

This report is submitted on a confidential basis as it involves information that would, if disclosed, prejudice the maintenance of law. (*Local Government Act 1993*, section 10A(2)(e))

On balance, the public interest in preserving the confidentiality of the information which relates to matters of law outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in an open meeting.

2023.241 RESOLVED (Cr Ring/Cr Saul):

That Council notes the draft meeting minutes from the Audit, Risk & Improvement Committee, 25 October 2023.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt

AGAINST: Nil

10.10 Petition - Special Rate Variation

Officer Daniel Thoroughgood, Group Manager Governance and Information Services

File Number F23/3642

2023.221 RESOLVED (Cr Bain/Cr Riddington):

That Council receives and notes the report.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt

AGAINST: Nil

10.1 Special Rate Variation

Officer Stephen Mitchell, Director Corporate and Commercial

File Number F23/3642

MOVED (Cr Riddington/Cr Patterson):

That Council:

- 1. notes the content of the Community Engagement Summary Reports;**
- 2. notes the content of the Capacity to Pay Report;**
- 3. commits to proceed with a permanent Special Rate Variation application under s508A of the *Local Government Act 1993* to the NSW Independent Pricing and Regulatory Tribunal (IPART) by 5 February 2024 to address Council's financial sustainability and maintain essential community infrastructure including Council's road network;**
- 4. in recognition of community feedback and capacity to pay considerations, rejects the original Special Rate Variation options two and three and proceed with a revised option**

- one of 42.7% cumulative including the rate peg over a three-year period commencing in 2024-25, to be permanently retained within the rate base;
5. notes that the proposed increase in 2024-25 be limited to 7.9% including the rate peg to minimise the initial impacts on ratepayers and provide time for ratepayers to prepare for proposed increases of 15% including the rate peg in both 2025-26 and 2026-27;
 6. notes that a decision to implement any approved Special Rate Variation increase and the size of that increase is made annually at the June Council meeting immediately prior to the increase taking effect from 1 July;
 7. places the updated Long Term Financial Plan 2023-2033, which includes the recommended Special Rate Variation as Scenario option one, on public exhibition between 22 November 2023 and 12 January 2024;
 8. places the updated Strategic Asset Management Plan 2023-2033 on public exhibition between 22 November 2023 and 12 January 2024;
 9. places the updated Hardship Relief to Ratepayers Procedure and Recovery of Unpaid Rates, Charges and Other Debts Procedure on public exhibition between 22 November 2023 and 12 January 2024 to ensure it is fit for purpose and supports local residents with fairness and integrity, particularly in the context of a Special Rate Variation;
 10. convenes an extraordinary meeting of Council on 30 January 2024 for the purpose of:
 - a. receiving submissions on the updated Long Term Financial Plan, Strategic Asset Management Plan, Hardship Relief to Ratepayers Procedure and Recovery of Unpaid Rates, Charges and Other Debts Procedure;
 - b. adopting the revised Long Term Financial Plan, Strategic Asset Management Plan, Hardship Relief to Ratepayers Procedure and Recovery of Unpaid Rates, Charges and Other Debts Procedure to be published on Council's website and submitted to IPART as part of the Special Rate Variation application; and
 - c. noting the community feedback received regarding the decision to apply for a Special Rate Variation, which will be submitted to IPART as part of the Special Rate Variation application.
 11. commits to:
 - a. undertaking further analysis and service reviews to identify additional cost savings and productivity improvements to improve Council's forecast financial position, potentially reducing the size of the future rate increases to be implemented;
 - b. reviewing the rating structure to ensure it remains fair and equitable, both across and within the Residential, Farmland, Business Urban and Business Other rating categories;
 - c. continuing to advocate to the Commonwealth and NSW governments for improved and increased funding of the local government sector and for improved outcomes regarding cost-of-living pressures; and
 - d. developing and implementing a communications plan to ensure ratepayers understand the timing and impact of any approved future rate increases and the revised hardship relief processes available to minimise impacts on ratepayer's capacity to pay.

2023.222 RESOLVED (Cr Bain/Cr Patterson):

That Council move into Committee of the Whole.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt
AGAINST: Nil

At this stage 10:32 am the meeting adjourned for morning tea.

Upon resumption of the meeting at 11:01 am all present at the adjournment were in attendance.

2023.223 RESOLVED (Cr Patterson/Cr Saul):

That the ordinary Council meeting be resumed.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt
AGAINST: Nil

2023.224 RESOLVED (Cr Riddington/Cr Patterson):

That Council:

- 1. notes the content of the Community Engagement Summary Reports;**
- 2. notes the content of the Capacity to Pay Report;**
- 3. commits to proceed with a permanent Special Rate Variation application under s508A of the *Local Government Act 1993* to the NSW Independent Pricing and Regulatory Tribunal (IPART) by 5 February 2024 to address Council's financial sustainability and maintain essential community infrastructure including Council's road network;**
- 4. in recognition of community feedback and capacity to pay considerations, rejects the original Special Rate Variation options two and three and proceed with a revised option one of 42.7% cumulative including the rate peg over a three-year period commencing in 2024-25, to be permanently retained within the rate base;**
- 5. notes that the proposed increase in 2024-25 be limited to 7.9% including the rate peg to minimise the initial impacts on ratepayers and provide time for ratepayers to prepare for proposed increases of 15% including the rate peg in both 2025-26 and 2026-27;**
- 6. notes that a decision to implement any approved Special Rate Variation increase and the size of that increase is made annually at the June Council meeting immediately prior to the increase taking effect from 1 July;**
- 7. places the updated Long Term Financial Plan 2023-2033, which includes the recommended Special Rate Variation as Scenario option one, on public exhibition between 22 November 2023 and 19 January 2024;**
- 8. places the updated Strategic Asset Management Plan 2023-2033 on public exhibition between 22 November 2023 and 19 January 2024;**
- 9. places the updated Hardship Relief to Ratepayers Procedure and Recovery of Unpaid Rates, Charges and Other Debts Procedure on public exhibition between 22 November 2023 and 19 January 2024 to ensure it is fit for purpose and supports local residents with fairness and integrity, particularly in the context of a Special Rate Variation;**
- 10. convenes an extraordinary meeting of Council on 30 January 2024 for the purpose of:**
 - a. receiving submissions on the updated Long Term Financial Plan, Strategic Asset Management Plan, Hardship Relief to Ratepayers Procedure and Recovery of Unpaid Rates, Charges and Other Debts Procedure;**

- b. adopting the revised Long Term Financial Plan, Strategic Asset Management Plan, Hardship Relief to Ratepayers Procedure and Recovery of Unpaid Rates, Charges and Other Debts Procedure to be published on Council's website and submitted to IPART as part of the Special Rate Variation application; and
- c. noting the community feedback received regarding the decision to apply for a Special Rate Variation, which will be submitted to IPART as part of the Special Rate Variation application.

11. commits to:

- a. undertaking further analysis and service reviews to identify additional cost savings and productivity improvements to improve Council's forecast financial position, potentially reducing the size of the future rate increases to be implemented;
- b. reviewing the rating structure to ensure it remains fair and equitable, both across and within the Residential, Farmland, Business Urban and Business Other rating categories;
- c. continuing to advocate to the Commonwealth and NSW governments for improved and increased funding of the local government sector and for improved outcomes regarding cost-of-living pressures; and
- d. developing and implementing a communications plan to ensure ratepayers understand the timing and impact of any approved future rate increases and the revised hardship relief processes available to minimise impacts on ratepayer's capacity to pay.

CARRIED (8 / 1)

FOR: Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring and Cr Saul

AGAINST: Cr Wyatt

At this stage at 11:49 am the meeting adjourned for 10 minutes.

Upon resumption at 12:06 pm am all present at the adjournment were in attendance.

8 MAYORAL MINUTES

8.1 Visitor Information Centre at South West Rocks Maritime Museum

Councillor Cr Hauville, Mayor

File Number F12/279

2023.225 RESOLVED (Cr Hauville):

That Council:

1. request the General Manager to undertake a review of the Visitor Information Services Review regarding the Visitor Information Centre at South West Rocks Maritime Museum by working collaboratively with the Museum Maritime Precinct Committee to:
 - a. examine the implications of withdrawing the present Council funding to the Maritime Museum;