

**SPECIAL BUDGET MEETING**

22 JUNE 2022

**9****HOLLOWAYS BEACH ROCK WALL STAGE 1 – SPECIAL CHARGE**

K Roberson | 63/2/10-01 | #6970864

**RECOMMENDATION:**

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

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

**Special Charge**

- a. Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 1 will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the seaward side of that individual parcel.
- b. Council makes a special charge of **\$253.81** per lineal metre for the 2022/23 financial year to be levied on each parcel to the extent specified below:

Lot	Plan	Lineal Metres
Lot 1	RP711882	15.98
Lot 2	RP711882	18.87
Lot 301	SP218293	10.12
Lot 302	SP218293	10.12
Lot 4	RP709285	10.12
Lot 8	RP742713	10.57

- c. That the Special Charge – Holloways Beach Rock Wall Stage 1 be levied over a period of 20 years from 2003.
- d. That the Special Charge – Holloways Beach Rock Wall Stage 1 be repaid at market value where the amount owed is paid prior to the 20 year expiry.
- e. If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:

- i. The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2023.
- ii. If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:
  - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
  - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9 Division 2 of the *Local Government Regulation 2012* as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

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### **EXECUTIVE SUMMARY:**

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

The estimated cost for carrying out the overall plan is \$519,866 plus interest. In this regard, a loan of \$519,866 was drawn down in the 2003 year over a 20 year term and will form part of Council's long term debt pool with Queensland Treasury Corporation.

For the 2022/23 financial year, Council is required to adopt an Annual Implementation Plan for the purpose of raising funds to repay the interest and principal on the Queensland Treasury Corporation (QTC) loan of \$519,866 borrowed to cover the construction costs of the rock wall. The 2022/23 Annual Implementation Plan for Holloways Beach Rock Wall Stage 1 was adopted on 22 June 2022.

**BACKGROUND:**

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

For avoidance of doubt, that overall plan comprises:

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

**COMMENT:**

The 2022/23 Annual Implementation Plan has been prepared setting out the actions and processes to be undertaken in the current financial year in carrying out the overall plan.

As per the 2022/23 Annual Implementation Plan the following Lots have been paid in full with all rates levied up to the date of payment:

Lot	Plan	Paid	Date
Lot 2	RP709285	\$42,461.36	01 August 2012
Lot 44 - 46	RP709285	\$55,878.31	20 November 2013
Lot 43	RP709285	\$17,656.43	13 March 2014
Lot 5	RP709285	\$14,700.00	01 February 2014
Lot 6	RP709285	\$15,491.68	04 February 2016
Lot 7	RP709285	\$8,176.43	06 December 2019

**CONSIDERATIONS:**

Statutory:

- Section 92 of the *Local Government Act 2009*
- Section 94 of the *Local Government Regulation 2012*

**ATTACHMENTS:**

Attachment No. 1: Map identifying parcels  
Attachment No. 2: Loan component per parcel

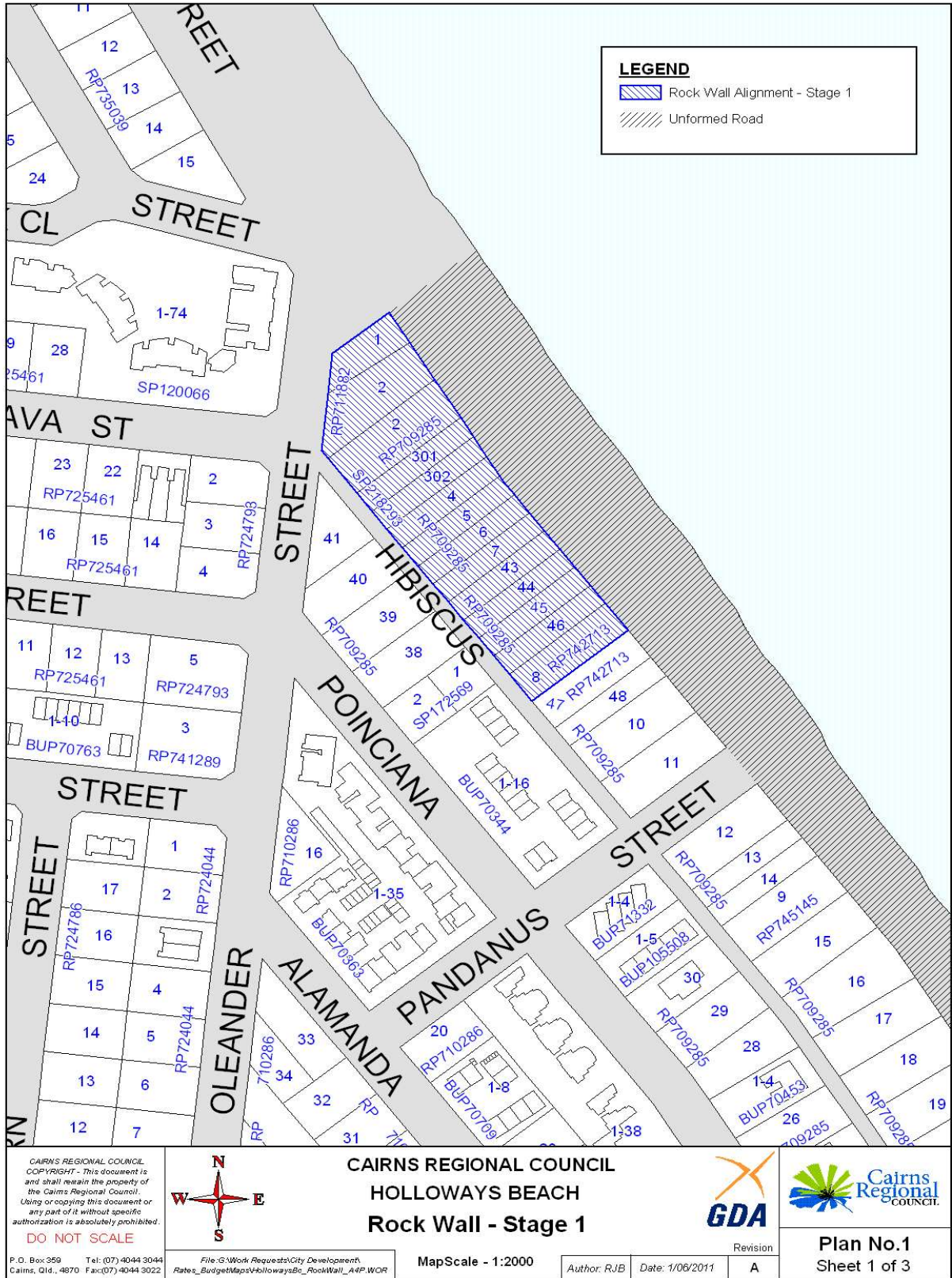


Jason Ritchie  
Executive Manager Finance



Lisa Whitton  
Chief Financial Officer

**Attachment No. 1**



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**CAIRNS REGIONAL COUNCIL**  
**HOLLOWAYS BEACH**  
**Rock Wall - Stage 1**



Map Scale - 1:2000

Author: RJB Date: 1/06/2011

Revision  
 A

**Plan No.1**  
 Sheet 1 of 3

Attachment No. 2Holloways Beach Rock Wall Stage 1

<u>Property Description</u>	<u>Loan Component Per Parcel</u>
L1 RP 711882	\$49,897.64
L2 RP 711882	\$58,921.69
L2 RP 709285 (Paid in Full)	\$63,230.74
Former L3 RP 709285 (now lots 301&302 SP218293)	
L301 SP218293	\$31,615.37
L302 SP218293	\$31,615.37
L4 RP 709285	\$31,599.76
L5 RP 709285 (Paid in Full)	\$31,506.08
L6 RP 709285 (Paid in Full)	\$31,412.41
L7 RP 709285 (Paid in Full)	\$31,412.41
L43 RP 709285 (Paid in Full)	\$31,412.41
L44 RP 709285 (Paid in Full)	\$31,412.41
L45 RP 709285 (Paid in Full)	\$31,412.41
L46 RP 709285 (Paid in Full)	\$31,412.41
L8 RP 742713	\$33,004.89
<b><u>TOTAL</u></b>	<b><u>\$519,866.00</u></b>