

Community Service Obligations - Water Supply, Wastewater, Effluent, Trade Waste Services and Section 64 Contributions

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MIN13.499, MIN17.401

File: 12039E

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1 PURPOSE

The purpose of this policy statement is to outline Council's determining criteria for recognition of Community Service Obligation and the charging policy of water, wastewater, effluent, trade waste services and Section 64 contributions for approved Community Service Obligation organizations or projects.

2 STATEMENT

Council reaffirmed this policy in its revised format by Minute 06.853 on 27th June 2006.

2.1 General

The Independent Pricing and Regulatory Tribunal in 1996 determined in its recommendation on Cross Subsidies, that CSO's are essentially an issue for Government policy and, as such a matter for Governments. The Tribunal considered however that the preferred method of funding CSO's should be through explicit and transparent government payment. This action is consistent with the NSW Government Water Supply, Sewerage and Trade Waste Pricing guidelines for Local Water Utilities.

This policy will provide consistency in the recognition and determination of organizations to qualify as CSO's and summarise the degree of subsidy by Council.

2.2 Documentation Endorsement

The information within this policy statement is based on various Council resolutions relating to Community Service Obligation.

File 72/4510 Council Meeting of 10th June 1997 – Non Rateable Water and Wastewater services

File 72/4510 Council Meeting of 17th June 1997 – Church Schools

File 2213 Council Meeting of 28th May 2002 – Usage Charges for Playing Fields CSO3

File 24523 Council Meeting of 23rd June 2003 – Effluent Pump out Services

File 12039 Council Meeting of 23rd February 2004 – CSO for Water and Wastewater Charges

File 12039 Council Meeting of 26th July 2004 – Community Service Obligation (CSO) Review

File 12039 Council Meeting of 23rd May 2006 – Waiving of Section 64 Contributions for Community Projects

2.3 Definitions

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| <i>Bushfire station</i> | A complex owned by the RFS or community and operated for the sole purpose of providing fire-fighting support to the community. |
| <i>Charity</i> | A non-profit organization run for the benefit of the community. |
| <i>Church</i> | A place of worship with no attached hall, residence or facility. |
| <i>Church hall</i> | An attached hall or facility (not church school or child care). An organisation of benefit to the health and wellbeing of the public. |
| <i>Community organisation</i> | An organisation of benefit to the health and well-being of the public. |

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| <i>Owned by community</i> | A premises Locally owned by organizations, groups or incorporated bodies etc. |
| <i>Public amenities</i> | Public toilet complexes located on Council owned property. |
| <i>Public reserve</i> | Land as defined within the LGA 1993 Schedule 9 |
| <i>Public museum</i> | A non-profit operated facility of historical public interest. |
| <i>Section 64</i> | The charges levied in accordance with Section 64 of the Local Government Act. |
| <i>Sporting oval</i> | Council owned public sports field. |
| <i>Swimming pools</i> | Council owned and operated Swimming Pools. |
| <i>Usage allowance</i> | Means the first 300kl of water used in the financial year on a pro-rata basis. |

2.4 Abbreviations and Acronyms

CSO Community Service Obligation

LGA Local Government Act

RFS Rural Fire Service

S64 Section 64

3 PROVISIONS

3.1 Common Provisions

There are no common provisions relating to this policy. The policy is only related to the provision of financial subsidy to facilities of public benefit in respect of Water Supply, Wastewater, Effluent, Trade Waste related services and S64 contributions.

3.2 Charges Policy

CSO's are categorised into four levels based on the nature and level of service provided to the community. The recognition of a CSO in respect of Water Supply, Wastewater, Effluent, Trade Waste services and Section 64 result in the following subsidy from Council Charges where applicable.

Water Supply

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| CSO Level 1: | Waiver of availability charge. Specified Usage charge allowance. |
| CSO Level 2: | Waiver of availability charge. |
| CSO Level 3: | Waiver of availability charge. Specified Usage charge allowance. Usage charge at a lower rate. |

Wastewater

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| CSO Level 1: | Waiver of availability charge. Specified Usage charge allowance (being phased out, see below). |
| CSO Level 2: | Waiver of availability charge. |
| CSO Level 3: | Waiver of availability charge. Waiver of usage charge. |

Effluent Services

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| CSO 1, 2 and 3: | There is no subsidy provided for the conduct of effluent services (pumpout, cleanout or other related contracted services) |
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Trade Waste

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| CSO 1, 2 and 3: | There is no subsidy provided in respect of Trade Waste charges. |
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Section 64

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| CSO Level 1: | Reduction of 75% for projects. |
| CSO Level 2: | Reduction of 50% for projects. |
| CSO Level 3: | Reduction of 25% for projects. |
| CSO Level 4: | Reduction as determined by the contributions due for the Council project. |

The relevant charges and respective allowances for CSO's are contained within Council's Delivery Program and Operational Plan, which is exhibited for public comment each year during May and June.

3.3 Classification as a CSO

Organizations or properties, which seek to be classified as a CSO under this policy, must formally apply to Council for such recognition. Applications must be accompanied by sufficient documentation to support the claim and be signed by the governing body, CEO or owner of the property. Council will reserve the right to seek further confirming detail where required.

CSO's will be classified into an appropriate Level based on criteria relevant to the nature of the property and subject to review. The degree of service and the nature of the organization should be the determining factor of the Level to which a CSO is placed. This can include whether the facility is income producing but not necessarily classified as commercial in nature eg Council owned swimming pools. As a guide the following criteria must be satisfied when assessing applicants for recognition as a CSO.

Water, Wastewater, Effluent and Trade Waste

CSO Level 1

- Community benefit, and
- Non-profit, and
- Operated and run solely by volunteers, and

- Requires subsidy for operation, and
- Owned by Community or Government, and
- All public have full access to facility at all times.

CSO Level 2

- Community benefit, and
- Some paid employees, or
- Some monies generated through fund-raising, and
- Owned by Community or Government or
- A character building organisation (not including sporting, education or hobby interest group) singularly supporting adolescence development.

CSO Level 3

- Community benefit, and
- Some paid employees, or
- Some monies generated through fund-raising, and
- Owned by Community or Government, and
- All public have access to sporting fields outside of committee organised events

Section 64

CSO Level 1

- Community benefit, and
- Non-profit, and
- Operated and run solely by volunteers, and
- Requires subsidy for operation, and
- Owned by Community or Government, and
- All public have full access to facility at all times.

CSO Level 2

- Community benefit, and
- Some paid employees, or
- Some monies generated through fund-raising, and
- Owned by Community or Government or
- A character building organisation (not including sporting, education or hobby interest group) singularly supporting adolescence development, and
- All public have access (outside of committee organised events).

CSO Level 3

- Community benefit, and

- Some paid employees, or
- Some monies generated through fund-raising, and
- Owned by a Community Organisation or Government, and
- All public have limited access (outside of committee organised events).

CSO Level 4

- Is a Shoalhaven City Council funded project.

General

Some organizations have combined facilities within a Land Use eg Church/School. The criteria for classification of CSO in these cases would need to be based on the primary purpose of the property, or a pro-rata determination by the General Manager (Director Shoalhaven Water).

In respect of Church Schools, Council at its meeting of 17th June 1997 determined that such organizations would be treated as non-residential.

Total funding for Section 64 reduction in contributions in respect of CSO Levels 1 to 3, will be limited to \$20,000 from the Water Fund and \$20,000 from the Wastewater Fund each financial year. Additional funding will be considered on a case by case basis and reported to Council. Funding in respect of Section 64 reductions for CSO Level 4 will be considered on a case by case basis and reported annually within the Delivery Program and Operational Plan.

The General Manager (Director Shoalhaven Water) is delegated authority to make the determination of CSO and Level based on the above criteria and in cases where dual Land Uses exist. Approval for the recognition of an organization for CSO is vested in the General Manager (Director Shoalhaven Water).

4 IMPLEMENTATION

The Water Customer and Business Support Section of Council's Shoalhaven Water Group will implement policies relating to applicant processing, management, recognition of CSO's and the capture/reporting the level of financial subsidy.

5 REVIEW

This policy will be reviewed within one year of the election of every new Council.

6 APPLICATION OF ESD PRINCIPLES

None Applicable.