

MINUTES OF THE ORDINARY MEETING

Meeting Date: Monday, 24 June 2024
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Moo D'Ath
Clr Gillian Boyd
Clr Matthew Norris
Clr John Kotlash
Clr Serena Copley
Clr Paul Ell
Clr Evan Christen (Remotely)
Clr Patricia White
Clr John Wells
Clr Greg Watson (Remotely)
Clr Mark Kitchener
Clr Tonia Gray

The Chairperson read a statement advising those present that the proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice.

The meeting was opened by an Acknowledgement of Country by the Chairperson, followed with a Moment of Silence & Reflection and the playing of the Australian National Anthem.

Apologies / Leave of Absence

RESOLVED (Clr Wells / Clr Kotlash) MIN24.322

That the request from Clr Wells for a leave of absence from Friday 28 June to 11 August 2024 be granted.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Confirmation of the Minutes

RESOLVED (Clr Norris / Clr Kotlash)

MIN24.323

That the Minutes of the Ordinary Meeting held on Monday 03 June 2024 and the Extra Ordinary Meeting held on Tuesday 11 June 2024 be confirmed.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Declaration of Interests

Nil

MAYORAL MINUTE

MM24.19 Mayoral Minute - Margie Sheedy Memorial

HPERM Ref:
D24/199479

Recommendation

That Council:

1. Undertake the necessary steps for public consultation to re name the Ulladulla Sea Pool the "Margie Sheedy Sea Pool" in honour of Margie Sheedy.
2. Or if renaming of the pool is not supported by the community, that Council install a suitable memorial in the form of a plaque or a bench seat in honour of Margie at the pool.

RESOLVED (Clr Findley / Clr D'Ath)

MIN24.324

That Council:

1. Undertake the necessary steps for public consultation to re name the Ulladulla Sea Pool the "Margie Sheedy Sea Pool" in honour of Margie Sheedy.
2. If renaming of the pool is not supported by the community, that Council install a suitable memorial in the form of a plaque or a bench seat in honour of Margie at the pool.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

MM24.20 Mayoral Minute - Condolence Motion - Franco Palmieri

HPERM Ref:
D24/246408

Recommendation

That Council writes to Sue Palmieri expressing condolences with the passing of Franco Palmieri.

RESOLVED (Clr Findley / Clr Kitchener)

MIN24.325

That Council writes to Sue Palmieri expressing condolences with the passing of Franco Palmieri.

Minutes Confirmed Monday, 22 July 2024 – Chairperson

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

MM24.21 Mayoral Minute - Condolence Motion - Martin Gaffey

**HPERM Ref:
D24/246930**

Recommendation

That Council notes the passing of Martin Gaffey, and writes to the Gaffey family to express Council's sincere condolences.

RESOLVED (Clr Findley / Clr Norris)

MIN24.326

That Council notes the passing of Martin Gaffey, and writes to the Gaffey family to express Council's sincere condolences.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**MM24.22 Mayoral Minute - Condolence Motion - Alan Stephenson
OAM**

**HPERM Ref:
D24/247530**

Recommendation

That Council notes the passing of Mr Alan Stephenson OAM and expresses our condolences to his wife Michelle and daughter Kim.

RESOLVED (Clr Findley / Clr Kotlash)

MIN24.327

That Council notes the passing of Mr Alan Stephenson OAM and expresses our condolences to his wife Michelle and daughter Kim.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL24.179 – Delivery Program Operational Plan, Budget 2024/25 – Exhibition Outcomes

Ms Denise Joy addressed the meeting to speak AGAINST the recommendation.

Ms Kaye Gartner addressed the meeting to speak FOR the recommendation.

CL24.180 - Proposed Submission - NSW Parliamentary Inquiry: Historical Development Consents (Zombie Developments)

Ms Cat Holloway addressed the meeting to speak FOR the recommendation.

CL24.197 - Question on Notice - The Need for Greater Control of Dog Risks

Ms Kylie Knight and Mr Dave Wright addressed the meeting to speak to the Question on Notice.

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En block

RESOLVED (Clr White / Clr Kotlash)

MIN24.328

That the following item from City Performance Directorate be resolved en block:

- CL24.178 - Investment Report - May 2024

Note – the item will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Wells / Clr Norris)

MIN24.329

That the following item from City Futures Directorate be resolved en block:

- CL24.180 - Proposed Submission - NSW Parliamentary Inquiry: Historical Development Consents (Zombie Developments)

Note – the item will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Wells / Clr White) MIN24.330

That the following items from City Services Directorate be resolved en block:

- CL24.183 - Licence to Bomaderry Australian Football Club Incorporated - Pavilion Clubhouse - Artie Smith Oval Bomaderry
- CL24.184 - Proposed Policy Update - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land

Note – the items will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Wells / Clr Kotlash) MIN24.331

That the following items from City Development Directorate be resolved en block:

- CL24.186 - Protection of Bushland Along the Old Wool Rd Heritage Track, St Georges Basin
- CL24.187 - Membership Application - Southern Coastal Management Program Advisory Committee

Note – the items will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Eil / Clr Boyd) MIN24.332

That the following items from City Lifestyles Directorate be resolved en block:

- CL24.189 - Membership Appointment - Arts Advisory Committee
- CL24.190 - Membership Appointment - Youth Advisory Committee

Note – the items will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Call Over of Business Paper - En block

RESOLVED (Clr Gray / Clr Kotlash) MIN24.333

That the following item from Shoalhaven Water Directorate be resolved en block:

- CL24.192 - Acquisition of Easement - Sewer Purposes - Lot 122 DP 3060 Moss Vale Rd Badagarang

Note – the item will be marked with an asterisk (*) in these Minutes.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

REPORTS

CL24.175 Financial Sustainability Productivity and Efficiency Report

HPERM Ref: D24/238496

Recommendation

That Council:

1. Receive the productivity and efficiency report for the period from March to May 2024.
2. Note the actions taken during the quarter that have supported Council's financial sustainability.
3. Note that the organisation's top priority is to address the current financial sustainability challenges, and there is significant work in progress to realise recurrent savings in the next financial year.
4. Note that future productivity and efficiency reports will align to the Quarterly Budget Review timeline to enable reporting on achievements realised in the quarter.

RESOLVED (Clr Findley / Clr Christen) MIN24.334

That Council:

1. Receive the productivity and efficiency report for the period from March to May 2024.
2. Note the actions taken during the quarter that have supported Council's financial sustainability.
3. Note that the organisation's top priority is to address the current financial sustainability challenges, and there is significant work in progress to realise recurrent savings in the next financial year.
4. Note that future productivity and efficiency reports will align to the Quarterly Budget Review timeline to enable reporting on achievements realised in the quarter.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.176 Shoalhaven Australia Day Awards Program - Moving Forward

HPERM Ref: D24/196524

Recommendation

That Council provides direction on how to proceed with the future Shoalhaven Australia Day Awards and advise of any changes they wish to make to the Awards program.

RESOLVED (Clr Norris / Clr Ell)

MIN24.335

That Council proceed with future Shoalhaven Australia Awards commencing for the 2025 Awards with the following changes:

1. Award Categories:
 - a. Citizen Award
 - b. Young Citizen Award
 - c. Proudly Shoalhaven Award (open to individuals, volunteers, service groups and community groups)
2. The name of the awards will remain the Shoalhaven Australia Day Awards, and the event will be held during the week of Australia Day 2025 or the week of the recognized Australia Day public holiday.
3. The nomination form will be revised with input from councillors.
4. The judging panel will remain unchanged, at the Mayor's discretion.
5. The communication strategy will be similar to previous years, with the elimination of the radio advertising budget.
6. Catering will be replaced by a sausage sizzle hosted by Rotary or Lions clubs.
7. Entertainment will be provided by local bands, choirs, and/or school groups.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.177 Local Government Remuneration Tribunal - Determination of Councillor and Mayoral Fees 2024/2025

HPERM Ref: D24/202291

Recommendation

That Council:

1. Note the Local Government Remuneration Tribunal's Annual Report and Determination dated 29 April 2024.
2. Adjust the Councillor Fee payable to Councillors from 1 July 2024 to 30 June 2025 to an amount between **\$20,500 (minimum) and \$33,810 (maximum)** and for the Mayoral Additional Fee between **\$43,530 (minimum) and \$98,510 (maximum)**.
3. Determine that the additional Mayoral fee (in full, or in part), not be paid directly to the Deputy Mayor when the Deputy Mayor is required to act in the position of Mayor during periods of approved leave.

RESOLVED (Clr Christen / Clr Gray)

MIN24.336

That Council:

1. Note the Local Government Remuneration Tribunal's Annual Report and Determination dated 29 April 2024.
2. Retain the current rate fees resolved for the 2023/2024 financial year for its Mayoral and Councillor fees for the 2024/2025 financial year.
3. Determine that the additional Mayoral fee (in full, or in part), not be paid directly to the Deputy Mayor when the Deputy Mayor is required to act in the position of Mayor during periods of approved leave.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

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

CL24.178 Investment Report - May 2024

**HPERM Ref:
D24/236897**

RESOLVED* (Clr White / Clr Kotlash)

MIN24.337

That Council:

1. Receive the Record of Investments for the period to 31 May 2024.
2. Note that Council's total Investment Portfolio returned 5.06% per annum for the month of May 2024, outperforming the benchmark AusBond Bank Bill Index (4.50% pa) by fifty-six basis points (0.56%).

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.179 Delivery Program Operational Plan, Budget 2024/25 -
Exhibition Outcomes**

**HPERM Ref:
D24/210280**

Note: Deputations were received on this item.

Recommendation

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2024/25 including Budget, Capital Works Program and Fees and Charges, Council:

1. Adopt the 2024/25 Delivery Program and Operational Plan and Budget inclusive of the following changes:
 - a. Updates to DPOP Actions and KPIs as outlined in this report
 - b. Revision of the capital works listing as outlined in Attachment 1.
 - c. Note that the budget reflects Council's current service offerings, service levels and organisational structure. As savings are identified, endorsed, and implemented, they can be reliably measured. Once reliably measured, adjustments will be made to the budget at each quarter budget review to recognise the recurrent, and/or one off savings achieved.
2. Adopt the 2024/25 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Added new interment services levy as announced by Cemeteries and Crematoria NSW

(CCNSW)

- b. Amended regulated Development Application fees as announced by the Department of Planning, Housing and Infrastructure
 - c. Rectified Holiday Haven Van Occupancy Annual Fee with an additional line 'All Other Parks' - \$7,907 (incl. GST)
 - d. Rectified Effluent Removal Charges for Properties with Bi-Weekly service
3. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993, inclusive of a 4.50% rate-peg increase as per and Section 506 of the Local Government Act 1993:

- a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.09923c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, under 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 2024 to 30 June 2025 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 seven hundred and sixty dollars (\$760.00) 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 0.09923c 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 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 2024 to 30 June 2025, and in accordance with Section 543(1), this rate be named "RESIDENTIAL NON-URBAN".

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 37.92%]

- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.19932c for each dollar of rateable land value, 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 subcategories of Commercial/Industrial, Nowra, and Major Retail Centres, an ordinary rate be now made for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named "BUSINESS".

- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.51600c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land determined to be a centre of activity and categorised as "Business", in accordance with Section 518, sub-category "NOWRA", in accordance with Section 529(2)(d), for the period 1 July 2024 to 30 June 2025 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 seven hundred and sixty dollars (\$760.00) per rateable assessment for the "BUSINESS - NOWRA" subcategory 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 16.75%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.17380c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land 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(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - COMMERCIAL/INDUSTRIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) 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 31.33%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.72930c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 2 DP 874730 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - NOWRA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” rate in accordance with Section 537(b) [base amount percentage is 0.96%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.35130c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 1 DP 1182358 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - VINCENTIA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - VINCENTIA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” rate in accordance with Section 537(b) [base amount percentage is 1.85%].

- h. Make an Ordinary Rate, consisting of an ad valorem rate of 0.07520c for each dollar of rateable land value in addition to a base amount of one thousand and twelve dollars (\$1,012.00) 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 2024 to 30 June 2025 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 one thousand and twelve dollars (\$1,012.00) 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 32.99%].

- i. Make an Ordinary Rate, consisting of an ad valorem rate of 0.03970c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-four dollars (\$1,144.00) 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, sub category “DAIRY FARMERS”, in accordance with Section 529(2)(a), for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “FARMLAND - DAIRY FARMERS”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand one hundred and forty-four dollars (\$1,144.00) 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 49.96%].

- j. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.38260c 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 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 2024 to 30 June 2025 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%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.07093c for each dollar of rateable land value in addition to a base amount of two hundred and ninety-seven dollars (\$297.00), for the cost of the road upgrades in the 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 2024 to 30 June 2025 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-seven dollars (\$297.00) 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 49.83%].

- l. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06743c for each dollar of rateable land value in addition to a base amount of one hundred and nineteen dollars (\$119.00) 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 2024 to 30 June

2025 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 nineteen dollars (\$119.00) 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 49.62%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.20371c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-two dollars (\$1,142.00) 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 2024 to 30 June 2025 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 one thousand one hundred and forty-two dollars (\$1,142.00) 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 537(b) [base amount percentage is 49.98%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06870c for each dollar of rateable land value in addition to a base amount of three hundred and eighty-five dollars (\$385.00) 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 2024 to 30 June 2025 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 three hundred and eighty-five dollars (\$385.00) 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 49.97%].

- o. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.36653c for each dollar of rateable land value in addition to a base amount of two hundred and fifty-seven dollars (\$257.00) 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 2024 to 30 June 2025 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 two hundred and fifty-seven dollars (\$257.00) 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 49.85%].

- p. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.02175c for each dollar of rateable land value categorised as Business – Commercial / Industrial 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 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- q. 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 2024 to 30 June 2025, comprising a Water Usage Charge of \$2.50 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 2024/25
20 mm	\$145
25 mm	\$243
32mm	\$391
40mm	\$614
50mm	\$964
80mm	\$2,455
100mm	\$3,840
150mm	\$8,630
200mm	\$15,347

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).

- r. Make an Annual Charge for Sewer Usage and Sewer Availability, in accordance with Section 502 and 552(3) (a) and (b), for the period 1 July 2024 to 30 June 2025, comprising a Sewer Usage Charge of \$2.26 per kilolitre for all applicable, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge for all residential, commercial and applicable Community Service Obligation categorised properties based on water meter size:

Size of Water Meter Service Connection	Charge 2024/25
20 mm	\$1,028
25 mm	\$1,432
32mm	\$2,188
40mm	\$2,901
50mm	\$4,103
80mm	\$8,465
100mm	\$12,136
150mm	\$20,912
200mm	\$32,445

Properties with multiple water meter service connections will be levied a sewer 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 "SEWER USAGE CHARGE" and "SEWER AVAILABILITY CHARGE", in accordance with Section 543(3).

- s. Make Annual Charges for the availability of a Domestic Waste Management Service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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 \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named "DOMESTIC WASTE CHARGE" and "ADDITIONAL RECYCLING BIN CHARGE".

- t. Make Annual Charges for a rural Domestic Waste collection service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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 \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the rural domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named "DOMESTIC WASTE CHARGE" and "ADDITIONAL RECYCLING BIN CHARGE".

- u. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection, in the collection area.

The amount for the wheel out wheel in service is \$270 per bin service.

In accordance with Section 543(3), the charge be named "WHEEL OUT WHEEL IN OTHER CHARGE".

- v. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection and a medical certificate is provided.

The amount for the wheel out wheel in service is \$16 per bin service.

In accordance with Section 543(3), the charge be named “WHEEL OUT WHEEL IN INFIRM CHARGE”.

- w. Make Annual Charges for commercial and business use of the Domestic Waste Management Service pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties categorised as Business located within the collection area.

The amounts for the extended domestic waste management service for Business properties be \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for Business properties opting for a recycling only service is \$155 for the first 240-litre MGB for recycling. The amount for each 240-litre MGB recycling service additional to either that included in the extended domestic waste management service or the first recycling only bin service, is \$103.

Tiered charging applies for multiple 240-litre services; \$871 for one service, \$891 for two services, and \$1,124 for each additional 240-litre service.

In accordance with Section 543(3), the charges be named “COMMERCIAL WASTE CHARGE”, “COMMERCIAL RECYCLING BIN CHARGE” and “ADDITIONAL COMMERCIAL RECYCLING BIN CHARGE”.

- x. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, of \$109 per assessment for administration and new works associated with future provision of domestic waste management services. The charge to be applied to any properties categorised as Residential 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”.

- y. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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”.
- z. Make Annual Charges for Onsite Sewer Management Services, pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, contributing to the costs associated with the ongoing inspection and approval to operate requirements for an onsite sewer management (OSSM) system/s, based on number of systems, located on residential and commercial properties, reduced for eligible pensioners:

Number of systems	Service Charge 2024/25
1-2 systems - Residential	\$69.88
1-2 systems – Residential pensioner	\$54.82

3-5 systems – Residential	\$116.10
3-5 systems – Residential pensioner	\$100.51
More than 5 systems - Residential	\$140.29
More than 5 systems – Residential pensioner	\$124.70
1-3 systems - Commercial	\$125.24
More than 3 systems – Commercial	\$166.62
Single pump-out or private pump station inspection	\$85.46
High Risk Large system – Commercial	\$478.38

In accordance with Section 543(3), the charges be named “ONSITE SEWER MANAGEMENT CHARGE”.

- aa. Make Annual Charges for Effluent Removal pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for both residential and commercial properties, where the first 2,500 litres is levied within the service charge, based on the following service frequencies:

Frequency	Service Charge 2024/25
Bi-weekly	\$8,606.00
Weekly	\$4,303.00
2-weekly	\$2,151.50
3-weekly	\$1,406.75
4-weekly	\$1,075.75
5-weekly	\$827.50
6-weekly	\$662.00
7-weekly	\$579.25
8-weekly	\$496.50

In accordance with Section 543(3), the charges be named “EFFLUENT REMOVAL CHARGE”.

- bb. Grant a further \$10 annual rebate in addition to the existing statutory maximum \$250 pensioner concession included on a Rate Notice for the period 1 July 2024 to 30 June 2025, for eligible pensioners.
- cc. Grant a further \$20 annual rebate in addition to the existing statutory maximum \$175 pensioner concession included on a Water Account, applied evenly across Water and Sewer charges for the period 1 July 2024 to 30 June 2025, for eligible pensioners, split \$10 for Water charges where water charges apply, and \$10 for Sewer charges, where sewer charges apply.
- dd. Make an Interest Rate of 10.50% per annum, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025 (inclusive), not exceeding the maximum permissible interest rate chargeable on overdue rates and charges, calculated daily, on a simple interest basis.
4. The Chief Executive Officer be delegated to make administrative and/or minor changes if required.
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.

MOTION (Clr Wells / Clr White)

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2024/25 including Budget, Capital Works Program and Fees and Charges, Council:

1. Adopt the 2024/25 Delivery Program and Operational Plan and Budget inclusive of the following changes:
 - a. Updates to DPOP Actions and KPIs as outlined in this report
 - b. Revision of the capital works listing as outlined in Attachment 1.
 - c. Note that the budget reflects Council’s current service offerings, service levels and organisational structure. As savings are identified, endorsed, and implemented, they can be reliably measured. Once reliably measured, adjustments will be made to the budget at each quarter budget review to recognise the recurrent, and/or one off savings achieved.
 - d. a reduction in the net consolidated wages and salaries to \$120.7 Million, a reduction of \$7.0 Million
 - e. Should the Federal Financial Assistance Grant for 2024/25 exceed the draft Budget estimate of \$14.45 Miliion, the funding in excess of that estimate be allocated to Council’s unrestricted cash account
 - f. Council pursue the findings of AEC Consultants in relation to low utilised and replaced plant and fleet assets with a view to realising a least \$2.0 Million. Cash realised through asset sales be allocated to Council’s unrestricted cash account, with operational savings remaining in General Fund.
2. Adopt the 2024/25 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Added new interment services levy as announced by Cemeteries and Crematoria NSW (CCNSW)
 - b. Amended regulated Development Application fees as announced by the Department of Planning, Housing and Infrastructure
 - c. Rectified Holiday Haven Van Occupancy Annual Fee with an additional line ‘All Other Parks’ - \$7,907 (incl. GST)
 - d. Rectified Effluent Removal Charges for Properties with Bi-Weekly service
3. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993, inclusive of a 4.50% rate-peg increase as per and Section 506 of the Local Government Act 1993:
 - a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.09923c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, under 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 2024 to 30 June 2025 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 seven hundred and sixty dollars (\$760.00) 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 0.09923c 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 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 2024 to 30 June 2025, and in accordance with Section 543(1), this rate be named “RESIDENTIAL NON-URBAN”.

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 37.92%]

- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.19932c for each dollar of rateable land value, 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 subcategories of Commercial/Industrial, Nowra, and Major Retail Centres, an ordinary rate be now made for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS”.
- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.51600c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub-category “NOWRA”, in accordance with Section 529(2)(d), for the period 1 July 2024 to 30 June 2025 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 seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS - NOWRA” subcategory 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 16.75%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.17380c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land 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(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - COMMERCIAL/INDUSTRIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) 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 31.33%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.72930c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 2 DP 874730 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - NOWRA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment

for the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” rate in accordance with Section 537(b) [base amount percentage is 0.96%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.35130c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 1 DP 1182358 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - VINCENTIA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - VINCENTIA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” rate in accordance with Section 537(b) [base amount percentage is 1.85%]

- h. Make an Ordinary Rate, consisting of an ad valorem rate of 0.07520c for each dollar of rateable land value in addition to a base amount of one thousand and twelve dollars (\$1,012.00) 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 2024 to 30 June 2025 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 one thousand and twelve dollars (\$1,012.00) 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 32.99%].

- i. Make an Ordinary Rate, consisting of an ad valorem rate of 0.03970c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-four dollars (\$1,144.00) 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, sub category “DAIRY FARMERS”, in accordance with Section 529(2)(a), for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “FARMLAND - DAIRY FARMERS”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand one hundred and forty-four dollars (\$1,144.00) 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 49.96%].

- j. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.38260c 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 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 2024 to 30 June 2025 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%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.07093c for each dollar of rateable land value in addition to a base amount of two hundred and ninety-seven dollars (\$297.00), for the cost of the road upgrades in the 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 2024 to 30 June 2025 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-seven dollars (\$297.00) 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 49.83%].

- l. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06743c for each dollar of rateable land value in addition to a base amount of one hundred and nineteen dollars (\$119.00) 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 2024 to 30 June 2025 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 nineteen dollars (\$119.00) 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 49.62%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.20371c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-two dollars (\$1,142.00) 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 2024 to 30 June 2025 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 one thousand one hundred and forty-two dollars (\$1,142.00) per rateable assessment for the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” in accordance with Section 53 (b) [base amount percentage is 49.98%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06870c for each dollar of rateable land value in addition to a base amount of three hundred and eighty-five dollars (\$385.00) 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 2024 to 30 June 2025 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 three hundred and eighty-five dollars (\$385.00) 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 49.97%].

- o. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.36653c for each dollar of rateable land value in addition to a base amount of two hundred and fifty-seven dollars (\$257.00) 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 2024 to 30 June 2025 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 two hundred and fifty-seven dollars (\$257.00) 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 49.85%].

- p. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.02175c for each dollar of rateable land value categorised as Business – Commercial / Industrial 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 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- q. 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 2024 to 30 June 2025, comprising a Water Usage Charge of \$2.50 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 2024/25
20 mm	\$145
25 mm	\$243
32mm	\$391
40mm	\$614
50mm	\$964
80mm	\$2,455
100mm	\$3,840
150mm	\$8,630
200mm	\$15,347

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).

- r. Make an Annual Charge for Sewer Usage and Sewer Availability, in accordance with Section 502 and 552(3) (a) and (b), for the period 1 July 2024 to 30 June 2025, comprising a Sewer Usage Charge of \$2.26 per kilolitre for all applicable, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge for all residential, commercial and applicable Community Service Obligation categorised properties based on water meter size:

Size of Water Meter Service Connection	Charge 2024/25
20 mm	\$1,028
25 mm	\$1,432
32mm	\$2,188
40mm	\$2,901
50mm	\$4,103
80mm	\$8,465
100mm	\$12,136
150mm	\$20,912
200mm	\$32,445

Properties with multiple water meter service connections will be levied a sewer 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 “SEWER USAGE CHARGE” and “SEWER AVAILABILITY CHARGE”, in accordance with Section 543(3).

- s. Make Annual Charges for the availability of a Domestic Waste Management Service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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 \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named “DOMESTIC WASTE CHARGE” and “ADDITIONAL RECYCLING BIN CHARGE”.

- t. Make Annual Charges for a rural Domestic Waste collection service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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 \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the rural domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named "DOMESTIC WASTE CHARGE" and "ADDITIONAL RECYCLING BIN CHARGE"

- u. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection, in the collection area.

The amount for the wheel out wheel in service is \$270 per bin service.

In accordance with Section 543(3), the charge be named "WHEEL OUT WHEEL IN OTHER CHARGE".

- v. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection and a medical certificate is provided.

The amount for the wheel out wheel in service is \$16 per bin service.

In accordance with Section 543(3), the charge be named "WHEEL OUT WHEEL IN INFIRM CHARGE".

- w. Make Annual Charges for commercial and business use of the Domestic Waste Management Service pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties categorised as Business located within the collection area.

The amounts for the extended domestic waste management service for Business properties be \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for Business properties opting for a recycling only service is \$155 for the first 240-litre MGB for recycling. The amount for each 240-litre MGB recycling service additional to either that included in the extended domestic waste management service or the first recycling only bin service, is \$103.

Tiered charging applies for multiple 240-litre services; \$871 for one service, \$891 for two services, and \$1,124 for each additional 240-litre service.

In accordance with Section 543(3), the charges be named "COMMERCIAL WASTE CHARGE", "COMMERCIAL RECYCLING BIN CHARGE" and "ADDITIONAL COMMERCIAL RECYCLING BIN CHARGE".

- x. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, of \$109 per assessment for administration and new works associated with future provision of domestic waste management services. The

charge to be applied to any properties categorised as Residential 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”.

- y. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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”.
- z. Make Annual Charges for Onsite Sewer Management Services, pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, contributing to the costs associated with the ongoing inspection and approval to operate requirements for an onsite sewer management (OSSM) system/s, based on number of systems, located on residential and commercial properties, reduced for eligible pensioners:

Number of systems	Service Charge 2024/25
1-2 systems - Residential	\$69.88
1-2 systems – Residential pensioner	\$54.82
3-5 systems – Residential	\$116.10
3-5 systems – Residential pensioner	\$100.51
More than 5 systems - Residential	\$140.29
More than 5 systems – Residential pensioner	\$124.70
1-3 systems - Commercial	\$125.24
More than 3 systems – Commercial	\$166.62
Single pump-out or private pump station inspection	\$85.46
High Risk Large system – Commercial	\$478.38

In accordance with Section 543(3), the charges be named “ONSITE SEWER MANAGEMENT CHARGE”.

- aa. Make Annual Charges for Effluent Removal pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for both residential and commercial properties, where the first 2,500 litres is levied within the service charge, based on the following service frequencies:

Frequency	Service Charge 2024/25
Bi-weekly	\$8,606.00
Weekly	\$4,303.00
2-weekly	\$2,151.50
3-weekly	\$1,406.75
4-weekly	\$1,075.75
5-weekly	\$827.50

6-weekly	\$662.00
7-weekly	\$579.25
8-weekly	\$496.50

In accordance with Section 543(3), the charges be named “EFFLUENT REMOVAL CHARGE”.

- bb. Grant a further \$10 annual rebate in addition to the existing statutory maximum \$250 pensioner concession included on a Rate Notice for the period 1 July 2024 to 30 June 2025, for eligible pensioners.
 - cc. Grant a further \$20 annual rebate in addition to the existing statutory maximum \$175 pensioner concession included on a Water Account, applied evenly across Water and Sewer charges for the period 1 July 2024 to 30 June 2025, for eligible pensioners, split \$10 for Water charges where water charges apply, and \$10 for Sewer charges, where sewer charges apply.
 - dd. Make an Interest Rate of 10.50% per annum, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025 (inclusive), not exceeding the maximum permissible interest rate chargeable on overdue rates and charges, calculated daily, on a simple interest basis.
4. The Chief Executive Officer be delegated to make administrative and/or minor changes if required.
 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.

FOR: Clr Copley, Clr White, Clr Wells and Clr Kitchener

AGAINST: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Ell, Clr Christen, Clr Watson and Clr Gray

LOST

RESOLVED (Clr Findley / Clr Christen)

MIN24.338

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2024/25 including Budget, Capital Works Program and Fees and Charges, Council:

1. Adopt the 2024/25 Delivery Program and Operational Plan and Budget inclusive of the following changes:
 - a. Updates to DPOP Actions and KPIs as outlined in this report
 - b. Revision of the capital works listing as outlined in Attachment 1.
 - c. Note that the budget reflects Council's current service offerings, service levels and organisational structure. As savings are identified, endorsed, and implemented, they can be reliably measured. Once reliably measured, adjustments will be made to the budget at each quarter budget review to recognise the recurrent, and/or one off savings achieved.
2. Adopt the 2024/25 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Added new interment services levy as announced by Cemeteries and Crematoria NSW (CCNSW)
 - b. Amended regulated Development Application fees as announced by the Department of Planning, Housing and Infrastructure
 - c. Rectified Holiday Haven Van Occupancy Annual Fee with an additional line 'All Other Parks' - \$7,907 (incl. GST)

- d. Rectified Effluent Removal Charges for Properties with Bi-Weekly service
3. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993, inclusive of a 4.50% rate-peg increase as per and Section 506 of the Local Government Act 1993:

- a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.09923c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, under 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 2024 to 30 June 2025 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 seven hundred and sixty dollars (\$760.00) 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 0.09923c 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 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 2024 to 30 June 2025, and in accordance with Section 543(1), this rate be named “RESIDENTIAL NON-URBAN”.

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 37.92%]

- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.19932c for each dollar of rateable land value, 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 subcategories of Commercial/Industrial, Nowra, and Major Retail Centres, an ordinary rate be now made for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS”.

- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.51600c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub-category “NOWRA”, in accordance with Section 529(2)(d), for the period 1 July 2024 to 30 June 2025 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 seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS - NOWRA” subcategory 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 16.75%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.17380c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land 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(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - COMMERCIAL/INDUSTRIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) 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 31.33%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.72930c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 2 DP 874730 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - NOWRA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” rate in accordance with Section 537(b) [base amount percentage is 0.96%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.35130c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 1 DP 1182358 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - VINCENTIA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - VINCENTIA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” rate in accordance with Section 537(b) [base amount percentage is 1.85%].

- h. Make an Ordinary Rate, consisting of an ad valorem rate of 0.07520c for each dollar of rateable land value in addition to a base amount of one thousand and twelve dollars (\$1,012.00) 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 2024 to 30 June 2025 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 one thousand and twelve dollars (\$1,012.00) 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 32.99%].

- i. Make an Ordinary Rate, consisting of an ad valorem rate of 0.03970c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-

four dollars (\$1,144.00) 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, sub category “DAIRY FARMERS”, in accordance with Section 529(2)(a), for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “FARMLAND - DAIRY FARMERS”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand one hundred and forty-four dollars (\$1,144.00) 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 49.96%].

- j. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.38260c 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 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 2024 to 30 June 2025 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%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.07093c for each dollar of rateable land value in addition to a base amount of two hundred and ninety-seven dollars (\$297.00), for the cost of the road upgrades in the 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 2024 to 30 June 2025 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-seven dollars (\$297.00) 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 49.83%].

- l. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06743c for each dollar of rateable land value in addition to a base amount of one hundred and nineteen dollars (\$119.00) 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 2024 to 30 June 2025 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 nineteen dollars (\$119.00) 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 49.62%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.20371c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-two dollars (\$1,142.00) 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 2024 to 30 June 2025 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 one thousand one hundred and forty-two dollars (\$1,142.00) per rateable assessment for the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” in accordance with Section 53 (b) [base amount percentage is 49.98%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06870c for each dollar of rateable land value in addition to a base amount of three hundred and eighty-five dollars (\$385.00) 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 2024 to 30 June 2025 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 three hundred and eighty-five dollars (\$385.00) 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 49.97%].

- o. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.36653c for each dollar of rateable land value in addition to a base amount of two hundred and fifty-seven dollars (\$257.00) 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 2024 to 30 June 2025 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 two hundred and fifty-seven dollars (\$257.00) 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 49.85%].

- p. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.02175c for each dollar of rateable land value categorised as Business – Commercial / Industrial 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 2024 to 30 June 2025

and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.

- q. 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 2024 to 30 June 2025, comprising a Water Usage Charge of \$2.50 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 2024/25
20 mm	\$145
25 mm	\$243
32mm	\$391
40mm	\$614
50mm	\$964
80mm	\$2,455
100mm	\$3,840
150mm	\$8,630
200mm	\$15,347

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).

- r. Make an Annual Charge for Sewer Usage and Sewer Availability, in accordance with Section 502 and 552(3) (a) and (b), for the period 1 July 2024 to 30 June 2025, comprising a Sewer Usage Charge of \$2.26 per kilolitre for all applicable, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge for all residential, commercial and applicable Community Service Obligation categorised properties based on water meter size:

Size of Water Meter Service Connection	Charge 2024/25
20 mm	\$1,028
25 mm	\$1,432
32mm	\$2,188
40mm	\$2,901
50mm	\$4,103
80mm	\$8,465
100mm	\$12,136
150mm	\$20,912
200mm	\$32,445

Properties with multiple water meter service connections will be levied a sewer 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 “SEWER USAGE CHARGE” and “SEWER AVAILABILITY CHARGE”, in accordance with Section 543(3).

- s. Make Annual Charges for the availability of a Domestic Waste Management Service,

pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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 \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named "DOMESTIC WASTE CHARGE" and "ADDITIONAL RECYCLING BIN CHARGE".

- t. Make Annual Charges for a rural Domestic Waste collection service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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 \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the rural domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named "DOMESTIC WASTE CHARGE" and "ADDITIONAL RECYCLING BIN CHARGE"

- u. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection, in the collection area.

The amount for the wheel out wheel in service is \$270 per bin service.

In accordance with Section 543(3), the charge be named "WHEEL OUT WHEEL IN OTHER CHARGE".

- v. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection and a medical certificate is provided.

The amount for the wheel out wheel in service is \$16 per bin service.

In accordance with Section 543(3), the charge be named "WHEEL OUT WHEEL IN INFIRM CHARGE".

- w. Make Annual Charges for commercial and business use of the Domestic Waste Management Service pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties categorised as Business

located within the collection area.

The amounts for the extended domestic waste management service for Business properties be \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for Business properties opting for a recycling only service is \$155 for the first 240-litre MGB for recycling. The amount for each 240-litre MGB recycling service additional to either that included in the extended domestic waste management service or the first recycling only bin service, is \$103.

Tiered charging applies for multiple 240-litre services; \$871 for one service, \$891 for two services, and \$1,124 for each additional 240-litre service.

In accordance with Section 543(3), the charges be named "COMMERCIAL WASTE CHARGE", "COMMERCIAL RECYCLING BIN CHARGE" and "ADDITIONAL COMMERCIAL RECYCLING BIN CHARGE".

- x. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, of \$109 per assessment for administration and new works associated with future provision of domestic waste management services. The charge to be applied to any properties categorised as Residential 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".

- y. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, 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".
- z. Make Annual Charges for Onsite Sewer Management Services, pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, contributing to the costs associated with the ongoing inspection and approval to operate requirements for an onsite sewer management (OSSM) system/s, based on number of systems, located on residential and commercial properties, reduced for eligible pensioners:

Number of systems	Service Charge 2024/25
1-2 systems - Residential	\$69.88
1-2 systems – Residential pensioner	\$54.82
3-5 systems – Residential	\$116.10
3-5 systems – Residential pensioner	\$100.51
More than 5 systems - Residential	\$140.29
More than 5 systems – Residential pensioner	\$124.70
1-3 systems - Commercial	\$125.24
More than 3 systems – Commercial	\$166.62

Single pump-out or private pump station inspection	\$85.46
High Risk Large system – Commercial	\$478.38

In accordance with Section 543(3), the charges be named “ONSITE SEWER MANAGEMENT CHARGE”.

- aa. Make Annual Charges for Effluent Removal pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for both residential and commercial properties, where the first 2,500 litres is levied within the service charge, based on the following service frequencies:

Frequency	Service Charge 2024/25
Bi-weekly	\$8,606.00
Weekly	\$4,303.00
2-weekly	\$2,151.50
3-weekly	\$1,406.75
4-weekly	\$1,075.75
5-weekly	\$827.50
6-weekly	\$662.00
7-weekly	\$579.25
8-weekly	\$496.50

In accordance with Section 543(3), the charges be named “EFFLUENT REMOVAL CHARGE”.

- bb. Grant a further \$10 annual rebate in addition to the existing statutory maximum \$250 pensioner concession included on a Rate Notice for the period 1 July 2024 to 30 June 2025, for eligible pensioners.
- cc. Grant a further \$20 annual rebate in addition to the existing statutory maximum \$175 pensioner concession included on a Water Account, applied evenly across Water and Sewer charges for the period 1 July 2024 to 30 June 2025, for eligible pensioners, split \$10 for Water charges where water charges apply, and \$10 for Sewer charges, where sewer charges apply.
- dd. Make an Interest Rate of 10.50% per annum, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025 (inclusive), not exceeding the maximum permissible interest rate chargeable on overdue rates and charges, calculated daily, on a simple interest basis.
4. The Chief Executive Officer be delegated to make administrative and/or minor changes if required.
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.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Eil, Clr Christen, Clr Watson and Clr Gray

AGAINST: Clr Copley, Clr White, Clr Wells and Clr Kitchener

CARRIED

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

CL24.180 Proposed Submission - NSW Parliamentary Inquiry: Historical Development Consents (Zombie Developments) **HPERM Ref: D24/202323**

Note: A Deputation was received on this item.

RESOLVED* (Clr Wells / Clr Norris) MIN24.339

That Council:

1. Endorse and finalise the draft Submission attached to this report and send it to the NSW Legislative Assembly Committee on Environment and Planning, and
2. Support relevant staff representing Council at any opportunities that may arise to address the NSW Legislative Assembly Committee on Environment and Planning to discuss Council's submission as part of the Inquiry process.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Procedural Motion – Items to be dealt with in conjunction

RESOLVED (Clr Findley) MIN24.340

The Mayor moved to deal with the following items in conjunction.

- CL24.181 - Proposed Sale of 77 Princess Street Berry
- CL24.193 - Rescission Motion - CL24.170 - Notice of Motion - Removal of 77 Princess Street, Berry from Land Sales Strategy Program
- CL24.194 - Notice of Motion - CL24.170 - Removal of 77 Princess Street, Berry from Land Sales Strategy Program

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.181 Proposed Sale of 77 Princess Street Berry **HPERM Ref: D24/245405**

Note: This item was dealt with in conjunction with CL24.193 & CL24.194.

Recommendation

That Council:

1. Remove 77 Princess Street Berry (Lot 1 in DP 209665) from Council's Land Sales Strategy and not be considered for sale.
2. Note the considerable community feedback provided against the sale of this Council Land.

RESOLVED (Clr Gray / Clr Norris) MIN24.341

That Council:

1. Remove 77 Princess Street Berry (Lot 1 in DP 209665) from Council's Land Sales Strategy and not be considered for sale.

2. Note the considerable community feedback provided against the sale of this Council Land.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.182 Reclassification and Rezoning of Muir House - 10 Prince Alfred St Berry

**HPERM Ref:
D24/245593**

Recommendation

That Council:

1. Commence the preparation of a planning proposal to reclassify 10 Prince Alfred St Berry "Muir House" (Lot 1 in DP 572830) from community land to operational land in accordance with Section 34 of the Local Government Act 1993.
2. Include the reclassification and rezoning of as part of a bulk Planning Proposal, together with other sites which may be identified as part of the Land Sales program. It should be noted that this process must include a public hearing, chaired by an independent party, and may take several years to complete.
3. Continue to support the current lessee to provide options and / or alternate locations for the curation of its artworks.
4. Subject to the outcomes of the Planning Proposal work, a further report be brought to Council to consider the sale of the site.

MOTION (Clr Gray / Clr Findley)

That Council:

1. Commence the preparation of a planning proposal to reclassify 10 Prince Alfred St Berry "Muir House" (Lot 1 in DP 572830) from community land to operational land in accordance with Section 34 of the Local Government Act 1993.
2. Include the reclassification and rezoning as part of a bulk Planning Proposal, noting the significant community and heritage value of the property.
3. Consider a future report to Council on options for the future use of the property that considers the quadruple bottom line of social, cultural, environmental, and economic values.
4. Continue to support the current lessee to provide options and / or alternate locations for the curation of its artworks if deemed necessary after the community consultation process.

FOR: Clr Findley, Clr Kotlash, Clr Christen and Clr Gray

AGAINST: Clr D'Ath, Clr Boyd, Clr Norris, Clr Copley, Clr Eil, Clr White, Clr Wells, Clr Watson and Clr Kitchener

LOST

Point of Order – Mayor Findley ruled a Point of Order against Clr Watson for his comments in relation to Clr Gray and her representation of the community in Berry.

Clr Watson was asked to withdraw his comments and apologise.

Clr Watson withdrew his comments and unreservedly apologised to Clr Gray.

Items marked with an * were resolved ‘en block’.

CL24.183 Licence to Bomaderry Australian Football Club Incorporated - Pavilion Clubhouse - Artie Smith Oval Bomaderry	HPERM Ref: D24/48985
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RESOLVED* (Clr Wells / Clr White) MIN24.342

That Council:

1. Enter into a 5-year licence with Bomaderry Australian Football Club Incorporated over Council community land known as the Pavilion Clubhouse at Artie Smith Oval, Part Lot 100 DP 1237704, 84 Cambewarra Road, Bomaderry, at a commencing rate of \$5,263.69 plus GST (if applicable) per annum, with annual rent increases in line with the Consumer Price Index (GST) Sydney;
2. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.184 Proposed Policy Update - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land	HPERM Ref: D24/220959
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RESOLVED* (Clr Wells / Clr White) MIN24.343

That Council:

1. Endorse a 12 month trial of updated policy - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (POL22/106);
2. Receive a report back following the trial.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.185 Tenders - Management & Operation Comerong Island Ferry Service	HPERM Ref: D24/264093
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Note: Clr Kitchener left the meeting, the time being 7.46pm.

Recommendation

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

RESOLVED (Clr Findley / Clr Kotlash) MIN24.344

That Council

1. Consider a sperate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.
2. Write to the Department of TfNSW and request them to take over the operations of the Ferry

Service as part of their road network.

3. A copy of the letter to the Department of TfNSW be sent to the State Member Liza Butler.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, and Clr Gray

AGAINST: Nil

CARRIED

Note: Clr Kitchener returned to the meeting, the time being 7.48pm.

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

CL24.186 Protection of Bushland Along the Old Wool Rd Heritage Track, St Georges Basin	HPERM Ref: D24/189226
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RESOLVED* (Clr Wells / Clr Kotlash) MIN24.345

That Council receive this report on the outcomes of discussions and the on-site inspection regarding the protection of bushland along The Old Wool Road Heritage Track at St Georges Basin.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.187 Membership Application - Southern Coastal Management Program Advisory Committee	HPERM Ref: D24/143043
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RESOLVED* (Clr Wells / Clr Kotlash) MIN24.346

That Council appoint Ms Natalie Lloyd as an Indigenous Representative on the Southern Coastal Management Program Advisory Committee.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.188 Regional Application No. RA23/1002 – Berry Hotel - 120-122 Queen St and 77-83 Princess St Berry	HPERM Ref: D24/234763
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Recommendation

That:

1. Council receive and note the report RA23/1002 – Berry Hotel – 120-122 Queen St and 77-83 Princess St Berry
2. Council support the refusal of RA23/1002 for *'Alterations and additions to the Berry Hotel at 120 Queen Street Berry, expansion of the Berry Hotel into 122 Queen Street, construction of new hotel accommodation at 79-83 Princess Street, consolidation of 4 lots, associated parking and landscaping, formalisation of access and parking on 77 Princess St, owned by Council'* on the basis that it has not satisfactorily assessed the requirements under section 4.15 of the *Environmental Planning and Assessment Act 1979*.

3. The resolution made by Council be submitted to the Southern Regional Planning Panel prior to their consideration and determination of RA23/1002.

RESOLVED (Clr White / Clr Norris)

MIN24.347

That:

1. Council receive and note the report RA23/1002 – Berry Hotel – 120-122 Queen St and 77-83 Princess St Berry
2. Council support the refusal of RA23/1002 for *‘Alterations and additions to the Berry Hotel at 120 Queen Street Berry, expansion of the Berry Hotel into 122 Queen Street, construction of new hotel accommodation at 79-83 Princess Street, consolidation of 4 lots, associated parking and landscaping, formalisation of access and parking on 77 Princess St, owned by Council’* on the basis that it has not satisfactorily assessed the requirements under section 4.15 of the *Environmental Planning and Assessment Act 1979*.
3. The resolution made by Council be submitted to the Southern Regional Planning Panel prior to their consideration and determination of RA23/1002.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Items marked with an * were resolved ‘en block’.

CL24.189 Membership Appointment - Arts Advisory Committee

**HPERM Ref:
D24/227634**

RESOLVED* (Clr Eil / Clr Boyd)

MIN24.348

That Council:

1. Appoint Ms Alissar Gazal and Ms Claire Haywood as members of the Arts Advisory Committee for a 2-year term, to expire 24 June 2026.
2. Note that the Expression of Interest will remain open until two remaining community positions are filled.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.190 Membership Appointment - Youth Advisory Committee

**HPERM Ref:
D24/205871**

RESOLVED* (Clr Eil / Clr Boyd)

MIN24.349

That Council:

1. Appoint Brianna Moroney and Kasey Henshaw as members of the Youth Advisory Committee for a 2-year term, to expire in May 2026.
2. Note that the Expression of Interest will remain open until the final two remaining community youth representative positions are filled.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil
CARRIED

CL24.191 Interim Report - Response to Notice of Motion - Francis Ryan Amenities Grant Funding

**HPERM Ref:
D24/241786**

Recommendation

That Council:

1. Receive the *Interim Report - Response to Notice of Motion - Francis Ryan Amenities Grant Funding*, as an update on representations made to the New South Wales Government – Stronger Country Communities Fund Round 4, in accordance with MIN24.316.
2. Direct the CEO (Director – City Lifestyles) to prepare a future report advising on the repurposing of grant funding from the New South Wales Government – Stronger Country Communities Fund Round 4, including options following discussions with the grant administrator.

RESOLVED (Clr Eil / Clr White)

MIN24.350

That Council:

1. Receive the *Interim Report - Response to Notice of Motion - Francis Ryan Amenities Grant Funding*, as an update on representations made to the New South Wales Government – Stronger Country Communities Fund Round 4, in accordance with MIN24.316.
2. Direct the CEO (Director – City Lifestyles) to prepare a future report advising on the repurposing of grant funding from the New South Wales Government – Stronger Country Communities Fund Round 4, including options following discussions with the grant administrator.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

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

CL24.192 Acquisition of Easement - Sewer Purposes - Lot 122 DP 3060 Moss Vale Rd Badagarang

**HPERM Ref:
D24/216756**

RESOLVED* (Clr Gray / Clr Kotlash)

MIN24.351

That Council:

1. Acquires by agreement, an easement for sewer main 2.4 meters wide over Lot 122 DP 3060, Moss Vale Road, Badagarang.
2. Agrees to pay compensation of \$850 plus GST (if applicable) and reasonable legal and valuation costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. Authorises the Chief Executive Officer 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.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil
CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL24.193 Rescission Motion - CL24.170 - Notice of Motion -
Removal of 77 Princess Street, Berry from Land Sales
Strategy Program**

**HPERM Ref:
D24/234562**

Recommendation

That Council rescind the Motion relating to Item CL24.170 Notice of Motion - Removal of 77 Princess Street, Berry from Land Sales Strategy Program of the Council Meeting held on Monday 3 June 2024.

Note: This matter was dealt with in conjunction with CL24.181. See MIN24.340.

**CL24.194 Notice of Motion - CL24.170 - Removal of 77 Princess
Street, Berry from Land Sales Strategy Program**

**HPERM Ref:
D24/234573**

Recommendation

That Council:

1. Direct Council staff to remove Lot 1 DP 209665 77 Princess Street, Berry from Council's Land Sales Strategy and notify Berry Forum and Councils 'Get Involve page' of this resolution.
2. Maintain 77 Princes Street, Berry as Special Purpose 2 (Car Park and Servicing) public car parking for Berry.
3. Ensure this Council property is not provided for dedicated carparking use for any proposed private developments and signage be installed indicating public ownership and any conditions of use.
4. Notate Council's property file for 77 Princes Street Berry by the inclusion of this Notice of Motion and resulting resolution for further reference.

Note: This matter was dealt with in conjunction with CL24.181. See MIN24.340.

**CL24.195 Notice of Motion - Projects Funded Following Declared
Natural Disasters**

**HPERM Ref:
D24/252091**

Recommendation

That the CEO report to Council:

1. The list of projects that received funding under disaster relief funding arrangements at both Federal and State Government level since 2019-20;
2. The projects on that list where the funding grant has been acquitted; and
3. The projects on that list that have not yet commenced.

RESOLVED (Clr Norris / Clr Kotlash)

MIN24.352

That Council defer the following items to a Councillor Briefing:

1. The list of projects that received funding under disaster relief funding arrangements at both Federal and State Government level since 2019-20;

2. The projects on that list where the funding grant has been acquitted; and
3. The projects on that list that have not yet commenced.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL24.196 Question on Notice - Budget Shortfall / Natural Disasters

**HPERM Ref:
D24/251729**

Question

Clarification of the relationship, if any, between the current budget shortfall and costs incurred by Council in responding to the need to rebuild damaged road infrastructure as a result of natural disasters during this current term of office including measures in place to ensure cost effective use of Council's financial resources.

1. To what extent can the causes of the current budget shortfall be attributed to the costs of reconstructing damaged road infrastructure resulting from severe weather events experienced across the Shoalhaven LGA in recent years?
2. Has Council experienced a backlog in funding needed to respond to reconstruction requirements?
3. What factors are considered by Council in selecting the winning tender to carry out reconstruction work?
4. Who makes the final decision on the selection of the contractor?
5. Which firms have been selected to carry out this work to date?
6. What systems or processes does Council have in place to ensure that work is carried out in a cost-effective way, such as, oversight and review of expenditure by the contractor and progress made with delivery of contractual commitments?

Response

A report will be submitted to Council at a future Meeting in relation to the questions above.

CL24.197 Question on Notice - The Need for Greater Control of Dog Risks

**HPERM Ref:
D24/251874**

Note: A Deputation was received on this item.

Question

This matter is raised following outcomes of the Coronial Inquest into the 2020 Fatal Dog Attack of Ada Holland, and other recent dog incidents of significance

1. How many registered or identified dogs do we have in the Shoalhaven?
2. How many dog attacks are reported in the Shoalhaven each year?
3. What details are being recorded for each attack and what trends are we seeing with this data? (Dog age, sex, breed, location, contributing factors, triggers, consequence of attack, outcome)
4. How many dedicated 'Animal' Rangers in the Unit or are they all Compliance Officers?
5. What are the primary duties of these Rangers and what specialist training do they receive?
6. What budget is allocated for Companion Animal Services and where does this funding come

from?

7. Of these funds, what proportion is put into public education programs, and how much goes to enforcement and incident management?
8. What was the result of the Ranger Services Media Campaign (Strategy and Assets Committee – Tuesday 12 May 2020 MIN20.356)? How was the \$30,000 spent and what impact did it have on reducing dog attack in the Shoalhaven?
9. During the Access Areas for Dogs Policy review did Council consult with any expert animal behaviourists, pet educators, specialist dog trainers, veterinarians, or breed assessors?
10. During the Access Areas for Dogs Policy review did Council consult with the Office of Local Government?
11. The Access Areas for Dogs Policy makes no direct reference to controlling dog risks or ensuring community safety. Why is that?

Response

A report will be submitted to Council at a future Meeting in relation to the questions above.

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 Kotlash)

MIN24.353

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.

CCL24.19 Tenders - Management & Operation Comerong Island Ferry Service

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.10(A)(2)(d)(i)

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.

FOR: Clr Findley, Clr D'Ath, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

The meeting moved into confidential the time being 8.00pm.

The meeting moved into open session, the time being 8.08pm.

REPORT FROM CONFIDENTIAL SESSION

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

**CCL24.19 Tenders - Management & Operation Comerong Island
Ferry Service**

**HPERM Ref:
D24/252273**

RESOLVED

MIN24.354C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from East West Ferry Services Pty Ltd for Management & Operation of Comerong Island Ferry Service for a total cost of \$409,777.00 (excluding GST) per annum over three years, with two one-year options.
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with Local Government (General) Regulation 2021 (section 165) by the CEO (Director City Services).

There being no further business, the meeting concluded, the time being 8.09pm.

Clr Findley
CHAIRPERSON