

## Extra Ordinary Meeting

**Meeting Date:** Thursday, 15 June, 2017  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 4.15pm

**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**

CL17.156    Rescission Motion - CL17.149 Special Rate Variation- IPART  
Decision - CL17.150 Chapter 3 Integrated Strategic Plan - Revenue  
Policy - Making of Rates and Charges .....1

## **CL17.156 Rescission Motion - CL17.149 Special Rate Variation- IPART Decision - CL17.150 Chapter 3 Integrated Strategic Plan - Revenue Policy - Making of Rates and Charges**

**HPERM Ref:** D17/188432

**Submitted by:** Clr Greg Watson  
Clr Mitchell Pakes  
Clr Andrew Guile  
Clr Mark Kitchener

### **Purpose / Summary**

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

### **Recommendation**

That Motions CL17.149 and CL17.150 be rescinded.

### **Background**

The following resolutions were adopted at the Extra Ordinary Meeting held Tuesday 13 June 2017:

#### **CL17.149**

*RESOLVED* *MIN17.519*

*Council adopt a Special Rate Variation of 13.2% including the rate peg of 1.5% for the 2017/18 Financial Year.*

#### **CL17.150**

*RESOLVED* *MIN17.520*

*That Council resolve to make rates and charges in accordance with Section 535 of the Local Government Act 1993:*

- 1. Make an Ordinary Rate, consisting of an ad valorem rate of 0.21684c for each dollar of rateable land value in addition to a base amount of five hundred and eighty dollars (\$580.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as "Residential", in accordance with Section 516, for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(1), this rate be named "RESIDENTIAL".*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of five hundred and eighty dollars (\$580.00) per rateable assessment for the "RESIDENTIAL" category will not produce more than 50% of the total amount payable by the levying of the "RESIDENTIAL" rate in accordance with Section 537(b) [base amount percentage is 49.93%]*

2. *Make an Ordinary Rate, consisting of an ad valorem rate of 0.31581c for each dollar of rateable land value be made on all rateable land in the City of Shoalhaven, in accordance with Section 518 of the Local Government Act 1993: “Land is to be categorised as ‘business’ if it cannot be categorised as farmland, residential or mining”. Excepting all rateable land in the sub categories of Commercial/Industrial and Nowra, an ordinary rate be now made for the period of 1 July 2017 to 30 June 2018 and, in accordance with Section 543(1), this rate be named “BUSINESS”.*
3. *Make an Ordinary Rate, consisting of an ad valorem rate of 0.18836c for each dollar of rateable land value in addition to a base amount of five hundred and eighty dollars (\$580.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland”, in accordance with Section 515, for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(1), this rate be named “FARMLAND”.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of five hundred and eighty dollars (\$580.00) per rateable assessment for the “FARMLAND” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND” rate in accordance with Section 537 (b) [base amount percentage is 24.75%].*

4. *Make an Ordinary Rate, consisting of an ad valorem rate of 0.21684c for each dollar of rateable land value in addition to a base amount of forty three dollars (\$43.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land in the City of Shoalhaven which is zoned so as not to permit any building (i.e.; Small Lot Rural Subdivisions) and categorised as “Residential”, in accordance with Section 516, sub category “NON-URBAN”, in accordance with Section 529(2)(b), for the period 1 July 2017 to 30 June 2018.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of forty three dollars (\$43.00) per rateable assessment for the “RESIDENTIAL NON-URBAN” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL NON-URBAN” rate in accordance with Section 537(b) [base amount percentage is 42.98%].*

5. *Make an Ordinary Rate, consisting of an ad valorem rate of 0.66515c for each dollar of rateable land value in addition to a base amount of five hundred and eighty dollars (\$580.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land in the City of Shoalhaven determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub-category “NOWRA”, in accordance with Section 529(1), for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(1), this rate be named “BUSINESS NOWRA”.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of five hundred and eighty dollars (\$580.00) per rateable assessment for the “BUSINESS NOWRA” sub category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS NOWRA” rate in accordance with Section 537(b) [base amount percentage is 15.79%].*

6. *Make an Ordinary Rate, consisting of an ad valorem rate of 0.30467c for each dollar of rateable land value in addition to a base amount of five hundred and eighty dollars (\$580.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land in the City of Shoalhaven used or zoned for professional/commercial trade or industrial purposes, determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub category “COMMERCIAL/INDUSTRIAL”, in accordance with Section 529(1), for the period of 1 July 2017 to 30 June 2018.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of five hundred and eighty dollars (\$580.00) per rateable assessment for the “BUSINESS –COMMERCIAL/INDUSTRIAL” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – COMMERCIAL/INDUSTRIAL” rate in accordance with Section 537(b) [base amount percentage is 29.98%].*

7. *Make an Ordinary Rate, consisting of an ad valorem rate of 0.09590c for each dollar of rateable land value in addition to a base amount of five hundred and eighty dollars (\$580.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland” sub category “DAIRY FARMERS”, in accordance with Section 515 AND 529(2)(a), for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(1), this rate be named “FARMLAND” sub category “DAIRY FARMERS”.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of five hundred and eighty dollars (\$580.00) per rateable assessment for the “FARMLAND –DAIRY FARMERS” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND – DAIRY FARMERS” rate in accordance with Section 537(b) [base amount percentage is 32.26%].*

8. *Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 1.08993c for each dollar of rateable land value in addition to a base amount of two thousand six hundred and seventy four dollars (\$2,674.00), for the cost of road upgrades required to enable property owners to develop their allotments in the Veron’s estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties with building entitlement within the Veron’s estate which, in the opinion of Council, derive special benefit and are subject to this rate, in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(2), this rate be named “VERON’S ROAD UPGRADE SPECIAL RATE – WITH BUILDING ENTITLEMENT”.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two thousand six hundred and seventy four dollars (\$2,674.00) per rateable assessment for the “VERON’S ROAD UPGRADE SPECIAL RATE – WITH BUILDING ENTITLEMENT” will not produce more than 50% of the total amount payable by the levying of the “VERON’S ROAD UPGRADE SPECIAL RATE – WITH BUILDING ENTITLEMENT” in accordance with Section 537(b) [base amount percentage is 49.98%].*

9. *Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.23668c for each dollar of rateable land value in addition to a base amount of two hundred and ninety seven dollars (\$297.00), for the cost of the road upgrades in the Veron’s estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties without building entitlement within the Veron’s estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(2), this rate be named “VERON’S ROAD UPGRADE SPECIAL RATE – WITHOUT BUILDING ENTITLEMENT”.*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred and ninety seven dollars (\$297.00) per rateable assessment for the “VERON’S ROAD UPGRADE SPECIAL RATE – WITHOUT BUILDING ENTITLEMENT” will not produce more than 50% of the total amount payable by the levying of the “VERON’S ROAD UPGRADE SPECIAL RATE – WITHOUT BUILDING ENTITLEMENT” in accordance with Section 537(b) [base amount percentage is 49.84%].*

10. *Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.17395c for each dollar of rateable land value in addition to a base amount of one hundred and twenty one dollars (\$121.00) for the cost associated with the Nebraska road construction project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Nebraska estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(2), this rate be named "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE".*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one hundred and twenty one dollars (\$121.00) per rateable assessment for the "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE" will not produce more than 50% of the total amount payable by the levying of the "JERBERRA ROAD CONSTRUCTION SPECIAL RATE" in accordance with Section 537(b) [base amount percentage is 49.98%].*

11. *Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 3.16405c for each dollar of rateable land value in addition to a base amount of two thousand five hundred and fifty four dollars (\$2,554.00) for the cost associated with the Jerberra road infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(2), this rate be named "JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE".*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two thousand five hundred and fifty four dollars (\$2,554.00) per rateable assessment for the "JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE" will not produce more than 50% of the total amount payable by the levying of the "JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE" in accordance with Section 53 (b) [base amount percentage is 49.98%].*

12. *Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 1.06697c for each dollar of rateable land value in addition to a base amount of eight hundred and sixty dollars (\$860.00) for the cost associated with the Jerberra electricity infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(2), this rate be named "JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE".*

*Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of eight hundred and sixty dollars (\$860.00) per rateable assessment for the "JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE" will not produce more than 50% of the total amount payable by the levying of the "JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE" in accordance with Section 537(b) [base amount percentage is 49.95%].*

13. *Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 7.75712c for each dollar of rateable land value in addition to a base amount of six hundred and forty five dollars (\$645.00) for the cost associated with the Jerberra Road E2 infrastructure project. In accordance with Section 495(1) the special rate is to be levied only on those rateable properties within the Jerberra estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30*

June 2018 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD E2 SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and forty five dollars (\$645.00) per rateable assessment for the “JERBERRA ROAD E2 SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD E2 SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.97%].

14. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.03244c for each dollar of rateable land value to meet the costs of business promotions for the Sussex Inlet area and surrounds, in accordance with Section 495(1), which in the opinion of Council is of special benefit to the rateable assessments subject to the rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2017 to 30 June 2018 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
15. Make an Annual Charge for Water Usage and Water Availability, in accordance with Section 502 and 552(1) (a) and (b), for the period 1 July 2017 to 30 June 2018, comprising a Water Usage Charge of \$1.70 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Water Availability Charge based on water meter size:

<b>Size of Water Meter Service Connection</b>	<b>Charge 2017/18</b>
<b>20 mm (all residential customers)</b>	\$82.00
<b>25 mm</b>	\$129.00
<b>32mm</b>	\$211.00
<b>40mm</b>	\$330.00
<b>50mm</b>	\$515.00
<b>80mm</b>	\$1,318.00
<b>100mm</b>	\$2,060.00
<b>150mm</b>	\$4,635.00
<b>200mm</b>	\$8,240.00

Properties with multiple water meter service connections will be levied an availability charge for each connection. In accordance with Section 552 of the Local Government Act 1993, any vacant land where the service is available will be levied an availability charge.

The charges be named “WATER USAGE CHARGE” and “WATER AVAILABILITY CHARGE”, in accordance with Section 543(3).

16. Make an Annual Charge for Wastewater Usage and Wastewater Availability, in accordance with Section 502 and 552(3), for the period 1 July 2017 to 30 June 2018, comprising a Wastewater Usage Charge of \$1.60 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Wastewater Availability Charge based on water meter size:

<b>Size of Water Meter Service Connection</b>	<b>Charge 2017/18</b>
<b>20 mm</b>	\$830.00
<b>25 mm</b>	\$1,161.00
<b>32mm</b>	\$1,775.00
<b>40mm</b>	\$2,355.00
<b>50mm</b>	\$3,320.00

<b>80mm</b>	\$6,855.00
<b>100mm</b>	\$9,822.00
<b>150mm</b>	\$16,922.00
<b>200mm</b>	\$26,252.00

*Properties with multiple water meter service connections will be levied a wastewater availability charge for each connection. In accordance with Section 552 of the Local Government Act 1993, any vacant land where the service is available will be levied an availability charge.*

*The charges be named “WASTEWATER USAGE CHARGE” and “WASTEWATER AVAILABILITY CHARGE”, in accordance with Section 543(3).*

17. *Make an Annual Charge for the availability of a Domestic Waste Management Service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2017 to 30 June 2018, on all rateable properties categorised as residential for rating purposes and comprising of a building which is deemed to be a dwelling and located within the defined (urban) waste collection area.*

*The amount for the standard residential domestic waste management service be \$333 for one 120 litre mobile garbage bin (MGB) for landfill waste (weekly service) and one 240 litre MGB for recycling (fortnightly service).*

*In accordance with Section 543(3), the charge be named “DOMESTIC WASTE MANAGEMENT CHARGE”.*

18. *Make an Annual Charge for a Rural Domestic Waste Collection Service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2017 to 30 June 2018, on rateable properties comprising of a building which is deemed to be a dwelling and located outside of the defined (urban) waste collection area, and opt for the rural domestic waste collection service.*

*The amount for the rural domestic waste collection service be \$333 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 120 litre MGB for recycling (weekly service). For a higher annual charge of \$584, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$252, the 120 litre landfill bin may be substituted for an 80 litre landfill bin.*

*In accordance with Section 543(3), the charge be named “RURAL DOMESTIC WASTE COLLECTION CHARGE”.*

19. *Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2017 to 30 June 2018, of \$67.00 per assessment for administration and new works associated with future provision of domestic waste management services. The charge to be applied to any domestic assessments which have any boundary adjacent to a road receiving an urban domestic waste management service and*

1. *Does not have a dwelling situated thereon, or*
2. *The closest point of the dwelling is 100 metres or more from the boundary of the road and the ratepayer chooses not to receive a domestic waste management service.*

*In accordance with Section 543(3), the charge be named “NEW WORKS WASTE MANAGEMENT AVAILABILITY CHARGE”.*

20. *Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2017 to 30 June 2018, of \$25.00 per eligible residential or business rate assessment and \$12.50 per strata assessment. In accordance with Section 543(3), the charge be named “STORMWATER MANAGEMENT SERVICE CHARGE”.*

21. *Make an Interest Rate of 7.5%, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2017 to 30 June 2018, being the maximum interest rate chargeable on overdue rates and charges, accruing daily on a simple interest basis.*



## 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.