

Manly Council

Minutes

Extraordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 9 May 2005

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www.manly.nsw.gov.au*



The Extraordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 9 May 2005. The meeting commenced at 7.46pm.

PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald, who presided
Deputy Mayor, Councillor R Morrison, Deputy Chairperson
Councillor B Aird
Councillor S Cant
Councillor P Daley
Councillor J Evans
Councillor J Hay, AM
Councillor A Heasman
Councillor J Lambert
Councillor D Murphy
Councillor M Norek
Councillor B Pedersen

ALSO PRESENT

Henry T Wong; General Manager
Jim Hunter; Director Corporate Planning & Strategy
Ross Fleming; Chief Financial Officer
Melinda Aitkenhead; Minute Taker

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

PROCEDURAL MOTION: (Lambert/Heasman)

That Council resolve into Committee-of-the-Whole to allow the Councillors to consider the Draft Budget and Corporate Plan for 2004 / 2007 and the Draft Management Plan – Statement of Revenue Policy without the restrictions of the formal Code of Meeting Practice.

282/05 RESOLVED: (Lambert/Heasman)

That Council resolve into Committee-of-the-Whole to allow the Councillors to consider the Draft Budget and Corporate Plan for 2004 / 2007 and the Draft Management Plan – Statement of Revenue Policy without the restrictions of the formal Code of Meeting Practice.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

General Manager's Office Report No. 11
Draft Management Plan & Financial Plan 2005-2008 ()

BACKGROUND

The Draft Management Plan and associated Financial Plan for 2005-2008 are submitted for Council's consideration.

283/05 RESOLVED: (Lambert/Murphy)

That:-

1. Council adopt the attached Budget for the fiscal year to 30 June 2006, subject to the amendments as adopted.
2. The Draft Management Plan 2005-2008 be adopted and placed on exhibition.
3. Following the exhibition and adoption of the Draft Management Plan, the fixing of Rates be considered at the Ordinary Meeting of Council on 20 June 2004.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

General Manager's Office Report No. 12
Revenue Policy for 2005-2008 ()

SUMMARY

The Revenue Policy for 2005/2008 is submitted for Council's consideration.

284/05 RESOLVED: (Morrison/Cant)

That for the purposes of the preparation of a Draft Management Plan for the three year period commencing 1st July, 2005, Council's 2005/2006 Revenue Policy be as follows:-

1. **Rates**
 - A. **Ordinary Rates (Residential and Business)**

That Council continue to levy two Ordinary Rates being "Residential" and "Business" with into two sub-categories of Business Rate, being:-

- Manly Business Centre - as delineated on Plan Number 1/280B.
- Business Other (other than the Manly Business Centre).

The Ordinary Rates are to apply to those properties within the relevant residential or business category.

Further, Council continue to restrict in the Ordinary Rates a component, known as the "Environment Levy" to undertake a Program of critical environmental works. The net proceeds of

the Environment Levy (\$946,000 each year, plus interest earned on unexpended funds) are to be expended on priority works which meet the following criteria:-

- include visible environmental improvements (particularly water quality);
- achieve significant outcomes in each 12 month period;
- provide environmental benefits across/throughout the whole Manly Council area.
- ongoing **maintenance** of new environment levy capital works projects be recognised as a legitimate charge against the levy and that up to 10% of the levy revenue be allocated for this purpose annually.

B. Special Rates

1. Manly Town Centre Improvements

That Council continue to levy a Special Rate known as the Special Rate - Manly Town Centre Improvements. The income from this rate, will be used to fund on-going and proposed capital and maintenance works, including The Corso upgrade and the Ocean Beachfront and provide services, facilities and activities of specific benefit to the designated area. The rate is applied to those business properties, as determined to Plan Number 1/280A, which are considered by Council to receive a benefit from these capital and maintenance works.

2. Balgowlah Business Centre Improvements Rate

That Council continue to levy a Special Rate known as the Special Rate – Balgowlah Business Centre Improvements. The income from this rate is used to fund on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street and provide services, facilities and activities of specific benefit to the designated area. The rate is applied to those business properties, as delineated on Plan Number 5/005B, which are considered by Council to receive a benefit from these capital and maintenance works.

C. Particulars of Rates

1. Ad valorem Rate with a Minimum Rate

Ordinary Rates

That Council continue to adhere to the ad valorem basis of rating as assessed by the Valuer General's values, with a minimum rate set at an amount determined to be the contribution required to cover the provision of the basic activities of the Council, including:

- Administration
- Building Control
- Government Levies
- Health
- Roads Maintenance
- Stormwater Drainage
- Street Lighting
- Street and Gutter Cleaning
- Town Planning

Special Rates

That Council continue to adhere to the ad valorem basis of rating as assessed by the Valuer General's values with no minimum rate levied.

2. Level of General Income

That Council adopt the maximum rate revenue increase of 3.5% as approved by the Minister for Local Government for 2005/2006 (*Circular No. 05/11 – 22 March 2005*).

That Council approve the following:

- The preparation of an application to the Minister for Local Government requesting in addition to the General Variation increase allowed by the Minister, a Special Variation increase in the Manly Town Centre Improvement Special Rate pursuant to section 508(2) of the Local Government Act, of \$460,000 to carry out ongoing and proposed capital and maintenance works within the Manly Town Centre including The Manly Corso upgrade and the Ocean Beachfront;
- Incorporate in Manly Council Draft Management Plan for 2005/2008 a statement of Council's intention to apply to the Minister for a Special Variation of the Manly Town Centre Improvement Special Rate, details of the level of increase sought, and inviting public submissions.

3. *Interest*

That Council adopt the maximum interest rate as advised by the Minister for Local Government (*Circular 05/16 – 22 April 2005*) for rates, domestic waste management services and annual charges, being **9.0%** per annum in respect of accrual on a simple basis.

D. Adoption of Rates

That the Council at a duly convened Meeting proposed for 20 June 2005 and following adoption of the final Management Plan, give consideration to the determination of each rate and in respect of that meeting it be noted the recommendations will be proposed in the following terms (subject to any amendment by Council):

1. **Ordinary Rate**

"That whereas the Council adopted the Final Management Plan for 2005/2006 - 2007/2008, incorporating the Estimates of Income and Expenditure for the General Fund on 20 June 2005, for the period 1st July, 2005 to 30th June, 2006, it is hereby resolved, pursuant to the provisions of the Local Government Act, 1993, that for the period 1st July, 2005 to 30th June, 2006, Council make:-

- (a)
 - (i) An Ordinary Rate - Residential of **0.223400** cents in the dollar on all rateable residential land in the Manly.
 - (ii) An Ordinary Rate - Business - Manly Business Centre of **0.877940** cents in the dollar on all rateable non-residential land within the centre of population defined within the Manly CBD and previously adopted by Council, as delineated on Plan Number 1/280B.
 - (iii) An Ordinary Rate – Business - Other of **0.550110** cents in the dollar on all rateable non-residential land within Manly other than that land within the centre of population defined in (ii) above.
- (b) That in accordance with Section 548 of the Local Government Act, 1993, it is hereby resolved that the minimum amount of the Ordinary Rate that shall be levied in respect of

any separate parcel of land, including strata lots and dwellings under company title, be **\$570.45** for the period 1st July, 2005 to 30th June, 2006.

2. Special Rate – Manly Town Centre Improvements

Council having made an application for a Special Variation increase in the Manly Town Centre Improvement Special Rate pursuant to section 508(2) of the Local Government Act, of \$660,000 to carry out ongoing and proposed capital and maintenance works within the Manly Town Centre including The Corso upgrade and the Ocean Beachfront, THAT Council hereby resolve:

- (a) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works, including The Corso upgrade and the Ocean Beachfront and provide services, facilities and activities of specific benefit to the area as delineated on Plan Number 1/280A, are of special benefit to that portion of Manly previously defined and adopted by Council, and whereas Council having adopted the Management Plan for 2005/2006 – 2007/2008, incorporating the Estimates of Income and Expenditure for the Manly Town Centre Improvements Programme for the period 1st July, 2005 to 30th June, 2006, it is hereby resolved that a Special Rate - Manly Business Centre and Ocean Beach Front Improvements of **0.298034** cents in the dollar on the land value of all rateable land as previously defined be now made for the period 1st July, 2005 to 30th June, 2006.

In the event that Council's application for a special variation increase is not successful, the following recommendation will be made:

- (a) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works, including The Corso upgrade and the Ocean Beachfront and provide services, facilities and activities of specific benefit to the area as delineated on Plan Number 1/280A, are of special benefit to that portion of Manly previously defined and adopted by Council, and whereas Council having adopted the Management Plan for 2005/2006 – 2007/2008, incorporating the Estimates of Income and Expenditure for the Manly Town Centre Improvements Programme for the period 1st July, 2005 to 30th June, 2006, it is hereby resolved that a Special Rate - Manly Business Centre and Ocean Beach Front Improvements of **0.146040** cents in the dollar on the land value of all rateable land as previously defined be now made for the period 1st July, 2005 to 30th June, 2006.
- (b) That in accordance with the provisions of Section 548 of the Local Government Act, 1993, it is hereby resolved that no minimum amount of the Special Rate - Manly Town Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title for the period 1st July, 2005 to 30th June, 2006.

3. Special Rate – Balgowlah Business Centre Improvements

- (a) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street and provide services, facilities and activities of specific benefit to the area and is of special benefit to that portion of Balgowlah delineated on Plan Number 5/005B, and whereas Council having adopted the Final Management Plan for 2005/2006-2007/2008, incorporating the Estimates of Income and Expenditure for the Balgowlah Business Centre Improvements Programme on for the period 1st July, 2005 to 30th June, 2006 it is hereby resolved that a Special Rate - Balgowlah Business Centre

Improvements of **0.245370** cents in the dollar on the land value of all rateable land as previously defined be now made for the period 1st July, 2005 to 30th June, 2006.

- (b) That in accordance with the provisions of Section 548 of the Local Government Act, 1993, it is hereby resolved that no minimum amount of the Special Rate - Balgowlah Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title for the period 1st July, 2005 to 30th June, 2006.

2. Domestic Waste Management Services

In accordance with section 496 of the Local Government Act 1993, that an annual charge of \$290.00 per annum be made for the year 2005/2006, for domestic waste management services rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service;

3. Pricing Policies for goods and services provided

That the Pricing Policies for goods and services for 2005/2006 be follows:-

A. General Principles:-

- (a) Council will endeavour to apply all pricing policies on an equitable basis.
- (b) The "User Pays" principle will, in general, be the basis for the full recovery of costs.
- (c) Council reaffirms its Fees and Charges Policy adopted on 24th October 1989, in terms:
- "(i) That Council establish all user charges or fees at a level related to the cost of providing works and services.
- (ii) That Council automatically revise user charges of fees to adjust for the effects of inflation.
- (iii) That Council give consideration to social, economic and environmental issues when setting fees and charges.
- (iv) That Council set fees for activities, at a level to support a predetermined percentage of direct and indirect costs of the activity."
- (d) Council will pass on any Goods & Services Tax (GST) payable to the consumers of its goods and services applicable under the GST legislation.

B. Pricing Policies:-

- (a) The price charged for this good or service reflects the full recovery of operating costs (excluding cost of capital) of providing the particular good or service.
- (b) The price charged for this good or service is a statutory charge set by regulation.
- (c) The price for this good/service is set to make a minimal contribution to the cost of providing the service. The majority of costs are met from general income.
- (d) The price charged for this good or service represents either the full recovery of operating costs (excluding cost of capital) costs or the current market rate

whichever is the greater and reflects prices charged for similar goods or services provided by other Councils.

- (e) The price for this good or service represents either the full recovery cost or the current market rate, whichever is the greater, except to those individuals or groups that have been identified as being disadvantaged in need of "special consideration" or where a community service obligation exists.
- (f) There is no price charged for this good or service. All costs associated with this good/service are met from general income.
- (g) The price for this good or service is set to reflect the full recovery of operating costs plus an appropriate profit margin, whilst recognising current market rates.
- (h) All prices in the schedule of fees and charges are to be shown nett of GST with GST shown separately.

4. The proposed **Schedule of Fees and Charges** as appended to the draft Management Plan 2005/2008 (including any amendments) be adopted in accordance with the Draft Schedule effective from 1st July, 2005 and further:

- (a) The estimated income from such fees be incorporated in the Draft Management Plan for the period 1st July 2005 to 30th June 2006.
- (b) The operations of the Commercial and Trade Waste Service continue as stated with the aim of providing a reasonable return to Council, whilst maintaining market share.

5. **The amounts for rates proposed to be charged for carrying out works on private land be:-**

The rates to be charged by Council for any type of private work are to be competitive with private contractors, but must reflect as far as practicable the fully absorbed cost of the work. If Council cannot be truly competitive in its pricing and not rely on some cross subsidisation, then Council should not put itself into the market unless there are measurable objectives and deadlines which would in a short period make undertaking the work imperative.

6. That the **amount of proposed borrowings** for 2005/2006 be included in the draft Management Plan.

Description of Works	Amount
Building Works (Relocation Manly Environment Centre)	\$1,000,000
Manly Corso Upgrade (<i>to be repaid from Special Rate</i>)	\$ 900,000
Total amount to be borrowed:	\$2,100,000

- 7. Council engage in direct dialogue with the Manly Chamber of Commerce to negotiate and develop a charter of specific outcomes to be delivered by Council over the next, three to five years, from the funds to be provided by the increased Special Rate, with a report back to Council within six months of the adoption of the Special Rate.
- 8. The Draft Budget for 2006 – 2007 is to be delivered to Councillors a minimum of ten working days prior to the meeting at which it is to be considered.
- 9. Council endorse the resolution of the previous Council that a report on the impact of Council's Reserve Funds **must** accompany the Draft Budget, and quarterly review of the

Adopted Budget.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

CLOSE

The meeting closed at 12.15am

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 20 June 2005.

MAYOR

***** **END OF MINUTES** *****