

SHOALHAVEN CITY COUNCIL

EXTRA – ORDINARY MEETING

To be held on Wednesday, 22 June, 2016
Commencing at 4.00 pm.

City Administrative Centre
Bridge Road
NOWRA NSW 2541

15 June, 2016

Councillors,

NOTICE OF MEETING

You are hereby requested to attend the Extra-Ordinary Meeting of the Council of the City of Shoalhaven, **to be held in the Council Chambers at the City Administrative Centre, Bridge Road, Nowra on Wednesday, 22 June, 2016 commencing at 4.00 pm** for consideration of the following business.

R D Pigg
General Manager

Membership

All Councillors

BUSINESS OF MEETING

1. **Apologies / Leave of Absence**
2. **Declarations of Interest**
3. **Deputations**
4. **Rescission Motion**

- Adoption of Draft Delivery Program 2013 - 2017: Submissions – Fees, Charges and Rentals
- Public Exhibition - Draft Delivery Program & Operational Plan 2016 – 2017
- Making of the Rates and Charges for 2016/2017

Note:- This meeting has been called in accordance with section 366 of the Local Government Act.

Cell Phones:

Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

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NOTICES OF MOTION

EXTRA ORDINARY MEETING

WEDNESDAY, 22 JUNE, 2016

1. **Rescission Motion – Extra Ordinary Meeting 14 June 2016 Item 2 – Adoption of Draft Delivery Program 2013/2017: Submissions – Fees, Charges and Rentals**
File 53200E [Index](#)
-

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

That Council rescind the Motion relating to Item 2 of the Council Meeting held on 14 June 2016.

Signed
Clr Guile
Clr Watson
Clr Kitchener

Note by General Manager:

The signatories to the NoM have not submitted either an amended or new motion to the adopted fees & charges for 2016 / 2017. Council is required to set (adopt) fees & charges each year after it has publicly exhibited those proposed fees & charges and considered any submissions and it is a matter that cannot legally be delegated to the General Manager. IF Council fails to set (adopt) fees & charges for 2016/2017 then Council will have no legal ability to charge the public for any of those services.

Note: The following resolution was adopted at the Extra Ordinary Meeting held Tuesday 14 June 2016:

That Council adopts the Fees, Charges and Rentals 2016-2017 as exhibited with the following changes:

1. Jetty Fees

- a) *That the Wharf and jetty fees remain at \$91 per annum.*
- b) *All increases in wharf and jetty fees be deferred to 17/18 to allow consultation with affected land owners and Safe Navigation Action Group to establish:*
 - i) *a special rates levy for maintenance works on canals for all properties on Council canal systems for the 2017/2018 financial year*
 - ii) *an audit of properties on Council canal systems to confirm all wharfs are approved by council*

iii) a new fee for wharfs and jetties subject to clarification of (a) and (b) above

2. Green Waste

To wait for the finalisation of the review of the long term waste strategy to set direction.

3. Internal Submissions:

Adopt all corrections for internal submissions to the Fees and Charges document.

a) Arts Centre – Correction of fees as shown below:

Fee Descriptions	Purpose	2016/17 revised amount	Published amount
Side Gallery per week	Cover costs with holding exhibitions that allow meetings to continue in the space simultaneously	\$150.00 per week	\$580.00 per week
Shoalhub/Hotdesk	To recover costs of hire of Shoalhub/Hotdesk – per half day	Remove from database	\$24.75 per session
Shoalhub/Hotdesk – Category 1 community per day	To recover costs of hire of Shoalhub/Hotdesk – per day	\$38.00 per day	\$38.25 per day
Shoalhub/Hotdesk – Category 1 community per half day	To recover costs of hire of Shoalhub/Hotdesk – per half day	\$21.00 per half day	\$21.20 per half day
Shoalhub/Hotdesk – Category 1 community per hour	To recover costs of hire of Shoalhub/Hotdesk – per hour	\$12.00 per hour	\$12.75 per hour
Shoalhub/Hotdesk – Category 2 Commercial per half day	To recover costs of hire of Shoalhub/Hotdesk – per half day	\$25.00 per half day	\$24.95 per half day

b) Library – New fees in relation to 3D Printing and Site Visits as shown below:

Fee Name	Purpose	Amount (incl GST)
3D Printing Community/Private/Student Use	Cover Running costs	\$1.50 per 10 mins
3D Printing Commercial/Business use	Cover Running costs	\$3.00 per 10 mins
3D Printer and design software training	To train the public in the basic use of 3D printer functionality and associated design software	\$25.00 per hour

Fee Name	Purpose	Amount (incl GST)
Site visits	To allow use of printer at public events and external facilities. Covers cost of staff and printing	\$30.00 per hour

c) *Waste Fees*

Bin changeover fees are \$34 in the DPOP document and the Fees and Charges document.

Commercial Waste fees be amended to \$550, \$315 and \$264 in fees and charges – no GST.

d) *Interest Rate on overdue rates*

In accordance with Section 566(3) of the LG Act 1993 it has been determined that the maximum rate of interest payable on overdue rates and charges for the 2016/17 rating year will be 8.0%, rather than 8.5%.

e) *Dishonour Fees for Direct Debits Rejections*

Change wording on the dishonoured cheque fee to include direct debit rejections also, to cover bank fees and admin costs.

f) *Water Industrial Pricing – update industrial pricing per kilolitre as shown below:*

- First 3ML per average day – \$0.527/kilolitre*
- Next 0.5ML per avg day – \$0.704/kilolitre*
- Next 0.50ML per avg day - \$0.880 per kilolitre*
- Above 4ML per avg day - \$0.966 per kilolitre*
- Untreated water - \$0.306 per kilolitre*

These fees showed as negotiated arrangement per ML in the document on exhibition

g) *Make the following changes to Fees in the Public Building and Facility section of the document as per the below list. All changes relate to rounding issues.*

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
14527	<i>Security Bond for hire of facilities, parties, weddings, functions, events, etc</i>	<i>To cover costs associated with cleaning and any damage which may occur</i>	<i>\$2,080.00</i>	<i>\$2,000.00 maximum bond - determined by type of booking</i>	<i>\$2,000.00</i>	<i>GST free</i>
14528	<i>Key Bond</i>	<i>Issue of one key to regular hirer</i>	<i>\$104.00</i>	<i>\$100.00 Refundable on return of key</i>	<i>\$100.00</i>	<i>GST free</i>

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
13526	<i>Bond for use</i>	<i>In case of cleaning/damage etc</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
13584	<i>Bond for use</i>	<i>In case of cleaning/damage etc</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
13543	<i>Meeting room - Lake Conjola Community Centre</i>	<i>Includes use of kitchen facilities</i>	\$8.25	\$8.20 per hour - minimum 2 hours	\$7.45	\$8.20
13544	<i>Meals on Wheels - Kitchen - Lake Conjola Community Centre</i>	<i>Frozen meal collection</i>	\$8.25	\$8.20 per hour	\$7.45	\$8.20
13546	<i>Meeting room</i>	<i>Excludes main hall - Includes use of kitchen facilities</i>	\$10.95	\$10.90 per hour - minimum 2 hours	\$9.91	\$10.90
12939	<i>Bond for use</i>	<i>In case of cleaning / damage.</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
12484	<i>Main Hall</i>	<i>Excludes use of kitchen facilities</i>	\$19.35	\$19.30 per hour	\$17.55	\$19.30
12483	<i>Main Hall</i>	<i>Excludes use of kitchen facilities</i>	\$17.05	\$17.00 per hour	\$15.45	\$17.00
12482	<i>Kitchen - luncheon rates</i>		\$11.45	\$11.40 per function	\$10.36	\$11.40
14765	<i>Bond</i>	<i>In case of cleaning / damage</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
14797	<i>Meeting Room - per half day</i>	<i>Use of meeting room - per half day (maximum 6 hours)</i>	\$48.35	\$48.30 per half day	\$43.91	\$48.30
12490	<i>All function users - All hire events</i>	<i>Bond - in case of damage or additional cleaning required.</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
12491	<i>Main Hall</i>	<i>Includes use of kitchen facilities</i>	\$9.15	\$9.10 per hour - minimum 2 hours	\$8.27	\$9.10
13002	<i>Bond - All users</i>	<i>Hire of any equipment (Including Bain Marie, Sound System or Microphone)</i>	\$52.00	\$50.00	\$50.00	GST free
14410	<i>Main Hall - Weekends</i>	<i>Hall hire - Saturday or Sunday</i>	\$14.55	\$14.50 per hour - minimum 2 hours	\$13.18	\$14.50
14411	<i>Main Hall - Weekdays</i>	<i>Hall hire - Monday to Friday</i>	\$10.95	\$10.90 per hour - minimum 2 hours	\$9.91	\$10.90
14412	<i>Main Hall - Weekends</i>	<i>Hall hire - Saturday or Sunday</i>	\$14.55	\$14.50 per hour - minimum 2 hours	\$13.18	\$14.50
13012	<i>Bond</i>	<i>In case of cleaning / damage</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
12379	<i>Functions - Half Day</i>	<i>Includes use of kitchen facilities.</i>	\$160.15	\$160.10 per half day	\$145.55	\$160.10
12377	<i>Functions - Full Day</i>	<i>Includes use of kitchen facilities</i>	\$274.55	\$274.50 per day	\$249.55	\$274.50

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
14401	<i>Weekdays - Night Hire</i>	<i>Hall hire between 5pm and midnight Monday to Friday. Includes use of kitchen facilities.</i>	\$13.65	\$13.60 per hour - minimum 2 hours	\$12.36	\$13.60
12980	<i>Casual Hire - All Hire Events</i>		\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
12982	<i>Hall hire - day rate - 9am till 5pm</i>		\$6.25	\$6.20 per hour - minimum 2 hours	\$5.64	\$6.20
14141	<i>Bond for use</i>	<i>In case of cleaning / damage etc</i>	\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
14327	<i>Regular Hirer</i>	<i>Includes 1 key. Additional or replacement key @ \$25 per key.</i>	\$104.00	\$100.00 Refundable on return of key	\$100.00	GST free
14345	<i>Waratah or Banksia Hall - 5:00pm to midnight</i>	<i>Hire fee per hall - Includes use of kitchen facilities for tea / coffee making only. Bump in / out outside these hours to be charged at casual hire hourly rate.</i>	\$260.05	\$260.00 per event	\$236.36	\$260.00
12548	<i>All other users - All hire events</i>		\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
14436	<i>Hall Hire - Week Days 8am - 5pm</i>	<i>Excludes use of kitchen facilities</i>	\$11.45	\$11.40 per hour - minimum 2 hours	\$10.36	\$11.40
14335	<i>Main Hall</i>		\$8.25	\$8.20 minimum 2 hours	\$7.45	\$8.20

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
13033	<i>All users - All events</i>		\$2,080.00	\$2,000.00 maximum - determined by type of booking	\$2,000.00	GST free
12569	<i>Main Hall</i>		\$11.45	\$11.40 per hour	\$10.36	\$11.40
12568	<i>Main Hall</i>		\$4.15	\$4.10 per hour	\$3.73	\$4.10
12789	<i>All Users - All Hire Events</i>		\$2,080.00	\$2,000.00 maximum bond - determined by type of booking	\$2,000.00	GST free
12783	<i>Main Hall</i>	<i>Includes use of kitchen facilities</i>	\$16.65	\$16.60 per hour - minimum 2 hour hire	\$15.09	\$16.60
12784	<i>Main Hall - Includes use of kitchen facilities</i>		\$17.65	\$17.60 per hour - minimum 2 hour hire	\$16.00	\$17.60
14456	<i>Main hall</i>	<i>Includes use of kitchen facilities</i>	\$14.55	\$14.50 per hour - minimum 2 hours	\$13.18	\$14.50
14502	<i>Security Bond for hire of facility for parties, weddings, functions, events etc.</i>	<i>To cover costs associated with cleaning and any damage which may occur</i>	\$1,890.90	\$2,000.00 maximum bond - determined by type of booking	\$2,000.00	GST free
14687	<i>Additional cleaning fee</i>	<i>To cover extra cleaning required (minimum 2 hours @ \$50 per hour pro rata thereafter</i>	\$108.05	\$108.00 Per booking	\$98.18	\$108.00
10992	<i>Community Hire of Annex for meetings, rehearsals, musicals, etc.</i>	<i>To cover costs of hiring venue.</i>	\$18.15	\$18.10 per hour	\$16.45	\$18.10

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
12950	<i>All Hirers</i>	<i>For repairs or cleaning required</i>	\$2,080.00	\$2,000.00 maximum bond - determined by type of booking	\$2,000.00	GST free
12955	<i>Main Hall including Craft room - Regular</i>		\$24.95	\$24.90 per hour - minimum 2 hours	\$22.64	\$24.90
14337	<i>Use of Kitchen</i>	<i>Does not include use of stove or crockery / cutler</i>	\$32.75	\$32.70 per event	\$29.73	\$32.70
14338	<i>Use of Stove</i>	<i>In addition to kitchen use</i>	\$9.65	\$9.60 per event	\$8.73	\$9.60
14339	<i>Use of crockery & cutlery</i>	<i>In addition to kitchen use</i>	\$27.05	\$27.00 per event	\$24.55	\$27.00
13445	<i>Private Functions - Craft & Medical rooms</i>		\$21.65	\$21.60 per hour	\$19.64	\$21.60
12962	<i>Main Hall including Craft Room</i>		\$14.55	\$14.50 per hour - minimum 2 hours	\$13.18	\$14.50
12974	<i>Craft and Medical Rooms</i>		\$8.95	\$8.90 per hour - minimum 2 hours	\$8.09	\$8.90
14340	<i>Use of Kitchen</i>	<i>Does not include use of stove or crockery/cutlery</i>	\$8.95	\$8.90 per event	\$8.09	\$8.90
14341	<i>Use of Stove</i>	<i>In addition to kitchen use</i>	\$9.55	\$9.50 per event	\$8.64	\$9.50

<i>feeID</i>	<i>Name</i>	<i>Purpose</i>	<i>GSTIncl</i>	<i>Fee</i>	<i>Amended amount (ex GST)</i>	<i>Amended amount (incl GST)</i>
12898	Hall and/or carpeted area - night	Session (8.5 hours)	\$56.00	\$56.00 per session	Should be 3.5 hours	

2. Rescission Motion – Extra Ordinary Meeting 14 June 2016 Item 3 – Public Exhibition – Draft Delivery Program & Operational Plan 2016/2017 **File 52309E** [Index](#)

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

That Council rescind the Motion relating to Item 3 of the Council Meeting held on 14 June 2016.

Signed
 Clr Guile
 Clr Watson
 Clr Kitchener

Note by General Manager:

Council is required to adopt its DP/OP (which includes its budget) for 2016/2017 & is a matter listed in S377 Local Government Act that cannot be delegated.

It is therefore considered that the proposed alternate motion proposed by the signatories to the Rescission motion (i.e. to adopt a balanced budget by authorising the General Manager to make the cuts) is unlawful & for this reason & in accordance with clause 240 of the Local Government (General) Regulation is NOT included in the agenda.

The signatories to the Rescission Motion should specify how they propose to achieve a "balanced budget" & put forward an alternate Motion.

A Rescission Motion may alter or rescind the original Motion.

Council may either:-

- a) Vote the Rescission Motion down & retain the original Motion (printed below) or
- b) Vote to alter the original Motion in any way it wishes within the law. (i.e. it could reduce expenditure to reduce the projected budget deficit)

Council adopted its Fit for the Future Financial Plan in 2015 (which should be its guiding document) which recognises that there is a need in future years (from 2016/17 onwards) to:

1. Increase overall Rate Revenue (above ratepegging limits) (commencing in 2017/18)

-
2. Increase fees & charges 1% above inflation
 3. Make further operating expenditure reduction and efficiency/productivity gains each year
 4. Consider Council assets, future needs & potential rationalisation of underutilised or excess facilities/property
 5. Progressive “stepped” increases for asset maintenance & asset renewal to meet the Fit for the Future criteria. Note that an additional \$1.9M was planned to be included for asset renewal in 2016/17 however only \$1.05M has been included because of the deficit situation & impact of other costs.

Since Council adopted its ‘Fit for the Future’ Plan some matters beyond Councils’ control have emerged including:-

- a) Additional contributions for Emergency Services (equivalent to a 1½% rate increase)
- b) Reductions in interest rates impacting on revenue from investments (partly offset by decrease in interest payable on new loans)
- c) The ratepeg limit of 1.8% for 2016/17 is lower than the base factored into the 10 year financial plan

These financial stresses have put added pressure on the ability to close the gap towards the Fit for the Future benchmarks & contributed to increasing the Operating deficit situation for 2016/17.

One of the most “telling” factors, as previously reported, is the fact that average residential rates in Shoalhaven are 20% to 40% lower than comparable Group 5 Councils in the state yet this Councils infrastructure base is generally more extensive than others because of its unique geographic spread of population over a larger area & across 49 dispersed towns & villages. This situation is unsustainable & must be addressed in the coming years.

The immediate question remains however whether a sizeable deficit budget for 2016/17 is justifiable simply to retain existing service levels & facilities in the absence of addressing the low revenue base.

In the past three months the statutory Section 625 Investment Report to Council has shown the General Fund Unrestricted cash position balance is:

@30 April	\$5,056,097
@31 March	\$7,798,736
@28 February	\$11,174,878

Indicating that Council does have capacity to sustain a “once off” operating deficit BUT in my opinion this cannot be ongoing in future years & it is preferable that the deficit be reduced for 2016/17.

If Council wishes to make changes to reduce the projected budget for 2016/17 Senior Staff will table possible options at the Council meeting.

As a general principle Council should not be introducing new programs, works or services without a funding source or a compensating reduction in another operating area.

Note: The following resolution was adopted at the Extra Ordinary Meeting held Tuesday 14 June 2016:

That Council adopts the Draft Delivery Program 2014 – 2017 and Operational Plan 2016 – 2017 with the changes as detailed below:

1. *Collingwood Beach Sand Dunes Management Plan*

Allocate \$120,000 to the 2016/17 budget to activate the plan at Collingwood Beach.

2. *Donations*

Change the DPOP wording to be: “The subsidy to Australian Aerial Patrol proposed at Page 65 of the DPOP for the purpose of Beach Patrol Services; will not be paid until such time that Council has further clarified the NSW Government’s Aerial Program and the functioning of the Australian Aerial Patrol Service”.

The following donations be included in the allocated donations budget for 2016/17:

- a) *\$500 to the Hyams Beach Villagers Association to assist them with their administrative costs &/or hall hire expenses as they were recognised as a CCB on 19 April 2016 (see MIN16.265)*
- b) *Waiving the cost of the hire and cleaning fees for the use of the Ulladulla Civic Centre & grounds and foreshore reserve for the Ulladulla Blessing of the Fleet Festival (see MIN16.267)*

3. *March Quarterly Review Adjustments*

Make the changes below to the 2016/17 Budget.

- *Supply Unit Capital - \$30,000*
- *Sign Shop Relocation - \$20,000*
- *Time and Attendance system - \$40,000*
- *CCTV renewal - \$350,000*
- *Lakehaven Drive, Sussex – income and expense - \$120,000*
- *Dent Street Waterways – income and expense - \$8,000*
- *Nowra Gateway park - \$120,000*
- *Nowra Pool - \$325,000*
- *Shoalhaven Indoor Sports - \$7,500,000*
- *Ison Park Amenities upgrade - \$500,000*
- *Ulladulla Netball resurfacing - \$125,000*
- *Ulladulla Sports park AFL drainage - \$122,442*
- *Grey’s Beach Boat Ramp – income and expense - \$20,000*
- *Ulladulla Traffic and Pedestrian improvements - \$480,000*
- *SUP Bridges Moona Moona – income and expense - \$480,000*
- *Flinders income and expense - \$2,085,000*
- *Lake Conjola Entrance Road – income and expense - \$340,000*
- *Sussex Inlet Road – income and expense - \$500,000*
- *The Springs Road – income and expense - \$100,000*
- *Central Avenue/Bellevue – income and expense - \$286,000*

- *Bring forward \$100,000 for investigation and design of Admin building and fire compliance matters.*

4. *Update roadwork allocations as shown below:*

DESCRIPTION	BUDGET	DESCRIPTION	BUDGET
Callala Beach Rd	\$200,000	Turpentine Rd	\$2,750,000
Meroo Rd	\$200,000	Boree St Ulladulla	\$300,000
Prince Edward Ave	\$600,000	Sussex Inlet Rd	\$465,000
Beach Rd Berry	\$500,000	The Springs Rd	\$297,000
Currarong Rd	\$500,000	Lake Conjola Rd	\$222,000
Green St	\$356,000	Naval College Rd Black Spot widening	\$700,000
Hillcrest Ave	\$400,000	Albatross Rd	\$600,000
Mt Scanzi Rd - embankment remediation	\$150,000	Prentice Ave	\$100,000
Naval College Road/ Huskisson Rd intersection	\$660,000	Local Road Reseal	\$3,056,000
Coolangatta Rd	\$1,200,000	Local Road Resheet	\$550,000
Agars Lane Sealing	\$300,000	Minor Road Works	\$250,000

5. *Changes to Activities*

Make the below changes to Activities in the DPOP document

Activity number	Current Activity	Changes requested
1.1.09	<i>Promote maintenance schedules to the local community</i>	<i>Promote works schedules to the local community</i>
1.2.05	<i>Increase the provision of recreational and other facilities that meet the needs and expectations of young people</i>	<i>Facilitate the provision of recreational and other facilities that meet the needs and expectations of young people</i>
2.1.04	<i>Complete the waterfront strategy and implement priority actions</i>	<i>Facilitate the delivery of priority actions from the Waterfront Strategy</i>
2.1.08	<i>Improving traffic and parking</i>	<i>Improving traffic and parking in the CBDs</i>
2.1.11	<i>Coordinate the Nowra CBD Revitalisation Strategy</i>	<i>Coordinate implementation of the Nowra CBD Revitalisation Strategy</i>
3.1.05	<i>Attract and facilitate the development of built tourist assets consistent with the Tourism Master Plan</i>	<i>Attract and facilitate the development of built tourist assets consistent with the Economic Development Strategy</i>

3.1.07	<i>Develop and implement the events strategy in line with the Tourism Master Plan</i>	<i>Develop a strategic Events and Investment plan with emphasis on driving visitation and spend in the region, identifying key opportunities and relevant measures and KPI's.</i>
4.1.07	<i>Economic activity will be guided by Shoalhaven City Council's Economic Development Strategy, Shoalhaven - an enterprising alternative; An economic development strategy</i>	<i>Economic activity will be guided by Shoalhaven City Council's Economic Development Strategy</i>
5.1.03	<i>Develop prioritised strategies to address the maintenance and repair backlog of Council building</i>	<i>Develop prioritised strategies to address the maintenance, renewal and repair backlog of Council building components</i>
5.1.08	<i>Implement business strategies that align with Shoalhaven Bereavement Services - strategic plan 2050 and the Cemeteries and Crematoria Act 2013 and Regulation 2014 to ensure a viable Bereavement Services Unit.</i>	<i>Implement business strategies that align with Shoalhaven Bereavement Services - strategic plan 2050 to ensure a viable Bereavement Services Unit.</i>
5.1.09	<i>Identify and pursue opportunities and proactively manage Council's property portfolio to maximise returns.</i>	<i>Identify and pursue opportunities for investment in property and proactively manage Council's property portfolio to maximise returns.</i>
5.1.10	<i>Ensure service delivery costs in Asset Construction and Maintenance compare favourably to industry standards</i>	<i>Review service delivery approach in Asset Construction and Maintenance against industry standards</i>
5.1.13	<i>Formulate a new and revised Planning Works Program to recognise and complete priority strategic planning initiatives</i>	<i>Formulate a new Planning Works Program to recognise and complete priority strategic planning initiatives</i>
5.1.14	<i>Ensure that plans are prepared to support appropriate population growth in Shoalhaven</i>	<i>Prepare strategies and Plans to support appropriate population growth in Shoalhaven</i>
5.2.03	<i>Review finance processes</i>	<i>Review finance processes and structures</i>

6. Dairy Farmers Rates

To increase to Dairy Farmers be in line with the increase to Farmers rates for 2016/17, this being rate peg of 1.8% plus \$195k (spread across all ratepayers) catch up from previous years in line with Section 511 of the Local Government Act 1993.

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7. *Recommend to make the following changes to the DPOP document in relation to the Special Rate Variation for Veron's Estate:*

- a) *The following changes are suggested to the paragraphs under the heading "INTRODUCTION OF A NEW SPECIAL RATE VARIATION" (page 43 of the draft DPOP).*

Given the proposal by the OLG to merge Kiama and Shoalhaven City Councils the recommended Special Rate Variation Application for Verons Estate has been disallowed. However now that a merger determination has been made, Council proposes to seek approval from IPART for a special variation to fund the infrastructure requirements to enable property owners to develop their allotments in this Estate. The project is estimated to cost \$2.1m and has been moved out to the 2017/18 financial year. This is expected to increase Council's rates by approximately .41% to 2.21% (assuming the rate peg is 1.8%). The additional rates will be levied on up to 31 affected ratepayers in the Verons Estate and will have a resultant impact on rates for this Estate only, in the vicinity of \$237k for the first year, increasing by the rate peg thereafter, based on a 10 year loan. Further discussion will be held with landowners in this subdivision to determine the most appropriate term for the loan. For those owners without the financial capacity to pay the rates levied, they will have the option of selling their land, or if they cannot find a buyer, offering their land to Council in lieu of unpaid rates.

This work is necessary to minimise bushfire risk and enable the Estate's development potential to be realised. Without this work, development of lots in this subdivision cannot progress safely.

- b) *Update the financials in relation to Verons Estate to reflect the above changes.*

8. *As per Min 16.325 Council allocate additional project funding of \$31,664 in the 2016/17 budget to meet the shortfall plus any minor project variations for The Shoalhaven Equestrian Centre of Excellence – Stage 1 Construction.*

Update the 2016/17 Budget for \$31,664 in capital costs for MIN16.325.

9. *As per Min 16.272 Council to allocate \$105,000 from the 2016/17 Operational Budget within the Public Toilets Replacement Program to the Mollymook Changing Places room and accessible toilet construction, to also allocate **\$8,000 in 2016/17** and \$17,200 in subsequent financial years to Operating Expenses for Toilet maintenance.*

Update the 2016/17 Budget for \$8,000 in operation costs for MIN16.272

10. *As per Min 16.119 Council to allocate \$200,000 from the 2016/17 Capital Budget for the high priority flood levee repair works identified in the recent levee audit conducted by Royal HaksoningDHV.*

Update the 2016/17 Budget for \$200,000 in capital costs for MIN16.119

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11. *In recent weeks, the rapid deterioration in the condition of two bridges on the Bugong Fire Trail has been recognised. One bridge has been temporarily bypassed and the other requires urgent repairs. The draft Bridge Program currently has an allocation of \$500,000 to replace the bridge over Yarramunmun Creek at Yalwal. It is proposed that \$250,000 of the \$500,000 are re-allocated to the replacement of bridges on Bugong Fire Trail. In this case, the replacement of the Yarramunmun Creek bridge will carry over into the 2017/18 financial year, as well as one of the Bugong Fire Trail bridges. The amount of carry-over can only be finalised after detailed design and cost estimates are produced for the three bridges.*

Update the allocation of bridge funding in the 2016/17 Budget for the above change.

12. *Fit for the Future – continue works to determine the required rate increase to enable Council to meet the Fit for the Future ratios by 2020.*

3. Rescission Motion – Extra Ordinary Meeting 14 June 2016 Item 4 – Making of the Rates and Charges for 2016/2017 **File 52309E [Index](#)**

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

That Council rescind the Motion relating to Item 4 of the Council Meeting held on 14 June 2016.

Signed
Clr Guile
Clr Watson
Clr Kitchener

Note by General Manager:

The signatories to the Rescission Motion have not provided any alternate Motion to make the rates for 2016/17. This is an intolerable situation as many of Council services are reliant on the general purpose rates which are set to raise over \$59M in revenue for 2016/17. Council cannot function without this revenue.

Council must resolve to "make" the rates each year (s494) & this must occur before 1 August. However any further delay will push back the payable due date & adversely impact Council's cash flow.

The Motion (as carried by Council last meeting & reproduced below) is per the exhibited proposal to provide rate reductions to Business Rates with a resultant offset & addition (on average) \$18 p.a. for residential rates. The Motion also proposed to re-establish a significant concessional lower Farmland rate for dairy farms rather than the exhibited proposal to increase rate for dairy farms to the same level as all other Farmland.

Note: The following resolution was adopted at the Extra Ordinary Meeting held Tuesday 14 June 2016:

That Council make the rates and charges for 2016-2017 as follows:

RATES

1. RESIDENTIAL

An ordinary rate, consisting of an Ad Valorem Rate, of zero point two four one five three cents (0.24153c) in the dollar in addition to a base amount of five hundred and five dollars (\$505.00) 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 BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 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 five dollars (\$505.00) per rateable assessment for the "RESIDENTIAL" category will produce forty nine (49%) percentum of the total amount payable by the levying of the "RESIDENTIAL" rate in accordance with Section 537 (b).

2. FARMLAND

An ordinary rate, consisting of an Ad Valorem Rate, of zero point one nine one six five cents (0.19165c) in the dollar in addition to a base amount of five hundred and five dollars (\$505.00) 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 BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 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 five dollars (\$505.00) per rateable assessment for the "FARMLAND" category will produce twenty four (24%) percentum of the total amount payable by the levying of the "FARMLAND" rate in accordance with Section 537 (b).

3. FARMLAND – DAIRY FARMERS

An ordinary rate, consisting of an Ad Valorem Rate, of zero point zero nine eight six eight cents (0.09868c) in the dollar in addition to a base amount of five hundred and five dollars (\$505.00) 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" and in accordance with Section 515 AND 529 (b) BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 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 five dollars (\$505.00) per rateable assessment for the "FARMLAND – DAIRY FARMERS" category will produce thirty two (32%) percentum of the total amount payable by the levying of the "FARMLAND – DAIRY FARMERS" rate in accordance with Section 537 (b).

4. RESIDENTIAL NON-URBAN

An ordinary rate, consisting of an Ad Valorem rate, of zero point two four one five three cents (0.24153c) in the dollar in addition to a base amount of thirty five dollars (\$35.00) 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 (ie; Small Lot Rural Subdivisions) and categorised as "RESIDENTIAL" in accordance with Section 516, Sub-Category "NON-URBAN" in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017. Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of thirty five dollars (\$35.00) per rateable assessment for the "RESIDENTIAL NON-URBAN" category will produce forty (40%) percentum of the total amount payable by the levying of the "RESIDENTIAL NON-URBAN" rate in accordance with Section 537 (b).

5. BUSINESS - GENERAL

An ordinary rate, consisting of an Ad Valorem Rate, of zero point three zero one three three cents (0.30133c) in the dollar 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 City of Shoalhaven determined to be in the Business – GENERAL Sub-Categories of Commercial/Industrial, Nowra and Ulladulla BE NOW MADE FOR THE PERIOD OF 1 JULY 2016 TO 30 JUNE 2017 and in accordance with Section 543 (1) this rate be named "BUSINESS - GENERAL".

6. BUSINESS – COMMERCIAL / INDUSTRIAL

An ordinary rate, consisting of an Ad Valorem Rate, of zero point three zero one three three cents (0.30133c) in the dollar in addition to a base amount of five hundred and five dollars (\$505.00) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven and 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 529 (1) BE NOW MADE FOR THE PERIOD OF 1 JULY 2016 TO 30 JUNE 2017 and in accordance with Section 518 sub-category "COMMERCIAL/INDUSTRIAL" in accordance with Section 529 (1). Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of five hundred and five dollars (\$505.00) per rateable assessment for the category "BUSINESS – COMMERCIAL/INDUSTRIAL" will produce thirty one (31%) percentum of the total amount payable by the levying of the "BUSINESS – COMMERCIAL/INDUSTRIAL" rate in accordance with Section 537 (b).

7. BUSINESS NOWRA

An ordinary rate, consisting of an ad Valorem Rate, of zero point six one one four three cents (0.61143c) in the dollar in addition to a base amount of five hundred and five dollars (\$505.00) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council's Administrative Offices located at Nowra and Ulladulla during the period 20 April 2016 to the 18 May 2016, 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) BE NOW MADE FOR THE PERIOD 1 JULY

2016 TO 30 JUNE 2017 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 five dollars (\$505.00) per rateable assessment for the "BUSINESS NOWRA" sub-category will produce sixteen (16%) percentum of the total amount payable by the levying of the "BUSINESS NOWRA" rate in accordance with Section 537 (b).

8. SUSSEX AREA SPECIAL

In accordance with Section 538 a special rate, consisting of an Ad Valorem Rate, of zero point zero three three three five cents (0.03335c) in the dollar be made on part of Council's rateable land as shown on maps made available for display at Council's Administrative Offices located at Nowra and Ulladulla during the period 20 April 2016 to the 18 May 2016. In accordance with Section 495 (1) the rate, proposed to be levied, is to meet the costs of business promotions for the Sussex Inlet area and surrounds for the period 1 July 2016 to 30 June 2017, 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 2016 TO 30 JUNE 2017 and in accordance with Section 543 (2) this rate be named "SUSSEX AREA SPECIAL RATE".

9. JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of seven point six three nine eight zero cents (7.63980c) in the dollar in addition to a base amount of two thousand six hundred and five dollars (\$2,605.00) be made 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 in which it is the opinion of Council derives special benefit and is 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 2016 TO 30 JUNE 2017 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 six hundred and five dollars (\$2,605.00) per rateable assessment for the "JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE" and will produce fifty (50%) percentum of the total amount payable by the levying of the "JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE" in accordance with Section 537 (b).

10. JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of two point five seven three eight six cents (2.57386c) in the dollar in addition to a base amount of eight hundred and seventy eight dollars (\$878.00) be made 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 in which it is the opinion of Council derives special benefit and is 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 2016 TO 30 JUNE 2017 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 seventy eight dollars (\$878.00) per rateable assessment for the "JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE" and will produce fifty

(50%) percentum of the total amount payable by the levying of the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” in accordance with Section 537 (b).

11. JERBERRA ROAD E2 INFRASTRUCTURE SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of one nine point three one three six four cents (19.31364c) in the dollar in addition to a base amount of six hundred and fifty three dollars (\$653.00) be made 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 in which it is the opinion of Council derives special benefit and is 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 2016 TO 30 JUNE 2017 and in accordance with Section 543 (2) this rate be named “JERBERRA ROAD E2 INFRASTRUCTURE 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 fifty three dollars (\$653.00) per rateable assessment for the “JERBERRA ROAD E2 INFRASTRUCTURE SPECIAL RATE” and will produce fifty (50%) percentum of the total amount payable by the levying of the “JERBERRA ROAD E2 INFRASTRUCTURE SPECIAL RATE” in accordance with Section 537 (b).

12. VERON’S ROAD CONSTRUCTION SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one eight one four two cents (0.18142c) in the dollar in addition to a base amount of four hundred and twenty seven dollars (\$427.00) be made for the cost associated with the Veron’s road construction project. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Veron’s estate in which it is the opinion of Council derives special benefit and is 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 2016 TO 30 JUNE 2017 and in accordance with Section 543 (2) this rate be named “VERON’S 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 four hundred and twenty seven dollars (\$427.00) per rateable assessment for the “VERON’S ROAD CONSTRUCTION SPECIAL RATE” and will produce fifty (50%) percentum of the total amount payable by the levying of the “VERON’S ROAD CONSTRUCTION SPECIAL RATE” in accordance with Section 537 (b).

13. NEBRASKA ROAD CONSTRUCTION SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one nine seven seven six cents (0.19776c) in the dollar in addition to a base amount of one hundred and sixteen dollars (\$116.00) be made 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 in which it is the opinion of Council derives special benefit and is 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 2016 TO 30 JUNE 2017 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 sixteen dollars (\$116.00) per rateable assessment for the “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” and will produce fifty (50%) percentum of the total

amount payable by the levying of the “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” in accordance with Section 537 (b).

CHARGES

1. WATER USAGE AND WATER AVAILABILITY CHARGE

In accordance with Section 502 and 552 (1) (a) and (b) a water usage and water availability charge, (based on the size of the meter) and as listed in the Draft Delivery Program and Operational Plan 2016-2017 (Fees and Charges), BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 and in accordance with Section 543 (3) the charges be named “WATER USAGE CHARGE and WATER AVAILABILITY CHARGE”.

2. SEWER USAGE AND SEWER AVAILABILITY CHARGE

In accordance with Section 502 and 552 (3) a sewer usage and sewer availability charge, (based on the size of the meter) and as listed in the Draft Delivery Program and Operational Plan 2016-2017 (Fees and Charges), BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 and in accordance with Section 543 (3) the charge be named “SEWER USAGE and SEWER AVAILABILITY CHARGE”.

3. DOMESTIC WASTE MANAGEMENT SERVICE

That Council provides a weekly domestic waste management service. That Council makes an annual charge for the provision of that service pursuant to Section 496 of the Local Government Act 1993 and as listed in the Draft Delivery Program and Operational Plan 2016-2017 (Fees and Charges), BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017. That the amount of the Domestic Waste Management Charges during the period 1 JULY 2016 TO 30 JUNE 2017 for each assessment for which the service is available be \$550.00 for each 240 litre size bin, \$315.00 for each 120 litre size bin, \$240.00 for each 80 litre size bin and \$54.00 for any additional 240 litre Recycling bin be made in accordance with Section 543 (3) the charge be named “DOMESTIC WASTE MANAGEMENT CHARGE”.

4. WASTE MANAGEMENT SERVICE – NEW WORKS

That Council make an annual charge for the purposes of administration and new works associated with the future provision of domestic waste management services to properties described below in (a) and (b) pursuant to Section 496 of the Local Government Act 1993, and as listed in the Draft Delivery Program and Operational Plan 2016-2017 (Fees and Charges), BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017. That the amount of the Administration/New Works Waste Management Charge during the year commencing 1 JULY 2016 TO 30 JUNE 2017 for each assessment described below be \$64.00 and in accordance with Section 543 (3) the charge be named “ADMINISTRATION/NEW WORKS WASTE MANAGEMENT CHARGE”.

- a) *All vacant land within the waste management service collection area;*
- b) *All residential properties that are within the waste management service collection area but the dwelling is situated more than 100 metres from the nearest roadway from which the service would be made available.*

5. EFFLUENT REMOVAL CHARGE

That the Council make annual charges for the provision of effluent removal pursuant to Section 501 (1) of the Local Government Act 1993. That these charges apply to all properties utilising the effluent removal service for the year commencing 1 JULY 2016 TO 30 JUNE 2017. That the amount of those charges are listed in the Draft Delivery Program and Operational Plan 2016-2017 (Fees and Charges), BE NOW MADE FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 and in accordance with Section 543 (3) this charge be named "EFFLUENT REMOVAL CHARGE".

6. STORMWATER MANAGEMENT SERVICE CHARGE

That council make an annual charge for the provision of stormwater management services pursuant to section 496A of the Local Government Act 1993. That this charge applies to all privately owned, developed rateable properties within the Shoalhaven for the year commencing 1 JULY 2016 TO 30 JUNE 2017. That the amount of this charge be \$25.00 per privately owned, developed rateable properties and \$12.50 per strata allotment and in accordance with Section 543 (3) the charge be named "STORMWATER MANAGEMENT SERVICE CHARGE".