

Strategy and Assets Committee

Meeting Date: Tuesday, 22 January, 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

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

Please note: The proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice. 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 - 11 December 20181
3. **Declarations of Interest**
4. **Mayoral Minute**
5. **Deputations and Presentations**
6. **Notices of Motion / Questions on Notice**
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 - SA19.1 Notice of Motion - Sporting Fields Renovation – Use of Recycled Material24
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Shoalhaven Water

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SA19.6	Public Interest Advocacy Centre Study - Water Supply Disconnections.....	38

8. Confidential Reports

Nil

Strategy and Assets Committee

Delegation:

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 consider, formulate, review and adopt policies in relation to Councils 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 Councils 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, natural resources / assets, floodplain, estuary and coastal management and sustainability matters that are dealt with by the Development and Environment Committee.
- 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 Councils 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 Councils 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 'Crown Land Manager' under Division 3.4 of the Crown Lands Management Act, 2016 and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the General Manager or 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 Councils 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 Councils strategic land holdings and make recommendations to Council.
- k. Review and make recommendations to Council in relation to:
 - l. The sale prices of land in connection with residential and industrial Council subdivisions;
 - m. The sale of Council property or the purchase or resumption of land;
 - n. The compensation to be offered in respect of land resumed by Council; and
 - o. 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.
- p. To determine and accept all tenders with a value of \$1 Million or more, except those tenders required by law to be determined by full Council (MIN17.334).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 11 December 2018
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

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

Apologies / Leave of Absence

An apology was received from Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr White) MIN18.949

That the Minutes of the Strategy and Assets Committee held on Tuesday 16 October 2018 be confirmed.

CARRIED

Declarations of Interest

Nil

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA18.273 Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape (Page 43)

Gail Drummond, representing Sussex Inlet & Districts Community Forum, addressed the meeting to speak against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Findley / Clr Digiglio)

MIN18.950

That the matter of the following items be brought forward for consideration:

- SA18.267 - Risk and Audit Committee Annual Report 2017 – 2018
- SA18.273 - Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape
- SA18.282 - Sustainability Program Update
- SA18.280 - State of the Environment Report Cards 2017/18
- SA18.281 - Trees - Example Audit, Value and Status - Shoalhaven Local Government Area
- SA18.283 - Natural Resources and Floodplain Management Committees Reinstatement - Structure, Governance and Resourcing

CARRIED

SA18.267 Risk and Audit Committee Annual Report 2017 - 2018

HPERM Ref:
D18/400826

The Chairperson introduced Dr Philip Ross, Chair of the Risk and Audit Committee, who presented the Committee's Annual Report 2017-2018.

Recommendation (Item to be determined under delegated authority)

That Council receive and note the Risk and Audit Committee annual report 2017 – 2018.

RESOLVED (Clr Findley / Clr Gash)

MIN18.951

That Council receive and note the Risk and Audit Committee annual report 2017 – 2018.

CARRIED

SA18.273 Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape

HPERM Ref:
D18/403015

Recommendation (Item to be determined under delegated authority)

That Council leave the large green pots outside Inlet Cinema, Sussex Inlet in their current location, as per the original consultation relating to the streetscape works.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN18.952

That Council in the first quarter of 2019 review the location and hold discussions with the previous project working party (including Sussex Inlet & District Community Forum) to find a suitable alternate location for the pots.

FOR: Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Gash and Clr Findley

CARRIED

SA18.282 Sustainability Program Update

**HPERM Ref:
D18/376211**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the report for information.
2. Endorse the General Manager reviewing the Sustainability Coordinator position and the need for a full-time position (currently only 2 days per week) to enable effective coordination and delivery of sustainability programs across all areas of Council (Job No. 15920) and that funding is sourced from existing salary budgets.
3. Note that a Sustainability Planning Workshop (Management Diagnostic) across Council's senior management will be arranged to identify the key issues, actions and priorities the organisation needs to progress for a coordinated sustainability program and that a further report will be provided to Council following the workshop.

MOTION (Clr Proudfoot / Clr Watson)

That Council accept the report for information.

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

AGAINST: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Russ Pigg

LOST

RESOLVED (MOTION) (Clr Gartner / Clr Digiglio)

MIN18.953

That Council:

1. Accept the report for information.
2. Endorse the General Manager reviewing the Sustainability Coordinator position and the need for a full-time position (currently only 2 days per week) to enable effective coordination and delivery of sustainability programs across all areas of Council (Job No. 15920) and that funding is sourced from existing salary budgets.
3. Note that a Sustainability Planning Workshop (Management Diagnostic) across Council's senior management will be arranged to identify the key issues, actions and priorities the organisation needs to progress for a coordinated sustainability program and that a further report will be provided to Council following the workshop.

FOR: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Russ Pigg

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

CARRIED

Clr Proudfoot raised a Point of Order against Clr Findley for the implied insults in her comments "If Councillors had read the report" and "they will do nothing". Clr Findley withdrew her comments.

Note: A rescission motion was received on this item.

SA18.280 State of the Environment Report Cards 2017/18

**HPERM Ref:
D18/350799**

Recommendation (Item to be determined under delegated authority)

That Council receive the State of the Environment Report for 2017/18 for information and note its contents.

RESOLVED (Clr Findley / Clr Gartner)

MIN18.954

That Council receive the State of the Environment Report for 2017/18 for information and note its contents.

CARRIED

**SA18.281 Trees - Example Audit, Value and Status - Shoalhaven
Local Government Area**

**HPERM Ref:
D18/293311**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the St Georges Basin urban canopy study area report prepared by the University of Technology Sydney for information.
2. Review relevant current policies to consider opportunities to better protect and enhance the urban tree canopy.
3. Consider a city wide, or larger area audit to better inform Council on the economic, social and environmental value of trees in urban areas. (Refer to 2019/20 Budget considerations.)
4. Consider a subsequent report on the detail of a possible "tree replacement policy" in line with those of other Councils and the previous Council resolution (MIN18.733).

MOTION (Clr Gartner / Clr Digiglio)

That Council:

1. Receive the St Georges Basin urban canopy study area report prepared by the University of Technology Sydney for information.
2. Review relevant current policies to consider opportunities to better protect and enhance the urban tree canopy.
3. Consider a city wide, or larger area audit to better inform Council on the economic, social and environmental value of trees in urban areas. (Refer to 2019/20 Budget considerations.)
4. Consider a subsequent report on the detail of a possible "tree replacement policy" in line with those of other Councils and the previous Council resolution (MIN18.733).

Clr Gartner raised a Point of Order against Clr Watson for allegedly disrespecting the former

Sustainable Futures Committee. The Chairperson ruled that Clr Watson had been disrespectful towards staff.

Clr Findley raised a Point of Order against Clr Pakes for making an imputation that she “picks on” him during meetings. The Chairperson ruled in favour and Clr Pakes withdrew the comment.

Clr Watson raised a Point of Order against Clr Findley for speculating on his age in 1950.

Clr Proudfoot raised a Point of Order against Clr Gartner for stating the 45 degree rule policy was not going to be reviewed by staff; it was confirmed that staff had previously confirmed that it would be.

AMENDMENT (RESOLVED) (Clr Proudfoot / Clr Pakes)

MIN18.955

That Council:

1. Receive the St Georges Basin urban canopy study area report prepared by the University of Technology Sydney for information.
2. Review relevant current policies, with the exception of the 45 degree rule, to consider opportunities to better protect and enhance the urban tree canopy.
3. Consider a city wide, or larger area audit to better inform Council on the economic, social and environmental value of trees in urban areas. (Refer to 2019/20 Budget considerations.)
4. Consider a subsequent report on the detail of a possible “tree replacement policy” in line with those of other Councils and the previous Council resolution (MIN18.733).

FOR: Clr Wells, Clr Gash, Clr White, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

CARRIED

The AMENDMENT became the MOTION and was CARRIED.

FOR: Clr Wells, Clr Gash, Clr White, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

**SA18.283 Natural Resources and Floodplain Management
Committees Reinstatement - Structure, Governance and
Resourcing**

**HPERM Ref:
D18/394535**

Recommendation (Item to be determined under delegated authority)

That:

1. Council establishes the following four Advisory Groups:
 - a. Southern Coastal, Estuary & Floodplain Management Group
 - b. Central Coastal, Estuary & Floodplain Management Group
 - c. Northern Coastal, Estuary & Floodplain Management Group
 - d. Shoalhaven Heads Estuary Taskforce
2. Council adopt the Purpose, membership and quorum for each of these advisory Groups as detailed in the report;
3. Council:
 - a. Establishes a Citywide Coastal, Estuary & Floodplain Management Committee, which

includes membership from the necessary Government Agencies and from each of the three CE&FM advisory groups, with membership, Purpose and quorum as detailed in the report; OR

- b. That Councillors, staff and government agencies meet as required in a less formal structure to discuss key documents, including studies, plans and strategies as they evolve. If this is the preferred option then government agencies would also be invited to attend the localised Advisory Group meetings as “optional members”. In this option the roles/Purpose of the Citywide committee would be incorporated into the Development & Environment Committee under delegation.
4. Expressions of Interest be called for community membership of each of the three advisory Groups and the Chair of each Group be involved in the selection process and report to council to make appointments.

RESOLVED (Clr Watson / Clr White)

MIN18.956

That:

1. Council establishes the following four Advisory Groups:
 - a. Southern Coastal, Estuary & Floodplain Management Group
 - b. Central Coastal, Estuary & Floodplain Management Group
 - c. Northern Coastal, Estuary & Floodplain Management Group
 - d. Shoalhaven Heads Estuary Taskforce
2. Council adopt the Purpose, membership and quorum for each of these advisory Groups as detailed in the report;
3. Council establishes a liaison group to liaise with Government Agencies, comprising the Group Directors, General Manager, and the Chairs of each of the individual committees.
4. Expressions of Interest be called for community membership of each of the three advisory Groups and the Chair of each Group be involved in the selection process and report to council to make appointments.

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

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Russ Pigg

CARRIED

Note: The meeting adjourned for refreshments, the time being 7.16pm

Note: The meeting reconvened, the time being 7.43pm

Note: Clr Pakes left the meeting at 7.16pm

The following members were present:

Clr John Wells - Chairperson
Clr Joanna Gash
Clr Amanda Findley
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Greg Watson

Clr Mark Kitchener
Clr Bob Proudfoot
Russ Pigg - General Manager

**SA18.276 Special Rates Review - Streetscape Renewal Budget
2018/19**

**HPERM Ref:
D18/354644**

Recommendation (Item to be determined under delegated authority)

That Council adopts the following list of Landscape/Streetscape renewal projects to be implemented in priority order in accordance with the Special Rates Review – Streetscape Renewal Budget funding of \$512,500.

The estimate of cost for the top six projects overspends this budget by \$18,800; as the actual costs are realised the list/allocations will be revised via Council's quarterly review process.

1. Huskisson CBD – Footpath and Landscape upgrade works in Owen St \$115,500
2. Kangaroo Valley CBD – upgrade of Moss Vale Road streetscape \$99,000
3. Vincentia Mall – Minor works and Design / Consultation \$68,200
4. Boree Street / Ulladulla Foreshore – Tree planting, decking, refurbishment \$110,000
5. Berry CBD – New kerb and asphalt Queen St and Alexander St \$49,500
6. Jervis Bay Rd & Wool Rd Roundabout – planting and concrete works \$89,100

RESOLVED (Clr White / Clr Gash)

MIN18.957

That Council adopts the following list of Landscape/Streetscape renewal projects to be implemented in priority order in accordance with the Special Rates Review – Streetscape Renewal Budget funding of \$512,500.

The estimate of cost for the top six projects overspends this budget by \$18,800; as the actual costs are realised the list/allocations will be revised via Council's quarterly review process.

1. Huskisson CBD – Footpath and Landscape upgrade works in Owen St \$115,500
2. Kangaroo Valley CBD – upgrade of Moss Vale Road streetscape \$99,000
3. Vincentia Mall – Minor works and Design / Consultation \$68,200
4. Boree Street / Ulladulla Foreshore – Tree planting, decking, refurbishment \$110,000
5. Berry CBD – New kerb and asphalt Queen St and Alexander St \$49,500
6. Jervis Bay Rd & Wool Rd Roundabout – planting and concrete works \$89,100

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

**SA18.261 Notice of Motion - Indoor Sporting Stadium / Old
Basketball Courts**

**HPERM Ref:
D18/413072**

Recommendation

That

1. Council confirm its earlier considerations to have a 6 court basketball complex at Bomaderry by refurbishing the existing 2 courts.

2. An urgent application be made to the State Government for a grant to facilitate the refurbishment works, with Council's contribution being made up from Government subsidised loans or revenue.

MOTION (RECOMMENDATION) (Clr Watson / Clr Gash)

That

1. Council confirm its earlier considerations to have a 6 court basketball complex at Bomaderry by refurbishing the existing 2 courts.
2. An urgent application be made to the State Government for a grant to facilitate the refurbishment works, with Council's contribution being made up from Government subsidised loans or revenue.

AMENDMENT (Clr Findley / Clr Digiglio)

That this motion be deferred until the December Council meeting when the staff report will be brought forward.

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Levett and Russ Pigg

AGAINST: Clr Wells, Clr Gash, Clr White, Clr Alldrick, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

Clr Findley raised a Point of Order against Clr Watson for asserting that she is or appears "anti basketball". The Chairperson ruled in favour.

Clr Findley raised a Point of Order against Clr Watson for stating she had had prior a conversation with the Group Director which was incorrect. Clr Watson withdrew the comment.

MOTION WAS PUT AND CARRIED

FOR: Clr Wells, Clr Gash, Clr White, Clr Alldrick, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Levett and Russ Pigg

SA18.262 Notice of Motion - Sports Board Term of Membership**HPERM Ref:
D18/413110****Recommendation (Item to be determined under delegated authority)**

That in line with its earlier decision to maintain the Board's delegation Council not place any restriction on the number of years a member may serve.

RESOLVED (Clr Watson / Clr Proudfoot)**MIN18.958**

That in line with its earlier decision to maintain the Board's delegation Council not place any restriction on the number of years a member may serve.

CARRIED

SA18.263 Notice of Motion - Use of Recycled Materials in Road Construction and Maintenance

**HPERM Ref:
D18/419959**

Recommendation (Item to be determined under delegated authority)

That the General Manager report on Council's use of recycled materials in products used for road construction, rehabilitation and repair and the potential to increase the potential of recycled product for these applications – including products sourced from Council's waste management operations.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN18.959

That the General Manager report on Council's use of recycled materials in products used for road construction, rehabilitation and repair and the potential to increase the potential of recycled product for these applications – including products sourced from Council's waste management operations.

CARRIED

SA18.264 Notice of Motion - Council's Current Electricity Usage

**HPERM Ref:
D18/419995**

Recommendation (Item to be determined under delegated authority)

That the General Manager provide a brief analysis of Council's current electricity usage, such report to include usage by function (water, sewer, leisure centres, street lighting), measures already taken to reduce electricity consumption and potential avenues to further reduce consumption including predictive cost estimates/ROI of those measures.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN18.960

That the General Manager provide a brief analysis of Council's current electricity usage, such report to include usage by function (water, sewer, leisure centres, street lighting), measures already taken to reduce electricity consumption and potential avenues to further reduce consumption including predictive cost estimates/ROI of those measures.

FOR: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Levett

CARRIED

REPORT OF THE YOUTH ADVISORY COMMITTEE - 31 OCTOBER 2018

YA18.25 Shoalhaven School Waste Reduction Initiative

**HPERM
D18/291589**

Ref:

Recommendation (Item to be determined under delegated authority)

That:

1. The Youth Advisory Committee participate in a Council waste tour in 2019, and authorise expenditure from the Youth Advisory Committee budget of an amount up to \$1,000, if necessary.
2. The Youth Advisory Committee dedicate the second meeting of 2019, to be held in term two, to discuss environmental initiatives across Shoalhaven schools.
3. Council writes a letter to the NSW Minister for the Environment to enquire why Shoalhaven City Council is charged metropolitan rates for tipping instead of regional rates.

4. The Youth Advisory Committee nominated members Ruby Frank of Ulladulla High School, James Doosey of St Johns High School, Bridee Lewis of Bomaderry High School, Sebastien Riou of Nowra Anglican College and Lachlan Willis of Shoalhaven High School investigate what is already happening with waste within their schools, consider the option of forming a Working Group and send information to the Community Development Officer.

RESOLVED (Clr White / Clr Gash)

MIN18.961

That:

1. The Youth Advisory Committee participate in a Council waste tour in 2019, and authorise expenditure from the Youth Advisory Committee budget of an amount up to \$1,000, if necessary.
2. The Youth Advisory Committee dedicate the second meeting of 2019, to be held in term two, to discuss environmental initiatives across Shoalhaven schools.
3. Council writes a letter to the NSW Minister for the Environment to enquire why Shoalhaven City Council is charged metropolitan rates for tipping instead of regional rates.
4. The Youth Advisory Committee nominated members Ruby Frank of Ulladulla High School, James Doosey of St Johns High School, Bridee Lewis of Bomaderry High School, Sebastien Riou of Nowra Anglican College and Lachlan Willis of Shoalhaven High School investigate what is already happening with waste within their schools, consider the option of forming a Working Group and send information to the Community Development Officer.

CARRIED

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 7 NOVEMBER 2018

CBD18.107 Additional Item - Overview and Outcomes - Nowra CBD Workshop

Recommendation (Item to be determined under delegated authority)

That:

1. The Nowra CBD Revitalisation Strategy Committee notes and receives for information the recommendations from the Workshop report of 1 August 2018.
2. The Nowra CBD Revitalisation Strategy be promoted and reviewed regularly.
3. The Nowra CBD Revitalisation Strategy Action Plan be formalised, monitored and revisited annually.
4. The Nowra CBD Revitalisation Strategy Committee be consulted in the preparation of the Draft Capital Works Program in relation to works in the Nowra CBD
5. The Terms of Reference and delegations of the Nowra CBD Revitalisation Strategy Committee be clarified and amended to incorporate the outcomes of the workshop
6. The frequency of meetings of the Nowra CBD Revitalisation Committee be increased to monthly meetings until 31 March 2019 (excluding January 2019), after which meetings will be held bi-monthly meetings (6 per year).

MOTION (Clr Gash / Clr White)

That:

1. The Nowra CBD Revitalisation Strategy Committee notes and receives for information the

recommendations from the Workshop report of 1 August 2018.

2. The Nowra CBD Revitalisation Strategy be promoted and reviewed regularly.
3. The Nowra CBD Revitalisation Strategy Action Plan be formalised, monitored and revisited annually.
4. The Nowra CBD Revitalisation Strategy Committee be consulted in the preparation of the Draft Capital Works Program in relation to works in the Nowra CBD
5. The Terms of Reference and delegations of the Nowra CBD Revitalisation Strategy Committee be clarified and amended to incorporate the outcomes of the workshop
6. The frequency of meetings of the Nowra CBD Revitalisation Committee be increased to monthly meetings until 31 March 2019 (excluding January 2019), after which meetings will be held bi-monthly meetings (6 per year).

AMENDMENT (RESOLVED) (Clr Findley / Clr Digiglio)

MIN18.962

That:

1. The Nowra CBD Revitalisation Strategy Committee notes and receives for information the recommendations from the Workshop report of 1 August 2018.
2. The Nowra CBD Revitalisation Strategy be promoted and reviewed regularly.
3. The Nowra CBD Revitalisation Strategy Action Plan be formalised, monitored and revisited annually.
4. The Nowra CBD Revitalisation Strategy Committee be consulted in the preparation of the Draft Capital Works Program in relation to works in the Nowra CBD
5. The Terms of Reference and delegations of the Nowra CBD Revitalisation Strategy Committee be amended to expand the membership to provide a broader community representation.
6. The frequency of meetings of the Nowra CBD Revitalisation Committee be increased to monthly meetings until 31 March 2019 (excluding January 2019), after which meetings will be held bi-monthly meetings (6 per year).

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Wells, Clr Gash, Clr White and Clr Watson

CARRIED

The AMENDMENT became the MOTION and was CARRIED.

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Wells, Clr Gash, Clr White and Clr Watson

REPORTS

SA18.267 Risk and Audit Committee Annual Report 2017 - 2018

**HPERM REF:
D18/400826**

Item dealt with earlier in the meeting see MIN18.951

SA18.268 Model Code of Meeting Practice

**HPERM Ref:
D18/411877**

Recommendation (Item to be determined under delegated authority)

That Council note the report on the Model Code of Meeting Practice for information.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN18.963

That Council note the report on the Model Code of Meeting Practice for information.

CARRIED

SA18.269 Council Committee Structure & Purpose

**HPERM Ref:
D18/412074**

Recommendation

That Council:

1. Adopt the new scheduled (purpose) for the Strategy and Assets Committee as detailed in the report.
2. Rename the Development Committee to Development and Environment Committee.
3. Adopt the new schedule (purpose) for the Development and Environment Committee as detailed in the report.

RECOMMENDATION (Clr Gash / Clr Digiglio)

That Council:

1. Adopt the new scheduled (Purpose/Delegation) for the Strategy and Assets Committee as follows:

Strategy and Assets Committee

Delegation:

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 consider, formulate, review and adopt policies in relation to Councils 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 Councils 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, **natural resources / assets, floodplain, estuary and coastal management and sustainability matters that are dealt with by the Development and Environment Committee.**
- 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 Councils 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 Councils 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 'Crown Land Manager' under Division 3.4 of the Crown Lands Management Act, 2016 and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the General Manager or 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 Councils 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 Councils strategic land holdings and make recommendations to Council.
- k. Review and make recommendations to Council in relation to:
 - l. The sale prices of land in connection with residential and industrial Council subdivisions;
 - m. The sale of Council property or the purchase or resumption of land;
 - n. The compensation to be offered in respect of land resumed by Council; and
 - o. 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.
- p. To determine and accept all tenders with a value of \$1 Million or more, except those tenders required by law to be determined by full Council (MIN17.334).
2. Rename the Development Committee to Development and Environment Committee.
3. Adopt the new schedule (Purpose/Delegation) for the Development and Environment Committee as follows:

Development and Environment Committee

Delegation:

Pursuant to s377 (1) of the Local Government Act 1993 the Committee is delegated the functions conferred on Council by the Environmental Planning & Assessment Act 1979 (EPA Act), Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the attached Schedule, subject to the following limitations:

- i. The Committee cannot make a decision to make a local environmental plan to classify or

- reclassify public land under Division 1 of Part 2 of Chapter 6 of the LG Act;
- ii. The Committee cannot review a section 8.11 or section 8.9 EPA Act determination made by the Council or by the Committee itself;
- iii. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- iv. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council; and
- v. 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.

Schedule

- a. All functions relating to the preparation, making, and review of local environmental plans (LEPs) and development control plans (DCPs) under Part 3 of the EPA Act.
- b. All functions relating to the preparation, making, and review of contributions plans and the preparation, entry into, and review of voluntary planning agreements under Part 7 of the EPA Act.
- c. The preparation, adoption, and review of policies and strategies of the Council in respect of town planning and environmental matters and the variation of such policies.
- d. Determination of variations to development standards related to development applications under the EPA Act where the development application involves a development which seeks to vary a development standard by more than 10% and the application is accompanied by a request to vary the development standard under clause 4.6 of Shoalhaven Local Environmental Plan 2014 or an objection to the application of the development standard under State Environmental Planning Policy No. 1 – Development Standards.
- e. Determination of variations from the acceptable solutions and/or other numerical standards contained within the DCP or a Council Policy that the General Manager requires to be determined by the Committee
- f. Determination of development applications that Council requires to be determined by the Committee on a case by case basis.
- g. Review of determinations of development applications under sections 8.11 and 8.9 of the EP&A Act that the General Manager requires to be determined by the Committee.
- h. Preparation, review, and adoption of policies and guidelines in respect of the determination of development applications by other delegates of the Council.
- i. **The preparation, adoption, and review of policies and strategies of the Council in respect to sustainability matters related to climate change, biodiversity, waste, water, energy, transport, and sustainable purchasing.**
- j. **The preparation, adoption and review of policies and strategies of the Council in respect to management of natural resources / assets, floodplain, estuary and coastal management.**

CARRIED

SA18.270 Sustainability Initiatives

**HPERM Ref:
D18/420063**

Recommendation (Item to be determined under delegated authority)

That Council receive the Sustainability Initiatives report for information and further reports are provided bi-monthly.

Clr Gartner raised a Point of Order against Clr Proudfoot, who she said had accused her of belittling staff.

RESOLVED (Clr Findley / Clr White)

MIN18.964

That Council receive the Sustainability Initiatives report for information and further reports are provided bi-monthly.

CARRIED

SA18.271 Milton Library - Budget Reallocation - Ongoing Funding

**HPERM Ref:
D18/205789**

Recommendation

That Council:

1. Reinstate the budget for Milton Library operations through the allocation of recurrent funding of \$31,000 for financial year 2019/20 onwards to be indexed linked with an annual CPI increase
2. Note that the reinstatement of the budget will ensure that there is a level of library service in Milton that is commensurate to the community's request.

RECOMMENDATION (Clr Findley / Clr Proudfoot)

That Council:

1. Reinstate the budget for Milton Library operations through the allocation of recurrent funding of \$31,000 for financial year 2019/20 onwards to be indexed linked with an annual CPI increase
2. Note that the reinstatement of the budget will ensure that there is a level of library service in Milton that is commensurate to the community's request.

CARRIED

SA18.272 Draft Destination Management Plan (DMP)

**HPERM Ref:
D18/409102**

Recommendation (Item to be determined under delegated authority)

That:

1. Council place the Draft Destination Management Plan 2018-2023 on public exhibition for a period of 28 days
2. If no significant adverse comments are received at the close of the public exhibition period, the Draft Destination Management Plan 2018-2023 be deemed adopted.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.965

That:

1. Council place the Draft Destination Management Plan 2018-2023 on public exhibition for a

period of 28 days

2. If no significant adverse comments are received at the close of the public exhibition period, the Draft Destination Management Plan 2018-2023 be deemed adopted.

CARRIED

SA18.273 Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape

**HPERM REF:
D18/403015**

Item dealt with earlier in the meeting see MIN18.957

SA18.274 Shoalhaven Indoor Sports Centre - Water Collection and Water Reuse & Reticulation Scheme

**HPERM Ref:
D18/412229**

Recommendation (Item to be determined under delegated authority)

That Council receive the report regarding the installation of Water Collection and Water Reuse & Reticulation Scheme on the roof of the Shoalhaven Indoor Sports Centre for information.

RESOLVED (Clr Findley / Clr Gash)

MIN18.966

That Council receive the report regarding the installation of Water Collection and Water Reuse & Reticulation Scheme on the roof of the Shoalhaven Indoor Sports Centre for information.

CARRIED

SA18.275 Far North Collector Road Network

**HPERM Ref:
D18/344727**

Recommendation (Item to be determined under delegated authority)

That the update report on the proposed alignment and intersection treatments at the southern and northern ends of the Far North Collector Road be noted by the Strategy and Assets Committee for information.

RESOLVED (Clr Proudfoot / Clr Gash)

MIN18.967

That the update report on the proposed alignment and intersection treatments at the southern and northern ends of the Far North Collector Road be noted for information.

CARRIED

SA18.276 Special Rates Review - Streetscape Renewal Budget 2018/19

**HPERM REF:
D18/354644**

Item dealt with earlier in the meeting see MIN18.957

**SA18.277 Kerb & Gutter Ratepayer Advance - 9 Minerva St & 27 -
33 Anne St Vincentia**

**HPERM Ref:
D18/386019**

Recommendation

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. David & Wendy Michelle Wilson, 9 Minerva Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction along the side boundary (Anne Street) to the value of \$12,797.26 (advance) of which \$2,416.82 is the contribution, \$10,380.44 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$12,975.55.
2. Anthony John & Christine Janette Hanson, 27 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
3. Anka & Mato Bautovish, 29 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
4. Julian Blakeney & Sue Gosper Carr, 31 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
5. Maria Kosiak, 33 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
6. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. David & Wendy Michelle Wilson, 9 Minerva Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction along the side boundary (Anne Street) to the value of \$12,797.26 (advance) of which \$2,416.82 is the contribution, \$10,380.44 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$12,975.55.
2. Anthony John & Christine Janette Hanson, 27 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
3. Anka & Mato Bautovish, 29 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
4. Julian Blakeney & Sue Gosper Carr, 31 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
5. Maria Kosiak, 33 Anne Street, Vincentia in respect of Kerb and Gutter construction to the

value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.

6. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

**SA18.278 Parkcare Action Plans - Sanctuary Point Graffiti
Parkcare / Cronin Place Reserve Parkcare**

**HPERM Ref:
D18/399361**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse updated 'Parkcare' Plans for Sanctuary Point and Cronin Place (Callala) with no amendments.
2. Continues to allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal and purchase of minor tools.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.969

That Council:

1. Endorse updated 'Parkcare' Plans for Sanctuary Point and Cronin Place (Callala) with no amendments.
2. Continues to allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal and purchase of minor tools.

CARRIED

**SA18.279 Licence to Desert Developments Pty Ltd - 83 South
Street Ulladulla**

**HPERM Ref:
D18/379537**

Recommendation

That Council:

1. Grant a licence to Desert Developments Pty Ltd giving rights for vehicles using the Licensee's car wash business on Lot A DP157079 to exit the property over Council's adjoining land being Lot 11 DP791198 on the same terms as that granted to D & D Dale, R Hitchcock at a rental of \$1 per annum for a term expiring when the traffic corridor on Lot 11 DP791198 ceases to be available or when Lot 11 DP791198 is required by Council for redevelopment.
2. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council:

1. Grant a licence to Desert Developments Pty Ltd giving rights for vehicles using the Licensee's car wash business on Lot A DP157079 to exit the property over Council's adjoining land being Lot 11 DP791198 on the same terms as that granted to D & D Dale, R Hitchcock at a rental of \$1 per annum for a term expiring when the traffic corridor on Lot 11 DP791198 ceases to be available or when Lot 11 DP791198 is required by Council for redevelopment.

2. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.280 State of the Environment Report Cards 2017/18

**HPERM REF:
D18/350799**

Item dealt with earlier in the meeting see MIN18.954

**SA18.281 Trees - Example Audit, Value And Status - Shoalhaven
Local Government Area**

**HPERM REF:
D18/293311**

Item dealt with earlier in the meeting see MIN18.955

SA18.282 Sustainability Program Update

**HPERM REF:
D18/376211**

Item dealt with earlier in the meeting see MIN18.953

**SA18.283 Natural Resources and Floodplain Management
Committees Reinstatement - Structure, Governance and
Resourcing**

**HPERM REF:
D18/394535**

Item dealt with earlier in the meeting see MIN18.956

SA18.284 Solar Saver Program

**HPERM Ref:
D18/406932**

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the Solar Saver Program for information only.

RESOLVED (Clr Findley / Clr Proudfoot)

MIN18.970

That Council

1. That Council receive the report on the Solar Saver Program for information only.
2. Write to the State Government bringing to their attention that NSW Legislation does not permit programs like the Solar Saver and that Council recommends a change to accommodate it.

CARRIED

SA18.285 Sustainable Energy Initiatives

**HPERM Ref:
D18/410635**

Recommendation (Item to be determined under delegated authority)

That the Committee receive the Sustainable Energy Initiatives report for information.

RESOLVED (Clr Gash / Clr White)

MIN18.971

That the Committee receive the Sustainable Energy Initiatives report for information.

CARRIED

SA18.286 Report - REMS Stage 1B - Review of Environmental Factors Addendum - Bomaderry to Nowra Transfer Main - Drilling Mud Management

HPERM Ref:
D18/363647

Recommendation (Item to be determined under delegated authority)

That

1. After consideration of the REF Addendum REMS 1B Transfer Main from Bomaderry to Nowra Drilling Mud Management September 2018, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
2. The proposed mitigation measures and controls outlined in the REF Addendum (and summarised in Table 5 of that REF) be adopted and implemented.

RESOLVED (Clr Gash / Clr White)

MIN18.972

That

1. After consideration of the REF Addendum REMS 1B Transfer Main from Bomaderry to Nowra Drilling Mud Management September 2018, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
2. The proposed mitigation measures and controls outlined in the REF Addendum (and summarised in Table 5 of that REF) be adopted and implemented.

CARRIED

SA18.287 REMS 1A Work Package 3.1 UV Procurement

HPERM Ref:
D18/409384

Recommendation (Item to be determined under delegated authority)

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

RESOLVED (Clr Gartner / Clr White)

MIN18.973

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

CARRIED

SA18.288 Communications Facilities Asset Management Plan

HPERM Ref:
D18/416397

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with the Committee's delegated authority, and as no submissions have been received, adopt the Communications Facilities Asset Management Plan.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN18.974

That Council, in accordance with the Committee's delegated authority, and as no submissions have been received, adopt the Communications Facilities Asset Management Plan.

CARRIED

SA18.289 Lease of land at Yalwal for new communications tower site

**HPERM Ref:
D18/417030**

Recommendation

That Council

1. Lease an area of approximately 10m x10m over part of Lot 3 DP252335 at Yalwal Road, Yalwal from Edward McPartland for a period of 20 years at an annual rental of \$5,000 pa, annual increases to CPI and 20% of rent received by Council from other future users of the site. The final area to be leased to be determined by design of the communications tower.
2. Grant a licence to Edward McPartland at a nominal \$1 pa to allow installation of his equipment on the communications tower when constructed.
3. Delegate Authority to the General Manager to approve and execute all future telecommunication leases and licences relating to this site, know as Part Lot 3 DP252335 Yalwal.

RECOMMENDATION (Clr Gash / Clr Kitchener)

That Council

1. Lease an area of approximately 10m x10m over part of Lot 3 DP252335 at Yalwal Road, Yalwal from Edward McPartland for a period of 20 years at an annual rental of \$5,000 pa, annual increases to CPI and 20% of rent received by Council from other future users of the site. The final area to be leased to be determined by design of the communications tower.
2. Grant a licence to Edward McPartland at a nominal \$1 pa to allow installation of his equipment on the communications tower when constructed.
3. Delegate Authority to the General Manager to approve and execute all future telecommunication leases and licences relating to this site, know as Part Lot 3 DP252335 Yalwal.

CARRIED

SA18.290 Tenders - Report Provision of Trainees & Apprentices

**HPERM Ref:
D18/416635**

Recommendation (Item to be determined under delegated authority)

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

RESOLVED (Clr Findley / Clr White)

MIN18.975

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

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 (Clr Proudfoot / Clr White)

MIN18.976

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.

CSA18.19 REMS 1A Work Package 3.1 UV Procurement

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

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.

CSA18.20 Tenders – Confidential Report Provision of Trainees & Apprentices

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

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.

CARRIED

The meeting moved into confidential the time being 8.52pm.

The meeting moved into open session, the time being 8.58pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA18.19 REMS 1A Work Package 3.1 UV Procurement

**HPERM Ref:
D18/368325**

RESOLVED (Clr Wells / Clr White)

MIN18.977C

That

1. Council accept the Tender from Xylem Pty Ltd for REMS 1A Work Package 3.1 UV Procurement at a total cost of \$1,076,715 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General

Manager (Shoalhaven Water).

3. Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

CARRIED

CSA18.20 Tenders – Confidential Report Provision of Trainees & Apprentices

**HPERM Ref:
D18/416590**

RESOLVED (Clr Alldrick / Clr White)

MIN18.978C

That

1. Council accept the Tender from Hunter Valley Training Company for Provision of Trainees and Apprentices based on the schedule of rates in Attachment A of this report.
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager.
3. Council authorise the General Manager to adjust the contract for variations and extensions for components under the contract.

CARRIED

Note: A Rescission Motion was received in relation to SA18.282 - Sustainability Program Update signed by Clrs Watson, Pakes, Proudfoot.

There being no further business, the meeting concluded, the time being 8.58pm.

Clr Wells
CHAIRPERSON

SA19.1 Notice of Motion - Sporting Fields Renovation – Use of Recycled Material

HPERM Ref: D19/9661

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. A report be prepared for Council identifying the opportunities and costs of incorporating suitable recycled organic product into the top-dressing media used by Council in the repair, restoration and renovation of Council's sports fields playing surfaces.
2. The report make recommendations with regard to amending and/or modifying current top-dressing practices and media, where considered appropriate.

Background

The presentation of good quality sports playing surfaces is critical for the development of sports in the Shoalhaven. It is critical to athlete performance, enabling our sportspeople to actualise in their chosen sport, optimise their performance and achieve their goals. It is critical to the recovery and responsiveness of our playing surfaces from wear and tear, drought and storm events. It is critical for injury prevention which might arise from loose or unstable playing surfaces or unacceptably hard ground.

Council has allocated in its annual budget a significant sum for sports field renovation and top-dressing. For the current and past couple of years, the "base-line" budget has been supplemented by an additional \$500,000 p.a. following Council's adoption of a recommendation by the Shoalhaven Sports Board to allocate more resource to this task.

It is therefore timely to investigate Council's practices to identify if there are improvements to outcomes that are able to be achieved, by considering such questions as:

- assessing the top-dressing medium Council presently uses to enhance its playing field surfaces – is top-dressing sand or soil used, i.e. virgin excavated natural material (VENM).
- if VENM is used, what supplementary fertilisers and/or organic material is added to provide nourishment and/or friability to the soil.
- are the requirements of each site considered in terms of drainage, soil chemistry, usage rates, or is a generic approach applied.
- are there environmental, sustainability and employment benefits to be had by using locally sourced recycled organics applied directly to the playing surface, or as a blend with VENM.
- what complementary works are usually considered at the time of renovation – re-turfing, over-sowing, aeration practices, irrigation, drainage works, etc.

- are sportsfield management committees consulted and engaged in decision making around rehab and renovation works.

My interest in this area of operation in recent months has been stimulated by both knowledge and conviction:

- Knowledge that a local (Shoalhaven/Illawarra) based company has developed a range of recycled organic products and recycled organic/VENM blends specifically for sporting fields. I am unaware if Council uses this local supplier.
- A conviction that, in principle, it is always preferable for environmental, social, resource preservation, long-term employment and soil quality reasons to use recycled organic material in preference to VENM acknowledging, however, that in many if not most cases an organic VENM blend could be required.

I would like the requested report to touch upon product procurement including the possibility of using mulch generated from its own Waste Operations – mulch which it currently gives away to the public on a free of charge basis. Has this product been analysed to assess its suitability to other beneficial public purposes?

I commend the motion to my colleagues.

Clr John Wells

SA19.2 Ratepayer Advance Kerb & Gutter Construction

HPERM Ref: D18/433030

Group: Assets & Works Group
Section: Works & Services

Purpose / Summary

The purpose of this report is to advise and gain Council's approval for the amount of contribution to be recovered from the owner of land adjoining a public road towards the costs incurred by Council in constructing kerb and guttering along a public road adjacent to the land, in accordance with Section 217 of the Roads Act 1993. (POL16/148).

Recommendation

That:

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with:
 - a. R J & M L Speer of 32 Ridgelands Drive, Sanctuary Point NSW 2540 in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - b. R J & M L Speer of 34 Ridgelands Drive, Sanctuary Point NSW 2540 in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - c. D L Mood of 43 Basin View Parade, Basin View (same as postal address) in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - d. C J Hobbs of 45 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - e. The Roman Catholic Church of St Michaels Parish, 25 St George Avenue, Vincentia in respect of Kerb and Gutter construction to the value of \$6,001.00 (advance) of which \$1,921.00 (excluding GST) is the contribution, \$4,080.00 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,100.00.
 - f. Rennie Marceline D'Souza, 27 St George Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction to the value of \$6,071.60 (advance) of which \$1,943.60 (excluding GST) is the contribution, \$4,128.00 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,160.00.
 - g. Marcela Evangeline Biguzas & Moses Raudino, 29 St George Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction to the value of \$7,413.00 (advance) of which \$2,373.00 is the contribution, \$5,040.00 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,300.00.

SA19.2

2. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

Options

1. Council accept the recommendation as presented.

Implications: Council will be contractually bound to repay contributions plus interest as per the Policy. The ratepayers and Council will benefit from the proactive efforts of ratepayers to improve drainage, appearance and access to properties and it may minimise erosion of the existing road verge.

2. Council not accept the recommendation, giving reasons and propose an alternative resolution.

Implications: Residents will be without kerb & gutter infrastructure and may be disappointed in the outcome.

Policy Implications

Council has in place a program whereby Ratepayers can pay the full cost of the provision of kerb and gutter along a public road adjacent to their land, where the work is not identified in Council's Capital Works program. This Policy accommodates ratepayers who wish to have kerb and gutter ahead of Council's planned program. Under the program Council enters into a formal agreement with the ratepayer for them to advance to Council the full cost of the work and for Council to repay Council's component of cost, after a period of 5 years.

The proposal presented in this report conforms to the policy.

Financial Implications

The total "debt" that Council will repay including interest at 5% will be \$44,220.60 total repayment for all seven properties.

SA19.3 Classification of Land - Lot 1 DP 1245988 - 4 Kardella Ave Nowra

HPERM Ref: D18/424564

Group: Assets & Works Group

Section: Business & Property

Attachments: 1. Aerial View - Lot 1 DP1245988 - 4 Kardella Ave Nowra [↓](#)

Purpose / Summary

To provide Council with an opportunity to consider the classification of land described as Lot 1 DP 1245988, comprising a sewer pump station at 4 Kardella Ave, Nowra (refer to Attachment 1), as operational land.

Recommendation

That Council resolve to classify the land described as Lot 1 DP1245988 at 4 Kardella Avenue Nowra as Operational Land.

Options

1. Resolve as recommended.

Implications: The land will be able to be used for its intended purpose of Sewer Pump Station (SPS). If any objections are received prior to the close of submission on 16 January 2019, these will be raised at the January meeting.

2. Not resolved as recommended.

Implications: The land will default to Community Land and be subject to the Community Land provisions as outlined in the Local Government Act 1993 (LGA93).

Background

Lot 1 DP1245988, located at 4 Kardella Ave Nowra, was dedicated to Council as part of a small three lot subdivision as it accommodates a SPS, as shown in the plan at attachment 1. The land is zoned SP2 Sewerage System under Shoalhaven LEP2014.

Section 31(2) of the LGA93 provides that before Council acquires land, or within 3 months after it acquires land, Council may resolve to classify it.

There are two classifications available:

1. Operational Land – land which Council owns as a business entity and upon which it conducts Council business; and
2. Community Land – land in Council's ownership which is held for and on behalf of the Community – subject to the Community Land provisions of LGA93.

Land will automatically be classified community land if it is acquired or dedicated (under Section 94 of the EPA Act 1979) being "subject to a trust for public purposes", i.e. land intended for public access or use. The advantage of community land is it will restrict the alienation and use of the land, thereby protecting the public interest.

Operational land on the other hand has no special restrictions other than those that may apply to any parcel of land. The advantage of operational land is to afford Council flexibility in its use and any future dealings.

A resolution of Council, within the time frame prescribed in LGA93, is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land.

Community Engagement

In accordance with Section 34 of LGA93, a public notice of Council's intention to classify the land as Operational was placed in the local newspaper on 19 December 2018 allowing 28 days for written submissions, closing 16 January 2019. Any submissions received prior to the closing time will be advised at the Committee meeting.



SA19.4 Land Classification Lots 1452 & 1452 DP1231370 Vincentia

HPERM Ref: D18/433112

Group: Assets & Works Group

Section: Business & Property

Attachments: 1. Lot 1451 Plan [↓](#)
2. Lot 1452 Plan [↓](#)

Purpose / Summary

To provide information to Council regarding the dedication and classification/categorisation of land described as Lot 1451 DP1231370 Horizon Crescent Vincentia & Lot 1452 DP1231370 Halloran Street Vincentia as Community Land.

Recommendation

That Council resolve to classify the land described as Lot 1451 DP1231370 Horizon Crescent Vincentia & Lot 1452 DP1231370 Halloran Street Vincentia DP 1231370 as Community Land with a sub-category of General Community Use.

Options

1. Resolve as recommended.

Implications: The Lots will be sub categorised as General Community Use with the generic Plan of Management for land classified General Community Use to apply to both sites.

2. Not resolve as recommended.

Implications: The land will default to Community Land and be subject to the Community Land provisions as outlined in the Local Government Act 1993.

Background

Lot 1451 DP1231370 Horizon Crescent Vincentia & Lot 1452 DP1231370 Halloran Street Vincentia (refer to Attachment 1 & 2) are being dedicated for Public Reserve through the Stockland subdivision of Lot 6002 DP1195858.

Notwithstanding the registered Deposited Plan shows the land as Public Reserve, Lot 1451 shows the land comprising a detention basin and a picnic shelter. Registrar General guidelines and the Local Government Act require land dedicated as a public reserve to be classified as community land; however a category still needs to be assigned.

Both lots are zoned R2 Low Density Residential as a flow on from the parent lot. The zoning will be amended to reflect the public reserve status by way of an upcoming LEP housekeeping amendment.

Section 31(2) of the Local Government Act, 1993 (LGA93) provides that before Council acquires land, or within 3 months after it acquires land, Council may resolve to classify it.

There are two classifications available:

1. Operational Land – land which Council owns as a business entity and upon which it conducts Council business, and
2. Community Land – land in Council's ownership which is held for and on behalf of the Community subject to the Community Land provisions of the LGA93.

In addition to the above Part 2 Division 2 of the LGA93 requires Community Land to be further categorised as a natural area; sportsground; park; cultural significance or general community use. Management of the land under the aforesaid categories is via a generic plan of management unless a site specific plan of management is required.

Land will automatically be classified community land if it is acquired or dedicated (under Section 94 of the EPA Act 1979) being "subject to a trust for public purposes", i.e. land intended for public access or use. The advantage of community land is it will restrict the alienation and use of the land, thereby protecting the public interest.

Operational land on the other hand has no special restrictions other than those that may apply to any parcel of land. The advantage of operational land is that Council has flexibility in its use and any future dealings.

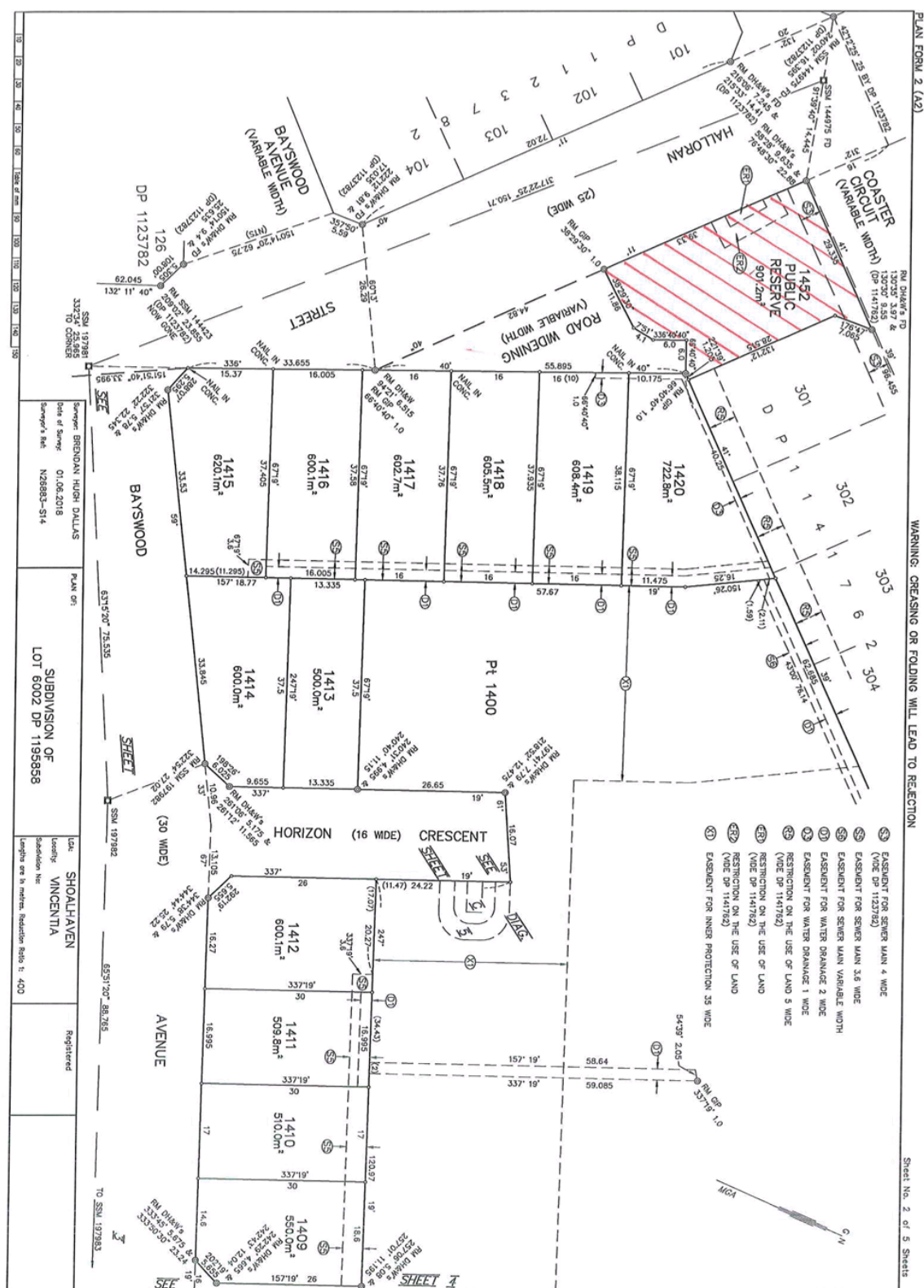
A resolution of Council, within the time frame prescribed in the LGA93, is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land.

Land incorrectly classified (via resolution or by default) that subsequently requires an ability to be dealt with will require a reclassification to operational land that involves the making of an LEP amendment under the EPA Act 1979. This is a timely and costly exercise with no budget having been provided.

Community Engagement

In accordance with Section 34 of the LGA93, a public notice of Council's intention to classify the land as Community was placed in the local press on 7 November 2018 allowing 28 days for written submissions, with none received.





SA19.5 Acquisition of Water & Sewer Easement at Lot 76 DP 755907 - 66 Wrights Beach Road, Bream Beach

HPERM Ref: D18/433480

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

Attachments: 1. Proposed Acquisition Plan - Water Supply & Sewer Easement - Lot 76 DP 755907 Wrights Beach Rd, Bream Beach [↓](#)

Purpose / Summary

This report is submitted to seek Council approval for the compulsory acquisition of an easement for water supply and sewerage variable width over Crown land Lot 76 DP 755907 at 66 Wrights Beach Road, Bream Beach.

Recommendation

That Council resolve:

1. To compulsorily acquire the following easement for Council infrastructure over Crown land Lot 76 DP 755907, subject to resolving Native Title interests, at compensation determined by the Valuer General:
 - a. An Easement for Water Supply and Sewerage variable width, shown in yellow and marked 'E' on the attached plan.
2. To pay compensation and costs associated with the acquisition from Shoalhaven Water's Sewer and Water Funds. Compensation determined by the Valuer General to be in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
3. That the necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
4. That 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

Implications: Acquisition of easement is required to formalise existing Shoalhaven Water infrastructure.

2. Not resolve as recommended and provide further directions to staff.

Background

Lot 76 DP755907 is Crown land, subject to a perpetual lease held by Erowal Bay Holiday Co-operative Limited. A Proposed Acquisition Notice (PAN) is to be sent to the Crown and the lease holder.

A single easement for both water supply and sewerage is now proposed to formalise both existing lines which were constructed in 1983 and 1994 respectively.

Crown Lands have provided consent to the acquisition of an Easement for Water Supply and Sewerage variable width, marked 'E' on the attached plan to formalise existing water and sewerage infrastructure. This consent is subject to Council resolving any Native Title issues over the land.

Crown Lands have also advised there are no current undetermined Aboriginal Land Claims over this parcel. It is not claimable land as it is not subject to a Crown reservation and the perpetual lease was issued prior to 1983.

The easement has been arranged in consultation with representatives of Erowal Bay Holiday Co-operative Limited.

With respect to Native Title, NTSCorp representing claimants, the South Coast People, have been notified of Council's actions and will be provided the same procedural rights as a freehold title owner under the Land Acquisition (Just Terms Compensation) Act.

Financial Implications

Compensation and all costs associated with the acquisition are to be funded from Shoalhaven Water's Sewer and Water funds. The compensation will be determined by the Valuer General, as detailed in the above recommendation.



SA19.6 Public Interest Advocacy Centre Study - Water Supply Disconnections

HPERM Ref: D19/2327

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

Purpose / Summary

Shoalhaven Water has been actively involved with the NSW Public Interest Advocacy Centre (PIAC) as part of a study to gauge the hardship impacts of utility disconnections on customers. Shoalhaven Water represented the water utility aspects of the study for regional NSW.

The project was facilitated by PIAC with Shoalhaven Water's inclusion through senior staff involvement on the NSW Energy & Water Ombudsman membership programs. Participation in gauging perceptions of value and affordability of utility services is consistent with the Shoalhaven Water Strategic Business and Customer Service Plans as previously endorsed by Council.

This project has provided Shoalhaven Water with valuable industry and customer information about its core services. Aspects of the findings will be incorporated into the Shoalhaven Water assistance measures for dissemination to customers.

Recommendation (Item to be determined under delegated authority)

That the information in the report on Public Interest Advocacy Centre Study - Water Supply Disconnections be noted.

Options

Council could seek additional information on any aspect of the report.

Background

Introduction

Although the Community Strategic Plan (CSP) and subsequent reviews did not identify any concerns with water and sewerage services at a higher strategic level, Shoalhaven Water as a major Local Water Utility continually reviews its levels of service for efficiency, currency and consistency. Shoalhaven Water constantly obtains feedback from customers following their requests for assistance and reports these results within the Customer Service Plan and to the Management Team of Shoalhaven Water.

An opportunity was presented in late 2017 to participate in a dedicated **study on the impact on customers from the disconnection of utility services**. This study was the fourth and most comprehensive undertaken by PIAC on the subject noting the negative impact on both the customer and the utility of disconnection from services. Shoalhaven Water had participated in the last study in 2012 and was actively involved in the formulation of the content and reaching the desired outcomes.

The study titled “Close to the Edge” was conducted by UMR Strategic Research and Shoalhaven Water was one of three water utilities in NSW to be included (Sydney Water, Hunter Water and Shoalhaven). The full report can be found at <https://www.piac.asn.au/2018/11/22/report-utility-disconnections-hitting-struggling-families-hardest/>

Details

The UMR research was undertaken on NSW residential customers who had been threatened with disconnection or disconnected from electricity, gas and/or water services for non-payment issues. The purpose of the research was to broadly explore:

- The longer-term reasons that lead to disconnection and payment difficulties.
- Compare the experiences of those who are disconnected with those who came close to it whilst exploring the positive and negative actions.
- Which supports are most effective at helping people avoid disconnection and debt long term.
- What are the most effective strategies to reduce disconnection.

Placing Shoalhaven Water’s involvement in the study into some context, it should be noted that like most utility providers the threat of or disconnection from services is the primary debt recovery mechanism to recover unpaid charges. Shoalhaven Water is required to report annually the number of water restrictions or legal actions instigated as part of the Australian Government National Performance for urban water utilities. The latest available national results (2016-17) are shown below for Shoalhaven:

Performance Indicator	Shoalhaven Result	*Utility Group Median Average	**National Median Average
# of restrictions applied for non-payment of water bill	45	44.6	103
# of restrictions applied for non-payment of water bill (per 1000 properties)	1	1.54	2.5
# of legal actions applied for non-payment of water bill	45	40	44
# of legal actions applied for non-payment of water bill (per 1000 properties)	<1	2	2

* Utility Group – Medium (20k to 50k connected properties)

** National – All 79 water utilities (10k to 100K + connected properties)

Whilst Shoalhaven Water has a range of assistance measures to prevent legal or restriction of supply action, communication from or a willingness by customers to commit to or maintain realistic payment options is an ongoing challenge. The failure in these situations often leads to disconnection or legal action.

Shoalhaven Water through the PIAC invited 100 customers to participate in the survey used as the qualitative aspects of the study and 13 responded. Whilst this response rate is good locally, it is not statistically relevant in the overall study given there were 1,113 in the total study across all utility providers. It should also be noted that Shoalhaven respondents were all the owners of a property. This differs from electricity and gas which involve a large

number of rental situations. Shoalhaven does not restrict supply or instigate legal actions on tenants.

The result however did provide Shoalhaven with some insight into local issues such as household, ownership status, health and other socio matters. One over-riding comment provided by Shoalhaven respondents was the stress, anxiety and embarrassment of managing outstanding financial matters. This aspect will be addressed separately for Shoalhaven Water and within the study recommendations below.

PIAC Results and Recommendations

The study identified a number of trends in the results including:

- 66% of disconnected households have at least one mental, intellectual or physical illness or disability in the household,
- 71% of people who were disconnected were facing at least one type of disadvantage such as being a sole parent, unemployed or living with a disability,
- 27% of households cut back on buying food,
- 13% delayed medical or dental needs, and
- 12% used a credit card or pawn broker loan to get reconnected

In assessing the overall relevance of the study results for a water utility; the above must be considered in light of the lower number of respondents against that of electricity and gas. Of the 1,113 respondents only 7% were representative of water utilities with gas (18%) and electricity (75%). Regardless, the recommendations still have some basis for consideration in the overall strategy and processes of managing customers with account arrears.

A summary of the PIAC recommendations based on the study findings are outlined below together with the Shoalhaven response:

Improve the proactive, early identification of consumers at risk of disconnection.

The research indicates there is a progression or loop for people dealing with bill affordability which suggests there are opportunities for utilities to identify people before they get into unmanageable debt. These customers should be offered tailored assistance through hardship assistance at an early point.

Shoalhaven Water response: This recommendation relates largely to the Energy Assistance program and measures to determine eligibility for hardship. The Shoalhaven Water Payment Assistance scheme has no set eligibility criteria and is available to all residential customers experiencing difficulty in paying for water usage. Shoalhaven provides details on the scheme on all final reminder notifications; however, it is intended to promote the scheme more widely and explore verbal contact options as a more timely means for communicating assistance measures.

Remove barriers to achieving effective assistance.

The research showed many customers were unaware of assistance options to reduce usage, keep future bills down and get onto a better energy deal. Improvements could be made by retailers being required to communicate with customers about the options both electronically and in person.

Shoalhaven Water response: This recommendation relates heavily to the Gas and Energy retail industry where there is a wide market choice of provider. In respect of communication however, Shoalhaven Water is at the early stages of exploring the options to utilise the Technology One product to capture, manage and utilise mobile/email customer information for ease of contact. Shoalhaven Water also contacts those pensioner account holders with

outstanding balances on an annual basis. This is done in order to highlight their account details, provide advice on assistance measures and invite further communication to discuss any water related concerns.

Reducing recourse to disconnection.

Disconnection does not address the factors which contribute to the disconnection and does not stop it happening again. It usually exacerbates the experience of hardship. Minimising the recourse to disconnection could include:

- keeping customers who make reasonable attempts to make payments connected
- removing the ability for disconnection and reconnection fees to be passed on
- ensuring retailers are only using disconnection as a last resort
- no disconnection of households with children under 16 years

Shoalhaven Water response: The finding that disconnection does not address the factors and does not stop it happening again is generally agreed for customers in genuine hardship. Such does not necessarily relate to the Shoalhaven where a high number of flow restrictions occur upon “holiday” properties and where previous communication attempts have been ignored by the owners. Under the Shoalhaven Water Debtor Management Policy the use of flow restrictors is not undertaken on a number of vulnerable customer groups and very liberal payment arrangements will be accepted based on the customer advice, capacity and ongoing communication. The use of flow restrictors is as a last resort.

Community Engagement

Shoalhaven Water involvement with the PIAC study will be included within the next review of the Customer Service Plan.

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.