

MINUTES

**SPECIAL MEETING HELD AT COUNCIL MEETING
ROOM COBRAM CIVIC CENTRE, PUNT ROAD,
COBRAM, ON MONDAY, 2 AUGUST 2010**

The meeting commenced at 6.00 pm.

PRESENT: Councillor Ed Cox (Mayor)
Councillor Alex Monk (Deputy Mayor)
Councillor Judy Heather
Councillor Garry Jones
Councillor David McKenzie
Councillor Peter Robinson

IN ATTENDANCE:

Chris Cowley	Director Corporate Governance
Rick Devlin	Acting Director Infrastructure Services
Kaye Thomson	Acting Director Community and Sustainability
Richard Whiting	Acting Director Development

1. CALLING TO ORDER – CEO

The Acting CEO called the meeting to order

2. PRAYER

The Mayor read the Prayer.

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the Acknowledgement of Country.

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

4. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Councillors Brian Keenan and Jessie McCallum were granted leave of absences for this meeting.

The Chief Executive Officer, Gary Arnold was an apology for this meeting.

Councillor David McKenzie requested and was granted a leave of absence from 14 August to 20 August 2010.

5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Councillor's Garry Jones and Judy Heather disclosed a Conflict of Interest in Item 7.1.

7. OFFICERS REPORTS FOR DETERMINATION

7.1 ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES

8. CLOSE OF MEETING

The meeting closed at 6.35pm.



**CHRIS COWLEY
CHIEF EXECUTIVE OFFICER**

FILE NO: 180.07.0017
5. WORKING TOGETHER
COUNCIL PLAN ACTION NO. N/A

ITEM NO: 7.1
(DIRECTOR CORPORATE
GOVERNANCE, CHRIS COWLEY)

ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES

1. Executive Summary

The Proposed Budget for the 2010/11 financial year was prepared by Council at its Ordinary Meeting on 21 June 2010. At that meeting, Council resolved to give public notice in accordance with Section 129 of the Local Government Act 1989 ("The Act") of Council's intention to adopt the Proposed Budget as presented.

The Proposed Budget was advertised in accordance with statutory requirements calling for public submissions and six (6) were received. Council considered these at a Special Meeting of Council on 26 July 2010 and resolved to consider the adoption of the Budget 2010/11 at this meeting.

The Budget 2010/11 includes:

- an increase in revenue from general rates and municipal charge of 6.9%;
- an operating surplus of \$0.74M;
- capital works of \$9.34M;
- a balance of cash and investments at 30 June 2011 of \$7.81M, and
- a working capital ratio of 1.6: 1.

It is recommended that the Budget 2010/11 as prepared on 21 June 2010 be adopted without alteration and that the rates and charges, as detailed, be declared for the year ending 30 June 2011.

2. Discussion

In compliance with the requirements of Section 129 and 223 of the Local Government Act 1989, Council resolved to place the Proposed Budget 2010/11 on public exhibition seeking comments on its content.

As part of the community consultation process, Council conducted four (4) budget workshops across the shire. The workshops were held in the following locations:

- Numurkah and Nathalia on 14 July 2010
- Cobram and Yarrawonga on 15 July 2010

Also, budget presentation sessions were held as follows:

- Yarrawonga Showgrounds 27 July 2010
- Numurkah Community Coordinators 27 July 2010
- Nathalia Showgrounds 28 July 2010
- Barmah Community Coordinators 29 July 2010

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(cont'd)**

The public submission period closed on the 22 July 2010. Council received six (6) written submissions as listed below:

(i) Numurkah Seniors Hub

The submission from Numurkah Seniors Hub seeks a commitment from Council to fund the refurbishment of the Numurkah Seniors Hub.

(ii) Mrs. Patricia Arnold

The submission from Mrs. Patricia Arnold seeks a review of the vacant residential land differential rate.

(iii) Kiwanis Club, Cobram-Barooga

The Kiwanis club is disappointed that some funding has not been allocated for the "Bike-Walking Track" proposed for the section of Koonoomoo Road, between Cobram and Koonoomoo.

(iv) Punkin Head Air Sports

The submission is in support of the budget expenditure of \$200,000 on the widening of the 01/19 runway at the Yarrawonga aerodrome.

(v) John Hay

- a) ratepayers in the farming areas seem to be paying an unfair portion of the rate revenue with a very small portion of the budget being spent on roads;
- b) there has to be more pressure put on State and Federal Government for extra funding for roads and bridges;
- c) with the separation of water entitlements from the valuation of land, Council lowered the value of water and increased the value of land resulting in ratepayers, in farming areas, paying more rates.
- d) Council needs to invest in tourism along the Murray River and in so doing, give attention to roads in that region, and seek more funding through tourism sources for these projects.

(vi) Victorian Peach & Apricot Growers' Association Inc.

The Victorian Peach & Apricot Growers' Association Inc is concerned about the rate increase of 6.9% and the trend which sees rates increasing in increments greater than CPI.

As a result of the submissions detailed above, it is recommended that no alterations be made to the Proposed Budget 2010/11 prior to its adoption by Council.

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3. Financial Implications

The proposed budget has been structured as per the measures defined in the Strategic Resource Plan (SRP), which takes into account the financial management targets recommended by the Victorian Auditor-General's Office. One of the key measures in the SRP is the working capital ratio. The proposed working capital ratio is sitting at **1.6** which is at the target level. Another key measure is the indebtedness ratio. Council is working towards meeting the recommended target of 40% by 2014/15.

Given that the working capital ratio is currently at the target level and the indebtedness ratio is not being met, only minimal budget movements can be considered without moving the working capital ratio out of the prescribed target level. Any adverse budget movements will work against Council's move towards meeting the indebtedness target of 40%.

4. Community Consultation

- Public advertisement advising proposed budget on public exhibition, as per requirements of Section 129 and 223 of the Local Government Act 1989.
- Budget meetings held in four locations – Cobram, Nathalia, Numurkah and Yarrawonga.
- Budget presentations were made to specific community groups on 27, 28 and 29 July 2010.
- Copies of the Proposed Budget 2010/11 document have been available at Council's service centres and agencies.

5. Legislative / Policy Implications

Local Government Act 1989
Special Rates and Charges Policy
Garbage and Recycling Policy
Asset Management Policy
Rates and Charges Policy
Budget and Reporting Policy

6. Environmental Implications

All environmental implications have been addressed as part of preparation of this budget. There are no implications evident as a result of this report.

7. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

8. Conclusion

Council has sought community input and feedback on the Proposed Budget 2010/11. Six (6) submissions were received and one submitter was heard by Council in support of the submission at the Special Meeting of Council held on Monday 26 July 2010.

It is recommended that Council, following consideration of the submissions received, adopt the Budget for 2010/11.

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ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES (cont'd)

RECOMMENDATION

1. That Council adopt the 2010/11 Budget in accordance with Section 130(1) of the Local Government Act, 1989, after being advertised in accordance with Section 129 of the Act and considering the submissions received, with the following amendment:

That a meeting, including a site visit, be held, as soon as it can be arranged, with VicRoads, the Department of Sustainability and Environment, Kiwanis Club, Cobram-Barooga and Council officers, regarding the "Bike-Walking Track" proposed for the section of Koonoomoo Road, between Cobram and Koonoomoo

2. That Council write to all submitters thanking them for their submissions and advising them of Council's decision and the reasons for the decision.
3. That the Chief Executive Officer be authorised to give public notice of this decision to adopt the Budget, in accordance with Section 130(2) of the Local Government Act 1989.
4. Amount intended to be raised:

An amount of \$23,026,275 million (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates, the municipal charge and the annual service charge (described later in this Resolution), which amount is calculated as follows:

General Rates	\$15.11 million
Municipal Charge	\$3.78 million
Garbage Charge	\$0.86 million
Recycling Charge	\$0.79 million
Environmental Levy	\$2.47 million

General Rates

1. A general rate be declared in respect of the 2010/11 Financial Year.
2. It be further declared that the general rate be raised by the application of differential rates.
3. A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:
 - 3.1 General Vacant Land

Any land:

 - 3.1.1 on which no building designed or adapted for human occupation is erected; and

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3.1.2 which does not have the characteristics of:

- 3.1.2.1 Farm Vacant Land;
- 3.1.2.2 Commercial Vacant Land;
- 3.1.2.3 Industrial Vacant Land; or
- 3.1.2.4 Rural Residential Vacant Land.

3.2 General Building Land

Any land:

3.2.1 on which a building designed or adapted for human occupation is erected; and

3.2.2 which does not have the characteristics of:

- 3.2.2.1 Farm Building Land;
- 3.2.2.2 Commercial Building Land;
- 3.2.2.3 Industrial Building Land; or
- 3.2.2.4 Rural Residential Building Land.

3.3 Farm Vacant Land

Any land:

3.3.1 on which no building designed or adapted for human occupation is erected; and

3.3.2 is "Farm land" within the meaning of section 3(1) of the *Valuation of Land Act 1960*.

3.4 Farm Building Land

Any land:

3.4.1 on which a building designed or adapted for human occupation is erected; and

3.4.2 is "Farm land" within the meaning of section 3(1) of the *Valuation of Land Act 1960*.

3.5 Commercial Vacant Land

Any land:

3.5.1 on which no building designed or adapted for human occupation is erected;

3.5.2 which is, by reason of its zoning under the Moira Planning Scheme, capable of being used primarily for commercial purposes; and

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3.5.3 does not have the characteristics of:

- 3.5.3.1 Farm Vacant Land;
- 3.5.3.2 General Vacant Land;
- 3.5.3.3 Industrial Vacant Land; or
- 3.5.3.4 Rural Residential Vacant Land.

3.6 Commercial Building Land

Any land:

- 3.6.1 on which a building designed or adapted for human occupation is erected;
- 3.6.2 which is used primarily for commercial purposes; and
- 3.6.3 does not have the characteristics of:
 - 3.6.3.1 Farm Building Land;
 - 3.6.3.2 General Building Land;
 - 3.6.3.3 Industrial Building Land; or
 - 3.6.3.4 Rural Residential Building Land.

3.7 Industrial Vacant Land

Any land:

- 3.7.1 on which no building designed or adapted for human occupation is erected;
- 3.7.2 which is, by reason of its zoning under the Moira Planning Scheme, capable of being used primarily for industrial purposes; and
- 3.7.3 does not have the characteristics of:
 - 3.7.3.1 Farm Vacant Land;
 - 3.7.3.2 Commercial Vacant Land;
 - 3.7.3.3 General Vacant Land; or
 - 3.7.3.4 Rural Residential Vacant Land.

3.8 Industrial Building Land

Any land:

- 3.8.1 on which a building designed or adapted for human occupation has been erected;
- 3.8.2 which is used primarily for industrial purposes; and

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3.8.3 does not have the characteristics of:

- 3.8.3.1 Farm Building Land;
- 3.8.3.2 Commercial Building Land;
- 3.8.3.3 General Building Land; or
- 3.8.3.4 Rural Residential Building Land.

3.9 Rural Vacant Land

Any land:

- 3.9.1 which is more than two (2) and less than 10 hectares in area;
- 3.9.2 which is located within a Rural Residential Zone or zones under the Moira Planning Scheme;
- 3.9.3 on which no building designed or adapted for human occupation is erected ; and
- 3.9.4 which is used by a primary production business that:
 - 3.9.4.1 does not have a significant and substantial commercial purpose or character;
 - 3.9.4.2 does not seek to make a profit on a continuous or repetitive basis from its activities on the land; and
 - 3.9.4.3 is not making a profit from its activities on the land or does not have a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating;

3.10 Rural Building Land

Any land:

- 3.10.1 which is more than two (2) and less than 10 hectares in area;
- 3.10.2 which is located within a Rural Residential Zone or Zones under the Moira Planning Scheme;
- 3.10.3 on which a building designed or adapted for human occupation is erected; and
- 3.10.4 which is used by a primary production business that:
 - 3.10.4.1 does not have a significant and substantial commercial purpose or character;

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3.10.4.2 does not seek to make a profit on a continuous and repetitive basis from its activities on the land; and

3.10.4.3 is not making a profit from its activities on the land or does not have a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

4. Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics described in paragraph 5, sub-paragraph 3 of this Resolution) by the relevant percentages indicated in the following table:

Category	%
General Vacant Land	0.6207 (or 0.6207 cents in the dollar of CIV).
General Building Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Farm Vacant Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Farm Building Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Commercial Vacant Land	0.6207 (or 0.6207cents in the dollar of CIV).
Commercial Building Land	0.4344 (or 0.4344 cents in the dollar of CIV).
Industrial Vacant Land	0.6207 (or 0.6161 cents in the dollar of CIV).
Industrial Building Land	0.4344 (or 0.4344cents in the dollar of CIV).
Rural Vacant Land	0.6207 (or 0.6161 cents in the dollar of CIV).
Rural Building Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Cultural & Recreational	0.3105 (or 0.3105 cents in the dollar of CIV).

5. It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:
- 5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and
 - 5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and
 - 5.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and

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5.4 the relevant

- (a) uses of;
- (b) geographical locations of; and
- (c) planning scheme zonings of; and
- (d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution; and

6. In accordance with section 4(1) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each rateable land to which the Act applies be determined by multiplying the Capital Improved Value and that rateable land by 0.2938 percent (or 0.2938cents in the dollar of Capital Improved Value).

Municipal Charge

1. A municipal charge be declared in respect of the 2010/11 Financial Year.
2. The municipal charge be declared for the purpose of covering some of the administrative costs of Council.
3. The municipal charge be in the sum of \$248.10 for each rateable land (or part) in respect of which a municipal charge may be levied.
4. It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district in respect of which a municipal charge may be levied.

Annual Service Charge

1. An annual service charge be declared in respect of the 2010/11 Financial Year.
2. The annual service charge be declared for the collection and disposal of refuse from land.
3. The annual service charge be in the sum of, and be based on the criteria, set out below:
 - 3.1 \$77.05 per annum for each rateable land to which a domestic waste collection service is available;
 - 3.2 \$71.80 per annum for each rateable land to which a recyclables collection service is available; and
 - 3.3 \$164.00 per annum for each:
 - 3.3.1 rateable land that is 'farm land' within the meaning of s 3(1) of the *Valuation of Land Act 1960* and is a 'single farm enterprise' within the meaning of section 159(4) of the *Local Government Act 1989*; and

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3.3.2 each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer or disposal facility;

(which annual service charge is known as the "environmental levy").

5. Rebates and Concessions

5.1 It be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the *State Concessions Act* 1986 a rebate of \$187.60 per annum in respect of each rateable land owned by him or her.

5.2 The rebate described in paragraph 6.1 be granted.

6. Incentives

No incentive be declared for early payment of the general rates, municipal charge and annual service charge previously declared.

7. Payment

All rates and charges to be paid in four instalments, in accordance with Section 167(1) and (2) of the *Local Government Act* 1989.

8. Consequential

8.1 It be confirmed that, subject to sections 171 and 172 of the *Local Government Act* 1989, Council will require a person to pay interest on any rates and charges which:

9.1.1 that person is liable to pay;

9.1.2 have not been paid by the date specified for their payment.

8.2 The Team Leader Revenue, Property and Valuation Services be authorised to levy and recover the general rates, municipal charge and annual service charges in accordance with the *Local Government Act* 1989.

9. User Fees and Charges

That the 2010/2011 User Fees and Charges as proposed be adopted by Council.

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**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

SCHEDULE

GENERAL VACANT LAND

Objective:

To encourage the development of land and ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

Nil.

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SCHEDULE

GENERAL BUILDING LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2010/2011 financial year.

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SCHEDULE

FARM VACANT LAND

Objective:

To encourage the development of land for farming purposes and ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

Nil

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SCHEDULE

FARM BUILDING LAND

Objective:

To encourage the pursuit of farming activities and ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2010/2011 Financial Year.

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SCHEDULE

COMMERCIAL VACANT LAND

Objective:

To encourage the development of land for commercial purposes and ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

Nil

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SCHEDULE

COMMERCIAL BUILDING LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2010/2011 Financial Year.

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SCHEDULE

INDUSTRIAL VACANT LAND

Objective:

To encourage the development of land for industrial purposes and ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.
4. Provision of economic development services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

Nil

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5. WORKING TOGETHER
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ITEM NO: 7.1
(DIRECTOR CORPORATE
GOVERNANCE, CHRIS COWLEY)

**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

SCHEDULE

INDUSTRIAL BUILDING LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services;
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2010/2011 Financial Year.

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**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

SCHEDULE

RURAL VACANT LAND

Objective:

To encourage the development of land and ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

Nil

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**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

SCHEDULE

RURAL BUILDING LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the -

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution of Council.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2010/2011 Financial Year.

<p>FILE NO: 180.07.0017 5. WORKING TOGETHER COUNCIL PLAN ACTION NO. N/A</p>

<p>ITEM NO: 7.1 (DIRECTOR CORPORATE GOVERNANCE, CHRIS COWLEY)</p>

ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES (cont'd)

MOTION

CRS. DAVID MCKENZIE / PETER ROBINSON

That Council exclude the Goulburn Valley Regional Library Service Funding and the Walking / Cycling Path Yarrowonga South from the 2010/11 Budget.

(CARRIED)

MOTION

CRS. DAVID MCKENZIE / GARRY JONES

1. That Council adopt the 2010/11 Budget in accordance with Section 130(1) of the Local Government Act, 1989, after being advertised in accordance with Section 129 of the Act and considering the submissions received, with the following amendments:

That a meeting, including a site visit, be held, as soon as it can be arranged, with VicRoads, the Department of Sustainability and Environment, Kiwanis Club, Cobram-Barooga and Council officers, regarding the "Bike-Walking Track" proposed for the section of Koonoomoo Road, between Cobram and Koonoomoo; and

That Council allocate \$300,000 to the 2011/2012 budget for the purpose of funding the Numurkah Seniors Hub project, to allow Council to source matching grant funding for the \$600,000 project.

2. That Council write to all submitters thanking them for their submissions and advising them of Council's decision and the reasons for the decision.
3. That the Chief Executive Officer be authorised to give public notice of this decision to adopt the Budget, in accordance with Section 130(2) of the Local Government Act 1989.
4. Amount intended to be raised:

An amount of \$23,026,275 million (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates, the municipal charge and the annual service charge (described later in this Resolution), which amount is calculated as follows:

General Rates	\$15.11 million
Municipal Charge	\$3.78 million
Garbage Charge	\$0.86 million
Recycling Charge	\$0.79 million
Environmental Levy	\$2.47 million

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ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES (cont'd)

General Rates

1. A general rate be declared in respect of the 2010/11 Financial Year.
2. It be further declared that the general rate be raised by the application of differential rates.
3. A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:
 - 3.1 General Vacant Land
Any land:
 - 3.1.1 on which no building designed or adapted for human occupation is erected; and
 - 3.1.2 which does not have the characteristics of:
 - 3.1.2.1 Farm Vacant Land;
 - 3.1.2.2 Commercial Vacant Land;
 - 3.1.2.3 Industrial Vacant Land; or
 - 3.1.2.4 Rural Residential Vacant Land.
 - 3.2 General Building Land
Any land:
 - 3.2.1 on which a building designed or adapted for human occupation is erected; and
 - 3.2.2 which does not have the characteristics of:
 - 3.2.2.1 Farm Building Land;
 - 3.2.2.2 Commercial Building Land;
 - 3.2.2.3 Industrial Building Land; or
 - 3.2.2.4 Rural Residential Building Land.
 - 3.3 Farm Vacant Land
Any land:
 - 3.3.1 on which no building designed or adapted for human occupation is erected; and
 - 3.3.2 is "Farm land" within the meaning of section 3(1) of the *Valuation of Land Act* 1960.

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**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

3.4 Farm Building Land

Any land:

- 3.4.1 on which a building designed or adapted for human occupation is erected; and
- 3.4.2 is "Farm land" within the meaning of section 3(1) of the *Valuation of Land Act 1960*.

3.5 Commercial Vacant Land

Any land:

- 3.5.1 on which no building designed or adapted for human occupation is erected;
- 3.5.2 which is, by reason of its zoning under the Moira Planning Scheme, capable of being used primarily for commercial purposes; and
- 3.5.3 does not have the characteristics of:
 - 3.5.3.1 Farm Vacant Land;
 - 3.5.3.2 General Vacant Land;
 - 3.5.3.3 Industrial Vacant Land; or
 - 3.5.3.4 Rural Residential Vacant Land.

3.6 Commercial Building Land

Any land:

- 3.6.1 on which a building designed or adapted for human occupation is erected;
- 3.6.2 which is used primarily for commercial purposes; and
- 3.6.3 does not have the characteristics of:
 - 3.6.3.1 Farm Building Land;
 - 3.6.3.2 General Building Land;
 - 3.6.3.3 Industrial Building Land; or
 - 3.6.3.4 Rural Residential Building Land.

3.7 Industrial Vacant Land

Any land:

- 3.7.1 on which no building designed or adapted for human occupation is erected;

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(cont'd)**

3.7.2 which is, by reason of its zoning under the Moira Planning Scheme, capable of being used primarily for industrial purposes; and

3.7.3 does not have the characteristics of:

- 3.7.3.1 Farm Vacant Land;
- 3.7.3.2 Commercial Vacant Land;
- 3.7.3.3 General Vacant Land; or
- 3.7.3.4 Rural Residential Vacant Land.

3.8 Industrial Building Land

Any land:

3.8.1 on which a building designed or adapted for human occupation has been erected;

3.8.2 which is used primarily for industrial purposes; and

3.8.3 does not have the characteristics of:

- 3.8.3.1 Farm Building Land;
- 3.8.3.2 Commercial Building Land;
- 3.8.3.3 General Building Land; or
- 3.8.3.4 Rural Residential Building Land.

3.9 Rural Vacant Land

Any land:

3.9.1 which is more than two (2) and less than 10 hectares in area;

3.9.2 which is located within a Rural Residential Zone or zones under the Moira Planning Scheme;

3.9.3 on which no building designed or adapted for human occupation is erected ; and

3.9.4 which is used by a primary production business that:

- 3.9.4.1 does not have a significant and substantial commercial purpose or character;
- 3.9.4.2 does not seek to make a profit on a continuous or repetitive basis from its activities on the land; and
- 3.9.4.3 is not making a profit from its activities on the land or does not have a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating;

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**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

3.10 Rural Building Land

Any land:

3.10.1 which is more than two (2) and less than 10 hectares in area;

3.10.2 which is located within a Rural Residential Zone or Zones under the Moira Planning Scheme;

3.10.3 on which a building designed or adapted for human occupation is erected; and

3.10.4 which is used by a primary production business that:

3.10.4.1 does not have a significant and substantial commercial purpose or character;

3.10.4.2 does not seek to make a profit on a continuous and repetitive basis from its activities on the land; and

3.10.4.3 is not making a profit from its activities on the land or does not have a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

4. Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics described in paragraph 5, sub-paragraph 3 of this Resolution) by the relevant percentages indicated in the following table:

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ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES (cont'd)

Category	%
General Vacant Land	0.6207 (or 0.6207 cents in the dollar of CIV).
General Building Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Farm Vacant Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Farm Building Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Commercial Vacant Land	0.6207 (or 0.6207cents in the dollar of CIV).
Commercial Building Land	0.4344 (or 0.4344 cents in the dollar of CIV).
Industrial Vacant Land	0.6207 (or 0.6161 cents in the dollar of CIV).
Industrial Building Land	0.4344 (or 0.4344cents in the dollar of CIV).
Rural Vacant Land	0.6207 (or 0.6161 cents in the dollar of CIV).
Rural Building Land	0.3105 (or 0.3105 cents in the dollar of CIV).
Cultural & Recreational	0.3105 (or 0.3105 cents in the dollar of CIV).

5. It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:
- 5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and
 - 5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and
 - 5.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and
 - 5.4 the relevant
 - (a) uses of;
 - (b) geographical locations of; and
 - (c) planning scheme zonings of; and
 - (d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution; and
6. In accordance with section 4(1) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each rateable land to which the Act applies be determined by multiplying the Capital Improved Value and that rateable land by 0.2938 percent (or 0.2938cents in the dollar of Capital Improved Value).

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ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES (cont'd)

Municipal Charge

1. A municipal charge be declared in respect of the 2010/11 Financial Year.
2. The municipal charge be declared for the purpose of covering some of the administrative costs of Council.
3. The municipal charge be in the sum of \$248.10 for each rateable land (or part) in respect of which a municipal charge may be levied.
4. It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district in respect of which a municipal charge may be levied.

Annual Service Charge

1. An annual service charge be declared in respect of the 2010/11 Financial Year.
2. The annual service charge be declared for the collection and disposal of refuse from land.
3. The annual service charge be in the sum of, and be based on the criteria, set out below:
 - 3.1 \$77.05 per annum for each rateable land to which a domestic waste collection service is available;
 - 3.2 \$71.80 per annum for each rateable land to which a recyclables collection service is available; and
 - 3.3 \$164.00 per annum for each:
 - 3.3.1 rateable land that is 'farm land' within the meaning of s 3(1) of the *Valuation of Land Act* 1960 and is a 'single farm enterprise' within the meaning of section 159(4) of the *Local Government Act* 1989; and
 - 3.3.2 each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer or disposal facility;

(which annual service charge is known as the "environmental levy").
5. Rebates and Concessions
 - 5.1 It be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the *State Concessions Act* 1986 a rebate of \$187.60 per annum in respect of each rateable land owned by him or her.
 - 5.2 The rebate described in paragraph 6.1 be granted.
6. Incentives

No incentive be declared for early payment of the general rates, municipal charge and annual service charge previously declared.

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**ANNUAL BUDGET 2010/11 AND DECLARATION OF RATES AND CHARGES
(cont'd)**

7. Payment

All rates and charges to be paid in four instalments, in accordance with Section 167(1) and (2) of the *Local Government Act* 1989.

8. Consequential

8.1 It be confirmed that, subject to sections 171 and 172 of the *Local Government Act* 1989, Council will require a person to pay interest on any rates and charges which:

8.1.1 that person is liable to pay;

8.1.2 have not been paid by the date specified for their payment.

8.2 The Team Leader Revenue, Property and Valuation Services be authorised to levy and recover the general rates, municipal charge and annual service charges in accordance with the *Local Government Act* 1989.

9. User Fees and Charges

That the 2010/2011 User Fees and Charges as proposed be adopted by Council.

(CARRIED)

Councillor Garry Jones disclosed a Conflict of Interest in the following item and left the meeting at 6.32 pm.

MOTION

CRS. DAVID MCKENZIE / PETER ROBINSON

That Council include the Goulburn Valley Regional Library funding in the 2010/2011 Budget.

(CARRIED)

Councillor Jones returned to the meeting at 6.33 pm.

Councillor Judy Heather disclosed a Conflict of Interest in the following item and left the meeting at 6.33 pm.

MOTION

CRS. DAVID MCKENZIE / PETER ROBINSON

That Council include the Walking/Cycling Path Yarrawonga South in the 2010/2011 Budget.

(CARRIED)

Councillor Heather returned to the meeting at 6.34 pm.