

# Gladstone Regional Council

## Council Policy

<b>Title</b>	<b>REVENUE STATEMENT</b>
<b>Policy Number</b>	<b>P-2021-10</b>
<b>Business Unit/s</b>	<b>FINANCE GOVERNANCE AND RISK</b>
<b>Date of Adoption</b>	<b>15 JUNE 2021</b>
<b>Resolution Number</b>	<b>S/21/4518</b>
<b>Review Date</b>	<b>15 JUNE 2022</b>
<b>Date Repealed</b>	

### 1.0 PURPOSE:

The purpose of the statement and plans in this document is to ensure compliance with section 169(2)(b) (Revenue Statement), section 94(2)(b) (Overall Plan for Special Rates) and section 94(7) (Annual Implementation Plan for Special Rates) of the *Local Government Regulation 2012*.

### 2.0 SCOPE:

This document, including the Revenue Statement and plans herein, applies to the financial year from 1 July 2021 to 30 June 2022.

### 3.0 RELATED LEGISLATION:

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Transport Infrastructure Act 1994*
- *Land Valuation Act 2010*
- *Government Owned Corporations Act 1993*
- *State Development and Public Works Organisation Act 1971*
- *Mineral Resources Act 1989*

### 4.0 RELATED DOCUMENTS:

- Revenue Policy
- Concealed Water Leak Concession Policy
- Debt Administration Policy
- Debt Administration Corporate Standard
- Rating Financial Hardship Concession Policy
- Pensioner Concession Policy
- Properties Exempt from General and Differential Rates Policy
- Water Allocation and Sewerage Connection Concessions Policy
- Our Place Our Plan Gladstone Regional Council Planning Scheme
- Queensland Ports Government Owned Corporations Local Government General Rates Equivalent.

## 5.0 DEFINITIONS:

All terms in this statement have the meanings assigned to them under the *Local Government Act 2009*, the *Local Government Regulation 2012* and the *Transport Infrastructure Act 1994* unless otherwise explicitly defined in this statement. In this statement:

**Council** means the Gladstone Regional Council.

**Defined Cleansing Service Area** means the defined waste collection service area adopted on 03 July 2018 in accordance with Council's *Local Law No. 8 (Waste Management) 2018* as amended from time to time by the inclusion of approved requests from properties located in rural areas adjoining the adopted Defined Cleansing Service Area.

**Defined Sewerage Service Area** means the defined sewerage service area adopted on 06 March 2018 within Council's Local Government Infrastructure Plan.

**Defined Water Service Area** means the defined water service area adopted on 06 March 2018 within Council's Local Government Infrastructure Plan.

**Gross Floor Area** means the total area under a roof, canopy, awning or roof-like projection or shelter including all covered areas whether they be wholly or partly enclosed or unenclosed.

**Gladstone State Development Area** means the area within Council's area named as the Gladstone State Development Area and declared as such by regulation under the *State Development and Public Works Organisation Act 1971*.

**Port of Gladstone** means the area within the Gladstone Regional Council local government area covered by the current land use plan prepared by Gladstone Ports Corporation Ltd and gazetted under the *Transport Infrastructure Act 1994*.

**Predominant Use** means the primary reason that the land is used, or the amount and type of activity associated with the land, notwithstanding the total area used for its predominant use, the zoning or permitted use of the land under planning laws. The land may also have ancillary uses, but they may not be its predominant use.

**Property Owner** has the definition of 'owner of land' under Schedule 4 of the *Local Government Act 2009*.

**Rail Corridor Land** has the meaning given under the *Transport Infrastructure Act 1994*.

**Shopping Centre** means premises used for the display, sale, hire or supply of goods or personal services or betting to the public.

**Strategic Port Land** means land that is strategic port land under section 286 of the *Transport Infrastructure Act 1994*.

**Workforce Accommodation** means a facility used primarily for the accommodation of persons who are away from their principal place of residence, other than tourists and holidaymakers, who are employed or work in, or in association with, construction, resources and mining activities,

commonly known as a "workers camp", "single person's quarters", "work camp", "accommodation village", or "barracks".

## 6.0 POLICY STATEMENT:

Pursuant to section 172(1) of the *Local Government Regulation 2012*, Council's Revenue Statement must state:

- a) if the local government levies differential general rates -
  - i. the rating categories for rateable land in the local government area; and
  - ii. a description of each rating category; and
- b) if the local government levies special rates or charges for a joint government activity - a summary of the terms of the joint government activity; and
- c) if the local government fixes a cost-recovery fee - the criteria used to decide the amount of the cost-recovery fee; and
- d) if the local government conducts a business activity on a commercial basis - the criteria used to decide the amount of the charges for the activity's goods and services.

In addition, pursuant to section 172(2) of the *Local Government Regulation 2012*, Council's Revenue Statement must include for the financial year:

- a) an outline and explanation of the measures that the local government has adopted for raising revenue, including an outline and explanation of -
  - i. the rates and charges to be levied in the financial year; and
  - ii. the concessions for rates and charges to be granted in the financial year;
- b) whether the local government has made a resolution limiting an increase of rates and charges.

## 6.1 General Principles

Council will raise its revenue in accordance with two basic principles of revenue collection:

- requirement-to-pay principle; and
- benefit principle.

Council will use a combination of the requirement-to-pay principle and the benefit principle, applied consistently across the region, as a rational and generally equitable means of raising its revenue.

### 6.1.1 Requirement-to-Pay Principle

By this principle, landowners (and some land occupiers) are levied with a tax (a general rate) based on the value of their land.

The general rate funds programs where there is not a direct link between the service recipient and the service. Examples include parks, roads, community services, cultural development, and general administration.

### 6.1.2 Benefit Principle

The benefit principle requires that individuals in the community pay for goods and services:

- from which they derive a special benefit; or

- for which they especially generate a need; or
- that they acquire individually from Council.

The benefit principle will be applied where there is a clear link between the service recipient and the use of the goods or services. Examples include connection to a water supply or sewerage service.

## **6.2 Revenue Statement - Differential Rates [s172(1)(a) Local Government Regulation 2012]**

### **6.2.1 Differential General Rates**

Pursuant to section 80 of the *Local Government Regulation 2012*, Council may adopt a system of differential general rating for the region.

Council is required to raise the amount of revenue it considers necessary to maintain assets and provide services to the community.

In deciding how it raises that revenue, Council considers several factors, including:

- the rateable value of land and how an appropriate rate in the dollar can be set to ensure equitable contribution to the revenue, based on the approved capacity of the land;
- the degree of fluctuation in the valuation of land experienced by different sectors within the region and how this relates to achieving an equitable general rating policy;
- the demands that business, industrial, and other commercial land uses impose upon Council services in comparison with residential land uses;
- that some sections of the community will generate, via their land uses, additional cost burdens upon Council, or that the costs Council incurs will deliver increased benefits to certain lands, and which additional burdens and increased benefits may be reflected in higher rates levied on those lands;
- that a major determinant of the layout and standards of the road network, and consequently costs of that road network, has been the locations and sizes of major shopping centres and major industry;
- that the cost of physical services provided for the business, commercial and industrial land uses of the region is greater than that provided to support residential land uses (the standards of roads, streetscapes, drainage and lighting built to support these land uses entailing, of necessity, a higher cost than the cost of supporting residential land uses);
- that the impact of developing major industries within the Gladstone State Development Area is equivalent to the impact of existing major industries within that development precinct, placing increased demands on Council's services and Council's current hard infrastructure such as transport corridors, along with significant soft impacts, and social impacts on the existing community;
- the fairness of ensuring that the costs associated with providing the infrastructure and supporting services required to facilitate the development and operation of major industries, as identified in the environmental impact statements and supplementary environmental impact statements of these developments, are borne by those major industries, to minimise their impact on the existing community; and
- that whilst flats and multi-dwellings generally have a smaller land area, and therefore a lower valuation than standard detached residential premises, such flats and multi-dwellings

generate a similar demand on people-related services as standard detached residential premises.

### 6.2.2 Differential Rating Categories

In accordance with section 81 and section 172(1)(a) of the *Local Government Regulation 2012*, the rating categories of rateable land in the Council area and a description of each of these rating categories are as follows:

Category	Description	Grouping
1	Land used, or approved for development, for residential purposes, as a single dwelling, including a lot within a 2-lot community titles scheme, with a rateable value of or not exceeding \$495,734, other than land in Categories 5 to 8 inclusive	Residential
2	Land used, or approved for development, for residential purposes, as a single dwelling, including a lot within a 2-lot community titles scheme, with a rateable value of or exceeding \$495,735, other than land in Categories 5 to 8 inclusive	Residential
3	a) Land used, or approved for development, for rural activities; or b) Land located on any island, which is not otherwise categorised.	Rural
4	Land described in section 49 of the <i>Land Valuation Act 2010</i> , which qualifies for discounted valuation under section 50 of that Act.	Developer
5	Vacant residential land that has an area greater than 5 hectares.	Large Vacant
6	Land used for: a) the purposes of multiple dwellings (the residential use of premises involving 2 or more dwellings, for separate households) such as flats, duplexes, boarding houses, and guest houses, other than land included in Category 7, 8, 9, 14 and 15; b) residential purposes, as a lot within a community titles scheme, located on an island; or c) residential purposes, as a lot within a community titles scheme containing between three (3) and eight (8) lots, located on the mainland and which is not part of a gated community.	Residential
7	Land used for residential purposes, which is a lot within a community titles scheme containing nine (9) or more lots, located on the mainland and which is not part of a gated community.	Residential
8	Land used, or approved for development, for residential purposes, which is a lot located within a gated community on the mainland that forms part of a community titles scheme.	Residential

Category	Description	Grouping
9	Land used or approved for development, for business or commercial purposes, including motels and caravan parks, other than land included in Categories 10 to 24 inclusive.	Business
10	Land used for the purposes of a Shopping Centre with a Gross Floor Area of at least 2,000m <sup>2</sup> but less than 5,000m <sup>2</sup> .	Shopping Centre
11	Land used for the purposes of a Shopping Centre with a Gross Floor Area of at least 5,000m <sup>2</sup> but less than 10,000m <sup>2</sup> .	Shopping Centre
12	Land used for the purposes of a Shopping Centre with a Gross Floor Area of at least 10,000m <sup>2</sup> , but less than 20,000m <sup>2</sup> .	Shopping Centre
13	Land used for the purposes of a Shopping Centre with a Gross Floor Area of at least 20,000m <sup>2</sup> .	Shopping Centre
14	Land used, in whole or in part, for Workforce Accommodation, with up to, and including 500 rooms, suites and/or caravan sites.	Workforce
15	Land used, in whole or in part, for Workforce Accommodation, with more than 500 rooms, suites and/or caravan sites.	Workforce
16	Land used for industrial purposes, or approved for development for industrial purposes, other than land included within Categories 17 to 22 inclusive and Category 24.	Light Industrial
17	a) Land used for, or in connection or association with, major industry; b) All land within a Special Purpose Zone under the Gladstone Regional Council Planning Scheme 2015 adopted on 06 October 2015; c) All land within the Gladstone State Development Area being used for a commissioned major industrial purpose, excluding the land included in Categories 18 to 22 inclusive and Category 24; d) Land used for the generation of electricity; or e) Land used for the manufacture of aluminium oxide.	Major Industrial
18	Land, within the Gladstone State Development Area being developed, or approved for development, for future major industrial use, including land upon which all or part of an industrial facility, the primary intended purpose of which is the manufacture of liquefied natural gas, is located or approved to be located.	Major Industrial
19	Land used, or being developed for use, for the purposes of storage or handling facilities for the commodities or containers shipped through the Port of Gladstone, other than land included in Category 20.	Major Industrial
20	Land used, or being developed for use, for the purposes of storage or handling facilities for commodities or containers shipped through the Port of Gladstone, which is Strategic Port Land and is occupied by a port authority, the State or a government entity.	Major Industrial
21	Land used for the purposes of a bulk storage facility with a capacity greater than 1,000,000 litres of any combustible liquid or flammable liquid.	Minor Industrial

Category	Description	Grouping
22	Land used for the purposes of a built oil recycling facility.	Minor Industrial
23	a) Land used for the extraction of minerals, resources or other substances; b) Land used, in connection or association with the extraction of minerals, resources or substances; or c) Land which is a mining lease issued under the <i>Mineral Resources Act 1989</i> .	Mining
24	Land used for an operational liquefied natural gas processing facility.	LNG

The Grouping of the categories in the above table is relevant when determining if rate capping is applicable and should not be taken into account in the interpretation of the differential rating categories.

### 6.2.3 Assessment in more than one zone or multiple land uses

The Valuer-General can include several land parcels within multiple planning scheme zones under a single valuation. In all such circumstances the category adopted for rating purposes is determined by reference to the predominant use of the land.

### 6.2.4 Minimum General Rate

In accordance with section 77(5)(a) of the *Local Government Regulation 2012*, a local government may fix a different minimum amount of general rates if there are different rating categories of rateable land for the local government area. A minimum general rate for a rating category will be set by Council for services, facilities and activities that are supplied or undertaken for the benefit of the community in general.

### 6.2.5 Identification of the Rating Category

The Council delegates to the Chief Executive Officer, pursuant to section 81(4) and (5) of the *Local Government Regulation 2012*, the power of identifying the rating category to which each parcel of rateable land belongs.

## 6.3 Revenue Statement - Cap on Increase of Rates [s172(2)(b) Local Government Regulation 2012]

Council will, under section 116 of the *Local Government Regulation 2012*, resolve to set a maximum percentage that rates levied for some categories will increase above those levied in the previous year (the Rate Cap), subject to review annually. The resolution under section 116 of the *Local Government Regulation 2012* is a resolution for the purposes of section 172(2)(b) of the *Local Government Regulation 2012*.

Principally, the Rate Cap is a smoothing mechanism to soften the impact of rates increases borne of large valuation increases on residential, rural, small business, and the light industrial land classes.

The Rate Cap applicable to each grouping of rating categories are set out in Table 1 below:

Table 1:

Limitation of Increase (Rate Cap) in Rates and Charges Levied	Grouping
The differential general rate amount levied shall not exceed 110% of the corresponding annual amount levied as the differential general rate in the 2020/2021 financial year.	Residential/Rural
The differential general rate amount levied shall not exceed 115% of the corresponding annual amount levied as the differential general rate in the 2020/2021 financial year.	Business, Light Industrial, Mining
The differential general rate amount levied shall not exceed 150% of the corresponding annual amount levied as the differential general rate in the 2020/2021 financial year.	Major Industrial
No Limitation of Increase	All other groups

Notwithstanding Table 1, a Rate Cap will not apply in the following circumstances:

- a change of Rating Category Grouping applicable to the land, i.e. Residential to Business;
- a change of Rating Category applicable to the land (i.e. Material Change of Use), where the Rate Cap does not apply to the new category;
- a resurvey of the land is initiated by the ratepayer, which affects the title for the land;
- reconfiguration of a lot;
- Council has resolved to discontinue capping; and
- a material change of use of the land is approved, which does not change the Rating Category Grouping applicable to the land.

A Rate Cap will apply in, but not limited to, the following circumstances:

- a resurvey of the land not initiated by the ratepayer, which affects the title for the land; or
- a change of Rating Category, but not Grouping, applicable to the land where the Rate Cap applies to the new category; or
- amalgamation of lots for rating purposes.

**6.4 Revenue Statement - Outline of General Measures Adopted [s172(2)(a) Local Government Regulation 2012]**

In addition to the Differential Rating measures outlined in part 6.2 and 6.3 of this revenue statement, Council also has adopted the following measures for raising revenue:

- Rating of Rates-exempt Strategic Port Land;
- Special Charges;
- Waste Cleansing Charges;
- Sewerage and Wastewater Charges;
- Trade Waste Charges; and
- Water Charges.

#### 6.4.1 Rating of Rates-exempt Strategic Port Land

Under section 93(3)(e) of the *Local Government Act 2009*, Strategic Port Land that is occupied by a port authority, the State, or a government entity is "exempt from rates".

However, the Queensland Government has established the Queensland Port Government Owned Corporations Local Government General Rates Equivalents Regime (the *Equivalents Regime*) for the collection (by Queensland Treasury) of sums equivalent to general rates that port authorities would be required to pay upon their commercial use of Strategic Port Land were the land not rates-exempt.

Under Treasury guidelines for the Equivalents Regime:

- the imposition, assessment and collection of general rates equivalents is determined by reference to the *Local Government Act 2009*; and
- the Treasurer possesses sole discretion to make ex gratia payments to local governments equal to the general rates equivalents sums paid by port authorities.

As an alternative to the Gladstone Ports Corporation Ltd paying general rates equivalents under the Equivalents Regime, Council and the Gladstone Ports Corporation Ltd have agreed that the Gladstone Ports Corporation Ltd, will make ex gratia payments of general rates equivalents directly to Council.

In accordance with that arrangement, Council will levy the Gladstone Ports Corporation Ltd the equivalent of a differential general rate upon Strategic Port Land matching the description set out in rating Category 20.

#### 6.4.2 Special Charges

Special charges apply in circumstances where:

- land or its occupier specially benefits from, or has or will have, special access to, a service, facility, or activity; or
- land is or will be used in a way that specially contributes to the need for the service, facility, or activity; or
- the occupier of land specially contributes to that need for a service, facility, or activity.

Generally, special charges applied to individual ratepayers are only levied pursuant to a written agreement with each ratepayer concerned.

##### 6.4.2.1 Curtis Island Wastewater Service Infrastructure

A Special Charge will be levied in 2021/2022 for the operation and construction of Curtis Island wastewater service infrastructure:

1. In accordance with section 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, and pursuant to a service and special charge agreements made between Council and each of the following parties:
  - Australia Pacific LNG (Shared Facilities) Pty Limited (*APLNG*), dated 16 October 2012, which is required to be assigned and novated to any successors in title;

- QCLNG Land Pty Ltd (*QCLNG*), dated 3 December 2012, which is required to be assigned and novated to any successors in title, and
- GLNG Operations Pty Ltd (*GLNG*), dated 1 December 2014, , which is required to be assigned and novated to any successors in title,

Council will levy a special charge upon the following rateable land parcels at Curtis Island:

- a) Lot 3 SP 228454, Lot 5 SP 283963, Lease A SP 252872, and Lease B SP 252872 (APLNG Land);
  - b) Lot 2 SP 228454, TL 234259: Pt (zz) Lot 2 SP 228185, Lease A SP 252874, and Lease B SP 252874 (QCLNG Land); and
  - c) Lot 1 SP 235007 and Lease A SP 271500 (GLNG Land).
2. The purpose of the special charge is to reimburse Council the cost it incurs in operating its Curtis Island wastewater collection and reticulation infrastructure (the *Wastewater Infrastructure*) to provide a wastewater disposal and processing service (the *Wastewater Service*) for the special benefit of those land parcels, each of which is used for operations that especially contribute to the need for the service activity. Council created the collection and reticulation infrastructure pursuant to common use infrastructure agreement, dated 24 August 2011 with Gladstone Area Water Board and APLNG.
  3. The LNG Facilities land to be levied with the special charge specially benefits from the Wastewater Service because:
    - a) operations upon each LNG Facility require and are responsible for the consumption of significant volumes of water and the production of significant volumes of wastewater;
    - b) it was necessary for Council to construct and commission the Wastewater Infrastructure (pursuant to the common use infrastructure agreement) to enable APLNG, QCLNG and GLNG to construct and operate the LNG Facilities; and
    - c) the LNG Facilities cannot operate without the Wastewater Service.
  4. The Overall Plan for the service to which the special charge applies, is as follows:
    - a) Council will operate the Wastewater Infrastructure to service the liquefied natural gas (LNG) production, storage, and distribution facilities (the *LNG Facilities*) that APLNG, QCLNG, and GLNG operate upon the APLNG Land, QCLNG Land and GLNG Land parcels.
    - b) Council will recoup, pursuant to the service and special charge agreements, its operating and capital costs associated with operating the Wastewater Infrastructure.
    - c) The estimated cost of operating the Wastewater Infrastructure over a 25-year period and recovering capital costs in accordance with the service and special charge agreements is \$129.887 million in current terms.
    - d) The estimated time for implementing the overall plan is 25 years, expiring on 30 June 2039.
  5. The Annual Implementation Plan for the 2021/2022 financial year is that Council will operate the Wastewater Infrastructure to service the LNG Facilities, and will apply the special charge revenue, which it estimates at \$8,021,190.67, against the operating cost it incurs.
  6. The minimum amount for the special charges for 2021/2022 will be:

- APLNG Land - \$2,113,736.93 per annum, plus 113.443 cents per kilolitre of wastewater discharged from the LNG Facility;
- QCLNG Land - \$4,911,663.32 per annum, plus 113.443 cents per kilolitre of wastewater discharged from the LNG Facility; and
- GLNG Land - \$995,790.42 per annum, plus 113.443 cents per kilolitre of wastewater discharged from the LNG Facility.

#### 6.4.2.2 Gladstone City Plaza Forecourt Redevelopment

1. In accordance with section 94 of the *Local Government Act 2009* and section 94 of the *Local Government Regulation 2012*, and pursuant to a Special Charge Agreement between Council and the Gladstone City Plaza Body Corporate dated 19 January 2017, which is required to be assigned and novated to any successors in title, Council will levy a special charge upon Lot 0 on BUP60138 (the Gladstone City Plaza Forecourt Land).
2. The Gladstone City Plaza Forecourt Land to be levied with the special charge specially benefits from the forecourt redevelopment as the owner and tenants of the Gladstone City Plaza use the improvements constructed on the land to attract business to the precinct.

The Special Charge will be levied over a 10-year period commencing in the 2021/2022 financial year following the completion of the redevelopment works.

3. The Overall Plan for the facility to which the special charge applies, is as follows:
  - a) Gladstone Regional Council led a redevelopment of the Gladstone City Plaza Forecourt, which has now been completed;
  - b) The purpose of the special charge is to reimburse Council the costs incurred in undertaking the redevelopment of the Gladstone City Plaza Forecourt within the Gladstone City Plaza Forecourt Land;
  - c) The costs of carrying out the Overall Plan are estimated to be \$1,958,059.08 (which includes principal and interest) over a ten year period.
4. The Annual Implementation Plan for the 2021/2022 financial year is that, as the redevelopment works are now completed to the satisfaction of both parties, the Gladstone City Plaza Body Corporate will make an annual payment in 2021/22 of \$249,572.52.

#### 6.4.3 Waste Cleansing Charges

Waste cleansing charges are based on the benefit principle (user pays). Domestic services are supplied at an annual fee for a weekly general refuse service and a fortnightly recycling service.

The amount of the waste cleansing charge is to reflect three cost components:

- the cost of providing the refuse container and servicing it;
- the cost of disposing of the refuse at a landfill; and
- the cost of recovering and sorting of recyclable material.

The components recognise that:

- the cleansing contractor is required to drive past each residence within the Defined Cleansing Service Area;
- it is impractical to monitor use of the service on a house by house basis, and
- Council wishes to maximise efficiency whilst minimising the cost to the community for what is an essential service.

\* Domestic Waste Service Conditions:

For the purposes of this section only, \***domestic** means a single dwelling unit or a duplex unit or a unit complex of up to 6 residential units and excludes commercial premises and multi-unit living over 6 units.

- A domestic service is available to all domestic properties within the Defined Cleansing Service Area
- A domestic cleansing service charge will be levied on all land within the Defined Cleansing Service Area once a domestic premises has been constructed for residential use
- The waste cleansing charge will be levied and recovered irrespective of whether given occupiers within the Defined Cleansing Service Area avail themselves of the service and will apply irrespective of whether the residential premises are occupied for any period during the year
- A domestic waste cleansing service charge will only cease to be levied within the Defined Cleansing Service Area where a residential premise is demolished
- Where economically feasible, Council will offer a domestic waste cleansing service to rural areas adjoining the Defined Cleansing Service Area. The extension of services into such areas is usually by request at first; and once the cleansing service area is expanded to include the land, the standard domestic waste service conditions apply and the Property Owner and subsequent Property Owners cannot later opt out.

Council offers a wheeled bin service, at a commercial rate, to commercial premises who only seek the equivalent of a domestic waste cleansing service. All other commercial services are provided by third parties under a private arrangement between the commercial premises and the third party provider. Council will audit and monitor commercial premises to ensure that if they do not avail themselves of Council's service, they have a service provided by a third party. Those found to have no third party service will be charged and provided a Council service, at a commercial rate.

#### **6.4.4 Sewerage and Wastewater Charges**

Council operates five types of sewerage / wastewater service schemes:

- an urban or residential scheme serving the community of Gladstone;
- an urban or residential scheme serving the urban communities of Boyne, Tannum, and Calliope;
- an urban or residential scheme serving the urban communities of Agnes Water and Seventeen Seventy;
- an industrial scheme serving the Yarwun Industrial Estate; and
- an industrial scheme serving Curtis Island industries.

The service is operated on a commercial basis, each type of scheme being self-funded through the application of user charges.

An availability charge for land within the Defined Sewerage Service Area that is not connected to a Council-operated sewerage scheme ('unconnected land'). This is a charge for the fixed cost

component of the sewerage system which is set to meet costs incurred by Council independently from the use of the system i.e.:

- interest and redemption on loans;
- operation and maintenance;
- administration and engineering;
- asset depreciation; and
- special maintenance and miscellaneous minor works.

Sewerage charges in the urban areas of Gladstone, Boyne Island, Tannum Sands, Calliope, Agnes Water and Seventeen Seventy are levied on a "per unit" basis with the number of units allocated to land uses, dependent on expected demand. Units are allocated as set out in Table 2 below:

**Table 2:**

No.	Category	Units
1	Each parcel of unconnected land located within the Defined Sewerage Service Area.	7
2	Each single unit dwelling constructed on an allotment and located within the Defined Sewerage Service Area.	10
3	First Connection - Each non-residential premises connected to the scheme including accommodation units and caravan parks.	10
4	Additional Connections - Each non-residential premises connected to the scheme including accommodation units and caravan parks, for each additional pedestal or metre of urinal, as assessed by Council's Plumbing inspectors.	7

For Category 2 connections where a single unit dwelling is constructed over two separately titled allotments (for example: the home constructed on the property straddles the common boundary of two allotments), Council will consider upon request, levying only one availability charge for both allotments on the basis that only one dwelling is constructed on the land.

Council also operates industrial sewerage, trade waste and wastewater facilities on a commercial basis on behalf of industries located within the Yarwun Industrial Estate and on Curtis Island. In respect to Curtis Island, volumetric charging applies in addition to the availability charge.

Council recognises that the users of Council's sewerage and wastewater systems are the stakeholder of Council's sewerage and wastewater business because it is only that sector that has funded the provision of the infrastructure. A return on the community's investment is calculated for full cost pricing purposes only and is returned to the current Property Owners through a credit to the availability charge.

#### **6.4.5 Water Charges**

Council operates four water schemes as follows:

- Lake Awoonga Treated Water Scheme which services the Gladstone, Boyne Island, Tannum Sands, Benaraby, Wurdong Heights, Calliope, Beecher and Mount Larcom areas with treated water purchased from the Gladstone Area Water Board;
- Miriam Vale Water Supply Scheme and Bororen Water Supply Scheme which service these townships with treated water from Baffle Creek supplemented by bores operated by Council; and
- Agnes Water / Seventeen Seventy Water Scheme which services the townships of Agnes Water and Seventeen Seventy with treated water from a desalination plant and bores operated by Council.

Water charges are levied on a user pays basis and set at a level to fully recover the cost of the provision of infrastructure, operation and maintenance of each system in accordance with section 41 of the *Local Government Regulation 2012*.

A 2-part charge will be levied on all land within the Defined Water Service Area which are provided with, or which are capable of being provided with, water services and shall comprise:

- an annual availability charge; and
- a consumption charge for each kilolitre of water used.

Equity considerations that Council will consider when determining water pricing include but are not limited to social justice, broad principles of water conservation, and potential use of the water system.

Council recognises that the water consumers are the stakeholders of Council's water business because it is only that sector that has funded the provision of the water infrastructure. A return on the community's investment is calculated for full cost pricing purposes only and is returned to the ratepayers through a credit to the availability charge.

#### **6.4.5.1 Water Charge Part 1 – Availability Charge (section 41(4)(a) of the *Local Government Regulation 2012*)**

The availability charge is a base charge or the fixed cost component of the water charge which is set to meet costs incurred by Council independently from the use of the system, i.e.:

- interest and redemption on loans;
- operation and maintenance;
- administration and engineering;
- asset depreciation;
- special maintenance and miscellaneous minor works; and
- water losses, e.g. fire service, meter error, leaks, mains scouring.

As such this charge applies to all connected and unconnected land within the Defined Water Service Area.

With the exception of:

- Unconnected properties,
- Domestic Meters up to and including 20mm,
- Domestic 25mm Meters & Sub-Meters, and
- Fire Services,

the Availability Charge will be calculated in proportion to the flow rate at which water may be obtained and is calculated in accordance with the following formula:

$A = B \times C$ , where:

- A is the availability charge for a property;
- B is the charge for a 20mm domestic water service set by Council; and
- C is the equivalent meter flow (EMF) figure specified in Table 3 (for first service) and Table 4 (for sub service) for the corresponding water meter service size and user type (if specified).

**Table 3:**

<b>Water Meter Service Size</b>	<b>EMF</b>
Unconnected	1.00
Up to and including 20mm	1.00
25mm (domestic)	1.00
25mm (all other users)	1.56
Constant Water Flow Access	1.00
Constant Water Flow 211KL	1.98
Constant Water Flow 368KL	2.71
Constant Water Flow 526KL	3.44
Constant Water Flow 684KL	4.17
32mm	2.56
40mm	4.00
50mm	6.25
80mm	16.00
100mm	25.00
150mm	56.25
150mm (Rail Corridor Land)	113.30
200mm	100.00
250mm	156.25
300mm	225.00
375mm	351.56

**Table 4:**

<b>Water Meter Service Size</b>	<b>EMF</b>
Up to and including 20mm (sub-meter)	0.75
25mm (sub meter) (domestic)	1.00
25mm (sub meter) (all other users)	1.56
32mm (sub meter)	2.56
40mm (sub meter)	4.00
50mm (sub meter)	6.25
80mm (sub meter)	16.00
100mm (sub meter)	25.00
150mm (sub meter)	56.25

For domestic connections only (up to and including 25mm meters) where a single unit dwelling is constructed over two separately titled allotments (for example: the home constructed on the property straddles the common boundary of two allotments), Council will consider upon

request, levying only one availability charge for both allotments on the basis that only one dwelling is constructed on the land.

For this section the term **Dedicated Fire Service** means the water supply service to a premise specifically dedicated for use in fighting fires. For Dedicated Fire Services the share of the Availability Charge ('fixed costs') is calculated in accordance with the following formula:

$A = B \times C$ , where:

- A is the availability charge for a Dedicated Fire Service;
- B is the charge for a 20mm domestic water meter service set by Council; and
- C is the multiplier specified in Table 5 for the corresponding water meter service size.

**Table 5:**

<b>Water Meter Service Size</b>	<b>Multiplier</b>
Smaller than 80mm	0.3
100mm	7.0
Larger than 100mm	10.0

Conditions of Use for Dedicated Fire Services:

- The owner of the service must maintain a register of all water use for firefighting or testing purposes. The register must show date of use, meter reading prior to use, meter reading following use, water consumed, and where and why the water was used.
- If the service is used for any purpose other than firefighting/testing at any time or the owner of the service fails to produce the register on demand, the service will be deemed to be a multi-use connection and the charge will be in accordance with the Water Meter Service Size multiplier for a standard service.

#### **6.4.5.2 Water Charge Part 2 - Consumption Charge (section 41(4)(b) of the *Local Government Regulation 2012*)**

This is a consumption charge or the variable cost component of the water charge.

The charge is calculated on usage worked out on the basis of:

- for water obtained from the Lake Awoonga Scheme, the cost to Council of purchasing the water from the Gladstone Area Water Board; and
- for all other schemes, the cost to Council of producing the water.

This consumption charge applies to consumers who use water from the various systems.

Accounts for the consumption charge will be forwarded to consumers at the end of every six-month cycle of a financial year.

For clarity with respect to the determination of water consumed for the period, Council will apply the following principle for determining a water consumption charge:

Section 102 of the *Local Government Regulation 2012* will apply to calculating water consumption charges against land or premises for which consumption charges were made and levied, so that:

- regardless of whether the meter reading for the second half of the 2020/2021 financial year occurs before the end of that financial year or after the beginning of the 2021/2022 financial year, the consumption charge for that half is calculated in accordance with the relevant basis of charge in Council's rating resolution for the 2020/2021 financial year;
- regardless of whether the meter reading for the second half of the 2021/2022 financial year occurs before the end of that financial year or after the beginning of the 2022/2023 financial year, the consumption charge for that half is calculated in accordance with the relevant basis of consumption charge for the 2021/2022 financial year.

#### **6.4.6 Revenue Statement - Properties Exempt from General and Differential Rates**

In addition to the rate exemptions granted under section 73 of the *Local Government Regulation 2012*, Council will grant an exemption from general rates (including differential general rates) in accordance with section 93(3)(i) of the *Local Government Act 2009*, where Council considers a property is used for a "charitable purpose".

**Used for Charitable Purposes** means land used by an organisation that has the following traits:

- have a constitution that sets out its charitable objectives and operating rules; and
- be an association of 3 or more people (the association does not need to be an incorporated association); and
- have a 'governing body' that has control of the management of the association; and
- has a clause in its constitution that states it is not-for-profit (unless its membership consists only of charities).

The organisation must use its income and property to promote its objectives. It must not:

- distribute its income and property among members; and
- pay dividends to members (unless the members are charities).

The conditions for eligibility and the general rates exemption to be applied are set out in Council's Properties Exempt from General and Differential Rates Policy.

#### **6.5 Revenue Statement - Pensioner Concession [s172(2)(a)(ii) Local Government Regulation 2012]**

This concession is made in accordance with sections 119, 120, 121 and 122 of the *Local Government Regulation 2012*.

Council recognises the special needs of pensioners who are owner-occupiers and offers a concession on rates to financially assist this group. The concession is provided by Council to encourage pensioners to be independent and live in their own home where possible as Council believes this provides a "quality of life" benefit.

The conditions for eligibility and the proportion of benefit for the Council rate concession are set out in Council's Pensioner Concession Policy.

**6.6 Revenue Statement - Concessions for Sporting Bodies and Other Not-for-Profit Organisations [s172(2)(a)(ii) Local Government Regulation 2012]**

This concession is made in accordance with sections 119, 120, 121 and 122 of the *Local Government Regulation 2012*.

Council will aid local sporting bodies and other not-for-profit community organisations by providing a concession for utility charges. These concessions are set out in Council's Water Allocation and Sewerage Connection Concessions Policy.

**6.7 Revenue Statement - Concealed Water Leak Concession [s172(2)(a)(ii) Local Government Regulation 2012]**

This concession is made in accordance with sections 119, 120, 121 and 122 of the *Local Government Regulation 2012*.

Council will provide support to Property Owners that may be experiencing high water consumption on their property by providing a proactive program for the identification of high water consumption. Council will grant a concession for water consumption charges for high water consumption arising out of a concealed leak in accordance with Council's Concealed Water Leak Concession Policy, on the basis that Council considers that the payment of water charges in the circumstances outlined within the Concealed Water Leak Concession Policy will result in hardship to the land owner.

**6.8 Revenue Statement – Rating Financial Hardship Concession [s172(2)(a)(ii) Local Government Regulation 2012]**

This concession is made in accordance with sections 119, 120, 121 and 122 of the *Local Government Regulation 2012*.

Council will provide support to Property Owners that may be experiencing financial hardship who believe they are unable to meet a realistic payment arrangement for the rates and charges levied against a property.

Ratepayers experiencing financial hardship are encouraged to contact Council to discuss available options. Council's Rating Financial Hardship Concession Policy sets out the guidelines for the assessment of requests for rates and charges relief due to financial hardship.

**6.9 Revenue Statement – Payment**

**6.9.1 Due Date of Payment**

In accordance with section 118 of the *Local Government Regulation 2012*, the due date for payment of all rates and charges is sixty (60) days from the date of issue of the rate notice.

### **6.9.2 Payment by Instalments**

In accordance with section 129 of the *Local Government Regulation 2012*, ratepayers may choose to pay their complete annual rate account by equal monthly instalments subject to the following conditions:

- the rate discount for payment within sixty (60) days is forfeited;
- the amount of each instalment is to be calculated on the total amount of rates and charges for the full year;
- the ratepayer must select the instalments payment option by signing the prescribed form which will be included with each rate notice, and return it no later than sixty (60) days after the date of issue of the notice;
- should an instalment payment plan application not be received within sixty (60) days, interest charges will apply until the date of approval of the signed prescribed form;
- ratepayers may make application to include their six-monthly Water Consumption Notice (refer Section 6.9.3 below) in the payment plan within (60) days from the date of issue of the notice and the payment plan will be amended accordingly;
- no reminder notices for instalments will be issued;
- rate instalment payments are due on the 21<sup>st</sup> day of each month, with ratepayers being advised in writing when their first instalment payment is due;
- the maximum instalment payment frequency is to be six-monthly; however, optimally this frequency should not exceed monthly and advance payments on a weekly and fortnightly basis are accepted;
- no interest penalty will apply to those participating in the instalment scheme provided that all payments are made in accordance with the instalment schedule; and
- should an instalment not be received by the due date, the total amount outstanding will become due and payable, and the ratepayer will forfeit the right to participate in the scheme, and interest charges will apply from the day after the due date of the unpaid instalment.

### **6.9.3 Water Consumption Notice**

A separate notice for water consumption charges based on a six (6) month cycle and charged in accordance with 6.4.5 is payable in full within sixty (60) days from the date of issue of the notice.

### **6.9.4 Payment of Rates and Charges in Advance**

Council will accept payment in advance on account of rates and charges, in a lump sum or via part-payments. Council will not pay (or credit) interest on prepaid rates and charges.

## **6.10 Revenue Statement - Discount and Interest**

### **6.10.1 Discount**

In accordance with section 130 of the *Local Government Regulation 2012*, a discount of 10% will be permitted only if payment of all rates and charges is made in full within the discount period which concludes sixty (60) days after the date of issue of the rate notices.

The discount will be applied to the value of all rates and charges, excluding special rates and charges, the State Emergency Management Levy, water consumption charges, the Yarwun and

Curtis Island industrial sewerage, trade waste and wastewater charges, or any other charge for which Council specifically excludes the application of the discount.

**6.10.2 Interest on Arrears**

In accordance with section 133 of the *Local Government Regulation 2012*, any rates or charges remaining outstanding from the date on which they become overdue will thereafter bear interest at the rate of 8.03% per annum, compounding daily.

**6.11 Revenue Statement - Cost Recovery Fees [s172(1)(c) Local Government Regulation 2012]**

For section 172(1)(c) of the *Local Government Regulation 2012*, the criteria used to determine a cost recovery fee will be:

- recovering administrative costs, including the costs of:
  - accepting and receipting of money;
  - providing relevant documentation;
  - providing administrative support for all correspondence and advice, both written and oral including wages, building overheads, stationery, and information technology time;
- recovering the costs of inspecting completed and uncompleted works;
- recovering the costs of assessments and report-writing by Council staff; and
- recovering the costs of Council meeting time (including rent, councillor fees etc.).

Not all cost recovery fees are set at a level of full cost recovery. The difference between the full cost and the fee levied is called a Community Service Obligation (CSO). Some cost recovery fees are set at a level that encourages public access rather than full cost recovery.

**6.12 Revenue Statement - Business Activity Fees [s172(1)(d) Local Government Regulation 2012]**

Council conducts the following business activities on a commercial basis, and the following fees are received for services conducted in these businesses:

**Table 6:**

<b>Business Activity</b>	<b>Fees Received</b>
Waste Management	Disposal fees (landfill & transfer station); Waste Cleansing rates
Water, Sewerage and Wastewater	Water charges - availability fee (fixed cost component) - consumption fee Private works including new connections and meters Sewerage / Wastewater charges - annual charge

Depending on the commercial environment in which that business operates, Council has regard to the competitive neutrality principle and National Competition Policy and the following criteria in determining the amount of the above fees:

- Operating Costs;
- Borrowing Costs; and
- Return on Capital.

**7.0 ATTACHMENTS:**

Nil

**8.0 REVIEW MECHANISM:**

This policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Annually in preparation for budget adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	26 August 2008	08/483	
Amendment 1	30 June 2009	09/363	
Amendment 2	06 July 2010	10/212	
Amendment 3	05 July 2011	G/11/595	
Amendment 4	06 August 2012	S/12/1144	
Amendment 5	01 July 2013	S/13/1605	
Amendment 6	02 July 2014	G/14/2058	
Amendment 7	06 July 2015	S/15/2463	
Amendment 8	05 July 2016	S/16/2828	
Amendment 9	04 July 2017	S/17/3088	
Amendment 10	24 July 2018	S/18/3479	
Amendment 11	17 July 2019	S/19/3863	Formerly P-2018-14
Amendment 12	3 September 2019	G/19/3915	Amendment to discount period & instalment provisions
Amendment 13	07 July 2020	S/20/4225	Formerly P-2019-13
Amendment 14	15 June 2021	S/21/4518	Formerly P-2020-10

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**LEISA DOWLING**  
**CHIEF EXECUTIVE OFFICER**