

**CAIRNS REGIONAL COUNCIL  
SPECIAL (BUDGET) MEETING**

**MINUTES**

**25 JUNE 2018**

**COMMENCING AT 9:00 A.M.**

PRESENT: Cr B Manning (Chairperson)  
Cr R Bates  
Cr L Cooper  
Cr T James  
Cr B Moller  
Cr B Olds – by phone  
Cr M O’Halloran  
Cr J Richardson  
Cr J Schilling  
Cr C Zeiger

OFFICERS:

J Andrejic	Chief Executive Officer
B Gardiner	General Manager Infrastructure Services
C Posgate	General Manager Human Resources and Organisational Change
G O’Byrne	General Manager Water & Waste
L Kirchner	General Manager Community, Sport & Cultural Services
L Whitton	Chief Financial Officer
N Masasso	Executive Project Officer
R Holmes	Manager Marketing & Communications
L Guy	Media Coordinator
A Turnbull	Executive Manager Mayor’s Office
J Ritchie	Manager Finance
J Rillstone	Coordinator Management Accounting
S Godkin	Minute Secretary

## TABLE OF CONTENTS

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<b>CONFLICT OF INTEREST / MATERIAL PERSONAL INTEREST .....</b>	<b>5</b>
<b>MAYORS BUDGET ADDRESS 2018/19 .....</b>	<b>9</b>
<b>PURPOSE OF MEETING.....</b>	<b>13</b>
 <b>AGENDA ITEMS AS LISTED</b>	
<b>1. ADOPTION OF THE CAIRNS REGIONAL COUNCIL ASSET MANAGEMENT STRATEGY 2018-28 .....</b>	<b>13</b>
<b>B Gardiner   1/3/21-20   #5755502</b>	
<b>2. CAIRNS REGIONAL COUNCIL OPERATIONAL PLAN 2018/19.....</b>	<b>14</b>
<b>N Masasso   1/3/37   #5759141</b>	
<b>3. APPLICATION OF THE COMPETITIVE NEUTRALITY PRINCIPLE TO CAIRNS WORKS.....</b>	<b>14</b>
<b>S Owens   17/25/2-13   #5692405</b>	
<b>4. NATIONAL COMPETITION POLICY IMPLEMENTATION FOR THE 2018/19 FINANCIAL YEAR .....</b>	<b>15</b>
<b>S Owens   17/25/2-13   #5611242</b>	
<b>5. REVENUE POLICY .....</b>	<b>17</b>
<b>J Cristaldi   54/1/1   #5762845</b>	
<b>6. DEBT POLICY .....</b>	<b>17</b>
<b>K Robertson   17/25/2-13   #5740417</b>	
<b>7. INVESTMENT POLICY.....</b>	<b>17</b>
<b>Kerry Robertson   17/25/2-13   #5757609</b>	
<b>8. RESERVES POLICY .....</b>	<b>17</b>
<b>M Gray   17/49/9-06   #5737742</b>	
<b>9. DIVIDEND POLICY.....</b>	<b>18</b>
<b>S Owens   17/25/2-13   #5761292</b>	
<b>10. BANK GUARANTEE POLICY.....</b>	<b>18</b>
<b>Kerry Robertson   17/25/2-13   #5739510</b>	
<b>11. RATES BASED FINANCIAL ASSISTANCE POLICY.....</b>	<b>18</b>
<b>J Cristaldi   54/1/1   #5750178</b>	

<b>12. CONCEALED WATER LEAK POLICY .....</b>	<b>18</b>
JC   54/1/1   #5762627	
<b>13. PROCUREMENT POLICY .....</b>	<b>19</b>
Julia Deleyev   17/25/1-01   #5747565	
<b>14. ADOPTION OF DIFFERENTIAL GENERAL RATES FOR THE 2018/19 FINANCIAL YEAR .....</b>	<b>19</b>
J Cristaldi   54/1/1   #5750913	
<b>15. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR HOLLOWAYS BEACH ROCK WALL STAGE 1 .....</b>	<b>30</b>
Shaun Owens   17/25/2-13   #5764943	
<b>16. HOLLOWAYS BEACH ROCK WALL STAGE 1 – SPECIAL CHARGE .....</b>	<b>30</b>
K Robertson   17/25/2-11   #5736646	
<b>17. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR HOLLOWAYS BEACH ROCK WALL STAGE 2A .....</b>	<b>32</b>
Shaun Owens   17/25/2-13   #5770918	
<b>18. HOLLOWAYS BEACH ROCK WALL STAGE 2A – SPECIAL CHARGE .....</b>	<b>32</b>
K Robertson   17/25/2-13   #5736652	
<b>19. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR HOLLOWAYS BEACH ROCK WALL STAGE 2B .....</b>	<b>34</b>
Shaun Owens   17/25/2-13   #5770946	
<b>20. HOLLOWAYS BEACH ROCK WALL STAGE 2B – SPECIAL CHARGE .....</b>	<b>34</b>
K Robertson   17/25/2-13   #5736677	
<b>21. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR BLUEWATER CANAL.....</b>	<b>36</b>
J Rillstone   17/25/2-13   #5772934	
<b>22. BLUEWATER CANAL – SPECIAL CHARGE.....</b>	<b>36</b>
K Gresser   63/2/6-01   #5676073	
<b>23. ADOPTION OF SEWERAGE UTILITY CHARGES FOR THE 2018/19 FINANCIAL YEAR .....</b>	<b>38</b>
J Cristaldi   54/1/1   #5751031	
<b>24. ADOPTION OF WATER UTILITY CHARGES FOR THE 2018/19 FINANCIAL YEAR .....</b>	<b>41</b>
J Cristaldi   54/1/1   #5751033	
<b>25. ADOPTION OF WASTE MANAGEMENT UTILITY CHARGES FOR THE 2018/19 FINANCIAL YEAR .....</b>	<b>43</b>
J Cristaldi   54/1/1   #5751036	

**26. ADOPTION OF OVERDUE INTEREST ON RATES AND CHARGES FOR THE 2018/19 FINANCIAL YEAR.....44**  
J Cristaldi | 54/1/1 | #5751038

**27. ADOPTION OF LEVY AND PAYMENT OF RATES AND CHARGES FOR THE 2018/19 FINANCIAL YEAR.....45**  
J Cristaldi | 54/1/1 | #5751042

**28. ADOPTION OF RATES CONCESSIONS FOR THE 2018/19 FINANCIAL YEAR .....45**  
J Cristaldi | 54/1/1 | #5751044

**29. STATEMENT OF ESTIMATED FINANCIAL POSITION .....46**  
J Piercy | 17/49/9-06 | #5758238

**30. ADOPTION OF BUDGET .....46**  
J Ritchie | 63/2/6-01 | #5757804

## CONFLICT OF INTEREST / MATERIAL PERSONAL INTEREST

1. Cr Moller declared that those Councillors elected as members of the Unity Team comprising *Councillors Manning, Schilling, James, Bates, O'Halloran, Richardson* and himself have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in item 11 Rates Based Financial Assistance Policy due to a donor, Theo Bacalakis, donating to the Unity Team: \$500 on 08/03/2012 and \$1000 on 15/02/2016. Mr Bacalakis is Founder of St John's, who appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

There are in excess of 200 not-for-profit entities who will benefit from the Rates Based Financial Assistance Policy and each of these have Committees. There may be individuals who have donated to Unity within any one of those committees. We have done our best due diligence in preparing this disclosure but accept that it is not feasible to contact 200+ committees to verify their current committee members.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

Cr Manning informed the meeting that he may have the same conflicts of interest as that described by Councillor Moller. He has also determined that this personal interest is not of sufficient significance that it might lead to making a decision on this matter that is contrary to the public interest.

Cr Schilling informed the meeting that he may have the same conflicts of interest as that described by Councillor Moller. He has also determined that this personal interest is not of sufficient significance that it might lead to making a decision on this matter that is contrary to the public interest.

Cr James informed the meeting that he may have the same conflicts of interest as that described by Councillor Moller. He has also determined that this personal interest is not of sufficient significance that it might lead to making a decision on this matter that is contrary to the public interest.

Cr Bates informed the meeting that he may have the same conflicts of interest as that described by Councillor Moller. He has also determined that this personal interest is not of sufficient significance that it might lead to making a decision on this matter that is contrary to the public interest.

Cr O'Halloran informed the meeting that he may have the same conflicts of interest as that described by Councillor Moller. He has also determined that this

personal interest is not of sufficient significance that it might lead to making a decision on this matter that is contrary to the public interest.

Cr Richardson informed the meeting that she may have the same conflicts of interest as that described by Councillor Moller. She has also determined that this personal interest is not of sufficient significance that it might lead to making a decision on this matter that is contrary to the public interest.

2. Cr Manning declared that he may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to his role as Vice Patron for Surf Lifesaving Queensland, Patron for the Cairns Junior Coral Society and Patron for the Australian Red Cross, who appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

3. Cr Moller declared that he may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to his respective roles as Honorary solicitor for: Gordonvale Turf Club, Gordonvale Golf Club, Southern Suburbs Junior Rugby League, Gordonvale Bowls Club, Animal Welfare Cairns Inc, and Babinda & District Aged Care Association Inc. FNQ Cricket Commissioner for: Cairns Cricket Association and Mulgrave Combined Cricket Association. Sponsor: of Pyramid Polocross Club Inc and Southern Suburbs Junior Rugby League. Committee member: for Pyramid Residential Care Centre Inc. Legal adviser for: The Greek Orthodox Archdiocese - St Johns and Foundation member of Gordonvale Mens Shed Inc. Each of which appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in these discussions and voting on these matters.

4. Cr Schilling declared that he may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to his status as Patron with the Edmonton Storm

Juniors who appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

5. Cr Zeiger declared that she may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to her status as Patron of the Saints Hockey Club, her board member role with Junction Clubhouse (falling under the umbrella of the Mental Illness Fellowship North Queensland Inc) and her role as Chair for a Mission Australia steering committee.

Each of these organisations appears in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

She has determined that this personal interest is not of sufficient significance that it will lead her to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, she will best perform her duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

6. Cr Bates declared that he may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to his role as President of the Cairns Cycling Club who appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

7. Cr Cooper declared that she may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based

Financial Assistance Policy due to a campaign donation of \$500 for the 2012 and 2016 local government election received from Theo Bacalakis. Mr Bacalakis is Founder of St John's who appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

She has determined that this personal interest is not of sufficient significance that it will lead her to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, she will best perform her duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

8. Cr O'Halloran declared that he may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to his role as Patron for both the Cairns Band and the Cultural Centre who appear in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

9. Cr Olds declared that he may have a perceived conflict of interest (as defined by section 175D of the *Local Government Act 2009*) in Item 11 Rates Based Financial Assistance Policy due to his office bearer roles with Ellis Beach Surf lifesaving Club, Clifton Beach Tennis Club & he is a member of the Surf Life Saving Club Queensland Council, Cairns District Junior Rugby League (as the Chair Ian Lydiard donated \$500 to my campaign).

Each of these appears in the list of over 200 not-for-profits eligible for Rates Based Financial Assistance.

He has determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest.

In accordance with section 175F of the *Local Government Act 2009*, Minister Hinchliffe has, by signed notice, approved participation of Councillors on this matter, in this meeting.

Therefore, he will best perform his duty of serving the overall public interest of the whole of the Cairns regional area by participating in this discussion and voting on this matter.

10. Mr John Andrejic, the Chief Executive Officer, informed the meeting that he may have a perceived conflict of interest as defined by Section 175 of the *Local Government Act 2009* in relation to item 11 in open session, Rates Based Financial Assistance Policy, as he is the Treasurer of the Edmonton Amateur Fishing Club who receive an ongoing benefit from the operation of the Policy. He proposes to leave the Chambers while this matter is discussed and voted on.

## **Mayor's Budget Address 2018 – 2019**

It gives me great pleasure today to present Cairns Regional Council's 2018-2019 Budget – the sixth consecutive balanced budget of this Council.

This is the seventh Budget I have handed down on behalf of Council and one that again invests heavily in our city while minimising the cost impact on our residents and our businesses.

I am proud to say that this responsible and financially prudent Budget is the product of a unified and collaborative approach in the interests of the city as a whole.

As a Council, we must make the right investments and deliver the right infrastructure to protect what we love about where we live. At the heart of that work is strong financial management which has been a hallmark of this Council from the outset.

Today's \$301 million Budget maintains Council's record of low rates rises, low debt and significant expenditure in capital works to deliver critical new infrastructure and to manage and improve our existing assets.

Over the past four years Council has kept increases in general rates to just 1.5%-1.75% per year – a result of fiscal discipline, adopting best practice, and supporting innovation and new thinking.

This is important because we cannot ask residents to pay more unless we are certain we are doing all we can to get best value for the ratepayer dollar.

Disciplined financial management and responsible decision making have also yielded surpluses totalling \$21.8 million in operating expenditure over the past four budget cycles, and this has been achieved whilst delivering an annual capital works program ranging from \$120 million to a record \$178 million.

Our works program has typically been structured to not only provide the "lifestyle" projects that enrich the lives of our residents and make Cairns a region of choice – a place where people want to live, not a place they have to live – but to also meet the need for new or improved core infrastructure, investing more than \$61 million in our water network, and \$56 million on improving our wastewater facilities over the past 6 years.

The Budget being announced today is again balanced and maintains Council's enviable position in relation to debt levels and our ability to service that debt, with Cairns still rated as having the second lowest debt per capita among medium to large councils in Queensland.

It's an exciting time for Cairns and the Local Government Area as we continue on an upward trajectory. Renewed investment and confidence in our city and region is delivering growth and opportunity.

The economic base of our region is broadening and deepening, being led by a tourism industry that continues to mature and grow.

We know that a strong economy is a critical pillar that underpins the quality of life of our community.

And while we are fortunate to live in this part of the world, we need to work together as a region to ensure we secure long-term prosperity.

Recently, Council endorsed a new Economic Development Strategy to focus on what's important to achieve this goal and an important objective outlined in this document is to build a shared vision which will be critical to ensure we remain focused on delivering the infrastructure, programs and policy that will underpin the long-term future of our city, our region and our community.

This project is now underway, but to be successful it will require the buy-in of key regional stakeholders, all levels of government and the community.

It will require us to collaborate closely and work collectively to identify and build consensus on the key initiatives that will shape the future of Cairns and contribute to an improved quality of life for our community.

Currently the city is abuzz with construction of the three new Crystalbrook tower hotels at full pace. We look forward to the opening of the first of these new tourism assets in November this year which will create more jobs, as will the Nova City project and the expansion of the Cairns Convention Centre when it begins.

Council also has a critical role in job creation, through its significant capital works program which we recognise is a major contributor to the city's economy and influences business and consumer confidence.

This year, the Budget will stimulate our economy through the expenditure of \$374 million in the community through materials and services associated with delivering the Capital Works program; and on maintenance, renewals and other services delivered to the community.

Council has increased its funding from \$3 million to \$3.4 million to drive economic activity by marketing the region as a premier tourist destination, and we will spend \$1.1

million to support and develop major sporting and significant cultural events that deliver economic benefits to the region including the Cairns Adventure Festival and Ironman, Targa Great Barrier Reef, the NRL game, the Para Pan Pacific Championships, Australian Dolphins training camps, and international cycling events Reef to Reef 2018 and 2019.

This year's \$165.7 million Capital Works program features \$17.7 million for the new Cairns Performing Arts Centre due for handover in the fourth quarter of this year, will take our city's cultural and entertainment venues to a new level.

The project had an initial launch budget of \$66.5 million. During the construction period, Council's constant oversight of the project resulted in scope changes of \$3.9 million. These scope changes will greatly add to the functionality of the building and its ability to serve this community for many decades.

We recognise the State Government's contribution of \$15 million and the Federal Government's contribution of \$10 million towards this important project.

Furthering our goal of being the Arts and Cultural Capital of Northern Australia, the Budget also provides funding to commence the development of the new Gallery Precinct in the CBD encompassing the existing Regional Gallery, the historical Courthouse, and the former Mulgrave Shire building on the Esplanade.

This project is dependent on State and Federal Government financial assistance – in equal shares with Council. Applications are before the two senior levels of Government at this time.

\$2.1 million has been allocated in this Budget to complete a conservation management plan and to refurbish the Courthouse with a view to activating the space as we develop the longer-term visionary plans for the Gallery Precinct.

Importantly, this year's capital works program again has a strong focus on delivering improved infrastructure in our suburbs, with \$27.2 million set aside for roads, bridges and kerb and channelling.

\$30 million will be spent on improving our water infrastructure, \$19 million on the wastewater network, \$5.6 million on our drainage systems, \$3.8 million to create new parking spaces in the very busy hospital precinct, and \$2.3 million on footpaths.

I truly believe that Cairns is the best place in Australia to live, work, relax and do business. That does not mean that it cannot be a better place.

This Budget allows for further significant investment in our community's wellbeing, with \$29 million for improvements to parks, sporting facilities, recreational areas, boat ramps, and cycle ways.

The funding includes \$7.7 million to progress the much-anticipated Northern Beaches Leisure Trail which will deliver the Palm Cove to Trinity Beach link, and the Machans

Beach and Holloways Beach connection over Barr Creek. A further \$5.2 million is earmarked for next year's Budget.

Other highlights in this sector are:

- \$3.4 million to develop parklands at Redlynch for recreational activities.
- \$2 million to construct roofs over the Cairns Tennis Centre and Cairns Netball courts
- \$1.5 million for parks and playgrounds
- \$1.5 million to improve the Holloways Beach foreshore
- \$1.3 million to replace the Centenary Lakes boardwalk
- \$1.1 million to complete the replacement of the Esplanade boardwalk
- \$1 million to upgrade amenities at Alley Park, and
- \$700,000 to improve facilities at three of our well-used boat ramps.

In addition, the Budget allows for:

- \$2.3 million in grants to support community organisations and groups and to fund local events
- \$1.4 million for lifeguard services at the Lagoon and local beaches
- \$1.9 million in security services to boost safety in the CBD, and
- \$1.4 million to support Cairns Art Gallery operations.

As mentioned before, this Council's record of keeping rate rises to a minimum is undisputed and this year is no different.

The rise in the general rate for 2018-2019 is 1.7 per cent which matches the current CPI and, because there are no changes in State land valuations this year, it means that all residential ratepayers will pay only an additional 1.7%.

A 1.7% increase will also be levied on sewerage and cleansing charges and the water access fee, with residential water usage to rise by just 2 cents a kilolitre.

Our annual benchmarking exercise, as you can see on the screen shows that Cairns is the lowest of 11 other cities and towns in Queensland when you take all feeds into account. We will again undertake this exercise later this year but I'm confident we will stay in a similar position because we are locked into a long-term financial model that is based on raising rates at or around CPI.

We have taken into account significant investment in infrastructure creation and renewal in our long-term financial forecast, with capital expenditure for the next 10 years averaging \$160 million per annum.

There will be challenges ahead and State and Federal Governments will be expected to "step up to the plate" and meet their fair share of investment in our strongly growing city and region. Council has carried a great deal of this load over the past 4-5 years.

Today's Budget not only reflects the positive changes this organisation has implemented over a number of years, but provides for a sustainable local government that is well positioned to prosper from opportunities before us.

It recognises the need for fiscal responsibility and accountability and provides for the delivery of services which this community has the right to expect.

Cairns is on track to become the largest city in the north of this country and, as such, deserves the investment required to provide the same level of services and living conditions as residents enjoy in the southern part of the continent.

As a Council, we will work with other key stakeholders in our region in a bid to secure the commitment required from all levels of Government to deliver the investment and policy required to enable our community to thrive.

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

Council exists for no other reason than to ensure the provision of services and infrastructure to our city and its people and I am very proud of all of our Council management and staff and the job they do in achieving this goal. Thank you for that.

I commend the 2018-2019 Cairns Regional Council Budget to you for its adoption, and I will now deal with the respective resolutions:

Cr Schilling left the meeting 9:45 a.m.  
Cr Schilling returned 9:46 a.m.

## **PURPOSE OF MEETING**

**To consider the matters listed on the agenda.**

1. ADOPTION OF THE CAIRNS REGIONAL COUNCIL ASSET MANAGEMENT STRATEGY 2018-28 ..... 5  
B Gardiner | 1/3/21-20 | #5755502

## **SCHILLING / MOLLER**

**That Council endorses the Asset Management Strategy 2018-28.**

*carried unanimously*

2. CAIRNS REGIONAL COUNCIL OPERATIONAL PLAN 2018/19..... 36  
N Masasso | 1/3/37 | #5759141

## MANNING / MOLLER

**That Council adopts the Cairns Regional Council Operational Plan 2018/19.**

*carried unanimously*

3. APPLICATION OF THE COMPETITIVE NEUTRALITY PRINCIPLE TO  
CAIRNS WORKS ..... 47  
S Owens | 17/25/2-13| #5692405

## COOPER / ZEIGER

**That council:**

1. **Not apply the competitive neutrality principle in the form of commercialisation to Cairns Works for the 2018/19 financial year for the following reasons:**
  - a. **This method of reform is inconsistent with the way Council intends to operate Cairns Works;**
  - b. **The application of the full cost pricing method that is also required under this method of reform is not suitable for the reasons mentioned below; and**
  - c. **The costs of this reform outweigh the benefits to the Community**
2. **Not apply the competitive neutrality principle in the form of full cost pricing to Cairns Works for the 2018/19 financial year for the following reasons:**
  - a. **Cairns Works does not intend to compete in the public market and will only provide goods and services to Council; and**
  - b. **The costs of this reform outweigh the benefits to the Community.**
3. **Wind up the Commercial Business Unit that conducts the Cairns Works business activity. Cairns Works will still continue to operate as an ordinary activity of Council, however it will no longer be subject to the competitive neutrality principle under the National Competition Policy Framework.**

*carried unanimously*

4. NATIONAL COMPETITION POLICY IMPLEMENTATION FOR THE 2018/19 FINANCIAL YEAR..... 55  
S Owens | 17/25/2-13 | #5611242

## COOPER / SCHILLING

### That council:

1. **Note that the following are all business activities that are to be conducted by Council during the 2018/19 financial year:**
  - a. Cairns Water
  - b. Cairns Resource Recovery
  - c. TicketLiNK
  - d. Car Parking
  - e. Cemeteries
  - f. Botanical Gardens Visitor Centre
  - g. Munro Martin Parklands
  - h. Tanks Arts Centre
  - i. Cairns Performing Arts Centre (CPAC)
  - j. Barlow Park
  - k. Swimming Pools
  - l. Sugarworld Water Park
  - m. Libraries
  - n. Caravan Parks
2. **Note that for the 2018/19 financial year, the identified significant business activities of Council which are subject to the National Competition Policy (NCP) under Section 43 of the *Local Government Act 2009* are:**
  - a. Cairns Water
  - b. Cairns Resource Recovery
3. **Note that the competitive neutrality principle will be applied to all of the identified significant business activities for the 2018/19 financial year. The level of reform applied to the significant business activities is:**
  - a. Cairns Water – commercialisation
  - b. Cairns Resource Recovery – commercialisation
4. **Note that it will not conduct any significant business activities that were not conducted in the preceding financial year, that is, there are no new significant business activities to be conducted in the 2018/19 financial year.**
5. **Note that for that 2018/19 financial year, the following are prescribed business activities under Section 39 of the *Local Government Regulation 2012*:**
  - a. Cairns Water
  - b. Cairns Resource Recovery
  - c. TicketLiNK
  - d. Car Parking
  - e. Cemeteries
  - f. Botanical Gardens Visitor Centre
  - g. Munro Martin Parklands
  - h. Tanks Arts Centre
  - i. Cairns Performing Arts Centre (CPAC)
  - j. Barlow Park

- k. Swimming Pools
- l. Sugarworld Water Park
- m. Libraries

6. Note that the code of competitive conduct will mandatorily apply to a 'building certifying activity' within the meaning of Section 47(4) of the *Local Government Act 2009*. Council note that it will not conduct a business activity within the meaning of a 'building certifying activity' in the 2018/19 financial year.
7. Note that the code of competitive conduct will mandatorily apply to a 'roads activity' within the meaning of Section 47(5) of the *Local Government Act 2009*. Council note that it will not conduct a business activity within the meaning of a 'roads activity' in the 2018/19 financial year.
8. Decide by resolution, for the 2018/19 financial year, that the following prescribed business activities apply the code of competitive conduct under Section 47(7) of the *Local Government Act 2009*:
  - a. Cairns Water
  - b. Cairns Resource Recovery
9. Decide by resolution, for the 2018/19 financial year, that the following prescribed business activities do not apply the code of competitive conduct under Section 47(7) of the *Local Government Act 2009*, for the reasons provided:

Business Activity	Reason
TicketLiNK	Principle purpose to ticket Council events and shows
Car Parking	Principle purpose to increase availability of parking in the Cairns CBD
Cemeteries	Primarily undertaken as a community service, with little or no competition
Botanical Gardens Visitor Centre	Primarily undertaken as a community facility, with little or no competition
Munro Martin Parklands	Primarily undertaken as a community facility, with little or no competition
Tanks Art Centre	Primarily undertaken as a community facility, with little or no competition
Cairns Performing Arts Centre	Primarily undertaken as a community facility, with little or no competition
Barlow Park	Primarily undertaken as a community facility, with little or no competition
Swimming Pools	Primarily undertaken as a community facility, with little or no competition
Sugarworld Water Park	Primarily undertaken as a community facility, with little or no competition
Libraries	Primarily undertaken as a community service, with little or no competition

10. Note that for the 2018/19 financial year, the code of competitive conduct will not apply to the Caravan Parks business activity, which is not a prescribed business activity, as it is under the prescribed threshold.

*carried unanimously*

5. REVENUE POLICY ..... 61  
J Cristaldi | 54/1/1 | #5762845

**MOLLER / SCHILLING**

**That Council adopts the Revenue Policy.**  
*carried unanimously*

6. DEBT POLICY ..... 65  
K Robertson | 17/25/2-13 | #5740417

**O'HALLORAN / SCHILLING**

**That Council adopts the 2018/19 Debt Policy.**  
*carried unanimously*

7. INVESTMENT POLICY ..... 69  
Kerry Robertson | 17/25/2-13 | #5757609

**JAMES / COOPER**

**That Council adopts the Investment Policy.**  
*carried unanimously*

8. RESERVES POLICY ..... 76  
M Gray | 17/49/9-06 | #5737742

**JAMES / SCHILLING**

**That Council adopts the Reserves Policy.**  
*carried unanimously*

9. DIVIDEND POLICY ..... 80  
S Owens | 17/25/2-13 | #5761292

ZEIGER / O'HALLORAN

**That Council adopts the Dividend Policy.**

*carried unanimously*

10. BANK GUARANTEE POLICY ..... 82  
Kerry Robertson | 17/25/2-13 | #5739510

ZEIGER / O'HALLORAN

**That Council adopts the Bank Guarantee Policy.**

*carried unanimously*

11. RATES BASED FINANCIAL ASSISTANCE POLICY ..... 85  
J Cristaldi | 54/1/1 | #5750178

John Andrejic left the meeting 10:08 a.m.

MOLLER / O'HALLORAN

**That Council adopts the Rates Based Financial Assistance Policy.**

*carried unanimously*

John Andrejic returned 10:08 a.m.

12. CONCEALED WATER LEAK POLICY ..... 89  
JC | 54/1/1 | #5762627

BATES / SCHILLING

**That Council adopts the Concealed Water Leak Policy.**

*carried unanimously*

13. PROCUREMENT POLICY.....	94
Julia Deleyev   17/25/1-01   #5747565	

## SCHILLING / MOLLER

**That Council adopts the amended Procurement Policy.**

*carried unanimously*

14. ADOPTION OF DIFFERENTIAL GENERAL RATES FOR THE 2018/19 FINANCIAL YEAR.....	106
J Cristaldi   54/1/1   #5750913	

## JAMES / SCHILLING

**That Council:**

- Resolve, pursuant to section 81 of the Local Government Regulation 2012, the categories in to which rateable land is categorised, the description of those categories and, pursuant to sections 81(4) and 81(5) of the Local Government Regulation 2012, the method by which land is to be identified and included in its appropriate category is as follows:**

### **Summary of Land Use Categories**

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

<b>Category</b>	<b>Description</b>
Residential A	Residential properties with a valuation from \$1 to \$500,000.
Residential B	Residential properties with a valuation from \$500,001 to \$1,000,000.
Residential C	Residential properties with a valuation of \$1,000,001 or over.
Residential J	Residential properties not subject to banding.
Residential K	Residential properties that are building units.
Residential L	Multi Unit Dwellings (Flats).
Residential M	Residential land which is subject to section 50 of the <i>Land Valuation Act 2010</i> .
Commercial B	Major Shopping Centres over 34,999m <sup>2</sup> Gross Lettable Area – Retail (GLAR).
Commercial D	Commercial properties located within the Inner City.
Commercial E	Commercial properties not included in Commercial Categories B, D, F & G.
Commercial F	Properties used by Not for Profit Recreation, Sporting and Community Groups that are eligible for Rates Based Financial Assistance.

Commercial G	Major Shopping Centres over 20,000m <sup>2</sup> and less than 35,000m <sup>2</sup> GLAR.
Rural Productive	All properties which are used predominantly for Primary Production.
Other Land	Land not included in any of the above categories.

### **Description of Land Use Categories**

The following is a description of the land use categories:

**Note:** The zones in CairnsPlan 2016 may be a factor in determining the rating categories for Land Use Codes 01, 04, 06, 09, and 72.

## **RESIDENTIAL**

### **Residential A**

Properties used, or capable of being used for residential purposes with a valuation up to \$500,000.

Ordinarily properties with the following land use codes would fall within this category:

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

### **Residential B**

Properties used, or capable of being used for residential purposes with a valuation from \$500,001 to \$1,000,000.

Ordinarily properties with the following land use codes would fall within this category:

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

- 06 Outbuildings (excluding those in category J and those in commercial categories D and E);
- 09 Group Titles;
- 94 Vacant rural land.

### Residential C

Properties used, or capable of being used for residential purposes with a valuation of \$1,000,001 or over

Ordinarily properties with the following land use codes would fall within this category:

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

### Residential J

Properties (excluding those in categories A to C) where that land's zone is included in CairnsPlan 2016 as Rural residential with a total land area over 10 Hectares or Low density residential with a total land area over 0.5 Hectares or Low-medium density residential with a total land area over 3.5 Hectares or Medium density residential with a total land area over 0.5 Hectares or Tourist accommodation with a total land area over 0.5 Hectares or Community facilities with a total land area over 1 Hectare.

Ordinarily properties with the following land use codes would fall within this category:

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

Properties (excluding those in categories A to C) where that land's Planning Area is included in CairnsPlan 2016 as Low density residential with a total land area over 5 Hectares or Low-medium density residential with a total land area over 3.5 Hectares or Medium density residential with a total land area over 1.5 Hectares or Tourist accommodation with a total land area over 0.5 Hectares or Community facilities with a total land area over 1 Hectare.

Ordinarily properties with the following land use code would fall within this category:

- 05 Large Homesite – Dwelling - Urban and Rural; and

**Properties used as Residential Institutions (non-medical care).**

**Ordinarily properties with the following land use code would fall within this category:**

**21 Residential Institutions (non-medical care);**

**Residential K**

**Properties that are used for residential purposes and the lot is part of a Community Title Scheme.**

**Ordinarily properties with the following land use code would fall within this category:**

**08 Building Units**

**Residential L**

**Properties that are used for multi residential (flats) purposes.**

**Ordinarily properties with the following land use code would fall within this category:**

**03 Multi Unit Dwelling (Flats)**

**Residential M**

**Properties that comply with section 50 of the *Land Valuation Act 2010*.**

**Ordinarily properties with the following land use code would fall within this category:**

**72 Residential land which is subject to section 50 of the Land Valuation Act 2010.**

**COMMERCIAL**

**Commercial B**

**Properties that 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 34,999m<sup>2</sup>.**

**Ordinarily properties with the following land use codes would fall within this category:**

**12 Shopping Group (more than 6 shops);**

**13 Shopping Group (2 to 6 shops);**

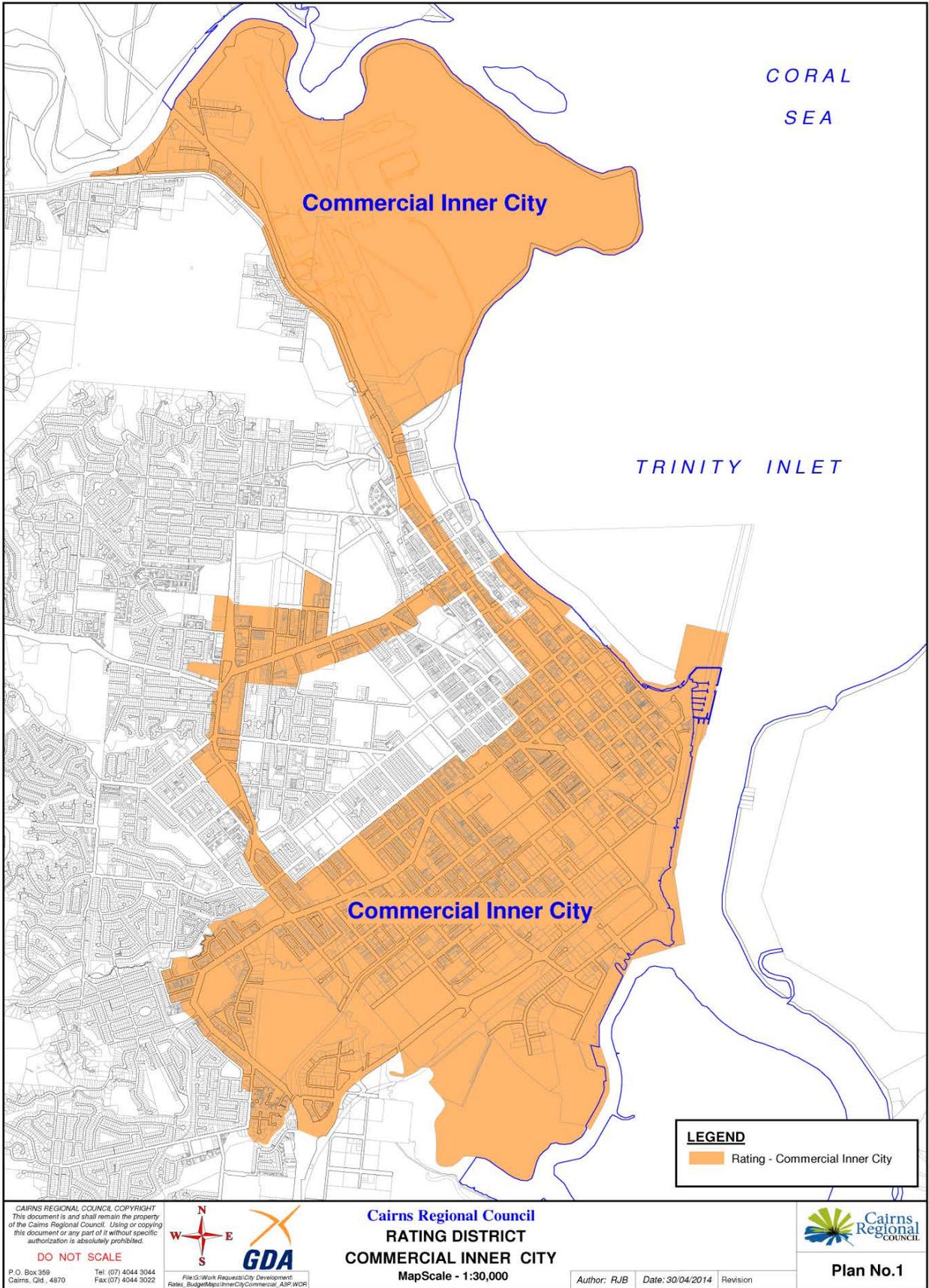
**14 Shops Main Retail;**

**15 Shops Secondary Retail;**

**16 Drive-In Shopping Centres.**

**Commercial D**

**Properties that are used or capable of being used for commercial/industrial purposes and are contained within the shaded area of the below map shown as Commercial Inner City:**



Ordinarily properties with the following land use codes would fall within this category:

- 07 Guest House/Private Hotel;
- 08 Building Units;
- 09 Group Titles;
- 10 Combined Multi Dwelling and Shop;
- 11 Shop - Single;
- 12 Shops - Shopping group (more than 6 shops, excluding those in Categories B and G);
- 13 Shopping group (2 to 6 shops, excluding those in Categories B and G);
- 14 Shops - Main Retail (excluding those in Categories B and G);
- 15 Shops - Secondary Retail (excluding those in Categories B and G);
- 16 Drive In Shopping Centres (excluding those in Categories B and 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; Convalescent 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.

Also including the following properties where that land is included as Principle centre, Major centre, District centre, Local centre, Neighbourhood centre, Mixed-use precinct 1, Mixed-use precinct 2, Low-impact industry, Medium-impact industry, High-impact industry, Waterfront and marine industry, Specialised centre, Strategic Port Land zones within CairnsPlan 2016.

Ordinarily properties with the following land use codes would fall within this category:

- 01 Vacant urban land;
- 04 Large vacant urban land;
- 06 Outbuildings;
- 09 Group Titles;
- 72 Refer to section 50 of the Land Valuation Act 2010.

### Commercial E

Properties that are used or capable of being used for commercial/industrial purposes (excluding those in Commercial Categories B, D and G) and are not contained within the shaded area on the map shown as Commercial Inner City.

Ordinarily properties with the following land use codes would fall within this category:

- 07 Guest House/Private Hotel;
- 08 Building Units;
- 09 Group Titles;
- 10 Combined Multi Dwelling and 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; Convalescent 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.

Also including the following properties where that land is included as Principle centre, Major centre, District centre, Local centre, Neighbourhood centre, Mixed-use precinct 1, Mixed-use precinct 2, Low-impact industry, Medium-impact industry, High-impact industry, Waterfront and marine industry, Specialised centre zones within CairnsPlan 2016.

Ordinarily properties with the following land use codes would fall within this category:

- 01 Vacant urban land;
- 04 Large vacant urban land;
- 06 Outbuildings;
- 09 Group Titles;
- 72 Refer to section 50 of the Land Valuation Act 2010.

**Commercial F**

Properties in this category must qualify for rate assistance under Council's Rates Based Financial Assistance Policy.

**Commercial G**

Properties that 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 20,000m<sup>2</sup> and less than 35,000m<sup>2</sup>.

Ordinarily properties with the following land use codes would fall within this category:

- 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.

**RURAL PRODUCTIVE**

Properties which are used predominately for Primary Production.

Ordinarily properties with the following land use codes would fall within this category:

- 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.

#### **OTHER LAND**

Land not included in any of the above categories.

2. Resolve to delegate to the Chief Executive Officer the power, pursuant to sections 81(4) and 81(5) of the Local Government Regulation 2012, to identify the rating category to which each parcel of rateable land belongs.
3. Resolve, pursuant to section 94 of the Local Government Act 2009 and section 80 of the Local Government Regulation 2012, the differential general rate to be made and levied for each differential general rate category and, pursuant to section 77 of the Local Government Regulation 2012, the minimum general rate to be made and levied for each differential general rate category, as follows:

#### **Differential General Rate and Minimum Rate for each Category**

<b>Category</b>	<b>Cents in the dollar</b>	<b>Minimum</b>
Residential A	0.613826	\$886.70
Residential B	0.552444	\$3,069.10
Residential C	0.491060	\$5,524.40
Residential J	0.613826	\$886.70
Residential K	1.103142	\$886.70
Residential L	0.787870	\$1,330.00
Residential M	0.613826	Nil
Commercial B	4.454998	\$1,142,479.30
Commercial D	1.739016	\$913.80
Commercial E	0.911760	\$913.80
Commercial F	0.613826	\$886.70
Commercial G	3.256214	\$480,971.80
Rural Productive	1.356656	\$913.80
Other	0.911760	\$913.80

*carried unanimously*

15. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR  
HOLLOWAYS BEACH ROCK WALL STAGE 1 ..... 117  
Shaun Owens | 17/25/2-13 | #5764943

## RICHARDSON / O'HALLORAN

**That Council adopt the 2018/19 Annual Implementation Plan for Holloways Beach Rock Wall Stage 1.**

*carried unanimously*

16. HOLLOWAYS BEACH ROCK WALL STAGE 1 – SPECIAL CHARGE 123  
K Robertson | 17/25/2-11 | #5736646

## RICHARDSON / COOPER

**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 2018/19 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 7	RP709285	10.06
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 2019.
  - ii. If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:
    - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
    - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9 Division 2 of the *Local Government Regulation 2012* as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

*carried unanimously*

17. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR HOLLOWAYS BEACH ROCK WALL STAGE 2A ..... 129  
 Shaun Owens | 17/25/2-13 | #5770918

**RICHARDSON / SCHILLING**

**That Council adopt the 2018/19 Annual Implementation Plan for Holloways Beach Rock Wall Stage 2A.**

*carried unanimously*

18. HOLLOWAYS BEACH ROCK WALL STAGE 2A – SPECIAL CHARGE ..... 135  
 K Robertson | 17/25/2-13 | #5736652

**RICHARDSON / SCHILLING**

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

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

**Special Charge**

- a. Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 2A will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the seaward side of that individual parcel.
- b. Council makes a special charge for the 2018/19 financial year to be levied on each parcel to the extent specified below:

Lot No.	Registered Plan	Amount
14	709285	\$2,480.12
48	709285	\$2,480.12
8	742713	\$947.40

- c. That the Special Charge – Holloways Beach Rock Wall Stage 2A be levied over a period of 20 years from 2004.
- d. That the Special Charge – Holloways Beach Rock Wall Stage 2A be repaid at market value where the amount owed is paid prior to the 20 year expiry.

- 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 2019.
  - ii. If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:
    - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
    - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9, Division 2 of the *Local Government Regulation 2012*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

*carried unanimously*

19. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR HOLLOWAYS BEACH ROCK WALL STAGE 2B ..... 141  
 Shaun Owens | 17/25/2-13 | #5770946

**RICHARDSON / SCHILLING**

**That Council adopt the 2018/19 Annual Implementation Plan for Holloways Beach Rock Wall Stage 2B.**

*carried unanimously*

20. HOLLOWAYS BEACH ROCK WALL STAGE 2B – SPECIAL CHARGE ..... 147  
 K Robertson | 17/25/2-13 | #5736677

**RICHARDSON / SCHILLING**

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

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

**Special Charge**

- a. Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 2B will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the sea ward side of that individual parcel.
- b. Council makes a special charge for the 2018/19 financial year to be levied on each parcel to the extent specified below:

Lot No.	Plan	Amount
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

- c. That the Special Charge – Holloways Beach Rock Wall Stage 2B be levied over a period of 19 years from 2005.
- d. That the Special Charge – Holloways Beach Rock Wall Stage 2B be repaid at market value where the amount owed is paid prior to the 19 year expiry.
- 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 2019.
  - ii. If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:
    - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
    - on a pro rata gross floor area basis, if the rateable lots are created by building format plan
- f. In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g. If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h. If any adjustment of a special charge which has already been levied is required under Chapter 4, Part 9, Division 2 of the *Local Government Regulation 2012*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

*carried unanimously*

21. ADOPTION OF 2018/19 ANNUAL IMPLEMENTATION PLAN FOR BLUEWATER CANAL..... 153  
J Rillstone | 17/25/2-13 | #5772934

## RICHARDSON / COOPER

**That Council adopt the 2018/19 Annual Implementation Plan for Bluewater Canal.**

*carried unanimously*

22. BLUEWATER CANAL – SPECIAL CHARGE ..... 161  
K Gresser | 63/2/6-01 | #5676073

## RICHARDSON / MOLLER

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

1. **That Council makes and levies a special charge on the land identified in this resolution for the purpose of funding works for the dredging and maintenance of the Bluewater Canal, Half Moon Creek and Offshore Channel.**
2. **At its meeting held on 23 June 2014, Council adopted the overall plan for the carrying out of the works identified as follows:**
  - a. **The rateable land to which the plan applies is the land specified in this resolution;**
  - b. **The service facility or activity for which the plan is made is the dredging and maintenance of Bluewater Canal, Half Moon Creek and Offshore Channel specified in Attachment 3 and providing for as the major elements:**
    - **dredging of the Bluewater Canal, Half Moon Creek and Offshore Channel, including spoil disposal;**
    - **maintenance of channel markers and lights;**
    - **hydrographic surveys;**
  - c. **The time for implementing the overall plan is seven (7) years, beginning on 1 July 2014 and ending on 30 June 2021; and**
  - d. **The estimated cost of implementing the overall plan is \$5,250,000 across the seven (7) year period. The special charge is intended to raise approximately 83% of the funds, with the remaining 17% to be funded by Council from other sources in recognition of the fact that the canal, creek and channel are also accessed by other users via the public boat ramps at Bluewater and Yorkeys Knob.**

3. The land to which the special charge applies will specially benefit from the works, as compared to other areas of the Cairns region generally, for the reason that such land has the benefit of direct access to the canal, creek and offshore channel, the subject of the works. In addition, the land forms part of the canal estate which by its nature specifically contributes to the requirement that the canal, creek and offshore channel be dredged on a regular basis to allow access to the land and marine berths.

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

- a. Yorkeys Knob Marina's downstream location; and
  - b. the fact that dredging does not take place within 29 metres of the water frontage of the land located on Riverside Parade, but that this particular land will nevertheless get the benefit of the dredging and maintenance works further downstream.
4. The following special charges are hereby made for the 2018/19 financial year:

Property Description	Amount of special charge
Lots 1 to 37 on SP165903	\$2,012.56 per lot
Lots 1 to 2 on SP279525	\$2,012.56 per lot
Lots 39 to 41 on SP165903	\$2,012.56 per lot
Lots 42 on SP241494	\$2,012.56 per lot
Lots 44 to 65 on SP165903	\$2,012.56 per lot
Lots 79 to 116 on SP165903	\$2,012.56 per lot
Lot 117 on SP261231	\$2,012.56 per lot
Lots 119 to 130 on SP165903	\$2,012.56 per lot
Lots 22 to 23 on SP224676	\$1,006.28 per lot
Lots 24 to 31 on RP737271	\$1,006.28 per lot
Lots 32 to 43 on RP737260	\$1,006.28 per lot
Lot 1860 on SP264300 (the "Bluewater Marina")	\$217,356.48
Lot 26 on SP122863 (the "Yorkeys Knob Marina")	\$138,932.28

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 2019.
  - 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.

*carried unanimously*

23. ADOPTION OF SEWERAGE UTILITY CHARGES FOR THE 2018/19  
FINANCIAL YEAR..... 171  
J Cristaldi | 54/1/1 | #5751031

## BATES / O'HALLORAN

**That Council resolve, pursuant to section 94 of the Local Government Act 2009 and section 99 of the Local Government Regulation 2012, Council make and levy sewerage utility charges, for the supply of sewerage services by the Council, as follows:**

## **Sewerage**

Sewerage charges shall be made for the cost of supplying a service for the removal of sewage for the 2018/19 financial year in accordance with the following:

### **(a) Residential**

- (i) A standard charge of **\$784.16** to be applied in accordance with the following:
  - i. For each residence, each flat and each strata title unit.
  - ii. For each residence and/or each flat erected over two allotments of land with a total land area of less than 1190m<sup>2</sup> where Council is prepared to accept sewage.
- (ii) A charge of **\$624.32** to be applied to each vacant allotment.
- (iii) A standard commercial charge per Water Closet (WC) will apply to properties where strata title units have pedestals/urinals servicing common property.

### **(b) Commercial**

A standard charge of **\$670.90** per WC 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, servicing, building and like industries, erected on one allotment of land, a separate charge for each WC
- (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, servicing, building and like industries, erected over two or more allotments of land, a separate charge for each WC
- (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, servicing, 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 exempt from rating under section 93 of the Local Government Act 2009 and section 73 of the Local Government Regulation 2012 excluding however, places of worship, a charge in accordance with the applicable basis set out in subclause (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 73 of the Local Government Regulation 2012 a charge of 50% of the standard charge for each WC, 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 25% 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 WC 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 WC per improvement shall apply.
- (ix) The rating on the basis set out above to 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 2017 the rate shall be apportioned.

**(c) Rural Productive**

A standard charge of **\$784.16** 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 WC 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.

**(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.
- (iii) A charge for treatment of effluent from effluent storage tanks of **\$331.68** for each residence, each flat, each strata title unit, each shop etc shall apply.

*carried unanimously*

24. ADOPTION OF WATER UTILITY CHARGES FOR THE 2018/19 FINANCIAL YEAR.....	174
J Cristaldi   54/1/1   #5751033	

## BATES / RICHARDSON

That Council resolve:

1. pursuant to section 94 of the Local Government Act 2009 and section 99 of the Local Government Regulation 2012, Council make and levy water utility charges, for the supply of water services by the Council, as follows:

### WATER CHARGES - POTABLE

Water Charges shall be made for the purpose of supplying water for the 2018/19 financial year on the following basis:

#### Residential

- (i) An access charge of **\$264.98** shall 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 1190m<sup>2</sup>.
- (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 **\$1.19** per kilolitre for all water passing through the water meter within the water year.

#### Commercial

- (i) An Access Charge of **\$261.94** shall be applied in accordance with the following:
  - For each vacant allotment, each shop, each office, each school, each hotel, each motel, each hostel, each boarding house, 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 rooms or part thereof, provided for accommodation.
  - In respect of caravan parks, one additional access charge shall apply for every three accommodation units and every six 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 **\$1.26** per kilolitre for all water passing through the meter within the water year. The only exception being:
  - Water supplied to Far North Queensland Ports Corporation Ltd for shipping, which is to be charged at **\$1.74** per kilolitre for each kilolitre passing through the meter. Lessees of Far North

Queensland Ports Corporation Ltd will be charged at the commercial rate with no access charge levied against the shared properties.

### Rural Productive

- (i) An access charge of \$264.98 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 \$1.19 per kilolitre for all water passing through the water meter within the water year.

### 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 improvements share a meter with commercial improvements and the Department of Natural Resources and Mines 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) Meters shall be read on a rotational basis three times each year.
- (vi) Accounts for water usage will be issued three times during the year.

### Water Charges - Recycled

#### Residential

- (i) An access charge of \$64.22 shall be applied for each residence, each flat, each strata title unit and each vacant allotment categorised as residential, which is supplied recycled water through a water meter.
- (ii) In respect of all properties and/or premises at which a water meter is installed on the recycled water service connection to such property and/or premises, recycled water usage shall be charged at the rate of

**\$0.59 per kilolitre for all water passing through the 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 water meter to the subject land.**
- (iv) **Meters shall be read on a rotational basis three times each year.**
- (v) **Accounts for recycled water usage will be issued three times during the year.**

#### **Commercial**

- (i) **An access charge of \$64.22 shall be applied for each separate improvement, as per the commercial rate for potable, and each vacant allotment categorised as commercial, which is supplied recycled water through a water meter.**
  - (ii) **In respect of all properties and/or premises at which a water meter is installed on the recycled water service connection to such property and/or premises, recycled water usage shall be charged at the rate of \$0.59 per kilolitre for all water passing through the 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 water meter to the subject land.**
  - (iv) **Meters shall be read on a rotational basis three times each year.**
  - (v) **Accounts for recycled water usage will be issued three times during the year.**
2. **Resolve, pursuant to section 102(2) of the Local Government Regulation 2012, a water meter is taken to have been read during the period that starts two weeks before, and ends two weeks after, the day on which the meter is actually read.**

*carried unanimously*

25. ADOPTION OF WASTE MANAGEMENT UTILITY CHARGES FOR THE 2018/19 FINANCIAL YEAR..... 178  
J Cristaldi | 54/1/1 | #5751036

#### **O'HALLORAN / MOLLER**

**That Council resolve, pursuant to section 94 of the Local Government Act 2009 and section 99 of the Local Government Regulation 2012, Council make and levy waste management utility charges, for the supply of waste management services by the Council, as follows:**

**Cleansing – Domestic**

(i) A Domestic Cleansing Charge, for the purpose of removal and disposal of refuse for the 2018/19 financial year be set at an amount of **\$375.64** per service and applied in accordance with the following schedule:

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

(ii) A minimum charge of one service to apply on all improved properties for refuse removal and disposal and that a minimum of one annual charge of one 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.

(iii) A minimum charge of **\$187.82** to apply to all properties of South Woolanmaroo Reserve and Russell Heads Reserve East Russell, where those ratepayers have signed an agreement for Council to remove household refuse from an agreed location.

*carried unanimously*

26. ADOPTION OF OVERDUE INTEREST ON RATES AND CHARGES FOR THE 2018/19 FINANCIAL YEAR..... 180

J Cristaldi | 54/1/1 | #5751038

**SCHILLING / JAMES**

That Council resolve, pursuant to section 133 of the Local Government Regulation 2012, compound interest on daily rests at the rate of eleven percent (11%) per annum is to be applied on all overdue rates and charges.

*carried unanimously*

27. ADOPTION OF LEVY AND PAYMENT OF RATES AND CHARGES FOR THE 2018/19 FINANCIAL YEAR..... 181  
J Cristaldi | 54/1/1 | #5751042

## COOPER / SCHILLING

### That Council:

1. **Resolve, pursuant to section 107 of the Local Government Regulation 2012 and section 114 of the Fire and Emergency Services Act 1990, Council's rates and charges, and the State Government's Emergency Management, Fire and Rescue Levy be levied:**
  - a. **for the half year 1 July 2018 to 31 December 2018 – between July and December 2018;**
  - b. **for the half year 1 January 2019 to 30 June 2019 – between January and June 2019**
2. **Resolve, pursuant to section 118 of the Local Government Regulation 2012, that Council's rates and charges, and the State Government's Emergency Management, Fire and Rescue Levy, be paid within no less than 30 days after the date of the issue of the rate notice.**

*carried unanimously*

28. ADOPTION OF RATES CONCESSIONS FOR THE 2018/19 FINANCIAL YEAR ..... 183  
J Cristaldi | 54/1/1 | #5751044

## O'HALLORAN / SCHILLING

**That Council resolve, pursuant to sections 120, 121 and 122 of the Local Government Regulation 2012, a rebate of the general rate of up to 40% be applied to all ratepayers who are pensioners and who are eligible for the State Government pensioner remission to a maximum of \$1,350 per annum.**

**The upper limit of total remission will not to exceed 5% of Council's total net general rates at which point the 40% remission is to be reduced on a pro rata basis.**

*carried unanimously*

29. STATEMENT OF ESTIMATED FINANCIAL POSITION ..... 184  
J Piercy | 17/49/9-06 | #5758238

**ZEIGER / COOPER**

**That Council note the Statement of Estimated Financial Position in accordance with section 205 of the Local Government Regulation 2012.**

*carried unanimously*

30. ADOPTION OF BUDGET ..... 189  
J Ritchie | 63/2/6-01 | #5757804

**MANNING / MOLLER**

**It is recommended that, pursuant to section 107A of the *Local Government Act 2009* and sections 169 and 170 of the *Local Government Regulation 2012*, Council’s Budget for the 2018/19 financial year, incorporating:**

- i. The statements of financial position;**
- ii. The statements of cash flow;**
- iii. The statements of income and expenditure;**
- iv. The statements of changes in equity;**
- v. The long-term financial forecast;**
- vi. The revenue statement;**
- vii. The revenue policy (adopted by Council resolution on 25 June 2018);**
- viii. The relevant measures of financials sustainability; and**
- ix. The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget,**

**as tabled, be adopted by Council.**

*carried unanimously*

**THE MEETING CLOSED AT 10:15 AM**

**CONFIRMED THIS 27<sup>TH</sup> DAY OF JUNE 2018**



.....  
**MAYOR**



.....  
**CHIEF EXECUTIVE OFFICER**