

SPECIAL BUDGET MEETING 29 JUNE 2009	11
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REVENUE STATEMENT AND RATES AND CHARGES FOR 2009/10

Rob Reilly: 17/49/9-05 : #2036243

RECOMMENDATION:

It is recommended:-

- (i) That pursuant to section 56 of the *Local Government Finance Standard 2005* and section 520 (A) of the *Local Government Act 1993*, Council resolves:

To adopt the attached General Policy Revenue Statement for 2009/10.

- (ii) That pursuant to chapter 14 of the *Local Government Act 1993*, Council resolves:

To adopt the recommendations contained in the attached Rates and Charges for 2009/10.

ATTACHMENTS:

- General Policy Revenue Statement (#804610v7)
- Rates & Charges for 2009/10 (#1172236v4)

John Rehn
Acting Manager Financial Services

Brett Grosser
General Manager – Corporate Services

Peter Tabulo
Acting Chief Executive Officer

REVENUE STATEMENT 2009/10

Intent The Revenue Statement for a financial year must include the following information for the financial year—

- (a) an outline and explanation of the revenue raising measures adopted, including, an outline and explanation of—
 - (i) the rates and charges to be made and levied in the financial year; and
 - (ii) the rebates and concessions to be granted in the financial year;
- (b) whether the local government has made a resolution limiting the increases in rates and charges;
- (c) the extent to which physical and social infrastructure costs for new development are to be funded by charges for the development;
- (d) whether the operating capability of the local government is to be maintained, increased or decreased and, if it is to be increased or decreased, the extent to which it is to be increased or decreased;
- (e) whether depreciation and other non-cash expenses are to be fully funded.

Scope The Revenue Statement applies to all revenue raising activities of Council including Council's business units.

PROVISIONS**1. LEGISLATIVE REQUIREMENTS**

The *Local Government Act 1993* (Chapter 7) requires that a local government adopt a budget for each financial year for its operating fund (section 518(1)).

Section 520(A) requires that in addition to specifying the total estimated costs, the costs for each significant activity and the source of funds, the local authority must specify its revenue statement for the particular financial year.

In addition to the requirements of the *Local Government Act 1993*, the *Local Government Finance Standards 2005* require that a revenue statement include:

- (a) *An explanation regarding:*
 - (i) *How rates and charges are decided by it, including the extent the rates and charges relate to relevant costs;*
 - (ii) *Any rebates and Concessions on rates and charges;*
- (b) *Any limitation on increases in rates and charges;*
- (c) *The extent physical and social infrastructure costs for new development are to be funded by charges for the development;*
- (d) *Whether it is intended to maintain, decrease or increase the operating capability of the local government and the extent to which it may be decreased or increased;*
- (e) *Whether depreciation, and other non-cash expenses, are to be fully funded.*

2. RATING CATEGORIES

The following categories are to be used for rating purposes for all rateable properties:

Residential A -	Residential properties with a unimproved valuation from \$1 to \$490,000
Residential B -	Residential properties with a unimproved valuation from \$490,001 to \$735,000
Residential C -	Residential properties with a unimproved valuation from \$735,001 to \$975,000
Residential D -	Residential properties with a unimproved valuation from \$975,001 to \$1,220,000
Residential E -	Residential properties with a unimproved valuation from \$1,220,001 to \$1,465,000
Residential F -	Residential properties with a unimproved valuation from \$1,465,001 to \$1,710,000
Residential G -	Residential properties with a unimproved valuation from \$1,710,001 to \$1,955,000
Residential H -	Residential properties with a unimproved valuation from \$1,955,001 to \$2,200,000
Residential I -	Residential properties with a unimproved valuation greater than \$2,200,000
Residential J -	Residential properties not subject to banding
Residential K -	Building Units
Residential L -	Multi Unit Dwellings (Flats)
Residential M -	Residential land which is subject to section 25 of the <i>Valuation of Land Act 1944</i>
Residential Q -	Land situated at the South Arm and the Heads of the Daintree River that have a land use code of 0600 and are Permits to Occupy.
Commercial B -	Major Shopping Centres over 34,999 m2 GLAR
Commercial D -	Inner City
Commercial E -	Suburban
Commercial F -	Not for Profit Organisations that are eligible for Rates Based Financial Assistance
Commercial G -	Major Shopping Centres over 20,000 and under 35,000 m2 GLAR
Commercial H -	Shopping Centres with a secondary land use of Marina with a total area over 5 ha.
Rural Productive -	All properties which are used predominately for primary production with land use codes as defined by the Department of Environment and Resource Management as Rural or Agricultural.

A list of land use codes to be used within each category is set out in Schedule 1.

The criteria for identification of properties into the above categories will be:-

- the land use codes as adopted by the Department of Environment and Resource Management for formulating Local Authority unimproved valuations;
- The current Planning Areas in Cairns Plan 2009 and 2006 Douglas Shire Council Planning Scheme Incorporating Amendments 2007 No. 1 and 2007 No. 2 Reprinted as in force on 4th March 2008;
- other such criteria as outlined within this statement and existing as at 1 July 2009.

The definitions of rateable and non-rateable land are outlined in the *Local Government Act 1993* and the *Local Government Regulation 2005*, and are attached as Schedule 2.

3. CALCULATION OF LEVIES

PROVISIONS

- (i) Differential Rates will apply based on categories.
- (ii) Minimum general rates will apply.
- (iii) A system of full cost attribution, which enables Council to relate all Rates and Charges to relevant costs, is in place.

APPLICATION OF GENERAL RATES BY CATEGORY

RESIDENTIAL

Category A	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category B	A single rate in the dollar to apply to all properties included in this category with a set minimum.

Category C	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category D	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category E	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category F	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category G	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category H	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category I	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category J	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category K	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category L	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category M	A single rate in the dollar to apply to all properties included in this category with no minimum as required under section 25 of the <i>Valuation of Land Act 1944</i> .
Category Q	A single rate in the dollar to apply to all properties included in this category with a set minimum.

COMMERCIAL

Category B	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category D	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category E	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category F	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category G	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category H	A single rate in the dollar to apply to all properties included in this category with a set minimum.

RURAL PRODUCTIVE

A single rate in the dollar to apply to all properties included in this category with a set minimum.

4. ISSUE OF NOTICES

The issuing of rate notices and the payment of rates is closely linked to interest charged on overdue rates.

1. Notices for the 2009/10 financial year will be issued half-yearly, with water usage notices being issued three times during the year.
2. The due date for payment is defined as being thirty-one (31) days from the date of issue of the rate notice.
3. Interest will be charged at the rate of 11% per annum calculated at compound interest at daily rests on all rates and charges which remain after expiration of the due date for payment.

5. REMISSIONS AND CONCESSIONS

(1) LODGEMENT OF APPLICATIONS

- (a) All applications for remission must be in writing on the prescribed form and contain a declaration as to the accuracy of the information contained therein.
- (b) Applications in respect of a new financial year should be submitted before the commencement of each rating period. New applications for remission received within three (3) months of the commencement of a rating period will be accepted for consideration provided the applicant meets all the criteria as at the commencement of the rating period and such remission will be effective from the beginning of that rating period and not applied retrospectively to previous billing periods. Furthermore if an applicant meets criteria on property/properties for the full rating period, remission will be applicable to one property only. Depending on the lateness of the application and processing times, the applicant may be required to pay the rates in full by the due date to ensure that interest does not apply. In such cases a credit for the amount of the remission will be placed on the individual's rate file.
- (c) Once an application for remission is approved it shall remain in force from year to year without further renewal whilst the person remains owner/occupier of the property in question.
- (d) Where an applicant's circumstances alter it is incumbent upon the applicant to notify Council. Council will conduct periodic audits to verify current entitlements.

(2) PENSIONER REMISSION

- (a) The rebate will be up to 40% of the General Rate to a maximum of \$1,350.00 per annum.
- (b) The upper limit of total remission will not exceed 5% of Council's total net general rates at which point the 40% remission is to be reduced on a pro rata basis.
- (c) Remission will apply for the full rating period (presently six months) for which the remission has been granted whether the ratepayer remains the registered owner or not.
- (d) The following guidelines to apply in respect of persons applying for pensioner remission:-
 - (i) The applicant/s must be the sole owners of the property in respect of which remission is sought or be Life tenant/s under a Will with responsibility to pay all rates and charges.
 - (ii) Such property must be their principal place of residence.

- (iii) The applicant/s MUST be the holder/holders of one of the following Queensland cards:-
 - Centrelink, Pension Concession Card.
 - Department of Veterans Affairs, Pension Concession Card.
 - Department of Veteran Affairs, Repatriation Health Card. (Full Conditions only).
- (iv) If a pensioner becomes the owner of a new property, he/she must make application for remission in respect of that property.
- (v) Such remission of rates will only apply if the applicant/s pay their rates or make an attempt to pay their rates prior to the end of the financial year for which remission is granted. An attempt to pay shall be shown by part payments being made and a payment plan with Council's Debt Collection Team being entered into. Remission of rates for the first rates issue of a financial year will be granted subject to rates from that issue being paid in full prior to the end of that financial year.
- (e) Recognising that many pensioners reside some or all of the time in hospitals, nursing homes, or with family or friends for ill health reasons, the residence may be regarded as the 'principal place of residence' if it is not occupied on a paid tenancy basis during the absence of the approved pensioner owner/s.
- (f) Where a pensioner is receiving Council pensioner remission in respect of a property owned by that person and the person dies, Council remission will cease at the end of the rating period in which records obtained from the Department of Social Security for entitlement purposes do not match Council's Records. When the property title is transferred under a will to a beneficiary who qualifies for Council pensioner remission, that person will be granted Council remission retrospectively to the beginning of the rating period, provided the pensioner would also have conformed with all the relevant criteria at the commencement of such rating period.

Pensioners may be entitled to a State Government Subsidy (currently up to a maximum of \$180.00 per property per annum). Where the State Government subsidy applies the Council will remit the appropriate amount off the rate notice and claim re-imburement from the State Government.

To be eligible for the subsidy a pensioner is required to complete an initial application form including a declaration, or if already registered with Council that person's eligibility status will continue. Once registered, no further application is required each year, unless the ratepayer's pensioner or eligibility status changes.

Provisions of this aspect of the policy may change from time to time depending on the policies of the Government of the time. Guidelines currently applicable are available on request from the Council's Rates Team.

(3) RETIREMENT VILLAGE REMISSIONS

A remission will be extended to retirement villages (as classified under Land Use Code 21), where a legal entity separate to the residents is the owner and the pensioners are responsible for paying the rates, to the extent that residents of the village are pensioners.

Thirty days prior to the commencement of any rating period the owner of the land shall lodge an application for remission in the following form:

- (a) there shall be a Declaration by the owner that pensioners resident in the complex will be given the benefit of the remission.
- (b) a list of all residents in the village and an indication as to which of those residents are pensioners.
- (c) where residents are pensioners, their pension number.

- (d) a declaration from residents or their legal representatives (where they were residents) that they received the benefit of the remission in the prior year.

A pensioner remission will then apply based on the number of dwellings occupied by pensioners as a percentage of the total number of dwellings in the village.

(4) RATE BASED FINANCIAL ASSISTANCE - Policy 1:02:07

This policy allows Council to consider applications for remission of general rates and sewerage charges from not for profit community based organisations from recreation, sporting and community groups.

To qualify for assistance, the constitution of these organisations must clearly state prohibitions on any member of the organisation making a private profit or gain, either from ongoing operations of the organisation or as a result of distribution of assets if the organisation is wound up.

Applications for the rating years 2008/2012 were required to be lodged with Council prior to 21 May 2008, with new applications being accepted each financial year if lodged prior to 31 May.

Those not for profit organisations that are not already receiving Rate Based Financial Assistance and believe that they may be eligible should contact Council's Customer Service Centre.

(5) INDEPENDENT RATE RELIEF TRIBUNAL - Policy 1:02:06

This policy has been adopted to provide a safety net for those ratepayers suffering genuine financial hardship.

The Tribunal is to be made up of a mixture of independent voluntary appointees made by Council and three Councillors.

The main role of the Tribunal is to recommend in certain circumstances, the most appropriate form of assistance to those ratepayers experiencing serious hardship and as a result are unable to pay their rates and charges. The policy is only to apply to the principal place of residence of the ratepayer and no commercial benefit can be derived from the property. Not for Profit recreation, sporting and community groups that are already receiving Rate Based Financial Assistance or would be eligible if they did not have rates outstanding, may also apply.

Those ratepayers that believe that they may meet the criteria spelt out in the policy should make enquiries with Council's Customer Service Centre.

(6) LAND MANAGEMENT REFUND

For the four properties identified below

A proportional refund will be provided to landowners who have been under the Council's Land Management Agreement project i.e. where a landowner has entered into a Land Management Agreement with Council. The refund will act as a financial incentive for the protection of land which exhibits high conservation values.

Existing Land Management Agreements (LMA's) will stay in place for the following properties until their expiry date;

Lot 4 RP 706067 expires 11 September 2012
 Lot 319 NR66 expires 17 March 2010
 Lot 2 RP711837 expires 11 September 2012
 Lot 1 RP710767 expires 13 September 2012

Following their expiry no more LMA's will be issued.

Variation in the refund is determined by the level of conservation values on the property.

PROVISIONS

- (1) Requirements for eligibility.
- (2) The refund will operate only in the presence of a Land Management Agreement with Council. A Land Management Agreement may be entered into where there is an existing Co-operative Management Agreement between the landowner and the Wet Tropics Management Authority or a Voluntary Conservation Agreement between the landowner and the Department of Environment.
- (3) The land must meet particular conservation criteria in order to be considered for the agreement. This criteria includes:
 - Bio-diversity
 - Vegetation Type
 - Habitat Linkages
 - Wildlife
 - Scenic Quality
 - Landowner Leadership

Refund Considerations

- (1) The rate refund is proportionately attributable to that area of land included in an agreement.
 - (2) The refund is payable within 2 weeks from receipt by the Council of a written request from the Owner in respect of the period for which rates are levied.
 - (3) The two levels of refund are:
 - (a) 50% of the general rate, proportionately attributable to that area of land subject to a Land Management Agreement or a maximum of \$600 per annum (which ever is less).
 - (b) 35% of the general rate, proportionately attributable to that area of land subject to a regulatory mechanism or a maximum of \$300 per annum (whichever is less). There is also provision for this rate to be altered, but not before 5 years have expired from the date of the Land Management Agreement.
 - (4) The area of land designated for the Refund will be determined with the use of cadastre, aerial photo interpretation and a site inspection.
 - (5) In the case where Land Management Agreement conditions have been dishonoured, repayment of the Refund will be necessary.
 - (6) The requirement for a rate refund will be included in the Land Management Agreement at the discretion of the Council.
- (7) RATES INCENTIVE FOR CONSERVATION POLICY

Purpose

The purpose of this Policy is to establish the process for affording rate incentives to landholders that enter into a Conservation Agreement for a Nature Refuge under the *Nature Conservation Act 1992*.

Scope

This policy applies to all land within the Cairns Regional Council boundaries.

Reference

Nature Conservation Act 1992

Where this policy is inconsistent with a previously published policy, procedure or requirement, this policy shall prevail.

Definitions

Critical Habitat – (as per meaning under the *Nature Conservation Act 1992*).

Policy

1. The owner enters into an agreement preserving/conserving flora and fauna on a rateable property within the boundaries of the Cairns Regional Council. This agreement must be bound to the property title, in perpetuity, by a Conservation Agreement for a Nature Refuge under the *Nature Conservation Act 1992*.
2. The rate incentive is proportionately attributed to that area of land included on an agreement.
3. The rate incentive will be credited to the recipient's rates notice prior to being issued.
4. Refund Rules;
 - Properties where 100% of the total area of the property covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* are entitled to 80% of the general rate or a maximum of \$1100p.a (which ever is less).
 - Properties where more than 50% of the total area of the property covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* are entitled to 50% of the general rate or a maximum of \$1100p.a (which ever is less).
 - Properties where less than 50% of the total area of the property covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* are entitled to 35% of the general rate or a maximum of \$550p.a (which ever is less).
5. Any, and all, benefit provided to a landholder through the Rate Incentive for Conservation program must be repaid to Council if the declaration of the Nature Refuge to which it relates is revoked in accordance with Section 50 of the *Nature Conservation Act 1992*.
6. If rates are not paid in full prior to the end of a financial year, future rates incentives will not apply until all outstanding rates are paid.

6. SPECIAL CHARGES

(1) Holloways Beach Rock Wall Stage 1

A special charge will be levied on all rateable land within the area defined on the map marked Holloways Beach Rock Wall Stage 1 for the purpose of raising funds to repay interest and principal on a Queensland Treasury Corporation loan of \$519,866 borrowed to cover the construction costs of the rock wall.

The Council is of the opinion that all land within the area receives a special benefit from the completed work.

The levy is based on the requirement to service interest and principal charges associated with the loan and agreed to annually by Council.

The levy will continue for each parcel of land within the area on the map marked Holloways Beach Rock Wall Stage 1 for a period of 20 years from 1 July 2003.

(2) Holloways Beach Rock Wall Stage 2A

A special charge will be levied on all rateable land within the area defined on the map marked Holloways Beach Rock Wall Stage 2A for the purpose of raising funds to repay interest and principal on a Queensland Treasury Corporation loan of \$382,196.09 borrowed to cover the construction costs of the rock wall.

The Council is of the opinion that all land within the area receives a special benefit from the completed work.

The levy is based on the requirement to service interest and principal charges associated with the loan and agreed to annually by Council.

The levy will continue for each parcel of land within the area on the map marked Holloways Beach Rock Wall Stage 2A for a period of 20 years from 1 July 2004.

(3) Holloways Beach Rock Wall Stage 2B

A special charge will be levied on all rateable land within the area defined on the map marked Holloways Beach Rock Wall Stage 2B for the purpose of raising funds to repay interest and principal on a Queensland Treasury Corporation loan of \$338,369.35 borrowed to cover the construction costs of the rock wall.

The Council is of the opinion that all land within the area receives a special benefit from the completed work.

The levy is based on the requirement to service interest and principal charges associated with the loan and agreed to annually by Council.

The levy will continue for each parcel of land within the area on the map marked Holloways Beach Rock Wall Stage 2B for a period of 19 years from 1 July 2005.

(4) Bluewater Canal

A special charge will be levied to cover the annual cost (less Council's share) of dredging the Canal, Half Moon Creek and Offshore Channel. The cost being \$436,466 (\$515,504 less Council's share of \$79,038.00) for:

- (a) Lots that have an immediate water frontage (other than Council lots) and are identified on the map marked Bluewater Canal, and
- (b) All berths within the Bluewater and Yorkeys Knob Marinas.

The Council is of the opinion that all land defined on the map and all the marina berths mentioned receive a special benefit from the dredging work.

The levy is based on the requirement to meet the annual cost (other than Council's share) associated with dredging of the Canal, Half Moon Creek and Offshore Channel under Maintenance Dredging, Bluewater Canals and Offshore Channel document #2005674.

The levy will form part of the half year rate levy issue twice yearly.

(5) Rural Fire Brigades

A special charge will be levied on all rateable land within the Wonga, Thornton Peak, Daintree and Mowbray Valley Rural Fire Brigades (Areas identified by the Rural Fire Service of Queensland).

Council is of the opinion that each parcel of rateable land will specially benefit to the same extent from the purchase and maintenance of equipment by each Rural Fire Brigade in the current or next financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the *Fire and Rescue Services Act 1990*.

The quantum of the special charge is Wonga Rural Fire Brigade - \$35.00, Thornton Peak Rural Fire Brigade - \$20.00, Daintree Rural Fire Brigade - \$20.00 and Mowbray Valley Rural Fire Brigade - \$35.00 per rateable assessment. Revenue raised from this special charge will assist with the purchase and maintenance of equipment in the current or next financial years.

The levy will form part of the half year rate levy issued twice yearly.

(6) Refuse Disposal

A special charge of \$126.64 will be levied on all rateable properties identified in #1741003V2 with an improvement that are not currently serviced by Council, for the removal of garbage within the area north of Ellis Beach.

The special charge represents the costs associated with funding the provision, operation and maintenance of landfill refuse disposal sites including transfer stations available for general public use.

Council is of the opinion that each parcel of rateable land will specially benefit from the use of land fill and transfer stations that are available.

The levy will form part of the half year rate levy issued twice yearly.

7. UTILITY CHARGES**WATER – METERED (POTABLE)****A. RESIDENTIAL**

All properties in this class of consumer receiving water from the following Water Supply Schemes and Catchments:

Bramston Beach;
Behana Creek;
Bessie Point;
Copperlode Falls Dam;
Goldsborough;
Orchid Valley/Mountain View;
Mossman/Port Douglas;
Daintree;
Whyanbeel

Dagmar Heights; and other groundwater and run of river sources shall be levied the following charges:

- An access charge for all residential type improvements.
- Water usage to be charged at a prescribed rate.
- Water usage charges to be raised three times during the year.

In circumstances where improvements are built over the boundary line of two allotments, and the total land area of both allotments is less than 1190M², and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

Financial assistance is available to offset water usage cost for users of Home Dialysis Equipment, written applications must be submitted to Cairns Regional Council for approval.

B. COMMERCIAL

All properties in this class of consumer regardless of supply scheme shall be levied the following charges:

- An access charge per improvement
- Water usage to be charged at a prescribed rate
- Water usage charges to be raised three times during the year.

In circumstances where commercial/industrial improvements are built over the boundary line of two allotments, and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

C. RURAL PRODUCTIVE

All properties in this class of consumer receiving water from the following Water Supply Schemes and Catchments:

Bramston Beach;
Behana Creek;
Bessie Point;
Copperlode Falls Dam;
Goldsborough;
Orchid Valley/Mountain View;
Mossman/Port Douglas;
Daintree;
Whyanbeel

Dagmar Heights and other groundwater and run of river sources shall be levied the following charges:

- An access charge for all residential type improvements
- An access charge for all rural productive improvements with water connected
- Water usage to be charged at a prescribed rate
- Water usage charges to be raised three times during the year.

For Residential, Commercial, Rural Productive where improvements are of a joint nature, water usage charges will be calculated using the water usage rate applicable to the category on which general rates are levied or would be levied if the property was rateable.

Meters shall be read on a rotational basis, three times each year.

Where residential type improvement/s share a meter with commercial improvement/s and the Department of Environment and Resource Management's land use code for that assessment is commercial, water usage charges will be levied at the commercial rate.

For Residential and Commercial properties, where improvements are built on one parcel of land any adjoining parcels with the same owners shall be rated separately for utility charges.

Not for Profit Sporting and Recreation Organisations that are recipients of Rate Based Financial Assistance will be charged for all water usage at a rate equivalent to the domestic charge per kilolitre.

WATER – UNMETERED (POTABLE)**A. RESIDENTIAL**

All properties in this class of consumer receiving water from the following Water Supply Schemes and Catchments:

Fishery Falls;
Bellenden Ker;
Babinda;
Miriwinni;
Bartle Frere

shall be levied the following:

- an access charge (including a component for unmetered usage) for all residential type improvements.

In circumstances where improvements are built over the boundary line of two allotments, and the total land area of both allotments is less than 1190M², and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

B. RURAL PRODUCTIVE

All properties in this class of consumer receiving water from the following Water Supply Schemes and Catchments:

Fishery Falls;
Bellenden Ker;
Babinda;
Miriwinni;
Bartle Frere.

shall be levied the following charges:

- An access charge (including a component for unmetered usage) for all residential type improvements.
- An access charge (including a component for unmetered usage) for all rural productive improvements with water connected.

For Residential properties, where improvements are built on one parcel of land any adjoining parcels with the same owners shall be rated separately for utility charges.

WATER – METERED (RECYCLED)**RESIDENTIAL**

All properties in this class of consumer receiving water from Council's Recycle Water Reticulation System:

- An access charge for all residential type improvements.
- Water usage to be charged at a prescribed rate.
- Water usage charges to be raised three times during the year.

Meters shall be read on a rotational basis, three times each year.

SEWERAGE**A. RESIDENTIAL**

- A base charge for all residency type improvements.
- A Cleaner Seas Initiative charge for each vacant allotment, residence, flat and each strata-title unit where Council is prepared to accept sewage.

In circumstances where improvements are built over the boundary line of two allotments, and the total land area of both allotments is less than 1190 M², and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

In circumstances where pedestals/urinals are built on common property associated with Strata Title units a standard commercial charge per W.C. will apply.

B. COMMERCIAL

- To be charged per W.C.
- A Cleaner Seas Initiative charge per W.C.

C. RURAL PRODUCTIVE

A base charge for all residency type improvements.

A charge per W.C. for all rural productive improvements connected to the sewer.

A Cleaner Seas Initiative charge for each barrack, each residence, flat and each strata-title unit where Council is prepared to accept sewage.

A Cleaner Seas Initiative charge per W.C. for all rural productive improvements connected to the sewer.

CLEANSING**A. DOMESTIC CLEANSING CHARGE**

A base charge for all residency type improvements.

B. COMMERCIAL CLEANSING CHARGE

All properties north of Ellis Beach are to be charged in accordance with the adopted schedule (refer Rates & Charges).

8. FEES AND CHARGES

Pricing is an issue that is of growing interest to both Council and its constituency, with calls for greater reliance on user fees and charges and less reliance on rates levied. The need to balance these considerations with the community service obligations of Council means that the issue of pricing may not be a particularly easy one.

In general, the application of the "user pays" principle is the most acceptable methodology for applying a charge for services provided by Council. It permits a choice that can be exercised by constituents and allows increases or encourages reductions in consumption in accordance with the particular preferences and tastes of the individual user. As well, equity benefits are paramount because those who do not use a particular service are not required to pay part of the cost of its supply.

Council may decide to provide subsidised services in certain instances to various disadvantaged groups and may relax or reduce user fees in those cases. Decisions to subsidise these community groups will be explicit both in terms of the groups to be subsidised and the level of subsidy to be provided.

Council has developed a system of full cost pricing as its vehicle for service delivery and the setting of user fees and charges. All direct and indirect costs involved in providing a service will be reflected in the price charged for the service. Overheads, which are not incurred in the cost centre, providing the service but which are necessary for the service to be provided, are a component of the full cost of providing services and will be allocated to the service area in an appropriate way.

Council's adopted Fees and Charges register includes a mixture of regulatory and user pays fees. The regulatory charges are identified as such in Council's Fees and Charges Schedule and have been determined with reference to the relevant legislation and where applicable recover the cost of performing the function.

9. OPERATING CAPABILITY

Operating capability refers to the ability of Council at any given time in the future, to carry out its activities at the scale determined by its existing resources.

The operating capability of Council is measured by the balance in the Capital Account. Capital is understood to be the operating capability provided by the resources (assets) of Council. Council wishes to maintain its operating capability so that its capital base is not eroded and to ensure that physical assets are able to be replaced by modern equivalents as and when their service potential expires. Council will thus be able to continue to provide a supply of enhanced services to its constituents in future years, including the custodianship of public assets.

For the 2009/10 financial year Council's budgeted operating capability is \$2.74 billion.

10. FUNDING OF PHYSICAL & SOCIAL INFRASTRUCTURE

It is Council's intention to have the full costs of physical and social infrastructure assets for new developments funded by charges for the development. Contributions received from developers will be accounted for in accordance with Council's Trunk Infrastructure Contribution Policy.

11. DEPRECIATION

It is Council's intention to work towards fully funding its charges for depreciation in order to maintain its operating capability.

For the 2009/10 financial year Unfunded Depreciation is \$8,633,322.

Whilst it is Council's aim to fully fund depreciation, its ability to do so is significantly impacted by the increase in depreciation as a result of the construction of new assets and the revaluation of existing assets in a construction market that has experienced a considerable escalation of costs.

12. POLICY FOR RATING EXEMPTIONS & ASSISTANCE

Upon receipt of a written submission Council shall:

- (1) Decide if the land is rateable land after considering sections 957 (1) (a-f) of the *Local Government Act 1993*.
- (2) If the land is rateable land, consider if the land is exempt under section 41 of the *Local Government Regulations 2005* or entitled to Rate Based Financial Assistance (refer 4).
- (3) If the land is still considered rateable after due consideration to the above, Council may upon receipt of a written submission grant financial relief under section 1033 of the *Local Government Act 1993* by way of a remission after considering the following :
 - (i) A local government may exercise a power under section 1031 (Remission, composition and settlement of rates) or 1032 (Deferral of liability to pay rates) only if -
 - (a) it resolves that the case justifies the exercise of the power; or

- (b) the case is of a kind that has been accepted, by resolution of the local government, as justifying the exercise of the power.
- (ii) However, the only circumstances or factors justifying the exercise of the power are -
- that an owner of the land concerned is -
- (a) a pensioner; or
 - (b) an entity whose objects do not include the making of profit; or
 - (c) an entity that provides assistance or encouragement for the arts or cultural development; or
- (iii) that payment of the rate would cause the owner of land hardship; or
- (iv) the assistance or encouragement of economic development of the whole or part of the area; or
- (v) the preservation, restoration or maintenance of structures or places of cultural, environmental, historic, heritage or scientific significance to the local government's area; or
- (vi) circumstances and factors prescribed by regulation.
- (4) Not for profit recreation, sporting and community groups may make application for financial relief or remission to be known as Rates Based Financial Assistance in accordance with the Rates Based Financial Assistance Policy. Refer to Remissions and Concessions and/or Council's Policy Register.
- (5) Financial assistance to residential properties and Not for Profit Community and Sporting Organisations may be recommended to Council by the Independent Rate Relief Tribunal in accordance with the Rate Relief Tribunal Policy. Refer to Remissions and Concessions and/or Council's Policy Register.

13. DEFINITIONS

For the purpose of making levying and imposing rates and charges the term Commercial Inner City, Bluewater Canal, Holloways Beach Rock Wall Stages 1, 2A & 2B, Daintree, Wonga, Thornton Peak and Mowbray Valley Rural Fire Brigade Districts will be the areas clearly defined on those maps, the originals of which are held by the Rates Supervisor.

- (1) For the purpose of calculating sewerage rates and charges for Commercial and Rural Productive properties:
- (a) each 1.8m of urinal or part thereof shall be deemed to be a W.C.
 - (b) each three individual wall hung urinals or part thereof shall be deemed to be a W.C.
 - (c) each pedestal shall be deemed to be a W.C.
- (2) For the purposes of charging water usage charges, for water meters read after 1st July 2009 the charge made, shall be at the rate specified for the 2009/10 financial year.
- For the purposes of charging water usage charges, for water meters read after 1st July 2010 the charge made, shall be at the rate specified for the 2010/2011 financial year.
- (3) For the purposes of calculating utility charges, the term "Strata title unit" is deemed to be "each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*".

Cleaner Seas Initiative

The Cleaner Seas initiative is being levied to aid in the quantum increase in treatment standards required by the Coastal Management Strategy and subsequent nutrient removal limitations placed upon Cairns Regional Council. It allows a more responsible approach to the environment and is a more sustainable way of doing business.

The Cleaner Seas initiative is levied as a utility charge under section 973 of the *Local Government Act 1993* as it is allowing nutrient removal sewerage services to be supplied to the Cairns community.

SCHEDULE 1

LAND USE CATEGORIES

Note: The Planning Areas in Cairns Plan 2009 and 2006 Douglas Shire Council Planning Scheme Incorporating Amendments 2007 No. 1 and 2007 No. 2 Reprinted as in force on 4th March 2008 may be a factor in determining the rating categories for Land Use Codes 01, 04, 06, 09, 72.

RESIDENTIAL

CATEGORY A

Properties with a unimproved valuation from \$1 to \$490,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY B

Properties with a unimproved valuation from \$490,001 to \$735,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY C

Properties with a unimproved valuation from \$735,001 to \$975,000 to which the following land use codes apply: -

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);

- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY D

Properties with a unimproved valuation from \$975,001 to \$1,220,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY E

Properties with a unimproved valuation from \$1,220,001 to \$1,465,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY F

Properties with a unimproved valuation from \$1,465,001 to \$1,710,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY G

Properties with a unimproved valuation from \$1,710,001 to \$1,955,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;

- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY H

Properties with a unimproved valuation from \$1,955,001 to \$2,200,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY I

Properties with a unimproved valuation greater than \$2,200,000 to which the following land use codes apply:

- 01 Vacant urban land (excluding those included in commercial categories D & E);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban & rural (excluding those in category J and those in commercial categories D & E);
- 05 Large homesite - dwelling - urban & rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial categories D & E);
- 09 Group Titles;
- 94 Vacant rural land.

However not including a lot on a group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY J

Properties with the following land use codes apply:
Excluding those in categories A to I

Properties with the following land use code where that land's Planning Area is included in Cairns Plan 2009 or Douglas Shire Planning Scheme Incorporating Amendments 2007 No. 1 and 2007 No. 2 Reprinted as in force on 4th March 2008 as Low Density with a total land area over 10 Hectares or Residential 1 with a total land area over 0.5 Hectares or Residential 2 with a total land area over 3.5 Hectares or Residential 3 with a total land area over 0.5 Hectares or Tourist & Residential with a total land area over 0.5 Hectares or Community Facilities with a total land area over 1 Hectare.

- 04 Large Homesite - Vacant Urban & Rural (excluding those in commercial categories D & E);
- 06 Outbuildings (excluding those in commercial categories D & E);

Properties with the following land use code where that land's Planning Area is included in Cairns Plan 2009 or Douglas Shire Planning Scheme Incorporating Amendments 2007 No. 1 and 2007 No. 2 Reprinted as in force on 4th March 2008 as Residential 1 with a total land area over 5 Hectares or Residential 2 with a total land area over 3.5 Hectares or Residential 3 with a total land area over 1.5 Hectares or Tourist & Residential with a total land area over 0.5 Hectares or Community Facilities with a total land area over 1 Hectare.

05 Large Homesite - Dwelling-Urban & Rural;

As well as those properties with the following land use code which are not included in Commercial Category F

21 Residential Institutions (non-medical care);

CATEGORY K

Properties with the following land use code applies:

08 Building Units

However not including a lot on a building units plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for non-residential purposes.

CATEGORY L

Properties with the following land use code applies:

03 Multi Unit Dwelling (Flats)

CATEGORY M

Properties with the following land use code applies:

72 Residential land which is subject to section 25 of the *Valuation of Land Act 1944*.

CATEGORY Q

Properties that are Permits to Occupy and are situated at the South Arm and the Heads of the Daintree River with the following land use code applies:

06 Outbuildings

COMMERCIAL

CATEGORY B

Major Shopping Centres

The criteria for this category is, the land shall have the following land use codes and comprise Drive In Shopping Centres and in which the anchor tenants are a variety of department store/s and/or discount department store/s and large grocery supermarket/s with major on-site parking facilities and having a gross lettable area retail (GLAR) over 34,999m² :

- 12 Shopping Group (more than 6 shops);
- 13 Shopping Group (2 to 6 shops);
- 14 Shops Main Retail;
- 15 Shops Secondary Retail;
- 16 Drive-In Shopping Centres.

CATEGORY D

Inner City

The criteria for this category is, the properties have the following land use codes and are contained within the shaded area on the map shown as Commercial Inner City:

- 07 Guest House/Private Hotel;
- 08 Building Units;
- 09 Group Titles;
- 10 Combined Multi Dwelling & Shop;
- 11 Shop - Single;
- 12 Shops - Shopping group (more than 6 shops, excluding those in Categories B & G);
- 13 Shopping group (2 to 6 shops, excluding those in Categories B & G);
- 14 Shops - Main Retail (excluding those in Categories B & G);
- 15 Shops - Secondary Retail (excluding those in Categories B & G);
- 16 Drive In Shopping Centres (excluding those in Categories B & G);
- 17 Restaurant;
- 18 Special Tourist Attraction;
- 19 Walkway;
- 20 Marina;
- 22 Car Park;
- 23 Retail Warehouse;
- 24 Sales Area Outdoor;
- 25 Offices;
- 26 Funeral Parlours;
- 27 Hospitals;
- Convallescent Homes (Medical Care) (Private);
- 28 Warehouses and Bulk Stores;
- 29 Transport Terminal;
- 30 Service Station;
- 31 Oil Depot and Refinery;
- 32 Wharves;
- 33 Builders Yard/Contractors Yard;
- 34 Cold Stores - Iceworks;
- 35 General Industry;
- 36 Light Industry;
- 37 Noxious/Offensive Industry;
- 38 Advertising - Hoarding;
- 39 Harbour Industries;
- 40 Extractive;
- 41 Child Care;
- 42 Hotel/Tavern;
- 43 Motel;
- 44 Nurseries;
- 45 Theatres and Cinemas;
- 46 Drive-In Theatre;
- 47 Licensed Clubs;
- 48 Sports Clubs/Facilities;
- 49 Caravan Parks;
- 50 Other Clubs;
- Non-Business;
- 51 Religious;
- 52 Cemeteries (including Crematoria);
- 55 Library;
- 56 Showgrounds/Racecourses/Airfields;
- 57 Parks and Gardens;
- 58 Educational - including Kindergartens;
- 91 Transformers;
- 92 Defence Force establishments;
- 95 Reservoir, Dam, Bores;
- 96 Public Hospital;
- 97 Welfare Homes/Institutions;
- 99 Community Protection Centre.

However not including a lot on a building units plan or group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for a residential purpose.

But including the following land where that land is included as City Centre, Sub-Regional Centre, District Centre, Local Centre, Cityport North, Cityport South, Strategic Port Land, Commercial and Industry Planning Areas within Cairns Plan 2009:

- 01 Vacant urban land;
- 04 Large vacant urban land;
- 06 Outbuildings;
- 09 Group Titles;
- 72 Refer to Section 25 of *Valuation of Land Act 1944*.

CATEGORY E

Suburban

The criteria for this category is, the properties shall not be included within Commercial Categories B, D, G and H and are properties to which the following land use codes apply:

- 07 Guest House/Private Hotel;
- 08 Building Units;
- 09 Group Titles;
- 10 Combined Multi Dwelling & Shop;
- 11 Shop - Single;
- 12 Shops - Shopping group (more than 6 shops);
- 13 Shopping group (2 to 6 shops);
- 14 Shops - Main Retail;
- 15 Shops - Secondary Retail;
- 16 Drive In Shopping Centres;
- 17 Restaurant;
- 18 Special Tourist Attraction;
- 19 Walkway;
- 20 Marina;
- 22 Car Park;
- 23 Retail Warehouse;
- 24 Sales Area Outdoor;
- 25 Offices;
- 26 Funeral Parlours;
- 27 Hospitals;
- Convallescent Homes (Medical Care) (Private);
- 28 Warehouses and Bulk Stores;
- 29 Transport Terminal;
- 30 Service Station;
- 31 Oil Depots and Refinery;
- 32 Wharves;
- 33 Builders Yard/Contractors Yard;
- 34 Cold Stores - Iceworks;
- 35 General Industry;
- 36 Light Industry;
- 37 Noxious/Offensive Industry;
- 38 Advertising - Hoarding;
- 39 Harbour Industries;
- 40 Extractive;
- 41 Child Care;
- 42 Hotel/Tavern;
- 43 Motel;
- 44 Nurseries;
- 45 Theatres and Cinemas;
- 46 Drive-In Theatres;
- 47 Licensed Clubs;
- 48 Sports Clubs/Facilities;
- 49 Caravan Parks;
- 50 Other Clubs
- Non-Business;
- 51 Religious;
- 52 Cemeteries (including Crematoria);
- 55 Library;
- 56 Showgrounds/Racecourses/Airfields;
- 57 Parks and Gardens;

- 58 Educational - including Kindergartens;
- 91 Transformers;
- 92 Defence Force establishments;
- 95 Reservoir, Dam, Bores;
- 96 Public Hospital;
- 97 Welfare Homes/Institutions;
- 99 Community Protection Centre.

However not including a lot on a building units plan or group titles plan registered under the *Body Corporate and Community Management Act 1997* where that lot is used for a residential purpose

But including the following land where that land is included as Sub-Regional Centre, District Centre, Local Centre, Commercial and Industry Planning Areas within Cairns Plan 2009 or Commercial and Industry Planning Areas in Douglas Shire Planning Scheme Incorporating Amendments 2007 No. 1 and 2007 No. 2 Reprinted as in force on 4th March 2008:

- 01 Vacant urban land;
- 04 Large vacant urban land;
- 06 Outbuildings;
- 09 Group Titles;
- 72 Refer to Section 25 of *Valuation of Land Act 1944*.

CATEGORY F

Not for Profit Community, Sporting and Recreation Organisations

The criteria for this category is, the land must qualify for rate assistance under Council's Rate Based Financial Assistance Policy.

CATEGORY G

Major Shopping Centres

The criteria for this category is, the land shall have the following land use codes and comprise Drive In Shopping Centres and in which the anchor tenants are a variety of department store/s and/or discount department store/s and large grocery supermarket/s with major on-site parking facilities and having a gross lettable area retail (GLAR) over 20, 000m² and less than 35,000m² :

- 12 Shopping Group (more than 6 shops);
- 13 Shopping Group (2 to 6 shops);
- 14 Shops Main Retail;
- 15 Shops Secondary Retail;
- 16 Drive-In Shopping Centres.

CATEGORY H

Shopping Centres (Secondary use Marina)

All rateable properties which are predominantly used or intended for use for retailing to the public where such properties are used or intended for use concurrently for the activities of a marina and which:

- (a) have an area in excess of 5 ha; and
- (b) contain a building or group of buildings comprising more than six shops.

With a land use code

- 12 Shops - Shopping group (more than 6 shops).

RURAL PRODUCTIVE

The criteria for this category is, all properties which are used predominately for Primary Production that have the following land use codes:

- 60 Sheep Grazing - Dry;
- 61 Sheep Breeding;

64	Cattle Grazing - Breeding;
65	Cattle Breeding and Fattening;
66	Cattle Fattening;
67	Goats;
68	Milk - Quota;
69	Milk - No Quota;
70	Cream;
71	Oil Seeds;
73	Grains;
74	Turf Farms;
75	Sugar Cane;
76	Tobacco;
77	Cotton;
78	Rice;
79	Orchards;
80	Tropical Fruits;
81	Pineapples;
82	Vineyards;
83	Small Crops and Fodder Irrigated;
84	Small Crops Fodder Non-irrigated;
85	Pigs;
86	Horses;
87	Poultry;
88	Forestry and Logs;
89	Animals Special;
93	Peanuts.

SCHEDULE 2

RATEABLE AND NON RATEABLE LAND DEFINITIONS

"All land is rateable land other than

- (a) *vacant State land;*
- (b) *land occupied by the State or a government entity (other than a non-exempt GOC), except under a lease from a private person;*
- (c) *land in a state forest or timber reserve, other than land occupied under an occupation permit or stock grazing permit under the Forestry Act 1959 or under a lease under the Land Act 1944;*
- (d) *Aboriginal land under the Aboriginal Land Act 1991 or Torres Strait Islander land under the Torres Strait Islander Land Act 1991, other than land used for commercial or residential purposes;*
- (e) *the following land under the Transport Infrastructure Act 1994 -*
 - (i) *strategic port land occupied by a port authority, the State, or a government entity;*
 - (ii) *existing or new rail corridor land;*
 - (iii) *commercial corridor land that is not subject to a lease;*
- (ea) *airport land, within the meaning given by the Airport Assets (Restructuring and Disposal) Act 2008, that is used for a runway, taxiway, apron, road, vacant land, buffer zone or grass verge;*
- (f) *land exempt from rating under an Act or regulation made under this Act;*
- (g) *land vested in, or placed under the management and control of, a person under an Act for recreation, sporting or charitable purposes if the land is used for 1 or more of the purposes;*
- (h) *land used for charitable purposes if the relevant local government has, by resolution, decided the land should be exempt;*

- (i) *land used for purposes of a public hospital that if -*
 - (i) *the public hospital is -*
 - (1) *part of a private hospital complex; or*
 - (2) *a private and public hospital complex; and*
 - (ii) *if the land used for the purposes is more than 2 Ha and separated from the rest of the complex;*
- (j) *land owned or held by a local government unless the land is leased by the local government to someone other than another local government;*
- (k) *land owned by a religious entity if the land is less than 20 ha and is used for 1 or more of the following purposes -*
 - (i) *religious purposes, including for example, public worship;*
 - (ii) *the provision of education, health or community services including facilities for aged persons and persons with disabilities;*
 - (iii) *the administration of the religious entity;*
 - (iv) *housing incidental to a purpose mentioned in subparagraph (i), (ii) or (iii);*
- (l) *land owned by a community entity, including, for example, the Queensland Country Women's Association, if the land is less than 20 ha and is used for providing the following -*
 - (i) *accommodation associated with the protection of children; or*
 - (ii) *accommodation for students; or*
 - (iii) *educational, training or information services aimed at improving labour market participation or leisure opportunities;*
- (m) *land used for a cemetery;*
- (n) *land used primarily for showgrounds or horse racing other than land specified in paragraph (g) if the local government concerned has, by resolution, decided the land should be exempt.*

◆◆◆◆◆

This policy is to remain in force until otherwise determined by Council.

General Manager Responsible for Review:

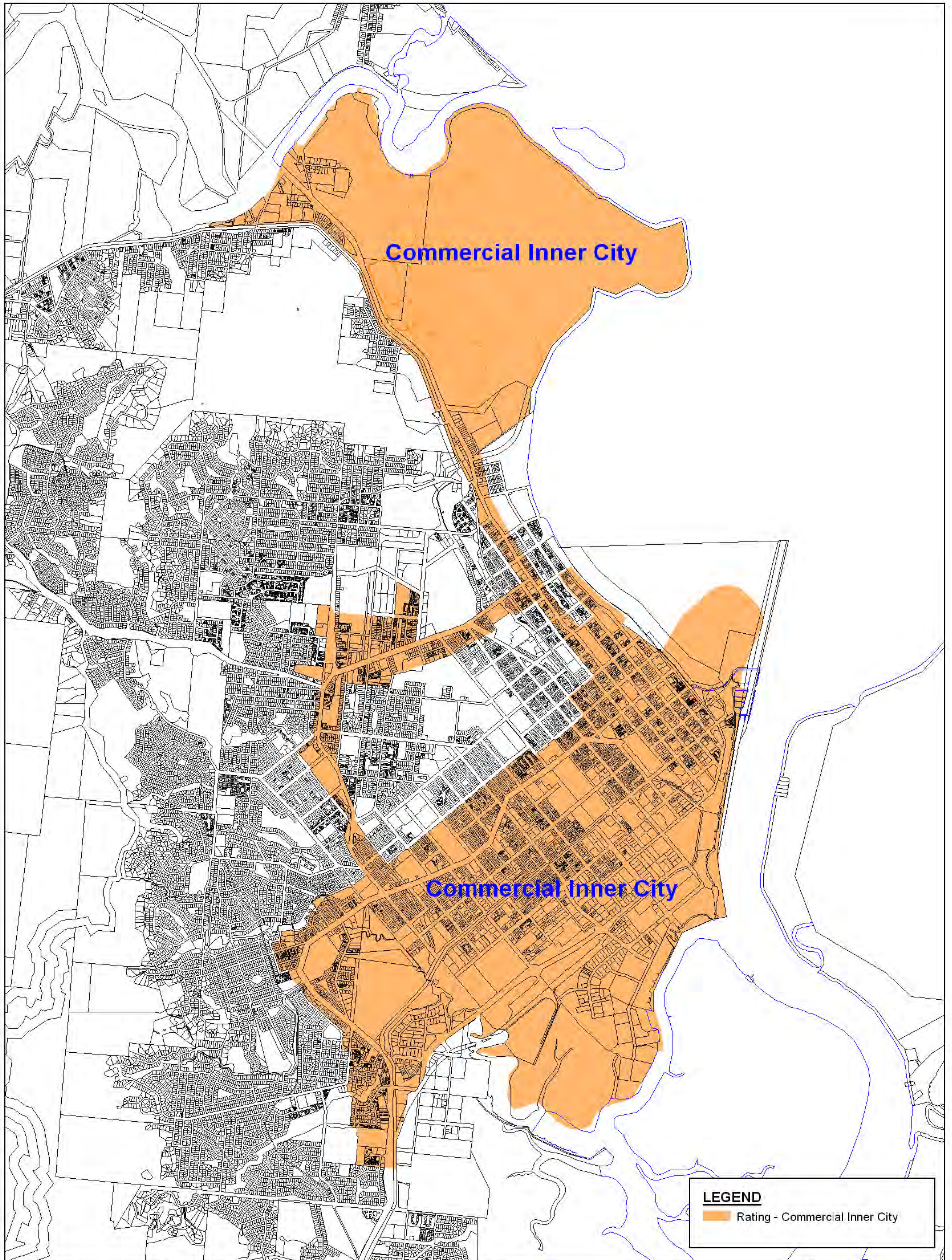
General Manager Corporate Services

ORIGINALLY ADOPTED:30/06/2004

CURRENT ADOPTION:29/06/2009

DUE FOR REVISION: 25/06/2010

REVOKED/SUPERSEDED:



LEGEND
 Rating - Commercial Inner City

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DO NOT SCALE

P.O. Box 358 Cairns, Qld., 4870 Tel: (07) 4044 3044 Fax: (07) 4044 3022



Cairns Regional Council
RATING DISTRICT
COMMERCIAL INNER CITY
 MapScale - 1:35000



Plan No.1
 Sheet 1 of 1

Author: RJB Date: 25/05/2009 Revision

RATES AND CHARGES FOR 2009/10

RECOMMENDATIONS

Following the decision by Council to adopt Differential General Rates for 2009/10 (meeting held on 29 June 2009) and following the adoption of its statement about revenue, Council resolves as follows in respect of Rates and Charges for the 2009/10 financial year:

A. DIFFERENTIAL RATE

- 1) "That by virtue of the provisions of section 963 and 967 of the *Local Government Act 1993*, that the Differential General Rate and minimum rate for each category be as follows:

Residential A	.56680	cents in the dollar	Minimum \$	680.00
Residential B	.53378	cents in the dollar	Minimum \$	2,778.00
Residential C	.49950	cents in the dollar	Minimum \$	3,924.00
Residential D	.45990	cents in the dollar	Minimum \$	4,871.00
Residential E	.42010	cents in the dollar	Minimum \$	5,611.00
Residential F	.38600	cents in the dollar	Minimum \$	6,155.00
Residential G	.35264	cents in the dollar	Minimum \$	6,601.00
Residential H	.31740	cents in the dollar	Minimum \$	6,895.00
Residential I	.28396	cents in the dollar	Minimum \$	6,983.00
Residential J	.56680	cents in the dollar	Minimum \$	680.00
Residential K	.87688	cents in the dollar	Minimum \$	680.00
Residential L	.57320	cents in the dollar	Minimum \$	1,020.00
Residential M	.56680	cents in the dollar	Minimum \$	Nil
Residential Q	.56680	cents in the dollar	Minimum \$	400.00
Commercial B	3.80472	cents in the dollar	Minimum \$	895,000.00
Commercial D	1.10214	cents in the dollar	Minimum \$	700.00
Commercial E	.65792	cents in the dollar	Minimum \$	700.00
Commercial F	.56680	cents in the dollar	Minimum \$	680.00
Commercial G	2.22628	cents in the dollar	Minimum \$	415,000.00
Commercial H	5.70000	cents in the dollar	Minimum \$	238,500.00
Rural Productive	1.09188	cents in the dollar	Minimum \$	700.00

- 2) "That pursuant to the provisions of section 983 of the *Local Government Act 1993* the following statement be included in the brochure which will accompany the Rates Notice:

- (a) If you consider that as at the date of the issue of the Notice, your Land should, having regard to the criteria adopted by Council, have been included in another of the Categories listed in the brochure accompanying this Rates Notice you may object against the categorisation of your land by posting to or lodging with the Cairns Regional Council, PO Box 359, Cairns, 4870, a Notice of Objection in the prescribed form within thirty (30) days of the date of issue of the Rates Notice; (copies of the Form are available at Council's Offices at Front Street Mossman, Spence Street Cairns and Council's Website).

- (b) The only ground on which you may so object is that your land should, having regard to the criteria adopted by Council, have been included in some other Category.
- (c) The posting to or lodging of a Notice of Objection with the Council shall not in the meantime interfere with or affect the levy and recovery of the Rates referred to in this Rates Notice.
- (d) If, because of your Notice of Objection, the land is included in another Category, an adjustment of the amount of Rates levied or, as the case may be, the amount of Rates paid shall be made.
- (e) The Category in which your land is included was identified by Cairns Regional Council.
- (f) The Categories of rateable land and the criteria by which your land is categorised is contained in Council's Revenue Statement and is also contained in the brochure which accompanies your Rates Notice."

B. MINIMUM GENERAL RATE

- 3) "That pursuant to section 967 of the *Local Government Act 1993*, the minimums for each category appear in section A (1), in addition, no minimum will apply to land which the *Valuation of Land Act 1944*, section 25 applies."

C. SPECIAL CHARGES

- 4) "That pursuant to section 971 of the *Local Government Act 1993*, Council has resolved to raise and levy the following special charges:-"

HOLLOWAYS BEACH ROCK WALL STAGE 1

An amount of \$253.81 per lineal metre of constructed rock wall be levied on each parcel to the extent specified below and identified on the map marked Holloways Beach Rock Wall Stage 1.

<u>Lot No.</u>	<u>Registered Plan</u>	<u>Lineal Metres</u>
1	711882	15.98
2	711882	18.87
2	709285	20.25
3	709285	20.25
4	709285	10.12
5	709285	10.09
6	709285	10.06
7	709285	10.06
43	709285	10.06
44	709285	10.06
45	709285	10.06
46	709285	10.06
8	742713	10.57

HOLLOWAYS BEACH ROCK WALL STAGE 2A

An amount to the extent specified below be levied on each parcel identified on the map marked Holloways Beach Rock Wall Stage 2A.

<u>Lot No.</u>	<u>Registered Plan</u>	<u>Amount</u>
14	709285	\$2,480.12
13	709285	\$2,480.12
11	709285	\$4,368.06
48	709285	\$2,480.12
47	742713	\$3,721.04
8	742713	\$947.40

HOLLOWAYS BEACH ROCK WALL STAGE 2B

An amount to the extent specified below be levied on each parcel identified on the map marked Holloways Beach Rock Wall Stage 2B.

<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

BLUEWATER CANAL

- (a) An amount of \$1,412.98 be levied on each lot identified below and also identified on the map marked Bluewater Canal.

<u>Lot No.</u>	<u>Registered Plan</u>
1 to 65	SP165903
79 to 130	SP165903

- (b) An amount of \$1,059.74 be levied on each lot identified below and also identified on the map marked Bluewater Canal.

<u>Lot No.</u>	<u>Registered Plan</u>
22 to 31	RP737271
32 to 42	RP737260

- (c) A total amount of \$152,602.92 for Bluewater Marina (lot 186 SP165903).
- (d) A total amount of \$96,514.24 for Yorkeys Knob Marina (lot 26 SP122863).

RURAL FIRE BRIGADE

The amounts set out below be levied on each rateable assessment identified by maps marked Thornton Peak Rural Fire Brigade, Daintree Rural Fire Brigade, Wonga Rural Fire Brigade and Mowbray Valley Rural Fire Brigade:

Thornton Peak Rural Fire Brigade	\$20.00
Daintree Rural Fire Brigade	\$20.00
Wonga Rural Fire Brigade	\$35.00
Mowbray Valley Rural Fire Brigade	\$35.00

Refer Special Budget Reports #2036233, 2036224, 2036238 and 2048881.

REFUSE CHARGE

An amount of \$126.64 be levied on each rateable assessment with improvements north of Ellis Beach that do not currently receive the Council Refuse Collection Service. These assessments are identified in Schedule A #1741003V2.

D. UTILITY CHARGES

- 5) "That pursuant to section 973 of the *Local Government Act 1993*, Council has resolved to raise and levy the following utility charges:-"

CLEANSING

(a) DOMESTIC

- (i) A Domestic Cleansing Charge, for the purpose of removal and disposal of refuse for the year 2009/10 be set at an amount of \$287.52 per service and applied in accordance with the following schedule:

<u>Type of Improvement</u>	<u>No. of Services</u>
Residence	1
Flats (each domicile)	1
Strata Title Units	1
Boarding House/Guest House/Hostel for each four (4) persons accommodated or part thereof	1

(ii) **minimum charge** of 1 service to apply on all improved properties for garbage removal and disposal and that a minimum of one annual charge of 1 service be made and levied on each separate occupancy (whether occupied or vacant) within the Council solid waste area of coverage and that such charge shall apply whether or not a service is rendered, save and except that where land is for the first time built on during the year the charge shall be made from the date the structure is ready for occupancy, calculated proportionately for the unexpired part of the year.

(b) COMMERCIAL (Properties north of Ellis Beach)

This includes all lands that have driveway access to the roadway on which the collection vehicle travels in the course of carrying out garbage/recycling collection on behalf of Council. The basis of assessing such charges whether such land is rateable or not, be as follows: -

- a) In the area where the services provided by the Council's day labour force/contractor and whether or not a recycling service has been introduced, a charge of \$287.52 per annum for a weekly garbage removal service for each separate occupancy is to apply.
- b) In the area where the services provided by the Council's day labour force/contractor and whether or not a recycling service has been introduced, a charge of \$287.52 per unit for a weekly garbage removal service. Application of charge to be in accordance with the schedule below: -

<u>Type of Improvement</u>		<u>Minimum Number Of Cleansing Service Units</u>
1.	Caretakers/Managers Accommodation Each	1
2.	Schools (Pre-Schools)	
	- Mossman State High School	20
	- Mossman State Primary School	15
	- Mossman State Pre-School	5
	- Daintree State School	1
	- Miallo State School	1
	- Port Douglas State School	4
	- St Augustine's School	6
	- Wonga State School	6
3.	Industrial/Commercial Premises (includes professional offices and industrial/commercial premises not otherwise specified in this schedule) each shop office	1
4.	Hotels	10
5.	Cafes/Restaurants	
	- Port Douglas precinct and the area to the former southern boundary	2
	- All other areas of the Shire	6
6.	Take Away Food Outlets	2
7.	Caterer's Premises	3
8.	Grocery/Convenience Store/Supermarkets	3

<u>Type of Improvement</u>		<u>Minimum Number Of Cleansing Service Units</u>
8.1	SUPERMARKETS Supermarkets	4
8.2	GENERAL STORES Welcomemart) Front Street Foodstore) Johnston Road Store) Four Mile Beach Mini Market) Foodtown Food Store)	2
8.3	CONVENIENCE STORES Port Douglas General Store) Newell Store) Marano's) Daintree)	1
9.	Halls	1
10.	Churches (including Church Hall)	1
11.	Mossman Hospital	36
12.	Day Care Centre	3
13.	Kindergartens	1
14.	Sporting Clubs	3
15.	Caravan Park	
	i) Caretaker's accommodation plus	1
	ii) Up to twenty camping sites for every two sites, plus	1
	iii) for every additional five camping sites in excess of twenty camping sites plus	1
	iv) shop/kiosk	1
16.	Motel Accommodation	
	i) with facilities to enable the preparation and/or cooking of food. (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.)	1
	ii) Without facilities to enable the preparation and/or cooking of food - for every three units or part thereof	1
17.	Holiday Cabins For every three cabins or part thereof	1
18.	Marinas	
	i) up to fifty berths for every two berths	1
	ii) for every additional five berths in excess of fifty berths	1
19.	Fire Stations, Ambulance Centres, Police Stations, Court Houses	
	i) Station or Centre	1
	ii) Each Officer's residence (were jointly rated with i) above)	1

<u>Type of Improvement</u>		<u>Minimum Number Of Cleansing Service Units</u>
20.	Post Offices	1
21.	Wrecking Yards	2
22.	Mossman Central Mill	10

- c) In the area where the cleansing removal services are currently undertaken by separate contract, the charge to apply is as follows:-
- i. For each clearance of the 9 m³ static compactor on the basis of at least one clearance per week \$466.60.
 - ii. For each clearance of each 240 litre bin - \$9.86 per clearance.

SEWERAGE

Sewerage charges shall be made for the cost of supplying a service for the removal of sewage, for the financial year 2009/10 in accordance with the following:

(a) RESIDENTIAL

- (i) A standard charge of \$510.00 to be applied in accordance with the following:
 - For each residence, each flat and each strata title unit.
 - For each residence and/or each flat erected over two (2) allotments of land with a total land area of less than 1190 m² where Council is prepared to accept sewage.
- (ii) A charge of \$386.48 to be applied to each vacant allotment.
- (iii) A Cleaner Seas Initiative Charge of \$100.00 to be applied in accordance with the following:
 - For each residence, each flat, strata-title unit and vacant allotment where Council is prepared to accept sewage.
 - For each residence and/or each flat erected over two (2) allotments of land with a total land area of less than 1190 m² where Council is prepared to accept sewage.
- (iv) A standard commercial charge per WC will apply to properties where Strata Title units have pedestals/urinals servicing common property.

(b) COMMERCIAL

1. A standard charge of \$471.78 per W.C. to be applied in accordance with the following:
 - (i) In respect of sewerer premises designed or used as boarding houses, hostels, guest houses, hotels or motels or designed or used for commercial, manufacturing, repairing, building and like industries, erected on one (1) allotment of land, a separate charge for each W.C.
 - (ii) In respect of sewerer premises designed or used as boarding houses, hostels, guest houses, hotels or motels or designed or used for commercial, manufacturing, repairing, building and like industries, erected over two (2) or more allotments of land, a separate charge for each W.C.
 - (iii) In respect of sewerer premises designed or used as boarding houses, hostels, guest houses, hotels or motels or designed or used for commercial, manufacturing, repairing, building and like industries, which are not connected to a sewer main, but in respect of which the Council is prepared to accept sewage, a charge shall be made in accordance with the applicable basis set out in subclause (i & ii) hereof.
 - (iv) In respect of any structure, building or improvement on land not rateable under section 957 of the *Local Government Act 1993* excluding however, places of worship, a charge in accordance with the applicable basis set out in sub-clause (i) to (iii) hereof shall be levied on the person or body, or Commonwealth or State Department at whose request the structure, building or improvement was provided with sewerage.
 - (v) In respect of places of public worship and nursing homes listed under section 41 of *Local Government Regulations 2005*, a charge of 50% of the standard charge for each W.C., with the total charge being rounded up to the next full charge.
 - (vi) In respect of caravan parks connected to sewer mains, a charge of 33% of the standard charge for each caravan, each tent site and each cabin without facilities, and 50% of the standard charge for each fully self-contained cabin (FSC) shall apply with the total charge being rounded up to the next full charge.
 - (vii) In respect of vacant land where Council is prepared to accept sewage, a standard charge equivalent to one (1) W.C. per allotment shall apply.
 - (viii) Each residence, each flat, each strata title unit that has for the purposes of differential rating been categorised as co-existing with a commercial category a standard charge equivalent to one (1) W.C. per improvement shall apply.

- (ix) The rating on the bases set out above be charged from the date on which sewer connections are completed to the premises concerned. In the case of vacant land, or in the case where an owner or occupier refuses or delays permission to enter his land to complete connections, the rating be charged from the date on which connections would have been made if there was a building or improvement on the land or if the owner or occupier had not refused or delayed permission. In all those cases where the sewer connection is completed or would have been completed (as the case may be) after 1 July 2009 the rate shall be apportioned.

- 2. A Cleaner Seas Initiative charge of \$50.16 per W.C. to be applied in accordance with subclause 1 (i) – (ix)

(c) RURAL PRODUCTIVE

- 1. A standard charge of \$510.00 to be applied in accordance with the following:
 - (i) In respect of all seweraged premises designed or used for rural productive purposes, a standard charge per W.C. shall apply.
 - (ii) In addition, where a residential improvement co-exists, the standard sewerage charge shall apply for each barrack, each residence, each flat, and each strata title unit and vacant allotment where Council is prepared to accept sewage.
- 2. A Cleaner Seas Initiative charge of \$50.16 per W.C. charged in accordance with sub-clause 1 (i).
- 3. A Cleaner Seas Initiative charge of \$100.00 to be charged in accordance with sub-clause 1 (ii).

(d) ALL CATEGORIES

In respect of sewerage for Residential, Commercial and Rural Productive properties the following shall apply:

- (i) Subject to sub-clause (ii), properties and/or improvements capable of being connected to the scheme, will be charged in accordance with the charges set out above,
- (ii) Council reserves the right to exempt certain properties from sewerage charges if such properties as defined by Council are not, in Council's opinion, capable of being connected within the foreseeable future, and
- (iii) A charge for treatment of effluent from effluent storage tanks of \$258.06 for each residence, each flat, each strata title unit, each shop etc shall apply.

WATER CHARGES – METERED (Potable)

Water Charges shall be made for the purpose of supplying water for the year 2009/10 on the following basis:

(a) RESIDENTIAL

- (i) An access charge of \$203.80 to be applied in accordance with the following:-
 - For each barrack, each residence, each flat, each strata title unit and each vacant allotment categorised as residential.
 - For each residence and/or each flat erected over two allotments of land with a total land area less than 1190 m².
- (ii) In respect of all properties and/or premises at which a water meter is installed on the water service connection to such property and/or premises, water usage shall be charged at the rate of 89 cents per kilolitre for all water passing through the water meter within the water year.

(b) COMMERCIAL

- (i) An Access Charge of \$203.80 to be applied in accordance with the following:-
 - For each vacant allotment, each shop, each office, each school, each hotel, each motel, each club, each hospital and each other commercial/industrial improvement not otherwise specified.
 - In respect of hotels and motels, one additional access charge shall apply for every three (3) rooms or part thereof, provided for accommodation.
 - In respect of caravan parks, one additional access charge shall apply for every three (3) accommodation units and every six (6) tent/van sites or part thereof.
 - For each residence, each flat, each strata title unit co-existing with commercial/industrial improvements.
- (ii) Where water is supplied through a water meter, which is not a trial water meter, all water consumed will be charged at the rate of 103 cents per kilolitre for all water passing through the meter within the water year. The only exception being:-
 - Water supplied to the Cairns Ports Ltd for shipping, which is to be charged at \$1.35 per kilolitre for each kilolitre passing through the meter.

- Where water is supplied to lessees of the Cairns Ports Ltd through a common meter, all water consumed will be charged at 103 cents per kilolitre with no access charge levied against the shared properties.

(c) RURAL PRODUCTIVE

- (i) An access charge of \$203.80 to be applied in accordance with the following:
 - For each barrack, each residence, each flat, each strata title unit.
 - For each vacant allotment with a water meter connected.
 - For each rural productive improvement with a water meter connected.
- (ii) In respect of all properties and/or premises at which a water meter is installed on the water service connection to such property and/or premises, water usage shall be charged at the rate of 89 cents per kilolitre for all water passing through the water meter within the water year.

(d) ALL CATEGORIES

In respect of Residential, Commercial and Rural Productive properties, the following shall apply:

- (i) In respect of newly subdivided vacant land, water charges shall be levied proportionately for the unexpired part of the year from the date the plan of subdivision is registered at the Titles Office or from the date of connection of water to the subject land, whichever date shall be the earlier.
- (ii) In respect of improvements erected during the year, water charges shall be levied proportionately for the unexpired part of the year from the date the improvement is ready for occupation, or from the date of connection of water to the subject land, whichever date shall be the earlier.
- (iii) Where residential type improvement/s share a meter with commercial improvement/s and the Department of Environment and Resource Management's land use code for that assessment is commercial, water usage charges will be levied at the commercial rate.
- (iv) Where improvements are of a joint nature, water usage charges will be calculated using the water usage rate applicable to the category on which general rates are levied or would be levied if the property were rateable.
- (v) Not for Profit Sporting and Recreation Organisations/Groups that are recipients of Rate Based Financial Assistance will be charged for all water usage at 89 cents per kilolitre.

- (vi) Meters shall be read on a rotational basis three times each year.
- (vii) Accounts for water usage will be issued three times during the year.

WATER CHARGES – UNMETERED (Potable)

(a) RESIDENTIAL

- (i) For Unmetered Residential properties, Council deems a reasonable level of water usage at 231 kilolitres for this water year (“the deemed reasonable level of water usage”).
- (ii) A charge of \$409.40 representing an access charge of \$203.80 plus a water usage charge based on a deemed reasonable level of water usage, charged at the rate of 89 cents per kilolitre, to be applied in accordance with the following:-
 - For each residence, each strata title unit and each vacant allotment with water connected categorised as residential.
 - For each residence erected over two allotments of land with a total land area less than 1190 m².
- (iii) A charge for flats to be applied in accordance with the following:
 - A charge of \$205.60 collectively in relation to all flats, being a water usage charge based on a deemed reasonable level of water usage, charged at the rate of 89 cents per kilolitre, plus an access charge of \$203.80 per flat for each flat.
- (iv) An access charge of \$203.80 to be applied in accordance with the following:
 - For each vacant allotment of land in urban areas or in rural residential developments not connected to water categorised as residential.

In respect of all properties and/or premises at which a water meter is connected during the water year, no water usage charges shall apply for that water year.

(b) RURAL PRODUCTIVE

- (i) For Rural Productive properties, Council deems a reasonable level of water usage at 231 kilolitres for this water year (“the deemed reasonable level of water usage”).

- (ii) A charge of \$409.40 representing an access charge of \$203.80 plus a water usage charge based on a deemed reasonable level of water usage, charged at the rate of 89 cents per kilolitre, to be applied in accordance with the following
- For each barrack, each residence, each strata title unit and each vacant allotment with water connected categorised as residential.
 - For each residence erected over two allotments of land with a total land area less than 1190 m².
 - For each rural production improvements with water connected.
- (iii) A charge for flats to be applied in accordance with the following:-
- A charge of \$205.60 collectively in relation to all flats, being a water usage charge based on a deemed reasonable level of water usage, charged at the rate of 89 cents per kilolitre, plus an access charge of \$203.80 per flat for each flat.
- (iv) In respect of all properties and/or premises at which a water meter is connected during the water year, no water usage charges shall apply for that water year.

(c) ALL CATEGORIES

In respect of all Residential and Rural Productive properties, the following shall apply:

- (i) In respect of newly subdivided vacant land, water charges shall be levied proportionately for the unexpired part of the year from the date the plan of subdivision is registered at the Titles Office or from the date of connection of water to the subject land whichever date shall be the earlier.
- (ii) In respect of improvements erected during the year, water charges shall be levied proportionately for the unexpired part of the year from the date the structure is ready for occupation, or from the date of connection of water to the subject land, whichever date shall be the earlier.

WATER CHARGES - METERED (Recycled)

RESIDENTIAL

- (i) An access charge of \$50.00 to be applied for each residence, each flat, each strata title unit and each vacant allotment categorised as residential.

- (ii) In respect of all properties and/or premises at which a recycled water meter is installed on the water service connection to such property and/or premises, water usage shall be charged at the rate of 45 cents per kilolitre for all water passing through the recycled water meter within the water year.
- (iii) Water charges shall be levied proportionately for the unexpired part of the year from the date of connection of the recycled water meter to the subject land.
- (iv) Meters shall be read on a rotational basis three times each year.
- (v) Accounts for water usage will be issued three times during the year.

D. ISSUE OF RATE NOTICES

- 6) (a) **“That all Rates and Charges made, levied and imposed for the 2009/10 financial year will be payable in two (2) half-yearly instalments with the instalments being for the periods ending 31st December 2009 and 30th June 2010 respectively.”**
- (b) **“The due date for payment is defined as being thirty-one (31) days from the date of issue of the rate notice.”**

E. INTEREST

- 7) **“That pursuant to section 1018 of the *Local Government Act 1993*, interest will be charged at the rate of 11% per annum calculated at compound interest on daily rests, on all rates and charges which remain unpaid after expiration of the due date for payment.”**

F. DEFERRAL OF LIABILITY

- 8) **“That:**
 - **pursuant to section 1032(3) of the *Local Government Act 1993*, the amount of premium for Council agreeing to enter into arrangements to defer the payment of rates and charges is the amount equivalent to the amount of interest that would have been raised if the arrangement had not been entered into.**
 - **a premium for allowing pensioners to accumulate rates be set at equal to the amount of interest that would have been raised if such arrangement had not been approved.”**

G. DEFINITIONS

- 9) **“(a) That for the purpose of calculation of sewerage rates and charges for Commercial properties:**
- (i) each 1.8m of urinal or part thereof shall be deemed to be a W.C.**
 - (ii) each three individual wall hung urinals or part thereof shall be deemed to be a W.C.**
 - (iii) each pedestal shall be deemed to be a W.C.”**
- (b) “For the purpose of charging water usage charges for water meters read after 1 July 2009 the charge made, shall be at the rate specified for 2009/10 financial year.**
- (c) “For the purpose of charging water usage charges for water meters read after 1 July 2009 for commercial properties north of Ellis Beach the charge made, shall be at the rate specified for 2009/10 financial year, However the following applies:**
- The first bill issued by the Cairns Regional Council in respect of water usage within the 2009/10 financial year will be adjusted to subtract water used from the last meter reading in 2008/09 to 30 June 2009. The adjustment will be calculated as:**
- Average Daily Consumption (ADC) x (Number of Days)**
- The Average Daily Consumption (ADC) will be calculated as the ADC for bill period 1 of 2009/10.**
- The Number of Days will be calculated as the number of days from the last meter reading in 2008/2009 to the 30 June 2009.**
- (d) “That for the purpose of calculating utility charges, the term “Strata Title Unit” is deemed to be each lot created pursuant to the provisions of the Body Corporate and *Community Management Act 1997*.”**

Cleaner Seas Initiative

The Cleaner Seas initiative is being levied to aid in the quantum increase in treatment standards required by the Coastal Management Strategy and subsequent nutrient removal limitations placed upon Cairns Regional Council. It allows a more responsible approach to the environment and is a more sustainable way of doing business.

The Cleaner Seas initiative is levied as a utility charge under section 973 of the *Local Government Act 1993* as it is allowing nutrient removal sewerage services to be supplied to the Cairns community.