

5.7. EXTRAORDINARY DECISION – REVISED UTILITY CHARGES AND ASSOCIATED RATING MATTERS 2021-2022

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DEPARTMENT Finance and Corporate Services

RECOMMENDATION

1. Revised Utility Charges and Associated Rating Matters 2021-2022:

A. Pursuant to section 94B(1) of the *Local Government Act 2009*, that Council make an extraordinary decision to make and levy cleansing utility charges, with effect from 1 January 2022 and ending on 30 June 2022, for the supply of waste management services by the Council, as follows: -

(a) DOMESTIC

- (i) A Domestic Cleansing Charge, for the purpose of removal and disposal of refuse for the 2021/22 financial year be set at an amount of \$521.32 per service per annum 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 (4) 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) Ratepayers may apply for an additional cleansing service and each additional service approved will attract the standard domestic cleansing charge.
- (iv) Ratepayers may apply for an additional recycling only cleansing service and each additional recycling only service approved will attract half of the standard domestic cleansing charge. Each additional recycling only cleansing service will entitle the property to an additional recycling bin for fortnightly servicing, or equivalent.

- (v) That for the purpose of calculating utility charges, the term “Strata Title Unit” is deemed to be each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*.

(b) COMMERCIAL (North of Forest Creek to Cape Tribulation)

A Commercial Cleansing Charge, for the purpose of removal and disposal of refuse for the 2021/22 financial year be set as specified below:-

This charge will be applied to all land north of Forest Creek to Cape Tribulation in the service area that has approved safe access to the roadway on which the collection vehicle travels in the course of carrying out refuse collection on behalf of Council.

The service area includes the following localities: Cow Bay, Diwan, Thornton Beach and Cape Tribulation.

The basis of assessing such charges whether such land is rateable or not shall be as follows:-

- (i) In the area where the services are provided by Council’s day labour force/contractor, a charge of \$404.00 per annum for a weekly refuse removal service for each separate occupancy is to apply.**
- (ii) In the area where the services are provided by Council’s day labour force/contractor, a charge of \$404.00 per unit per annum, for a weekly refuse removal service. The charge is to be levied in accordance with the improvement schedule(s) below.**
- (iii) Commercial properties may apply for additional refuse only cleansing unit(s). Each additional refuse only cleansing unit will entitle the property to an additional refuse bin for weekly servicing, or equivalent at a charge of \$404.00 per unit.**
- (iv) Commercial properties may be provided with special access to the following Transfer Stations for disposal of excess waste and recycling:**
 - 1. Cow Bay Transfer Station**
 - 2. Daintree Transfer Station**
 - 3. Killaloe Transfer Station**
 - 4. Ayton Transfer Station**

IMPROVEMENT SCHEDULE FOR 1/7/2021-31/12/21

	Type of Improvement	Unit
1.	Hotels	10
2.	Cafes/Restaurants	5
3.	Take Away Food Outlets	2
4.	General store/shop	2
5.	School/kindergarten/childcare facility	1
6.	Residential dwelling, including Caretaker residence	1
7.	Caravan Park/camping Ground i. for every 5 sites or part thereof	1
8.	Motel/Resort Accommodation i. for each unit with facilities to enable the preparation and/or cooking of food. (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.)	1
	ii. without facilities to enable the preparation and/or cooking of food - for every three units or part thereof	1
9.	Holiday Cabins i. for every three cabins or part thereof	1
10.	Industrial/Commercial Premises (includes professional offices and industrial/commercial premises not otherwise specified in this schedule) for each shop office	1

IMPROVEMENT SCHEDULE FOR 1/1/2022-30/6/22

	Type of Improvement	Unit
1.	Hotels	10
2.	Cafes/Restaurants	3
3.	Take Away Food Outlets	2
4.	General store/shop	2
5.	School/kindergarten/childcare facility	1
6.	Residential dwelling, including Caretaker residence	1
7.	Caravan Park/camping Ground ii. for every 5 sites or part thereof	1
8.	Motel/Resort Accommodation i. with facilities to enable the preparation and/or cooking of food. (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.) - for every three units or part thereof	1

	Type of Improvement	Unit
	ii. without facilities to enable the preparation and/or cooking of food - for every five units or part thereof	1
9.	Holiday Cabins i. with facilities to enable the preparation and/or cooking of food (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.) - for every three cabins or part thereof	1
	ii. without facilities to enable the preparation and/or cooking of food - for every five cabins or part thereof	1
10.	Industrial/Commercial Premises (includes professional offices and industrial/commercial premises not otherwise specified in this schedule) for each shop office	1

(c) COMMERCIAL (Other)

A Commercial Cleansing Charge, for the purpose of removal and disposal of refuse for the 2021/22 financial year be set as specified below:-

This charge will be applied to all land (other than land north of Forest Creek to Cape Tribulation), that has approved safe access to the roadway on which the collection vehicle travels in the course of carrying out refuse/recycling collection on behalf of Council. The basis of assessing such charges whether such land is rateable or not shall be as follows:-

- (i) In the area where the services are provided by Council's day labour force/contractor and whether or not a recycling service has been introduced, a charge of \$521.32 per annum for a weekly refuse removal service for each separate occupancy is to apply.**
- (ii) In the area where the services are provided by Council's day labour force/contractor and whether or not a recycling service has been introduced, a charge of \$521.32 per unit per annum, for a weekly refuse removal service. The charge is to be levied in accordance with the improvement schedule below.**
- (iii) Commercial properties may apply for an additional recycling only cleansing service and each additional recycling only service approved will attract half of the standard commercial cleansing charge. Each additional recycling only cleansing service will entitle the property to an additional recycling bin for fortnightly servicing, or equivalent.**
- (iv) Eligible commercial properties may apply for an additional refuse only cleansing unit(s). Each cleansing unit will entitle the property to an additional refuse bin for weekly servicing, or equivalent at a charge of \$404.00 per unit and will apply where a private commercial service is not available or the costs of providing the private commercial service are considered excessive due to the location of the property.**

Type of Improvement		Minimum Number of Cleansing Service Units
1.	Caretakers/Managers Accommodation Each	1
2.	Schools/Pre-Schools	
	- Mossman State High School	30
	- Mossman State Primary School	15
	- Mossman State Pre-School	5
	- Daintree State School	1
	- Miallo State School	1
	- Port Douglas State School	4
	- St Augustine's School	6
	- Wonga State School	6
3.	Industrial/Commercial Premises each shop office (Includes professional offices and industrial/commercial premises not otherwise specified in this schedule)	1
4.	Hotels	10
5.	Cafes/Restaurants	2
6.	Take Away Food Outlets	2
7.	Caterer's Premises	3
8.	Grocery/Convenience Store/Supermarkets	4
9.	Halls	1
10.	Churches (including Church Hall)	1
11.	Mossman Hospital	36
12.	Day Care Centre	3
13.	Kindergartens	1
14.	Sporting Clubs	3
15.	Motel/Resort Accommodation	
	i. With facilities to enable the preparation and/or cooking of food. (Examples of these facilities, which are not necessarily exhaustive, would be a combination of two or more of a sink, hotplates, microwave oven, oven etc.)	1
	ii. Without facilities to enable the preparation and/or cooking of food - for every three units or part thereof	1
16.	Holiday Cabins	1
	i. for every three cabins or part thereof	
17.	Marinas	
	i. Up to fifty berths for every two berths	1
	ii. For every additional five berths in excess of fifty berths	1

Type of Improvement		Minimum Number of Cleansing Service Units
18.	Fire Stations, Ambulance Centres, Police Stations, Court Houses i. Station or Centre ii. Each Officer's Residence (where jointly rated with i. above)	1 1
19.	Post Offices	1
20.	Wrecking Yards	2
21.	Mossman Central Mill	10
22	Mini Storage Units (per whole shed)	1

(d) **ALL CATEGORIES**

- (i) That for the purpose of calculating utility charges, the term "Strata Title Unit" is deemed to be each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*.
- (ii) Any property which has more than one use may receive a combination of charges to reflect the varying uses.

; and

B. Pursuant to section 94B(8) of the *Local Government Act 2009*, that Council acknowledges that to the extent that Council's decision, made at its budget meeting held on 15 June 2021, to make and levy cleansing utility charges, for the supply of waste management services is inconsistent with this extraordinary decision, Council's 15 June 2021 budget meeting decision to make and levy cleansing utility charges, for the supply of waste management services, will cease to have effect from (and including) 1 January 2022.

EXECUTIVE SUMMARY

This report provides the recommended resolutions required in relation to the amendment of utility charges and associated rating matters for the 2021/22 financial year, **specifically S94B Local Government Act 2009 by extraordinary decision to amend rates and charges levied for a relevant part of the 2021-2022 financial year.**

ATTACHMENTS

Nil