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The following material is as a result of careful research. It includes matters aired in Parliament by Lee Rhiannon MLC

It is neither the intention nor the fact that any improper motives or inference be attributed to the individuals, companies or associations named.

The intent is to present the facts.

It is legal for companies and individuals to make donations to other individuals, parties groups or candidates for elected office.

It is perfectly proper to donate and to receive.

Neither I as the publisher, nor other researchers make allegations, inferences or assumptions of illegal or improper conduct. Where relevant the provisions of the law are baldly stated. It is up to the courts or those trained in the application of the law to determine.

Shoalhaven Independents Group

The Shoalhaven Independent Group is registered as a political party for local government. During the 2004 Shoalhaven local government election, the party stood 4 candidates in each of the three wards and one candidate as mayor.

Candidates 2004	Elected Councillors
Mayor Greg Watson	The party has a clear majority on Shoalhaven City Council. The elected members of this group consists of: Greg Watson Mayor Peter Murphy Deputy Mayor Gary Kearney Councillor Jack Kerr Councillor Jim McCrudden Councillor John Finkernagel Councillor John Willmott Councillor
Ward 1 Gary Kearney Dick Guthrie Ken Merrifield Bill Hilzinger	
Ward 2 Greg Watson Peter Murphy Jack Kerr Jim McCrudden	
Ward 3 John Finkernagel John Willmott Margaret Nyholm Nikki Turner	

JOHN HATTON ON CORRUPTION PREVENTION

Risk Management

Professional decision making where process is of a high standard

MY ROLE IN PARLIAMENT

I was a member of the Parliamentary Committee Oversight of the Office of Ombudsman, 1990 – 1995

AND a member of the Parliamentary Committee of Oversight of the Independent Commission Against Corruption (ICAC), 1991 – 1995

MY PERSONAL EXPERIENCE

My personal experience in trying to expose corruption of process, partisan decision making, shaping of advice, circumvention of professional advice, distorting tender process, bribery, bullying and intimidation of staff, and punishment of whistleblowers is extensive.

In my 22 year as the Independent MP for South Coast in the NSW Parliament, my office researched and I exposed corruption in Eurobodalla Shire Council, which was subsequently sacked.

Improper practice and corruption in:

- the DMR (then the Dept of Motor Transport), now RTA
- The Sydney Metropolitan Water & Sewerage Board, now Sydney Water
- Department of Housing
- NSW Police (culminating in the Police Royal Commission, 1995)

The symptoms of corruption were

- secrecy
- close relationships
- unusual decisions
- intimidation of staff
- ruthless punishment of whistleblowers
- contemptuous treatment of public duty
- cover-ups and lack of responsiveness
- failure to keep proper records
- disappearance of files or temporary file notes.

GENERAL CORRUPTION PREVENTION

“In local government a confidential meeting is a conflict in terms. The smart money will always find out.” Ted Mack.

“In the face of improper pressure inaction is corruption.” John Hatton.

THIS SCC IS THE WORST COUNCIL IN 50 YEARS

I make no allegations against developers or anyone else.

In this election year I simply present the facts as revealed by careful research based on:

- Council’s own files [BACKGROUND]
- State electoral funding authority
- company searches
- other publicly available records
- and other sources.

I urge you to speak up, but not to make unsubstantiated allegations.

IN FIFTY YEARS, THIS COUNCIL HAS NOTCHED UP A NUMBER OF TROUBLESOME FIRSTS.

1. HUGE PROTEST MEETINGS ABOUT HIGHRISE AND AD HOC PLANNING AND OFTEN SECRET DEVELOPMENT DECISIONS:

400 at Ulladulla/South Shoalhaven

28th May 2007, 300 at Huskisson, Central Shoalhaven (following an earlier meeting of 200)

4th June 2007, over 600 at a second meeting at Ulladulla (on a rainy night).

6th August 2008, over 300 Shoalhaven Action Campaign Meeting

A TOTAL OF OVER A THOUSAND PEOPLE AT PUBLIC MEETINGS CALLED FOR THE SACKING OF COUNCIL AND FOR PLANNING INTERVENTION.

2. 6,000 SIGNED A PETITION CALLING UPON LOCAL GOVERNMENT MINISTER LYNCH TO SACK COUNCIL.

3. A MOTION BY SCC TO **MUZZLE FREE SPEECH** – see Council minute below in extract from letter to Minister for Local Government, 25 June 2007:

I was particularly outraged by the following resolution of Shoalhaven City Council (SCC) confirmed on Tuesday 27 March 2007.

Quote:

Council amends the rules in relation to Community consultation Bodies as follows:

i) A Community Consultative Body will not continue to be recognised as a Community Consultative Body if in Council's opinion they become involved in any political activities against the Federal, State and Local Government of the day.

ii) Shoalhaven City Council be sole arbiter of this issue.

RESOLVED on a **MOTION** of Clr Willmott, seconded Clr Anderson

Aye: Clrs Murphy, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson

No: Clrs Finkernagel, Rudd, Green, Ward, Bates.

A rescission motion at a subsequent Council meeting failed.

4. THE ELECTION OF A MAYOR AND HIS COUNCIL MAJORITY INDEPENDENTS TEAM IN A CAMPAIGN FINANCED BY \$91,000 OF CONTRIBUTIONS BY DEVELOPERS.

(DETAIL ATTACHED)

5. THE SALE OF MILLIONS OF DOLLARS WORTH OF PUBLIC LAND AT A PRICE MILLIONS OF DOLLARS BELOW MARKET VALUE.

Also see attached on Gateway site – need to update facts

See fact sheet on Huskisson Car Park

See Department of Local Government Letter to Council

These and other matters became the subject of deputations:

14 Nov 07 to Planning Minister Frank Sartor

12 Dec 07 to Local Government Minister Paul Lynch.

The acceptance by the Shoalhaven Independents councillors of a development control plan for the Nowra Gateway site written by the developer against strong professional planning staff advice that it was seriously flawed.

Dramatic and far-reaching changes to development controls on what was public land in Nowra and Huskisson after the sale. These decisions, in my opinion, greatly enhanced the site value.

PRESSURE AND SPIN

The threat to withdraw council advertising from local newspapers South Coast Register and Milton Ulladulla Times, owned by Fairfax, to disadvantage and punish them for revealing unpleasant truths about secrecy, election funding, ad hoc planning decisions, loss of SCC senior staff.

A proposal to finance a Council publication which, in my opinion, puts Council in charge of the news –

- to ignore bad news
- to massage the facts
- to curb dissent!

THE USE OF THE MAIL AS A SHOALHAVEN PROPAGANDA SHEET:

A Southern Phone Co publication financed by 40 councils and which was kick-started (ie, made possible) by a massive Federal Government grant. Ex-Councillor Bill Hilzinger, a former member of Clr Watson's team, is the chairperson of Southern Phone.

FACTS ABOUT HUSKISSON CAR PARK (from Minutes of Council)

19.10.04: SCC not to extend the Huskisson car park as planned using parking contributions. On the same day SCC decided to rezone the car park to 3F business. Gazetted August 2005.

6.9.05: Director of Planning told Development Committee of SCC that rezoning had been gazetted.

On the same day it appears that a private group signed a contract to buy the neighbouring site for \$1.5M from the private owner.

The price paid by Huscorp for what council now says is air space even with its public contributions is in my view far below market price.

14.9.05: One week later, Huscorp group was registered as a company.

5.12.05: Rec 4 storey S side amend to DCP.

Council recommended relaxation of planning controls from 2 to 4 storey on the southern side of the Huskisson main street.

20.12.05: The draft amendment to review building heights in Huskisson CBD – 4 storey.

After the exhibition period height bonus was extended by councillors to 6 levels for sites over 3000 square metres.

The car park is just over 3000 square metres.

NOWRA GATEWAY SITE AT BRIDGE ROAD

Land offered for sale through an Expression of Interest process in 2006.

Seven expressions of interest received.

One of these was to purchase 6,000 sq m for \$1,860,000.

Earlier this year Council agreed to the sale, to another company (Huscorp) of 9,500 sq m for \$990,000.

The first offer equals around \$300/sq m.

Council rejected this and agreed to sell (to Huscorp) for around \$100/sq m.

In addition an easement over 3000 sq m of adjacent land was granted to Huscorp AT NO COST !

Huscorp was NOT one of the companies in the Expressions of Interest.

(These details were reported in South Coast Register 4 March 2008.)

The Mayor say the first development proposal was inferior – but the offer was to pay more money for less land. Why not negotiate with the developer if the proposal is inferior?

The developer says it's not the amount being paid for the land but the total investment being made. Does anyone really think the price of the land sale doesn't matter to the ratepayer?

Are we to take seriously that the ongoing viability of a hotel residential complex hinges on land price?

Why did Clr Willmott have a meeting in Sydney with Huscorp without officers present to speed up the Nowra Gateway Project?

Yet negotiations with Council by another developer of a multi-million dollar tourist complex on the Nowra Pool site were in train.

Why favour one and not the other? Will they be given a land purchase subsidy?

Extract from Department of Local government Letter to SCC 22 July 2008. complete copy available on the Shoalhaven Action Campaign website www.shoalaction.org.au

“The Department has now examined the information regarding this matter, which Council has supplied in response to the Department’s recent requests.

That examination has revealed that some if not all of the land that Council has resolved to sell to Huscorp is classified as community land under the Local Government Act 1993. This resolution to sell appears to be a direct contravention of section 45(1) of that Act, which provides:

A council has no power to sell, exchange or otherwise dispose of community land.

.....council resolved to sell the land despite being provided with legal advice that reclassification of at least some of the land was essential in order for the sale to lawfully proceed.

I also have concerns regarding the process Council has followed in selecting Huscorp as the preferred purchaser and the terms of the sale contract. These concerns include:

- There does not appear to be any documented account as to why Council invited Huscorp to present its development proposal when Huscorp did not lodge an expression of interest on the advertised proposal by the advertised deadline.*
- There does not appear to be any documented account of the basis upon which Council selected Huscorp as the preferred purchaser of the site.*
- There does not appear to be any documented account as to why Council is prepared to sell Council owned land at a substantial discount to market valuation.*
- There does not appear to be any documented account as to why Council is prepared to grant Huscorp an easement over the city administrative centre site without payment despite a valuation report indicating that the value of the right of way is substantial.*
- Council appears to have failed to heed its legal advice to consider obtaining further valuation advice, inviting those who had lodged an expression of interest to consider lodging an amendment to their proposals in light of Councils decision to expand the site area, and to appoint a probity manager to oversee the selection process.*
- Council appears to have ignored its Community Consultation Strategy in that the development that is now proposed by Council and Huscorp bears little resemblance to that described in the advertisement for expressions of interest.*

I ask that this letter be tabled at the meeting of Council scheduled for 3.30pm today.”

Reproduced without amendment from John Hatton, 8 Watt St Huskisson

Information for North and Central Shoalhaven

Quote from a speech in Parliament by Lee Rhiannon MLC

“Today I will focus on some of the activities at Shoalhaven City Council. The Independent Commission Against Corruption has not undertaken an investigation of the council: I am not stating that local councillors have been involved in corrupt practices. However, recent events with regard to donations and planning decisions at that local council area raise many questions, questions that the mayor, Mr Greg Watson, must respond to.

I understand that the election campaigns of Mayor Watson and the Shoalhaven Independents Group are characterised by large donations enabling substantial media promotion compared with the activities of all other candidates and groups in the area. Election Funding Authority records for Shoalhaven City Council elections indicate that the mayor and his team received a total of \$91,017.60 for the last local government elections. This extraordinary level of funding swamped the financial capacity of any individual or group running in the election. It was far in excess of donations accepted for electoral purposes in the history of the Shoalhaven. Now \$78,000—that is, 86 per cent of the total—came from just 10 separate entities donating more than \$1,500 each. Of these 10 donors, all except the Manildra Group are involved with property development in the Shoalhaven area.

As an interest group, property development accounted for 97 per cent of the large donations and at least 84 per cent of total donations to the party. WD Pty Ltd donated \$20,000. The principal of this company, Michael Corban, purchased several contiguous blocks of residential land on the central business district fringe six months after the 2004 Shoalhaven election. Following meetings with the mayor council supported rezoning of the land "business 3B" in 2004 through a local environmental planning amendment.

The Greens do not know whether there is any connection between the donations received by the Shoalhaven Independent Group and local planning decisions.

I stand by my comments that Mayor Greg Watson owes the people of the Shoalhaven an explanation for planning decisions outside accepted procedures having been given the go-ahead. The head of WD Pty Ltd has been financially generous to Mayor Greg Watson and the Shoalhaven Independents Group. Triple One Holdings, one of Mr Corban's companies, donated \$5,000 for Mr Watson's 2003 State election campaign. WD Pty Ltd donated \$20,000 to the 2004 Shoalhaven council campaign for Mayor Greg Watson's Shoalhaven Independents Group. Mr Corban sought and received rezoning of valuable and prominent land on the Nowra central business district fringe in 2004. The Shoalhaven City Council Development Committee recommended on 6 July 2004 that a number of lots "on the corner of Moss Street, North Street and the Princes Highway, Nowra, be adopted as exhibited". They were the words stated in the council's document.

The decision was ratified by elected council and gazetted. The change from residential zoning to business means that this is the first commercial site that people encounter in the Nowra central business district when travelling south on the Princes Highway.

It is interesting to note that this rezoned land is now up for sale. It is described as: The future is more than encouraging with Stockland's Nowra as your neighbour and the proposed East Nowra Sub Arterial Road to adjoin Moss Street, the East Street intersection is to become the gateway to Nowra and entrance to its new and accepted retail hub.

Ralph Lucas is another financial backer of Mr Watson and the Shoalhaven Independents Group. He donated \$10,000 to Greg Watson's State election campaign in 2003 and \$12,000 to the 2004 local Government election campaign for the Shoalhaven Independents Group. Mr Lucas is the owner of Lucas Property, which has substantial interests in the Sussex Inlet area. According to their website:

“I, John Hatton, simply add that Clr John Finkernagel benefited to the tune of \$5000 in election funding from an allocation to his campaign from the total election fund donations to the Watson Independents Group contributed. Many if not all listed in Lee Rhiannon’s speech. “

The Group's holdings include a further 200 hectares adjoining Riviera Keys. This holding contains the Sussex Inlet Golf Course, as well as extensive areas to accommodate further development. Current plans are to redevelop the Golf Course into a prestigious 18-hole course combined with residential development in excess of 600 home sites integrated in and around the Golf Course.

Rezoning and development of the Badgee Lagoon area was presented in the draft Shoalhaven council strategy, despite clear concerns from the Department of Planning and the then Department of Environment and Conservation. A Department of Planning document states:

Badgee Extension—extent of the wetland and swamp ECCs on site is greater than is mapped in the draft strategy. The Department believes that the potential lot yield outlined in the strategy is significantly overstated. The ECC boundaries need to be verified by onsite mapping and be excluded from the developable area.

Badgee Lagoon and the urban land between Berrara & Cudmirrah, are both listed as Sensitive Urban Lands and are currently subject to the independent review being undertaken for the Minister of Planning. The draft Strategy will need to be consistent with any findings of this Review. The extension of the Badgee area needs to be justified in light of the environmental attributes of the site.

This is the information that has come from the department. The clear conclusion from the then Department of Environment and Conservation was that the area of environmental concern has been minimised in the draft strategy exhibited by council. Maybe the error was a mistake, or maybe deliberate, but what we do know is that the result potentially maximises the area Lucas Property can develop—another reason why the mayor needs to explain what is happening here. I understand that last year

those concerns were presented to the Minister for Local Government, Paul Lynch, and the Minister for Planning, Frank Sartor, in a document entitled "Protection of Shoalhaven Independent Group Interests in the Sussex Inlet Settlement Strategy Process".

Another one of Mr Watson's backers has been in the news lately. LED (South Coast) Pty Limited is a subsidiary of Beechwood Homes. This company donated \$3,000 to the 2003 campaign for Mayor Watson. It donated a further \$10,000 to the Shoalhaven Independents Group in 2004. In November 2002, the Shoalhaven City Council agreed to sell the 33-hectare former University of Wollongong agricultural campus to Vyntage Pty Limited, a Beechwood Homes subsidiary, for \$5 million. This was confirmed at an extraordinary meeting of council on 11 February 2003. Mayor Watson was required to provide the casting vote for the sale to proceed. One month later the company donated \$3,000 to Mayor Watson's State electoral campaign.

Elderslie Property Developments is another company that donates to the mayor. It is involved in a number of projects in the Milton-Ulladulla region. This company contributed \$10,000 to the 2004 Mayor Watson-Shoalhaven Independents Group campaign for Shoalhaven council. Elderslie has submitted three applications for development involving a total of 11 commercial units, 48 tourist units and 212 residential units in the Ulladulla area.

Clearly a lot needs to be explained. The examples I have provided highlight how there is currently little to enforce transparency and accountability when local government candidates receive political donations from property development interests.

SHOALHAVEN CITY COUNCIL ELECTION CAMPAIGNS

Page: 7902

Ms LEE RHIANNON [11.51 p.m.]: This week Mayor Greg Watson and some other Shoalhaven City councillors voted to overturn a previous council decision to allow the media to attend a meeting called to discuss Independent Commission Against Corruption recommendations aimed at minimising corruption risks in the development approval process. Mayor Watson's role in reducing council transparency is in addition to other activities where the mayor has failed to provide correct information to the Election Funding Authority on in-kind political donations.

Mayor Watson made copious use of material printed from Haven Printing during the 2003 New South Wales State election campaign. Invoices from Pinpoint Advertising showed that 110,000 brochures were delivered throughout the electorate. At least another 50,000 how-to-vote brochures would also have been required on election day. The expected printing cost for about 160,000 brochures would be around \$8,000. Yet, despite this use of printed material during the election campaign, no expenditure or in-kind assistance was disclosed to the Election Funding Authority. Mayor Watson did not declare \$8,000 worth of in-kind donations as a political contribution, nor did Haven Printing submit any donor declaration for the in-kind donation.

Printed material was used even more extensively by Mayor Watson during the 2004 Shoalhaven local government election campaign: 17 different how-to-vote brochures

were submitted to the Election Funding Authority and a wide range of brochures was also used as direct mail advertising leading up to the election. Approximately six tonnes of paper, or 22 A4 sheets per Shoalhaven elector, were supplied by Shoalhaven Paper and delivered to Mayor Watson's business address at a cost of \$16,328, according to Election Funding Authority invoices. The cost of the printing service provided would normally be approximately \$45,000, but the amount reportedly paid to Haven Printing was just \$2,500. That leaves more than \$40,000 unaccounted for. Both Mayor Watson's party and the business that made the donation should have publicly disclosed details of this donation.

The proprietorship of Haven Printing remains unclear. It was neither a registered trading name through the Department of Fair Trading nor a registered company through the Australian Securities and Investment Commission; it did not advertise locally as a printing service; and it was not listed in the telephone directory. But there is evidence that points to Haven Printing being a business controlled by Mayor Watson. For example, electoral material showed the address of Haven Printing to be the same address as Save Money, a legitimate business owned by a Watson family company. Also, deliveries of printing supplies invoiced to Haven Printing were addressed to Save Money. Invoices from Haven Printing to several other candidates used the Australian Business Number for Save Money, but not the trading name.

We found that past brochures listed the telephone number for Mayor Watson's business under the printer declaration for Haven Printing. Haven Printing has also been used to print election material for candidates outside the Shoalhaven Independents Group, including John Anderson and Trevor Kilner. These candidates gave favourable preference flows to Mr Watson and the Shoalhaven Independents Group. Haven Printing printed Mr Anderson's 2004 group how-to-vote and election leaflets. On his return lodged with the Election Funding Authority, Mr Anderson indicates that he received a \$500 donation and that the group's printing costs were \$499.80. Considering the printing cost relative to other candidates, it would appear that he has failed to acknowledge an in-kind donation arising from inadequate consideration.

Mr Trevor Kilner, a 1999 and 2004 Shoalhaven candidate, was the managing director of the weekly *Shoalhaven Independent* newspaper. Mr Kilner gave his first preference to Mr Watson—a choice he is obviously free to make. Mr Kilner's newspaper carried regular prominent advertisements over the months preceding the 1999 election for Trevor Kilner, Greg Watson and another candidate, Peter Murphy. Despite multiple advertisements with many half-page advertisements, Mr Kilner's newspaper advertising expenditure for this period was only \$1,000. There is no disclosure of in-kind donations arising from inadequate consideration between Mr Kilner and the newspaper. Neither Mr Watson nor Mr Murphy provided any details of expenditure of donation details for advertising in the *Shoalhaven Independent*.

Mr Kilner is now a member and deputy-registered officer for the Shoalhaven Independents Group. The *Shoalhaven Independent* newspaper company went into receivership in December 1999 owing \$460,000. Creditors of this company, probably unknown to them, were, in fact, funding advertisements for certain candidates in the Shoalhaven local government election. Clearly, Mr Watson and a number of other

candidates in the last Shoalhaven local government election failed to abide by the funding disclosure rules. The failure to disclose what are clearly in-kind donations underlines the need to ban political donations from corporations and other organisations. The Election Funding Authority needs to be allocated increased resources.”

*The full speech can be accessed from the NSW Parliament website or from the Shoalhaven Action Campaign website <
www.shoalaction.org.au>*

Donor	2003 State Election	2004 Shoalhaven Council Election	Total
Lucas Property Development	\$10,000	\$12,000	\$22,000
WD Pty Ltd		\$20,000	\$25,000
as Triple One Holdings	\$5,000		
LED (South Coast) - Beechwood Homes	\$3,000	\$10,000	\$13,000
Elderslie Property Development		\$10,000	\$10,000
Tipalea Partners Pty Ltd		\$10,000	\$10,000
Dolphin Point Developments	\$1,500	\$5,000	\$9,000
as Dolphin Point Constructions	\$1,500		
as Ulladulla Minigolf	\$1,000		
Greg Todd	\$2,000		\$7,700
as In-Ja-Ghoondji Trust		\$5,700	
Latner Pty Ltd	\$5,000		\$5,000
Stockland		\$5,000	\$5,000
C & M Brick	\$2,500		\$2,500
Shoalhaven Paper Co	\$2,160		\$2,160
Goolagong Pty Ltd	\$2,000		\$2,000
Normans Plant Hire	\$2,000		\$2,000
South Coast Liquids Treatment	\$2,000		\$2,000
Nowra Park Pty Ltd		\$2,000	\$2,000
Manildra Group of Companies		\$2,000	\$2,000
Stevens Group		\$2,000	\$2,000
Wray Owen	\$1,000		\$1,000
R Wilson	\$1,000		\$1,000
Miltonbrook Group of Companies	\$1,000		\$1,000
Goldmaster Homes	\$1,000		\$1,000
Beloit Pty Ltd	\$500		\$500
J. Ullner	\$500		\$500
Bay and Basin Engraving	\$500		\$500
G. Hargreaves	\$500		\$500
Kamsley Pty Ltd	\$500		\$500
Rainlord Pty Ltd	\$300		\$300
Abbyss Auto	\$250		\$250

Sussex Inlet

From the PECUNIARY INTEREST AND DISCIPLINARY TRIBUNAL ANNUAL REPORT 2007

In the period 1 July 2006 to 30 June 2007 the Tribunal received from the Director-General three (3) Notices of Decision to investigate a complaint:....

2. PIDT 1/2007 (Notice received 10 April, 2007) - Councillor John Finkernagel, Shoalhaven City Council.

It is alleged that Councillor John Finkernagel was in breach of s.451 of the Local Government Act, 1993 in failing to declare a pecuniary interest in matters before council and to absent himself from relevant council meetings when the following matters were considered and voted upon:

- In the ordinary council meeting of 2 November 2005 in relation to the consideration of and the resolution on the funding of the construction and maintenance of roads in a number of estates, including the Verons Estate.*
 - In the extraordinary council meeting of 24 January 2006 in relation to the consideration of and the resolution on the funding of the construction and maintenance of roads and rezoning costs in a number of estates, including the Verons Estate.*
 - In the ordinary council meeting of 28 March 2006 in relation to the consideration of and the resolution on the Sussex Inlet Settlement Strategy.*
-

Minutes of the ordinary council meeting of 2 November 2005....

1555. Paper Subdivision Roads File 1114, 1446-05, 2653-02, 8107-04, 1422-02

RESOLVED on a MOTION of Clr Anderson seconded Clr Rudd that

a) Council erect signs indicating that roads within Heritage, Nebraska, Verons and Jerberra

Estates are not maintained by Council

b) Council make application for a special rate to undertake road improvements within the

estates, such rate to be based on the estimated cost of upgrading

c) Council advise that it is unable to fund works during the current financial year due to a

fully allocated budget.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Rudd, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Young,

Bates, Watson

The following Councillors voted "No";

Clr Finkernagel

Minutes of the ordinary council meeting of 24 January 2006....

4. Small Lot Rural Subdivisions – Proposed Special Rates for Rezoning Investigations

and Road Construction Files 1446-05, 1422, 1013, 2653-03, 33534, 1114
RECOMMENDED that:

a) Council include in its current submission to the Minister for Local Government, under section 508A of the 1993 New South Wales Local Government Act, an application for an above rate pegging increase of:

- i) \$48,118 per annum for 10 years (commencing in 2006/07) to fund rezoning investigations for the Verons and Nebraska Estates*
- ii) \$39,182 per annum for 10 years (commencing in 2006/07) to fund preliminary investigations, road design and costings for the Jerberra, Verons and Nebraska Estates*
- iii) \$483,249 per annum for 10 years (commencing in 2008/09) to fund interim road works to gravel standard in Jerberra, Verons and Nebraska Estates.*

b) Council borrow an amount of \$350,000 in 2006/07 to fund the rezoning costs for Verons & Nebraska Estates.

c) Council borrow an amount of \$285,000 in 2006/07 to fund preliminary investigations, road design and costings for the Jerberra, Verons and Nebraska Estates.

d) Council borrow an amount of \$3,515,000 in 2008/09 to fund interim road works to gravel standard in Jerberra, Verons and Nebraska Estates.

A MOTION was moved by Clr Anderson, seconded Clr Green, that:

a) Council include in its current submission to the Minister for Local Government, under section 508A of the 1993 New South Wales Local Government Act, an application for an above rate pegging increase of:

- i) \$48,118 per annum for 10 years (commencing in 2006/07) to fund rezoning investigations for the Verons and Nebraska Estates*
- ii) \$39,182 per annum for 10 years (commencing in 2006/07) to fund preliminary investigations, road design and costings for the Jerberra, Verons and Nebraska Estates*
- iii) \$483,249 per annum for 10 years (commencing in 2008/09) to fund interim road works to gravel standard in Jerberra, Verons and Nebraska Estates.*

b) Council borrow an amount of \$350,000 in 2006/07 to fund the rezoning costs for Verons & Nebraska Estates.

c) Council borrow an amount of \$285,000 in 2006/07 to fund preliminary investigations, road design and costings for the Jerberra, Verons and Nebraska Estates.

d) Council borrow an amount of \$3,515,000 in 2008/09 to fund interim road works to gravel standard in Jerberra, Verons and Nebraska Estates.

e) Council expedites the community consultation processes.

During discussion on this item it was RESOLVED on a MOTION of Clr Ward, seconded Clr Bates, that Clr Finkernagel be granted an extension of time to speak on this matter.

During discussion on this item a member of the public gallery interjected using abusive, disruptive and offensive language. The Deputy Mayor adjourned the meeting the time being 3.37 pm.

The meeting reconvened the time being 3.41 pm.

The following members were present:

Clr P Murphy– Chairman

Clr J Finkernagel

*Clr R Rudd
Clr P Green
Clr J McCrudden
Clr J Kerr
Clr G Ward
Clr G Kearney
Clr J Anderson
Clr J Willmott
Clr J Young
Clr R Bates*

The MOTION upon being PUT to the meeting was declared CARRIED.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Rudd, Murphy, Green, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Bates

The following Councillors voted "No";

Clrs Finkernagel, Ward.

Minutes of the ordinary council meeting of 28 March 2006....

431. Sussex Inlet Settlement Strategy - Update File 30152-04

RESOLVED on a MOTION of Clr Watson, seconded Clr Murphy, that:

a) In respect of the Verons Estate the settlement strategy indicate Council's objective to allow

a two hectare sub-division over the parcels of land outside the Swan Lake catchment area

and retain the restriction of a maximum of one dwelling on parcels of land within the Swan

Lake catchment area.

b) The other proposed alternations to the draft strategy as outlined in the report be endorsed

by Council.

c) The draft strategy be placed on public exhibition for a six week period and that the matter

be reported back to Council following the exhibition period.