

Strategy and Assets Committee

Meeting Date: Tuesday, 12 December, 2017
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 5)
Clr John Wells - Chairperson
Clr Bob Proudfoot – Deputy Chairperson
All Councillors
General Manager or nominee

Please note: Council's Code of Meeting Practice permits the electronic recording and broadcast of the proceedings of meetings of the Council which are open to the public. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Agenda

1. **Apologies / Leave of Absence**
2. **Confirmation of Minutes**
 - Strategy and Assets Committee - 21 November 20171
3. **Declarations of Interest**
4. **Mayoral Minute**
5. **Deputations and Presentations**
6. **Notices of Motion / Questions on Notice**
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8. Confidential Reports

Reports

- CSA17.17 Acquisition 333 Illaroo Road North Nowra
- Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CSA17.18 Tenders – Human Waste Removal Services
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CSA17.19 Tenders - Construction of Workshop & Offices for Shoalhaven Water at Deering St Ulladulla

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

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

Strategy and Assets Committee

Delegation

THAT pursuant to s377 (1) of the Local Government Act 1993 the Committee is delegated the functions conferred on Council by the Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

Schedule

- a. Make recommendations to Council and, where permitted under legislation consider, formulate, review and adopt policies in relation to Council's corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to Make recommendations to Council in respect of the content of Council's community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
- b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the General Manager.
- c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
- d. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
- e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'reserve trust manager' within the meaning of s92 of the Crown Lands Act 1989, and the making of recommendations to Council regarding such matters where the function cannot be delegated by Council;
- f. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
- g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
- h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
- i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;

- j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council.
- k. Review and make recommendations to Council in relation to:
 - i. The sale prices of land in connection with residential and industrial Council subdivisions;
 - ii. The sale of Council property or the purchase or resumption of land;
 - iii. The compensation to be offered in respect of land resumed by Council; and
 - iv. Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
- l. To determine tenders except those tenders required by law to be determined by full Council (MIN17.334).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 21 November 2017
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr John Wells - Chairperson
Clr Joanna Gash
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Amanda Findley
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Apologies / Leave of Absence

Apologies were received from Clr Alldrick and Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr White / Clr Cheyne) MIN17.970

That the Minutes of the Strategy and Assets Committee held on Tuesday 17 October 2017 be confirmed.

CARRIED

Declarations of Interest

Nil

MAYORAL MINUTES

MMS17.9 Mayoral Minute - Danjera Dam Camping Ground

HPERM Ref:
D17/385694

Recommendation (Item to be determined under delegated authority)

That the closure of the Danjera Camping Ground be delayed pending a further report to Council in 2018.

RESOLVED (Clr Findley / Clr Watson)

MIN17.971

That the closure of the Danjera Camping Ground be delayed pending a further report to Council in 2018.

CARRIED

Note: Council can expect to receive a report in the first quarter 2018.

DEPUTATIONS AND PRESENTATIONS

Nil

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA17.271 Notice of Motion - Illegal Camping - Red Head Villages Beaches

HPERM Ref:
D17/372670

Recommendation

That Council take immediate action to inhibit illegal and destructive camping on Red Head Villages beaches and reserves 2017-18 summer season by:

1. Hiring 2 mobile roadside signs as currently in use on roadworks at Bendalong road for period December 1 to January 31.
2. Placing the signs at suitable locations on Bendalong Rd
3. Program messages to be on display 24/7 like
 - a. Prebooked camping only beyond this point. To book a campsite visit www.bendalongpoint.holidayhaven.com.au/
 - b. Rangers patrol these communities. Prebooked camping only. Fines apply. www.bendalongpoint.holidayhaven.com.au/
4. Council ask RHVCF to survey the community at regular intervals during this period to provide data for evaluation of these deterrents to illegal, unsafe camping.

Recommendation (Clr Gartner / Clr Levett)

That Council take immediate action to inhibit illegal and destructive camping on Red Head Villages beaches and reserves 2017-18 summer season by:

1. Hiring 2 mobile roadside signs as currently in use on roadworks at Bendalong road for period December 1 to January 31.
2. Placing the signs at suitable locations on Bendalong Rd

3. Program messages to be on display 24/7 like
 - a. Prebooked camping only beyond this point. To book a campsite visit www.bendalongpoint.holidayhaven.com.au/
 - b. Rangers patrol these communities. Prebooked camping only. Fines apply. www.bendalongpoint.holidayhaven.com.au/
4. Council ask RHVCF to survey the community at regular intervals during this period to provide data for evaluation of these deterrents to illegal, unsafe camping.
5. The General Manager in consultation with the Red Head Villages Association, organise for the installation of 4 portable toilets from 22 December for 2 weeks and an optional week in the Red Head Villages area.

FOR: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

Procedural Motion – Introduce Addendum and Bring Item Forward

RESOLVED (Clr Findley / Clr Gash)

MIN17.972

That the following Addendum Report and Item be brought forward and dealt with at the conclusion of SA17.272 – Question on Notice – Container Deposit Scheme:

1. Addendum Report - SA17.301 – Risk and Audit Committee Annual Report 2016 - 2017
2. SA17.296 - CL17.225 - Collingwood Beach Dune Vegetation Management - Deferred from August Ordinary - Ministers Response

CARRIED

SA17.272 Question on Notice - Container Deposit Scheme

HPERM Ref:
D17/372561

Question

1. Has Council applied to be a collection point operator for the NSW govt Container Deposit Scheme?
2. Does Council have any role in the scheme?
3. Is Council aware of any collection points planned in the Shoalhaven?

Data demonstrates 2 things about waste and plastic litter in low socio-economic areas. Litter and plastic waste are more prevalent in low socio-economic communities. Container Deposit Schemes have most effect in these communities.

4. Council is able to determine where low socio-economic communities are. Is Council able to influence location of CDS banks in these communities, for maximal effectiveness of the scheme?
5. Will Council be publicising the introduction of the scheme and available collection points?
6. How can community groups participate?

Response

1. Council has applied to use our Recycling and Waste transfer facilities as drop off points, both through the EPA in November 2016, and directly to the EPA appointed Network operator, TOMRA-Cleanaway, in August 2017.
2. Council has no role in the scheme. It was drafted by the state government (EPA) and the EPA have appointed a Scheme Coordinator, Exchange for Change, and a Network Operator to implement the scheme.
3. To date Council has not been advised of any local collection points, except that TOMRA-Cleanaway indicated that they are tying up various Woolworths and Aldi Supermarkets around NSW to locate drop off collection points. The most recent returnandearn website change reads "Collection Points are beginning to roll out, and already there are reverse vending machines in locations from Granville to Glenorie, and others such as Tumut, Lisarow, Medowie and Vincentia. We will provide details of collection points as they continue to roll out." Interesting to see Vincentia in the list.
4. With the total lack of response from the Network Operator, Council is unable to influence the location of drop off points. However, once the scheme has commenced and the frenzy of getting the whole thing up and running in less than 4 months has passed, it may be possible to approach them with recommended locations. The final decision, however, is with the Network Operator.
5. Council intend to publicise the scheme and available collection points as soon as we have sufficient detail to be able to provide usable information to the community.
6. Any fundraising group, such as a charity, school, community or sporting group, can collect donations of eligible containers from the community that they can then redeem for the 10-cent refund at an approved collection point. As stated previously, approved collection points still need to be published by the Network Operator.

SA17.301 Risk and Audit Committee Annual Report 2016 - 2017

**HPERM Ref:
D17/376132**

Dr Phillip Ross – Chairperson of the Risk and Audit Committee provided a verbal presentation to the Committee.

Dr Ross thanked the Councillors, members of the Committee and senior staff for the continued support.

Recommendation (Item to be determined under delegated authority)

That Council receive and note the Risk and Audit Committee annual report 2016 – 2017.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN17.973

That the report regarding the Risk and Audit Committee annual report 2016 – 2017 be received for information.

CARRIED

SA17.296 CL17.225 - Collingwood Beach Dune Vegetation Management - Deferred from August Ordinary - Ministers Response

**HPERM Ref:
D17/368902**

Recommendation (Item to be determined under delegated authority)

That Council

1. Consider the advice received from the Office of the Hon. Gabrielle Upton MP, Minister for the Environment, Minister for local Government, Minister for Heritage.
2. In view of advice from Manly Hydraulics Laboratory (MHL), Government agencies and NGH Environmental and the objectives of the Coastal Management Act, Council engage NGH Environmental to prepare a revised draft Collingwood Beach Dune Vegetation Management Plan that addresses this advice, the objectives of the Act and:
 - a. Removes all zones and actions relating to vegetation pruning and removal;
 - b. Includes a revegetation plan in accordance with MHL's report;
 - c. Identifies locations for 2 viewing platforms in accordance with MHL's report; and
 - d. Includes a monitoring and evaluation program during the 5-year trial implementation period.
3. Receive a future report containing the revised draft Collingwood Beach Dune Vegetation Management Plan for adoption.
4. The anti-vandalism strategy as outlined in this report be adopted and implemented immediately to mitigate against continuing vandalism.
5. Update the Foreshore Reserves Policy and Compliance Policy to include the adopted anti-vandalism strategy so this becomes a city-wide approach to managing and deterring vegetation vandalism.

RESOLVED (Clr White / Clr Levett)

MIN17.974

That Council:

1. Receive the advice received from the Office of the Hon. Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage.
2. In view of advice from Manly Hydraulics Laboratory (MHL), Government agencies and NGH Environmental and the objectives of the Coastal Management Act, adopt the following:-
 - a. Recognise the final draft recommendations and proposed management and communication methods compiled by the Collingwood Beach Dune Vegetation Reference Group (Chaired by Allan Baptist in the former Council) were adopted as a broad framework on which to build and should be utilised as a reference document.
 - b. Develop two trial sections at Collingwood Beach beachfront, each of approximately 50 mtrs in length, to be monitored over a two year period:-
 - i. Section One will be a damaged and denuded section to be revegetated in accordance with an agreed plan and with appropriate plants (not of the banksia species) in accordance with the five management objectives of the "Baptist" draft recommendation. The first stage of restoration will include the cutting down and spreading of dead wood on the selected site in recognition of its value as habitat.
 - ii. Section Two will be a current vegetated area of Banksia species to be trimmed progressively over time to provided filtered views of the Bay.
 - iii. Identifies location for 1 viewing platforms in accordance with MHL's report; and

- iv. Includes a monitoring and evaluation program during the 2-year trial implementation period.
- v. The aim of the trial is to show good foreshore management.
- c. Prior to any implementation of the trial:-
 - i. A Management plan for the two sites be developed;
 - ii. Pictorial records will be made of the beachfront from the land and air in order to have a means of measurement of outcomes;
- d. All existing signs regarding tree vandalism will be removed from Collingwood Beach and a new signage program developed in the new Tree Vandalism policy.
- e. All Management planning and assessments of the Trial to be managed by:-
 - i. Council staff
 - ii. Reference Group - Community members;
 - Bruce McKenzie, Noel Ross-Kelly, Dawn Thompson and Barbara Liddle
 - iii. Councillors –
 - iv. Jo Gash, Kaye Gartner, Patricia White, John Levett, Mitch Pakes and other interested Councillors.
- f. A strong engagement and communication strategy be established with identified stakeholders including a program of public consultation and education throughout the trial period and ongoing. Explanatory signs should be erected to encourage the local community to take ownership of the plan.
- 3. Pursue funding options of:-
 - a. The current Collingwood budget
 - b. Grant funding
 - c. Council budget at quarterly reviews
- 4. Develop a robust Shoalhaven Tree Vandalism policy to be rolled out across the Shoalhaven. In the interim Council immediately adopt the anti-vandalism strategy as outlined in this report be adopted and implemented to mitigate against continuing vandalism.

FOR: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett, Clr Pakes, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Watson

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 3 NOVEMBER 2017

TC17.81 Regulatory Signage and Line Marking - Plunkett Street and Haigh Avenue, Nowra (PN 3404)

HPERM Ref: D17/356830

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage and line marking to be installed within the service station (BP) and food and drink premises (McDonalds) off-street car park in order to time restrict 26 parking spaces to 2 hour (2P) parking between the times of 7am to 5pm Monday to Friday and between the times of 7am and 12pm Saturday on the corner of Plunkett Street and Haigh Avenue, Nowra as detailed in the attached plan TRAF2017/81.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN17.975

That the matter regarding Regulatory Signage and Line Marking - Plunkett Street and Haigh Avenue, Nowra (PN 3404), be referred to the Council meeting to be held on 28 November 2017 pending further information in relation to existing covenants on the property for parking.

CARRIED

REPORTS

SA17.274 Update with External Organisations**HPERM Ref:
D17/376056****Recommendation (Item to be determined under delegated authority)**

That Council receive the report regarding the proceedings from the Country Mayors Association meeting held on 3/11/2017, for information.

RESOLVED (Clr Gash / Clr Watson)

MIN17.976

That Council:

1. Receive the report regarding the proceedings from the Country Mayors Association meeting held on 3/11/2017, for information.
2. Supports Lithgow City Council's resolution to reduce the per capita component of Federal Assistance Grants from 30% to 14% to facilitate the reallocation of funds on a needs basis.

CARRIED

SA17.275 Community Led Strategic Plans**HPERM Ref:
D17/363920****Recommendation (Item to be determined under delegated authority)**

That:

1. Council recognise the following Community Led Strategic Plans:
 - Shoalhaven Heads Community Strategic Plan
 - Berry Community Strategic Plan
 - Lake Conjola Strategic Plan
 - Sussex Inlet Resilience Plan
2. Council develop a Community Led Strategic Planning framework and guide (including templates) to assist in the development of community led plans
3. As part of this framework and guide Council clearly communicate the expectations of Council in relation to the planning process.
4. This communication process explains what can and cannot be achieved through plans including Council recognition, resource allocation, limitations, clarification of support or agreement with actions and that plans do not guarantee funding.
5. Council use Community Led Strategic Plans to assist in determining community priorities and community needs as part of its overall community engagement strategy particularly for the corporate process carried out each year.

6. All Community Led Strategic Plans be provided on Council's website and to relevant staff within Council.

RESOLVED (Clr White / Clr Gartner)

MIN17.977

That:

1. Council recognise the following Community Led Strategic Plans:
 - Shoalhaven Heads Community Strategic Plan
 - Berry Community Strategic Plan
 - Lake Conjola Strategic Plan
 - Sussex Inlet Resilience Plan
2. Council develop a Community Led Strategic Planning framework and guide (including templates) to assist in the development of community led plans
3. As part of this framework and guide Council clearly communicate the expectations of Council in relation to the planning process.
4. This communication process explains what can and cannot be achieved through plans including Council recognition, resource allocation, limitations, clarification of support or agreement with actions and that plans do not guarantee funding.
5. Council use Community Led Strategic Plans to assist in determining community priorities and community needs as part of its overall community engagement strategy particularly for the corporate process carried out each year.
6. All Community Led Strategic Plans be provided on Council's website and to relevant staff within Council.

CARRIED

Note: Clr Pakes raised a Point of Order against Clr Cheyne in relation to her comments that the villages of Nowra East and Sanctuary Point lack the expertise to develop these strategic plans and requested that the comments be withdrawn.

The Chair ruled against the Point of Order.

**SA17.276 Code of Conduct Complaints - Annual Statistics Report -
1 September 2016 - 31 August 2017**

**HPERM Ref:
D17/376237**

Recommendation (Item to be determined under delegated authority)

That the report of the General Manager concerning complaints under the Code of Conduct for the period 1 September 2016 to 31 August 2017, be received for information.

Note: Clr White left the meeting at 6.50pm

RESOLVED (Clr Gartner / Clr Gash)

MIN17.978

That the report of the General Manager concerning complaints under the Code of Conduct for the period 1 September 2016 to 31 August 2017, be received for information.

CARRIED

SA17.277 Review of Council Policy - Fee Waivers, Subsidies and Support**HPERM Ref:
D17/348644****Recommendation (Item to be determined under delegated authority)**

That Council adopt the Fee Waivers, Subsidies and Support Policy with the changes highlighted

RESOLVED (Clr Findley / Clr Gartner)

MIN17.979

That Council adopt the Fee Waivers, Subsidies and Support Policy with the changes highlighted in the report attachment.

CARRIED

SA17.278 Grant Funding - Staying Active Program - Shoalhaven Swim & Fitness**HPERM Ref:
D17/350667**

Note: Clr Gash left the meeting at 6.55pm

Recommendation

That Council

1. Accept the Aquatic & Recreation Institute (ARI) of Australia's offer of \$8,800 (GSTinc) grant funding to enable Shoalhaven Swim & Fitness Centres to host the Institute's Staying Active Program at Nowra Aquatic Park and vote the funds accordingly.
2. Write to the Aquatic & Recreation Institute to thank them and accept the grant offer.

Recommendation (Clr Proudfoot / Clr Pakes)

That Council:

1. Accept the Aquatic & Recreation Institute (ARI) of Australia's offer of \$8,800 (GSTinc) grant funding to enable Shoalhaven Swim & Fitness Centres to host the Institute's Staying Active Program at Nowra Aquatic Park and vote the funds accordingly.
2. Write to the Aquatic & Recreation Institute to thank them and accept the grant offer.

CARRIED

SA17.279 Donation Request - Shoalhaven Heads Chamber of Commerce & Tourism - New Years Eve Fireworks**HPERM Ref:
D17/355624**

Note: Clr White returned to the meeting at 6.58pm

Note: Clr Gash returned to the meeting at 6.59pm

Recommendation

That Council consider donating \$1,500 to the Shoalhaven Heads Chamber of Commerce and Tourism for the New Year's Eve Fireworks event.

MOTION (Clr Watson / Clr Wells)

That:

1. Council donate \$1,500 to the Shoalhaven Heads Chamber of Commerce and Tourism for the New Year's Eve Fireworks event.
2. Council staff report back on possible funding sources for an increase in the unallocated

donation budget

FOR: Clr Wells, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett and Russ Pigg

LOST

RESOLVED (FORESHADOWED MOTION) (Clr White / Clr Gash)

MIN17.980

That this matter be deferred until a briefing can be held on the unallocated donations budget.

FOR: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Proudfoot and Russ Pigg

AGAINST: Clr Levett, Clr Pakes, Clr Watson and Clr Kitchener

CARRIED

Note: A rescission motion was received on this item.

SA17.280 2018 Australian Coastal Councils Conference

**HPERM Ref:
D17/356572**

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the 2018 Australian Coastal Councils Conference scheduled for Wednesday 21 March to Friday 23 March 2018 in Geelong, Victoria.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

RESOLVED (Clr Pakes / Clr Gartner)

MIN17.981

That Council

1. Notes the details of the 2018 Australian Coastal Councils Conference scheduled for Wednesday 21 March to Friday 23 March 2018 in Geelong, Victoria.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

SA17.281 Council Representatives of other Committees or Organisations Outside of Council - Australian Coastal Councils Association Inc.**HPERM Ref:
D17/373969****Recommendation (Item to be determined under delegated authority)**

That Council nominate a Councillor as its representative on the Australian Coastal Councils Association Inc.

RESOLVED (Clr Findley / Clr Cheyne)

MIN17.982

That Council nominate Councillor Levett as its representative on the Australian Coastal Councils Association Inc.

CARRIED

SA17.282 September 2017 - Quarterly Budget Review**HPERM Ref:
D17/375179****Recommendation**

That Council:

1. Receive the September Quarterly Budget Review information
2. Adopt the adjustments, including movements to and from Reserves as outlined in the September Quarterly Budget Review Statement.

Recommendation (Clr Wells / Clr Gartner)

That Council:

1. Receive the September Quarterly Budget Review information
2. Adopt the adjustments, including movements to and from Reserves as outlined in the September Quarterly Budget Review Statement.

CARRIED

SA17.283 Proposed Lease to Kids Korner 23 -25 Park Road Nowra**HPERM Ref:
D17/371151****Recommendation**

That Council:

1. Enter into a 5 year lease agreement with Kids Korner Combined Occasional Care Centre Inc for the continued use and occupation of 23 -25 Park Road Nowra for the purpose of a community preschool with an initial annual rent of \$7,220.60 per annum with annual CPI increases;
2. Approve the allocation of rent received under the lease agreement into the Property Reserve restricted account; and
3. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Recommendation (Clr Pakes / Clr Findley)

That Council:

1. Enter into a 5 year lease agreement with Kids Korner Combined Occasional Care Centre Inc for the continued use and occupation of 23 -25 Park Road Nowra for the purpose of a community preschool with an initial annual rent of \$7,220.60 per annum with annual CPI increases;
2. Approve the allocation of rent received under the lease agreement into the Property Reserve restricted account; and
3. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

SA17.284 Telecommunications Lease - NBN Co Limited - Shoalhaven Heads

**HPERM Ref:
D17/340712**

Recommendation

That Council:

1. Enter into four (4) consecutive five (5) year lease agreements with NBN Co Limited for the use and occupation of Part Lot 1 DP 615003, 31 Gerroa Road, Shoalhaven Heads at an annual rental of \$ 15,771.00 with annual increases at 3% including a 3% increase at the commencement of each consecutive lease term; and
2. Delegate Authority to the General Manager to approve and execute all future telecommunications leases and licences relating to this site known as Part Lot 1 DP 615003.

Recommendation (Clr Findley / Clr Gash)

That Council:

1. Enter into four (4) consecutive five (5) year lease agreements with NBN Co Limited for the use and occupation of Part Lot 1 DP 615003, 31 Gerroa Road, Shoalhaven Heads at an annual rental of \$ 15,771.00 with annual increases at 3% including a 3% increase at the commencement of each consecutive lease term; and
2. Delegate Authority to the General Manager to approve and execute all future telecommunications leases and licences relating to this site known as Part Lot 1 DP 615003.

CARRIED

SA17.285 Reservation of unformed roads by National Parks and Wildlife Service - Roads South of The Wool Road, Vincentia

**HPERM Ref:
D17/351101**

Recommendation

That Council:-

1. Request National Parks & Wildlife Service to reserve the roads within Lot 5 DP875010 for nil consideration, with the exception of the roads outlined in points 2, 3 and 4 below, for addition to Jervis Bay National Park pursuant to S30C(a) of the National Parks and Wildlife Act 1974;

2. Retain ownership of the unformed roads within Lot 5 DP875010 containing Council owned infrastructure such as water, sewer and drainage assets to ensure continued unrestricted access for upgrade and maintenance of such infrastructure;
3. Retain ownership of the unformed road providing secondary frontage to Lot 1 DP270528;
4. Retain ownership of the unformed road directly adjoining the rear of Vincentia High School that is occasionally used for offsite parking;
5. Consent to the revocation of the public road status following reservation by NPWS through publication of a notice in the Government Gazette;
6. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Recommendation (Clr Proudfoot / Clr Levett)

That Council:

1. Request National Parks & Wildlife Service to reserve the roads within Lot 5 DP875010 for nil consideration, with the exception of the roads outlined in points 2, 3 and 4 below, for addition to Jervis Bay National Park pursuant to S30C(a) of the National Parks and Wildlife Act 1974;
2. Retain ownership of the unformed roads within Lot 5 DP875010 containing Council owned infrastructure such as water, sewer and drainage assets to ensure continued unrestricted access for upgrade and maintenance of such infrastructure;
3. Retain ownership of the unformed road providing secondary frontage to Lot 1 DP270528;
4. Retain ownership of the unformed road directly adjoining the rear of Vincentia High School that is occasionally used for offsite parking;
5. Consent to the revocation of the public road status following reservation by NPWS through publication of a notice in the Government Gazette;
6. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**SA17.286 Release of Restriction on the use of land - 124 - 126
Jacobs Drive Sussex Inlet**

**HPERM Ref:
D17/367728**

Recommendation

That Council:

1. Resolve to release the restriction on title in dealing number V604054 over the land known as Lot 97 DP 21038 - 124 Jacobs Drive Sussex Inlet; and
2. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

Recommendation (Clr Pakes / Clr White)

That Council:

1. Resolve to release the restriction on title in dealing number V604054 over the land known as Lot 97 DP 21038 - 124 Jacobs Drive Sussex Inlet; and

2. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

**SA17.287 Objection- Sale of Council Land - 10 Jojejija Cres,
Culburra Beach**

**HPERM Ref:
D17/369390**

Recommendation

That Council:

1. Resolve to dispose of 10 Jojejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;
3. Fund all costs associated with the sale of 10 Jojejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

MOTION (Clr Pakes / Clr Watson)

That Council:

1. Resolve to dispose of 10 Jojejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;
3. Fund all costs associated with the sale of 10 Jojejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.
7. Consider the allocation of funds from the sale of the land to the upgrade and piping of the drainage on Prince Edward Avenue, Culburra Beach

FOR: Clr Pakes and Clr Watson

AGAINST: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

LOST

Recommendation (Clr Findley / Clr Gartner)

That Council:

1. Resolve to dispose of 10 Jopejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;
3. Fund all costs associated with the sale of 10 Jopejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Findley / Clr Wells)

That the meeting be adjourned for 10 Minutes.

CARRIED

The meeting adjourned the time being 7.45pm.

The meeting reconvened the time being 7.55pm

The following members were present:

Clr John Wells - Chairperson

Clr Joanna Gash

Clr Patricia White

Clr Kaye Gartner

Clr Nina Cheyne

Clr Amanda Findley

Clr John Levett

Clr Mitchell Pakes

Clr Greg Watson

Clr Mark Kitchener

Clr Bob Proudfoot

Mr Russ Pigg - General Manager

**SA17.288 Acquisition - Drainage Easement - Woollamia - Pt Lot
196 DP 15266 - 10 Pritchard Ave**

**HPERM Ref:
D17/371858**

Recommendation

That Council rescind part (1) only of MIN17.923 and resolve to acquire a 6 metre wide by 150 metre length Easement for Drainage over part Lot 196 DP 15266 at 10 Pritchard Avenue, Woollamia, as shown in Attachment 1.

Recommendation (Clr Proudfoot / Clr White)

That Council rescind part (1) only of MIN17.923 and resolve to acquire a 6 metre wide by 150 metre length Easement for Drainage over part Lot 196 DP 15266 at 10 Pritchard Avenue, Woollamia, as shown in Attachment 1.

CARRIED

SA17.289 Water Quality in Harry Sawkins Park & Marriott Park

**HPERM Ref:
D17/321423**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Undertake maintenance at Harry Sawkins and Marriott Parks to improve pond water quality, including removal of vegetation, litter and sediments; and
2. Consider allocating funding of \$50,000 in FY18/19 or subsequent years for installation of a Gross Pollutant Trap in the ponds at Marriott Park.

RESOLVED (Clr Proudfoot / Clr Gash)

MIN17.983

That Council:

1. Undertake maintenance at Harry Sawkins and Marriott Parks to improve pond water quality, including removal of vegetation, litter and sediments; and
2. Consider allocating funding of \$50,000 in FY18/19 or subsequent years for installation of a Gross Pollutant Trap in the ponds at Marriott Park.

CARRIED

**SA17.290 Biodiversity Conservation Act - Resource Recovery Park
- Retiring Credits**

**HPERM Ref:
D17/351082**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Purchase 52 Species Credits from the NSW Office of Environment & Heritage Biodiversity Conservation Fund to meet obligations for the Waste Service's Resource Recovery Park at an estimated cost of \$31,000; and
2. If the bio-banking site on land surrounding the Huskisson Recycling and Waste Facility is not accepted as a suitable offer for all 133 Environmental Offsets, purchase any required credits from NSW Office of Environment & Heritage Biodiversity Conservation fund at an estimated cost of \$245,000.

RESOLVED (Clr Findley / Clr Gartner)

MIN17.984

That Council:

1. Purchase 52 Species Credits from the NSW Office of Environment & Heritage Biodiversity Conservation Fund to meet obligations for the Waste Service's Resource Recovery Park at an estimated cost of \$31,000; and
2. If the bio-banking site on land surrounding the Huskisson Recycling and Waste Facility is not accepted as a suitable offer for all 133 Environmental Offsets, purchase any required credits from NSW Office of Environment & Heritage Biodiversity Conservation fund at an estimated cost of \$245,000.

CARRIED

SA17.291 Statement of Expectations - Roads to Recovery Program

**HPERM Ref:
D17/377052**

Recommendation (Item to be determined under delegated authority)

That Council receives the report for information.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN17.985

That Council:

1. Receive the report regarding Statement of Expectations - Roads to Recovery Program for information;
2. Write to the Local Member Ann Sudmalis and the Federal Minister for Transport and Infrastructure Darren Chester to thank them for the funding given to Council under the Roads to Recovery Program

CARRIED

SA17.292 Drainage Options - 2 to 28 Prince Edward Ave Culburra Beach

**HPERM Ref:
D17/380538**

Recommendation (Item to be determined under delegated authority)

That Council receive for information only:

1. The open drain channel at Prince Edward Ave Culburra Beach was last cleared between 2nd and 4th August 2017
2. Staff have made offers to residents/owners of houses numbered 2 to 12 Prince Edward Ave to construct a piped drain in front of their properties. Each property is to contribute 50% of the cost of works. This offer closed on 6 October 2017

RESOLVED (Clr Pakes / Clr Gartner)

MIN17.986

That Council:

1. Continue with the maintenance of the drainage along Prince Edward Avenue, Culburra Beach
2. Consider including the piping works as a priority in the 2018/19 – 2019/20 storm water capital works budget
3. Report back on which projects will be removed from the top of the list if we prioritise this project
4. The report also include the funding estimate to complete the required work

CARRIED

SA17.293 Policy Review - POL16/233 - Compliance and Enforcement Policy

**HPERM Ref:
D17/347619**

Recommendation (Item to be determined under delegated authority)

That Council affirm the reviewed policy for Compliance and Enforcement with the adjustments as attached to this report and the policy be made available on Council's website.

RESOLVED (Clr Findley / Clr White)

MIN17.987

Council affirm the reviewed policy for Compliance and Enforcement with the adjustments as attached to this report and the policy be made available on Council's website.

CARRIED

SA17.294 Council options for reducing impacts of wood smoke

**HPERM Ref:
D17/334828**

Recommendation (Item to be determined under delegated authority)

That existing policy be amended to tighten controls on the production of wood smoke by:

1. Prior to finalising amend the Draft Local Approval Policy to:
 - a. prohibit the installation of second hand heaters not having a compliance plate stating compliance with the emission requirements of AS/NZS 4013:2014 & AS/NZS 4012:2014.
 - b. Require a timber storage area that is out of the weather so that timber used in solid fuel heaters has a maximum moisture content of 20%.
2. The NSW EPA be notified to change the Shoalhaven City Council's listing under Schedule 8 of the Protection of the Environment Operations (clean Air) regulation 2010 from Part 3 - Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste to:
 - a. **Schedule 8 Part 1** – Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval.

RESOLVED (Clr Cheyne / Clr Levett)

MIN17.988

That the existing policy be amended to tighten controls on the production of wood smoke by:

1. Prior to finalising amend the Draft Local Approval Policy to:
 - a. prohibit the installation of second hand heaters not having a compliance plate stating compliance with the emission requirements of AS/NZS 4013:2014 & AS/NZS 4012:2014.
 - b. Require a timber storage area that is out of the weather so that timber used in solid fuel heaters has a maximum moisture content of 20%.
2. The NSW EPA be notified to change the Shoalhaven City Council's listing under Schedule 8 of the Protection of the Environment Operations (clean Air) regulation 2010 from Part 3 - Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste to:
 - a. **Schedule 8 Part 1** – Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval.

FOR: Cllr Wells, Cllr Gash, Cllr White, Cllr Gartner, Cllr Cheyne, Cllr Findley, Cllr Levett, Cllr Proudfoot and Russ Pigg
AGAINST: Cllr Pakes, Cllr Watson and Cllr Kitchener
CARRIED

**SA17.295 Improving Your Parks and Environment - Shoalhaven
River Bank Restoration**

**HPERM Ref:
D17/314591**

Recommendation

That Council support the acceptance of the \$300,000 grant to Council from the Australian Government – Department of Industry, Innovation and Science for the riverbank restoration works on the Shoalhaven River at Bolong Rd and vote the funds accordingly.

Recommendation (Cllr Pakes / Cllr White)

That Council support the acceptance of the \$300,000 grant to Council from the Australian Government – Department of Industry, Innovation and Science for the riverbank restoration works on the Shoalhaven River at Bolong Rd and vote the funds accordingly.

CARRIED

**SA17.296 CL17.225 - Collingwood Beach Dune Vegetation
Management - Deferred From August Ordinary -
Ministers Response**

**HPERM REF:
D17/368902**

Item dealt with earlier in the meeting.

**SA17.297 Shoalhaven River Levee Flood Damage Restoration
2017 project - Department of Industry - Lands & Forestry
Offer of Licence to work at Crown Lands property**

**HPERM Ref:
D17/378616**

Recommendation

That:

1. Council accept the licence offer from the Minister administering the Crown Lands Act 1989 that allows Council to access Crown Lands for the purposes of undertaking flood levee repairs.
2. Council agrees to be bound by the terms, conditions and provisions of the Licence.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to the signed licence offer and any other documents to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

Recommendation (Cllr Pakes / Cllr Levett)

That:

1. Council accept the licence offer from the Minister administering the Crown Lands Act 1989 that allows Council to access Crown Lands for the purposes of undertaking flood levee repairs.
2. Council agrees to be bound by the terms, conditions and provisions of the Licence.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to the signed licence offer and any other documents to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA17.298 Acquisition of Sewerage Easement at 300 Kings Point Drive Ulladulla

**HPERM Ref:
D17/352466**

Recommendation

That:

1. Council resolve to acquire a Sewerage Easement 10 wide and variable over Lot 18 DP805460, No. 300 Kings Point Drive Ulladulla, as shown by cross hatching on easement plan DP1109183, attached.
2. Council pay compensation of \$5,000 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
3. Compensation and costs associated with the acquisition be met from Council's Sewer Fund.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

Recommendation (Clr Proudfoot / Clr White)

That:

1. Council resolve to acquire a Sewerage Easement 10 wide and variable over Lot 18 DP805460, No. 300 Kings Point Drive Ulladulla, as shown by cross hatching on easement plan DP1109183, attached.
2. Council pay compensation of \$5,000 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
3. Compensation and costs associated with the acquisition be met from Council's Sewer Fund.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

SA17.299 Grant of electricity easement over Council land at Terara

**HPERM Ref:
D17/365047**

Recommendation

That:

1. Council grant an Easement for Overhead Powerlines 9 wide over Council land Lot 1 DP1224568 and Lot 4 DP634042 at Terara Road, Terara. The easement is delineated (E) and highlighted yellow on the attached draft survey plan.
2. Costs associated with the transaction are to be met from Council's Sewer Fund. The Easement and Restriction are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven to be fixed to any document required to be sealed.

Recommendation (Clr White / Clr Gartner)

That:

1. Council grant an Easement for Overhead Powerlines 9 wide over Council land Lot 1

DP1224568 and Lot 4 DP634042 at Terara Road, Terara. The easement is delineated (E) and highlighted yellow on the attached draft survey plan.

2. Costs associated with the transaction are to be met from Council's Sewer Fund. The Easement and Restriction are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven to be fixed to any document required to be sealed.

CARRIED

**SA17.300 NSW Local Government Aboriginal Network Conference
2017**

**HPERM Ref:
D17/361632**

Recommendation (Item to be determined under delegated authority)

That Council receive the report from Cllr John Levett on the NSW Local Government Aboriginal Network Conference 2017 for information.

RESOLVED (Cllr Levett / Cllr Findley)

MIN17.989

That Council receive the report from Cllr John Levett on the NSW Local Government Aboriginal Network Conference 2017 for information.

CARRIED

CONFIDENTIAL REPORTS

Pursuant to Section 10A(4) the public were invited to make representation to the meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public made representations.

RESOLVED (Cllr Wells / Cllr Findley)

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

- CSA17.16 Request to Waive Fees for Approval to Operate a System of Sewage Management
- Personnel matters concerning particular individuals (other than Councillors). 10(A)(2)(a)*
- Discussion in relation to the personal hardship of a resident or ratepayer. 10(A)(2)(b)*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal an individual's personal information or contravene an information protection principle under the Privacy and Personal Information Protection Act 1998 or a Health Privacy Principle under the Health Records and Information Privacy Act 2002.*

CARRIED

The meeting moved into confidential the time being 8.35pm.

The meeting moved into open session, the time being 8.39pm.

REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the meeting, whilst closed to the public, were made public.

CSA17.16 Request to Waive Fees for Approval to Operate a System of Sewage Management

**HPERM Ref:
D17/356351**

RESOLVED (Clr Gash / Clr Gartner)

MIN17.990C

That in relation to the Request to Waive Fees for Approval to Operate a System of Sewage Management, Council:

1. Decline the request to waive the fee
2. Authorise the General Manager to undertake negotiations with the applicant for a 5 year payment plan.

CARRIED

Note: Rescission Motions were received in relation to the following item:

- SA17.279 Donation Request - Shoalhaven Heads Chamber of Commerce & Tourism - New Years Eve Fireworks

There being no further business, the meeting concluded, the time being 8.39pm.

Clr Wells
CHAIRPERSON

SA17.302 Notice of Motion - Shoalhaven Heads Surf Lifesaving Club

HPERM Ref: D17/400105

Submitted by: Cllr John Wells

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That

1. Council undertake urgent work to re-shape and lower the height of the sand dune that has developed between the Shoalhaven Heads Surf Lifesaving Club (S.H.S.L.C) and the patrolled section of the beach
2. The General Manager identify and recommend a funding source for the required works;
3. Council develop a Dune Management Plan for the immediate area surrounding the Surf Club and the car park, such area to preserve clear view lines to enhance public safety, and environmental appreciation by the public from the viewing platforms and picnic facilities at this location.

Background

The S.H.S.L.C and the S.H.C.C.B. have for some months now been making representations to Council and the local State Member to reshape the dune to the immediate east of the town's Surf Club. The increasing height of the dune, nourished by sand returning from the East Coast Lows of 2015 and 2016 which severely eroded the beach, and prevailing N.E. winds, now exceeds 8 metres in height. It is compromising visibility from the Clubhouse of recreational/surfing activity on the beach.

Some re-shaping work has been done to maintain quick "rubber duckie" and other watercraft access to the beach, but effectively for the length of the Surf Club, an 8 metre wall of sand is growing in height. Survey and calculation by staff suggest a cubic metric volume exceeding 650 cu m. the apparent reason for the lack of action on this issue is that it is a result of natural processes, and opposition to disturbance of some vegetation.

This is clearly a situation which, whilst borne of natural processes, requires some intervention in the interests of public safety and recreational amenity. In this regard I draw Council's attention to Wollongong City Council's Dune Management Strategy for the high recreational use areas of its 17 patrolled beaches, developed specifically to address safety and recreational amenity issues at those beaches. Beach re-shaping, sand re- location, modification and management of flora and preservation of surf lifesaving infrastructure are all part of the strategy.

<http://www.wollongong.nsw.gov.au/development/pages/applications.aspx>

The Strategy is a component of Wollongong Councils' Coastal Zone Management Plan. Whilst it may be that Shoalhaven Council doesn't need a management plan for every patrolled or recreational beach in the City, it certainly needs one for Shoalhaven Heads. This

SA17.302

issue has been in circulation for over 8 months – it's now time to respond positively to the community's representations.

Note by the General Manager

Vegetation removal and lowering dune height on beaches is generally not supported by NSW Office of Environment & Heritage (OEH), Crown Lands or Council's Environmental Services, where no adopted long term management plan has been duly adopted. This is due to the fact that such actions can expose beaches and the assets behind dunes to greater risk of coastal erosion.

Council records show that Seven Mile Beach is susceptible to erosion and that storms have created large storm scarps in front of the surf club building over the years dating back to the storms in the 1970's (see Figure 1 and 2). Council's Coastal Hazard Mapping (Figure 3), shows that the building is currently at risk of coastal erosion (blue line) and the future erosion risk, accounting for Council's adopted sea level rise projections, goes behind the building (orange line 2030 and green line 2050).



Figure 1
Erosion at Shoalhaven Heads, 1977.



Figure 2
Erosion at Shoalhaven Heads, 1978.

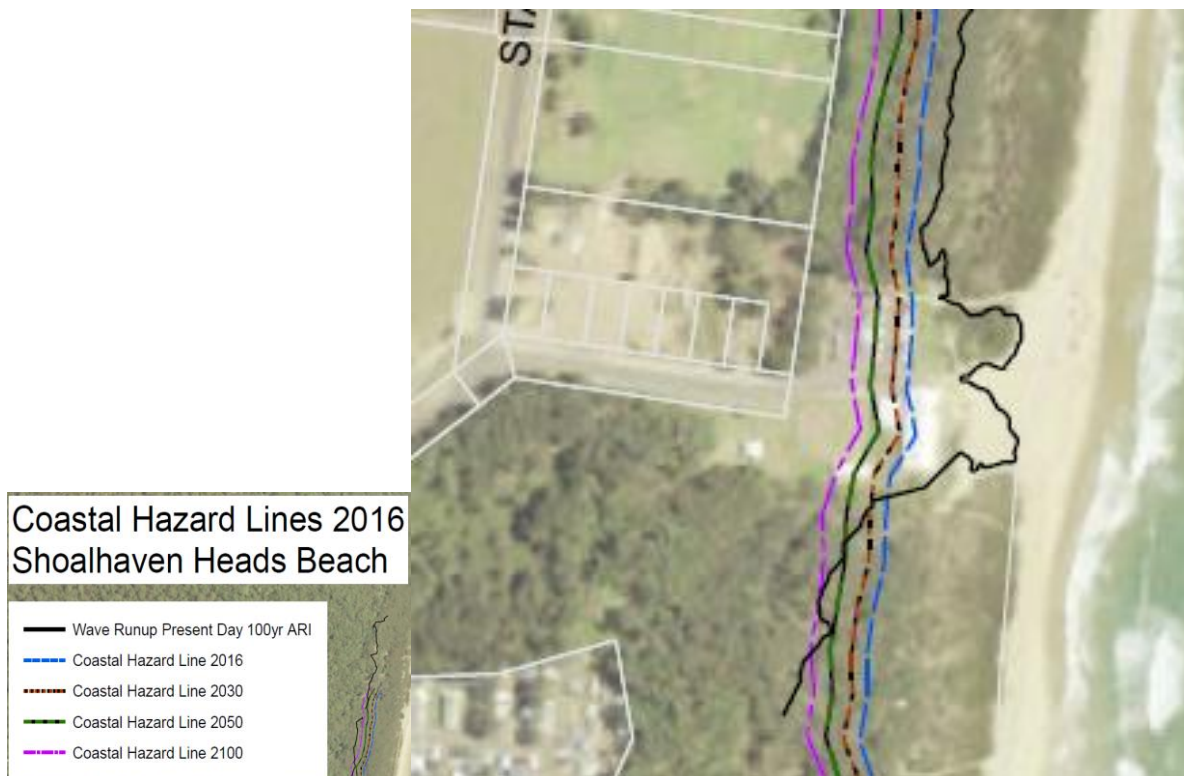


Figure 3: Shoalhaven Coastal Hazard Mapping 2016 at Shoalhaven Heads Surf Club

In 2012 vegetation removal on the dune in front of the Shoalhaven Heads Surf Club caused wind-blown sand to encroach up to the building, over walkways and vehicle access ways and onto the car parking as shown in Figure 4 below. A section of the dune was reshaped in front of the club building as a trial, at a cost of \$15,000. The advice from Shoalhaven Surf Club members is that this reshaping work has now become redundant, in that view lines to the surf area from the club house patrol observation deck have been diminished by the build-up of sand on the dune immediately in front of the clubhouse. The area to the north of the main beach access track, adjoining the carpark, has a grassed area with a viewing platform and picnic tables. Whilst the dune is not as high in this area, mature vegetation does restrict beach views from the viewing platform and prevent any beach view when seated at the picnic facilities. To restore full beach views from these areas would require extensive vegetation removal and/or pruning.



Figure 4: Wind-blown sand encroaching on paved areas and up to surf club building after removal of dune vegetation.

SA17.302

Wollongong Council has an adopted Dune Management Strategy, which does allow for some dune vegetation removal (acacia and weed species) in front of some Surf Life Saving buildings, along with dune reshaping in some instances. The plans also include revegetation and weed management actions, along with programs to construct new, transportable observation towers that will provide greater visual surveillance of beach areas

The provision of mobile patrol towers has proven to be a viable and successful option at many beaches within the region. These patrol towers can be larger style structures that can be relocated if the beach profile changes or smaller more mobile structures that can be moved daily depending upon the location of the flags and beach conditions and the needs of the Club. This is clearly a preferred long term management approach to ensure surf patrols have adequate access to and visibility of the surf zone.

At Shoalhaven Heads, the beach in front of the Club faces east with a major river discharging a kilometre south driving the erosion processes. South/south-east swell and wind, along with the summer north-east wind and potential cyclone swell impact on the beach stability. Thus any works to reshape the existing dune to provide sufficient vision to surf patrols would need to have regard to the dynamic nature of the beach and be clearly quantified prior to any works being undertaken. The impact on dune stability would be the major consideration, along with the impact of wind blown sand from the disturbed area and impact of placement of relocated material. If such work were assessed to be minor, it could be completed in the short term. It would not be recommended that such works extend to vegetated areas in front of the carpark, as this area requires a greater level of assessment and likely adoption of a dune vegetation management plan to guide future actions.

SA17.303 Notice of Motion - New Years Eve Celebrations

HPERM Ref: D17/400158

Submitted by: Cllr John Wells

Purpose / Summary

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

Recommendation

That

1. Council undertake a City-Wide review of its support of New Years Eve Celebrations incorporating fireworks displays and in so doing applies the principles of equity, convenience of access, public safety and community well-being and budget, in determining resourcing levels to each of these events, and
2. Having reviewed its distribution and allocation of funding contributions under its Donations Policy, Council determine, if appropriate, a revised level of support for these events.
3. For the 31 December 2017 event proposed for the Shoalhaven Heads community Council provide support to the extent of \$5000.
4. For other communities that either do not have public celebrations or hold celebrations which are privately funded, Council undertake a public consultation early in 2018 to determine the appetite and capability of particular communities to stage such celebrations and if warranted, determine a level of support.

Background

Recent representations by the Shoalhaven Heads Chamber of Commerce and Tourism seeking Council support for a fireworks event that was previously privately funded have drawn into focus a number of issues. These issues require Council to consider its' options in dealing with such requests. Council could:

1. Do nothing – 'stand on its digs' and assert that 4 publicly funded events are provided and that is sufficient. This option rejects funding/co-funding additional events.
2. Meet the proponent/representation 'halfway', or a negotiated cost sharing. A proliferation of such arrangements could be administratively messy but lessens the burden on Council and could be equitable if the agreed financial formula for each event were on the table "up front".
3. Explore the demands and community capability to manage such events in significant un-serviced population centres such as the 'eastern suburbs', St Georges Basin/Sanctuary Point/Basin View, Manyana Bendalong/Cunjurong/Conjola, etc. (Sussex Inlet and Shoalhaven Heads have held privately funded events) This exploration might guide Councils' future approach to such celebrations and whether they;
 - a. Would need to be fully publicly funded
 - b. Present opportunity for co funding.

SA17.303

4. Cease supporting such events.

In considering the above (and no doubt other) options, I believe they should be considered through a prism of certain principles. These principles include-

- **Equity:** Is it fair that only 4 community's receive public funding for celebrations? Particularly when some communities are manifesting an appetite, capability and demonstrated positive outcomes- socially and commercially – that is encouraging of Council's support. We know the facts - \$30,000 equally split between 4 events with a precedent approval of \$1000 allocated to an event in Milton earlier this year. Council also funds 'Riverfest' to the tune of \$20,000pa some of which may be allocated to a fireworks show. Do we need to review the quantum?
- **Convenience of Access:** Does council want large numbers of commuters on its roads between (say) 8pm and 2pm on New Years Eve? The staging of only 4 events requires citizens and visitors of outlying clusters of townships to travel significant distances on often boisterous nights.
- **Public Safety:** Whilst related to (2) above in relation to road safety, this principle also goes to 'celebrating closer to where you live; your community, with people you know.' In such environments, the incidence of aberrant behaviours is lessened. Smaller crowds are more manageable.
- **Community Well Being:** a multi-faceted principle, that ranges from feeling good about being a part of a local community, being entertained (at no cost), being included, through to the visitors "I didn't expect this - The spouse and kids loved it. - What a great experience – this place looks after us." So, the benefits are social (community wellbeing), and commercial (economic wellbeing) – the two are not mutually exclusive. These are important determinants in where and how much Council makes its dollar investment in such events. Where is the Social need? Where can we generate the greatest economic benefits? These are issues for various areas of Council to ruminate over- Economic Development, Community Services Tourism Holiday Haven ,Leisure & Parks, etc.
- **Budget.** Is the community and Council better served allocating another say, \$20,000 to celebrations which might be attended by 15,000 -20,000 people, or constructing a couple of hundred metres of footpath in two or three locations. And where should the money come from- the Donations Vote, Holiday Haven, Tourism, Community or a combination thereof? Which give the better return on investment

During my career, I have managed/co -ordinated many community celebrations of varying sizes – from the Ulladulla Summer Games to the Olympic Torch Relay of 15 Sept 2000, the Y2K celebrations and many events in-between. Critics say, "These such events send money up in smoke". If so, why then do communities and agencies continue to do them? They do them because such displays work –they can pay handsome social capital and commercial dividends.

Sydney, closest mega-city to the International Date Line knows this as truth. Sydney steals a march on the World each New Years Eve in showcasing its magnificence to billions of viewers worldwide. One only needs to take one point of one percent of a billion people to fill every room in the City, and the majority of 'locals'- around the harbour, or in their lounge rooms- feel great.

In the cut-throat market of domestic regional tourism let's stay ahead of the game and invest in such events.

Switch on, Council.

SA17.303

SA17.304 Rescission Motion - SA17.294 Council options for reducing impacts of wood smoke

HPERM Ref: D17/400199

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

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That

1. Council rescind the following adopted recommendation (SA17.294 part 2)
 2. *The NSW EPA be notified to change the Shoalhaven City Council's listing under Schedule 8 of the Protection of the Environment Operations (clean Air) regulation 2010 from Part 3 - Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste to:*
 - a. **Schedule 8 Part 1** – *Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval.*
2. A briefing be held to properly inform Councillors of the implication should the change to Schedule 8 Part 1 be imposed.

Background

The following resolution (MIN17.988) was adopted at the Strategy & Assets Committee 21 November 2017.

That the existing policy be amended to tighten controls on the production of wood smoke by:

1. *Prior to finalising amend the Draft Local Approval Policy to:*
 - a. *prohibit the installation of second hand heaters not having a compliance plate stating compliance with the emission requirements of AS/NZS 4013:2014 & AS/NZS 4012:2014.*
 - b. *Require a timber storage area that is out of the weather so that timber used in solid fuel heaters has a maximum moisture content of 20%.*
2. *The NSW EPA be notified to change the Shoalhaven City Council's listing under Schedule 8 of the Protection of the Environment Operations (clean Air) regulation 2010 from Part 3 - Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste to:*
 - a. **Schedule 8 Part 1** – *Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval.*

SA17.304

Note by the General Manager

Part 1 of the original motion remains unchanged.

SA17.304

SA17.305 2018 Australian Local Government Women's Association NSW (ALGWA) State Conference - 15-17 March 2018 - Cootamundra-Gundagai Regional Council

HPERM Ref: D17/300421

Group: Finance Corporate & Community Services Group
Section: Human Resources, Governance & Customer Service

Purpose / Summary

To consider Councillor attendance at the 2018 Australian Local Government Women's Association NSW (ALGWA) State Conference scheduled for Thursday 15 March – Saturday 17 March 2018 in Gundagai.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Notes the details of the 2018 Australian Local Government Women's Association NSW (ALGWA) State Conference scheduled for Thursday 15 March – Saturday 17 March 2018 in Gundagai.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

Options

1. As per the recommendation.

Implications: Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy

2. That Council limit the number of Councillors attending the Conference and such attendance be deemed Council Business.

Implications: Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy

3. That Council not approve Councillor attendance at the Conference as Council Business.

Implications: Nil

SA17.305

Background

The 2018 Australian Local Government Women's Association NSW (ALGWA) State Conference is considered relevant to local government, Information in relation to the conference is attached to this report

Costs associated with the conference are estimated as follows:

- registration :

<i>Registration</i>	ALGWA Member	Non Member
<i>Early Bird Registration (until 15 January 2018) Includes: Welcome Reception, all conference sessions, meals and Gala Dinner</i>	\$870	\$970
<i>Standard Registration Includes: Welcome Reception, all conference sessions, meals and Gala Dinner</i>	\$970	\$1070
<i>Day Registration Friday 16 March 2018. Includes the day's conference session and meals.</i>	\$570	\$570
<i>Gala Dinner (Please include guest/partner in QTY if applicable)</i>	\$150	\$150
<i>Airport Shuttle Bus Service (If applicable)</i>	\$30	\$30

- travel, accommodation and out of pocket expenses : not yet determined.

An option available to Council is to define the number of Councillors attending the conference and for Council to determine the appropriate Councillors authorised to attend.

The Conference commences at Thursday 15 March 2018 and concludes at Saturday 17 March 2018. At this time there are no meetings scheduled on those days.

Further information and registration forms can be found online:

<http://www.visitgundagai.com.au/events/event/ALGWA-2018/>

Policy Implications

The Council Members – Payment of Expenses and Provision of Facilities Policy limits attendance at conferences to three per annum per councillor exclusive of any conference arranged by either the State or National Local Government Associations.

Financial Implications:

Funds are available for Councillors to attend this conference.

SA17.306 Community Facilities - Use and Hire for Commercial Activities - Policy Update

HPERM Ref: D17/402723

Group: Finance Corporate & Community Services Group
Section: Recreation Community & Culture

Attachments: 1. Policy - Community Facilities - Use and Hire for Commercial Activities [↓](#)

Purpose / Summary

Council is required to review all Policies within the first year of new Council.

Staff have reviewed the policy, and seek Council approval for the re-adoption of the existing Community Facilities – Use and Hire for Commercial Activities Policy, with no amendments.

Recommendation (Item to be determined under delegated authority)

That Council adopt the Community Facilities – Use and Hire for Commercial Activities Policy.

Options

1. Adopt the recommendation

Implications: Accepting the recommendation will lead to the policy being adopted.

2. Rescind the recommendation

Implications: Council staff will not have guidance on the process and approvals required for Council's community facilities to be used for commercial and retailing activities.

Background

This policy statement is based on Council Minute 85.2791 of 17th September 1985. Council reaffirmed the policy (with amendments) in its revised format on 21st December 2004 by Minute 04.1591.

This policy was last reviewed and adopted at the Council meeting held on 24 November 2015.

Financial Implications

Maintain status quo regarding income from hire of community facilities for commercial and retailing activities.



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For more information contact the Finance Corporate & Community Services Group

USE AND HIRE OF COMMUNITY FACILITIES FOR COMMERCIAL ACTIVITIES

Policy Number: POL16/177 • **Adopted:** 17/09/1985 • **Amended:** 21/12/2004, 14/04/2009, 14/12/2012, 24/11/2015 • **Minute Number:** MIN85.2791, MIN04.1591, MIN09.409, MIN12.1396, MIN15.721 • **File:** 28029E • **Produced By:** Finance Corporate and Community Services Group • **Review Date:**

1. PURPOSE

To provide guidance on the process and approvals required for Council's community facilities to be used for commercial and retailing activities.

2. STATEMENT

This policy statement is based on Council Minute 85.2791 of 17th September 1985. Council reaffirmed the policy (with amendments) in its revised format on 21st December 2004 by Minute 04.1591.

"Typically, Council community facilities (buildings and reserves) do not have approval for conducting commercial and retailing activities.

Commercial and retailing are prohibited under the current zoning. The lodging of a Development Application and supporting information can be considered by Council as Clause 39C of the Shoalhaven Local Environment Protection Act (SLEP) allows for and provides Council with the ability to undertake and conduct an assessment of the activity.

Council may grant consent for temporary use of the land for up to 28 days in any one year (these days do not have to be consecutive), provided that:

- there is protection of the environment and the amenity of the locality during and immediately after the carrying out of the proposed use;
- appropriate arrangements are made for the provision of utility services, vehicular and pedestrian access, parking and restoration of the site to the condition prevailing immediately before the carrying out of the proposed use; and
- the period for the carrying out of the proposed use is reasonable in the circumstances or whether a lesser period would be more appropriate.

Community Facilities covered by this policy include all Council managed/owned buildings and reserves.

3. PROVISIONS

Shoalhaven City Council - Use and Hire of Community Facilities for Commercial Activities

- 3.1. Sufficient notice be provided to allow for the processing of a Development Application that includes adequate consultation with other users of the Community Facility and potential businesses that may be affected by the proposed commercial activity.
- 3.2. Development Applications will not be supported for a commercial activity that may conflict with the normal function of this community facility or if the proposal contravenes the Local Environment Plan.
- 3.3. The hirer of the community facility, where not covered by Council's 'Casual Hirer Insurance Policy', such as in the case of an incorporated or proprietary limited body, will be required to provide adequate public liability cover as determined by Council's General Manager (Insurance/Risk Manager). This will be for a minimum of \$20,000,000 cover with an insurer approved by the Australia Prudential Regulation Authority, noting Council's interest.
- 3.4. A specific fee for commercial hire shall be in accordance with Council's adopted Management Plan's Fees & Changes.
- 3.5. The commercial fee shall apply for each day the community facility is required for setting up and dismantling of structures in accordance with Council's adopted Management Plan's Fees & Changes.

Given the commercial nature of this hire, there shall be no waiving of subsidising of fees as per the Fee Waivers, Subsidies and Support Policy.

- 3.6. A bond shall be required to protect the community facility from damage or necessary clean up following commercial use in accordance with Council's adopted Management Plan's Fees & Changes.
- 3.7. If required by Council, a license will be negotiated with the community facility hirer and be subject to the concurrence of Council.

4. IMPLEMENTATION

The responsibility for the implementation and review of this policy shall be with the Director of Finance Corporate and Community Services.

5. REVIEW

The Finance Corporate and Community Services Group will review this policy:

- Within 12 months of the date of the election of every new Council, or
- Every four years, or
- As directed by Council, or
- As a result of a review in legislation that affects this policy

6. APPLICATION OF ESD PRINCIPLES

None applicable.

SA17.307 Public Policies for Review - Asset Management - December 2017

HPERM Ref: D17/373959

Group: Assets & Works Group

Section: Asset Management

Attachments: 1. Attachment - Report - Public Policies for Review - Road Sealing Contributions [↓](#)
2. Attachment 2 - Draft Asset Management Policy - Polices for Review Report [↓](#)

Purpose / Summary

To adopt existing public policies which are the responsiblity of the Assets and Works Group (Asset Management Section).

Recommendation (Item to be determined under delegated authority)

That:

1. The draft Asset Management Policy be adopted
2. The Road Sealing Contributions Policy be adopted

Options

1. Adopt the recommendations

Implications: The Asset Management Policy was placed on public exhibition.

2. Make some other recommendation

Background

As previously reported, the previous version of Asset Management Policy was too technically based and a bit difficult to read. The updated version now includes goal and vision statements as required by the Office of Local Government's publication "Integrated Planning and Reporting Manual for Local Government in NSW".

The main changes to the current Policy included:

- 'Scope' was replaced by 'Goals and Vision' and
- 'Background', 'Definitions' and 'Relationship to Other Documents' have been deleted for clarity

As Council's sustainability, in part, relies on the adoption of asset management principles, this policy may benefit from broader community input. The Asset Management Policy was put on exhibition in July / August 2017. There were no submissions. Consequently, it is recommended that the Asset Management Policy be adopted.

SA17.307

The Road Sealing Contributions Policy has been reviewed by staff and there are no amendments made. It is now requested that the policy be adopted as per the requirement of a newly elected Council in 2016.

Community Engagement

The Asset Management Policy was placed on exhibition.



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ROAD SEALING CONTRIBUTIONS

Policy Number: POL16/156 • **Adopted:** 16/12/1997 • **Reaffirmed:** 21/12/2004 • **Amended:** 18/12/2007, 10/02/2009, 30/07/2013 • **Minute Number:** MIN97.2296, MIN04.1593, MIN07.1782, MIN09.138, MIN13.743 • **File:** 6820E • **Produced By:** Assets and Works Group • **Review Date:**

1. PURPOSE

To allow authorisation of road sealing works where alternative part funding is available.

2. STATEMENT

This policy statement is based on Council Minute 97.2296 of 16 December 1997. Council reaffirmed the policy in its revised format on 21 December, 2004. Council amended the policy on 18 December 2007 by Minute 07.1782. Council then amended the policy (3.a.vi) on 10 February 2009 by Minute 09.138.

3. PROVISIONS

- a. Council carry out the sealing of sections of gravel road currently maintained by Council where residents wish to make a contribution to the work, as part of its annual construction programmes, where the following requirements are met –
 - i) a written request has been submitted by the resident;
 - ii) Council considers the work merits the necessary allocation of funds;
 - iii) the minimum length to be sealed of an isolated section of road, for which Council is responsible, is 100 metres but may be greater if on a curve or crest;
 - iv) the minimum length to be sealed of a section adjoining an existing bitumen length is 50 metres;
 - v) where a section of unsealed road less than 100 metres in length would remain after the proposed work, this additional length must also be sealed as part of the project;
 - vi) the resident makes a contribution of 75% of the estimated cost of all works required to upgrade and seal the road;
 - vii) if the work is approved by Council, then the sealing of the road will take place within 12 months of this approval and following receipt of the contribution;
 - viii) such programme not be used where a condition of development consent is issued.

Shoalhaven City Council - Road Sealing Contributions

- ix) the resident agrees that no refund for the works is payable by Council, unless further upgrading and sealing works are undertaken within 12 months of the completion of the section of road to which the resident contributed. Additionally, for the refund to be payable, further sealing works must have been undertaken on both adjoining sides of the section to which the resident contributed. Any refund shall be limited to 50% of the resident's contribution.
- b. The Policy not apply to areas where re-subdivision, rezoning and re-development applications are being considered.
- c. If a resident contributes 100% of the estimated cost of upgrading and sealing works, then the provisions of clause 3.a apply with the exception of 3.a.ii and 3.a.vi.

4. IMPLEMENTATION

The Assets and Works Group is responsible for considering requests and then reporting to Council for authorisation.

5. REVIEW

This policy statement will be reviewed:

- Within 12 months of the date of the election of a new Council or
- Every four years or
- As directed by Council
- A change occurs – to ensure its requirements are reasonably practical and that it is effective in reducing Council's exposure to liability claims
- The Director of Assets and Works shall be responsible for the review of this policy

6. APPLICATION OF ESD PRINCIPLES

To reduce the effect on the environment from:

1. dust;
2. siltation; and
3. to reduce the use of pavement gravels.



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For more information contact the Assets and Works Group

Asset Management Policy

Policy Number: POL16/79 • **Adopted:** 28/07/2009 • **Amended:** 15/05/2012, 15/04/2014 • **Minute Number:** MIN09.977, MIN12.524, MIN14.266 • **File:** 8983E • **Produced By:** Assets and Works Group • **Review Date:** 1/7/2016

1. PURPOSE

To provide clear direction and structure for decision making in the management of Shoalhaven City Council assets.

To maintain consistency, transparency and inter-generational fairness in the manner in which Council deals with its assets.

To promote asset management awareness and the effective delivery of services, throughout Council and the community, with a focus on continuous improvement in the performance, cost, and risk assessment of assets.



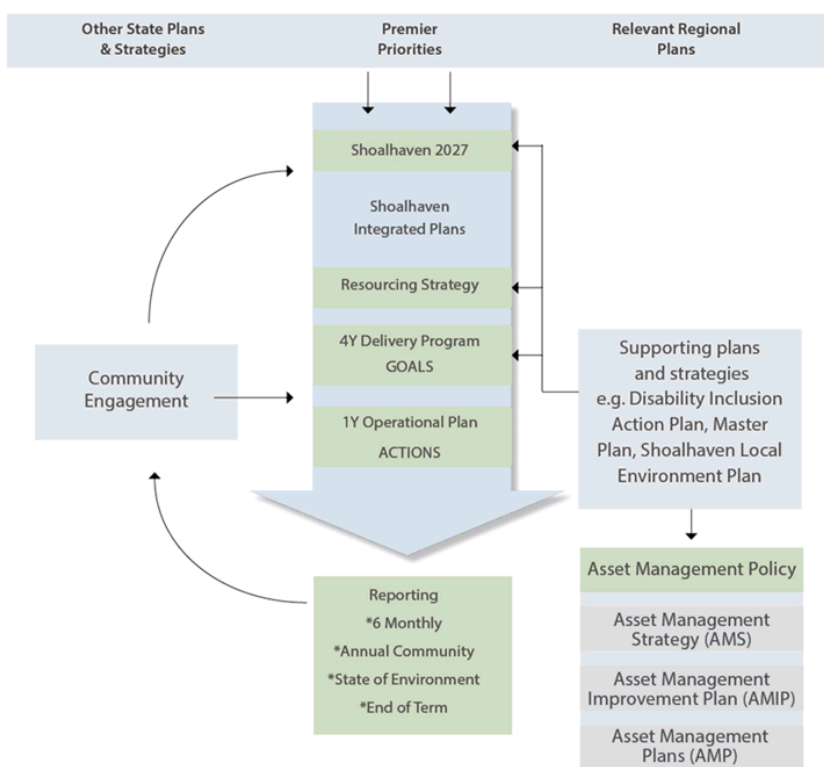
Shoalhaven City Council - Asset Management Policy

2. STATEMENT

Council is responsible for the management of an array of infrastructure assets that have been developed for and on behalf of the community. It is committed to the sustainable management of that infrastructure, and realises the importance of incorporating asset management principles across all of its business and service operations.

To achieve this, Council refers to:

- Local Government Act 1993
- Roads Act 1993
- *International Infrastructure Management Manual(IIMM) - IPWEA 2015*
- *Australian Infrastructure Financial Management Manual(AIFMM) –IPWEA 2015*
- [NSW Integrated Planning and reporting Framework and Guidelines](#) – see diagram below



3. PROVISIONS

The Asset Management Policy is guided by the [Council's Community Strategic Plan](#) and [Resourcing Strategy](#) and details how effective Asset Management will be achieved through:-

- The development and ongoing review of a long term [Asset Management Strategy](#) which shows how the asset portfolio supports the service delivery needs of the community.
- The detailed management of assets through the ongoing development of **Asset Management Plans (AMPS)** according to community expectations, budget allocations, recognised best practice and relevant legislation.
- The provision of funding which is identified, agreed upon and allocated in a way that meets the defined **Levels of Service** detailed in the AMPs.
- The implementation and maintenance of an **Asset Management Information System** that contains comprehensive knowledge of all physical assets and ensures that financial information is recorded in a way that is useful to both the management of the asset and financial reporting.

3.1 Goals and Vision

Council's goals under this Policy are to:

- fully integrate asset management principles in all its business processes and
- through continuous improvement, achieve advanced competency in asset management. When these goals are realised, Council will be able to unequivocally demonstrate an implement the most cost-effective management of all its assets as a basis for its future financial sustainability

3.2 Principles

- Periodically review appropriate Levels of Service, with the community, for all asset groups to ensure equity, good governance, financial and environmental sustainability.
- Provide inspection processes that will ensure service levels and maintenance regimes are maintained.
- Develop formal Asset Management Plans for the infrastructure assets in each of its major service functions, addressing the whole-of-life costs including initial capital cost, operation, maintenance and disposal of assets. This will ensure a critical review for asset provision when considering funding for new assets, asset renewal, rehabilitation, decommissioning or alternative modes of delivery.



Shoalhaven City Council - Asset Management Policy

- Ensure that Asset Management Plans are used by managers to inform and provide linkages to Council's Long Term Financial Plan as well as short term annual Operational Plan budgeting.
- Determine the key factors associated with risks to the community and Council staff, assess the resultant range of outcomes and their probability of occurrence and monitor outcomes on an ongoing basis.
- Apply systematic and cyclic reviews to all asset classes to make sure they are valued and depreciated in accordance with appropriate best practice and Australian Accounting Standards.

3.2 Governance

Responsibilities for Asset Management

Council's Elected Representatives

- To ensure assets and services are provided in a sustainable and efficient manner.

General Manager and Group Directors

- To ensure Council's commitment to the principles of sound asset management and the community needs.
- To ensure all staff are educated in asset management and that responsibilities are undertaken.

Asset Management Section

- To provide leadership and coordination for the implementation of sound asset management principles through policy, strategy, procedures, forms and awareness education

Asset Management Working Group

- To provide cross organisational representation and meet regularly

Asset Custodian

- To be responsible for managing infrastructure assets to ensure their most efficient use
- To ensure that information provided to populate the Asset Register is accurate and updated when assets are acquired, maintained, renewed or disposed

Finance Section

- To update financial systems with asset transactions in accordance with standards

Information Technology

- To implement and maintain software solutions that enable sound asset management principles for all persons involved



*Shoalhaven City Council - Asset Management Policy***All Staff**

Any staff member that manages or has a responsibility to program, instigate, govern or oversee work that results in the creation, upgrade, renewal, receipt (contributed, gifted or otherwise) or disposal of assets shall comply with the processes stipulated in the asset management system.

4. REVIEW

The policy will be reviewed:

- Within 12 months of the date of the election of a new Council.
- Every four years
- When a change to legislation effects this policy
- If technological advances or new systems change the way Council manages assets
OR
- As directed by Council

5. APPLICATION OF ECOLOGICALLY SUSTAINABLE DEVELOPMENT PRINCIPLES

All works, whether it be asset replacement/ renewal/ upgrade or new must consider ecologically sustainable development.



SA17.308 Proposed Lease - 39 Holloway Road, Nowra - Illawarra Shoalhaven Local Health District

HPERM Ref: D17/375143

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Plan - Proposed Lease over part Lot 2 DP 708441 - 39 Holloway Road Nowra [↓](#)

Purpose / Summary

To seek Council's endorsement to enter into a lease agreement with Illawarra Shoalhaven Local Health District for its continued use and occupation of 39 Holloway Road, Nowra (Part Lot 2 DP708441) (refer Attachment 1).

Recommendation

That Council:

1. Enter into a lease agreement in accordance with Council's Occupation of Council Owned and Managed Land Policy (POL16/150) with Illawarra Shoalhaven Local Health District for the use and occupation of 39 Holloway Road, Nowra for a term of five (5) years at a commencing rental of \$13,850.00 per annum plus GST;
2. List the subsidies applied of \$18,572 plus GST, as assessed using the Rental Assessment Framework with annual CPI increases as a recognised donation in Council's Annual Report each year for the term of the lease agreement;
3. Authorise the General Manager to finalise the lease terms that may not yet be determined and to sign any documentation necessary to give effect to this resolution.

Options

1. To adopt the recommendation.

Implications: Adoption of this recommendation will allow Illawarra Shoalhaven Local Health District to hold a guaranteed tenure over this property for a period of five (5) years. The adult day centre services will continue to be provided to the community in Nowra and surrounding areas.

2. To not adopt the recommendation – to decline to enter into a lease agreement with Illawarra Shoalhaven Local Health District will be to deny the provision of adult day centre services to the local community.

Implications: Without a lease agreement the rights and responsibilities of each party remain unclear. Illawarra Shoalhaven Local Health District will be unable to provide its services to the Nowra and surrounding areas.

3. Provide further direction to staff and propose an alternative.

Background

Illawarra Shoalhaven Local Health District has been in occupation of the subject property at 39 Holloway Road, Nowra since 2004.

Illawarra Shoalhaven Local Health District provides services to local community members who are living with dementia and/or who are frail, aged or socially isolated. It provides respite for carers and facilitates carer support groups. The program offers diversional therapy based activities which enables participants to maintain or regain functional ability whilst promoting socialisation and reducing isolation and carer stress.

The occupation of Council Owned & Managed Land Policy and the associated Rental Assessment Framework were applied in the negotiation of this lease agreement.

The current market rent for the property was determined by an independent valuer as \$31,330 plus GST per annum.

The activities of Illawarra Shoalhaven Local Health District were assessed against the Rental Assessment Framework, taking into account the level of service provided to the community, the contributions by the centre to the costs associated with the maintenance of the facility and other contributing factors and it was determined that the level of subsidy to be applied to the lease agreement would be 57.27%.

The agreed terms of the lease are as follows:

Lessee	Illawarra Shoalhaven Local Health District
Premises	The building, improvements and curtilage on Part Lot 2 DP708441 at Park Road, Nowra, commonly known as 39 Holloway Road, Nowra.
Term	Five (5) years
Commencement Date	To be advised
Termination Date	To be advised
Rent	\$13,850.00 plus GST per annum, payable monthly in advance
Application of Rent Assessment Policy	Percentage of rental subsidy = 57.27%
Application of Management Fee	3.5% of annual rent (\$1,096.00)
Subsidised Rental (inclusive of Management Fee)	\$18,572.00
Rent Review	Annually to CPI
Percentage of Outgoings	100% of all outgoings in relation to the property.
Permitted Use	Operation of an Adult Day Centre and any associated activities.
Public Risk Insurance	Twenty Million Dollars (\$20,000,000.00)

Community Engagement

This matter is considered to be a Local Area/Low Impact issue as detailed in Council's Community Engagement Policy and Handbook.

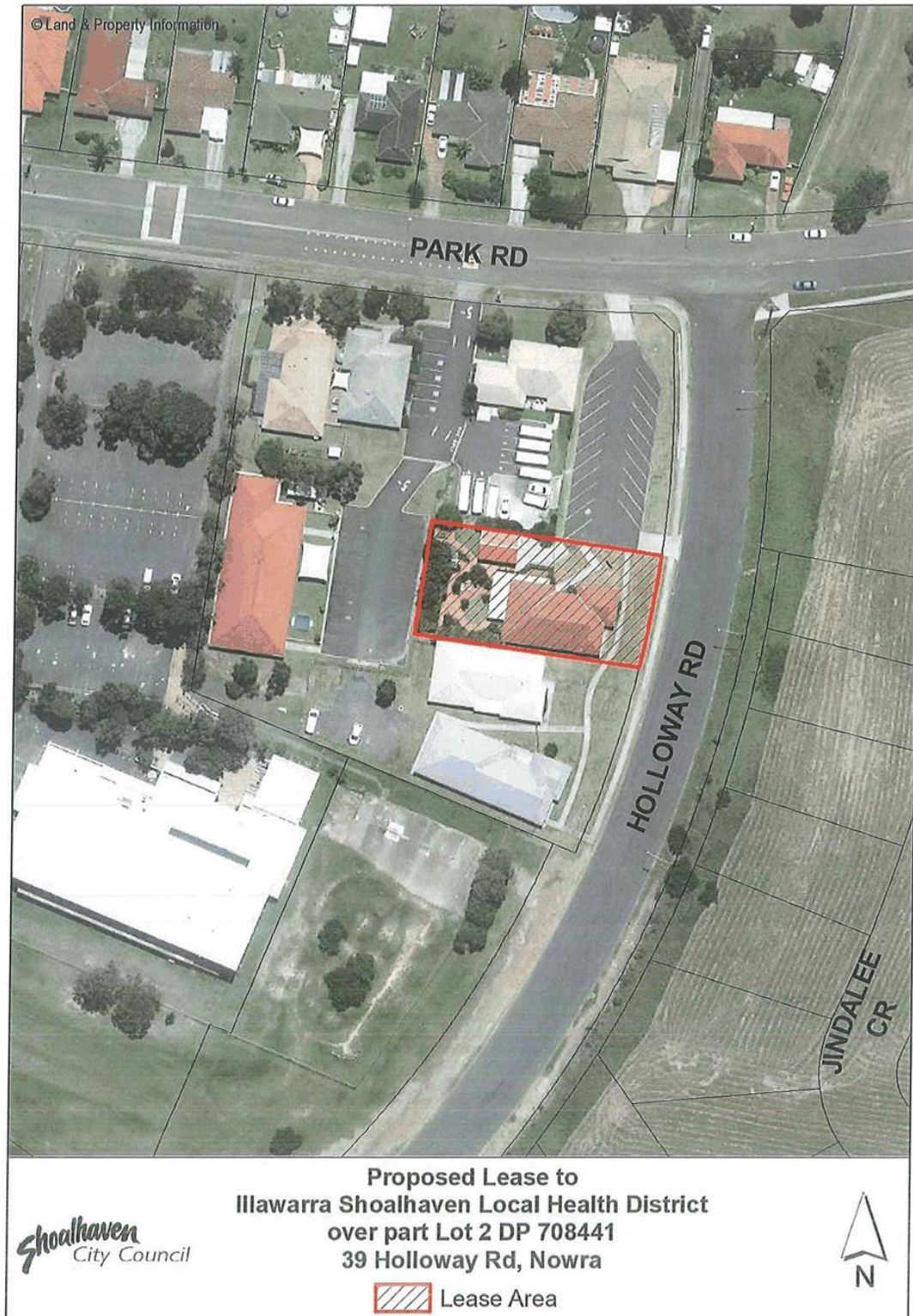
Financial Implications

There will be minimal financial implication as Illawarra Shoalhaven Local Health District will be responsible for all ongoing & reactive maintenance as well as being responsible for outgoings relating to the property.

Illawarra Shoalhaven Local Health District is currently on a peppercorn rent of \$1.00 per annum and has been since the building was constructed in approximately 2004, therefore Council will improve its financial position by approximately \$13,850 per annum.

Risk Implications

Failure to adopt the recommendation to enter into a lease agreement with Illawarra Shoalhaven Local Health District, will result in the services provided potentially being displaced from the Nowra area. This will have an impact on the community and the great service available in the region.



SA17.309 Proposed Licence from Crown Lands - Admiralty Cr, Huskisson Jetty

HPERM Ref: D17/386961

Group: Assets & Works Group

Section: Business & Property

Attachments: 1. Plan - Proposed Licence from Crown Lands - Admiralty Cr Huskisson Jetty [↓](#)

Purpose / Summary

To allow Council to consider entering into a licence agreement in place of the current permissive occupancy with the Department of Industry – Lands & Forestry for the Admiralty Cr, Huskisson Jetty (refer Attachment 1).

Recommendation

That Council:

1. Enter into a licence agreement with the Department of Industry – Lands & Forestry for the Admiralty Cr, Huskisson jetty, for an indefinite term with an initial annual rent of \$524.70 (Including GST) with annual CPI increases and a market review period at 3 years;
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of Shoalhaven to all documentation required to be sealed.

Options

1. To resolve as recommended.

Implications:

Council will be able to continue to provide public access to the water off Admiralty Cr, Huskisson and provide a berthing place for essential services being Marine Rescue and RMS.

2. Not adopt the recommendation

Implications:

Failure to enter into a new licence agreement may result in Council being requested to remove the current jetty structure at Council's cost which could cost several thousand dollars, may determinately impact on the operations of the Marine Rescue.

Background

Council is currently the holder of a permissive occupancy agreement with Crown Lands for the Admiralty Cr, Huskisson Jetty. Council currently sub-licences the berthing area associated with the jetty to Marine Rescue.

In a report to Council's Policy & Resources Committee on 14 April 2015 it was reported that RMS reached an agreement with Marine Rescue to berth an on-water vessel at this location subject to upgrading of the facility to benefit both parties. Council did not receive a funding offer for these upgrade works, however RMS would fully fund the project. The benefits outlined to Council to allow these funding works were that it may include improvement to pedestrian access, access for passive watercraft (such as stand up paddle boards and kayaks), limited parking and possibly the ability for dinghy storage.

Council's Policy & Resources Committee resolved in part on 14 April 2015 the following:

- c) *Support be given in principle, to the upgrading of the Admiralty Crescent Huskisson Jetty to facilitate permanent berthing by the Marine Rescue NSW and Roads & Maritime Services vessels with improved access to the public for passive watercraft subject to:*
 - i) *the project being funded 100% by RMS*
 - ii) *A property tenure agreement being entered into with Marine Rescue and Roads and Marine Services.*

As a result of the above minute, Council requires a new licence agreement to replace the existing permissive occupancy agreement. Department of Industry – Lands & Forestry has agreed to enter into a new licence agreement to allow Council to sub-licence the berthing areas to both Marine Rescue and RMS.

The agreed terms of the licence are as follows:

Licence Holder	Shoalhaven City Council
Purpose for which premises may be used	Berthing Area (11m x 4.5m), berthing Area (8.75m x 3.5m), Jetty (24m x 2.4m with "L" end 3.41m x 5.7m)
Commencement Date	Date of execution of the Licence
Initial Rent	\$524.70
Rent Review	Annually to CPI
Market Rent Review Period	3 years
Insurance – Public Risk	\$20 million
Improvements – Holder to remove on Expiry	Jetty
Holding Number	RI 571366

If required, further recommendations will be reported to Council in relation to the sub-licences to Marine Rescue and RMS.

Community Engagement

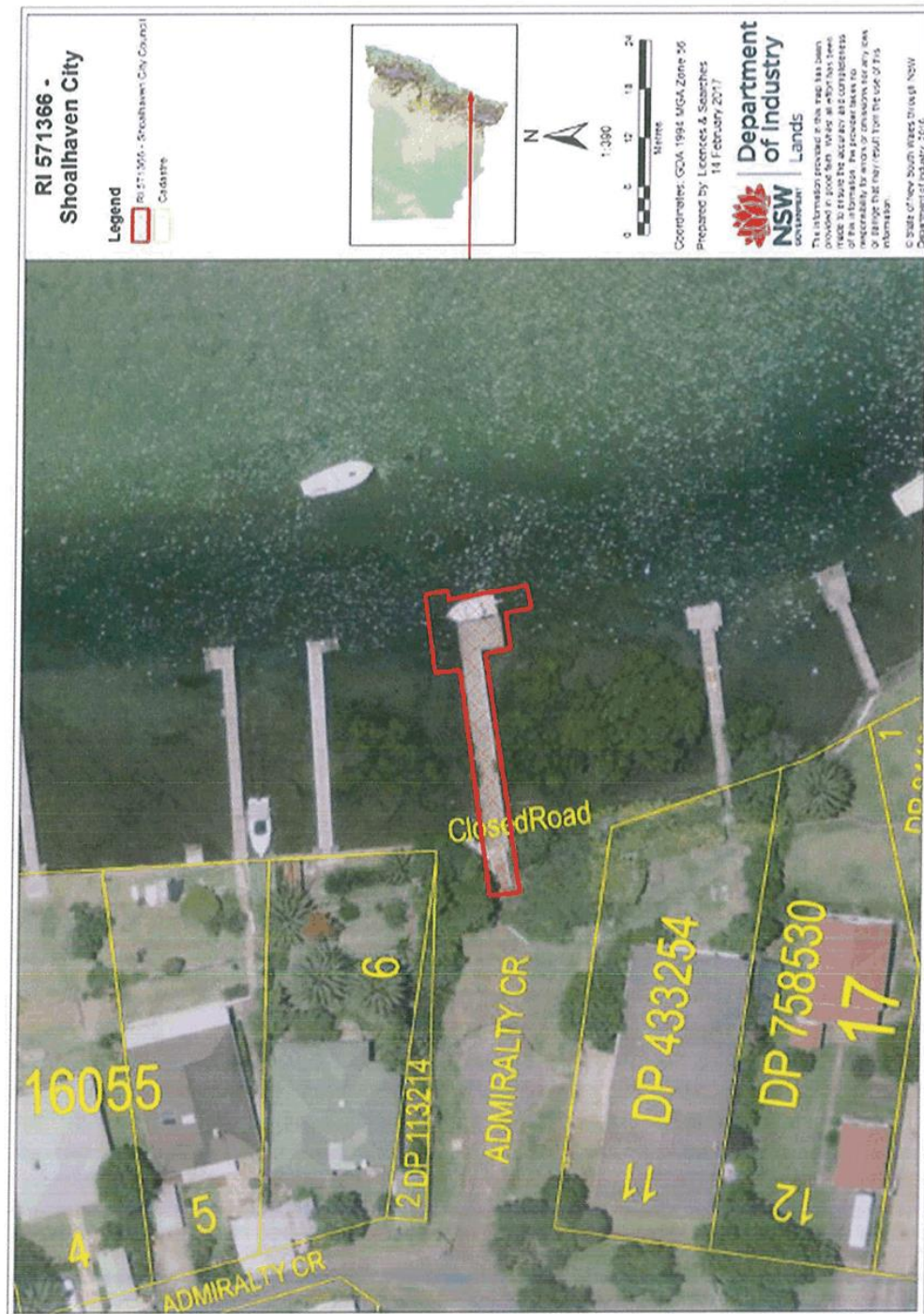
Notwithstanding the Council's jetty was upgraded by RMS, there is no requirement for any public notification resulting from this licence proposal.

Financial Implications

Council currently pays \$477.00 per annum under the permissive occupancy agreement. There will be a slight increase of \$47.70 for the annual rent to Council. However Council will recover the rent by way of sub-licence to RMS and Marine Rescue.

The only risk to Council is concerned with the possibility of being required to remove the structure if a licence is not executed, and the flow on effect to the Marine Rescue.

Attachment 1



SA17.309 - Attachment 1

SA17.310 Right of Carriage Way - Closed Section of North Street, Berry

HPERM Ref: D17/389070

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Proposed Right of Carriage Way - North Street, Berry [↓](#)

Purpose / Summary

To consider a proposal to create a right of carriage way (Attachment A) over proposed Lot 1, being the section of North Street, Berry which is to be closed in accordance with MIN17.143. The right of carriageway will benefit the adjoining land, currently known as Lot 202 DP1115401 owned by Roads and Maritime Services (RMS), and will be provided for nil consideration.

Recommendation

That Council:

1. Approve the creation of a right of carriage way over proposed Lot 1 being the section of North Street, Berry to be closed in accordance with MIN17.143 to benefit Lot 202 DP1115404;
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Options

1. Resolve as recommended.

Implications: Granting the right of carriageway (ROCW) allows the adjoining landowner, Roads and Maritime Services, to access North Street, Berry via the proposed shared driveway on the Council owned proposed Lot 1, following the closure of the subject area of road. The proposed development for the adjoining Lots 201 & 202 and Lot C is for the provision of an Ambulance Station to service the surrounding area. The ingress and egress from Lots 201 and 202 DP1115404 and Lot C DP386285 to Kangaroo Valley Road, Berry is by a left turn only. The creation of the ROCW over the Council owned Lot 1, will allow ingress and egress to the benefitting lot from North Street, Berry, providing better response times in the event that ambulance services are required in the areas west of Berry.

2. Provide further direction to staff and propose an alternative.

Background

At the Ordinary Council meeting of 21 February 2017, Council resolved to close a section of North Street, Berry to allow investigations and planning to continue for the construction of a

new Rural Fire Service station on the closed section of road. As part of this process, Council staff have also been in discussions with various state government departments including Roads and Maritime Services on the effect the road closure will have on the adjoining Lots 201 & 202 DP1115404 and Lot C DP386285. The discussions resulted in an in principle agreement which will allow reciprocal rights of carriageway being created over the Council owned proposed Lot 1 and the Roads and Maritime Services owned Lots 201 & 202 DP1115404 and Lot C DP386285 at nil consideration.

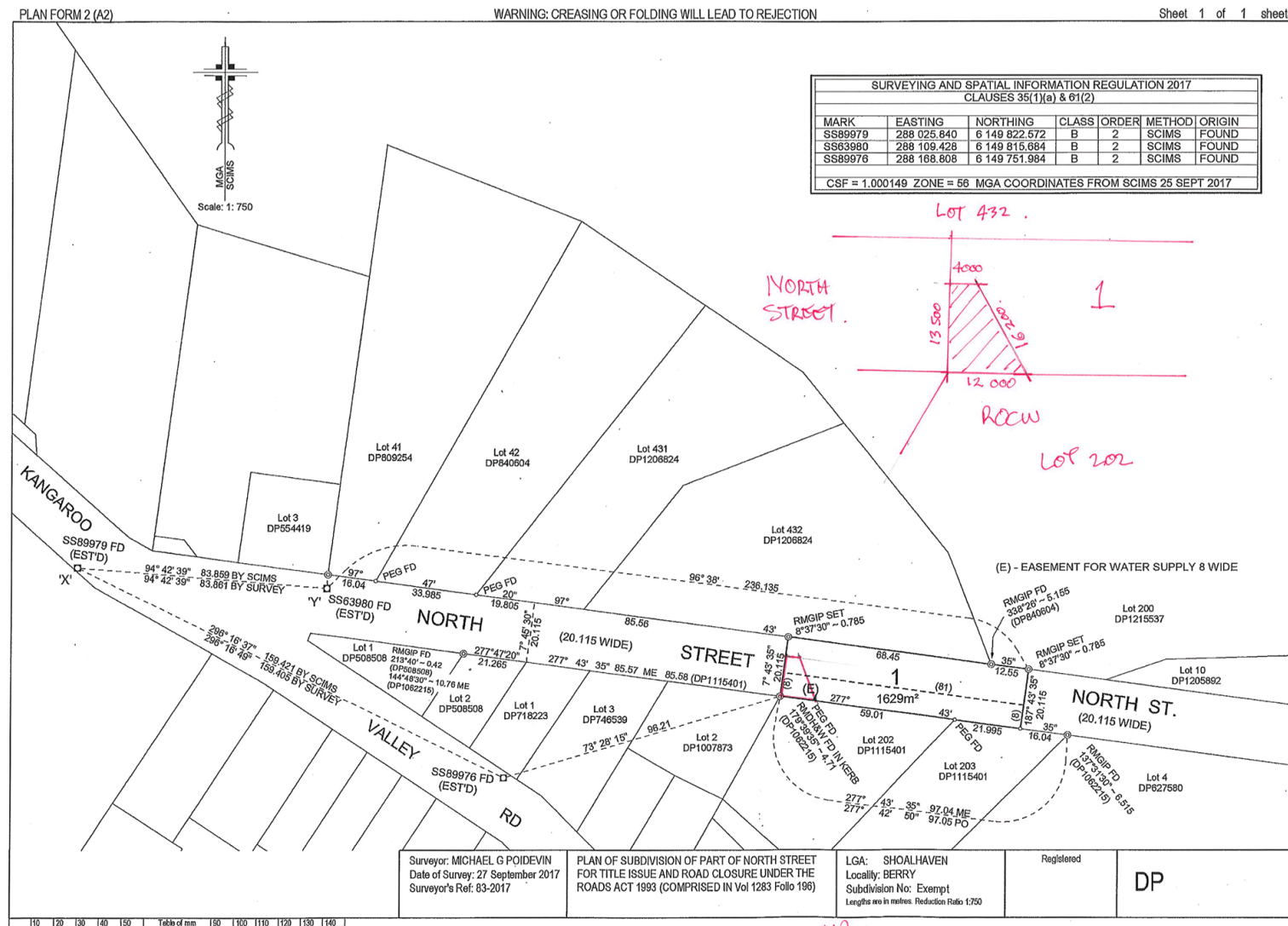
NSW Health (Ambulance) are in the process of acquiring the RMS land noted above for the construction of a new ambulance station.

Community Engagement

This matter is considered to be a local area low impact issue as detailed in Council's Community Engagement Policy and Handbook.

Financial Implications

There has been an in principle agreement reached to provide the right of carriageway with no compensation payable to Council. This agreement is on the basis that a reciprocal right of carriageway will be granted in favour of Council over Lots 201 & 202 DP1115404 and Lot C DP386285 with no compensation payable by Council.



SA17.311 Acquisition of Part Lot 2 DP1170503 - 124 Princes Highway, South Nowra

HPERM Ref: D17/395531

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Land Dedication Plan - Enterprise Avenue [↓](#)
2. Survey Plan - Enterprise Avenue [↓](#)

Purpose / Summary

This report seeks Council approval to acquire part of Lot 2 DP1170503 at 124 Princes Highway, South Nowra. The acquisition of this land will allow Enterprise Avenue, South Nowra to be extended in accordance with the Planning Agreement between Council and Palmira Holdings Pty Ltd, adopted by Council in August 2017 (MIN17.679).

Recommendation

That Council:

1. Acquire part of Lot 2 DP1170503 at South Nowra consisting of 582.4m² for the agreed sum of \$52,000 exc GST and pay reasonable costs incurred by the owner as a result of this acquisition in accordance with the Land Acquisition (Just Terms) Compensation Act (1991);
2. Funds to cover the cost of this acquisition be voted from S94 Project 01ROAD2143 (\$21,375.88) with the balance of \$35,000 voted from the Strategic Property Reserve;
3. The Strategic Property Reserve be reimbursed by future Section 94 contributions from Project 01ROAD2143;
4. Dedicate the acquired land as road pursuant to S10 of the Roads Act 1993;
5. Affix the Common Seal of the Council of the City of Shoalhaven to any documentation requiring the Seal to be affixed, otherwise the General Manager be given delegated authority to sign any documentation necessary to give effect to this resolution.

Options

1. Proceed in accordance with the recommendation.

Implications: Acquisition of this land will allow Council to meet its objectives as outlined in the Planning Agreement between Council and Palmira Holdings Pty Ltd.

2. Not proceed in accordance with the recommendation and propose an alternative.

Background

At the Development Committee Meeting of 8 August 2017, the committee (pursuant to its delegated authority) resolved:-

“That Council:

SA17.311

1. *Finalise and execute the Planning Agreement with the following changes:*
 - a. *Inclusion of contact details for Council and Palmira Holdings Pty Ltd;*
 - b. *Amend to Clause 36.3.1 of the Draft Planning Agreement to reference an additional development consent that the applicant has obtained;*
 - c. *Include the cost of drafting the Planning Agreement, including revisions; and*
 - d. *Include the Council processes to fund a portion of the project as agreed.*
2. *Prepare a draft amendment to the Shoalhaven Contributions Plan 2010 to reflect the revised costings and design for 01ROAD2149 (Enterprise Avenue) and receive a further report prior to public exhibition.*
3. *Continue and complete the process to acquire part of Lot 2 DP 1170503 to enable the construction works to be undertaken.”*

In accordance with point 3 of the abovementioned resolution and clause 37 of the adopted Planning Agreement, Council's Property Unit have successfully negotiated the acquisition of that part of Lot 2 DP1170503 as shown in the Land Dedication Plan (Attachment 1) shown as Proposed Lot 2 in the Survey Plan (Attachment 2). The agreed value of \$52,000 excluding GST is in accordance with Valuation advice received by Council and pursuant to the requirements stipulated within the Land Acquisition (Just Terms) Compensation Act (1991).

The acquisition of the subject area of land will allow the construction of an extension to Enterprise Avenue, as outlined within the Planning Agreement.

Community Engagement

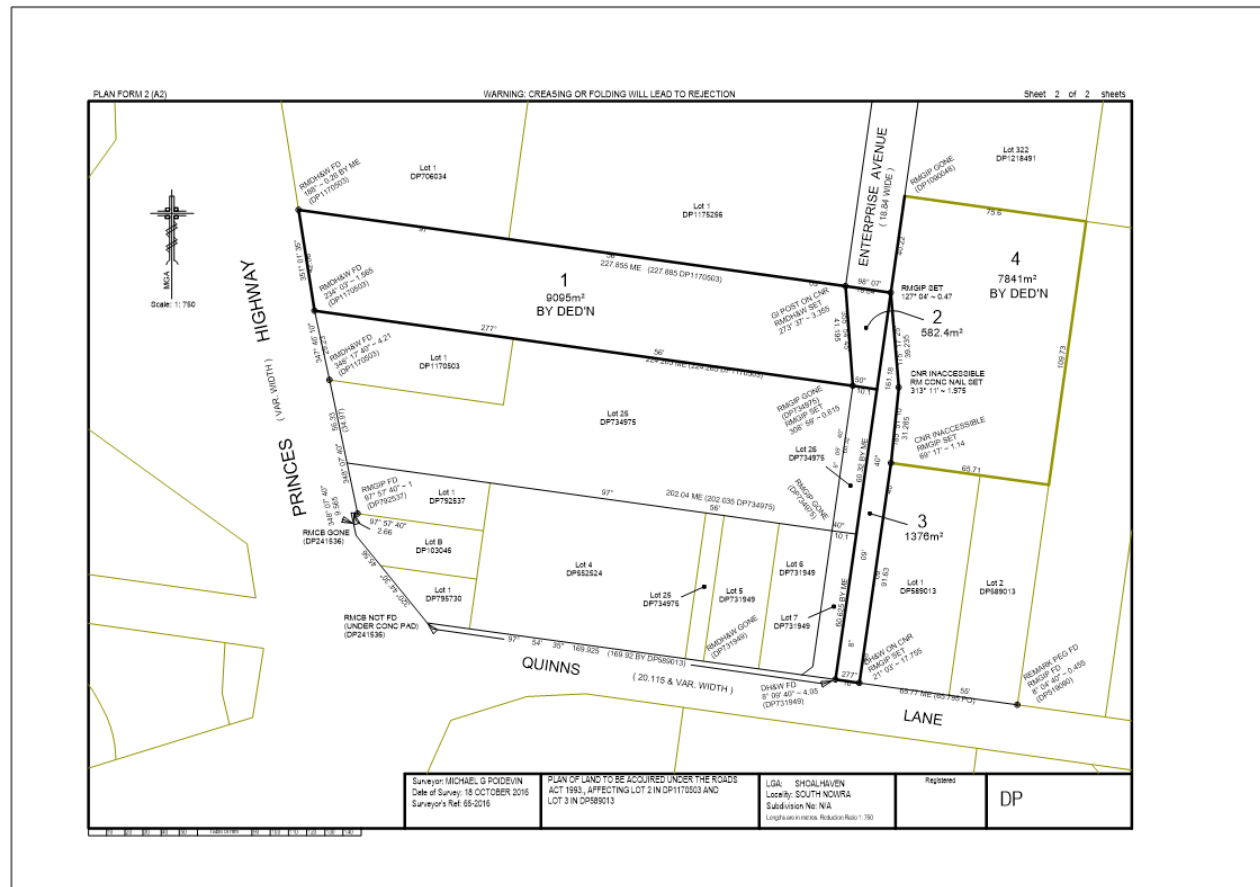
The Planning Agreement was exhibited in accordance with legislative requirements from 17 May to 16 June 2017 and the proposed acquisition was outlined within the Planning Agreement. No submissions were received.

Financial Implications

In accordance with the Land Acquisition (Just Terms) Compensation Act 1991, Council is responsible for payment of the agreed value and the land owner's reasonable legal and ancillary costs associated with the acquisition.

There is \$21,375.88 in the relevant S94 Fund to cover the cost of this acquisition. The balance of the acquisition costs together with monies required to pay any reasonable costs incurred by the owner in the amount of, say, \$35,000 are to be voted from the Strategic Property Fund with reimbursement to occur from future relevant Section 94 contributions.





SA17.312 Acquisition 333 Illaroo Road North Nowra

HPERM Ref: D17/397823

Group: Assets & Works Group

Section: Business & Property

Purpose / Summary

To allow Council to consider the acquisition of 333 Illaroo Road North Nowra, by agreement, and thus provide for the construction of the Far North Collector Road linking Illaroo Road North Nowra with Moss Vale Road Cambewarra.

Further information is provided in a separate confidential report in accordance with Section 10A(2)(c) of the Local Government Act 1993, if the information was disclosed this would confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Recommendation

That Council in accordance with Section 10A(2) (c) of the Local Government Act 1993, consider a separate confidential report on this matter.

Options

1. Council accept the recommendation as presented

Implications: Consider a separate confidential report outlining the proposal

2. Provide further direction to staff and propose an alternative.

Background

Council resolved at its Ordinary Meeting on 26 September 2017 MIN 17:879 that:

“Council authorise the commencement of negotiations for the acquisition of 333 Illaroo Road North Nowra in accordance with the provisions of the Land Acquisition (just Terms) Compensation Act 1991 and that a further Report on the outcome of the negotiations be considered”.

The confidential report details the outcome of the negotiations and is submitted for Council's consideration.

SA17.313 ISJO Regional Waste Strategy

HPERM Ref: D17/403117

Group: Assets & Works Group
Section: Works & Services

Attachments: 1. ISJO - Regional Waste Strategy 2017-21 - Short version - Public - Final (under separate cover) [⇒](#)
2. ISJO - Endorsement request letter [↓](#)

Purpose / Summary

To seek Council's support for the Regional Waste Strategy (attached) prepared by the Illawarra Shoalhaven Joint Organisation member Councils (ie Shoalhaven, Kiama, Shellharbour, Wollongong, Wingecarribee).

Recommendation (Item to be determined under delegated authority)

That Council

1. Endorse the Regional Waste Strategy 2017 – 2021 report as a high level framework for setting priorities and a long term direction for improved management of wastes and recycling in the region. and
2. Note that many of the actions and initiatives within the strategy are already supported by current staffing arrangements and if there is any additional funding required by the strategy this will be the subject of specific budget consideration by Council.

Options

1. As recommended

Implications: The strategy has been redeveloped to cover the period 2017 – 2021 from the original document prepared in 2013/14.

It provides regional collaboration on waste management issues, but still requires each member Council to prepare their own 'local' strategies to manage waste.

2. Not support the Regional Strategy

Implications: Grant Funding through the *NSW Waste Less Recycle More* program may not be available to the Shoalhaven.

Background

The EPA produced a state waste avoidance and resource recovery (WARR) Strategy 2014-21 which provides a high level framework for setting priorities and a long term direction for improved management of wastes and recycling in NSW. The Regional Strategy has six key result areas:

- Avoid and reduce waste generation
- Increase recycling
- Divert more waste from landfill
- Manage problem wastes better
- Reduce litter

- Reduce illegal dumping

Councils are required to contribute to meeting state targets provided for each Key Result Area by 2021/22. In order to assist organisations and Councils to achieve targets contributing to the 6 key result areas, the EPA and Environment Trust provide grant funding through their “Waste Less Recycle More” funding program.

For Councils to take advantage of the funding provided by the EPA it is a requirement that groups of Councils work together to develop a Regional Waste Avoidance and Resource Recovery Strategy for the period 2017 to 2021. A precursor to this was the Southern Councils Group strategy developed in 2013 with a 2014-2017 Action Plan to drive the activities.

An updated Regional Strategy has been developed for the Illawarra Shoalhaven Joint Organisation (ISJO) in collaboration with staff from each of the 5 member Councils. As the waste management systems are different in each of the member Councils, the strategy is based on extending regional collaboration to address *whole-of-region* waste management and resource recovery issues.

The Regional Strategy is based on a number of Objectives, as follows:

Theme	Objectives
Theme 1: Waste Avoidance and Reduction	<ul style="list-style-type: none"> • To promote community enterprise reuse efforts and support better practice models for reuse and reduction
Theme 2 & 3: Increase Recycling and Divert Waste from Landfill	<ul style="list-style-type: none"> • To increase resource recovery by improving community engagement, extending opportunities for recycling and expanding the range of materials collected
Theme 4: Manage Problem Wastes Better	<ul style="list-style-type: none"> • To increase participation in drop off centres (including CRCs) • To provide a regionally consistent approach to all problem waste management, including bulky, toxic and hazardous wastes
Theme 5: Reduce Litter	<ul style="list-style-type: none"> • To work with key stakeholders and the community to reduce litter volumes at priority sites • To continue to collect data to inform litter reduction projects
Theme 6: Reduce Illegal Dumping	<ul style="list-style-type: none"> • To work with key stakeholders and the community to reduce illegal dumping • To seek opportunities to better manage the illegal dumping of problem and hazardous waste
Theme 7: Improve Regional Governance	<ul style="list-style-type: none"> • To identify, implement and support cost-effective regional solutions to manage waste

The Regional Strategy Targets established are measurable and time-bound, and provide further direction to each Strategy Themes. The established Strategy Targets strike a balance between the NSW WARR aspirational targets and what is considered to be realistic for the region.

Policy Implications

The Strategy provides for regional collaboration on waste management issues, but still requires each member Council to prepare their own 'local' strategies to manage waste.

The 'local' Shoalhaven Waste Strategy will be presented to Council for consideration in early 2018. An early draft of this document has already been distributed to Councillors by the Works and Services Manager seeking initial feedback/discussion. After this initial feedback is received a more extensive consultation process will be undertaken as part of the strategy development.

Financial Implications

Shoalhaven will continue to support implementation of the Regional Strategy by allocating resources 'in kind' through existing education and promotion activities. Staff will continue to attend ISJO meetings and workshops.

Grant funding opportunities are available for Councils participating in the strategy.



Illawarra Shoalhaven Joint Organisation
PO Box 148
KIAMA NSW 2533
info@isjo.org.au

Tel: 02 4232 3200
Fax: 02 4232 3665

28 November 2017

Russ Pigg
General Manager
Shoalhaven City Council
Via email: pigg@shoalhaven.nsw.gov.au

Dear Russ

SOUTHERN REGION WASTE PROGRAM - REGIONAL WASTE STRATEGY 2017-2021

The Illawarra Shoalhaven Joint Organisation in collaboration with Wollongong, Shellharbour, Kiama, Shoalhaven and Wingecarribee Councils have developed the Southern Region Waste Program's Regional Waste Avoidance and Resource Recovery Strategy 2017-2021. The Strategy review and development, funded through the EPA's Regional Coordination Support Package, involved individual council interviews and joint council workshops to identify and refine its vision, objectives and targets.

A copy of the final draft Strategy was distributed to Shoalhaven Council's representative on the Waste Strategy Working Group and is also attached to this correspondence.

The EPA has asked that we confirm that your Council endorses the new regional Strategy. To this end, could you please sign and return this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lesley Scarlett'.

Lesley Scarlett
Executive Officer

I, Russ Pigg General Manager Shoalhaven City Council, endorse the Southern Region Waste Program Regional WARR Strategy 2017-21.

Russ Pigg



SA17.314 Outcomes of Exhibition and Proposed Finalisation - Draft Local Approvals Policy

HPERM Ref: D17/360794

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments: 1. Draft Shoalhaven Local Approvals Policy - Post Exhibition Consideration (under separate cover) [⇒](#)
2. Draft Shoalhaven Local Approvals Policy - Explanatory Statement [↓](#)

Purpose / Summary

- a) To consider submissions received during the public exhibition of the draft Shoalhaven Local Approvals Policy (LAP); and
- b) Adopt the LAP and undertake the required steps to enable finalisation.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the draft Shoalhaven Local Approvals Policy at Attachment 1 with the noted changes.
2. Obtain approval of the Chief Executive of the NSW Office of Local Government for Part 1 of the draft Shoalhaven Local Approvals Policy prior to finalisation.
3. Give public notice of the adoption of the Shoalhaven Local Approvals Policy as per legislative requirements, following finalisation.
4. Rescind the following policies when the Shoalhaven Local Approvals Policy becomes effective:
 - a. POL16/268 – Local Approvals Policy On-site Sewage Management.
 - b. POL16/229 - Caravan Parks in Flood Prone Areas Policy (DCP / LAP).
 - c. POL16/240 - Local Approvals Policy Mobile Food Stalls/Vehicles and Temporary Food Premises.
5. Notify relevant stakeholders and submitters of this resolution and again following finalisation of the Shoalhaven Local Approvals Policy.

Options

1. As recommended.

Implications: This is the preferred option as it will enable the draft LAP to proceed to finalisation. The draft LAP consolidates all Council's existing LAP's and some related policies in the format required by the *NSW Local Government Act 1993* (LG Act) which will enable Council to meet its obligations in this regard.

2. Adopt an alternative recommendation.

Implications: This will depend on the extent of any changes and could postpone the implementation of a citywide LAP.

3. Not adopt the recommendation.

Implications: This could stop the implementation of a citywide LAP. This option is not preferred as adopting a citywide LAP is a positive step in rationalising existing approaches to local approvals across Council. By not progressing the LAP, Council's obligations under the LG Act will not be met.

Background

Section 68 of the LG Act specifies that certain activities can only be carried out with the local approval of Council under the provisions of that Act, except in the case of local or legislative exemptions.

A local approval may be required in isolation (e.g. where a land use/activity is exempt or permitted without consent) or in addition to development consent. Activities requiring local approval include: activities on community land, installation of sewage management systems, footpath dining, temporary food stalls, installation of caravans/manufactured homes, mobile food vehicles, water supply, sewerage, stormwater drainage work etc.

Following a resolution from Council's Development Committee on 3 February 2017, the draft LAP was prepared under the provisions of the LG Act to assist Council in meeting its obligations relating to local approvals. The draft LAP includes the following mandatory parts:

- Part 1: Exemptions - the circumstances (if any) in which a person would be exempt from the necessity to obtain a particular approval of the council.
- Part 2: Criteria - the criteria (if any) which the council must take into consideration in determining whether to give or refuse an approval of a particular kind.
- Part 3: Other Matters - other matters relating to approvals.

The draft LAP consolidates the criteria and advice contained in a number of existing LAPs and policies of Council, which is in line with the direction of the NSW Office of Local Government to ensure consistency.

On 15 August 2017, Council's Strategy and Asset Committee resolved under delegation (MIN17.703) to:

1. *Endorse the draft Local Approvals Policy at Attachment 1 for public exhibition.*
2. *Publicly exhibit the draft Local Approvals Policy for 28 days and receive comments for 42 days from the commencement of the exhibition period in accordance with Section 160 of the Local Government Act 1993.*
3. *Receive a future report following public exhibition to enable any submissions to be fully considered and any changes made prior to:*
 - *Council adoption; and*
 - *Subsequent process to obtain consent of the Chief Executive of the Office of Local Government for Part 1 of the Local Approvals Policy prior to finalisation.*

Community Engagement – Public Exhibition

Consistent with the Council resolution and the requirements of the LG Act, the draft LAP was exhibited for a period of 45 days from Wednesday 27 September to Friday 10 November 2017.

The draft LAP was exhibited at Council's Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla during business hours and on Council's website. The exhibition material remains available on Council's website (<http://shoalhaven.nsw.gov.au/My-Council/Public-exhibition/Documents-on-exhibition>) and includes the following:

- Draft LAP document.
- Explanatory Statement (**Attachment 2**) - outlines the role and form of the draft LAP and a link to all policies and guidelines referred to within the draft LAP that better enables the draft LAP and its implications to be understood.
- Newspaper advertisement.

Submissions

Three (3) internal submissions were received as a result of the public exhibition and these relate to minor typographical errors and administrative matters that had been identified. The key issues raised and staff comments in response are provided below.

Number	Submission Summary	Comment
1	Omission – add words to Section 4.1 – <i>Assessment of an application</i> : “Due to the nature and type of works/activities requiring approval under the <i>LG Act</i> and the <i>Roads Act 1993</i> [, these applications] are not generally notified.”	Supported. The addition of this wording will enhance readability and clarify that applications for approvals are not generally notified.
	Amend word in Section 4.1 – <i>Determination</i> – clarify that it is a modification to an approval: “In such cases, and depending on the circumstances, an applicant can seek to lodge a new application or alternatively request to modify/extend an existing application [approval].”	Supported. By replacing the word ‘application’ with ‘approval’, it clarifies that there is an opportunity to modify an existing approval.
2	Section 3.2 <i>Operate an on-site sewage management system</i> (C6 activity) – Advice: Replace reference to “Drainage Application Form” with “Approval to Operate a System of Sewage Management Application Form”.	Supported. The “Approval to Operate a System of Sewage Management Application Form” is the correct form. The relevant hyperlink will need to be included. Reference to drainage application in Part 3 <i>On-site sewage management systems</i> (C5 & C6 activity) will need to be supplemented with reference to on-site sewage management.
3	Replace “Food Vans” with “Mobile Food Vehicles” throughout for consistency.	Supported. This will ensure consistency in terminology across the LAP.
	Insert reference to “Mobile Food Vehicles and Temporary Food stalls Guidelines” in the advice section in Section 3.2 <i>Mobile food vehicles on Council land</i> (D1 Activity).	Supported. The Guideline provides important advice in relation to this activity. The relevant hyperlink will need to be included.
	Replace “Itinerant Food Vans” with	Supported. This will ensure

	“Mobile Food Vehicles (Itinerant Food Vendors)” in the criteria section in Section 3.2 <i>Mobile food vehicles in a public place</i> (F7 Activity).	consistency in terminology across the LAP.
	In the advice section in Section 3.2 <i>Mobile food vehicles in a public place</i> (F7 Activity): <ul style="list-style-type: none"> • Confirm that the “Mobile Food Vending Guidelines” apply to Category 2 Mobile Food Vehicles; and • Insert reference to note that the “Mobile Food Vehicles and Temporary Food Stalls Guidelines” apply to both Category 1 and Category 2 Mobile Food Vehicles. 	Supported. This will assist in clarifying which Guidelines apply in relation to Category 1 and 2 Mobile Food Vehicles. Hyperlink required.
	In Section 3.2 <i>Sale of food and articles in a public place</i> (F7 Activity), replace reference to “mobile food stalls and temporary food premises, refer to criteria in” with “mobile food vehicles and temporary food stalls, refer to”.	Supported. This will ensure consistency in terminology across the LAP. It is noted that the term “food vans” will also need to be replaced with “temporary food stalls” in Section 3 for consistency.
	Replace reference to “Mobile Food Stalls/Vehicles and Temporary Food Premises Policy” with the “Mobile Food Vehicles and Temporary Food stalls Guidelines” in the criteria section in Section 3.2 <i>Sale of food and articles in a public place</i> (F7 Activity).	Supported. This report recommends that POL16/240 - Local Approvals Policy Mobile Food Stalls/Vehicles and Temporary Food Premises be rescinded and ultimately replaced with the Mobile Food Vehicles and Temporary Food Stalls Guidelines. The Guideline provides important criteria in relation to this activity. The relevant hyperlink will need to be included.
	Insert additional criteria in Section 3.2 <i>Installation of solid fuel or domestic oil heater</i> (F4 Activity): <ul style="list-style-type: none"> • If second hand, have a compliance plate stating compliance with the emission requirements of AS/NZS 4013:2014 & AS/NZS 4012:2014. • A timber storage area out of the weather must be provided so that timber used in solid fuel heaters has a maximum moisture content of 20%. 	Supported. Council’s Strategy and Assets Committee supported the inclusion of criteria relating to second hand solid or oil fuelled heaters at its meeting on 21 November 2017 (MIN17.988). The existing content will need to be restructured to accommodate the new criteria.

SA17.314

A copy of the draft LAP showing all recommended amendments following public exhibition that are identified in the above is provided as **Attachment 1**.

It is noted that these amendments are not considered to be substantial and therefore the draft LAP can be adopted without further public exhibition as per Section 161 (2) of the LG Act.

Finalisation Process

Under the provisions of the LG Act, a Council has no power to adopt any exemptions specified in Part 1 (Exemptions) of a LAP. The LAP includes a local exemption for Ceremonies on Public Land (D6 Activity) under Part 1 (Exemptions). As such, approval is required from the Chief Executive of the NSW Office of Local Government for the adoption of that part following the adoption of the LAP by Council.

Any changes required by the NSW Office of Local Government will be reported back to Council accordingly. Should no changes be required, the LAP can be finalised.

Conclusion

It is recommended that Council adopt the LAP at Attachment 1 with all suggested changes resulting from public exhibition and obtain approval from the OLG for the local exemption in Part 1 (Exemptions). The rescission of the three policies of Council will further streamline Council's existing processes.

Policy Implications

As mentioned above, the LAP consolidates the criteria and advice contained in a number of existing LAPs and policies of Council. Upon the citywide LAP becoming effective, it is recommended that the following policies be rescinded:

- POL16/268 – Local Approvals Policy On-site Sewage Management.
- POL16/229 - Caravan Parks in Flood Prone Areas Policy (DCP / LAP).
- POL16/240 - Local Approvals Policy Mobile Food Stalls/Vehicles and Temporary Food Premises.

The relevant content of POL16/268 and POL16/229 is now wholly contained in either the LAP or Shoalhaven Development Control Plan 2014.

The relevant content of POL16/240 is in the process of being adapted into a guideline i.e. Mobile Food Vehicles and Temporary Food Stalls Guideline (Guideline). It is noted that a guideline is not a policy of Council and may be amended by Council staff from time to time as required without a resolution of Council. The Guideline will be available on Council's website when effective.

A number of other policies of Council may require modifications following adoption of the LAP. These changes may include restructuring from an LAP format to a policy format, or to update or include references to the LAP as required. Any proposed amendments to existing policy will be reported accordingly.

Financial Implications

Finalisation of the LAP will be resourced within the existing Strategic Planning budget.

Risk Implications

Under Section 77 of the LG Act, Council is required to bring the relevant matters relating to local approvals to the notice of intending applicants. In accordance with Section 165 of the LG Act, all LAPs are automatically revoked 12 months after the declaration of the poll for a general election of the Council.

It would be in the best interest of Council to progress the finalisation of the LAP as recommended to ensure Council meets its obligations under the LG Act.



Overview

The draft Shoalhaven Local Approvals Policy (LAP) seeks to consolidate Council's existing LAP's into one Citywide instrument to ensure consistency and provide an integrated framework to consider applications for local approvals.

Local Approval Policies

A LAP is a policy prepared under the provisions of the *Local Government Act 1993* (LG Act) to assist Councils in meeting its obligations relating to local approvals. Section 68 of the LG Act specifies that certain activities can only be carried out with the approval of Council under the provisions of the LG Act, except in the case of local or legislative exemptions.

A local approval is different to development consent issued under the *Environmental Planning and Assessment Act 1979*. A local approval may be required in isolation (e.g. where a land use/activity is exempt or permitted without consent) or in addition to development consent. Activities requiring local approval can include: activities on community land, installation of sewage management systems, footpath dining, street stalls, installation of caravans/manufactured homes, mobile food vans, water supply, sewerage, stormwater drainage work etc.

Draft Shoalhaven Local Approval Policy

Council currently has a number of individual LAP's across a number of groups of Council which vary in format and content. Council resolved on 3 February 2015 to 'review Council's existing LAP's and incorporate them into one Council-wide LAP in accordance with the *Local Government Act 1993* requirements'.

As per Council's resolution, the draft LAP has consolidated Council's existing LAP's into a Citywide instrument that will be readily available, easy to use and consistent with the requirements of the LG Act.

The draft LAP specifies:

- Part 1: Exemptions - the circumstances (if any) in which a person would be exempt from the necessity to obtain a particular approval of Council.
- Part 2: Criteria - the criteria (if any) which Council must take into consideration in determining whether to give or refuse an approval of a particular kind.
- Part 3: Other Matters - other matters relating to approvals.

Further Information

The draft LAP is on exhibition from 27 September to 10 November 2017 (inclusive). Written comments should be addressed to the General Manager, Shoalhaven City Council, PO Box 42, Nowra 2541 or emailed to council@shoalhaven.nsw.gov.au by Friday 10 November 2017 quoting Council's reference 50284E.

Enquiries to Jenna Tague on (02) 4429 3553.

Exhibition Documents

1. Draft Shoalhaven Local Approvals Policy.
2. Explanatory Statement.
3. Newspaper advertisement.
4. Policies and guidelines referred to within the draft LAP that better enable the draft LAP and its implications to be understood:
 - [Private Functions on Public Reserves Policy.](#)
 - [Cross Connection Control and Backflow Prevention Policy.](#)
 - [Minor Mains Extension Policy.](#)
 - [Provision Of Water And Sewerage Infrastructure – Developments not included in Development Servicing Plans.](#)
 - [Rural Water Supply Policy.](#)
 - [Rural Wastewater Connection Policy.](#)
 - [Water Hydrant Standpipe Extraction Policy.](#)
 - [Pressure Sewer System Policy.](#)
 - [Building over Sewers Policy.](#)
 - [Liquid Trade Waste Discharge to Sewerage System Policy.](#)
 - [Mobile Food Vending Guidelines.](#)
 - [Events Policy.](#)
 - [Mobile Food Stalls/Vehicles and Temporary Food Premises Policy.](#)
 - Environmental Protection Authority document: [Selecting, installing and operating domestic solid fuel heaters.](#)

Note: Hard copies of these policies and guidelines are available for viewing during the exhibition period at Council's Administrative Offices; Bridge Road, Nowra and Deering Street, Ulladulla, during business hours. Electronic versions are available by following the hyperlinks above or in the draft LAP.

Copies of the Exhibition Documents are available on Council's website at:

www.shoalhaven.nsw.gov.au/MyCouncil/Publicexhibition

SA17.315 2016/17 State of the Environment Report

HPERM Ref: D17/393655

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Shoalhaven City Council 2016/17 State of the Environment Report (under separate cover) [↗](#)

Purpose / Summary

The purpose of this report is to inform Council of the completion of the Shoalhaven City Council 2016/17 State of Environment Report (SoE).

Recommendation (Item to be determined under delegated authority)

That the report be received for information.

Options

1. As recommended.

Background

The purpose of the SoE Report is to provide a summary of the attributes of the local government environment and the human impacts on that environment. It also provides a public record of the activities of government, industry and the community in protecting and restoring the environment. A key component of a SoE report is Ecologically Sustainable Development (ESD) and Council's progress towards ESD.

The preparation of a SoE Report is a requirement of the Local Government Act. The attached 2016/17 Summary SoE Report has been completed and will be published in Council's Annual Report and on Council's web site.

Stand out statistics for 2016/17

Community

- Total waste collected at kerbside has increased 50 kilograms per capita since 2008/09.
- 19% of the wastewater collected by Council in 2016/17 was recycled and used as irrigation on farmland.
- Residential Water consumption has remained relatively static since 2010.
- More than 600 water samples were collected and approximately 5,000 tests were conducted over 20 catchments last year. 71 % of these tests passed the Water Quality Guidelines for primary contact water.

Corporate

- Council's corporate energy consumption has decreased from 1.32 gigajoules to 1.24 gigajoules per resident per day since 2009.
- Council increased the proportion of 4 cylinder vehicles by 40% since 2009. **Shoalhaven City Council is currently tracking better than average when compared against other Local Government Areas.**
- Council has reduced its greenhouse gas emissions by 12.7% on 2008/09 levels. **Shoalhaven City Council is currently tracking 11% better than the national average when compared against other Local Government Areas for greenhouse gas emissions.**
- Average water consumption at Council assets has decreased by 12.5% since 2010. **Shoalhaven City Council is currently tracking 4% better than the national average when compared against other Local Government Areas.**

Key Issues:

Reporting Improvements

Council's SoE reporting has changed over the years to meet the needs of the users of the report. To date, this has occurred by refining the way we report information for each indicator or by simply adding more indicators.

Staff have continued to work with a consultant (Planet Footprint) to refine the format of the SoE Report with the aim of providing information in a more simplified and standardised manner that is easier to interpret.

This year the Summary report uses the Planet Footprint report card which has been produced to provide a 'snapshot' of our state of the environment. These report cards reflect both the Council's corporate environmental footprint and the community's environmental footprint.

This report is presented in a graphical format, which is easily converted to media releases and has many promotional applications that we currently cannot take advantage of. These report cards are included for information.

With the introduction of integrated reporting it is intended that the State of the Environment Report reflects the environmental issues raised in Council's Integrated Strategic Plan. The SoE reports on how well these issues are tracking and can influence the direction of Council's Plans in the future.

Future SoE reports need to ensure there is a link between this report and Council's Integrated Strategic Plan.

Community Engagement

Extensive community consultation was undertaken for the Strategic Plan. The information gathered in the surveys and face-to-face interactions were collated, and used in the preparation of Council's Integrated Strategic Plan. This information will now be used to ensure that Council's State of the Environment Report focuses on the environmental issues that the community considers are a priority.

SA17.316 Tenders - Human Waste Removal Services

HPERM Ref: D17/369959

Group: Shoalhaven Water Group
Section: Water Customer & Business Services

Purpose / Summary

To inform Council of the tender process for human waste removal services.

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

Recommendation

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

Options

1. Council accept the recommendation as presented.
2. Council amend the recommendation.

Implications: Council may diminish the competitive commercial values of the tenders received or prejudice the tenderers legitimate interests if these matters are discussed non-confidentially.

3. Council not accept the recommendation.

Implications: Council propose an alternative resolution. Depending on that resolution Council may not be able to deliberate on the tender process for human waste removal services while giving consideration to all the available information.

Details

Introduction

The current contract for human waste removal services expires in February 2018 and a review of Council's continued involvement with this service was undertaken. This review included consultation with customers who utilise the various human waste removal options because their property is not connected to reticulated sewerage. It also considered whether a commercial market existed outside of any contracted arrangement.

Council's Strategy & Assets Committee were provided with a comprehensive report and at the Ordinary Meeting on 28 February 2017 resolved to;

1. Seek tenders for human waste removal services, and
2. Apply full cost recovery to all fees and charges relating to human waste removal services commencing 1 July 2018.

This report fulfils part 1 of that resolution and the resultant contract related costs for services will be factored into customer charges from 1 July 2018. Those charges will be presented to Council for consideration as part of the normal annual budget, fees and charges process in early 2018.

Background

There are currently 686 properties that utilise effluent pump out services and approximately 10,000 properties across the city that require septic tank cleanouts when required. The current contract commenced in 2013 and an extension option was exercised in accordance with the terms of the contract.

Consistent with Council policy and the Local Government Tendering Regulations, a formal request for tender was compiled and this sought tenders based on a term of three years to commence 1st March 2018. Included in the tender is the option for Council to extend the contract for a further term of up to two years.

In accordance with Council guidelines, tenders were invited by national newspaper advertising and 42 day period was provided for the submission of responses.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Cleanaway Waste Management Limited	Tenderlink
Staples Brothers (Nowra) Pty Ltd T/A Premier Pumpouts	Tenderbox
Tox Free Australia Pty Ltd	Tenderlink

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

Community Engagement:

There has been ongoing community engagement in the review of human waste removal services and the tender process. Shoalhaven Water dedicated a number of pages on the website to provide information about the review and progress. These pages included regularly updated "discussion points" with information and links. Following the Council decision to continue with services under a contracted arrangement all customers that utilise the schedule effluent servicing arrangement were advised of that outcome and encouraged to monitor the Shoalhaven Water website. Further details alerting customers to this report were contained within the annual mailout to all effluent customers regarding services over the peak holiday season.

Financial Implications:

Sufficient budget has been allocated in the sewer fund for the service provision from 1 March 2018.

SA17.317 Acquisition and sale of land at Huskisson

HPERM Ref: D17/371168

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Attachments: 1. Draft Survey Plan - boundary adjustment [↓](#)

Purpose / Summary

This report is submitted to seek Council approval to:

1. Acquire part of Lot 100 DP1222232 at Field Street, Huskisson from Brendan Aulsebrook due to the encroachment of a sewer pumping station on that land, and
2. Sell part of Council land Lot 5 DP544758 to the adjoining owner, Brendan Aulsebrook, due to the encroachment of a concrete pathway on the that land.
3. The land to be purchased and sold is shown on the attached draft survey plan.

Recommendation

That Council resolve to:

1. Acquire part of Lot 100 DP1222232 at Huskisson, shown highlighted yellow on the attached draft survey plan, for an amount of \$19,500 plus GST.
2. Sell part of Lot 5 DP544758 at Huskisson, shown highlighted blue on the attached draft survey plan, for an amount of \$2,500 plus GST.
3. Reimburse the owner's reasonable legal costs in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund. Proceeds from the sale of the Council land are to be paid to that fund to partially offset the acquisition costs.
4. Classify the acquired land as Operational land in accordance with Section 31(2) of the Local Government Act.
5. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

Options

1. Resolve as recommended. The transactions are to formalise encroachments on adjoining properties.
2. Not resolve as recommended and provide further directions to staff.

Background

A Shoalhaven Water sewer pumping station at Huskisson is located partially on Council land and partially on adjoining private land. A boundary fence from the adjoining property

originally encroached on the Council land. Following redevelopment of the private land for a commercial use, a concrete pedestrian path now partially encroaches on the Council land.

A land swap is proposed to formalise the encroachments. The attached survey plan has been prepared as a boundary adjustment plan. Upon registration of the plan and completion of the transactions, Lot 100 DP1222232 (Aulsebrook's land) will become Lot 60 in the new plan and Lot 5 DP544758 (Council's land) will become Lot 61 in the new plan.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the land to be acquired by Council at \$18,000. The assessment had regard to loss of building space for the commercial development due to the shape of the property. The land to be sold by Council was valued at \$1,500 and assessed as landscape area for the development.

The valuations were based on estimated areas on a preliminary sketch plan. The attached survey plan has now determined both areas to be slightly larger. On a pro-rata basis the valuations are adjusted as follows:

- Land to be acquired - \$19,500.
- Land to be sold - \$2,500.

A conditional offer at those amounts, plus GST, has been accepted by the adjoining landowner.

Financial Implications

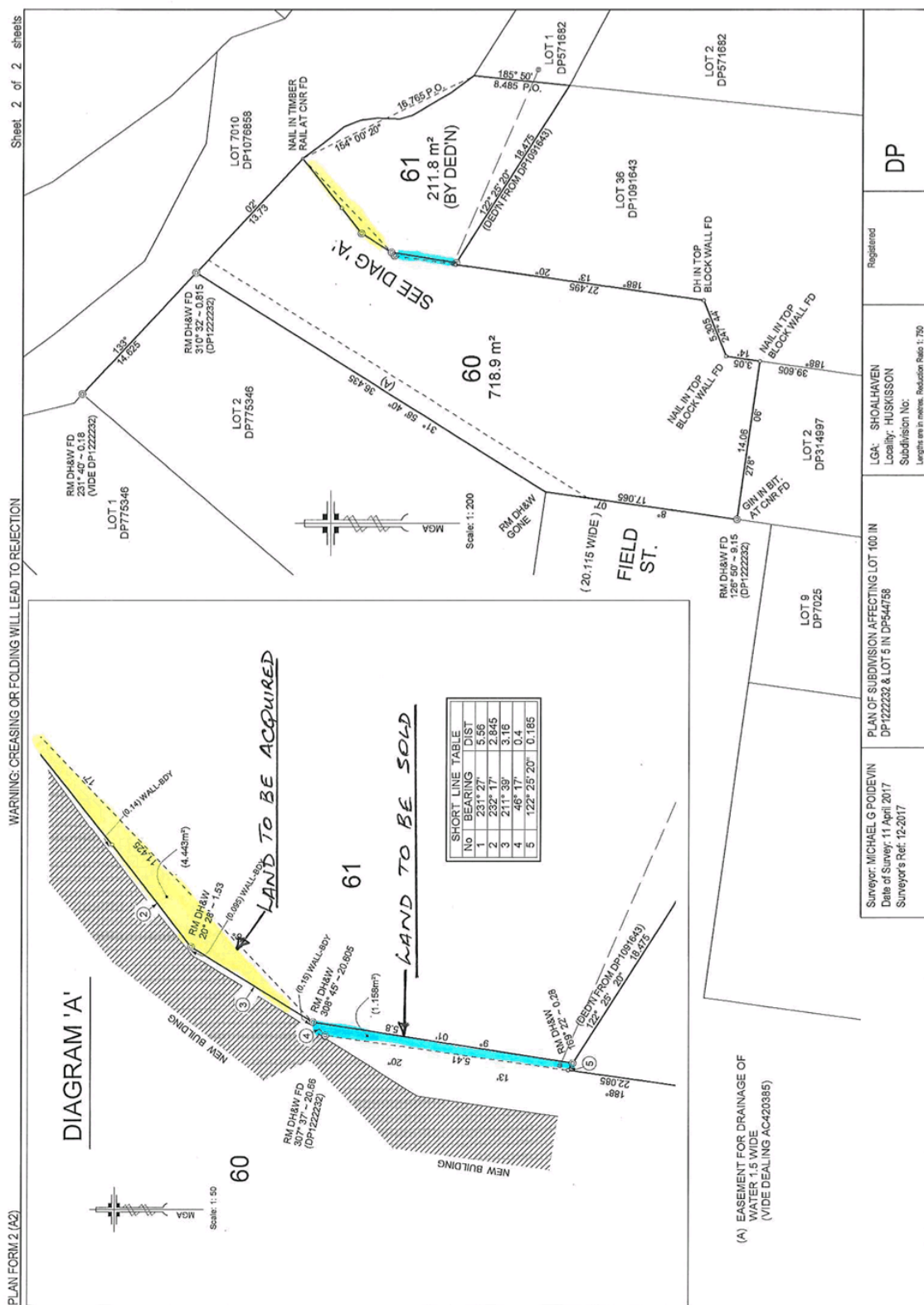
The compensation and reasonable legal costs associated with the transactions are to be funded from Council's Sewer Fund. It is understood that GST is applicable on the transactions

Risk Implications

Acquisition of the land is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure.

The sale of a minor part of the Council land (1.15 sq metres) will have no discernible effect on its use as a public reserve. However, the concrete path is a potential liability for Council if part remains on the public reserve.

The proposed action is administrative and has no environmental impact.



SA17.318 Payment of Dividend from Shoalhaven Water 2016-17

HPERM Ref: D17/389075

Group: Shoalhaven Water Group
Section: Water Customer & Business Services

Attachments: 1. Best Practice Guidelines Criteria [↓](#)
2. Best Practice Management Report on Audit [↓](#)
3. Notes to Special Purpose Financial Statements [↓](#)

Purpose / Summary

The purpose of this report is to enable Council to pay a dividend from the water to the general fund. The intention to pay a dividend for the 2016-17 financial year was forecast within Council's Delivery Program and Operational Plan. It was also forecast that no dividend would be paid from the sewer fund due to the significant capital expenditure commitments.

Any dividend payable is subject to continued compliance with the NSW Government Best Practice Management of Water Supply and Sewerage guidelines. The dividend amount is also capped under these guidelines and requirements of NSW Office of Local Government. This report is submitted as required by those guidelines and on the basis that Council seeks to pay a dividend.

Recommendation

That Council determines that "substantial compliance" of the criteria in the Best Practice Management of Water Supply and Sewerage Guidelines has been achieved and a dividend will be paid from the water fund to the general fund for the 2016/2017 budget year.

Options

1. Council could choose not to pay a dividend from the water fund.

Implications: The amount equal to the dividend would remain in the water fund reserve and budget revenue forecast in the general fund would need adjustment.

2. Council could choose to pay an amount which is less than the full dividend.

Implications: As per above for the amount not paid.

Background

If a dividend is to be taken from the water fund, Council must provide an independent audit report and resolve in a Council meeting open to the public that it has achieved "**substantial compliance**" with each criterion of the Best Practice Management of Water Supply and Sewerage Guidelines – August 2007.

This report outlines those matters relating to the independent audit of the Best Practice Management Guidelines and provides a resolution that it has achieved “substantial compliance” for a dividend to be taken.

Since Council resolved at its meeting of 1 September 2003 to adopt the Best Practice Management Guidelines, substantial compliance has been achieved each year to enable a dividend to be paid as applicable. If Council intends to again pay a dividend for 2016/17, the Shoalhaven Water business will have paid \$34,806,954 in Dividends and Tax Equivalents from the water and sewer funds as applicable since 2003.

There is six criteria as shown in the attached information (Attachment 1) for compliance with Best Practice Management of Water Supply and Sewerage Guidelines. The criteria are supported by a large number of checklists as a “road map” to address the issues to achieve compliance.

An audit was undertaken by the NSW Government Public Works Advisory which was completed in November 2017. The audit concluded that:

“Based on the findings of our audit, we conclude that Shoalhaven Water has demonstrated ‘substantial compliance’ with Best Practice Management of Water Supply and Sewerage in line with the DPI Water Guidelines as applicable for year ended 30th June 2017.”

A summary of the full audit findings are contained in the Attachment 2.

Community Engagement

By implementing and undertaking independent audit of the requirements of the Best Practice Management Guidelines, Council demonstrates that it has effective and sustainable water supply and sewerage businesses and will comply with National Competition Policy and the National Water Initiative. Compliance with the guidelines is also consistent with an outcome within the Resourcing Strategy of the adopted Integrated Strategic Plan as related to water supply and sewerage services. Such revenue is directed to the Strategic Projects Reserve Fund of Council.

Financial Implications

The NSW Office of Local Government provides the final reporting requirements for the preparation of financial statements including the Special Purpose Financial Statements. These requirements state that the dividend from water and/or sewer funds must not exceed 50% of the operating surplus in any one year, or the number of assessments multiplied by \$30. In respect of the 2016/17 financial year the water fund cap of \$30 per assessment is the maximum dividend payable. A copy of the calculation within the Annual Financial Statement – 30 June 2017 with a full dividend being taken in the amount of \$1,485,720 plus Tax Equivalents of \$84,000 is contained in Attachment 3.

It should be noted that the Best Practice Management Guidelines state that Local Government Water Utilities facing major capital expenditure for new and/or replacement infrastructure should defer paying a “significant” dividend from their surplus. Such capital expenditure in any financial year is defined as that which exceeds 3% of the current replacement cost. The current replacement cost of Council’s water assets is approximately \$646m and the capital works expenditure threshold was not exceeded in the water fund for 2016/17.

Best-Practice Management of Water Supply and Sewerage Guidelines



Table 1 – Required Outcomes for Best-Practice Criteria

Criterion (1)	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources	COAG/NCP/NWI/Statutory Requirements (4)
1 Strategic Business Planning	A current, sound Strategic Business Plan (SBP) and financial plan.	<ul style="list-style-type: none"> Current SBP that includes: <ul style="list-style-type: none"> Operating environment review Asset management plan (operation, maintenance, capital works) Key performance indicators Customer service plan Levels of service Human resources plan Address issues in Ref 1 and the Check List* in Appendix A. A current SBP and financial plan is one which has been prepared or updated within the last 3 years. 	Appendix A	Demonstrate long term financial sustainability of the business to comply with NCP and NWI. Page 12 of Ref 14.
Financial Planning	A robust financial plan which includes a capital works plan.	<ul style="list-style-type: none"> A robust minimum 20 year financial plan which identifies the lowest required stable typical residential bill (TRB). Address the issues in Ref 2 and the Check List* in Appendix A. <ul style="list-style-type: none"> * Each check list is essentially a road map to assist LWUs to quickly address the issues covered by the relevant guidelines as well as any developments since publication of the guidelines. 	Appendix A	See above.
2 Pricing ¹⁸ and Developer Charges	Full cost-recovery for each of water supply and sewerage businesses.	<ul style="list-style-type: none"> Appropriate tariffs without significant cross-subsidies. Total annual income and projected TRB should be consistent with above financial plan. This generally results in a positive economic rate of return (ERRR). 	Ref 4 Appendix B	Full cost-recovery with consumption based water supply pricing, trade waste charging and removal of cross-subsidies to comply with COAG Strategic Framework for Water Reform, NCP and NWI. Pages 12, 17, 18, 22 of Ref 14.

¹⁸ Agreement has been reached with the Local Government Association and the Shires Association of NSW to amendment of the Local Government Act 1993 in order to provide NSW LWUs with the option of using integrated water pricing for their water supply and sewerage services. An LWU implementing integrated water pricing in accordance with Attachment 2 on Page 35 will comply with elements 2 (a), 2 (b) and 2 (c) of Criterion 2 above.

Best-Practice Management of Water Supply and Sewerage Guidelines



Table 1 – Required Outcomes for Best-Practice Criteria			
Criterion	Required Outcome	Indicators to Demonstrate Achievement of Outcome	Tools & Resources
(1)	(2)	(3)	(4)
(b)	Complying water supply tariff.	<ul style="list-style-type: none"> • Appropriate water usage charge/kL based on long-run marginal cost. • Access charge relative to a customer's capacity requirements. • No land value based charges (ie. rates) and no "free" or "pre-paid" water allowance. • Any large increases in non-residential customer bills phased in over 5 years. • To encourage water conservation, high water consuming residential customers should be subjected to a step price increase of at least 50% for incremental usage above a specified threshold. This threshold should not exceed 450 kL/a per household, except for LWUs outside the DWE Coastal and Tablelands Zone with a high incidence of evaporative air coolers, where a threshold of up to 600kL/a per household may be used. • LWUs with 4,000 or more connected properties to have at least 75% of residential revenue* generated through usage charges by June 2008 (at least 50% required by June 2006 and at least 60% required by June 2007). • LWUs with under 4,000 connected properties to have at least 50% of residential water revenue* generated through usage charges. <p>* LWUs may demonstrate compliance with this requirement on the basis of either (i) or (ii) below:</p> <ol style="list-style-type: none"> their projected total residential revenue for the next financial year, or their projected typical residential bill (on the basis of their average annual residential consumption per connected property) for the next financial year. 	<p>Page 9 Ref 4</p> <p>Page 10 Ref 4</p> <p>Appendix B</p>
(c)	Complying sewerage tariff.	<ul style="list-style-type: none"> • Appropriate residential tariff. • No land value based charges (ie. rates). • Non-residential <ul style="list-style-type: none"> ▪ Two-part tariff. 	<p>Page 28 Ref 4</p> <p>Page 29 Ref 4</p> <p>Page 29 Ref 4</p>

Best-Practice Management of Water Supply and Sewerage Guidelines



Table 1 – Required Outcomes for Best-Practice Criteria				
Criterion (1)	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources	COAG/NCP/NWI/Statutory Requirements (4)
		<ul style="list-style-type: none"> ▪ Appropriate sewer usage charge/KL. ▪ Access charge that is reflective of the cost of providing these sewerage services. ▪ Any large increases in non-residential customer bills phased in over 5 years. 	Page 31 Ref 4	
(d)	Complying liquid trade waste fees and charges for all liquid trade waste dischargers.	<ul style="list-style-type: none"> • Annual trade waste fee for all liquid trade waste dischargers. • Trade waste usage charge for dischargers with prescribed pre-treatment. • Excess mass charges for large dischargers and industrial waste. 	Page 208 Ref 5 Page 209 Ref 5 Pages 209 to 212 Ref 5	
Developer Charges (DC)	Commercial Developer Charges.	<ul style="list-style-type: none"> • Development Servicing Plan[#] in accordance with Ref 6, with commercial developer charges. • LWUs with growth of under 5 lots/a exempted. 	Page iv Ref 6 Appendix B	Sections 305 to 307 of Water Management Act 2000. Section 64 of Local Government Act 1993.
Liquid Trade Waste Approvals	Liquid trade waste approval issued to each trade waste discharger.	<ul style="list-style-type: none"> • Liquid Trade Waste approvals issued in accordance with Ref 5. • Liquid Trade Waste Policy adopted and implemented in accordance with Ref 5. 	Ref 5 Appendix A	COAG, NCP and NWI – page 18 of Ref 14 Section 88 of Local Government Act 1993, Local Government (General) Regulation 2005.



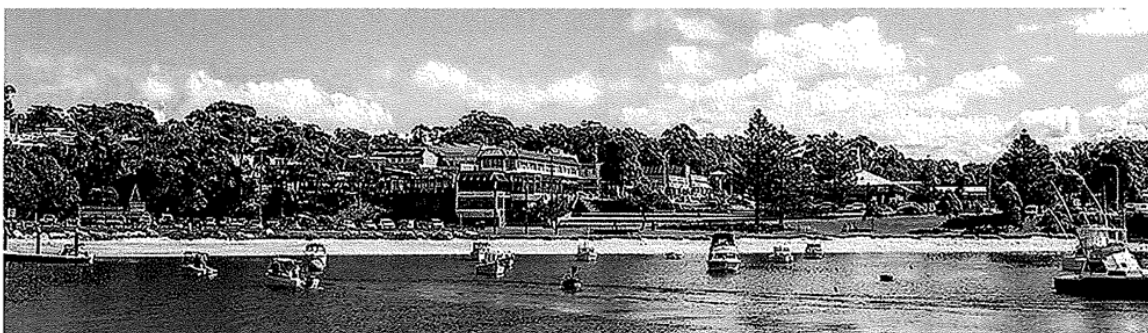
Table 1 – Required Outcomes for Best-Practice Criteria
Indicators to Demonstrate Achievement of Outcome

Criterion (1)	Required Outcome (2)	(3)	Tools & Resources	COAG/NCP/NWI/Statutory Requirements (4)
Dual Water Supplies	(g) Complying tariffs for dual water supplies.	<ul style="list-style-type: none"> The potable water supply tariff in dual water supplies to comply with 2(b) above, except that step pricing is not a requirement. For the non-potable component of dual water supplies: <ul style="list-style-type: none"> LWUs are encouraged to install a non-potable water meter for each customer served where practical. Appropriate non-potable water usage charge/kL based on long-run marginal cost. Access charge relative to a customer's capacity requirements. No land value based charges (ie. rates) and no "free" or "pre-paid" non-potable water allowance. At least 50% of residential revenue* generated through usage charges. Refer to the footnote to element 2 (b) above. 	Page 9 Ref 4 Appendix B	
3 Water Conservation	Sound water conservation and demand management in place.	<ul style="list-style-type: none"> Sound water conservation and demand management implemented. Identification of most cost-effective demand management initiatives. Subsidisation and promotion of at least two of the identified demand management initiatives. Include demand monitoring, leakage measurement and reduction and community education. 	Appendix C	COAG, NCP and NWI Page 52 of Ref 14 Water Management Act 2000.
4 Drought Management	Sound drought management in place.	<ul style="list-style-type: none"> Compile data on existing system, your LWU's drought management planning, including adoption of a schedule of trigger points for timely implementation of appropriate water restrictions. Sound drought management implemented in accordance with the LWU's adopted schedule. 	Appendix D Ref 19	Water Management Act 2000. Local Government Act 1993.



Best-Practice Management of Water Supply and Sewerage Guidelines

Table 1 – Required Outcomes for Best-Practice Criteria			
Criterion	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources
5 Performance Reporting	Completed performance reporting forms to DWE Review 2-page LWU Performance Report, prepare Action Plan.	<ul style="list-style-type: none"> Reporting forms provided to DWE by 15 September each year. Draft of Special Schedules 3 to 6 and Notes 2 and 3 of the LWU's Special Purpose Financial Reports provided to DWE by 15 September each year. LWUs with over 10,000 connected properties to arrange auditing of their core performance indicators in accordance with the auditing requirements of the <i>National Performance Framework</i>. Action Plan provided to Council following review of your LWU's 2-page Performance Report (water, sewerage). Statement of Compliance to be submitted to DWE prior to payment of dividend from surplus (including Dividend Payment Form, Statement of Financial Performance of Business Activities, a Compliance Audit Report and an unqualified independent Financial Audit Report). 	Ref 3 Appendix E COAG, NCP and NWI Page 31 of Ref 14, page 15 of Ref 15 and page 1 of Ref 16.
6 Integrated Water Cycle Management (IWCMI)	Sound IWCMI implemented.	<ul style="list-style-type: none"> Completion of Integrated Water Cycle Management Evaluation by June 2007. Completion of Integrated Water Cycle Management Strategy by June 2008. Implementation of Integrated Water Cycle Management in accordance with the Strategy by June 2008. 	Ref 8 Appendix F COAG, NCP and NWI Page 43 of Ref 14, WMA 2000.



Shoalhaven Water

Report on Audit of Best Practice Management of
Water Supply and Sewerage Services in 2016/17

November 2017

Shoalhaven Water

Report on Audit of Best Practice Management of Water Supply and Sewerage Services in 2016/17

November 2017

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Cover Image: Shoalhaven Water

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1. Report of Compliance

1.1 Introduction

This document is the audit report on compliance of Shoalhaven Water Group (SWG) with the NSW Best Practice Management Guidelines for Water Supply and Sewerage, May 2007 in the reporting year 2016/17.

1.2 Scope

We have performed the agreed procedures in accordance with our proposal for engagement by Shoalhaven Water Group (SWG) and described below with respect to the compliance of the SWG's Water Supply and Sewerage services with the NSW Best Practice Management Guidelines, August 2007 for the year ended 30 June 2017 based on relevant criteria as set forth in column (3) of Table 1 of the Guidelines. Our engagement was generally undertaken in accordance with Australian Auditing Standards applicable to agreed-upon procedures of engagements.

The responsibility for determining the adequacy or otherwise of the procedures agreed to be performed is that of Council and the DPI Water. The procedures were performed solely to assist Shoalhaven Water and DPI Water in evaluating the validity of the compliance requirements and are summarised as follows:

1. We reviewed the current **Strategic Business Plan 2015-16** (SBP) to ensure that it included an:
 - Operating environment review
 - Total Asset management plan - operation, maintenance, capital works
 - Key performance indicators
 - Customer service plan
 - Levels of service
 - Work Force plan
- 2) We reviewed the **Financial Plan** as contained within the SBP to ensure that it covered a period of at least 20 years and it reports the lowest required stable typical residential bill (TRB)

- 3) We reviewed **full cost recovery** for both water supply and sewerage consistent with the outcomes listed in column (3) of Table 1
- 4) We reviewed **water supply tariffs** to confirm they complied with the outcomes listed in column (3) of Table 1
- 5) We reviewed the **sewerage tariffs** to confirm they complied with the outcomes listed in column (3) of Table 1
- 6) We reviewed the **liquid trade waste fees and charges** to confirm they complied with the outcomes listed in column (3) of Table 1
- 7) We reviewed the **commercial developer charges** to confirm the existence of a Development Servicing Plan with commercial developer charges.
- 8) We reviewed the **liquid trade waste approvals** to confirm they complied with the outcomes listed in column (3) of Table 1
- 9) We reviewed the **water conservation** measures to confirm that it included the outcomes listed in column (3) of Table 1
- 10) We reviewed the **drought management** plan to confirm that it included the outcomes listed in column (3) of Table 1
- 11) We checked documentary evidence to ensure that **performance reporting** forms were completed and lodged to DPI Water within the required time frame, and
- 12) We checked for completion and implementation of **IWCM Strategy** following substantial commencement of sound Integrated Water Cycle Management.

1.3 Findings

We report as follows:

- a) With respect to (1) above, we found the Strategic Business Plan 2015/16 included the outcomes listed in column (3) of Table 1 of the Best-Practice Management Guidelines.
- b) With respect to (2) above, we found that Shoalhaven Water have reported in the SBP the typical residential bills forecast using their "in-house" spreadsheet financial model, which is a part of Council's corporate financial management system. We have also found that long-term (20 year) financial plans for water supply and sewerage have

been reviewed and the financial projections from the models have been incorporated in the Strategic Business Plan 2015/16.

- c) With respect to (3) above, we found that the projected total annual water supply and sewerage services income provided full cost recovery, resulting in a positive economic real rate of return.
- d) With respect to (4) above, we found that water supply tariffs considered the outcomes listed in column (3) of Table 1 with 76.4% of residential revenue generated through residential usage charges in the year 2016/17. Shoalhaven Water noted that due to the composition of their customer base comprising high number of holiday accommodations, pensioner assessments and low-income socio-economic groups, achieving the 75% residential usage charge revenue on an ongoing basis, however, will remain a challenge.
- e) With respect to (5) above, we found that sewerage tariffs considered the outcomes listed in column (3) of Table 1.
- f) With respect to (6) above, we found that the liquid trade waste fees and charges considered the outcomes listed in column (3) of Table 1.
- g) With respect to (7) above, we found that Shoalhaven Water adopted the Development Servicing Plans (DSPs) for Water Supply and Sewerage Services in November 2005 with the developer charges being phased in over a 3-year period. 100% of calculated developer charges have been levied from 1 July 2008 onwards. Development Servicing Plan considered the outcomes listed in column (3) of Table 1 and noted that it took into account the cross subsidy that will occur during the phased implementation as allowed in the Developer Charges Guidelines 2002. Shoalhaven Water reported that they have commenced updating the DSPs in accordance with the 2016 Developer Charges Guidelines with the appointment of GHD as the consultant and the work is expected to be completed for adoption from 1st July 2018.
- h) With respect to (8) above, we found that the adopted Liquid Trade Waste Policy was last amended in September 2013. Liquid trade waste approvals have been issued to trade waste discharges and the liquid trade waste fees and charges considered the outcomes listed in column (3) of Table 1.
- i) With respect to (9) above, we found that Shoalhaven Water implemented sound water conservation and demand management initiatives, as identified in the IWCM adopted

in 2008 and reviewed as part of the review of Strategic Business Plan, to achieve the outcomes listed in column (3) of Table 1.

- j) With respect to (10) above, we found that Council's Drought Management Plan (Revision G, Sept. 2014) considered the outcomes listed in column (3) of Table 1.
- k) With respect to (11) above, we found that performance reporting forms had been completed and lodged with DPI Water within the required time frame. We also found that following a review of Shoalhaven Water's 2-page TBL performance reports for water supply and sewerage for 2015/16, an action plan as recommended by the DPI Water has been reported to Council's Strategy and Assets Committee on 16 May 2017.
- l) With respect to (12) above, we found that the Shoalhaven Water adopted the IWCM Strategy in June 2008. Shoalhaven Water reports that in 2013, a water supply and sewerage servicing strategy has been developed on the basis of the philosophies of the adopted IWCM Strategy for implementation. Shoalhaven Water claims that these servicing strategies embed the strategic directions of the adopted IWCM and provide the basis for the system augmentations and forward 'growth' capital works to meet the demands of new developments and new service areas. Shoalhaven Water reports that it is planning to undertake an interim review of existing IWCM following the update of SBP in 2019. Subject to the outcomes of the interim review, a full review of the IWCM taking into account the latest IWCM checklist requirements is planned to be commenced in 2020.

1.4 Conclusion

Based on the findings of our audit, we conclude that Shoalhaven Water has demonstrated **'substantial compliance' with Best Practice Management of Water Supply and Sewerage** in line with the DPI Water Guidelines as applicable for the year ended 30th June 2017.

1.5 Definition

We have adopted the following definition for this engagement:

- *"Substantial Compliance"* means the level of compliance with the Guidelines such that any identified deficiencies do not detract from the general intent of the Guidelines to achieve Best Practice Management for Water Supply and/or Sewerage Services.

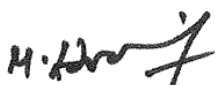
- What constitutes substantial compliance is also a function of at what point in time the issue is examined. Therefore the best practice management adopted must take into account likely future scenarios and apply the current body of industry knowledge in regard to best practice.

1.6 Disclaimer

Our report is solely for the purpose set forth in the first paragraph of this report and for the information of Shoalhaven Water and the DPI Water and is not to be used for any other purpose or distributed to any other party. This report relates only to the items specified above and does not extend to any financial report of the Council taken as a whole.

Signed:

Date signed: 03 November 2017



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SPFS 2017

Shoalhaven City Council

Notes to the Special Purpose Financial Statements
for the year ended 30 June 2017

Note 2. Water supply business
best-practice management disclosure requirements

Dollars amounts shown below are in whole dollars (unless otherwise indicated)

2017

1. Calculation and payment of tax-equivalents

[all local government local water utilities must pay this dividend for tax equivalents]

(i) Calculated tax equivalents	84,000
(ii) Number of assessments multiplied by \$3/assessment	156,972
(iii) Amounts payable for tax equivalents [lesser of (i) and (ii)]	84,000
(iv) Amounts actually paid for tax equivalents	98,000

2. Dividend from surplus

- (i) 50% of surplus before dividends
[calculated in accordance with Best-Practice Management for Water Supply and Sewerage Guidelines]
- (ii) Number of assessments multiplied by \$30/assessment, less tax equivalent charges/assessment
- (iii) Cumulative surplus before dividends for the 3 years to 30 June 2017, less the cumulative dividends paid for the 2 years to 30 June 2016 and 30 June 2015

1,922,950
1,485,720
9,719,800

2017 Surplus	3,845,900	2016 Surplus	4,653,500	2015 Surplus	4,095,400
		2016 Dividend	1,443,000	2015 Dividend	1,432,000

(iv) Maximum dividend from surplus [least of (i), (ii) and (iii) above]	1,485,720
(v) Dividend actually paid from surplus [refer below for required pre-dividend payment criteria]	1,450,390
(vi) Are the overhead reallocation charges to the water business fair and reasonable? ^a	YES

3. Required outcomes for 6 criteria

[to be eligible for the payment of a 'dividend from surplus', all the criteria below need a 'YES']

(i) Completion of strategic business plan (including financial plan)	YES
(ii) Full cost recovery, without significant cross subsidies [refer item 2 (a) in table 1 on page 22 of the Best-Practice Guidelines]	YES
– Complying charges [item 2 (b) in table 1]	YES
– DSP with commercial developer charges [item 2 (e) in table 1]	YES
– If dual water supplies, complying charges [item 2 (g) in table 1]	YES
(iii) Sound water conservation and demand management implemented	YES
(iv) Sound drought management implemented	YES
(v) Complete performance reporting form (by 15 September each year)	YES
(vi) a. Integrated water cycle management evaluation	YES
b. Complete and implement integrated water cycle management strategy	YES

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SA17.319 Tenders - Construction of Workshop & Offices for Shoalhaven Water at Deering St Ulladulla

HPERM Ref: D17/389867

Group: Shoalhaven Water Group
Section: Shoalwater Operations & Maintenance

Purpose / Summary

To inform Council of the tender process for “Construction of Workshop & Offices for Shoalhaven Water at Deering St Ulladulla”.

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

Recommendation

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

Options

1. Council accept the recommendation as presented (preferred option). Further details are provided in the confidential report.
2. Council amend the recommendation.
3. Council not accept the recommendation, giving reasons, and proposed an alternative resolution.

Details

The Ulladulla depot capacity has been under stress for several years and a Master Plan was prepared (plan Ref. 1047.122) for future development to provide adequate facilities for each group. Shoalhaven Water’s current facilities include an electrical shed, water and sewer sheds and mechanical fitters workshop in addition to minor storage areas. Recent Work health and Safety audits have shown inadequacies with current facilities at the southern depot. This includes the small workshop (4x4 metres) that the fitter’s team are required to refurbish large pumps at the rear of the existing mechanical workshop. The current water and sewer sheds have no toilets, washing facilities (required for sewer staff) or access to computers.

It is proposed for Shoalhaven Water staff to relocate to the south of the existing store and mechanical workshop. The design includes enough room for all areas of Shoalhaven Water’s southern team including:

- Electrical workshop and stores
- Fitters workshop including overhead gantry and mechanical equipment (lathes)
- Water and sewer workshop and equipment store (including hot works)
- Amenities (including disabled)
- Washing Facilities
- Lunchroom
- Office Space
- Computer access for all staff

The existing Shoalhaven Water sheds and storage areas will be utilised by Asset and Works as per the master plan.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Civil Project Management Group Pty Ltd	South Nowra NSW 2541
Tereno Pty Ltd	Ulladulla NSW 2539
Batmac Constructions Pty Ltd	North Nowra NSW 2541

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

Community Engagement:

The proposed workshop and offices will provide significantly better facilities to enable Shoalhaven Water staff to better service the southern area.

Policy Implications

Purchasing Policy – POL16/103

The tender for this project has been undertaken and in accordance with Council's Purchasing Policy. The recommendations for this report are consistent with the provision of Council's Purchasing Policy. The Local Preference Policy was considered, however, all of the tenderers are from the local area.

Financial Implications:

The construction of the proposed workshop and office for Shoalhaven Water at Council's Southern Depot at Ulladulla is to be funded through Water Fund Capital Works Budget for 2017/18.

Conclusion:

Shoalhaven Water have undertaken a comprehensive tender evaluation plan in accordance with the approved Tender Evaluation and Probity Plan. It is recommended that a contract be awarded in accordance with the details included in the separate confidential report.

LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

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

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

(2) Decision-making

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

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

(3) Community participation

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

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

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

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

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

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