

CAIRNS REGIONAL COUNCIL

SPECIAL MEETING

MINUTES

23 JULY 2012

COMMENCING AT 9:30 AM

PRESENT: Cr B Manning (Chairperson)
Cr R Bates
Cr S Brain
Cr L Cooper
Cr G Fennell
Cr T James
Cr J Leu
Cr M O'Halloran
Cr R Pyne
Cr J Richardson
Cr J Schilling

OFFICERS:

P Tabulo	A/Chief Executive Officer
S Agius	A/General Manager Infrastructure Services
L Kirchner	General Manager Corporate Services
K Reaston	A/General Manager Planning & Environment
B Gardiner	General Manager Water & Waste
I Lowth	General Manager Community, Sport & Cultural Services
J Brozek	Manager Financial Services
F Dix	A/Manager Marketing & Communications
L Guy	Media Coordinator
S Godkin	Minute Secretary

CONFLICT OF INTEREST / MATERIAL PERSONAL INTEREST

There were no conflict of interest or material personal interest declared.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

Mayor's Budget Speech 2012-13

July 23, 2012

It would be preferable to be speaking to a budget being proposed in times of strong economic growth and outlining aggressive revenue and expenditure targets – but this is not the case. The Cairns Regional Council local government area (together with the greater Tropical North Queensland region) continues to experience trying economic times with a narrowing of our economic base, diminished levels of business activity, high unemployment levels, restrained investment confidence, a high Australian dollar working against Tropical North Queensland as a tourist destination and a two-speed economy which benefits those involved in the minerals boom but in many respects creates problems for those areas located outside the influence of the mining precincts.

That aside, there are reasons to be optimistic about the future. I can't help but think that the Cairns region/Tropical North Queensland is again about to embark upon a period of growth and excitement. The announcement last Saturday of the commencement of China Eastern flights between Shanghai and Cairns is the most exciting aviation announcement since the late 1980s/early 1990s, when Cairns was flooded with flights out of Japan, and then out of Korea. This has far-reaching consequences for the regional economy and it is perhaps the most significant indication that the 'tide' has turned and this should provide a very real boost in business and investment confidence.

This is not the only opportunity that we have at our feet at the moment, but I would regard it as the most promising and potentially the greatest. Sometimes opportunities only present themselves once, and then they are gone. So what do we have to do to make sure that we achieve the maximum outcome from this announcement? The need has never been greater for the Cairns Regional Council and other entities such as Cairns Airport, Ports North, Tourism Tropical North Queensland and Advance Cairns to 'partner' and work together to make sure that we achieve the maximum harvest in terms of both the tourism potential arising out of this announcement and the many other economic spin-offs that will result.

Additionally, Council has to work diligently with the above entities to maximise other potential opportunities which have been or are being identified.

The 2012/13 budget is predicated upon three key assumptions:-

1. that the region is showing increased signs of business confidence and that there are signs to indicate that an upward economic trend could be emerging,
2. that Council needs to carry some of the weight in terms of households and business and therefore rates have been struck at the minimum possible increase ie. 3.0% plus the estimated impact of the carbon tax of 0.7%.
3. that Councils needs to hold its capital works program at the maximum possible level in order to stimulate local work, but at the same time not overextending itself. In this regard, Council needs to place itself in a position where it can respond, if it has to, in regard to a more pronounced pick-up in economic activity and which might require an increased Council spend.

Prior to the budget formulation, Council again committed itself to another round of 'Infrastructure Charges incentives' in an effort to stimulate commercial construction activity.

The 2012-13 budget provides for Total Operating Revenue of \$291.73 million and Total Operating Expenses of \$298.370 million, with a forecast deficit of \$6.639 million. The forward estimates provide for the Council to bring the budget back into balance in the 2013-14 financial year. This will be achieved by both anticipated growth and a rates increase in the order of 4-5%.

In this regard, it is critical that budget blowouts do not occur, as these will simply compound bringing the budget back into balance.

The budget provides for a Capital Works Program totalling \$93.75 million. A high level break up of this program provides for the following:-

§ Infrastructure Services	\$36.65m
§ Water and Waste	\$32.7m
§ Community, Sport and Cultural Facilities	\$17.02m
§ Corporate Services	\$6.69m

Council should ensure that an early start is made towards implementing this program of works but it should also satisfy itself beforehand that major expenditure items are justified. I believe, as is the case in any budget, that there is 'fat' in the proposed budget and it is the function of Council and management to ensure that this is culled out and, if necessary, the funds reallocated.

In this regard, the budget provides a plan to go forward, but there is no reason why proposed expenditures/projects should not be tested to ensure their continued appropriateness. This will require Council to become far more conversant with the 2012-13 works program (capex and opex) and this is a matter which needs to be resolved with management.

It is important for Council in the foreseeable future to start to consider a four-year budget strategy in order to build some discipline around where this term of Council is to take us all. The alternative will lead to a less than optimum outcome.

The current budget preparation has been a somewhat disjointed affair, with the Local Government elections being pushed back a month to accommodate the State elections, thereby leaving too short a time for proper consideration, and then this was compounded with an all too busy and extended Board induction process.

Under the circumstances, and taking into account the above comments, I believe the proposed budget is appropriate for Council to consider and adopt, but again I make the point that the adoption of the budget is not an end in itself and a strong discipline will be required to ensure Council implements the program of works contained within the budget, in the most cost-effective manner, and makes necessary adjustments throughout the budget term as changing conditions/priorities might warrant.

1. STRUCTURE OF GENERAL RATING CATEGORIES FOR 2012/13..... 5

Rob Reilly: 17/9/15-01 #3513036

COOPER / SCHILLING

That Council adopts the following categories and descriptions for the purpose of levying differential general rates for 2012/13.

<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 *Land Valuation Act 2010*.
- 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 B - Major Shopping Centres over 34,999m2 Gross Lettable Area – Retail (“GLAR”).
- Commercial D - Commercial properties located within the Inner City.
- Commercial E - Commercial properties not included in Commercial Categories B, D, F, G & H.
- Commercial F - Properties used by Not for Profit Recreation, Sporting and Community Groups that are eligible for Rates Based Financial Assistance.
- Commercial G - Major Shopping Centres over 20,000m2 and less than 35,000m2 GLAR.
- 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.

carried

2. HOLLOWAYS BEACH ROCK WALL STAGE 1 – SPECIAL CHARGE ... 8
Rob Reilly: 17/49/9-06: #3513037

RICHARDSON / FENNELL

That Council adopts the following in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*:-

(1) Overall Plan

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

For avoidance of doubt, that overall plan comprises:-

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

- (d) The overall plan commenced in July 2003 and will conclude in June 2023 upon the conclusion of the repayment of the loan to the Queensland Treasury Corporation.

(2) **Annual Implementation Plan**

The annual implementation plan for 2012/13 comprises continuation of the repayment of the 20 year loan identified in the overall plan.

(3) **Special Charge**

- (a) Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 1 will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the seaward side of that individual parcel.
- b) Council makes a special charge of \$253.81 per lineal metre for the 2012/13 financial year to be levied on each parcel to the extent specified below:-

<u>Lot No.</u>	<u>Plan</u>	<u>Lineal Metres</u>
1	RP711882	15.98
2	RP711882	18.87
2	RP709285	20.25
301	SP218293	10.12
302	SP218293	10.12
4	RP709285	10.12
5	RP709285	10.09
6	RP709285	10.06
7	RP709285	10.06
43	RP709285	10.06
44	RP709285	10.06
45	RP709285	10.06
46	RP709285	10.06
8	RP742713	10.57

- (c) That the Special Charge – Holloways Beach Rock Wall Stage 1 be levied over a period of 20 years from 2003.
- (d) That the Special Charge – Holloways Beach Rock Wall Stage 1 be repaid at market value where the amount owed is paid prior to the 20 year expiry.

- (e) If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- (i) The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2013.
 - (ii) If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- f) In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- g) If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- h) If any adjustment of a special charge which has already been levied is required under Chapter 2, Part 9, Division 2 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

3. HOLLOWAYS BEACH ROCK WALL STAGE 2A – SPECIAL CHARGE13

Rob Reilly: 17/49/9-06: #3513039

RICHARDSON / O'HALLORAN

That Council adopts the following in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*:-

(1) Overall Plan

The overall plan was adopted by resolution of Council on 30 June 2004.

For avoidance of doubt, that overall plan comprises: -

- (a) The construction of a rock wall to protect the rateable land to which the special charge applies from inundation from the sea, and the subsequent repayment to Council of the cost of that construction.
- (b) The rateable land to which the special charge applies is the parcels identified on the map bearing the notation "Holloways Beach Rock Wall - Stage 2A".
- (c) The estimated cost for carrying out the overall plan is \$382,189.78 plus interest. In this regard, a loan of \$382,189.78 was drawn down in the 2004 year over a 20 year term and will form part of Council's long term debt pool with Queensland Treasury Corporation.
- (d) The overall plan commenced in July 2004 and will conclude in June 2024 upon the conclusion of the repayment of the loan to the Queensland Treasury Corporation.

(2) Annual Implementation Plan

The annual implementation plan for 2012/13 comprises continuation of the repayment of the 20 year loan identified in the overall plan.

(3) Special Charge

- (a) Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 2A will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the seaward side of that individual parcel.

- (b) Council makes a special charge for the 2012/13 financial year to be levied on each parcel to the extent specified below:-

<u>Lot No.</u>	<u>Registered Plan</u>	<u>Amount</u>
14	709285	\$2,480.12
13	709285	\$2,480.12
12	709285	Nil*
11	709285	\$4,368.06
10	709285	Nil*
48	709285	\$2,480.12
47	742713	Nil*
8	742713	\$947.40

*Refer (d) below

- (c) That the Special Charge – Holloways Beach Rock Wall Stage 2A be levied over a period of 20 years from 2004.
- (d) That the Special Charge – Holloways Beach Rock Wall Stage 2A be repaid at market value where the amount owed is paid prior to the 20 year expiry.
1. Lot 10 RP709285 paid the full amount owing of \$71,826.06 on 6 September 2006. An amount of \$16,099.65 was credited on 28 May 2007 to the ratepayer's rate file following an agreed reduction with Council. All rates levied up to and including the period 01 July 2006 to 31 December 2006 had already been paid.
 2. Lot 12 RP709285 paid the full amount owing of \$41,334.19 on 30 April 2007. All rates levied up to and including the period 1 January 2007 to 30 June 2007 had already been paid.
 3. Lot 47 RP742713 paid the full amount owing of \$42,365.00 on 7 October 2011. All rates levied up to and including the period 1 July 2011 to 31 December 2011 had already been paid.
- (e) If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- (i) The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2013.

- (ii) If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
- on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
- (f) In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- (g) If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- (h) If any adjustment of a special charge which has already been levied is required under Chapter 2, Part 9, Division 2 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

4. HOLLOWAYS BEACH ROCK WALL STAGE 2B – SPECIAL CHARGE19
Rob Reilly: 17/49/9-06: #3513041

RICHARDSON / SCHILLING

That Council adopts the following in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*:-

(1) Overall Plan

The overall plan was adopted by resolution of Council on 30 June 2004.

For avoidance of doubt, that overall plan comprises:-

- (a) The construction of a rock wall to protect the rateable land to which the special charge applies from inundation from the sea, and the subsequent repayment to Council of the cost of that construction.
- (b) The rateable land to which the special charge applies is the parcels identified on the map bearing the notation “Holloways Beach Rock Wall - Stage 2B”.
- (c) The estimated cost for carrying out the overall plan is \$338,369.73 plus interest. In this regard, a loan of \$338,369.73 (being original construction costs of \$541,364.38 less \$180,036.65 paid in full by a ratepayer and less the first year special charge of \$22,958.00) was drawn down in the 2005 year over a 19 year term and will form part of Council’s long term debt pool with Queensland Treasury Corporation.
- (d) The overall plan commenced in July 2004 and will conclude in June 2024 upon the conclusion of the repayment of the loan to the Queensland Treasury Corporation.

(2) Annual Implementation Plan

The annual implementation plan for 2012/13 comprises continuation of the repayment of the 19 year loan identified in the overall plan.

(3) Special Charge

- (a) Each parcel of rateable land identified on the map marked Holloways Beach Rock Wall - Stage 2B will specially benefit from the constructed rock wall and each parcel will receive a special benefit by way of an improved level of protection from the sea for the length of wall constructed on the sea ward side of that individual parcel.

- (b) Council makes a special charge for the 2012/13 financial year to be levied on each parcel to the extent specified below:-

<u>Lot No.</u>	<u>Registered Plan</u>	<u>Amount</u>
9	745145	\$ 1,534.12
15	709285	\$ 1,534.12
16	709285	\$ 2,020.22
17	709285	\$ 3,068.24
18	709285	\$ 1,534.12
19	709285	\$ 4,041.70
20	709285	\$ 4,041.70
1	738098	\$ 5,510.66
2	738098	\$ 5,510.82
3	738098	Nil*

*Refer (d) below

- (c) That the Special Charge – Holloways Beach Rock Wall Stage 2B be levied over a period of 19 years from 2005.
- (d) That the Special Charge – Holloways Beach Rock Wall Stage 2B be repaid at market value where the amount owed is paid prior to the 19 year expiry. Lot 3 RP738098 paid the full amount of \$180,036.65 prior to the loan being drawn down and rates levied for 2004/05 were also deducted from the original loan amount prior to the loan being drawn down.
- (e) If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- (i) The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2013.
 - (ii) If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - on a pro rata gross floor area basis, if the rateable lots are created by building format plan.

- (f) In making an apportionment under paragraph (e), land which is dedicated as a road or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.
- (g) If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (e) and (f), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- (h) If any adjustment of a special charge which has already been levied is required under Chapter 2, Part 9, Division 2 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (e) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

5. BLUEWATER CANAL – SPECIAL CHARGE 24
 Tim Smith: 17/49/9-06: #3513043

FENNELL / SCHILLING

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* known as the Bluewater Canal Special Charge, as follows:-

- (1) That Council makes and levies a special charge on the land identified in this resolution for the purpose of funding works for the dredging and maintenance of the Bluewater Canal, Half Moon Creek and Offshore Channel.
- (2) The overall plan for the carrying out of the works be identified as follows:-
 - (a) The rateable land to which the plan applies is the land specified in this resolution;

- (b) The service facility or activity for which the plan is made is the dredging and maintenance of Bluewater Canal, Half Moon Creek and Offshore Channel specified in Attachment 3 and providing for as the major elements:-
- dredging of the Bluewater Canal, Half Moon Creek and Offshore Channel, including spoil disposal;
 - maintenance of channel markers and lights; and
 - hydrographic surveys;
- (c) The extent of dredging each year varies and is very weather dependant. It is therefore considered appropriate to determine estimated costs for 2012/13 based on the average costs over the last three years;
- (d) Therefore the estimated cost of implementing the overall plan in 2012/13 is \$556,555, of which the special charge is intended to raise approximately 85% of the funds, with the remaining 15% to be funded by Council from other sources in recognition of the fact that the canal, creek and channel are also accessed by other users via the public boat ramps at Bluewater and Yorkeys Knob;
- (e) The estimated total funds required to carry out the plan in the 2012/13 financial year are approximately the same as those raised by the special charge in the 2011/12 financial year. However, the actual cost for each lot differs due to the estimated summary costs for Zone C being more than 2011/12.
- (f) The time for implementing the overall plan is one year ending on 30 June 2013. However, the provision of canal dredging and maintenance will be an ongoing activity and further special charges are expected to be made in future years.
- (3) The land to which the special charge applies will specially benefit from the works, as compared to other areas of the Cairns region generally, for the reason that such land has the benefit of direct access to the canal, creek and offshore channel, the subject of the works. However, as more fully detailed in Attachment 3, Council considers it appropriate that the amount of the special charge vary between the different land identified below having regard to all matters relevant to the objective of achieving an equitable spread of the rating burden between all of the land to be rated and fairness between the different classes of land, including the extent to which, in Council's opinion, different land will specially benefit from the works. For example, Council acknowledges that the burden of the special charge should vary in recognition of: -
- (a) Yorkeys Knob Marina's downstream location; and
 - (b) the fact that dredging does not take place within 29 metres of the water frontage of the land located on Riverside Parade, but that this particular land will nevertheless get the benefit of the dredging and maintenance works further downstream.

- (4) The following special charges are hereby made for the 2012/13 financial year:-

Property Description	Amount of special charge
Lots 1 to 41 on SP165903	\$1,600.50 per lot
Lots 42 on SP241494	\$1,600.50 per lot
Lots 44 to 65 on SP165903	\$1,600.50 per lot
Lots 79 to 130 on SP165903	\$1,600.50 per lot
Lots 22 to 23 on SP224676	\$ 800.26 per lot
Lots 24 to 31 on RP737271	\$ 800.26 per lot
Lots 32 to 43 on RP737260	\$ 800.26 per lot
Lot 186 on SP165903 (the "Bluewater Marina")	\$172,854.00
Lot 26 on SP122863 (the "Yorkeys Knob Marina")	\$ 88,906.10

- (5) The special charge is to be levied by two half yearly levies.
- (6) If, after the date of this resolution, and before the levy of the special charge, a reconfiguration of any of the parcels of rateable land into one or more rateable lots is registered:-
- (a) The gross amount to be levied on the rateable lot or lots created by the reconfiguration, from the date of registration, is the amount specified in the table above for the rateable lot which existed immediately prior to the reconfiguration, adjusted on a pro rata time basis to produce an amount for the period from the date of registration of the reconfiguration to 30 June 2013.
 - (b) If more than one rateable lot is created by the reconfiguration, the gross amount must be apportioned to all of the rateable lots created:-
 - (i) on a pro rata land area basis, if the rateable lots are created by standard format plan; or
 - (ii) on a pro rata gross floor area basis, if the rateable lots are created by building format plan.
 - (c) In making an apportionment under paragraph (b), land which is dedicated as a road, or dedicated or transferred to a public authority for other public purposes, or which becomes common property (whether under a standard format or building format plan) must be disregarded, and must have no apportionment applied to it, so that the total amount apportioned to the new rateable lot or lots equals the amount specified in the table above as the special charge for the lot which existed immediately prior to the reconfiguration.

- (d) If a rateable lot to which a special charge amount has been apportioned in accordance with this paragraph is itself reconfigured into one or more rateable lots before the levy of the special charge, sub paragraphs (a), (b) and (c), and this subparagraph, must be applied, with necessary adaptations, to apportion the special charge amount for that rateable lot to the new rateable lots, and so on for any subsequent reconfiguration.
- (7) If any adjustment of a special charge which has already been levied is required under Chapter 2, Part 9, Division 2 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, as a result of reconfiguration of any of the parcels of rateable land into one or more rateable lots, the adjustment must be made on a pro rata time basis, applying paragraph (6) to calculate the amount on which the calculation for the period after reconfiguration is based.

carried

6. MOWBRAY VALLEY RURAL FIRE BRIGADE – SPECIAL CHARGE .. 34
Rob Reilly: 17/49/9-06: #3513044

LEU / O'HALLORAN

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* 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 \$178,100.
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2013.
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 2012/13 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.

carried

7. **DAINTREE RURAL FIRE BRIGADE – SPECIAL CHARGE..... 37**
 Rob Reilly: 17/49/9-06: #3513046

LEU / SCHILLING

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* 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 \$3,335.**
 - (d) **The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2013.**
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 \$20.00 per rateable assessment for the 2012/13 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.**

carried

8. **THORNTON PEAK RURAL FIRE BRIGADE – SPECIAL CHARGE..... 40**
 Rob Reilly: 17/49/9-06: #3513047

LEU / SCHILLING

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* 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 \$2,530.
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2013.
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 2012/13 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.

carried

9. WONGA RURAL FIRE BRIGADE – SPECIAL CHARGE 43
 Rob Reilly: 17/49/9-06: #3513048

LEU / PYNE

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* 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 \$10,500.
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2013.

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 2012/13 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.

carried

10. BLOOMFIELD RIVER RURAL FIRE BRIGADE – SPECIAL CHARGE . 46
Rob Reilly: 17/49/9-06: #3513050

LEU / FENNELL

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* 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 \$29,250.
 - (d) The estimated time for carrying out the overall plan is one (1) year ending on 30 June 2013.
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 2012/13 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.

carried

11. REFUSE - SPECIAL CHARGE 49

Debra MacKeen: 17/49/9-06 : #3513052

LEU / FENNELL

That Council levies a special charge in accordance with sections 92 and 94 of the *Local Government Act 2009* and section 28 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* 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 2012/13 financial year is \$508,849 and the estimated revenue from gate fees for the same period is \$100,520, resulting in an anticipated net operating loss of \$408,329. 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 \$47,895, which equates to less than 10% of the yearly operating cost.

d) Estimated Time for Implementing the Overall Plan

The special charge will apply for a period of 12 months commencing 1 July 2012.

- 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 \$143.40 is hereby made to apply equally to each rateable assessment defined in clause 2(a) for the 2012/13 financial year.

carried

12. REVENUE STATEMENT AND RATES AND CHARGES FOR THE 2012/13 FINANCIAL YEAR..... 53

Rob Reilly: 17/49/9-06: #3513057

COOPER / JAMES

- (i) That Council resolves pursuant to chapter 4, part 3 of the *Local Government Act 2009* and chapter 3, part 2 division 6 of the *Local Government (Finance, Plans and Reporting) Regulation 2010:-*

To adopt the attached General Policy Revenue Statement for the 2012/13 financial year.

- (ii) That Council resolves pursuant to chapter 2 of the *Local Government (Finance, Plans and Reporting) Regulation 2010:-*

To adopt the recommendations contained in the Rates and Charges for the 2012/13 financial year.

carried

13. NATIONAL COMPETITION POLICY IMPLEMENTATION FOR THE 2012/13 FINANCIAL YEAR..... 92
 Juli-Ann Brozek: 17/9/24-01: #3648372

JAMES / SCHILLING

That Council:

1. continues to apply a type 1 business activity for water and sewerage combined activities known as Cairns Water for the 2012/13 Financial Year.
2. continues to apply a type 1 business activity for road maintenance, drainage, minor works, parks, street litter and public toilet cleaning activities known as Cairns Works for the 2012/13 Financial Year.
3. continues to apply a type 1 business activity for solid waste management activities known as Cairns Resource Recovery for the 2012/13 Financial Year.
4. continues to apply the Code of Competitive Conduct to the following type 3 business activities:
 - Design Services
 - Survey Services
 - Fleet Services (Plant and Equipment)
 - Ticketlink
 - Carparking
 - Caravan Parks
 - Building Regulation and Certification
 - Project Services
 - Facilities Maintenance

carried

14. CAIRNS REGIONAL COUNCIL OPERATIONAL PLAN 2012/13..... 95
 Emma Bourne: 17/9/24-01: #3513068

COOPER / LEU

That Council:

1. adopts the Cairns Regional Council Operational Plan 2012/13.
2. delegates authority to the Chief Executive Officer in accordance with Section 257 of the *Local Government Act 2009* to make administrative amendments to the Operational Plan should minor adjustments be required.

carried

15. 2012/13 ANNUAL BUDGET AND FINANCIAL PLAN 98

Juli-Ann Brozek: 17/9/24-01: #3513070

COOPER / SCHILLING

That Council adopts the 2012/13 Annual Budget and Financial Plan as presented, including the:

- 1. 2012/13 Annual Budget
 - a. Budgeted Community Financial Report
 - b. Budgeted Financial Statements, consisting of:
 - Statement of Financial Position
 - Statement of Cash Flows
 - Statement of Comprehensive Income
 - Statement of Changes in Equity
 - c. Measures of Financial Sustainability
 - d. 2012/13 Reserves Policy
 - e. 2012/13 Dividend Policy
 - f. 2012/13 Code of Competitive Conduct Statement
 - g. 2012/13 Capital Works Summary
- 2. 2012/13 Financial Plan
 - a. 2012/13 Investment Policy
 - b. 2012/13 Debt Policy
 - c. 2012/13 Bank Guarantee Policy

carried

THE MEETING CLOSED AT 9:52 AM

CONFIRMED THIS _____ DAY OF _____ 2012

.....
MAYOR

.....
A/CHIEF EXECUTIVE OFFICER