



NOTICE OF EXTRAORDINARY COUNCIL MEETING

An EXTRAORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, JUNE 22, 2004, at 6.00pm and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

June 15, 2004

COUNCIL BUSINESS AGENDA

June 22, 2004

PUBLIC ACCESS SESSION:

PAGE NO.

Lyndon Terracini re Management Plan Report

Mal Rothwell on behalf of Nimbin Business Group re Special Nimbin
Business Rate Levy (Rate Report)

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

DISCLOSURE OF INTEREST

MAYORAL MINUTES

REPORTS

- 2004/05 - 2006/07 Management Plan
- 2004/05 Rates & Charges

LISMORE CITY COUNCIL - Meeting held June 22, 2004

Subject/File No: 2004/05 - 2006/07 MANAGEMENT PLAN
(S880)

Prepared By: Principal Accountant, John Hartley

Reason: To meet the requirements specified in s406 Local Government Act 1993.

Objective: Consider public submission and adopt the 2004/05 – 2006//07 Management Plan

Management Plan Activity: All

Background:

The Local Government Act 1993 (LGA) requires all Council's to advertise a draft Management Plan each year for a period of twenty eight (28) days to allow submissions from the public. Council is required to consider all public submissions and then adopt a Management Plan.

The purpose of this report is to inform Council of the submissions received, advise of any changes to the draft documents and finally to seek Council's adoption of the 2004/05-2006/07 Management Plan.

In regards to the advertising period, it closes on Monday, June 21, 2004. As this is after the issue of the business paper, a further report will be prepared and forwarded to Councillors, with a copy of any additional submissions received, if necessary.

Draft Management Plan Changes

Staff have made some minor changes of a cosmetic nature. There have been no amendments to the programme plans and/or information content.

Draft Fees and Charges Changes

There have been some minor changes to the fees and charges. These changes include fees or charges that are currently charged but not included in the document, and wording or format alteration.

Draft Budget Changes

The Budget on exhibition has a surplus of \$134,500. The following changes have been made to the Budget on exhibition:

- Council's resolution at the 8th June 2004 meeting to increase the Councillor and Mayoral Fees in line with the recommendations from the Local Government Remuneration Tribunal.
- Council has been successful in obtaining grant funds for works associated with estuary management from the Department of Infrastructure Planning and Natural Resources. The grant is for \$21,000 on a dollar for dollar basis with Council contribution fully funded from reserves, there being no effect on the surplus.

These changes have resulted in the Budget surplus being reduced by \$1,200 to \$133,300.

Public Submissions (15) - (a full copy of all submissions is provided for Councillors)

- The Channon Community Precinct Committee – “Soft-Fall for Coronation Park – Channon”
The submission is for the provision of a soft-fall surface in the Coronation Park Playground. There is no costing attached and some funding is expected from Community Fundraising and The Market Committee

- The Channon Community Precinct Committee – “Third Annual Grade for Gravel Roads”
A public meeting convened by The Channon Precinct Committee resolved to seek funding from the Council for a third grading per year on heavily used gravel roads.
- Richmond Hill Ratepayers Association (Barry Garland) – “Walkway at Richmond Hill”
The Richmond Hill Ratepayers Association request that the Council reconsiders the construction of a walkway at Richmond Hill
- NORPA Performing Arts – “Contribution of \$50,000 towards NORPA’S cultural activities”
Northern Rivers Performing Arts (NORPA) request Council to contribute \$50,000 towards NORPA’s cultural activities. It is proposed that the funds be used as follows:
 - NORPA proposes to allocate \$25,000 towards the continuing upgrade of facilities at Lismore City Hall
 - NORPA proposed to allocate \$25,000 towards NORPA’s 2004/05 cultural program, which includes the presentation of world-class performing arts, series, touring of NORPA productions nationally and a free presentation for the Lismore community.
- John Beacroft – “Objection to supplying of free tip vouchers to ratepayers not paying for waste removal service”
Mr Beacroft objects to the provision of free tip vouchers to ratepayers who currently make no contribution to the waste management facility. The current waste service charge levied on ratepayers includes a cost for the two tip vouchers issued. The provision of free vouchers to ratepayers who make no contribution to the Waste Management Service will be subsidised by the ratepayers who are required to contribute to the service.
- Mr. & Mrs. W.G. Jones – “Objection to proposed rate increase & review of pensioner rebate”
Mr and Mrs Jones have requested that the Council reconsider the proposed rate increase and that if the rate increase is necessary that Council consider increasing the pensioner rebate.
- Westpac Life Saver Rescue Helicopter – “Contribution to the Northern Region Westpac Life Saver Rescue Helicopter”
The submission is for the Council to provide a contribution towards the cost of maintaining the service for 2004/05.
- Mr. Paul Recher – “Redirect the funding of the EDU unit to Goonellabah”
The submission proposes that the entire Economic Development Unit be “scraped” and that the funding be redirected into Goonellabah.
- Lifeline Northern Rivers – “Increased contribution towards annual garbage disposal cost”
Lifeline has requested a financial contribution from Council to cover the cost of increased garbage disposal costs resulting from an increase in waste being deposited through donation bins.

The following submissions (6) are in relation to the Nimbin Business Rate Levy

- L Chong – “Objection to the Nimbin Business Rate Levy”
 - M.A. Rothwell & L. Chong -“Objection to the Nimbin Business Rate Levy”
 - Rodger Simpson & John Podkowka -“Objection to the Nimbin Business Rate Levy”
 - Douglas Whitlen -“Objection to the Nimbin Business Rate Levy”
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- Nimbin Village Wash House - “Objection to the Nimbin Business Rate Levy”
- Nimbin Hairdresser - “Objection to the Nimbin Business Rate Levy”

Submissions - Deferred to Budget Workshop on 3rd August 2004:

Council has deferred the following submissions (previously tabled on the 18th May 2004) to a Budget Workshop scheduled for the 3rd August 2004. Council has requested that additional information be presented at this workshop.

- Elders Park - Undertake Stage 2 redevelopment works including a shade structure over the new playground, shelter over the new electric barbeque and additional playground equipment and soft fall areas to further improve the amenity of the park for residents
- Lismore Lantern Parade - Request for increased financial funding to \$20,000 per annum for three years to build upon past parades.
- Upgrade of Infrastructure for the Eltham Community - Detailed submission referring to an independent survey of residents undertaken by the Eltham Public School P&C. Funding assistance is requested for five separate projects - a) Upgrade McKenzie & Boatharbour Roads, b) Construct bus bay at public school, c) Renovations to the Eltham Masonic Hall, d) Construction of cycleways around the village and e) Upgrade of existing park facilities.

Submissions – Long Term Strategic Planning:

Council has identified submissions (previously tabled on the 18th May 2004) relating to cycleway, footpaths and drainage that require further consideration within the 2004/05 Budget.

Councillors agreed that these submissions are to be assessed as part of the long term planning of Council, and not as independent works. Staff have been requested to review and bring back a report to Council.

Dividend – Water & Sewerage Fund

In accordance with section 409 (5) of the Local Government Act (1993), a dividend may be paid at the end of each financial year from water and wastewater funds. Management have considered the “Best-Practice Management of Water Supply and Sewerage” guidelines issues by the Department of Energy, Utilities and Sustainability in May 2004 and are of the opinion that we meet the criteria to qualify for a dividend payment.

For 2004/05, dividends of \$15 per service from water and \$2 per service from wastewater are proposed. This is anticipated to generate \$189,400 and \$26,200 respectively.

Waste Vouchers

Management has considered the issue of two waste vouchers to approximately 4,400 rate assessments that currently don't receive them. As Councillors and rural residents have regularly raised this, it was agreed to recommend that all ratepayers receive two vouchers. The existing arrangement is for only properties charged for a waste collection service to receive the waste vouchers as the cost is factored into the service cost.

As potential usage of the vouchers is difficult to assess, no provision is to be made in the 2004/05 Budget. An estimate will be prepared and included in a Quarterly Budget Review report. As a guide, based on a cost per voucher of \$5.45, the maximum cost is estimated to be \$48,000.

Manager Finance and Administration Comments

While Council needs to consider all submission received, it is important to note that both the Cultural Precinct and Goonellabah Leisure Centre projects will require significant funding. An opportunity exists to quarantine part or all of the Budget surplus to say leverage borrowings to bring these projects forward and allow other works to proceed.

With this in mind, it is suggested that if any submissions receive warrant further consideration, they be referred for consideration at the 3rd August 2004 Budget Workshop.

Public Consultation

The Management Plan has been placed on public exhibition for twenty-eight (28) days at thirteen (13) venues throughout the city and on Council's web site. There has been reasonable coverage in the media when first released and a weekly advertisement in 'infolink' seeking public comment.

Author's Response to Comments from Other Staff

Not required.

Conclusion

As previously stated, this report has been prepared prior to the closure of public submissions. Consequently, there may be other submissions for Council to consider, as well as those already included in this report.

To meet the requirements of the Local Government Act 1993, all submissions received must be considered by Council and a 2004/05 – 2006/07 Management Plan adopted.

To consider other submissions, a Budget Workshop is scheduled for 3rd August 2004. To ensure consistency in decision making, it is recommended that Council refer the public submissions to this workshop as well.

Based on the following recommendations, the Budget surplus for 2004/05 is \$133,300.

Recommendation (COR15)

That Council -

- 1) Acknowledge receipt and consideration of all public submissions, and they be referred to the 3rd August 2004 Budget Workshop for further consideration, except those relating to the Nimbin Business Rate.
- 2) Adopts the 2004/05 – 2006/07 Management Plan, including the Budget and Fees & Charges, based on that advertised and reported.
- 3) Adopts a loan program of up to \$5,305,000 for specific works as included in the 2004/05 Budget.
- 4) Substantially meets the criteria required by the Best-Practice Management of Water Supply and Sewerage guidelines issued by the Department of Energy, Utilities and Sustainability and intend to make a dividend payment of \$15 per service from water and \$2 per service from wastewater during 2004/05.
- 5) Issue two (2) waste vouchers to all rateable properties.

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Subject/File No: 2004/05 RATES AND CHARGES
(S384 & S880)

Prepared By: Rating Service Co-ordinator – John Beacroft

Reason: Statutory obligation

Objective: To set Council's 2004/05 Rates and Charges

Management Plan Activity: Various

Background:

Council has published its Draft Management Plan (Plan), including its Draft Revenue Policy, in accordance with Section 405 (1) of the Local Government Act 1993.

Section 406 of the Local Government Act 1993, requires “... Council must take into consideration any submissions that have been made concerning the Draft Management Plan prepared and exhibited...”.

Submissions to the Plan can be made up until June 21, 2004 and a copy of each received will be provided to Councillors. In accordance with Sections 405(2)&(3) of the Local Government Act 1993, any submission must have been considered and any changes to Council's Plan should be reflected in the adoption or otherwise of the recommendations contained within this report.

Nimbin Business Rate

When making the 2003/04 rates, Council considered a request to levy an extra amount of \$10,000 on the business properties located within the village of Nimbin.

Resolution 134/03 in part indicates that “... . *The funds generated by the business rate be held until such time that a 'plan of action' is submitted and approved by Council. ...*”

The ‘...*plan of action...*’ was submitted and adopted by Council at its November 4, 2003 meeting. The Executive Summary indicated that the purpose of the Plan was to ‘...*outline projects and identify actions directed at enhancing and enriching the image of Nimbin for the benefit of its businesses with an anticipated flow on for the wider community.*’

The projects funded included a Nimbin information brochure and TV advertisement campaign.

Council's resolution 134/03 also resolved the Nimbin Business Rate be trialled for a twelve month period and that business opinion be gauged at the end of the twelve month period.

Under the auspices of the Nimbin Chamber of Commerce, a meeting of Nimbin business property owners, all of whom had received a written invitation to attend the meeting, and business owners was held in Nimbin on May 19, 2004 to discuss the Nimbin Business Rate. There were around 25 people in attendance along with three Council staff representatives.

The meeting was certainly lively with support for and against the continuation of the Nimbin Business Rate. Some of those who spoke against the proposal left the meeting early and when a vote was taken the result was ten (10) **for** and six (6) **against** continuing the levy.

From Council's perspective, the only advice given to the meeting was that if someone held views on the Nimbin Business Rate, they were encouraged to make a submission to the Plan.

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Prior to the above meeting, a survey, on behalf of the Nimbin Chamber of Commerce, was conducted on both property owners and business operators seeking their views on the Nimbin Business Rate. The survey indicates that in both groups, there is an almost even split between support and rejection of the levy.

It is not proposed to make a recommendation in relation to the continuation or otherwise of the Nimbin Business Rate, but rather it is suggested that the submissions by the various owners and interested parties be considered and Council make the decision.

General Rates & Charges

All rates and charges included in the following recommendations are in accordance with that advertised in the Plan. They include :-

- (A) General Rates
- (B) Sewerage and Trade Waste Charges
- (C) Water Charges
- (D) Domestic and Non Domestic Waste Management Services
- (E) Interest Charges

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

Public consultation has taken place by way of advertising the Plan and seeking submissions. Council has the opportunity at this meeting to consider any submissions in relation to the Plan and make any changes. If there are changes, these may need to be reflected in the motions listed.

Other Group Comments

Not requested

Conclusion

This report fulfils a statutory requirement by making the rates and charges for 2004/05 and allows the option for Council to continue/discontinue the Nimbin Business Rate by offering alternative motions.

Section (B) to (E) are in accordance with that advertised in the Draft Management Plan.

Recommendation

(A) GENERAL RATES

Including Nimbin Business Rate :-

Whereas Council has advertised its Draft Management Plan for 2004/2005, in accordance with Section 405 of the Local Government Act, 1993, and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) It is hereby resolved that a **Business Rate** to be known as the “**Business Inner CBD**” Rate, of **four point five eight four six (4.5846) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the

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rating year July 1, 2004 to June 30, 2005, on all rateable land within the centre of activity known as the 'Inner CBD' within the area shown in Schedule 'C' and which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.

- (ii) It is hereby resolved that a **Business Rate** to be known as the "**Business Urban**" Rate, of **two point five eight zero eight (2.5808) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land within the centre of activity outside the Inner CBD but within the urban area of Lismore as shown in Schedule 'D', which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (iii) It is hereby resolved that a **Business Rate** to be known as the "**Business Other**" Rate, of **two point three six nine five (2.3695) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars and (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land in the City of Lismore but not within the areas defined in Schedules 'C' and 'D' attached and the Village of Nimbin ,as defined, which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (iv) It is hereby resolved that a **Business Rate** to be known as the "**Nimbin Business** " Rate, of **two point nine zero three seven (2.9037) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land within the Village of Nimbin and which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (v) It is hereby resolved that a **Farmland Rate**, to be known as the "**Farmland Rate**" of **point nine seven eight seven (.9787) a cent in the dollar**, on the Land Value as at Base Date July 1, 2001, subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land in the City of Lismore area, which meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993.
- (vi) It is hereby resolved that a **Residential Rate** to be known as the "**Residential Rate**" of **one point nine eight five five (1.9855) cents in the dollar**, on the Land Value as at Base Date July 1, 2001, subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land within the centres of population defined in Schedule 'A' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993.
- (vii) It is hereby resolved that a Residential Rate sub-category to be known as "**Residential Billen**" of **one point nine eight five five (1.9855) cents in the dollar**, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **three hundred dollars (\$300.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005 on all rateable land within the centre of population defined in Schedule 'B' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993.

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- (viii) It is hereby resolved that a Residential Rate sub-category to be known as the “**Residential Rural**” rate of **one point four three four five (1.4345) cents in the dollar**, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and thirty dollars (\$430.00)** per assessment be now made for the rating year July 1, 2004 to June 30, 2005 on all land which meets the definition of Residential as defined in Section 516 of the Local Government Act, 1993, except for the land described in Schedules ‘A’ and ‘B’ attached to this report.
- (ix) It is hereby resolved that a **Special Rate** to be known as the “**Flood Levee**” rate of **point one zero six three (.1063) of a cent in the Dollar**, per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **two dollars** be now made for the rating year July 1, 2004 to June 30, 2005 on all land within the area defined in Schedule ‘E’ attached to this report which in Council’s opinion will receive a special benefit from the construction of the Flood Levee from a one in ten year flood event.

OR

Excluding Nimbin Business Rate :-

Whereas Council has advertised its Draft Management Plan for 2004/2005, in accordance with Section 405 of the Local Government Act, 1993, and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) It is hereby resolved that a **Business Rate** to be known as the “**Business Inner CBD**” Rate, of **four point five eight four six (4.5846) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land within the centre of activity known as the ‘Inner CBD’ within the area shown in Schedule ‘C’ and which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (ii) It is hereby resolved that a **Business Rate** to be known as the “**Business Urban**” Rate, of **two point five eight zero eight (2.5808) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land within the centre of activity outside the Inner CBD but within the urban area of Lismore as shown in Schedule ‘D’, which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (iii) It is hereby resolved that a **Business Rate** to be known as the “**Business Other**” Rate, of **two point three six nine five (2.3695) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and twenty six dollars and (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land in the City of Lismore but not within the areas defined in Schedules ‘C’ and ‘D’ attached, as defined, which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (iv) It is hereby resolved that a **Farmland Rate**, to be known as the “**Farmland Rate**” of **point nine seven eight seven (.9787) a cent in the dollar**, on the Land Value as at Base Date July 1, 2001, subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land in the City of Lismore area, which meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993
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- (v) It is hereby resolved that a **Residential Rate** to be known as the “**Residential Rate**” of **one point nine eight seven nine (1.9879) cents in the dollar**, on the Land Value as at Base Date July 1, 2001, subject to a minimum amount of **four hundred and twenty six dollars (\$426.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005, on all rateable land within the centres of population defined in Schedule 'A' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993.
- (vi) It is hereby resolved that a Residential Rate sub-category to be known as “**Residential Billen**” of **one point nine eight seven nine (1.9879) cents in the dollar**, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **three hundred dollars (\$300.00)** per assessment, be now made for the rating year July 1, 2004 to June 30, 2005 on all rateable land within the centre of population defined in Schedule 'B' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993.
- (vii) It is hereby resolved that a Residential Rate sub-category to be known as the “**Residential Rural**” rate of **one point four three four five (1.4345) cents in the dollar**, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **four hundred and thirty dollars (\$430.00)** per assessment be now made for the rating year July 1, 2004 to June 30, 2005 on all land which meets the definition of Residential as defined in Section 516 of the Local Government Act, 1993, except for the land described in Schedules 'A' and 'B' attached to this report.
- (viii) It is hereby resolved that a **Special Rate** to be known as the “**Flood Levee**” rate of **point one zero six three (.1063) of a cent in the Dollar**, per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **two dollars** be now made for the rating year July 1, 2004 to June 30, 2005 on all land within the area defined in Schedule 'E' attached to this report which in Council's opinion will receive a special benefit from the construction of the Flood Levee from a one in ten year flood event.

(B) SEWERAGE AND TRADE WASTE CHARGES

Whereas Council has advertised its Draft Management Plan for 2004/2005 in accordance with Section 405 of the Local Government Act, 1993 and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993.

Lismore, Perradenya & Nimbin Sewerage Scheme

- (i) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 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 **four hundred dollars and twelve dollars (\$412.00)**, per assessment. This charge applies to properties connected to the Lismore, Perradenya & Nimbin Sewerage Scheme and is to be known as the “**Sewer**” charge for the period July 1, 2004 to June 30, 2005.
- (ii) It is hereby resolved that in accordance with Sections 501, 539 and 541 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, Perradenya & Nimbin Sewerage Scheme to be known as

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the “**Sewer Multiple**” charge for the period July 1, 2004 to June 30, 2005, excluding residential Strata Units.

- (iii) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **two hundred and forty seven dollars (\$247.00)** per assessment for all rateable parcels of land within 75 metres of a Lismore, Perradenya & Nimbin Sewer 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, 2004 to June 30, 2005.

Lismore, Perradenya & Nimbin Trade Waste Charges

- (iv) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 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, Perradenya & Nimbin Sewer Scheme, as per the attached Schedule “F”, where the charge is indicated by the number of equivalent tenants allocated to an assessment in accordance with the methodology set out in Council’s Sewer 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, 2004 to June 30, 2005.
- (v) It is hereby resolved that, in accordance with Sections 502 and 539 of the Local Government Act, 1993, a charge be now made, for properties declared by Lismore City Council to be Established Strength Users in accordance with Lismore City Council’s Trade Waste Policy, Section 3.2, to be calculated in accordance with Lismore City Council’s Sewerage Usage Charging Strategy, Section 2.5, as follows:
- A charge of **ninety two cents (92 cents)** per kilolitre of discharge; plus
 - A charge of **one dollar and twenty nine cents (\$1.29)** per kilogram of Biochemical Oxygen Demand; plus
 - A charge of **eighty cents (80 cents)** per kilogram of Suspended Solids; plus
 - A charge of **two dollars twenty five cents (\$2.25)** per kilogram of Oils and/or Grease, to be known as the “**Established Strength**” charge for the period July 1, 2004 to June 30, 2005.

(C) WATER CHARGES

Whereas Council has advertised its Draft Management Plan for 2004/2005 in accordance with Section 405 of the Local Government Act, 1993 and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) It is hereby resolved that in accordance with Section 501, 503, 539 and 541 of the Local Government Act, 1993 an annual charge be now made 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 water connections used solely for fire fighting services, the cost of which shall be **ninety two dollars forty cents (\$92.40)** per fire fighting service; for the year July 1, 2004 to June 30, 2005 to be known as the “**Fixed Service Charge**” is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 92.40

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25mm	\$ 144.40
32mm	\$ 236.60
40mm	\$ 369.68
50mm	\$ 577.64
65mm	\$ 976.20
80mm	\$1,478.20
100mm	\$2,310.52
150mm	\$5,198.64

- (ii) In accordance with Sections 501, 503, 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 Lismore City Council water main, in accordance with Section 552 (1)(b) of the Local Government Act, 1993, for the year July 1, 2004 to June 30, 2005, to be known as the "**Water Availability**", of **ninety two dollars forty cents (\$92.40)** per assessment is hereby made.
- (iii) In accordance with Section 502 and 503 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **ninety three cents (93 cents)** per kilolitre for the year July 1, 2004 to June 30, 2005 to be known as the "**Consumption**" charge is hereby made.

(D) DOMESTIC AND NON DOMESTIC WASTE MANAGEMENT SERVICES

Whereas Council has advertised its Draft Management Plan for 2004/2005 in accordance with Section 406 of the Local Government Act, 1993 and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) 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 Oliver Avenue Office, not utilising the domestic waste management service provided by Council to be known as the "**Waste Availability**" charge, of **five dollars (\$5.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Oliver Avenue office, that are levied the Nimbin Transfer Station Charge, for the period July 1, 2004 to June 30, 2005.
- (ii) 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 "**Environment Protection**" charge, of **thirty eight dollars and ten cents (\$38.10)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Oliver Avenue Office, that are levied the Nimbin Transfer Station Charge, for the period July 1, 2004 to June 30, 2005.
- (iii) 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 Oliver Avenue Office, for the provision of the Nimbin Transfer Station Facility, of **fifty five dollars (\$55.00)** per assessment and for properties with multiple units of resident occupancy a charge of **fifty five dollars (\$55.00)** per unit of residential occupancy located on each assessment, to be known as the "**Transfer Station**" for the period July 1, 2004 to June 30, 2005. Properties paying for a waste collection service are exempt from this charge.

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- (iv) 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 Lismore CBD, 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 Council collects the approved contents of a approved 240 litre mobile waste bin from that property, of **one hundred and forty eight dollars (\$148.00)** per bin collected per annum, to be known as the "**CBD Non-Domestic Waste**" charge for the period July 1, 2004 to June 30, 2005. Services commenced during the charging period will be charged for on a proportional basis. Two 100KG mixed waste vouchers are included as part of this service.
- (v) 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 outside the Urban area of Lismore, maps of which are available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and Council collects an approved 240 litre mobile waste bin from that property, of **one hundred and forty seven dollars ninety cents (\$147.90)** per bin collected per annum, to be known as the "**Rural Non-Domestic Waste**" charge for the period July 1, 2004 to June 30, 2005. Services commenced during the charging period will be charged for on a proportional basis. Two 100KG mixed waste vouchers are provided for each service .
- (vi) 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 a 140 litre approved mobile waste bin. In addition, on a fortnightly basis Council will remove the approved contents a 240 litre approved mobile waste bin. Two 100KG mixed waste disposal vouchers are provided for each service. This charge is to be known as the "**Integrated Waste**" collection service for the period July 1, 2004 to June 30, 2005 and will be charged at **one hundred and thirty three dollars ninety cents (\$133.90)** per annum. Additional services will be charged at **one hundred and thirty three dollars ninety cents (\$133.90) per annum**. Services commenced during the charging period will be charged for on a proportional basis.
- (vii) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act, 1993, for the removal of the approved contents of a approved 240 litre mobile waste bin each week, from domestic premises, 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, of **one hundred and thirty dollars (\$130.00)**, to be known as the "**Waste Collection Service**" charge, additional services will be charged at **one hundred and thirty dollars (\$130.00)**, for the period July 1 2004 to June 30 2005. Services commenced during the charging period will be charged for on a proportional basis. Two 100KG mixed waste vouchers are provided for each service.
- (viii) 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, but outside the Lismore CBD, 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 contents of a approved 240 litre mobile waste bin on a fortnightly basis and a 140 litre approved mobile waste bin on a weekly basis from that property, of **one hundred and forty two dollars ninety cents (\$142.90)** per bin collected per annum, to be known as the "**Non Domestic Integrated Waste**" charge for the period
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July 1, 2004 to June 30, 2005. For services commenced during the year a proportional charge will be made. Two 100KG mixed waste vouchers are provided for each service.

- (iix) 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, that have over 10 weekly collection services and subject to the Manager – Northern Rivers Waste discretion, for the removal, weekly, of the approved contents of a 240 litre approved mobile waste bin. Two 100KG mixed waste disposal vouchers are included for each service. This charge is to be known as the “**Waste Collection – Urban**” service for the period July 1, 2004 to June 30, 2005 and will be charged at **one hundred and thirty three dollars ninety cents (\$133.90)** per annum per mobile waste bin collected. Services commenced during the charging period will be charged for on a proportional basis.
- (ix) 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, that have over 10 weekly collection services and subject to the approval of the Manager- Northern Rivers Waste, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects the contents of approved 240 litre mobile waste bins on a fortnightly basis, being used for both organic and mixed waste, of **one hundred and forty two dollars ninety cents (\$142.90)** per bin collected per annum, to be known as the “**Non Domestic Integrated Waste Collection Service - Other**” charge for the period July 1, 2004 to June 30, 2005. For services commenced during the year a proportional charge will be made. Two 100KG mixed waste vouchers for each service are included as part of this service.
- (x) 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 fortnightly, subject to approval from the Manager - Northern Rivers Waste, of the approved contents a 240 litre approved mobile waste bin. Two 100KG mixed waste disposal vouchers are provided for each service. This charge is to be known as the “**Urban Runner**” collection service for the period July 1, 2004 to June 30, 2005 and will be charged at **one hundred and thirty three dollars ninety cents (\$133.90)** per annum. Additional services will be charged at **one hundred and thirty three dollars ninety cents (\$133.90) per annum**. Services commenced during the charging period will be charged for on a proportional basis.

(E) INTEREST CHARGES

Council is able, under Section 566 (3) of the Local Government Act 1993, to charge interest on overdue Rates and Charges. The Minister for Local Government has advised in Circular 04/18 that the maximum allowable amount of interest for 2004/2005 is **9%**. This Council has generally adopted the maximum interest Rate as the amount to be charged.

- (i) It is hereby resolved that the 2004/2005 Interest Rate on overdue Rates and Charges will be **9%**.

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