

## Extra Ordinary Meeting

**Meeting Date:** Thursday, 02 February, 2017  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 4.00pm

**Membership** (Quorum - 7)  
All Councillors

**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. **Declarations of Interest**
3. **Notices of Motion / Questions on Notice**
  - CL17.24 Rescission Motion - CL17.23 - Proposed Special Rate Variation for Financial Sustainability including infrastructure renewal .....1
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## CL17.24 Rescission Motion - CL17.23 - Proposed Special Rate Variation for Financial Sustainability including infrastructure renewal

HPERM Ref: D17/31384

Submitted by: Clr Andrew Guile  
Clr Mitchell Pakes  
Clr Bob Proudfoot

### Purpose / Summary

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

### Recommendation

That Council rescind the resolution of the Council relating to Item CL17.23 of the Extraordinary Council Meeting held on 1 February 2017.

### Background

The following resolution was adopted at the Extraordinary Meeting of the Council held on 1 February 2017 (MIN17.71)

*That:*

- 1. Council receive the feedback and results of the community engagement*
- 2. Council endorse a financial sustainability approach that includes continued improvement in our procurement and asset management practices and improving productivity and implementing a Special Rate Variation*
- 3. Council authorise staff to make formal application to the Independent Pricing and Regulatory Tribunal (IPART) and lodge a Section 508A Special Rate Variation (SRV) on general income for an increase of 11.5% in 2017/18 and 11.5% in 2018/19, above rate peg for each of the 2 years in order for Council to financially support the ongoing provision of service levels to the community and increase levels of asset maintenance and renewal.*
- 4. Staff provide a report to the next Ordinary Council Meeting on the establishment of a Citizen's Panel to provide recommendations to Council on priority areas for expenditure related to the Special Rate Variation*
- 5. Council accept the submission from The Shoalhaven Independents on behalf of the ratepayers and residents who attended protest meetings at St Georges Basin, Bomaderry, Huskisson and Nowra as part of the overall submissions and the submission also be reported to IPART.*
- 6. The General Manager report back to Council on how Council could capture any business that is operating from residential premises and re-categorise to business and if there are any legislative hurdles should Council wish to pursue this as an ongoing part of revenue review. This should include the cost for resourcing such a project- this suggestion was put to Council by concerned ratepayers.*

7. *The General Manager report back if any other Councils apply a levy or any other mechanism to increase rates on those properties that are known to supply accommodation to the tourism industry and are essentially a business- these properties would be those listed by real estate agents and online mechanisms such as Air BnB and Stayz –this suggestion has been raised by concerned business operators.*
8. *The General Manager also report back on any measures that can be used to essentially pass some of the financial burden of maintaining assets onto the many tourist that come to the Shoalhaven, suggestions that have come through include parking meters for peak tourist times and places and bed taxes. The report should also include any legislative or resourcing issues for such matters.*
9. *In reporting back could the General Manager please comment on any timing issues that could be foreseen if such mechanisms were to be adopted by Council.*
10. *Council refer the matters raised by an Independent Auditor in a recent confidential meeting with councillors to Council’s Risk & Audit committee for consideration and any further advice.*

## **CL17.25 Notice of Motion - Proposed Special Rate Variation for Financial Sustainability including infrastructure renewal**

**HPERM Ref:** D17/31522

**Submitted by:** Clr Andrew Guile  
Clr Mitchell Pakes  
Clr Bob Proudfoot

### **Purpose / Summary**

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

### **Recommendation**

That:

1. The Special rate variation application be deferred until next year.
2. Council receive the feedback and results of the community engagements including the series of rates protest meetings organised by the Shoalhaven Independents.
3. Council implement an independent financial investigation and review in consultation with qualified and experienced community representatives to determine the extent of or any real need for Section 508A Special Rate Variation (SRV).
4. Council direct the General Manager to withhold any IPART application subject to the results of the investigation and review.
5. Staff implement a community 'Waste Watch' task force to identify waste and reduce costs.
6. Council accept the submission from The Shoalhaven Independents on behalf of the ratepayers and residents who attended protest meetings at St Georges Basin, Bomaderry, Huskisson and Nowra as part of the overall submissions and the submission also be reported to IPART.
7. The General Manager report back to Council on how Council could capture any business that is operating from residential premises and re-categorise to business and if there are any legislative hurdles should Council wish to pursue this as an ongoing part of revenue review. This should include the cost for resourcing such a project- this suggestion was put to Council by concerned ratepayers.
8. The General Manager report back if any other Councils apply a levy or any other mechanism to increase rates on those properties that are known to supply accommodation to the tourism industry and are essentially a business- these properties would be those listed by real estate agents and online mechanisms such as Air BnB and Stayz –this suggestion has been raised by concerned business operators.
9. The General Manager also report back on any measures that can be used to essentially pass some of the financial burden of maintaining assets onto the many tourist that come to the Shoalhaven, suggestions that have come through include parking meters for peak tourist times and places and bed taxes. The report should also include any legislative or resourcing issues for such matters.

10. Council in reporting back could the General Manager please comment on any timing issues that could be foreseen if such mechanisms were to be adopted by Council.
11. Council refer the matters raised by an Independent Auditor in a recent confidential meeting with councillors to Council's Risk & Audit committee for consideration and any further advice.

## 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.