

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 25 June 2019
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.02pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener – arrived at 5.05pm
Clr Bob Proudfoot

The meeting was opened by an Acknowledgement of Traditional Custodians by the Chairperson, followed with a Prayer by Rev Dr Matthew Wilson and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

Apologies / Leave of Absence

Note: Clr Kitchener arrived 5.05pm

RESOLVED (Clr Gartner / Clr Digiglio) MIN19.403

That a Leave of Absence be granted for Clr Findley from 28 June to 5 July 2019.

CARRIED

Procedural Motion - Suspension of Meeting

RESOLVED (Clr Findley / Clr Proudfoot) MIN19.404

That the meeting proceedings be suspended to allow for an announcement by the Mayor.

CARRIED

CL19.168 Additional Item - Announcement - Appointment of the new Chief Executive Officer (CEO)

The Mayor made an announcement of the appointment of the new Chief Executive Officer – Mr Stephen Dunshea.

Stephen Dunshea signed his contract of employment and thanked the Mayor and Councillors for their support and advised that he looked forward to working with Councillors, Staff and the Community to make the Shoalhaven a better place.

Confirmation of the Minutes

RESOLVED (Clr Guile / Clr White)

MIN19.405

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 28 May 2019 be confirmed.

CARRIED

Declarations of Interest

Clr Wells – CL19.161 Delivery Program and Operational Plan, Draft Budget 2019/20 and Long Term Financial Plan - Exhibition Outcomes – pecuniary interest declaration – he is the president of the Illawarra Academy of Sport and the recommendation of the item makes specific reference to an increase in funding for the academy – will leave the room and will not take part in discussion or vote.

Clr Pakes – CL19.161 Delivery Program and Operational Plan, Draft Budget 2019/20 and Long Term Financial Plan - Exhibition Outcomes – less than significant non pecuniary interest declaration – included in the report is funding for works on the Lake Circuit, Culburra Beach and he owns a property on that road – Will remain in the room and will take part in discussion and vote.

Call Over of the Business Paper

The following items were called up for debate:

SA19.74, SA19.75, SA19.76, SA19.78, SA19.80, AA19.8, TC19.30, CL19.161, CL19.163, CL19.164, CL19.166, DE19.45, CL19.167

The remaining items were resolved en-block (Clr White / Clr Wells) at this time. They are marked with an asterisk (*) in these Minutes.

Presentation of Petitions

Clr Wells presented a petition containing 937 signatures which states:

As a resident/rate payer/visitor of Shoalhaven Council, I support the passing of a motion to join other councils to protect the Great Australian Bight and oppose all exploratory drilling and mining for fossil fuels in the Great Australian Bight.

MAYORAL MINUTE

MM19.10 Mayoral Minute - Queen's Birthday Honours

HPERM Ref:
D19/191755

Recommendation

That the report be received for information.

RESOLVED (Clr Findley / Clr Pakes)

MIN19.406

That the report be received for information.

CARRIED

MM19.11 Mayoral Minute - 2019 Ministers' Award for Women in Local Government

HPERM Ref:
D19/192582

The Mayor acknowledged Ms Carmel Krogh for receiving her award in Parliament House.

Carmel Krogh responded, noting her appreciation for the acknowledgement and that this meeting would be her last Ordinary council meeting as the Director Shoalhaven Water. She made special mention of the staff of Shoalhaven Water for their dedication and excellent service to the community and Council.

Recommendation

That Council receive the report for information.

RESOLVED (Clr Findley / Clr Alldrick)

MIN19.407

That Council receive the report for information.

CARRIED

MM19.12 Mayoral Minute - Congratulations - Shoalhaven Environmental Expo - ReIMAGINE A Sustainable Future!

HPERM Ref:
D19/192795

Recommendation

That Council receive the report for information.

RESOLVED (Clr Findley / Clr Pakes)

MIN19.408

That Council receive the report for information.

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL19.155 – Rescission Motion – SA19.24 – Hyams Beach Off Site Parking

Mr Chris Grounds (speaking on behalf of 5 organisations) addressed the meeting to speak for the recommendation.

CL19.166 – Nowra Youth Services Incorporated – Variation of lease Agreement – Lot 1 DP 315733 – 132 Kinghorne Street, Nowra

Ms Nicole Moore and Ms Chloe Seymour, representing Nowra Youth Services Inc, addressed the meeting to speak for the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr Alldrick)

MIN19.409

That the following matters be brought forward for consideration:

- CL19.155 – Rescission Motion – SA19.24 – Hyams Beach Off Site Parking
- CL19.166 – Nowra Youth Services Incorporated – Variation of Lease Agreement – Lot 1 DP315733 – 132 Kinghorne Street, Nowra

CARRIED

CL19.155 Rescission Motion - SA19.24 - Hyams Beach Off Site Parking

HPERM Ref:
D19/201033

Recommendation

That in relation to the item Peak Tourist Management Package SA19.24, endorsed by Council at the 26 March 2019 Ordinary Meeting, Council expunges, or does not act upon Part 3(i) of the resolution which indicates a preference for two identified potential sites owned by the Jerrinja Local Aboriginal Lands Council and the National Parks and Wildlife Service.

RESOLVED (Clr Levett / Clr Digiglio)

MIN19.410

That in relation to the item Peak Tourist Management Package SA19.24, endorsed by Council at the 26 March 2019 Ordinary Meeting, Council expunges, or does not act upon Part 3(i) of the resolution which indicates a preference for two identified potential sites owned by the Jerrinja Local Aboriginal Lands Council and the National Parks and Wildlife Service.

CARRIED

CL19.166 Nowra Youth Services Incorporated - Variation of lease agreement - Lot 1 DP315733 - 132 Kinghorne Street, Nowra

HPERM Ref:
D19/195697

Recommendation

That Council:

1. Reduce the existing rent from 1 July 2019 to the statutory minimum (\$498.00) per annum plus GST (with annual CPI increases) by varying the current five (5) year lease agreement which commenced on 1 March 2016 for the property known as 132 Kinghorne Street Nowra, being Lot 1 DP15733 between Shoalhaven City Council (ABN 59 855 182 344) and Nowra Youth Services Incorporated (ABN 54 163 567 644).

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.

RESOLVED (Clr Findley / Clr Gash)

MIN19.411

That Council:

1. Reduce the existing rent to \$1 per annum from 1 July 2019 to be reviewed in 2021 by varying the current five (5) year lease agreement which commenced on 1 March 2016 for the property known as 132 Kinghorne Street Nowra, being Lot 1 DP15733 between Shoalhaven City Council (ABN 59 855 182 344) and Nowra Youth Services Incorporated (ABN 54 163 567 644).
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 Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL19.151 Notice of Motion - Keeping Kin Connected Family Fun Day

**HPERM Ref:
D19/185855**

Recommendation

That Illawarra Shoalhaven District (F.A.C.S.) be granted a fee waiver (\$631), under Section 610e of the Local Government Act ("not for profit organisations"), for the hire of the committee room and pavilion room at the Nowra Showground in the September school holidays, in order to host the Keeping Kin Connected Family Fun Day.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN19.412

That Illawarra Shoalhaven District (F.A.C.S.) be granted a donation by way of a fee transfer of \$473 from the unallocated donations budget for the hire of the committee room and pavilion room at the Nowra Showground in the September school holidays, in order to host the Keeping Kin Connected Family Fun Day.

CARRIED

CL19.152 Notice of Motion - Traineeship, Apprenticeship and Cadetship Programs

**HPERM Ref:
D19/200866**

Recommendation

It is requested that staff provide a report to Council that:

1. Provides details of the current traineeship, apprenticeship and cadetship programs within Council; and
2. Identifies any opportunities for potential expansion of current programs in place.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN19.413

That the General Manager (Finance Corporate and Community Services) provide a report to Council that:

1. Provides details of the current traineeship, apprenticeship and cadetship programs within Council; and
2. Identifies any opportunities for potential expansion of current programs in place.

CARRIED

**CL19.153 Notice of Motion - Pathway maintenance and upgrade
(Penguins Head Road Reserve)**

**HPERM Ref:
D19/198061**

Recommendation

That Council:

1. Undertake sealing of the Penguins Head Reserve lookout pathway.
2. Construct a ramp to allow accessible inclusion and access to the Lookout.
3. Undertake general maintenance (tree trimming, replacement of rotten timber, moving picnic table)
4. Undertake general maintenance on the other two viewing platforms at this location. (tree trimming, painting, new gravel)

RESOLVED (Clr Pakes / Clr Gash)

MIN19.414

That in respect of the Penguins Head Reserve lookout pathway, Council:

1. Undertake general maintenance (tree trimming, replacement of rotten timber, moving picnic table)
2. Undertake general maintenance on the other two viewing platforms at this location. (tree trimming, painting, new gravel)
3. The project be listed for funding consideration as a high priority at the September Quarterly Budget Review.

CARRIED

CL19.154 Notice of Motion - My Travel Festival

**HPERM Ref:
D19/199824**

Recommendation

That Council provide a donation of \$5,000 to My Travel Festival from Council's unallocated donations (2019/20) to assist with costs for the Festival.

RESOLVED (Clr White / Clr Proudfoot)

MIN19.415

The Acting General Manager/Chief Executive Officer negotiate a sponsorship package of up to \$5000 from the tourism budget for the My Travel Festival.

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

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

CARRIED

CL19.155 Rescission Motion - SA19.24 - Hyams Beach Off Site Parking

**HPERM REF:
D19/201033**

Item dealt with earlier in the meeting see MIN19.410

CL19.156 Question on Notice - On Road Cycle Ways - Road Audit

**HPERM Ref:
D19/200320**

Question

Has Council, in collaboration with the RMS, the ability to undertake a desk top audit to locate roads across the Shoalhaven that are suitable for on road cycle way road marking?

Background

Shoalhaven has a significant cycling community partly due to the local focus that Council has supported via triathlons.

On road cycle way markings are a reasonable, cost effective and quick solution to improving safety for cyclists. However, it is my understanding that not all roads are suitable for line marking.

In an effort to increase bike usage that encourages and enhances wellbeing and reduces local Carbon emissions, Council in collaboration with the RMS could identify possibly suitable locations. If a desk top analysis was able to be done, it could also be used for logical and practical route planning.

Response

Yes. Council has for a long time taken a strategic approach to on and off road cycle routes, and regularly engages with the RMS in this space.

In 2013 the Shoalhaven Bike Plan mapping was integrated with the Pedestrian Access and Mobility Plan (PAMP), to create one single mapping database. This was done in partnership with local cycling representatives. Numerous reviews in the period 2014 to 2016 were done in consultation with the local cycling representatives and local community consultative body representatives.

Many of the routes identified in this strategy have already been created and the PAMP is currently being reviewed and consideration will be given identifying and prioritising new on road routes, in consultation with the RMS and other representative groups.

A revised PAMP will be presented to Council for consideration in 2019/2020 financial year.

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 11 JUNE 2019

Items marked with an * were resolved 'en block'.

SA19.71 Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees - 2019/2020

**HPERM Ref:
D19/159027**

RESOLVED* (Clr White / Clr Wells)

MIN19.416

That Council:

1. Notes the Local Government Remuneration Tribunal's Annual Report and Determination dated 15 April 2019

2. Agrees to adjust the Councillor Fee to \$20,280 and the Additional Mayoral Fee to \$44,250 for the 2019/2020 financial year.
3. Make a submission to the Local Government Remuneration Tribunal as part of the 2020 Review on the basis that the current categorisation of Shoalhaven City Council does not adequately reflect the attributes, challenges and responsibilities of the Council.

CARRIED

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| SA19.73 Sponsorship Request - Rotary - Shoalhaven Emergency Services Community Awards | HPERM Ref: D19/161116 |
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RESOLVED* (Clr White / Clr Wells) MIN19.417

That Council:

1. Accept the invitation to be a Partner of the Shoalhaven Emergency Services Community Awards as a Silver Awards Partner (\$2,000).
2. Fund the sponsorship from the Unallocated Donations Budget for 2019/20.

CARRIED

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| SA19.74 Low Cost Loans Initiative Funding Agreement | HPERM Ref: D19/173924 |
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Recommendation

That the Seal of Council be affixed to the Low-Cost Loan Initiative Funding Agreement for the Moss Vale Road South project with the Mayor and General Manager signing the agreement.

RESOLVED (Clr Gartner / Clr Proudfoot) MIN19.418

That the Seal of Council be affixed to the Low-Cost Loan Initiative Funding Agreement for the Moss Vale Road South project with the Mayor and General Manager signing the agreement.

CARRIED

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| SA19.75 Solar PV Installations on Council Assets and Revolving Energy Fund | HPERM Ref: D19/10239 |
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Recommendation

That Council:

1. Receive the report for information to address multiple resolutions under MIN18.836
2. Endorse the establishment of a \$230,000 Revolving Energy Fund (REFund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund.
3. Funding of \$230,000 for the establishment of the REFund Reserve be confirmed in conjunction with the adoption of the 2019/20 Budget.
4. Receive a further report early in the new financial year identifying a prioritised list of energy efficiency projects to be progressed under this initiative.

RESOLVED (Clr Gartner / Clr Wells)

MIN19.419

That Council:

1. Receive the report for information to address multiple resolutions under MIN18.836
2. Endorse the establishment of a \$230,000 Revolving Energy Fund (REFund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund.
3. Funding of \$230,000 for the establishment of the REFund Reserve be confirmed in conjunction with the adoption of the 2019/20 Budget.
4. Receive a further report early in the new financial year identifying a prioritised list of energy efficiency projects to be progressed under this initiative.

CARRIED

SA19.76 Accelerated Replacement of Public Street Lighting with Energy Efficient LEDs

**HPERM Ref:
D19/168767**

Recommendation

That Council:

1. Enter into an agreement with Endeavour Energy to implement the accelerated street lighting program to change 4,231 Mercury Vapour (MV) residential class street lights (50 and 80 Watts) to 17 Watt energy efficient LED technology at a cost of \$1.2M.
2. Delegate to the General Manager the authority to:
 - a. Finalise and execute the contract and any other documentation required to give effect to this resolution
 - b. Apply to NSW Office of Environment and Heritage to participate in the Accelerated Public Lighting Program to replace lights with a payback period of 5 years or less
3. Request to borrow \$1.2M from TCorp as a loan to fund the implementation of this program, with all savings from it to be directed back to loan repayments as they are realised.

RESOLVED (Clr Gartner / Clr Wells)

MIN19.420

That Council:

1. Enter into an agreement with Endeavour Energy to implement the accelerated street lighting program to change 4,231 Mercury Vapour (MV) residential class street lights (50 and 80 Watts) to 17 Watt energy efficient LED technology at a cost of \$1.2M.
2. Delegate to the General Manager the authority to:
 - a. Finalise and execute the contract and any other documentation required to give effect to this resolution
 - b. Apply to NSW Office of Environment and Heritage to participate in the Accelerated Public Lighting Program to replace lights with a payback period of 5 years or less
3. Request to borrow \$1.2M from TCorp as a loan to fund the implementation of this program, with all savings from it to be directed back to loan repayments as they are realised.

CARRIED

SA19.77 Proposed Lease of Part Lot 108 DP131063 - Narang Road Bomaderry - Shoalhaven District Tennis Association **HPERM Ref: D19/145603**

RESOLVED* (Clr White / Clr Wells) MIN19.421

That Council:

1. Enter into a three (3) year lease agreement over Part Lot 108 DP131063, Narang Road, Bomaderry with two (2) x three (3) year option periods with Shoalhaven District Tennis Association at a commencement rent of \$21,996.00 per annum plus GST with annual CPI increases.
2. Approve the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA19.78 Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated **HPERM Ref: D19/149228**

Recommendation

That Council resolve to:

1. Enter into a twenty (20) year lease agreement over Lots 6 & 7 Sec 10 DP2886, 25 & 27 Meroo Street, Bomaderry with Nowra Players Incorporated at a commencement rent of \$3,636.36 per annum plus GST with annual CPI increases.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

RESOLVED (Clr Proudfoot / Clr Pakes) MIN19.422

That Council resolve to:

1. Enter into a twenty (20) year lease agreement over Lots 6 & 7 Sec 10 DP2886, 25 & 27 Meroo Street, Bomaderry with Nowra Players Incorporated at a commencement rent of \$3,636.36 per annum plus GST with annual CPI increases.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA19.79 Public Road - Douglas Paddock Road, Coolumburra - Redefinition of Boundaries and acquisition **HPERM Ref: D19/172301**

RESOLVED* (Clr White / Clr Wells) MIN19.423

That Council

1. Approve draft survey plan DP 1253398 redefining Douglas Park Road boundaries (shown as proposed Lot 1), for registration per S.21 of the Roads Act 1993.
2. Resolve to acquire from Gary & Maureen Hansell proposed Lot 2 DP 1253398 for \$1.00 (plus GST if applicable) and upon conclusion of the acquisition dedicate same as a public road per S.10 of the Roads Act 1993;

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

CARRIED

**SA19.80 Proposed Lease - Bomaderry Community Preschool - 5
Birriley Street, Bomaderry**

**HPERM Ref:
D19/168439**

Recommendation

That Council:

1. Enter into a five (5) year lease agreement with a five (5) year option period with Nowra Anglican College Ltd for the continued use and occupation of part 5 Birriley Street, Bomaderry as the Bomaderry Community Preschool, with an initial rent of \$7,357.09 plus GST, with annual CPI increases,
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

RESOLVED (Clr Guile / Clr Pakes)

MIN19.424

That Council:

1. Enter into a five (5) year lease agreement with a five (5) year option period with Anglican Schools Corporation for the continued use and occupation of part 5 Birriley Street, Bomaderry as the Bomaderry Community Preschool, with an initial rent of \$7,357.09 plus GST, with annual CPI increases,
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**SA19.81 Proposed Licence - Part of Lot 374 DP 755952 & Part of
Lot 7323 DP 116817, West St Nowra - Nowra Communal
Hall Nowra Showground**

**HPERM Ref:
D19/169265**

RESOLVED* (Clr White / Clr Wells)

MIN19.425

That Council:

1. Enter into a one-year short term Crown Land licence agreement over part of Lot 374 DP 755952 and part of Lot 7323 DP 116817, West St Nowra, known as Nowra Communal Hall Nowra Showground, to Shoalhaven Citizens Youth Club trading as Nowra Gymnastics for an annual rent of \$25,000 (twenty-five thousand dollars) plus GST.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any document necessary to give effect to this resolution.

CARRIED

SA19.82 Classification of Land Lot 616 DP 1249606 & Lot 617 DP 1249606 Red Gum Drive Ulladulla **HPERM Ref: D19/140155**

RESOLVED* (Clr White / Clr Wells) MIN19.426

That Council resolve to classify the land, Lot 616 & Lot 617 DP 1249606 Red Gum Drive Ulladulla in SF9275 as Community Land.

CARRIED

SA19.88 Grant of Easement for Underground Cables to Endeavour Energy - Moss Vale Rd Kangaroo Valley **HPERM Ref: D19/88432**

RESOLVED* (Clr White / Clr Wells) MIN19.427

That Council

1. Grant an Easement in favour of Endeavour Energy for underground cables 1 metre wide over Lot 16 DP 773481 Moss Vale Road, Kangaroo Valley and accept compensation of \$2,500 plus GST provided that all costs associated with the granting of the easement, including valuation, survey and all legal costs are met by the registered proprietor of Lot 14 DP 773481.
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

SA19.90 Request - Refund DA and CC Fees - Nowra Christian School & Nowra Rifle Club - DA19/1060 & DA18/1887 **HPERM Ref: D19/114286**

RESOLVED* (Clr White / Clr Wells) MIN19.428

That:

1. Council, in accordance with Council's Policy POL18/19, refund application fees identified in the report for:
 - a. Nowra Baptist Christian School Ltd. amounting to \$3,523.00; and
 - b. Nowra Rifle Club Inc. amounting to \$132.00.
2. The refund for the Application Fees be sourced from the proposed 2019/2020 Unallocated Donations Budget Allocation.

CARRIED

REPORT OF THE ABORIGINAL ADVISORY COMMITTEE - 13 MAY 2019

AA19.8 2019-2021 Aboriginal Advisory Committee Strategic Plan

**HPERM Ref:
D19/16890**

Recommendation

That the Aboriginal Advisory Committee:

1. Endorse the Draft 2019-2021 Aboriginal Advisory Committee Strategic Plan;
2. Recommend to Council that the draft 2019-2021 Aboriginal Advisory Committee Strategic Plan be endorsed to provide direction and action for the Aboriginal Advisory Committee from 2019 to 2021.

RESOLVED (Clr Digiglio / Clr Levett)

MIN19.429

That Council endorse the Draft 2019-2021 Aboriginal Advisory Committee Strategic Plan.

CARRIED

AA19.10 Shoalhaven Regional Gallery - Response to Cook 2020 Anniversary - Exhibition of Indigenous Culture

**HPERM Ref:
D19/120957**

RESOLVED* (Clr White / Clr Wells)

MIN19.430

That:

1. The Aboriginal Advisory Committee receive the report for information;
2. The Aboriginal Advisory Committee agree to the creation of a Working Group, comprising Committee members and interested members of the Aboriginal community, to consult with the Gallery on development of an Exhibition that celebrates the survival of Indigenous cultures and peoples post colonisation;
3. Information and an Expression of Interest be sent to the members of the AAC seeking nominations to be on the Working Group and to provide input into the exhibition;
4. The Aboriginal Advisory Committee emphasise to Council the importance of the Curator being of Aboriginal or Torres Strait Islander descent
5. Council consider funding the engagement of an Aboriginal Community Liaison Officer for the Cook 2020 Art Exhibition

CARRIED

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 15 MAY 2019

CBD19.19 Draft Capital Works Program - Proposed Projects - Nowra CBD

HPERM Ref: D19/8904

RESOLVED* (Clr White / Clr Wells)

MIN19.431

That:

1. The Committee review the Draft Capital Works Program (Attachment 1 - D19/151875) for the period 2019-2024 with the view of adopting a Capital Works Program at the next Committee meeting, for Council to consider.

2. Council reallocates any unspent budget to the 19/20 Nowra CBD Revitalisation Strategy Committee budget to allow sufficient funds for the Berry Street Nowra, Streetscape works.

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 11 JUNE 2019

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|--|------------------------------|
| TC19.28 Raised Concrete Island With Pedestrian Refuge - Yurunga Dr, North Nowra (PN 3519) | HPERM Ref: D19/187043 |
|--|------------------------------|

RESOLVED* (Clr White / Clr Wells) MIN19.432

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of two Stop signs and associated hold linemarking at the intersection of Yurunga Drive and Illaroo Road, as detailed in the attached plan.

CARRIED

| | |
|--|------------------------------|
| TC19.29 Disabled Access Parking - Ulladulla Harbour Carpark - Ulladulla Seapool (PN 3546) | HPERM Ref: D19/187094 |
|--|------------------------------|

RESOLVED* (Clr White / Clr Wells) MIN19.433

That the General Manager (Director Assets and Works) be requested to arrange for the installation of two disabled parking spaces and associated shared access at Ulladulla Harbour Carpark, with improvements made to the surrounding verge, as detailed in the attached plan.

CARRIED

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| TC19.30 Give Way Signage - Advanced Warning Signage - Line Marking - Idlewild Avenue Sanctuary Point (PN 3547) | HPERM Ref: D19/187132 |
|---|------------------------------|

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of Give Way and advanced warning signage at the intersection of Idlewild Avenue and Clifton Street and associated linemarking, as detailed in the attached plan. Furthermore, it is recommended that Council continue to monitor the safety of the intersection and consider alternative treatments if warranted.

RESOLVED (Clr Proudfoot / Clr Pakes) MIN19.434

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of Give Way and advanced warning signage at the intersection of Idlewild Avenue and Clifton Street and associated linemarking, as detailed in the attached plan. Furthermore, it is recommended that Council continue to monitor the safety of the intersection and consider alternative treatments if warranted.

CARRIED

TC19.31 No Parking and No Stopping Zones - Reserve Road Basin View (PN 3548) HPERM Ref: D19/187148

RESOLVED* (Clr White / Clr Wells) MIN19.435

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of No Parking and No Stopping Zones on Reserve Road, Basin View, as detailed in the attached plan.

CARRIED

TC19.32 No Parking Signage - Maintenance Access Gate – White Sands Park Bowen Street Huskisson (PN 3549) HPERM Ref: D19/187162

RESOLVED* (Clr White / Clr Wells) MIN19.436

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of two No Parking signs located on either side of the Maintenance Access Gate at White Sands Park Huskisson, as detailed in the attached plan.

CARRIED

TC19.34 Time Restricted Parking - South Street Ulladulla (PN 3551) HPERM Ref: D19/187193

RESOLVED* (Clr White / Clr Wells) MIN19.437

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of 10 minute time restricted parking signs for approximately 17.5 meters on South Street Ulladulla to accommodate the proposed HealthOne development application, as detailed in the attached plan.

CARRIED

REPORTS

CL19.161 Delivery Program and Operational Plan, Draft Budget 2019/20 and Long Term Financial Plan - Exhibition Outcomes HPERM Ref: D19/196656

Clr Wells – pecuniary interest declaration – he is the president of the Illawarra Academy of Sport and the recommendation of the item makes specific reference to an increase in funding for the academy – left the room and did not take part in discussion or vote.

Clr Pakes – less than significant non pecuniary interest declaration – included in the report is funding for works on the Lake Circuit, Culburra Beach and he owns a property on that road – remained in the room and took part in discussion and vote.

Recommendation

1. That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2019/20 including Budget, Capital Works Program, Long Term Financial Plan and Fees and Charges, Council:

2. Adopt the 2019/20 Delivery Program and Operational Plan and Budget with the following changes:
 - a. Include the re-forecast of the following expenditure from 2018/19 financial into the 2019/20 Budget as follows:
 - i. Building Better Regions Grant – Myola - \$462,500
 - ii. Currarong Coastal Erosion Remediation - \$300,000
 - iii. Broughton Vale Berry RFS contribution- \$300,000
 - iv. Nowra CBD all Day Car Parking - \$205,673
 - v. Nowra Administration Building Compliance - \$870,000
 - vi. Office Accommodation Project - \$200,000
 - vii. The Lake Circuit- \$118,804
 - viii. McGrath Avenue Car Parking - \$100,000
 - b. Council's current contribution to the Illawarra Academy of Sport is increased from \$15,000 to \$17,000 per year via a reduction to unallocated donations budget for 2019/20 and onwards.
 - c. Amendment to the Economic Development Budget including:
 - i. Removal of expected income of \$225,000 from the Economic Development Budget
 - ii. Removal of \$115,000 from the Economic Expenditure Budget
 - iii. Removal of inflow to Economic Development Reserve of \$100,000
 - d. Allocation of the \$600,000 interest revenue received via contribution funds to the following priority projects:
 - i. \$140,000 - Lake Conjola Coastal Zone Management Plan
 - ii. \$230,000 - Revolving Energy Fund
 - iii. \$ 50,000 - Crookhaven Heads Regional Boat Ramp
 - iv. \$7,000 - Collingwood Beach Dune Care
 - v. \$30,000 - Bomaderry Basketball Stadium Community Engagement
 - vi. Retention of \$143,000 for funding of Lake Conjola Entrance Works
3. Adopt the 2019/20 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Deletion of fee number 15547 Weed Certificates for the Fees and Charges Part 2
 - b. Include the following change to fees to Fees and Charges Part 2 for animal registration as required by the Companion Animals Regulation 2018 and outlined in Circular to Councils 13-54 as follows:
 - Desexed animal: \$58 (from \$57)
 - Breeder (Recognised) concession: \$58 (from \$57)
 - Pensioner concession (desexed animal only): \$25 (from \$24)
 - Pound/Shelter animal 50% discount (desexed): \$29 (from \$28.50)
 - If the registration fee has not been paid 28 days after the date on which the animal is required to be registered, a late fee of \$16 (\$15)
 - If the companion animal has not been desexed by the relevant desexing age and is not kept by a recognised breeder for breeding purposes, an additional fee of \$152 (from \$150) is payable in addition to the applicable registration fee listed above.

4. Adopt the Long Term Financial Plan and Capital Works Program with the editorial changes that have been made following the exhibition process.
5. Thank the community for providing their submissions as part of the exhibition process and provide a response to each submission, outlining the outcome and actions undertaken relating to the issues raised.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN19.438

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2019/20 including Budget, Capital Works Program, Long Term Financial Plan and Fees and Charges, Council:

1. Adopt the 2019/20 Delivery Program and Operational Plan and Budget with the following changes:
 - a. Include the re-forecast of the following expenditure from 2018/19 financial into the 2019/20 Budget as follows:
 - i. Building Better Regions Grant – Myola - \$462,500
 - ii. Currarong Coastal Erosion Remediation - \$300,000
 - iii. Broughton Vale Berry RFS contribution- \$300,000
 - iv. Nowra CBD all Day Car Parking - \$205,673
 - v. Nowra Administration Building Compliance - \$870,000
 - vi. Office Accommodation Project - \$200,000
 - vii. The Lake Circuit- \$118,804
 - viii. McGrath Avenue Car Parking - \$100,000
 - b. Council's current contribution to the Illawarra Academy of Sport is increased from \$15,000 to \$17,000 per year via a reduction to unallocated donations budget for 2019/20 and onwards.
 - c. Amendment to the Economic Development Budget including:
 - i. Removal of expected income of \$225,000 from the Economic Development Budget
 - ii. Removal of \$115,000 from the Economic Expenditure Budget
 - iii. Removal of inflow to Economic Development Reserve of \$100,000
 - d. Allocation of the \$600,000 interest revenue received via contribution funds to the following priority projects:
 - i. \$140,000 - Lake Conjola Coastal Zone Management Plan
 - ii. \$230,000 - Revolving Energy Fund
 - iii. \$ 50,000 - Crookhaven Heads Regional Boat Ramp
 - iv. \$7,000 - Collingwood Beach Dune Care
 - v. \$30,000 - Bomaderry Basketball Stadium Community Engagement
 - vi. Retention of \$143,000 for funding of Lake Conjola Entrance Works
2. Adopt the 2019/20 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Deletion of fee number 15547 Weed Certificates for the Fees and Charges Part 2
 - b. Include the following change to fees to Fees and Charges Part 2 for animal registration as required by the Companion Animals Regulation 2018 and outlined in Circular to Councils 13-54 as follows:

- Desexed animal: \$58 (from \$57)
 - Breeder (Recognised) concession: \$58 (from \$57)
 - Pensioner concession (desexed animal only): \$25 (from \$24)
 - Pound/Shelter animal 50% discount (desexed): \$29 (from \$28.50)
 - If the registration fee has not been paid 28 days after the date on which the animal is required to be registered, a late fee of \$16 (\$15)
 - If the companion animal has not been desexed by the relevant desexing age and is not kept by a recognised breeder for breeding purposes, an additional fee of \$152 (from \$150) is payable in addition to the applicable registration fee listed above.
- c. Fees and charges be adopted with the following amendment of fees and charges related to Milton library as follows:
- i. Hire for the space at Milton Library. Fee should be at 50% of commercial rate
 - ii. Charge for the reservation of books is set at \$1.00
3. Adopt the Long Term Financial Plan and Capital Works Program with the editorial changes that have been made following the exhibition process.
4. Thank the community for providing their submissions as part of the exhibition process and provide a response to each submission, outlining the outcome and actions undertaken relating to the issues raised.

FOR: Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

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

CARRIED ON THE CASTING VOTE OF THE CHAIR

CL19.162 Sale of Council Land - Sextant St, South Nowra

**HPERM Ref:
D19/183688**

RESOLVED* (Clr White / Clr Wells)

MIN19.439

That

1. Council's employment land (Lot 82 DP1077878, 6 Sextant St, South Nowra) be sold for \$630,000 (plus GST) to SupaGas Pty Ltd;
2. The General Manager be authorised to sign the contracts for Sale; and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

CARRIED

CL19.163 Making of rates and charges for 2019/20

**HPERM Ref:
D19/182600**

Note: Clr Wells returned to the meeting.

MOTION (Clr Findley / Clr Gartner)

That Council:

1. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993:
 - a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.24042c for each dollar of

rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 49.94%].

- b. Make an Ordinary Rate, consisting of an ad valorem rate of 0.34946c 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 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named “BUSINESS”.
- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.20837c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 24.88%].

- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.24042c for each dollar of rateable land value in addition to a base amount of fifty dollars (\$50.00) 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 2019 to 30 June 2020.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of fifty dollars (\$50.00) 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 43.86%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.73482c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 15.82%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.33654c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020.

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 dollars (\$640.00) 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 29.75%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.10685c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 31.94%].

- h. 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 Verons 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 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL”.

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 “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying of the “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 49.98%].

- i. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.33110c for each dollar of rateable land value in addition to a base amount of two hundred and ninety eight dollars (\$298.00), for the cost of the road upgrades in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties without building entitlement within the Verons 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 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL”.

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 eight dollars (\$298.00) per rateable assessment for the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying of the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 50.00%].

- j. 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 2019 to 30 June 2020 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 “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.80%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 3.08207c for each dollar of rateable land value in addition to a base amount of two thousand seven hundred and ninety three dollars (\$2,793.00) 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 2019 to 30 June 2020 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 seven hundred and ninety three dollars (\$2,793.00) 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 49.99%].

- l. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 1.04005c for each dollar of rateable land value in addition to a base amount of nine hundred and forty one dollars (\$941.00) per rateable assessment 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 2019 to 30 June 2020 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 nine hundred and forty one dollars (\$941.00) 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%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 7.67512c for each dollar of rateable land value in addition to a base amount of six hundred and sixty three dollars (\$663.00) per rateable assessment 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 2019 to 30 June 2020 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 sixty three dollars (\$663.00) 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%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.03582c 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 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- o. 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 2019 to 30 June 2020, 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:

| Size of Water Meter Service Connection | Charge 2019/20 |
|---|-----------------------|
| 20 mm (all residential customers) | \$82.00 |
| 25 mm | \$129.00 |
| 32mm | \$211.00 |
| 40mm | \$330.00 |
| 50mm | \$515.00 |
| 80mm | \$1,318.00 |
| 100mm | \$2,060.00 |
| 150mm | \$4,635.00 |
| 200mm | \$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).

- p. Make an Annual Charge for Wastewater Usage and Wastewater Availability, in accordance with Section 502 and 552(3), for the period 1 July 2019 to 30 June 2020, comprising a Sewer Usage Charge of \$1.70 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge based on water meter size:

| Size of Water Meter Service Connection | Charge 2019/20 |
|---|-----------------------|
| 20 mm | \$864.00 |
| 25 mm | \$1,204.00 |
| 32mm | \$1,844.00 |
| 40mm | \$2,444.00 |
| 50mm | \$3,452.00 |
| 80mm | \$7,128.00 |
| 100mm | \$10,212.00 |
| 150mm | \$17,600.00 |
| 200mm | \$27,300.00 |

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).

- q. 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 2019 to 30 June 2020, 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 \$359 for one 120 litre mobile garbage bin (MGB) for landfill waste (weekly service) and one 240 litre MGB for recycling (fortnightly service). For a higher annual charge of \$631, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$272, the 120 litre landfill bin may be substituted for an 80 litre landfill bin.

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

- r. 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 2019 to 30 June 2020, 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 \$359 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 \$631, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$272, 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”.

- s. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, of \$72.00 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
- i. Does not have a dwelling situated thereon, or

- ii. 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 "VACANT LAND SERVICE AVAILABILITY CHARGE".

- t. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, 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".
- u. Make an Interest Rate of 7.5%, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, being the maximum interest rate chargeable on overdue rates and charges, accruing daily on a simple interest basis

Clr Gartner raised a Point of Order against Clr Pakes in accordance with Section 15.11 of the Code of Conduct regarding his comment being lectured. The Mayor ruled as a Point of Order and asked Clr Pakes to withdraw his comments.

Clr Pakes did not withdraw his comment.

Clr Gartner withdrew her Point of Order.

Clr Findley raised a Point of Order against Clr Pakes in accordance with Section 15.11(d) of the Code of Conduct regarding his comment that she doesn't understand the community. Clr Findley asked Clr Pakes to withdraw his comment.

Clr Pakes did not withdraw his comment.

PROCEDURAL MOTION (Clr Gartner / Clr Levett)

That the meeting be adjourned to allow for refreshments.

PROCEDURAL MOTION CARRIED

The meeting adjourned the time being 7.46pm

The meeting reconvened the time being 8.15pm

The following members were present:

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

MOTION LOST

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Digiglio and Clr Levett

AGAINST: Clr White, Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

FORESHADOWED MOTION (Clr Watson / Clr Guile)

That Council adopt the rating structure as printed in the report with the exception of the General Fund to be adopted as per last budget (0% increase).

AMENDMENT (Clr Proudfoot / Clr Alldrick)

That Council adopt the rating structure as printed in the report with the exception of the General Fund to be adopted with an increase of 2.7%.

FOR: Clr White, Clr Alldrick and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Digiglio, Clr Levett, Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

AMENDMENT LOST

PROCEDURAL MOTION (Clr Wells / Clr Gartner)

That the FORESHADOWED MOTION be PUT.

CARRIED

FORESHADOWED MOTION (Clr Watson / Clr Guile)

That Council adopt the rating structure as printed in the report with the exception of the General Fund to be adopted as per last budget (0% increase).

LOST

FOR: Clr White, Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Clr Proudfoot

Note: The Mayor commented that the Motion, Amendment and Foreshadowed Motion were all Lost. This item now represented Lapsed Business. This item was reintroduced see MIN19.451

CL19.164 Investment Report - May 2019

**HPERM Ref:
D19/199189**

Recommendation

That the report of the General Manager (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 31 May 2019 be received for information

RESOLVED (Clr Gartner / Clr Digiglio)

MIN19.440

That:

1. The report of the General Manager (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 31 May 2019 be received for information
2. The General Manager bring forward the review of SCC Investment policy and report to Council

CARRIED

CL19.165 2018/19 Council Borrowings - Loan Agreement

**HPERM Ref:
D19/199214**

RESOLVED* (Clr White / Clr Wells)

MIN19.441

That Council:

1. Enter into a loan agreement with Australia and New Zealand Banking Group Limited for the amount of \$1,647,500 with a term of 10 years @ 2.84% to cover Holiday Haven's borrowing requirements
2. Execute the following documents under the Seal of Council
 - a. Letter of offer
 - b. Authorised representative certificate.
 - c. Compliance certificate.

CARRIED

CL19.166 Nowra Youth Services Incorporated - Variation Of Lease Agreement - Lot 1 DP315733 - 132 Kinghorne Street, Nowra

**HPERM REF:
D19/195697**

Item dealt with earlier in the meeting see MIN19.411

DE19.45 Draft Medium Density Amendment (Chapter G13) - Shoalhaven DCP 2014 - Post Exhibition Consideration and Finalisation

**HPERM Ref:
D19/132724**

Recommendation

That Council:

1. Adopt the amendment to Chapter G13: Medium Density and Other Residential Development of Shoalhaven Development Control Plan 2014 (the Amendment) as exhibited, with the changes outlined in **Attachment 2**.
2. Notify the adoption of the Amendment in local newspapers in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
3. Advise key stakeholders, including all Community Consultative Bodies, relevant industry representatives and those who made a submission, of this decision, and when the Amendment will be made effective.

Clr Guile raised a Point of Order against Clr Levett regarding his comments.

Clr Levett withdrew his comment.

RESOLVED (Clr Guile / Clr Pakes)

MIN19.442

That Council:

1. Adopt the amendment to Chapter G13: Medium Density and Other Residential Development of Shoalhaven Development Control Plan 2014 (the Amendment) as exhibited
2. Notify the adoption of the Amendment in local newspapers in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.

3. Advise key stakeholders, including all Community Consultative Bodies, relevant industry representatives and those who made a submission, of this decision, and when the Amendment will be made effective.

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

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

CARRIED

Note: A rescission motion was received on this item and was withdrawn in writing by all signatories on 27 June 2019.

Procedural Motion – Extension of Meeting Proceedings

RESOLVED (Clr Pakes / Clr Digiglio) MIN19.443

That the meeting proceedings continue after 9.00pm.

CARRIED

CL19.167 REMS 1B - Update

HPERM Ref:
D19/194901

Recommendation

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

RESOLVED (Clr Wells / Clr White) MIN19.444

That Council consider a separate confidential report in accordance with Section 10(A)(2)(g) 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 Wells / Clr White) MIN19.445

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.

CSA19.6 Proposed Acquisition of Land - Ulladulla

Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

CCL19.13 Confidential - REMS 1B Update

Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 10(A)(2)(c)

Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. 10(A)(2)(g)

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 9.01pm.

The meeting moved into open session, the time being 9.04pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA19.6 Proposed Acquisition of Land - Ulladulla

**HPERM Ref:
D19/166365**

RESOLVED

MIN19.446C

That:

7. The recommendation remains Confidential in accordance with Section 10A(2)(c) of the LGA 1993 until the transaction has settled.

CARRIED

CCL19.13 Confidential - REMS 1B Update

**HPERM Ref:
D19/187972**

RESOLVED

MIN19.447C

That Council endorses the proposed way forward for the resolution of the outstanding contractual matters, as outlined in the report.

CARRIED

GENERAL BUSINESS

Procedural Motion - Matters of Urgency

RESOLVED (Clr Watson / Clr Pakes) MIN19.448

That an additional item relating to the Development Application DA18/1736 for subdivision & change of use at 20 The Wood Road, Vincentia (Lot 3 DP 539866) be introduced as a matter of urgency.

CARRIED

The chairperson ruled the matter as urgent due to the public interest.

CL19.169 Additional Item - Call in Development Application - DA18/1736

RESOLVED (Clr Watson / Clr Pakes) MIN19.449

That Council call in the Development Application DA18/1736 for subdivision & change of use at 20 The Wood Road, Vincentia (Lot 3 DP 539866) due to public interest.

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Pakes / Clr Guile) MIN19.450

That an additional item relating to the Development Application SF10689 – proposed 4 lot subdivision, Lot 1 DP 625828 Greens Road, Greenwell Point be introduced as a matter of urgency.

CARRIED

The chairperson ruled the matter as urgent due to the public interest.

CL19.170 Additional Item - Call in Development Application - SF10689

RESOLVED (Clr Pakes / Clr Guile) MIN19.451

That Council call in the Development Application SF10689 - proposed 4 lot subdivision, Lot 1 DP 625828 Greens Road, Greenwell Point due to public interest.

CARRIED

Procedural Motion - Reintroduction of Item

RESOLVED (Clr Watson / Clr Gartner) MIN19.452

That CL19.163 – Making of Rates and Charges for 2019/2020 be reintroduced.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Guile and Clr Kitchener

CARRIED

CL19.163 Making of rates and charges for 2019/20

**HPERM Ref:
D19/182600**

This item was reintroduced as Council is required to adopt a rating structure.

MOTION (RESOLVED) (Clr Wells / Clr Gash)

MIN19.453

That Council:

1. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993:

- a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.24042c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 49.94%].

- b. Make an Ordinary Rate, consisting of an ad valorem rate of 0.34946c 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 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named "BUSINESS".

- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.20837c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 24.88%].

- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.24042c for each dollar of rateable land value in addition to a base amount of fifty dollars (\$50.00) 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 2019 to 30 June 2020.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of fifty dollars (\$50.00) 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 43.86%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.73482c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 15.82%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.33654c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020.

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 dollars (\$640.00) 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 29.75%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.10685c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) 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 2019 to 30 June 2020 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 six hundred and forty dollars (\$640.00) 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 31.94%].

- h. 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 Verons 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 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL”.

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 “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying

of the “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 49.98%].

- i. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.33110c for each dollar of rateable land value in addition to a base amount of two hundred and ninety eight dollars (\$298.00), for the cost of the road upgrades in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties without building entitlement within the Verons 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 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL”.

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 eight dollars (\$298.00) per rateable assessment for the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying of the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 50.00%].

- j. 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 2019 to 30 June 2020 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 “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.80%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 3.08207c for each dollar of rateable land value in addition to a base amount of two thousand seven hundred and ninety three dollars (\$2,793.00) 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 2019 to 30 June 2020 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 seven hundred and ninety three dollars (\$2,793.00) 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 49.99%].

- l. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 1.04005c for each dollar of rateable land value in addition to a base amount of nine hundred and forty one dollars (\$941.00) per rateable assessment 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 2019 to 30 June 2020 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 nine hundred and forty one dollars (\$941.00) 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%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 7.67512c for each dollar of rateable land value in addition to a base amount of six hundred and sixty three dollars (\$663.00) per rateable assessment 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 2019 to 30 June 2020 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 sixty three dollars (\$663.00) 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%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.03582c 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 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- o. 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 2019 to 30 June 2020, 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:

| Size of Water Meter Service Connection | Charge 2019/20 |
|---|-----------------------|
| 20 mm (all residential customers) | \$82.00 |
| 25 mm | \$129.00 |
| 32mm | \$211.00 |
| 40mm | \$330.00 |
| 50mm | \$515.00 |
| 80mm | \$1,318.00 |
| 100mm | \$2,060.00 |
| 150mm | \$4,635.00 |
| 200mm | \$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).

- p. Make an Annual Charge for Wastewater Usage and Wastewater Availability, in accordance with Section 502 and 552(3), for the period 1 July 2019 to 30 June 2020, comprising a Sewer Usage Charge of \$1.70 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge based on water meter size:

| Size of Water Meter Service Connection | Charge 2019/20 |
|---|-----------------------|
| 20 mm | \$864.00 |
| 25 mm | \$1,204.00 |
| 32mm | \$1,844.00 |
| 40mm | \$2,444.00 |
| 50mm | \$3,452.00 |
| 80mm | \$7,128.00 |
| 100mm | \$10,212.00 |
| 150mm | \$17,600.00 |
| 200mm | \$27,300.00 |

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).

- q. 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 2019 to 30 June 2020, 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 \$359 for one 120 litre mobile garbage bin (MGB) for landfill waste (weekly service) and one 240 litre MGB for recycling (fortnightly service). For a higher annual charge of \$631, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$272, the 120 litre landfill bin may be substituted for an 80 litre landfill bin.

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

- r. 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 2019 to 30 June 2020, 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 \$359 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 \$631, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$272, 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".

- s. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, of \$72.00 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
 - i. Does not have a dwelling situated thereon, or
 - ii. 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 "VACANT LAND SERVICE AVAILABILITY CHARGE".

- t. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, 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".
- u. Make an Interest Rate of 7.5%, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, being the maximum interest rate chargeable on overdue rates and charges, accruing daily on a simple interest basis.

AMENDMENT (Clr Proudfoot / Clr Guile)

That Council adopt a rate pegging increase of 2.7%.

AMENDMENT LOST

FOR: Clr White, Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Digiglio, Clr Levett and Clr Kitchener

MOTION PUT AND CARRIED

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

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

CARRIED

Note: For clarity, the Motion adopted above is consistent with the Recommendation presented in the Business Paper.

Note: A Rescission Motion was received in relation to DE19.45 Draft Medium Density Amendment (Chapter G13) - Shoalhaven DCP 2014 - Post Exhibition Consideration and Finalisation signed by Clr Digiglio, Clr Gartner & Clr Levett. The rescission motion was withdrawn in writing by all signatories on 27 June 2019

There being no further business, the meeting concluded, the time being 9.23pm.

Clr Findley
CHAIRPERSON