



11 June 2010

You are hereby notified that an Extraordinary Meeting of the Council will be held at the Civic Centre, Campbelltown on Tuesday 15 June 2010 at 7.00pm.

Paul Tosi
General Manager

Agenda Summary

Extraordinary Meeting held at 7.00pm on Tuesday, 15 June 2010.

APOLOGIES

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

| ITEM | TITLE | PAGE |
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| 1.1 | 2010/14 Draft Corporate Plan, 2010/13 Draft Management Plan, 2010/11 Draft Budget and Fees and Charges | 3 |

Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 15 June 2010

Present His Worship the Mayor, Councillor A Rule
Councillor F Borg
Councillor J Bourke
Councillor A Chanthivong
Councillor S Dobson
Councillor W Glynn
Councillor G Greiss
Councillor P Hawker
Councillor J Rowell
Councillor M Thomas
Councillor R Thompson

Apologies It was **Moved** Councillor Borg, **Seconded** Councillor Dobson that the **APOLOGIES** from Councillors Kolkman, Lake, Matheson and Oates be received and accepted.

103 The Motion on being Put was **CARRIED**.

Acknowledgement of Land

An Acknowledgement of Land was presented by His Worship the Mayor, Councillor Rule.

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

EXTRAORDINARY MEETING OF THE CAMPBELLTOWN CITY COUNCIL HELD ON 15 JUNE 2010

1. BUSINESS: REPORT OF THE DIRECTOR BUSINESS SERVICES

1.1 2010/14 Draft Corporate Plan, 2010/13 Draft Management Plan, 2010/11 Draft Budget and Fees and Charges

Attachments

1. Amended Fees and Charges 2010/11 – James Meehan Hall
2. External Submission - 2010/11 Draft Budget and 2010/13 Draft Management Plan

Report

On 20 April 2010, Council resolved to place the 2010/14 Draft Corporate Plan, 2010/13 Draft Management Plan, 2010/11 Draft Budget and 2010/11 Draft Fees and Charges on public exhibition in accordance with the *Local Government Act, 1993*.

The documents were placed on public exhibition for a period exceeding the required 28 days and were advertised on Council's website as well as the Macarthur Chronicle and Macarthur Advertiser for a two week period. All documents were made available to the community at Council's Administration Building, branch libraries and on Council's website.

External Submission

Council is required under the *Local Government Act 1993* to take into consideration any submissions which have been made concerning the exhibited Draft Corporate Plan, Draft Management Plan, Draft Budget and Draft Fees and Charges. During the public exhibition period one external submission was received from BHP Billiton Illawarra Coal Holdings Pty Ltd. The submission addresses land value concessions previously received by Illawarra Coal Holdings Pty Ltd from the Valuer General not recognised by Council and questions the amount and justification of determination of the proposed mining rate in the dollar.

Mining Valuations

BHP Billiton Illawarra Coal Holdings Pty Ltd

Submission: The submission addressed concessions previously received by Illawarra Coal Holdings Pty Ltd from the Valuer General of \$838,000 due to the removal of the coal rights by virtue of the *Coal Acquisition Act, 1981*.

Comments: Under the *Valuation of Land Act, 1916* the Valuer General provides values for the purposes of levying land rates by Local Government Authorities. The land valuation advice Council received from the Valuer General is that these concessions are not applicable to reductions in Council land values. The concession valuation is only supplied for the purposes of calculating land tax within the meaning of the *Land Tax Management Act 1956*. On the basis of the advice received from the Valuer General the land values should remain unchanged and BHP advised accordingly.

Mining Rate

BHP Billiton Illawarra Coal Holdings Pty Ltd

Submission: The submission questions the difference in the proposed Mining Rate when compared to the Ordinary Business Rate and the exclusion of other rate payers of the Campbelltown Local Government Area in contributing to the proposed Biodiversity Centre.

Comments: Under Section 514 of the *Local Government Act 1993*, Council is required to classify any property that has a valuation with a relevant rate. Section 517 of the *Local Government Act 1993* identifies the need to categorise land leased for Coal Mining as a "Mining" category.

Mining and Business are two distinct and separate categories and the purpose of the special variation which was recommended to Council and placed on exhibition is to establish a Biodiversity Centre. This Biodiversity Centre is envisaged to be a partnership between Council and a reputable community service provider to provide a quadruple bottom line outcome in terms of social, economic, environmental and governance issues.

A Biodiversity Centre would provide a very positive outcome in relation to reducing this Council's carbon footprint. A number of such facilities have been established by Councils in the Sydney metropolitan area.

A number of issues have arisen since this proposal was placed before Council. The submission received from BHP draws Councils attention to the fact that such a proposed rate would equate to a rate in the dollar 12.3 times the current business rate levied by Council. In addition representatives of the Department of Local Government have raised with the Manager Financial Services some concern with regard to the consultation process which is required under the Integrated Planning and Reporting Framework.

It should be noted that the Resourcing Strategy Section of the Integrated Planning and Reporting Framework requires the development of a Long Term Financial Plan. It is considered having regard to the BHP submission and the issues raised by the Department of Local Government the application for a special variation to establish the Biodiversity Centre should be deferred.

This deferment will enable further investigation of the overall proposal and enable more positive consultation with BHP and the Department and ensure Councils future compliance with the requirements of the Integrated Planning and Reporting Framework.

The development of a mining rate and the funding of the Centre will be modelled and presented as an overall strategy to Council which will enable all the requirements of the various stakeholders to be accommodated. Having regard to these issues it is proposed that an initial mining rate equal to Council's business rate be established in the short term while further research is undertaken during the next financial year prior to further recommendations to Council regarding a finalised mining rate and the proposed Biodiversity Centre.

Internal Submissions

There were four internal submissions received during the exhibition period relating to the 2010/11 Draft Fees and Charges.

Hall Hire

Submission: An amendment is required to list Raby Neighbourhood Centre to the descriptive list of halls under category 4. This Centre was not separately identified in previous years fees and charges however is required to be should an external hire arrangement be facilitated.

Comments: It is recommended that Raby Neighbourhood Centre be added to the descriptive list of halls under category 4 on page 31 be adopted and reflected within the 2010/11 Fees and Charges document.

Submission: A review of Council's current Management Committees has revealed that fees and charges relating to the hire of James Meehan Community Hall were omitted in the exhibited schedules. A schedule has now been prepared and is requested to be included within the adopted document.

Comments: It is recommended the amendment to page 32 relating to the hire of James Meehan Community Hall be adopted and reflected within the 2010/11 Fees and Charges document as outlined in Attachment 1.

Child Care Fees

Submission: Over the past 12-18 months Family Day Care has experienced an increase in demand for casual before and after school care bookings. To ensure consistency within Childrens Services, it is requested that a new casual rate be introduced for casual Family Day Care before and after school care bookings of \$5 per hour. This would bring the Family Day Care fees in line with all of Council's other before and after school care services

Comments: It is recommended that a new fee of \$5 per hour for Family Day Care before and after school care casual rate on page 18 be adopted and reflected within the 2010/11 Fees and Charges document.

Submission: In order to bring the family day care public holiday hourly rate in line with the casual weekend care hourly rate, an adjustment is required reflecting an increase of 50cents to \$6.

Comments: It is recommended that the family day care public holiday hourly rate of \$6 on page 18 be adopted and reflected within the 2010/11 Fees and Charges document.

Management Plan

There was one internal submission received during the exhibition period relating to the 2010/13 Draft Management Plan.

Submission: An internal submission is required to amend the Draft Management Plan to enhance the focus on the following functions of Council; Traffic Management and Control under Strategy 4.3, Tree Management under Strategy 4.3 and Procurement under Strategy 5.1.

Comments: It is recommended that the following functions of Council; Traffic Management and Control, Tree Management and Procurement be included on pages 34 and 35 in the 2010/13 Management Plan.

Rating Structure (Revenue Policy)

In adopting the Management Plan it is required under the *Local Government Act 1993* to formally make, by resolution of the Council, the rates and charges for the period 1 July 2010 to 30 June 2011. This requirement exists to give legal form to the rating structure, rates and annual charges in addition to the summary information provided in the Management Plan.

The Campbelltown Local Government Area has been re-valued by the Valuer General's Department. This process occurs every three years with the valuations used in the calculation and distribution of annual rate levies. The values have been determined as at 1 July 2009 and will form the basis for the proposed 2010/11 financial year rating structure. Included in the valuation list were new valuations for mining leases.

Council is required to apply a mining rate on coal mining related activities undertaken within the Local Government Area. It is proposed that Council implement a mining rate that reflects the proposed rate in the dollar for the business category. It is proposed that funds be set aside for future biodiversity initiatives.

Due to the withdrawal of the original proposal for the mining rate there has been a slight adjustment to the rate in the dollar that applies to the business rate category. It is recommended that Council adopt the following minimum ad valorem rating proposals:

Ordinary Rates

- a. That the Ordinary Rate of 0.5134 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as RESIDENTIAL in accordance with Section 516 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**RESIDENTIAL**'.

- b. That the Ordinary Rate of 0.3131 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as FARMLAND in accordance with Section 515 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**FARMLAND**'.

1.1 2010/14 Draft Corporate Plan, 2010/13 Draft Management Plan, 2010/11 Draft Budget And Fees And Charges

- c. That the Ordinary Rate of 0.8246 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as BUSINESS in accordance with Section 518 of the Act except all rateable land in the City of Campbelltown determined to be in the Business sub-category Ingleburn and Minto Business Industrial Land zoned and used as Industrial within the Ingleburn and Minto areas be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**BUSINESS**'.

- d. That the Ordinary Rate of 0.7278 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown zoned and used as Industrial within the Ingleburn and Minto areas and categorised as sub-category INGLEBURN AND MINTO BUSINESS INDUSTRIAL LAND in accordance with Section 529 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**INGLEBURN AND MINTO BUSINESS INDUSTRIAL LAND**'.

- e. That the Ordinary Rate of 0.8246 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as MINING in accordance with Section 517 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**MINING**'.

Special Rates

- a. That the Special Rate of 0.0411 cents in the dollar with a minimum of \$2.00 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named '**SPECIAL LOAN RATE**'.

- b. That the Special Rate of 0.1093 cents in the dollar with a minimum of \$2.00 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown zoned and used as Industrial within the Ingleburn and Minto areas in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named '**F5 ACCESS RAMP – Yr 5 of 5**'.

Council's General Income Variation has increased in accordance with the Minister for Local Government's announcement of 2.6%. The Draft Management Plan and Budget have been prepared on the basis of a 2.6% increase in the general rate income for 2010/11 providing a total rate yield of \$61,439,123.

1.1 2010/14 Draft Corporate Plan, 2010/13 Draft Management Plan, 2010/11 Draft Budget And Fees And Charges

The table and details below show the rating charges based on Council's rating structure and rateable properties that will apply for the 2010/11 year.

| Rate Type | Category | Sub-Category | Ad Valorem Amount (¢ in \$) | Minimum Rate \$ | Rate Yield \$ |
|------------------|----------------------------|--|--------------------------------|--------------------|------------------|
| Ordinary | Residential | | 0.5134 | 532.86 | 41,711,317 |
| Ordinary | Farmland | | 0.3131 | 532.86 | 378,570 |
| Ordinary | Business | | 0.8246 | 532.86 | 7,093,860 |
| Ordinary | Business | Ingleburn and Minto Business Industrial Land | 0.7278 | 532.86 | 7,170,447 |
| Ordinary | Mining | | 0.8246 | 532.86 | 12,696 |
| Special | Special Loan Rate | | 0.0411 | 2.00 | 3,998,469 |
| Special | F5 Access Ramp – Yr 5 of 5 | | 0.1093 | 2.00 | 1,073,764 |
| Total Rate Yield | | | | | 61,439,123 |

In accordance with Section 514 of the *Local Government Act 1993*, each parcel of land within the City of Campbelltown has been categorised for rating purposes and owners are notified via their annual rate notice.

Domestic Waste Management Service

Council provides a Domestic Waste Management (DWM) Charge for the provisions of the Domestic Waste Management Service for the period 1 July 2010 to 30 June 2011 as follows:

| Waste Management Service | Annual Charge \$ | Weekly \$ |
|---|------------------|-----------|
| Domestic Waste Management Charge | 242.95 | 4.67 |
| Domestic Waste Management Charge-Business | 273.09 | 5.25 |
| DWM Availability Charge # | 29.90 | 0.58 |

vacant land

It is recommended that all other domestic and commercial/business waste charges be adopted in accordance with the 2010/11 Draft Fees and Charges document.

Stormwater Management Charge

In accordance with Section 496A of the *Local Government Act 1993*, Council makes an annual charge for Stormwater Management services for each parcel of urban land within the City of Campbelltown and categorised for rating purposes as Residential or Business excluding vacant land, land owned by the Crown (includes Housing NSW) or land subject to the Ingleburn and Minto Business Industrial Land rate. It is recommended for the period 1 July 2010 to 30 June 2011 that the following charges be made in respect of land to which the charge applies:

- \$20 per residential dwelling house assessment
- \$10 per residential unit dwelling assessment
- \$20 per 700m² or part thereof for commercial land, capped to a maximum of \$1,000

These charges are in accordance with the Division of Local Government's Stormwater Service Charge Guidelines July 2006 and supported by the Department of Environment, Climate Change and Water, and the Department of Energy, Utilities and Sustainability.

Stormwater Management Service Program of Works

| Activity | Description | Amount \$ |
|---|--|------------------|
| Water Quality Testing Program | Extension of existing water quality testing program | \$40,000 |
| Education Program | Extension of community education program | \$30,000 |
| Enhanced irrigation system implementation | Continuation of the program for improved irrigation systems, including recycled water extraction and storage tanks | \$150,000 |
| Local Drainage Improvements | Works to reduce flooding in various locations | \$225,000 |
| Stormwater System Enhancements | Works to improve the performance of the main drainage system | \$160,000 |
| Stormwater Infrastructure Repairs | Priority works in accordance with the Asset Management Plan | \$100,000 |
| Enhanced Gross Pollutant Removal Program | Implementation of an enhanced program to remove and monitor the amount and type of rubbish from the network of GPT units | \$173,000 |
| TOTAL | | \$878,000 |

Accrual of Interest on Overdue Rates and Charges

It is recommended that the interest charges on overdue rates and charges accrue on a daily basis at the rate of 9% per annum for the 2010/11 year as announced by the Minister for Local Government and in accordance with Section 566 of the *Local Government Act 1993*.

Officer's Recommendation

1. 2010/13 Management Plan and 2010/11 Budget

That Council adopt the 2010/13 Management Plan and the 2010/11 Budget reflecting the rating structure outlined below:

2. Ordinary Rate

That Council adopt the following rate structure:

- a. That the Ordinary Rate of 0.5134 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as RESIDENTIAL in accordance with Section 516 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named 'RESIDENTIAL'.

- b. That the Ordinary Rate of 0.3131 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as FARMLAND in accordance with Section 515 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **'FARMLAND'**.

- c. That the Ordinary Rate of 0.8246 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as BUSINESS in accordance with Section 518 of the Act except all rateable land in the City of Campbelltown determined to be in the Business sub-category Ingleburn and Minto Business Industrial Land zoned and used as Industrial within the Ingleburn and Minto areas be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **'BUSINESS'**.

- d. That the Ordinary Rate of 0.7278 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown zoned and used as Industrial within the Ingleburn and Minto areas and categorised as sub-category INGLEBURN AND MINTO BUSINESS INDUSTRIAL LAND in accordance with Section 529 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **'INGLEBURN AND MINTO BUSINESS INDUSTRIAL LAND'**.

- e. That the Ordinary Rate of 0.8246 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as MINING in accordance with Section 517 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **'MINING'**.

3. Special Rates

- a. That the Special Rate of 0.0411 cents in the dollar with a minimum of \$2.00 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2010/11.
-

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named '**SPECIAL LOAN RATE**'.

- b. That the Special Rate of 0.1093 cents in the dollar with a minimum of \$2.00 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown zoned and used as Industrial within the Ingleburn and Minto areas in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named '**F5 ACCESS RAMP – Yr 5 of 5**'.

4. Domestic Waste Management Service

- a. That the Domestic Waste Management Charge be made for the provision of Domestic Waste Management Services for each parcel of occupied land for which the service is available in the amount of \$242.95 per annum representing a weekly amount of \$4.67 in accordance with Section 496 of the *Local Government Act 1993* for the year 2010/11.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named '**DOMESTIC WASTE MANAGEMENT CHARGE**'.

- b. That the Domestic Waste Management Availability Charge be made for the availability of the service to vacant land in the amount of \$29.90 per annum representing a weekly amount of \$0.58 in accordance with Section 496 of the *Local Government Act 1993* for the year 2010/11.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named '**DOMESTIC WASTE MANAGEMENT AVAILABILITY CHARGE**'.

- c. That all other Domestic and Commercial Waste Management Charges be adopted in accordance with the 2010/11 Fees and Charges.

5. Stormwater Management Service

That in accordance with Section 496A of the *Local Government Act 1993* Council make an annual charge for stormwater management services for each parcel of urban land within the City of Campbelltown and categorised for rating purposes as Residential or Business excluding vacant land, land owned by the Crown (includes Housing NSW) or land subject to the Ingleburn and Minto Business Industrial Land rate.

For the 2010/11 year the following charges be made in respect of land to which the charge applies:

- \$20.00 per residential dwelling house assessment
 - \$10.00 per residential unit dwelling assessment
 - \$20.00 per 700m² or part thereof for commercial land, capped to a maximum of \$1,000.00.
-

1.1 2010/14 Draft Corporate Plan, 2010/13 Draft Management Plan, 2010/11 Draft Budget And Fees And Charges

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named '**STORMWATER MANAGEMENT CHARGE**'.

6. Stormwater Management Service Program of Works

That Council adopt the Program of Works for Stormwater Management Service as follows:

| Activity | Description | Amount \$ |
|---|--|------------------|
| Water Quality Testing Program | Extension of existing water quality testing program | \$40,000 |
| Education Program | Extension of community education program | \$30,000 |
| Enhanced irrigation system implementation | Continuation of the program for improved irrigation systems, including recycled water extraction and storage tanks | \$150,000 |
| Local Drainage Improvements | Works to reduce flooding in various locations | \$225,000 |
| Stormwater System Enhancements | Works to improve the performance of the main drainage system | \$160,000 |
| Stormwater Infrastructure Repairs | Priority works in accordance with the Asset Management Plan | \$100,000 |
| Enhanced Gross Pollutant Removal Program | Implementation of an enhanced program to remove and monitor the amount and type of rubbish from the network of GPT units | \$173,000 |
| TOTAL | | \$878,000 |

7. Accrual of Interest on Overdue Rates and Charges

That the interest charges on overdue rates and charges accrue on a daily basis at the rate of 9% per annum for the 2010/11 year as announced by the Minister for Local Government and in accordance with Section 566 of the *Local Government Act 1993*.

8. 2010/11 Fees and Charges

That Council adopt the 2010/11 Fees and Charges with the following amendments:

- a. The inclusion of James Meehan Community Hall Hire on page 32 as shown in Attachment 1,
- b. Addition of Raby Neighbourhood Centre to the descriptive list of halls under Category 4 on page 31, and
- c. An additional fee of \$5 per hour for Family Day Care before and after school care casual bookings on page 18.
- d. The Family Day Care Public Holiday hourly rate on page 18 be amended to \$6.

It was **Moved** Councillor Hawker, **Seconded** Councillor Bourke that:

1. 2010/14 Corporate Plan, 2010/13 Management Plan and 2010/11 Budget

That Council adopt the 2010/14 Corporate Plan, 2010/13 Management Plan and the 2010/11 Budget reflecting the rating structure outlined below:

2. Ordinary Rate

That Council adopt the following rate structure:

- a. That the Ordinary Rate of 0.5134 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as RESIDENTIAL in accordance with Section 516 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**RESIDENTIAL**'.

- b. That the Ordinary Rate of 0.3131 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as FARMLAND in accordance with Section 515 of the Act be made for the year 2010/11.

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In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named '**BUSINESS**'.

- d. That the Ordinary Rate of 0.7278 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown zoned and used as Industrial within the Ingleburn and Minto areas and categorised as sub-category INGLEBURN AND MINTO BUSINESS INDUSTRIAL LAND in accordance with Section 529 of the *Local Government Act 1993* be made for the year 2010/11.
-

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **'INGLEBURN AND MINTO BUSINESS INDUSTRIAL LAND'**.

- e. That the Ordinary Rate of 0.8246 cents in the dollar with a minimum of \$532.86 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as MINING in accordance with Section 517 of the Act be made for the year 2010/11.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **'MINING'**.

3. Special Rates

- a. That the Special Rate of 0.0411 cents in the dollar with a minimum of \$2.00 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named **'SPECIAL LOAN RATE'**.

- b. That the Special Rate of 0.1093 cents in the dollar with a minimum of \$2.00 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown zoned and used as Industrial within the Ingleburn and Minto areas in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2010/11.

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named **'F5 ACCESS RAMP – Yr 5 of 5'**.

4. Domestic Waste Management Service

- a. That the Domestic Waste Management Charge be made for the provision of Domestic Waste Management Services for each parcel of occupied land for which the service is available in the amount of \$242.95 per annum representing a weekly amount of \$4.67 in accordance with Section 496 of the *Local Government Act 1993* for the year 2010/11.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **'DOMESTIC WASTE MANAGEMENT CHARGE'**.

- b. That the Domestic Waste Management Availability Charge be made for the availability of the service to vacant land in the amount of \$29.90 per annum representing a weekly amount of \$0.58 in accordance with Section 496 of the *Local Government Act 1993* for the year 2010/11.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **'DOMESTIC WASTE MANAGEMENT AVAILABILITY CHARGE'**.

- c. That all other Domestic and Commercial Waste Management Charges be adopted in accordance with the 2010/11 Fees and Charges.
-

5. Stormwater Management Service

That in accordance with Section 496A of the *Local Government Act 1993* Council make an annual charge for stormwater management services for each parcel of urban land within the City of Campbelltown and categorised for rating purposes as Residential or Business excluding vacant land, land owned by the Crown (includes Housing NSW) or land subject to the Ingleburn and Minto Business Industrial Land rate.

For the 2010/11 year the following charges be made in respect of land to which the charge applies:

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In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named '**STORMWATER MANAGEMENT CHARGE**'.

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| TOTAL | | \$878,000 |

7. Accrual of Interest on Overdue Rates and Charges

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8. 2010/11 Fees and Charges

That Council adopt the 2010/11 Fees and Charges with the following amendments:

- a. The inclusion of James Meehan Community Hall Hire on page 32 as shown in Attachment 1,
- b. Addition of Raby Neighbourhood Centre to the descriptive list of halls under Category 4 on page 31, and
- c. An additional fee of \$5 per hour for Family Day Care before and after school care casual bookings on page 18.
- d. The Family Day Care Public Holiday hourly rate on page 18 be amended to \$6.

104 The Motion on being Put was **CARRIED**.

There being no further business the meeting closed at 7.21pm.

Confirmed by Council on

..... General Manager Chairperson

ATTACHMENT 1



2010/11
FEES and CHARGES
CITY SERVICES

6

| | Pricing Policy | GST | 2009/10 Including GST | 2010/11 Including GST | |
|---|-----------------------|---------------------------------|--------------------------|--------------------------|------------|
| | | | \$ | \$ | |
| James Meehan Community Hall | | | | | |
| Casual Bookings | | | | | |
| <u>Kitchen, PA, Piano</u> Weddings, Balls, Dinners, Socials, etc. | Mon - Sat | 6 hr period Community Services | Y | 840.00 | \$869.40 |
| <u>PA, Piano</u> Concerts, Lectures, Public Meetings, Fashion Parade: and Competitions. | Mon - Fri 9am to 6pm | per hour Community Services | Y | 70.00 | \$72.45 |
| | Mon - Fri 6pm to 12am | per hour Community Services | Y | 80.00 | \$82.80 |
| | Fri & Sat 9am to 12am | per hour Community Services | Y | 80.00 | \$82.80 |
| | Sat 9am to 12am | per hour Community Services | Y | 80.00 | \$82.80 |
| | Sun 9am to 12am | per hour Community Services | Y | 80.00 | \$82.80 |
| Dances, Socials & Professional Promoters Department of Education | Fri & Sat 6pm to 12am | Community Services | Y | 1,050.00 | \$1,086.75 |
| | Mon - Fri 9am 12pm | per hour Community Services | Y | 25.00 | \$25.65 |
| Use by caterers and/or decorating on day of hiring outside hours determined for function | Mon - Sat 9am to 6pm | per hour Community Services | Y | 42.00 | \$43.45 |
| | | | Y | | |
| Classes for Music, Dancing, Physical Culture, etc | Mon - Fri 9am to 12am | per hour Community Services | Y | 47.25 | \$48.90 |
| Permanent Bookings | | | | | |
| Classes for Music, Dancing, Physical Culture | Mon - Fri 9am to 6pm | per hour Community Services | Y | 30.00 | \$31.05 |
| | Mon - Fri 6pm - 12am | per hour Community Services | Y | 35.00 | \$36.25 |
| Hourly Rate for Sunday Bookings and Public Holidays | | | | | |
| | minimum charge | per hour Community Services | Y | 84.00 | \$86.95 |
| | | Community Services | Y | 84.00 | \$86.95 |
| Sound and Lighting Technician | | per hour Community Services | Y | 31.50 | \$32.60 |
| Electricity for Stage Lighting | | per hour Community Services | Y | 73.50 | \$76.05 |
| BOND | | | G4 | 500.00 | \$500.00 |
| COMMUNITY BUSES | | | | | |
| SMALL BUSES | | | | | |
| 11 seater including wheelchair access | per calendar day | 24 hour hire Community Services | Y | 126.50 | \$130.95 |
| 14 seater | per calendar day | 24 hour hire Community Services | Y | 126.50 | \$130.95 |
| LARGE BUS | | | | | |
| 20 seater | per calendar day | 24 hour hire Community Services | Y | 154.00 | \$159.40 |
| BOND | | | G4 | 300.00 | \$300.00 |
| Community User - all buses | | | | | |
| Local non-profit organisations for charitable/welfare or benevolent purpose | | 24 hour hire Community Services | Y | 24.00 | \$50.00 |
| BOND | | | G4 | 50.00 | \$100.00 |
| Key Deposit | | | | | |
| All Halls, Cottages and Buses | | per key | G4 | 100.00 | \$100.00 |

ATTACHMENT 2

Illawarra Coal

6th June 2010

Michael Sewell
Director Business Services
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560



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BHP Billiton Illawarra Coal Administration Centre
Old Port Road Port Kembla
New South Wales 2505 Australia
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New South Wales 2526 Australia
Tel: +61 2 4255 3200 Fax: +61 2 4255 3201
bhpbilliton.com

Dear Mr Sewell,

Re Mining Rate Notification

Thank you for your recent response to our request for further information regarding Council's advice of the imposition of a new 'Mining Rate'. In preparation for our upcoming meeting, I felt it appropriate to respond to the issues you have raised.

Valuation

You advised that Council's recent mining rate notification is based on the following property identification numbers, amounts and descriptions;

- a. 2347488 - \$1,000 (Part Consolidated Coal Lease 724, Part Northcliff colliery)
- b. 2347489 - \$840,000 (Lot 1 DP 74153, Lot 100 DP 1139758, Pt Lot 10 DP 1139761, Lot 11 DP 1139761, Pt Lot 1200 DP 1139774, Pt Lot 300 DP 1140003, Pt Lot 1400 DP 1140023, Lot 200 DP 1140548 FREE HOLD LAND BELOW VARYING DEPTH OFF APPIN RD PSH APPIN & PSH MENANGLE. All Lots are 'Coal Only')
- c. 2347490 - \$635,000 (Part Consolidated Coal Lease 724)

We have advised that; "Our records indicate the properties identified in PID 2347489 refer to freehold substrata below 500 feet with the coal rights removed by virtue of the Coal Acquisition Act. Due to the low value of substrata title the Valuer General applied a Gross Land Value of \$840,000 and included a Concession Value of Coal of \$838,000 which results in the substrata having a value of \$2,000. This calculation is based on the difference between the Gross Land Value and the Concession Value of the Coal".

Since the Gross Land Value of this PID was used to derive Council's assessment of the Company's total land value, we believe the total value used for determination of rates should be \$638,000.

I note your comment that; "Exemptions that apply are under State Government tax legislation are not applicable."

In this regard I advise that the position described above is not based on State Government tax legislation. In fact, our position arises from Section 14F (4) Valuation of mines and minerals pursuant to the Valuation of Land Act 1916 which states; "To the extent to which the presence of coal in any land within a colliery holding (within the meaning of the [Mining Act 1992](#)) increases the land value of that land, the amount of the increase is to be separately recorded in the [Register of Land Values](#) in relation to that land."

Therefore we once again submit that the appropriate valuation for the property in question is \$638,000 (in lieu of the \$1,476,000 proposed by Council).

Illawarra Coal Holdings Pty Ltd
ABN 69 093 857 286

A member of the BHP Billiton Group, which is headquartered in Australia
Registered Office: 180 Lonsdale Street, Melbourne, Victoria 3000, Australia
ABN 49 004 028 077

Rate Proposed By Council

In response to our previous correspondence requesting an explanation of the determination of the mining rate proposed by Council you referred me to the "amount required in establishing the proposed Biodiversity Centre" and stated; "I am sure that you are aware that the total project cost for each year is divided by the valuation to establish the rate in the dollar."

With respect, while your response explains the calculation of the 'rate' it does not address the justification of your proposal which imposes a rate which is 13 times greater than the general business rate. Further, you have not indicated why Illawarra Coal to the exclusion of other rate payers in the Campbelltown LGA should be responsible to "assist Council to offset its carbon footprint".

Illawarra Coal has been abating and beneficially utilising waste methane gas since the 1980's and currently abates methane gas in an amount equivalent to removing 625,000 vehicles from the road every year.

I look forward to discussing these issues with you at our upcoming meeting.

Yours faithfully,

A handwritten signature in blue ink that reads "J Brannon". The signature is fluid and cursive, with the first letter 'J' being particularly large and stylized.

John Brannon
General Manager Sustainable Development and External Affairs
Illawarra Coal
