

CAIRNS REGIONAL COUNCIL

SPECIAL MEETING

MINUTES

29 JUNE 2015

COMMENCING AT 9:00 AM

PRESENT: Cr B Manning (Chairperson)
Cr R Bates
Cr L Cooper
Cr G Fennell
Cr T James
Cr M O'Halloran
Cr J Richardson
Cr J Schilling
Cr C Zeiger

APOLOGY: Cr S Brain

OFFICERS:

P Tabulo	Chief Executive Officer
J Andrejic	Chief Financial Officer
B Gardiner	General Manager Infrastructure Services
C Posgate	General Manager Human Resources and Organisational Change
K Reaston	General Manager Planning & Environment
G O'Bryne	General Manager Water & Waste
L Kirchner	General Manager Community, Sport & Cultural Services
R Holmes	Manager Marketing & Communications
L Guy	Media Coordinator
N Quinn	Executive Manager Mayor's Office
S Godkin	Minute Secretary

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APOLOGY

Council notes the apology of Councillor Brain and grants leave of absence.

CONFLICT OF INTEREST / MATERIAL PERSONAL INTEREST

There were no conflict of interest or material personal interest declared.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

MAYOR'S BUDGET ADDRESS 2015 - 2016

I am pleased today to present Cairns Regional Council's Budget for 2015-2016 - the last Budget for this Council and one that reflects the efforts of the past three years to strengthen Council's financial position and the future fiscal sustainability of the organisation.

The vigilance and the determination to make our business cost-effective and efficient will result in a surplus of the order of \$8 million for the 2014-2015 year, bringing the total surplus over the past two budget cycles to \$15.5 million.

I would like to pause a moment to formally recognise that this result could not have been achieved without the commitment of every member of staff at Cairns Regional Council. I thank them for their diligence and commitment to achieve this outcome.

This outstanding result and the Budget to be handed down today is in line with commitments we outlined when this Council was sworn into office three years ago. Those commitments included:

- Establishing a four-year defined budget strategy and bringing the Budget back into balance
- Doing what we could to restore business confidence and stimulate growth
- Working cohesively as a team and placing our corporate responsibility before any personal, sectional or other interest
- Delivering a cost competitive council
- Restoring funding levels to adequately maintain our assets; and
- Maintaining or improving the level of service to the community.

These key commitments have been the foundation for the activities of Council and have translated into lower increases for ratepayers – not just in the past, but also for this year, and for the next 10 years.

If the organisation continues to be prudent in its planning and expenditure, financial modelling forecasts over the next decade a capital expenditure of approximately \$1.4 billion and annual rate increases in the order of 2% - 3.5%.

Debt levels are another key indicator of the health of Council, with no new borrowings for the past five years, resulting in Cairns having the second lowest debt level out of 15 medium and large Councils in Queensland, with current debt per capita of \$521. I might note that debt per capita in Brisbane is \$1411.

This puts us in good stead to:

- Take advantage of opportunities
- deliver critical infrastructure to the community;
- and to keep rate rises to a minimum, which is what we have done..

I want to reassure residents that this administration will continue to manage your city finances responsibly and will continue to promote economic growth in our city – and we will do this whilst delivering a balanced budget, a strong credit rating, and a sustainable level of borrowings commensurate with a growing city.

In striking the rate in the dollar for 2015-2016, Council took into account that land valuations released by the State Government's Department of Natural Resources and Mines have risen in most suburbs of Cairns by 10% or more (some by up to 19%), with the median residential land value increasing from \$145,000 to \$165,000 (or 14%).

We have responded by reducing the rate in the dollar by up to 9 per cent in all residential categories, including Strata Title.

This will assist to smooth out the impact of the higher values and results in 75% of ratepayers receiving an increase of 1.5 per cent or less in their general rates.

Sewerage, cleansing and water charges will also increase by just 1.5 per cent, or a combined \$20.05 for the year.

Residential water usage charges will rise by two cents to \$1.13 per kilolitre which equates to \$5 a year for an average household.

Council has already announced that there will be no increase to Council's fees and charges for the next financial year and we have made a decision to abolish the credit card surcharge on transactions with Council in a bid to encourage greater online transactions through our re-vamped and user-friendly website.

WHERE THE MONEY WILL BE SPENT

This Council has committed to do everything in its power to stimulate the economy and boost business confidence and keeping rate rises low contributes to that goal.

This year, the Budget seeks to stimulate our economy through a number of other measures including:

- Expenditure of \$228 million on materials and services associated with delivering this year's Capital Works program and for maintenance, renewals and other services delivered to the community;

- \$2 million has been committed to Tourism Tropical North Queensland to boost marketing of the region. An additional \$1 million can be leveraged by TTNQ to secure matching funding from other levels of government or the private sector;
- \$670,000 to support and develop major sporting events that will deliver economic benefits to the region including the Cairns Ironman, the Mountain Bike Championships, and an AFL game;
- Investing in major infrastructure to progress the new Mt Peter sub-division which will ultimately boost the construction industry and provide significant economic flow-on benefits; and
- \$360,000 for economic and industry development and diversification.

CAPITAL PROGRAM

There is no doubt that a key stimulus to the regional economy is Council's Capital Works program which has delivered more than \$350 million in works on the ground over the past three Budget cycles. Taking into account the 15-16 year, will bring the total capital works over four years to just under half a billion dollars.

Major capital works have included the very impressive Machans Beach Seawall (\$16.8 million), and the long-awaited Moody Creek Detention Basin (\$10.2 million), re-development of Lake Street (\$20.7 million) and extension of Lake St into Airport Avenue (\$4.5 million).

The 2015-16 Capital Works program builds upon our record of delivering, with \$142.7 million of works to be undertaken across the city.

The program includes \$34 million on water and waste operations; \$38 million on transport and drainage; and \$37 million on community, sport and cultural facilities.

In addition, \$13 million has been allocated in this Budget for The Precinct project, which incorporates the new Cairns Performing Arts Centre and the redeveloped Munro Martin Parklands. This project has been a long time in the planning but we believe we have got it right in terms of it being in the right location and at a cost the community can afford without unduly burdening ratepayers in years to come.

I sincerely believe that it is a project which deserves financial support by both the Federal and State Governments and we are currently in discussions to secure that support.

Improvements to the Tanks Arts Centre (\$2.2 million) will be implemented prior to the closure of the Civic Theatre next February to assist in the transition to the new Cairns Performing Arts Centre.

As stated previously, one of the key commitments of this Council three years ago was to restore funding levels for maintenance of our assets and to boost the provision of new infrastructure such as shoulder sealing and kerb and channelling in the suburbs.

This year the Suburban Enhancement Program will be increased by \$2 million to \$4.5 million which will give us the ability to accelerate these works. Our focus on suburban infrastructure is also apparent in that 75% - or \$27 million - of the \$36 million to be spent on roads and footpaths will be delivered in suburban areas.

Council will also commence works this year to secure Cairns' future water supply as part of the Water Security Implementation Plan which identifies a preferred strategy for water management and infrastructure to ensure our city will have ample water to service a growing population and expanding industry.

\$3.7 million has been allocated this year to start works associated with the strategy which include geotechnical surveys, scoping works for the construction of a new treatment plant to treat water from the Mulgrave River and Behana Creek, and \$2.1 million to introduce smart water metering.

Other significant projects funded in this year's Capital Works program are:

- \$13 million to complete the redevelopment of the Tobruk Memorial Pool complex
- \$7.8 million to complete a major upgrade of Aumuller Street.
- \$7.4 million for Shields Street Heart Stage 1 which will allow the Grafton to Lake Street component to be completed, and \$5 million to refurbish the School of Arts building.
- \$5.6 million to develop three master-planned sporting precincts, namely at Walker Road, Alley Park, and Martyn Street.
- \$3.3 million to commence a sewer rising main to service the new sub-division of Mt Peter, with \$13 million committed next year.
- \$2.5 million to undertake the St Andrews connection road at Redlynch
- \$1.5 million on improvements to our parks and playgrounds
- \$1.5 million on drainage improvements across the city
- \$1 million on improvements to the Gordonvale Waste Transfer Station and the Materials Recovery Facility which processes our recyclables
- \$1 million for renewal works on the Cairns Esplanade
- \$840,000 to complete the Chinese Friendship Gardens
- \$830,000 on street lighting improvements
- \$750,000 to implement our cycling and walking strategy and for a feasibility study into the Northern Beaches Cycleway
- \$750,000 for improvements at the popular recreational areas of Babinda Boulders and Lake Placid.
- \$652,000 to complete the new cycleway from Aeroglen to Freshwater
- \$460,000 to complete the new Conservatory at the Botanic Gardens
- \$400,000 for the Stoney Creek bike path
- \$345,000 to develop sports fields at Machans Beach; and
- \$250,000 to develop the youth precinct at Coastwatchers Park at Trinity Beach.

COMMUNITY SUPPORT

In addition to these items, the Budget also allows for:

- \$2.4 million to upgrade the Lake St car parking station and to introduce new smart technology for regulated parking
- \$1.3 million in grants to community, sport and cultural organisations for various events and activities
- \$1.3 million for lifeguard services at the Lagoon and local beaches
- \$1.7 million in security services to boost safety in the CBD; and
- \$1.1 million to support the Cairns Regional Gallery operations.

A NEW FUTURE

Today's Budget not only reflects the positive changes implemented in the past three years, it also provides for a sustainable local government that is well positioned to prosper from the opportunities before us.

With business confidence returning and continual growth in our tourism sector, Cairns has reason to be positive about the future.

The Cairns region sits on the cusp of a new dawn. Our success, however, may not be guaranteed and we do, to some extent, depend upon policy decisions and support from other levels of Government.

That being said, there are alignments that are there, or are moving into place, which we need to ensure go to the next level – that is, senior Government commitment / support / approval so that we can get on with the job of:

- Encouraging and supporting investment
- Re-activating of the construction industry
- Creating jobs and opportunities, especially for our younger generations, and
- Growing our regional economy.

I am encouraged by the Federal Government's release of its "Our North, Our Future: White Paper on Developing Northern Australia".

As always, the proof of the pudding will be in the eating – but this report and the commitment of the Prime Minister to it, is a very strong and clear statement of the Government's determination to advance the economic and social wellbeing of communities in Northern Australia.

Council will commit itself 100% to progress the intent of the White Paper.

However, we cannot “gamble” that this will of itself happen, and nor can we “gamble” that an opportunity passed over or missed, will come back again. It is therefore incumbent upon this Council to back our city and region like never before and to be relentless in our pursuit of the opportunities presented. This Budget and the strategy which underpins it is predicated upon Council doing just this.

CONCLUSION

In closing, the Budget recognises the need for fiscal responsibility and accountability; provides for the delivery of services expected by the community; and positions this Council and our city to capitalise on future opportunities.

I would like to thank and commend my fellow Councillors for their time and input in preparing the Budget and acknowledge the efforts of Council management and staff throughout the budget process and in preparing the reports to be considered today.

I commend the 2015-2016 Cairns Regional Council Budget to you for its adoption, and I will now deal with the respective resolutions:

1. CAIRNS REGIONAL COUNCIL OPERATIONAL PLAN 2015/16 3
A Agius | 17/9/24-01 | #4610033v1

COOPER / SCHILLING

That Council:

1. **Adopts the Cairns Regional Council Operational Plan 2015/16.**
2. **Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make administrative amendments to the Operational Plan should minor adjustments be required.**

carried

2. REVENUE POLICY 2015/16 6
L Whitton | 17/9/19-01 | #4610052v1

RICHARDSON / SCHILLING

That Council adopts the Revenue Policy 2015/16.

carried

3. STRUCTURE OF GENERAL RATING CATEGORIES FOR 2015/16... 11
R Reilly | 17/9/15-01 | #4610060v3

SCHILLING / BATES

That Council adopts the following categories and descriptions for the purpose of levying differential general rates for 2015/16.

Category	Description
Residential A	Residential properties with a valuation from \$1 to \$490,000
Residential B	Residential properties with a valuation from \$490,001 to \$735,000
Residential C	Residential properties with a valuation from \$735,001 to \$975,000
Residential D	Residential properties with a valuation from \$975,001 to \$1,220,000
Residential E	Residential properties with a valuation from \$1,220,001 to \$1,465,000
Residential F	Residential properties with a valuation from \$1,465,001 to \$1,710,000
Residential G	Residential properties with a valuation from \$1,710,001 to \$1,955,000
Residential H	Residential properties with a valuation from \$1,955,001 to \$2,200,000
Residential I	Residential properties with a valuation greater than \$2,200,000
Residential J	Residential properties not subject to banding
Residential K	Residential properties that are building units
Residential L	Multi-Unit Dwellings (Flats)
Residential M	Residential land which is subject to section 50 of the <i>Land Valuation Act 2010</i>
Commercial B	Major Shopping Centres over 34,999m ² Gross Lettable Area – Retail (“GLAR”)
Commercial D	Commercial properties located within the Inner City
Commercial E	Commercial properties not included in Commercial Categories B, D, F & G
Commercial F	Properties used by Not for Profit Recreation, Sporting and Community Groups that are eligible for Rates Based Financial Assistance
Commercial G	Major Shopping Centres over 20,000m ² and less than 35,000m ² GLAR
Rural Productive	All properties which are used predominantly for Primary Production

carried

4. HOLLOWAYS BEACH ROCK WALL STAGE 1 – SPECIAL CHARGE . 14
R Reilly | 17/49/9-06: | #4610066v2

RICHARDSON / FENNELL

That Council adopts the following in accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*:-

Pursuant to section 92 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, Council resolves to levy a Special Charge on all rateable land within the area defined on the map marked Holloways Beach Rock Wall – Stage 1 (Attachment No. 1) in accordance with the Overall Plan adopted by Council on 19 June 2003.

For the 2015/16 financial year, Council resolves to adopt the Annual Implementation Plan for the purpose of raising funds to repay the interest and principal on the Queensland Treasury Corporation (QTC) loan of \$519,866 borrowed to cover the construction costs of the rock wall.

1. Overall Plan

The overall plan was adopted by resolution of Council on 19 June 2003.

For avoidance of doubt, that overall plan comprises:-

- a. The construction of a rock wall to protect the rateable land to which the special charge applies from inundation from the sea, and the subsequent repayment to Council of the cost of that construction.
- b. The rateable land to which the special charge applies is the parcels identified on the map bearing the notation “Holloways Beach Rock Wall – Stage 1”.
- c. The estimated cost for carrying out the overall plan is \$519,866 plus interest. In this regard, a loan of \$519,866 was drawn down in the 2003 year over a 20 year term and will form part of Council’s long term debt pool with Queensland Treasury Corporation.
- d. The overall plan commenced in July 2003 and will conclude in June 2023 upon the conclusion of the repayment of the loan to the Queensland Treasury Corporation.

2. Annual Implementation Plan

The annual implementation plan for 2015/16 comprises continuation of the repayment of the 20 year loan identified in the overall plan.

3. Special Charge

- a. Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 1 will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the seaward side of that individual parcel.
- b. Council makes a special charge of \$253.81 per lineal metre for the 2015/16 financial year to be levied on each parcel to the extent specified below:-

<u>Lot No.</u>	<u>Plan</u>	<u>Lineal Metres</u>
1	RP711882	15.98
2	RP711882	18.87
301	SP218293	10.12
302	SP218293	10.12
4	RP709285	10.12
6	RP709285	10.06
7	RP709285	10.06
8	RP742713	10.57

- c. That the Special Charge – Holloways Beach Rock Wall Stage 1 be levied over a period of 20 years from 2003.
- d. That the Special Charge – Holloways Beach Rock Wall Stage 1 be repaid at market value where the amount owed is paid prior to the 20 year expiry.
 - i Lot 2 RP709285 paid the full amount owing of \$42,461.36 on 1 August 2012. All rates levied up to and including the period 1 January 2012 to 30 June 2012 had already been paid.
 - ii Lots 44/46 RP709285 paid the full amount owing of \$55,878.31 on 20 November 2013. All rates levied up to and including the period 1 July 2013 to 31 December 2013 had already been paid.
 - iii Lot 43 RP709285 paid the full amount owing of \$17,656.43 on 13 March 2014. All rates levied up to and including the period 1 January 2014 to 30 June 2014 had already been paid.
 - iv Lot 5 RP709285 paid the balance owing on 1 August 2014. All rates levied up to and including the period 1 January 2014 to 30 June 2014 had already been paid.

- e. If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- i The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2016.
 - ii If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9 Division 2 of the *Local Government Regulation 2012* as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

5. HOLLOWAYS BEACH ROCK WALL STAGE 2A – SPECIAL CHARGE20
R Reilly | 17/49/9-06 | #4610079v2

RICHARDSON / FENNELL

That Council adopts the following in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*:-

Pursuant to section 92 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, Council resolves to levy a Special Charge on all rateable land within the area defined on the map marked Holloways Beach Rock Wall – Stage 2A (Attachment No. 1) in accordance with the Overall Plan adopted by Council on 30 June 2004.

For the 2015/16 financial year, the Council resolves to adopt the Annual Implementation Plan for the purpose of raising funds to repay the interest and principal on the Queensland Treasury Corporation (QTC) loan of \$382,189.78 borrowed to cover the construction costs of the rock wall.

1. Overall Plan

The overall plan was adopted by resolution of Council on 30 June 2004.

For avoidance of doubt, that overall plan comprises: -

- a. The construction of a rock wall to protect the rateable land to which the special charge applies from inundation from the sea, and the subsequent repayment to Council of the cost of that construction.**
- b. The rateable land to which the special charge applies is the parcels identified on the map bearing the notation “Holloways Beach Rock Wall - Stage 2A”.**
- c. The estimated cost for carrying out the overall plan is \$382,189.78 plus interest. In this regard, a loan of \$382,189.78 was drawn down in the 2004 year over a 20 year term and will form part of Council’s long term debt pool with Queensland Treasury Corporation.**
- d. The overall plan commenced in July 2004 and will conclude in June 2024 upon the conclusion of the repayment of the loan to the Queensland Treasury Corporation.**

2. Annual Implementation Plan

The annual implementation plan for 2015/16 comprises continuation of the repayment of the 20 year loan identified in the overall plan.

3. Special Charge

- a. Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 2A will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the seaward side of that individual parcel.
- b. Council makes a special charge for the 2015/16 financial year to be levied on each parcel to the extent specified below:-

<u>Lot No.</u>	<u>Registered Plan</u>	<u>Amount</u>
14	709285	\$2,480.12
13	709285	\$2,480.12
12	709285	Nil*
11	709285	\$4,368.06
10	709285	Nil*
48	709285	\$2,480.12
47	742713	Nil*
8	742713	\$947.40

*Refer (d) below

- c. That the Special Charge – Holloways Beach Rock Wall Stage 2A be levied over a period of 20 years from 2004.
- d. That the Special Charge – Holloways Beach Rock Wall Stage 2A be repaid at market value where the amount owed is paid prior to the 20 year expiry.
- i. Lot 10 RP709285 paid the full amount owing of \$71,826.06 on 6 September 2006. An amount of \$16,099.65 was credited on 28 May 2007 to the ratepayer's rate file following an agreed reduction with Council. All rates levied up to and including the period 01 July 2006 to 31 December 2006 had already been paid.
- ii. Lot 12 RP709285 paid the full amount owing of \$41,334.19 on 30 April 2007. All rates levied up to and including the period 1 January 2007 to 30 June 2007 had already been paid.
- iii. Lot 47 RP742713 paid the full amount owing of \$42,365.00 on 7 October 2011. All rates levied up to and including the period 1 July 2011 to 31 December 2011 had already been paid.

- e. If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- i The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2016.
 - ii If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9, Division 2 of the *Local Government Regulation 2012*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

6. HOLLOWAYS BEACH ROCK WALL STAGE 2B – SPECIAL CHARGE26
R Reilly | 17/49/9-06 | #4610095v2

RICHARDSON / FENNELL

That Council adopts the following in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*:-

Pursuant to section 92 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, Council resolves to levy a Special Charge on all rateable land within the area defined on the map marked Holloways Beach Rock Wall – Stage 2B (Attachment No. 1) in accordance with the Overall Plan adopted by Council on 30 June 2004.

For the 2015/16 financial year, Council resolves to adopt the Annual Implementation Plan for the purpose of raising funds to repay the interest and principal on the Queensland Treasury Corporation (QTC) loan of \$338,369.78 borrowed to cover the construction costs of the rock wall.

1. Overall Plan

The overall plan was adopted by resolution of Council on 30 June 2004.

For avoidance of doubt, that overall plan comprises:-

- a. The construction of a rock wall to protect the rateable land to which the special charge applies from inundation from the sea, and the subsequent repayment to Council of the cost of that construction.
- b. The rateable land to which the special charge applies is the parcels identified on the map bearing the notation “Holloways Beach Rock Wall - Stage 2B”.
- c. The estimated cost for carrying out the overall plan is \$338,369.73 plus interest. In this regard, a loan of \$338,369.73 (being original construction costs of \$541,364.38 less \$180,036.65 paid in full by a ratepayer and less the first year special charge of \$22,958.00) was drawn down in the 2005 year over a 19 year term and will form part of Council’s long term debt pool with Queensland Treasury Corporation.
- d. The overall plan commenced in July 2004 and will conclude in June 2024 upon the conclusion of the repayment of the loan to the Queensland Treasury Corporation.

2. Annual Implementation Plan

The annual implementation plan for 2015/16 comprises continuation of the repayment of the 19 year loan identified in the overall plan.

3. Special Charge

- a. Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 2B will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the sea ward side of that individual parcel.
- b. Council makes a special charge for the 2015/16 financial year to be levied on each parcel to the extent specified below:-

<u>Lot No.</u>	<u>Registered Plan</u>	<u>Amount</u>
9	745145	\$ 1,534.12
15	709285	\$ 1,534.12
16	709285	\$ 2,020.22
17	709285	\$ 3,068.24
18	709285	\$ 1,534.12
19	709285	\$ 4,041.70
20	709285	\$ 4,041.70
1	738098	\$ 5,510.66
2	738098	\$ 5,510.82
3	738098	Nil*

*Refer (d) below

- c. That the Special Charge – Holloways Beach Rock Wall Stage 2B be levied over a period of 19 years from 2005.
- d. That the Special Charge – Holloways Beach Rock Wall Stage 2B be repaid at market value where the amount owed is paid prior to the 19 year expiry.
- i. Lot 3 RP738098 paid the full amount of \$180,036.65 prior to the loan being drawn down and rates levied for 2004/05 were also deducted from the original loan amount prior to the loan being drawn down.
- e. If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- i. The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2016.

- ii If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9, Division 2 of the *Local Government Regulation 2012*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

7. BLUEWATER CANAL – SPECIAL CHARGE	32
J Ritchie 17/49/9-06 #4610112	

SCHILLING / FENNELL

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012* known as the Bluewater Canal Special Charge, as follows:-

1. That Council makes and levies a special charge on the land identified in this resolution for the purpose of funding works for the dredging and maintenance of the Bluewater Canal, Half Moon Creek and Offshore Channel.

2. **At its meeting held on 23 June 2014, Council adopted the overall plan for the carrying out of the works be identified as follows:-**
 - a. **The rateable land to which the plan applies is the land specified in this resolution;**
 - b. **The service facility or activity for which the plan is made is the dredging and maintenance of Bluewater Canal, Half Moon Creek and Offshore Channel specified in Attachment 3 and providing for as the major elements:-**
 - **dredging of the Bluewater Canal, Half Moon Creek and Offshore Channel, including spoil disposal;**
 - **maintenance of channel markers and lights;**
 - **hydrographic surveys;**
 - c. **The time for implementing the overall plan is seven (7) years, beginning on 1 July 2014 and ending on 30 June 2021; and**
 - d. **The estimated cost of implementing the overall plan is \$5,250,000 across the seven (7) year period. The special charge is intended to raise approximately 83% of the funds, with the remaining 17% to be funded by Council from other sources in recognition of the fact that the canal, creek and channel are also accessed by other users via the public boat ramps at Bluewater and Yorkeys Knob.**
3. **The annual implementation plan for the 2015/16 financial year, ending on 30 June 2016, is to undertake the following actions and processes:-**
 - a. **the dredging of Zone A, Zone B and Zone C as shown in Attachment 2, including soil disposal;**
 - b. **the maintenance of channel markers and lights; and**
 - c. **the undertaking of hydrographic surveys.**
4. **The land to which the special charge applies will specially benefit from the works, as compared to other areas of the Cairns region generally, for the reason that such land has the benefit of direct access to the canal, creek and offshore channel, the subject of the works. In addition, the land forms part of the canal estate which by it's nature specifically contributes to the requirement that the canal, creek and offshore channel be dredged on a regular basis to allow access to the land and marine berths.**

However, as more fully detailed in Attachment 3, Council also considers it appropriate that the amount of the special charge vary between the different land identified below having regard to all matters relevant to the objective of achieving an equitable spread of the rating burden between all of the land to be rated and fairness between the different classes of land, including the extent to which, in Council's opinion, different land will specially benefit or contribute to the need for the works. For example, Council acknowledges that the burden of the special charge should vary in recognition of: -

- a. Yorkeys Knob Marina's downstream location; and
- b. the fact that dredging does not take place within 29 metres of the water frontage of the land located on Riverside Parade, but that this particular land will nevertheless get the benefit of the dredging and maintenance works further downstream.

5. The following special charges are hereby made for the 2015/16 financial year:-

Property Description	Amount of special charge
Lots 1 to 41 on SP165903	\$1,855.24 per lot
Lots 42 on SP241494	\$1,855.24 per lot
Lots 44 to 65 on SP165903	\$1,855.24 per lot
Lots 79 to 116 on SP165903	\$1,855.24 per lot
Lot 117 on SP261231	\$1,855.24 per lot
Lots 119 to 130 on SP165903	\$1,855.24 per lot
Lots 22 to 23 on SP224676	\$927.62 per lot
Lots 24 to 31 on RP737271	\$927.62 per lot
Lots 32 to 43 on RP737260	\$927.62 per lot
Lot 186 on SP264300 (the "Bluewater Marina")	\$200,365.92
Lot 26 on SP122863 (the "Yorkeys Knob Marina")	\$128,073.64

6. The special charge is to be levied by two half yearly levies.
7. If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
 - a. The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2016.

- b. If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - i. on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - ii. on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
 - c. In making an apportionment under paragraph (b), land which is dedicated as a road, or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
 - d. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (a), (b) and (c), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
8. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9, Division 2 of the *Local Government Regulation 2012*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (6) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

8. REVENUE STATEMENT AND RATES AND CHARGES FOR THE
 2015/16 FINANCIAL YEAR..... 42
 R Reilly | 17/49/9-06 | #4610121

JAMES / COOPER

That Council resolves:

- 1. Pursuant to chapter 4, part 3 of the *Local Government Act 2009* and chapter 5, part 2 division 3 of the *Local Government Regulation 2012* to adopt the attached Revenue Statement for the 2015/16 financial year.
- 2. Pursuant to chapter 4 of the *Local Government Regulation 2012* to adopt the recommendations contained in the attached Rates and Charges for the 2015/16 financial year.

carried

9. NATIONAL COMPETITION POLICY IMPLEMENTATION FOR THE 2015/16 FINANCIAL YEAR..... 77
K Lamason | 17/9/24-01 | #4610170v1

O'HALLORAN / SCHILLING

That Council continues to apply:

1. **A type 1 business activity for the 2015/16 financial year to the following activities:**
 - a. **Water and sewerage combined activities known as Cairns Water.**
 - b. **Construction of capital works projects including roads, drainage, park infrastructure and minor works as well as provision of services to external client activities known as Cairns Works.**
 - c. **Solid waste management activities known as Cairns Resource Recovery.**

2. **The Code of Competitive Conduct to the following type 3 business activities:**
 - a. **Design Services**
 - b. **Survey Services**
 - c. **Fleet Services (Plant and Equipment)**
 - d. **Ticketlink**
 - e. **Carparking**
 - f. **Caravan Parks**
 - g. **Building Approvals**
 - h. **Capital Projects Delivery**
 - i. **Facilities Maintenance**

carried

10. 2015/16 ANNUAL BUDGET 80
L Whitton | 17/9/24-01 | #4610180v1

COOPER / SCHILLING

That Council adopts the 2015/16 Annual Budget as presented, including the:

1. **2015/16 Annual Budget**
 - a. **Budget 2015/16 - Community Financial Report (including measures of financial sustainability)**

- b. **Budget Financial Statements, consisting of:**
 - **Statement of Comprehensive Income**
 - **Statement of Financial Position**
 - **Statement of Cash Flows**
 - **Statement of Changes in Equity**
 - **Long-Term Financial Forecast**
- c. **2015/16 Code of Competitive Conduct Statement**

2. Financial Policies:

- a. **2015/16 Debt Policy**
- b. **2015/16 Investment Policy**
- c. **2015/16 Reserves Policy**
- d. **2015/16 Dividend Policy**
- e. **2015/16 Bank Guarantee Policy**
- f. **Concealed Water Leak Policy**

carried

THE MEETING CLOSED AT 9:26 AM

CONFIRMED THIS 29th DAY OF July 2015



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MAYOR



.....
CHIEF EXECUTIVE OFFICER