



**Redland**  
CITY COUNCIL

# **MINUTES**

## **SPECIAL MEETING**

**Thursday, 27 June 2013**

The Council Chambers  
35 Bloomfield Street  
CLEVELAND QLD

## Table of Contents

Item	Subject	Page No
1	<b>DECLARATION OF OPENING .....</b>	<b>3</b>
2	<b>RECORD OF ATTENDANCE AND LEAVE OF ABSENCE.....</b>	<b>3</b>
3	<b>MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST .....</b>	<b>3</b>
4	<b>BUDGET ADDRESS BY THE MAYOR.....</b>	<b>3</b>
5	<b>BUSINESS .....</b>	<b>4</b>
5.1	<b>DEBT POLICY 2013/2014 .....</b>	<b>4</b>
5.2	<b>CATEGORISATION OF LAND FOR DIFFERENTIAL RATING 2013/2014 .....</b>	<b>7</b>
5.3	<b>ADOPTION OF BUDGET ESTIMATES AND FIXING OF RATES AND CHARGES FOR 2013-2014.....</b>	<b>13</b>
5.3.1	STATEMENT OF ESTIMATED FINANCIAL POSITION 2012/2013.....	19
5.3.2	NATIONAL COMPETITION POLICY REQUIREMENTS FOR SIGNIFICANT AND OTHER BUSINESS ACTIVITIES IN 2013/2014.....	22
5.3.3	ESTABLISHMENT OF RESERVE BALANCES AND TRANSFERS FOR 2013/2014.....	26
5.3.4	CITY CANALS SPECIAL CHARGE –ANNUAL IMPLEMENTATION PLAN 2013-2014.....	29
5.3.5	SOVEREIGN WATERS LAKE LEVY .....	32
5.3.6	AQUATIC PARADISE MARINA SPECIAL CHARGE .....	36
5.3.7	AQUATIC PARADISE SPECIAL CHARGE .....	40
5.3.8	RABY BAY MARINA SPECIAL CHARGE .....	44
5.3.9	RABY BAY TIDAL WORKS (COMMUNITY TITLE SCHEME) SPECIAL CHARGE .....	48
5.3.10	RABY BAY TIDAL WORKS (NON COMMUNITY TITLE SCHEME) SPECIAL CHARGE .....	52
5.3.11	SOUTHERN MORETON BAY ISLANDS TRANSLINK OPERATIONS SPECIAL CHARGE - OVERALL PLAN AND ANNUAL IMPLEMENTATION PLAN .....	56

5.3.12 OVERALL PLAN - KARRAGARRA ISLAND RURAL FIRE  
LEVY SPECIAL CHARGE 2013-2014 .....60

5.3.13 OVERALL PLAN - LAMB ISLAND RURAL FIRE LEVY  
SPECIAL CHARGE 2013-2014 .....64

5.3.14 OVERALL PLAN - MACLEAY AND PERULPA ISLANDS  
RURAL FIRE LEVY SPECIAL CHARGE 2013-2014.....68

**6 MEETING CLOSURE ..... 71**

**1 DECLARATION OF OPENING**

The Mayor declared the meeting open at 10.30am.

**2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE****MEMBERS PRESENT:**

Cr K Williams	Mayor
Cr A Beard	Deputy Mayor & Councillor Division 8
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr K Hardman	Councillor Division 3
Cr L Hewlett	Councillor Division 4
Cr M Edwards	Councillor Division 5
Cr J Talty	Councillor Division 6
Cr M Elliott	Councillor Division 7
Cr P Gleeson	Councillor Division 9
Cr P Bishop	Councillor Division 10

**EXECUTIVE LEADERSHIP GROUP:**

Mr B Lyon	Chief Executive Officer
Mr N Clarke	General Manager Organisational Services
Mrs L Rusan	General Manager Community & Customer Services
Mr G Soutar	General Manager Infrastructure & Operations
Mr G Holdway	Chief Financial Officer

**MINUTES:**

Mrs J Parfitt	Team Leader Corporate Meetings & Registers
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**3 MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST**

Nil.

**4 BUDGET ADDRESS BY THE MAYOR**

The Mayor presented Redland City Council's Annual Budget.

## 5 BUSINESS

### 5.1 DEBT POLICY 2013/2014

**Datworks Filename:** FM Corporate Budget

**Attachment:** [POL-1838 Debt Policy](#)

**Authorising Officer:**



**Bill Lyon**  
Chief Executive Officer

**Responsible Officer:** Gavin Holdway  
Chief Financial Officer

**Author:** Deborah Corbett-Hall  
Service Manager Business and Commercial  
Finance

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### PURPOSE

The purpose of this report is to adopt a borrowing policy for the 2013/2014 financial year.

### BACKGROUND

Council reviews its long term financial strategy annual between October and December and then finalises the annual financial management policies as part of the budget development process.

### ISSUES

The attached policy is as a result of the discussion held during the General Meeting on 19 June 2013, all other issues have been addressed during the budget development process (in particular the review of the ten year capital programme and its borrowing implications).

### STRATEGIC IMPLICATIONS

Council has developed the debt policy as part of the annual review of the long term financial strategy and ensures the borrowings are financially sustainable. Additionally, Council undergoes an annual credit review conducted by Queensland Treasury Corporation (QTC) and has demonstrated to QTC that the forecasted financial performance and position of Council is sound.

### Legislative Requirements

Section 192 of the *Local Government Regulation 2012* requires a local government to prepare and adopt a policy for a financial year. The debt policy also forms part of the financial management system alongside other key financial policies namely Revenue, Investment, Corporate Procurement and Enterprise Asset and Service Management.

## **Risk Management**

Council reviews its debt on a monthly basis and ensures legislative and Department of Local Government, Community Recovery and Resilience 'financial sustainability guideline' targets are met or exceeded. Council officers work closely with Queensland Treasury Corporation to manage the debt and only propose to borrow monies when the interest and repayment amounts are affordable over the life of the loan.

## **Financial**

The financial implications contained within the attached policy have been discussed as part of the budget development programme and the Key Performance Indicators (KPIs) demonstrated the proposed borrowings are financially sustainable. QTC's credit review is also a prerequisite for Council's annual loan approval process.

## **People**

Nil impact expected.

## **Environmental**

Nil impact expected.

## **Social**

Nil impact expected.

## **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way

- 9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council
- 9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels
- 9.7 Develop our procurement practices to increase value for money within an effective governance framework

## **CONSULTATION**

The annual review of Council's long term financial strategy was held between October and December 2012 when the policy intent was reviewed and confirmed. Budget 2013/2014 workshops then considered the capital programme for 2013-2023, underpinned by borrowings in accordance with the policy. Debt and longer term borrowings were also discussed during the QTC credit review presentation on 28 May 2013.

## **OPTIONS**

1. Council resolves to adopt the attached debt policy for 2013/2014 as discussed during the budget development workshops and finalisation of the ten year capital programme; or

2. Council resolves to amend the attached debt policy prior to its adoption.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

**Moved by: Cr A Beard  
Seconded by: Cr M Edwards**

**That Council resolve to adopt the attached debt policy for 2013/2014 as discussed during the budget development workshops and finalisation of the ten year capital programme.**

**CARRIED 11/0**

## 5.2 CATEGORISATION OF LAND FOR DIFFERENTIAL RATING 2013/2014

**Datworks Filename:** FM Corporate Budget

**Authorising Officer:**



**Bill Lyon**  
**Chief Executive Officer**

**Responsible Officer:** **Gavin Holdway**  
**Chief Financial Officer**

**Author:** **Noela Barton**  
**Service Manager Revenue and Cash Management**

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### **PURPOSE**

To submit to Council for adoption the differential rating categories for 2013-2014.

### **BACKGROUND**

Section 81(1) of the *Local Government Regulation 2012* (the Regulation) requires that before a local government may levy differential general rates, it must decide the different categories of rateable land in its local government area. Section 81(2) of the same Regulation requires the local government must, by resolution, make the decision at the local government's budget meeting.

### **ISSUES**

On an annual basis Council reviews the differential rating categories and determines from the objectives and principles outlined in the Revenue Policy and 10 year Financial Strategy the differential rating categories that will be applied for the following financial year.

The differential rating categories for the 2013/2014 financial year have been determined in the course of budget deliberations with Council following consultation with Orion Consulting Network Pty Ltd and in consideration of Council objectives, the Revenue Policy and 10 year Financial Strategy.

### **STRATEGIC IMPLICATIONS**

#### **Legislative Requirements**

Section 81(1) of the Regulation requires that before a local government may levy differential general rates, it must decide the different categories of rateable land in its local government area.

Section 81(2) of the Regulation requires the local government must, by resolution, make the decision at the local government's budget meeting.

Section 81(3) of the Regulation requires the resolution must state the rating categories of rateable land and the description of each category.



## **Risk Management**

An independent consultant, Orion Networking Pty Ltd (Orion), was engaged to review Council's overall rating strategy and level of utility charges. The rating strategy was reviewed with particular reference to:

- Relativities between valuation bands and geographical locations;
- Each sector's share of the economy;
- Industry rating comparative to other local governments; and
- Relativities for rates/ minimum rates for all residents

David Spearritt and Thomas Bidstrup from Orion held two separate workshops with the Council and the Executive Leadership group from which direction was provided on the rating categories that would apply for the 2013-2014 financial year.

## **Financial**

This determination of rating categories provides the platform for the making and levying of differential general rates for the financial year.

## **People**

Nil impact expected as the purpose of the report is to adopt the 2013-2014 rating categories to Council for adoption.

## **Environmental**

Nil impact expected as the purpose of the report is to adopt the 2013-2014 rating categories to Council for adoption.

## **Social**

Nil impact expected as the purpose of the report is to adopt the 2013-2014 rating categories to Council for adoption.

## **Alignment with Council's Policy and Plans**

### **8. Inclusive and ethical governance**

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals.

- 8.8 Provide clear information to citizens about how rates, fees and charges are set and how council intends to finance the delivery of the community plan and corporate plan.

## **CONSULTATION**

In determining the 2013-2014 rating categories, consultation has been held with Councillors, the Executive Leadership Group, David Spearritt and Thomas Bidstrup from Orion Networking Pty Ltd, the Chief Financial Officer, and the Service Manager Revenue & Cash Management.

**OPTIONS**

1. That Council resolve to adopt the rating categories for the 2013-2014 financial year as given in the table in the Officer's recommendation
2. That Council resolve not to adopt the Officer's recommendation.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr P Gleeson  
 Seconded by: Cr K Hardman

That Council resolve to adopt the following rating categories for the 2013-2014 financial year as given in the table below:

Rating Category	Rating Category Description
1a	<p>Includes all rateable land on the Mainland, Coochiemudlo, Garden and North Stradbroke Islands with a value equal to or less than \$305,000 used for:</p> <ol style="list-style-type: none"> <li>a. Residential purposes and is the registered owner's principal place of residence; or</li> <li>b. Vacant land, other than that categorised in rating category 10, where it is not considered likely a development permit, or permits, for the erection of a building would be approved should application be made.</li> </ol>
1b	<p>Includes all rateable land on the Mainland, Coochiemudlo, Garden and North Stradbroke Islands with a value greater than or equal to \$305,001 used for:</p> <ol style="list-style-type: none"> <li>a. Residential purposes and is the registered owner's principal place of residence; or</li> <li>b. Vacant land, other than that categorised in rating category 10, where it is not considered likely a development permit, or permits, for the erection of a building would be approved should application be made.</li> </ol>
2a	<p>Includes all rateable land on the Mainland, Coochiemudlo, Garden and North Stradbroke Islands with a value equal to or less than \$305,000 used for</p> <ol style="list-style-type: none"> <li>a. Residential purposes that is NOT the registered owner's principal place of residence; or</li> <li>b. Vacant land where it is considered likely to be granted a development permit, or permits, for the erection of a building for residential, commercial or industrial purposes should application be made.</li> </ol>
2b	<p>Includes all rateable land on the Mainland, Coochiemudlo, Garden and North Stradbroke Islands with a value greater than or equal to</p>

Rating Category	Rating Category Description
	<p><b>\$305,001 used for:</b></p> <ul style="list-style-type: none"> <li>a. Residential purposes that is NOT the registered owner's principal place of residence; or</li> <li>b. Vacant land where it is considered likely to be granted a development permit, or permits, for the erection of a building for residential, commercial or industrial purposes should application be made.</li> </ul>
3a	Includes all rateable land on the Southern Moreton Bay Islands with a value equal to or less than \$65,000 that is the registered owner's principal place of residence.
3b	Includes all rateable land on the Southern Moreton Bay Islands with a value greater than or equal to \$65,001 that is the registered owner's principal place of residence.
4a	Includes all rateable land on the Southern Moreton Bay Islands with a value equal to or less than \$65,000 that is NOT the registered owner's principal place of residence.
4b	Includes all rateable land on the Southern Moreton Bay Islands with a value greater than or equal to \$65,001 that is NOT the registered owner's principal place of residence.
5	<p>Includes all rateable land that is used, or is intended for residential use or any other purpose other than Commercial or Industrial that has been identified in the <i>Southern Moreton Bay Islands Development Entitlements Protection Regulation 2006</i> that has recognised development potential and where the current owner was in possession of the land immediately before 13 April 2005.</p> <p>The development entitlements, which existed under the 'superseded' Transitional Planning Scheme, have been protected on these lots for a period of ten years from the commencement of the Redlands Planning Scheme or until a change in ownership occurs as the protection of development entitlements does not extend to future owners of land included in this category.</p> <p>Land in this category is included in the Conservation Sub-Area CN1 zone of the Redlands Planning Scheme.</p>
6	Includes all rateable land on the Mainland, Coochiemudlo Island and North Stradbroke Island that is wholly or predominantly used for a commercial or industrial purpose other than that categorised in rating category 19. This category includes not-for-profit organisations and clubs.
7	Includes all rateable land on the Southern Moreton Bay Islands that is wholly or predominantly used for a commercial or industrial purpose. This category includes not-for-profit organisations and

Rating Category	Rating Category Description
	clubs.
8	Includes all rateable land that is wholly or predominantly used for quarry or extractive industry purposes. An extractive industry is any activity that removes material substance from the ground.
10	<p>Includes all rateable land that has been identified as having an insurmountable drainage constraint such that it is unlikely a development permit, or permits, for the erection of a dwelling house on the land would be granted. Includes some rateable land that has been identified as having significant conservation values. All rateable land included in this category identified with insurmountable drainage problems or conservation values is zoned Conservation Sub-Area CN1 in the Redlands Planning Scheme.</p> <p>This category also includes all rateable land on the Southern Moreton Bay Islands that is vacant and has been included within the Open Space zone of the Redlands Planning Scheme.</p>
11	Includes subdivided land that is not yet developed, in accordance with Section 50 of the <i>Land Valuation Act 2010</i> (Part 2 Subdivision 3 Discounting for subdivided land not yet developed). For the purpose of levying the General Rate the value of land subject to this Section will be discounted by 40%. A discount is not applicable for land valued as a community management scheme. Furthermore, a minimum general rate will not apply to this land in accordance with Section 77(3) of the <i>Local Government Regulation 2012</i> .
12a	Includes all rateable vacant land on the Southern Moreton Bay Islands with a value equal to or less than \$33,000 where the land is considered likely to be granted a development permit, or permits, for the erection of a building for residential, commercial or industrial purposes should application be made.
12b	Includes all rateable vacant land on the Southern Moreton Bay Islands with a value greater than or equal to \$33,001 where the land is considered likely to be granted a development permit, or permits, for the erection of a building for residential, commercial or industrial purposes should application be made.
14	One or more land parcels in the same registered name where the land is used for the purpose of a retail shopping centre with a total gross lettable floor area greater than or equal to 30,000 square meters whose tenants include one or more discount department stores, one or more major supermarkets, and 10 or more national retail chain stores or food outlets.

Rating Category	Rating Category Description
15	One or more land parcels in the same registered name where self-contained places of business are located in one or more buildings—the buildings are separated by common areas or other areas owned by the owner or a road—and the land is used for the purpose of a shopping centre with a total gross lettable floor area between 10,000 and 30,000 square meters. Tenants include one or more major supermarkets and 5 or more national chain retail stores or food outlets.
16	One or more land parcels in the same registered name where self-contained places of business are located in one or more buildings—the buildings are separated by common areas or other areas owned by the owner or a road—and the land is used wholly or predominantly for carrying on retail business having 20 or more self-contained places of business, one of which is a supermarket, where the cluster of businesses are promoted, or generally regarded, as a shopping centre or shopping village.
17	One or more land parcels in the same registered name where self-contained places of business are located in one or more buildings—the buildings are separated by common areas or other areas owned by the owner or a road—and the land is used wholly or predominantly for carrying on retail business having 5 or more self-contained places of business, one of which is a supermarket or grocery outlet, where the cluster of businesses are promoted, or generally regarded, as constituting a shopping court or shopping centre.
18	One or more land parcels located on the Southern Moreton Bay Islands in the same registered name where self-contained places of business are located in one or more buildings—the buildings are separated by common areas or other areas owned by the owner or a road—and the land is used wholly or predominantly for carrying on retail business having 5 or more self-contained places of business, one of which is a supermarket or grocery outlet, where the cluster of businesses are promoted, or generally regarded, as constituting a shopping court or shopping centre.
19	One or more land parcels located on the Mainland, Coochiemudlo or North Stradbroke Islands in the same registered name where two or more self-contained places of business are located in one or more buildings—the buildings are separated by common areas or other areas owned by the owner or a road—and the total land area is greater than or equal to 4,000 square meters.

**CARRIED 10/1**

Cr Elliott voted against the Council resolution.

**MOTION TO RESOLVE INTO OPEN FORUM AT 10.56AM**

Moved by: Cr J Talty  
Seconded by: Cr C Ogilvie

That the meeting resolve into open forum to allow discussion on Item 5.3.

CARRIED 11/0

**MOTION TO RESOLVE OUT OF OPEN FORUM AT 11.33AM**

Moved by: Cr A Beard  
Seconded by: Cr J Talty

That the meeting resolve out of open forum.

CARRIED 11/0

**5.3 ADOPTION OF BUDGET ESTIMATES AND FIXING OF RATES AND CHARGES FOR 2013-2014**

**Dataworks Filename:** FM Corporate Budget

**Attachment:** [Budget Book 2013-14](#)

**Authorising Officer:**



**Bill Lyon**  
**Chief Executive Officer**

**Responsible Officer:** Gavin Holdway  
**Chief Financial Officer**

**Author:** Noela Barton  
**Service Manager Revenue and Recovery**

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**PURPOSE**

This report presents to Council for adoption the 2013-2014 Annual Budget, Revenue Statement, Statement of Estimated Financial Position, the list of business activities to which the code of competitive conduct applies and rates and charges to be fixed for the financial year and the time period within which they must be paid.

**BACKGROUND**

Section 104(5) of the *Local Government Act 2009* (Act) requires Council to prepare a budget each financial year in accordance with the *Local Government Regulation 2012* (Regulation). The prepared budget must be adopted after 31 May or before 1 August or a later day if decided by the Minister pursuant to Section 170 of the Regulation and 107A(3) of the Act.

Section 169(8) of the Regulation requires the budget must be consistent with the:

- 5 year corporate plan; and
- Annual operational plan.

Section 169 of the Regulation requires that Council must include in the budget a Revenue Statement prepared in accordance with Section 172 of the same Regulation.

Section 205 of the Regulation requires the Chief Executive Officer to present at the annual budget meeting a statement of estimated financial position.

Section 94(2) of the Act requires Council to adopt at its budget meeting for a financial year the rates and charges that are to be levied for the financial year.

Section 47(7) of the Act requires Council to decide each financial year by resolution whether or not the code of competitive conduct will apply to a business activity prescribed under a regulation. Section 32 of the Regulation sets out the principles that must be applied if the code of competitive conduct applies to a business activity.

## **ISSUES**

### Annual Budget

The 2013-2014 annual budget presented with this report has been prepared in accordance with section 169 of the Regulation.

### Revenue Statement

The 2013-2014 Revenue Statement presented with this report has been prepared in accordance with section 172 of the Regulation.

### Rates and Charges

The power to levy rates and charges is provided under section 94 of the Act. Section 92 of the Act defines 4 types of rates and charges that a local government has the power to impose:

- General rates (including differential rates);
- Special rates and charges
- Utility charges
- Separate rates and charges

Council has determined for the 2013-2014 financial year it will levy all 4 types of rates and charges.

Under section 94 of the Regulation Council must levy general rates on all rateable land within its local government area and may levy special rates and charges, utility charges and separate rates and charges.

Under section 80 of the Regulation Council may levy general rates that differ for different categories of rateable land (differential general rates). Council has adopted for the 2013-2014 financial year 22 rating categories.

Under section 77 of the Regulation Council may fix a minimum amount of general rates. Council has determined for the 2013-2014 financial year a minimum general rate will apply in all 22 rating categories.

Section 116 of the Regulation provides the power to limit the increase in the rates or charges. Council has determined for the 2013-2014 financial year that differential general rates for the rating categories of 3a, 3b, 4a, 4b, 12a and 12b will be limited to not more than 30% in accordance with section 116.

Under section 94 of the Regulation Council will levy Special charges in the localised areas of:

- Karragarra, Lamb, Macleay, Perulpa and Russell Islands;
- The Raby Bay canal estate defined in the benefited area maps numbered as RBC-4-v3, RBC-60v3, RBC-5-v3;
- The Aquatic Paradise canal estate defined in the benefited area maps numbered as APC-3-v3 and APC-4-v3; and
- The Sovereign Waters lake estate defined in the benefited area map numbers as SWL-1-vs.

Under section 103 of the Regulation Council will levy Separate charges where it has been determined the community in general will benefit from the service, facility or activity for which the charges are levied.

Under section 99 of the Regulation Council will levy utility charges for services supplied for waste, water, wastewater and tradewaste.

Under Section 118 of the Regulation Council has determined that rates and charges must be paid within a minimum period of 30 days after the issue of the rate notice.

Section 119 of the Regulation provides Council may grant a ratepayer a concession for rates or charges. Council has determined that a concession on differential general rates will be provided to eligible pensioner ratepayers under section 120(1)(a) of the Regulation and on the basis of Council's Policy POL-2557 Council Pensioner Rebate Policy (POL-2557).

A concession will also be provided to pensioner ratepayers under section 120(1)(a) of the Regulation on Separate and Special charges who fulfil the eligibility criteria of an eligible pensioner detailed in POL-2557 if they are the owner occupiers of adjoining residential lots in the same ownership name that are amalgamated for rating purposes and either –

- the main roof structure of the occupied dwelling is constructed over the boundary line of these lots; or
- one of the adjoining lots would, if sold separately, be unable to lawfully accommodate a dwelling; or
- one of the adjoining lots would not be issued a building permit unless an existing approved structure was removed.

A concession will also be provided on Water Access and Wastewater charges, and Separate and Special charges to eligible land owners' carrying on a business of primary production where the land is used exclusively for the purpose of farming as detailed in the Revenue Statement 2013-2014.

Charitable organisations, community groups, sporting associations and independent schools may also attract concessions under section 120(1)(b)(i) of the Regulation, or



reduced charges under a Community Service Obligation granted by Council as defined in the resolutions.

Under Section 133 of the Regulation interest is payable on overdue rates and charges. Council has determined the interest rate for 2013-2014 is 11% and payable from the day the rates or charges become overdue.

The rates and charges to be levied for 2013-2014 are detailed within the 2013-2014 Revenue Statement that is presented for adoption with the 2013-2014 Annual Budget.

### Code of Competitive Conduct

Council has determined for the 2013-2014 financial year the code of competitive conduct will be applied on the following business activities:

- Redland Performing Arts Centre;
- Building Certification Services;
- Cemeteries Operations; and
- Redland Art Gallery.

### Competitive Neutrality

In compliance with section 43 of the Act and under section 44 of the Act, Council has determined for the 2013-2014 financial year that the significant business activity of:

- RedWaste will have full cost pricing principles applied; and
- Redland Water will be operated as a commercialised business activity.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 107A(1) of the Act requires a local government must consider the budget presented by the mayor and, by resolution, adopt the budget with or without amendment.

Section 170(2) of the Regulation requires if the budget does not comply with section 169 of the Regulation when it is adopted, the adoption of the budget is of no effect.

Section 170A(3) of the Act and pursuant to section 170(1) of the Regulation the budget must be adopted after 31 May or before 1 August or a later day if decided by the Minister.

Section 169 of the Regulation requires that Council must include in the budget a Revenue Statement in accordance with Section 172 of the same Regulation.

Section 94(2) of the *Local Government Act 2009* requires Council to adopt at its budget meeting for a financial year the rates and charges that are to be levied for the financial year.

Section 205 of the Regulation requires the Chief Executive Officer to present at the annual budget meeting a Statement of Estimated Financial Position.

Section 47(7) of the Act requires Council to decide each financial year by resolution whether or not the code of competitive conduct will apply to a business activity prescribed under a regulation.

### **Risk Management**

The preparation for the annual budget and rates and charges for the 2013-2014 financial year involved extensive modelling and successive review by Council and the Executive Leadership Group.

### **Financial**

The financial implications of the 2013-2014 annual budget are in line with Council's:

- Long-term community plan;
- Financial Strategy;
- 5 year corporate plan; and
- Annual operational plan.

### **People**

Nil impact expected as the purpose of the report is to present the 2013-2014 annual budget to Council for adoption.

### **Environmental**

Nil impact expected as the purpose of the report is to present the 2013-2014 annual budget to Council for adoption.

### **Social**

Nil impact expected as the purpose of the report is to present the 2013-2014 annual budget to Council for adoption.

### **Alignment with Council's Policy and Plans**

#### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way

- 9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council
- 9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels
- 9.7 Develop our procurement practices to increase value for money within an effective governance framework
- 9.8 Work 'smarter' across departments, in multi-disciplinary teams to achieve continuous improvement and effective co-ordination

## CONSULTATION

A series of budget workshops were conducted with Councillors and the Executive Leadership Group to prepare the 2013-2014 annual budget and determine the rates and charges to be levied. Along with this, an independent consultant, Orion Consulting Network Pty Ltd (Orion), was engaged to review Council's overall rating strategy and level of utility charges. David Spearritt and Thomas Bidstrup from Orion met with Councillors and the Executive Leadership Group and work-shopped rates and charges with them over the course of two meetings.

## OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Edwards  
Seconded by: Cr A Beard

That Council resolve to:

1. Note the Statement of Estimated Financial Position for year ending 30 June 2013 pursuant to section 205 of the *Local Government Regulation 2012*;
2. Apply the code of competitive conduct to the following business activities pursuant to section 47 of the *Local Government Act 2009* and section 33 of the *Local Government Regulation 2012*:
  - Redland Performing Arts Centre;
  - Building Certification Services;
  - Cemeteries Operations;
  - Redland Art Gallery;
3. Apply full cost pricing principles to the RedWaste significant business activity;
4. Operate the Redland Water significant business activity as a commercialised business activity;
5. Adopt the 2013-2014 Annual Budget (Attachment 1), which has been prepared in accordance with section 169 of the *Local Government Regulation 2012*, pursuant to Section 170 of the same Regulation;
6. Adopt the 2013-2014 Revenue Statement including Rates and Charges to be levied that is tabled in the Annual Budget (Attachment 1) and has been prepared in accordance with section 172 of the *Local Government Regulation 2012*; and
7. Adopt the balance of the Agenda and all other aspects of the budget and financial documents as recommended by Council officers in the Report items 5.3.3 to 5.3.14.

**CARRIED 6/5**

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

**5.3.1 STATEMENT OF ESTIMATED FINANCIAL POSITION 2012/2013****Datworks Filename:** FM Financial Statements**Attachment:** [Statement of Estimated Financial Position 2012/2013](#)**Authorising Officer:****Bill Lyon  
Chief Executive Officer****Responsible Officer:** **Gavin Holdway  
Chief Financial Officer****Author:** **Deborah Corbett-Hall  
Service Manager Business and Commercial  
Finance**

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**PURPOSE**

The purpose of this report is to present Council's estimated financial position for the 2012/2013 financial year in accordance with section 205 of the *Local Government Regulation 2012*. The attachment outlines Council's forecasted financial operations and financial position for the 2012/2013 financial year.

**BACKGROUND**

Council adopts an annual budget at the beginning of each financial year and undertakes revisions of the budget at quarterly intervals. The information contained in the attached financial report provides details of the original budget and also a forecast of expenditure for the June period of 2012/2013.

**ISSUES**

Please refer to the attached Statement of Estimated Financial Position 2012/2013 and associated commentary. Of note, Council has undertaken an organisation wide restructure in the financial year and has also reviewed its core services. These changes have contributed to some of the variances outlined on the attachment.

The final financial position of Council will be determined following the end of the 2012/2013 year and the addition of accruals or deferrals as appropriate.

**STRATEGIC IMPLICATIONS**

Council annually reviews its Financial Strategy and builds in efficiency measures along with growth and price considerations. Council then reviews its budget on a quarterly basis following adoption, responding to market and community changes.

Additionally, Council undergoes an annual credit review conducted by Queensland Treasury Corporation (QTC) and has demonstrated to QTC that the forecasted financial performance and position of Council is sound.

## **Legislative Requirements**

Section 205(1) of the *Local Government Regulation 2012* requires the chief executive officer to present a statement of estimated financial position to the annual budget meeting.

## **Risk Management**

Each quarterly budget review has been adopted following a rigorous development and consultation process. Finance officers, the chief financial officer and the executive leadership group also review the monthly performance and position and discuss possible causes of action when appropriate.

## **Financial**

This report does not include any financial implications. It reports on the adopted original budget and includes forecasts of significance to the end of the 2012/2013 financial year. As these figures are anticipated and unaudited, they are subject to change with the completion of the financial year-end accounting process. Of particular note, Council is anticipating a gain on returning water operations in the order of \$48.7m and noted the same in its last formal budget review adopted on 5 June 2013. Redland City Council inherited debt, some current liabilities, accounts receivables and other assets from Allconnex Water. The net gain is the result of the reconciliation of these amounts along with the cessation of Council's investment in Allconnex Water between 1 July 2010 and 30 June 2012.

## **People**

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon original budget versus forecasted financial activity for the 2012/2013 financial year.

## **Environmental**

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon original budget versus forecasted financial activity for the 2012/2013 financial year.

## **Social**

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon original budget versus forecasted financial activity for the 2012/2013 financial year.

## **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way

9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council

- 9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels
- 9.7 Develop our procurement practices to increase value for money within an effective governance framework

### **CONSULTATION**

Financial Services Officers and the Chief Financial Officer have reviewed the attached information and confirm the information is provided in accordance with legislative requirements.

### **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards  
**Seconded by:** Cr A Beard

**That Council resolve that the information with respect to Council's estimated financial position for the 2012/2013 financial year, in accordance with section 205(1) of the *Local Government Regulation 2012*, as presented in the attached financial report be noted.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

### 5.3.2 NATIONAL COMPETITION POLICY REQUIREMENTS FOR SIGNIFICANT AND OTHER BUSINESS ACTIVITIES IN 2013/2014

**Datworks Filename:** FM Corporate Budget

**Authorising Officer:**



**Bill Lyon**  
**Chief Executive Officer**

**Responsible Officer:** **Gavin Holdway**  
**Chief Financial Officer**

**Author:** **Deborah Corbett-Hall**  
**Service Manager Business and Commercial Finance**

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#### PURPOSE

The purpose of this report is to identify activities that are business activities for 2013/2014 based on the current financial forecasts for 2012/2013 financial year and to review the application of the Code of Competitive Conduct (the Code) to business activities across Redland City Council. The financial statements containing the estimated costs of the significant business activity and other business activities will be included in the 2013/2014 Budget Publication for adoption at the Special Budget Meeting in June 2013.

#### BACKGROUND

Section 47(7) of the *Local Government Act 2009* states a local government must decide each financial year, by resolution, whether or not to apply the code of competitive conduct to a business activity prescribed under a regulation.

Additionally, section 34(1) of the *Local Government Regulation 2012* requires that a Local Government's budget must contain an estimated activity statement for each business activity.

As part of the annual budget deliberations, Council considered the change to the threshold for prescribed business activities and also the desired focus on commercial opportunities.

#### ISSUES

Redland City Council is required to consider the legislated financial thresholds to ascertain whether new business activities will be introduced for the 2013/2014 financial year in line with current legislative requirements. The Department of Local Government, Community Recovery and Resilience (The Department) provides an annual bulletin to update the thresholds.

The latest Departmental thresholds were published in October 2012 for the 2012/2013 financial year:

- for type one Activities:
  - for water and sewerage combined activities - \$42,640,000

- for other activities - \$25,540,000
- for type two activities:
  - for water and sewerage combined activities - \$12,770,000
  - for other activities - \$8,550,000.

Of note, these thresholds are outlined at section 19 of the *Local Government Regulation 2012* and are anticipated to be indexed early in the 2013/2014 financial year.

In deciding whether an activity should be a new type 1 or type 2 business activity for the 2013/2014 financial year, local governments must consider the operating expenditure for the 2012/2013 financial year less any depreciation included therein and any expenditure included therein to achieve competitive neutrality which is not actually incurred by the local government plus any loan redemption payments in that year.

The following table provides a review of the threshold implications and provides recommendation regarding the applicability of the framework:

Activity	Classification	Comments
Redland Water	Type 1 Significant Business Activity that is commercialised	No change from 2012/2013
Waste Operations & Planning 'RedWaste'	Type 2 Significant Business Activity	No change from 2012/2013
Redland Performing Arts Complex	Business Activity subject to the code of competitive conduct	No change from 2012/2013
Building Certification	Business Activity subject to the code of competitive conduct	No change from 2012/2013
Cemeteries Operations	Business Activity subject to the code of competitive conduct	No change from 2012/2013
Redland Art Gallery	Business Activity subject to the code of competitive conduct	No change from 2012/2013

During the budget deliberations for 2013/2014 financial year, Council determined to no longer classify Fleet and Plant Operations as a business activity subject to the code of competitive conduct as all transactions will be classified as internal. School Age Care and Caravan Parks were two activities that were handed back to be delivered by community organisations in the 2012/2013 year.

Finally, Marine Transport Operations was determined to no longer be considered as a business activity subject to the code of competitive conduct for the 2013/2014 financial year. In accordance with the legislative thresholds, Marine Transport would be a prescribed business activity as the anticipated expenditures would exceed \$300,000 although in July 2012 as part of a service level review; Council disbanded the City Enterprises Group and moved its focus to core services and away from commercial revenue opportunities.

## STRATEGIC IMPLICATIONS

An annual review of the Long Term Financial Strategy with Councillors and the Executive Leadership Group was conducted between October and December 2012



and each group considered the parameters for commercial revenue and full cost recovery. The 2013 review is anticipated to be conducted between October and December of the 2013/2014 financial year.

### **Legislative Requirements**

Section 47(7) of the Local Government Act 2009 states a local government must decide each financial year, by resolution, whether or not to apply the code of competitive conduct to a business activity prescribed under a regulation. This report contains a proposal for the 2013/2014 financial year that will be reviewed on the completion of the 2012/2013 end of year financial statements.

### **Risk Management**

Risks and opportunities for business activities are discussed as part of both the annual review of the Long Term Financial Strategy and also the annual budget workshops.

### **Financial**

There are no financial implications impacting Council as a result of this report – all business activities are budgeted for and operating statements are provided in the budget publication.

### **People**

Nil impact expected as the purpose of this document is to propose the business activities for the 2013/2014 financial year in accordance with the legislative requirements.

### **Environmental**

Nil impact expected as the purpose of this document is to propose the business activities for the 2013/2014 financial year in accordance with the legislative requirements.

### **Social**

Nil impact expected as the purpose of this document is to propose the business activities for the 2013/2014 financial year in accordance with the legislative requirements.

### **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

#### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way

9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council

9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels

- 9.7 Develop our procurement practices to increase value for money within an effective governance framework
- 9.8 Work 'smarter' across departments, in multi-disciplinary teams to achieve continuous improvement and effective co-ordination

## **CONSULTATION**

Finance Officers, the Chief Financial Officer and the Executive Leadership Group have reviewed the existing business activities during 2012 on a quarterly basis. As part of the annual budget development, Council discussed the business activities during a workshop held on 19 February 2013.

## **OPTIONS**

That Council resolve as follows:

1. That Redland Water continues to be classified as a Type One significant business activity to be run as a commercial business unit and Waste Operations & Planning (RedWaste) continues to be classified as a Type Two significant business activity; and
2. To apply the Code of Competitive Conduct to the following business activities:
  - Redland Performing Arts Centre;
  - Building Certification Services;
  - Cemeteries Operations; and
  - Redland Art Gallery.
3. That Council request further information or propose amendments to the proposed business activity listing above.

## **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards  
**Seconded by:** Cr A Beard

That Council resolve as follows:

1. That Redland Water continues to be classified as a Type One significant business activity to be run as a commercial business unit and Waste Operations & Planning (RedWaste) continues to be classified as a Type Two significant business activity; and
2. To apply the Code of Competitive Conduct to the following business activities:
  - Redland Performing Arts Centre;
  - Building Certification Services;
  - Cemeteries Operations; and
  - Redland Art Gallery.

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

### 5.3.3 ESTABLISHMENT OF RESERVE BALANCES AND TRANSFERS FOR 2013/2014

**Datworks Filename:** FM Corporate Budget

**Attachment:** [Reserve Transfers and Anticipated Reserve Balances 2013/2014](#)

**Authorising Officer:**



**Bill Lyon**  
Chief Executive Officer

**Responsible Officer:** Gavin Holdway  
Chief Financial Officer

**Author:** Deborah Corbett-Hall  
Service Manager Business and Commercial Finance

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## PURPOSE

The purpose of this report is to provide details of Redland City Council reserve balances and transfers for the 2013/2014 financial year. Whilst this is no longer a requirement under the *Local Government Act 2009* or *Local Government Regulation 2012*, constrained reserves demonstrate to the community that funds are held for particular purposes.

## BACKGROUND

Each year Council develops and adopts a budget that includes forecasts for transfers to and from both operational and capital reserves. Each reserve holds funds for prescribed purposes and until December 2012, there was a legislative requirement to outline the forecasted reserve movements as part of budget adoption. As part of the 2013/2014 budget development process, a review was undertaken of Council's reserves to ensure for each reserve, the constrained cash amount and purpose is still relevant and in the interests of the community.

## ISSUES

Redland City Council has established its reserves in the operating fund by including each reserve in its annual budget or by a separate resolution.

The attachment outlines the opening balance of reserves as at 1 July 2012, the anticipated closing balance of reserves as at 30 June 2013, and budgeted transfers and anticipated balances for 2013/2014.

## STRATEGIC IMPLICATIONS

Council reviews its budget on a monthly basis against actual performance and position and also formally revises its budget quarterly. Additionally, each year Council reviews its long term Financial Strategy and considers the constrained cash held as a subset of community equity, ensuring the constrained cash in the reserves is fully funded from cash and cash balances.

## **Legislative Requirements**

From December 2012 there is no legal requirement under the *Local Government Act 2009* or *Local Government Regulation 2012* to adopt reserve movements at Council's annual budget meeting. In the interests of transparency, Council is keen to illustrate to the community its constrained cash balances as the funds are held for particular purposes.

## **Risk Management**

Reserve balances are reviewed on a monthly basis to ensure they are not overdrawn or exceed the 'cash and cash holdings' of Council.

## **Financial**

There are no direct financial impacts to Council resulting from this report – transfers to and from reserves are a movement in community equity and increases in reserves hold community funds for particular purposes.

## **People**

Nil impact expected as the purpose of the attached report is to provide an overview of the transfers to and from constrained reserves for the 2013/2014 financial year.

## **Environmental**

Nil impact expected as the purpose of the attached report is to provide an overview of the transfers to and from constrained reserves for the 2013/2014 financial year.

## **Social**

Nil impact expected as the purpose of the attached report is to provide an overview of the transfers to and from constrained reserves for the 2013/2014 financial year.

## **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way

9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council

## **CONSULTATION**

The Executive Leadership Group and Councillors have been consulted as part of the recent budget workshops in relation use of reserves to fund operational and capital jobs in the 2013/2014 financial year. The transfers are identified as line items on the face of the Operating and Capital Funding Statements.

## **OPTIONS**

1. Council resolves to adopt the forecast reserve balances and transfers identified in the attachment as a result of the 2013/2014 budget workshops; or

2. Council amends some of the transfers to and from reserves – noting this will also result in a change to revenues or expenditures relating to particular jobs, projects or works programmes.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards  
**Seconded by:** Cr A Beard

**That Council resolve to adopt the forecast reserve balances and transfers identified in the attachment as a result of the 2013/2014 budget workshops.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

### 5.3.4 CITY CANALS SPECIAL CHARGE –ANNUAL IMPLEMENTATION PLAN 2013-2014

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [City Canals Annual Implementation Plan 2013-2014](#)  
[Map RBC-3-v.2](#)  
[Map APC-3-v.3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Marine Infrastructure Planning**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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## PURPOSE

This report presents the annual implementation plan for 2013-2014 for the City Canals Special Charge referenced as Benefited Area Maps APC-3-v.3, RBC-3-v.2, RBC-3-1 for Council adoption.

## BACKGROUND

12 July 2000 – Overall Plan adopted for Shire Canals Special Charge. An Annual Implementation Plan for the City Canals Special Charge has been adopted each financial year.

28 June 2011 – Council determined after community consultation that it would continue with the Overall Plan, but would not raise any additional revenue through the City Canals Special Charge and no levy would apply for the financial year 2011-2012. An Annual Implementation Plan for the City Canals Special Charge was adopted.

12 July 2012 - Council determined that it would continue with the Overall Plan, but would not raise any additional revenue through the City Canals Special Charge and no levy would apply for the financial year 2012-2013. An Annual Implementation Plan for the City Canals Special Charge was adopted.

## ISSUES

Anticipated closing balance 30 June 2013 of the Reserve accounts for funds collected under the Overall Plan adopted 12 July 2000 are:

- Raby Bay Reserve \$3.65
- Aquatic Paradise Canal Reserve \$493,192.98

Council has determined for the financial year 2013-2014 that it will continue with the Overall Plan adopted 12 July 2000, but it will not raise any additional revenue through the City Canals Special Charge and no levy will apply for the financial year 2013-2014.

An Annual Implementation Plan for the City Canals Special Charge is attached and put forward for adoption.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires a local government's resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government must adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### **Risk Management**

Not applicable.

### **Financial**

Council has determined for the financial year 2013-2014 that it will continue with the Overall Plan adopted 12 July 2000, but it will not raise any additional revenue through the City Canals Special Charge and no levy will apply for the financial year 2013-2014.

### **People**

There is no expected impact of adopting this Annual Implementation Plan.

### **Environmental**

There are no environmental implications expected.

### **Social**

There are no social implications with this report.

### **Alignment with Council's Policy and Plans**

This proposal supports Council's back to basics policy Objective -

3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources.

### **CONSULTATION**

Consultation has been held with the Councillors, the Executive Leadership Group, senior management of City Infrastructure and Financial Services, and General Counsel.

### **OPTIONS**

#### **Option 1**

1. Adopt the Annual Implementation Plan for the City Canal Special Charge; and
2. Note that no levy will be raised for the 2013-2014 financial year for the City Canal Special Charge.

#### **Option 2**

That Council resolve to not adopt the officer's recommendation.

### **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards

**Seconded by:** Cr A Beard

**That Council resolve to:**

- 1. Adopt the Annual Implementation Plan for the City Canal Special Charge; and**
- 2. Note that no levy will be raised for the 2013-2014 financial year for the City Canal Special Charge.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.



### 5.3.5 SOVEREIGN WATERS LAKE LEVY

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [Sovereign Waters Lake Special Charge Overall Plan 2013-14](#)  
[Sovereign Waters Annual Implementation Plan Map SWL-1-v3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Marine Infrastructure Planning**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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## PURPOSE

This report presents the Annual Implementation Plan for 2013-2014 for the Sovereign Waters Lake Special Charge for the benefited area referenced as Benefited Area Map SWL-1-v3 for Council adoption.

## BACKGROUND

12 July 2000 — The Overall Plan and an Annual Implementation Plan adopted for the Sovereign Waters Lake Special Charge at Council's Special Budget meeting.

An Annual Implementation Plan was adopted each subsequent financial year since 2000.

In 2011-2012 a new methodology was introduced at the Sovereign Waters Lake Estate. This methodology suspended the special charge and at the same time introduced a new rating category that was applied to the properties in the benefited area.

As a part of the consideration by Council of rate reform matters along with considering special charges for 2013-2014, it was recommended the previous structure of having a special charge for Sovereign Waters be re-established, thus providing transparency for affected residents.

## ISSUES

### Overall Plan

The Overall Plan presented for adoption with this report sets out the Service, Facility or Activity as, "dredging, water quality monitoring, maintenance and cleaning works of the lake, wetlands, perimeter walls, pollution control devices and tide exchange

system located at Sovereign Waters identified within the Benefited Area Map referenced as SWL-1-v3:

- Dredge and Disposal Planning
- Monitoring, Cleaning and Maintenance

The Service, Facility or Activity that will be provided under special charges levied under this Overall Plan has a special relationship to the land that will be the subject of the special charges (Benefited Land), as that land or its occupants specially benefits from the Service, Facility or Activity, and contributes to the need for the Service, Facility or Activity, because the Service, Facility or Activity provides:

- The dredging of the lake and wetland zones maintains the lake amenity and water quality within the benefited area
- Maintaining the perimeter wall assists in retaining all land within the benefited area
- Monitoring the lake water level, water quality and perimeter walls to assist in planning maintenance;
- Cleaning the lake to maintain the overall amenity of the benefited area and the functionality of the water treatment systems;
- The land and its occupiers receive a special benefit from proximity to the lake and associated special amenity from the lakes structural, recreational, social, health and visual elements

The estimated cost of carrying out the overall plan will be established on an annual basis taking into consideration the required annual works as described above.

The overall plan is anticipated to be ongoing to ensure the function and amenity of the canal.

An annual Maintenance Works Plan associated with the Benefited area will be produced on an annual basis along with an Annual Implementation Plan that will identify the costs and timing of the works.

The Overall Plan is estimated to be ongoing to maintain the function and amenity of the canal.

#### Annual Implementation Plan

The Annual Implementation Plan for 2013-2014 is attached. Revenue raised under the Sovereign Waters Lake Special Charge for 2013-2014 will be reserved to fund the 10 year Sovereign Lakes canal special charge works plan.

It is proposed the 2013-2014 Special Charge for Aquatic Paradise is set at \$640.00 for a standard lot. It is also proposed that the Council contribution will be \$13,714.00, which is 30% of the total revenue raised. A further proposal is to reduce the Council contribution from 30% to 10% in a phased approach over 5 years.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires a local government's resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government must adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### Risk Management

For the period 1 July 2011 to 30 June 2013 no levy was raised under the Overall Plan adopted 12 July 2000, however an Annual Implementation Plan was adopted each financial year.

The expenditure for the service, facility or activity for which the Overall Plan was adopted was quarantined in the differential general rate revenue raised from the Sovereign Waters rating categories and allocated to the reserve account from the general fund. Council has determined this method does not have the transparency of a Special Charge and from 1 July 2013 the expenditure for the service, facility or activity for which the Overall Plan was adopted will be levied under the Sovereign Waters Lake Special Charge.

### Financial

It is proposed that the 2013-2014 Special Charge for Sovereign Waters be \$640.00 for a standard lot.

The total expenditure under the Annual Implementation Plan is \$85,679.00.

### People

Altering the method of collection of revenue to fund the Annual Implementation Plan is anticipated to reduce the administrative coordination of this activity for the City Infrastructure and the Financial Services Groups.

### Environmental

There are no foreseeable environmental implications in applying this special charge.

## Social

There are no foreseeable social implications with applying this special charge.

## Alignment with Council's Policy and Plans

This proposal supports Council's Back to Basics Policy Objective -

"3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources."

## CONSULTATION

- The residents of Sovereign Waters were consulted during the review of the Lake Management Plan;
- The Financial Services Group and General Counsel Group were consulted in the preparation of this report.

## OPTIONS

### Option 1

1. Adopt the amended Overall Plan as attached;
2. Apply a Council Contribution of 30 percent towards the cost of the Annual Implementation Plan for the 2013-14 financial year; and
3. Adopt the Annual Implementation Plan for the 2013-2014 financial year as attached.

### Option 2

That Council resolve to not adopt the officer's recommendation.

## OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Edwards  
Seconded by: Cr A Beard

That Council resolve to:

1. Adopt the amended Overall Plan as attached;
2. Apply a Council Contribution of 30 percent towards the cost of the Annual Implementation Plan for the 2013-14 financial year; and
3. Adopt the Annual Implementation Plan for the 2013-2014 financial year as attached.

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

### 5.3.6 AQUATIC PARADISE MARINA SPECIAL CHARGE

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [Aquatic Paradise Marina Special Charge Overall Plan 2013-14](#)  
[Aquatic Paradise Marina Annual Implementation Plan](#)  
[Map APC-4-v3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Marine Infrastructure Planning**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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## PURPOSE

This report presents the amended Overall Plan and Annual Implementation Plan for the Aquatic Paradise Marina Special Charge for the Benefited Area Map reference number APC-4-v3 for the 2013-2014 financial year for Council adoption.

## BACKGROUND

28 June 2011 – The Overall Plan was adopted for the Aquatic Paradise Marina Special Charge at Council Special Budget meeting 28 June 2011.

28 June 2011 and 12 July 2012 - An Annual Implementation Plan for the Aquatic Paradise Marina Special charge adopted.

## ISSUES

### Overall plan

The overall plan adopted on 28 June 2011 describes the Service, Facility or Activity for which the special charge is levied as, “for the service and activity of dredging, maintenance and cleaning works of the canal and its revetments, improvements and navigational aids located at Aquatic Paradise identified within the Benefited Area Map APC-4 comprising:

- Dredging as required
- Planning (Dredge and Disposal Options Report) as required
- Silt Bag Trial (final report) as required
- Canal Maintenance as required
- Navigational Beacon Pile Maintenance as required.”

The amended overall plan this report presents to Council for adoption includes an updated Benefited Area Map reference number and a change to the description of the service and activity in so far as the amended overall plan describes the Service, Facility or Activity as, “for the service and activity of dredging, maintenance and cleaning works of the canal and its revetments, improvements and navigational aids located at Aquatic Paradise identified with the Benefited Area Map APC-4-v3 comprising:

- Dredging as required
- Planning as required
- Canal maintenance as required
- Navigational Beacon Pile Maintenance as required.”

#### Annual Implementation Plan

It is proposed the Aquatic Paradise Marina Special Charge for 2013-214 will be set at \$1,433.66 per marina berth.

The Council contribution will be \$9,831.00, which is 30% of the total revenue raised. Note: It is proposed to reduce the Council contribution from 30% to 10% over a phased in period of 5 years.

The works programmed for the 2013-2014 financial year are set out in the table below:

Particulars	Expenditure \$
30448 - Aquatic Paradise Dredging	\$3,135.00
30367 - Canal Maintenance	\$2,161.00
10246 - Aquatic Paradise ERA	\$242.00
30041 - Aquatic Paradise Dredge Planning	\$7,974.00
70479 - Aquatic Paradise Canal Maintenance (Navigation Beacons)	\$1,890.00
30015 - Hydro Graphic Survey	\$2,400.00
Total	\$17,802.00

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires that a local government’s resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government to adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### **Risk Management**

The methodology used in calculating the Aquatic Paradise Special Charge (the Special Charge) amount has been amended for the 2013-2014 financial year. For the period 1 July 2011 to 30 June 2013 the calculation for the Special Charge did not include the maintenance component, rather this expenditure was calculated and quarantined in the differential general rate revenue raised from the Aquatic Paradise Estate rating categories and allocated to the reserve account from the general fund. From 1 July 2013 the Special Charge will include the maintenance component within the calculation.

The alteration of the calculation has no impact on the overall plan adopted 28 June 2011.

This change will improve the transparency of the Special Charge for the ratepayer and the efficiency of Council by reducing the administrative burden.

### **Financial**

It is proposed that the Aquatic Paradise Marina Special Charge for 2013-2014 be set at \$1,433.66 per marina berth. Total expenditure under the Annual Implementation Plan is \$17,802.00.

### **People**

Altering the method of collection of revenue to fund the Annual Implementation Plan is anticipated to reduce the administrative coordination of this activity for the City Infrastructure and the Financial Services Groups.

### **Environmental**

There are no foreseeable environmental implications in applying this special charge.

### **Social**

There are no foreseeable social implications with applying this special charge.

### **Alignment with Council's Policy and Plans**

This proposal supports Council's Back to Basics Policy Objective:

"3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources."

## **CONSULTATION**

Consultation has been held with the residents of Aquatic Paradise through the Aquatic Paradise Ratepayers Association, Councillors, the Executive Leadership Group, senior management of City Infrastructure and Financial Services, and General Counsel.

## **OPTIONS**

### **Option1**

1. Adopt the amended Overall Plan as attached;
2. Apply a Council contribution of 30 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year;
3. Adopt the Annual Implementation Plan for the 2013-2014 financial year as attached.

### **Option 2**

That Council resolve to not adopt the officer's recommendation.

## **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by: Cr M Edwards**

**Seconded by: Cr A Beard**

**That Council resolve to:**

1. **Adopt the amended Overall Plan as attached;**
2. **Apply a Council contribution of 30 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year; and**
3. **Adopt the Annual Implementation Plan for the 2013-2014 financial year as attached.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.



### 5.3.7 AQUATIC PARADISE SPECIAL CHARGE

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [Aquatic Paradise Special Charge Overall Plan 2013-14](#)  
[Aquatic Paradise Property Annual Implementation Plan](#)  
[Map APC-3-v3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Infrastructure Project**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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## PURPOSE

This report presents the Overall Plan and Annual Implementation Plan for 2013-2014 for the Aquatic Paradise Special Charge referenced on the Benefited Area Map reference number APC-3-v3 for Council adoption.

## BACKGROUND

Prior to 1 July 2011 a special charge was levied on Aquatic Paradise standard allotments under an Overall Plan adopted 12 July 2000. The special charge was known as the City Canals Special Charge. In 2011-12 a new methodology was introduced for the raising of revenue to cover expenditure of the canal maintenance at the Aquatic Paradise Estate. This methodology suspended the City Canals Special Charge and at the same time introduced a new rating category in the benefited area that included within the levied differential general rate a proportion of revenue that was transferred to the reserve account from the general fund for the funding of canal maintenance in the benefited area.

An Annual Implementation Plan continues to be adopted for the City Canals Special Charge on an annual basis.

In consideration for the levying of rates and charges for 2013-2014 Council has determined that for the 2013-2014 financial year the previously adopted methodology of raising revenue for the maintenance of the canals through the quarantining of funds raised through the differential general rate will be suspended in favour of the levying of a special charge in order to provide transparency to the affected ratepayers in the Benefited Area map reference APC-3-v3 (attachment 4).

## ISSUES

### Overall Plan

The Overall Plan presented for adoption with this report sets out the service, facility or activity as, “dredging, maintenance and cleaning works of the canal and its revetments, improvements and navigational aids located at Aquatic Paradise identified within the Benefited Area Maps referenced as APC-3-v3 comprising:

- Dredging
- Planning
- Canal Maintenance
- Navigational Beacon Pile Maintenance

The Service, Facility or Activity that will be provided under special charges levied under this Overall Plan has a special relationship to the land that will be the subject of the special charges (Benefited Land), as that land or its occupants specially benefits from the Service, Facility or Activity, and contributes to the need for the Service, Facility or Activity, because the Service, Facility or Activity provides

- The dredging of the canals keeps the canals navigable within the benefited area
- Maintaining the revetments assists in retaining all land within the benefited area
- Monitoring the canal and revetments to assist in planning maintenance and dredging activities assists in keeping the canals navigable and assists in retaining all the land within the benefited area
- Cleaning the canal and navigational aids maintains the overall amenity of the benefited area and the functionality of the canals
- The land and its occupiers receive a special benefit from proximity to the canals and associated special amenity from the canals structural, recreational, social, health and visual elements

The estimated cost of carrying out the overall plan will be established on an annual basis taking into consideration the required annual works as described above.

The overall plan is anticipated to be ongoing to ensure the function and amenity of the canal.

An annual Maintenance Works Plan associated with the Benefited area will be produced on an annual basis along with an Annual Implementation Plan that will identify the costs and timing of the works.

The Overall Plan is estimated to be ongoing to maintain the function and amenity of the canal.

### Annual Implementation Plan

The Annual Implementation Plan for 2013-2014 is attached. Revenue raised under the Aquatic Paradise Special Charge for 2013-2014 will be reserved to fund the 10 year Aquatic Paradise canal special charge works plan.

It is proposed the 2013-2014 Special Charge for Aquatic Paradise is set at \$2,048.09 for a standard lot. It is also proposed that the Council contribution will be \$168,528.00, which is 30% of the total revenue raised. A further proposal is to reduce the Council contribution from 30% to 10% in a phased approach over 5 years.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires a local government's resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government must adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(5) of the *Local Government Regulation 2012* enables a Local Government to levy under an overall plan, special rates or charges for 1 or more years before any of the special rates or charges are spent in carrying out the overall plan.

Revenue raised under the Aquatic Paradise Special Charge for 2013-2014 will be reserved to fund the 10 year Aquatic Paradise canal special charge works plan.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### **Risk Management**

Consultation has been held with the affected ratepayers through the Aquatic Paradise Ratepayers Association. The introduction of a Special Charge for ratepayers in the Benefited Area referenced as APC-3-v3 is considered to have greater transparency and increase efficiency in the management of the Annual Implementation Plan.

### **Financial**

It is proposed the 2013-2014 Special Charge for Aquatic Paradise be \$2,048.09 for a standard lot. Total expenditure under the Annual Implementation Plan is \$278,905.

### **People**

It is anticipated the introduction of a special charge in the benefited area will reduce the administrative coordination of this activity for the City Infrastructure and the Financial Services Groups.

**Environmental**

There are no foreseeable environmental implications in applying this special charge.

**Social**

There are no foreseeable social implications with applying this special charge.

**Alignment with Council's Policy and Plans**

This proposal supports Council's Back to Basics Policy Objective:

"3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources."

**CONSULTATION**

Consultation has been held with the residents of Aquatic Paradise through the Aquatic Paradise Ratepayers Association, Councillors, the Executive Leadership Group, senior management of City Infrastructure and Financial Services, and General Counsel.

**OPTIONS****Option 1**

1. Adopt the Overall Plan identified as attachment 1 of this report titled Special Charge Overall Plan – Aquatic Paradise Special Charge;
2. Apply a Council contribution of 30 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year; and
3. Adopt the Annual Implementation Plan identified as attachment 2 of this report for the 2013-2014 Financial Year.

**Option 2**

To not adopt the officer's recommendation.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr M Edwards

Seconded by: Cr A Beard

That Council resolve to:

1. **Adopt the Overall Plan identified as attachment 1 of this report titled Special Charge Overall Plan – Aquatic Paradise Special Charge;**
2. **Apply a Council contribution of 30 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year; and**
3. **Adopt the Annual Implementation Plan identified as attachment 2 of this report for the 2013-2014 Financial Year.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

### 5.3.8 RABY BAY MARINA SPECIAL CHARGE

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [Raby Bay Marina Special Charge Overall Plan 2013 14](#)  
[Raby Bay Marina Annual Implementation Plan Map RBC-5-v3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Marine Infrastructure Planning**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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### PURPOSE

This report presents the amended Overall Plan and Annual Implementation Plan for 2013-2014 for the Raby Bay Marina Special Charge for the benefited area referenced as Benefited Area Map RBC-5-v3 for Council adoption.

### BACKGROUND

28 June 2011 – The Overall Plan was adopted for the Raby Bay Marina Special Charge at Council Special Budget meeting.

28 June 2011 and 12 July 2012 – An Annual Implementation Plan for the Raby Bay Marina Special Charge was adopted.

### ISSUES

In 2011-2012 a new methodology was introduced for the raising of revenue to cover expenditure of the canal maintenance at the Raby Bay Estate. This methodology introduced a new rating category in the benefited area that included within the levied differential general rate a proportion of revenue that was transferred to the reserve account from the general fund for the funding of canal maintenance in the benefited area. The Special Charge adopted 28 June 2011 comprised expenditure for the revetment walls only.

In consideration for the levying of rates and charges for 2013-2014 Council has determined that for the 2013-2014 financial year the previously adopted methodology of raising revenue for the maintenance of the canals through the quarantining of funds raised through the differential general rate will be suspended in favour of the levying the full expenditure (revetment walls and canal maintenance) through the special charge in order to provide transparency to the affected ratepayers in the Benefited Area reference as Benefited Area map reference RBC-5-v3 (attachment 3).

### Overall Plan

The overall plan adopted 28 June 2011 described the Service, Facility or Activity as, “maintaining public facilities within the Raby Bay Marina precinct at Raby Bay Cleveland identified on Benefited Area Map RBC-5-v3 comprising: Revetment Walls as required”.

The amended overall plan presented for adoption with this report describes the Service, Facility or Activity as, “dredging, maintenance and cleaning works of the canal and its revetments, improvements and navigation aids located at Raby Bay identified within the Benefited Area Map RBC-5-v3 comprising:

- Dredging as required
- Planning as required
- Canal Maintenance as required
- Navigational Beacon Pile Maintenance as required
- Revetment Walls as required.”

### Annual Implementation Plan

It is proposed the Raby Bay Marina Special Charge for 2013-2014 will be set at \$960.96 per marina berth.

The Council contribution will be \$24,264.00, which is 20% of the total revenue raised. Note: It is proposed to reduce the Council contribution from 20% to 10% over a phased in period of 5 years.

The works programmed for the 2013-2014 financial year are set out in the table below:

Particulars	Expenditure \$
40420 - Voyagers Court	\$67,500.00
42092 - Mainroyal Crt	\$123,647.00
30394 - Raby Bay Canal Maintenance	\$9,600.00
30399 - Monitoring Revetment Walls	\$8,403.00
70833 - Raby Bay Canal Planning (consultants)	\$15,000.00
Rock armour replacement	\$15,000.00
Total	\$239,150.00

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires a local government’s resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government must adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### **Risk Management**

The methodology used in calculating the Raby Bay Special Charge (the Special Charge) amount has been amended for the 2013-2014 financial year. For the period 1 July 2011 to 30 June 2013 the calculation for the Special Charge did not include the maintenance component, rather this expenditure was calculated and quarantined in the differential general rate revenue raised from the Raby Bay Estate rating categories and allocated to the reserve account from the general fund. From 1 July 2013 the Special Charge will include the maintenance component within the calculation.

The alteration of the calculation has required an amendment to the Overall Plan adopted 28 June 2011.

This change will improve the transparency of the Special Charge for the ratepayer and the efficiency of Council by reducing the administrative burden.

### **Financial**

It is proposed the 2013-2014 Special Charge for Raby Bay is set at \$960.96 per marina berth. Total expenditure under the Annual Implementation Plan is \$239,150.00.

### **People**

Altering the method of collection of revenue to fund the Annual Implementation Plan is anticipated to reduce the administrative coordination of this activity for the City Infrastructure and the Financial Services Groups.

### **Environmental**

There are no foreseeable environmental implications in applying this special charge.

### **Social**

There are no foreseeable social implications with applying this special charge.

### **Alignment with Council's Policy and Plans**

This proposal supports Council's Back to Basics Policy Objective - "3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources."

**CONSULTATION**

Consultation has been held with the residents of Raby Bay through the Raby Bay Ratepayers Association, Councillors, the Executive Leadership Group, senior management of City Infrastructure and Financial Services, and General Counsel.

**OPTIONS****Option 1**

1. Adopt the amended Overall Plan as attached;
2. Apply a Council contribution of 20 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year;
3. Adopt the Annual Implementation Plan as attached for the 2013-2014 financial year.

**Option 2**

That Council resolve to not adopt the officer's recommendation.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr M Edwards

Seconded by: Cr A Beard

That Council resolve to:

1. Adopt the amended Overall Plan as attached;
2. Apply a Council contribution of 20 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year; and
3. Adopt the Annual Implementation Plan as attached for the 2013-2014 financial year.

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.



### 5.3.9 RABY BAY TIDAL WORKS (COMMUNITY TITLE SCHEME) SPECIAL CHARGE

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [Raby Bay Tidal Works \(CTS\) Special Charge Overall Plan 2013-14](#)  
[Raby Bay CTS Annual Implementation Plan Map RBC-4-v3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Marine Infrastructure Planning**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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### PURPOSE

This report presents the amended Overall Plan and Annual Implementation Plan for 2013-2014 for the Raby Bay Tidal Works (Community Title Scheme) Special Charge for the benefited area referenced as Benefited Area Map RBC-4-v3 for Council adoption.

### BACKGROUND

28 June 2011 – The Overall Plan was adopted for the Raby Bay (Community Title Scheme) Special Charge at Council Special Budget meeting.

28 June 2011 and 12 July 2012 – An Annual Implementation Plan for the Raby Bay (Community Title Scheme) Special Charge was adopted.

### ISSUES

In 2011-2012 a new methodology was introduced for the raising of revenue to cover expenditure of the canal maintenance at the Raby Bay Estate. This methodology introduced a new rating category in the benefited area that included within the levied differential general rate a proportion of revenue that was transferred to the reserve account from the general fund for the funding of canal maintenance in the benefited area. The Special Charge adopted 28 June 2011 comprised expenditure for the revetment walls only.

In consideration for the levying of rates and charges for 2013-2014 Council has determined that for the 2013-2014 financial year the previously adopted methodology of raising revenue for the maintenance of the canals through the quarantining of funds raised through the differential general rate will be suspended in favour of the levying the full expenditure (revetment walls and canal maintenance) through the

special charge in order to provide transparency to the affected ratepayers in the Benefited Area reference as Benefited Area map reference RBC-4-v3 (attachment 3).

### Overall Plan

The overall plan adopted 28 June 2011 described the Service, Facility or Activity as, “repair and replacement of revetment walls within the Raby Bay canal estate Cleveland identified on Map titled Benefited Area Map RBC-4-v3 comprising: Revetment Walls as required”.

The amended overall plan presented for adoption with this report describes the Service, Facility or Activity as, “dredging, maintenance and cleaning works of the canal and its revetments, improvements and navigation aids located at Raby Bay identified within the Benefited Area Map RBC-4-v3 comprising:

- Dredging as required;
- Planning as required;
- Canal Maintenance as required;
- Navigational Beacon Pile Maintenance as required;
- Revetment Walls as required.”

### Annual Implementation Plan

It is proposed the Raby Bay Tidal Works (Community Title Scheme) Special Charge for 2013-2014 will be set at \$1,101.72 per unit.

The Council contribution will be \$33,052.00, which is 20% of the total revenue raised. Note: It is proposed to reduce the Council contribution from 20% to 10% over a phased in period of 5 years.

The works programmed for the 2013-2014 financial year are set out in the table below:

Particulars	Expenditure \$
40420 - Voyagers Court	\$78,750.00
42092 - Mainroyal Crt	\$144,255.00
30394 - Raby Bay Canal Maintenance	\$11,200.00
30399 - Monitoring Revetment Walls	\$9,803.00
70833 - Raby Bay Canal Planning (consultants)	\$17,500.00
Rock armour replacement	\$17,500.00
Total	\$279,008.00

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires a local government’s resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government must adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### **Risk Management**

The methodology used in calculating the Raby Bay Tidal Works (Community Title Scheme) Special Charge (the Special Charge) amount has been amended for the 2013-2014 financial year. For the period 1 July 2011 to 30 June 2013 the calculation for the Special Charge did not include the maintenance component, rather this expenditure was calculated and quarantined in the differential general rate revenue raised from the Raby Bay Estate rating categories and allocated to the reserve account from the general fund. From 1 July 2013 the Special Charge will include the maintenance component within the calculation.

The alteration of the calculation has required an amendment to the Overall Plan adopted 28 June 2011.

This change will improve the transparency of the Special Charge for the ratepayer and the efficiency of Council by reducing the administrative burden.

### **Financial**

It is proposed the Raby Bay Tidal Works (Community Title Scheme) Special charge is set at \$1,101.72 per unit. Total expenditure under the Annual Implementation Plan is \$279,008.00.

### **People**

Altering the method of collection of revenue to fund the Annual Implementation Plan is anticipated to reduce the administrative coordination of this activity for the City Infrastructure and the Financial Services Groups.

### **Environmental**

There are no foreseeable environmental implications in applying this special charge.

### **Social**

There are no foreseeable social implications with applying this special charge.

## **Alignment with Council's Policy and Plans**

This proposal supports Council's Back to Basics Policy Objective:

"3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources."

## **CONSULTATION**

Consultation has been held with the residents of Raby Bay through the Raby Bay Ratepayers Association, Councillors, the Executive Leadership Group, senior management of City Infrastructure and Financial Services, and General Counsel.

## **OPTIONS**

### **Option 1**

1. Adopt the amended Overall Plan as attached;
2. Apply a Council Contribution of 20 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year;
3. Adopt the Annual Implementation Plan as attached for the 2013-2014 financial year.

### **Option 2**

That Council resolve to not adopt the officer's recommendation.

## **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards

**Seconded by:** Cr A Beard

**That Council resolve to:**

1. **Adopt the amended Overall Plan as attached;**
2. **Apply a Council Contribution of 20 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year; and**
3. **Adopt the Annual Implementation Plan as attached for the 2013-2014 financial year.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

### 5.3.10 RABY BAY TIDAL WORKS (NON COMMUNITY TITLE SCHEME) SPECIAL CHARGE

**Datworks Filename:** RTT: Policy - City Canals & Lake Special Charge

**Attachments:** [Raby Bay Tidal Works \(NCTS\) Special Charge Overall Plan 2013-14](#)  
[Raby Bay Non CTS Annual Implementation Plan Map RBC-6-v3](#)

**Authorising Officer:**



**Gary Soutar**  
**General Manager Infrastructure & Operations**

**Responsible Officer:**

**Murray Erbs**  
**Group Manager City Infrastructure**

**Authors:**

**Rodney Powell**  
**Senior Adviser Marine Infrastructure Planning**  
**Noela Barton**  
**Service Manager Revenue & Cash Management**

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### PURPOSE

This report presents the amended Overall Plan and Annual Implementation Plan for 2013-2014 for the Raby Bay Tidal Works (Non Community Title Scheme) Special Charge for the benefited area reference as Benefited Area Map RBC-6-v3 for Council adoption.

### BACKGROUND

28 June 2011 – The Overall Plan was adopted for the Raby Bay (Non Community Title Scheme) Special Charge at Council Special Budget meeting.

28 June 2011 and 12 July 2012 – An Annual Implementation Plan for the Raby Bay (Non Community Title Scheme) Special Charge was adopted.

### ISSUES

In 2011-2012 a new methodology was introduced for the raising of revenue to cover expenditure of the canal maintenance at the Raby Bay Estate. This methodology introduced a new rating category in the benefited area that included within the levied differential general rate a proportion of revenue that was transferred to the reserve account from the general fund for the funding of canal maintenance in the benefited area. The Special Charge adopted 28 June 2011 comprised expenditure for the revetment walls only.

In consideration for the levying of rates and charges for 2013-2014 Council has determined that for the 2013-2014 financial year the previously adopted methodology of raising revenue for the maintenance of the canals through the quarantining of funds raised through the differential general rate will be suspended in favour of the levying the full expenditure (revetment walls and canal maintenance) through the

special charge in order to provide transparency to the affected ratepayers in the Benefited Area reference as Benefited Area map reference RBC-6-v3 (attachment 3).

### Overall Plan

The overall plan adopted 28 June 2011 described the Service, Facility or Activity as, “repair and replacement of revetment walls within the Raby Bay canal estate Cleveland identified on Map titled Benefited Area Map RBC-6-v3 comprising: Revetment Walls as required”.

The amended overall plan presented for adoption with this report describes the Service, Facility or Activity as, “dredging, maintenance and cleaning works of the canal and its revetments, improvements and navigation aids located at Raby Bay identified within the Benefited Area Map RBC-6-v3 comprising:

- Dredging as required
- Planning as required
- Canal Maintenance as required
- Navigational Beacon Pile Maintenance as required
- Revetment Walls as required.”

### Annual Implementation Plan

It is proposed the Raby Bay Tidal Works (Non Community Title Scheme) Special Charge for 2013-2014 will be set at \$1,901.26 per lot.

The Council contribution will be \$384,055.00, which is 20% of the total revenue raised. Note: It is proposed to reduce the Council contribution from 20% to 10% over a phased in period of 5 years.

The works programmed for the 2013-2014 financial year are set out in the table below:

Particulars	Expenditure \$
40420 - Voyagers Court	\$978,750.00
42092 - Mainroyal Crt	\$1,792,885.00
30394 - Raby Bay Canal Maintenance	\$139,200.00
30399 - Monitoring Revetment Walls	\$121,840.00
70833 - Raby Bay Canal Planning (consultants)	\$217,500.00
Rock armour replacement	\$217,500.00
Total	\$3,467,675.00

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 94(2) of the *Local Government Regulation 2012* (Regulation) requires a local government’s resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(3) of the *Regulation* lists the information that must be included in an overall plan.

Section 94(4) of the *Regulation* requires the local government must adopt the overall plan before, or at the same time as, the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires that if an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.

Section 94(7) of the *Regulation* sets out the information that must be included in an annual implementation plan adopted each financial year.

Section 94(9) of the *Regulation* enables that a local government may at any time, by resolution, amend an overall plan or annual implementation plan.

### **Risk Management**

The methodology used in calculating the Raby Bay Tidal Works (Non Community Title Scheme) Special Charge (the Special Charge) amount has been amended for the 2013-2014 financial year. For the period 1 July 2011 to 30 June 2013 the calculation for the Special Charge did not include the maintenance component, rather this expenditure was calculated and quarantined in the differential general rate revenue raised from the Raby Bay Estate rating categories and allocated to the reserve account from the general fund. From 1 July 2013 the Special Charge will also include the maintenance component within the calculation.

The alteration of the calculation has required an amendment to the Overall Plan adopted 28 June 2011.

This change will improve the transparency of the Special Charge for the ratepayer and the efficiency of Council by reducing the administrative burden.

### **Financial**

It is proposed the Raby Bay Tidal Works (Non Community Title Scheme) Special charge is set at \$1,901.26 per lot. Total expenditure under the Annual Implementation Plan is \$3,467,675.00.

### **People**

Altering the method of collection of revenue to fund the Annual Implementation Plan is anticipated to reduce the administrative coordination of this activity for the City Infrastructure and the Financial Services Groups.

### **Environmental**

There are no foreseeable environmental implications in applying this special charge.

### **Social**

There are no foreseeable social implications with applying this special charge.

## **Alignment with Council's Policy and Plans**

This proposal supports Council's Back to Basics Policy Objective:

"3. Council must continually review its priorities for providing services and facilities and that it is necessary from time to time to rationalise service levels, delivery mode and/or allocation of resources."

## **CONSULTATION**

Consultation has been held with the residents of Raby Bay through the Raby Bay Ratepayers Association, Councillors, the Executive Leadership Group, senior management of City Infrastructure and Financial Services, and General Counsel.

## **OPTIONS**

### **Option 1**

1. Adopt the amended Overall Plan as attached;
2. Apply a Council Contribution of 20 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year;
3. Adopt the Annual Implementation Plan as attached for the 2013-2014 financial year.

### **Option 2**

That Council resolve to not adopt the officer's recommendation.

## **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards  
**Seconded by:** Cr A Beard

**That Council resolve to:**

1. **Adopt the amended Overall Plan as attached;**
2. **Apply a Council Contribution of 20 percent toward the cost of the Annual Implementation Plan for the 2013-2014 financial year; and**
3. **Adopt the Annual Implementation Plan as attached for the 2013-2014 financial year.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.



### 5.3.11 SOUTHERN MORETON BAY ISLANDS TRANSLINK OPERATIONS SPECIAL CHARGE - OVERALL PLAN AND ANNUAL IMPLEMENTATION PLAN

**Dataworks Filename:** FM Corporate Budget

**Attachments:** [Overall Plan - SMBI TransLink Special Charge  
Annual Implementation Plan - SMBI TransLink  
Special Charge](#)

**Authorising Officer:**



**Bill Lyon**  
Chief Executive Officer

**Responsible Officers:**

**Gavin Holdway**  
Chief Financial Officer

**Gary Soutar**  
General Manager Infrastructure & Operations

**Murray Erbs**  
Group Manager City Infrastructure

**Author:**

**Noela Barton**  
Service Manager Revenue and Recovery

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## PURPOSE

This report presents the Overall Plan for the Southern Moreton Bay Islands TransLink Operations Special Charge and the Annual Implementation Plan for 2013-2014 for adoption.

## BACKGROUND

Council resolved on 19 June 2013 to raise a special charge in the annual budget for 2013-2014 to fund the contribution agreed to under the Funding Agreement executed 18 December 2012 for ferry operations to the Southern Moreton Bay Islands between Redland City Council and the State of Queensland (acting through the Department of Transport and Main Roads).

## ISSUES

The State of Queensland (the State) and Redland City Council (RCC) agree they wish to promote and improve public transport to all communities in Redland City. Both are committed to the staged extension of public transport services between Weinam Creek and the Southern Moreton Bay Islands to reduce the costs of living and broaden the economic benefits to these Islands.

On 18 December 2012, RCC entered into a funding agreement with the State for TransLink to provide ferry operations between Weinam Creek, Karragarra, Lamb, Macleay, Perulpa and Russell Islands for a trial period of 2½ years, which will be

referred to as the Southern Moreton Bay Islands Transport Operations trial which provides public transport services to the Benefited Land.

Special rates and charges are for services, facilities and activities that have a special association with particular land. Council has established the SMBI TransLink Operations Special Charge (SMBI TransLink Operations Special Charge) has a special association to the land identified because the land or its occupier will specially benefit from the service, facility or activity provided by the Southern Moreton Bay Islands Transport Operations trial through the extension of public transport services and the broadening of economic benefits this trial may bring to the Islands.

The land that would obtain a particular benefit from the service (Benefited Land) identified in the Overall Plan is all rateable properties on the Southern Moreton Bay Islands of Karragarra, Lamb, Macleay, Perulpa and Russell Islands, excluding land categorised for differential general rate purposes as rating category 10.

The State agrees that funds raised under the SMBI TransLink Operations Special Charge will be used only for the purpose of providing the State Services and the Ticketing Services identified in the Overall Plan.

The time period for the Southern Moreton Bay Islands Transport Operations trial is 1 July 2013 to 1 January 2016.

The Annual Implementation Plan for 2013-2014 is attached, and comprises the payment for \$920,000 (which excludes GST) of the special charges collected to the State of Queensland (acting through the Department of Transport and Main Roads) for the provision of the service.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Section 92(3) of the *Local Government Act 2009* (LGA) requires that for a special rate or charge to be levied the service, facility or activity has to have a special association with particular land.

Section 94(2) of the LGA requires the resolution to levy special rates or charges must identify the rateable land to which the special rates or charges apply and the overall plan for the service, facility or activity to which the special rates or charges apply.

Section 94(4) of the *Local Government Regulation 2012* (Regulation) requires the overall plan must be adopted before, or at the same time as the local government first resolves to levy the special rates or charges.

Section 94(6) of the *Regulation* requires an annual implementation plan to be adopted if the overall plan for the special charge is for more than 1 year.

Section 94(7) of the *Regulation* requires an annual implementation plan for a financial year to be a document that sets out the actions or processes that are to be carried out in the financial year for the service, facility or activity for which the special rates or charges apply.

Section 94(15) of the *Regulation* declares that a local government may make and levy a special rate or charge for a service, facility or activity whether or not the services is supplied or undertaken by the local government.

### **Risk Management**

The adoption of a special charge for the payment of the financial obligations under the funding agreement will provide transparency for the SMBI residents and ratepayers in the benefited area regarding the purpose of the funds collected.

### **Financial**

It is proposed the SMBI TransLink Operations Special Charge will be set at \$85.46 for 2013/2014 and raise \$920,000.

The amount of the SMBI TransLink Operations Special Charge has been determined by the SMBI Translink Special Charge modelling implementation by apportioning an equal share of the payment across the Southern Moreton Bay Island rateable properties excluding properties categorised for the purposes of the differential general rate as rating category 10.

The Annual Implementation Plan is the payment of the annual funding amount of the service pursuant to the agreement between the Council and the State of Queensland (acting through the Department of Transport and Main Roads) for the provision of the service. That amount for the 2013-2014 financial year is \$920,000.

### **People**

Not applicable.

### **Environmental**

Not applicable.

### **Social**

Not applicable.

### **Alignment with Council's Policy and Plans**

- Redlands 2030 Community Plan:
  - Wise Planning and Design – Prioritising Public Infrastructure
    - Goal 11 – Connections within and around the Redlands: In line with sustainability; new transit systems, improved roads, car parks and public transport options to keep pace with demand; and increase connectivity in and around the Redlands, and most notably with the Bay Islands, Brisbane and the Gold Coast.
- Redland City Council Corporate Plan 2010-2015
  - 5. Wise Planning and Design
    - 5.8: Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport.

## CONSULTATION

Consultation for the introduction of the Southern Moreton Bay Islands Transport Operations trial and the SMBI TransLink Operations Special Charge has been held with the Mayor and Councillors, the Executive Leadership Group, General Counsel, senior managers of the City Infrastructure Group and Financial Services.

## OPTIONS

### Option One

1. Levy the Southern Moreton Bay Islands TransLink Operations Special Charge for 2013-2014 financial year on the Benefited Land in accordance with the Southern Moreton Bay Islands TransLink Operations Special Charge Overall Plan; and
2. Adopt the attached Southern Moreton Bay Islands TransLink Operations Special Charge Overall Plan which is outlined in this report; and
3. Adopt the attached Southern Moreton Bay Islands Translink Operations Special Charge Annual Implementation Plan for 2013-2014 which is outlined in this report.

### Option Two

That Council resolve to not adopt the Officer's Recommendation.

## OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Edwards

Seconded by: Cr A Beard

That Council resolve to:

1. Levy the Southern Moreton Bay Islands TransLink Operations Special Charge for 2013-2014 financial year on the Benefited Land in accordance with the Southern Moreton Bay Islands TransLink Operations Special Charge Overall Plan;
2. Adopt the attached Southern Moreton Bay Islands TransLink Operations Special Charge Overall Plan which is outlined in this report; and
3. Adopt the attached Southern Moreton Bay Islands Translink Operations Special Charge Annual Implementation Plan for 2013-2014 which is outlined in this report.

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

**5.3.12 OVERALL PLAN - KARRAGARRA ISLAND RURAL FIRE LEVY SPECIAL CHARGE 2013-2014****Dataworks Filename:** FM Corporate Budget**Attachment:** [Rural Fire Brigade Budgets](#)**Authorising Officer:****Bill Lyon**  
**Chief Executive Officer****Responsible Officer:** **Gavin Holdway**  
**Chief Financial Officer****Author:** **Noela Barton**  
**Service Manager Revenue and Cash Management**

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**PURPOSE**

To submit to Council for adoption the Karragarra Island Rural Fire Levy Special Charge overall plan for the 2013-2014 financial year.

**BACKGROUND**

Council has in previous financial years contributed to the Southern Moreton Bay Islands rural fire brigades through the raising of revenue from a Rural Fire Levy Special charge.

It is the practice of Council to adopt on an annual basis an overall plan for each rural fire brigade that covers a 12 month period. However, an overall plan will not be adopted for the Russell Island Rural Fire Brigade for 2013-2014 as the request for funding from the levying of a special charge is nil as they have ample funding to cover their total operating costs for 2013-2014.

**OVERALL PLAN**

The Rural Fire Service is provided in areas where there is no urban fire service and is fully staffed by volunteers from the community.

The Karragarra Island Rural Fire Levy Special Charge is levied to contribute funding to the service, facilities and activities provided by the Karragarra Island Rural Fire Brigade. The Special Charge is set in consultation with the Queensland Fire and Rescue Service (QFRS) Rural Operations Area Director for the Redlands district area and is considered in relevance to the annual budget 2013/2014, which is attached.

The rateable land over which the Karragarra Island Rural Fire Levy Special charge is levied is described as all rateable land on Karragarra Island (Benefited Land). That land obtains a special benefit from the provision of the service, facilities and activities because the special charge provides for a fire service on the island that is occupied by the Benefited Land.

The Brigade has approximately \$13,000 in funds held and have budgeted for total operating costs of \$21,400 in 2013/2014.

For 2013/2014 the Brigade requests a levy of \$30 per annum which is supported by the QFRS.

The charge of \$30.00 will be levied on a quarterly basis in the months of July, October, January and April and charged on a per lot basis on all rateable land on Karragarra Island.

Based on the current property data held in the Rating system Council officers estimate the amount to be raised by the levy and therefore the estimated cost of the overall plan for 2013/2014 as \$8,010.

The estimated time for implementing the overall plan is 1 year, ending on 30 June 2014.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Under section 128A of the *Fire and Rescue Service Act 1990* local government may make and levy special rates and charges and contribute the amounts raised to the rural fire brigades.

Under section 91 of the *Local Government Act 2009* Council has the power to levy rates and charges on land and for a service, facility or activity that is supplied or undertaken by the local government or by someone on behalf of the local government.

Under section 94(1) a local government may decide to levy a special rate or charge.

Section 94(2) of the *Local Government Regulation 2012* requires that where a local government decides to levy special rates or charges the resolution must identify the land to which the special rates or charges apply and the overall plan for the service, facility or activity.

Under section 94(6) of the *Local Government Regulation 2012* if an overall plan is for no more than 1 year it negates the need to also adopt an Annual Implementation Plan.

Section 96 of the *Local Government Regulation 2012* requires if an overall plan is implemented and not all the funds levied are spent by the end of the overall plan the funds must be paid back to the current owners of the land on which the special rates or charges were levied as soon as practicable. There is no requirement to return any unspent charges from the previous Rural Fire Levy Special Charge, provided Council has discharged its duty by providing the revenue raised to each fire brigade in each financial year they were imposed. Council discharges its duty for the time limit for carrying out the overall plan by monthly payment of all revenue received from the special charge to the Karragarra Island Rural Fire Brigade.

### **Risk Management**

Council annually reviews special charges during the budget process. For 2013/2014 Council has established a position that it will support the Karragarra Island Rural Fire

brigade by raising revenue through a special charge in order for the Brigade to continue to provide an essential service to the local community.

### **Financial**

The levy proposed for 2013/2014 is in response to the budget prepared by the Karragarra Island Rural Fire Service Brigade which is completed in consultation with the Area Director Rural Operations QFRS.

### **People**

Nil impact expected.

### **Environmental**

The levy supports the Karragarra Island Rural Fire Brigade to provide an essential service to their local community. The activities undertaken by the Brigade include responding to the outbreak of fires within their local area and in surrounding areas in support of other rural fire brigades and emergency service workers. They work in conjunction with Rural Operations staff from the QFRS undertaking a range of planning and preparation activities throughout the year to ensure communities are prepared for the fire season, which includes hazard reduction burns. They control the use of fire by providing authorised Fire Wardens to manage permits to light fires. Brigade members also engage in delivering community education and awareness on fire behaviour and prevention.

### **Social**

Nil impact expected.

### **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

#### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way.

### **CONSULTATION**

The Overall Plan for the Karragarra Island Rural Fire Levy for 2013/2014 is put forward for adoption after consultation with the Area Director Rural Operations QFRS, Councillors, Chief Executive Officer and the Chief Financial Officer.

### **OPTIONS**

#### **Option 1**

That Council resolve to:

1. Adopt the overall plan described in this report for the Karragarra Island Rural Fire Levy Special Charge for 2013/2014; and
2. Fix the Karragarra Island Rural Fire Levy Special Charge for 2013/2014 at \$30 per annum to be charged on a per lot basis on all rateable land on Karragarra Island.

**Option 2**

That Council resolve not to adopt the Officer's recommendation.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards

**Seconded by:** Cr A Beard

**That Council resolve to:**

- 1. Adopt the overall plan described in this report for the Karragarra Island Rural Fire Levy Special Charge for 2013/2014; and**
- 2. Fix the Karragarra Island Rural Fire Levy Special Charge for 2013/2014 at \$30 per annum to be charged on a per lot basis on all rateable land on Karragarra Island.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.



**5.3.13 OVERALL PLAN - LAMB ISLAND RURAL FIRE LEVY SPECIAL CHARGE  
2013-2014****Dataworks Filename:** FM Corporate Budget**Attachment:** [Rural Fire Brigade Budgets](#)**Authorising Officer:****Bill Lyon  
Chief Executive Officer****Responsible Officer:** Gavin Holdway  
Chief Financial Officer**Author:** Noela Barton  
Service Manager Revenue and Cash Management

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**PURPOSE**

To submit to Council for adoption the Lamb Island Rural Fire Levy Special Charge overall plan for the 2013-2014 financial year.

**BACKGROUND**

Council has in previous financial years contributed to the Southern Moreton Bay Islands rural fire brigades through the raising of revenue from a Rural Fire Levy Special charge.

It is the practice of Council to adopt on an annual basis an overall plan for each rural fire brigade that covers a 12 month period. However, an overall plan will not be adopted for the Russell Island Rural Fire Brigade for 2013-2014 as the request for funding from the levying of a special charge is nil as they have ample funding to cover their total operating costs for 2013-2014.

**OVERALL PLAN**

The Rural Fire Service is provided in areas where there is no urban fire service and is fully staffed by volunteers from the community.

The Lamb Island Rural Fire Levy Special Charge is levied to contribute funding to the service, facilities and activities provided by the Lamb Island Rural Fire Brigade. The Special Charge is set in consultation with the Queensland Fire and Rescue Service (QFRS) Rural Operations Area Director for the Redlands district area and is considered in relevance to the annual budget 2013/2014, which is attached.

The rateable land over which the Lamb Island Rural Fire Levy Special Charge is levied is described as all rateable land on Lamb Island (Benefited Land). That land obtains a special benefit from the provision of the service, facilities and activities because the special charge provides for a fire service on the island that is occupied by the Benefited Land.

The Brigade has approximately \$19,000 in funds held and have budgeted for total operating costs of \$26,500 in 2013/2014.

For 2013/2014 the Brigade requests a levy of \$10 per annum which is supported by the QFRS.

The charge of \$10.00 will be levied on a quarterly basis in the months of July, October, January and April and charged on a per lot basis on all rateable land on Lamb Island.

Based on the current property data held in the Rating system Council officers estimate the amount to be raised by the levy and therefore the estimated cost of the overall plan for 2013/2014 as \$7,610.

The estimated time for implementing the overall plan is 1 year, ending on 30 June 2014.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Under section 128A of the Fire and Rescue Service Act 1990 local government may make and levy special rates and charges and contribute the amounts raised to the rural fire brigades.

Under section 91 of the *Local Government Act 2009* Council has the power to levy rates and charges on land and for a service, facility or activity that is supplied or undertaken by the local government or by someone on behalf of the local government.

Under section 94(1) a local government may decide to levy a special rate or charge.

Section 94(2) of the *Local Government Regulation 2012* requires that where a local government decides to levy special rates or charges the resolution must identify the land to which the special rates or charges apply and the overall plan for the service, facility or activity.

Under section 94(6) of the *Local Government Regulation 2012* if an overall plan is for no more than 1 year it negates the need to also adopt an Annual Implementation Plan.

Section 96 of the *Local Government Regulation 2012* requires if an overall plan is implemented and not all the funds levied are spent by the end of the overall plan the funds must be paid back to the current owners of the land on which the special rates or charges were levied as soon as practicable. There is no requirement to return any unspent charges from the previous Rural Fire Levy Special Charge, provided Council has discharged its duty by providing the revenue raised to each fire brigade in each financial year they were imposed. Council discharges its duty for the time limit for carrying out the overall plan by monthly payment of all revenue received from the special charge to the Lamb Island Rural Fire Brigade.

### **Risk Management**

Council annually reviews special charges during the budget process. For 2013/2014 Council has established a position that it will support the Lamb Island Rural Fire

brigade by raising revenue through a special charge in order for the Brigade to continue to provide an essential service to the local community.

### **Financial**

The levy proposed for 2013/2014 is in response to the budget prepared by the Lamb Island Rural Fire Service Brigade which is completed in consultation with the Area Director Rural Operations QFRS.

### **People**

Nil impact expected.

### **Environmental**

The levy supports the Lamb Island Rural Fire Brigade to provide an essential service to their local community. The activities undertaken by the Brigade include responding to the outbreak of fires within their local area and in surrounding areas in support of other rural fire brigades and emergency service workers. They work in conjunction with Rural Operations staff from the QFRS undertaking a range of planning and preparation activities throughout the year to ensure communities are prepared for the fire season, which includes hazard reduction burns. They control the use of fire by providing authorised Fire Wardens to manage permits to light fires. Brigade members also engage in delivering community education and awareness on fire behaviour and prevention.

### **Social**

Nil impact expected.

### **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

#### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way.

### **CONSULTATION**

The Overall Plan for the Lamb Island Rural Fire Levy for 2013/2014 is put forward for adoption after consultation with the Area Director Rural Operations QFRS, Councillors, Chief Executive Officer and the Chief Financial Officer.

### **OPTIONS**

#### **Option 1**

That Council resolve to:

1. Adopt the overall plan described in this report for the Lamb Island Rural Fire Levy Special Charge for 2013/2014; and
2. Fix the Lamb Island Rural Fire Levy Special Charge for 2013/2014 at \$10 per annum to be charged on a per lot basis on all rateable land on Lamb Island.

**Option 2**

That Council resolve not to adopt the Officer's recommendation.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

**Moved by: Cr M Edwards**

**Seconded by: Cr A Beard**

**That Council resolve to:**

- 1. Adopt the overall plan described in this report for the Lamb Island Rural Fire Levy Special Charge for 2013/2014; and**
- 2. Fix the Lamb Island Rural Fire Levy Special Charge for 2013/2014 at \$10 per annum to be charged on a per lot basis on all rateable land on Lamb Island.**

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

**5.3.14 OVERALL PLAN - MACLEAY AND PERULPA ISLANDS RURAL FIRE  
LEVY SPECIAL CHARGE 2013-2014****Dataworks Filename:** FM Corporate Budget**Attachment:** [Rural Fire Brigade Budgets](#)**Authorising Officer:****Bill Lyon  
Chief Executive Officer****Responsible Officer:** **Gavin Holdway  
Chief Financial Officer****Author:** **Noela Barton  
Service Manager Revenue and Cash Management**

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**PURPOSE**

To submit to Council for adoption the Macleay and Perulpa Islands Rural Fire Levy Special Charge overall plan for the 2013-2014 financial year.

**BACKGROUND**

Council has in previous financial years contributed to the Southern Moreton Bay Islands rural fire brigades through the raising of revenue from a Rural Fire Levy Special charge.

It is the practice of Council to adopt on an annual basis an overall plan for each rural fire brigade that covers a 12 month period. However, an overall plan will not be adopted for the Russell Island Rural Fire Brigade for 2013-2014 as the request for funding from the levying of a special charge is nil as they have ample funding to cover their total operating costs for 2013-2014.

**OVERALL PLAN**

The Rural Fire Service is provided in areas where there is no urban fire service and is fully staffed by volunteers from the community.

The Macleay and Perulpa Islands Rural Fire Levy Special Charge is levied to contribute funding to the service, facilities and activities provided by the Macleay Island Rural Fire Brigade. The Special Charge is set in consultation with the Queensland Fire and Rescue Service (QFRS) Rural Operations Area Director for the Redlands district area and is considered in relevance to the annual budget 2013/2014, which is attached.

The rateable land over which the Macleay and Perulpa Islands Rural fire Levy Special Charge is levied is described as all rateable land on the Macleay and Perulpa Islands (Benefited Land). That land obtains a special benefit from the provision of the service, facilities and activities because the special charge provides for a fire service on the islands that is occupied by the Benefited Land.

The Brigade has approximately \$70,000 in funds held and have budgeted for total operating costs of \$95,000 in 2013/2014.

For 2013/2014 the Brigade requests a levy of \$10 per annum which is supported by the QFRS.

The charge of \$10.00 will be levied on a quarterly basis in the months of July, October, January and April and charged on a per lot basis on all rateable land on Macleay and Perulpa Islands.

Based on the current property data held in the Rating system Council officers estimate the amount to be raised by the levy and therefore the estimated cost of the overall plan for 2013/2014 as \$37,520.

The estimated time for implementing the overall plan is 1 year, ending on 30 June 2014.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Under section 128A of the *Fire and Rescue Service Act 1990* local government may make and levy special rates and charges and contribute the amounts raised to the rural fire brigades.

Under section 91 of the *Local Government Act 2009* Council has the power to levy rates and charges on land and for a service, facility or activity that is supplied or undertaken by the local government or by someone on behalf of the local government.

Under section 94(1) a local government may decide to levy a special rate or charge.

Section 94(2) of the *Local Government Regulation 2012* requires that where a local government decides to levy special rates or charges the resolution must identify the land to which the special rates or charges apply and the overall plan for the service, facility or activity.

Under section 94(6) of the *Local Government Regulation 2012* if an overall plan is for no more than 1 year it negates the need to also adopt an Annual Implementation Plan.

Section 96 of the *Local Government Regulation 2012* requires if an overall plan is implemented and not all the funds levied are spent by the end of the overall plan the funds must be paid back to the current owners of the land on which the special rates or charges were levied as soon as practicable. There is no requirement to return any unspent charges from the previous Rural Fire Levy Special Charge, provided Council has discharged its duty by providing the revenue raised to each fire brigade in each financial year they were imposed. Council discharges its duty for the time limit for carrying out the overall plan by monthly payment of all revenue received from the special charge to the Macleay Island Rural Fire Brigade.

### **Risk Management**

Council annually reviews special charges during the budget process. For 2013/2014 Council has established a position that it will support the Macleay Island Rural Fire

brigade by raising revenue through a special charge in order for the Brigade to continue to provide an essential service to the local community.

### **Financial**

The levy proposed for 2013/2014 is in response to the budget prepared by the Macleay Island Rural Fire Service Brigade that is completed in consultation with the Area Director Rural Operations QFRS.

### **People**

Nil impact expected.

### **Environmental**

The levy supports the Macleay Island Rural Fire Brigade to provide an essential service to the local community. The activities undertaken by the Brigade include responding to the outbreak of fires within their local area and in surrounding areas in support of other rural fire brigades and emergency service workers. They work in conjunction with Rural Operations staff from the QFRS undertaking a range of planning and preparation activities throughout the year to ensure communities are prepared for the fire season, which includes hazard reduction burns. They control the use of fire by providing authorised Fire Wardens to manage permits to light fires. Brigade members also engage in delivering community education and awareness on fire behaviour and prevention.

### **Social**

Nil impact expected.

### **Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the Corporate Plan:

#### **9. An efficient and effective organisation**

Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way.

### **CONSULTATION**

The Overall Plan for the Macleay and Perulpa Islands Rural Fire Levy for 2013/2014 is put forward for adoption after consultation with the Area Director Rural Operations QFRS, Councillors, Chief Executive Officer and the Chief Financial Officer.

### **OPTIONS**

#### **Option 1**

That Council resolve to:

1. Adopt the overall plan described in this report for the Macleay and Perulpa Islands Rural Fire Levy Special Charge for 2013/2014; and
2. Fix the Macleay and Perulpa Islands Rural Fire Levy Special Charge for 2013/2014 at \$10 per annum to be charged on a per lot basis on all rateable land on Macleay and Perulpa Islands.

**Option 2**

That Council resolve not to adopt the Officer's Recommendation.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr M Edwards

Seconded by: Cr A Beard

That Council resolve to:

1. Adopt the overall plan described in this report for the Macleay and Perulpa Islands Rural Fire Levy Special Charge for 2013/2014; and
2. Fix the Macleay and Perulpa Islands Rural Fire Levy Special Charge for 2013/2014 at \$10 per annum to be charged on a per lot basis on all rateable land on Macleay and Perulpa Islands.

**CARRIED** (en bloc) 6/5

Crs Boglary, Ogilvie, Hewlett, Elliott and Bishop voted against the Council resolution.

**6 MEETING CLOSURE**

There being no further business, the Mayor declared the meeting closed at 11.34am.

Signature of Chairperson: \_\_\_\_\_

Confirmation date: \_\_\_\_\_