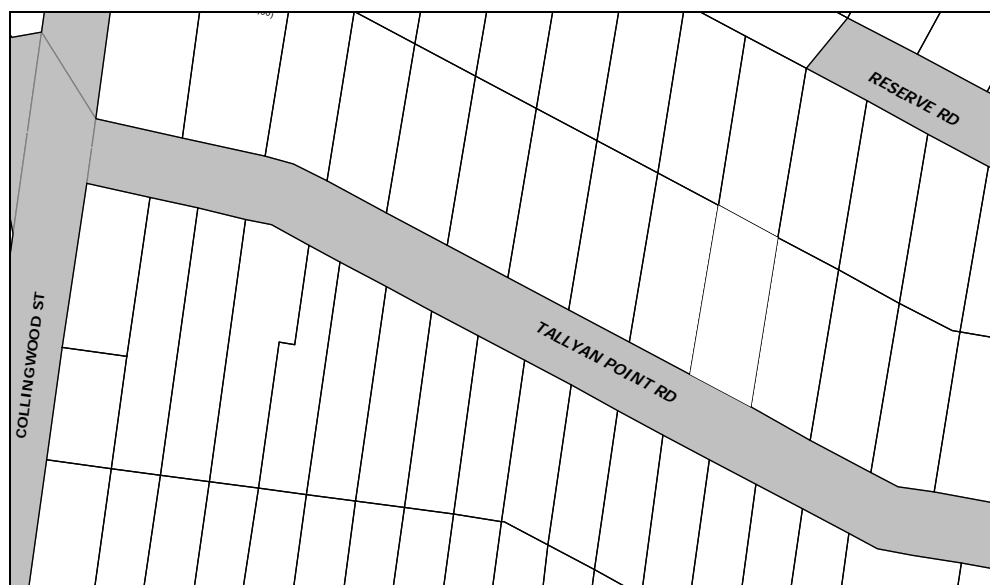
1. Re-establishment of Alcohol Free Zone - Basin View

File 29199

The Alcohol Free Zone in Basin View is due to expire on 21st July 2008 and Council has received support from the NSW Police Service, Shoalhaven Local Area Command (Licensing Coordinator and Crime Management Unit) and Council's Ranger Services for the zone to be re-established for the allowed three year period, for the purpose of preventing alcohol related crime in the area.

The Basin View alcohol free zone includes the following streets and sections of streets and car parks within the area bounded by:

Tallyan Point Road from the corner of Collingwood Street to the end of the Infants and Primary School, Basin View



Key:

Local Government (Alcohol Free Zones) Act

Commenced on the 22nd December, 1995 and states:

- A Council may prepare a proposal for the establishment of an Alcohol Free Zone on its own motion.
- An Alcohol Free Zone may be established in a public road or public car park.
- An Alcohol Free Zone may operate up to a maximum of three years.

-
- Notification procedures relating to the establishment of Alcohol Free Zones require notification of additional parties and allow concurrent notification.
 - An Alcohol Free Zone may be enforced only by Police Officers (excluding Special Constables) except where the Commissioner of Police has authorised particular Council employees as enforcement officers for special events. Council's Rangers have not been authorised by the Commissioner.

Suspension or Cancellation

The power to suspend or cancel an Alcohol Free Zone during its period of operation is provided so that a Council may respond to more immediate situations that arise within the area of the zone.

Statutory Process / Administrative Processes

There are very lengthy statutory requirements attached to an application to designate or redesignate an area as an Alcohol Free Zone and the process is quite onerous and aimed to protect the rights of the individuals. There is also a period of public notice required.

RECOMMENDED that the General Manager (Finance & Corporate Services) complete the statutory process, subject to compliance with the guidelines for the establishment of Alcohol Free Zones declare Basin View in the vicinity of Tallyan Point Road from the corner of Collingwood Street to the end of the Infants and Primary School an Alcohol Free Zone.

2. Creating Synergy between Research and Practice with Drug and Alcohol and Mental Health Conference File 4688-04

The University of Wollongong will be hosting a conference as part of the 2008 National Drug Action Week in the Illawarra commencing with a pre-conference workshop on Wednesday 11 June and concluding on 13 June 2008.

The conference is intended to provide a series of papers and workshops on a variety of topics relating to drug and alcohol misuse and dual diagnosis. Incorporated will be links that have been identified between research and practice within Drug and Alcohol use and Mental Health.

Councillor Willmott has indicated a willingness to attend this conference.

RECOMMENDED that Council authorise available Councillors to attend the Creating Synergy Conference at Wollongong University between 11 and 13 June 2008 and it be deemed business of Council.

3. Inquiry into Electoral and Political Party Funding File 18854-02

Background

The NSW Legislative Council has established a Select Committee on Electoral and Political Party Funding. The specific nature of the Inquiry is to investigate the funding of and the disclosure of donations to political parties and candidates in NSW State and Local Government elections and in particular;

-
- a) All matters associated with electoral funding and disclosure
 - b) The advantages and disadvantages of banning all donations from corporations, unions and organisations to parties and candidates
 - c) The advantages and disadvantages of introducing limits on expenditure in election campaigns
 - d) The impact of political donations to the democratic process and
 - e) Any related matters.

A discussion paper has been published and the Select Committee is seeking input to the paper, which is to be received by 15 February 2008. The discussion paper was provided to each Councillor at the December meeting and another copy is provided in the Information folder.

It is important to note that all submissions are confidential until the Select Committee makes them public. The letter enclosing the discussion paper points out that the author is unable to distribute their submission unless authorized by the Committee.

The discussion paper presents the possible areas for reform which are summarized later in this report.

It is a matter for Council to determine whether it wishes to make a submission to the Inquiry or whether individual Councillors wish to present their own submission. This report summarizes matters relevant to a Local Government context and presents a view that may or may not be the Council view.

Potential Areas for Reform

The Committee is seeking input into the following areas:

Election Funding Authority

The Election Funding Authority oversees the funding and disclosure scheme and in so doing ensures the probity of election funding and provides access to registers claims and declarations maintained by the Authority. Comment is sought by the inquiry on the efficacy of its operations in respect to Local Government Elections.

Commentary This aspect seems to be functioning satisfactorily.

Political Donations - Amounts

- The advantages and disadvantages of introducing limits on the amount of political donations that can be made, the criteria for determining those limits, whether they should apply to individual contributions, overall contributions to parties and candidates and the time period relevant to those contributions. Presently only contributions equal to or above \$1500 for parties, \$1000 for groups and \$500 for individuals need to be disclosed. For contributions less than the thresholds, the total number and value must be disclosed, but not the source.

In addition to the above disclosures any person or organisation incurring electoral expenditure in excess of \$1500 must disclose that donation.

Commentary From a Local Government perspective it may be considered reasonable that all donations made are disclosed regardless of the amounts. The reason supporting this view is the proximity between Councillors and their constituents and the role of Council in determining applications relevant to those donors.

Political Donations – Sources

- The advantages and disadvantages of prohibiting sourcing donations from corporate sectors, individuals, corporations, unions and organisations.
- The advantages and disadvantages of prohibiting donations from other sources where the potential for conflicts of interest may be considered likely.
- The advantages and disadvantages of proscribing certain sources of donations.

Commentary The potential exists with political donations for some groups to be disadvantaged because of their contacts within a community. As such, a disparity may arise where candidates with larger budgets may be better resourced to conduct their campaign. In respect to the potential for conflicts of interest, the Local Government Act 1993 requires the councillor to disclose the conflict and its nature and not participate in the debate on that matter.

Political Donations – Disclosure

- The adequacy of the current disclosure requirements for fund raising events and the possible need for separate disclosure requirements for donors and other entities.
- The identification of possible loopholes in current practices such as filtering or splitting of large donations to conceal the true amounts or sources of donations.
- The possible need for expanded disclosure of corporate donations to ensure the nature of the donor's corporate activity is disclosed.
- Appropriateness of thresholds for disclosure and the frequency and timeliness of disclosure (i.e. at the time the donation is made or received).

In addition, multiple contributions from are single source over a twelve month period are to be aggregated and corporations and related entities are regarded as a single corporation. It is unlawful for a party, group or candidate to receive a gift in excess of the reportable thresholds, unless the identity of the person making the gift is known to the recipient.

Election Expenditure – Amounts

- The advantages and disadvantages of imposing limits parties and candidates may spend on elections
- Whether certain specific types of expenditure should be banned (print and electronic advertising)
- Impacts of expenditure limits on the funding of elections and enforcement of such limits.

Commentary The declaration of an election may be held up until a certain number of candidates (those to be elected plus a certain number) provide an estimate of expenditure incurred in their electoral campaign. If that expenditure is exceeded by a certain percentage in the return to the Election Funding Authority, the election of that person becomes invalid, and the last candidate excluded be declared elected.

Election Expenditure – Disclosure

- The nature of expenses that should be disclosed, the adequacy of disclosures applying to third parties, the possible need for more frequent disclosures and the accessibility of disclosures as presented by the Election Funding Authority.

Other aspects

The following further review proposals or amendments to current practice that may be placed before the Select Committee are submitted for consideration:

- a) Each candidate, regardless of their political or group affiliation is required to complete a separate declaration. This then shows the respective amounts contributed to their election.
- b) Each Candidate representing a Registered party or group is to disclose details of funds provided by the affiliate party, in addition to the normal disclosures from other sources.
- c) Limit the funding from political parties
- d) To be entitled to a refund, a candidate (rather than the Party comprising of all candidates belonging to that party) receives 4% of the vote.

The Select Committee has requested that the Inquiry is publicised. By presenting this report, it facilitates that request and provides the Council as a body to make a submission to the inquiry on any of the items listed above. As pointed out previously, individual Councillors are entitled to make a submission should they so desire.

SUBMITTED for consideration

4. Motions to the 2007 National General Assembly of Local Government File 1077-02

Council at its meeting on 24th July 2007 considered a report on the proposed motions for consideration by the national General Assembly of the Australian Local Government Association. The Assembly was held in Darwin during November 2007.

Advice has now been received on those Motions that were adopted at the Assembly as well as details of the action taken by the Association which are set out below. A copy of the full texts of the resolutions is available on the ALGA website and included in the Councillor Information folder.

Resolution 12

That this National General Assembly:

- a) Acknowledge the Federal Government for extending and increasing the budget allocation to the Roads to Recovery Program;
- b) Request the Federal Government to provide formal notification of forward financial commitment to individual Local Government areas under the Roads to Recovery program to enable more cost effective programming and delivery of road infrastructure works.

Proposed Action

The ALGA will pursue with the Hon Anthony Albanese MP Minister for Infrastructure, Transport, Regional Development and Local Government to ensure that the election commitment to continue, with increased funding, the Roads to Recovery program and seek to have notification to Council funding shares as early as possible to facilitate Council planning.

Resolution 24

That this national General Assembly calls for increased funding by the Federal and State Governments to facilitate the provision of respite care accommodation and services for the nation's children and youth who suffer intellectual or physical disabilities to improve local governments' ability to co-ordinate age appropriate services at the local level.

Proposed Action

The ALGA will pursue this matter with the new Federal Minister for Health and Ageing, The Hon Nicola Roxon MP.

Resolution 51

The National General Assembly call on the Federal Government to extend its grant funding and rebate program for photovoltaic cells and other solar energy technology to Local Government owned and operated facilities.

Resolution 52

That this national General Assembly call on the Federal Government to:

- a) give priority to research, and provision of Local Government and industry incentives for solar and geothermal infrastructure to meet the nation's future energy demands; and
- b) assist Local Governments to increase the use of sustainable energy sources in order to minimise green house gas emissions in accordance with best international practice.

Proposed Action Resolutions 51 & 52

The ALGA Board supports these two resolutions and will pursue the matter with the new Federal Minister for Climate Change and Water, the Hon penny Wong.

Resolution 61

That the national General Assembly call on the Federal Government to establish a Local Government Assistance Fund for Council's embarking on a program to encourage foreign investment.

Proposed Action

The ALGA Board supports this resolution and will write to the Minister for Foreign Affairs, the Hon Stephen Smith.

There were similar motions to those presented by Council submitted by other Councils. The ALGA grouped these motions and the outcomes of those composite motions follow.

Resolution 4

This National General Assembly of Local Government endorse the recommendations of the Price Waterhouse report on Financial Sustainability of Local Government on a 'twin track' approach comprising internal reform and reform to intergovernmental transfers.

Further that the national General Assembly of Local Government endorse the need to:

- a) establish a new \$250 million per year for four years Community Infrastructure Renewal program;
- b) make Roads to Recovery funding permanent;
- c) change the annual indexation of Financial Assistance Grants to an escalation formula that
- d) better reflects local government costs, noting that changes to the escalation methodology of FAGs would mean interim measure while working toward a fixed share of Commonwealth taxation revenue (net of GST).

Proposed Action

The ALGA supports this resolution and will be taking the matter up with the Federal Government.

Resolution 25

That the National General Assembly of Local Government call upon the Federal Government to introduce a National Premises Standard which aligns to the building Code of Australia's minimum standards for disability access, to the objectives of the Disability Discrimination Act, with the identified objective being to provide people with safe, equitable and dignified access to buildings and services and facilities within a building, and that federal government funding be made available to enable local government to facilitate compliance with those provisions.

Proposed Action

The ALGA supports this resolution and will be taking the matter up with Senator Kim Carr, Minister for Innovation, Industry Science and Research. ALGA will work with the new government to pursue this long outstanding issue.

Resolution 3

That the National General Assembly reaffirm local government's call for a minimum of 1.5% of Commonwealth taxation revenue (net of GST) in the form of untied financial transfers to local government.

The ALGA board has indicated it understands the intent of this resolution, but has decided to continue with its presently adopted position which is to call on the Federal Government to a guaranteed percentage of taxation revenue (net of GST) of at least 1 per cent.

Resolution 5

That the National General Assembly call on the Federal Government to provide direct funding to significant growth areas to enable urgently needed social infrastructure and services to be delivered to communities to ensure strong community development and good community outcomes.

Proposed Action

The ALGA is considering a range of innovative funding models and will work with the Federal Government to develop innovative funding arrangements.

Resolution 27

That the National General Assembly call on the Federal Government to commit to a review of the delivery and funding of Childcare and Family Day Care to:

- a) ensure that the funding of these areas is directed to the areas of need and responds to the socio-economic characteristics of local communities;
- b) reflects the unique markets within which the care is being provided, including areas where market failure has limited the extent of care available such as limited services or lack of provision for certain age groups; and
- c) funding should also be structured to address infrastructure and other provision costs.

Proposed Action

This is basically consistent with present ALGA policy, but it is intended to develop a more specific proposal to put to government that reflects state association's views prior to pursuing the matter with the Federal Government. This will be considered as part of a future ALGA workplan.

Resolution 54

That the national General Assembly call on the Federal Government to develop legislation for container deposit, as a National policy position, due to the impact on local government waste services.

Proposed Action

This will be pursued with the new Federal Minister for Environment, Heritage and the Arts, the Hon Peter Garrett.

The proposed motion that local government is not required to implement the International Accounting Standard for the regular revaluation of non disposable assets was lost.

The outcomes of these resolutions will be monitored periodically and Council will be notified of developments as they occur.

SUBMITTED for information.

In accordance with Section 407 of the Local Government Act 1993, the General Manager is required within 2 months of the end of each quarter to submit a periodic progress report in respect of Council's operation and performance measured against its adopted Management Plan.

Accordingly, the second quarterly report (1st October 2007 to 31st December 2007) is now circulated for the Councillors' consideration in respect of the Management Plan 2007-2010.

The report focuses on the performance targets of the Council in terms of its principal activities. The statement of progress in respect of Council's achievement of its performance targets for the 2nd quarter for the 2007/2010 financial year is outlined in the far right column of the supplementary document entitled 'Management Plan 2007-2010 2nd Quarterly Operating Report – 1st October 2007 to 31st December 2007.

Summary of Achievements

Principal Activity 1 – Effective Government

Development and Environmental Services Group

The number of construction certificates received is slightly higher than for the same quarter in 06/07. Similarly with development applications, there is a more significant increase this year than in 06/07. This more marked improvement may well be reflective of an improvement in the residential market which has been below average for the last two years.

Processing times for DA's continues to trend in the right direction both in terms of average and median processing times; the results for this quarter are pleasing given the complexity of the legislation.

Construction certificate times are similar to those last year. Given the inability to use "stop the clock" mechanisms these figures are reasonable.

Finance & Corporate Services Group

- The Annual Report for 2006/07 was submitted to the Department of Local Government on 28th November 2007, meeting the statutory deadline required by the Department.
- The Innovation Plan has been adopted and will focus on changes directed towards sustainability, efficiencies in technology enhancement and elimination of redundant tasks.
- Council's program for reviewing and updating its public and corporate policies continued during the second quarter with over 96% of identified policies now reviewed and presented to Council for reaffirmation or rescission.
- The Statewide Public Liability Audit was completed and verification was conducted on 6th November 2007. Council's overall score was 90.7% which is an excellent result.

Strategic Planning Group

- GIS up to date with registered subdivisions, gazetted zones and adopted council policies affecting land.
- Additions to Council's internet site
 - Relevant Public Exhibition material.
 - Updated information relating to the progress of the rezoning investigations for the Small Lot Rural Subdivisions
- Achievement of 100% success rate for issue of Planning (Section 149) Certificates. This continues an excellent success rate in excess of the objective of 95%.

City Services and Operations

Leisure Services

Aquatic Services

- Ulladulla Leisure Centre - 10th Birthday, outdoor pool had new shade sails erected, new starting blocks and was repainted; installation of UV and gas meters
- Bay and Basin Leisure Centre - Introduction of Saturday gym classes- well attended with average of 17 attendees per class ; reduction of wages through roster review and reallocation of work duties in normal operations; completion of extensive building cladding upgrade by Edwards Constructions; roof anchor points installed; annual re accreditation of 60 + pool lifeguards to RLSSA standard through In-house training program.
- Bomaderry Aquatic Centre - Seasonal pools became operational on 10 November; new carpark being built at Berry Village Pool; Merchandise display wall and stock being sold at an increase 178%; Increase in learn to swim and squads compared to all previous years; Increase in secondary spend has tripled each month; Marked decrease in consumption of water, gas and electricity; Training conducted with staff members to increase services to squads and segregate squads into mini, junior and senior; Royal Life Saving Active Family Fun Day took place in December

Bereavement Services

- As has been the practice for some years, in November the Bereavement Services Section hosted "All Soul's Day" remembrance services for the Catholic parishes at Nowra and Milton-Ulladulla. The Nowra service was held in the Chapel at the Shoalhaven Memorial Gardens and Lawn Cemetery, the Milton-Ulladulla service was held in the grounds of the Sandridge Cemetery. About eighty people attended each of the services.
- The December highlight was the Children's Remembrance Service (6 December) in the Chapel at the Shoalhaven Memorial Gardens & Lawn Cemetery, Worrigeer. Councillor Paul Green welcomed about 80 people who attended the service. Mrs. Robyn Lenehan officiated at the service. After the service Refreshments were provided in the "Reflections" Tea Room.

Operational issues

- Operations were marred by a refractory failure in the Cremator door on Friday 9 December. Repair was carried out the following Monday to Wednesday. Operations resumed on Friday 16 December.
- As the furnace had to be shut down to repair the door it was decided to replace the hearth and some of the flue arch refractory at the same time saving money in the longer term. The additional work would have fallen due in the next 12 months.
- The refractory repair contributed to some down time, but staff were able to manage so that service delivery was not adversely affected in a significant way.

Principal Activity 2 – Protecting the Environment and Planning for Growth

Community & Commercial Operations Group

Waste Services

- *Safety Show* – Waste Services hosted a stand at the Safety Show in Sydney from 24 to 26 October, 2007. The display advertised Council's pro-active management of asbestos containing materials at Recycling and Waste Disposal sites.
- *Excellence in the Environment* – Waste Services received a "highly commended" award for Excellence in the Environment in Category C Councils. Council's "Another Prong to the Garden Fork" project, trialling green waste management processes, was rewarded at the award ceremony held at Parliament House on 4th December 2007. This project incorporated the acclaimed home composting trial, chipper trial and ancillary green waste management initiatives.

Strategic Planning Group

- \$165,000 funding approved by State Government to Estuary Management works.
- Flood studies adopted for Burrill Lake, Moona Moona Creek and Currambene Creek.
- Sussex Inlet Settlement Strategy document published and made available on the Intranet.
- Final endorsement by the Department of Planning of Nowra Bomaderry Structure Plan received late in the quarter. Arrangements currently being made for provision of the document.
- Public exhibition of Caravan Park Flood Safety Policy.
- Lower Shoalhaven Flood Risk Management plan adopted.
- Flood studies for Kangaroo Valley and Broughton Creek publicly exhibited.
- Millards Creek Ulladulla, Urban Stream Corridor Management plan adopted and commenced grant funded projects.

Development & Environmental Services Group

Rosenberg's Goanna

Council is working with a South Coast environmental company to help map the habitat of the Rosenberg's Goanna.

The Rosenberg's goanna is a small termite eating reptile. Council is taking the action in conjunction with the Southern Rivers Catchment Management Authority through the Natural Heritage Trust.

The consultant, **ngh**environmental, is seeking information on the whereabouts of the goanna to increase the limited knowledge of this species. The study will look at where the Rosenberg's goanna has been sighted.

State of the Environment Report (SoE)

As part of Development and Environmental Services' desire to continually improve the SoE, this year's report included a greater focus on community involvement, as is required by cl220(B) of the Local Government Act.

Community participation was encouraged through contacting 77 community groups including local schools, aboriginal land councils, principal consulting bodies, landcare/bushcare groups, conservation groups and heritage groups to request they provide information about the work of their group in the report.

In addition an opportunity was provided for groups to participate in workshops designed to assess the value community members placed on the different indicators used within the current SoE report. A focus on indicators was seen to be important because of the need to produce a comprehensive SoE report for next year with a new list of indicators. Surveys about perceptions of the importance of the environment were also given to community groups for completion.

Principal Activity 3 – Promoting and Developing the Local Economy

Strategic Planning Group

- Preparation of Voluntary Planning Agreement Policy.
- Significant work towards amendments for Huskisson CBD, Ulladulla CBD, Berry car parking, active recreation and S94 systems upgrades.
- Development of Ulladulla CBD development control plan through the Working Party and Council workshops.
- Development of 3D Modelling for certain town centres.

Adoption of development control plan DCP No. 119 which covers the proposed hotel site and the remainder of the civic precinct, Bridge Road, Nowra. The DCP provides detailed principles to guide the future development of the land.

Development and Environmental Services Group

The program of revision of our policy documents has continued and has resulted in the following amendments:

- a) *Subdivision Code* – Amendments ensure that road design is appropriate for the needs of residents.

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- b) *Markets Policy* – Amendments provide for an increased use of local and regional products offered for sale at markets.

Both amendments were in response to community concerns and involved extensive consultation processes during the revision process.

Finance & Corporate Services Group

Tourism

- The Annual report on the Economic Impact of Tourism was released on 5 October, 2007. It showed that direct tourism spending in the Shoalhaven is \$552 million per annum. Over 1.2 million people visit per annum, recording nearly 4.5 million visitor nights. Tourism generates approximately 6,000 jobs in our City.
- The On-line tourism booking service www.shoalhavenholidays.com.au set a new monthly record in December with turnover recorded at \$51,696.95.

Economic Development

Management Plan 2007-10; Task 3.1.1.2 – Industry Growth and Capability

World Youth Day Community Leaders Address

On the 15th November the Diocese of Wollongong held a Community Leaders Address for World Youth Day 2008 (WYD08). Over 20 community leaders attended this event that provided an overview of plans for WYD08 and opportunities for the Illawarra community. WYD08 will be held 10-20 July 2008 and will draw over half a million pilgrims from over 120 nations. Combined with the inaugural Australian visit of Pope Benedict, this event is expected to exceed the impact of the Sydney Olympic Games in terms of scale and magnitude.

South Coast Correctional Facility Sub Contractor Briefing

On Monday the 3rd December companies tendering for the proposed South Coast Correctional Facility were introduced to the local building industry. Over 200 local sub contractors attended this “Sub Contractor Briefing” hosted jointly between the NSW Department of Commerce, Shoalhaven City Council, Shoalhaven Business Chamber and the NSW Department of State & Regional Development. As well as being introduced to prime tenderers, local sub contractors were provided with an information pack about the tenders, and apprenticeship and other training requirements for construction. Tender documents have now been issued and tenders close in February 2008.

Wind Turbine Trial

Shoalhaven City Council is leading the way by participating in a trial of 1 kW/h urban wind turbine technology that has been developed by a local Bomaderry manufacturer. During the trial, the company & Council intends to monitor the operations to assess the actual benefits in power generation as compared with predictions. Not only does the wind turbine being trialled have the potential to put Shoalhaven on the “sustainability” map, it also boosts our manufacturing effort and will create jobs locally through the expansion of a local industry.

Education

A record number of graduates from the University of Wollongong's Shoalhaven Campus donned their caps and gowns on Wednesday 12 December to participate in the 2007 graduation celebration. Fifty-one students participated in the celebrations – the largest ever cohort of graduating students from the campus. Students received degrees which included the Bachelor of Arts, Bachelor of Commerce, Bachelor of Business Administration, Graduate Diploma of Education and Master of Management.

blueprint Shoalhaven

Management Plan 2007-10, Task 3.1 – Promote, strengthen, and diversify the area's economic base.

In partnerships with community, Council, State and Federal Government, blueprint Shoalhaven submitted a proposal to State Government for funding of \$70,000 for an Investment Prospectus for the Shoalhaven to attract investment and industry into the region and to build on the image of a vibrant regional city.

In conjunction with communities, council and Integral Energy; a community arts and tourism trail in communities to connect towns and villages, add to the pride and beautification of our region and to tell stories of our history, our lives and our future.

In relation to leading best practice in industry, education and training a Conference is planned for 2008 which will incorporate Youth Vision Beyond 2020. The conference is a partnership with young people, schools, Council, Private Hospital, TAFE NSW, University of Wollongong and the South East Community College.

The blueprint Shoalhaven website has been revised and updated and will continue to be updated with blueprint initiatives.

In partnership with Council, NSW Parks & Wildlife, Koori Habitat, DADHC and community elders, an Indigenous Skills Register is being developed and will be available on-line through the Koori Habitat website in early 2008.

With all levels of government and industry, developing emerging industry sectors to plan for increased employment and training, jobs and investment.

Management Plan 2007-10; Task 3.1.2.1 – Transport

Princes Highway Options – Gerringong to Bomaderry

The RTA currently has options for the Princes Highway upgrade Gerringong to Bomaderry on display at the Council City Administration Centre for public comment. This exhibition has generated much public interest and public consultation will also involve direct contact with groups affected by one or more of the options to discuss the issues in more detail. The public consultation period will close in February 2008, and findings will be used to identify the preferred option for the upgrade to this section of the Princes Highway. Council awaits some of the more technical data to make its assessment.

MR92

Stage 2 of the upgrade between Nowra and Nerriga is well underway and the site office for Stage two construction and future stages of the work has been established at Sassafras. Clearing for

construction of the eastern part of Stage 2 commenced in late November, and work closed down over Christmas from 21 December 2007 to 7 January 2008.

Detailed design of the remaining 20 km section of the upgrade, from Morton National Park to Billy's Hill is nearing completion in preparation for advertising the Stage three contract.

Source: RTA Website

South Nowra / Princes Highway Safety Improvements

Work is well underway on a \$19 million project to improve safety on the Princes Highway at South Nowra.

Construction activities over the last three months include:

- Earthworks construction, widening cuttings and embankments.
- Extension of the cross drainage systems.
- Relocation of Shoalhaven Water pipelines.
- Building foundations for the new Currumbene Creek Bridge.

Source: RTA Website

Business Networking

Management Plan 2007-10; Task 3.1.1.2 - Industry Growth & Capability

The Shoalhaven Business Network event was held on the 13th November 2007, and Peter Swan, Doctor of Business Administration Candidate, presented "*Retaining organisational knowledge: Work beyond intended retirement*". Peter presented his hypothesis, and associated research, regarding mature aged workers and work beyond intended retirement age. The Business Forum was held on the 22nd November at TAFE Illawarra Nowra Campus, and was hosted by David Bisiker, Manager District Operations, Shoalhaven TAFE.

Management Plan 2007-10; Task 3.1.1.3 - Business Growth & Capability

Employment Situation

The labour force of the Shoalhaven for the September 2007 quarter was 33,072, with unemployment at 2,911 (or 8.8%). This continues the positive trend to employment growth over the two previous quarters of 2007, and follows a couple of sluggish quarters. This represents an increase of around 2800 employment positions in the 2 years to September 2007 or 4.51%pa average across the 2 years on a population growth of 0.99% pa.

Principal Activity 4 – Improving Community Facilities and Services

Strategic Planning Group

- Adoption of Asset Management Plans for Walking Tracks; Parks & Reserves and Footpaths and Cycleways.
- Exhibition of Use of Council's Waterways Infrastructure (wharves and jetties) by Commercial Users.
- Nowra Showground Plan of Management adopted and Milton Showground Plan of Management public consultation completed.

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- Part two of Draft Sporting Facilities Strategic Plan 2007/2036 completed and presented to Sports Board for endorsement.
 - Northern Shoalhaven Multipurpose Sport Stadium expression of interest finalised and Council endorsed discussion with preferred proponent for the development and operation of the centre.
 - Public exhibition of draft Open Space Plan.

Development and Environmental Services

Improvements to Council's DA Tracking online system now provides for additional documents including comments from internal staff and external organizations to be viewed online.

These changes continue to demonstrate Council's commitment to transparency in the DA process and provision of as much information as possible to applicants.

City Services & Operations Group

Library & Community Services

Library Services

- *Staff Changes* - Jessica Green was appointed as the Library Assistant – Children & Youth Services in November. Congratulations to Jessica. A part time position, Library Assistant – Outreach Support is currently being advertised and it is hoped to fill this position in January.

Derrilin Marshall had the opportunity to undertake higher duties in the position of Customer Services Manager, whilst Carol Andrews was overseas.

- *Staff Training* - Staff continue to update their skills with a range of training. A record of training and professional development attended is attached.
- *Promotional Activities* - Marie Torbruegge, Neville Bourke & Rosie Burke continue to conduct skillsnet sessions in basic internet searching and email for the public. To date 6 sessions have been conducted with 20 people attending.

Shoalhaven Libraries have also hosted work experience students from Flagstaff Employment and local secondary schools. Council also continues to offer placements from those under Community Service orders. Our volunteers continue to assist in the day to day running of the Library Service.

Tim Heffernan from the Black Dog Institute gave an inspiring talk on depression and mental illness at Shoalhaven Libraries – Nowra in October.

The Deaf Society of NSW has placed a laptop into the Nowra Library specifically to be used by Deaf people. They will undertake training for staff and promotion to the deaf people in the Shoalhaven area. At a later stage web cam will also be made available.

An expression of interest has been placed with the Macular Degeneration Foundation to implement navigator technology for use by those who are vision impaired. The Foundation will also undertake promotion to the Community and training for Library staff. Some 3,000 titles will be available to download onto the Navigators.

The annual Biblio Turismo (Librarians on Bikes) visited Ulladulla Library during November.

Ronelle Smith launched her novel, *Encounter* at Nowra Library during December.

- *Children's Activities* - As always Shoalhaven Libraries continue to offer activities for children with the monthly craft and storytime program and Fun Club.

D C Green, a local Ulladulla resident, visited Shoalhaven Libraries – Nowra in October to promote his children's book.

In conjunction with Angus & Robertson, a *Where's Wally* activity morning was held at Shoalhaven Libraries – Nowra.

A number of school groups have visited the Libraries this quarter

The Summer Reading Club program began in early December.

- *OHS & Customer comfort* - The Library Meeting room at Nowra has been painted and the foyer highlighted with a purple feature wall. The carpet has been cleaned at Sanctuary Point Library. The works program for the Libraries will be implemented over the remainder of the year.

Community Services

- *Health Matters Award* - In October 2007 Shoalhaven City Council was awarded a Mental Health Matters Award for its Beautiful Soul Program. The Mental Health Matters Awards were conducted during Mental Health Week.

These awards recognise contributions and activities towards achievement of individuals and organisations who have worked to improve understanding, awareness, service provision and the general betterment of the mental health of our community, over the past twelve month period.

Council was nominated for, and won, the category of Government Initiative. The award was collected by Alan Blackshaw and Donna Corbyn of the Community Development team.

- *Anti Poverty event* - A group of community organisations including the East Nowra and Nowra Neighbourhood centres, Nowra Family support, Community Health, the YWCA, Department of Housing and Council worked together to organise an Anti-Poverty day event. Local MP Joanna Gash and representatives from the Labor party, the Greens and 3 community members were invited to come and speak about their views about poverty and possible solutions. There were a number of community stalls with ideas on how to save money and Young People from the YWCA's Green Corp modelled second hand clothes.
- *Shoalhaven Healthy Kids Community Forum* - On Monday 26 November the Shoalhaven Childhood Obesity network held a forum for parents and community members. Guest speakers included:
 - Dr Rosemary Stanton; Australia's leading dietician,
 - Dr Tony Okely; Director of the Child Obesity Research centre at the University of Wollongong,

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- Geraldine Naughton; Associate Professor in Paediatric Exercise Science and Director of the Centre of Physical Activity Across the Lifespan- Australian Catholic university,
 - Kathy Chapman; Nutrition Program Manager from the Cancer Council of NSW and
 - Ruth Sykes; Psychologist, Shoalhaven Body Image and Eating Behaviour service.

There were also workshops in the afternoon including:

- Healthy eating for 1-5 year olds
- Healthy eating for 6-12year olds
- Active play for 1-5 year olds
- Incidental activity for 6 - 12 year olds.

Over 30 people attended the event and provided positive feedback.

Leisure Services

Shoalhaven Entertainment Centre

- The Shoalhaven Entertainment Centre is now well underway with completion expected in the first half of this year.
- New staff have been appointed to assist with the technical co-ordination and the Centre Administration.
- Bookings for the Centre are moving well with 'The Melbourne International Comedy Festival Roadshow', 'The Club', 'Menopause-The Musical', 'Travelling North' and 'Shirley Valentine' already programmed. Two locally produced shows 'The Boy From Oz' and 'Back To The Eighties' will also provide opportunities for local talent to shine.

Arts & Events

- Two extraordinary community events are planned for 2008. 'The Journey of the Cross' Youth Week event through the streets and parks of Nowra and Milton/Ulladulla and the Centenary of Rugby League celebrations and events at the Nowra Showground. Planning and liaison are firmly in place.
- The Arts Centre has again attracted crowds of visitors to view the Retrospective 'John Hatton' exhibition and the 'Sidney Nolan at Bundanon' Exhibition. Over 14 Exhibitions have been well received by the public.

Community Facilities

- Financial Statements received by all Management Committees
- Good response with updated Facility Management Plans
- New regular user group interested in Culburra Beach Public Hall

Project Delivery Section

- *Bolong Rd Bridge* - Major repair works to structural elements of the bridge over Broughton Creek were completed. The repairs entailed encapsulation and air filtering of the work areas to prevent lead pollution to the surrounding area.
- *Lake Tabourie Fire Station* - A new double fire tanker garage was constructed for at Lake Tabourie to augment the existing fire station.
- *Turpentine Road Sealing* - 2.4 kilometres of Turpentine Road was sealed in the most dense residential area, significantly improving safety for all road users and eliminating dust problems for residents in the area.
- *Mick Ryan Reserve* - Upgrading of the Mick Ryan Reserve at Milton was completed, providing new gardens, pathways, lighting, picnic barbeque facilities, and an upgraded toilet
- *Main Road 92* - Construction commenced on the Bulee Gap to Nerriga section of the road, which when complete will provide dramatic safety improvements, better travel conditions and significantly decreased maintenance costs on this existing difficult section.
- *North Nowra Link Road* - The draft Environmental Assessment for the route selection process was submitted to the Department of Planning to allow the Section 3A development consideration process to move to a major public review stage.
- *Ulladulla Tennis Courts* - A four court expansion of the Ulladulla Tennis Court Complex was completed
- *West Ulladulla Sportsfields Amenities Extension* - The amenities building at West Ulladulla grounds was extensively renovated and expanded. Allowance was made in the works for a future second storey addition.

Works and Services

- *Sportsfield Topdressing Program – (photos show Mollymook Oval during and after)* - The excellent spring rains have provided an opportunity for a major topdressing program to be undertaken by Parks staff using specialised contractors. 7 sportsfields have been topdressed to improve the growing medium or to address specific problems. An additional 4 fields have been partially topdressed including the experimental use of organic compost to improve soil structure and moisture retention. The work is part of an ongoing annual soil improvement program. The ideal weather has provided optimum growing conditions to prepare grounds for the winter football season. Pictures show work underway and the finished product at Mollymook Oval.
- *Howell Faulks Reserve, Cambewarra* - The Howell Faulks Parkcare group applied for a tourism grant to install a BBQ and shelter in the reserve. A grant was received to the value of \$5,300 and Council contributed an additional \$1800. This is wonderful addition to the local amenity.

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- Mollymook Beach Car Park - This project was commenced on 30 October 2007 and completed on 14 December 2007 with a budget of \$142,000. The car park included 22 asphalt surfaced spaces and grassed overflow car parking for approx 42 vehicles. Approximately 100 lineal metres of timber bollards and 300 square metres of landscaped gardens were used to contain vehicles within the car park. The project was undertaken by Council's Works and Services Construction Unit.
 - Ocean Street LATM - This work was commenced on 17 July 2007 and is practically complete with a budget of \$342,000.

The works were completed in accordance with council's Local Traffic Management Plan developed to:

- Integrate the Mollymook Icon Park with the surrounding streets;
- Improve parking;
- Provide clear pedestrian connections between the beach, Mollymook Icon Park and the Ocean Street business area;
- Improve pedestrian flow in all directions near the top of the beach access steps at the corner of Golf Avenue and Ocean Street and improve the amenity of the corner for pedestrians;
- To slow traffic speeds and improve safety for pedestrians particularly at the corner of Golf and Ocean Street.

Works include:

- Approximately 1,100 square metres of concrete paving including header course.
- Approximately 2,200 square metres of asphalt surfacing including street print pattern and colour.
- Landscaped gardens.
- Raised pedestrian thresholds at the corner of Ocean Street and Golf Avenue and in Ocean Street
- Installation of bollards, to delineate the one way carriageway.
- Two disabled parking spaces at the corner of Ocean Street and Golf Avenue.

The project was undertaken by Council's Works and Services Construction Unit.

- Wilfords Lane Road Repair - The repair of Wilfords Lane was commenced on 29 May 2007 and completed on 11 October 2007 with a budget of \$225,000. 400 lineal metres of lane was fully reconstructed.

The project was undertaken by Council's Works and Services Construction Unit.

- Elizabeth Drive Kerb and Gutter – Stage 2 - This project was commenced on 25 October and completed on 20 December 2007 with an estimated budget of \$145,815. This involved construction of approximately 445m of kerb and gutter, drainage network modification and partial shoulder reconstruction. Streetscape tree planting works were undertaken in conjunction with this project and completed prior to the tourist influx at Christmas.

The project was undertaken by Council's Works and Services Construction Unit.

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- White Sands Tourist Park Cycleway, Huskisson - Commenced on 1 October 2007 with construction activities completed 14 December 2007. Additional works undertaken in the last week prior to Christmas to install temporary railings due to permanent railing delays.

The project was undertaken by Council's Works and Services construction Unit.

- Sealongood Road Reconstruction - Reconstruction of approximately 1250 lineal metres of Sealongood Road adjacent to the Jervis Bay Road end. This project involved upgrading the road from a gravel road to a sealed road and included road widening, stabilisation, drainage modification, sight distance improvement works and bitumen sealing. Outstanding works include linemarking which is scheduled for completion in February. Sealongood Road is now fully sealed from Jervis Bay Road to Woollamia Road.

The project was undertaken by Council's Works and Services construction Unit.

- Carpark at Berry Swimming Pool - A new sealed carpark to service the Berry Swimming Pool has been constructed. The on-road facility caters for twelve (12) vehicles, including one (1) disabled.

The project was undertaken by Council's Works and Services construction Unit.

- Toilet Block, Tilbury Cove, Culburra – Council's Building Services team worked hard to build this small but valuable addition to the Tilbury Cove Foreshore. Constructed in only one month, the facility was opened the week before Christmas, meeting the demands of the busy holiday season.

Principal Activity 5 – Providing Essential Water and Sewerage Services

- **National Water Initiative and Performance Reporting**
2005/06 Triple Bottom Line performance reports received for Shoalhaven Water – compliance achieved for all of the Water Supply and Sewerage Best Practice criteria
- Independent Audit of the National Water Initiative Performance data carried out and showed an 82% compliance (considered to be an excellent result as this is the first year of new indicators)
- Independent Audit of Best Practice Compliance for 2006/07 indicated 100% compliance with State Government Best Practice Management Guidelines
- **Drought Management**
Flows in Shoalhaven River decreased to a level in October that triggered drought management plan. Significant rains commenced in November, which meant no water restrictions were required for the peak summer period.
- **Culburra Rising Main 12**
Commenced replacement of rising main 12 at Culburra. This main had broken twice in the last quarter, causing disruptions to oyster harvesting. The ductile iron main is being replaced with plastic.

Principal Activity 6 – Operating Holiday Haven Tourist Parks

Huskisson Beach Tourist Resort Re-development

The first stage of the redevelopment of Huskisson Beach Tourist resort has been completed on time for the summer holidays. The works have included ten new cabins and twelve ensuite sites as well as brand new roads, landscaping and all associated services such as sewer, drainage lighting gas etc.

Lake Tabourie Tourist Park – Amenity Block Construction

Another large construction project completed in time for summer was the new amenity block for the Red area at Lake Tabourie Tourist Park. The Holiday Haven designed building make maximum use of natural light and ventilation and provides for separate treatment of grey and black water. Another energy-saving feature is the solar/gas hybrid hot water system utilising a ‘ring’ main which continually circulates hot water thus reducing wastage when the hot water is turned on in the showers and basins.

Updated Website - Holiday Haven’s new website is nearing completion. The last of the new images have been uploaded onto the site along with all the pricing and other detail and it is expected to go ‘live’ in the next few weeks.

Currarong Beachside Tourist Park – Special Access Bathroom

Holiday Haven outdoor staff completed the installation of a special access/family bathroom in the most recently renovated amenity block at Currarong Beachside Tourist Park. The major works on the block were completed twelve months ago with the existing laundry being partitioned to provide room for the new facilities.

New Management Team – Lake Tabourie Tourist Park

Council has appointed Jillian and Andrew Cunningham (LTMS Pty Ltd) to manage and operate Lake Tabourie Tourist Park, the largest Tourist Park in the Holiday Haven Group. Andrew and Jillian have a broad range of experience in hospitality, tourist parks and ski chalet management and have brought a good experienced team with them to Lake Tabourie.

Canberra Holiday and Leisure Expo and South Coast Caravan & Camping Show

This year’s South Coast Caravan & Camping Show has broken previous attendance records for the fifth year running. The show won the best event in the South Coast Tourism Awards for 2007 and continues to attract a large crowd from Canberra and many on-the-road travellers who seem to make the show part of their late year touring. Caravan park groups from all major NSW regions attended.

The Canberra Holiday and Leisure Show has been a consistent positive source of bookings for the Holiday Haven group as this show taps into an affluent, mobile market looking for new holiday destinations close to Canberra. The weather for this October Show seems to bring out large crowds. Holiday Haven attends this show as part of the South Coast marketing group.

New Office Facilities – Burrill Lake & Ulladulla –

As part of a program to update the reception facilities at all of Council’s Holiday Haven Tourist Parks, office facilities at Ulladulla Headland Tourist Park and Burrill Lake Tourist park have been completed in the last month, prior to the summer season.

Burrill Lake's office has been doubled in size with the addition of a separate staff toilet and tea/coffee area as well as a linen store and a larger customer waiting area. An access ramp for wheelchair entry has also been added to the building.

New Counter Area – Ulladulla Headland Tourist Park

The office part of the building at Ulladulla Headland Tourist Park will be reviewed for renovation and possible enlargement next financial year however the need for a larger reception counter incorporating two computer terminals and associated office equipment has been obvious for a long time. A new reception desk was constructed by local firm Pearce & Percy and offers a level of storage and security that is needed in a busy accommodation business such as Holiday Haven at Ulladulla.

New Turf at Lake Conjola – the popular sites at the eastern end of Lake Conjola Entrance Tourist Park has been enhanced by the laying of new turf prior to December. This turf completes the eastern area of the park where the frontage to the lake was turfed in last year's budget. Many regulars, caravanning groups and visitors have commented on the renovated surface which starts with the complete re-grading of the area, the addition of a layer of compost, sand and soil then the laying of wide rolls of turf.

2007 Holiday Haven Tourist Parks – Managers' Conference

This year's conference held at Gabby's at Berry was a long day involving all Tourist Park management teams, guest speakers and workshops. The main morning session concentrated on the preparation and presentation of accommodation packages while the afternoon session dealt with a wide range of policy and operational issues. That night the management teams joined the Mayor, Greg Watson, Councillors and senior staff for the annual dinner.

Discover Downunder Discovers Swan Lake Tourist Village

Swan Lake Tourist Village at Cudmirrah, the recent winner of South Coast Tourism Excellence Award for the Best Caravan Park on the South Coast, has been recently visited by the team from *Discover Downunder* which screens nationally on Channel Nine, Saturday afternoons.

Amenity Renovation at Bendalong Point Tourist Park

The second (eastern) amenity building at Bendalong Point Tourist Park has had a major renovation between the October long weekend and the end of December. The shower areas were stripped out and completely re-plumbed and retiled with new Terrazzo partitions and Corian vanity units installed. The new work incorporates as much natural lighting and ventilation as was possible.

Public Toilets Upgraded at Huskisson White Sands Tourist Park

Holiday Haven has recently upgraded the public toilets below the Tourist Park at Huskisson White Sands. The toilets have twice previously had significant work performed on them by the Holiday Haven workforce but this time a two-pack poly floor covering has been used making the block easier to clean and all the plumbing fixtures were replaced at a significant cost.

Jumping Pillow at Crookhaven Heads Tourist Park

A Jumping Pillow was installed at Crookhaven Heads Tourist Park in mid-December. The pillow measures approx 15 metres long by eight metres wide and is buried in a sand trench about 600mm deep. The "pillow" effect is maintained by a small electric 'blower' nearby. The pillow has proved immensely popular with the park clients, both young and old, and with the recently opened

swimming pool and existing playground is transforming the centre of the park as a 'hub' for entertainment.

ISSUES WHICH HAVE NOT MET PERFORMANCE TARGETS

Development & Environmental Services Group

Task 1.3.3.4 - Applications for Development

Comment: Targets for Construction Certificates continue to be difficult to achieve given the inability to 'stop the clock'; it is noted that the building staff are getting closer to these targets and maintaining this level. The subdivision section has improved with Construction Certificates but has fallen back with Subdivision Certificates. Some staff were seconded to other duties during this quarter and this would have some impact. Given the low number of Complying Development Certificates the results can be strongly affected by one or two certificates. This should however, be monitored more closely.

Strategic Planning Group

Task 4.1.1.3 – Traffic Impact Guidelines

Assessment: Establish working party to determine appropriate traffic impact guidelines for Shoalhaven City and draft DCP completed by December 2007.

Comment: Has not yet commenced due to other work priorities. Aim for Quarter 3.

Task 2.1.1.18 – Ulladulla CBD Review

Assessment: With input from the Working Party prepare the draft plan for exhibition in 2nd quarter of 2007/2008

Comment: Continued work with consultants including demand analysis & contributions plan, draft strategy discussed at 4th Workshop. Plan to be reported to Council for public exhibition early 2008.

Task 1.3.1.1 – Section 94 Contributions Plan Major Review

Assessment: For existing projects in the CP, complete the analysis of demand, concept designs & cost estimates by end of December 2007.

Comment: Target affected by Department of Planning proposals for legislative reforms of Section 94.

Finance & Corporate Services Group

Task 1.3.1.9(2) - Ensure Council's surplus funds are managed in an effective manner

Comment: Some returns over the second quarter have been less than the benchmark target. This has primarily been a result of the downturn in the financial markets and the impact on Council's managed funds.

City Services and Operations Group

Task 4.3.2.2 - Roads Risk Management Procedures - Implement procedure by carrying out regular and detailed inspections of infrastructure - All roads infrastructure inspected and serviced as per Roads Risk Management Procedures

Comment: Target dates for repair not met, due to insufficient resource levels for current response times. Sealed road repair targets met, have improved since Quarter 1 but unsealed road targets met have declined.

Task 4.4.4.7 – Maintenance Works Programs – Customer Service –Action maintenance & servicing requests from the public in accordance with "Customer Service Targets" response times - Report % of requests completed within each 'response time' category compared to targets

Comment: Response target for 20 and 90 days not met but is within 3%. This result is likely to vary throughout the year depending on weather conditions and the number of requests received.

Shoalhaven Water

Task 5.3.1.3 – Development Plan – Kangaroo Valley

Comment: Review of scope of scheme necessary as a result of developer representations.

Task 5.4.1.2 – Wastewater

Comment: Sewerage schemes operating costs higher than state median can be attributed to high level of treatment in Shoalhaven and large geographical areas of operations.

RECOMMENDED that the report of the General Manager regarding the 2nd Quarterly Operating Report (1st October 2007 to 31st December 2007) of the Management Plan 2007-2010 be received for information.

6. Quarterly Budget Review as at 31st December 2007

File 2127

Introduction

In accordance with regulation 203 of the Local Government (General) Regulation (2005), a review of Councils budget has been carried out for the second quarter of the 2007/2008 financial year.

Summary

This budget review involves analysis of Councils annual budget in each Group to determine whether any changes in votes are required for the period. This process has been undertaken for the period to 31st December 2007 and any changes have been reported in the Quarterly Budget Review document. This report also analyses the progress of each group in achieving its financial objectives.

Budget Position

The adjustments recommended in the second quarter result in an improvement in the budget position of \$383,553 to be added to Accumulated Funds.

	Original	Subsequent Adjustments	Qtr Review Adjustments	Revised Estimate (Excl Revotes)
Net Change in Budget	(17,405,502)	(6,684,755)	(49,800)	(24,140,057)
Net Transfer from Reserves	17,405,502	6,624,755	433,353	24,463,610
Net Change in Cash	0	(60,000)	383,553	323,553
Revotes - Funded from Accumulated/Unspent funds				(3,434,424)
Net Budget Surplus/(Deficit) - (Use of Accumulated/Unspent funds)				(3,110,871)

The movements which affect the net budget position year to date, including the recommendations of this review are:

September Quarterly Review adjustments:

Presentation equipment for Committee Room per GD's meeting 18/10	\$ (20,000)
Emergency Lighting upgrade per Safety Committee Review	<u>\$ (10,000)</u>
	<u>\$ (30,000)</u>

December Quarterly Review adjustments:

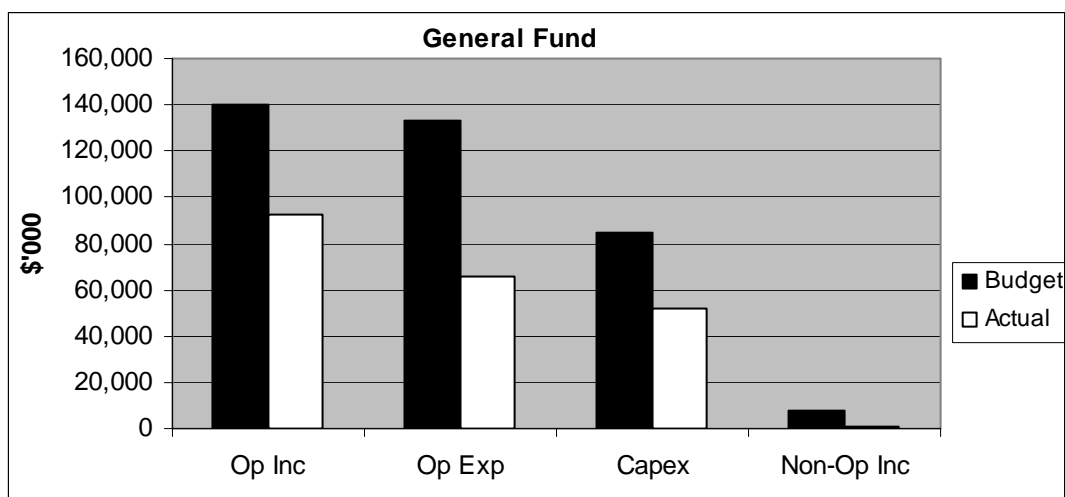
Increase to Arts expenditure budget for repairs caused by lightning strike	\$ (7,200)
Funding for Sussex Inlet Road design plans	\$ (25,000)
Waste Performance Improvement payment (potentially to fund Mobile chipping service – Min07.1798)	\$ 157,934
Recovery of Legal Fees funded from accumulated funds in previous year – Pavlakis case	<u>\$ 257,819</u>
	<u>\$ 383,553</u>

Subsequent Adjustments Other Than Quarterly Review adjustments:

New Years Eve Celebrations (Min07.1477)	\$ (30,000)
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Year to date surplus \$ 323,553

Summary of Results to End of Quarter – General Fund



Operating Income

As at 31st December 2007, General Fund has achieved 66% of the revised budget. This is primarily due to the receipt of rate income. Excluding rate income, general fund has achieved 53% of the revised budget, which is just over the year to date target.

Changes to income expectations are generally offset by corresponding expenditure items. However, a recovery of legal fees (\$257,819) and receipt of the Waste Performance Improvement payment (\$157,934) are not offset by expenditure and therefore contribute to the overall improvement to the budget position in this quarter review of \$383,553.

Operating Expenditure

General Fund is tracking in line with the revised operating expenditure budget, having spent 49% of the revised budget. Changes recommended to the expenditure budget are primarily offset by increases in income and are detailed in the Quarterly Budget Review document. Recommended increases to expenditure budgets that are not offset by increases in income are funding for repairs at the Arts Centre due to a lightning strike (\$7,200) and funding for Sussex Inlet road design plans (\$25,000).

Capital Expenditure

Capital expenditure as at 31st December 2007 stands at 62% of the revised budget (including commitments).

	\$	% Budget Spent
Budget Capital Expenditure		
Original and Subsequent Budgets	57,974,690	
Total Revote	26,476,148	
Total to Spend in 2007/08	84,450,838	
Actual Capital Expenditure		
Works completed prior year	18,760,335	22.2%
Spent This Year	33,339,599	39.5%
Total Spent	52,099,934	61.7%

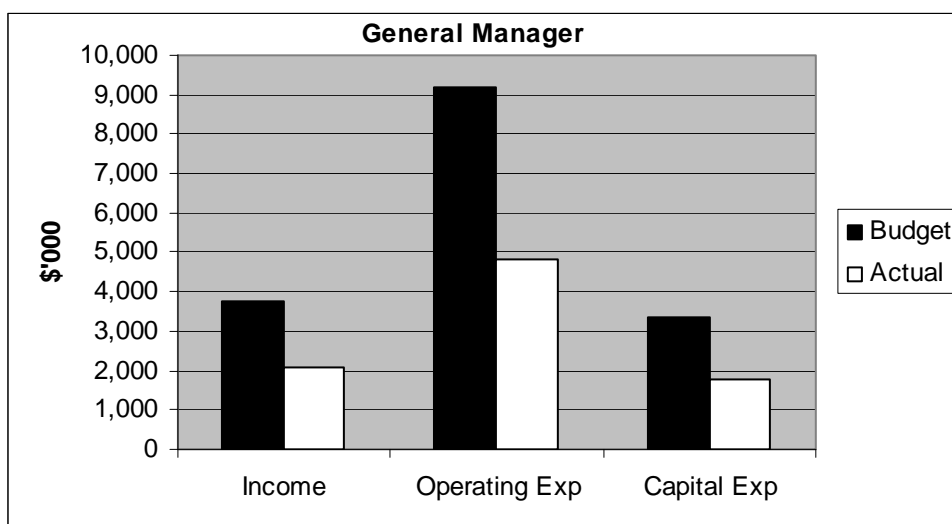
Note: Current expenditure includes current commitments that may not actually be incurred until future periods.

Non-Operating Income

Non-Operating income is at 20% of budget. The majority of this result relates to the sale of plant and equipment. The budget also includes the proceeds expected from the sale of property, which may or may not occur in the current financial year. Should there be any changes in the timing or amount generated from these property sales, there will be a corresponding adjustment to the transfer to the strategic projects reserve. Therefore, there will be no impact on the net budget position.

December Quarterly Review - Group Analysis

General Manager – Pages 4 - 6



The recommended budget changes and revised budget for the General Managers Group is summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	3,262,610	488,650	3,751,260
Operating Expenditure	8,695,519	488,650	9,184,169
Capital Expenditure	3,330,762	0	3,330,762

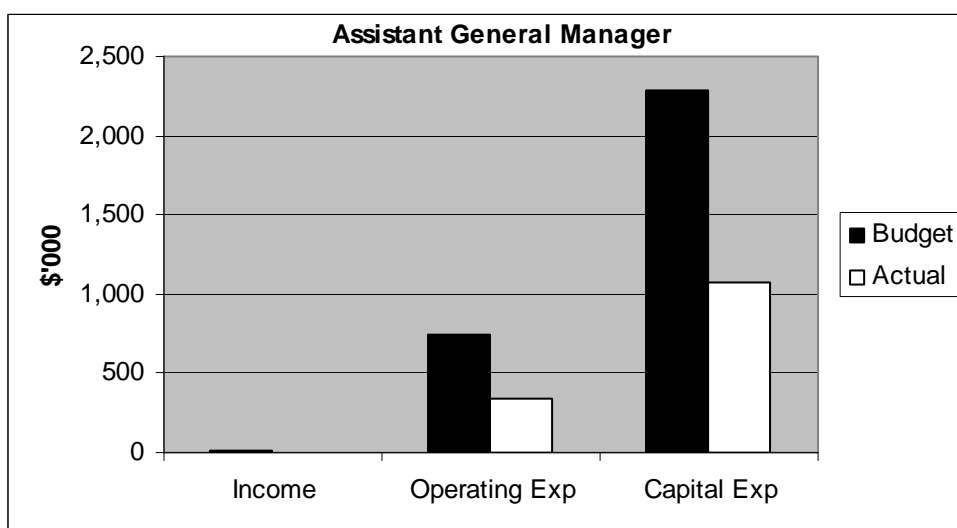
The General Manager's group has achieved 55% of the income budget. It is recommended to increase Shoalcom's income by \$320,000 to adjust for expected work to be undertaken this financial year. This will be offset by an increase in expenditure budget. Actual income is below the adjusted budgeted position, but can be accounted for by completed work which will be billed by the end of the financial year. Electrical Services Admin is currently above the budgeted position for income and an increase is recommended for both income and expense budgets by \$17,000.

Grants and contributions have been received for Shoalhaven Consultative Committee and an increase of \$151,650 to income and expense budget is required.

Operating expenditure is at 53% of the budget. Council minute 07.1486 resolved the continuation of the trainee position in IT Support Service and to assist in funding the position a transfer of \$9,000 from Communications is required.

Capital Expenditure is currently 54% spent and no adjustment is recommended.

Assistant General Manager – Page 7



The recommended budget changes and revised budget for Assistant General Manager is summarised as follows:

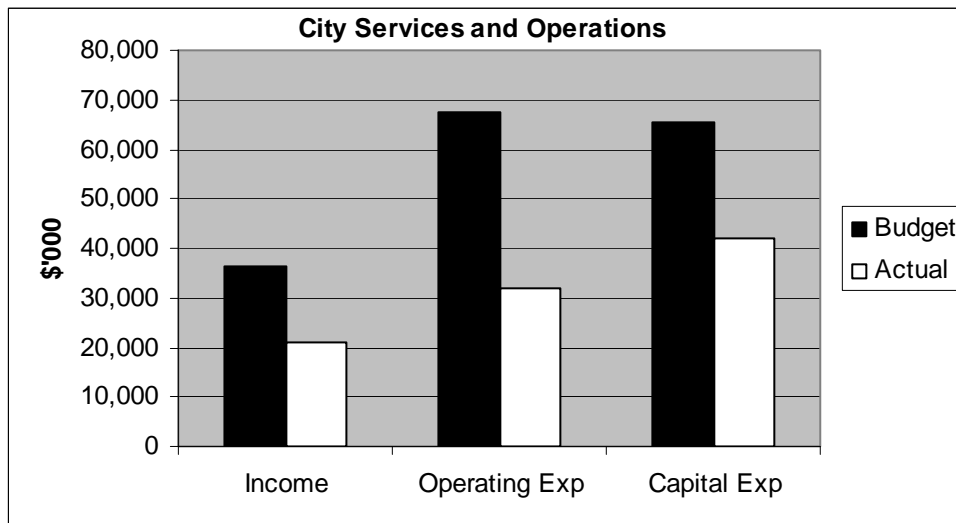
	YTD Budget	Recommended Changes	Revised Budget
Operating Income	4,411	1,982	6,393
Operating Expenditure	753,346	-6,603	746,743
Capital Expenditure	2,271,519	8,585	2,280,104

Operating Income is tracking at 43% of budget as at 31st December 2007. An increase of \$1,982 is recommended for income being received for the contribution towards half the cost of a dividing fence. This was not previously budgeted for.

Operating Expenditure is within the budget with 46% spent. It is recommended to decrease the budget by \$6,603 to cover capital expenditure on property development.

Capital Expenditure is currently 47% spent. The additional income and the reduction in expenditure in the Assistant General Managers area is recommended to be utilised to increase the capital expenditure budget in this area.

City Services and Operations Group – Pages 8 - 18



The recommended budget changes and revised budget for City Services and Operations is summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	36,005,062	355,876	36,360,938
Operating Expenditure	67,068,353	337,729	67,406,082
Capital Expenditure	65,093,481	205,873	65,299,354

City Services and Operations have achieved 57% of the revised budgeted income. The main changes recommended in this review are:

- Fire Protection – Increase of \$360,105 for the grants for the building construction and hazard reduction. Reduction of \$8,358 in the other programs reimbursable income as per the Rural Fire Service allocation, this is offset by savings in the contribution to the Rural Fire Service.
- Parks and Reserves – Increase of \$18,631 for income received on various jobs.
- Roads and Transport – Increase in road maintenance for receipt of an insurance claim (\$9,260).
- Waste Management – Budget for Waste Levy Rebate (\$150,946) returned to reserve as the income received will be voted to general fund unallocated, pending a decision from Council regarding a mobile chipping service to residents of the Shoalhaven and an increase in budget for a new plant item (\$5,794).
- Waterways, Coastal and Floodplain – Increase in Natural Area Maintenance for grants received in respect of Coral Tree / Riparian at Broughton Mill Creek (\$59,627), Bitou Bush Threat Abatement (\$20,000), Privet Control in Kangaroo Valley (\$10,975). The following jobs have been increased for the grant that is anticipated Moeyan Hill Lantana (\$8,500), Fox Baiting (\$500) and Milton Ulladulla Subtropical rainforest (\$4,000).

All increases in income have been offset by increases in expenditure.

Operating expenditure is in line with budget at 47%. Other than movements outlined above for income, the main movements are:

- Fire Protection – \$22,109 of savings resulting from the reduced contribution are being transferred to fund the preliminary investigations and design work required for the construction of stations and \$8,358 of savings is being used to offset the reduction in the other programs reimbursable income. Also, there was \$25,270 of S94 funding that is not available and the expenditure budget for this is being returned to the reserve.
- Road maintenance has increased by \$70,000 for the repairs of Willowglenn Bridge, this transfer came from Strategic Planning's Bridge Maintenance operating expenditure budget.

Capital expenditure is at 64% of the revised budget spent at the end of the quarter. Major movements recommended are:

- Fire Protection – increase in building from additional income and a transfer from the savings in the Rural Fire Service contribution.
- Parking Areas – \$16,490 increase in budget at Bridge Road / Graham Street carpark from Strategic Reserve.
- Parks and Reserves – reduction of \$25,000 for Bay and Basin Skate Park to the grants reserve as the project will not commence until 2010/11 and the \$25,000 budget was voted after the grant was received.
- Roads and Transport – increase in the bridge program of \$8,000 from Strategic Planning bridge maintenance budget. Wattamolla Road drainage job was complete with savings that were used to fund expenditure in Woollamia Rd culvert (\$9,701) and to fund the budget shortfall for Mollymook LATM (\$10,239). \$11,830 was also found for Mollymook LATM with savings from Woodhill Mountain pavement repair. \$2,000 was transferred from Footpath investigations to fund expenditure in cycleway investigations. Nowra bus interchange received a budget of \$9,368 to fund expenditure this year from additional income received in Strategic Planning for sign rental.
- Waterways, Coastal and Floodplain - \$6,623 was transferred from increases in Strategic Planning's jetties operating income.

Group Director's Comments:

Expenditure for operations and capital is on track at the end of the second quarter. The most significant transfer is the budget allocation of the Waste Levy Rebate

An amount of \$150,946 was budgeted to be received from the State Government. In accordance with Council's resolution, the rebate is allocated to reserve pending a Council decision regarding the cost and extent of a mobile chipping service to residents.

With regard to the Shoalhaven Entertainment Centre, the addition of additional scenery battens, provision of shelter over disabled parking spaces, and impact of a reported delayed completion on operating income and non-operating expenditure budgets will be addressed in the March Quarter Review.

Spending against special rates funding is 42% of budget and no adjustment is required at this time.

Spending against the stormwater levy funding is 39% of budget and on track for the second quarter.

Special Infrastructure Program (Above Rate Pegging Increase)

Spending against special rates funding is 42% of budget and no adjustment is required at this time.

	Special Variation Budget					Actual	Budget Remaining	% Spent
	2006/07 Unspent	2007/08	Adjustment	Adjustment Notes	Current			
Public Amenity Program								
Berrara Creek Reserve	\$19,000				\$19,000	\$0	\$19,000	0%
Kangaroo Valley Showground/Hall/Pool		\$100,000			\$100,000	\$110	\$99,890	0%
Tilbury Cove Public Amenities		\$60,000			\$60,000	\$14,948	\$45,052	25%
	\$19,000	\$160,000	\$0		\$160,000	\$15,058	\$144,942	9%
Rural Road Sealing Program								
Broughton Vale Rd (to Boundary Rd)		\$102,000			\$102,000	\$0	\$102,000	0%
Fairfax Rd Falls Ck		\$315,000			\$315,000	\$178	\$314,822	0%
		\$417,000	\$0		\$417,000	\$178	\$416,822	0%
Urban Road Sealing Program								
First Ave, Erowal Bay		\$125,000			\$125,000	\$165	\$124,835	0%
Local Road Repair Program								
Murramarang Rd, Bawley Pt (Ch3.0 to 3.65)		\$210,000			\$210,000	\$3,140	\$206,860	1%
Wattamolla Rd (east of Foremans Rd)		\$90,000			\$90,000	\$2,129	\$87,871	2%
Wharf Rd, Berry (Ch0.43 to 0.94)		\$214,000			\$214,000	\$142,866	\$71,134	67%
		\$514,000	\$0		\$514,000	\$148,135	\$365,865	29%
Drainage Program								
Woollamia Road Culvert	\$4,846		\$9,701	2	\$14,547	\$14,547	\$0	100%
Prince Edward Ave Drainage		\$69,000			\$69,000	\$932	\$68,068	1%
Cook/Emmett St Callala Bay		\$7,000			\$7,000	\$84	\$6,916	1%
Wattamolla Rd Drainage		\$40,000	-\$19,940	1	\$20,060	\$13,560	\$6,500	68%
Ada St Vincentia Drainage		\$20,000			\$20,000	\$94	\$19,906	0%
Collenden St Vincentia Drainag		\$20,000			\$20,000	\$96	\$19,904	0%
Burton St Pipe Open Drain		\$15,000			\$15,000	\$0	\$15,000	0%
Junction St Nowra Drainage		\$15,000			\$15,000	\$0	\$15,000	0%
	\$4,846	\$186,000	-\$10,239		\$166,060	\$14,766	\$151,294	9%
Traffic Facilities program								
Mollymook Beach LATM		\$250,000	\$10,239	3	\$260,239	\$260,239	\$0	100%
Kerb & Gutter Program (New)								
Penquin Head Rd (Nth), Culburra Beach		\$20,000			\$20,000	\$6,007	\$13,993	30%
Elizabeth Dr Construction, Vincentia	\$81,216	\$230,000			\$311,216	\$259,283	\$51,933	83%
	\$81,216	\$250,000	\$0		\$311,216	\$259,283	\$51,933	83%
Pedestrian Facilities								
Mitchell Pde Mollymook Cyclewa		\$80,250			\$80,250	\$80,250	\$0	100%
Footpath Forward investigation and design		\$5,000			\$5,000	\$0	\$5,000	0%
Kerry St Footpath		\$100,000			\$100,000	\$93,354	\$6,646	93%
Albatross Rd footpath		\$58,750			\$58,750	\$58,750	\$0	100%
		\$244,000	\$0		\$244,000	\$232,354	\$11,646	95%
Icon Park Program								
Jacob Elmoos Reserve	\$16,098				\$16,098	\$16,098	\$0	100%
Greenwell Point Reserve		102000			\$102,000	\$400	\$101,600	0%
	\$16,098	\$102,000	\$0		\$118,098	\$16,498	\$101,600	14%
Annual Increase to Maintenance Allocations								
Parks & Reserve Maintenance		\$109,994			\$109,994	\$53,474	\$56,520	49%
Road Maintenance		\$200,000			\$200,000	\$104,120	\$95,880	52%
		\$309,994	\$0		\$309,994	\$157,594	\$152,400	51%
Special Rate Funding	\$121,160	\$2,557,994	\$0		\$2,625,607	\$1,104,270	\$1,521,337	42%

Note: - The projects may have other additional funding, but only the special rate funding is included in this table.

- Actuals for the "Annual Increase to Maintenance Allocations" is based on a pro-rata of the overall budget.

Adjustment Notes

1. -\$19,940 to Woollamia Culvert and Mollymook LATM - December Quarterly Budget Review

2. + 9,701 from Wattamolla Rd Drainage - December Quarterly Budget Review
3. + \$10,239 from Wattamolla Rd Drainage - December Quarterly Budget Review

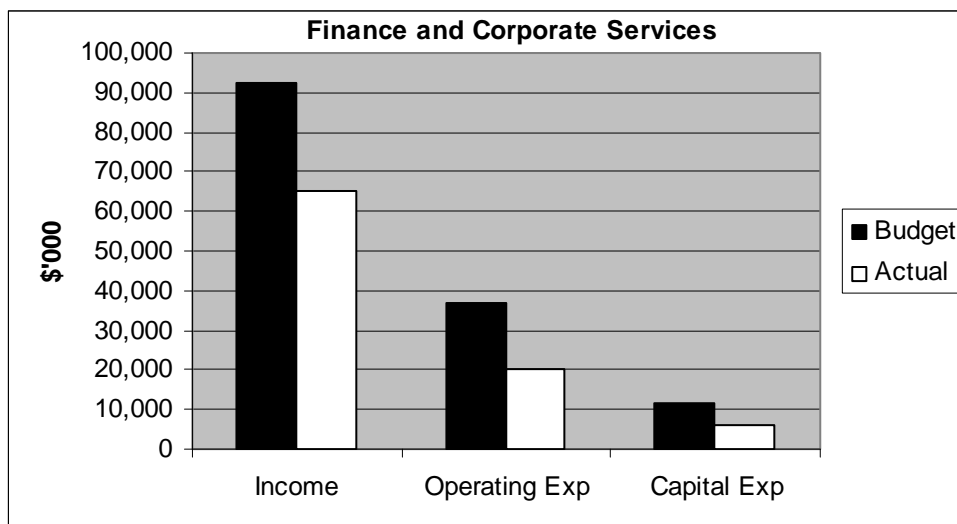
Stormwater Levy

Spending against the stormwater levy funding is 39% of budget and on track for the second quarter.

	Stormwater Levy Budget					Actual	Budget Remaining	% Spent
	2006/07 unspent	2007/08	Adjustment	Adjustment Notes	Current			
Drainage Program								
Stormwater Management Plan Implementation		\$17,000			\$17,000	\$502	\$16,498	3%
Strategic S/Water Catchment Analysis		\$10,000			\$10,000	\$0	\$10,000	0%
Drainage Investigation and Design		\$7,000			\$7,000	\$1,151	\$5,849	16%
Emmett/Cook St Stage 3		\$35,000			\$35,000	\$418	\$34,582	1%
190 Is Pt Rd share pipe easem		\$45,000			\$45,000	\$45,000	\$0	100%
Robinsville PI Sanct Pt Drain		\$10,000			\$10,000	\$0	\$10,000	0%
Leo Drive Narawallee		\$25,000			\$25,000	\$25,000	\$0	100%
Waratah Cres Sanctuary Point	\$3,073	\$60,000			\$63,073	\$63,073	\$0	100%
Beth St Old Erowal Bay drainag		\$35,000			\$35,000	\$0	\$35,000	0%
Mountain St piping&conc swale		\$40,000			\$40,000	\$631	\$39,369	2%
Golden Hill Davenport Drainage		\$20,000			\$20,000	\$20,000	\$0	100%
River Rd Shoal Hds Drainage		\$6,000			\$6,000	\$0	\$6,000	0%
Ada St Vincentia Drainage		\$15,000			\$15,000	\$71	\$14,929	0%
Collenden St Vincentia Drainag		\$15,000			\$15,000	\$72	\$14,928	0%
Prince Edward Ave Drainage		\$60,000			\$60,000	\$810	\$59,190	1%
Total Stormwater Levy	\$3,073	\$400,000	\$0		\$403,073	\$156,727	\$246,346	39%

Note: - The projects may have other additional funding, but only the stormwater levy funding is included in this table.

Finance and Corporate Services Group – Pages 19 - 28



The recommended budget changes and revised budget for the Finance and Corporate Services Group are summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	92,203,342	-22,993	92,180,349
Operating Expenditure	36,745,381	132,927	36,878,308
Capital Expenditure	11,632,331	24,918	11,657,249

Finance and Corporate Services have achieved 71% of the revised income budget primarily due to the raising of rates in full during the first quarter. The dividend received from Shoalhaven Water will be less than budgeted (by \$327,863), so this is being recognised in this quarterly review. The full dividend is transferred to the Strategic Projects Reserve, so there is a corresponding reduction in the transfer to this reserve. Also, \$157,934 is included in the review as a transfer from Waste. This is for the Waste Performance Improvement payment. The difference between the increase in income here (\$157,934) and the reduction in City Services and Operations (\$150,946) is due to the difference between the amount included in the original budget in City Services and Operations and the amount actually received. Income generated from the storm water charge has been greater than expected. As a result, it is recommended to increase the income from this source by \$415, with a corresponding increase in non operating expenditure for drainage in the City Services and Operations budget. Revenue from Printing Services has been higher than expected due to recoverable work. An increase of \$24,000 is proposed, with a corresponding increase in expenditure to offset costs of materials. Transfers of Long Service Leave received from other councils have been greater than anticipated. As a result, it is proposed to increase the budget by \$11,676, with this amount transferred to reserves. Income from credit card service fees are also higher than expected due to the volume of payments via this method, so an increase in income of \$30,810 is recommended, with a corresponding increase in expenditure to offset the charges associated with these payments. Income of \$3,000 has been recognised for the recovery of legal fees, which has not been allocated and contributes to the surplus in this quarter review. Changes to section 94 income offset each other, resulting in no change to the overall income expectation. Increases in the Tourism budget are offset by equivalent increases in Tourism expenditure and are associated with additional income from E-Commerce and sales at the Visitors Centres, offset by costs incurred from Bookeasy and materials respectively.

Operating expenditure is tracking at 54% of budget. Other than reallocations within budgets and offsets to income adjustments discussed above, no further changes are considered necessary at this point.

Capital expenditure is at 52% of budget. The major adjustment proposed is an increase of \$26,000 in Fleet Management for the purchase of a vehicle for the asset inspector, which is funded by a transfer from Strategic Planning.

Group Director's Comments:

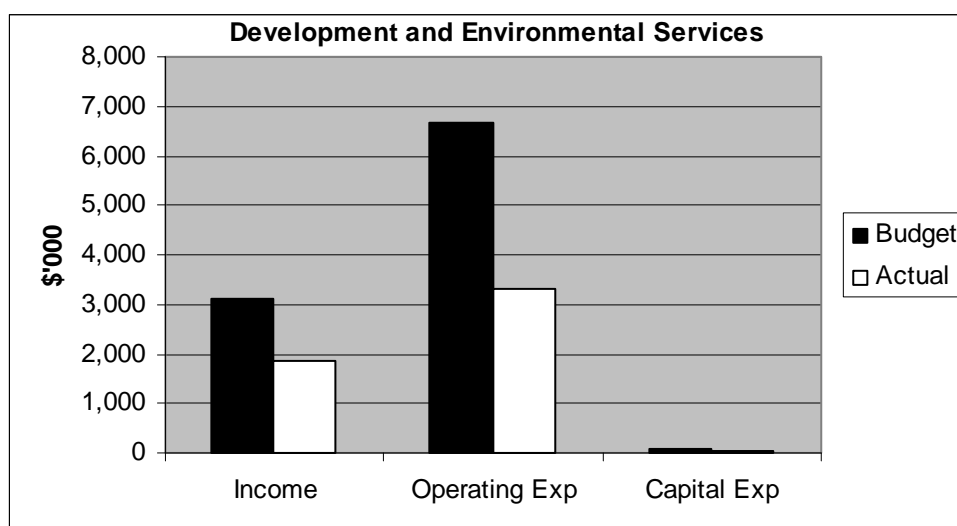
The performance of the Finance & Corporate Services Group against budget expectations continues to be sound. Income is projected to come in on budget, and a number of changes to income budgets have been made to more properly reflect the updated forecasts.

A major change in income expectation however occurs in the amount of dividend that is allowed to be declared from the Shoalhaven Water operation. As previously reported to Council as part of

the presentation on the Annual Financial Statements, the dividend amount reduced from previous years, and therefore was below expectation. This reduction resulted in a reduced amount being transferred to the Strategic Projects Reserve.

There were no significant changes necessary to any votes for operating or capital expenditure as forecasts are in line with adopted budget.

Development and Environmental Services Group – Pages 29 - 31



The recommended budget changes and revised budget for the Development and Environmental Services Group are summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	2,981,554	147,819	3,129,373
Operating Expenditure	6,668,194	0	6,668,194
Capital Expenditure	70,838	0	70,838

Development and Environmental Services Group have achieved 59% of their revised operating income budget. It is recommended to increase the operating income by \$147,819 due to the recovery of legal costs, which has not been allocated and contributes to the surplus in this quarter review. Subdivisions are below budget in income and a reduction of \$40,000 is recommended. This will be offset an increase in the Building Section.

Operating expenditure is on target with 50% spent. A movement of \$70,000 from Support Services to Subdivision is recommended, as Subdivision is currently over budget in operating expenses.

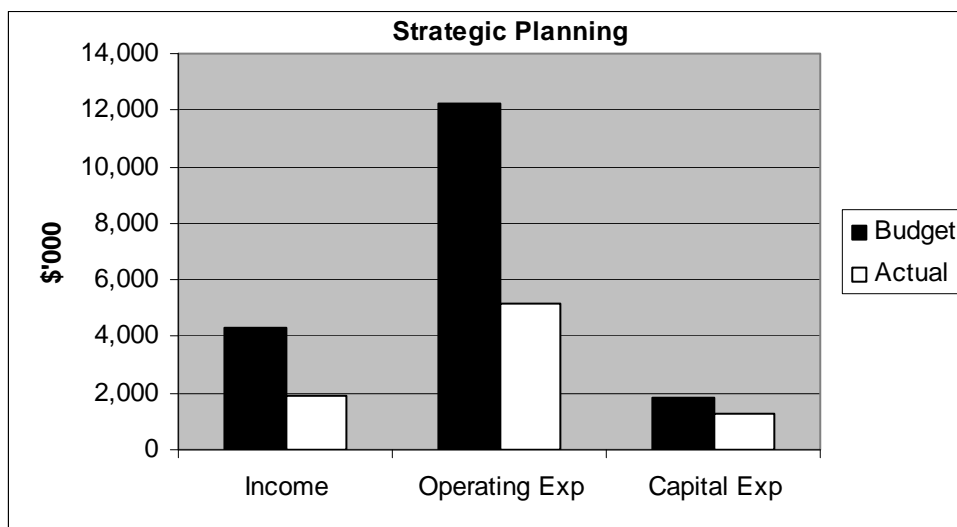
Capital expenditure is within budget at 30%.

Group Director’s Comments:

Income levels have been maintained across the Group; but are slightly down in subdivisions, where as Building is slightly higher than anticipated. The recovery of substantial legal costs is a pleasing result

Expenditure is on track although some internal adjustments are necessary to ensure staff shortages caused by maternity leave is offset through use of consultants on a part-time basis

Strategic Planning Group – Pages 32 – 35



The recommended budget changes and revised budget for the Strategic Planning Group are summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	4,192,320	112,618	4,304,938
Operating Expenditure	12,307,414	-52,781	12,254,633
Capital Expenditure	1,806,477	6,054	1,812,531

Strategic Planning have achieved 44% of their revised operating income budget. Most of the adjustments for this review are the result of recognising grant income, with corresponding increases in expenditure. The grant for the stormwater management plan will not be forthcoming and the budget has been reduced with a matching reduction in expenditure. Additional income has been received for sign rental and this was been used to fund the expenditure on the Nowra bus interchange. The recovery of legal fees has been recognised and this has not been allocated, thus contributing to the general fund surplus achieved in this review. The grant for the floodplain program general is being reduced by \$25,000, with expenditure also being reduced.

Operating expenditure is 42% spent. Other than the recognition of grant income, the majority of adjustments reflect the reallocation of maintenance budgets (some of which is being transferred to the City Services and Operations Group). Overall, there is no change in expenditure within

Council for maintenance. \$21,000 from Pavement management system and \$5,000 from road safety audits is being transferred to fleet management to purchase a vehicle for the assets inspector. \$15,730 from Natural Resources and Floodplain Management is being used to fund expenditure in the coastal management plan (\$2,745), Sussex Inlet foreshore rehabilitation (\$11,518), Swan Lake rehabilitation (\$967) and Colliers Beach Access Erosion (\$500). A reduction in Hazard Reduction of \$4,887 is being used to fund expenditure on the fire trail signage job in City Services.

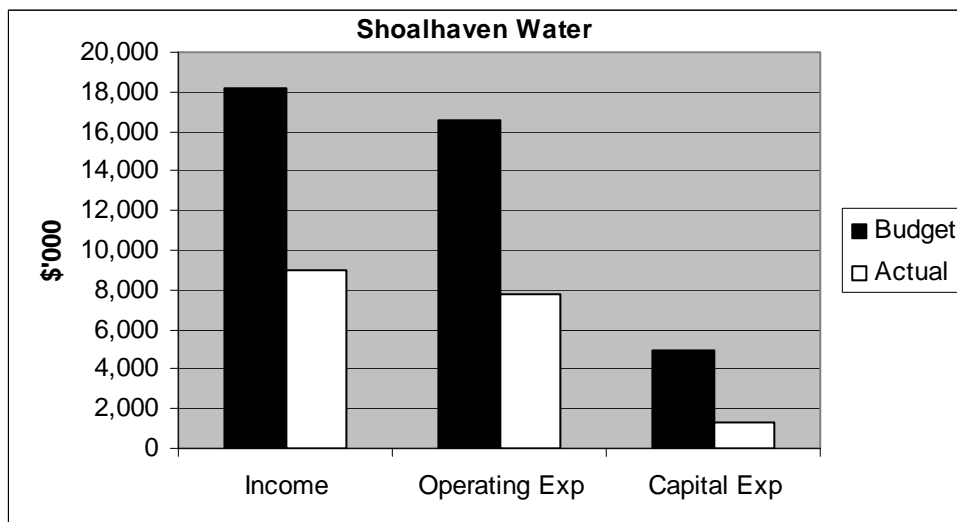
Capital expenditure is at 70% of the revised budget. \$25,000 for the Sussex Inlet service roads has been funded from General fund savings and another \$10,000 funded from drainage investigations. The grant application for Mollymook LATM was not successful and only \$22,069 has been found from savings in City Services jobs to increase the budget of Mollymook LATM to \$322,069 another \$20,000 is required to be found from savings in coming reviews. Floodplain general program has been reduced by \$42,000, of which \$25,000 is from a reduction in grant and \$17,000 is being transferred to Road maintenance in City Services to correct S94 funding on a roads sealing job.

Group Director’s Comments:

The Group is generally operating in accordance with budget subject to the above variations. Staff resignations have resulted in salary savings during downtime in replacement. Some additional consultancy has been utilised where practical.

Shoalhaven Water Group – Pages 36 - 41

Water Supply:



The recommended budget changes and revised budget for Shoalhaven Water - Water Supply are summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	18,109,074	16,321	18,125,395
Operating Expenditure	16,573,574	-47,600	16,525,974
Capital Expenditure	5,731,690	-778,009	4,953,681

Operating income received to date is 50% of budget. Adjustments to cover miscellaneous items of income received outside of budget estimates amounting to \$16,321 have been included.

Non-Operating income is at 75% of revised budget. An increase of \$74,500 has been recommended due to additional income received from the sale of vehicles.

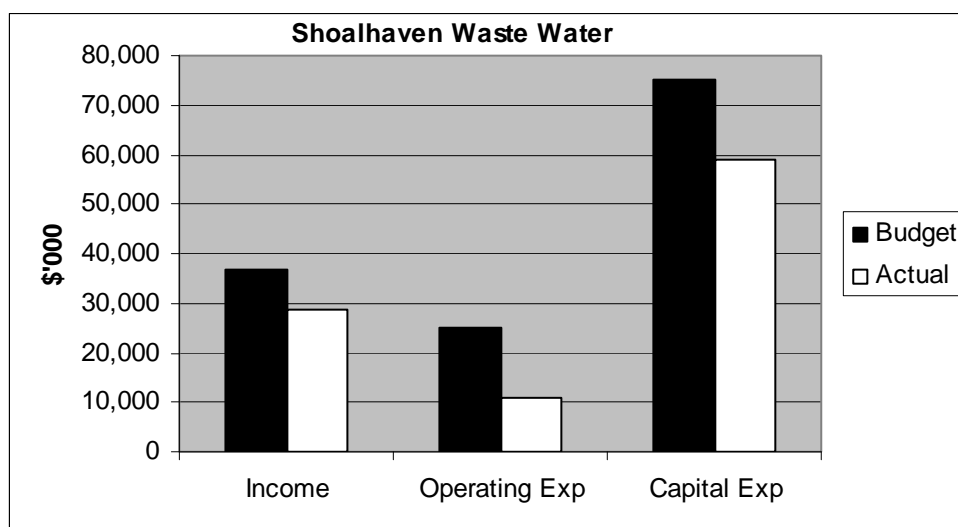
Operating expenditure to date is 47% of budget. Minor adjustments have resulted in a \$47,600 reduction in estimates.

Capital expenditure to date is 36% of budget. A net budget reduction of \$778,009 is proposed. The major items that have been adjusted are as follows:-

- \$100,000 reduction for Trunk Main to Flinders Industrial Estate (job completed below estimate)
- \$350,000 reduction to Basin Trunk Main Extension – Transferred to 2008/2009 (Developer timing)
- \$150,000 reduction Manyana Dual pipeline. – Transferred to 2008/2009 (developer dependent)
- \$45,000 increase Huntingdale – Grange – New Job (due to development timing)
- \$80,000 Reduction - Berrara - Berringer Pipeline– Transferred to 2008/2009 (lower priority)

The proposed adjustments will result in an improvement in the budget result of \$916,430 for the Water Supply Fund.

Wastewater:



The recommended budget changes and revised budget for Shoalhaven Water – Waste Water are summarised as follows:

	YTD Budget	Recommended Changes	Revised Budget
Operating Income	36,213,899	367,672	36,581,571
Operating Expenditure	24,841,263	408,000	25,249,263
Capital Expenditure	82,366,075	-7,347,641	75,018,435

Operating income received to date is 78% of budget. Adjustments to cover miscellaneous items of income received include Effluent Access Charges (\$250,000); Effluent Usage Charges (\$200,000) and Trade Waste (\$41,500) have been included. These additional estimates are a consequence of delays in Wastewater Scheme construction. Adjustments to grant income have resulted in a reduction of \$164,788. A net budget increase of \$367,672 is proposed.

Non Operating income is 0.01% of budget as loan funding has not yet been utilised. A review of cash requirements has lead to a recommendation to reduce the proposed loan from \$15,000,000 to \$10,000,000.

Operating expenses are 44% of budget. An increase of \$400,000 is required to cover additional effluent contractor's costs. A net budget increase of \$408,000 is proposed.

Capital expenditure to date is 90% of budget which includes Work in Progress (WIP) carried forward from last year. Excluding the WIP, spending is 72% of budget. A budget reduction of \$7,347,641 is proposed which is mainly attributable to delays in the subsidised schemes.

- Subsidised Schemes - \$4,959,624 decrease. Major Variations:
 - Berry Sewer Scheme reduction \$764,000 (due to revised scope of work and refined estimate).
 - Kangaroo Valley Sewerage Scheme reduction \$440,000 (timing)
 - Currarong Sewerage Scheme reduction \$789,375 (timing)
 - Lake Conjola Sewerage Scheme increase \$800,000 (timing of subsidised scheme payments)
 - Milton/Ulladulla Sewerage Scheme decrease \$3,460,00 (delays due to Burrill Lake Tendering process)
 - Lake Tabourie Construction decrease \$240,000 (Timing)
 - REMS Sewer Scheme decrease \$468,000 (Timing)

- Developer Funded Works - \$899,000 decrease. Major variations are:-
 - \$280,000 increase Cambewarra Rising Main (originally included in Berry Scheme described above.
 - \$79,000 reduction Berry SPS#5
 - \$500,000 reduction Shoalhaven Heads 6000ep (Next Year)
 - \$600,000 reduction Vincentia area SPS and rising main (Next year – developer timing)

- Plant Purchases have been increased by \$183,000

-
- \$1,000,000 of the budget for the Reline of PS 1 and 2 of the Culburra Catchment has been transferred to 2008/2009.

The proposed adjustments will result in an improvement in the budget result of \$2,326,063 for the Water Water Fund.

Group Director's Comments:

The final reductions for the Water Supply and Waste Water Funds are \$916,430 and \$2,326,063 respectively by transfer to reserve.

The most significant change for this review in the Water Fund has been to reduce Capital Expenditure as a result of project savings and developer delays, with an associated reduction in loans.

The Waste Water budget reductions are mainly attributable to delayed constructions on the Currarong and Milton/Ulladulla subsidised schemes and timing of commencement on Developer Funded Works.

RECOMMENDED that the December Quarterly Budget Review and vote movements outlined in the report and document be adopted by Council

7. Comparative Information on NSW Local Government Councils 2005/06 File 7055-03

The NSW Department of Local Government has released its annual publication on "Comparative Information on NSW Local Government Councils" for the financial year 2005/06. The publication provides comparative information on the performance of all local councils in NSW. The information is released to enable residents and ratepayers to make more informed assessments of the performance of their local council.

The data used to compile the information was collected from sources such as council's financial reports, rating records, DA registers and tracking systems, weighbridge docketts for domestic waste and recyclables, and ABS population statistics. Data is also obtained from the State Library of NSW.

Although Councils are grouped it is important to remember that local circumstances will affect results and levels of service may be different from council to council.

Australian Local Government Classification System

The publication categorises each council within NSW for comparative purposes based on their socio-economic characteristics and their ability to provide a range of services to the community.

Shoalhaven City Council is classed as a group 5 and category 8 council with a rating of URL.

U - urban population density of greater than 30 persons per square kilometre

R - regional town/city with the population predominantly urban in nature with a population less than 1 million

L - large total population (between 70,001 – 120,000)

Other councils within group 5 are Lake Macquarie, Newcastle and Wollongong, which are rated as group 5 and category 9 (URV) due to their very large total population (greater than 120,000).

Tweed council is also included in group 5 as a category 8 (URL). The councils in group 5 provide data for comparison purposes and are used throughout this report for benchmarking.

Shoalhaven City Council is ranked 9th in NSW with respect to total operating expenditure for 2005/06. A comparison of the top nine councils follows:

Council	Total Operating Expenses (\$M)	Staff Numbers (Full Time Equivalent)	Average Rate per Residential Assessment (\$)
Sydney	284.240	1446.70	465.93
Gosford	170.429	946	616.89
Wollongong*	162.642	1009	787.75
Blacktown	161.126	1282	685.50
Wyong	155.057	933	661.94
Newcastle*	148.212	935	702.76
Sutherland	141.296	1246	874.50
Penrith	123.488	916	708.27
Shoalhaven*	121.814	711	587.90

*Denotes councils categorised with Shoalhaven in group 5.

The report details key performance indicators for each council. The results for Shoalhaven City Council for the 2005/06 financial year are discussed below.

Rating and Financial Performance Indicators

Average rate per residential assessment

This indicator highlights the relative level of Council's residential rates (excluding water and sewerage rates and domestic waste management charges). The average is obtained by dividing the total residential rates revenue by the number of rateable residential properties.

In 2005/06 Shoalhaven's average rate per residential assessment was \$587.90, which represents an increase of 8.2% over the previous year. The average rate for 2004/5 was \$543.22, and for 2003/4 \$533.85.

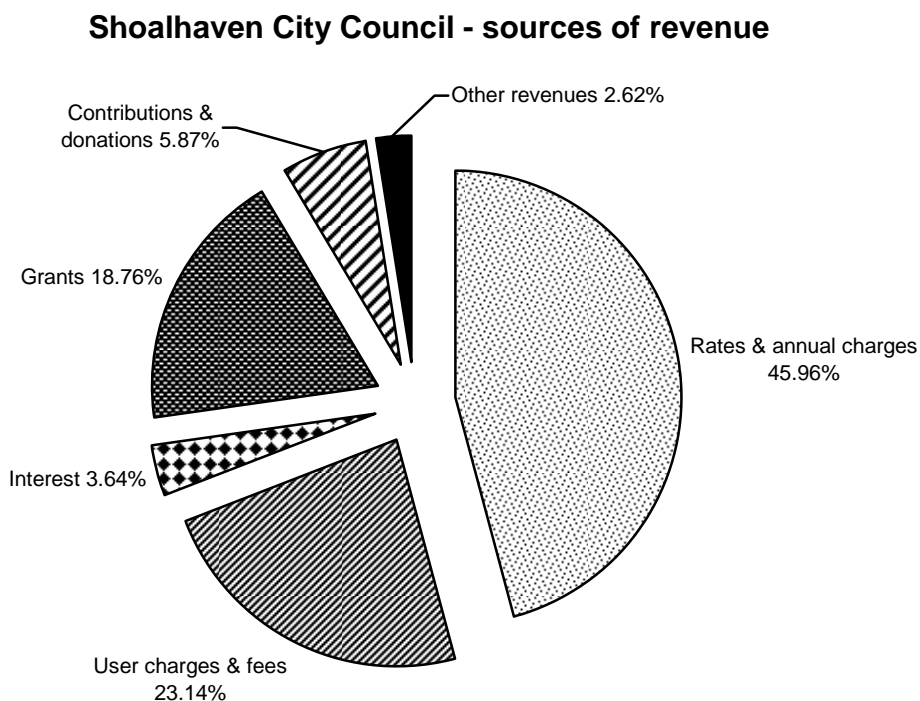
The average residential rate for Shoalhaven is the lowest within the group classification. The group average was \$697.27 in 2005/06; an increase of 5.7%. A comparison of councils within the group and neighbouring councils is as follows:

Shoalhaven*	\$587.90
Tweed*	\$666.71
Lake Macquarie*	\$694.97
Newcastle*	\$702.76
Wollongong*	\$787.75
Eurobodalla	\$577.63
Wingecarribee	\$598.69
Shellharbour	\$738.20
Kiama	\$958.63

*Denotes councils categorised with Shoalhaven in group 5.

Sources of revenue from ordinary activities

This indicator assesses the degree of dependence on alternative sources of revenue, and shows the different sources of revenue as a percentage of total revenue. It does not include gains from the sale of assets or gains from joint ventures and associates.



Shoalhaven's reliance on revenue from rates and annual charges has increased from 43.78% in 2004/05 to 45.96% in 2005/06. The dependence on rates and annual charges for Shoalhaven is less than the group average of 50.66% (49.28% in 2004/05) and lower than the state average of 48.2%.

User charges and fees comprise 23.14% of total revenue for the Shoalhaven for 2005/06. This is a slight increase of 0.63% over the 2004/05 result of 22.51%. The group average for 2005/06 was 16.62%.

Grants decreased by 2.53% to 18.76% of total revenue in 2005/06 from 21.29% in 2004/05. This was still above the group average of 15.36%.

Contributions and donations decreased in 2005/06 to 5.87% of total revenue compared with 7.90% in 2004/05. The group average for this source of revenue was 9.52% in 2005/06 and 11.61% in 2004/05.

Total ordinary activities revenue per capita

Total ordinary activities revenue per capita is another way of analysing revenues received by a council. Revenue depends on the number of people living and working within an area. It is also affected by rate pegging (rates), development activity (developer contributions) and the extent of user pays type services (charges and fees). This indicator measures the total ordinary activities revenue before capital per head of population. It shows the revenue available to service the needs of the community. It does not include water and sewerage rates.

Shoalhaven's ordinary activities revenue per capita is high compared to others within the group but would reflect the high proportion of non-resident ratepayers within the area. For 2005/06 the ordinary activities revenue per capita for Shoalhaven was \$1000.20 (\$998.01 in 2004/05 and \$918.91 in 2003/2004). This compares with the group average of \$785.64 and state average of \$876 in 2005/06.

Current ratio (unrestricted)

This indicator is a measure of Council's ability to meet its financial obligations and as such is an indication of Council's solvency. Generally ratios of greater than 1:1 suggest that unrestricted current assets exceed unrestricted current liabilities – that is, Council is able to meet its short term financial obligations. For 2005/06 the current ratio for Shoalhaven was 2.51:1 compared with 2.03:1 for the previous year. The average for the group was 2.30:1 in 2005/06 and 2.23:1 in 2004/05.

Debt service ratio

This indicator assesses the degree to which operating revenues are committed to the repayment of debt. It is generally higher for councils in growth areas where loans have been required to fund infrastructure such as roads, water and sewerage works.

Shoalhaven's debt service ratio for 2005/06 was 7.67%, compared with 10.51% in 2004/05 and 11.81% in 2003/04. The group average for 2005/06 was 4.73%. Comparison with the group average should be considered with caution, as all other Councils except for Tweed do not have responsibility for water and sewerage operations. Tweed's debt service ratio was 6.91% in 2005/06 down from 7.17% in 2004/05 and 11.45% in 2003/04.

Outstanding rates and annual charges

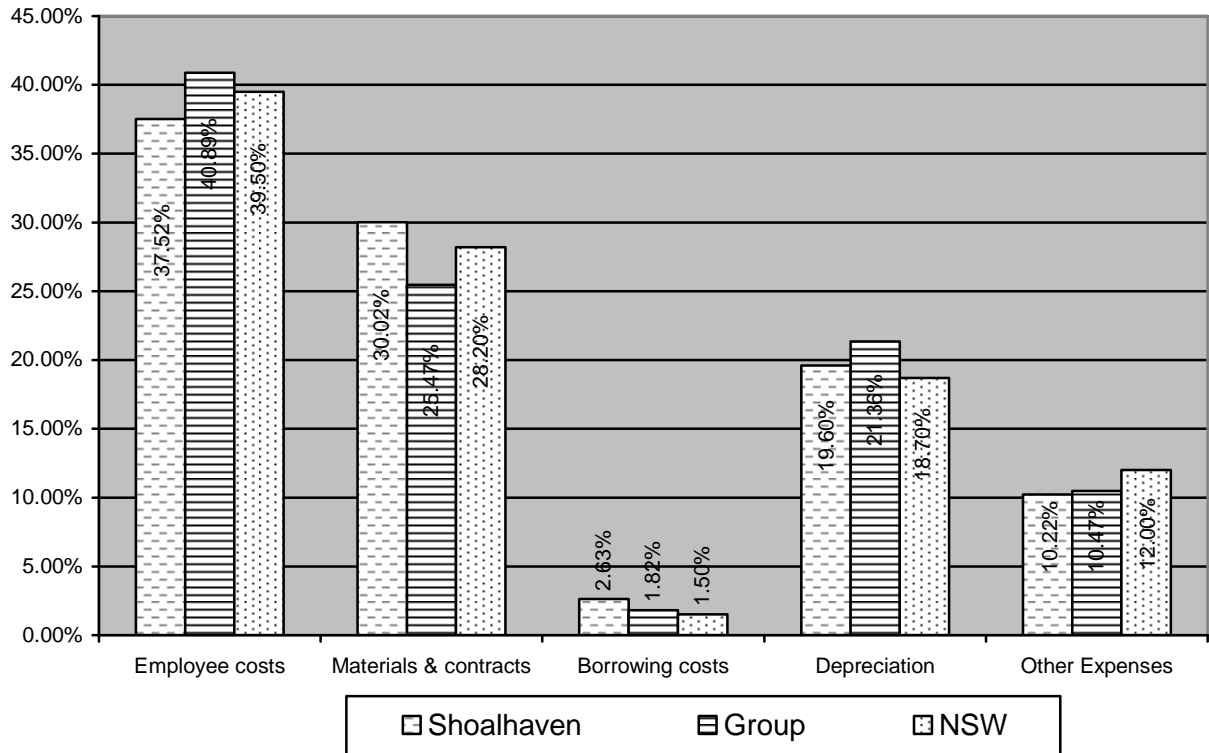
This indicator assesses the effectiveness of revenue collection by council. The method for determining this measure is the total outstanding rates and annual charges at year-end divided by the annual income from these sources. The lower the percentage the less income is tied up in receivables and the more revenue council has available for other purposes.

Shoalhaven had 7.70% of rates and annual charges outstanding at end of 2005/06 compared with 7.28% the previous year. The group average of 5.32% for 2005/06 was lower than Shoalhaven's result. This result may be attributable to the policy of not pursuing outstanding rates for pensioners.

Expenses from ordinary activities

This indicator assesses the expenditure patterns of councils. The indicator does not include losses from the sale of assets.

Expenses from ordinary activities



Employee costs increased slightly from 36.95% to 37.52% in 2005/06 but remain less than the group average 40.89%. The number of full time equivalent employees for 2005/06 was 711 compared with 703 for 2004/05. This is the second lowest in the group and lower than the group average of 829.2.

Expenditure on materials and contracts as a percentage of total expenses increased to 30.02% in 2005/06 from 28.09% in 2004/05. The group average was 25.47% in 2005/06. However other expenses decreased from 12.73% in 2004/05 to 10.22% in 2005/06. This compares with the group average of 10.47% for other expenses in 2005/06.

Borrowing costs increased to 2.63% of total expenses in 2005/06 from 2.06% in 2004/05. The group average was 1.82%.

Capital expenditure ratio

This indicator assesses council's ability to replace or add to capital assets compared with the consumption (depreciation) of assets. A ratio of 1:1 indicates that the increase in assets equals the amount of depreciation expense. The ratio will generally be greater for 'growth' councils that are acquiring assets to build infrastructure. It does not include land, water and sewerage assets.

The ratio for Shoalhaven for 2005/06 was 1.63:1 compared to 1.25:1 in 2004/05 and 1.66:1 in 2003/04. This compares with the group average of 1.29:1 in 2005/06, 1.37:1 in 2004/05 and 1.09:1 in 2003/04.

Library Services

Library expenses per capita

This indicator measures the expenses from ordinary activities spent on library services per head of population.

Shoalhaven's expenditure per capita for 2005/06 was \$20.80 compared to \$20.19 for the previous year. This compares with \$32.20 (\$30.89 2004/05) for the group average and \$30 (\$29 2004/05) for the state.

Circulation per capita

This indicator measures unit circulation per head of population.

The circulation per capita for Shoalhaven for 2005/06 was 6.59, compared to 6.86 in 2004/05 and 7.43 in 2003/04. Statewide the mean circulation per capita has remained steady at 7. This indicator understates the use of library resources as many visitors to libraries don't borrow material but obtain information from reference collections including e-resources, obtain photocopies of material to take with them, read magazines or newspapers in the library or consult specialist collections such as family history and local studies.

Domestic Waste Management and Recycling

Average charge for domestic waste management services per residential property

This indicator highlights the relative level of a council's domestic waste management service charges.

The average charge for Shoalhaven increased 2.5% to \$176.55 in 2005/06 from \$172.31 in 2004/05. The group average was \$184.22 and the state average \$222.00.

Costs per service for domestic waste collection

This indicator assesses the efficiency of council's domestic waste collection, including recyclables.

The cost for Shoalhaven for 2005/06 was \$58.31, being a 3.1% increase from \$56.54 for the previous year. The group average was \$82.30 and the state average \$86.00.

Recyclables – kilograms per capita per annum

The indicator measures the effectiveness of a council's recycling service and a higher figure indicates better performance.

The number of kilograms of recyclables collected per capita for Shoalhaven for 2005/06 was 275.7 kilograms, compared with 268.88 kilograms in 2004/05 and 252.19 kilograms in 2003/04. The 2005/06 average for the group was 143.8 kilograms and for the state 170 kilograms.

Domestic Waste – kilograms per capita per annum

This indicator measures the effectiveness of a council's efforts in waste minimisation and a lower result indicates better performance.

Shoalhaven's result for 2005/06 was 291.3 kilograms, which is a 21.1% reduction over the previous year's result of 369.04 kilograms. The group average for 2005/06 was 280.59 kilograms and 258 kilograms for the state.

Planning and Development Services

The following table summarises the results for the planning and development services comparative performance indicators.

Performance Indicator	2003/04	2004/05	2005/06	2005/06 Group Average
Number of development applications	3,171	2,607	2,437	2,317
Mean time in calendar days for determining development applications	45.26	37.05	48.34	56.32
Median time in calendar days for determining development applications	23	22	28	32.60
Legal expenses to total planning and development costs	5.50%	5.51%	4.07%	7.19%

Environmental Management and Health Services

Environmental management and health expenses per capita

The sustainable management of natural resources, the protection of the environment and the maintenance of public health are key council responsibilities. This indicator measures the amount spent on environmental management and health per head of population.

The amount spent per capita for Shoalhaven for 2005/06 was \$47.51, compared with the 2004/05 figure of \$47.75 and the 2003/04 figure of \$43.54. The group average for 2005/06 was \$28.75 and the state average was \$23.00.

Recreation and Leisure Services

Net recreation and leisure expenses per capita

This indicator measures the net amount spent on recreation and leisure services per head of population and is calculated by dividing the net amount spent on recreation and leisure services by the estimated resident population within council boundaries.

Shoalhaven's result for 2005/06 was \$58.13 compared with \$59.41 for 2004/05 and \$50.65 for 2003/04. The group average was \$69.76 and the state average was \$64.00.

Community Services

Community services expenditure per capita

The community services expenses per capita are calculated by dividing the total community services expenses by the estimated resident population within council boundaries.

Shoalhaven's community services expenses per capita for 2005/06 was \$20.39, a decrease of 7.2% on the 2004/05 result of \$21.98. The group average for this indicator was \$22.13.

Summary

The performance indicators demonstrate that Council is generally performing very well when benchmarked against other Councils. There are always specific variations between Councils based on local conditions, socio-economic needs and Council policy variations and the comparative data should be taken and read in that context.

RECOMMENDED that the report of the General Manager (Finance and Corporate Services Group) regarding Comparative Information on NSW Local Government Councils 2005/06 be received for information.

P.J. Dun

DIRECTOR, FINANCE & CORPORATE SERVICES GROUP

R.D. Pigg

GENERAL MANAGER

REPORT OF GENERAL MANAGER
POLICY AND PLANNING COMMITTEE
TUESDAY, 12 FEBRUARY 2008

DEVELOPMENT AND ENVIRONMENTAL SERVICES

1. Quarterly Progress Report - Key Performance Indicators

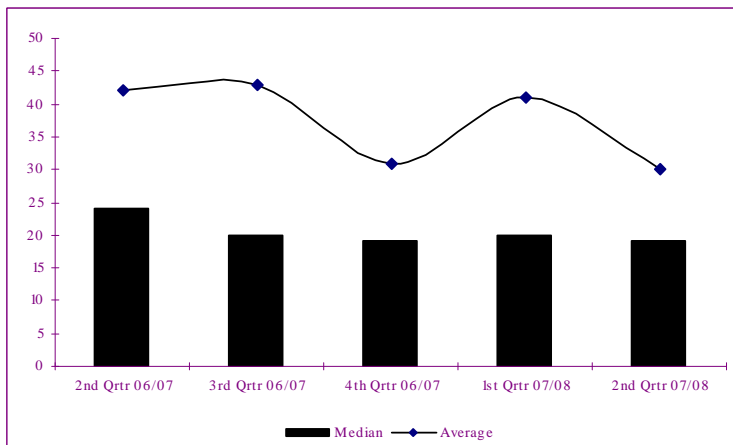
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REASON FOR REPORT

This supplementary report to the Quarterly Report is provided given the interest in development related matters.

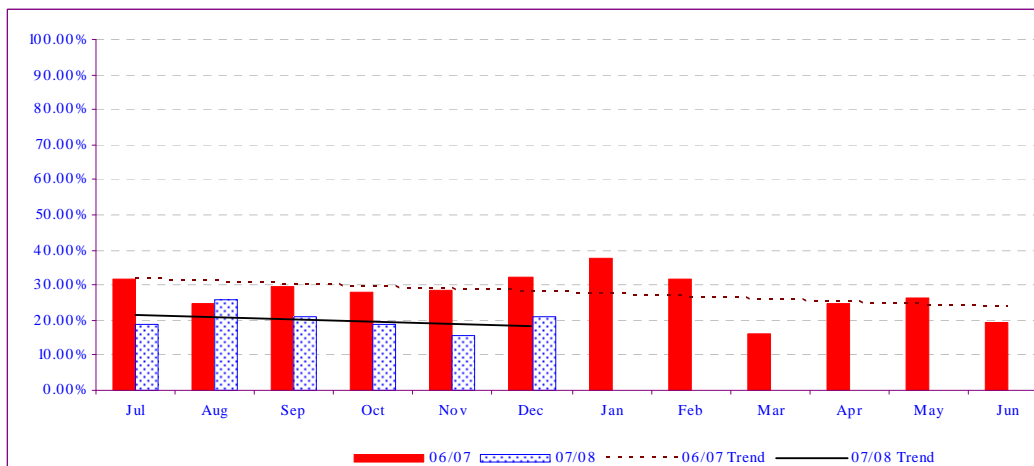
KEY PERFORMANCE INDICATORS

Processing Times Summary - Development Applications



The average turnaround has improved from last quarter and the median has levelled out at around 20 days. Both are sound results for the quarter.

Percentage of DAs determined exceeding 40 days



The percentage of applications determined exceeding 40 days increased in the last quarter which warrants attention. While quarters do fluctuate the overall trend is the most important, in this respect the year to date trend has plateaued.

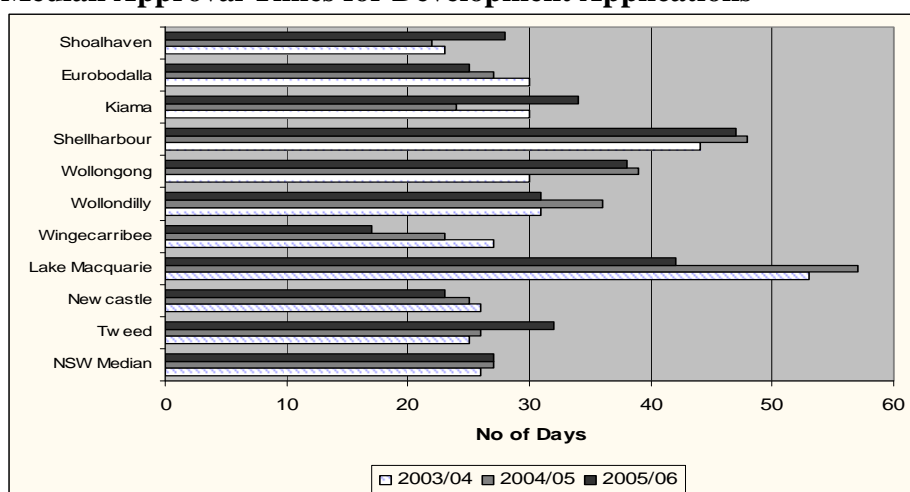
Applications Received and Approved

Period	Received	Determined	Difference
05/06			
Quarter 1	575	735	-160
Quarter 2	611	651	-40
Quarter 3	526	557	-31
Quarter 4	698	605	93
06/07			
Quarter 1	643	654	-11
Quarter 2	497	564	-67
Quarter 3	478	520	-42
Quarter 4	619	536	83
07/08			
Quarter 1	607	598	9
Quarter 2	574	545	29

The positive result in the last quarter has resulted in part due to staff shortages resulting from maternity leave in the Environmental and Policy areas. Close monitoring is required to ensure this trend is addressed. The vacancy in the Building Section is expected to be filled in the near future.

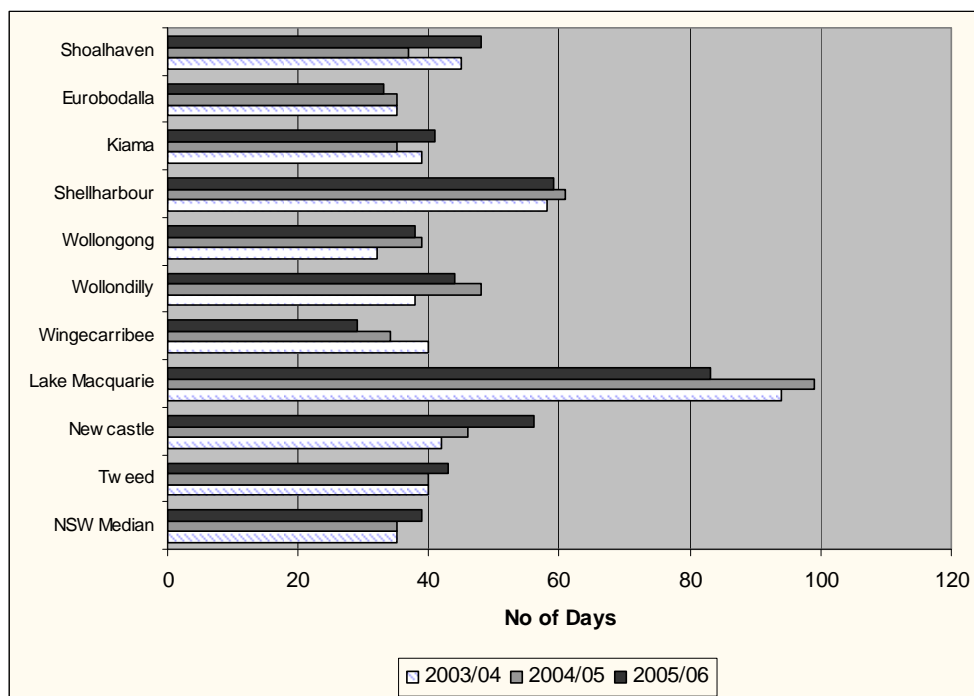
COMPARISONS WITH OTHER COUNCILS

Median Approval Times for Development Applications



These comparisons are taken from the Comparative Statistics published by the Department of Local Government and are somewhat dated compared to current data. The median figure was extended during the 05/06 period mainly due to a concentrated effort in clearing a backlog of older applications. Having said that, this result still compares well with other Council's such as Kiama, Shellharbour, Wollongong, Wollondilly, Lake Macquarie and Tweed.

Mean Approval Times for Development Applications



Similarly, with the mean approval time, the turnaround time grew slightly during 05/06 but still compared well with Shellharbour and other locations. Data for the current year, as outlined in this report, indicates an improved situation.

OUTSTANDING APPLICATIONS

Undecided Development Applications - ILAPs

Progress has slowed with these older applications, although we continue to slowly resolve them. These applications invariably involve complex planning issues where policy changes have required detailed consideration and applicants have further submissions to make.

Development Application	Date Lodged	Proposed Development	Property Address	Application Status
DA04/3419	Dec 2002	New dwelling and demolition of existing residence	390 Leebold Hill Road Red Rocks	Report to Council expected March.
DA04/2837	Oct 2004	Deletion of approved motel development and replacement with occupancy sites	157 The Springs Road Sussex Inlet	S79C Assessment and draft consent being finalised.

DA04/2639	Jul 2004	New building for retail and residential use (3 shops & 2 units)	102 Queen Street Berry	Amended proposal received consistent with the DCP. To be determined under delegation.
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At the time of preparing the report there were 211 applications outstanding for more than 60 days under the DARTS system.

STATUS OF MAJOR DEVELOPMENT APPLICATIONS

The following is a concise update of the status of a number of the more significant DAs received by Council (or subject to 3A application) in the last 2 years.

- Masterplan Development for Expansion of William Campbell College - Albatross and Gannet Roads, Albatross. **Status** - Residents Briefing Meeting held on 7 November 2007, applicant addressing potential legal issues of permissibility.
- New Synthetic Grass Playing Fields - North Nowra. **Status** - Applicant currently modifying proposal to address resident concerns.
- Tourist Facility - Cabins/Conference - Bendeela Road, Kangaroo Valley. **Status** - Currently under assessment - bushfire and effluent issues. Applicant requested to address critical issues.
- 74 Place Long Day Child Care Centre - Hillcrest Avenue, South Nowra. **Status** - Currently being assessed.
- 42 Unit Medium Density Housing Complex - Sussex Inlet. **Status** - Environmental issues finalised, applicant submitting a report on flooding matters and traffic issues to be addressed by way of conditions of consent.
- Mixed Use Residential/Café Complex - Beach Street, Huskisson. **Status** - Draft consent being finalised following submission of required information by applicant.
- 29 Unit Mixed Commercial/Residential Complex - Owen Street, Huskisson. **Status** - Non-compliance with DCP 54 issues, amended submission partly completed by applicant.
- 79 Residential Apartments in 2-5 Storey Building with Over Basement Parking for 154 Cars - Corner Ocean/Davies/Shepherd Streets, Mollymook. **Status** - Application approved 5 December 2007.
- Redevelopment of Mollymook Motel into 18 Serviced Apartments - 2-6 Buchan Street, Mollymook. **Status** - Application approved 10 January 2008.
- Mixed Use Building incorporating 42 Residential Apartments and 3 Retail Units in 6-7 Storey Building over Two Levels of Basement Parking for 101 Cars - 89 South Street, Ulladulla. **Status** - Awaiting revised design from applicant.
- Extensions to Bannisters Lodge - 191 Mitchell Parade, Mollymook Beach. **Status** - Approved 24 August 2007.
- Mixed use Development incorporating 24 Residential Apartments, 19 Serviced Apartments, 2 Retail Units in 3-5 Storey Building over 2-3 Levels of Basement Parking for 91 Cars - 90 South Street, Ulladulla. **Status** - Council resolution on height at January Ordinary Meeting, awaiting minor revisions from applicant following 79C assessment for final determination.

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- 21 Tourist Units (19 Permanent Stay) as part of Tourist Facility approved under DA02/1451 - 15 Ocean Street, Mollymook. **Status** - Approved 10 October 2007.
 - Substantial Alterations and Additions to Mollymook Golf Club Building, Golf Road Mollymook to extend the upper level and improve servicing area. **Status** - Awaiting the submission of coastal hazard assessment.
 - Wholesale Orchid Nursery (30mx28m) and Dwelling - Fishermans Paradise Road, Fishermans Paradise, in close vicinity to village off Right of Way. **Status** - Awaiting additional information from applicant in relation to nature of operation.

DEPARTMENT OF PLANNING 3A APPLICATIONS.

- **Brickworks Quarry, Nowra** - Continuation and expansion of extractive operations - Lot 464 DP 1058778, Princes Highway, South Nowra. **Status** - Major project application received on 12 September 2007. Director-General's requirements for Environmental Assessment issued 20 September 2007. Comments currently being prepared on draft Environmental Impact Statement.
- **Rural Residential Subdivision, Milton** - Three lot rural residential subdivision - off Garrads Lane, Milton. **Status** - Major Project application received 7 May 2007. Council Submission forwarded 25 June 2007. Director-General's requirements for Environmental Assessment issued 2 August 2007.
- **Tourist Accommodation for Calm Waters Holiday Cottages** - Three (3) tourist accommodation villas, a swimming pool, cabana and other amenities - 212A River Road, Sussex Inlet. **Status** - Project Application 23 April 2007. Council submission forwarded 18 June 2007.
- **South Coast Correctional Centre** - Accommodation for an additional 500 maximum security beds and associated facilities and services - Princes Highway, South Nowra. **Status** - Application made 12 April 2007. Environmental Assessment requirements issued 11 May 2007 and reissued 11 October 2007. Exhibition of Environmental Assessment 21 November to 21 December 2007. Council submission forwarded on 10 January 2008.
- **North Nowra Link Road Concept Plan** - The assessment of three nominated routes for the proposed North Nowra Link Road - North Nowra/Bomaderry. **Status** - Major Project status confirmed and application received. Director-General's Requirements for Environmental Assessment issued.
- **Residential Subdivision** - Residential Subdivision of approx. 25 Lots - Thrush Street, Bawley Point. **Status** - Major Project Application received 6 February 2007. Council submission forwarded 3 April 2007.
- **Mixed Use Development - Huskisson Hotel Site, Huskisson** - including Tourist, Permanent Accommodation and Associated Facilities - Huskisson Hotel Site, Owen Street, Huskisson. **Status** - Major Project Application received 12 December 2006. Council submission forwarded 26 March, 2007. Council has received a Section 96 Modification application to amend conditions of the Development Consent issued by Council in 1997. The Major project application is not likely to proceed.

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- **168 Lot Residential Subdivision and Reserves** - Subdivision comprising of 168 Freehold Torrens Title Residential Lots; and three reserves - off Leo Drive, Narrawallee. **Status** - Application made 13 October 2006; record of clause 6 opinion dated 20 October 2006; Director-General's requirements for Environmental Assessment issued 31 October 2006; public exhibition of Environmental Assessment 5 July to 6 August 2007. Council submission forwarded 26 October 2007.
 - **Vincentia District Town Centre** - Discount Department Store, Supermarket, Medical Centre, Childcare Centre, Restaurants and Speciality Retail. Proposal includes car parking, loading bays, landscaping, public open space and associated services and infrastructure - Corner of The Wool Road and Naval College Road, Vincentia Lots 801 and 802 in DP 1022286. Council submission forwarded to Department on 13 October, 2006. **Status** - Director Generals Requirements were issued 23 November 2006. Environmental Assessment documents currently being prepared.
 - **Jervis Bay Mixed Culture Shellfish Aquaculture Facility** - Construction and operation of a mixed culture shellfish aquaculture facility and associated infrastructure - 1km off Collingwood Beach (between Huskisson and Vincentia) on the southern shore of Jervis Bay and at 171 Hawken Road, Tomerong. **Status** - Director-General's Environmental Assessment Requirements issued on 1 September 2006.
 - **Residential Subdivision at Watt Street, Callala Bay** - 40 Lot Residential Subdivision - Watt and Woodhill Streets, Callala Bay. **Status** - Major Project Application received on 16 June 2006. Council submission forwarded on 1 September 2006.
 - **Residential Subdivision at Manyana Drive, Manyana** - 71 Lot Residential Subdivision (21 of those Lots to be contained within a Community Title, which 1 Lot being Neighbourhood Association Lot) - Manyana Drive, Manyana. **Status** - Major Project Application received on 14 June 2006. Council submission forwarded on 22 September 2006.
 - **Additions to Existing Caravan Park** - 20 Additional Short Term Sites and 90 Additional Camp Sites, Kioloa Beach Holiday Park - Murramarang Road, Kioloa. **Status** - Major Project Application received 4 May 2006. Council submission forwarded 11 May 2006. Comments on draft Beach Management Plan forwarded to Cowman Stoddart on 25 July 2007.
 - **Tourist Development at Goodnight Island and Commercial Development at Greenwell Point Road, Greenwell Point** - Tourist and Commercial Development - Orama Crescent and Greenwell Point Road, Numbaa. **Status:** Major Project Application received 30 March 2006. Council submission forwarded 8 May 2006.
 - **Subdivision at Lot 172 DP 755923 Berringer-Cunjurong Point Roads, Manyana** - 180 Lot Residential Subdivision. **Status** - Director General Environmental Assessment Requirements issued on 7 March 2006; Major Project Application received 23 December 2005 on exhibition 20 October 2006 to 18 December 2006.
 - **Residential Subdivision, Highview Drive, Dolphin Point** - 142 Lot Torrens Title Residential Subdivision, with initial subdivision of the site into two super lots preceding development. The proposal also includes two drainage/public reserves, associated infrastructure and road works - Highview Drive, Dolphin Point. **Status** - Major Project Application received 19 December 2005. Director-General's requirements for Environmental Assessment issued 11 January 2006. Public exhibition of Environmental Assessment 11 October to 12 November 2007 (extended to 30 November 2007). Council submission forwarded 24 January 2008.

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- **Proposed Serviced Apartments, Burrill Lake** - Demolish the existing Edgewater Motel and develop and erect a Tourist Facility which will comprise 14 serviced apartments for Tourist Accommodation - 1 Princess Avenue South, Burrill Lake. **Status** - Major Project Application received 25 November 2005. Council submission on Stage 1 forwarded on 20 January 2006. Director General Environmental Assessment Requirements issued on 31 January 2006. No further contact from Department.
 - **Residential Subdivision, Princes Highway, Dolphin Point** - 161 Lot Torrens Title Subdivision, public open space, associated infrastructure and road works - Princes Highway, Dolphin Point. **Status** - Major project application received 24 November 2005. Director-General's requirements for Environmental Assessment issued 22 February 2006. Public exhibition of Environmental Assessment 11 October to 12 November 2007 (extended to 30 November 2007). Council submission forwarded 4 February 2008.
 - **Proposed Residential, Commercial and Tourist Development** - Demolish all existing structures and erect a mixed-use development comprising 8 serviced apartments for tourist accommodation, 86 residential apartments and 2 commercial units with car parking provision for 138 vehicles in the basement level - 68-70 South Street & 116-118 St Vincent Street Ulladulla. **Status** - Council submission forwarded 20 March, 2006. Director General's Environmental Assessment Requirements re-issued on 23 May 2006. Major Project Application withdrawn 14 November 2006.
 - **Residential and Tourist Development, Sussex Inlet** - Low and Medium Density Residential Development, expansion of the existing 9-Hole Golf Course to 18 holes, including ancillary structures, upgrading of existing course and a new clubhouse; tourist development; open space and ancillary infrastructure and dedicated conservation areas - Badgee Lagoon, Sussex Inlet. **Status** - Application submitted 28 August 2007. Application pending rezoning.
 - **Expansion of Ethanol Production, Bolong Road, Bomaderry** - Upgrade of Ethanol Production, reduction of odour and for waste water treatment measures for existing and proposed operations at Shoalhaven Starches Factory. **Status** - Request for comments on Preliminary Environmental Assessment - 4 December 2007. Council submission forwarded 17 January 2008.
 - **Shoalhaven Starches Flour Mill Project** - Construct and operate a flour mill at the existing Shoalhaven Starches factory - 160 Bolong Road, Bomaderry. **Status - Approved:** 8 October 2007.
 - **Extension of the Gerroa Quarry** - Crooked River Road, about 3 kilometres south-west of Gerroa. **Status - Approved:** 4 July 2007.
 - **Residential, Tourist and Retail Development, Ulladulla** - Demolition of all structures on the main body of the site; erection of 5 buildings to contain 8 retail shops, 74 serviced apartments for tourist accommodation and 25 residential apartments and over basement parking for 145 vehicles - Princes Highway, Ulladulla. **Status - Approved:** 14 June 2007.
 - **Bamarang Gas Fired Power Station** - Concept approval and project approval for Delta Electricity to construct and operate Stage 1 of a 300 megawatt gas fired power station and associated infrastructure - Lot 1 DP 127482 Yalwal Road, Bamarang. **Status - Approved:** 27 February 2007.
 - **Vincentia Coastal Village - Residential and Commercial Development** - The Wool Road and Naval College Road, Vincentia. **Status - Approved:** 25 January 2007. Modification of Approval Application 19 November, 2007. Exhibited from 26 November to 11 December 2007.

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- **Residential Subdivision - Jamieson Road, North Nowra** - 35 Lot Residential Subdivision - Jamieson Road, North Nowra. **Status** - Project application received 19 May 2006. Director-General's requirements for Environmental Assessment issued July 2006. Public exhibition of Environmental Assessment 16 February to 19 March 2007. **Approved** 15 October 2007.

POLICY FORMULATION AND REVIEW

The following is a brief outline of the progress on policy formulation within the Group.

- Developer Enquiry (Masterview) - System launch on 1 March 2007, software enhancement January 2008.
- DA Tracking - 12 Month review implemented - DA Form amended and referrals being linked for view progressively.
- DCP48 Culburra Beach DCP - Draft Amendment No 1 on exhibition from 16 January to 21 March 2008.
- DCP57 (Amendment No4) - Dual Occupancy - Councillor Briefing 5 November 2007, report to February 2008 Committee.
- Exempt/Complying DCP89 - Adopted by Council to concurrently advertise adoption of DCP (to make effective) when amendment to SLEP 85 on Exempt and Complying is gazetted.
- Policy on Hazards in Coastal locations - Briefing held July 2007, further report to future Council Meeting.
- Use of Reflective Building Material - Council resolution of 28 August 2007 to review the Policy.
- Industrial Development Guidelines - Councillor briefing held 5 November 2007, to commence draft shortly.
- Shoalhaven DCP2009 - Task Group reviewing current development controls and policies for inclusion into new DCP in conjunction with Shoalhaven LEP2009 preparation.

CONCLUSION

While turnaround times for Development Applications were sound during this quarter there are some trends that do need attention to ensure that performance is maintained. The importance and significance of the State Governments 3A applications is apparent from the list within this report; these applications require close monitoring given their importance to the Shoalhaven. Progress in the Policy Area remains on track even though there have been staff shortages in this section.

SUBMITTED for information.

Tim Fletcher

DIRECTOR, DEVELOPMENT AND ENVIRONMENTAL SERVICES

R.D Pigg

GENERAL MANAGER

REPORT OF GENERAL MANAGER

POLICY AND PLANNING COMMITTEE

TUESDAY, 12 FEBRUARY 2008

STRATEGIC PLANNING & DEVELOPMENT AND ENVIRONMENTAL SERVICES

1. NSW Government Planning Reforms – “Improving the NSW Planning System” Discussion Paper (November 2007) File 31157-03

The State Government believes there are key indicators that show that the NSW planning system is not currently performing as it should - increasing turn-around times for development assessments and protracted preparation/review times for LEP making.

As a result they have embarked on a new phase of reforms to the State’s planning system and released a Discussion Paper - *Improving the NSW Planning System* on 27th November 2007 for review and comment. Submissions are invited until 8th February 2008.

The Department is seeking feedback from Local Government, planning professionals, industry and the community on the proposed changes.

Given the timing of the release of this document and the intervening Christmas – New Year period, an extension of time was sought to give Council the opportunity to consider this matter and provided comment by 14th February 2008 based on the recommendation from this Committee.

An information briefing was held in Wollongong on 10th December 2008 and attended by Council staff. The presentation used at this information briefing was subsequently given to Councillors on 30th January 2008 and a copy of the presentation was provided to all Councillors.

1. Planning Reforms – Timeline

The following is the State Government’s indicative timeline for the current round of proposed reforms:

August 2007	“New Ideas for Planning” Conference held
September-October 2007	Consultation with working groups/reference panel
November 2007	Discussion Paper released
Dec 2007-Feb 2008	Public Exhibition Period Discussion Paper
March 2008	Exposure draft before Parliament
May/June 2008	Finalisation of legislation
July 2008	Proposed implementation date for many key reforms

2. Discussion Paper – Overview

The Department of Planning released both the Discussion Paper and a shorter Summary Paper. Both documents and other supporting material are available for review on the Department's website at:

http://www.planning.nsw.gov.au/planning_reforms/index.asp

At the request of the Department the Discussion Paper was also made available for review at Council's City Administrative Centre in Nowra.

The Discussion Paper and Summary Paper will be available for review in the Councillors Room prior to today's meeting.

The following is a brief overview of the proposed reforms.

It is noted on the Department of Planning's website that more than 100,000 development proposals and about 200 local planning instruments are determined each year. Seven out of ten of these development proposals are for residential projects and as a result it is important to families and small businesses that the planning system is operating as efficiently and effectively as possible. There is concern about the length of time being taken to deal with development applications.

The Minister for Planning, the Hon Frank Sartor, MP was quoted as saying "*We want to remove the clutter and create a strong, modern system*". He also indicated that "*I hope this package of improvements will benefit homes in every suburb and town, and make life easier for families across NSW*".

Thus the reforms focus on:

- New targets to reduce the processing times of development applications and local plans;
- Allowing more small scale development, such as home renovations, to be approved within ten days if set standards are met;
- Tailoring development application assessment and local plan-making systems to the size and complexity of proposals;
- Increasing online planning information and support;
- Improved oversight of the building certification system; and
- Reducing the Minister's determination role for development proposals and increasing the use of assessment panel.

The proposed reform also includes miscellaneous recommendations in areas such as strata management, paper subdivisions and dispute resolution.

The Discussion Paper contains more than 90 recommendations to improve the planning system in NSW.

- # Attachment “A” (extract from the Discussion Paper - Executive Summary) provides a good overview of what are seen as the problems and what the State Governments proposed solutions are.
- # The full list of recommendations proposed in the Discussion Paper is provided as attachment “B”.

3. Reform Proposal – Detail and Comment

The following comments have been prepared with the assistance of staff from Council’s Development & Environmental Services Group and Information Technology Section.

Plan Making (LEP’s etc)

More than 200 individual Local Environmental Plans (LEP’s) were proposed or prepared during 2006/ 07 and irrespective of the nature and complexity of the LEP, the process and timeframe for the ‘making’ of the LEP is completely inflexible. The average turn-around time for LEP’s statewide is on average 12 to 18 months. Some more complex plans and complete LEP reviews take 5-10 years. All LEP’s require Ministerial sign-off.

The Government’s objectives for reforming the plan making system are to:

- Improve efficiency and timeliness
- Greater certainty of outcomes earlier in the plan making process
- Level of assessment and consultation tailored to the likely impact of changes
- Improved efficiency in relation to State agency referrals

To simplify the system for making plans it is proposed to introduce a new system that is clearer, more efficient and tailored to the scale, risk and complexity of land uses changes and allow most LEP’s to be finalized quicker, rather than the current “one size fits all” approach. It is indicated that for smaller LEP’s, the proposed system is expected to reduce average processing times by at least 50%.

The proposals involve:

Mandatory timeframes to be created for steps in the plan-making process – reduce time for smaller LEP’s by 50%.

Depending on scale, risk etc, LEP’s will be streamed into different pathways for processing and determination.

Stalled LEP’s can be referred to the proposed Planning Assessment Commission (PAC) or Joint Regional Planning Panel (JRPP), to resolve long-standing issues.

New gateway screening process prior to or at start of LEP process, to ensure the LEP’s meets set criteria.

Referral to State Government agencies at the 'gateway' stage and specified response times, unless area is already approved for release, then no further referrals.

Department of Planning to continue to reduce the number of SEPP's, REP's etc by 50 %.

Department of Planning to continue to produce regional strategies to provide upfront certainty as to areas earmarked for release.

Improving the legal drafting process through the exhibition of a "statement of intent" rather than a legal instrument, with the technical and legal translating into an LEP to follow later.

The content of single comprehensive DCP's will be clarified through the preparation of clear guidelines.

Comments – The introduction of the 'screening' process for proposed LEP's, based on the scale, complexity and local/regional integration of the proposal is generally supported but needs to operate better than the current Sydney based LEP Review Panel. It needs to add value to the process, not another difficult process to negotiate. The current LEP Review Panel has not done this and is not responsive to the needs of planning in regional areas of the state.

The streaming pathway and streaming evaluation process and criteria need to be developed with input from Council planning staff from both Regional and Sydney Metropolitan Councils together with agency staff. The criteria should reflect the complexity and nature of the pathway process.

Decisions regarding rezoning should continue to be made a local level within a framework established by clear State and Regional Planning strategies and policies.

The full cost recovery fee for service approach to the plan preparation and assessment process is generally supported and is comparabl with Council's current approach. It should be applicable irrespective of the proponent.

In areas approved by Council or State Government for release, no further agency referrals should be required. This may be reinforced by areas that are subject to Section 64 development servicing plans intended to regulate land release. There is a need to clarify whether this also applied to State Government endorsed Settlement Strategies or Structure Plans eg. Nowra-Bomaderry Structure Plan.

The proposed Mandatory timeframes should apply to all stages of the LEP process including obtaining and providing the Parliamentary Counsel opinion.

The proposed use of "Plain English" statements of intent, rather than the current legal LEP instruments is supported and is consistent with Council's current approach of exhibiting an "Explanatory Statement" with draft LEP's.

There should be detailed discussion with affected Councils before any state initiated amendments to LEP's are undertaken.

Consideration should be given to the re-drafting of the Standard LEP Instrument so that it reflects the different circumstances of rural, coastal and metropolitan locations. There should be greater flexibility in the Standard Instrument to recognize local issues and areas that do not neatly fit into the statewide template.

The timetable for Councils to prepare their new comprehensive LEP's should be revised to take into account delays in changes to the Standard Instrument.

Councils are best placed to decide on the “content” of their own DCP's and a Statewide standard has merit, particularly in enabling better GIS access to property parcel linked enquiries.

The State Government should make agency GIS data sets available Councils at scale suitable that is able to assist with regional and local planning and assessment.

Development Assessment, Exempt & Complying Development and Certification

The ‘New Ideas for Planning’ forum in August 2007 identified a need for the NSW development assessment system to be more responsive and better tailored to the complexity and significance of a proposed development. Furthermore the Forum recommended better matching the assessment duration requirements to the nature of the proposed development.

The average gross processing time for applications during 2005-06 was 68 days, with 12 Councils reporting average times of more than 100 days. Council received a report on this matter late last year. At present, there is no delineation between project size and significance in determination roles (ie. State or Local Government) nor the statutory time for determination. For example, a proposal to build a new shopping centre is likely to have the same 40-day statutory assessment time as a house alteration. If no decision is made in this time, the applicant can seek determination by appeal to the Land and Environment Court.

Another area of concern is the direct involvement of elected representatives in the development decision making process, which has the potential for external influence and corruption, particularly in relation to developments of significance. The formation and guidance of Independent Hearing and Assessment Panels (IHAP's) had been previously suggested by ICAC, as a measure to reduce the potential for corruption at the decision making level. The IHAP model proposed in the discussion paper involves an independent review of a development matter by the IHAP panel. The IHAP model has the potential to reduce the involvement of Councillors in individual development matters and focus Council resources on strategic planning and policy matters. The LGSA has not supported this approach.

There is a need to provide guidance to applicants as to the amount of information required for different sorts of proposals. This is likely to reduce the paperwork load for minor development applications while ensuring there is a thorough assessment of applications with major impacts.

The Discussion Paper notes that the current planning system is complex and implies that the 152 Local Governments are a significant cause of “problems” through apparent delays in development application processing. Thus, the emphasis of the proposed “reforms” is about reducing the number of development types that are required to be approved by Councils; imposing an increased and standardised Exempt and Complying criterion across the state; providing for an increased private certifier role in the development assessment process; limiting Council's role in certification; and imposing assessment panels and structures that are labour intensive on Councils.

Shoalhaven Council has an enviable record on development assessment timeframes as recorded in Local Government statistical comparisons. The Discussion Paper uses statistics of development application processing averaging across 152 Councils to justify reforms however, the statistics will always give an unflattering result without appropriate analysis of causes or acknowledging differences in Councils.

Statistics that compare NSW with Victoria or that compare a previous development application and Building Application regime with the current development application and certification system are misleading. Other Local Government studies and reporting have identified shortages in professional staff involved in the planning and development processes; failures in the previous “planning reforms” such as private certification and monitoring; the financial viability of a high percentage of Councils to carry out required functions; and the variation in controls that Councils apply.

The proposed reforms do not address measures to increase the expertise and professional training of staff into the future; they seek to increase the involvement of private certification without acknowledging failures of that system, while limiting a Council’s ability to provide an assessment service through circumventing local planning at a local level and limiting Council’s role in the development and certification processes; and the reforms impose potentially increased costs for all Councils in providing expertise and staff to assessment panels and other external structures. The proposal to mandate a single Exempt and Complying development criterion across the state denies the variation that exists in topography, environment, population spread, land use patterns, heritage and infrastructure.

Some of the key proposals involve:

Development Assessment

- The nature and extent of information required for different types of development applications may be mandated:
 - Establishing a hierarchy of decision-making bodies to reflect differing levels of development assessment including:
 - Reducing the Minister’s approval role to critical infrastructure projects and other key proposals of State significance;
 - Delegating other existing Ministerial determinations to a NSW Planning Assessment Commission, to be governed by a permanent chair and a panel of up to eight other part-time members;
 - Creating Joint Regional Planning Panels, including three State nominees and two Council appointees, to determine most regionally-significant projects such as those exceeding \$50 million in value or State agency projects;
 - Councils continue to determine locally-significant applications;
 - Accredited certifiers and Councils continuing to be able to deal with ‘complying development’.
 - Amending deemed refusal periods – after which court appeals can take place in the absence of a decision by the consent authority – in line with the size and complexity of proposals. Suggested deemed refusal periods would fall within the range:
 - 20 days for minor local applications;
 - 40 days for small-scale development;
 - 60 days for medium-scale development;
 - 90 days for developments with potentially significant environmental and amenity impacts such as mines, petroleum works and waste management facilities, known as ‘designated developments’.

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- The Department of Planning would issue community consultation guidelines;
 - Continued reduction of unnecessary referrals to State agencies;
 - e-planning will be encouraged to improve application lodgement and tracking.

Exempt & Complying Development

- NSW Government to create consistent exempt and complying development to improve certainty and clarity – with the first of these to be prepared early 2008;
- The consistent codes will be developed by an expert panel having skills in urban planning, architecture and building standards. It will be placed on public exhibition before adoption;
- Once adopted, the codes will ensure that homeowners have increased certainty about the type of small-scale development which can be built on their land or on adjacent properties, at the time of purchase.

Building and subdivision certification

- For small developments, the number of construction or complying development certificates issued to any one client by an accredited certifier, would be limited in any one calendar year—exemptions may apply in rural areas;
- Only landowners, not developers or builders, are allowed to appoint a certifier to issue a construction or complying development certificate;
- The Building Professionals Board (BPB), not the landowner would allocate certifiers for large or complex projects;
- The BPB would develop a model set of contractual arrangements to clearly specify the responsibilities of the certifier and builder/developer;
- Council's responsibility to enforce development consents would be mandated and their powers of enforcement effective over unauthorized works would increase;
- Adoption of a new target for the BPB to undertake 100 audits per annum within the first two years of changes and to increase this number over time;
- Expanding powers of the BPB to fine or suspend an accredited certifier under specified circumstances.

Comments - If the changes are passed they will fundamentally change the way developments are assessed and approved in NSW. For example, the Government plans to establish Statewide Planning Assessment Commissions to oversee and certify large-scale developments in NSW. Other changes will include limits to the time a Council can take to approve development applications.

The following are detailed comments on the specific recommendations being proposed in each of these three reform areas:

Development Assessment and Review

Rec.	Proposal	Comment
A1	Create hierarchy of decision making bodies.	Creates additional bureaucracy with a new Planning Assessment Commission and Joint Regional Planning Panels. There is insufficient justification that this will simplify the current process.
A2	Minister to delegate Part 3A Applications to a new Planning Assessment Commission	Criterion for Part 3A Applications should be reviewed to reduce number being determined at Ministerial level. Councils are currently required to participate in the Part 3A process without adequate reimbursement of costs.
A3, A4 & A5		Same comment as A1
A6	Councils directed to establish an Independent Hearing and Assessment Panel (IHAP) for certain applications.	Concern that there are limited candidates available in regional areas to serve on IHAP's with likely conflicts of interest arising. Concern at increased bureaucracy.
A8	Role of IHAP, design review panels and independent advisory panels to be rationalized.	Concern that in regional and rural areas there is a very small pool of appropriate independent expertise and there is a likelihood of conflicts of interest.
A9	Mandated requirements to be submitted with applications. The period to reject an application increased from 7 to 14 days	There are currently sufficient guidelines in Regulations. Proposal to extend rejection period is supported.
A10	Encourage ePlanning	Shoalhaven Council supports ePlanning. In 2006-7 there was Federal Government funding Regulation Reduction Incentive Fund (RRIF) to assist Local Government achieve this. There should be a commitment by the State Government to fund Council's Increased use of ePlanning practices.

Rec.	Proposal	Comment
<i>A13</i>	<i>Standardised DA conditions.</i>	<i>Support some standardization that is published, however, given the dynamic nature of DA proposals there needs to be ability to create conditions that suit specific circumstances. Guidelines for condition types as provided in the EP&A Regulations may be supported.</i>
<i>A15</i>	<i>Proposing a series of “deemed to comply” determination periods</i>	<p><i>There needs to be clarification of this Summary Recommendation. The explanatory Part 4 notes refer to “deemed to refusal” timeframes, while the Summary Rec. A15 refers to “deemed to comply”. There is concern with a “deemed to comply” concept.</i></p> <p><i>The current “Stop The Clock” provisions should be linked with the determination timeframes. For reduced timeframes the period should be “working days” and not calendar days, especially to avoid extended public holiday periods or application lodgements that utilize two weekend periods (4 days of a 10 day timeframe).</i></p> <p><i>The current Part 3A timeframe of 120 days is not mentioned.</i></p> <p><i>Mandatory determination times for minor applications, likely to lead to unnecessary refusals when minor issues not resolved.</i></p>
<i>A17</i>	<i>Department of Planning to issue standardised Community consultation guidelines.</i>	<p><i>Concern over a communities right to make submissions and if circumvented without first being agreed by the community through current processes.</i></p> <p><i>Concern that a State standard across metropolitan, regional and rural communities is not necessarily appropriate.</i></p>

<i>Rec.</i>	<i>Proposal</i>	<i>Comment</i>
<i>A18 & A18.1</i>	<i>Aim to reduce Local Government DA processing times as a State Average from 68 to 48 days.</i>	<i>Concern at setting an arbitrary reduction in turnaround times generally supported however, State average target when across 152 Councils there is a vast difference in DA types, and local circumstances.</i>
<i>A18.3</i>	<i>Establishing additional bodies will improve DA processing timeframes.</i>	<i>The explanatory notes do not demonstrate there will be improved DA Assessment timeframe because there will be additional bureaucracy</i>

<i>Exempt and</i>	<i>Complying Development</i>	
<i>C1 to C6</i>	<i>Extension of Exempt & Complying Development with mandatory guidelines.</i>	<p><i>Concern that there needs to be provision for regional and local variations, in particular in regard to bushfire, coastal, heritage and environmental circumstances. The State may issue a standard template but should allow Councils to include local matters through consultation.</i></p> <p><i>Support the use of a Complying Development Experts Panel (CDEP).</i></p>
<i>C8.2</i>	<i>Proposal for Council to disagree with a private certifiers provisional CDC within 7 days of lodgement.</i>	<p><i>Concern that a private certifier based on a Building Code of Australia and non-planning background or proficiency would take on a role of assessing community standards (minor impacts on neighbours) or judging planning precedents.</i></p> <p><i>The 7 day timeframe must be from the time of receipt by the Council not when the certified dates the provisional CDC, otherwise support new power of veto.</i></p>

<i>Exempt and</i>	<i>Complying Development</i>	
<i>C11</i>	<i>Mandatory standards for CD standards in environmentally sensitive or heritage areas supported by mapping of the environmental or heritage areas.</i>	<i>Concern that mapping of environmentally sensitive or heritage may be restricted by agencies as happens currently (eg. data of National Parks, Aboriginal Heritage, Threatened Species) and as such a private certifier may not be able to access the mapping needed to make assessment about Complying Developments.</i>

<i>Building and</i>	<i>Subdivision Certification</i>	
<i>B7</i>	<i>Requiring Councils to seek Corporate accreditation (Similar to provisions for private certifier). Deeming all Council staff that sign certificates to have A3 Level accreditation and be limited to certifying limited types of proposals. Other buildings to be certified by either Council or private contractors who hold higher accreditation levels A1 A2.</i>	<p><i>Attempts in 2006 to have all Council Building Surveyors individually accredited failed. This is another attempt to limit Council's role in providing certification services. The current Council management systems as a check to ensure appropriate responsible issue of certificates is not being recognized. An example of one Council issuing inadequate certification on one building project is being used in the discussion paper to discredit all Councils, when there are examples of inadequate certification by private certifiers that are not currently being addressed by the BPB.</i></p> <p><i>Concern with applying a standard A3 level to a Council individual when many Council staff will be eligible for at least A2 levels. The limitation will cause delays to applicants especially with inadequate numbers of alternate certifiers in many regional and rural areas of the State.</i></p>

<i>Certification</i>	<i>Of Land Subdivisions</i>	
<i>B14</i>	<i>Enabling a private certifier to issue a Subdivision Certificate, with Council providing a list of 5 certifiers to be engaged by the developer and a certifier lodging a Provisional Certificate that Council will have 14 days to object or it is confirmed.</i>	<p><i>Concern that as Council must accept the infrastructure as on ongoing asset, a Council should have the final issue of the Certificate.</i></p> <p><i>The appointment of a certifier from a Council supplied list has the potential to be seen as a arbitrary restriction in a market driven society and in some regional or rural areas there may not be a suitable number of qualified persons to act as Certifier. Also potential for corrupt practice to develop.</i></p> <p><i>The 14 day “deemed to accept” provision is unreasonable.</i></p>

E Planning

The initial concept of electronic planning (e-planning) was introduced by the State Government in the late 1990's. There have been a number of attempts to further enhance the process and acceptance by Councils during 2001–02. However, the willingness of many Councils to take-up and acknowledge the advantages of the process has been frustrated by a lack of data compatible programs and differing Geographic Information Systems (GIS) and the ability of internet portals to permit universal access.

The Department of Planning now believes that the advances in electronic software packages will overcome many of these early access problems and is keen for all Councils to implement remote electronic access, particularly to the development application database. Individual Councils around Australia, together with many international planning authorities are adapting their planning processes for e-planning to:

- Improve customer service by reducing DA preparation times, removing delays and costs in postage, and reducing the anxiety of not knowing where the application is up to in the system;
 - Provide useful information on development activity and the performance of the system (e.g. sustainability indicators) back to decision makers;
 - Make it easier for business to find out where to invest and create jobs.
- Successful e-planning initiatives provide all the relevant information needed for an application, including Local, Regional and State level controls. An added bonus is that Councils that provide e-planning, improve staff morale as many mundane time-consuming activities can be performed by the applicant via remote electronic access.

The key proposals in this area involve:

- NSW Government to set milestones for the implementation for e-Planning for Councils;
- The State to develop a platform to collate, integrate, manage and display planning; Information from Councils and relevant NSW Government agencies.

Comments - The Discussion Paper appears to contradict itself in this area. For example: Page 91 refers to the "planning channel" as a central site to replace current methods collating information on a Section 149 planning certificate, yet on page 93, Recommendation E9.2.3 is that 50% of local Councils adopt ePlanning platforms for Section 149 certificates within 3 years.

There are potential concerns regarding the accuracy of information presented, both spatially and from a planning perspective. Considerable resources would be needed to ensure that users and stakeholders are presented with the most accurate information (from whichever source) and the risk to Council from errors or omissions is limited. Council currently has a manual process in place to check Section 149 Certificates, particularly where they relate to matters such as existing holdings for rural dwelling purposes.

The proposals need to consider the total ongoing costs of such options, to ensure Council's are in a position make the necessary changes to existing systems, replace existing systems and maintain and take advantage of new and enhanced system. Council already has several detailed systems - would be concerned if the favored SIX viewer cannot work alongside these or be integrated and we have to revisit them all.

Council relies heavily in-house on our GIS data and base cadastre to help us "build" our planning controls. There will need to be a process in place to deal with any differences that may exist between our base and that of the LPI – at present we have our own process in place to re-plot from Deposited Plans (DP's) areas of the base that have low degrees of "accuracy".

To enable the electronic interchange of information between Local and State Government, attempts should be made to have a common property identification system, or the exchange of development application information will be flawed through the ability to effectively define the properties involved. For example, at present Rural Fire Service actually uses Council's GIS enquiry as part of their assessment process to ensure that they know they are getting the right information.

Will Council still be the custodian of data or will we lose it and if so who ensures that the systems are appropriately maintained and updated.

Council already has DA Tracking and Planning Information available on line already and can go to Electronic Section 149's within reason and other certificates (Section 603 etc.) It is assumed that is could also be possible to provide Occupation Certificates etc via an online request and issue.

There should be further consultation with Councils in regard to these proposals and particularly the operational aspects. Council should have a presence on any committee or working group set up to assist as we represent those that do not adopt a single solution in regard to in-house GIS data, DA Processing as well as standard software for other applications.

In many respects Shoalhaven is moving towards an increased use of ePlanning activity. The timeframes for achieving Council implementation of specified activity in E9 should be backed up with considerable funding such as provided through RRIF.

Paper Subdivisions

Chapter 9 of the Discussion Paper deals with “Resolving Paper Subdivisions”.

The chapter cites a land trading model being developed by Landcom for the Riverstone scheduled lands in the Blacktown Local Government area.

There was no prior consultation on the discussion paper. In the case of Riverstone, biodiversity issues will be addressed by a Biodiversity Strategy for the North-west Growth Centre, which will set aside certain areas for conservation.

The Discussion Paper refers to difficulties that occur with paper subdivisions generally, including:

- Landowners are undercapitalized and in need of coordination and leadership;
- No previous interest from the private sector in coordinating paper subdivisions;
- Paper subdivisions tend to longstanding difficult issues.

The Riverstone land trading model aims to overcome certain economic and implementation impediments relating to the existing lot configuration, the financial capacity of the owners to pay for provision of infrastructure, and coordination of development of the land.

The key issues relate to achieving a critical mass of landowner participation, financing and coordinating development of the identified residential land.

The discussion paper proposes three recommendations:

PA1 Power to mandate a scheme of arrangement allowing land to be exchanged or traded for other land or infrastructure, or compulsorily acquired.

PA2 Legislation to deal with situations where unanimous agreement between landholders cannot be achieved; relating to 1) declaration of an area for land trading, and 2) nomination of a State agency or local Council to implement the scheme.

PA3 A pre-condition for any such scheme requiring the support of at least 60% of landowners, owning at least 60% of land in the area.

By comparison, resolution of Shoalhaven’s paper subdivisions is far more complex. The proposed measures do not help Council address biodiversity and other environmental issues that have proven problematic in the cases of Heritage and Jerberra Estates. Consequently, the proposed reforms have limited relevance at this stage to Shoalhaven although the measures proposed might help if and when environmental constraints can be resolved.

Comments - the State Government’s consideration of this difficult issue is welcomed. However, there needs to be a dialogue with those Councils throughout NSW (not just Sydney) that have this form of subdivision to discuss the proposal and the role that the State Government plays in the resolution of this complex planning situation. The current promoted approach is Sydney specific,

where the constraints/issues have essentially been removed from the situation via the Growth Centre's SEPP. Thus, this will not add value to our situation where we are struggling to resolve the ecological issues and other issues associated with these subdivisions, before we can even think about a development model.

Strata Management

The creation and management of strata schemes is presently enabled through two instruments of legislation, namely the Strata Schemes (Freehold Development) Act 1973 No 68 and the Strata Schemes Management Act 1996. This latter Act is administered by the Office of Fair Trading, and provides a system of financial management and decision making by defining the rights and responsibilities of the owners corporation and each owner and occupier in a strata scheme. However, the EP&A Act provides for:

- The management of funds and accounts records;
- The holding of meetings of the owner's corporation and executive committee;
- The responsibilities of the owner's corporations to maintain common property and take out insurance;
- The responsibilities of owners and occupiers.

The Strata Schemes Management Act also provides a system for settling disputes in a strata scheme, through mediation, adjudication and application to the Consumer, Trader and Tenancy Tribunal. There are more than 65,000 strata schemes in New South Wales. Annually, about 1.5 % of them experience a dispute which requires mediation by the Office of Fair Trading and 0.2% of schemes have disputes which require determination by the Tribunal.

Key proposals for consideration

- Requiring candidates for election to the executive committee to disclose any connections they have with the developer, builder or building caretaker/manager;
- Restricting the number of proxies able to be held by any one person;
- Prevent a building developer, original owner or related party from continuing to exercise voting rights through contractual arrangements with purchasers and avoid warranty obligations.

Comments – no comments are offered in regard to the proposed reforms.

Miscellaneous Reforms

Outside the main areas of reform covered by the Discussion Paper and outlined above there are also a series of miscellaneous reforms also being proposed, including:

- Lapsing of development consents
- Share of Council rates for public authorities responsible for providing services usually provided by Local Government.
- Standard LEP Instrument
- Exhibition and amendment of planning agreements
- Review of conditions of development consent
- Planning panels
- Tailored assessment in Part 3A

Comments – The ability for public authorities to receive a share of rates for providing services is supported on premise the converse applies – for example, Councils should share in development application fees received by Department of Planning for which Councils (like agencies) are required to part assess and provide guidance or comment. Similarly, there are many services not provided by State Government that is picked up by Local Government, yet State retains revenues (Cost Shifting).

4. General Comments

The current shortcoming within the NSW planning system and the State Government's previous attempts at cutting red tape and improving the efficiency of the planning process is acknowledged. The State Government is to be commended for their work in preparing the current Discussion Paper.

However, the current reforms appear to be focused on addressing issues related to the administrative efficiency and process of the planning system. The reforms are largely silent of the more substantive issues of policy, such as infrastructure and regional growth and development. The lack of a higher level policy reform approach is a shortcoming of the Discussion Paper.

This together with an apparent continuing Sydney centric approach, particularly on issues of development assessment and exempt/complying development, leaves the reform process wanting for a more comprehensive assessment. Rural and regional communities have different pressures and planning outcomes and this need to be appropriately considered and balanced.

The State Government is promoting the proposed reforms as a substantial opportunity to cut "red tape" in the planning system. However, the reforms propose the establishment of various additional bodies including a Planning Assessment Commission (PAC) to handle state significant projects, Joint Regional Planning Panels, Independent Hearing & Assessment Panels etc. Thus, there is real concern that the reforms if implemented will further complicate the system. The resourcing of these new bodies and their potential impact on Council needs to be fully considered and outlined.

Thus a more comprehensive review of the Environmental Planning & Assessment Act 1979 would be warranted, rather than the current piecemeal approach. The current reforms largely do not deal with or reconsider the Part 3A Development Process, which has been a relatively recent addition to the Act and is proving to be a difficult piece of legislation to understand and negotiate. The Act needs an overall review to bring it into the 21st century.

If the State Government proceeds with the proposed reforms then they should:

Consider staging the implementation of the reforms and also undertaking further targeted consultation on relevant components (eg. in our case - Paper Subdivisions). Staging the implementation would give Councils the ability to fully consider the impacts of the changes and a practical implementation program.

Acknowledge the current state of the planning system and help strengthen capacity of Local Government. In this regard the proposed reforms are set against a backdrop of a shortage of Local Government planning staff, existing commitments and increasingly complex legislation generally.

6. Conclusions

Attachment “C” is a table from the Department’s Summary Paper provides a good overview of what the Government is attempting to achieve through the reform proposals:

The Department of Planning discussion paper sets out a package of refinements to the system, some of which has merit. However, some of the proposals will require ‘tailoring’ and further consultation so that they are flexible and accommodate the diverse range of local applications – ie. are not merely a fixing a problem in the Sydney (eg. Paper Subdivision proposals).

It is recommended that Council make a submission to the Department of Planning on the “Improving the Planning System” Discussion Paper based upon the contents of this report and also support and endorse the LGSA’s position on the proposed reforms.

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning the NSW Government Planning Reforms – “Improving the NSW Planning System” Discussion Paper be received for information.

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