An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, 43 OLIVER AVENUE GOONELLABAH on Tuesday, 10 August 2010 at 6.00pm.

Attachments Excluded From Agenda

Paul G O'Sullivan 3 August 2010



Attachments

Reports			
12.1	Request to cha	nge the application of Nimbin Business Rates	
	Attachment 1:	Letter from the Nimbin Chamber of Commerce	3

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Nimbita Chamber of Commerce

PO Box 433, Nimbin NSW, 2480

31 May 2010 Mayor Cr. Jenny Dowell Lismore City Council (Via meeting)

The intention of this report is to raise concerns with Lismore City Council, relating to the Nimbin Business Rate Levy (NBRL) and its application since the introduction of the "Nimbin Street Safety Program" (CCTV)

NBRL - Background Information

In June 2009, the Nimbin Chamber of Commerce lobbied Council to forgive the balance of the loan for the CCTV in order to redirect funds to other worthwhile projects. We assumed that the seven year period for the NBRL was due to expire (soon i.e. 2003-2010). This was rejected.

Subsequently in March this year, I requested loan and background information from Mr. Rino Santin - Council's Finance Manager in order to ascertain the balance of the loan.

Mr. Santin provided (via email) the documents tabled:

An email to P.Wise dated Sunday 21/3/2010 containing:

- NBR Loan Statement
- Revenue & Expenditure Statement
- Notes from the two 'Business Community' meetings 8/9/2004 and 6/10/2004
- 'Form' merge letter re NBRL dated 27/9/2004.

Subsequently, the Chamber has investigated this matter and has found the following:

- The Chamber has not been able to locate any correspondence from Council relating to the financial arrangements for the CCTV since the two meetings with the business community mentioned above.
- 2. The business community, at the time was informed that the cost of the CCTV \$70000 (originally \$56000) was to be repaid over 7 years or \$10000 per year. This included a yearly contribution of \$2000 towards community economic development.

1

- The fact that *interest* has been applied to the loan was unknown and has been met with disbelief by the Chamber members. There seems to be conflicting information regarding the term i.e.
 - (a) According to Mr. Santin's information provided [see Table 2] the term is "12 years" and an end date of 30/6/2017.
 - (b) According to business community meeting notes dated 6/10/2004 page 2 states: "details of loan arrangement fee to be made available at an appropriate time in the future - If there is agreement, then it will be locked in for a ten year period".

It is clear that since the Nimbin Business Community Meeting of 6/10/04 there was no consultation from Council and that there was a lack of transparency. We cannot locate any correspondence to confirm that Council provided "terms & conditions" as originally intended, therefore this implies that this agreement is invalid and cannot be substantiated. Can Council provide any evidence of such?

4. The agreed \$2000 per annum contribution to the economic development (of the \$10000) was redirected to the Nimbin Visitor Information Centre. This amount has now ballooned to more than double. Refer to attached [Table 1] "Analysis of Contributions" prepared by the Chamber.

At no point was the Chamber consulted regarding the redirection of these funds.

Other points we wish to raise:

1. Why did Council neglect at the time to seek funding for CCTV from the "Safer Suburbs Program" through the Attorney General's Department?

Other communities throughout Australia have successfully obtained funding for this purpose. Tweed Shire Council received \$100K from Kevin Rudd's 'economic stimulus package' and together with "safer suburbs" funding applied it to Murwillumbah's CCTV.

2. Why should the financial burden of the CCTV be on the businesses/property owners?

We are **not the only** beneficiaries of the "Nimbin Street Safety Program". It is now proven that the CCTV has assisted as a deterrent in the reduction of antisocial behaviour and crime prevention in Nimbin. All citizens have benefited from a reduction in anti-social behaviour and crime prevention in the village. It has also proved to be an important tool in assisting the NSW Police.

3. Why should CCTV infrastructure in Nimbin be charged interest?

Considering that Council obtain 'interest free' loans (e.g. Goonellabah sewerage trunk line infrastructure) from the State Government.

As interest has been applied to this loan and the term extended, this has prohibited us the opportunity for economic development initiatives for 7 years (which was the reason for the introduction of this levy in the first place).

Due to the points raised, the interest charged and the over-contributions to the V.I.C. we feel that Council should seriously consider either:-

- 1. Forgiving the loan in total OR
- 2. Reimbursement of funds refer [Table 1] & [Table 2] AND writing off the interest component of the loan.

Future allocation of NBRL proposal:

We propose that the NBRL is allocated to a "Nimbin Mural Fund" for the preservation and development of the Main Street murals.

The Chamber considers this a high priority as in the words of one out of town tourist operator "there is no other main street like this in the world; everybody wants to put it in their cameras." From a tourist and business perspective, the maintenance of the murals is essential.

It is considered that the fund should be administered by the Chamber and the community in order to:-

- a) maximize local contributions and support
- b) attract additional funding
- c) obtain value for money
- d) motivated and interested persons driving the project

The first step would be to employ a coordinator to develop a maintenance plan involving building owners, lessees and artists. Seek funding from appropriate sources including businesses. The plan would include ongoing projects so that the murals are evolving rather than static.

It should be noted that councils have a long history of supporting public art, eg Melbourne City Council has a public arts policy and promotes walking tours to view public art. See http://www.melbourne.vic.gov.au/AboutCouncil/PlansandPublications/strategies/Pages/Artsstrategy.aspx

It is considered that although the Lismore City Council's primary focus is to develop an Arts precinct in the CBD, that this modest investment will return high dividends which would complement the Council's CBD aspirations.

Yours faithfully

Peter Wise President

Nimbin Chamber of Commerce

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YEARS REMAINING ON ORIGINAL TERM (7 Y	RS)=2 X\$8000	16000.00			
TOTAL CREDIT DUE TO NBRL		12387.29			

Page 1 of 2

Peter Wise

From: "Rino Santin" <Rino.Santin@lismore.nsw.gov.au>

Cc: "Graham Meineke" < Graham.Meineke@lismore.nsw.gov.au>; "Peter Hughes"

<bevanandkatie@gmail.com>; "Bill MacDonald" <Bill.MacDonald@lismore.nsw.gov.au>

Attach: 4049_001.pdf; Nimbin Business Rate (2).xls

Subject: RE: Request for information - Nimbin Business Rate

Peter Wise

President, Nimbin Chamber of Commerce

Dear Peter

I refer to your email requesting information regarding the Nimbin Business Rate including the expenditure of those funds since its inception.

I've attached a spreadsheet which provides you with the information requested on how the funds have been expended and a scanned document on the public meeting letter & notes I have readily available. I've yet to review the files, but will do so shortly and I've asked staff involved if they can assist. If any relevant information comes to hand, I'll forward to you. It is clear however that the consensus position from the meeting was that \$8,000 be spent on security and \$2,000 on economic development. In regards to the total cost for CCTV, the total cost was \$77,162 and LCC contributed \$7,162 towards the capital cost.

Please contact me if you have any questions or require clarification.

Regards

Rino Santin Manager - Finance

Email: rino.santin@lismore.nsw.gov.au

Phone: 0266 250 510 Fax: 0266 250 400

From: Peter Wise [mailto:peterwise@live.com.au] Sent: Thursday, 11 March 2010 11:23 AM

To: Rino Santin

Cc: Graham Meineke; Peter Hughes; Genie Stephans; Bevan Whitney Subject: Re: Request for information - Nimbin Business Rate

Hi Rino, (cc Cr Meineke,

Chamber executive)

Thank you for the business rate information. As per our discussion at the Nimbin rates forum, could you please provide-

- 1) A statement of the loan from Council from the commencement, also outlining the application of funds. (i.e. 1st year marketing campaign ,2nd community economic development or CCTV etc..)
- Any Council file record /information & correspondence to the Chamber at the time, only pertaining to this agreement re application of funds to CCTV.

I have also today brought this to the attention of Councilor Meineke, our concerns.

31/05/2010

Page 2 of 2

I look forward to your reply,

Regards, Peter Wise President, Nimbin Chamber of Commerce Ph Hme 02 66891639 Proprietor, Nimbin Pizza & Trattoria 70 Cullen St, Nimbin Ph 02 66891427

From: Rino Santin

Sent: Wednesday, March 10, 2010 3:45 PM

To: 'peterwise@live.com.au' **Cc:** Amanda Gibson

Subject: Request for information - Nimbin Business Rate

Peter Wise

Nimbin Chamber of Commerce

Dear Peter

As requested, the outstanding loan for the provision of CCTV at Nimbin as at June 30, 2010 will be \$52,011. This comprises principal \$42,721 and interest \$9,289. Under normal circumstances, this would be paid in full during 2016/17.

For your information, the special Nimbin business rate which commenced in 2003/04 will collect \$12,576 in 2010/11. Of these funds, \$8,000 will be used to service the above loan and the balance to the part fund the Nimbin VIC. Please let me know if you require any further information.

Regards

Rino Santin

Manager - Finance

Email: rino.santin@lismore.nsw.gov.au

Phone: 0266 250 510 Fax: 0266 250 400

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31/05/2010

Nimbin Business Community Meeting held 6th October 2004 at Nimbin Bowling Club

Meeting Notes

1. Introductory Comments

Jane Oliver opened the meeting.

Follow up meeting to 8th September 2004.

Consensus is the overall aim of the meeting, with discussion to conclude by 9 p.m.

Reiterated 3 key outcomes from the previous meeting:

- Security (cameras)
- CEDO support
- Showground facilities

GM confirmed that the meeting is a meeting between Council and stakeholders

Jane explained purpose being to keep determination alive.

Ratepayers (business levy). Meeting sponsored by Chamber of Commerce.

Chamber members also invited by Chamber.

Kevin Saud - Building (Club) rep. identified himself as a stakeholder.

2. Reports

2.1 Security Cameras

4 cameras proposed.

Preliminary report on possible options provided by Gm based on information provided by Bill MacDonald. Successes in Lismore.

Solution may not necessarily be the solution for Nimbin, therefore trial proposed.

Cost and infrastructure (monitors, recorder) approximately \$56,000. This is affordable and can be treated by Council as borrowed funds.

Key aspect is the monitoring and this aspect has proved successful in detecting problematic behaviour that is 'brewing'.

Costing of link back to Lismore still being investigated. Clear message from Police that they will not be in a position to monitor cameras. (currently \$30-\$35k cost of 24hrs/wk monitoring for Lismore which is paid by businesses).

Is there a way to provide volunteer system for monitoring?

Street lighting has been investigated through Country Energy. No short term costings have been provided, despite follow up action.

Questions in relation to:

- 1. Police involvement
 - Confirmed only involved if called to an incident
 - Discussions held with newly appointed LAC, Bruce Lyons which have been
 positive and certain level of optimism. Police are keen to be part of discussion
 and negotiation.
- 2. Safe housing of equipment
- 3. Monitoring possibilities jungle patrol no longer active

Two key components:

- Reliable and unbiased monitoring by trained people
- 2) Safe housing of equipment

Focus must be on Cullen Street and monitoring must be in the hands of professionals. Individual exposure and vulnerability should be minimised.

Footage to be made available for evidentiary purposes.

Communal monitoring - view of the meeting is that this would be too risky.

Q. How credible is footage?

Lismore system has been used very successfully in court for evidence.

Q. Will cameras deter tourists? Can they be selective?

Police will not 'pick and choose' and they have made position clear that it is either lawful or unlawful activity.

Key concerns are car burn-outs and assaults, rather than drug deals. Safety of visitors is important and creation of safe zones, which have not been there to date.

Q. Can resources existing at the hospital be utilised?

Too difficult to tap into Health Department and IT.

Q. Where are cameras housed?

Similar to 4 mtr high light pole.

Vandalism to cameras has been minimal in Lismore.

Q. What is best value investment for \$56k?

Concerns over repayment of such a significant amount of money.

Look to bigger picture safety concerns of the community, and positive way forward for the business community.

Main issues around camera placement can be addressed at a later date.

Details of loan arrangement fee to be made available at an appropriate time in the future. If there is agreement, then it will be locked in for 10 year period.

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2.2 Economic Development/Tourism Update provided on funding investigations. Community transparency important with funding.

2.3 Other works

Update from General Manager

Voting

2 objections to going with the plan for the longer term.

Monetary investment may be reduced if the model to commence the installation proceeds on the basis of no monitoring of camera footage.

Q. Is maintenance cost covered by Council?

Yes, but further investigation needed.

Council will back the plan if Chamber commitment is there.

Regular report back will be via letter and/or meeting.

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2004/05 Nimbin Business Rate 'Reaching consensus on how the \$10,000 shall be spent'

Nimbin Bowling Club September 8, 2004 Facilitator: Jane Oliver – Footprint Directions

The following is a summary of the 'butcher's paper' notes taken at the meeting of property owners and business operators by the facilitator. It has been produced in this format to accommodate further discussion with the Nimbin Business community.

What is the meaning of 'consensus'?

- Everybody agrees
- Impossible dream
- Compromise
- **♦ SILENCE**
- Non-coercive
- \$10K boundary
- Majority consensus
- Agreed to

"I CAN LIVE WITH THAT"

What projects and why?

What	Why
Invest	Use it later when we have more
Local spending →	Benefit local community
Link to other funding	Create partnership funding opportunity's
Clearly allocated before partnering	Keep local decision making strong and objectives achieved
MAIN STREET SECURITY AND SAFETY	Improve reputation and a safer environment for everyone
Application tabled \$100,000	Community designed system
(State & Regional Development + CEDO+ LCC)	

What	Why
SECURITY	
Lighting Rainbow Lane Cameras	Paving Break un-safe patterns violence Lights & cameras
Crime Prevention	Lobbying for Police to be stronger
United community effort →	Safer Environment
✓ Identify trouble makers (systems) ✓ Trouble shooters ✓ All business ✓ Police – orders & enforcement X Staff safety concerns	
Graffiti clean-up	No ghetto Art
Unfinished business Town entrance statements Website ownership Business directory X Funded	\$2,500??? OK
Equally to all business	So we can represent ALL business not just in main street
Represented marketing (Perhaps)	To create more business
WAGES Paid CEDO (March 05) ✓ Quality Management ✓ Part-time work x 2 "Town & Villages" Scheme \$15K	Reward \$ Progress community & business initiatives Entrepreneurial to create GROWTH
Department of State & Regional Development Sports Field Festivals Sports for kids Big facilities Shower& toilets Fairy Lights	Support for kids & cultural events Create more interest & money coming in
Lighting audit Banners/events	

What are the priorities?

Democratic / Professional representation.

Lighting

Carpark

- Safe access

- Design agreement

Tourism

Security cameras @ hot spots

What was the consensus?

No 1 \(\triangle \) Security initiatives - Camera

\$8,000

No 2 △ Commitment to self-help and "Partnership"

Economic Development effort (with LCC) \$2,000

No 3 \triangle Projects

Kids healthy activities

Cultural facilities i.e. Headers Soccer ground and A & I Showground

Nimbin Main Street Survey

Thank you for participating in the recent survey of businesses on the main street of Nimbin. This survey addressed tourism and community safety. A summary of the survey results is included here...

- Q1 As a community safety & crime prevention initiative, do you consider the street patrols to be effective?...Yes-20.....No-16...No reply-2
- Q2 Do you consider that Jungle Patrol is doing a good job with the street cleaning service?...Yes-29...No-7...No reply-2
- Q3 Funding for the current Jungle Patrol program will soon be expended. If additional funding could be obtained do you think a street beat presence should continue?...Yes-24...No-9...No reply-5
- Q4 Do you think the ambience of Cullen Street needs improving?...Yes-37...No-1
- Q5 Do you have any ideas to improve community safety on Cullen Street?... Summary of comments: regular policing was THE critical issue on most surveys, more street lighting, enforcement of the alcohol free zone, security patrols at night, security cameras and strategies to control violence & vandalism.
- Q6 How could access to the western carpark be improved? Summary of comments: lighting was THE critical issue on most surveys, signage, pedestrian access via Rainbow Lane, dual road access (entry & exit) at northern end, landscaping.
- Q7 Do you consider that tourism is important for the economic development of Nimbin?,, Yes-35...No-2...No reply-1
- Q8 Do you consider tourist & visitor campaigns promoting attractions in & around Nimbin to be effective?...Yes-20...No-18
- Q9 Of the actions listed below, which do you consider most important? Major priorities: 1. strategies to control intimidation & aggression...2. enforcement of alcohol free zone...3, strategies to control youth street dealing...4, regular police beat...5. street & laneways lighting

Your involvement in this survey is greatly appreciated.

Local initiatives and funding assistance are being sought to address these issues. For any information regarding the survey results please contact Community Economic Development office.

Nimbin Business Rate

Options for expenditure from public meeting held May 7, 2003 at the Nimbin Bowling Club

Marketing & Promotion:

- 1. How Nimbin looks
- 2. National identity
- 3. Refocus on all strengths (alternative culture, cultural/ambience, arts & craft)
- 4. Identify target markets
- 5. Improved business promotion (ie sales 'buy local' to wider community)
- 6. Utilise different types of sales 'media' (brochures, newspapers, direct mail, internet/web site development, local radio)

Festivals and Events

- 1. Mardi Grass (major source of annual income, further support needed)
- 2. Further major events
- 3. Under-utilisation of Showground
- 4. Spring Festival Visions
- 5. Further promotion of existing events (markets, Visions, Nimbin Show)
- 6. Art & craft exhibitions (hall, galleries)
- 7. Aquarius Festival
- 8. Consider 4 festivals each year (seasonal)
- 9. Public liability insurance

Town Beautification Projects

- Cleaning up Allsopp Park (clean sandstone sculptures, more beautification, keeping war memorial in good repair)
- 2. Car park landscaping (eg on school land)
- 3. Town Entrance features/beautification (Nimbin/Woodstock signage)
- 4. Banner poles across main street for promoting events
- 5. Mural revamps & upkeep
- 6. Replanting & maintenance of planter pots
- 7. Peace Park development
- 8. Power lines underground (conduit already there)
- 9. Fairy lights or similar lighting
- 10. Blister beautification
- 11. Street planting & paving
- 12. Beautify southern approach to village as continuation of Pixie & Council's theme at northern end of village
- 13. Lookout at Newton Drive (platform, small car park, feature plaques)

Street/Park Entertainment

- 1. Music in the park
- 2. Events in the park changing the ambience
- 3. Busking in Cullen Street (eg. pay to hire a PA)

Nimbin Business Rate

Options for expenditure from public meeting held May 7, 2003 at the Nimbin Bowling Club

Small Business Development

- 1. Business site development
- 2. Support for marketing & development

Other suggested ideas

- 1. Complete western side access road for off-street unloading & more parking
- 2. Place electric lines underground
- Incentive to attract private investment for new development (create employment & growth)
- 4. More toilets (clean, safe, accessible)
- 5. Link/By-pass/Ring Road (safer for events)

RS: S880

Rino Santin

September 27, 2004

«Name» «Address1» «Address2» «Address3»

Dear Sir/Madam

RE: 2004/05 NIMBIN BUSINESS RATE

At the September 2004 meeting of key stakeholders, consensus was reached that the 2004/05 Nimbin Business Rate would be applied to the following priorities: -

1) Security - provision of cameras \$8,000

2) Economic Development – support for community economic development \$2,

\$2.000

Council has investigated the proposals and in partnership with the Nimbin Chamber of Commerce, will provide feedback on these and information on other initiatives/issues raised, at a meeting to be held from 7.00pm to 9.00pm on Wednesday, October 6, 2004 at the Nimbin Bowling Club.

For your information, please find attached a summary of the 'butcher's paper' outcomes from the September 2004 meeting.

I look forward to seeing you at the meeting.

Yours faithfully

Paul O'Sullivan General Manager

RS: \$880

Rino Santin

August 27, 2004

Name Address1 Address2 Address3

Dear Sir/Madam

RE: 2004/05 NIMBIN BUSINESS RATE

To ensure the Nimbin business community is consulted on how to expend the 2004/05 Nimbin Business Rate, a meeting of all key stakeholders is to be held from 7.00pm to 9.00pm on Wednesday, September 8, 2004 at the Nimbin Bowling Club.

Nimbin Chamber of Commerce, in partnership with Lismore City Council, is inviting Nimbin business ratepayers and business operators to the meeting where is it planned to discuss the options to expend the \$10,000 generated and gain a consensus on its mutually beneficial use for 2004/05. To assist in achieving this outcome, a facilitator has been engaged for the meeting.

Importantly, until a consensus is reached and the outcome subsequently considered and approved by Council, the 2004/05 Nimbin Business Rate will be held in trust.

For your information and possibly a 'starting point' at the meeting, please find attached the results of a main street survey recently completed by the Community Economic Development Officer, and a list of options from a similar meeting held on May 7, 2003.

I look forward to seeing you at the meeting.

Yours faithfully

Rino Santin
Manager – Finance & Administration