

RATES RESOLUTION

That in accordance with the provisions of the *Local Government Act 1993*, Council adopts the rates and charges for the period 1 July 2022 to 30 June 2023 in accordance with the resolutions which follow.

1. General Rate:

- 1.1 Pursuant to Section 90 of the *Local Government Act 1993*, Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the Municipal area of Break O'Day for the period commencing 1 July 2022 and ending 30 June 2023, namely a rate of 6.35200 cents in the dollar on the assessed annual value (as adjusted) of the land.
- 1.2 Pursuant to Section 90(4) of the *Local Government Act 1993*, Council sets a minimum amount payable in respect of the general rate of \$589.30.
- 1.3 Pursuant to Section 107(1)(a) of the *Local Government Act 1993*, Council declares by absolute majority, that the general rate is varied as follows:
 - (a) for land which has the defined use, of primary production forestry, in accordance with the list provided by the Valuer General, a varied general rate of 10.77017 cents in the dollar of the assessed annual value (as adjusted) of the land
 - (b) for land which has the defined use, of commercial, in accordance with the list provided by the Valuer General, a varied general rate of 7.831 cents in the dollar of the assessed annual value (as adjusted) of the land
 - (c) for land which has the defined use, of primary production, in accordance with the list provided by the Valuer General, a varied general rate of 5.41940 cents in the dollar of the assessed annual value (as adjusted) of the land

2. Service Charges:

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Break O'Day (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2022 and ending on the 30 June 2023, namely:

2.1 Waste Management:

Service charges for different waste management services as follows;

2.1.1 Waste Infrastructure

For the making available of waste management services to all land within the municipal area comprising waste disposal areas, waste transfer stations and related waste management facilities, \$226.00.

2.1.2 Waste Collection Services

- (a) for making available the service of a 140 litre mobile waste bin collection within each collection area, \$100.00 per bin; and
- (b) for each additional 140 litre mobile waste bin collection within each collection area, \$100.00 per bin.
- (c) for making available the service of a 240 litre mobile waste bin collection within each collection area, \$164.00 per bin; and
- (d) for each additional 240 litre mobile waste bin collection within each collection area, \$164.00 per bin
- (e) for making available the service of a 240 litre mobile recycling collection within each collection area, \$103.00 per bin; and
- (f) for each additional 240 litre mobile recycling collection within each collection area, \$103.00 per bin.

2.1.3 Waste Collection Services – Exceptions

Pursuant to Section 94(3) Council declares, by absolute majority, that the service charges for waste management are each varied within the municipal area according to each of the following factors;

- (a) where land is within a collection area pursuant to sub-paragraph 2.1.2(a), (c) or (e) but is vacant and is not used for any purpose, vary the collection service charge to nil;
- (b) where improved land is within a collection area pursuant to sub-paragraph 2.1.2(a), (c) or (e) but either of the following two conditions apply:
 - (i) the capital value is \$3,000 or less above the land value; or
 - (ii) is considered to not be habitable;vary the collection service charge to nil;
- (c) where land to which sub-paragraphs 2.1.2 (a), (c) or (e) apply is used as a sporting or recreational facility and is a jetty, boat shed, boat ramp or slipway, vary the service charges to nil.

2.2 Fire Protection (fire service contribution):

Pursuant to Section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the fire service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the Municipal area as follows:

| <i>District</i> | <i>Cents in the Dollar of AAV</i> |
|-----------------------------------|-----------------------------------|
| Volunteer brigade rating district | .3692080 |
| General land | .2264350 |

Pursuant to Section 93(3) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of this service rate of \$44.00.

3. Separate Land:

For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the Valuation of Land Act 2001.

4. Adjusted Values:

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

5. Instalment Payment:

Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- (a) decides that all rates are payable by all rate payers by four (4) instalments which must be of approximately equal amounts.
- (b) determines that the dates by which instalments are to be paid shall be as follows:
 - (i) The first instalment on or before 6 September 2022;
 - (ii) The second instalment on or before 8 November 2022;
 - (iii) The third instalment on or before 7 February 2023; and
 - (iv) The fourth instalment on or before 2 May 2023.
- (c) where a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the full amount owing becomes due and payable in accordance with Section 124 (5) of the *Local Government Act 1993*.

6. Discount:

Pursuant to Section 130 of the *Local Government Act 1993* Council offers to all of the ratepayers who are liable to pay rates and charges, a discount of 2% of the rates and charges if they are paid, and received by Council, by one payment on or before 6 September 2022.

7. Penalty and Interest:

Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid, and received by Council, on or before the date it falls due then:

- (a) there is payable a penalty of 6% of the unpaid rate or instalment; and
- (b) there is payable a daily interest charge of 0.0222740% (8.13% per annum) in respect of the unpaid rate or instalment for the period during which it is unpaid.

8. Words and Expressions:

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

John Brown
General Manager