

SPECIAL BUDGET MEETING	18
1 JULY 2020	

RIVERSIDE PARADE – SPECIAL CHARGE

D Machan | 63/2/8-01 | #6376763

RECOMMENDATION:

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 Riverside Parade Special Charge, as follows:

1. That Council makes and levies a special charge on the rateable land identified in this resolution for the purpose of funding works for the dredging and maintenance of the channel within 29 metres of the water frontage of the land located on Riverside Parade.
2. At its meeting held on 3 July 2019, Council adopted the overall plan for the carrying out of the works identified as follows:
 - a. The rateable land to which the plan applies is the land identified in this resolution;
 - b. The service, facility or activity for which the plan is made is:
 - the dredging and maintenance of the channel within 29 metres of the water frontage of the rateable land located on Riverside Parade specified in Attachment 1 (“the Dredge Area”) and the removal of 5000m³ of spoil from the Dredge Area;
 - to obtain hydrographic surveys necessary to carry out the dredging and maintenance of the Dredge Area.
 - c. The time for implementing the Overall Plan is two (2) years, beginning on 3 July 2019 and ending on 30 June 2021; and
 - d. The estimated cost of implementing the Overall Plan is \$46,000.
3. The rateable 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 deep water access to the water frontage of Riverside Parade.
4. The special charges for the 2020/21 financial year apply to the rateable land identified below:

Property Description	Amount of special charge
Lots 22 to 23 on SP224676	\$1,000 per lot
Lots 1 to 3 on SP301538	\$1,000 per lot
Lots 26 to 31 on RP737271	\$1,000 per lot
Lots 32 to 43 on RP737260	\$1,000 per lot

5. The special charge is to be levied by two half yearly levies.
6. 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 2021.
 - 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.
7. 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.

EXECUTIVE SUMMARY

At its Ordinary Meeting held on 3 July 2019, Council passed a resolution to adopt the Riverside Parade Dredge Overall Plan.

The Riverside Parade Dredge Overall Plan provided for the levying of the Riverside Parade Dredge Special Charge and the carrying out of the works identified as follows:

- a. The rateable land to which the Overall Plan applies is the land identified in this resolution;
- b. The service, facility or activity for which the plan is made is:
 - the dredging and maintenance of the channel within 29 metres of the water frontage of the rateable land located on Riverside Parade specified in Attachment 1 (“**the Dredge Area**”) and the removal of 5000m³ of spoil from the Dredge Area;
 - to obtain hydrographic surveys necessary to carry out the dredging and maintenance of the Dredge Area.
- c. The time for implementing the Overall Plan is two (2) years, beginning on 3 July 2019 and ending on 30 June 2021; and
- d. The estimated cost of implementing the Overall Plan is \$46,000.

For the 2020/21 financial year, Council is required to adopt an Annual Implementation Plan for the purpose of implementing the overall plan. The 2020/21 Annual Implementation Plan for the Riverside Parade Dredge was adopted on 1 July 2020.

CONSIDERATIONS:

Statutory:

Adoption of the Riverside Parade Dredge Special Charge is in accordance with Sections 92 and 94 of the *Local Government Act 2009* and Section 94 of the *Local Government Regulation 2012*

CONSULTATION:

Preston Law were consulted regarding the documentation and processes required for adopting the Riverside Parade Dredge Special Charge.

ATTACHMENTS:

Attachment No. 1: Map identifying parcels

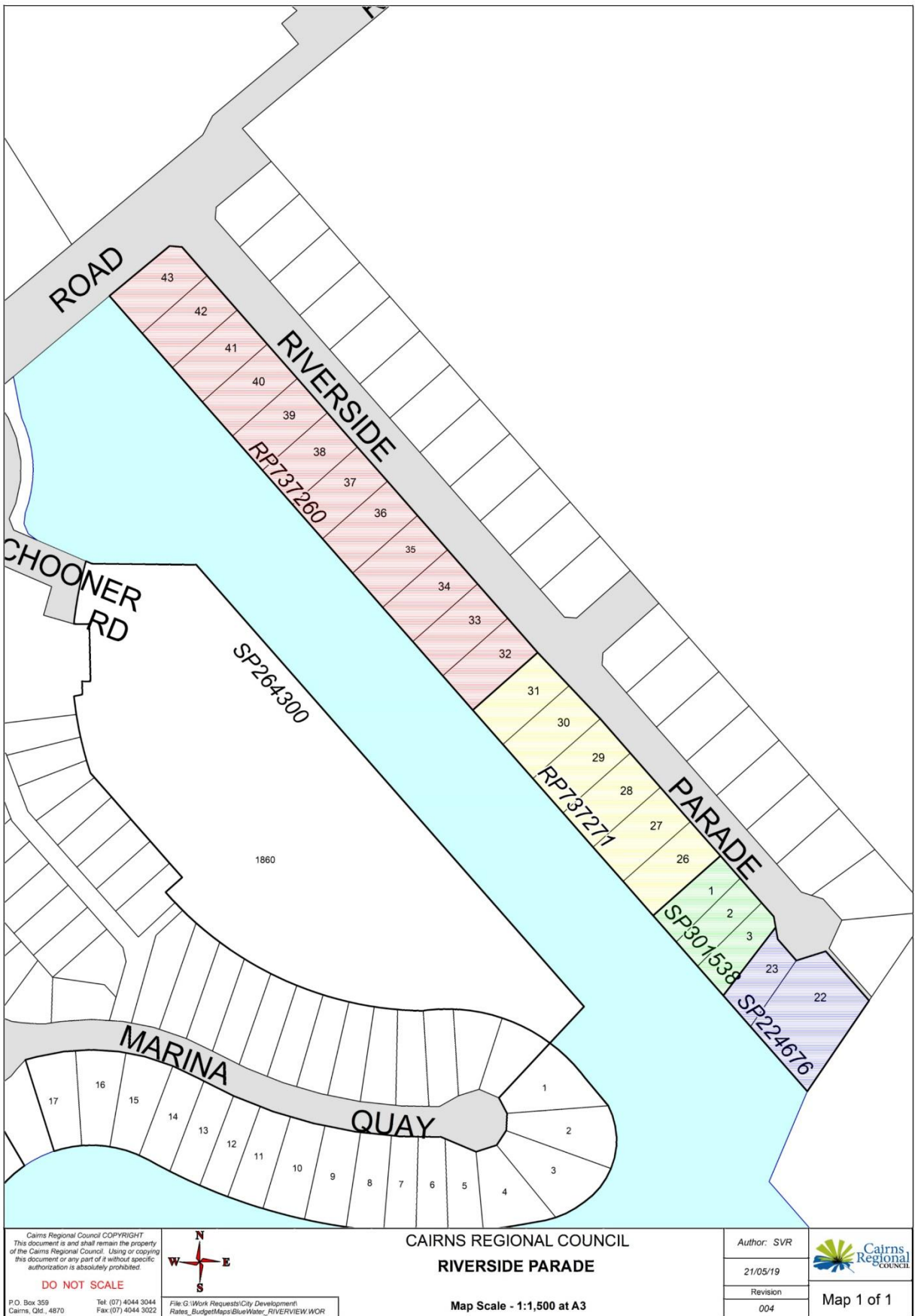


Jason Ritchie
Manager Finance



Lisa Whitton
Chief Financial Officer

Attachment No. 1 – Map identifying parcels



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CAIRNS REGIONAL COUNCIL
RIVERSIDE PARADE
 Map Scale - 1:1,500 at A3

Author: SVR
 21/05/19
 Revision
 004

Cairns Regional Council
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