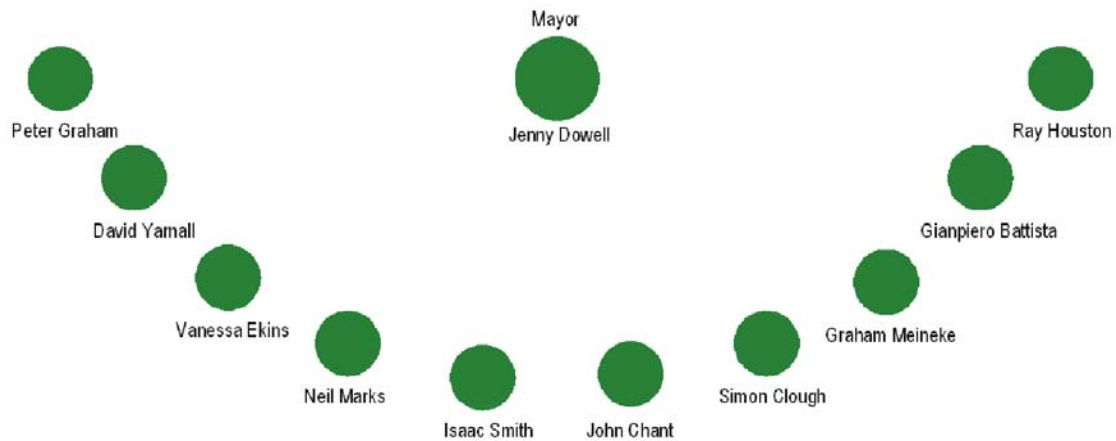


Notice of Council Meeting



Extra Ordinary Meeting

An EXTRA ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, 43 Oliver Avenue, GOONELLABAH on **Wednesday, 9 June 2010 at 6.00pm** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

1 June 2010



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

 Leave of Absence requested by Councillor Ray Houston

Disclosure of Interest

Public Access Session

Reports

2010-2014 Delivery Plan and 2010/11 Operational Plan 1

2010/11 Rates and Annual Charges 8

Lismore City Council Community Strategic Plan 2008 - 2018



Guiding Principles	Outcomes
Social Inclusion and Participation	That all Lismore residents enjoy equal opportunities within a strong, inclusive community.
Sustainable Economic Growth and Development	That Lismore's economy is vibrant and development is environmentally and socially sustainable.
Protect, Conserve and Enhance the Environment and Biodiversity	That Lismore's natural ecology is protected and maintained in a healthy and robust state for future generations
Best-Practice Corporate Governance	That best-practice management principles pervade our business; that we are innovative, ethical, and our use of resources provides maximum benefits to the community.

Community Strategic Priorities	Outcomes
Enhance Lismore as a Regional Centre	That Lismore retains and builds on its regional service centre role, including the provision of key medical, legal and tertiary education functions
Foster Youth Development	That young people are included in our community and can safely pursue their interests and aspirations.
Support an Ageing Population	That older people have access to appropriate services and facilities to enhance their health and wellbeing.
Provide Sustainable Land-use Planning	That land-use planning is founded on principles of sustainability.
Improve Catchment Management	That catchment management is integrated and holistic, in order to achieve a sustainable and balanced use of natural resources.
Revitalise the CBD	That the CBD becomes a vibrant meeting place and a cultural and entertainment hub for the Northern Rivers region.
Integrated Waste Cycle Management	That Lismore minimises waste to landfill by reducing, reusing and recycling.
Improve Roads, Cycleways and Footpaths	That Lismore has an extensive transport network and is an accessible, safe and efficient city for motorists, cyclists and pedestrians.
Mitigate Climate Change at a Local Level	That Lismore is a leader in reducing carbon emissions and minimising the impacts of climate change.
Develop and Support Art, Cultural, Sporting and Tourism Activities	That our regional art, cultural and sporting facilities remain a major component of Lismore life and an increasingly popular attraction for domestic tourists.
Integrated Water Cycle Management	That Lismore maintains long-term water security for its growing population through the efficient use of this precious resource.
Provide Greater Housing Choices	That Lismore offers a diverse range of housing options to accommodate a variety of households.
Improve Passive and Active Recreational Facilities	That Lismore retains and builds on its regional recreation centre to attract major events and tournaments.

Corporate Foundations	Outcomes
Efficient Use of Council Resources	That we maximise the value of our resources, continually review our operations to ensure best value, eliminate waste and duplication, and gain the full service potential from our assets
Engage With the Community	That the community is informed and consulted about the issues that are relevant to their lives and we are fully accountable to the community for our operations.
Promote a Constructive Corporate Culture	That customers and staff experience a supportive organisation, with a strong sense of integrity, which responds to their needs and provides innovative and creative services.
Whole of Council Corporate Planning	That we have clear goals and act as one in their co-ordinated implementation, in order to maximise the return on resource investment and staff expertise.
Providing Excellent Customer Service	That our primary focus is to understand and respond to the needs of the community we serve.

Report

Subject	2010-2014 Delivery Plan and 2010/11 Operational Plan
File No	EF10/18, EF09/2202:ED10/10530
Prepared by	Manager – Finance
Reason	To meet the requirements specified in S404 (Delivery Plan) and S405 (Operational Plan), Local Government Act 1993.
Objective	Consider public submissions and adopt the 2010-2014 Delivery Plan and 2010/11 Operational Plan
Strategic Plan Link	Best-Practice Corporate Governance
Management Plan Project	All

Overview of Report

The draft 2010–2014 Delivery Plan and draft 2010/11 Operational Plan were placed on public exhibition from 6 May 2010 for 28 days. Submissions were invited and they close on 3 June 2010.

Submissions have been received and they are referred to in this report. Council is required to consider these prior to the adoption of the 2010–2014 Delivery Plan (Delivery Plan) and 2010/11 Operational Plan (Operational Plan). Incorporated into the Operational Plan are the Delivery Plan Projects to be progressed in 2010/11, 2010/11 Budget, 2010/11 Statement of Revenue Policy (rates, annual charges, proposed borrowings, etc) and 2010/11 Fees & Charges.

A number of changes to the Delivery Plan and Operational 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 Delivery Plan and draft Operational 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 these Plans.

The purpose of this report is to inform Council of the submissions received, recommend any changes and to seek Council's adoption of the 2010-2014 Delivery Plan and 2010/11 Operational Plan.

The advertising period for the Plans closes on Thursday 3 June 2010. As this is after the issue of the business paper, details of any further submissions received will be forwarded to Councillors prior to the meeting.

Other decisions or information expected prior to the meeting which may affect the Plans include:

- Reports to be considered at the June 2010 Council meeting
- The NSW Minister for Local Government has not made an announcement as to her determination of Council's special rate variation application to increase general rates by \$100,000 for business promotion
- The Federal Minister for Infrastructure, Transport, Regional Development and Local Government

has not made an announcement on Council's application for \$4.5million from the RLCIP - Strategic Projects for the Margaret Olley Arts Centre.

If relevant information is received beforehand, this will be provided to Councillors at the meeting.

2010-2014 Delivery Plan

The following is a list of recommended changes and their reasons to the Delivery Plan:-

Project: Access and Inclusion Plan Implementation – The Plan was adopted by Council at its 11 May 2010 meeting. There is \$15,500 included in the recurrent budget to implement the bulk of the actions specified from 2010/11.

Project: Airport Hangar Development – To take advantage of a commercial opportunity presented by the purchase of the Aspect North Hangar. This will only proceed if funds are available from Airport Reserves in 2010/11.

Project: Workforce Plan – The development of a workforce plan aligns the organisation's human capital with its strategic direction. This is a legislative requirement of the Integrated Planning and Reporting reforms introduced by the State Government in 2009. This project will commence in 2010/11 and be completed in-house.

Project: Sport and Recreation Plan – The development of a planning tool for decision making in relation to the future acquisition/retention of open space and the provision of sport and recreation facilities, programs and services for the next ten years. This project will commence in 2010/11, be predominately completed in-house. Other funding sources (grants) are to be explored.

Project: Wilsons Riverbank Redevelopment – The Wilsons River is the lifeblood of Lismore – our city's main attraction and recreation space providing a fantastic facility for locals and visitors. This project has commenced and is being progressively implemented over a 15-20 year period. Further stages on this project will only proceed if other funding sources (grants) are received.

Project: Landfill Cell Development – Planning for the next waste cell at the Resource and Recovery Facility is required and development soon after. The budget is \$50,000 in 2010/11 and preliminary estimates of \$1,000,000 in 2011/12 and \$2,000,000 in 2012/13. A business plan is to be prepared for Waste Services to map out projects and funding sources for consideration by Council prior to major expenditures occurring. This project will be fully funded by waste revenues.

Project: Road Rebuilding Four Year Program (Urban and Rural) – This represents Council's indicative roads capital works program for the next four years. The recurrent budget for each follows:-

2010/11	\$3.568 million
2011/12	\$3.657 million
2012/13	\$3.748 million
2013/14	\$3.842 million

Project: Airport Beacon Replacement – To replace one ageing and degraded aviation hazard beacon located on private property. The budget is \$40,000 in 2011/12 and will be only proceed if funds are available from Airport Reserves.

Project: Fleet Replacement Program – Three major items of plant planned to be replaced in 2009/10 are to be deferred to 2010/11. This will require the 2010/11 Program to be modified. The changes include:

- Prime Mover Truck – Planned for June 2010 meeting, but more information required so will be

carried forward to 2010/11.

- Grader & Backhoe - Awaiting the new tender release from Local Government Procurement P/L as they indicated a larger field of suppliers of heavy equipment had applied. Information released mid May so insufficient time to prepare and evaluate tender for a June 2010 meeting.

The revised totals for 2010/11 are Purchase Costs \$5,007,500, Sale Prices \$855,000 and Transfer From Fleet Reserve \$4,152,500.

Other

When Council was considering a Special Rate Variation (SRV) application for a \$200,000 per annum environment levy, four Delivery Plan projects were planned to be funded from the SRV. The draft Plans were prepared on the basis that a SRV would be approved. When the SRV was not approved, only one project, the Lismore Biodiversity Management Strategy - Development and Implementation, was considered and included in the draft Plans. The following projects have been excluded without the same level of consideration as all other Delivery Plan projects:-

1. Project: Improve Public Transport – Council's ongoing participation in public transport initiatives.
2. Project: Reduce Greenhouse Gas Emissions – Continued implementation of the CCP Local Action Plan for projects that do not have a quantifiable payback period.
3. Project: Improve Catchment Management – Work with key stakeholders and landowners on regionally identified catchment management issues.

All projects require new funding to implement. As these projects are not in the draft Delivery Plan, no funding is proposed. If Council wishes to include any or all of these projects in the Delivery Plan, it should be on the basis that they only proceed if other funding sources (grants) are received.

2010/11 Operational Plan - Budget

The draft Operational Plan - Budget was advertised with a deficit of (\$68,000). The following changes are recommended to reflect Council decisions or information received since the Plan was advertised.

They include:

2010/11 Budget	Amount
Councillor Workshop 14 April 2010 – (Deficit)	(68,000)
<ul style="list-style-type: none"> Contribution to Far North Coast Weeds – The annual assessment has increased from \$114,900 to \$117,900. This is a 2.6% increase, the same as rate pegging. 	(3,000)
<ul style="list-style-type: none"> Contribution to Richmond Tweed Regional Library (RTRL) – The annual contribution increased from \$1,167,700 to \$1,304,500. The draft Operational Plan allowed for an increase to \$1,203,500. The contribution to RTRL is based on a formula whereby the direct costs for operating branch libraries is fully funded by each council, and regional costs are proportionately funded by all four member councils. In recent years, Lismore's contribution has not kept pace with this formula. Instead of reducing direct costs, RTRL reduced Council's share of regional costs. This practice is not appropriate and has now ceased. This will result in Council's contribution increasing unless direct costs can be reduced. This can only be achieved on an ongoing basis by reducing service levels in Council's branch libraries. Council considered the closure of the Goonellabah Library in December 2009 but resolved not to pursue. (Information on RTRL's 2010/11 Budget is reported separately in this report to meet Council's legislative and contractual responsibilities) 	(101,000)
<ul style="list-style-type: none"> Contribution to NEWLOG – Council is a member of the NEWLOG group of Councils to which generally promotes the aim of reducing damage to Council and classified roads by the policing of vehicle weight limits. The annual contribution is to increase from \$24,500 to \$25,200 in line with rate pegging and will be funded from the roads recurrent budget. 	0
<ul style="list-style-type: none"> Street Lighting Electricity Charges – Savings based on a decrease in originally advised increases in electricity charges. Future savings due to Electricity Supply Contract approved by Council in May 2010 are estimated to be 2011/12 \$79,800 and 2012/13 \$153,000 compared to the draft Budget Under Awning Lighting Project – The CitySafe Committee requesting the installation of under awning lighting along the eastern side of Keen Street between Woodlark Street and the Conservatorium. This will reduce the incidents and improve the ability of the CCTV to identify offenders. Funding of \$9,900 will come from the CitySafe Reserve. Expenses (\$9,900) Transfer from Reserve \$9,900 	38,900 0
<ul style="list-style-type: none"> Loan Repayments – The 2009/10 Loan Program was recently procured with terms favourable compared to the draft budget. Reduced loan repayments of \$97,300 will result in 2010/11 with \$48,300 in General Fund, and \$31,200 in Wastewater and \$17,800 in Water Funds. Similar savings will be achieved in future years. 	48,300
Draft Budget Adjustments	(16,800)
2010/11 Budget – (Deficit)	(84,800)
If Special Rate Variation NOT APPROVED:-	
<ul style="list-style-type: none"> City Centre Manager – Refer to Public Submission 6, 'Submissions Received' commentary and Recommendation 3 	(40,000)
2010/11 Budget – (Deficit)	(124,800)

The adoption of a deficit budget without a clear intention to seek a balanced budget within four months is not considered prudent management in this continued climate of financial instability. While it is Lismore City Council Extra Ordinary Meeting held 9 June 2010 – 2010-2014 Delivery Plan and 2010/11 Operational Plan

acknowledged that other decisions or information expected prior to the meeting may improve this result, outstanding matters like the cost to repair the Lismore Flood Levee have the capacity to more than offset any benefit.

As Council resolved at its 11 May 2010 meeting that staff prepare a report for a workshop on the means by which Council can finance an extra \$500,000 for roads and \$ 200,000 for the Environment, it may be best to combine this with a target of a balanced 2010/11 Budget by 31 October 2010.

The approach taken to achieve a balanced budget would be similar to the proactive steps in 2008/09 and 2009/10. These could include quarantining new revenues and savings, and not proceeding with or the deferral of non-essential works and services.

Submissions Received

Attached is a listing of all new submissions received from the advertising of the draft Delivery and Operational Plans. It includes a précis of each submission (7) and a management comment if appropriate. Copies are available on request.

In accordance with the LGA, Council must consider all submissions before adopting the Delivery and Operational Plans.

In all cases except the submission from Regional Express and Lismore Business Promotion Panel, the submissions are recommended to be received and noted.

The Regional Express submission requests a continuation of the partnership arrangement at the Lismore Regional Airport by Council slightly changing its charging structure. The current Fees and Charges propose:-

Up to 67,000 passenger	\$9.85
67,001 to 71,999 passengers	\$4.95
72,000+	\$0.00

REX have requested:

Up to 60,000 passenger	\$9.85
60,001+ passengers	\$4.93

Arrangement reviewed annually.

As passenger numbers are forecast to be approximately 54,000 for 2009/10 and growth is not anticipated to increase significantly, the requested change is recommended as it is unlikely to affect Council's short term revenue stream.

The Lismore Business Promotion Panel submission requests Council fund 50% of the City Centre Manager's position irrespective of the outcome of the Special Rate Variation (SRV) application. The SRV application is yet to be determined by the Minister for Local Government.

This request is supported by Management but only if the SRV application is not approved by the Minister.

If the Minister approves the SRV, the Lismore Promotion Fund will increase from \$208,000 to \$308,000. The City Centre Manager's position is estimated to cost approximately \$80,000 per annum. Given the constraints on Council's total budget and the increase in the Lismore Promotion Fund, it is reasonable to expect the full cost of the City Centre Manager to be funded from the Lismore Promotion Fund.

If the Minister does not approve the SRV, the full cost of the City Centre Manager will result in there being insufficient funds to implement the adopted Business Promotion Business Plan. Given the strategic priority to reinvigorate the CBD, this risk can be mitigated by Council contributing 50% or \$40,000 towards the engagement of the City Centre Manager.

Richmond Tweed Regional Library

Lismore City Council (Council) is the 'executive council' for Richmond Tweed Regional Library (RTRL). RTRL provides library services to the Ballina, Byron, Tweed and Lismore local government areas. As executive council, Council must meet all legislative requirements and therefore RTRL finances must be managed as Council's own finances.

This being the case, it is recommended that RTRL's 2010/11 Budget be integrated with Council's 2010/11 Budget. A separate program area will be created for RTRL in the Operational Plan. In regards to the size of the budget, expenses total \$6.847 million and total revenues \$5.878 million. Depreciation expenses of \$969,000 are not funded. Of the total revenues, member council contributions total \$5.301 million.

The original draft budget was independently compiled by RTRL and endorsed by the RTRL Committee at its December 2009 meeting. It results in an overall 8.7% increase in member council contributions over 2008/09. As part of the executive council role, Council will be applying the same rigor to RTRL's future budgets as it does its own, and working with member councils on their service level needs. Council will also explore options to rational land assets and revenue generation opportunities.

Special Rate Variation

At its 20 April Extraordinary meeting, Council resolved to submit a special rate variation application to the Division of Local Government to increase ordinary rates by 0.44% to generate an extra \$100,000 for business promotion. If the Minister for Local Government approves the application, the ordinary rates for business properties within the Lismore Urban area will be increased to generate the total \$100,000.

The 2010/11 Budget has been prepared on the basis of the SRV being approved as such rates revenue and business promotion expenses have both been increased by \$100,000. Should the SRV not be approved, both rates revenue and business promotion expenses will be decreased by \$100,000.

The Minister is yet to determine Council's application, but Council is required to reconfirm its position in regards to the special rate variation as part of the adoption of the 2010-2014 Delivery Plan and 2010/11 Operational Plan.

Public consultation

The draft 2010-2014 Delivery Plan and draft 2010/11 Operational Plan have 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.

A number of Delivery Plan changes are recommended for various reasons. Changes to the Operational Plan are also recommended due to Council resolutions, submissions and updated information. These changes increase the deficit from \$68,000 to \$84,800. If the Minister for Local Government does not approve the special rate variation increase, it is recommended that Council allocate \$40,000 towards the engagement of a City Centre Manager. This would increase the deficit to \$124,800.

Commencing the year with a deficit is not considered prudent and therefore a review of the 2010/11 Budget by 31 October 2010 with a target of a balanced budget is recommended.

To meet the requirements of the Local Government Act 1993, all submissions received must be considered prior to the 2010-2014 Delivery Plan and 2010/11 Operational Plan being adopted and this must occur before June 30, 2010.

Recommendation

That Council:

- 1) Acknowledge receipt and consideration of all public submissions
- 2) Adopt the 2010-2014 Delivery Plan and 2010/11 Operational Plan including the Special Rate Variation increase of 0.44% or \$100,000, subject to the Ministers approval, based on that advertised and recommended changes included in the report.
- 3) If the Minister for Local Government does not approve the Special Rate Variation, in principle support is given to allocating \$40,000 towards the engagement of the City Centre Manager.
- 4) The General Manager prepares a report by 31 October 2010 recommending changes required to achieve a balanced 2010/11 Budget.
- 5) Advise the Division of Local Government of its intention to borrow up to \$1,000,000 during 2010/11 as included in the 2010/11 Operational Plan for Wastewater Fund capital works.

Report

Subject	2010/11 Rates and Annual Charges
File No	ED10/10482:EF09/2202
Prepared by	Rating Officer
Reason	To comply with statutory obligations
Objective	For Council to set the 2010/11 Rates and Annual Charges
Strategic Plan Link	Best-Practice Corporate Governance
Management Plan Project	Finance

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 2010/11 rates & annual charges.

Background

Council has advertised the draft 2010/11 Operational Plan (Plan) and it includes the Statement of Revenue Policy. The Statement of Revenue Policy sets out all rates and annual charges proposed to be levied in 2010/11. This purpose of this report is for Council to set the 2010/11 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, no rates or annual charges submissions had been received.

2010/11 Rates & Annual Charges

Special Rate Variation

The Council has submitted a Special Rate Variation (SRV) application to the Division of Local Government to increase ordinary rates by 0.44% to generate an extra \$100,000 for business promotion. If the application is successful, the increase will be collected from rate assessments within the Business Inner CBD and Business Urban rating subcategories.

As the Minister has not determined Council's application at this time, it will be necessary to set the rates for these sub categories as if the Minister approves the application or refuses the application. The actual rates levied will be based on the Minister's determination.

Ordinary Rates

The Minister for Local Government has advised that ordinary rates can increase by 2.6%. Council's advertised Plan provides for the full percentage increase, plus the carry forward adjustment (\$3,644), to be levied in 2010/11.

A differential rating categories system is to be applied to business, residential and farmland rateable properties and will generate approximately \$23,537,000, excluding the SRV.

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 2.6% for 2010/11, the base amount has been increased to \$320.

Wastewater 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 Wastewater 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 2010/11, residential charge will rise from \$545 to \$607. This is a \$62 or 11.4% increase in the charge from 2009/10. A similar increase occurred between 2008/09 and 2009/10 and another planned for 2011/12.

Council is also in the process of introducing sewer systems in Clunes and North Woodburn. Properties in Clunes will not be charged in 2010/11 because of the decision to grant a two year exemption period. This will be reconsidered for 2011/12. The wastewater charge for North Woodburn for 2010/11 will be \$446.30. This charge will partially recover the costs of wastewater charges paid to Richmond Valley Council for the provision of this service.

Waste Management Charges

The Integrated Waste Service charge is to increase to \$223 from \$206. This is a \$17 or 8.25% increase and reflects full service delivery costs. The main factors influencing the increase are the landfill levy charges (\$9) introduced by the State Government from 1/7/09, CPI (\$6) and increased plant hire costs (\$2).

The Waste Collection Service charge for rural areas has increased from \$218 to \$237. The increase of \$19 or 8.71% 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 Commercial/Industrial Collection Service has increased to \$240 from \$220. This is a 9.09% or \$20 increase and reflects the market charge for this type of service.

A full list of all waste collection service charges is provided in the 2010/11 Operational Plan as part of the 'Statement of Revenue Policy'.

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 Wastewater, to meet infrastructure requirements and Rous Water's bulk water charge increases (\$549,500), user charges will need to increase significantly over the next three years. After considering these factors as well as the CPI impact on other operating costs, it is proposed to increase consumption charges by 13.16% to \$2.15 per kilolitre and the service availability charge by 12% to \$145 per annum. This effectively increases the typical residential bill from \$510 to \$575 per annum; a \$65 per annum increase or 12.7%.

Stormwater Management Services Charges

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 2010/11 will remain the same as the 2009/10 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.

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 not yet advised the maximum allowable amount of interest for 2010/11 (9% for 2009/10). Council has generally adopted the maximum interest rate as the amount to be charged.

Comments

Financial Services

The recommended 2010/11 rates and annual charges are consistent with those advertised in the draft 2010/11 Operational Plan and are supported.

Other staff comments

Not required

Public consultation

The draft 2010/11 Operational Plan, which includes the rates and annual charges, was on public display from 6 May 2010 to 3 June 2010.

Conclusion

Council is required to set the 2010/11 rates and annual charges. The rates and annual charges to be set include ordinary rates, base rate, wastewater charges, waste charges, water charges, stormwater management services charges and interest on overdue rates and annual charges.

The following recommendations are worded to meet Council's statutory obligations when setting the 2010/11 rates and annual charges and are consistent to that proposed in the draft 2010/11 Operational Plan and the two potential outcomes (approved or not approved) from the Minister for Local Government's determination of the special rate variation application.

Recommendation

Following advertisement of the draft 2010/11 Operational Plan in accordance with Section 405 of the Local Government Act, 1993, and the consideration of submissions received:

RATES

- (1a) Should the Minister for Local Government approve the Special Rate Variation application, it is hereby resolved that a **Business Rate** to be known as the '**Business Inner CBD**' rate of **four point zero two one two (4.0212) cents in the dollar** per assessment, on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320.00)** per assessment be now made for the rating year July 1, 2010 to June 30, 2011, 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 six (4.6%) percent of the Business Inner CBD income.**
- (1b) Should the Minister for Local Government not approve the Special Rate Variation application, it is hereby resolved that a **Business Rate** to be known as the '**Business Inner CBD**' rate of **three point nine two seven two (3.9272) cents in the dollar** per assessment, on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320.00)** per assessment be now made for the rating year July 1, 2010 to June 30, 2011, 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.**
- (2a) Should the Minister for Local Government approve the Special Rate Variation application, it is hereby resolved that a **Business Rate** to be known as the '**Business Urban**' rate of **one point three two six nine (1.3269) cents in the dollar** per assessment, on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320)** per assessment be now made for the rating year July 1, 2010 to June 30, 2011, 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 one (9.1%) percent of the Business Urban income.**
- (2b) Should the Minister for Local Government not approve the Special Rate Variation application, it is hereby resolved that a **Business Rate** to be known as the '**Business Urban**' rate of **one point two nine five nine (1.2959) cents in the dollar** per assessment, on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320)** per assessment be now made for the rating year July 1, 2010 to June 30, 2011, 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 seven seven eight six (0.7786) cents in the dollar** per assessment on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320)** per assessment be now made for the rating year July 1, 2010 to June 30, 2011, 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 four (22.4%) 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 zero five nine five (1.0595) cents in the dollar** per assessment on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320)** per assessment that represents be now made for the rating year July 1, 2010 to June 30, 2011, 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 eight (16.8%) percent of the Nimbin Business income.**
- (5) It is hereby resolved that a **Residential Rate** to be known as the '**Residential**' rate of **point five three zero eight (0.5308) of a cent in the dollar** per assessment, on the land value as at base date July 1, 2009, with a base amount of **three hundred and twenty dollars (\$320)** per assessment, be now made for the rating year July 1, 2010 to June 30, 2011, 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.**
- (6) It is hereby resolved that a **Residential Rate** to be known as the '**Residential Rural**' rate of **point four one three seven (0.4137) of a cent in the dollar** per assessment on the land value as at base date July 1, 2009, with a base amount of **three hundred and twenty dollars (\$320)** per assessment, be now made for the rating year July 1, 2010 to June 30, 2011, 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 eight (26.8%) percent of the Residential Rural income.**
- (7) It is hereby resolved that a **Farmland Rate** to be known as the '**Farmland**' rate of **point three eight five three (0.3853) of a cent in the dollar** per assessment, on the land value as at base date July 1, 2009 with a **base amount of three hundred and twenty dollars (\$320)** per assessment be now made for the rating year July 1, 2010 to June 30, 2011, 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 eight (16.8%) percent of the Farmland income.**

WASTEWATER CHARGES

- (8) 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 **six hundred and seven dollars (\$607.00)** 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, 2010 to June 30, 2011.
- (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 availability of sewerage of **four hundred and forty six dollars and thirty cents (\$446.30)** 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, 2010 to June 30, 2011.
- (10) 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, 2010 to June 30, 2011, excluding residential Strata Units.
- (11) 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, 2010 to June 30, 2011.
- (12) 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 sixty four dollars and twenty cents (\$364.20)** 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, 2010 to June 30, 2011.

WASTE MANAGEMENT CHARGES

- (13) 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, 2010 to June 30, 2011 and will be charged at **two hundred and twenty three dollars (\$223.00)** per annum. Additional services will be charged at **two hundred and twenty three dollars (\$223.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (14) 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, 2010 to June 30, 2011 and will be charged at **one hundred and twenty three dollars (\$123.00)** per annum. Additional services will be charged **one hundred and twenty three dollars (\$123.00)** at per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (15) 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, 2010 to June 30, 2011 and will be charged at **three hundred and sixty eight dollars (\$368.00)** per annum. Additional services will be charged at **three hundred and sixty eight dollars (\$368.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (16) 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, 2010 to June 30, 2011 and will be charged at **four hundred and twenty four dollars (\$424.00)** per annum. Additional services will be charged at **four hundred and twenty four dollars (\$424.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (17) 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, 2010 to June 30, 2011 and will be charged at **one hundred and sixty seven dollars (\$167.00)** per annum. Additional services will be charged at **one hundred and sixty seven dollars (\$167.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (18) 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, 2010 to June 30, 2011 and will be charged at **two hundred and fifty six dollars (\$256.00)** per annum. Additional services will be charged at **two hundred and fifty six dollars (\$256.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (19) 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, 2010 to June 30, 2011 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.
- (20) 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, 2010 to June 30, 2011 and will be charged at **one hundred and thirty dollars (\$130.00)** per annum. Additional services will be charged at **one hundred and thirty dollars (\$130.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (21) 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 forty dollars (\$240.00)** per annum, to be known as the '**Commercial/Industrial Integrated**' charge for the period July 1, 2010 to June 30, 2011. Additional services will be charged at **two hundred and forty dollars (\$240.00)** per annum. For services commenced during the year a proportional charge will be made.
- (22) 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 Transfer Station charge, for the period July 1, 2010 to June 30, 2011.

- (23) 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 dollars (\$30.00)** 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 Transfer Station charge, for the period July 1, 2010 to June 30, 2011. Two resource recovery vouchers are included as part of the 'Waste Minimisation' Charge.
- (24) 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 **eighty five dollars (\$85.00)** per assessment and for properties with multiple units of residential occupancy a charge of **eighty five dollars (\$85.00)** per unit of residential occupancy located on each assessment, to be known as the **'Transfer Station'** charge for the period July 1, 2010 to June 30, 2011. Properties paying for a waste collection service are exempt from this charge. Two resource recovery vouchers are included for each 'Transfer Station' charge.

WATER CHARGES

- (25) In accordance with Section 502 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **two dollars and fifteen cents (\$2.15)** per kilolitre for the year July 1, 2010 to June 30, 2011 to be known as the **'Consumption'** charge is hereby made.
- (26) 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, 2010 to June 30, 2011 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 forty five dollars (\$145.00)** 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	\$ 145.00
25mm	\$ 226.60
32mm	\$ 371.20
40mm	\$ 580.00
50mm	\$ 906.24
65mm	\$1,531.56
80mm	\$2,320.00
100mm	\$3,625.00
150mm	\$8,156.24

- (27) 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, 2010 to June 30, 2011, to be known as the **'Water Availability'** charge, of **one hundred and forty five dollars (\$145.00)** per assessment is hereby made.

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.

- (28) 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, 2010 to June 30, 2011.
- (29) 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, 2010 to June 30, 2011.
- (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 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, 2010 to June 30, 2011.
- (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 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, 2010 to June 30, 2011.
- (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 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, 2010 to June 30, 2011.
- (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 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, 2010 to June 30, 2011.
- (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 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, 2010 to June 30, 2011.

- (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 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, 2010 to June 30, 2011.

INTEREST CHARGES

- (36) It is hereby resolved in accordance with Section 566 (3) of the Local Government Act, 1993, for the period July 1, 2010 to June 30 2011, the interest rate on outstanding rates and charges will be the maximum allowable set by the Minister of Local Government.