



SPECIAL MEETING AGENDA

Friday 21 July 2023
commencing at 11.30am

Quilpie Shire Council Boardroom
50 Brolga Street, Quilpie

Special Meeting of Council

20 July 2023

The Mayor and Council Members
Quilpie Shire Council
QUILPIE QLD 4480

Dear Members

Notice is hereby given that a Pre Meeting Briefing will be held in the Council Boardroom, on **Friday 21 July 2023**, commencing at **10.30 am**.

Notice is also hereby given that the Special Meeting of the Quilpie Shire Council will be held at the Council Chambers, on **Friday 21 July 2023**, commencing at **11.30am**.

The agenda for the special meeting is attached for your information

Yours faithfully

Justin Hancock
Chief Executive Officer





SPECIAL MEETING OF COUNCIL AGENDA

Friday 21 July 2023
Quilpie Shire Council Boardroom
50 Broлга Street, Quilpie

ORDER OF PROCEEDINGS

1	OPENING OF MEETING.....	1
2	ATTENDANCE.....	1
3	APOLOGIES.....	1
4	DECLARATIONS OF INTEREST.....	1
5	FINANCE.....	2
5.1	OPERATIONAL PLAN 2023/2024.....	2
5.2	ADOPTION OF BUDGET 2023/24.....	23
5.3	DIFFERENTIAL GENERAL RATING CATEGORIES AND DESCRIPTIONS 2023/24.....	84
5.4	DIFFERENTIAL GENERAL RATES 2023/24.....	87
5.5	WILD DOG CONTROL SPECIAL RATE 2023/24.....	90
5.6	WATER UTILITY CHARGES 2023/24.....	93
5.7	SEWERAGE UTILITY CHARGES 2023/24.....	97
5.8	REFUSE REMOVAL AND DISPOSAL SERVICE CHARGES FOR 2023/24.....	101
5.9	WASTE MANAGEMENT LEVY 2023/24.....	104
5.10	TOTAL VALUE OF CHANGE IN RATES AND UTILITY CHARGES.....	107
5.11	SETTING OF CONCESSION ON RATES AND CHARGES FOR APPROVED PENSIONERS 2023/24.....	109
5.12	CONCESSIONS FOR NOT-FOR-PROFIT COMMUNITY ORGANISATIONS 2023/24.....	111
5.13	ADOPTION OF WASTE MANAGEMENT LEVY CLASS CONCESSION 2023/24.....	114
5.14	DISCOUNT ON RATES 2023/24.....	119
5.15	INTEREST ON ALL OVERDUE RATES AND CHARGES FOR 2023/24.....	122
5.16	LEVY AND PAYMENT OF RATES AND CHARGES 2023/24.....	125

5.17	SETTING THE LIMIT OF INCREASE IN THE AMOUNT OF GENERAL RATES 2023/24	128
5.18	DEBT (BORROWING) POLICY 2023/24.....	131
5.19	RATES AND UTILITY CHARGES - PENSIONER REBATES AND CONCESSIONS POLICY	136
5.20	SIGNIFICANT BUSINESS ACTIVITY ASSESSMENT 2023/24.....	141
5.21	CODE OF COMPETITIVE CONDUCT 2023/24	144
5.22	STATEMENT OF ESTIMATED FINANCIAL POSITION 2022/23	148
6	LATE ITEMS	152

- 1 OPENING OF MEETING**
- 2 ATTENDANCE**
- 3 APOLOGIES**
- 4 DECLARATIONS OF INTEREST**

5 FINANCE**5.1 OPERATIONAL PLAN 2023/2024****IX:** 239442**Author:** Janelle Menzies, Manager Governance and Compliance**Attachments:** 1. [2023/24 Operational Plan](#) [↓](#)**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.3 Maintain good corporate governance**EXECUTIVE SUMMARY**

Pursuant to section 174 of the *Local Government Regulation 2012*, Council must prepare and adopt an operational plan for each financial year. Council must also discharge its responsibilities in a way that is consistent with the annual operational plan

RECOMMENDATION

That Council adopts the 2023/24 Operational Plan pursuant to and in accordance with Section 174 of the *Local Government Regulation 2012*.

BACKGROUND

Pursuant to section 174 of the *Local Government Regulation 2012*, Council must prepare and adopt an operational plan for each financial year. Council must also discharge its responsibilities in a way that is consistent with the annual operational plan.

The operational plan has been drafted to ensure consistency with Council's operational structure and outlines the key capital works projects included in Council's budget deliberations. Further legislative requirements, such as the financial documents, and planning and accountability documents, are included in the operational plan.

The Chief Executive Officer will present a report to Council every three months on progress towards implementing the annual operational plan.

CONSULTATION (Internal/External)

- Directors
- Other Council Staff – Various Managers and Officers

LEGAL IMPLICATIONS

Adoption of the plan satisfies the legal requirements under the *Local Government Act 2009*.

POLICY AND LEGISLATION***Local Government Act 2009******Section 104 Financial management systems***

- (5) *The system of financial management established by a local government must include —*
- (a) *the following financial planning documents prepared for the local government —*
 - (v) *an annual operational plan*
 - (b) *the following financial accountability documents prepared for the local government —*
 - (iv) *a report on the results of an annual review of the implementation of the annual operational plan*
- (7) *A local government must carry out a review of the implementation of the annual operational plan annually.*

Local Government Regulation 2012

Division 4 Annual operational plan

174 Preparation and adoption of annual operational plan

- (1) *A local government must prepare and adopt an annual operational plan for each financial year.*
- (2) *The local government may, but need not, adopt the annual operation plan for a financial year at the same time the local government adopts its budget for the financial year.*
- (3) *The chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than 3 months.*
- (4) *A local government may, by resolution, amend its annual operational plan at any time before the end of the financial year.*
- (5) *A local government must discharge its responsibilities in a way that is consistent with its annual operational plan.*

175 Annual operational plan contents

- (1) *The annual operational plan for a local government must -*
- (a) *be consistent with its annual budget; and*
 - (b) *state how the local government will—*
 - (i) *progress the implementation of the 5-year corporate [plan](#) during the period of the annual operational plan; and*
 - (ii) *manage operational risks; and*
 - (c) *include an annual performance [plan](#) for each commercial business unit of the local government.*

FINANCIAL AND RESOURCE IMPLICATIONS

The plan is directly linked to the budget and all matters will be undertaken pursuant to the adopted budget and plan.

RISK MANAGEMENT IMPLICATIONS

The plan is drafted in accordance with legal requirements, so little or no risk exists. From an operational perspective, the risk is that the capital works program may not be able to be completed due to various issues, including resourcing issues, the effects of the wet season and other outside factors. However, such matters can be reviewed during the course of the year and Council is able to amend the operational plan by resolution during the year if necessary.

5.2 ADOPTION OF BUDGET 2023/24**IX:** 238580**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** 1. 2023 07 Annual Budget 2023 24 [↓](#)**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to adopt the 2023/24 Budget (including the Revenue Statement).

RECOMMENDATION

That Council:

- a) Pursuant to section 104 of the *Local Government Act 2009*, section 170 of the *Local Government Regulation 2012*, and as prepared in accordance with section 169 of the *Local Government Regulation 2012*, Council resolves to adopt the Budget for the 2023/24 financial year and Long-Term Financial Forecasts 2024-2033 as set out in the pages contained therein and incorporating:
 - The Statement of Income and Expenditure;
 - The Statement of Financial Position;
 - The Statement of Cash Flow;
 - The Statement of Changes in Equity;
 - The Long-Term Financial Forecast;
 - The relevant measures of Financial Sustainability for 2023/24 and the next 9 financial years;
 - The Revenue Statement;
 - The Revenue Policy (Adopted by Council on 18 April 2023 – Resolution No QSC053-04-23); and
 - The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the budget for the previous financial year
 - as tabled, be adopted; and
- b) Pursuant to section 173(1) of the *Local Government Regulation 2012*, Council resolves that all money spent in the 2023/24 financial year prior to the adoption of the budget has been included in the budget.

BACKGROUND

The requirements for the preparation and content of the budget are set out in Section 169 of the *Local Government Regulation 2012*:

- (1) A local government's budget for each financial year must:
 - (a) be prepared on an accrual basis; and
 - (b) include statements of the following for the financial year for which it is prepared and the next two financial years.
 - i. financial position;
 - ii. cash flow;
 - iii. income and expenditure; and
 - iv. changes in equity.
- (2) The budget must also include:
 - (a) a long-term financial forecast;
 - (b) a revenue statement; and
 - (c) a revenue policy.
- (3) The statement of income and expenditure must state each of the following:
 - (a) rates and utility charges excluding discounts and rebates;
 - (b) contributions from developers;
 - (c) fees and charges
 - (d) interest;
 - (e) grants and subsidies;
 - (f) depreciation;
 - (g) finance costs;
 - (h) net result;
 - (i) the estimated costs of—
 - (i) the local government's significant business activities carried on using a full cost pricing basis; and
 - (ii) the activities of the local government's commercial business units; and
 - (iii) the local government's significant business activities.
- (4) Subject to subsection (5), the budget must include a measure of financial sustainability for—
 - (a) the financial year for which the budget is being prepared; and
 - (b) the 9 financial years following the financial year for which the budget is being prepared.

Note—

See section 368 in relation to the budget for the 2023–2024 financial year.

368 Budget for 2023–2024 financial year

- (1) *This section applies if, after the commencement, a local government adopts or amends its budget for the 2023–2024 financial year.*
- (2) *Former section 169 continues to apply in relation to the budget.*

This relates to the following measures of financial sustainability for the financial year for which it is prepared and the next nine (9) financial years:

- (a) asset sustainability ratio;
- (b) net financial liabilities ratio; and
- (c) operating surplus ratio.

(5) The budget must include the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the budget for the previous financial year.

The relevant budget documents are presented for adoption.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors
- Managers
- Other Council Staff
- Community Budget Sessions – Adavale, Eromanga, Quilpie and Toompine

LEGAL IMPLICATIONS

Compliance with sections 169 and 170 of the *Local Government Regulation 2012*.

POLICY AND LEGISLATION

Section 170 of the Local Government Regulation 2012

- (1) *A local government must adopt its budget for a financial year—*
- (a) *after 31 May in the year before the financial year; but*
 - (b) *before—*
 - (i) *1 August in the financial year; or*
 - (ii) *a later day decided by the Minister.*
- (2) *If the budget does not comply with section 169 when it is adopted, the adoption of the budget is of no effect.*
- (3) *The local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.*
- (4) *If the budget does not comply with the following when it is amended, the amendment of the budget is of no effect—*
- (a) *section 169;*

(b) the local government's decision about the rates and charges to be levied for the financial year made at the budget meeting for the financial year.

Note — A local government may only decide the rates and charges to be levied for a financial year at the budget meeting for the financial year. See the Act, section 94(2).

FINANCIAL AND RESOURCE IMPLICATIONS

The information presented incorporates both the proposed budget for 2023/24 and the long-term financial forecast. The budget details how Council will fund the provision of services, programs and projects.

Additional information included:

- Appendix A – Revenue and Expenditure Report
- Appendix B – Special Projects
- Appendix C – Capital Expenditure Report

RISK MANAGEMENT IMPLICATIONS

The budget must be adopted before 1 August and in accordance with the requirements of the *Local Government Act 2009* and *Local Government Regulation 2012*.

5.3 DIFFERENTIAL GENERAL RATING CATEGORIES AND DESCRIPTIONS 2023/24**IX: 238585****Author: Sharon Frank, Manager Finance & Administration****Attachments: Nil****KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to adopt categories of rateable land for the levying of differential general rates for the financial year ending 30 June 2024.

RECOMMENDATION

That Council:

1. Pursuant to section 81 of the *Local Government Regulation 2012*, the categories into which rateable land is categorised, the description of those categories and, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, the method by which land is to be identified and included in its appropriate category below; and
2. Delegate to the Chief Executive Officer the power, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, to identify the rating category to which each parcel of rateable land belongs.

Category	Category Name	Category Description
1	Town of Quilpie - Residential <1Ha	Land, less than 1 Hectare in size, within the township of Quilpie primarily used, or capable of being used, in whole or in part, for residential purposes which is or can be serviced with urban infrastructure.
2	Town of Quilpie - Residential 1 to 10Ha	Land, 1 Hectare or more in size, but less than 10Ha, within the township of Quilpie primarily used, or capable of being used, in whole or in part, for residential purposes which is or can be serviced with urban infrastructure.
3	Town of Quilpie - Commercial	Land within the township of Quilpie primarily used, or capable of being used, in whole or in part, for commercial purposes which is or can be serviced with urban infrastructure.
4	Town of Quilpie - Industrial	Land within the township of Quilpie primarily used, or capable of being used, in whole or in part, for industrial purposes which is or can be serviced with urban infrastructure.

Category	Category Name	Category Description
5	Township of Eromanga	Land within the township of Eromanga used, or capable of being used, in whole or in part, for residential, commercial or industrial purposes which is or can be serviced with urban infrastructure, other than land used for grazing, agriculture, petroleum, mineral or extractive industry production.
6	Other Rural Towns	Land within the townships of Adavale, Toompine or Cheepie used, or capable of being used, in whole or in part, for residential, commercial or industrial purposes which is or can be serviced with urban infrastructure.
7	Opal Mines	Land held under the <i>Mineral Resources Act 1989</i> used either for the purpose of extracting opals or for the purposes of extracting other precious metals and / or gemstones on a non-industrial scale.
8	Other	Land not included in any other category.
9	Rural - Pumps and Bore Sites	Land primarily used for the purposes of operating pumps or bore sites.
10	Rural and Residential Land - 10 to 100Ha	Land, 10Ha or more, but less than 100Ha in size, used, or capable of being used, in whole or in part, for residential, grazing, agriculture and not included in any other category.
11	Rural - Grazing and Agriculture ≥100Ha	Land, 100Ha or greater in size, used, or capable of being used, in whole or in part, for rural purposes, including grazing and agriculture and not included in any other category.
12	Rural - Carbon Credits	Rural land, used, or capable of being used, in whole or in part, for rural purposes, including grazing and agriculture that has been issued with Carbon Credit Units.
13	Transformer Sites	Land primarily used for the purposes of transformer or communication facility.
14	Mining and Oil Production	All land held under the <i>Mineral Resources Act 1989</i> , the <i>Petroleum Act 1923</i> or the <i>Petroleum and Gas (Production and Safety) Act 2004</i> , other than land included in category 7.
15	Oil Distillation / Refining	Land primarily used for, or used in association or connection with the: <ul style="list-style-type: none"> - distillation of crude oil or natural gas; or - storage or transport of crude oil or natural gas.

BACKGROUND

The purpose of this report is to adopt different categories of rateable land for rating purposes.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

Council must ensure the validity of rating resolutions by adopting the categories into which rateable land is categorised, the description of those categories and, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, the method by which land is to be identified.

POLICY AND LEGISLATION

Local Government Regulation 2012

81 Categorisation of land for differential general rates

(1) *Before a local government levies differential general rates, it must decide the different categories (each a rating category) of rateable land in the local government area.*

(2) *The local government must, by resolution, make the decision at the local government's budget meeting.*

(3) *The resolution must state –*

(a) the rating categories of rateable land in the local government area; and

(b) a description of each of the rating categories.

Example -

A resolution may state that the rating categories, and a description of each of the rating categories, are as follows -

(a) residential land - land that is used for residential purposes in particular urban centres, rural localities, park residential estates and coastal villages;

(b) commercial and industrial land -land that is used solely for commerce or industry in particular urban centres and rural localities, other than land used for manufacturing sugar or another rural production industry;

(c) grazing and livestock land - land that is used, for commercial purposes, for grazing and livestock;

(d) sugar cane land - land that is used for producing sugar cane;

(e) sugar milling land - land that is used for manufacturing sugar;

(f) rural land -

(i)land that is not in an urban centre or locality; or

(ii)land that is not used for grazing and livestock; or

(iii)land that is not sugar cane land or sugar milling land;

(g) other land - any other type of land.

(4) *After the rating categories and descriptions have been decided, the local government must identify the rating category to which each parcel of rateable land in the local government area belongs.*

(5) *The local government may do so in any way it considers appropriate.*

(6) *The fact that some parcels of rateable land are inadvertently not categorised does not stop differential general rates being levied on rateable land that has been categorised.*

FINANCIAL AND RESOURCE IMPLICATIONS

The adoption of appropriate rating resolutions is integral to funding Council's services and projects.

RISK MANAGEMENT IMPLICATIONS

Categories are consistent with the previous financial year.

5.4 DIFFERENTIAL GENERAL RATES 2023/24**IX:** 238586**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** Nil**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to decide the differential general rate and minimum general rates for each differential general rate category, for the financial year ending 30 June 2024.

RECOMMENDATION

That pursuant to section 94 of the *Local Government Act 2009* and section 80 of the *Local Government Regulation 2012*, the differential general rate to be made and levied for each differential general rate category and, pursuant to section 77 of the *Local Government Regulation 2012*, the minimum general rate to be made and levied for each differential general rate category be as set out in the table below:

Category	Description	Minimum	General Rate (cents in the dollar)
1	Town of Quilpie - Residential <1Ha	\$488.00	3.0046
2	Town of Quilpie - Residential 1 to 10Ha	\$488.00	2.0447
3	Town of Quilpie - Commercial	\$588.00	3.5403
4	Town of Quilpie - Industrial	\$588.00	3.2003
5	Town of Eromanga	\$488.00	6.5984
6	Other Rural Towns	\$442.00	81.2216
7	Opal Mines	\$402.00	42.6538
8	Other	\$659.00	50.0594
9	Rural - Pumps and Bore Sites	\$343.00	45.8878
10	Rural and Residential Land - 10 to 100Ha	\$336.00	2.2837
11	Rural – Grazing and Agriculture ≥100Ha	\$588.00	1.5108
12	Rural - Carbon Credits	\$1,176.00	1.5108
13	Transformer Sites	\$406.00	3.5932
14	Mining and Oil Production	\$51,241.00	176.4000
15	Oil Distillation / Refining	\$36,170.00	174.5791

BACKGROUND

The purpose of this report is to set the minimum general rates and rates in the dollar for differential general rates for the financial year ending 30 June 2024.

Section 94(1)(a) of the *Local Government Act 2009* provides that Council must levy general rates on all rateable land within the local government area.

Section 80 of the *Local Government Regulation 2012* also provides that Council may levy general rates that differ for different categories of rateable land in the local government area i.e. differential general rates.

Section 77 of the *Local Government Regulation 2012* provides that Council may fix a minimum amount of general rates.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

Council must levy general rates on all rateable land with the Quilpie shire. The decision to resolve what rates and charges are to be levied must be made at the Budget meeting for that financial year.

POLICY AND LEGISLATION

Local Government Act 2009

94 Power to levy rates and charges

(1) *Each local government –*

(a) must levy general rates on all rateable land within the local government area; and

...

(2) *A local government must decide, by resolution at the local government's budget meeting for a financial year, what rates and charges are to be levied for that financial year.*

Local Government Regulation 2012

77 Minimum general rates for land generally

(1) *A local government may fix a minimum amount of general rates.*

(2) *The local government may identify parcels of rateable land to which a minimum amount of general rates applies in any way the local government considers appropriate.*

(3) *However, a local government must not levy minimum general rates for a parcel of land if –*

(a) the Land Valuation Act, chapter 2, part 2, division 5, subdivision 3, applies to the parcel of land; and Editor's note - Land Valuation Act, chapter 2, part 2, division 5, subdivision 3 (Discounting for subdivided land not yet developed (non-Land Act rental))

(b) the discounted valuation period for the parcel of land has not ended under that subdivision.

(4) *Generally, the same minimum amount of general rates must apply to all rateable land in the local government area.*

(5) *However, a local government may fix a different minimum amount of general rates only for –*

- (a) if there are different rating categories of rateable land for the local government area, each different rating category; or
- (b) timeshare property; or
- (c) any of the following -
- (i) a mining lease granted for mining for minerals over land that is not larger than 2ha;
 - (ii) a mining lease granted for a purpose that is associated with mining for minerals over land that is not larger than 4ha; or
- (d) land that is subject to a mining claim, subject to section 79.

(6) For subsection (5)(a), if a local government fixes a different minimum amount of general rates for different rating categories, the same minimum amount of general rates must apply to all rateable land belonging to a particular rating category.

Local Government Regulation 2012

80 Differential general rates

- (1) A local government may levy general rates that differ for different categories of rateable land in the local government area.
- (2) These rates are called differential general rates.
- (3) For example, a local government may decide the amount of the general rates on a parcel of residential land will be more than the general rates on the same size parcel of rural land.
- (4) However, the differential general rates for a category of rateable land may be the same as the differential general rates for another category of rateable land.
- (5) If a local government makes and levies a differential general rate for rateable land for a financial year, the local government must not make and levy a general rate for the land for the year.
- (6) A differential general rate may be made and levied on a lot under a community titles Act as if it were a parcel of rateable land.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of general rates ensures Council raises sufficient funds to provide the services and capital projects contained within the budget.

RISK MANAGEMENT IMPLICATIONS

Nil - This resolution complies with section 94 of the *Local Government Act 2009* and sections 77 and 80 of the *Local Government Regulation 2012*.

5.5 WILD DOG CONTROL SPECIAL RATE 2023/24**IX: 238587****Author: Sharon Frank, Manager Finance & Administration****Attachments: Nil****KEY OUTCOME****EXECUTIVE SUMMARY**

The purpose of this report is to make and levy a Wild Dog Control Special Rate for 2023/24.

RECOMMENDATION

That pursuant to section 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, Council make and levy a special rate to be known as the 'Wild Dog Control Special Rate' on all rateable rural land outlined in the table below. The special rate will fund the cost of one coordinated wild dog baiting program across the Quilpie shire.

The special rate to be made and levied for each differential rate category, and the minimum amount of the special rate to be fixed, is as follows:

Category	Description	Minimum	Rate (cents in the dollar)
11	Rural Land \geq 100Ha	\$105.00	0.0840
12	Rural Land - Carbon Credits	\$105.00	0.0840

The Overall Plan for the Wild Dog Control Special Rate is as follows:

- a) The service, facility or activity for which the plan is made is the cost of one coordinated wild dog baiting program across the Quilpie shire, including bait meat, areophane hire, staff and Avgas.
- b) The rateable land to which the special rate applies is all rateable land categorised as:
 - Category 11 - Rural Land \geq 100Ha; and
 - Category 12 - Rural Land - Carbon Credits
- c) The estimated cost of carrying out the activity the subject of the overall plan is \$130,000. The Wild Dog Control Special Rate will levy an estimated \$94,260 towards the total estimated cost of carrying out the activity.
- d) The estimated time for carrying out the overall plan is 1 year ending on 30 June 2024.

The rateable land or its occupier specially benefits from the service, facility or activity funded by the special rate because it will provide management of wild dogs, so as to improve the agricultural activities on the land which will increase productivity for landholders.

BACKGROUND

The special rate to be known as the “Wild Dog Control” Special Rate is to fund the cost of one coordinated wild dog baiting program across the Quilpie shire, including bait meat, aeroplane hire, staff and Avgas.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

The decision to levy a special rate must be made by resolution at Council’s budget meeting for that financial year.

POLICY AND LEGISLATION

Local Government Regulation 2012

94 Levying special rates or charges

- (1) This section applies if a local government decides to levy special rates or charges.*
- (2) The local government’s resolution to levy special rates or charges must identify -*
 - (a) the rateable land to which the special rates or charges apply; and*
 - (b) the overall plan for the service, facility or activity to which the special rates or charges apply.*
- (3) The overall plan is a document that -*
 - (a) describes the service, facility or activity; and*
 - (b) identifies the rateable land to which the special rates or charges apply; and*
 - (c) states the estimated cost of carrying out the overall plan; and*
 - (d) states the estimated time for carrying out the overall plan.*
- (4) 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.*
- (5) Under an overall plan, special rates or charges may be levied for 1 or more years before any of the special rates or charges are spent in carrying out the overall plan.*
- (6) If an overall plan is for more than 1 year, the local government must also adopt an annual implementation plan for each year.*
- (7) An annual implementation plan for a financial year is a document setting out the actions or processes that are to be carried out in the financial year for the service, facility or activity to which the special rates or charges apply.*
- (8) The local government must adopt the annual implementation plan before or at the budget meeting for each year of the period for carrying out the overall plan.*
- (9) The local government may at any time, by resolution, amend -*
 - (a) an overall plan; or*
 - (b) an annual implementation plan.*
- (10) The local government may fix a minimum amount of the special rates or charges.*

(11) Subsection (12) applies if the local government decides to levy special rates or charges on particular rateable land for a service, facility or activity.

(12) The amount of the special rates or charges for the particular rateable land may be different to the amount for other rateable land because, in the local government's opinion -

(a) the land or its occupier -

(i) specially benefits from the service, facility or activity; or

(ii) has or will have special access to the service, facility or activity; or

(b) the land is or will be used in a way that specially contributes to the need for the service, facility or activity; or

(c) the occupier of the land specially contributes to the need for the service, facility or activity.

(13) For subsection (12), the local government may levy the special rates or charges on any basis the local government considers appropriate.

(14) In any proceedings about special rates or charges, a resolution or overall plan mentioned in subsection (2) is not invalid merely because the resolution or plan -

(a) does not identify all rateable land on which the special rates or charges could have been levied; or

(b) incorrectly includes rateable land on which the special rates or charges should not have been levied.

(15) To remove any doubt, it is declared that a local government may make and levy a special rate or charge for a service, facility or activity whether or not supplied or undertaken by the local government itself, including a service, facility or activity supplied or undertaken by another local government -

(a) in the other local government's local government area; and

(b) conducted as a joint government activity by the local governments.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of this rate is required to raise revenue to cover the cost of one coordinated wild dog baiting program across the Quilpie shire.

RISK MANAGEMENT IMPLICATIONS

Nil – The resolution complies with section 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012* when setting a special rate.

5.6 WATER UTILITY CHARGES 2023/24**IX: 238588****Author: Sharon Frank, Manager Finance & Administration****Attachments: Nil****KEY OUTCOME****EXECUTIVE SUMMARY**

The purpose of this report is to make and levy Water Utility Charges for 2023/24.

RECOMMENDATION

That:

- (1) Pursuant to section 92 and 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*, Council make and levy water utility charges, for the supply of water services, as set out in the table below:

Utility Charge	Charge per Unit
Water	\$16.62

- (2) Pursuant to section 101(1)(a) and section 101(2) of the *Local Government Regulation 2012*, Council levies water charges wholly according to the water used by each ratepayer. Council has estimated each ratepayer's likely water usage by determining the average amount of water used for each different land use in accordance with the following unit schedule:

Description (Land Use Category)	Water Charging Units
Vacant land – infrastructure	15
Occupied residential land (includes one pedestal)	30
▪ For each extra pedestal	5
Occupied residential land – Cheepie	40
Flat, unit, aged persons home (each unit)	20
Motel (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Hotel, hotel/motel, club (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Fire Brigade/SES	150
Church and residence (includes one pedestal/cistern)	30
▪ For each extra pedestal/cistern	5

Description (Land Use Category)	Water Charging Units
Other businesses (includes one pedestal/cistern)	25
▪ For each extra pedestal/cistern	5
Other businesses with attached dwelling	30
School (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
CWA, cultural society, non-profit	20
Convent, church and residence (includes one pedestal/cistern)	30
▪ For each extra pedestal/cistern	5
Railway station yards	100
Trucking yards	100
Swimming pool	200
John Waugh Park	600
Bulloo Park	600
Shire Office, Depot and Council owned Facilities – including library, public toilets, sport or recreation grounds, halls and museums (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Median strips	600
Washdown Bay – Quilpie	300
Industrial land	30
Rural and Residential land with no sewerage or waste management service and outside the service area	30
Bowling Green	100
Caravan Park (includes one pedestal/cistern)	20
▪ For each extra pedestal/cistern	10
Refinery (includes one pedestal/cistern)	450
Washdown – Eromanga	120
Visitor Accommodation (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Hospital - (including Multi-Purpose Health Services, GP Medical Practice, nurse accommodation units, Director of Nursing house)	240
Motel and Caravan Park (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Commercial Stock Yards	200

And

3) The relevant details of the water utility charges to be made and levied are set out in Council's adopted Revenue Statement 2023/24.

BACKGROUND

This report is to set the water utility charges for the financial year ended 30 June 2024 to raise revenue to undertake water services contained within the budget.

Section 94(1)(a) of the *Local Government Act 2009* provides that a local government may levy utility charges within the local government area. Section 99 of the *Local Government Regulation 2012* provides that a local government may levy utility charges on any basis the local government considers appropriate.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

The decision to levy water charges must be made by resolution at Council's budget meeting for that financial year.

POLICY AND LEGISLATION

Local Government Act 2009

94 Power to levy rates and charges

(1) Each local government –

...

- (b) may levy –
(ii) utility charges; and

...

(2) A local government must decide, by resolution at the local government's budget meeting for a financial year, what rates and charges are to be levied for that financial year.

Local Government Regulation 2012

99 Utility charges

(1) A local government may levy utility charges on any basis the local government considers appropriate.

(2) For example, utility charges may be levied on the basis of any, or any combination, of the following –

(a) the rateable value of land;

(b) the use made of –

- (i) a particular parcel of land; or
(ii) a particular structure; or
(iii) a class of land or structure;

(c) any circumstances that are peculiar to the supply of a service to –

- (i) a particular parcel of land; or
(ii) a particular structure; or
(iii) a class of land or structure.

(3) A local government may do 1 or both of the following –

(a) levy utility charges for services that have been supplied or are to be supplied during part

of the financial year and part of another financial year;

(b) levy differing utility charges for services that have been supplied or are to be supplied during various periods in 1 or more financial years, and decide the way the charges are to be apportioned.

(4) However, a local government may only levy utility charges for services –

(a) supplied in the last financial year; or

(b) supplied, or to be supplied, in the current financial year; or

(c) to be supplied in the next financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of these water utility charges is required to raise revenue to undertake water services and projects contained within the budget.

This report proposes to set the 2023/24 unit charge for the supply of water services at a 5% increase from the 2022/23 charge.

RISK MANAGEMENT IMPLICATIONS

Nil - This resolution complies with section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*.

5.7 SEWERAGE UTILITY CHARGES 2023/24

IX: 238589

Author: Sharon Frank, Manager Finance & Administration

Attachments: Nil

KEY OUTCOME**EXECUTIVE SUMMARY**

The purpose of this report is to make and levy Sewerage Utility Charges for 2023/24.

RECOMMENDATION

That:

1) Pursuant to section 92 and 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*, Council make and levy sewerage utility charges for the supply of sewerage services, as set out in the tables below:

Utility Charge	Charge per Unit
Sewerage	\$15.90

2) The sewerage charge per unit will be in accordance with the following unit schedule:

Description (Land Use Category)	Sewerage Charging Units
Vacant land – infrastructure	15
Occupied residential land (includes one pedestal)	30
▪ For each extra pedestal	5
Occupied residential land – Cheepie	
Flat, unit, aged persons home (each unit)	20
Motel (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	5
Hotel, hotel/motel, club (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Fire Brigade/SES	15
Church and residence (includes one pedestal/cistern)	30
▪ For each extra pedestal/cistern	5
Other businesses (includes one pedestal/cistern)	25
▪ For each extra pedestal/cistern	5

Description (Land Use Category)	Sewerage Charging Units
Other businesses with attached dwelling	30
School (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
CWA, cultural society, non-profit	20
Convent, church and residence (includes one pedestal/cistern)	30
▪ For each extra pedestal/cistern	5
Railway station yards	
Trucking yards	
Swimming pool	200
John Waugh Park	300
Bulloo Park	300
Shire Office, Depot and Council owned Facilities – including library, public toilets, sport or recreation grounds, halls and museums (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Median strips	
Washdown Bay – Quilpie	
Industrial land	
Rural and Residential land with no sewerage or waste management service and outside the service area	
Bowling Green	
Caravan Park	300
Refinery (includes one pedestal/cistern)	30
▪ For each extra pedestal/cistern	5
Washdown – Eromanga	
Visitor Accommodation (includes two pedestals/cisterns)	
▪ For each extra pedestal/cistern	
Hospital - (including Multi-Purpose Health Services, GP Medical Practice, nurse accommodation units, Director of Nursing house)	
Motel and Caravan Park (includes two pedestals/cisterns)	20
▪ For each extra pedestal/cistern	10
Commercial Stock Yards	

And

3) The relevant details of the sewerage utility charges to be made and levied are set out in Council's adopted Revenue Statement 2023/24.

BACKGROUND

This report is to set the sewerage utility charges for the financial year ended 30 June 2024 to raise revenue to undertake sewerage services contained within the budget.

Council operates sewerage services and determines that the net cost of providing these services to lands, including operating and maintenance costs and capital expenditure costs will be funded by a charge on those lands receiving the service or to which the service is deemed to be available.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

The decision to levy sewerage charges must be made by resolution at Council's budget meeting for that financial year.

POLICY AND LEGISLATION

Local Government Act 2009

94 Power to levy rates and charges

(1) *Each local government –*

...

- (b) *may levy –*
- (ii) *utility charges; and*

...

(2) *A local government must decide, by resolution at the local government's budget meeting for a financial year, what rates and charges are to be levied for that financial year.*

Local Government Regulation 2012

99 Utility charges

(1) *A local government may levy utility charges on any basis the local government considers appropriate.*

(2) *For example, utility charges may be levied on the basis of any, or any combination, of the following –*

(a) *the rateable value of land;*

(b) *the use made of –*

- (i) *a particular parcel of land; or*
- (ii) *a particular structure; or*
- (iii) *a class of land or structure;*

(c) *any circumstances that are peculiar to the supply of a service to –*

- (i) *a particular parcel of land; or*
- (ii) *a particular structure; or*
- (iii) *a class of land or structure.*

(3) *A local government may do 1 or both of the following –*

- (a) *levy utility charges for services that have been supplied or are to be supplied during part of the financial year and part of another financial year;*

(b) levy differing utility charges for services that have been supplied or are to be supplied during various periods in 1 or more financial years, and decide the way the charges are to be apportioned.

(4) However, a local government may only levy utility charges for services –

(a) supplied in the last financial year; or

(b) supplied, or to be supplied, in the current financial year; or

(c) to be supplied in the next financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of these sewerage utility charges is required to raise revenue to undertake sewerage services and projects contained within the budget.

This report proposes to set the 2023/24 unit charge for the supply of sewerage services at a 5% increase from the 2022/23 charge.

RISK MANAGEMENT IMPLICATIONS

Nil - This resolution complies with section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*.

5.8 REFUSE REMOVAL AND DISPOSAL SERVICE CHARGES FOR 2023/24

IX: 238590

Author: Sharon Frank, Manager Finance & Administration

Attachments: Nil

KEY OUTCOME**EXECUTIVE SUMMARY**

The purpose of this report is to make and levy the Refuse Removal and Disposal Service Charges for 2023/24.

RECOMMENDATION

That pursuant to section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*, Council make and levy Refuse Removal and Disposal Service Charges for the 2023/24 financial year, as set out in the table below:

		First Bin Charge	Additional Bin Charge (Per Bin)
Number of Collections (Days Per Week)	1	\$646	\$319
	2	\$965	\$638
	3	\$1,284	\$957

The Refuse Removal and Disposal Service Charge shall be levied on:

- (a) Each rateable assessment comprising a house, unit or other residential dwelling, designed for separate residential occupation and whether occupied or not;
- (b) Each rateable assessment comprising a commercial or industrial use receiving, or capable of receiving, Council's kerbside waste collection service;
- (c) Any other rateable assessment receiving Council's kerbside waste collection service; and
- (d) All other properties receiving a receiving Council's kerbside waste collection service where the owner or occupier has requested that service.

The application of the Refuse Removal and Disposal Service Charges will be in accordance with the further detail provided in Council's adopted Revenue Statement 2023/24.

BACKGROUND

This report is to set the Refuse Removal and Disposal Service Charges for the financial year ended 30 June 2024 to fund the removal and disposal of kerbside refuse (approved waste that can be disposed in a 240L Council supplied bin).

Council's base kerbside waste collection service consists of one 240L general waste bin collected once per week. An owner of rateable land in or around the township of Quilpie may request up to three collections (generally Monday, Wednesday & Friday) per week as approved by the Chief Executive Officer. Each additional collection shall attract an additional charge as per the table above. An owner of rateable land in or around the township of Eromanga may request one collection (generally Tuesday) per week.

Additional bins may be requested by a person or entity levied a Refuse Removal and Disposal Service Charge. Additional Bins will have the same number of collections charged as the First Bin and shall attract an additional charge as per the table above.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

The decision to make and charge Refuse Removal and Disposal Service Charges must be made by resolution at Council's budget meeting for that financial year.

POLICY AND LEGISLATION

Local Government Act 2009

94 Power to levy rates and charges

(1) *Each local government –*

...

- (b) *may levy –*
- (ii) *utility charges; and*

...

(2) *A local government must decide, by resolution at the local government's budget meeting for a financial year, what rates and charges are to be levied for that financial year.*

Local Government Regulation 2012

99 Utility charges

(1) *A local government may levy utility charges on any basis the local government considers appropriate.*

(2) *For example, utility charges may be levied on the basis of any, or any combination, of the following –*

(a) *the rateable value of land;*

(b) *the use made of –*

- (i) *a particular parcel of land; or*
- (ii) *a particular structure; or*
- (iii) *a class of land or structure;*

(c) *any circumstances that are peculiar to the supply of a service to –*

- (i) *a particular parcel of land; or*
- (ii) *a particular structure; or*
- (iii) *a class of land or structure.*

(3) *A local government may do 1 or both of the following –*

(a) levy utility charges for services that have been supplied or are to be supplied during part of the financial year and part of another financial year;

(b) levy differing utility charges for services that have been supplied or are to be supplied during various periods in 1 or more financial years, and decide the way the charges are to be apportioned.

(4) However, a local government may only levy utility charges for services –

(a) supplied in the last financial year; or

(b) supplied, or to be supplied, in the current financial year; or

(c) to be supplied in the next financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of Refuse Removal and Disposal Service Charges is required to raise revenue towards providing waste management facilities and services contained within the budget.

RISK MANAGEMENT IMPLICATIONS

Nil - This resolution complies with section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*.

5.9 WASTE MANAGEMENT LEVY 2023/24**IX: 238591****Author: Sharon Frank, Manager Finance & Administration****Attachments: Nil****KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to make and levy a utility charge to be known as the “Waste Management Levy” for 2023/24.

RECOMMENDATION

That pursuant to section 99 of the *Local Government Regulation 2012*, Council make and levy a utility charge for the 2023/24 financial year, to be known as the “Waste Management Levy”, in the sum of \$235.00 per rateable assessment on all rateable land in the Shire that is not charged a Refuse Removal and Disposal Service Charge.

BACKGROUND

This report is to set the waste management levy for the financial year ended 30 June 2024 to fund:

- (a) the residual cost of waste facilities and services which are not met from the Refuse Removal and Disposal Service Charge and other related fees and charges collected on a user pays basis; and
- (b) meeting public expectations in matters of disposal of refuse that affect public health and the visual amenity of the area.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

The decision to make and charge a waste management levy must be made by resolution at Council’s budget meeting for that financial year.

POLICY AND LEGISLATION**Local Government Act 2009****94 Power to levy rates and charges**

(1) Each local government –

...

- (b) may levy –
 - (ii) utility charges; and

...

(2) A local government must decide, by resolution at the local government's budget meeting for a financial year, what rates and charges are to be levied for that financial year.

Local Government Regulation 2012**99 Utility charges**

(1) A local government may levy utility charges on any basis the local government considers appropriate.

(2) For example, utility charges may be levied on the basis of any, or any combination, of the following –

(a) the rateable value of land;

(b) the use made of –

- (i) a particular parcel of land; or
- (ii) a particular structure; or
- (iii) a class of land or structure;

(c) any circumstances that are peculiar to the supply of a service to –

- (i) a particular parcel of land; or
- (ii) a particular structure; or
- (iii) a class of land or structure.

(3) A local government may do 1 or both of the following –

(a) levy utility charges for services that have been supplied or are to be supplied during part of the financial year and part of another financial year;

(b) levy differing utility charges for services that have been supplied or are to be supplied during various periods in 1 or more financial years, and decide the way the charges are to be apportioned.

(4) However, a local government may only levy utility charges for services –

(a) supplied in the last financial year; or

(b) supplied, or to be supplied, in the current financial year; or

(c) to be supplied in the next financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of the waste management levy is required to raise revenue to provide waste management facilities and services contained within the budget.

RISK MANAGEMENT IMPLICATIONS

Nil - This resolution complies with section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*.

5.10 TOTAL VALUE OF CHANGE IN RATES AND UTILITY CHARGES**IX: 238570****Author: Sharon Frank, Acting Director Corporate and Community Services****Attachments: Nil****KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

At its budget meeting each year, Council is required to report the total value of the change in Rates and Utility Charges, expressed as a percentage, pursuant to sections 169(7) and 169(8) of the *Local Government Regulation 2012*.

RECOMMENDATION

That pursuant to sections 169(7) and 169(8) of *Local Government Regulation 2012*, the total value of the change, in the rates and utility charges budgeted to be levied for the 2023/24 financial year compared with the rates and utility charges levied in the previous budget (2022/23 financial year) expressed as a percentage, is 8.15%.

For the purpose of this calculation any discounts and rebates are excluded.

BACKGROUND

Council's annual budget must contain the total value of the change in the rates and charges budgeted to be levied for the 2023/24 financial year compared with the rates and charges levied in the previous budget (2022/23 financial year). This must be expressed as a percentage pursuant to section 169(7) of *Local Government Regulation 2012*.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

This resolution complies with Council's legislative obligations under the *Local Government Regulation 2012*.

POLICY AND LEGISLATION***Local Government Regulation 2012******169 Preparation and content of budget***

(7) The budget must include the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the budget for the previous financial year.

(8) For calculating the rates and utility charges levied for a financial year, any discounts and rebates must be excluded.

FINANCIAL AND RESOURCE IMPLICATIONS

The setting of general rates and charges ensures Council raises sufficient funds to undertake the services and projects contained within the budget.

RISK MANAGEMENT IMPLICATIONS

Nil

5.11 SETTING OF CONCESSION ON RATES AND CHARGES FOR APPROVED PENSIONERS 2023/24**IX:** 238571**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** Nil**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to set the concession on rates and charges for approved pensioners for the 2023/24 financial year.

RECOMMENDATION

That pursuant to sections 120, 121 and 122 of the *Local Government Regulation 2012*, Council grant a 50% rebate on differential general rates and utility charges, up to a total of \$550 per annum for land which is owned or occupied by a pensioner, in accordance with Council's Rates and Utility Charges - Pensioner Rebate and Concession Policy.

BACKGROUND

Council provides pensioners with a concession which is a 50% rebate on differential general rates and utility charges, up to a total of \$550.00 per annum for land which is owned or occupied by a pensioner, in accordance with Council's Rates and Utility Charges - Pensioner Rebate and Concession Policy. No concession is provided on Emergency Management Levy as it is a Queensland Government levy.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

N/A

POLICY AND LEGISLATION***Local Government Regulation 2012******122 Resolutions for granting concession****(1) The local government may grant the concession only by—*

- (a) a resolution granting the concession to a stated ratepayer; or
- (b) if the concession is of a type mentioned in section 121(a) or (b)—a resolution granting the concession to a ratepayer who is a member of a stated class of ratepayers.
- (2) The local government may make the resolution before the local government levies the rates or charges.
- (3) The local government may make a resolution under subsection (1)(a) only if the ratepayer has applied for the concession in a way accepted by the local government.
- (4) If the local government grants a concession by making a resolution under subsection (1)(b), the concession may be granted only to the ratepayers whom the local government is satisfied are eligible for the concession.
- (5) The resolution may include conditions for granting the concession to the ratepayer.
- (6) Without limiting subsection (5), the conditions may include the following—
- (a) a condition requiring the ratepayer to show the local government particular information or documents or follow a procedure to be eligible for the concession;
- Examples—*
- a condition requiring the ratepayer to produce a health care card or pensioner concession card to show the ratepayer's eligibility for the concession for the rates or charges
 - a condition requiring the ratepayer to enter an agreement to defer payment of rates or charges in a form required by the local government
- (b) a condition limiting the period for which the ratepayer is granted the concession.
- Example - for a concession on the basis of the ratepayer's receipt of a disability support pension, a condition limiting the concession to the period for which the ratepayer receives the pension.*

FINANCIAL AND RESOURCE IMPLICATIONS

This concession for approved pensioners has been funded in the Budget for 2023/24.

RISK MANAGEMENT IMPLICATIONS

Nil

5.12 CONCESSIONS FOR NOT-FOR-PROFIT COMMUNITY ORGANISATIONS 2023/24

IX: 238572

Author: Sharon Frank, Manager Finance & Administration

Attachments: Nil

KEY OUTCOME

Key Outcome: 4. Strong Governance

Key Initiative: 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability

EXECUTIVE SUMMARY

The purpose of this report is to adopt a concession for not-for-profit community organisations for the 2023/24 financial year.

RECOMMENDATION

That pursuant to sections 120, 121 and 122 of the *Local Government Regulation 2012*, Council grant a 100% rebate on differential general rates for the financial year 30 June 2024 as identified in the table below and subject to the following:

- (a) Property owners must notify Council immediately if there is a substantive change in land use for a property that is receiving a rate concession.
- (b) Applications received during the current financial year that fall within this category, will be granted a rate concession following the passing of a resolution by Council.
- (c) If a property has been granted a rate concession in the previous financial year, the owner will not be required to re-apply to receive the rate concession for the current financial year. However, proof of ongoing eligibility will be required if requested.

Assessment Number
00137-00000-000
00066-10000-000
00777-10000-000

BACKGROUND

A concession, comprising a 100% rebate of the differential general rates, is proposed to be applied to not-for-profit community organisations, on the basis that Council is satisfied that the land is used for community purposes and is operated on a not-for-profit basis.

CONSULTATION (Internal/External)

- Councillors

- Directors
- Managers and Officers

LEGAL IMPLICATIONS

Nil

POLICY AND LEGISLATION

BACKGROUND

A concession, comprising a 100% rebate of the differential general rates, is proposed to be applied to not-for-profit community organisations, on the basis that Council is satisfied that the land is used for community purposes and is operated on a not-for-profit basis.

CONSULTATION (Internal/External)

- Councillors
- Directors
- Managers and Officers

LEGAL IMPLICATIONS

N/a

POLICY AND LEGISLATION

Local Government Regulation 2012

122 Resolutions for granting concession

(1) The local government may grant the concession only by—

(a) a resolution granting the concession to a stated ratepayer; or

(b) if the concession is of a type mentioned in section 121(a) or (b)—a resolution granting the concession to a ratepayer who is a member of a stated class of ratepayers.

(2) The local government may make the resolution before the local government levies the rates or charges.

(3) The local government may make a resolution under subsection (1)(a) only if the ratepayer has applied for the concession in a way accepted by the local government.

(4) If the local government grants a concession by making a resolution under subsection (1)(b), the concession may be granted only to the ratepayers whom the local government is satisfied are eligible for the concession.

(5) The resolution may include conditions for granting the concession to the ratepayer.

(6) Without limiting subsection (5), the conditions may include the following—

(a) a condition requiring the ratepayer to show the local government particular information or documents or follow a procedure to be eligible for the concession;

Examples—

•a condition requiring the ratepayer to produce a health care card or pensioner concession card to show the ratepayer's eligibility for the concession for the rates or charges

•a condition requiring the ratepayer to enter an agreement to defer payment of rates or charges in a form required by the local government

(b) a condition limiting the period for which the ratepayer is granted the concession.

Example - for a concession on the basis of the ratepayer's receipt of a disability support pension, a condition limiting the concession to the period for which the ratepayer receives the pension.

FINANCIAL AND RESOURCE IMPLICATIONS

This concession has been funded in the Budget for 2023/24.

RISK MANAGEMENT IMPLICATIONS

Nil

5.13 ADOPTION OF WASTE MANAGEMENT LEVY CLASS CONCESSION 2023/24**IX: 238573****Author: Sharon Frank, Manager Finance & Administration****Attachments: Nil****KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to adopt a waste management levy class concession for the 2023/24 financial year.

RECOMMENDATION

That pursuant to sections 120, 121 and 122 of the *Local Government Regulation 2012*, Council grant a concession, comprising a 100% rebate of the waste management levy, to the assessments identified in the below, on the basis that Council is satisfied that none of Council's waste transfer or landfill facilities are utilised by the owners or occupiers of these assessments, and all waste generated or handled on these assessments is disposed of in a compliant alternative manner.

Assessment Number	Assessment Number	Assessment Number	Assessment Number	Assessment Number
00002-00000-000	00506-00000-000	00648-50000-000	00802-00000-000	01188-00000-000
00004-10000-000	00507-00000-000	00648-70000-000	00806-00000-000	01195-00000-000
00005-00000-000	00514-00000-000	00649-00000-000	00806-00050-000	01198-00000-000
00006-00000-000	00515-00000-000	00649-50000-000	00806-00100-000	01202-10000-000
00007-55000-000	00516-00000-000	00650-10000-000	00806-20000-000	01203-10000-000
00008-00000-000	00517-00000-000	00652-00000-000	00809-00000-000	01203-20000-000
00009-00000-000	00518-00000-000	00652-10000-000	00809-50000-000	11020-00000-000
00012-00000-000	00523-50000-000	00653-10000-000	00810-00000-200	11022-00000-000
00016-00000-000	00525-20000-000	00654-10000-000	00813-10000-000	11022-10000-000
00017-00000-000	00526-00000-000	00654-30000-000	00815-00000-000	11024-10000-000
00018-00000-000	00527-00000-000	00654-50000-000	00816-00000-000	11025-00000-000
00019-10000-000	00528-00000-000	00655-10000-000	00816-50000-000	11028-00000-000
00021-40000-000	00528-50000-000	00657-00000-000	00817-00000-000	11029-00000-000
00026-00000-000	00529-00000-000	00658-00000-000	00818-00000-000	11030-00000-000
00027-00000-000	00529-30000-000	00659-10000-000	00828-10000-000	11035-00000-000

Assessment Number	Assessment Number	Assessment Number	Assessment Number	Assessment Number
00028-00000-000	00530-10000-000	00661-63000-000	00828-20000-000	11036-00000-000
00031-00000-000	00530-10010-000	00662-00000-000	00831-10000-000	11037-00000-000
00032-00000-000	00531-00000-000	00663-10000-000	00832-00000-000	11038-00000-000
00033-00000-000	00531-00060-000	00663-50000-000	00834-00000-000	11039-00000-000
00039-00000-000	00531-10000-000	00667-10000-000	00834-20000-000	11041-00000-000
00047-00000-000	00531-20000-000	00673-00000-000	00834-50000-000	11042-00000-000
00050-10000-000	00531-21000-000	00674-00000-000	00834-60000-000	11043-00000-000
00052-00000-000	00532-00000-000	00675-00000-000	00835-00000-000	11044-00000-000
00054-00000-000	00532-32000-000	00676-00000-000	00835-50000-000	11045-00000-000
00054-50000-000	00532-33000-000	00676-10000-000	00836-00000-000	11046-00000-000
00056-00000-000	00534-10000-000	00682-00000-000	00840-30000-000	11047-00000-000
00057-10000-000	00535-01000-000	00684-10000-000	00844-10000-000	11048-00000-000
00060-00000-000	00535-10000-000	00687-00000-000	00844-11000-000	11049-00000-000
00063-00000-000	00536-11100-000	00691-00000-000	00845-00000-000	11051-00000-000
00064-00000-000	00536-20000-000	00691-30000-000	00845-01500-000	11052-00000-000
00065-00000-000	00536-30000-000	00691-41000-000	00845-02300-000	11053-00000-000
00071-10000-000	00540-00000-000	00691-60000-000	00845-02400-000	11054-00000-000
00071-50000-000	00546-00000-000	00692-00000-000	00845-02900-000	11055-00000-000
00073-00000-000	00547-00000-000	00695-00000-000	00845-03500-000	11056-00000-000
00076-60000-000	00548-00000-000	00695-50000-000	00845-91000-000	11059-00000-000
00084-00000-000	00552-00000-000	00696-00000-000	00845-91500-000	11060-00000-000
00093-10000-000	00553-00000-000	00697-00000-000	00845-91600-000	11061-00000-000
00096-10000-000	00553-61300-000	00698-10000-000	00846-10000-000	11063-00000-000
00097-20000-000	00553-61500-000	00698-30000-000	00848-10000-000	11065-00000-000
00100-00000-000	00553-70000-000	00698-40000-000	00849-00000-000	11066-00000-000
00101-00000-000	00555-10000-000	00698-50000-000	00850-00000-000	11068-00000-000
00102-10000-000	00557-10000-000	00698-55000-000	00852-00000-000	11069-00000-000
00107-00000-000	00560-10000-000	00699-10000-000	00852-10000-000	11070-00000-000
00108-00000-000	00562-00000-000	00700-00000-000	00853-00000-000	11071-00000-000
00109-00000-000	00564-10000-000	00702-00000-000	00854-00000-000	11072-00000-000
00110-00000-000	00564-10001-000	00702-50000-000	00854-10000-000	
00111-00000-000	00565-10000-000	00703-00000-000	00855-00000-000	
00112-00000-000	00566-00000-000	00704-20000-000	00856-10000-000	
00113-00000-000	00569-10000-000	00707-00000-000	00858-00000-000	
00113-50000-000	00569-11000-000	00711-00000-000	00858-00002-000	
00114-00000-000	00570-00000-000	00724-50000-000	00858-10000-000	
00115-00000-000	00573-00000-000	00726-00000-000	00858-13000-000	
00115-50000-000	00573-20000-000	00727-00000-000	00863-00000-000	
00117-00000-000	00573-30000-000	00728-60000-000	00872-00000-000	

Assessment Number	Assessment Number	Assessment Number	Assessment Number	Assessment Number
00123-00000-000	00573-40000-000	00730-15000-000	00872-50000-000	
00124-00000-000	00574-50000-000	00731-00000-000	00874-10000-000	
00125-10000-000	00576-10000-000	00732-00000-000	00875-00000-000	
00125-50000-000	00576-12000-000	00732-20000-000	00875-10000-000	
00127-00000-000	00576-13000-000	00732-50000-000	00875-50000-000	
00128-00000-000	00576-20000-000	00736-00000-000	00876-00000-000	
00129-00000-000	00576-50000-000	00738-00000-000	00878-10000-000	
00133-00000-000	00581-14000-000	00738-10000-000	00879-00000-000	
00134-00000-000	00581-17200-000	00742-00000-000	00879-00500-000	
00149-92000-000	00581-50000-000	00745-00000-000	00879-00600-000	
00158-20000-000	00583-10000-000	00748-10000-000	00882-00000-000	
00158-30000-000	00591-10000-000	00750-00000-000	00882-00040-000	
00158-40000-000	00592-10000-000	00755-00000-000	00883-00000-000	
00158-50000-000	00599-50000-000	00757-11000-000	00884-00000-000	
00167-00000-000	00600-00000-000	00757-14000-000	00885-00000-000	
00168-00000-000	00601-00000-000	00757-16000-000	00886-00220-000	
00168-05000-000	00605-00000-000	00757-20000-000	00886-00265-000	
00168-50000-000	00605-10000-000	00763-10000-000	00886-00280-000	
00169-00000-000	00605-20000-000	00763-11000-000	00886-00290-000	
00174-10000-000	00606-00500-000	00764-00000-000	00886-00300-000	
00204-00000-000	00606-50000-000	00764-20000-000	00886-00310-000	
00215-00000-000	00606-50200-000	00764-40000-000	00886-00320-000	
00233-00000-000	00607-10000-000	00764-41000-000	00886-00330-000	
00234-00001-000	00607-13000-000	00764-41900-000	00886-00400-000	
00337-30000-000	00609-10000-000	00765-00000-000	00886-00500-000	
00337-70000-000	00614-10000-000	00774-10000-000	00886-00610-000	
00386-47000-000	00614-10099-000	00775-00000-000	00886-00620-000	
00398-50000-000	00614-20000-000	00775-20000-000	00886-00630-000	
00448-00000-000	00614-50000-000	00775-40000-000	00886-00640-000	
00448-20000-000	00615-00000-000	00775-60001-000	00886-00700-000	
00469-00000-000	00618-00000-000	00775-80000-000	00886-10000-000	
00484-00000-000	00619-00000-000	00777-00000-000	00886-20000-000	
00485-30000-000	00621-10000-000	00777-05000-000	00886-40000-000	
00485-40000-000	00625-00000-000	00777-50000-000	01008-20000-000	
00486-00000-000	00626-00000-000	00777-55000-000	01009-20000-000	
00488-00000-000	00627-00000-000	00777-55500-000	01010-00000-000	
00489-00000-000	00627-50000-000	00780-10000-000	01011-00000-000	
00496-00000-000	00628-00000-000	00780-50000-000	01015-00000-000	
00497-00000-000	00628-55000-000	00787-00000-000	01064-50000-000	

Assessment Number	Assessment Number	Assessment Number	Assessment Number	Assessment Number
00498-00000-000	00633-00000-000	00788-00000-000	01064-60000-000	
00500-00000-000	00639-10000-000	00789-00000-000	01103-00000-000	
00501-00000-000	00640-22000-000	00790-00000-000	01178-00000-000	
00502-00000-000	00647-10000-000	00793-00000-000	01179-00000-000	
00503-00000-000	00648-00000-000	00793-50000-000	01184-00000-000	
00504-00000-000	00648-10000-000	00795-00000-000	01185-00000-000	
00505-00000-000	00648-20000-000	00795-01000-000	01187-00000-000	

BACKGROUND

The Waste Management Levy Class Concession is a 100% rebate of the waste management levy, which will be applied to the assessments listed above, on the basis that Council is satisfied that none of Council's waste transfer or landfill facilities are utilised by the owners or occupiers of these assessments, and all waste generated or handled on these assessments is disposed of in a compliant alternative manner.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

N/a

POLICY AND LEGISLATION

Local Government Regulation 2012

122 Resolutions for granting concession

(1) The local government may grant the concession only by—

(a) a resolution granting the concession to a stated ratepayer; or

(b) if the concession is of a type mentioned in section 121(a) or (b)—a resolution granting the concession to a ratepayer who is a member of a stated class of ratepayers.

(2) The local government may make the resolution before the local government levies the rates or charges.

(3) The local government may make a resolution under subsection (1)(a) only if the ratepayer has applied for the concession in a way accepted by the local government.

(4) If the local government grants a concession by making a resolution under subsection (1)(b), the concession may be granted only to the ratepayers whom the local government is satisfied are eligible for the concession.

(5) The resolution may include conditions for granting the concession to the ratepayer.

(6) Without limiting subsection (5), the conditions may include the following—

(a) a condition requiring the ratepayer to show the local government particular information or documents or follow a procedure to be eligible for the concession;

Examples—

- *a condition requiring the ratepayer to produce a health care card or pensioner concession card to show the ratepayer's eligibility for the concession for the rates or charges*
- *a condition requiring the ratepayer to enter an agreement to defer payment of rates or charges in a form required by the local government*

(b) a condition limiting the period for which the ratepayer is granted the concession.

Example - for a concession on the basis of the ratepayer's receipt of a disability support pension, a condition limiting the concession to the period for which the ratepayer receives the pension.

FINANCIAL AND RESOURCE IMPLICATIONS

This class concession has been incorporated into the Budget for 2023/24.

RISK MANAGEMENT IMPLICATIONS

Nil

5.14 DISCOUNT ON RATES 2023/24**IX:** 238574**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** Nil**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to set the level of discount and discount period for the prompt payment of specified rates for the period ending 30 June 2024.

RECOMMENDATION

That pursuant to section 130 of the *Local Government Regulation 2012*, the rates and charges made and levied in the table below shall be subject to a discount of the percentage set out in the table below if paid within the discount period of 31 days of the date of issue of the rate notice provided that:

- (a) all of the aforementioned rates and charges are paid within 31 days of the date of issue of the rate notice;
- (b) all other rates and charges appearing on the rate notice (that are not subject to a discount) are paid within 31 days after the date of issue of the rate notice; and
- (c) all other overdue rates and charges relating to the rateable assessment are paid within 31 days of the date of issue of the rate notice.

Rates and Charges	Discount Percentage
Discount on General Rates	10%
Discount on Water Utility Charges	10%
Discount on Sewerage Utility Charges	10%
Discount on Refuse Removal and Disposal Service Charge	10%
Discount on Waste Management Levy	10%

BACKGROUND

To encourage the prompt payment of rates, Council will offer ratepayers a discount on payments received during the nominated discount period in accordance with Section 130 of the *Local Government Regulation 2012*.

For discount to be allowed, full payment of all rates and charges, including overdue rates, charges, interest, fees and levies appearing on the rate notice must be received by the close of business on or before the due date.

CONSULTATION (Internal/External)

- Councillors
- Directors
- Other Council Staff – various Managers and Officers

LEGAL IMPLICATIONS

Council must by resolution, make the decision about any discount for prompt payment of rates and charges, at its budget meeting.

POLICY AND LEGISLATION***Local Government Regulation 2012******Section 130 Discount for prompt payment of rates or charges***

(1) A local government may decide to allow a discount for payment of rates or charges before the end of the discount period.

(2) The amount of the discount and the discount period may differ for different rating categories of rateable land.

(3) The discount period is a period that ends on or before the due date for payment. Examples of discount period –

- *1 month before the due date for payment*
- *a period of 1 month ending 2 weeks before the due date for payment*

(4) The local government must, by resolution, make the decision at its budget meeting.

(5) The resolution must state –

(a) whether the discount is to be –

- (i) a fixed amount; or*
- (ii) a percentage of the rates or charges; and*

(b) if the discount is to be a fixed amount - the amount; and

(c) if the discount is to be a percentage of the rates or charges—the percentage; and

(d) whether the discount applies only if –

- (i) other rates or charges are paid; or*
- (ii) an amount, including any interest on the amount, is paid for work that was performed by the local government under a remedial notice issued under the Act; and*

(e) the discount period.

(6) The local government may allow more than 1 discount period for rates or charges only if the local government's resolution –

- (a) states more than 1 discount period for the rates or charges; and*
- (b) allows a different discount for each discount period.*

(7) The local government may, by resolution, change the discount period to end on a later day (the new discount day).

(8) However, if the discount period is changed under subsection (7), the local government must also, by resolution, change the due date for payment to a later day that is no earlier than the new discount day.

(9) If the local government decides to allow a discount for a discount period, it must allow the discount to all ratepayers who pay the rates or charges before the end of the discount period.

(10) If a local government is satisfied a ratepayer has been prevented, by circumstances beyond their control, from paying the rates or charges in time to get a discount, the local government may still allow the discount.

(11) A ratepayer is not entitled to a discount for paying in full rates or charges for land by the end of a discount period if other rates or charges for the land are overdue.

FINANCIAL AND RESOURCE IMPLICATIONS

Council relies on early payment of rates to ensure that appropriate cash levels are maintained to support its financial obligations.

RISK MANAGEMENT IMPLICATIONS

Nil

5.15 INTEREST ON ALL OVERDUE RATES AND CHARGES FOR 2023/24**IX:** 238575**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** Nil**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The purpose of this report is to set the level of interest on overdue rates and charges for the financial period ending 30 June 2024.

RECOMMENDATION

1. That pursuant to section 133 of the *Local Government Regulation 2012* the level of interest is set as:
 - a) Compound interest on daily rests at the rate of 8.00% per annum; and
 - b) is to be charged on all overdue rates or charges.
2. Council has determined that rates or charges will be determined as overdue for the charging of interest from the due rates and charges become overdue.

BACKGROUND

The management of the level of rate arrears is an important component of ensuring Council's long term financial sustainability. Accordingly, it has been determined that to encourage ratepayers to pay their rates by the due date, a penalty in the form of interest on overdue rates will be applied. The rate of interest payable will apply equally to all ratepayers.

The rate decided by the local government cannot be more than the prescribed rate for the day which is calculated as follows:

the rate that is the sum of –

- (a) *the bank bill yield rate for the day, rounded to 2 decimal places; and*
- (b) *8%.*

The bank bill yield rate as at March 2023 published by the Reserve Bank of Australia was 3.64 per cent, so the maximum interest rate for the 2023–24 financial year will be 11.64 per cent (3.64% + 8%).

[Statistical Tables | RBA](#)

[Interest Rates and Yields – Money Market – Monthly – F1.1](#)

For last financial year (2022/23) Council set the interest rate at 8%. It is recommended that the interest rate for 2023/24 be set at 8% which is significantly below the prescribed rate (maximum rate) of 11.64%.

CONSULTATION (INTERNAL/EXTERNAL)

- Councillors
- Directors

Legal implications

It is a requirement of the Local Government Regulation 2012 that a decision on an annual rate, of not more than the prescribed rate for the day, be made by resolution as the budget meeting for the financial year that included the day to which the decision relates.

POLICY AND LEGISLATION

Local Government Regulation 2012

Section 133 Interest on overdue rates or charges

(1) Interest is payable on overdue rates or charges from –

- (a) the day the rates or charges become overdue; or*
- (b) a later day decided by the local government.*

(2) Interest must be calculated –

- (a) on daily rests and as compound interest; or*
- (b) in another way the local government decides, if an equal or lower amount will be payable.*

(3) The rate of interest payable is –

- (a) for a day before 1 July 2019 - an annual rate, of not more than 11%, decided by the local government; or*
- (b) for a day on or after 1 July 2019 - an annual rate, of not more than the prescribed rate for the day, decided by the local government.*

(4) A decision of the local government under this section must –

- (a) apply equally to all ratepayers; and*
- (b) for a decision under subsection (3)(b)—be made by resolution at the local government's budget meeting for the financial year that includes the day to which the decision relates.*

(5) In this section –

bank bill yield rate, for a day, means the monthly average yield of 90-day bank accepted bills published by the Reserve Bank of Australia for the month of March in the financial year immediately before the financial year in which the day occurs.

Editor's note - The monthly average yield of 90-day bank accepted bills can be accessed on the Reserve Bank of Australia's website.

prescribed rate; for a day, means the rate that is the sum of –

- (a) the bank bill yield rate for the day, rounded to 2 decimal places; and*
- (b) 8%.*

FINANCIAL AND RESOURCE IMPLICATIONS

Management of outstanding rates and charges as a component of ensuring Council's long term financial sustainability.

RISK MANAGEMENT IMPLICATIONS

Nil - Compliance with section 133 of the *Local Government Regulation 2012*.

5.16 LEVY AND PAYMENT OF RATES AND CHARGES 2023/24**IX: 238576****Author: Sharon Frank, Manager Finance & Administration****Attachments: Nil****KEY OUTCOME****EXECUTIVE SUMMARY**

Sections 107 and 118 of the *Local Government Regulation 2012* requires Council to determine:

1. The issue of and period covered by a rate notice; and
2. The date by which rates or charges must be paid.

RECOMMENDATION

That:

1. Pursuant to section 107 of the *Local Government Regulation 2012* and section 114 of the *Fire and Emergency Services Act 1990*, Council's rates and charges, and the State Government's Emergency Management, Fire and Rescue Levy be levied:
 - for the half year 1 July 2023 to 31 December 2023 – in August / September 2023; and
 - for the half year 1 January 2024 to 30 June 2024 – in February / March 2024.
2. Pursuant to section 118 of the *Local Government Regulation 2012*, the date that Council's rates and charges, and the State Government's Emergency Management, Fire and Rescue Levy, must be paid is identified as within 31 days from the date of the issue of the rates notice.

BACKGROUND

The purpose of this report is to determine the issue of, and period covered by, a rate notice/s for the 2023/24 financial year and the date by which rates or charges must be paid.

Council has maintained a levying schedule of half yearly, being August/September and February/March each financial year. This provides ratepayers with consistency about when to expect rate notices for payment.

CONSULTATION (Internal/External)

- Councillors
- Directors
- Other Council Staff – various Managers and Officers

LEGAL IMPLICATIONS

The adoption of a resolution about the levy and payment of rates and charges must be made at its budget meeting.

POLICY AND LEGISLATION***Local Government Regulation 2012******107 Issue of and period covered by rate notice***

(1) A rate notice may only be issued –

(a) for utility charges, for a period of at least 1 month, that the local government considers appropriate; and

(b) for other rates or charges, for the whole or part of a financial year as the local government considers appropriate.

(2) However, the rate notice for the rates mentioned in subsection (1)(b) must be issued for the same period for all ratepayers.

(3) If a person who is liable to pay rates or charges for a period pays the rates or charges before the local government gives the person a rate notice for the period, the local government is not required to give the person a rate notice for the period.

(4) However, the local government must, at least once each year, issue a rate notice for each parcel of rateable land for a period of no longer than a financial year.

Local Government Regulation 2012

118 When rates or charges must be paid

(1) A local government must decide the date by which, or the period within which, rates or charges must be paid.

(2) The date by which, or the period within which, the rates or charges must be paid must be –

(a) at least 30 days after the rate notice for the rates or charges is issued; and

(b) subject to part 10, the same date or period for each person liable to pay the rates or charges.

(3) The local government must, by resolution, make the decision at its budget meeting.

Fire and Emergency Services Act 1990

114 Manner of giving notification

(1) A levy notice may be given to the owner of prescribed property –

(a) as an item on a rate notice given to the owner in respect of that property; or

(b) as a separate notice given before 1 January of the financial year to which the notice relates.

(2) Where for any financial year a local government gives to the owner of prescribed property in respect of that property 2 or more rate notices, each relating to part of that financial year, a levy notice is taken to be given to the owner in accordance with subsection (1)(a) if each rate notice contains an item for the payment in respect of that property of –

(a) such amount as bears to the total of the annual contribution for the financial year the same proportion as the period (in months) for which the rate notice is given bears to 12; and

(b) the amount of any arrears of annual contribution.

(3) Where notification is given as a separate notice, that notice is taken to be a rate notice under the Local Government Act 2009 or, in the case of Brisbane City Council, the City of Brisbane Act 2010.

(4) A notification must not be given as an item on a rate notice unless –

(a) where only 1 rate notice is given for a financial year—that rate notice is given before 1 January of that financial year;

(b) where 2 or more rate notices are given for a financial year—the first of those notices is given before 1 January of that financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

Council sets the issue of, and period covered by, a rate notice; and the date by which rates or charges must be paid, for each financial year at its annual budget meeting.

RISK MANAGEMENT IMPLICATIONS

This resolution complies with sections 107 and 118 of the *Local Government Regulation 2012*.

5.17 SETTING THE LIMIT OF INCREASE IN THE AMOUNT OF GENERAL RATES 2023/24

IX: 238577

Author: Sharon Frank, Manager Finance & Administration

Attachments: Nil

KEY OUTCOME

EXECUTIVE SUMMARY

The purpose of this report is to set the limit of the increase in the amount of differential general rates to be levied for the 2023/24 financial year, on each rating category.

RECOMMENDATION

That pursuant to section 116 of the *Local Government Regulation 2012*, the amount of the differential general rate to be levied for the 2023/24 financial year on the categories of land identified in the table below, be limited to an amount no more than an amount equal to the amount of general rate levied on that land in the previous financial year increased by the percentage identified in the table below.

Category	Description	Limitation (cap)
1	Town of Quilpie – Residential <1Ha	Does not apply
2	Town of Quilpie – Residential 1 to 10Ha	Does not apply
3	Town of Quilpie – Commercial	Does not apply
4	Town of Quilpie – Industrial	Does not apply
5	Town of Eromanga	Does not apply
6	Other Rural Towns	Does not apply
7	Opal Mines	Does not apply
8	Other	Does not apply
9	Rural-Pumps and Bore Sites	Does not apply
10	Rural and Residential land 10 to 100Ha	Does not apply
11	Rural Land ≥100Ha	Does not apply
12	Rural Land – Carbon Credits	Does not apply
13	Transformer Sites	Does not apply
14	Mining and Oil Production	40%
15	Oil Distillation / Refining	Does not apply

For the avoidance of doubt, the limitation of increase in the differential general rate will not apply to land where:

- a) there has been a change in the differential general rating category during the 2023/24 financial year;

- b) the differential general rating category of the land in 2022/23 financial year, changes in the 2023/24 financial year;
- c) the rateable assessment is levied the minimum differential general rate for the 2023/24 financial year;
- d) there has been a change in the area of the lot/s comprising the rateable assessment during the current or previous financial year (including, for example, by way of amalgamation or separation of rateable assessments);
- e) the general rate was calculated on a valuation to which section 50 of the *Land Valuation Act 2010* applied (i.e. developers' concession);
- f) the general rate was calculated on a valuation issued pursuant to section 274 of the *Land Valuation Act 2010* (i.e. offset valuation); or
- g) there has been a change in the valuation of the rateable assessment, (other than the revaluation of the whole of the region) during the current or previous financial year.

BACKGROUND

The purpose of this report is to set the limit of the increase in the amount of differential general rates to be levied for the 2023/24 financial year, on each rating category.

CONSULTATION (Internal/External)

- Councillors
- Directors
- Other Council Staff – various Managers and Officers.

LEGAL IMPLICATIONS

The Revenue Statement 2023/24 must also include if Council has made a resolution limiting an increase of rates and charges.

POLICY AND LEGISLATION

Local Government Regulation 2012

116 Limitation of increase in rates or charges levied

(1) *When a local government resolves to levy rates or charges, it also may resolve to limit the increase in the rates or charges.*

(2) *The rates or charges may be limited to not more than —*

(a) if the rates or charges for the last financial year were for a full year —

(i) the rates or charges for the last financial year; or

(ii) the rates or charges for the last financial year, increased by a stated percentage; or

(b) if the rates or charges levied for the last financial year were not for a full year —

*(i) the corresponding annual amount for the rates or charges for the last financial year;
or*

*(ii) the corresponding annual amount for the rates or charges for the last financial year,
increased by a stated percentage.*

(3) *The corresponding annual amount is the amount worked out by —*

(a) converting the amount of the rates or charges levied for the last financial year to a daily amount; and

(b) multiplying the daily amount by 365.

(4) The resolution may specify different percentages for— (a) different land or classes of land; or (b) different rates or charges.

FINANCIAL AND RESOURCE IMPLICATIONS

The adoption of appropriate rating resolutions is integral to funding Council's services and projects.

RISK MANAGEMENT IMPLICATIONS

This resolution complies with sections 116 of the *Local Government Regulation 2012*.

5.18 DEBT (BORROWING) POLICY 2023/24**IX:** 238578**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** 1. F.06 Debt Policy 2023_24 Draft [↓](#)**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

It is a requirement of section 192 of the *Local Government Regulation 2012* that a local government prepare and adopt a debt policy for a financial year.

A draft policy is tabled for Council's consideration.

RECOMMENDATION

That Council adopt the Debt (Borrowings) Policy for 2023/24.

BACKGROUND

Council is required to adopt a Debt Policy for the financial year, in accordance with the *Local Government Regulation 2012* (Section 192).

The Debt Policy provides for responsible financial management on the loan funding of infrastructure and other capital projects by ensuring the level of Council indebtedness is within limits acceptable to Council, its ratepayers and interested external parties.

While Council must adopt a Debt (Borrowing) Policy for a financial year, Council can further review and update the policy at any time during the year.

For 2023/24 and the next 9 financial years, Council is not forecasting any borrowings. However, as Council's Master Plans and Asset Management Plans are further developed, the Debt (Borrowing) Policy will be reviewed and updated where required.

The policy has been updated with the relevant 9 financial years and the correct legislation - *Statutory Bodies Financial Arrangements Regulation 2019*.

CONSULTATION (Internal/External)

- Chief Executive Officer

LEGAL IMPLICATIONS

By adopting this policy, Council is meeting its legislative requirement to adopt a Debt (Borrowing) Policy for the 2023/24 financial year.

POLICY AND LEGISLATION***Local Government Regulation******Section 192 Debt policy***

(1) A local government must prepare and adopt a debt policy for a financial year.

(2) The debt policy must state—

*(a) the new borrowings planned for the current financial year and the next 9 financial years;
and*

(b) the period over which the local government plans to repay existing and new borrowings.

FINANCIAL AND RESOURCE IMPLICATIONS

The draft policy includes no new borrowings for the 2023/24 budget and the current planned borrowings for the next nine years.

RISK MANAGEMENT IMPLICATIONS

Nil

5.19 RATES AND UTILITY CHARGES - PENSIONER REBATES AND CONCESSIONS POLICY

IX: 238579

Author: Sharon Frank, Manager Finance & Administration

Attachments: 1. F.11 Rates and utility charges - pensioner rebate and concession policy [↓](#)**KEY OUTCOME**

Key Outcome: 4. Strong Governance

Key Initiative: 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability

EXECUTIVE SUMMARY

The purpose of this report is to adopt the Rates and Utility Charges – Pensioner Rebate and Concession Policy.

RECOMMENDATION

That the Rates and Utility Charges – Pensioner Rebate and Concession Policy be adopted.

BACKGROUND

This policy outlines the eligibility criteria / guidelines to assess requests for rating and utility charge remissions in order to alleviate the impact of Local Government rates and charges for ratepayers who are in receipt of an approved Government pension. It has been reviewed and updated to reflect the change in the amount of rebate provided.

CONSULTATION (Internal/External)

- Chief Executive Officer
- Councillors
- Directors

LEGAL IMPLICATIONS

This resolution is in accordance with the relevant sections of the *Local Government Regulation 2012*.

POLICY AND LEGISLATION

The *Local Government Regulation 2012* Section 120 states:

120 Criteria for granting concession

(1)The local government may grant the concession only if it is satisfied—

(a) the land is owned or occupied by a pensioner;

FINANCIAL AND RESOURCE IMPLICATIONS

Concessions for pensioners has been incorporated into the budget for 2023/24.

RISK MANAGEMENT IMPLICATIONS

N/A

5.20 SIGNIFICANT BUSINESS ACTIVITY ASSESSMENT 2023/24**IX:** 238581**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** Nil**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The report presents the assessment of business activities against the threshold for Significant Business Activities for 2023/24.

RECOMMENDATION

That the result of the Significant Business Activity assessment be received, noting that no further action is required.

BACKGROUND

Council's budget must include the estimated costs of the local government's significant business activities carried on using a full cost pricing basis, and the activities of the local government's commercial business units and the local government's significant business activities.

This report outlines an assessment of business activities against the thresholds for significant business activities under section 19 of the *Local Government Regulation 2012*:

Section 19 – Thresholds for significant business activities – Act, s 43 (4) (b)

(1) This section prescribes, for section 43(4) (b) of the Act, the threshold that a business activity must meet to be a significant business activity for a financial year (the current financial year).

(2) If the business activity is the provision of combined water and sewerage services, the threshold is 10,000 or more premises being connected to a water service as at 30 June of the financial year ending immediately before the current financial year.

(3) For a business activity of a type other than the activity mentioned in subsection (2), the threshold is expenditure of at least \$9.7m for the financial year ending immediately before the current financial year

An assessment of the expenditure of business activities in 2022/23 has been undertaken against the threshold for significant business activities for 2023/24.

This assessment indicates that there is no business activity that meets the criteria for being a significant business activity.

Table 1

Significant Business Activity Threshold	Significant Business Activity Assessment Outcome
For combined water and sewerage services – the threshold is 10,000 or more premises being connected to a water service	Council had 426 water service connections in 2022/23 and therefore does not meet the threshold.
For a business activity of a type other than the activity mentioned in subsection (2), the threshold is expenditure of at least \$9.7m for the financial year ending immediately before the current financial year	Council has <u>no business activities</u> that meets the threshold of expenditure of at least \$9.7m for the financial year ending immediately before the current financial year.

CONSULTATION (Internal/External)

Directors

LEGAL IMPLICATIONS

The *Local Government Act 2009* (Part 2, Division 2 - Business reform, including competitive neutrality) and the *Local Government Regulation 2012* require Council to identify and make decisions about Council's business activities on an annual basis.

POLICY AND LEGISLATION

The *Local Government Regulation 2012* states that:

Section 169 Preparation and content of budget

(1) A local government's budget for each financial year must -

(a) be prepared on an accrual basis; and

. . .

(i) the estimated costs of –

(i) the local government's significant business activities carried on using a full cost pricing basis; and

(ii) the activities of the local government's commercial business units; and

(iii) the local government's significant business activities.

Section 19 – Thresholds for significant business activities – Act, s 43 (4) (b)

(1) This section prescribes, for section 43(4) (b) of the Act, the threshold that a business activity must meet to be a significant business activity for a financial year (the current financial year).

(2) If the business activity is the provision of combined water and sewerage services, the threshold is 10,000 or more premises being connected to a water service as at 30 June of the financial year ending immediately before the current financial year.

Note—

See, however, the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

(3) For a business activity of a type other than the activity mentioned in subsection (2), the threshold is expenditure of at least \$9.7m for the financial year ending immediately before the current financial year.

Section 20 – Identifying significant business activity for report – Act, s 45

For section 45 (b) of the Act, a local government must use the financial information for the previous financial year that was presented to the local government's budget meeting to identify each new significant business activity for the financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

N/A

RISK MANAGEMENT IMPLICATIONS

This report complies with legislative requirements.

5.21 CODE OF COMPETITIVE CONDUCT 2023/24**IX:** 238582**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** Nil**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

The report presents the Code of Competitive Conduct prescribed under the *Local Government Act 2009* and *Local Government Regulation 2012* applicable to Quilpie Shire Council for the financial year 2023/24.

RECOMMENDATION

That:

1. Council determines that the business activities categorised as prescribed business activities and listed Table 1 within this report are those activities that meet the prescribed activity threshold of \$340,000 in accordance with Section 39 of the *Local Government Regulation 2012*; and

2. Council resolves not to apply the Code of Competitive Conduct to any business activity in 2023/24 in accordance with section 47(7) of the *Local Government Act 2009*.

Given the level of expenditure in the business activities and the little or no competition for the services' provision, Council sees no public benefit in applying the Code of Competitive Conduct at this time.

BACKGROUND

Council must, by resolution each year, decide whether or not to apply the code of competitive conduct to a business activity prescribed under a regulation.

Section 39 of "the Regulation" states that a business activity is prescribed for section 47(7) of "the Act" if the amount of current expenditure for the business activity for the previous financial year is \$340,000, or more.

In addition, 47(3) of "the Act" states that a local government must apply the code of competitive conduct to the conduct of the following business activities of the local government;

(a) a building certifying activity;

(b) a roads activity, other than a roads activity for which business is conducted only through a sole supplier arrangement.

The requirements in relation to Building Certification and Roads activity are set out in Sections 47(4)

and 47(5) of “the Act”.

47(4) A building certifying activity is a business activity that –

- (a) involves performing building certifying functions (within the meaning of the Building Act, section 10); and
- (b) is prescribed under a regulation.

47(5) A roads activity is a business activity (other than a business activity prescribed under a regulation) that involves –

- (a) constructing or maintaining a State-controlled road, that the State put out to competitive tender; or
- (b) submitting a competitive tender in relation to –
 - i. constructing or maintaining a road in the local government area, that the local government put out to competitive tender; or
 - ii. constructing or maintaining a road in another local government area that the other local government put out to competitive tender.

Section 38 of *Local Government Regulation 2012* provides a list of local governments where building certification services constitute a prescribed activity. Council is not included in this list and it is therefore considered that Council’s building certifying activities are not considered to be a prescribed activity.

In respect of Council’s roads activity, Council does not compete in the open market; it is therefore considered that Council’s road activities are not classed as a prescribed activity i.e. contracts with Main Roads (e.g. RMPC) are under a sole supplier arrangement.

Application of the Code of Competitive Conduct

Section 47(7) of the *Local Government Act 2009* requires that Council decide each financial year, by resolution whether or not to apply the Code of Competitive Conduct to any business activity prescribed under a regulation i.e. any of Council’s business activities that compete or could compete with the private sector and exceed the current expenditure threshold in Section 39 of “the Regulation” which is \$340,000.

The business activities of Council that meet this threshold are set out in the Prescribed Business Activities (Table 1). The most significant prescribed business activity is water and sewerage operations and airport/aerodrome.

Applying the Code of Competitive Conduct involves a consideration of the following matters:

- (a) applying the competitive neutrality principle;
- (b) pricing provisions (full cost pricing);
- (c) financial reporting; and
- (d) assessing and accounting for community service obligations.

This would involve significant resource allocations and use. At this time, it is considered that the benefit of applying the Code does not outweigh the cost and the efficient use of resources.

Table 1 - Prescribed Business Activities

Prescribed Business Activities [Above threshold as per Section 39 of the Local Government Regulation 2012 (\$340,000)]	
Business Activity	Amount of current expenditure for the business activity for the previous financial year (Section 39 (1) LGR)
Water and sewerage operations (below threshold 10,000 connections)	\$663,708
Waste management	\$490,457
Airport / aerodromes	\$595,807

Table 2 – Other Business Activities

Other Business Activities [Below threshold as per Section 39 of the Local Government Regulation 2012 (\$340,000)]	
Business Activity	Amount of current expenditure for the business activity for the previous financial year (Section 39 (1) LGR)
Building certification (not prescribed)	\$30,815
Cemeteries	\$30,253

Council does not have any significant business activities.

CONSULTATION (Internal/External)

N/A

LEGAL IMPLICATIONS

The statutory basis for this decision is within the *Local Government Act 2009* (Division 2 - Business reform, including competitive neutrality) and Division 5 of the *Local Government Regulation 2012*.

POLICY AND LEGISLATION

Local Government Act 2009

S47 Code of competitive conduct

(1) *This section is about the code of competitive conduct.*

(2) *The code of competitive conduct is the code of competitive conduct prescribed under a regulation.*

(3) *A local government must apply the code of competitive conduct to the conduct of the following business activities of the local government*

(a) *a building certifying activity;*

(b) *a roads activity, other than a roads activity for which business is conducted only through a sole supplier arrangement.*

(4) *A building certifying activity is a business activity that –*

(a) *involves performing building certifying functions (within the meaning of the Building Act, section 10); and*

(b) is prescribed under a regulation.

(5) A roads activity is a business activity (other than a business activity prescribed under a regulation) that involves –

(a) constructing or maintaining a State-controlled road, that the State put out to competitive tender; or

(c) submitting a competitive tender in relation to

(i) constructing or maintaining a road in the local government area, that the local government put out to competitive tender; or

(ii) constructing or maintaining a road in another local government area, that the other local government put out to competitive tender.

(6) The local government must start to apply the code of competitive conduct –

(a) for a building certifying activity—from the start of the financial year after the financial year in which the building certifying activity is first conducted; or

(b) for a roads activity—from when the roads activity is first conducted.

(7) 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.

(8) If the local government decides not to apply the code of competitive conduct to the business activity, the resolution must state reasons for not doing so.

(9) Subsection (7) does not prevent the local government from applying the code of competitive conduct to any other business activities.

Local Government Regulation 2012

39 Prescribed business activities - Act, s47

(1) A business activity is prescribed for section 47(7) of the Act for a financial year if the amount of current expenditure for the business activity for the previous financial year is \$340,000 or more.

(2) The amount of **current expenditure** for a business activity for a financial year is the total of the following amounts spent in conducting the activity for the year –

(a) operational costs;

(b) administrative and overhead costs;

(c) cost of resources;

(d) depreciation.

FINANCIAL AND RESOURCE IMPLICATIONS

These activities have been identified and provided for in the 2023/24 Budget as part of ongoing operations.

RISK MANAGEMENT IMPLICATIONS

A decision regarding this matter is a legislative requirement under the *Local Government Act 2009*.

5.22 STATEMENT OF ESTIMATED FINANCIAL POSITION 2022/23**IX:** 238584**Author:** Sharon Frank, Manager Finance & Administration**Attachments:** 1. EFP - Statement of Financial Position 30 June 2023 [↓](#)
2. EFP - Statement of Income and Expenditure 30 June 2023 [↓](#)**KEY OUTCOME****Key Outcome:** 4. Strong Governance**Key Initiative:** 4.4 Long-term financial sustainability underpinned by sound financial planning and accountability**EXECUTIVE SUMMARY**

Section 205 of the *Local Government Regulation 2012* requires the Chief Executive Officer to present to Council at its annual budget meeting, a statement of estimated financial position for the previous financial year.

RECOMMENDATION

That pursuant to Section 205 of the *Local Government Regulation 2012*, the Statement of Estimated Financial Position for the previous financial year (2022/23) be received and its contents noted.

BACKGROUND

At the annual budget meeting, the Chief Executive Officer must present to Council a statement of estimated financial position for the previous financial year.

This report presents a statement of estimated financial position for the 2022/23 financial year including:

- Statement of Financial Position
- Statement of Income and Expenditure

CONSULTATION (Internal/External)

Compliance with section 205 of the *Local Government Regulation 2012*.

LEGAL IMPLICATIONS

This resolution is in accordance with the relevant sections of the *Local Government Regulation 2012*.

POLICY AND LEGISLATION

The *Local Government Regulation 2012* Section 205 states:

205 Statement of estimated financial position

- (1) *The chief executive officer must present the local government's annual budget meeting with a statement of estimated financial position.*

(2) *A statement of estimated financial position is a document stating the financial operations, and financial position, of the local government for the previous financial year.*

FINANCIAL AND RESOURCE IMPLICATIONS

N/A

RISK MANAGEMENT IMPLICATIONS

This resolution complies with the relevant sections of the *Local Government Regulation 2012*.

6 LATE ITEMS