

# SUPPLEMENTARY INFORMATION

ORDINARY COUNCIL MEETING 27 JUNE 2023

## ORDINARY COUNCIL - 27 JUNE 2023 - SUPPLEMENTARY INFORMATION

# **INDEX**

SUBJECT PAGE NO

## **COUNCIL REPORTS**

- - Nb. **Bold** Items listed <u>above</u> have not been previously received or viewed by Councillors.

## SUPPLEMENTARY INFORMATION

ITEM NO. 5 FILE NO: 23/154655

**EDRMS NO: PSC2022-03935** 

2023-2033 INTEGRATED PLANNING AND REPORTING DOCUMENTS AND 2023-2024 FEES AND CHARGES

REPORT OF: ZOE PATTISON - ACTING GROUP MANAGER CORPORATE

SERVICES

GROUP: CORPORATE SERVICES

#### **RECOMMENDATION IS THAT COUNCIL:**

- 1) Receive and note the community submissions received and responses in relation to the draft 2023 to 2033 Integrated Planning and Reporting documents, draft Fees and Charges 2023 to 2024 and revised Debt Recovery and Hardship Policy (ATTACHMENT 1).
- 2) Note the recommendations relating to changes to the Integrated Planning and Reporting documents, being the Delivery Program 2022 to 2026 incorporating the Operational Plan 2023 to 2024, Resourcing Strategy 2023 to 2033 (incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033 and Strategic Asset Management Plan 2023 to 2033) and the Fees and Charges 2023 to 2024 (ATTACHMENT 2 & 7).
- 3) Adopt the Integrated Planning and Report documents, being the Delivery Program 2022 to 2026 incorporating the Operational Plan 2023 to 2024, Resourcing Strategy 2023 to 2033 (incorporating the Workforce Management Strategy 2022 to 2026, Long Term Financial Plan 2023 to 2033 and Strategic Asset Management Plan 2023 to 2033) and the Fees and Charges 2023 to 2024 with amendments as provided in (ATTACHMENT 2 & 7).
- 4) Adopt the Additional Fees and Charges 2023 to 2024 (ATTACHMENT 4) with amendments as provided in (ATTACHMENT 7).
- 5) Make the rates and charges for the 2023-2024 financial year in accordance with (ATTACHMENT 5).
- 6) Adopt the revised Debt Recovery & Hardship Policy to commence on 1 July 2023 (ATTACHMENT 6).
- 7) Revoke the Debt Recovery & Hardship Policy dated 10 November 2020, Minute Number 238, on 30 June 2023.
- 8) Resolve to establish the Enhanced Services Focus Areas Reserve as outlined in the Long Term Financial Plan.

#### **ORDINARY COUNCIL - 27 JUNE 2023 - SUPPLEMENTARY INFORMATION**

#### **BACKGROUND**

The purpose of this report is to provide Council with an update on changes to the Fees and Charges 2023 to 2024 (which includes the Additional Fees and Charges 2023 to 2024) as a result of legislative reform to the Environmental Planning and Assessment Regulations (EP&A Regulations) 2021 and amendments to the Companion Animals Regulation 2021.

#### **EP&A Regulations**

A number of fixed statutory fees relating to Development Applications and Planning Certificates have been updated to reflect movements in the consumer price index (CPI) that have occurred since the last CPI related increase to fees under the Environmental Planning and Assessment Regulations 2000 in 2011.

Ongoing minor adjustments are allowed in these fees annually to reflect changes in CPI. Council were made aware of these adjustments on 29 May 2023 and the first increase to these fees will apply from 1 July 2023. The Department of Planning and Environment released the base fee unit for the financial year commencing 1 July 2023 as \$107.28.

Relevant Council fees have been indexed accordingly and do not need to be reexhibited as they are set down in accordance with Schedule 4 of the EP& A Regulations 2021.

#### Companion Animals Regulation

The Companion Animals Regulation 2021 has been amended to adjust 2023 to 2024 registration and annual permit fees for companion animals for CPI. These adjustments are outlined in the Office of Local Government's 23 June 2023 Circular No 23-06 'Increases to companion animal registration and permit fees for 2023/24'.

Relevant Council fees have been amended accordingly and do not need to be reexhibited as they are set down in accordance with the Companion Animals Regulation 2021.

#### Additional Fees and Charges

No submissions have been received regarding public exhibition of the draft Additional Fees and Charges 2023 to 2024 which closed on 21 June 2023.

#### **ISSUES**

Legislative reform to the EP&A Regulations 2021 and amendments to the Companion Animals Regulation 2021 impacts a number of statutory fees that Council charges, effective from 1 July 2023. Notification of these amendments occurred after the draft Fees and Charges 2023 to 2024 had been exhibited. As these are statutory fees governed by legislation, these fees do not require re-exhibition.

## **ORDINARY COUNCIL - 27 JUNE 2023 - SUPPLEMENTARY INFORMATION**

Please refer to the business paper for (ATTACHMENTS 1-6).

The proposed changes to the Fees and Charges for 2023 to 2024 which includes the Additional Fees and Charges 2023 to 2024 is outlined in **(ATTACHMENT 7)**.

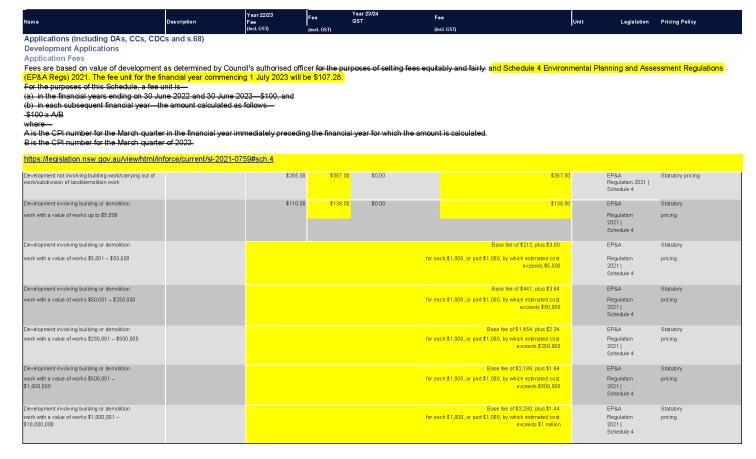
#### **ATTACHMENTS**

1) ATTACHMENT 7 - Changes to the Fees and Charges 2023 to 2024. J.

# ATTACHMENT 7 - CHANGES TO THE FEES AND CHARGES 2023 TO 2024

Ordinary II	Ordinary IPR Related Changes									
No. of change	Document Title and Page Number	Summarised key issues incorporated in the documents	Recommended changes to the documents							
	(Public Exhibition Copy)									
FEES ANI	D CHARGES 2	2023 TO 2024								
1.	58 to 65, 73	Administrative correction – in accordance with amendment to EP&A Regs 2021	Amend fees as per Item 1 below with new text shown as yellow and text to be deleted shown as struck out.							
2.	92 - 94	Administrative correction – in accordance with Statutory fee change to Companion Animals Regulations 2021	Amend fees as per Item 2 below with new text shown as yellow.							
ADDITION	IAL FEES ANI	CHARGES 2023	TO 2024							
3.	14	Administrative correction – in accordance with amendment to EP&A Regs 2021	The text shown in Item 3 (that was on public exhibition) is to be updated in accordance with Item 1.							

#### Item 1



Name	Description	Year 22/23 Fee (incl. GST)	Fee	Year 23/24 GST	Fee	Unit Legislation	Pricing Policy
		(incl. GST)	(excl. GST)		(incl. GST)		
Application Fees [continued]							
Development involving building or demolition work with a value of works exceeding \$10,000,000					\$1,000, by which estimated cost exceeds \$10 million	EP&A Regulation 2021   Schedule 4	Statutory pricing
Development being a single dwelling with a value of works up to \$100,000	Calculated fee does not apply to development meeting these requirements	\$455.00	\$570.00	\$0.00	\$570.00	EP&A Regulation 2021   Schedule 4	Statutory pricing
Additional Application Fees							
Additional fee for agency or authority concurrence or approval	Note: A payment of \$401.20 is required to each approval body. The payment may be in the form of a cheque made out to each body and forwarded to Council, or may be paid directly to each body if that body will accept the fee and a copy of the receipt forwarded to Council.	\$140.00	\$175.00	\$0.00	\$175.00	EP&A Regulation 2021   Schedule 4	Statutory pricing
Additional fee for Integrated Development	Note: A payment of \$401.20 is required to each approval body. The payment may be in the form of a cheque made out to each body and forwarded to Council, or may be paid directly to each body if that body will accept the fee and a copy of the receipt forwarded to Council.	\$140.00	\$175.00	\$0.00	\$175.00	EFAA Regulation 2021   Schedule 4	Statutory pricing
Additional fee for Designated Development	In addition to calculated fee	\$920.00	\$1154.00	\$0.00	\$1154.00	EP&A Regulation 2021   Schedule 4	Statutory pricing
Electronic referral and review of DA by an Urban Design		\$1,500.00	\$1,500.00	\$0.00	\$1,500.00		

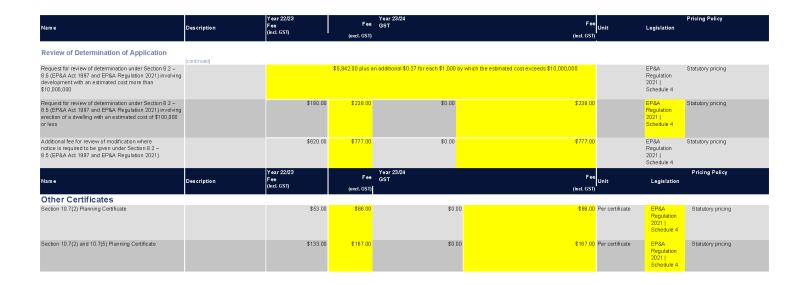
Name	Description	Year 22/23 Fee (incl. GST)	Fee (excl. GST)	Year 23/24 GST	Fee (incl. GST)	Unit Legislation	Pricing Policy
Additional Application Fees [continued]							
Additional fee for referral of a Residential Apartment Development to an Urban Design Panel	Applies to all DA's and modification applications	\$3,000.00	\$3,762.00	\$0.00	\$3,762.00	EP&A Regulation 2021   Schedule 4	Statutory pricing
Additional fee for referral of other development to an Urban Design Panel	Applies to all DA's and modification applications	\$3,120.00	\$3,508.00	\$0.00	\$3,508.00		Market pricing
Additional fee for review of all types of development by an Urban Design Panel prior to DA lodgment	Applies to all DA's and modification applications		Maximu	m fee \$2,500.00			Market pricing
Subdivision Application Fees							
Boundary realignment		\$330.00	\$414.00	\$0.00	\$414.00	EP&A Regulation 2021   Schedule 4	Statutory pricing
Consolidation of lots		\$330.00	\$414.00	\$0.00	\$414.00	EP&A Regulation 2021   Schedule 4	Statutory pricing
Development application involving strata subdivision					\$414.00 plus \$85.00 per additional new lot	EP&A Regulation 2021   Schedule 4	Statutory pricing
Development application involving subdivision, other than strata subdivision, not involving the opening of a public road	In addition to calculated fee for subdivision works				\$414.00 plus \$53.00 per additional new lot	EP&A Regulation 2021   Schedule 4	Statutory pricing
Development application involving subdivision, other than strata subdivision, involving the opening of a public road	In addition to calculated fee for subdivision works				\$833.50 plus \$65.00 per additional new lot	EP&A Regulation 2021   Schedule 4	Statutory pricing

Nam e	Description	Year 22/23 Fee (incl. GST)	Fee (excl. GST)	Year 23/24 GST		Fee Unit (incl. GST)	it Legislation	Pricing Policy
Signage Application Fees								
Signage					\$357.00 plus \$93.00	for each advertisement in excess of 1	EP&A Regulation 2021   Schedule 4	Statutory pricing
Notification and Advertising Fees *Note - Council shall refund so much of the addi								
Notification pursuant to Council Community Participation Plan (CPP)		\$248.00	\$267.5	0	\$0.00	\$267.50		Statutory pricing
Re-Notification pursuant to Council Community Participation Plan (CPP)	Where Council is required to re- notify a development application due to amendments to the proposal	\$248.00	\$267.5	0	\$0.00	\$287.50		Statutory pricing
Advertising pursuant to Council Community Participation Plan (CPP)						Up to a maximum of \$1,385	EP&A Regulation 2021   Schedule 4	Statutory pricing
Re-Advertising pursuant to Council Community Participation Plan (CPP)	Where Council is required to re- advertise a development application due to amendments to the proposal					Up to a maximum of \$1,395	EP&A Regulation 2021   Schedule 4	Statutory pricing
Advertising fee for Advertised, Nominated Integrated, Threatened Species or Class 1 Aquaculture Development	For developments classified as Advertised or Noniminated Integrated Development in accordance with the EP&A Regulation 2021					Up to a maximum of \$1,385	EP&A Regulation 2021   Schedule 4	Statutory pricing

Notification and Advertising Fees (comuse)  Notification and Advertising Fees (comuse)  Segment Covering make the Development of the Company of the Covering make a Segment Co			Year 22/23 Fee	Year 23/2 Fee GST	24	Fee		Pricing Policy
EPAA Advisioning fee for Designated Development Epidemoter Consideration Epidemoter Consideratio	Nam e	Description				Unit	Legislation	
Designated Development in accordance with the EPRA Regulation (2011). Schedule 4 Regulation (201	Notification and Advertising Fees [continued]							
September Local Environmental Plan.  Modification (s4.55) Fees  Modification under Section 4.55 (EPRA Act 1979 and EPRA Regulation 2021) — Correct administrative fee applies to such application of such applications of s	Advertising fee for Designated Development	Designated Development in accordance with the EP&A				Up to a maximum of \$2,784.00	Regulation 2021	Statutory pricing
Modification under Section 4 55 (EP&A Act 1979 and EP&A Pegulations 2021)—Correct administrative fee applies to the handling or administrative of such applications of such appli	Advertising fee for Prohibited Development	defined under the Port Stephens Local Environmental				Up to a maximum of \$1,385	Regulation 2021	Statutory pricing
## PRAP Regulations 2021   Correct administrative error of such applications  ## Applicatio	Modification (s4.55) Fees							
EPBA Regulation 2021) - Incorrect description/minor error or miscalculation under Section 4.55(1A) or 4.56 (EPBA Act 1979 and EPBA Regulations 2021) - Minimal error or miscalculation under Section 4.55(1A) or 4.56 (EPBA Act 1979 and EPBA Regulations 2021) - Minimal error or miscalculation under Section 4.55 or 4.58 (EPBA Act 1979 and EPBA Regulations 2021) - Minimal error or miscalculation under Section 4.55 or 4.58 (EPBA Act 1979 and EPBA Regulations 2021) and not of minimal error or miscalculation under Section 4.55 or 4.58 (EPBA Act 1979 and EPBA Regulations 2021) and not of minimal error or end the original DAFe more than 100 or error e	Modification under Section 4.55 (EP&A Act 1979 and EP&A Regulations 2021) – Correct administrative error of Council	the handling or administration of	\$0.00	\$0.00	\$0.00	\$0.00	Regulation 2021	Statutory pricing
1979 and EPRA Regulations 2021)—Minimal environmental impact.  Modification under Section 4.56 or 4.56 (EPRA Act 1979 and EPRA Regulations 2021) and not of minimal environmental impact, foriginal DA fee was less than 1 ee unit or 1 fee unit or more and the original development application divolution with the example out of a work or the demolition of a work or original development application divolution the example of the exampl	Modification under Section 4.55 (EP&A Act 1979 and EP&A Regulations 2021) – Incorrect description/minor error or miscalculation		\$71.00	\$89.00	\$0.00	\$89.00	Regulation 2021	Statutory pricing
and EP&A Regulations 2021) and not of minimal environmental impact, if original DA fee was less than 1 fee unit or 1 fee unit or more and the original development application did not involve the erection of a building, the carrying out of a work or the demolition of a work or the unit or involve the erection of a building. Schedule 4 services are supplied to the environmental impact, with with original DA fee more than 1 fee unit or	Modification under Section 4.55(1A) or 4.56 (EP&A Act 1979 and EP&A Regulations 2021) – Minimal environmental impact				\$808.00 or 50%		Regulation 2021	Statutory pricing
1979 and EP&A Regulations 2021) and not of minimal entering the properties of the pr	Modification under Section 4.55 or 4.56 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, if original DA fee was less than 1 fee unit or 1 fee unit or more and the original development application did not involve the rection of a building, the carrying out of a work or the demolition of a work or building.					50% of the original DA fee	Regulation 2021	Statutory pricing
	Modification under Section 4.55(2) or 4.58 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, with with original DA6e more than 1 fee unit or 1 fee unit or more and the original development application involved the erection of a dwelling house with an estimated cost of \$100,000 or less					\$238.00	Regulation 2021	Statutory pricing
	Modification (s4.55) Fees [continued]							
Any other modification under Section 4.55 or \$55.00 <mark>\$88.00</mark> \$0.00 <b>\$88.00</b> EP&A Statutory	Any other modification under Section 4.55 or		\$55.00	\$68.00	\$0.00	\$68.00	EP&A	Statutory
2021 and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a Schedule 4	4.58 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a value of works up to \$5,000						2021	pricing
	Any other modification under Section 4.55 or				\$106.00 plus \$1.50 for each \$1,0	00 or part thereof of the estimated cost		Statutory
2021   and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a Schedule 4	4.56 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a value of works up from \$5,001 – \$250,000						2021	pricing
Any other modification under Section 4.55 or EP&A Statutory	Any other modification under Section 4.55 or				\$627 plus an additio			
2021   and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a Schedule 4	4.58 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a value of works up from \$250,001 - \$500,000					estimated cost exceeds \$250,000	2021	pricing
Any other modification under Section 4.55 or \$893.00 plus an additional \$0.50 for each \$1,000 by which EP&A Statutory					\$893.00 plus an add	ditional \$0.50 for each \$1.000 by which	EP&A	Statutory

4.56 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a value of works up from \$500,001 – \$1,000,000					the estimated cost exceeds \$500,000	Regulation 2021   Schedule 4	pricing	
Any other modification under Section 4.55 or			.00 plus an additional \$0.40 for each \$1,000 by which	EP&A	Statutory			
4.56 (EP&A Act 1879 and EP&A Regulations 2021) and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a value of works up from \$1,000,001 – \$10,000,000					the estimated cost exceeds \$1,000,000	Regulation 2021   Schedule 4	pricing	
Any other modification under Section 4.55 or			EP&A	Statutory				
4.56 (EP&A Act 1979 and EP&A Regulations 2021) and not of minimal environmental impact, with original DA fee of 1 fee unit or more and with a value of works over \$10,000,000					which the estimated cost exceeds \$10,000,000	Regulation 2021   Schedule 4	pricing	
Additional Modification (s4.55) Fees								
Additional Modification (\$4.55) Fees								
Additional fee for modification under Section 4.55(2) or 4.56(1) (EP&A Act 1979 and EP&A Regulations 2021) where notice is required to be given		\$865.00	\$834.00	\$0.00	\$834.00	EP&A Regulation 2021   Schedule 4	Statutory pricing	
Additional fee for referral of a Section 4.55 or	Fee is to be refunded	\$760.00	\$953.00	\$0.00	\$953.00	EP&A	Statutory	
4.56 (EP&A Act 1979 and EP&A Regulations 2021) modification application which relates to Residential Apartment Development accompanied by a design verification from a qualified designer	if the modification application is not referred to a design review panel					Regulation 2021   Schedule 4	pricing	
Withdrawal Fees								
Application is withdrawn before an assessment report has been commenced					80% of fee may be refunded			Partial cost pricing
Application is withdrawn after an assessment report is commenced, but before completion of the assessment					40% of fees may be refunded			Partial cost pricing
Application is withdrawn after assessment has been completed but before determination is made					No refund applicable			Partial cost pricing
Application has been advertised or notified				No	refund of notification or advertising fee (fee retained)			Full cost pricing





Item 2

Name	Description	Year 22/23 Fee (Incl. GST)	Fee (excl. GST)	Year 23/24 GST	Fee Unit	Pricing Policy Legislation
Environmental & Health Services Animal Management						
Annual permit - Dangerous/Restricted Dog	These fees are indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.	\$208.00	\$221.00	\$0.00	\$221.00	Statutory pricing
Annual permit - Undesexed Cat	These fees are indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.	\$85.00	\$92.00	\$0.00	\$92.00	Statutory pricing
Late Fee	Applicable if a permit is not paid for by 28 days after the permit requirement took effect. This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.		\$21.00	\$0.00	\$21.00 Per Annual Permit Fee	
Anti Barking Collars	Hire Anti Barking Collars	\$51.50	\$50.45	\$5.05	\$55.50	Full cost pricing
Refund on return of anti-bark collar	Refund on return of item in working order/ undamaged	\$175.50	\$172.27	\$17.23	\$189.50	Full cost pricing
Dangerous Dogs (declared under legislation)	Collar (medium)	\$48.50	\$47.73	\$4.77	\$52.50 Per collar	Full cost pricing
Dangerous Dogs (declared under legislation)	Collar (Large)	\$54.00	\$53.18	\$5.32	\$58.50 Per collar	Full cost pricing

Name	Description	Year 22/23 Fee (Incl. GST)	Fee (excl. GST)	Year 23/24 GST	Fee (Incl. GST)	Unit	Legislation	Pricing Policy
Animal Management [continued]								
Dangerous Dogs (declared under legislation)	Collar (Extra-large)	\$69.50	\$68.18	\$6.82	\$75.00	Per collar		Full cost pricing
Dangerous Dogs (declared under legislation)	Signage	\$43.50	\$42.73	\$4.27	\$47.00	Per sign		Full cost pricing
Companion Animal – Lifetime Registration Fee								
Cat - Desexed	Sold by pound/shelter This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.	\$0.00	\$0.00	\$0.00	\$0.00	Per Cat		Statutory pricing
Cat - Desexed or Not Desexed	Not recommended, recognised breeder This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.	\$59.00	\$65.00	\$0.00	\$65.00	Per Cat		Statutory prioing
Dog - Desexed	By relevant age, not recommended, recognised breeder. This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.		\$75.00	\$0.00	\$75.00	Per Dog		Statutory pricing

Name	Description	Year 22/23 Fee (Incl. GST)	Fee (excl. GST)	Year 23/24 GST	Fee (Incl. GST)	Unit L	egislation_	Pricing Policy
Companion Animal – Lifetime Registration Fee	[continued]							
Dog - Desexed	Sold by pound/shelter This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.	\$0.00	\$0.00	\$0.00	\$0.00	Per Dog		Statutory pricing
Dog - Not Desexed or Desexed	After relevant age This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.	\$234.00	\$252.00	\$0.00	\$252.00	Per dog		Statutory pricing
Dog - Working dog, Service of the State, Assistance Animal	This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government.		\$0.00	\$0.00	\$0.00	Per dog		Statutory pricing
Dog/Cat - Desexed	By relevant age eligible pensioner. This fee is indicative only and fee may be adjusted annually in accordance with the prescribed fee set by the Office of Local Government	\$29.00	\$32.00	\$0.00	\$32.00	Per Animal		Statutory pricing

#### Item 3



#### Applications (including DAs, CCs, CDCs and s.68)

#### **Development Applications**

#### Application Fees

Fees are based on value of development as determined by Council's authorised officer for the purposes of setting fees equitably and fairly. For the purposes of this Schedule, a fee unit is—

(a) in the financial years ending on 30 June 2022 and 30 June 2023-\$100, and

(b) in each subsequent financial year—the amount calculated as follows—

\$100 x A/B

where-

A is the CPI number for the March quarter in the financial year immediately preceding the financial year for which the amount is calculated.

B is the CPI number for the March quarter of 2023.