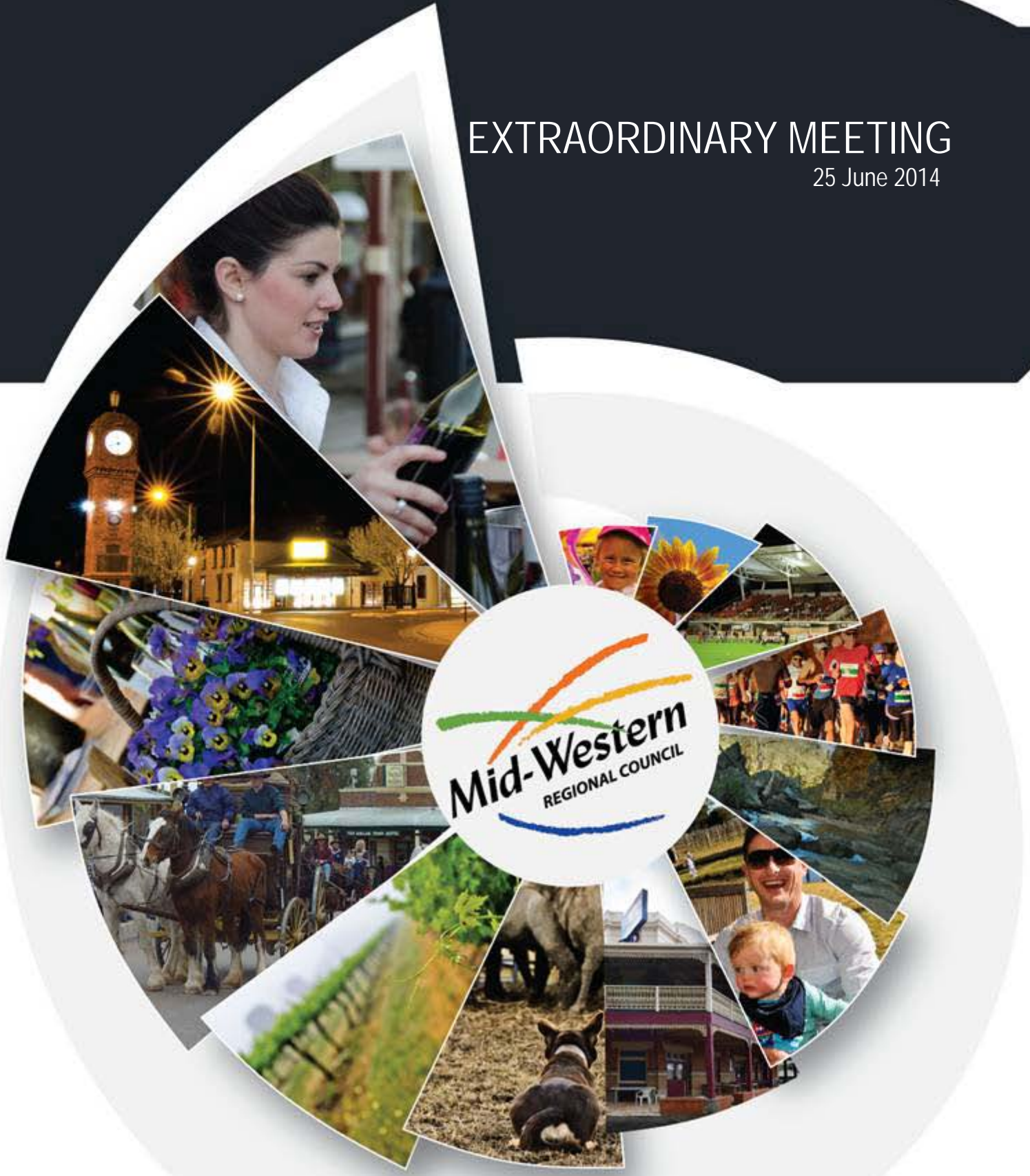




# EXTRAORDINARY MEETING

25 June 2014





PO BOX 156  
MUDGEE NSW 2850

86 Market Street MUDGEE  
109 Herbert Street GULGONG  
77 Louee Street RYLSTONE

Ph: 1300 765 002 or (02) 6378 2850

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18 June 2014

Dear Councillor

MEETING NOTICE  
**Extraordinary Meeting**

Wednesday, 25 June 2014

**OPEN DAY at 5.30pm**

*Council Meeting commencing at conclusion of Open Day*

Notice is hereby given that the above meeting of Mid-Western Regional Council will be held in the Council Chambers, 86 Market Street, Mudgee at the time and date indicated above to deal with the business as listed on the Meeting Agenda.

Members of the public may address the Council Meeting at Open Day commencing at 5.30pm. Speakers are given 5 minutes to outline any issue of relevance to the Council. If you wish to speak at Open Day please contact the Mayor's Office on 1300 765 002 or 02 6378 2850 by 3.00 pm on the day of the meeting. Alternatively, please make yourself known to the Manager Governance prior to the commencement of the meeting.

Yours faithfully

A handwritten signature in black ink that reads "Des K". Below the signature is a horizontal line.

**DES KENNEDY**  
**MAYOR**

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## Item 1: Apologies

## Item 2: Disclosure of Interest

In accordance with Section 451 of the Local Government Act 1993, Councillors should declare an interest in any item on this Agenda. If an interest is declared, Councillors should leave the Chambers prior to the commencement of discussion of the item.

Item 3: Confidential Session

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**(a) Mayoral Minute**

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3.1.1 Mayoral Minute – Recruitment of General Manager

Item 4: Open Council (at the conclusion of Open Day)

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**4.1 Decisions from Confidential Session**

## Item 5: General Business

### 5.1.1 Delivery Programme 2014-17 / Operational Plan 2014-15 (incorporating Revenue Policy)

REPORT BY THE DIRECTOR, FINANCE & ADMINISTRATION TO 25 JUNE 2014 EXTRAORDINARY COUNCIL MEETING  
5.1.1 Delivery Programme 2014  
GOV400038, COR400059

#### RECOMMENDATION

##### That:

1. **the report by the Director, Finance & Administration on the Delivery Programme 2014-17 / Operational Plan 2014-15 (incorporating Revenue Policy) be received;**
2. **Council accepts option 5 of the amended Draft Revenue Policy as its preferred rating alternative;**
3. **Council adopts the Delivery Programme for 2014-17 and the Operational Plan for 2014-15, including the Fees & Charges Schedule;**
4. **Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:**
  - **Residential Rate (Rural and Urban)**  
A Residential Rate (Rural and Urban) of 0.646252 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;
  - **Farmland Rate**  
A Farmland Rate of 0.600924 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
  - **Business Rate**  
A Business Rate of 0.938882 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
  - **Business Rylstone Aeropark Rate**  
A Business Rylstone Aeropark Rate of 0.938882 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
  - **Mining Rate**  
A Mining Rate of 7.677528 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
  - **Mining Coal Rate**  
A Mining Coal Rate of 7.677528 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
  - **Hunter Catchment Contribution Special Rate**  
Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to

the land value within the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;

- **Extra Charges**  
The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.5% per annum, on a daily simple interest basis;
- **Domestic Waste Management Charge**  
A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- **General Waste Disposal Charge**  
A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Business Waste Management Charge**  
A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Water Charges**  
Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Amount
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358
40mm meter	\$560
50mm meter	\$875
80mm meter	\$2,240
100mm meter	\$3,500
150mm meter	\$7,875
Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- **Sewer Charges**  
Sewer charges for rateable and non-rateable properties within the sewer service area of:

Charge Type	Amount
Service availability – residential	\$697
Service availability – non-residential	\$389
Usage – non-residential based on kilolitres of water	\$2.23 per kL



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used that would reasonably be deemed to enter sewer schemes

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## Executive summary

Over the past few months, Council has been through an extensive planning process to determine which projects and initiatives would be undertaken across the next four financial years, culminating in the Operational Plan 2014-15 and the amended Delivery Programme 2014-2017. Following public exhibition, and consideration of submissions to the Draft Plans, it is recommended that Council adopt the amended Operational Plan/Delivery Programme for 2014 – 2017.

## Detailed report

Council is required to make and levy rates and annual charges in accordance with Chapter 15 of the *Local Government Act 1993*. Council has given public notice of these rates and charges as part of the publication of the draft operational plan, as per section 532 of the Act.

The amended Delivery Programme 2014 – 2017 (incorporating the Operational Plan 2014-15) is attached. The Draft has been amended to include changes considered at previous Council meetings, which encompasses Council's response to public submissions where applicable. These changes will also be incorporated into the Long Term Financial Plan which sets out a blueprint for the financial direction of Council over the coming ten years.

In developing the final document, Council have where possible, responded to community concerns raised through the public consultation periods for the Revenue Policy and Delivery Programme 2014-17. The Delivery Programme 2014-17 also now incorporates (or contains) the Operational Plan 2014-15 and the Revenue Policy for the same period as one complete document.

The document was originally split between the Delivery Programme 2014-17 (incorporating the Operational Plan 2014-15) and Revenue Policy to allow the community to comment on alternative options prior to the adoption of the 2014-15 rates being levied. Five (5) options were developed and provided to the community for comment. A summary of each option is provided below.

Those options included:

### OPTION 1

Rate increases proposed for each category are:

- Business                      0%
- Residential                    0%
- Farmland                        0%
- Mining                         31.5%

The ad valorem amounts, minimum amounts and estimated yields for each category are set out in the table below.

Category	Sub Category	Minimum Amount	Ad Valorem c in \$	Estimated Yield
Farmland		\$609.26	0.581975	\$4,305,741
Residential		\$609.26	0.617904	\$3,297,505
Residential	Urban	\$609.26	0.617904	\$5,273,190
Business		\$609.26	0.908061	\$1,304,599
Business	Rylstone Aeropark	\$200.00	0.908061	-

Mining		\$609.26	9.439089	\$42,098
Mining	Coal	\$609.26	9.439089	\$2,380,684
<b>Estimated Total Yield from Ordinary rates</b>				<b>\$16,603,817</b>

*OPTION 2*

Rate increases proposed for each category are:

- Business 1%
- Residential 1%
- Farmland 1%
- Mining 23.8%

The ad valorem amounts, minimum amounts and estimated yields for each category are set out in the table below.

Category	Sub Category	Minimum Amount	Ad Valorem c in \$	Estimated Yield
Farmland		\$609.26	0.587918	\$4,348,799
Residential		\$609.26	0.626931	\$3,332,672
Residential	Urban	\$609.26	0.626931	\$5,324,489
Business		\$609.26	0.917259	\$1,316,716
Business	Rylstone Aeropark	\$200.00	0.917259	-
Mining		\$609.26	8.887261	\$39,637
Mining	Coal	\$609.26	8.887261	\$2,241,504
<b>Estimated Total Yield from Ordinary rates</b>				<b>\$16,603,817</b>

*OPTION 3*

Rate increases proposed for each category are:

- Business 2.2%
- Residential 2.2%
- Farmland 2.2%
- Mining 14.7%

The ad valorem amounts, minimum amounts and estimated yields for each category are set out in the table below.

Category	Sub Category	Minimum Amount	Ad Valorem c in \$	Estimated Yield
Farmland		\$609.26	0.594986	\$4,400,021
Residential		\$609.26	0.637472	\$3,374,083
Residential	Urban	\$609.26	0.637472	\$5,385,047
Business		\$609.26	0.929015	\$1,332,224
Business	Rylstone Aeropark	\$200.00	0.929015	-
Mining		\$609.26	8.230011	\$36,706
Mining	Coal	\$609.26	8.230011	\$2,075,736
<b>Estimated Total Yield from Ordinary rates</b>				<b>\$16,603,817</b>

*OPTION 4*

Rate increases proposed for each category are:

- Business 2%
- Residential 2%
- Farmland 2%
- Mining 16.1%

The ad valorem amounts, minimum amounts and estimated yields for each category are set out in the table below.

Category	Sub Category	Minimum Amount	Ad Valorem c in \$	Estimated Yield
Farmland		\$609.26	0.593859	\$4,391,856
Residential		\$609.26	0.635798	\$3,367,480
Residential	Urban	\$609.26	0.635798	\$5,375,396
Business		\$609.26	0.927143	\$1,329,752
Business	Rylstone Aeropark	\$200.00	0.927143	-
Mining		\$609.26	8.334778	\$37,173
Mining	Coal	\$609.26	8.334778	\$2,102,160
<b>Estimated Total Yield from Ordinary rates</b>				<b>\$16,603,817</b>

*OPTION 5*

Rate increases proposed for each category are:

- Business 3.2%
- Residential 3.2%
- Farmland 3.2%
- Mining 7%

The ad valorem amounts, minimum amounts and estimated yields for each category are set out in the table below.

Category	Sub Category	Minimum Amount	Ad Valorem c in \$	Estimated Yield
Farmland		\$609.26	0.600924	\$4,443,078
Residential		\$609.26	0.646252	\$3,408,970
Residential	Urban	\$609.26	0.646252	\$5,435,875
Business		\$609.26	0.938882	\$1,345,261
Business	Rylstone Aeropark	\$200.00	0.938882	-
Mining		\$609.26	7.677528	\$34,242
Mining	Coal	\$609.26	7.677528	\$1,936,391
<b>Estimated Total Yield from Ordinary rates</b>				<b>\$16,603,817</b>

## RESULTS OF CONSULTATION

Over the duration of the consultation period Council received in excess of 400 responses, including formal written responses, internet based surveys, presentations and representations to Council and paper based surveys. These responses have now been considered by Council and the Delivery Programme (incorporating the Operational Plan 2014-15 and the Revenue Policy 2014-15) has been adjusted to reflect this consideration.

In considering the responses received from the community and based on the considerations provided within the policy, the recommendation in this report is that Council adjust the draft revenue policy to reflect option 5. This option is a more evenly split distribution of the rating increase for the 2014-15 financial year.

However if Council was of the opinion that one of the other options was more appropriate, alternative recommendations could be adopted. As there is specific wording that is required to formally adopt the rates and charges for a financial year, alternative recommendations for recommendation 3 have been prepared for each of the other options and are as follow:

### OPTION 1

**Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:**

- **Residential Rate (Rural and Urban)**  
A Residential Rate (Rural and Urban) of 0.617906 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;
- **Farmland Rate**  
A Farmland Rate of 0.581975 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
- **Business Rate**  
A Business Rate of 0.908061 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
- **Business Rylstone Aeropark Rate**  
A Business Rylstone Aeropark Rate of 0.908061 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
- **Mining Rate**  
A Mining Rate of 9.439089 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
- **Mining Coal Rate**  
A Mining Coal Rate of 9.439089 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
- **Hunter Catchment Contribution Special Rate**  
Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to the land value within the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;
- **Extra Charges**  
The extra charges to be charged on overdue rates and charges shall be

calculated at a rate of 8.5% per annum, on a daily simple interest basis;

- **Domestic Waste Management Charge**  
A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- **General Waste Disposal Charge**  
A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Business Waste Management Charge**  
A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Water Charges**  
Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Amount
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358
40mm meter	\$560
50mm meter	\$875
80mm meter	\$2,240
100mm meter	\$3,500
150mm meter	\$7,875
Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- **Sewer Charges**  
Sewer charges for rateable and non-rateable properties within the sewer service area of:
- | Charge Type   | Amount        |
|---|---------------|
| Service availability – residential  | \$697         |
| Service availability – non-residential  | \$389         |
| Usage – Non-residential based on kLs of water used that would reasonably be deemed to enter sewer schemes | \$2.23 per kL |

#### OPTION 2

Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:

- **Residential Rate (Rural and Urban)**  
A Residential Rate (Rural and Urban) of 0.626931 cents in the dollar on the land

value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;

- **Farmland Rate**  
A Farmland Rate of 0.587918 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
- **Business Rate**  
A Business Rate of 0.917259 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
- **Business Rylstone Aeropark Rate**  
A Business Rylstone Aeropark Rate of 0.917259 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
- **Mining Rate**  
A Mining Rate of 8.887261 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
- **Mining Coal Rate**  
A Mining Coal Rate of 8.887261 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
- **Hunter Catchment Contribution Special Rate**  
Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to the land value within the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;
- **Extra Charges**  
The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.5% per annum, on a daily simple interest basis;
- **Domestic Waste Management Charge**  
A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- **General Waste Disposal Charge**  
A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Business Waste Management Charge**  
A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Water Charges**  
Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Amount
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358

40mm meter	\$560
50mm meter	\$875
80mm meter	\$2,240
100mm meter	\$3,500
150mm meter	\$7,875
Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- **Sewer Charges**

Sewer charges for rateable and non-rateable properties within the sewer service area of:

Charge Type	Amount
Service availability – residential	\$697
Service availability – non-residential	\$389
Usage – Non-residential based on kLs of water used that would reasonably be deemed to enter sewer schemes	\$2.23 per kL

### OPTION 3

Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:

- **Residential Rate (Rural and Urban)**  
A Residential Rate (Rural and Urban) of 0.637472 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;
- **Farmland Rate**  
A Farmland Rate of 0.594986 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
- **Business Rate**  
A Business Rate of 0.929015 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
- **Business Rylstone Aeropark Rate**  
A Business Rylstone Aeropark Rate of 0.929015 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
- **Mining Rate**  
A Mining Rate of 8.230011 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
- **Mining Coal Rate**  
A Mining Coal Rate of 8.230011 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
- **Hunter Catchment Contribution Special Rate**  
Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to the land value within

the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;

- **Extra Charges**

The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.5% per annum, on a daily simple interest basis;

- **Domestic Waste Management Charge**

A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;

- **General Waste Disposal Charge**

A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;

- **Business Waste Management Charge**

A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;

- **Water Charges**

Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Amount
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358
40mm meter	\$560
50mm meter	\$875
80mm meter	\$2,240
100mm meter	\$3,500
150mm meter	\$7,875
Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- **Sewer Charges**

Sewer charges for rateable and non-rateable properties within the sewer service area of:

Charge Type	Amount
Service availability – residential	\$697
Service availability – non-residential	\$389
Usage – Non-residential based on kLs of water used that would reasonably be deemed to enter sewer schemes	\$2.23 per kL



## OPTION 4

Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:

- **Residential Rate (Rural and Urban)**  
A Residential Rate (Rural and Urban) of 0.635798 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;
- **Farmland Rate**  
A Farmland Rate of 0.593859 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
- **Business Rate**  
A Business Rate of 0.927143 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
- **Business Rylstone Aeropark Rate**  
A Business Rylstone Aeropark Rate of 0.927143 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
- **Mining Rate**  
A Mining Rate of 8.334778 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
- **Mining Coal Rate**  
A Mining Coal Rate of 8.334778 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
- **Hunter Catchment Contribution Special Rate**  
Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to the land value within the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;
- **Extra Charges**  
The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.5% per annum, on a daily simple interest basis;
- **Domestic Waste Management Charge**  
A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- **General Waste Disposal Charge**  
A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Business Waste Management Charge**  
A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;

- **Water Charges**  
Water charges for rateable and non-rateable properties within the water supply area of:

<b>Charge Type</b>	<b>Amount</b>
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358
40mm meter	\$560
50mm meter	\$875
80mm meter	\$2,240
100mm meter	\$3,500
150mm meter	\$7,875
Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- **Sewer Charges**  
Sewer charges for rateable and non-rateable properties within the sewer service area of:

<b>Charge Type</b>	<b>Amount</b>
Service availability – residential	\$697
Service availability – non-residential	\$389
Usage – Non-residential based on kLs of water used that would reasonably be deemed to enter sewer schemes	\$2.23 per kL

## Financial and Operational Plan implications

The Delivery Programme 2014 – 2017 (incorporating the Operational Plan 2014-15 and Revenue Policy 2014-15) sets out Council's planned activities, major projects and strategic direction for the next four financial years.

## Community Plan implications

The Delivery Programme 2014 – 2017 (incorporating the Operational Plan 2014-15 and Revenue Policy 2014-15) sets out Council's planned activities, major projects and strategic direction for the next four financial years.



**BRETT EXELBY**  
**DIRECTOR, FINANCE AND ADMINISTRATION**

19 June 2014

- Attachments:*
1. *Delivery Programme 2014-17/Operational Plan 2014-15 (incorporating Revenue Policy)*
  2. *Submission - Glencore (Ulan Coal Mines)*
  3. *Submission - Wilpinjong Coal*
  4. *Submission – NSW Farmers*

5. *Who Should Pay Electronic Survey - Summary Results*
6. *Who Should Pay Electronic Survey - Public Comments*
7. *Who Should Pay Written Survey Results*
8. *Confidential Legal Advice - Proposed rate for the Mining Category*

(all attachments are at the back of the business paper)

APPROVED FOR SUBMISSION:

A handwritten signature in black ink, appearing to be 'BRAD CAM', with a horizontal line extending to the right.

BRAD CAM  
ACTING GENERAL MANAGER

## 5.1.2 Policy Review – Categorisation of Land as Farmland for Rating Purposes

REPORT BY THE REVENUE & PROPERTY MANAGER TO 25 JUNE 2014 COUNCIL MEETING  
Policy Review 2014 – Categorisation of Land as Farmland for Rating Purposes  
GOV400038, A0340007, A0340049

### RECOMMENDATION

#### That:

1. **the report by the Revenue & Property Manager on the Policy Review - Categorisation of Land as Farmland for Rating Purposes be received;**
2. **Council adopt the revised Categorisation of Land as Farmland for Rating Purposes Policy.**

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### Executive summary

The existing Categorisation of Land as Farmland for Rating Purposes policy has been reviewed and proposed amendments made as part of Council's ongoing policy review programme.

### Detailed report

The proposed changes to the Categorisation of Land as Farmland for Rating Purposes policy are consistent with the intent of the existing policy and are considered appropriate in order to maintain continuity in determining new farmland categorisation applications and reviews.

It is considered that the short-term market fluctuations reflected in the Gross Margin Tables on their own, are not significant enough to change the categorisation decisions previously made in 2007.

In order to retain the three (3) previously adopted areas that automatically declare a property to be categorised as Farmland, the percentage of the current National average annual wage has been retained at 34.33%.

The Gross Margin Tables have been updated to reflect most recent figures published by NSW Department of Primary Industries.

### Financial and Operational Plan implications

Not applicable.

## Community Plan implications

The Categorisation of Land as Farmland for Rating Purposes policy will be amended in accordance with Council's decision.

DIANE SAWYERS  
REVENUE & PROPERTY MANAGER

BRETT EXELBY  
DIRECTOR, FINANCE & ADMINISTRATION


19 June 2014

*Attachments:* 1. Categorisation of Land as Farmland for Rating Purposes Proposed Policy – with track changes.

APPROVED FOR SUBMISSION:

A handwritten signature in black ink, appearing to be 'BRAD CAM', with a horizontal line extending to the right.

BRAD CAM  
ACTING GENERAL MANAGER

	<b>POLICY</b>	ADOPTED C/M Minute No.
	<b>Categorisation of Land As Farmland For Rating Purposes</b>	FILE No. <a href="#">A0100051</a> , <a href="#">A0340007</a> , <a href="#">A0340046</a> <a href="#">A0340049</a>

**OBJECTIVE**

- a) To provide clear guidelines and procedures in relation to the assessment of rateable land parcels for the categorisation as Farmland for rating purposes and to ensure that all farmland assessments are determined using consistent measures.
- b) To ensure that the guidelines and procedures are implemented efficiently and effectively.
- c) To provide staff with authority to assess rateable land parcels for the categorisation as Farmland for rating purposes.
- d) To afford efficient assessment of farmland rating entitlement for land which is readily to be accepted as farmland and to make transparent the criteria for assessment.
- e) Where a parcel of land is not initially accepted as qualifying for farmland rating further assessment criteria and methods are identified.

**POLICY**

**A. GUIDELINES FOR ASSESSMENT OF RATEABLE LAND PARCELS FOR CATEGORISATION AS FARMLAND FOR RATING PURPOSES:-**

**In relation to the determination of rateable land parcels for categorisation as farmland for rating purposes, Chapter 15, Part 3 and Part 3A of the Local Government Act, 1993, as amended, must apply.**

**For land to be categorised as farmland in terms of Section 515(1) of the Local Government Act, 1993, as amended, it must be:**

*Land is to be categorised as "farmland" if it is a parcel of rateable land valued as one assessment and its dominant use is for farming (that is, the business or industry of grazing, animal feedlots, dairying, pig-farming, poultry farming, viticulture, orcharding, bee-keeping, horticulture, vegetable growing, the growing of crops of any kind, forestry or aquaculture within the meaning of the [Fisheries Management Act 1994](#) , or any combination of those businesses or industries) which:*

- (a) has a significant and substantial commercial purpose or character, and*
- (b) is engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made).*

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### Categorisation of Land as Farmland For Rating Purposes Policy

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It is recommended by the ~~Department~~ ~~Office~~ of Local Government that councils have an internal set of guidelines as to what factors will be used in determining categorisation as farmland for rating purposes. This Policy has been produced in response to such recommendation.

Many parcels of land will readily be identifiable as farming land and will qualify for categorisation as farmland. The criteria for assessment of those lands is identified by:-

1. Land use;
2. Assessed land capacity; and
3. Area

Additional information indicating productivity by income derived from the parcel may allow other parcels to qualify for inclusion in the category of farmland.

For other properties which have not qualified there is a process identified for additional information to be supplied which may establish farmland categorisation with the opportunity for a review.

Where an applicant chooses to appeal to the Land and Environment Court against the categorisation, Council will obtain an independent review of the application.

For certainty in considering applications Council has adopted and grouped the Land Capability Classification Scheme published by Department Lands, Soil Conservation Service dated 1986 as identified on the map which is available upon request at Council's office in Market Street Mudgee.

Guidelines specific to the Mid-Western Regional Council in relation to the determination of rateable land parcels for categorisation as farmland for rating purposes, are as follows:-

1. ~~1.~~—An assessment is deemed to comply with the definition of farmland in terms of Section 515(1) of the Local Government Act, 1993, as amended, and subsequently may be declared farmland category if the dominant use is for farming and:-
  - a. ~~a)~~—The area is equal to or greater than 55 Ha where the assessment is designated to be within Land Capability Classification Group 1 to 3 - Extensive; or
  - b. ~~b)~~—The area is equal to or greater than 5 Ha where the assessment is designated to be within Land Capability Classification Group 1 to 3 – Intensive; or
  - c. ~~c)~~—The area is equal to or greater than 120 Ha where the assessment is designated to be within Land Capability Classification Group 4 & above; or
2. ~~2.~~—Where an assessment does not meet the area requirements in 1 above, it may still be deemed to comply with the definition of farmland where the land owner establishes that the assessment produces an annual Gross Margin

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**Categorisation of Land as Farmland For Rating Purposes Policy**

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performance level (before depreciation, loan payment and tax) equal to or greater than \$~~25,079.71~~26,754.19, being 34.33% of the ~~February 2012~~November 2013 National average annual wage ("the assessed Gross Margin performance level"), (source of National average annual wage – ABS 6302.0 Average Weekly Earnings, Key Figures/Trend Estimates/ Private & public sectors/Full-time adult total earnings, annualised).

**B. – PROCEDURES FOR ASSESSMENT OF RATEABLE LAND PARCELS FOR CATEGORISATION AS FARMLAND FOR RATING PURPOSES:-**

**Relevant sections of Chapter 15, Part 3 and Part 3A of the Local Government Act, 1993, as amended, must apply with qualifications in relation to procedures specific to Mid-Western Regional Council as follows:-**

1. ~~1.~~ Assessment of dominant land use being for farming as defined.
2. ~~2.~~ Assessment of Rateable Land Parcels for Categorisation as Farmland for Rating Purposes:-

Refer to *Guidelines For Assessment of Rateable Land Parcels For Categorisation as Farmland For Rating Purposes:-*

- a. If an assessment's area is equal to or greater than the specified minimum area within its designated land capability classification group, then categorisation as Farmland for rating purposes may be declared.
- b. If an assessment's area is less than the specified minimum area within its designated land capability classification group, then categorisation as farmland for rating purposes may not to be declared.
3. The rateable person (or the agent or lessee) in the situation at 2(b) above, is to be notified of the declaration in accordance with Local Government Act, 1993, as amended, and is to be forwarded a *Request For Further Information In Support For Change Of Category Of Land To Farmland For Rating Purposes*, which may be completed at the discretion of the owner, (or the agent or lessee) and returned to Council for further assessment ("Application for Declaration as Farmland").
4. Assessment of Properties For Categorisation as Farmland For Rating Purposes upon Application for Declaration as Farmland:-

Upon return to Council of the completed Application for Declaration as Farmland refer to *Guidelines For Assessment of Properties For Categorisation as Farmland For Rating Purposes* to determine eligibility:-

- a) If an assessment's calculated Gross Margin performance level per annum is equal to or greater than the assessed Gross Margin performance level at A(2), then categorisation as Farmland for rating purposes may be recommended for approval.



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**Categorisation of Land as Farmland For Rating Purposes Policy**

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- b) If an assessment's calculated Gross Margin performance level per annum is less than the assessed Gross Margin performance level at A(2), then categorisation as Farmland for rating purposes is not to be recommended for approval.
5. If clarification of information supplied to Council is required, then the rateable person (or the agent or lessee) is to be requested to supply additional information or may attend Council's Office for this purpose.
6. The *Recommendation Report For Change Of Category Of Land To Farmland For Rating Purposes* is to be approved by ~~Group-Manager~~ Director Finance & Administration after assessment at 4(a) or (b) above.
7. The rateable person (or the agent or lessee) may seek a review of the declaration recommended at 2(b) above at any time. Such a review will be made by an independent person with expertise in the relevant provisions of the Local Government Act, 1993, as amended, to be nominated by the General Manager.
8. If an appeal to the Land and Environment Court is lodged by the rateable person (or the agent or lessee), a review must be made by an independent person with expertise in the relevant provisions of the Local Government Act, 1993, as amended, to be nominated by the General Manager to ensure that any declaration and/or subsequent assessment were correct. If this is confirmed, Council will proceed to Court.

**C. METHODOLOGY UNDERLYING THE GUIDELINES AND PROCEDURES FOR ASSESSMENT OF RATEABLE LAND PARCELS FOR CATEGORISATION AS FARMLAND FOR RATING PURPOSES:-**

1. Determination of ... dominant use, ... business or industry, ... a significant and substantial commercial purpose or character and ... purpose of profit on a continuous or repetitive basis where limited information is available:-

The Gross Margin performance level required is ~~\$25,079.71~~ 26,754.19, being 34.33% of the ~~August-2009~~ November 13 National average annual wage of ~~\$73,054.89~~ 77,932.40 (source of National average annual wage – ABS 6302.0 Average Weekly Earnings, Key Figures/Trend Estimates/ Private & public sectors/Full-time adult total earnings, annualised).

- a) Gross Margin performance level is defined as gross income less variable costs (not including fixed or overhead costs ie. Depreciation, loan payments and tax).
- b) Rateable land parcels grouped by land capability as determined by Department Lands, Soil Conservation Service dated 1986. Three Land Capability Classification Groups have been determined by Council, being:-

Land Capability Classification Group 1 to 3 – Extensive  
Land Capability Classification Group 1 to 3 – Intensive  
Land Capability Classification Group 4 and above

Maps identifying the Land Capability Classification Groups have been produced.

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**Categorisation of Land as Farmland For Rating Purposes Policy**

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Where a rateable land parcel is situated within different Land Capability Classification Groups, it will be determined to be within the particular Land Capability Classification Group where it exceeds 50% of its total land area.

- c) Land Capability Classification Groups average carrying capacity in relation to Dry Sheep Equivalents (source NSW Department Primary Industries [publication \*Using DSE's and Carrying Capacities To Compare Beef Enterprises\*, 15/6/2004](#) and reviewed 8/4/2005 ~~publication *Using DSE's and Carrying Capacities To Compare Beef Enterprises*, 15/6/2004 and reviewed 8/4/2005~~), have been determined by Council, being:-

Land Capability Classification Group 1 to 3 – Extensive – 12 DSE/Ha  
Land Capability Classification Group 1 to 3 – Intensive – 12 DSE/Ha  
Land Capability Classification Group 4 and above – 5 DSE/Ha

- d) Gross margin per DSE (source NSW – Department of Primary Industries <http://www.dpi.nsw.gov.au/agriculture/farm-business/budgets>) and Land Capability Classification Groups minimum areas determined by minimum area of land required to produce the Gross Margin performance level of ~~\$25,079.74~~ [26,754.19](#), as determined by Council, as per table below:-

## Categorisation of Land as Farmland For Rating Purposes Policy

## Gross Margin Tables

Average Annual Wage **\$73,054.80** **77,932.40**  
% required **34.33%**

Target GM **\$25,079.74** **26,754.19**

## Land Classifications 1 to 3

<b>A - Extensive Enterprises</b>		DSE/Ha	12
	Gross Profit Target		<b>\$25,080</b> <b>26,754</b>
Farming Activity	Gross Margin		* Ha required to achieve target GM (ha)
	\$ / dse / Annum		
Cows producing weaners	<del>\$22.30</del> <b>18.89</b>		93.7
Yearling Production	<del>\$21.82</del> <b>26.81</b>		95.8
Growing out steers 160-340kg	<del>\$31.08</del> <b>32.29</b>		67.2
Growing out steers 240-420kg	<del>\$22.58</del> <b>31.00</b>		92.6
Growing out steers 240-460kg	<del>\$23.12</del> <b>34.94</b>		90.4
Merino Ewes – 18 micron	<del>\$44.96</del> <b>26.69</b>		46.5
Merino Ewes – 20 micron	<del>\$37.16</del> <b>22.01</b>		56.2
Merino Wethers – 18 micron	<del>\$32.94</del> <b>23.70</b>		63.4
Merino Wethers – 20 micron	<del>\$25.89</del> <b>20.15</b>		80.7
1 <sup>st</sup> cross lambs	<del>\$34.76</del> <b>27.42</b>		60.1
2 <sup>nd</sup> cross lambs	<del>\$30.35</del> <b>27.01</b>		68.9
Wheat-Short Fallow	\$34.93		59.8
Wheat-Short Fallow (after conola)	\$50.78		41.2
Wheat-Short Fallow (after lupins)	\$61.01		34.3
Barley-Short Fallow (malt)	\$29.64		70.5
Barley-Short Fallow (feed)	\$19.46		107.4
Canola-Short Fallow	\$45.56		45.9
Faba Beans-Short Fallow	\$13.27		157.5
Field Peas-Short Fallow	\$26.46		79.0
Linseed-Short Fallow	\$74.91		27.9
Lupins-Short Fallow	<del>\$32.29</del> <b>32.21</b>		64.7
Spray Irrigated Lucerne	<del>\$117.06</del> <b>106.47</b>		17.9
Oats-Grazing/Grain	\$22.98		90.9
Wheat-Grazing/Grain	\$62.29		33.6
Oats - Short Fallow	\$16.42		127.3
Triticale-Short Fallow	\$17.33		120.6

<b>B – Intensive Enterprises</b>		DSE/Ha	12
	Gross Profit Target		<b>\$25,080</b> <b>26,754</b>
Farming Activity	Gross Margin		* Ha required to achieve target GM (ha)
	\$ / dse		
Grapes	\$250		8.4
Olives – Tables	\$252		8.3
Olives - Oil	\$576		3.6
Orchard - Nectarines	\$997		2.1
Orchard - Cherries	<del>\$1,913</del> <b>1,485.67</b>		1.1

**Categorisation of Land as Farmland For Rating Purposes Policy**

Orchard - Apples	\$554	3.8
Orchard - Peaches	\$1,561	1.3
Orchard - Plum	\$1,530	1.4

**Land Classifications 4 and above**

	DSE/Ha	5
	Gross Profit Target	<del>\$25,080</del> 26,754
Farming Activity	Gross Margin \$ / dse / Annum	* Ha required to achieve target GM (ha)
Cows producing weaners	\$22.30	224.9
Yearling Production	\$21.82	229.9
Growing out steers 160-340kg	\$31.08	161.4
Growing out steers 240-420kg	\$22.58	222.1
Growing out steers 240-460kg	\$23.12	217.0
Merino Ewes – 19 micron	\$44.96	111.6
Merino Ewes – 21 micron	\$37.16	135.0
Merino Wethers – 19 micron	\$32.94	152.3
Merino Wethers – 21 micron	\$25.89	193.7
1 <sup>st</sup> cross lambs	\$34.76	144.3
2 <sup>nd</sup> cross lambs	\$30.35	165.3
Wheat-Short Fallow	\$34.93	143.6
Wheat-Short Fallow (after conola)	\$50.78	98.8
Wheat-Short Fallow (after lupins)	\$61.01	82.2
Barley-Short Fallow (malt)	\$29.64	169.2
Barley-Short Fallow (feed)	\$19.46	257.8
Canola-Short Fallow	\$45.56	110.1
Faba Beans-Short Fallow	\$13.27	378.0
Field Peas-Short Fallow	\$26.46	189.6
Linseed-Short Fallow	\$74.91	67.0
Lupins-Short Fallow	\$32.29	155.3
Spray Irrigated Lucerne	\$117.06	42.8
Oats-Grazing/Grain	\$22.98	218.3
Wheat-Grazing/Grain	\$62.29	80.5
Oats - Short Fallow	\$16.42	305.5
Triticale-Short Fallow	\$17.33	289.4
Grapes	\$250.00	20.1
Olives – Tables	\$252.00	19.9
Olives - Oil	\$576.00	8.7
Orchard - Nectarines	\$997.00	5.0
Orchard - Cherries	\$1,913.15	2.6
Orchard - Apples	\$554.00	9.1
Orchard - Peaches	\$1,561.00	3.2
Orchard - Plum	\$1,530.00	3.3

Note – If an enterprise is not listed in the above tables, Council will determine the Gross Margin per DSE using current credible industry data.

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**Categorisation of Land as Farmland For Rating Purposes Policy**

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e) Land Capability Classification Groups minimum areas are determined by dividing the gross profit target (\$~~25,079.71~~26,754.19) by the product of the accepted average carrying capacity in relation to Dry Sheep Equivalents and the Gross margin per DSE. The adopted minimum areas required to produce the Gross Margin performance level of \$~~25,079.71~~26,754.19, are:-

Land Capability Classification Group 1 to 3 – Extensive – 55 Ha  
Land Capability Classification Group 1 to 3 – Intensive – 5 Ha  
Land Capability Classification Group 4 and above – 120 Ha

2. Determination of ...dominant use, ...business or industry, ...a significant and substantial commercial purpose or character and ...purpose of profit on a continuous or repetitive basis where **significant** information is available:-

a) The Gross Margin performance level of \$~~25,079.71~~26,754.19 at A(2) above, must be met or exceeded.

i. The Gross Margin performance level of a parcel of rateable land valued as one assessment will be determined from the information collected from the *Request For Further Information In Support For Change Of Category Of Land To Farmland For Rating Purposes*, and performing the following calculation:-

Multiply the actual stock numbers and/or area under crop by the actual DSE for the parcel of rateable land valued as one assessment multiplied by the Gross margin per DSE at C(1)(d); or

ii. Regardless of all other criteria, document that the actual gross margin achieved exceeds the required Gross Margin performance level of \$~~25,079.71~~26,754.19.

**VARIATION**

Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.

### 5.1.3 Update on the Progress of the Mudgee Indoor Swim School

REPORT BY THE MANAGER, HEALTH AND BUILDING TO 25 JUNE 2014 COUNCIL MEETING  
Swim School Report  
GOV400038, P1317011

#### RECOMMENDATION

**That:**

- 1. the report by the Manager Health and Building on the Update on the Progress of the Mudgee Indoor Swim School be received; and**
- 2. Council enforce the requirements of the current order and have Mr and Mrs O’Sullivan to cease using the premises (from 21<sup>st</sup> July) until such times as they are able to obtain a building certificate.**

#### Executive summary

In accordance with Council’s resolution 149/14 Council Staff revoked the original order and issued a second order providing Mr and Mrs O’Sullivan, as the owners of the Mudgee Indoor Swim School, an additional three month period to complete the necessary upgrade works required to make the building comply with relevant Australian building requirements.

This order is set to expire on 21<sup>st</sup> July 2014. To date no physical work has commenced on the building.

#### Detailed report

On 28<sup>th</sup> April 2014 in accordance with Council resolution 149/14 Council Staff revoked an order that was in force on the Mudgee Indoor Swim School requiring that the building be upgrading to comply with relevant Australian building requirements and that a Building Certificate be obtained under the provisions of the Environmental Planning and Assessment Act 1979.

At the same time as revoking this order, Council Staff recommenced the order procedure providing the owners with an additional three month period to upgrade the building. As a result a new order was served on 12<sup>th</sup> May 2014.

This order is set to expire on 21<sup>st</sup> July 2014 and to date no physical works have been carried out to the building.

#### Alternate Option

Should the Council wish to provide a further extension of time to the owner/operator to upgrade the premises than Council could resolve the following:

1. Disregard the current order and re-issue another order, providing Mr and Mrs O’Sullivan some additional time to obtain a building certificate while continuing to operate the swim school at the six student capacity.

## Financial and Operational Plan implications

Not applicable

## Community Plan implications

Not applicable

TIM O'REILLY  
MANAGER, HEALTH & BUILDING  
CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY  
SERVICES

18 June 2014

*Attachments:* 1. NilAPPROVED FOR SUBMISSION:BRAD CAM  
ACTING GENERAL MANAGER

## 5.1.4 Financial Assistance applications

REPORT BY THE DIRECTOR, FINANCE & ADMINISTRATION TO 25 JUNE 2014 COUNCIL MEETING  
Council Report - Financial Assistance  
GOV400038, A0140201

### RECOMMENDATION

**That:**

- 1. the report by the Director, Finance & Administration on the Financial Assistance applications be received; and**
- 2. Council note the balance of Councillor discretionary funds remaining.**

### Executive summary

As there have been no requests for financial assistance, this report provides Councillors with information concerning the balances remaining in each Councillor's discretionary allocation for the 2013-14 financial year.

### Detailed report

Council's ability to provide financial assistance stems from Section 356 of the Local Government Act 1993 which provides for financial assistance being provided under certain circumstances. For the purposes of the Councillor discretionary allocation, Council may provide financial assistance to others only if the funds form part of a specific programme, such as the Financial Assistance programme.

The Councillor's Discretionary vote for 2013-14 is \$2,000 per Councillor. Through the course of the 2013-14 financial year Councillors have provided discretionary funds to individuals and not for profit organisations in accordance with Council's policy.

Provision is made in Council's Financial Assistance Policy for community not for profit organisations, group and individuals which offer a significant contribution to the social, economic and/or environmental well being of the Community.

### Financial and Operational Plan implications

The balance of Councillor's discretionary vote for 2013-14 is provided below.

<b>Councillor</b>	<b>Balance</b>
Cr Thompson	\$0.00
Cr Shelley	\$0.00
Cr Walker	\$417.44
Cr Webb	\$0.00
Cr Martens	\$0.00
Cr Kennedy	\$0.00
Cr Weatherley	\$0.00
Cr White	\$0.00
Cr Cavalier	\$500.00



## Community Plan implications

The Local Government Act 1993 and Council's Financial Assistance Policy applies.



BRETT EXELBY  
DIRECTOR, FINANCE AND ADMINISTRATION

19 June 2014

*Attachments:* Nil

APPROVED FOR SUBMISSION:



BRAD CAM  
ACTING GENERAL MANAGER