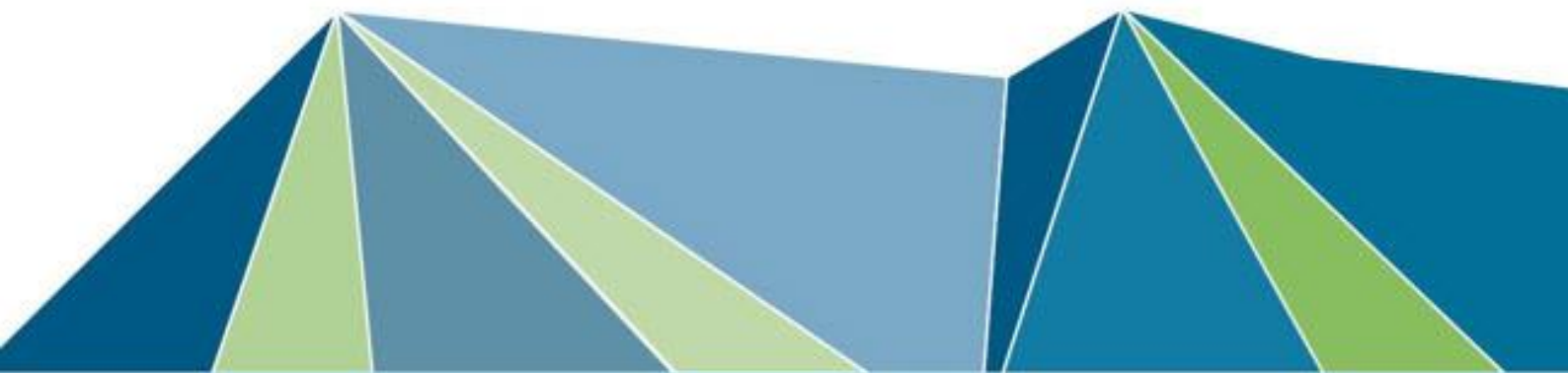


# **ATTACHMENTS TO**

## ***Finance and Facilities Committee Meeting Business Paper 13 March 2023***



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RICHMOND TWEED REGIONAL LIBRARY										
2023/24 MEMBER COUNCIL CONTRIBUTIONS										
DETAILS	TOTAL NET COSTS	BALLINA		BYRON		LISMORE		TWEED		TOTALS
		COSTS	SHARE	COSTS	SHARE	COSTS	SHARE	COSTS	SHARE	
<b>1) Branch Costs:</b>										
Salaries & Vehicle		\$1,008,700		\$1,009,000		\$1,131,600		\$1,424,000		
Total Branch Costs		\$1,008,700		\$1,009,000		\$1,131,600		\$1,424,000		\$4,573,300
2022/23 Comparison & % Change		\$948,400	6.36%	\$956,300	5.51%	\$1,050,500	7.72%	\$1,378,800	3.28%	
<b>2) Mobile Library Costs:</b>										
Salaries	\$135,500									
Vehicle Running	\$71,100									
Transfer to Reserve	\$30,000									
% service time	\$236,600	\$25,114	10.61%	\$46,263	19.55%	\$81,951	34.64%	\$83,273	35.20%	\$236,600
Fortnightly Hours of Service in each LGA			4.75		8.75		15.50		15.75	44.75
2022/23 Comparison & % Change		\$23,915	5.01%	\$44,053	5.02%	\$78,037	5.02%	\$79,296	5.01%	
<b>3) Resources Costs:</b>										
Library Resources - Branches		\$115,500		\$100,700		\$103,800		\$247,500		
Library Resources - Other	\$22,000									
Periodicals - Branches		\$8,400		\$8,600		\$9,600		\$11,200		
Periodicals - Other	\$3,000									
Library eResources - Branches		\$24,600		\$21,600		\$23,700		\$51,300		
Salaries - Acquisitions	\$231,400									
Salaries - Cataloguing	\$109,300									
Technical Aids	\$10,000									
Maintenance	\$37,000									
Licences and Fees	\$31,900									
% Population - ABS Population Estimates	\$444,600	\$240,877	20.78%	\$203,673	16.37%	\$223,502	19.43%	\$503,047	43.42%	\$1,171,100
2022/23 Comparison & % Change		\$218,843	10.07%	\$186,585	9.16%	\$211,616	5.62%	\$463,656	8.50%	
<b>4) Computer System Costs:</b>										
Executive Council - Salaries	\$238,400									
Hardware Maintenance & Consumables	\$90,600									
MFD & PC Leasing	\$160,000									
Software Maintenance	\$382,600									
Printing Equipment Expenses	\$32,200									
Telecommunication Costs & Charges	\$56,800									
% Terminals	\$960,600	\$201,696	21.00%	\$209,385	21.80%	\$216,453	22.53%	\$333,066	34.67%	\$960,600
No of Computer Hardware items in each LGA			39.89		41.41		42.81		65.88	190.00
2022/23 Comparison & % Change		\$171,858	17.36%	\$177,697	17.83%	\$171,298	26.36%	\$310,947	7.11%	
<b>5) Support Services Costs:</b>										
Salaries	\$1,004,500									
NSWPLA Membership Fees		\$1,600		\$1,600		\$1,600		\$2,400		
Net Other	-\$187,400									
% Population - ABS Population Estimates	\$817,100	\$171,374	20.78%	\$135,345	16.37%	\$160,393	19.43%	\$357,188	43.42%	\$824,300
2022/23 Comparison & % Change		\$161,689	6.0%	\$129,397	4.6%	\$152,531	5.2%	\$350,884	1.8%	
<b>6) Executive Council Costs:</b>										
Salaries	\$657,800									
Less: Included in 4) Computer System Costs	-\$238,400									
% Population - ABS Population Estimates	\$419,400	\$87,141	20.78%	\$68,648	16.37%	\$81,505	19.43%	\$182,105	43.42%	\$419,400
2022/23 Comparison & % Change		\$81,213	7.30%	\$64,831	5.89%	\$76,567	6.45%	\$176,888	2.95%	
<b>2023/24 MEMBER COUNCIL CONTRIBUTIONS</b>		<b>\$1,734,900</b>	<b>8.03%</b>	<b>\$1,672,300</b>	<b>7.27%</b>	<b>\$1,895,400</b>	<b>8.90%</b>	<b>\$2,882,700</b>	<b>4.43%</b>	<b>\$8,185,300</b>
POPULATION		47,410	20.78%	37,348	16.37%	44,343	19.43%	99,075	43.42%	228,176
PER CAPITA		\$36.59		\$44.78		\$42.74		\$29.10		
INCREASE IN CONTRIBUTION		\$129,000		\$113,400		\$154,900		\$122,200		\$519,500
<b>2022/23 COMPARISON</b>										
Council Contributions - Adopted Budget		\$1,605,900		\$1,558,900		\$1,740,500		\$2,760,500		\$7,665,800
Population		46,179	20.33%	36,864	16.23%	43,537	19.17%	100,580	44.28%	227,160
Per Capita Costs		\$34.78		\$42.29		\$39.98		\$27.45		\$33.75

NEWLOG (Long Term Financial Plan - 2018/19 to 2032/33)															
ACTUAL				BUDGET ITEMS	ESTIMATED										
2018/19	2019/20	2020/21	2021/22		2022/23	2023/24	%	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
				<b>OPERATING REVENUES</b>											
				<b>Fees and Charges</b>											
64,200	84,400	54,500	60,300	Fines	45,000	75,000	67	77,000	79,000	81,000	84,000	87,000	90,000	93,000	96,000
				<b>Contributions</b>											
194,600	200,400	205,400	210,600	Transport for NSW Contribution	222,000	228,000	3	234,000	240,000	246,000	253,000	260,000	267,000	274,000	281,000
				<b>Other Revenues</b>											
0	0	0	23,900	Profit on Sale of Assets	0	0	0	0	0	0	0	0	0	0	0
4,900	5,100	3,000	2,300	Interest on Investments	7,000	7,000	0	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
<b>263,700</b>	<b>289,900</b>	<b>262,900</b>	<b>297,100</b>	<b>Total Operating Revenues</b>	<b>274,000</b>	<b>310,000</b>	<b>13</b>	<b>318,000</b>	<b>326,000</b>	<b>334,000</b>	<b>344,000</b>	<b>354,000</b>	<b>364,000</b>	<b>374,000</b>	<b>384,000</b>
				<b>OPERATING EXPENSES</b>											
				<b>Employee Benefits and Oncosts</b>											
294,400	276,900	267,000	228,200	Salaries including Casual Contract Staff	253,000	300,000	19	308,000	316,000	324,000	332,000	340,000	349,000	358,000	367,000
20,700	21,800	22,300	23,800	Annual Leave	19,000	23,000	21	24,000	25,000	26,000	27,000	28,000	29,000	30,000	31,000
12,000	12,100	10,300	7,800	Other Leave	10,000	10,000	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
18,200	21,900	18,100	10,600	Sick Leave	10,000	15,000	50	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
13,300	35,900	10,900	23,100	Long Service Leave	10,000	10,000	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
5,000	5,600	5,600	5,300	Workers Compensation	5,000	5,000	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
24,000	23,500	18,800	20,100	Superannuation	27,000	23,000	(15)	24,000	25,000	26,000	27,000	28,000	29,000	30,000	31,000
<b>387,600</b>	<b>397,700</b>	<b>353,000</b>	<b>318,900</b>	<b>Sub Total</b>	<b>334,000</b>	<b>386,000</b>	<b>16</b>	<b>396,000</b>	<b>406,000</b>	<b>416,000</b>	<b>426,000</b>	<b>436,000</b>	<b>447,000</b>	<b>458,000</b>	<b>469,000</b>
				<b>Vehicles</b>											
32,700	24,800	24,500	26,200	Vehicle Running Costs	35,000	30,000	(14)	31,000	32,000	33,000	34,000	35,000	36,000	37,000	38,000
				<b>Non-cash Expenses</b>											
0	0	0	0	Loss on Sale of Plant	0	0	0	0	0	0	0	0	0	0	0
22,800	22,800	22,800	21,900	Depreciation	23,000	24,000	4	25,000	26,000	27,000	28,000	29,000	30,000	31,000	32,000
				<b>Other Expenses</b>											
73,000	45,000	50,000	53,000	Ballina Shire Council Overheads	53,000	58,000	9	59,000	60,000	62,000	64,000	66,000	68,000	70,000	72,000
12,700	10,000	16,700	12,500	Bad and Doubtful Debts	2,000	2,000	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
8,300	9,500	10,600	11,700	Insurance	10,000	15,000	50	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
0	0	0	14,800	Travel Costs	49,000	35,000	(29)	36,000	37,000	38,000	39,000	40,000	41,000	42,000	43,000
1,200	1,000	1,300	1,200	Telephone	1,000	1,000	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
700	1,100	0	1,200	Uniforms	2,000	2,000	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
8,800	5,600	0	0	Legal Costs	3,000	3,000	0	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
100	1,900	1,400	4,600	Sundry Expenses	2,000	2,000	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
1,500	1,400	0	0	State Conference	2,000	2,000	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
4,800	4,600	3,700	1,000	Maintenance of Scales	5,000	5,000	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
200	100	2,100	0	IPB Processing Fees	3,000	5,000	67	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
<b>111,300</b>	<b>80,200</b>	<b>85,800</b>	<b>100,000</b>	<b>Sub Total</b>	<b>132,000</b>	<b>130,000</b>	<b>(2)</b>	<b>132,000</b>	<b>134,000</b>	<b>137,000</b>	<b>140,000</b>	<b>143,000</b>	<b>146,000</b>	<b>149,000</b>	<b>152,000</b>
<b>554,400</b>	<b>525,500</b>	<b>486,100</b>	<b>467,000</b>	<b>Total Operating Expenses</b>	<b>524,000</b>	<b>570,000</b>	<b>9</b>	<b>584,000</b>	<b>598,000</b>	<b>613,000</b>	<b>628,000</b>	<b>643,000</b>	<b>659,000</b>	<b>675,000</b>	<b>691,000</b>
<b>(290,700)</b>	<b>(235,600)</b>	<b>(223,200)</b>	<b>(169,900)</b>	<b>Operating Result - Surplus / (Deficit)</b>	<b>(250,000)</b>	<b>(260,000)</b>	<b>4</b>	<b>(266,000)</b>	<b>(272,000)</b>	<b>(279,000)</b>	<b>(284,000)</b>	<b>(289,000)</b>	<b>(295,000)</b>	<b>(301,000)</b>	<b>(307,000)</b>
22,800	22,800	22,800	(2,000)	Add Back Depreciation / Profit or Loss	23,000	24,000	4	25,000	26,000	27,000	28,000	29,000	30,000	31,000	32,000
<b>(267,900)</b>	<b>(212,800)</b>	<b>(200,400)</b>	<b>(171,900)</b>	<b>Cash Result - Surplus / (Deficit)</b>	<b>(227,000)</b>	<b>(236,000)</b>	<b>4</b>	<b>(241,000)</b>	<b>(246,000)</b>	<b>(252,000)</b>	<b>(256,000)</b>	<b>(260,000)</b>	<b>(265,000)</b>	<b>(270,000)</b>	<b>(275,000)</b>
				<b>Equity - Retained Earnings</b>											
128,300	107,100	147,600	214,000	Opening Balance	329,800	372,800		435,800	581,800	651,800	724,800	983,800	1,068,800	1,248,800	1,343,800
<b>(290,700)</b>	<b>(235,600)</b>	<b>(223,200)</b>	<b>(169,900)</b>	Operating Result - Surplus / (Deficit)	<b>(250,000)</b>	<b>(260,000)</b>	<b>4</b>	<b>(266,000)</b>	<b>(272,000)</b>	<b>(279,000)</b>	<b>(284,000)</b>	<b>(289,000)</b>	<b>(295,000)</b>	<b>(301,000)</b>	<b>(307,000)</b>
269,500	276,100	289,600	285,700	Add Members Contributions	293,000	323,000	10	332,000	342,000	352,000	363,000	374,000	385,000	396,000	408,000
0	0	0	0	Vehicle and Other Capital Purchases	0	0		80,000	0	0	180,000	0	90,000	0	0
<b>(21,200)</b>	<b>40,500</b>	<b>66,400</b>	<b>115,800</b>	<b>Net Equity Movement</b>	<b>43,000</b>	<b>63,000</b>		<b>146,000</b>	<b>70,000</b>	<b>73,000</b>	<b>259,000</b>	<b>85,000</b>	<b>180,000</b>	<b>95,000</b>	<b>101,000</b>
<b>107,100</b>	<b>147,600</b>	<b>214,000</b>	<b>329,800</b>	<b>Retained Earnings - Closing Balance</b>	<b>372,800</b>	<b>435,800</b>		<b>581,800</b>	<b>651,800</b>	<b>724,800</b>	<b>983,800</b>	<b>1,068,800</b>	<b>1,248,800</b>	<b>1,343,800</b>	<b>1,444,800</b>
				<b>Net Current Assets (Working Capital and Liquidity)</b>											
38,500	40,100	103,400	192,600	Opening Balance	257,600	323,600		410,600	421,600	517,600	617,600	544,600	658,600	688,600	814,600
1,600	63,300	89,200	113,800	Net Cash Increase / (Decrease)	66,000	87,000		11,000	96,000	100,000	(73,000)	114,000	30,000	126,000	133,000
0	0	0	(48,800)	Non-cash Movements	0	0		0	0	0	0	0	0	0	0
<b>40,100</b>	<b>103,400</b>	<b>192,600</b>	<b>257,600</b>	<b>Net Current Assets - Closing Balance</b>	<b>323,600</b>	<b>410,600</b>		<b>421,600</b>	<b>517,600</b>	<b>617,600</b>	<b>544,600</b>	<b>658,600</b>	<b>688,600</b>	<b>814,600</b>	<b>947,600</b>

(DRAFT REVIEW)  
POLICY NAME: FINANCIAL ASSISTANCE (HARDSHIP)  
RATES AND CHARGES

POLICY REF: F08

MEETING ADOPTED: Resolution No.

POLICY HISTORY: 240119/19; 141217/22; 261115/20;  
220911/19; 230311/23; 260804/052



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### OBJECTIVE

To provide financial assistance to ratepayers who are experiencing genuine and significant financial difficulties in paying their rates and charges.

To provide a decision making framework for the consistent and equitable determination of all financial hardship applications.

### POLICY

Any ratepayer who cannot pay their rates and charges due to genuine financial hardship can apply to Council for assistance.

Rates and charges are deemed to consist of those rates and charges listed on a ratepayer's Rates and Charges Notice.

Each individual case will be considered on its merits.

To be eligible for consideration of hardship rate relief, a ratepayer must complete the Hardship Rate Relief Application Form (those applying for a periodical payment arrangement are not required to complete a Hardship Rate Relief Application Form).

The Hardship Rate Relief Application Form is available for download on Council's website [ballina.nsw.gov.au](http://ballina.nsw.gov.au)

The completed form is to be returned to Council including details of income, expenditure, assets, liabilities, and such other information required for the Council to make an informed decision.

The criteria for assessment will include, but not be limited to the following:

- The applicant must be the owner of the property and must be liable for the payment of rates and charges on the property.
- The property for which the hardship application is made must be the applicant/s principal place of residence.
- The applicant must not own any other property either within or outside the Council area.
- The property must be categorised residential or farmland for rating purposes.
- The Hardship Rate Relief Application must be accompanied with supporting documentation which may include, but is not limited to:
  - Details of income and expenditure, assets and liabilities.
  - Copies of most recent bank statements.
  - A letter supporting the application outlining the reason for applying for financial hardship and the period of time for which the hardship relief ~~sought~~ may apply.

All applications for hardship rate relief will be assessed by an internal Hardship Committee. The Hardship Committee will consist of three Council officers appointed by the General Manager.

The Hardship Committee is to make recommendations to the General Manager for approval of payment terms exceeding 24 months or **interest** write-offs less than \$1,000.

The Hardship Committee, through the General Manager, is to make recommendations to Council for **interest** write-offs greater than \$1,000 or other assistance as considered appropriate under extenuating circumstances.

The hardship assistance provisions offered are as follows:

### 1. **Periodical Payment Arrangements – Section 564**

Council may enter into payment arrangements with ratepayers who may not meet the criteria outlined in this policy, but are still facing financial difficulties in meeting their normal instalment payments as provided by the LGA.

Authorised Council staff can accept over the phone payment arrangements for weekly, fortnightly or monthly payments that are within a 24 month timeframe. Any requests for periodical payment arrangements greater than 24 months need to be authorised by the General Manager.

Such agreements will continue to be subject to interest charges as per the interest rate for overdue rates and charges detailed in Council's Fees and Charges.

**Debt recovery action will be deferred whilst the agreed payment arrangement is adhered to.**

**If the applicant does not adhere to the payment arrangement, the agreement may be cancelled, and the full amount will become due and payable immediately. Recovery action will recommence in accordance with Council's Rates and Charges Debt Recovery Policy.**

### 2. **Interest Free Period— Section 564 and 567**

Under Sections 564 and 567 of the LGA, Council may write off accrued interest charges payable by a ratepayer where if, in its opinion, payment of accrued interest would cause the person hardship.

**This assistance does not apply to rates and charges levied, but rather the interest accrued on their rates and charges.**

Eligibility for such assistance is to be based on the criteria stated in this policy and the completion of Council's Hardship Rate Relief Application.

If eligible, council may grant an interest free period if the full amount owing (including current rates and charges) is finalised by direct debit arrangement within 12 to ~~36~~ **24** months of the application. The interest free period will apply from the date of approval. **Any requests exceeding 24 months need to be authorised by the General Manager.**

### 3. **Deferral of the general rate following a revaluation – Section 601**

**A ratepayer who is required to pay a higher ordinary rate due to an increase in land value following a revaluation may apply to Council for relief. The ratepayer must demonstrate that the rate increase has caused them to experience significant financial hardship.**

Council may defer payment of the whole of the increase of the ordinary rate due, to the following rating year.

This is subject to one quarter of the amount of the increase being added to each instalment due in the following rating year. Interest is not charged on the deferred

amount, unless it remains unpaid when the following rate instalment it was added to, becomes overdue.

Eligibility for such assistance is to be based on the criteria stated in this policy and the completion of Council's Hardship Rate Relief Application. The additional criteria used to determine eligibility is as follows:

- The percentage increase in land value must be greater than the residential shire wide average increase.

This option is only available in the first year that new land values are used to levy rates.

#### 4. Other Ratepayer Assistance

In addition to the above, Council may determine other applications for assistance which are to be submitted to Council on an individual basis for consideration.

#### 5. Cancellation of Hardship Assistance

Hardship assistance may be cancelled as a result of the following:

- Defaulting on a payment arrangement
- The ratepayer no longer owns the land
- The ratepayer advises Council that financial hardship no longer applies
- Council receives information that the financial hardship no longer exists.

Such cancellation will be at the discretion of the General Manager.

### BACKGROUND

Council recognises that, at times, certain ratepayers may have difficulty in paying their rates and charges. This policy outlines the options Council will provide to cases of genuine financial hardship and also the process to be followed in providing such assistance.

The Local Government Act, 1993, (LGA) allows Council to provide assistance to ratepayers under the following sections of the Act.

- a) **Section 564** of the LGA provides Council with the option to accept payment of rates and charges due and payable by a person in accordance with a periodical payment arrangement and to write off or reduce interest accrued on rates and charges if the person complies with the agreement.
- b) **Section 567** of the LGA provides for Council to write off accrued interest on rates and charges payable by a ratepayer if, in Council's opinion the reasons that the ratepayer was unable to pay the rates and charges when they became payable were beyond the ratepayer's control, or; that the ratepayer is unable to pay the accrued interest for reasons beyond that ratepayer's control, or; that the payment of the accrued interest would cause the ratepayer hardship.
- c) **Section 601** of the LGA provides for ratepayers who incur a rate increase in the first year following a General Revaluation of land values to apply to Council for rate relief if the increase in the amount of rates payable will cause them substantial financial hardship.



## 5.3 Policy (Review) - Financial Assistance (Hardship) - Rates and Charges

Ballina Shire Council

(DRAFT REVIEW) Financial Assistance (Hardship) - Rates and Charges

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### **DEFINITIONS**

#### **Financial Hardship:**

- When a ratepayer is willing but unable to pay their rates and charges on time due to unexpected events (e.g. serious injury or illness, spouse bereavement, natural disasters) or unforeseen changes (e.g. unemployment, significant income variations, family separation) that impacts their cash flow.

### **SCOPE OF POLICY**

This policy applies to:

- Ratepayers of Ballina Shire

### **RELATED DOCUMENTATION**

Related documents, policies and legislation:

- Local Government Act 1993
- Rates and Charges Debt Recovery Policy
- Hardship Rate Relief Application Form
- Fees and Charges

### **REVIEW**

This policy is to be reviewed every four years.

**POLICY NAME:** RATES AND CHARGES - DEBT RECOVERY POLICY  
**POLICY REF:** R05  
**MEETING ADOPTED:**  
**POLICY HISTORY:** 141217/22, 281021/24



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### OBJECTIVE

To establish guidelines for the efficient and effective collection of outstanding rates and charges.

To fulfil the statutory requirements of the Local Government Act, 1993, (LGA) in relation to the recovery of outstanding rates and charges.

To ensure the integrity and confidentiality of proceedings for the debtor and Council.

### POLICY

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay their rates and charges when they become due and payable to Council.

~~It is not Council's intention to cause hardship to any ratepayer through our debt recovery procedures and consideration will be given to acceptable arrangements to clear the debt where possible.~~

It is also acknowledged that, at times, ratepayers may suffer hardship and have difficulty meeting their financial obligations and consideration will be given to acceptable arrangements to clear the debt where possible.

This Policy establishes the framework for recovery action of all amounts due to Council and options available for extending repayment of rates in times of hardship.

~~It also provides the process for debt recovery to ensure the prompt recovery of all amounts due to Council.~~

#### 1. Issue of Rates and Charges Notices

Rates and charges notices are issued at least 30 days prior to the due date in accordance with Section 562 of the LGA.

Rates are payable in full on 31 August or by quarterly instalments. Quarterly Instalments are due on the following dates each year:

31 August  
30 November  
28 February  
31 May

The rate of interest that may be charged is set by the Minister under section 566 of the LGA.

Council provides essential services, and it is critical that Council remains financially viable and able to provide those services.

A penalty interest rate encourages a council to ensure that rates are paid in a timely manner and prioritised by ratepayers.

In accordance with section 562 of the LGA rates and charges fall due on August 31 which is 1 month after the date of issue. Ratepayers may choose to pay rates by four equal instalments with the final payment being due May 31.

If the amount due is not paid by the agreed date all rates and charges outstanding become immediately due and payable. Interest will accrue on a daily basis on outstanding rates and charges from 31 August. i.e.; the interest charge is backdated if any of the instalments are paid late.

### **2. Interest on Overdue Rates and Charges**

Interest is charged on overdue rates and charges in accordance with Council's adopted Fees and Charges, or as otherwise resolved by Council.

Interest is not charged on legal costs. However, if legal costs are incurred, payments are allocated to legal costs as the first priority for repayment.

Section 564 and 567 of the LGA allows Council to provide assistance to ratepayers by writing off accrued interest charges. All applications for this assistance must be made in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

### **3. Issue of Overdue Reminder Notices**

A rates reminder letter will be issued within 14 days after the due date of an instalment to those ratepayers who have an outstanding balance greater than ~~\$250~~ \$500 and have not made a previous satisfactory payment arrangement with Council.

The reminder gives the ratepayer the balance outstanding and the option of paying the debt off by means of a periodical payment arrangement.

The reminder letter will request payment within 14 days from the posting date of the letter.

If a reminder letter does not result in payment in full or a suitable payment arrangement, the debt will be forwarded to Council's debt collection agency for the issue of a letter of demand.

### **4. Payment Arrangements**

Arrangements may be entered into with all ratepayers in accordance with Section 564 of the LGA.

It is Council's intention to have a maximum period of 24 months for which debts may be paid under a suitable arrangement, including current levies and interest during the period of the arrangement.

Any requests for arrangement periods that exceed 24 months must be in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Requests for payment arrangements or extensions can be made over the phone with authorised Council staff or in writing. Payments can be made either weekly, fortnightly, monthly or by other suitable arrangements.

Interest will continue to accrue on overdue rates and charges during the period of arrangements.

Any requests for the waiving or writing off of interest charges under Section 564 or Section 567 of the LGA must be made in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Recovery action by Council will be deferred whilst the agreed payment arrangement is adhered to.

### **5. Broken Arrangements**

Where a ratepayer fails to adhere to an agreement, Council will advise the ratepayer in writing or by phone that the agreement has defaulted and recovery action will commence or be continued unless the arrangement is brought up to date within seven days from the date of advice.

If legal action has been suspended due to the ratepayer entering into a payment arrangement and the agreement has not been met by the ratepayer, the legal action will be reactivated at the level when the suspension took place.

If a ratepayer has a history of broken arrangements, Council may refuse any requests for further payment agreements and demand payment in full.

### **6. Dishonoured Direct Debit Payments**

Where a ratepayer has entered into a direct debit arrangement with Council to reduce their arrears and a payment is dishonoured without prior notification, Council will advise the ratepayer in writing or by phone of the dishonour and recovery action will commence or be continued unless the arrangement is brought up to date within seven days from the date of advice.

If direct debit payments are dishonoured on multiple occasions Council may cancel the direct debit agreement and will notify the ratepayer in writing.

If legal action has been suspended due to the ratepayer entering into a direct debit arrangement and the agreement has not been met by the ratepayer, the legal action will be reactivated at the level when the suspension took place.

### **7. Legal Action**

If Council receives no response from the debtor after the due date of the reminder letter or the debtor defaults on a payment arrangement, Council may initiate legal action.

Any outstanding debts with a balance greater than \$~~1,000~~ \$2,000 will be forwarded to Council's debt collection agency for commencement of legal proceedings.

Legal action will be initiated with a Letter of Demand being sent by Council's debt collection agency to the debtor, giving them 14 days to make payment in full or enter into an acceptable payment arrangement.

If full payment is not received or a suitable payment arrangement entered into, a Statement of Claim will be issued for the arrears as at the date of issue and served.

~~Following expiration of the statutory period, to protect Council's interest in the matter and all available actions to recover the amount outstanding, if the debt is not cleared, a Notice of Motion Default Judgment for liquidated claim will be lodged.~~

If the debt is not cleared following the expiration of the Statement of Claims statutory period, a Notice of Motion Default Judgment for liquidated claim will be lodged.

Thereafter, recovery actions that will be considered include, but are not limited to:

- A garnishee of income (bank/wages/rent)
- Writ of Execution
- Examination Summons
- Statutory Demand
- Sale of Land for unpaid rates in accordance with Section 713 of the LGA.

Recovery action is not limited to the above methods. Each account will be individually assessed to determine the appropriate and most efficient method of recovery action.

Payment arrangements may still be accepted up to the point of a Statement of Liquidated Claim, thereafter all arrangement requests will be assessed individually and may require the signing of a Consent Order.

All legal costs and expenses incurred in recovering outstanding rates and charges shall be charged against the property in accordance with Section 605 of the LGA.

In accordance with Section 459 of the Corporations Act 2001, where the ratepayer is a company and has been served with a Statutory Demand and the ratepayer has not complied within the 21 day period, Council has the right to commence proceedings to have the debtor company wound up and a liquidator appointed.

All debts regarding the issue of a creditors' statutory demand must exceed the sum of \$2,000.

### **8. Sale of Land for Unpaid Rates and Charges**

In accordance with Section 713 (2) of the LGA, Council may sell any land on which any rate or charge has remained unpaid for more than five years from the date on which it became payable.

Where any rate or charge remains unpaid on vacant land for more than one year, Council may proceed to sell the land if the total amount of unpaid rates or charges on the land exceeds the Valuer General's current valuation of the property.

If legal recovery attempts prove unsuccessful and a ratepayer falls into one of the above categories, a letter will be written to the ratepayer advising them that Council will consider sale of land due to unpaid rates and charges. The letter will be a final attempt to give the ratepayer an opportunity to enter into a suitable payment plan prior to a report to Council to consider the sale of land.

If a ratepayer does not respond to Council's final letter, in a satisfactory manner, a report shall be provided to Council.

The report will include a General Manager's Certificate certifying the following:

- What rates and charges are payable on the land
- When each rate was levied
- When each rate became due

## 5.4 Policy (Review) - Rates and Charges - Debt Recovery

- What rates and charges are overdue.

The report will also provide a detailed history of the circumstances of each case together with a recommendation in relation to the possible sale of the land to recover the overdue rates and charges.

### **BACKGROUND**

This Policy has been developed to ensure a consistent approach in the recovery of outstanding rates and charges is applied across the organisation and to ensure ratepayers are aware of the debt recovery practices followed by Council.

### **DEFINITION**

**Ratepayer:** Person, persons or entity responsible for payment of the rates and / or charges levied on a property.

### **SCOPE OF POLICY**

This policy applies to:

- Ratepayers of Ballina Shire
- Council employees
- Councillors

### **RELATED DOCUMENTATION**

Related documents, policies and legislation:

- Local Government Act 1993
- Financial Assistance (Hardship) – Rates and Charges Policy
- Hardship Rate Relief Application Form
- Fees and Charges

### **REVIEW**

This policy is to be reviewed every four years.





## 5.6 Waste Operations - Long Term Financial Plan

Fee Name	Pricing Policy	2022/2023	GST Y/N	2023/24	GL Code
<b>Waste Management</b>					
<b>Waste Management Fees &amp; Charges</b>					
<b>100% Sorted Recyclables</b> <i>(Paper, cardboard, glass/plastic bottles, steel/aluminium cans) Minimum weight charge 20kg.</i>					
Domestic - weighed \$/tonne.	B	\$100.00	Y	\$104.00	W657.0352.0101
Commercial - weighed \$/tonne.	B	\$266.00	Y	\$287.00	W657.0352.0101
<b>General Mixed Waste</b> <i>(No liquids - includes putrescible, builders and bulky waste). Minimum weight charge 20kg.</i>					
Domestic - weighed \$/tonne.	B	\$254.00	Y	\$275.00	W657.0352.0101
Commercial - weighed \$/tonne.	B	\$298.00	Y	\$332.00	W657.0352.0101
<b>100% Green Waste</b> <i>(Grass clippings, garden waste, tree lopping &lt;300mm diameter, no soil and no treated timber) Any green waste mixed with other material will be charged non sorted mixed waste fee. Minimum weight charge 20kg.</i>					
Sorted - weighed \$/tonne.	B	\$76.00	Y	\$79.00	W657.0352.0101
<b>Sorted Wood, Trees or Tree Stumps</b> <i>(Tree stumps diameter &gt;300mm thick includes mixed with green waste, no soil and no treated timber). Any green waste mixed with other material will be charged non sorted mixed waste fee. Minimum weight charge 20kg.</i>					
Sorted - weighed \$/tonne.	B	\$120.00	Y	\$129.00	W657.0352.0101
<b>100% Sorted Scrap Metal</b> <i>(Includes car bodies and white goods). Minimum weight charge 20kg.</i>					
Sorted - weighed \$/tonne.	B	\$0.00	Y	\$0.00	W657.0352.0101
<b>100% Sorted Brick and Concrete</b> <i>(Clean concrete, bricks and rock, no soil. Penalties will be imposed for material containing asbestos). Minimum weight charge 20kg.</i>					
Sorted - weighed \$/tonne.	B	\$186.00	Y	\$200.00	W657.0352.0101
<b>100% Sorted Roof Tiles and Ceramics</b> <i>(Clean, loose tiles only, no bathroom tiles with backing board. Penalties will be imposed for material containing asbestos). Minimum weight charge 20kg.</i>					
Sorted - weighed \$/tonne.	B	\$186.00	Y	\$200.00	W657.0352.0101
<b>DWM Kerbside Co-mingled Recyclables</b>					
Internal Charge for Co-mingled Recyclables Collected at the Kerbside.	B	\$181.00	Y	\$333.00	W657.0352.0101
<b>DWM Kerbside Putrescible Waste</b>					
Internal Charge for Domestic Waste Collected at the Kerbside.	B	\$211.00	Y	\$223.00	W657.0352.0101
<b>Bulk Commercial Waste &amp; Recycling Loads</b>					
Waste Services is a Commercial Enterprise and Council Reserves the Right to Negotiate Gate Fees with Individual Persons or Organisations where there is a Commercial Benefit to Council.	B	POA	Y	POA	W657.0352.0101
<b>Virgin Excavated Natural Material (VENM)</b> <i>(Must be pre-booked at least 24 hours in advance and have all certification and test results). Minimum weight charge 20kg.</i>					
All vehicles - weighed \$/tonne.	B	POA	Y	POA	W657.0352.0101
<b>Soil (not contaminated or VENM)</b> <i>(Must be pre-booked at least 24 hours in advance and have testing results to comply with the Waste Guidelines. Soil only. No boulders, tree stumps). Minimum weight charge 20kg.</i>					
All vehicles - weighed \$/tonne.	B	POA	Y	POA	W657.0352.0101

## 5.6 Waste Operations - Long Term Financial Plan

Fee Name	Pricing Policy	2022/2023	GST Y/N	2023/24	GL Code
<b>Contaminated Soil</b>					
<i>(Soil with no testing results that hasn't been pre-booked. Soil mixed with other material. Penalties will be imposed for material containing asbestos). Minimum weight charge 20kg.</i>					
All vehicles - weighed \$/tonne.	B	\$298.00	Y	\$332.00	W657.0352.0101
<b>Specific Waste Charge</b>					
<b>Asbestos Waste</b>					
<i>The Householders Asbestos Disposal Scheme seeks to improve work health and safety for the safe removal and disposal of bonded asbestos. Ballina Shire Council is subsidising the cost of the kits which will be made available at the Waste Centre.</i>					
Household asbestos sample test kit.	B	No charge	Y	No charge	W657.0352.0101
Household Asbestos Kit.	C	\$30.00	Y	\$30.00	W657.0361.0101
<b>Tyres</b>					
Car, motor bike (/tyre).	B	\$10.00	Y	\$10.00	W657.0352.0101
4 x 4 Light truck (/tyre).	B	\$15.00	Y	\$15.00	W657.0352.0101
Truck (/tyre).	B	\$35.00	Y	\$35.00	W657.0352.0101
Car, motor bike (/tyre with rim).	B	\$15.00	Y	\$15.00	W657.0352.0101
4 x 4 Light truck (/tyre with rim).	B	\$25.00	Y	\$25.00	W657.0352.0101
Truck (/tyre with rim).	B	\$50.00	Y	\$50.00	W657.0352.0101
Other (/tyre).	B	POA	Y	POA	W657.0352.0101
<b>Refrigerators/Air Conditioners</b>					
(No degas certificate) (/item).	B	\$30.00	Y	\$35.00	W657.0352.0101
<b>Dead Animals</b>					
<i>Minimum weight charge 20kg.</i>					
Dead animal(s) - weighed \$/tonne.	B	\$298.00	Y	\$332.00	W657.0352.0101
<b>Special Event or Special Services Charge</b>					
<i>Price available upon application to the Waste Management Centre. Prices reviewed as market rates and operating costs change.</i>					
Special Event or Special Services Charge.	B	POA	Y	POA	W657.0352.0101
<b>Weighbridge Certificate - For Registration Purposes Only</b>					
<i>Single weighing requiring certificate (includes account customers). Please note - this facility is not a public weighbridge.</i>					
Weighbridge Certificate.	B	\$39.00	Y	\$40.00	W657.0352.0101
<b>Mulch</b>					
Large quantities of mulch - price reviewed to meet demand and operational needs.	C	POA	Y	POA	W657.0352.0101
<b>Crushed concrete sale per tonne</b>					
Crushed concrete sale per tonne.	B	POA	Y	POA	W657.0352.0101



































