



Illawarra Shoalhaven Joint Organisation

Board Meeting

Hosted by Wollongong City Council

Friday 22 February 2019

Agenda

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1. Welcome & Acknowledgement of Country

Wollongong City Council Lord Mayor Gordon Bradbery AM, to welcome Board and provide an Acknowledgement to Country.

2. Attendees and Apologies

Member Council Voting Delegates

Wollongong City

Clr Gordon Bradbery, Chairman
Clr David Brown

Shellharbour City

Clr Marianne Saliba, Deputy Chairman
Clr John Murray

Kiama Municipal

Clr Neil Reilly
Clr Andrew Sloan

Shoalhaven City

Clr Amanda Findley
Clr John Wells

Member Council General Managers

Non-voting delegates

Carey McIntyre, Shellharbour City
Kerry McMurray, Kiama Municipal
Russ Pigg, Shoalhaven City
Greg Doyle, Wollongong City

Department of Premier & Cabinet

Anthony Body, Director Illawarra Shoalhaven Region
Kirstan Fulton, Deputy Director, Regional Coordination - Illawarra-Shoalhaven

Office of Local Government

Elizabeth Dixon, Council Engagement Manager
Karen Purser, Manager Council Engagement Team

ISJO

Jim Fraser, Interim Executive Officer
Charmain North, Office Manager

Guests

Paul Green, MLC
Supt Chris Craner
Pippa Rendel, SCARF Refugee Support
Let's Lead Youth Leadership Group members

Apologies

Clr Mark Honey, Mayor Kiama Municipal
Sharon Bird MP, Member for Cunningham
Paul Scully MP, Member for Wollongong
Shelley Hancock MP, Member for South Coast
Gareth Ward MP, Member for Kiama
Ann Sudmalis MP, Member for Gilmore

3. Presentations & Guests including Parliamentary Members

- The Hon. Paul Green, MLC
 - Superintendent Chris Craner - Counter-terrorism/Event Management
 - Pippa Rendal, SCARF Refugee Support and Youth Leadership Group Members (Presentation at 11.45am and join the Board for lunch)
-

4. Confirmation of previous minutes

Recommendation

That the Board endorse the minutes from the ISJO Board meeting held on Friday 30 November 2018 hosted by Shellharbour City Council.

5. Consideration of Late Business

Background: The ISJO Constitution allows for the consideration of late business if, at the commencement of the meeting, items are listed for possible discussion at the conclusion of tabled business and if there is general agreement by delegates that it is appropriate to discuss the matters on the day.

Recommendation that any items of Late Business be noted for later discussion.

6. Declaration of Interest

In accordance with ISJO's Code of Meeting Practice and specifically Section 451 of the Local Government Act, 1993 declarations of interest are required by Councillors and designated staff attending the meeting.

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7. Reports

7.1 Chairman's Minute

Recommendation:

That the information be received and noted.

As our organisation enters a new chapter and we appoint our first Executive Officer, I see plenty of opportunities on the horizon for our Illawarra Shoalhaven region.

With the upcoming State and Federal elections, now is the time to put our case and advocate for funding commitments which benefit the future prosperity for our region. At this Board meeting we are asked to prioritise the top five transport infrastructure projects which will transform our communities. Many of the projects outlined relate to improved connectivity between our communities and Greater Sydney. They also highlight the importance of improving the freight rail access to Port Kembla.

I will also draw your attention to the agenda item on the recent proposed changes in the licencing requirements for music festivals. Many of our festival organisers are already under the strain of growing costs to deliver these events which are a crucial part of the rich cultural fabric of our communities and bring economic development to our region. We hope the NSW Government will pause implementation to consult wider with all relevant parties, including industry representatives, local government and the wider event management community on these changes to ensure we don't jeopardise our diverse music festival culture across the Illawarra Shoalhaven.

I would like to acknowledge two of our ISJO General Managers. David Farmer has left Wollongong City Council and taken up an opportunity as CEO of Ipswich City Council. Russ Pigg has recently announced his retirement and this will be his last Board meeting. Russ has been General Manager at Shoalhaven City Council since January 2003 and has been a strong advocate for regional council collaboration. I thank both outgoing General Managers for their commitment to our organisation and wish them all the best.

I would also like to acknowledge the contribution of Jim Fraser as the Interim Executive Officer since Leslie Scarlett's retirement. Jim and the team has kept the JO operating during this transition period with diligence and efficiency for which we are grateful.

Clr Gordon Bradbery AM

Chairman, ISJO

7.2 Department of Premier & Cabinet Update

Referred by: DPC

Author: Anthony Body

Attachment: No

Recommendation

That the Board accept and note the Department of Premier & Cabinet verbal report.

Background

Anthony Body, Director, DPC Regional Illawarra Shoalhaven will provide updates on the initiatives of the Leadership Executive, programs and announcements involving local government.

NSW Government / ISJO Projects

- **NSW South Coast Marine Tourism Strategy (SCMTS)**

On 11 February, Parliamentary Secretary for the South Coast and Member for Kiama Gareth Ward MP and Member for South Coast Shelley Hancock MP launched the SCMTS.

The SCMTS Implementation Working Group has been formed and will meet on 28 February 2019. Membership includes NSW Government agencies, ISJO and representatives of Eurobodalla and Bega Councils.

The Working Group will report into the Illawarra-Shoalhaven Leadership Executive.

- **Western Sydney Illawarra Action Plan (WSIAP)**

Following a meeting of the Procurement Panel on 6 February, Elton Consulting has been appointed as the consultant for Stage 2 of the WSIAP.

Steering Committee membership includes NSW Government agencies, ISJO, Western Sydney Regional Organisation of Councils, RDA Illawarra and the University of Wollongong.

An inception meeting with the consultant was held on 14 February 2019.

The Steering Committee will report into the Illawarra-Shoalhaven Leadership Executive

- **ISJO Major Events Protocol**

This project is a partnership between ISJO and NSW Police to improve consistency in major events protocol and planning across the region.

A workshop is proposed for 10 April 2019 to assist by training and informing key local government staff in preparing for major events, including meeting their counter terrorism requirements, in the Illawarra Shoalhaven.

Attendees will include NSW Police, DPC Regional, Behavioural Insights and local councils.

Superintendent Christopher Craner will provide further detail at this board meeting.

- **Collaboration and Advocacy**

In addition to the above projects, the following have also been proposed as pieces of work that will benefit from strategic partnership with local government:

- Tourism Amenity Infrastructure Matrix
- Transport Service Delivery Dashboard

We are anticipating these projects be short, sharp pieces of work that can be delivered within three months. Our point of liaison with local government will be ISJO.

- **Regional Grants Update – Illawarra Shoalhaven**

For the Illawarra Shoalhaven, a total of \$47,943,749 funding has been approved as at 11 Jan 2019.

Stronger Country Communities Fund - \$8,359,818
Regional Communities Development Fund - \$10,000,000
Connecting Country Communities / Mobile Black Spots - \$393,795
Growing Local Economies - \$15,977,322
Regional Cultural Fund - \$10,580,709
Regional Growth – Environment and Tourism Fund - \$2,632,105

- **Government Announcements**

Fast train investigation – Sydney to Bomaderry

The NSW Government has started work on a fast rail network linking regional centres to each other and Sydney. The Southern Coastal Route (including Wollongong and Nowra) is one of the four routes identified for investigation.

On 12 February, High Speed Rail expert Professor Andrew McNaughton travelled to Wollongong to meet with stakeholders including NSW Government, RDA Illawarra and Far South Coast, IBC and Wollongong City Council.

Albion Park Airport

On 18 January 2019, the NSW Government announced \$15.97 million funding boost for Illawarra Regional Airport under the Growing Local Economies Fund.

The major upgrade will include a new terminal building and other airport infrastructure.

This was one of the biggest GLE projects approved by DPC.

- **Other**

On 13 December, ISJO and CRJO wrote to the Deputy Premier seeking ongoing funding of \$300,000 per year commencing in 2019-20 over four years linked to agreed KPIs.

Financial / Resource Implications

Nil.

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7.3 Office of Local Government Update

Referred by: OLG

Author: Elizabeth Dixon

Attachment: No

Recommendation

That the Board note the opportunity to provide feedback to OLG on the design of the evaluation framework for Joint Organisations, noting the need to be consistent with the NSW Government Program Evaluation Guidelines.

Background

Now that the Joint Organisations (JOs) have been established across regional NSW, the Office of Local Government (OLG) is in the process of designing a strategic framework for the evaluation of the JO initiative.

The NSW Government is committed to ensure that all Government programs are achieving their intended outcomes and providing a net benefit to NSW. All NSW Government agencies are required to conduct evaluations of their programs – both existing and new - to assess their relevance, relationship to government priorities, and efficiency and effectiveness in delivering outcomes.

A NSW Treasury Circular outlining evaluation requirements has been issued to all NSW Government agencies, and the evaluation of JOs will be carried out in accordance with the NSW Government Program Evaluation [Guidelines](#).

In late 2018, OLG contacted a small number of people who have been involved in the development and implementation of the JO model and conducted scoping interviews with them to assist in the design of the evaluation framework. Having considered these initial views and ideas, OLG is now in a position to engage more widely and encourages the Board to provide input to the development of the evaluation framework.

A representative from OLG will attend the February Board meeting to discuss the evaluation process and take suggestions and feedback regarding the design of the evaluation framework. OLG aims to circulate some preliminary framework ideas in the near future and is also happy to accept suggestions after the meeting once Board members have had the opportunity to ask questions and understand the parameters of this process.

Updates on the following have been provided by OLG to the ISJO General Managers Committee

- Local Government Skills Strategy
- Disaster Recovery Funding Arrangements
- Amendments to the election provisions of the Local Government (General) Regulation 2005
- Amendments to the Government Information (Public Access) Act 2009 (GIPA Act)
- Changes to Financial Reporting (Accounting Standards)

- New Councillor Induction and Professional Development Requirements
- Commencement of the new Model Code of Meeting Practice for Local Councils in NSW
- Commencement of the new Model Code of Conduct for Local Councils in NSW and Procedures

Financial / Resource Implications

Nil.

[Link to Contents](#)

7.4 ISJO General Managers Committee Report

Referred by: ISJO

Author: Executive Officer

Attachment: No

Recommendation

That the Board receive and note the report.

Background

The General Managers Committee is an advisory committee to the Joint Organisation, chaired by the ISJO Executive Officer and managed under the terms of reference adopted by the committee in August 2018. The committee met on 11 February at Wollongong City Council with Shoalhaven, Wollongong, Shellharbour, OLG and ISJO in attendance. DPC apology. Items discussed as follows:

- Department Premier & Cabinet Update
 - Office of Local Government Update
 - Draft ISJO Board Meeting Agenda
 - ISJO Operational & Management Report
 - Music Festival Licence requirements from 1 March 2019
 - Local Government Procurement Update – MoU for Rebate Program 2018/19
 - Crown Lands Plans of Management – Procurement of regional panel of consultants to assist preparation of Plans of Management for Crown Reserves over the next 3 years
 - Draft Communications & Engagement Strategy – to be distributed to member councils Communications and Engagement Managers for feedback
 - Biodiversity Reforms Local Government Capacity Building Program Report
 - Marine Tourism Infrastructure Prioritisation to improve touring amenity – deferred for further investigation
 - Visitor Economy Action Plan – implementation in partnership Destination Networks
 - ISJO Shared Heritage Officer – under investigation
 - Associate membership for Wingecarribee, Bega & Eurobodalla - MoUs to May Board Meeting.
 - SEATS Membership
-

Financial / Resource Implications

Nil.

[Link to Contents](#)

7.5 Management Report of ISJO Executive Officer

Referred by: ISJO

Author: Executive Officer

Attachment: [Yes](#) [Item7.5a ISJO Management Report to 4 February 2019](#)

[Yes](#) [Item7.5b Establishment Funding Action Plan Progress Report](#)

Recommendation

That the Board:

1. Receive and note the Management Report to 4 February 2019
 2. Note the expenditure and progress report on the Establishment Funding Action Plan
-

Background

The February ISJO Management Report has been included as Item: 7.5a which includes an update of the activities undertaken towards delivery of the ISJO Statement of Strategic Regional Priorities. Further key updates are included below.

Increasing Resilience to Climate Change Grant Application

The Increasing Resilience to Climate Change (IRCC) grant program has been established to encourage:

- Implementation of actions to address identified climate risks
- Regional consideration of climate change impacts in decision making
- Implementation of climate change adaptation actions beyond business as usual programs
- Enhanced adaptive capacity

The Climate Change Fund is providing \$1.1M of funding in Round 1 for projects delivered within two years with regional projects eligible for up to \$300,000.

ISJO are coordinating an application for a regional project involving Shoalhaven, Kiama, Shellharbour and Wollongong councils. In an initial meeting of ISJO, OEH and Council staff it has been agreed the focus of the application will be actions around water management as identified in the draft regional vulnerability assessment, or the Shoalhaven Illawarra Enabling Regional Adaptation (SIERA).

The SIERA Project identified 7 'systems' that are particularly vulnerable and need to change in order to respond to the effects of climate change. Of these 7 areas a project focussed on increasing the uptake and successful implementation of Water Sensitive Urban Design (WSUD) has been determined the most viable. This is particularly relevant given the ongoing urbanisation common to the Illawarra Shoalhaven region and increased pressure this places on streams and catchments.

Key ways WSUD increases resilience to climate change:

- Water sensitive cities have potential to cope with threats of climate change including elevated flooding and drought events;

- Reduced consumption of potable water through water reuse projects;
- Restoration of riparian corridor vegetation enhances habitat connectivity and dispersal of fauna species which assists adaptation to a changing climate;
- Improved water quality and aquatic ecosystems to decrease factors contributing to algal blooms;
- Increased liveability of suburbs and cities associated with urban greening and a reduced urban heat island effect.

An ISJO led grant application is being developed to focus on delivering a regional approach to WSUD policy, including a draft DCP Chapter and to build the capacity of council staff to increase the uptake and success of WSUD in new subdivisions. Applications close 1 March 2019.

Establishment Funding Allocation and Action Plan

ISJO received \$300,000 from the NSW Government to assist establishment costs of the new organisation. [Item: 7.5b](#) reports on expenditure and the progress implementing the approved activities from the action plan.

Audited Financial Statement 2017/18

The appointed auditor of Kiama Municipal Council is currently undertaking the audit for the 2017/18 Financial Statements for the previous ISJO entity and the Illawarra District Weeds Authority. These reports will be distributed independently or tabled at the Board meeting should they be received in time.

Financial / Resource Implications

Nil.

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Attachment: Item 7.5b

Progress Report as at 4 February 2019

Illawarra Shoalhaven Joint Organisation**Establishment Funding Allocation and Action Plan****Background**

Following commencement of Joint Organisations, the NSW Government has provided \$3.3 million in funding to help establishment. The Illawarra Shoalhaven Joint Organisation has been allocated \$300,000 to assist establishment costs of the organisation.

Governance

To ensure robust governance of the expenditure of the funding, the following processes will be followed:

- Progress of expenditure and implementation will be reported to the ISJO Board at each general meeting until funds are expended.
- Establishment funding will be accounted separately and will be reported as an internally restricted asset within the ISJO Financial Statements
- Progress and expenditure report will be submitted to the OLG by 31 August and 28 February each year until funds are expended.
- Establishment funding will adhere to the guidelines and only be utilised on eligible activities.

Activities that are eligible for funding include the following areas:

1. Expert establishment and implementation advice
2. Systems to support operation of the new joint organisation
3. Information and communications technology, e.g. new website
4. Capacity-building initiatives
5. Facilitation services to support establishment of regional priorities
6. Remuneration of the executive officer and other staff
7. Grants to member councils

The following table outlines the activities which the establishment funding will support. The first column cross-referenced with the eligible areas listed above. A contingency has been created until projects are fully scoped and costed.

Eligibility Number	Activity	Responsibility	Timeframe	Status as at 4/2/19	Budget Ex GST	Expenditure to 4/2/19
1 / 2	Systems Establishment and expert implementation advice a. Set up finance system including Authority fund for purchasing, payroll and accounting systems to enable Kiama Council to manage financial services b. Drafting of service level agreements, assistance with winding up voluntary association and creation of new entity	Consultant E.O.	By 30/9/18	a. Bank reconciliation process to be finalised with Kiama Council. b. Draft SLA complete awaiting cost feedback from Kiama Council	75,000	66,917
3 / 4	Information and Communications - Website upgrade of CMS, improve functionality and extranet for council staff - Communications & Engagement Strategy Implementation	Consultant E.O.	By 30/11/18	Website consultant engaged for design refresh, upgrade CMS and archiving SCG website, total cost \$15,000. Re-launch scheduled for early 2019.	35,000	7,100
4 / 5	Implementation of Regional Priorities and capacity-building activities a. Regional Infrastructure Prioritisation Project (matrix etc.) b. SMART Region Strategy Implementation c. Other Projects from Statement of Strategic Regional Priorities - <i>Western Sydney Action Plan</i>	Consultant E.O.	a. By 31/12/18 b. By 31/3/19 c. By 30/6/19	a. 11/2/19 General Managers meeting to discuss Marine infrastructure priorities b. 2/11/18 Coordination Group met to discuss implementation. Potential allocation towards engagement strategy of \$5,000 c. Board endorsed of \$20,000 towards Illawarra Shoalhaven - Western Sydney Action Plan, consultant engaged 14/2/19	100,000	20,000

Eligibility Number	Activity	Responsibility	Timeframe	Status as at 4/2/19	Budget Ex GST	Expenditure to 4/2/19
6	Staff remuneration contribution towards Interim Executive Officer, backfill requirements of Regional Programs Manager role and Recruiter fees for new Executive Officer	E.O.	By 30/6/19	Consultant engaged to assist grant application for Contaminated Lands Support Officer. Blackadder Associates engaged to undertake E.O. recruitment.	80,000	2,079
	Contingencies				10,000	
	Progress reports to the ISJO Board at least quarterly until funds are expended	E.O.	Quarterly	November 2018 Board complete February 2019 Board complete	-	
	6 monthly progress and expenditure report to OLG	E.O.	By 28/2/19		-	
	Final progress and expenditure report to OLG	E.O.	By 31/8/19		-	
	TOTAL				300,000	96,096

8. New Business

8.1 Illawarra Shoalhaven Regional Infrastructure Priorities

Referred by: ISJO

Author: Executive Officer

Attachment: No

Recommendation

That the Board discuss and determine the top five regional transport infrastructure priorities for the Illawarra Shoalhaven region for advocacy ahead of State and Federal elections.

Background

Infrastructure Australia recently released an updated [Infrastructure Priority list](#) of nationally significant investments. The list uses data from the 2015 Australian Infrastructure Audit, and submissions from state and territory governments, industry and the community.

The report lists safety and capacity upgrades to Picton Road as a priority project, but doesn't recommend the major upgrade to motorway standard required by 2025, as recommended by the Illawarra First/NRMA Road Connectivity report from May last year.

Infrastructure Australia considers freight access for Port Kembla as a priority initiative with a problem timescale of 0 to 5 years.

Ahead of the election, the following transport infrastructure priority list has been provided for discussion by the Board to confirm the top five projects:

- South West Illawarra Rail Link (SWIRL) - construction of freight and passenger link along the existing Maldon Dombarton corridor
 - South Coast Line upgrade - clarification of the current and future capacity of the Central to Bomaderry line for freight and passenger services, and a costed timeline of the South Coast rail upgrade implementation plan.
 - F6 extension – commitment for funding to explore alternative routes for Stage 4
 - Mount Ousley interchange – commitment for funding construction
 - Picton Road Upgrade (dual carriageway)
-

Financial / Resource Implications

Nil.

8.2 Illawarra Shoalhaven Sports Facility Plan

Referred by: ISJO

Author: Executive Officer

Attachment: No

Recommendation

That the Board receive and note the report.

Background

The Illawarra Shoalhaven Sport Facility Plan (ISSFP) is focussed on regional, state and national level sport infrastructure across the four ISJO local government areas: Wollongong, Shellharbour, Kiama and Shoalhaven.

The ISSFP purpose is to identify the priorities for regional, state and national level sporting facilities through a series of meetings, workshops, council data gathering and stakeholder consultation. Commencing in late August, ISJO member council staff have been collaborating with the appointed consultant Strategic Vistas Consulting. As part of the process 24 sports reports were developed.

The report is currently being reviewed by the Office of Sport. A briefing will be organised for the Board when the report is available. There are a number of other recommendations from the working group for further consideration by ISJO which are outlined below.

Regional Prospectus

A generic regional prospectus could be developed that would be used by councils and ISJO when putting in bids for events or proposals for infrastructure upgrades. This could be produced by tourism bodies working together with councils and asset owners, to produce a region scale 'strength-based' document.

Regional Protocol: Niche Sports, Large Events and Facilities

The working group agreed that councils and the region would benefit by using a regional prospectus and ISJO 'region level protocol' for councils wanting to establish 'niche sports' or apply for events, sport franchises, or sport related infrastructure. For agreed proposals, a protocol would ensure stronger bids based on regional strengths and regional support.

The next stage of developing the ISSFP will require further engagement of state sport organisations, including indoor sports for detailed work on the ISJO priorities.

Financial / Resource Implications

Nil.

8.3 Music Festival Licence requirements

Referred by: ISJO

Author: Executive Officer

Attachment: No

Recommendation

That the Board:

1. Receive and note the report
 2. Write to the Hon. Paul Toole MP Minister responsible for Liquor & Gaming to request the implementation of the new Music Festival licencing requirements be delayed until there is wider consultation with all relevant industry bodies, local government and health experts.
-

Background

In September 2018 in response to the tragic deaths of two young people at a music festival, the NSW Premier convened an Expert Panel of Police Commissioner Mick Fuller, Chief Health Officer Dr Kerry Chant and Independent Liquor and Gaming Authority Chair Philip Crawford. The resulting report called [*Keeping People Safe at Music Festivals*](#) had the following recommendations which the NSW Government has accepted in-principle:

- introducing a new licensing regime to improve music festival regulation
- providing more support for festival health workers
- educating festival-goers on the dangers of illegal drug use
- a new offence to holds drug dealers responsible for deaths they cause
- trialling on-the-spot fines for drug possession.

In regards to the first recommendation, a new licencing regime is intended to commence on 1 March 2019. Liquor & Gaming NSW state that the new scheme is designed to ensure that events with a poor track record and/or heightened risk will face greater oversight. It will require ill-equipped operators to lift their standard to make all musical festivals safer.

A media statement from the NSW Government music festival team states that if organisers have previously held a safe, low risk festival they are highly likely to determine the festival to be low-risk. This means licence conditions – including police and health requirements – will not be materially different to previous years.

There is concern and confusion from the live music industry, event management community and local government, especially in relation to the risk self-assessment matrix. Liquor & Gaming are now seeking to clarify how the matrix should be used and are currently reviewing the tool.

Financial / Resource Implications

Nil.

8.4 Crown Lands Plans of Management

Referred by: ISJO

Author: Executive Officer

Attachment: [Yes Item8.4a Outgoing – Minister Toole – Lands and Forestry; Response](#)
[Yes Item8.4b Outgoing – Tim Hurst – OLG; Response](#)

Recommendation

That the Board receive and note the report.

Background

At the 30 November meeting, the Board resolved (Min:05) to request the General Managers Committee explore the opportunity for joint procurement of 'Plans of Management' for Crown Lands.

A summary of the number of Crown Land Reserves which require new plans and the funding received from the NSW Government for support are included below:

- Shoalhaven - 115 Crown reserves, received \$78,444
- Wollongong - 51 Crown Reserves, received \$39,652
- Shellharbour - 18 Crown reserves, received minimum \$30K
- Kiama – 15 Crown reserves, received minimum \$30K

General Managers have agreed that a Project Control Group is to be established to ascertain benefit of establishing a regional panel of consultants to assist preparation of Plans of Management (PoMs) for Crown Reserves over next 3 years. ISJO has the ability to procure consultants on a Joint Regional Panel for aspects of the work required. This may be planning consultants to draft the PoMs or engagement specialists to undertake the public hearings.

The Board also resolved (Min: 06) to write to the Minister for Lands and Forestry and the Office of Local Government to express concerns with the shortfall in funding to Councils to prepare Crown Land Plans of Management. Copies of this outgoing correspondence and the agency responses are included as attachments to this report. It is highlighted that Shoalhaven City Council is represented on the Crown Lands reference group which also includes LGNSW and five other NSW councils.

Joint Organisations may choose to consolidate funds received through reserve proceeds and general revenue sources and integrate the role of native title manager across the region to achieve greater consistency and efficiencies.

Financial / Resource Implications

Nil.

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Attachment: *Item 8.4a Outgoing – Minister Toole – Lands and Forestry*



Illawarra Shoalhaven Joint Organisation
PO Box 148, KIAMA NSW 2533
ABN: 69 340 886 426
info@isjo.org.au
P: 4232 3200

5 December 2018

The Hon Paul Toole MP
Minister for Lands and Forestry
NSW Parliament
SYDNEY NSW 2000

Contact via web page

Dear Minister

The Illawarra Shoalhaven Joint Organisation (ISJO) recently held their Board meeting on Friday 30 November 2018.

The following resolution was endorsed at the meeting (Min: 06):

That the Board write to the Minister for Lands and Forestry and the Office of Local Government to express concerns with the shortfall in funding to Councils to prepare Crown Land Plans of Management.

The ISJO councils of Wollongong City, Shellharbour City, Kiama Municipal and Shoalhaven City are now required to prepare Plans of Management for over 200 crown land reserves across the region, with over 100 crown land reserves in Shoalhaven LGA alone.

The funding provided by the NSW Government to assist preparation of these plans falls well short on the resourcing required to undertake this work. Our Board requests consideration by the NSW Government to provide further funding to support our councils to comply with this requirement.

An additional issue facing our councils is the new compliance responsibility with the Native Title Act in relation to Crown Lands. Aside from provision of limited training for council Native Title Managers, there has been no additional operational support to implement of this new requirement.

The ISJO Board would appreciate consideration to an increase in funding to assist councils in developing Plans of Management and Native Title compliance for our Crown Lands reserves. We look forward to your positive reply.

Yours sincerely



Jim Fraser
Executive Officer (Interim)

Attachment: *Item 8.4a Response – Dept Industry – Crown Lands*



LMF18/629

Mr Jim Fraser
Executive Officer (Interim)
Illawarra Shoalhaven Joint Organisation
PO Box 148
KIAMA NSW 2533

Dear Mr Fraser

Thank you for your letter of 5 December 2018, to the Hon Paul Toole MP, Minister for Lands and Forestry, and Minister for Racing, to express concern about funding to councils to prepare Crown land plans of management. The Minister has asked me to respond to you on his behalf.

The NSW Government recognised the resource needs of local councils and allocated \$7 million in funding to support councils to prepare plans of management for Crown reserves they manage. This funding was provided to support the commencement of the *Crown Land Management Act 2016* (the CLM Act).

The Office of Local Government (OLG) is distributing the funding, supported by the Department of Industry (DoI) – Crown Lands. The method of allocation and the distribution formula were developed in conjunction with a Council Reference Group, which comprises six representative local government councils and Local Government NSW (LGNSW), and that was established to assist the implementation of the CLM Act.

All councils will receive some funding; between \$30,000 and \$100,000. Not all councils will receive the same amount of funding. The funding model uses a needs-based apportionment method, based on resourcing requirements and council Crown land manager capacity. The fundamental principle is to provide the most funding to those councils that will need the most support.

I also note your concern about the support provided to councils to assist with the new CLM Act requirement to engage or employ a qualified native title manager to oversee and approve dealings that may affect native title. Accredited training for native title managers, supplied by DoI Crown Lands and the Crown Solicitors Office, was provided in October and November 2017, and May 2018, with council attendance including 122 councils and 193 staff in 2017, as well as 46 councils and 54 staff in May 2018.

Other support includes:

- The Native Title Manager Workbook (published November 2017), which provides support to councils and professional Crown land managers to fulfil their stewardship role over the Crown land they manage. The workbook is available at:

437 Hunter Street Newcastle NSW 2300
PO Box 2185 Dangar NSW 2309
Tel: 1300 886 235 www.industry.nsw.gov.au/lands ABN: 72 189 919 072

https://www.industry.nsw.gov.au/data/assets/pdf_file/0005/157721/Native-Title-Manager-Workbook.pdf

- Native Title and Native Title Manager fact sheets were produced by DoI Crown Lands and OLG and published on the OLG resources webpage from April and July 2018 respectively.
- The Crown land manager reserves portal is accessible to all councils and contains details of all reserves managed by each council including details of reservation purposes and dates of reservation, and land status information.
- The Commonwealth Government Native Title Tribunal provides information on Native Title issues.

The available funding is not able, or intended, to cover all costs of developing plans of management. Councils are also expected to fund the preparation of legally compliant plans of management through reserve proceeds and general revenue sources. Councils may also apply for grants under the Crown Reserves Improvement Fund Program (formerly the Public Reserves Management Fund).

In addition to the funding program, a comprehensive range of support is, and will continue to be, available to assist councils in preparation of plans of management, including OLG-led dedicated web resources, guide notes and FAQs, as well as multiple council webcasts, and specific plan of management preparation tools and templates supplemented by post-commencement face-to-face training across NSW regions. The OLG website is the central repository of advice and guidance for Crown land management, including newsletters, Circulars, webcasts, and Guide Notes on major changes and councils requirements to manage Crown reserves under the *Local Government Act 1993*: <https://www.olg.nsw.gov.au/crownland>.

Joint and Regional Organisations of Councils may choose to consolidate funds received through reserve proceeds and general revenue sources, and integrate the role of native title manager within their organisational area, and in this way achieve greater consistency and efficiencies, as well as shared resourcing for the role(s).

I have asked that Mr Carl Malmberg, Director Policy and Projects in DoI Crown Lands, be available to discuss this matter further with you. Mr Malmberg may be contacted on 0422 005 533.

Yours sincerely



MATT WALKER
A/GROUP DIRECTOR GOVERNANCE AND STRATEGY
DEPARTMENT OF INDUSTRY – CROWN LANDS
 16/01/2019

Attachment: Item 8.4b Outgoing – Tim Hurst – OLG



Illawarra Shoalhaven Joint Organisation
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ABN: 69 340 886 426
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P: 4232 3200

5 December 2018

Tim Hurst
Chief Executive
Office of Local Government
Locked Bag 3015
NOWRA NSW 2541
olg@olg.nsw.gov.au

Dear Tim

The Illawarra Shoalhaven Joint Organisation (ISJO) recently held their Board meeting on Friday 30 November 2018.

The following resolution was endorsed at the meeting (Min: 06):

That the Board write to the Minister for Lands and Forestry and the Office of Local Government to express concerns with the shortfall in funding to Councils to prepare Crown Land Plans of Management.

The ISJO councils of Wollongong City, Shellharbour City, Kiama Municipal and Shoalhaven City are now required to prepare Plans of Management for over 200 crown land reserves across the region, with over 100 crown land reserves in Shoalhaven LGA alone.

The funding provided by the NSW Government, facilitated through the Office of Local Government, to assist preparation of these plans falls well short on the resourcing required to undertake this work. Our Board requests consideration by the NSW Government to provide further funding to support our councils to comply with this requirement.

An additional issue facing our councils is the new compliance responsibility with the Native Title Act in relation to Crown Lands. Aside from provision of limited training for council Native Title Managers, there has been no additional operational support to implement this new requirement.

The ISJO Board would appreciate consideration to an increase in funding to assist councils in developing Plans of Management and Native Title compliance for our Crown Lands reserves.

We have also sent correspondence to the Hon. Minister Paul Toole in regards to this matter. We look forward to your positive reply.

Yours sincerely



Jim Fraser
Executive Officer (Interim)

Attachment: Item 8.4b Tim Hurst – OLG – Response



Office of
Local Government

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A630878
Your Reference:
Contact: Glen Colley
Phone: 02 4428 4129

Mr Jim Fraser
Executive Officer (Interim)
Illawarra Shoalhaven Joint Organisation (ISJO)
PO Box 148
KIAMA NSW 2533

Dear Mr Fraser

Thank you for your letter of 5 December 2018 outlining the concerns of the Illawarra Shoalhaven Joint Organisation (ISJO) board about funding for the development of Crown reserve plans of management by councils.

I appreciate ISJO's concerns about the resourcing impact that these significant reforms will have on NSW councils. I note that you have also written to the Minister for Lands and Forestry, the Hon. Paul Toole MP. This is the appropriate course of action as Minister Toole is ultimately responsible for decisions about the implementation of the *Crown Land Management Act 2016* (the CLM Act).

As the ISJO Board would be aware, the Office of Local Government (OLG) has partnered with Department of Industry – Land and Water (DOI), which administers the CLM Act, to ensure councils are equipped to transition to the new legislative framework.

The \$7 million in funding allocated by the NSW Government to assist councils with the development of compliant plans of management under the CLM Act was distributed to councils by OLG in late 2018. This one-off funding allocation for each council is based on an apportionment model developed by OLG and DOI in consultation with a Council Reference Group appointed in early 2018. The Council Reference Group includes representation from Local Government NSW and six NSW councils, including ISJO member Shoalhaven City Council.

The funding methodology aims to deliver an equitable, relative needs apportionment of available funds based on the council's resourcing requirements and capacity to deliver plans of management. The funding allocation is based on:

- the number of reserves each council will manage; and
- the resourcing capacity of each council based on the Local Government Grants Commission's 2017–18 distribution methodology for NSW council Financial Assistance Grants. This methodology indicates the relative disadvantage each council faces based on factors such as council size, land area, remoteness, demographic challenges, etc.

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4.2.19

To support equitable distribution of the funds, a base level of funding was set at \$30,000 and a funding cap set at \$100,000.

The funding is intended to be a contribution to the cost of developing compliant plans of management. There are other revenue options for councils to fund plans of management, including utilising proceeds from operations on Crown reserves and applying to the Crown Reserves Improvement Fund program (previously the Public Reserves Management Fund) for grants to prepare plans of management. However, it should be noted that the latter is a competitive process and funding is not guaranteed.

The funding agreement which each council has entered into with OLG provides a large degree of flexibility in the application of funds. For example, a council may use the funding to engage consultants or staff to prepare compliant plans of management. Similarly, councils may wish to consider regional options for developing compliant plans of management, if this is considered to be an appropriate approach.

Since late 2017, OLG has also been leading the development of guidance and training materials to support councils to transition to the CLM Act framework. A key role of the Council Reference Group has been to ensure that these materials meet the needs of councils, in order to make the transition process as straightforward as possible.

To date the materials have included a series of webinars, face to face regional training sessions, and a range of detailed guidance documents. These materials are available from OLG's Crown lands webpage: <https://www.olg.nsw.gov.au/crownland>

I have also noted the ISJO Board's concerns about the potential resourcing impact for councils of the Native Title requirements of the CLM Act. While it is appropriate that Minister Toole respond to this matter, I can assure the ISJO Board that OLG is actively working with DOI to identify options to provide additional resources and support to councils in this area. The Council Reference Group will be consulted on any options that are developed.

Thank you for raising the ISJO Board's concerns with OLG. If you require any further information about these matters please contact OLG's Principal Policy Officer, Glen Colley on 4428 4129 or glen.colley@olg.nsw.gov.au

Yours sincerely


Tim Hurst
Chief Executive
Office of Local Government
 25/1/19

[Link to Contents](#)

8.5 SEATS Membership

Referred by: ISJO

Author: Executive Officer

Attachment: No

Recommendation

That the Board determine if ISJO seeks membership of SEATS for 2019/20.

Background

The South East Australian Transport Strategy Inc. (SEATS) advocates for the development of transport infrastructure in the South East Australian region that supports sustainable economic development and the prosperity of its constituents.

SEATS aims to stimulate and facilitate investment in transport and infrastructure in South Eastern New South Wales, Eastern Victoria and the ACT region. Members of SEATS include local government, regional development organisations, government agencies, regional industry and academics.

ISJO member councils Shoalhaven City, Shellharbour City and Wollongong City are constituent SEATS members. The current SEATS Chair is Cr Patricia White of Shoalhaven. Cr Marianne Saliba of Shellharbour and Greg Pullen, Economic Development Manager of Shoalhaven are on the Executive Committee.

The Southern Councils Group and subsequently the Illawarra Pilot Joint Organisation have been members of SEATS in the past. Membership fees for 2016/17 and 2017/18 were not paid. Membership fees are approximately \$800 per annum.

Financial / Resource Implications

Nil.

[Link to Contents](#)

8.6 CONFIDENTIAL ITEM: Recruitment of Executive Officer

Referred by: Chair

Author: Carey McIntyre, General Manager, Shellharbour City Council

Attachment: Circulated separately to Board Members as required

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).

Recommendation

That the Board receive and note the report.

Background

Carey McIntyre, General Manager of Shellharbour City Council will give a verbal update to the Board in this item. Further information will be circulated to the Board as required.

Financial / Resource Implications

Nil.

9. Late Business Item

Referred by: ISJO

Author:

Recommendation

Background

Financial / Resource Implications

10. Next Meeting

As per the scheduled endorsed at the 30 November 2018 Board meeting the next meeting of the ISJO will be held on Friday 3 May 2019 to be hosted by Shoalhaven City Council at a venue to be advised.