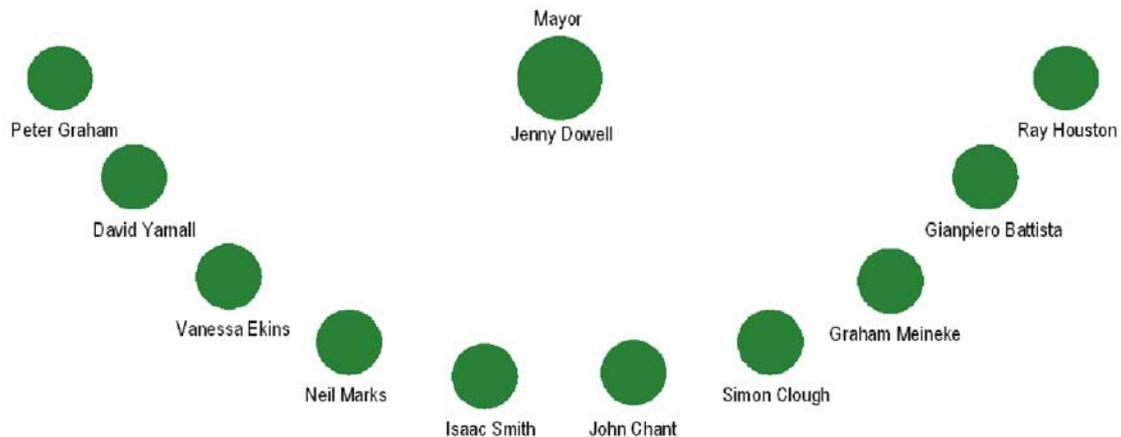


Notice of Council Meeting



Ordinary Meeting

An EXTRA ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on
Thursday June 18, 2009, 6:00 pm.
and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

June 12, 2009



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence
Councillor John Chant

Disclosure of Interest

Public Access Session
John Munro – Lismore Memorial Baths
Alfredo Bonno – Management Plan (Billen Cliffs Hall)

Condolences

Mayoral Minutes

Reports

Goonellabah Youth Plaza – Construction Tender	1
Lismore Lake Pool.....	8
Lismore Memorial Baths	15
2009/10-2012 Management Plan, Budget and Fees & Charges.....	18
2009/10 Rates & Annual Charges	24



Strategic Plan Summary

Lismore regional city

STRATEGIC PRIORITY	AIMS	INITIATIVES
Economic Development	Build Lismore's reputation as a regional city for residents, businesses, education providers, health services and government.	<ul style="list-style-type: none"> ▶ Champion education ▶ Promote health facilities ▶ Support regional agriculture ▶ Promote cultural life ▶ Promote Lismore as a legal centre ▶ Support for sport
	Increase regional economic development, tourism and job creating investments.	<ul style="list-style-type: none"> ▶ Promote regional development ▶ Develop tourism ▶ Support businesses ▶ Pursue CBD revitalisation ▶ Assist in job creation ▶ Assist in creating new income opportunities
Quality of Life	Make Lismore a safe, healthy and caring community in which to live.	<ul style="list-style-type: none"> ▶ Increase social cohesion ▶ Support villages ▶ Provide community services ▶ Encourage sustainable development ▶ Promote recreation and leisure
Leadership by Innovation	Lead the region by demonstrating innovative practices in governance, customer service, communication, consultation, virtual amalgamation and financial management.	<ul style="list-style-type: none"> ▶ Lead the region ▶ Increase revenue from grants ▶ Improve customer service ▶ Consult the community ▶ Update technology ▶ Provide user pays services ▶ Privatise selected services ▶ Share assets and resources
Natural Environment	Preserve and rehabilitate Lismore's natural environment.	<ul style="list-style-type: none"> ▶ Provide sustainable land use planning ▶ Improve catchment management ▶ Conserve and repair the environment
Infrastructure	Further enhance Lismore's transportation, parking and pedestrian networks.	<ul style="list-style-type: none"> ▶ Improve transport systems ▶ Improve roads, cycleways and footpaths ▶ Assist with public transport ▶ Assist airport operations ▶ Support fleet operations
Water and Waste Cycle	Educate our community and lead the state in water and waste-cycle management.	<ul style="list-style-type: none"> ▶ Manage stormwater drainage systems ▶ Manage water and sewage ▶ Manage the waste stream and reduce waste

Report

Subject	Goonellabah Youth Plaza – Construction Tender
File No.	ED09/7012:EF09/188:T09/30
Prepared by	Special Projects Engineer
Reason	To advise Council of the outcome of the tender process for the construction of the Goonellabah Youth Plaza.
Objective	To gain Council approval to negotiate with a preferred Tenderer and award a contract for the project.
Strategic Plan Link	Infrastructure
Management Plan Project	Parks and Recreation, Community Services

Overview of Report

Council has called tenders for the construction of the Goonellabah Youth Plaza. The three (3) submitted tenders exceeded the budget estimate. In order to progress these works an assessment was undertaken to determine a preferred Tenderer to enter negotiations to refine the construction works in line with the budget estimate.

The report recommends undertaking negotiations with the preferred Tenderer and then to enter into a contract for the project. To expedite this process it is also recommended for the General Manager to have delegation to execute the contract with the preferred Tenderer.

Background

During the process of appointing the contractor for construction of the Goonellabah Sports & Aquatic Centre it was determined by Council that construction of the youth plaza and skate park would be undertaken as a separate contract. The reason for this decision was related to the initial budget allowance of \$160,000 being considered as insufficient and that the consultation process and development of the design had not commenced.

Following this decision a reference group was established which subsequently appointed a consultant to undertake community consultation and begin work on the youth plaza design. Upon completion of the design, tenders for construction of the Goonellabah Youth Plaza were called on 30 April 2009 and closed on 28 May 2009. Three (3) tenders were received by the closing date.

The evaluation of the tenders was undertaken by representatives of Community Services and Assets & Support Services Sections. The assessment panel identified a number of items requiring clarification from the two highest ranking submissions in order to ensure an equivalent comparison. Letters seeking clarification were drafted to the two shortlisted Tenderers, with responses provided by close of business on 4 June 2009. The responses identified a number of opportunities to reduce the contract value, as well as confirm the inclusion of underground conduits for the future provision of lighting, CCTV and/or power to the proposed barbecue areas. The outcome of the assessment process is now presented for Council's consideration.

Submission Evaluation

The Request for Tender (RFT) outlined the requirements of the project, specifically the construction of the youth plaza and associated works in accordance with the completed design plans. The RFT

Lismore City Council

documentation was prepared and advertised on the TenderLink website in addition to the advertisements within the newspaper classifieds. Three (3) tenders were received by the closing date.

The following assessment criteria and weighting was included within the RFT documentation:

Table 1 – Assessment Criteria and Weighting

Criteria Group Summary		
1	Total Cost	40%
2	Capability and Experience	30%
3	OH&S, Risk Management and Quality	10%
4	Environment and Community	10%
5	Local Content (Minimum 10% weighting)	10%

Table 2 – Assessment Results

Company	Score
Concrete Skate Parks	65.99
CONVIC	64.95
Impact Concreting	31.98

Table 2 summarises the scores for the submitted tenders. The respective scores reflect the assessment panel's evaluation of the submitted tenders including clarifications (further information) requested from the two highest ranked Tenderers.

Table 3 – Submitted Prices

Company	Price (GST exclusive)
Concrete Skate Parks	\$625,600
Impact Concreting	\$754,425
CONVIC	\$797,485
Construction Budget	\$580,000

The consultants engaged for the youth plaza design noted that it is preferable to appoint specialist contractors experienced in skate park/ youth plaza construction. Table 3 outlines the prices from the three (3) tenders submitted. It clearly identifies that all submissions exceed the budget estimate provided by the design consultant. However, there are some options available to Council to reduce the contract price without eliminating major elements of the project. These are covered in detail within the project budget section.

Impact Concreting

The assessment process identified the submission from Impact Concreting as unsatisfactory due to inadequate OHS and environmental protocols and questionable experience in completing similar works as the principal contractor. It was noted that Impact Concreting has undertaken skate park construction works on a smaller scale (approximately one third the size of the proposed youth plaza), and have sub-contracted to larger construction firms. Furthermore, the Impact Concreting submission was ranked the lowest of the submissions received by a significant margin and subsequently not recommended for further discussion regarding amendments to their submitted price.

CONVIC

CONVIC has been involved in the design and construction of over 400 skate parks throughout Australia, China and South East Asia. CONVIC are considered to have a greater level of experience with skate park design and construction than Concrete Skate Parks. However, the lower overall assessment result

(ranked second) for CONVIC is directly attributable to the submitted price being approximately 20% in excess of the lowest Tenderer and almost 30% above the project budget. Given that the project budget is funded by Federal Government grant monies and Council is not in a position to contribute additional funds, CONVIC are recommended as the second preferred Tenderer.

Concrete Skate Parks

Reference checks with Ballina Shire Council and Gold Coast City Council confirmed that Concrete Skate Parks have satisfactorily completed projects of this scope and scale in the past. Concrete Skate Parks have completed numerous skate parks throughout Australia and the project officers from Gold Coast City Council and Ballina Shire Council confirmed that the finished product provided by Concrete Skate Parks is of a very high standard with minimal variations to the agreed contract price. However, both project officers noted that they experienced significant project commencement delays with Concrete Skate Parks that caused the project to exceed the construction timeframe. The implications of project delays are discussed further within the project timetable section, however discussions with Concrete Skate Parks have indicated that they currently have no other projects that would affect the resourcing of these works.

Furthermore, they have agreed to commence works as soon as a construction certificate is provided and have based a construction timeline upon works commencing in early July 2009. The timeline submitted by Concrete Skate Parks has the works due for completion in mid September 2009 – allowing for approximately two weeks of delays due to unforeseen circumstances such as inclement weather.

The tendered price submitted by Concrete Skate Parks is currently within 8% of the budget estimate, however further negotiations are required to reduce the contract price closer to the project budget. Implications of the higher than anticipated tendered price on the project budget are detailed within the comments from Financial Services and the project budget section.

When all assessment criteria were considered, Concrete Skate Parks received the highest score (as summarised in Table 2). Therefore, it is recommended that further discussions and negotiations commence with Concrete Skate Parks, as the preferred Tenderer, to reduce the risk of project start-up delays and negotiate a lower construction contract price that is within the overall project budget.

Risk Assessment

Financial Assessment

As part of the evaluation process, an independent assessment of the shortlisted company's financial background was undertaken by Dunn & Bradstreet. The financial assessment concluded that both Concrete Skate Parks and CONVIC have an acceptable financial capability to undertake a project of this value, representing a moderate but manageable risk to Council. A security deposit of 5% is recommended to manage this risk.

Project Timetable

This project is 100% funded by Federal Government grant monies, and a timeframe for completion of the project of 30 September 2009 has been imposed as a condition of that funding. If this timeframe is not achieved, there is a significant risk that any unspent funds may have to be returned to the Federal Government.

Concrete Skate Parks has stated that they are suitably resourced to complete the works in the required timeframe. However, Council has identified a number of risks which may impact upon the project timeline being achieved, including:

- Inclement weather;
- Receipt of construction certificate and building approvals;
- Design amendments to suit site conditions;
- Contractor commencement delays.

A number of these risks are as a result of the grant funding timeframe requirements. These risks are not critical to the viability of the project and it is considered that all could be addressed by appropriate project management and in the event of inclement weather, correspondence with Federal Government grant representatives. Periodic reporting of project milestones to the Federal Government representatives is a requirement of the grant funding contract.

Project Budget

The fee proposal provided by Concrete Skate Parks currently exceeds Council's budget for the project. Clarification of a number of issues included within the tender submission has raised the potential for some additional costs, and more significantly, reductions to the contract value. Negotiations are required to further discuss the options to reduce the overall construction costs. Items that require further discussion include:

1. Provision for electrical conduits for future CCTV, barbecue facilities and lighting (potential cost increase);
2. Delete the use of coloured concrete (potential cost reduction);
3. Modify reinforcing and concrete jointing details (potential cost reduction);
4. Modify specified paint for seat walls, bands and edge turndowns (potential cost reduction).

These options and the potential of some other minor alterations need to be further investigated and discussed with the preferred contractor. It is anticipated that the contract value can be reduced to the construction budget of \$580,000 without significantly modifying the design.

Table 4 summarises the various elements of the overall project budget, based upon the assumption of reducing the contract value to \$580,000. The forecast contingency is based upon predicted surplus funds and the inclusion of \$15,000 from Council's annual allocation for the provision of shade in recreational spaces. This funding is still to be confirmed in the 2009/10 budget process.

Table 4 - Project Expenditure

Item	Cost (\$)
Federal Grant Funding Budget (R&LCIP)	\$684,000
Shade Funding (LCC contribution) *	* 15,000
Project Budget	\$699,000
Planning Approvals	\$ 7,000
Section 64 – Water & Sewerage Levies	6,650
Miscellaneous Costs (tender adverts, Australian Standards, etc)	2,500
Consultant Fees (environmental effects statement, noise impact assessment, external DA assessment)	11,500
Consultant Fees (youth plaza design)	13,600

Art Work	5,000
Landscaping	20,000
Project Management	22,750
Youth Plaza Construction Costs (Budget)**	** \$580,000
Project Sub-Total	\$669,000
Project Contingency (from remaining funds)	\$ 30,000

* Subject to approval in the 2009/10 budget process.

** Price may alter through Contractor negotiations.

The current project budget provides sufficient funds to enter into contract negotiations with a suitably qualified Contractor to the value of \$580,000. Subject to the outcome of these negotiations, the project budget would include a \$30,000 contingency, equivalent to approximately 4.3% of the total project budget.

Comments

Financial Services

Council received a \$1,049,000 grant from the Commonwealth Government under the Regional and Local Community Infrastructure Program. A total of \$684,000 was allocated to the Goonellabah Youth Plaza. When the grant for this project is added to the 2009/10 Budget for Sun Protection Strategy, there are sufficient funds available to fully meet the total project cost.

Other staff comments

Not required

Public consultation

Lismore City Council consulted extensively with the local community and potential user groups as part of the overall masterplan of the Oliver Avenue redevelopment, specifically in relation to the design and development of the Goonellabah Sports and Aquatic Centre.

Following the decision to separate the youth plaza from the sports centre construction, a reference group was established which appointed a design consultant to undertake community consultation and begin works on the youth plaza design. The extensive public consultation process is summarised below:

- Initial workshop with Lismore City Council project officers;
- Telephone discussions with key stakeholders;
- Input sheets made available at YWCA and Community Connections;
- Approach, notify and engage with businesses at the Goonellabah Shopping Centre;
- Workshop with local schools;
- Workshop with indigenous and out-of-school young people; and
- Technical design workshop.

In addition to the consultation process, two (2) students from Kadina High School provided some diagrams and comments regarding the proposed elements within the design. Discussions with the students outlined Council's available space and budget constraints, however took on board some of their suggestions.

The development application for the project was also placed on public exhibition in accordance with Council's normal processes, including written notification to surrounding residents seeking comment. At the conclusion of the public exhibition period no written submissions, either for or against, were received by the Planning Services Section.

Conclusion

The youth plaza has formed an integral element of Council's vision for the Goonellabah Sports & Aquatic Centre. Tenders received for construction of the project have exceeded the budget allocation, however discussions with the preferred contractor have identified opportunities to reduce the contract value. Subject to these successful negotiations the project can be completed within the budget allocation.

A number of risk issues have been identified with the submission from Concrete Skate Parks. These risks can all be readily addressed in the manner suggested in the report and would not add significantly to the overall cost of the project. In the event that negotiations cannot be concluded satisfactorily with Concrete Skate Parks, it is recommended that similar negotiations be undertaken with CONVIC as the second preferred Tenderer.

It is recommended that Council proceed with the project in accordance with the measures outlined in the report and seek to negotiate a lower construction contract. To expedite the appointment of the contractor it is recommended that the General Manager be given delegation to negotiate and finalise the contract on behalf of Council.

Recommendation (IS35)

That:

1. In accordance with Clause 178 (1) (b) of the Local Government (General) Regulations 2005, and as provided in the tender document, Council decline to accept any tenders for the construction of the Goonellabah Youth Plaza.
2. In accordance with Clause 178 (3) (e) of the Local Government (General) Regulations 2005, Council enter into negotiations with the preferred Tenderer, Concrete Skate Parks, to resolve issues as outlined in the report and reduce the contract price to more closely match Council's budget for the work.
3. The General Manager be delegated authority to negotiate the matter on Council's behalf and subject to satisfactory resolution of those matters outlined in the report, enter into a contract with Concrete Skate Parks for construction of the Goonellabah Youth Plaza.
4. In accordance with Clause 178 (4) (a) and (b) of the Local Government (General) Regulations 2005 the reasons Council will not call fresh tenders for the works and will enter into negotiations are:

- The tenders received are not unsatisfactory, but require some amendment to more closely match Council's budget for the work prior to entering a contract;
 - The issues identified are not of a nature that they substantially alter the content or basis for the tender;
 - Discussions about those issues, if conducted after a contract has been awarded, would confer a commercial advantage on the preferred Tenderer;
 - A satisfactory result can be achieved through negotiation of the relevant issues;
 - Two tenders have been identified through the tender assessment process as potentially satisfactory; and
 - To call fresh tenders would unnecessarily delay the project and jeopardise funding for the project.
5. In the event that the issues outlined in the report cannot be resolved to the satisfaction of the General Manager through negotiations with Concrete Skate Parks, the General Manager be authorised to negotiate with the second preferred Tenderer, CONVIC, and subject to satisfactory resolution of those matters outlined in the report, enter into a contract with CONVIC for construction of the Goonellabah Youth Plaza.
6. The relevant contract documentation be executed under seal of Council.

Subject	Lismore Lake Pool
File No	ED09/7102:P24540
Prepared by	Manager Community Services
Reason	Request from Council to provide a detailed report on current and proposed future status of this facility
Objective	To consider options for the future of the pool
Strategic Plan Link	Improve passive and active recreation facilities
Management Plan Project	Community Services

Overview of Report

The report provides background into the costs associated with major maintenance and safety improvement works required at the Lismore Lake Pool. The report presents several options for the Lismore community to access Council's aquatic facilities in the event that the Lismore Lake Pool remains closed.

Background

As part of Council's risk assessment practices, a safety audit (Safety Improvement Plan) was carried out at the Lismore Lake Pool in January 2009 by Royal Life Australia. The recommendations following the audit were received in early March. The table below identifies the risk categories and level of compliance.

Category	Compliances	Total possible
General supervision	1	9
Technical operations	2	27
Facility design	21	35
First Aid	0	4
Administration	0	12
Total compliances	24	87

The Improvement Plan identified a comprehensive range of developments and inclusions in order to meet accepted safety guidelines. The primary improvements are summarised below.

General Supervision

- Two qualified staff members are in the facility and on duty at any time the facility is open

Costs to Council to implement the lifeguard recommendation:

Summer season: October - April - 212 days

Opening hours (basically daylight hours): 6am – 7pm Monday to Sunday (91 hours)

Total Hours: 2756

Pay rates: \$25.11 (all up casual rate) per lifeguard

Employment cost: \$25.11 x 2756 hours x 2 staff = \$129,367.

Technical Operation

Lismore City Council

- Pool monitoring needs to be upgraded
- Establish a plant operations Log Book
- Chemical Storage area compliance required
- Improve dry chemical storage off ground
- All chemicals need to be appropriately labelled
- Obtain and use material safety data sheets
- Develop emergency chemical spills procedures
- PPE equipment should be supplied and procedures put in place
- All pipes and hoses need to be clearly labelled
- Dump shower and eye wash facility to be installed

Facility Design

- Pool to be made secure outside operating hours
- Shade options to be considered and implemented
- Depth markings compliance required
- Pool safety signage inadequate
- Access issues need to be addressed

First Aid

- The facility should have a First Aid Room
- Appropriate First Aid supplies and equipment should be on hand
- Oxygen resuscitation equipment should be on hand

Administration

- Operations Manual needs to be developed
- Action "Guidelines for Safe Pool operations"
- Develop an "Emergency Action Plan" (EAP)
- Practice the EAP on a 12 monthly basis
- Review Plans every 12 months
- Ensure all staff are trained adequately
- Develop a hiring agreement
- Instigate a proper reporting procedure
- Develop and Implement a maintenance schedule

The above recommendations focus on the operation and safety of the pool. A separate comprehensive assessment of the pool plant and infrastructure should be undertaken to gauge the extent of future maintenance works required to allow the pool to continue to operate, however an estimate follows:

Assets Engineer

The majority of the information provided below is based on a previous report (G. Leaver, Aquatic Consultant, Lismore Lake Pool, 2005).

The construction methodology of the swimming pool is quite unique with the pool surface being described as constructed of concrete blocks or pavers. The nature and condition of the material used to form the base beneath the pool surface it is unknown. Extensive cracks which have been repaired are evident within the surface and numerous coats of paint have been applied which may have aided in the prevention of some leaking. Without metering and subsequent calculations the amount of leakage is unable to be quantified however it is believed to be significant. To address the leakage problem it has been suggested that the pool be resurfaced. The cost to do this work and some other pool renovation work was previously estimated in 2005 to be \$350,000. This estimate is revised upward to \$400,000 in 2009. Resurfacing of the pool will help improve the water quality and visual amenity as a flatter surface will promote improved circulation and distribution of dosing chemicals and would also be easier to clean.

The 2005 report estimated that the cost to replace the pool filters, pump, pump strainer, plant pipe work, and upgrade the chemical storage to code would be \$160,000. It is believed that some of this work has been undertaken due to necessity caused by failure. The provision of separated bunded chemical storage in a secure shed is outstanding. A revised estimate for the work is \$160,000. The turnover rate for the water in the pool is constrained by pipe sizes and would remain similar. The table below represents an expenditure framework for major and ongoing maintenance work together with supervision costs for an eight (8) year period.

The actual cost to the budget in 2007/08 was \$42,600 and in 2008/09 is \$109,200.

Item	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	TOTAL
Pool Renovation and Resurfacing	\$ 400,000								\$ 400,000
Plant Room Renovations	\$ 160,000								\$ 160,000
OHS Improvements	\$ 150,000								\$ 150,000
Major Maintenance					\$ 50,000				\$ 50,000
Regular Maintenance	\$ 80,000	\$ 82,400	\$ 84,900	\$ 87,400	\$ 90,000	\$ 92,700	\$ 95,500	\$ 98,400	\$ 711,300
Lifeguard/ Operations	\$ 130,000	\$ 133,900	\$ 137,917	\$ 142,055	\$ 146,317	\$ 150,707	\$ 155,228	\$ 159,885	\$ 1,156,009
TOTAL	\$ 920,000	\$ 216,300	\$ 228,817	\$ 229,455	\$ 286,317	\$ 243,407	\$ 250,728	\$ 258,285	\$ 2,633,309

CPI 3% 3% 3% 3% 3% 3% 3% 3%

Options for consideration

In light of the risks identified in the report and supported by Council's Safety Officer, there are a number of options available.

1. Continue to operate the Lake Pool, i.e. open for the 2009-2010 summer season.

Comment: The pool's plant and equipment continues to deteriorate, and given the frequent problems experienced in the 2008-2009 summer season which resulted in facility closure, the facility is unlikely to continue to operate without extensive maintenance work being carried out. There is no budget provision for the Lake Pool's operation in the 2009 – 2010 budget.

2. Comply with the Royal Life Saving Safety Improvement Plan and undertake major structural maintenance works.

Comment: To implement the majority of recommendations would be a time consuming and expensive undertaking. Improvements to the amenities, including fencing, signage, safety rails, additional showers and eye wash facilities etc, would require significant financial and resource allocation and management. An estimated additional \$710,000 would be required to adequately address structural problems and essentially rebuild the facility. Lifeguard supervision would be an additional cost. This has not been provided within the 2009 – 2010 budget and the structural works would be unable to be carried out prior to the next swimming season.

3. Close the pool permanently.

Comment: Lismore City Council has expended \$10 million on redeveloping the Memorial Baths, and a sizable portion of the \$18 million Goonellabah Sports and Aquatic Centre can be attributed to the provision of indoor aquatic facilities. There is a limit to providing aquatic recreational facilities for the community, particularly on a no charge basis whereby there is no revenue to offset expenses. A range of measures could be adopted to at least partially to offset the absence of a free pool.

The Lismore Lake Pool is a well used facility during the summer months, and has served the Lismore and district community for almost 35 years. Users like the facility because it is free, has a large body of shallow water and an adjacent area of recreational space for families and children that encourages social interaction. Some concern has been expressed that the closure of the Lake Pool will result in limited or no access to aquatic facilities in Lismore for those people who cannot afford entry fees.

For the purpose of this report and on the basis there is no short-term opportunity to upgrade the Lake Pool due to cost implications, a number of options are proposed to provide affordable access to Council's existing aquatic facilities and lessen the impact on existing users of the Lake Pool. These options open up the opportunity for all members of the community to use the Lismore Memorial Baths and the Goonellabah Sports and Aquatic Centre (GSAC), and may be considered separately or in totality.

Options

1. Lismore Memorial Baths - Dollar Sundays

- \$1.00 entry per person for the entire day.
- Every Sunday from November to February.

Comment: This is a very viable option. The Memorial Baths are in relatively close proximity to the Lake Pool and will be able to accommodate regular Lake Pool users. A review of financial data for the period December 2008 – April 2009 indicates that entrance fee revenue on Sundays averages \$634 per Sunday. If this figure was applied to 18 Sundays from December 2009 – February 2010, the approximate revenue lost would be \$11,412. Depending on the numbers accessing the Memorial Baths it is estimated that between one and two additional staff would be required for lifeguard and kiosk/reception duties to cater to the extra users. Based on casual rates additional costs for the same period would amount to approximately \$9,216 (two staff for eight hours per day). The total cost to Council for this option is approximately \$20,628, less \$1.00 entry generated per person across the 18 week period.

2. Goonellabah Sports and Aquatic Centre – Dollar Sundays

- \$ 1 entry per person from 3.00pm – 5.00pm on Sundays

Comment: Consideration was given to offering a similar discounted entry of \$1.00 as proposed above to the GSAC during specific periods. This is not recommended on the grounds that such a modification to GSAC entry fees would be applicable to every admission and not just regular users of the closed Lake Pool. The recommended fee for casual admission to the GSAC Leisure Waters area in 2009/10 is \$4.00 and a reduction to \$1.00 for all casual Sunday entries between 3.00pm and 5.00pm would result in a net loss of revenue for GSAC during these times as all admissions would benefit from the reduced fee proposed.

Accordingly, this proposal is not preferred nor is it in the best interests of Council's overall aquatic operations.

3. 'Carnivale Days' at Goonellabah Sports and Aquatic Centre

- Two free entry days to the aquatic area to be held per year

Lismore City Council

- A range of free activities and events will be conducted throughout the Centre

Comment: This is a preferable option that could be developed as part of the Centre's promotional strategy whereby patrons will be encouraged to use the pool free of charge and to participate in a range of events and activities that will promote the Centre and clubs and associations throughout Lismore.

More importantly, if used in conjunction with the proposed 18 Memorial Baths "\$1.00 Sundays" the 'Carnivale Days' would be scheduled outside the dates identified in Option 1 and this affords a significant and real community benefit to not only the Lake Pool users but delivers 'across the board' social benefits to all residents of and visitors to Lismore during these periods.

4. Vouchers

Comment: Vouchers, entitling free entry to the Memorial Baths, similar to the Waste Facility Vouchers sent out in annual rates notices, were considered, however due to the uncertainty of the vouchers actually reaching existing Lake Pool users, it was not considered a reliable option. It also offers the opportunity for unscrupulous 'trade' in such vouchers.

5. Enhanced Park Facilities

In the event of the pool closing, suggestions from community members have included enhancing the existing recreation facilities, e.g. picnic shelters and BBQ facilities and some children's play equipment. Water features which can be accommodated without supervision have also been suggested.

Comment: This is a viable option that can be included in Council's future Recreation Plan and future budget submissions.

Comments

Financial Services

In preparing the draft 2009/10 Budget a range of options to deliver a balanced budget were recommended including the closure of the Lismore Lake Pool. The need to take these measures has come about because of the actual and anticipated impact of the global financial crisis on Council's finances and this situation is not expected to improve during 2009/10. If not proposed to be closed at this time, it would have been recommended as part of Council's full 2009/10 Budget review with the objective to identify savings in the budget which could be used for asset management requirements.

The draft 2009/10 Budget includes \$20,000 for rehabilitation works. If the facility was to open, an additional \$60,000 would need to be added for maintenance. Council would also need to carefully consider the funding requirements for OH&S compliance and lifeguards, and balance that against the risk.

In regards to the compensatory measure (Lismore Memorial Baths - Dollar Sundays), the financial impact is twofold: - 1) reduced revenue (estimated at \$11,412) and 2) increased staff costs (estimated at \$9,216). This equates to approximately \$1,000 per Dollar Sunday.

If this option were adopted in total, the draft 2009/10 Budget would need to be amended by \$18,200 increasing the deficit to \$24,100. This could be reduced by decreasing the number of Sundays this option is offered.

In regards to 'Carnivale Days' at Goonellabah Sports and Aquatic Centre, this strategy can be accommodated from within the Goonellabah Sports and Aquatic Centre operating budget.

Other staff comments

Safety Officer

After viewing the Royal Life Saving pool audit report and their recommended improvement plan I fully concur with the recommendations outlined in this report.

There are two areas of concern management should take into account when considering this report. These being:

- the obvious public liability risks; and
- if in the event of a serious incident occurring at the Lismore Lake Pool the consequences of breaching Section 10 of the OHS Act 2000 i.e. "Duties of controllers of work premises, plant or substances to ensure the premises are safe and without risk to health".

The intent of the Act includes reference to public health and safety matters. Breaches of such Sections of the Act may incur penalties up to \$825,000 for a corporation and up to \$82,500 for an individual or imprisonment for two years, or both.

Using an industry standard risk matrix where risks are calculated by considering likelihood and consequences, the risk rating of the Lismore Lake Pool facility is a category one (high risk).

Manager Goonellabah Sports and Aquatic Centre

The closure of the Lismore Lake Swimming Pool is considered consistent with contemporary aquatic facility management and operations because of:

1. Safety issues associated with unsupervised water situations.
2. Financial planning and responsibilities associated with operating three aquatic facilities with varying degrees of patronage and the associated Council subsidies of each.
3. The ageing nature of the lakeside facilities and its infrastructure.

The capital development of Council's two main pools (LMB and GSAC) over the past five years and Council's considerable financial commitment to operate these two facilities on behalf of the community suggest the retention of the ageing Lake Pool facility when linked to the identified operating issues of (a) annually increasing maintenance costs and (b) the 'flagged' public safety issues means it is difficult to build a case for such a recommendation.

Team Leader Lismore Memorial Baths

The Memorial Baths is an ideal venue to provide an alternative for Lake Pool users because of its location. \$1 entry to a modern, state level facility is considered to be an extremely reasonable compensation for Lake Pool users. Some loss of Memorial Baths revenue as a result of \$1 entry could be offset by capping the number of Sundays offered to contain expenditure, i.e. December to February (13 Sundays). This period is the peak time for pool users in general and this would benefit Lake Pool users.

Parks Coordinator

Option 5 in its own right is supported, and can be accommodated in the Park's Plan of Management which identifies the need for infrastructure improvements. Additional shade provision is also recommended for passive recreation users.

Public consultation

Not directly undertaken other than through the advertising of the draft Management Plan.

Conclusion

There is an expectation from users of the Lake Pool that Council will continue to provide this free facility into the future. However, given its age and condition, in addition to the Safety Improvement Plan from Royal Life Saving, the operation of the facility cannot continue without major expenditure on numerous structural and operational aspects.

Accordingly, in the context of the 2009/10 Management Plan it is recommended that the Lismore Lake Pool not be opened but that compensatory measures be put in place to partially offset the unavailability of this free recreational facility.

Recommendation

That Council:

1. Consider the implications and risks associated with the ongoing operation of the Lake Pool in its current form.
2. Close the Lake Pool for the 2009/10 swimming season.
3. Endorse Option 1 (Dollar Sundays) as outlined in the report for the Lismore Memorial Baths for the 2009 – 2010 financial year as the most appropriate arrangement to offset the closure of the Lismore Lake Pool.
4. Endorse Option 3 (Carnivale Days) at the Goonellabah Sports and Aquatic Centre to provide an opportunity for free access to the Centre on given days.
5. Review the results of the recommended change arrangements in conjunction with the forthcoming total budget review and the forward capital works programme.
6. Consider Option 5 (Enhance Park Facilities) in conjunction with the recommended total budget review which will be conducted in 2009/10.

Report

Subject	Lismore Memorial Baths
File No	ED09/7129:P6768
Prepared by	Manager Community Services
Reason	Request from Council for a detailed report regarding the proposed closure of the Lismore Memorial Baths over the winter period
Objective	To consider the issues associated with operating the Baths over the winter period
Strategic Plan Link	Quality of Life
Management Plan Project	Community Services

Overview of Report

This report provides details of the 2007/2008 financial year actual result, and using this information proposes options for the operation of the Lismore Memorial Baths over the 2009 winter period.

Background

As part of the 2009/10 Budget process a cost saving proposal was submitted to close the Lismore Memorial Baths (Baths) over the winter as a result of the relatively high net costs of operating the facility. Council determined that the Baths should remain open for reduced hours during June 2009 to enable more information to be collated for the purpose of better informing councillors about the proposal to close in the winter months.

The Baths were redeveloped in 2004 and 2005, formally opening in September of 2005. The specification included heat pumps sufficient to allow the extension of the swimming season into the shoulder period, ie opening at the beginning of September and extending until the end of May. The specification did not include year round heating. However, during the first 12 months of operation it was decided to heat the pools for the entire 12 months to test out the system. Feedback from the facility management at the time was that the pumps could not heat all water to the required temperature for comfortable lap swimming. The result was that the 50m pool was closed between June and August and the 25m pool is heated to enable usage for an average daily patronage of 50 swimmers. Consequently, it would appear that there is an expectation from regular swimmers that the Baths (25m pool) is to be heated on a year round basis.

The Goonellabah Sports and Aquatic Centre now provides an alternative indoor heated pool over winter and overall cost savings are identified if the Baths closed over the winter period.

In 2007/2008 the opening hours for the 25m pool during winter were:

Monday to Friday	6.00am – 9.00am
	12.00pm – 2.00pm
	4.00pm – 6.30pm

The draft 2009/2010 Budget is based on closing the Baths for July and August 2009 and June 2010 but as no final decision has been made, the options for consideration include.

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- Option 1** Closing the Baths as per the draft Budget which has no financial impact in that a net \$295,000 has been included for pool operations between September 2009 and May 2010.
- Option 2** Limited opening of the 25 metre pool for morning and lunchtime swimmers. The net additional cost for this level of service is estimated at \$33,000.
- Option 3** Limited opening of the 25 metre pool as per 2007/08. The net additional cost to open on this basis, excluding a two week maintenance closure is estimated at \$50,000.

If the facility is to be opened during winter, then only variable costs will increase as some costs (fixed) will be incurred regardless of the facility being opened or not. The key variable costs include wages, pool and building maintenance, electricity, plant and equipment hire and maintenance. For the 2007/2008 winter period, these costs totalled \$61,616. Attendance figures over this period totalled 3,290, comprising 1,675 casual visits and 1,615 membership visits, generating revenue of \$7,676. The net variable cost to operate the facility over June, July and August in 2007/2008 was \$53,940. The actual cost per visitation was \$16.40.

With respect to membership passes, should the facility close over winter the following options could apply:

- (1) access to GSAC is available; or
- (2) the pro rata value of the membership pass would be refunded; or
- (3) the expiry date on a membership pass would be extended pro rata.

Irrespective of Council's determination on the closure of the Baths over the winter period, the facility will be closed for a minimum of two weeks during August to undertake a range of necessary maintenance works. This closure period is an annual occurrence.

Comments

Financial Services

In preparing the draft 2009/10 Budget a range of options to deliver a balanced budget were recommended including the winter closure of the Lismore Memorial Baths. The need to take these measures has come about because of the actual and anticipated impact of the global financial crisis on Council's finances and this situation is not expected to improve during 2009/10. While it is acknowledged that this may not be a desirable outcome, difficult decisions such as this will be required to both prudently manage the impact of the global financial crisis and achieve meaningful results from the full 2009/10 Budget review process proposed to be undertaken in the first half of 2009/10.

As indicated in the report, the draft 2009/10 Budget provides for the Lismore Memorial Baths to operate for 9 months with the facility fully closed in winter (July and August 2009, and June 2010).

If the facility is to open during winter on a limited basis, it is estimated that the net cost to do so would be in the range of \$33,000 to \$50,000.

Other staff comments

Not required.

Public consultation

At the time of writing this report eleven (11) submissions were received expressing concern at the proposed closure of the Baths over the winter period. In summary, most of the users preferred the

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convenience of the Baths as opposed to travelling to Goonellabah and appreciated the use of a quality aquatic facility in the CBD. A précis of the submissions is attached to the report.

Conclusion

The 2009/2010 draft budget is based on both pools closing during July and August 2009, and June 2010. This is a departure from previous years and would impact on the regular users of the facility, approximately 50 swimmers per day. GSAC provides an alternative venue for pool patrons who wish to continue swimming over that period, or arrangements can be made to refund membership holders or extend their membership on a pro rata basis. If a determination is made to continue to operate the 25m pool over that period, an additional allocation of between \$33,000 and \$50,000 will be required to operate the facility to a safe and acceptable standard.

Recommendation

That:

1. The submissions from the public be received and noted.
2. Council close the Memorial Baths over July and August 2009, and June 2010.
3. Council staff liaise with individual membership holders regarding refund or extension options.

Report

Subject	2009/10-2012 Management Plan, Budget and Fees & Charges
File No	ED09/7107:EF09/2198
Prepared by	Manager – Finance
Reason	To meet the requirements specified in Section 406, Local Government Act 1993.
Objective	Consider public submissions and to adopt the 2009/10–2012 Management Plan, Budget and Fees & Charges
Strategic Plan Link	Leadership by Innovation
Management Plan Project	All

Overview of Report

The draft 2009/10–2012 Management Plan, Budget and Fees & Charges were placed on public exhibition from May 14, 2009 for 28 days. Submissions were invited and they close on June 12, 2009.

Submissions have been received and they are referred to in this report. Council is required to consider these prior to the adoption of the 2009/10–2012 Management Plan, Budget & Fees and Charges (Management Plan).

A number of changes to the Management Plan are recommended as a result of Council decisions, submissions or information received. These are detailed in the report.

Background

The Local Government Act 1993 (LGA) requires Council to advertise its draft Management Plan for a period of twenty eight (28) days to allow submissions from the public. Council is required to consider all submissions prior to the adoption of the Management Plan.

The purpose of this report is to inform Council of the submissions received, recommend any changes to the draft Management Plan and to seek Council's adoption of the 2009/10-2012 Management Plan, Budget and Fees & Charges.

The advertising period for the Management Plan closes on Friday, June 12, 2009. As this is after the issue of the business paper, details of any additional submissions received will be forwarded to Councillors prior to the meeting.

Draft 2009/10–2012 Management Plan

Some minor changes have been made to this document to enhance its presentation and accuracy. These changes have not fundamentally changed the program plans and/or information content as advertised. Final changes will be made after the Management Plan is adopted including the “From the Mayor” message and updated financial information.

Based on enquiries and feedback received, consideration will be given to the inclusion of a summary of proposed key changes in the introduction section of the Management Plan. This will assist those who are looking for a snapshot rather than absorbing the entire document.

Draft 2009/10 Budget

The draft budget advertised after the Councillor Workshop on May 5 and 6, 2009 revealed a deficit of \$5,900. The following changes are recommended to reflect Council decisions, submissions or information received since then. They include:-

Draft 2009/10 Budget	Amount
Councillor Workshop 5 & 6/5/09 – (Deficit)	(5,900)
<ul style="list-style-type: none"> Annual Remuneration Fee for Mayor and Councillors – Council resolved at its June 9, 2009 meeting to increase these fees to maximum amounts. 	(6,000)
<ul style="list-style-type: none"> Rural Roads Maintenance and Unsealed Rural Roads Construction – Council resolved at its June 9, 2009 meeting to deferral of the reallocation of \$200,000 from sealing unsealed rural road to rural roads maintenance. As the draft was prepared on the basis that this transfer would occur, it needs to be adjusted. There is no overall budget impact from these changes. 	0
<ul style="list-style-type: none"> Expenses (\$200,000) Construction \$200,000 	
<ul style="list-style-type: none"> On Street Paid Parking – The draft Management Plan only recognised sufficient revenues to meet set-up costs of \$30,000 for the introduction of paid parking around the Lismore Base Hospital. If this proposal proceeds, more realistic expectations for part of the year need to be provided. Until a purpose is determined by Council the net proceeds are to be held in an On Street Parking reserve. There is no overall budget impact from these changes. 	0
<ul style="list-style-type: none"> Revenues (\$70,000) Transfer to On Street Parking Reserve \$70,000 	
<ul style="list-style-type: none"> On-Site Sewage Management – Proposed increase in fee from \$21 to \$33 to provide for an increased inspection regime. As this is a fee, more information is provided on this change under the Draft Fees and Charges section of this report. There is no overall budget impact from these changes. 	0
<ul style="list-style-type: none"> Revenues (\$72,000) Staff Costs \$72,000 	
<ul style="list-style-type: none"> Festival of Cricket – Recognition of difference between original estimates and revised estimates. Total revenues now expected - \$223,000 and total expenses now expected - (\$199,500). There is no overall budget impact from these changes. 	0
<ul style="list-style-type: none"> Revenues \$ 6,000 Expenses \$10,500 Transfer to Reserve (\$16,500) 	
<ul style="list-style-type: none"> Industrial and Commercial Land Development – Council resolved in May 2009 to borrow \$3,000,000 for this purpose. The funds have been borrowed on an interest only basis for a period of 5 years. The draft Management Plan did not provide for the costs associated with these borrowings. These costs will be funded from the future sale of industrial and commercial land. There is no overall budget impact from these changes. 	0
<ul style="list-style-type: none"> Loan Repayments \$214,800 Transfer from Reserve (\$214,800) 	

Draft 2009/10 Budget (Cont'd)	Amount
<ul style="list-style-type: none"> Contribution to Richmond River County Council – Contribution towards flood mitigation services, drainage union maintenance and Lismore Levee loan repayments less that anticipated. This reduces the budget deficit. Expenses (\$3,600) 	3,600
Draft Budget Adjustments	(2,400)
Revised 2009/10 Budget – (Deficit)	(8,300)

The Draft 2009/10 Budget may also need to be amended after Council considers two reports in this business paper on the Lismore Lake Pool and Lismore Memorial Baths.

The revised 2009/10 Budget – (Deficit) of \$8,300 is manageable, but prudent ongoing management is required to maintain this position given the uncertainty and inability to control the impact of the global financial crisis on Council's finances.

As indicated at the Budget Workshop, it is proposed to take similar proactive steps in 2009/10 as taken in 2008/09 to create a 'buffer'. These would include a review of the 2009/10 Budget by December 2009 with a target of creating a surplus. This could include quarantining new revenues and savings, and not proceeding with or the deferral of non-essential works and services. This approach would provide Council with greater financial flexibility in 2010/11.

Submissions Received

Attached is a listing of all new submissions received from the advertising of the draft Management Plan. It includes a précis of each submission (19) and a management comment where required. Copies are available on request.

It should be noted that submissions (11) relating to the Lismore Memorial Baths have been considered by Council as part of deliberations on the Lismore Memorial Baths report determined earlier in the business paper.

In accordance with the LGA, Council must consider all submissions before adopting the Management Plan.

Draft Fees and Charges

The following are changes proposed to the advertised Fees & Charges:-

1. On Site Sewage Management - Proposal to increase charge from \$21.00 to \$33.00

All Councils in NSW in 1999 were required to have owners of onsite sewage management systems (OSSM) register their systems with their local Council. An OSSM charge was introduced to ensure appropriate support for the required registration and employment of an OSSM officer to conduct inspections and ensure compliance standards are achieved and maintained.

Council currently has approximately 6,000 registered OSSM systems within the LGA and increasing as new developments are approved and developed. The current management plan inspection regime stipulates an inspection performance target of 250 new inspections per annum. This equates to an inspection being conducted on all systems approximately every 25+ years. It should be noted that this does not include investigation of complaints and on going inspection of upgrade works.

This arrangement is obviously lacking in its intensity to achieve the desired result of maintaining performance standards of OSSM systems. The number of OSSM systems in the Lismore LGA is large compared with other regional Councils and as such there is a need to increase the resource base to manage these systems. The employment of additional staff to conduct the on ground inspections of Lismore City Council

OSSM systems is highly desirable to achieve a better environmental and public health outcome. A further report on the matter will be presented to Council in 2009/10.

Rather than wait to implement this change from 2010/11, an interim step is proposed whereby the OSSM charge will increase from \$21 to \$33 per annum per registered system. This will provide effectively double the resources and half the inspection backlog.

In terms of equity, this \$12 per (generally) non urban and village property increase can be compared favourably to the \$69 increase on all urban properties connected to the sewer, as both charges pertain to improving the environment affected by wastewater.

2. Street Parking Charges – Proposed introduction of a \$1 per hour charge.

This fee would need to be included if Council proposes to introduce paid parking around the Lismore Base Hospital to manage parking in this vicinity.

3. Rowing Club Carpark – Proposed reduction in full day and half day fees.

To encourage potential users, it is proposed to reduce the full day and half day charges by 50% to \$2 and \$1 respectively.

At the moment, potential long stay users are entering the time restricted Riviera Carpark thus limiting the number of available car parking spaces for shoppers.

This change is not anticipated to affect the draft 2009/10 Budget.

4. Commercial Bulk Waste Collection Charges – Proposed increases for 1,100 litre bulk bin services.

Council received a submission from Richmond Waste, pointing out that the proposed charges for the 1,100 litre bulk bin services did not appear to factor in all increases in costs and was thus not competition neutral. On review, it was agreed and it is recommended that charges increase from \$910 to \$1,144 for the weekly service and from \$455 to \$572 for the fortnightly service.

5. Other

At the June 9, 2009 Council meeting, it was resolved that lane hire fees for the Lismore Indoor Swim Team would be waived on weekdays after 6.00pm when the pool is not used by Water Polo, or the Lismore Workers Swim Team or is pre-booked.

Borrowings

The Management Plan proposes new borrowings of \$8,694,000 for the following purposes:-

<u>Description</u>	<u>Amount</u>
Mains Replacement – Sewer Fund	\$2,800,000
Regional Roads Timber Bridge Replacement Program	\$2,505,000
Main Replacement – Water Fund	\$1,600,000
Main Street Revitalisation Project – Woodlark Street	\$1,000,000
Margaret Olley Arts Centre	\$ 589,000
Trunk Drainage	\$ 100,000
Cycleways	<u>\$ 100,000</u>
Total Loan Borrowings	\$8,694,000

A recommendation for these borrowings is included to satisfy the requirements of potential lenders.

Comments

Public consultation

The Management Plan has been placed on public exhibition for twenty-eight (28) days at twelve (12) venues throughout the city and on Council's web site. A weekly advertisement in 'Lismore City News' seeking public comment and promoting these locations was also placed during this period.

Conclusion

As previously stated, this report has been prepared prior to the closure of public submissions. Consequently, while a list of submissions has been attached, there may be others received and these will be distributed to Councillor's prior to the meeting.

Council resolutions, submissions and updated information have been received for a number of budgets and changes are recommended to the 2009/10 Budget. These changes increase the deficit from \$5,900 to \$8,300. This deficit is manageable, but prudent ongoing management is required to maintain this position.

To meet the requirements of the Local Government Act 1993, all submissions received must be considered prior to the 2009/10–2012 Management Plan being adopted and this must occur before June 30, 2009. A copy of the finally adopted documents will be provided to Councillors as soon as possible.

Recommendation

That Council

1. Acknowledge receipt and consideration of all public submissions
2. Adopt the 2009/10–2012 Management Plan, Budget and Fees & Charges, based on that advertised, changes arising from public submissions, updated information and subsequent decisions of the Council at its June 18, 2009 meeting.
3. Borrow \$8,694,000 for works detailed in the 2009/10–2012 Management Plan.

Report

Subject	2009/10 Rates & Annual Charges
File No	ED09/7095:EF09/2198
Prepared by	Rating Officer
Reason	To comply with Council's statutory obligations
Objective	To set Council's 2009/10 Rates & Annual Charges
Strategic Plan Link	Leadership by Innovation
Management Plan Project	Financial Services

Overview of Report

This report presents a series of motions that, if adopted, would allow Council to comply with the provisions of the Local Government Act 1993 (Act) in relation to the setting of the 2009/10 rates & annual charges.

Background

Council has published the draft 2009/10-2012 Management Plan (Plan) that included the Revenue Policy. The revenue policy includes all rates and annual charges proposed to be levied in 2009/10. This purpose of this report is for Council to set the 2009/10 rates and annual charges which is in accordance with its statutory obligations.

The Plan has been on public display and submissions invited. At the time of writing this report, there were submissions received and these will be considered by Council as part of the 2009/10-2012 Management Plan, Budget and Fees & Charges report earlier in the business paper.

2009/10 Rates & Annual Charges

General Rate

The Minister for Local Government has advised that general rates can increase by 3.5%. Council's advertised Plan provides for the full percentage increase, plus the carry forward adjustment (\$29,306), to be levied in 2009/10.

A differential rating categories system is to be applied to business, residential and farmland rateable properties and will generate approximately \$22,670,000.

Base Rate

In 2005/06, Council introduced a base amount charge for all rating categories. The base amount is calculated by including various costs Council considers are of equal value to a ratepayer regardless of the location of a property or its valuation. Items included in the base amount are costs associated with:- the Council Chamber and Corporate Centre, CBD Office, Councillors, Financial Services, Planning Services, Environmental Health and Building Services, as well as Corporate Management. In keeping with the allowable increase in rates of 3.5% for 2009/10, the base amount has been increased to \$310.

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Lismore Flood Levee Special Rate

The Lismore Flood Levee special rate is levied on properties that receive the benefit from the levee. The special rate generates \$100,000 per annum and 2009/10 marks the tenth year of this special rate. When introduced, Council resolved that it should be for a ten year period, and this policy decision should be reviewed prior to the 2010/11 year.

Sewerage Charges

Council adopted a user pays charging system for sewerage and trade waste discharges at its November 28, 1995 meeting. The adoption of the recommendations relating to sewer charges will continue this Policy.

The Strategic Business Plan for Sewerage was adopted by Council in 2008. It highlighted that user charges must significantly increase to meet the costs of replacing ageing infrastructure and service level requirements. For 2009/10, residential charge will rise from \$476 to \$545. This is a \$69 or 14.50% increase in the charge from 2008/09. Similar increases will be required in 2010/11 and 2011/12 to generate sufficient revenues to meet these costs.

Council is also in the process of introducing sewer systems in Clunes and North Woodburn. Properties in Clunes who will benefit from the introduction of a sewer system have been contributing towards investigations and feasibility since July 1, 2007. A similar charge is now planned for properties in North Woodburn who will benefit from the introduction of a sewer system from July 1, 2009. In North Woodburn's case, the charge will partially recover the wastewater charges to be paid to Richmond Valley Council.

The sewerage charge for Clunes and North Woodburn for 2009/10 is proposed to be \$400. For Clunes, this is an increase of \$193.50 from the 2008/09 charge of \$206.50. The rationale behind this increase is to partially recover, investigation, feasibility and implementation costs incurred. Council is yet to determine what level of contribution will be payable by Clunes and North Woodburn for connection to their sewer systems.

In addition to the increase in user charges, the apportionment of charges between domestic and non-domestic users is to be reviewed. It is planned to complete this during 2009/10 and have a charging policy implementation strategy developed and adopted for 2010/11.

Stormwater Management Services Charge

Amendments to the Act in 2006 permitted the levying of a charge to be used for the provision and management of stormwater services.

Council adopted the Stormwater Management Plan and Service Charges at its June 12, 2007 meeting. The adoption of the following recommendations relating to stormwater management will continue this Policy. The charge in 2009/10 will remain the same as the 2008/09 charge.

It should be noted that this charge applies only to properties located within the urban area of Lismore as defined by the Schedule H and I.

Water Charges

Council has previously adopted a user pays pricing policy for water and the adoption of the related recommendations will continue this Policy.

The Strategic Business Plan for Water was adopted by Council in 2008. As with Sewerage, to meet infrastructure requirements and Rous Water's bulk water charge increases (\$388,100), user charges will need to increase significantly over the next four years. After considering these factors as well as the CPI impact on other operating costs, it is proposed to increase consumption charges by 11.76% to \$1.90 per kilolitre and the service availability charge by 30% to \$130 per annum. This effectively increases the typical residential bill from \$440 to \$510 per annum; a \$70 per annum increase or 15.9%.

Waste Charges

The Integrated Waste Service charge is to increase to \$206 from \$185. This is a \$21 or 11.35% increase and reflects full service delivery costs. The main factors influencing the increase are the landfill levy charges (\$8) introduced by the State Government from 1/7/09, software upgrading to support the landfill levy charge (\$3), CPI (\$6), activity based costing (\$3) and tax equivalent payments (\$3).

The Waste Collection Service charge for rural areas has increased from \$195 to \$218. The increase of \$23 or 11.79% is driven by the same factors as the Integrated Waste Service and the continued movement towards full cost recovery for the delivery of this service.

The Business Collection Service has increased to \$220 from \$195. This is a 12.82% or \$25 increase and reflects the market charge for this type of service.

A full list of all waste collection service charges is provided in the 2009/10-2012 Management Plan as part of Council's 'Statement of Revenue Policy and Miscellaneous Items'.

Interest on Overdue Rates & Annual Charges

Under Section 566 of the Act, Council can charge interest on outstanding rates and annual charges. The Minister for Local Government has advised that the maximum allowable amount of interest for 2009/10 is 9%. Council has generally adopted the maximum interest rate as the amount to be charged.

Comments

Financial Services

The recommended 2009/10 rates and annual charges are consistent with those advertised in the draft 2009/10-2012 Management Plan.

Other staff comments

Not required

Public consultation

The draft 2009/10-2012 Management Plan, which includes the rates and annual charges, was on public display from May 14, 2009 to June 12, 2009.

Conclusion

Council is required to set the 2009/10 rates and annual charges. The rates and annual charges to be set include general rates, special rates, base rate, sewerage charges, stormwater management services charges, water charges and waste charges. Interest charges are also required to be determined by Council.

The following recommendations are worded to meet Council's statutory obligations when setting the 2009/10 rates and annual charges and are consistent to that proposed in the draft 2009/10-2012 Management Plan.

Recommendation

Following advertisement of the draft 2009/10-2012 Management Plan in accordance with Section 405 of the Local Government Act, 1993, and the consideration of submissions received in accordance with Section 406 of the Local Government Act, 1993 :-

RATES

- (1) It is hereby resolved that a **Business Rate** to be known as the '**Business Inner CBD**' rate of **three point seven five five one (3.7551) cents in the dollar** per assessment, on the land value as at base date July 1, 2006 with a **base amount of three hundred and ten dollars (\$310.00)** per assessment be now made for the rating year July 1, 2009 to June 30, 2010, on all rateable land within the centre of activity known as the Inner CBD shown as within the red boundary of the map, Schedule 'C,' and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **four point seven (4.7%) percent of the Business Inner CBD income.**
- (2) It is hereby resolved that a **Business Rate** to be known as the '**Business Urban**' rate of **one point four nine two six (1.4926) cents in the dollar** per assessment, on the land value as at base date July 1, 2006 with a **base amount of three hundred and ten dollars (\$310)** per assessment be now made for the rating year July 1, 2009 to June 30, 2010, on all rateable land within the centre of activity outside the Inner CBD shown as within the red boundary of the map, Schedule 'C', but within the urban area of Lismore as shown by the red boundary on the map, Schedule 'D' and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **nine point three (9.3%) percent of the Business Urban income.**
- (3) It is hereby resolved that a **Business Rate** to be known as the '**Business Other**' rate of **point nine nine eight three (0.9983) cents in the dollar** per assessment on the land value as at base date July 1, 2006 with a **base amount of three hundred and ten dollars (\$310)** per assessment be now made for the rating year July 1, 2009 to June 30, 2010, on all rateable land in the City of Lismore but not within the areas defined within the maps, Schedules 'C' and 'D' attached and the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **twenty two point three (22.3%) percent of the Business Other income.**
- (4) It is hereby resolved that a **Business Rate** to be known as the '**Nimbin Business**' rate of **one point two seven five four (1.2754) cents in the dollar** per assessment on the land value as at base date July 1, 2006 with a **base amount of three hundred and ten dollars (\$310)** per assessment that represents be now made for the rating year July 1, 2009 to June 30, 2010, on all rateable land within the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **sixteen point zero (16.0%) percent of the Nimbin Business income.**
- (5) It is hereby resolved that a **Farmland Rate** to be known as the '**Farmland**' rate of **point four seven zero three (0.4703) of a cent in the dollar** per assessment, on the land value as at base date July 1, 2006 with a **base amount of three hundred and ten dollars (\$310)** per assessment be now made for the rating year July 1, 2009 to June 30, 2010, on all rateable land in the City of Lismore area that meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993. The total income from base amounts equates to **sixteen point nine (16.5%) percent of the Farmland income.**

- (6) It is hereby resolved that a **Residential Rate** to be known as the '**Residential**' rate of **point six five seven six (0.6576) of a cent in the dollar** per assessment, on the land value as at base date July 1, 2006, with a base amount of **three hundred and ten dollars (\$310)** per assessment, be now made for the rating year July 1, 2009 to June 30, 2010, on all rateable land within the centres of population defined and within the red lines shown on the maps in Schedule 'A' attached and meeting the definition of Residential as defined in Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty three point two (33.2%) percent of the Residential income.**
- (7) It is hereby resolved that a **Residential Rate** to be known as the '**Residential Rural**' rate of **point five three zero four (0.5304) of a cent in the dollar** per assessment on the land value as at base date July 1, 2006, with a base amount of **three hundred and ten dollars (\$310)** per assessment, be now made for the rating year July 1, 2009 to June 30, 2010, that meets the definition of Residential on all rateable land except for land within the centres of population defined by the maps in Schedule 'A' attached and meeting the definition of Residential as defined by Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **twenty six point six (26.6%) percent of the Residential Rural income.**
- (8) It is hereby resolved that a **Special Rate** to be known as the '**Flood Levee**' rate of **point zero six one one (0.0611) of a cent in the dollar** per assessment on the land value as at base date July 1, 2006 subject to a minimum amount of **two dollars (\$2)** per assessment be now made for the rating year July 1, 2009 to June 30, 2010 on all land within the area shown within the red boundary as defined in Schedule 'E' attached to this report that in Council's opinion will receives a special benefit from the construction of the Lismore Flood Levee for protection from a one in ten year flood event.

SEWER AND TRADE WASTE CHARGES

- (9) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the provision of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of **five hundred and forty five dollars (\$545.00)** per assessment. This charge applies to properties connected to the Lismore Sewer Scheme and is to be known as the '**Sewer**' charge for the period July 1, 2009 to June 30, 2010.
- (10) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **four hundred dollars (\$400.00)** per assessment for all rateable land within the proposed Clunes sewer scheme area as defined by Schedule 'J', to be known as the '**Clunes Sewer**' charge for the period July 1, 2009 to June 30, 2010.
- (11) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **four hundred dollars (\$400.00)** per assessment for all rateable land within the proposed North Woodburn sewer scheme area as defined by Schedule 'K', to be known as the '**Nth Woodburn Sewer**' charge for the period July 1, 2009 to June 30, 2010.
- (12) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge, as per the attached Schedule 'F', where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of sewerage services to a parcel of land connected to the Lismore Sewer Scheme to be known as the '**Sewer Multiple**' charge for the period July 1, 2009 to June 30, 2010, excluding residential Strata Units.

- (13) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **three hundred and twenty seven dollars (\$327.00)** per assessment for all rateable parcels of land within 75 metres of a Lismore Sewer Scheme main and capable of discharging into that main but not connected thereto to be known as the **'Sewer Unconnected'** charge for the period July 1, 2009 to June 30, 2010.
- (14) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Lismore Sewer Scheme, as per the attached Schedule "G", where the charge is indicated by the number of equivalent tenants or part thereof allocated to an assessment in accordance with the methodology set out in Council's Wastewater Usage Charging Strategy to be known as the **'Non-Residential Sewer'** charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period July 1, 2009 to June 30, 2010.

WATER CHARGES

- (15) It is hereby resolved that in accordance with Section 501, 539 and 541 of the Local Government Act, 1993 an annual charge be now made for the year July 1, 2009 to June 30, 2010 for the provision of water and water service availability, based on the size of the water service connected to a property. For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized services are connected, the sum of the cost of the fixed service charges, except for Perradenya (Recycled) services which are not charged an annual charge, and water connections used solely for fire fighting services, the cost of which shall be **one hundred and thirty dollars (\$130.00)** per fire fighting service, to be known as the **'Fixed Service Charge'** is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 130.00
25mm	\$ 203.00
32mm	\$ 332.80
40mm	\$ 520.00
50mm	\$ 813.00
65mm	\$1,373.00
80mm	\$2,080.00
100mm	\$3,250.00
150mm	\$7,313.00

- (16) In accordance with Sections 501, 539 and 541 of the Local Government Act, 1993 an annual charge, for the availability of water to property not connected to Council's water supply but capable of connection thereto and within 225 metres of a Council water main in accordance with Section 552 (1)(b) of the Local Government Act, 1993, for the year July 1, 2009 to June 30, 2010, to be known as the **'Water Availability'** charge, of **one hundred and thirty dollars (\$130.00)** per assessment is hereby made.
- (17) In accordance with Section 502 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **one dollar ninety (\$1.90)** per kilolitre for the year July 1, 2009 to June 30, 2010 to be known as the **'Consumption'** charge is hereby made.

DOMESTIC AND NON DOMESTIC WASTE MANAGEMENT SERVICES

Lismore City Council

- (18) It is hereby resolved that an annual charge be now made, in accordance with Sections 496 of the Local Government Act, 1993, for all land within the declared domestic waste scavenging areas, both urban and rural, maps of which are available at Council's Corporate Centre, not utilising the domestic waste management service provided by Council to be known as the **'Waste Availability'** charge, of **six dollars (\$6.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Nimbin Transfer Station Charge, for the period July 1, 2009 to June 30, 2010.
- (19) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all land within the Lismore City Council area, to be known as the **'Waste Minimisation'** charge, of **thirty one dollars sixty cents (\$31.60)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Nimbin Transfer Station Charge, for the period July 1, 2009 to June 30, 2010. Two 300 kilogram tip vouchers are included as part of the 'Waste Minimisation' Charge.
- (20) It is hereby resolved that an annual charge be now made, in accordance with Sections 501 and 541 of the Local Government Act, 1993, for all land located within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, for the provision of the Nimbin Transfer Station Facility, of **seventy eight dollars ten cents (\$78.10)** per assessment and for properties with multiple units of residential occupancy a charge of **seventy dollars twenty cents (\$70.20)** per unit of residential occupancy located on each assessment, to be known as the **'Transfer Station'** charge for the period July 1, 2009 to June 30, 2010. Properties paying for a waste collection service are exempt from this charge. Two 300 kilogram tip vouchers are included for each 'Transfer Station' charge.
- (21) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the **'Integrated Waste'** collection service for the period July 1, 2009 to June 30, 2010 and will be charged at **two hundred and six dollars (\$206.00)** per annum. Additional services will be charged at **two hundred and six dollars (\$206.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (22) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, on a fortnightly basis, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a monthly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the **'Integrated Waste - Urban Half'** collection service for the period July 1, 2009 to June 30, 2010 and will be charged at **one hundred and thirteen dollars (\$113.00)** per annum. Additional services will be charged **one hundred and thirteen dollars (\$113.00)** at per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (23) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 80 litre approved mobile bin, the cost of the provision of this bin is at the ratepayer's cost This charge is to be known as the **'Integrated Waste – Discount'** collection

service for the period July 1, 2009 to June 30, 2010 and will be charged at **one hundred and fifty five dollars (\$155.00)** per annum. Additional services will be charged at **one hundred and fifty five dollars (\$155.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (24) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 240 litre approved mobile bin, the cost of the provision of this bin is the ratepayer's cost. This charge is to be known as the '**Integrated Waste - Waste Plus**' collection service for the period July 1, 2009 to June 30, 2010 and will be charged at **three hundred and forty dollars (\$340.00)** per annum. Additional services will be charged at **three hundred and forty dollars (\$340.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (25) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin and the approved waste contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin. This charge is to be known as the '**Integrated Waste - Premium**' collection service for the period July 1, 2009 to June 30, 2010 and will be charged at **three hundred and ninety one dollars (\$391.00)** per annum. Additional services will be charged at **three hundred and ninety one dollars (\$391.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (26) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, subject to the approval of the Manager of Northern Rivers Waste, fortnightly, of the approved waste contents a 240 litre approved mobile bin. This charge is to be known as the '**Special Needs**' collection service for the period July 1, 2009 to June 30, 2010 and will be charged at **two hundred and thirty seven dollars (\$237.00)** per annum. Additional services will be charged at **two hundred and thirty seven dollars (\$237.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (27) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Urban area of Lismore , a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects the approved waste contents of a approved 240 litre mobile waste bin and the approved contents of a 240 litre approved resource recovery bin on a weekly basis from that property, of **two hundred and twenty dollars (\$220.00)** per annum, to be known as the '**Commercial/Industrial Integrated**' charge for the period July 1, 2009 to June 30, 2010. Additional services will be charged at **two hundred and twenty dollars (\$220.00)** per annum. For services commenced during the year a proportional charge will be made.
- (28) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Corporate Centre for the removal, weekly, of the approved waste contents a 240 litre approved mobile bin and on a fortnightly basis, the approved recycling contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural**' collection service for the period

July 1, 2009 to June 30, 2010 and will be charged at **two hundred and eighteen dollars (\$218.00)** per annum. Additional services will be charged at **two hundred and eighteen dollars (\$218.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (29) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Oliver Avenue Office for the removal, fortnightly, of the approved waste contents a 240 litre approved mobile bin and on a monthly basis the approved recyclable contents of a 240 litre approved mobile bin. This charge is to be known as the **'Waste Collection Service - Rural Half'** collection service for the period July 1, 2009 to June 30, 2010 and will be charged at **one hundred and twenty dollars (\$120.00)** per annum. Additional services will be charged at **one hundred and twenty dollars (\$120.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

STORMWATER MANAGEMENT SERVICES CHARGE

It should be noted that this charge applies to property located within the urban area of Lismore as defined by the maps shown in Schedules 'H' and 'I', the areas known as the Tucki Tucki Creek and Wilsons River catchments respectively and only on properties that are not vacant land, farmland or otherwise exempted from the charge under S 496A (2) of the Act.

- (30) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Tucki Tucki Creek catchment area shown on Schedule 'H', of **twenty five dollars (\$25.00)** per assessment, to be known as the **'Stormwater Charge - Residential - Tucki'** for the period July 1, 2009 to June 30, 2010.
- (31) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Wilsons River catchment area shown on Schedule 'I', of **twenty five dollars (\$25.00)** per assessment, to be known as the **'Stormwater Charge - Residential - Wilsons River'** for the period July 1, 2009 to June 30, 2010.
- (32) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Tucki Tucki Creek catchment area shown on the map in Schedule 'H', of **twelve dollars fifty cents (\$12.50)**, to be known as the **'Stormwater Charge - Res Strata -Tucki'** for the period July 1, 2009 to June 30, 2010.
- (33) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Wilsons River catchment area shown on the map in Schedule 'I', of **twelve dollars fifty cents (\$12.50)**, to be known as the **'Stormwater Charge - Res Strata - Wilsons River'** for the period July 1, 2009 to June 30, 2010.
- (34) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units , located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals

Procedure and the charge is to be known as the '**Stormwater Charge - Business Tucki**' for the period July 1, 2009 to June 30, 2010.

- (35) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business - Wilsons River**' for the period July 1, 2009 to June 30, 2010.
- (36) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Tucki**', subject to a minimum charge of \$25 per assessment, for the period July 1, 2009 to June 30, 2010.
- (37) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Wilsons River**', subject to a minimum charge of \$25 per assessment, for the period July 1, 2009 to June 30, 2010.

INTEREST CHARGES

- (38) It is hereby resolved in accordance with Section 566 (3) of the Local Government Act, 1993, for the period July 1, 2009 to June 30 2010, the Interest Rate on outstanding rates and charges will be **nine per cent (9%)**.