



A ***SPECIAL (BUDGET) MEETING*** of the Douglas Shire Council will be held on ***FRIDAY 24 JANUARY 2014 at 10.00a.m.*** at the Council Chambers, 64-66 Front Street, Mossman, and the attendance of each Councillor is requested.

AGENDA

'ACKNOWLEDGEMENT OF COUNTRY'

'I would like to acknowledge the Kuku Yalanji people who are the Traditional Custodians of the Land. I would also like to pay respect to their Elders both past and present and extend that respect to other Indigenous Australians who are present.'

- ***Attendance and Apologies***
- ***Conflict of Interest / Material Personal Interest***
- ***Mayor's Budget Address***
- ***Agenda Items as Listed***

A handwritten signature in blue ink, appearing to be "Jeff Tate".

Jeff Tate
ACTING CHIEF EXECUTIVE OFFICER

DOUGLAS SHIRE COUNCIL
SPECIAL (BUDGET) MEETING

24 JANUARY 2014

10.00A.M.

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OPERATIONAL PLAN JANUARY 2014 – JUNE 2014
Darryl Crees – General Manager Corporate Services

RECOMMENDATIONS:

That Council adopt the Operational Plan January 2014 – June 2014.

EXECUTIVE SUMMARY:

Section 174 of the *Local Government Regulation 2012* requires the preparation and adoption of an Operational Plan for each financial year and Council's budget must be consistent with the Plan.

BACKGROUND

The Operational Plan is formulated to identify and determine what actions are to be progressed during the period 01 January to 30 June 2014. The Plan includes ongoing activities and major initiatives, with associated resource requirements, performance indicators, timeframes and responsible officers.

PROPOSAL:

That the Operational Plan be adopted by Council to set the direction for Council operations for the remainder of the 2013/14 financial year.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

The Operational Plan has been prepared in accordance with the requirements of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

FINANCIAL/RESOURCE IMPLICATIONS:

The budget has been prepared to ensure that appropriate resources are available to deliver the activities and initiatives detailed in the Operational Plan.

RISK MANAGEMENT IMPLICATIONS:

Quarterly reporting to Council on the implementation of the Plan will enable senior management, the Mayor and Councillors to closely monitor progress.

INTERNAL/EXTERNAL CONSULTATION:

Consultation has occurred with all sections of Council.

ATTACHMENTS:

Operational Plan January 2014 – June 2014



Operational Plan

JANUARY 2014 – JUNE 2014

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Executive Summary

As of 1 January 2014 Douglas Shire Council has de-amalgamated from Cairns Regional Council and is a fully operating local government authority in its own right. The task of creating the new Council was a challenging one considering the tight timeframes and the primary focus for the first 6 months of operation is to consolidate on the work completed to date while ensuring quality services are provided to the communities of Douglas.

Pursuant to section 174 of the *Local Government Regulation 2012*, Council is required to prepare an Operational Plan which is a statement of actions to be undertaken and services to be provided to achieve the goals and objectives of the organisation. The Operational Plan details both recurring activities and major initiatives to be undertaken for the period 1 January to 30 June 2014 and is segmented by department and section of Council. This plan also includes additional resource requirements, performance indicators, timeframes and responsible officers to manage the work. An assessment on the progress of implementing the Operational Plan will be presented to Council on a quarterly basis, as a minimum.

One of the major initiatives for this Operational Plan is the development of a Corporate Plan for the period 2014 to 2019 which will be adopted in time for the 2014/15 annual budget. Future Operational Plans will be documented to reflect the goals and objectives of the Corporate Plan.

Draft Operational Plan

Key for Operational Plan Abbreviations

CEO	Chief Executive Officer
EC/SPC	Executive Office/Strategy and Policy Co-ordinator
GMO	General Manager Operations
MWW	Manager Water and Waste
MDE	Manager Development and Environment
MI	Manager Infrastructure
GMCS	General Services Corporate Services
MFIT	Manager Finance and Information Technology
MG	Manager Governance
TLL	Team Leader Library
SBSO	Senior Business Support Officer

Chief Executive Officer Unit

Ongoing Activities

The Acting Chief Executive Officer will be responsible for the following:

- Leading and managing the organisation pending the appointment of a Chief Executive Officer
- Providing advice to the elected Council
- Assisting the elected Council in the appointment of a Chief Executive Officer

The Executive Office/strategy and Policy Co-ordinator will be responsible for the following:

- Leading and supervising the CEO Unit ensuring initiatives are completed in a timely and efficient manner.
- Developing strategic planning and policy frameworks and overseeing the development of strategies and policies.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
CEO1	Develop the Corporate Plan for 2014/19		Corporate Plan for 2014/19	30/6/2014	EO/SPC
CEO2	Develop and implement a community engagement frame work, tools and policy		Community Engagement Framework, tools and policy adopted by Council	31/3/2014	EO/SPC
CEO3	Develop and implement a community grants and resources program and policy		Community Grants and Resource program developed and adopted by Council.	30/4/2014	EO/SPC
CEO4	Develop and implement an events strategy and policy		Event strategy and policy completed and adopted by Council.	30/4/2014	EO/SPC

Operations Management

Ongoing Activities

The General Manager Operations will be responsible for the following:

- Leading and managing the operations Department in accordance with organisational strategies and plans
- Delivering departmental income and expenditure within approved budget forecasts
- Complying with all relevant legislation, policies and procedures
- Facilitating disaster management planning and the development of Council's disaster response capabilities, including staff training
- Maintaining, measuring and enhancing, where possible, the delivery of services to our communities

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
OM1	Investigate options for waste collection and disposal from domestic/commercial properties north of the Daintree River	NIL	Development of a sustainable waste strategy that meets the needs of council, the communities and legislation.	31/5/2014	GMO
OM2	Review water security (supply and delivery) information for the Mossman/Port Douglas area and consider interim solutions and plan for the staged delivery of infrastructure in line with projected and actual population/tourism growth and demand.	External consultants may be necessary	Preparation of a strategic report to assist in the development and management of water infrastructure initiatives and the endorsement of a Capital delivery program.	30/6/ 2014	GMO/MWW
OM3	Facilitate the introduction of appropriate technology that will increase efficiencies, capture appropriate information and deliver improved service delivery and management of road assets.	Appropriate hardware and software	Staff trained to the required skill level and systems successfully operating in road asset management.	30/6/ 2014	GMO/MI

Water and Waste

Ongoing Activities

The Water and Waste Section will be responsible for the following:

- Managing the Water and Waste income and expenditure within approved budget and in accordance with Council strategies and plans.
- Meeting compliance with statutory requirements and licence conditions.
- Supplying drinking water and recycled water that meets customer quality requirements and agreed service standards.
- Managing Council contracts and where required, negotiate new contracts relating to water, waste and waste water, including kerbside waste and recycling collection, landfill and waste transfer station operations.
- Maintaining Council's Water and Waste assets to ensure maximum lifespan and output capacity in the lifecycle of those assets.
- Monitoring of systems, procedures and workplace environment to ensure equipment, plant and machinery is safe to operate and work processes comply with workplace health and safety legislation and standards.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
WW1	Separate SCADA and telemetry from the Cairns server and engineer an independent system to support process control and alarm procedures at water, waste water and waste disposal sites.	SCADA Engineering Contractors: Welcon Technologies	Full functionality of all SCADA and telemetry systems as existed before de-amalgamation.	31/3/2014	MWW
WW2	Develop an in-house drinking water testing facility to provide accurate rapid detection of bacteriological contamination.	Consultation with Laboratories and Regulators.	Accurate repeatable test results. Negotiate with Regulator to accept in-house analyses and future inclusion in the Drinking Water Quality Management Plan. Reduction of NATA laboratory analyses and cost.	30/4/2014	MWW

Major Initiatives					
Action		Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
WW3	Investigate ways to optimise waste water plants to improve capacity, final effluent quality and reduce power consumption.	Chemical engineering consultants	Implement recommendations to improve cost effective waste water operations.	31/5/2014	MWW
WW4	Upgrade of bio-solid handling facility at Mossman WWTP to minimise the contact between workers and waste water products.	Civil Contractors and bio-solid transport contractor	Installation of a safe and efficient mechanism to collect bio-solids from the filter belt press and implementation of an economical and safe transport system.	30/6/2014	MWW

Development and Assessment

Ongoing Activities

The Development and Environment Section will be responsible for the following:

- Ensuring land use assessment and environmental planning functions are carried out in accordance with statutory requirements including processing of Development Applications and Operational Works Applications within legislated timeframes.
- Ensuring compliance with State legislation, Council Local Laws and the Shire Planning Scheme.
- Administering Local Law, Environmental Health and other delegated licensing, permitting and registration functions.
- Undertaking strategic land use planning functions in accordance with statutory requirements.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
DA1	Commence review of the existing planning scheme for the Douglas Shire	External strategic planning professionals engaged as required	Council resolves to review the existing planning scheme with a view to amending or replacing the planning scheme before 2016	30/6/2014	MDE
DA2	Establish and Chair Staff Major Development Co-ordination Group	N/A	Terms of reference for Committee adopted and first meeting held	31/1/2014	MDE
DA3	Facilitate Sheraton Mirage re-development through Staff Major Development Co-ordination Group	External engineering and other professionals engaged if required	Letter of support for the re-development provided by Council and agreement reached and documented with regards to developer infrastructure contributions.	30/6/2014	MDE, Major Development Co-ordination Committee

Infrastructure

Ongoing Activities

The Infrastructure Section will be responsible for the following:

- Contributing to the development and implementation of planning to enhance and preserve the natural and built environment.
- Coordinating asset management so that civil infrastructure assets, and parks and reserves, are operated and maintained to a desired level.
- Coordinating Queensland Reconstruction Authority (QRA) Natural Disaster Relief and Recovery Arrangements (NDRRA) arrangements.
- Coordinating the development and implementation of the Landscape Management Plan.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
I1	Inform development of Asset Management Strategy	Far North Queensland Regional Organisation of Councils (FNQROC); Civica; Reflect and Recover	Conceptual framework for Asset Management adopted by Council for civil infrastructure.	30/6/2014	MI
I2	Establish Queensland Reconstruction Authority (QRA) Natural Disaster Relief and Recovery Arrangements (NDRRA) arrangements	Queensland Reconstruction Authority (QRA)	Establish required administration for any new future QRA NDRRA projects.	30/6/2014	MI
I3	Establish Working Group for Landscape Management Plan	External Researcher; Community consultation	Minimum of 3 Working Group meetings held.	30/6/2014	MI

Corporate Services Management

Ongoing Activities

The General Manager Corporate Services will be responsible for the following:

- Leading and managing the Corporate Services Department in accordance with organisational strategies and plans
- Delivering departmental income and expenditure within approved budget forecasts.
- Complying with all relevant legislation, policies and procedures.
- Coordinating services required for Audit Committee to achieve its outcomes.
- Facilitating an effective Internal Audit function.
- Developing, implementing and monitoring a robust Enterprise Risk Management system.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
CSM1	Establish an Enterprise Risk Management register including ERM General Policy, ERM Framework and ERM Committee Charter.	Jardine Lloyd Thompson – Regional Risk Management Coordinator	ERM Register implemented and outcomes noted by Council. ERM General Policy adopted by Council. ERM Committee established.	30/4/2014	GMCS
CSM2	Establish an Internal Audit Function.	External professional engaged as Internal Auditor.	Internal Auditor engaged and interim audit plan developed for 2013/14 financial year.	31/3/2014	GMCS
CSM3	Establish an Audit Committee.	Appointment of external Audit Committee Member.	Audit Committee General Policy, including charter, adopted by Council. External Audit Committee Member engaged and Audit Committee established.	31/5/2014	GMCS

Finance and Information Technology

Ongoing Activities

The Finance and Information Technology Section will be responsible for the following:

- Delivering Sectional income and expenditure within approved budget forecasts.
- Complying with all relevant legislation, policies and procedures.
- Coordinating the Rates & Water Billing function and managing Debtor balances within acceptable limits.
- Processing Accounts Payable within the allocated timeframes and trading terms.
- Ensuring Payroll is processed in a timely manner and is compliant with all relevant legislation, policies and procedures.
- Supporting Information Technology function with set up of new systems, completion of migration, and ongoing support for Council.
- Periodic reporting in line with Council guidelines and statutory requirements.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
FIT1	Establish framework and plan for 2014/15 Budget	Support from Graham Hall-Watson (Framme), Involvement from all Council Managers and Team Leaders	Budget process to be completed by 31 May 2014 Budget be adopted by Council	31/5/2014	MFIT
FIT2	Review processes, procedures and roles for the entire Finance and Information Technology section	Involvement of Business Support unit and Governance	Clear and precise documentation. Clarity in relation to roles and responsibilities	30/4/ 2014	MFIT

Major Initiatives					
Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
FIT3	Develop and implement Financial Variance report and establish weekly Budget review workshops with Managers for the first 6 months of 2014.	Attendance by all Council Managers and Team Leaders	Weekly meetings with individual Unit's to identify and address variances to Budget Review results and instil financial discipline within Council	31/1/2014	MFIT
FIT4	Review current contract register and commence a new tender process, giving opportunity to a broader range of suppliers	Involvement from all Council Managers and Team Leaders, potential Suppliers	Identify potential new suppliers across all of council through tender process Savings and increased efficiency a result of the tender process	31/5/2014	MFIT
FIT5	Assess asset values across the business with a view to completing a formal revaluation.	Asset users / those in the council knowledgeable with regards to asset lives & value in use.	Updated asset register with updated values of assets held by council	30/6/2014	MFIT
FIT6	Undertake a comprehensive review of reserve funds held, following completion of the financial due diligence analysis of Douglas financial position as at 31 December 2013.		Report to Council informing of balance of reserve funds held, purpose of reserve and status.	31/5/2014	MFIT

Governance

Ongoing Activities

The Governance Section will be responsible for the following:

- Developing and maintaining an effective risk management system and culture within the Governance Section to mitigate risks to Council.
- Ensuring Governance systems and functions developed and implemented meet organisational requirements.
- Managing the Governance Section within budget and annual operating plan as adopted by Council.
- Delivering a quality frontline service ensuring a high quality customer service function that meets the needs of Council and the community.
- Providing a quality complaints management process for Council which ensures not only legislative compliance but improved service quality to the community.
- Delivering an effective and efficient insurance function ensuring adequate coverage of Council's assets and provision of a quality insurance claims function.
- Providing a property services function which optimises utilisation of Council facilities and ensures a strategic approach to property management.
- Managing Council's records management system ensuring processes and systems are in place to capture all Council records and achieve legislative compliance.

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
G1	Review and update the Delegations Register	Nil	Endorsement of delegations from CEO to other staff	28/2/2014	MG
G2	Develop a Complaints Management process	Nil	Endorsement of process by CEO and Council	30/4/2014	MG
G3	Review and develop all required Policies	Nil	Adoption of policies by Council	31/5/2014	MG
G4	Commence the development and implementation of a streamlined Human Resources framework	Nil	Regular progress reports for endorsement by GMCS and CEO	30/6/2014	MG

Library

Ongoing Activities

The Library Section will be responsible for the following:

- Coordinating, planning and delivering library services to residents and visitors of Douglas.
- Complying with obligations outlined in the Service Level Agreement between Library Board of Queensland and Douglas Shire Council.
- Complying with Queensland Public Libraries stands and guidelines.
- Working within framework outlined in “The next horizon – vision 2017 for Queensland public libraries” as outlined by the State Library of Queensland.
- Developing, implementing and monitoring library services and programs to meet the needs of the community of Douglas

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
L1	Establish a PC booking system for public internet computer access.	Webwired Solutions, Surebridge	PC Booking system is implemented	28/2/2014	TLL & TLIT
L2	Maintain and consolidate new Library management system.		Number of items added to collection & number of reservations satisfied.	31/5/2014	TLL
L3	Re-establish Mossman Library “Local History” photo touchscreen.	External Consultant	“Local history” touchscreen is operational.	30/4/2014	TLL
L4	Apply for State Library – Opal Grant (Technology trendsetters) for WiFi access to the Mossman Library		Grant application is lodged	31/3/2014	TLL

Organisational Business Support

Ongoing Activities

The Organisational Business Support Unit will be responsible for the following:

- Undertaking major administrative tasks across the organisation
- Establishing and maintaining corporate registers (e.g. Name and Address Register)
- Providing relief support to select areas of organisation to cover annual leave absences
- Providing advice on business system improvements across the organisation

Major Initiatives

Ref	Action	Additional resource requirements	Key Performance Indicator/Target	Timeframe	Responsible Officer
OBS1	Establish the unit to meet the major administrative tasks for the organisation.		Functions and responsibilities of the unit established.	15/2/2014	GMCS
OBS2	Refine business practices within the unit.		Regular progress reports for endorsement by GMCS.	31/5/2014	SBSO

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REVENUE POLICY 2013/14
Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

That Council adopt the Revenue Policy 2013/14 as attached to the report.

EXECUTIVE SUMMARY:

In accordance with the requirements of *the Local Government Act* and *Local Government Regulation* Council is required to adopt a Revenue Policy.

BACKGROUND:

The Revenue Policy is a strategic document that sets out the principles used by Council for:

- The levying of rates and charges
- Granting concessions for rates and charges
- Recovering overdue rates and charges
- The establishment of cost-recovery methods (fees)

The Policy also addresses:

- The purpose of concessions
- The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development

PROPOSAL:

The Revenue Policy 2013/14 is presented to Council for adoption.

ATTACHMENTS:

Revenue Policy 2013/14

DOUGLAS SHIRE COUNCIL
NO.

General Policy

REVENUE POLICY 2013/14

Intent To set out the principles used by Council in 2013/14 for:

- ◆ The levying of rates and charges
- ◆ Granting concessions for rates and charges
- ◆ Recovering overdue rates and charges
- ◆ The establishment of cost-recovery methods (fees)

This policy will also address:

- ◆ The purpose of concessions
- ◆ The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development

Scope This policy applies to Douglas Shire Council.

PROVISIONS

1. The Levying of Rates and Charges

In levying rates and charges the following principles will be applied:

- ◆ Consider the level of revenue that can be achieved from direct user charges, grants and subsidies, contributions and other sources.
- ◆ Consider the level of the cost of maintaining existing facilities and necessary services and the need for additional facilities and services.
- ◆ Make clear what is Council's and each ratepayer's responsibility to the rating system.
- ◆ Timing the levy of rates to ensure a sustainable cash flow for the operation of Council and to spread the cost to the ratepayer over the financial year.
- ◆ Equity through flexible payment arrangements.
- ◆ Transparency in the making of rates and charges.
- ◆ Having in place a rating regime that is simple and inexpensive to administer.
- ◆ Flexibility to take account of changes to the local economy.

Council will distribute the rates burden by use of differential rating categories with banding applied in relevant residential rating categories. Council will consider the lowest and highest rating outcomes for each differential category.

Council will separate categories for Strata Title Units and Flats. These categories will enable Council to make strategic decisions as to the appropriate level of revenue required from these two differential categories.

Council may consider levying special and separate rates and charges when appropriate, to recover the costs associated with a particular service, project or facility that provides direct or additional benefit to the ratepayers or class of ratepayer.

2. Concessions for Rates and Charges

In considering the application of concessions, Council will be guided by the principles of:

- ◆ The same treatment for ratepayers with similar circumstances.
- ◆ Transparency by making clear the requirements necessary to receive concessions.
- ◆ Flexibility to allow Council to respond to local economic issues.

Council may give consideration to granting a concession to a class of landowner without the need for an individual application (*s122(4) of the Local Government Regulation 2012*).

3. Recovery of Overdue Rates and Charges

Council will exercise its rate recovery powers in order to reduce the overall rate burden on ratepayers. It will be guided by the principles of:

- ◆ Transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations.
- ◆ Making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective.
- ◆ Equity by having regard to providing the same treatment for ratepayers with similar circumstances.
- ◆ Flexibility by responding where necessary to changes in the local economy.

Council will charge interest on all overdue rates and charges.

Council's Debt Recovery Policy sets out the detail of the processes used to recover outstanding rates and charges.

4. The establishment of cost-recovery methods

Section 97 of the Local Government Act 2009 allows Council to set cost-recovery fees.

Council recognises the validity of fully imposing the user pays principle for its cost-recovery fees, unless the imposition of the fee is contrary to its express social, economic, environmental and other corporate goals. This is considered to be the most equitable and effective revenue approach and is founded on the basis that the rating base cannot subsidise the specific users or clients of Council's regulatory products and services.

However, in setting its cost-recovery fees, Council will be cognisant of the requirement that such a fee must not be more than the cost to Council of providing the service or taking the action to which the fee applies.

5. The purpose of concessions

Statutory provision exists for Council to rebate or defer rates in certain circumstances. In considering the application of concessions, Council will be guided by the principles set out in section 2 above.

6. The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development

Council requires developers to pay reasonable and relevant contributions towards the cost of physical and social infrastructure required to support the development. Specific charges are detailed in the policies and other material supporting Councils' town planning schemes.

◆◆◆◆◆

This policy is to remain in force until 30 June 2014 or as otherwise determined by Council.

General Manager Responsible for Review:

General Manager Corporate Services

ORIGINALLY ADOPTED:

CURRENT ADOPTION:

DUE FOR REVISION: 31/07/2014

REVOKED/SUPERSEDED:

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STRUCTURE OF GENERAL RATING CATEGORIES FOR 2013/14

Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

That Council adopt the following categories and descriptions for the purpose of levying differential general rates for 2013/14:

<u>Category</u>	<u>Description</u>
• Residential A -	Residential properties with a valuation from \$1 to \$490,000.
• Residential B -	Residential properties with a valuation from \$490,001 to \$735,000.
• Residential C -	Residential properties with a valuation from \$735,001 to \$975,000.
• Residential D -	Residential properties with a valuation from \$975,001 to \$1,220,000.
• Residential E -	Residential properties with a valuation from \$1,220,001 to \$1,465,000.
• Residential F -	Residential properties with a valuation from \$1,465,001 to \$1,710,000.
• Residential G -	Residential properties with a valuation from \$1,710,001 to \$1,955,000.
• Residential H -	Residential properties with a valuation from \$1,955,001 to \$2,200,000.
• Residential I -	Residential properties with a valuation greater than \$2,200,000.
• 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> .
• Residential Q -	Land situated at the South Arm and the Heads of the Daintree River that has a land use code of 0600 and is held as a Permit to Occupy.
• Commercial E -	Commercial properties not included in Commercial Categories F & H.
• Commercial F -	Properties used by Not for Profit Recreation, Sporting and Community Groups that are eligible for Rates Based Financial Assistance.
• Commercial H -	Shopping Centres with a secondary land use of Marina with a total area over 5ha.
• Rural Productive -	All properties which are used predominantly for Primary Production.

EXECUTIVE SUMMARY:

In accordance with section 94 of the *Local Government Act 2009* and sections 80 and 81 of the *Local Government Regulation 2012*, the categories and descriptions for the purpose of levying differential general rates are submitted to Council for adoption for the 2013/14 rating year.

SPECIAL BUDGET MEETING 24 JANUARY 2014	4.1
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MOWBRAY VALLEY RURAL FIRE BRIGADE – SPECIAL CHARGE

Darryl Crees – General Manager Corporate Services

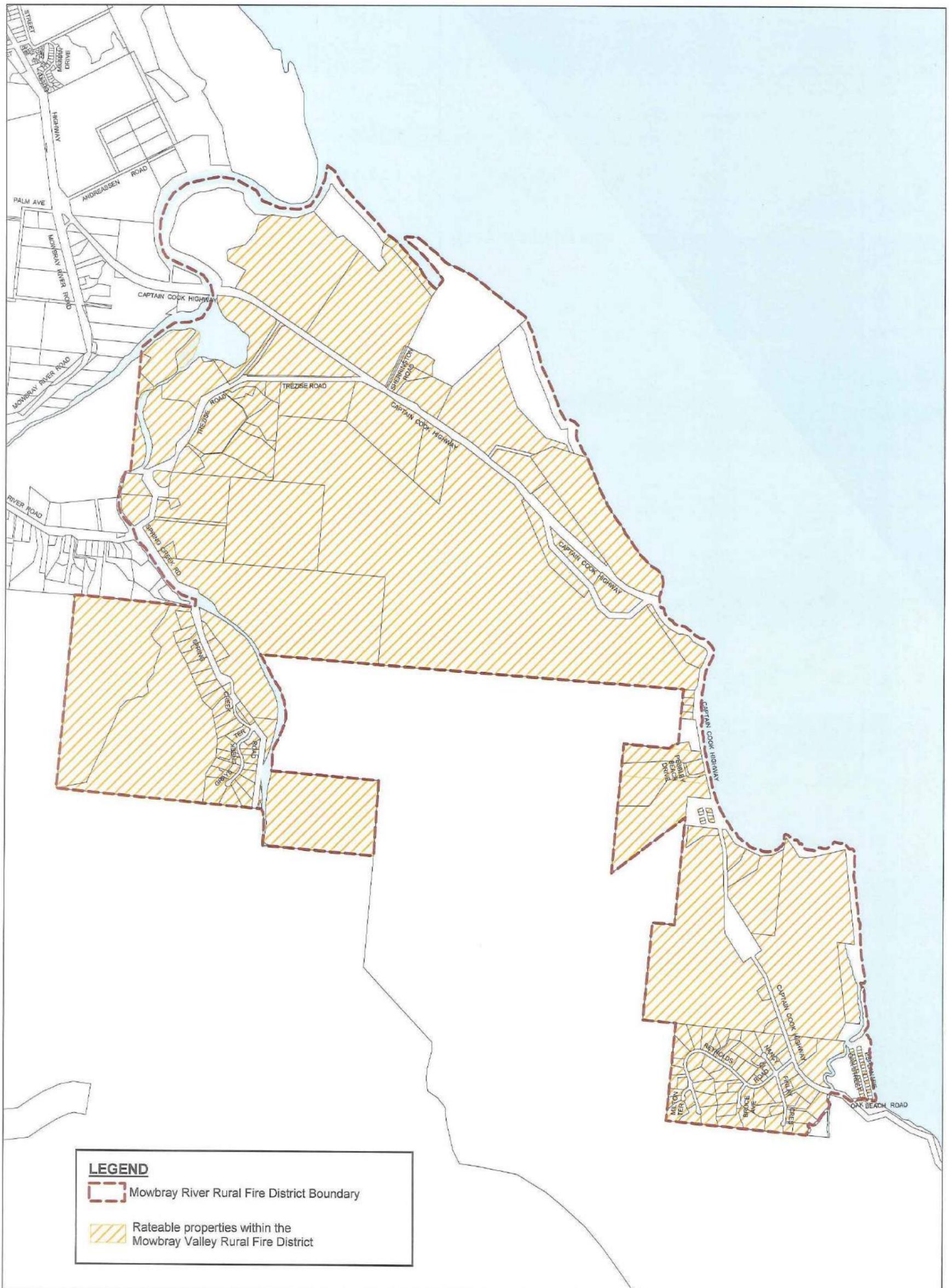
RECOMMENDATION:

That Council levy 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* to be known as the Mowbray Valley Rural Fire Brigade Special Charge.

- 1. The overall plan for this special charge is as follows:**
 - (a) The service, facility or activity the subject of the special charge is the annual funding of the Mowbray Valley Rural Fire Brigade.**
 - (b) The rateable land to which the special charge applies is delineated in orange on the map named Mowbray Valley Rural Fire Brigade.**
 - (c) The estimated cost of carrying out the overall plan is \$181,900.00**
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2014.**
- 2. All rateable land within the area delineated in orange on the map named Mowbray Valley Rural Fire Brigade will specially benefit to the same extent from the purchase and maintenance of equipment by the Brigade in the current or future financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the *Fire and Rescue Service Act 1990*.**
- 3. Council makes a special charge of \$40.00 per rateable assessment for the 2013/14 financial year to be levied by two half year levies.**
- 4. The entire budgeted revenue shall be remitted to the Mowbray Valley Rural Fire Brigade to be expended in accordance with their budget.**

ATTACHMENT:

- 1. Map identifying parcels.**



LEGEND

-  Mowbray River Rural Fire District Boundary
-  Rateable properties within the Mowbray Valley Rural Fire District

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DO NOT SCALE

P.O. Box 359 Cairns, Qld., 4870 Tel: (07) 4044 3044 Fax: (07) 4044 3022



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**CAIRNS REGIONAL COUNCIL
 MOWBRAY VALLEY RURAL FIRE BRIGADE
 RATEABLE PROPERTIES WITHIN**

Map Scale - 1:22,500

Author: RJB
 Date: 8/05/2009
 Revision



Plan No. 1
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DAINTREE RURAL FIRE BRIGADE – SPECIAL CHARGE

Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

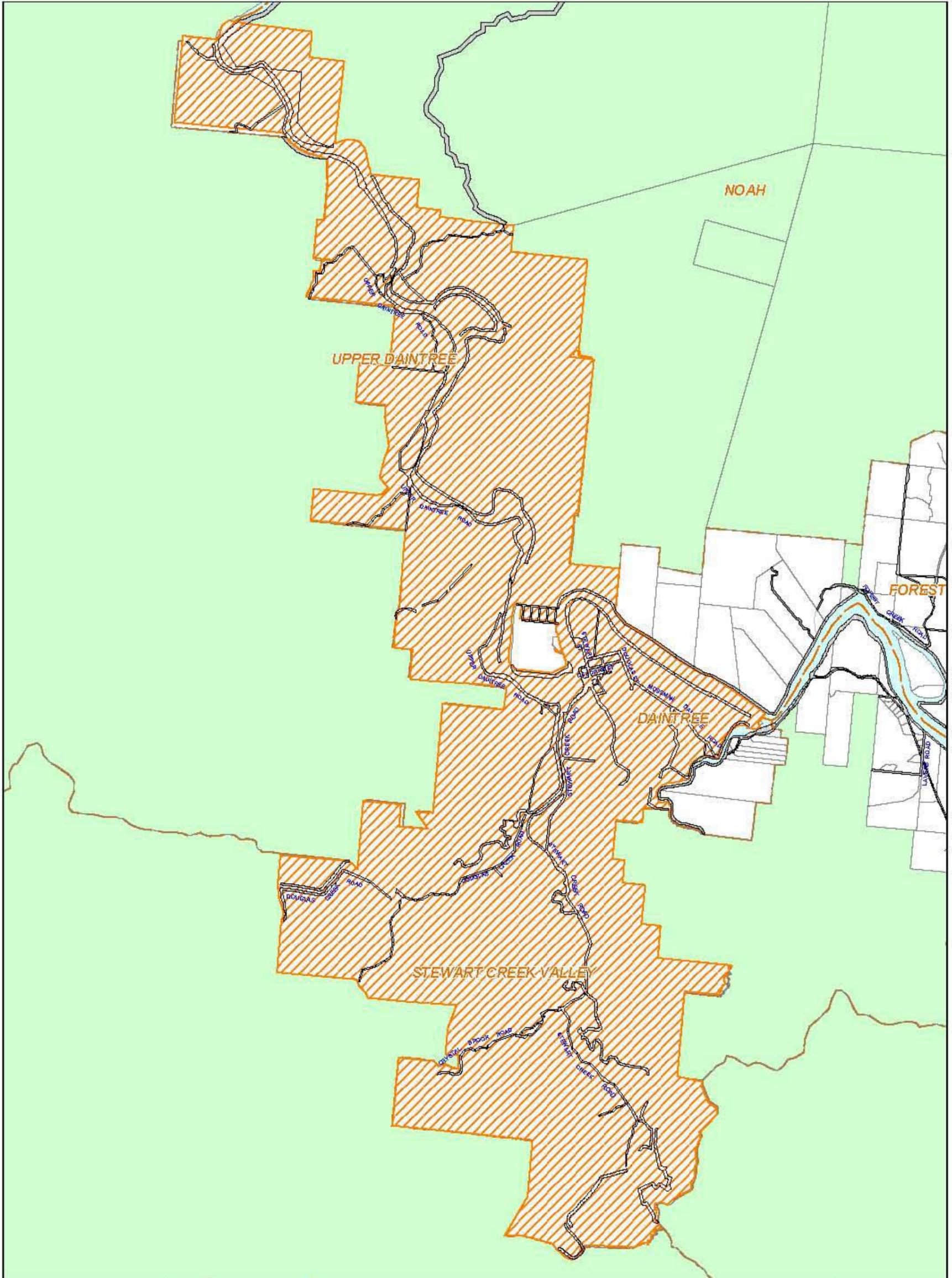
That Council levy a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012* to be known as the Daintree Rural Fire Brigade Special Charge.

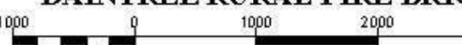
- 1. The overall plan for this special charge is as follows:**
 - (a) The service, facility or activity the subject of the special charge is the annual funding of the Daintree Rural Fire Brigade.**
 - (b) The rateable land to which the special charge applies is delineated in orange on the map named Daintree Rural Fire Brigade.**
 - (c) The estimated cost of carrying out the overall plan is \$3,246.00.**
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2014.**
- 2. All rateable land within the area delineated in orange on the map named Daintree Rural Fire Brigade will specially benefit to the same extent from the purchase and maintenance of equipment by the Brigade in the current or future financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the *Fire and Rescue Service Act 1990*.**
- 3. Council makes a special charge of \$25.00 per rateable assessment for the 2013/14 financial year to be levied by two half year levies.**
- 4. The entire budgeted revenue shall be remitted to the Daintree Rural Fire Brigade to be expended in accordance with their budget.**

ATTACHMENT:

- 1. Map identifying parcels.**

Attachment No. 1



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SPECIAL BUDGET MEETING 24 JANUARY 2014	4.3
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THORNTON PEAK RURAL FIRE BRIGADE – SPECIAL CHARGE

Darryl Crees – General Manager Corporate Services

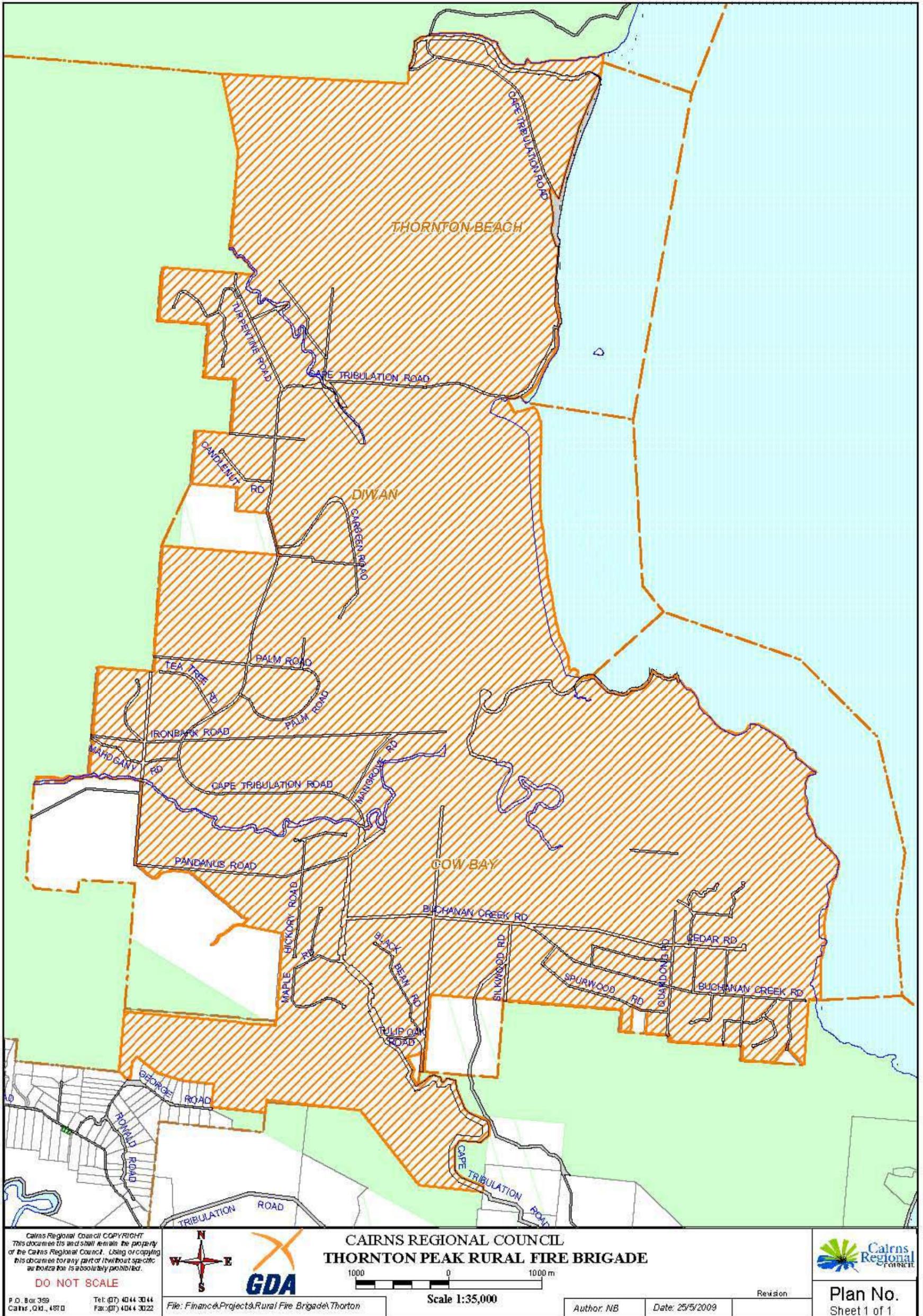
RECOMMENDATION:

That Council levy 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* to be known as the Thornton Peak Rural Fire Brigade Special Charge.

1. **The overall plan for this special charge is as follows:**
 - (a) **The service, facility or activity the subject of the special charge is the annual funding of the Thornton Peak Rural Fire Brigade.**
 - (b) **The rateable land to which the special charge applies is delineated in orange on the map named Thornton Peak Rural Fire Brigade.**
 - (c) **The estimated cost of carrying out the overall plan is \$5,435.10.**
 - (d) **The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2014.**
2. **All rateable land within the area delineated in orange on the map named Thornton Peak Rural Fire Brigade will specially benefit to the same extent from the purchase and maintenance of equipment by the Brigade in the current or future financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the *Fire and Rescue Service Act 1990*.**
3. **Council makes a special charge of \$8.00 per rateable assessment for the 2013/14 financial year to be levied by two half year levies.**
4. **The entire budgeted revenue shall be remitted to the Thornton Peak Rural Fire Brigade to be expended in accordance with their budget.**

ATTACHMENT:

1. **Map identifying parcels.**



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**CAIRNS REGIONAL COUNCIL
 THORNTON PEAK RURAL FIRE BRIGADE**

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File: Finance\Projects\Rural Fire Brigade\Thornton

Author: NB

Date: 25/5/2009

Revision



Plan No.
 Sheet 1 of 1

SPECIAL BUDGET MEETING 24 JANUARY 2014	4.4
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WONGA RURAL FIRE BRIGADE – SPECIAL CHARGE

Darryl Crees – General Manager Corporate Services

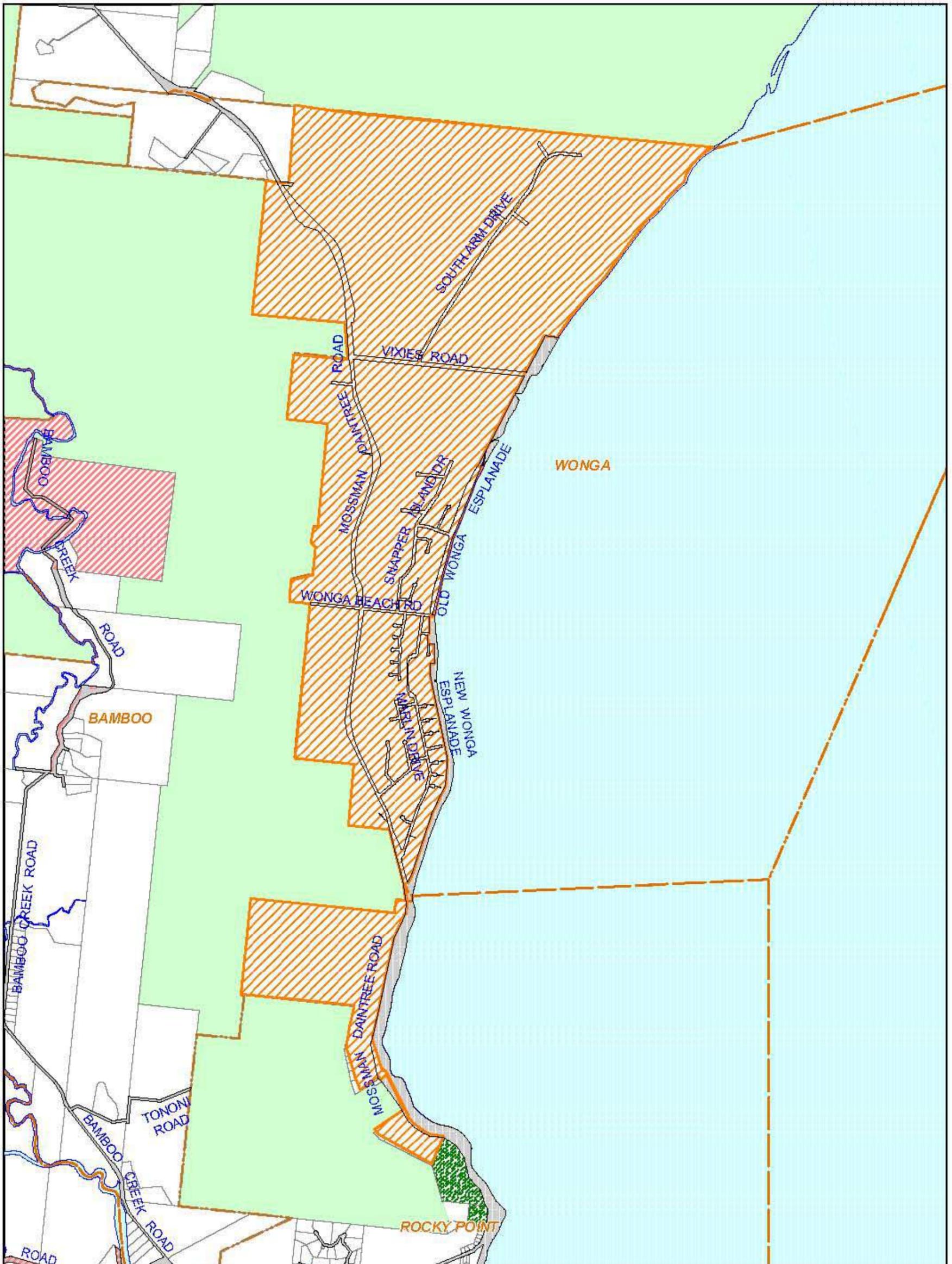
RECOMMENDATION:

That Council levy 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* to be known as the Wonga Rural Fire Brigade Special Charge.

- 1. The overall plan for this special charge is as follows:**
 - (a) The service, facility or activity the subject of the special charge is the annual funding of the Wonga Rural Fire Brigade.**
 - (b) The rateable land to which the special charge applies is delineated in orange on the map named Wonga Rural Fire Brigade.**
 - (c) The estimated cost of carrying out the overall plan is \$20,880.56**
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2014.**
- 2. All rateable land within the area delineated in orange on the map named Wonga Rural Fire Brigade will specially benefit to the same extent from the purchase and maintenance of equipment by the Brigade in the current or future financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the *Fire and Rescue Service Act 1990*.**
- 3. Council makes a special charge of \$35.00 per rateable assessment for the 2013/14 financial year to be levied by two half year levies.**
- 4. The entire budgeted revenue shall be remitted to the Wonga Rural Fire Brigade to be expended in accordance with their budget.**

ATTACHMENT:

- 1. Map identifying parcels.**



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SPECIAL BUDGET MEETING 24 JANUARY 2014	4.5
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BLOOMFIELD RIVER RURAL FIRE BRIGADE – SPECIAL CHARGE

Darryl Crees – General Manager Corporate Services

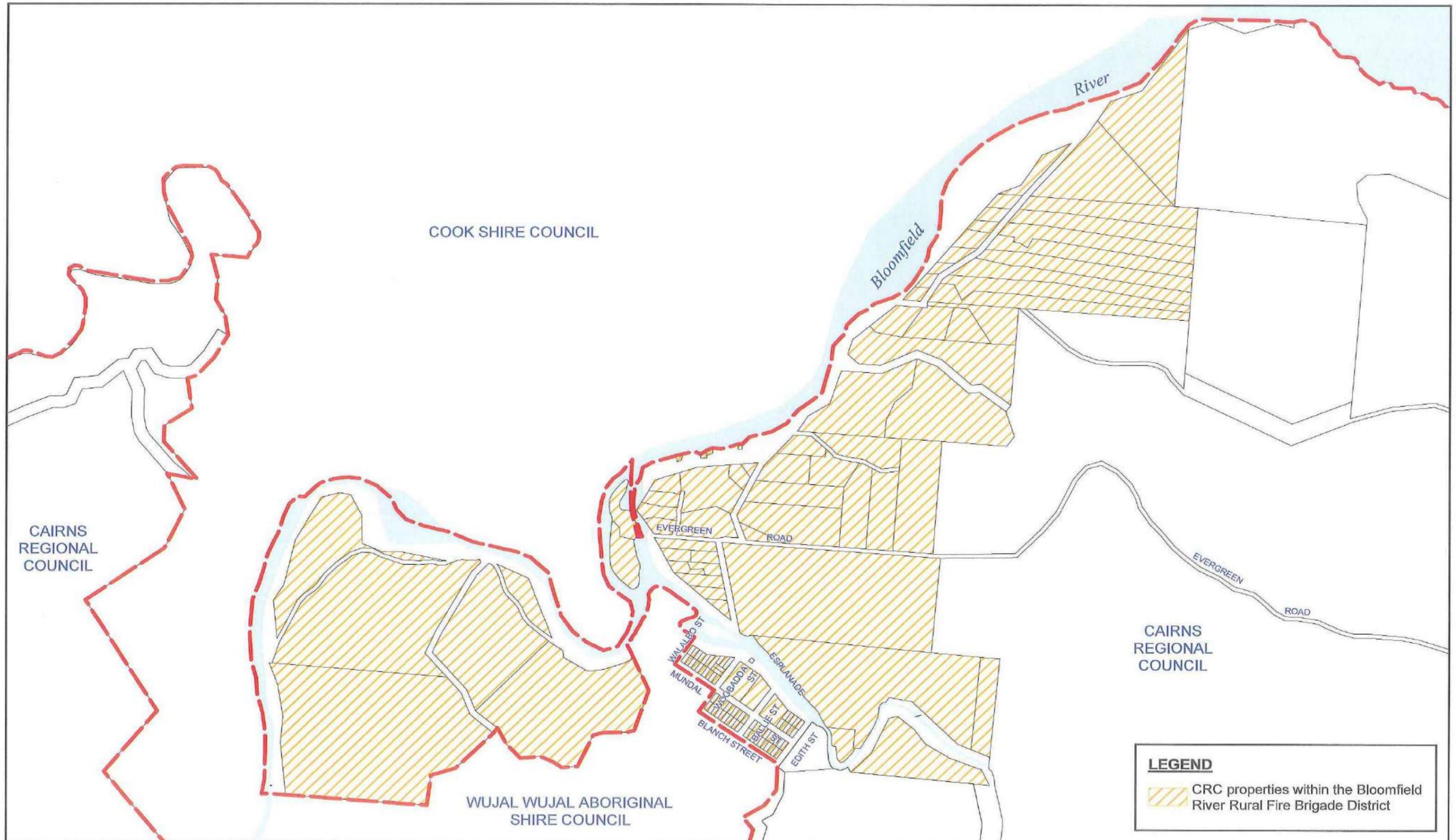
RECOMMENDATION:

That Council levy 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* to be known as the Bloomfield River Rural Fire Brigade Special Charge.

- 1. The overall plan for this special charge is as follows:**
 - (a) The service, facility or activity the subject of the special charge is the annual funding of the Bloomfield River Rural Fire Brigade.**
 - (b) The rateable land to which the special charge applies is delineated in orange on the map named Bloomfield River Rural Fire Brigade.**
 - (c) The estimated cost of carrying out the overall plan is \$8,900.00.**
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2014.**
- 2. All rateable land within the area delineated in orange on the map named Bloomfield River Rural Fire Brigade will specially benefit to the same extent from the purchase and maintenance of equipment by the brigade in the current or future financial years because each such parcel is within the area for which the brigade is in charge of fire fighting and fire prevention under the *Fire and Rescue Service Act 1990*.**
- 3. Council makes a special charge of \$25.00 per rateable assessment for the 2013/14 financial year to be levied by two half year levies.**
- 4. The entire budgeted revenue shall be remitted to the Bloomfield River Rural Fire Brigade to be expended in accordance with their budget.**

ATTACHMENT:

- 1. Map identifying parcels.**



LEGEND

 CRC properties within the Bloomfield River Rural Fire Brigade District

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**CAIRNS REGIONAL COUNCIL
 BLOOMFIELD RIVER, DEGARRA
 BLOOMFIELD RIVER RURAL FIRE BRIGADE**

Map Scale - 1:17,500

Author: RJB	Date: 19/05/2011	Revision
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Plan No.1
 Sheet 1 of 1

SPECIAL BUDGET MEETING 24 JANUARY 2014	5
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REFUSE - SPECIAL CHARGE

Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

That Council levy a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 94 of the *Local Regulation 2012* to be known as the Special Refuse Charge, as follows:-

- 1. That Council makes and levies a special charge on the land identified in this resolution for the purpose of contributing to the costs of operation and maintenance of the Cow Bay, Daintree, Killaloe and Ayton Transfer Stations.**
- 2. The overall plan for the provision of the service be identified as follows:**

Overall Plan for the Supply of the Service, Facility or Activity

a) Rateable Land to which the Special Charge Applies

- i) All land with improvements north of Ellis Beach that does not receive the Council kerbside waste and recyclables collection service, where the occupier has been provided with an identification card to use the Daintree and Killaloe Transfer Stations free of charge.**
- ii) All land with improvements north of the Daintree River that does not receive the Council kerbside waste and recyclables collection service, where the occupier has been provided with an identification card to use the Cow Bay and Ayton Transfer Stations free of charge.**

b) Description of the Service, Facility or Activity

The special refuse charge is to be applied to a number of rateable parcels of land, with improvements, within the area north of Ellis Beach, which do not currently receive the Council kerbside waste and recyclables collection service. This excludes properties holding Permits to Occupy on the South Arm and the Heads of Daintree River.

The occupiers of the subject land will have special access to the following Transfer Stations for free disposal of waste:

- i) Cow Bay Transfer Station
- ii) Daintree Transfer Station
- iii) Killaloe Transfer Station
- iv) Ayton Transfer Station

c) Estimated Cost for Implementing the Overall Plan

The estimated cost to Council of operating the above mentioned Transfer Stations over the 2013/14 financial year is \$409,224 and the estimated revenue from gate fees for the same period is \$104,541, resulting in an anticipated net operating loss of \$304,683. The special refuse charge is to be levied to contribute to the cost of operation and maintenance of the Transfer Stations and will raise approximately \$49,930, which equates to less than 13% of the yearly operating cost.

d) Estimated Time for Implementing the Overall Plan

The special charge will apply for the 2013/14 financial year.

3. The occupiers of the land to which the special charge applies will have special access to the above mentioned Transfer Stations for the purpose of free disposal of waste.
4. A special charge of \$149.12 is hereby made to apply equally to each rateable assessment defined in clause 2(a) for the 2013/14 financial year.

EXECUTIVE SUMMARY:

The purpose of this report is to gain Council's approval for the special refuse charge that is to be applied to a number of properties, with improvements, within the area north of Ellis Beach which do not currently receive the Council collection service. This excludes the properties holding Permits to Occupy on the South Arm and the Heads of Daintree River.

Section 94 of the *Local Government Regulation 2012* requires a Council resolution to levy the special charge and identify the land and the overall plan for the supply of service.

BACKGROUND:

A Special Refuse Charge is to be made and levied to contribute to the cost of the operation and maintenance of Transfer Stations. This includes the upgrade of the Transfer Stations to the required licence standards, the upgrade of site signage, the provision of designated disposal points, site safety barriers and road markings, site security and external barrier requirements. The owners of the land identified will have special access to the disposal facilities on the basis that they are located outside the current Council collected kerbside service area.

All property owners/occupiers north of Ellis Beach that are to be levied have received written notification from Council advising them of the continuation of the special charge and the special access that will be granted to them at the Transfer Stations.

An identification card is issued to the property owners/occupiers on an annual basis for presentation at the Transfer Stations for the purposes of identifying themselves to the facility operators for the disposal of their solid wastes in reference to the special charge applied.

PROPOSAL:

To levy a special charge on the land identified in the recommendation for the purpose of contributing to the costs of operation and maintenance of the Cow Bay, Daintree, Killaloe and Ayton Transfer Stations.

FINANCIAL/RESOURCE IMPLICATIONS:

It is estimated that the special charge will contribute \$49,930 (on an annual basis) towards the cost of operation and maintenance of the Transfer Stations. This contribution is towards the net loss of \$304,683 (on an annual basis) for the operation and maintenance of the facilities.

SPECIAL BUDGET MEETING 24 JANUARY 2014	6
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REVENUE STATEMENT AND RATES AND CHARGES FOR THE 2013/14
FINANCIAL YEAR

Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

1. That Council resolve pursuant to chapter 4, part 3 of the *Local Government Act 2009* and chapter 5, part 2 division 3 of the *Local Government Regulation 2012* to adopt the attached Revenue Statement for the 2013/14 financial year.
2. That Council resolve pursuant to chapter 4 of the *Local Government Regulation 2012* to adopt the recommendations contained in the attached Rates and Charges for the 2013/14 financial year, and included with the minutes.

ATTACHMENTS:

- Revenue Statement for the 2013/14 financial year
- Rates & Charges for the 2013/14 financial year

DOUGLAS SHIRE COUNCIL

REVENUE STATEMENT FOR THE 2013/14 FINANCIAL YEAR
1. INTRODUCTION

This revenue statement is produced in accordance with section 104 of the *Local Government Act 2009* and sections 169 and 172 of the *Local Government Regulation 2012*.

2. DIFFERENTIAL GENERAL RATING
2.1 – Differential General Rating – General Comments

Council has decided that in accordance with section 81 of the *Local Government Regulation 2012*, differential general rates will be levied on all rateable land in the Council area. In Council's opinion, differential general rating enables there to be a more equitable relationship between revenue raised from particular land and the circumstances relevant to that land, than would be the case under a standard rating system where rates are levied at a single rate in the dollar on all rateable land.

In determining its differential rating system, Council's objective is to ensure the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations and disregarding irrelevancies such as the perceived personal wealth of individual ratepayers or ratepayer classes.

In summary, the differential rating categories have been determined having regard to matters such as:

- Land use;
- Availability of services;
- Consumption of services;
- Valuation; and
- Income producing capacity of land.

2.2 – Summary of Differential General Rating Categories & Descriptions (refer to Schedule 1 for the full list of categories, descriptions and identification for each category)

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

Category	Description
Residential A -	Residential properties with a valuation from \$1 to \$490,000.
Residential B -	Residential properties with a valuation from \$490,001 to \$735,000.
Residential C -	Residential properties with a valuation from \$735,001 to \$975,000.
Residential D -	Residential properties with a valuation from \$975,001 to \$1,220,000.
Residential E -	Residential properties with a valuation from \$1,220,001 to \$1,465,000.
Residential F -	Residential properties with a valuation from \$1,465,001 to \$1,710,000.
Residential G -	Residential properties with a valuation from \$1,710,001 to \$1,955,000.
Residential H -	Residential properties with a valuation from \$1,955,001 to \$2,200,000.
Residential I -	Residential properties with a valuation greater than \$2,200,000.
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> .

Residential Q -	Land situated at the South Arm and the Heads of the Daintree River that has a land use code of 0600 and is held as a Permit to Occupy.
Commercial E -	Commercial properties not included in Commercial Categories F & H.
Commercial F -	Properties used by Not for Profit Recreation, Sporting and Community Groups that are eligible for Rates Based Financial Assistance.
Commercial H -	Shopping Centres with a secondary land use of Marina with a total area over 5ha.
Rural Productive -	All properties which are used predominantly for Primary Production.

Council delegates to the CEO the power to determine which category a particular rateable assessment should be allocated into. In this regard, the CEO will be guided by the list of land use codes set out in Schedule 1.

Further information that the CEO may utilize in this regard includes:

- The land use codes as adopted by the Department of Natural Resources and Mines for formulating Local Authority valuations;
- The current Planning Areas in the Douglas Shire Planning Scheme 2008 and the Integrated Resort Development Act 1987 (Mirage Port Douglas Scheme);
- Other such criteria as outlined within this statement and existing as at 1 January 2014.

The definitions of rateable and non-rateable land are outlined in section 93 of the *Local Government Act 2009* and section 73 of the *Local Government Regulation 2012* and are attached as Schedule 2.

2.3 – Limiting the increase in rates and charges

For the 2013/14 financial year, Council will not be passing any resolution (pursuant to section 116 of the *Local Government Regulation 2012*) limiting the increase in rates or charges.

3. CALCULATION OF LEVIES

3.1 PROVISIONS

- Differential General Rates will apply based on categories.
- Minimum general rates will apply.
- There will be no “rate capping” (see section 2.3 above).

3.2 APPLICATION OF GENERAL RATES BY CATEGORY

(a) RESIDENTIAL

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

Category G	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category H	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category I	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category J	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category K	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category L	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category M	A single rate in the dollar to apply to all properties included in this category with no minimum, as required under section 50 of the <i>Land Valuation Act 2010</i> .
Category Q	A single rate in the dollar to apply to all properties included in this category with a set minimum.

(b) COMMERCIAL

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

(c) RURAL PRODUCTIVE

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

4. ISSUE OF NOTICES

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

- Notices for the 2013/14 financial year will be issued half-yearly, with water usage notices being issued three times during the year.
- The due date for payment is defined as being thirty-one (31) days from the date of issue of the rate notice.
- Interest will be charged at the rate of 11% per annum calculated at compound interest at daily rests on all rates and charges which remain after expiration of the due date for payment.

5. REMISSIONS AND CONCESSIONS

5.1 LODGEMENT OF APPLICATIONS

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

5.2 PENSIONER REMISSION

- (a) The rebate will be up to 40% of the General Rate to a maximum of \$1,350.00 per annum.
- (b) The upper limit of total remission will not exceed 5% of Council's total net general rates at which point the 40% remission is to be reduced on a pro rata basis.
- (c) Remission will apply for the full rating period (presently six months) for which the remission has been granted whether the ratepayer remains the registered owner or not.
- (d) The following guidelines apply in respect of persons applying for pensioner remission:
 - i. The applicant(s) must be the sole owner(s) of the property in respect of which remission is sought or be Life tenant(s) under a Will with responsibility to pay all rates and charges.
 - ii. Such property must be their principal place of residence.
 - iii. The applicant(s) **MUST** be the holder(s) of one of the following Queensland cards:
 - Centrelink, Pension Concession Card.
 - Department of Veterans' Affairs, Pension Concession Card.
 - Department of Veterans' Affairs, Repatriation Health Card. (Full Conditions only)
 - iv. If a pensioner becomes the owner of a new property, they must make application for remission in respect of that property.

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

Pensioners may be entitled to a State Government subsidy (currently 20%, up to a maximum of \$200.00 per property per annum). Where the State Government subsidy applies, Council will remit the appropriate amount off the rate notice and claim reimbursement from the State Government.

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

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

5.3 RETIREMENT VILLAGE REMISSIONS

A remission will be extended to retirement villages (as classified under Land Use Code 21), where a legal entity separate to the residents is the owner and the pensioners are responsible for paying the rates, to the extent that residents of the village are pensioners. Thirty days prior to the commencement of any rating period the owner of the land shall lodge an application for remission in the following form:

- (a) There shall be a Declaration by the owner that pensioners resident in the complex will be given the benefit of the remission.
- (b) A list of all residents in the village and an indication as to which of those residents are pensioners.
- (c) Where residents are pensioners, their pension number.
- (d) A declaration from residents or their legal representatives (where they were residents) that they received the benefit of the remission in the prior year.

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

5.4 RATES BASED FINANCIAL ASSISTANCE

This policy allows Council to consider applications for remission of general rates and sewerage charges from Not for Profit Recreation, Sporting and Community Groups.

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

Those not for profit organisations that are not already receiving Rates Based Financial Assistance and believe that they may be eligible should contact Council. New applications must be received prior to 31 May each year.

5.5 RATES INCENTIVE FOR CONSERVATION POLICY

(a) Purpose

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

(b) Scope

This policy applies to all land within the Council boundaries.

(c) Reference

Nature Conservation Act 1992

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

(d) Definitions

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

(e) Policy

- i. The owner enters into an agreement preserving/conserving flora and fauna on a rateable property within the boundaries of the Council. This agreement must be bound to the property title, in perpetuity, by a Conservation Agreement for a Nature Refuge under the *Nature Conservation Act 1992*.
- ii. The rates incentive is proportionately attributed to that area of land included in an agreement.
- iii. The rates incentive will be credited to the recipient's rates notice prior to being issued.
- iv. Refund Rules;
 - Properties where more than 50% of the total area of the property is covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* are entitled to 50% of the general rate or a maximum of \$600 per annum (whichever is less).
 - Properties where less than 50% of the total area of the property is covered by a Nature Refuge Agreement under the *Nature Conservation Act 1992* are entitled to 35% of the general rate or a maximum of \$300 per annum (whichever is less).
- v. Any benefit provided to a landholder through the Rates Incentive for Conservation Program must be repaid to Council if the declaration of the Nature Refuge to which it relates is revoked in accordance with Section 50 of the *Nature Conservation Act 1992*.
- vi. If rates are not paid in full prior to the end of a financial year, future rates incentives will not apply until all outstanding rates are paid.

6. SPECIAL CHARGES

6.1 RURAL FIRE BRIGADES

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

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

The quantum of the special charge is Wonga Rural Fire Brigade - \$35.00, Thornton Peak Rural Fire Brigade - \$8.00, Daintree Rural Fire Brigade - \$25.00, Mowbray Valley Rural Fire Brigade - \$40.00 and Bloomfield River Rural Fire Brigade - \$25.00 per rateable assessment. Revenue raised from this special charge will assist with the purchase and maintenance of equipment in the current or future financial years.

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

6.2 REFUSE DISPOSAL

A special charge of \$149.12 will be levied on each rateable assessment with improvements north of Ellis Beach that do not receive the Council kerbside waste and recyclables collection service, where the occupier has been provided with an identification card to use the Cow Bay, Daintree, Killaloe and Ayton Transfer Stations free of charge for waste.

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

Each occupier of rateable land will specially benefit from the use of landfill and transfer stations that are available.

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

7. UTILITY CHARGES

7.1 WATER – POTABLE

(a) RESIDENTIAL

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

Dagmar Heights;
Daintree;
Mossman/Port Douglas;
Whyanbeel; and other groundwater and run off river sources, shall be levied the following charges:-

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

In circumstances where improvements are built over the boundary line of two allotments, the total land area of both allotments is less than 1190m² and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

Financial assistance is available to offset water usage costs for users of Home Dialysis Equipment. Written applications must be submitted to Council for approval.

(b) COMMERCIAL

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

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

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

(c) RURAL PRODUCTIVE

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

Dagmar Heights;

Daintree;

Mossman/Port Douglas;

Whyanbeel; and other groundwater and run off river sources, shall be levied the following charges:

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

(d) ALL CATEGORIES

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

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

Where residential type 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.

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

Not for Profit Recreation, Sporting and Community Groups that are recipients of Rates Based Financial Assistance will be charged for all water usage at a rate equivalent to the residential charge per kilolitre.

7.2 SEWERAGE

(a) RESIDENTIAL

A base charge will be levied for each vacant allotment, residence, flat and each strata-title unit where Council is prepared to accept sewage.

In circumstances where improvements are built over the boundary line of two allotments, the total land area of both allotments is less than 1190m² and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

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

(b) COMMERCIAL

To be charged per water closet (W.C.).

(c) RURAL PRODUCTIVE

- i. A base charge will be levied for all residency type improvements.
- ii. A charge per water closet (W.C.) will apply for all rural productive improvements connected to the sewer.

7.3 CLEANSING

(a) DOMESTIC CLEANSING CHARGE

A base charge will be levied for all residency type improvements.

(b) COMMERCIAL CLEANSING CHARGE

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

8. FEES AND CHARGES

8.1 GENERAL COMMENTS

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

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

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

Council's adopted Fees and Charges Schedule includes cost-recovery fees.

8.2. COST-RECOVERY FEES

Pursuant to section 97 of the *Local Government Act 2009*, Council may fix a cost-recovery fee for any of the following:-

- (a) An application for, or the issue of, an approval, consent, licence, permission, registration or other authority under a "Local Government Act" (this term is defined in the Schedule to the *Local Government Act 2009*);
- (b) Recording a change of ownership of land;
- (c) Giving information kept under a Local Government Act;
- (d) Seizing property or animals under a Local Government Act; or
- (e) Performing a function other than one mentioned in paragraphs (a) to (d), imposed upon Council under the Building Act 1975 or the Plumbing and Drainage Act 2002.

The cost recovery fees will not exceed the cost to Council of providing the service or taking the action for which each fee is charged.

9. POLICY FOR RATING EXEMPTIONS and ASSISTANCE

Upon receipt of a written submission Council shall:

- (a) Decide if the land is rateable land after considering section 93 of the *Local Government Act 2009*.
- (b) If the land is rateable land, consider if the land is exempt under section 73 of *Local Government Regulation 2012* or entitled to Rates Based Financial Assistance (refer 5.4).
- (c) If the land is still considered rateable after due consideration to the above, Council may grant financial relief under section 96 of the *Local Government Act 2009* and Chapter 4 Part 10 of *Local Government Regulation 2012* by way of a concession after considering the following:-
 - i. A local government may grant the concession only by-
 - A resolution granting the concession to a stated rate payer; or
 - if the resolution is a rebate of all or part of the rates or charges, or an agreement to defer payment of rates or charges, by a resolution granting the concession to a rate payer who is a member of a stated class of rate payers.
 - ii. However, the only circumstances or factors justifying the exercise of the power are –
 - the land is owned or occupied by a pensioner; or
 - the land is owned by -
 - an entity whose objects do not include making a profit; or
 - an entity that provides assistance or encouragement for arts or cultural development; or
 - the payment of the rates or charges will cause the owner of land hardship; or
 - the concession will encourage the economic development of all or part of the local government area; or
 - the concession will encourage land that is of cultural, environmental, historic, heritage or scientific significance to the local government area to be preserved, restored or maintained; or
 - the land is used exclusively for the purpose of a single dwelling house or farming and could be used for another purpose, including, for example, a commercial or industrial purpose; or

- the land is subject to a GHG (greenhouse gas) tenure, mining tenement or petroleum tenure; or
 - the land is part of a parcel of land (a parcel) that has been subdivided and –
 - the person who subdivided the parcel is the owner of the land; and
 - the land is not developed land.
- (d) Not for Profit Recreation, Sporting and Community Groups may make application for financial relief or remission to be known as Rates Based Financial Assistance in accordance with the Rates Based Financial Assistance Policy. Refer to Remissions and Concessions.

10. DEFINITIONS

For the purpose of making, levying and imposing rates and charges the terms Wonga, Thornton Peak, Daintree, Mowbray Valley and Bloomfield River Rural Fire Brigade Districts will be the areas clearly defined on those maps, the originals of which are held by Council.

- (a) For the purpose of calculating sewerage rates and charges for Commercial and Rural Productive properties:-
- i. each 1.8m of urinal or part thereof shall be deemed to be a W.C.
 - ii. each three individual wall hung urinals or part thereof shall be deemed to be a W.C.
 - iii. each pedestal shall be deemed to be a W.C.
- (b) For the purposes of charging water usage charges for water meters read after 1 July 2013, the charge made shall be at the rate specified for the 2013/14 financial year.

For the purposes of charging water usage charges for water meters read after 1 July 2014, the charge made shall be at the rate specified for the 2014/15 financial year.

- (c) For the purposes of calculating utility charges, the term "Strata title unit" is deemed to be "each lot created pursuant to the provisions of the *Body Corporate and Community Management Act 1997*".

11. SCHEDULE 1 - LAND USE CATEGORIES

Note: The Planning Areas in the Douglas Shire Planning Scheme 2008 and the Integrated Resort Development Act 1987 (Mirage Port Douglas Scheme) may be a factor in determining the rating categories for Land Use Codes 01, 04, 06, 09, and 72.

11.1 RESIDENTIAL

CATEGORY A

Description

Properties used, or capable of being used, for residential purposes with a valuation from \$1 to \$490,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY BDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$490,001 to \$735,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY CDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$735,001 to \$975,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY DDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$975,001 to \$1,220,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY EDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$1,220,001 to \$1,465,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY FDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$1,465,001 to \$1,710,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY GDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$1,710,001 to \$1,955,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY HDescription

Properties used, or capable of being used, for residential purposes with a valuation from \$1,955,001 to \$2,200,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY IDescription

Properties used, or capable of being used, for residential purposes with a valuation greater than \$2,200,000.

Identification (as determined by the CEO)

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

- 01 Vacant urban land (excluding those included in commercial category 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 category E);
- 05 Large homesite - dwelling - urban and rural; (excluding those in category J);
- 06 Outbuildings (excluding those in category J and those in commercial category E);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY J(i) Description

Properties (excluding those in categories A to I) where that land's Planning Area is included in the Douglas Shire Planning Scheme 2008 or the Integrated Resort Development Act 1987 (Mirage Port Douglas Scheme) as Low Density with a total land area over 10 Hectares or Residential 1 with a total land area over 0.5 Hectares or Residential 2 with a total land area over 3.5 Hectares or Residential 3 with a total land area over 0.5 Hectares or Tourist and Residential with a total land area over 0.5 Hectares or Community Facilities with a total land area over 1 Hectare.

Identification (as determined by the CEO)

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

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

(ii) Description

Properties (excluding those in categories A to I) where that land's Planning Area is included in the Douglas Shire Planning Scheme 2008 or the Integrated Resort Development Act 1987 (Mirage Port Douglas Scheme) as Residential 1 with a total land area over 5 Hectares or Residential 2 with a total land area over 3.5 Hectares or Residential 3 with a total land area

over 1.5 Hectares or Tourist and Residential with a total land area over 0.5 Hectares or Community Facilities with a total land area over 1 Hectare.

Identification (as determined by the CEO)

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

05 Large Homesite – Dwelling - Urban and Rural; and

(iii) Description

As well as those properties used as Residential Institutions (non-medical care).

Identification (as determined by the CEO)

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

21 Residential Institutions (non-medical care);

CATEGORY K

Description

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

Identification (as determined by the CEO)

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

08 Building Units

CATEGORY L

Description

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

Identification (as determined by the CEO)

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

03 Multi Unit Dwelling (Flats)

CATEGORY M

Description

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

Identification (as determined by the CEO)

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*.

CATEGORY Q

Description

Properties that are Permits to Occupy and are situated at the South Arm and the Heads of the Daintree River.

Identification (as determined by the CEO)

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

06 Outbuildings

11.2 COMMERCIAL

CATEGORY E (Suburban Commercial)(i) Description

Properties that are used, or capable of being used, for commercial/industrial purposes (excluding those in Commercial Categories F and H).

Identification

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;
- Convallescent Homes (Medical Care) (Private);
- 28 Warehouses and Bulk Stores;
- 29 Transport Terminal;
- 30 Service Station;
- 31 Oil Depots and Refinery;
- 32 Wharves;
- 33 Builders Yard/Contractors Yard;
- 34 Cold Stores - Iceworks;
- 35 General Industry;
- 36 Light Industry;
- 37 Noxious/Offensive Industry;
- 38 Advertising - Hoarding;
- 39 Harbour Industries;
- 40 Extractive;
- 41 Child Care;
- 42 Hotel/Tavern;
- 43 Motel;
- 44 Nurseries;
- 45 Theatres and Cinemas;
- 46 Drive-In Theatres;
- 47 Licensed Clubs;
- 48 Sports Clubs/Facilities;
- 49 Caravan Parks;
- 50 Other Clubs
- Non-Business;
- 51 Religious;
- 52 Cemeteries (including Crematoria);
- 55 Library;
- 56 Showgrounds/Racecourses/Airfields;

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

(ii) Description

Also including the following properties where that land is included as Sub-Regional Centre, District Centre, Local Centre, Commercial and Industry Planning Areas within Cairns Plan 2009 or Commercial and Industry Planning Areas in 2006 Douglas Shire Planning Scheme.

Identification (as determined by the CEO)

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*.

CATEGORY F (Properties used by Not for Profit Recreation, Sporting and Community Groups that are eligible for Rates Based Financial Assistance.

Description

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

Identification (as determined by the CEO)

Properties in this category are recipients of rate assistance under Council's Rates Based Financial Assistance Policy.

CATEGORY H (Shopping Centres with a secondary land use of Marina with a total area over 5ha.)

Description

All properties which are predominantly used or intended for use as a Shopping Centre and Marina which:

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

Identification (as determined by the CEO)

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

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

11.3 RURAL PRODUCTIVE

Description

Properties which are used predominately for Primary Production.

Identification (as determined by the CEO)

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.

12. SCHEDULE 2 - RATEABLE AND NON RATEABLE LAND DEFINITIONS

Rateable land is any land or building unit, in the local government area, that is not exempt from rates.

The following land is exempt from rates-

- (a) *unallocated State land within the meaning of the Land Act;*
- (b) *land that is occupied by the State or a government entity, unless*
 - (i) *the government entity is a GOC or its subsidiary (within the meaning of the Government Owned Corporations Act 1993) and the government entity is not exempt from paying rates;*
 - or*
 - (ii) *the land is leased to the State or a government entity by someone who is not the State or a government entity;*
- (c) *land in a state forest or timber reserve, other than land occupied under-*
 - (i) *an occupation permit or stock grazing permit under the Forestry Act; or*
 - (ii) *a lease under the Land Act;*
- (d) *Aboriginal land under the Aboriginal Land Act 1991 or Torres Strait Islander land under the Torres Strait Islander Land Act 1991, other than a part of the land that is used for commercial or residential purposes;*
- (e) *the following land under the Transport Infrastructure Act -*
 - (i) *strategic port land that is occupied by a port authority, the State, or a government entity;*
 - (ii) *strategic port land that is occupied by a wholly owned subsidiary of a port authority, and is used in connection with the Cairns International Airport or Mackay Airport*
 - (iii) *existing or new rail corridor land;*
 - (iv) *commercial corridor land that is not subject to a lease;*
- (f) *airport land, within the meaning of the Airport Assets (Restructuring and Disposal) Act 2008, that is used for a runway, taxiway, apron, road, vacant land, buffer zone or grass verge;*
- (g) *land that is owned or held by a local government unless the land is leased by the local government to someone other than another local government;*

- (h) *land that is-*
 - (i) *primarily used for show grounds or horse racing; and*
 - (ii) *exempted from rating by resolution of a local government;*
- (i) *land that is exempted from rating, by resolution of a local government, for charitable purposes;*
- (j) *land that is exempted from rating under-*
 - (i) *another Act; or*
 - (ii) *a regulation, for religious, charitable, educational or other public purposes.*

The following land is included in (j) (ii) above;

- (a) *land owned by a religious entity if the land is less than 20ha and is used for 1 or more of the following purposes -*
 - (i) *religious purposes, including, for example, public worship;*
 - (ii) *the provision of education, health or community services including facilities for aged persons and persons with disabilities;*
 - (iii) *the administration of the religious entity;*
 - (iv) *housing incidental to a purpose mentioned in subparagraph (i) to (iii);*
- (b) *land vested in, or placed under the management and control of, a person under an Act for-*
 - (i) *a public purpose that is a recreational or sporting purpose; or*
 - (ii) *charitable purposes;*
- (c) *land used for the purposes of a public hospital if-*
 - (i) *the public hospital is-*
 - (A) *part of a private hospital complex; or*
 - (B) *a private and public hospital complex; and*
 - (ii) *the land used for the purpose is more than 2ha and is separated from the rest of the complex;*
- (d) *land owned by a community organisation if the land is less 20ha and is used for providing the following-*
 - (i) *accommodation associated with the protection of children;*
 - (ii) *accommodation for students;*
 - (iii) *educational, training or information services aimed at improving labour market participation or leisure opportunities;*
- (e) *land used for a cemetery;*

◆◆◆◆◆

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

General Manager Responsible for Review: General Manager Corporate Services

**ORIGINALLY ADOPTED:
CURRENT ADOPTION:
DUE FOR REVISION: 31/07/2013
REVOKED/SUPERSEDED**

RATES AND CHARGES FOR THE 2013/14 FINANCIAL YEAR

RECOMMENDATIONS

Following the decision by Council to adopt Differential General Rates for the 2013/14 financial year and following the adoption of its Revenue Statement, Council resolves as follows in respect of Rates and Charges for the 2013/14 financial year:

A. DIFFERENTIAL RATE

- 1) That by virtue of the provisions of section 94 of the *Local Government Act 2009* and sections 80 and 81 of the *Local Government Regulation 2012*, that the Differential General Rate and minimum rate for each category be as follows:

Residential A	.687384	cents in the dollar	Minimum	\$819.40
Residential B	.647340	cents in the dollar	Minimum	\$3,368.20
Residential C	.605766	cents in the dollar	Minimum	\$4,757.96
Residential D	.557742	cents in the dollar	Minimum	\$5,906.24
Residential E	.509474	cents in the dollar	Minimum	\$6,804.46
Residential F	.468120	cents in the dollar	Minimum	\$7,463.80
Residential G	.427664	cents in the dollar	Minimum	\$8,004.86
Residential H	.384926	cents in the dollar	Minimum	\$8,360.84
Residential I	.344372	cents in the dollar	Minimum	\$8,468.38
Residential J	.687384	cents in the dollar	Minimum	\$819.40
Residential K	1.253876	cents in the dollar	Minimum	\$819.40
Residential L	.840004	cents in the dollar	Minimum	\$1,229.16
Residential M	.687384	cents in the dollar	Minimum	Nil
Residential Q	.687384	cents in the dollar	Minimum	\$482.40
Commercial E	.931872	cents in the dollar	Minimum	\$844.40
Commercial F	.687384	cents in the dollar	Minimum	\$819.40
Commercial H	5.700000	cents in the dollar	Minimum	\$238,500.00
Rural Productive	1.253762	cents in the dollar	Minimum	\$844.40

- 2) That pursuant to the provisions of section 88 of the *Local Government Regulation 2012* the following statement be included in the information which will accompany the rates notice:
- (a) If you consider that as at the date of the issue of the Notice, your land should, having regard to the description adopted by Council, have been included in another of the Categories listed in the booklet accompanying this Rates Notice you may object against the categorisation of your land by posting to or lodging with the Douglas Shire Council, PO Box 723, Mossman Qld 4873, a Notice of Objection in the prescribed form within thirty (30) days of the date of issue of the Rates Notice (the form is available at Council's Office at Front Street Mossman and on Council's website).
- (b) The only grounds on which you may so object are that your land should, having regard to the description adopted by Council, have been included in some other Category.

- (c) The posting to or lodging of a Notice of Objection with Council shall not in the meantime interfere with or affect the levy and recovery of the Rates referred to in this Rates Notice.
- (d) If, because of your Notice of Objection, the land is included in another Category, an adjustment of the amount of Rates levied or, as the case may be, the amount of Rates paid shall be made.
- (e) The Category in which your land is included was identified by Council.
- (f) The Categories of rateable land and the descriptions by which your land is categorised are contained in Council's Revenue Statement and are also contained in the information which accompanies your rates notice.

B. MINIMUM GENERAL RATE

- 3) That pursuant to section 77 of the *Local Government Regulation 2012*, the minimums for each category appear in section A (1). In addition, no minimum will apply to land to which section 50 of the *Land Valuation Act 2010* applies.

C. SPECIAL RATES & CHARGES

- 4) That pursuant to sections 92 and 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, Council has resolved to raise and levy the following special charges:-

RURAL FIRE BRIGADE

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

Wonga Rural Fire Brigade	\$35.00
Thornton Peak Rural Fire Brigade	\$8.00
Daintree Rural Fire Brigade	\$25.00
Mowbray Valley Rural Fire Brigade	\$40.00
Bloomfield River Rural Fire Brigade	\$25.00

REFUSE CHARGE

An amount of \$149.12 to be levied on each rateable assessment with improvements north of Ellis Beach that does not receive Council's Refuse Collection Service.

D. UTILITY CHARGES

- 5) That pursuant to sections 92 and 94 of the *Local Government Act 2009* and chapter 4, part 7 of the *Local Government Regulation 2012*, Council has resolved to raise and levy the following utility charges:-

CLEANSING**(a) DOMESTIC**

- (i) A Domestic Cleansing Charge, for the purpose of removal and disposal of refuse for the 2013/14 financial year be set at an amount of \$347.14 per service and applied in accordance with the following schedule:-

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

(b) COMMERCIAL (Properties north of Ellis Beach)

This includes all land that has driveway 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 \$347.14 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 \$347.14 per unit for a weekly refuse removal service. Application of the charge is to be in accordance with the schedule below:

Type of Improvement		Minimum Number Of Cleansing Service Units
1.	Caretakers/Managers Accommodation Each	1
2.	Schools (Pre-Schools)	
	- Mossman State High School	20
	- Mossman State Primary School	15
	- Mossman State Pre-School	5
	- Daintree State School	1
	- Miallo State School	1
	- Port Douglas State School	4
	- St Augustine's School	6
	- Wonga State School	6
3.	Industrial/Commercial Premises (includes professional offices and industrial/commercial premises not otherwise specified in this schedule) each shop office	1
4.	Hotels	10
5.	Cafes/Restaurants	2
6.	Take Away Food Outlets	2
7.	Caterer's Premises	3
8.	Grocery/Convenience Store/Supermarkets	
	8.1 SUPERMARKETS Supermarkets	4
	8.2 GENERAL STORES Welcomemart Front Street Foodstore Johnston Road Store Four Mile Beach Mini Market Foodtown Food Store	2
	8.3 CONVENIENCE STORES Port Douglas General Store Newell Store Marano's Daintree	1
9.	Halls	1
10.	Churches (including Church Hall)	1
11.	Mossman Hospital	36
12.	Day Care Centre	3
13.	Kindergartens	1
14.	Sporting Clubs	3
15.	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 For every three cabins or part thereof	1
17.	Marinas	

<u>Type of Improvement</u>		<u>Minimum Number Of Cleansing Service Units</u>
	i) up to fifty berths for every two berths	1
	ii) for every additional five berths in excess of fifty berths	1
18.	Fire Stations, Ambulance Centres, Police Stations, Court Houses	
	i) Station or Centre	1
	ii) Each Officer's residence (where jointly rated with i) above)	1
19.	Post Offices	1
20.	Wrecking Yards	2
21.	Mossman Central Mill	10

SEWERAGE

Sewerage charges shall be made for the cost of supplying a service for the removal of sewage for the 2013/14 financial year in accordance with the following:-

(a) RESIDENTIAL

- (i) A standard charge of \$724.72 to be applied in accordance with the following:-
- For each residence, each flat and each strata title unit.
 - For each residence and/or each flat erected over two allotments of land with a total land area of less than 1190m² where Council is prepared to accept sewage.
- (ii) A charge of \$576.98 to be applied to each vacant allotment.
- (iii) A standard commercial charge per W.C. will apply to properties where strata title units have pedestals/urinals servicing common property.

(b) COMMERCIAL

A standard charge of \$620.04 per W.C. to be applied in accordance with the following:-

- (i) In respect of sewerer premises designed or used as boarding houses, hostels, guest houses, hotels or motels or designed or used for commercial, manufacturing, repairing, servicing, building and like industries, erected on one allotment of land, a separate charge for each W.C.
- (ii) In respect of sewerer premises designed or used as boarding houses, hostels, guest houses, hotels or motels or designed or used for commercial, manufacturing, repairing, servicing, building and like industries, erected over two or more allotments of land, a separate charge for each W.C.
- (iii) In respect of sewerer premises designed or used as boarding houses, hostels, guest houses, hotels or motels or designed or used for commercial, manufacturing, repairing, 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 W.C., with the total charge being rounded up to the next full charge.
- (vi) In respect of caravan parks connected to sewer mains, a charge of 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 W.C. per allotment shall apply.
- (viii) Each residence, each flat, each strata title unit that has for the purposes of differential rating been categorised as co-existing with a commercial category a standard charge equivalent to one W.C. 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 2013 the rate shall be apportioned.

(c) RURAL PRODUCTIVE

A standard charge of \$724.72 to be applied in accordance with the following:-

- (i) In respect of all sewerred premises designed or used for rural productive purposes, a standard charge per W.C. shall apply.
- (ii) In addition, where a residential improvement co-exists, the standard sewerage charge shall apply for each barrack, each residence, each flat, and each strata title unit and vacant allotment where Council is prepared to accept sewage.

(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 \$306.54 for each residence, each flat, each strata title unit, each shop etc shall apply.

WATER CHARGES – POTABLE

Water Charges shall be made for the purpose of supplying water for the 2013/14 financial year on the following basis:-

(a) RESIDENTIAL

- (i) An access charge of \$242.10 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 1190m².
- (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 \$1.09 per kilolitre for all water passing through the water meter within the water year.

(b) COMMERCIAL

- (i) An Access Charge of \$242.10 shall be applied in accordance with the following:-
 - For each vacant allotment, each shop, each office, each school, each hotel, each motel, each club, each hospital and each other commercial/industrial improvement not otherwise specified.
 - In respect of hotels and motels, one additional access charge shall apply for every three 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 \$1.16 per kilolitre for all water passing through the meter within the water year.

(c) RURAL PRODUCTIVE

- (i) An access charge of \$242.10 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 \$1.09 per kilolitre for all water passing through the water meter within the water year.

(d) ALL CATEGORIES

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

- (i) In respect of newly subdivided vacant land, water charges shall be levied proportionately for the unexpired part of the year from the date the plan of subdivision is registered at the Titles Office or from the date of connection of water to the subject land, whichever date shall be the earlier.
- (ii) In respect of improvements erected during the year, water charges shall be levied proportionately for the unexpired part of the year from the date the improvement is ready for occupation, or from the date of connection of water to the subject land, whichever date shall be the earlier.
- (iii) Where residential type 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) Not for Profit Recreation, Sporting and Community Groups that are recipients of Rates Based Financial Assistance will be charged for all water usage at \$1.09 per kilolitre.
- (vi) Meters shall be read on a rotational basis three times each year.
- (vii) Accounts for water usage will be issued three times during the year.

E. ISSUE OF RATE NOTICES

- 6) (a) That all Rates and Charges made, levied and imposed for the 2013/14 financial year (other than Water Usage Charges – Potable) will be issued twice a year for the periods ending 31st December 2013 and 30th June 2014 respectively.
- (b) That Water Usage Charges – Potable imposed for the 2013/14 financial year will be issued three times a year and that Council adopts section 102(2) of the *Local Government Regulation 2012* to assist it levying these particular charges.
- (c) The due date for payment is defined as being thirty-one (31) days from the date of issue of the rate notice.

F. INTEREST

- 7) That pursuant to section 133 of the *Local Government Regulation 2012*, interest will be charged at the rate of 11% per annum calculated at compound interest on daily rests, on all rates and charges which remain unpaid after the expiration of the due date for payment.

G. DEFERRAL OF LIABILITY

- 8) (a) That pursuant to section 125 of the *Local Government Regulation 2012*, the amount of premium for Council agreeing to enter into arrangements to defer the payment of rates and charges is the amount equivalent to the amount of interest that would have been raised if the arrangement had not been entered into.
- (b) That a premium for allowing pensioners to accumulate rates be set at equal to the amount of interest that would have been raised if such arrangement had not been approved.

H. DEFINITIONS

- 9) (a) That for the purpose of calculation of sewerage rates and charges for Commercial properties:-
 - (i) Each 1.8m of urinal or part thereof shall be deemed to be a W.C.
 - (ii) Each three individual wall hung urinals or part thereof shall be deemed to be a W.C.
 - (iii) Each pedestal shall be deemed to be a W.C.

- (b) For the purpose of charging water usage charges for water meters read after 1 July 2013 the charge made shall be at the rate specified for the 2013/14 financial year.
- (c) 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.

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FINANCIAL SUSTAINABILITY REPORT

Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

That Council note the information presented relating to the financial position as at 30 June 2013

EXECUTIVE SUMMARY:

The attachment to this report aims to provide clarity around Council's current financial position and its future financial sustainability.

BACKGROUND:

The Special Purpose Separate Financial Statements as at 30 June 2013 were presented to the Ordinary meeting on 14 January 2014. A number of queries were raised regarding Council's expected cash position and any known constraints on the available cash.

At a subsequent budget workshop discussions were also held regarding the role of the new budget in influencing Council's future financial sustainability. This topic is addressed as part of the budget adoption report contained in this agenda.

PROPOSAL:

The aim of the attached paper is to inform Council in relation to the queries that have been raised.

ATTACHMENTS:

Constraints on the Douglas Opening Cash Position (provided under separate cover).

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2013/14 BUDGET (01 JANUARY TO 30 JUNE 2014)

Darryl Crees – General Manager Corporate Services

RECOMMENDATION:

1. That Council adopt the 2013/14 Budget as presented, including:
 - a. Statement of Comprehensive Income
 - b. Statement of Capital Funding
 - c. Capital Works Program
 - d. Measures of Financial Sustainability

2. That Council resolve to discontinue charging a credit card surcharge fee on all credit card payments received.

EXECUTIVE SUMMARY:

Council is required to adopt a budget for the period 01 January to 30 June 2014 and also determine what rates and charges are to be levied for that period.

This report also recommends discontinuing the credit card surcharge fee that is currently applied to credit card payments received.

BACKGROUND:

Council would normally be required to levy rates and charges for a full financial year (section 94(2) of the *Local Government Act 2009*) and adopt an annual budget before 01 August each year (section 107A). However, the legislation has been amended to include a number of transitional provisions for de-amalgamating councils and in relation to budget adoption and rates and charges section 305 of the *Local Government Act 2009* states that:

- (1) A new local government must, at a meeting of the local government—
 - (a) adopt, by resolution, a budget presented by the mayor, with or without amendment, for the period—
 - (i) starting on 1 January 2014; and
 - (ii) ending on 30 June 2014; and
 - (b) decide, by resolution, what rates and charges are to be levied for the period—
 - (i) starting on 1 January 2014; and
 - (ii) ending on 30 June 2014.
- (2) The meeting must be held—
 - (a) before 1 February 2014; or
 - (b) on a later day allowed by the Minister.
- (3) Sections 94(2) and 107A do not apply to a new local government for the 2013-14 financial year.

The required budget documentation is attached to this report and includes an overview which provides further information on the legislative requirements, the budget development process, the principles applied and de-amalgamation factors.

Previous reports included in this agenda identify the rates and charges to be levied for the period 01 January to 30 June 2014.

PROPOSAL:

The adoption of the 2013/14 Budget (01 January to 30 June 2014) and the discontinuance of the credit card surcharge fee currently charged on all credit card payments received.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:

The budget has been prepared to ensure that appropriate resources are available to deliver the activities and initiatives detailed in the Operational Plan.

FINANCIAL/RESOURCE IMPLICATIONS:

In accordance with Section 204 of the *Local Government Regulation 2012*, monthly financial statements will be prepared and presented to Council which will state the progress that has been made against the budget.

RISK MANAGEMENT IMPLICATIONS:

There are two types of risk that may impact upon the budget, firstly normal business risks such as seasonality, tourism etc and secondly, the source data used to develop the budget. In the case of the latter the highest risk is in the materials and services area as there are no historical trends available for the new Council.

The risk will be managed through weekly financial reporting to the management team and monthly financial reporting to Council. Should the need arise, the capital works program could also be adjusted.

INTERNAL/EXTERNAL CONSULTATION:

A number of workshops were held with Councillors and senior staff in the preparation of the budget.

ATTACHMENTS:

2013/14 Budget (01 January to 30 June 2014)