



# Report

New Separate Rate 2020 - 2025

[NORTH BEACH SAND DRIFT STRATEGY]

*lifestyle location of choice*

## INDEX

<b>SEPARATE RATE – NORTH BEACH SAND DRIFT STRATEGY</b>	<b>3</b>
<b>1. Introduction</b>	<b>3</b>
<b>2. Background / Proposal</b>	<b>4</b>
<b>3. Rate Structure</b>	<b>6</b>
<b>4. Local Government Act 1999 – Separate Rate</b>	<b>7</b>
<b>5. Rates Policy (taken from 2019/20 Annual Business Plan)</b>	<b>8</b>
<b>Attachments</b>	<b>20</b>
- Appendix 1 - Map outlining properties that will benefit from the proposal	
- Appendix 2 - Calculated cost allocation to individual properties	

# Separate Rate – Implementation of the North Beach Sand Drift Strategy

## 1. Introduction

The Council has been requested to introduce, in the 20/21 financial year, a new *Separate Rate* for 43 residential properties located along the western boundary of Otago Road, North Beach and the property on Lot 11, located to the immediate south of the North Beach Tourist Park (see attached as *Appendix 1*), for five (5) years to fund the implementation of a sand drift strategy.

Tenders were called from nine consultants and five submissions were received that were assessed in close consultation with the *Coast Protection Board (CPB)*. The company *Succession Ecology* was selected for the implementation of the strategy at a cost of \$313,870. The cost of the implementation will be carried over three financial years whilst the *Separate Rate* is proposed to be implemented over five financial years (2020/2021 to 2024/2025). This report proposes that only 50% of the calculated cost attributable to the individual properties actually be allocated to the properties that will have a direct benefit from the strategy when implemented. This means that only 50% of the actual estimated cost is used in the allocation to the individual properties (including the council owned North Beach Tourist Park (NBTP) and public car park identified on the Map (refer to *Appendix 1*)). The costs allocated to the public car park and the NBTP plus the 50% of the total costs allocated to Council means that the private land owners contribute less than 34% of the total cost of the project. Council was successful in obtaining \$52,000 grant money from the *CPB* for the implementation of the strategy. The balance will be funded by Council and hopefully additional grant funding.

The underlying basis for the allocation of costs is the following:

- a) The Land Management Agreement (LMA) registered on title of the privately owned properties identified on the Map (refer to *Appendix 1*) requires land owners to take responsibility for any potential risks posed to the properties as a result of the vulnerable location.
- b) Managing the sand drift problem effectively holds a benefit for the wider community of the Copper Coast as well as the local tourism industry and therefore Council resolved to fund 50% of the total project cost through general rate revenue. If available, further grant applications will be made to offset some of the costs.
- c) The costs allocated to individual properties is based on the width of the properties facing the coast. This means the wider the property, the greater the benefit received from this project and hence a higher contribution to the implementation cost (cost is calculated per linear metre). The actual cost per linear metre is \$297.67 but based on Council's decision to "subsidise" the costs by 50% only \$148.83 per linear metre per property is charged.
- d) In accordance with the *Development Regulations 2008*, Council's involvement makes it possible that the need for a Development Application can be waived upon successful application to the *CPB*. This is another cost saving for the private land owners who

otherwise would have had to engage the services of consultants to carry out a sand drift study as required by the CPB and prepare the documentation for a Development Application.

- e) As the owner of the NBTP and as the custodian of public infrastructure, the costs calculated to be attributed to the NBTP and the public car park (see *Appendix 1* and *Appendix 2*) will be carried by Council.
- f) Any grant funding that has been received or that may be received during the implementation of the proposal will be offset against the 50% overall contribution made by Council. This is justified to cover in part Council Officers' time allocated to the project and Council's contribution to the original study (it is acknowledged that the Wallaroo Beach Home Owners Association also made a cash contribution to the study).

## 2. Background / Proposal

Over recent years a large build-up of sand has formed along the coastal frontage of Otago Road, North Beach, Wallaroo resulting in the inundation of some properties with sand and causing significant impact on the amenity of North Beach in general.

The LMA registered on title of the privately owned properties along Otago Road identified on the Map (refer to *Appendix 1*) requires land owners to take responsibility for any potential risks posed to the properties as a result of the vulnerable location. For this reason the owners were expected to resolve the problem themselves, whilst Council accepted responsibility for maintenance work in front of the NBTP and the public car park shown on *Appendix 1*. There were, however, still some owners who had an expectation that Council should "fix" the problem.

LMA requires private property owners to take responsibility to protect their properties.

Council adopted a draft policy for sand works.

To ensure consistency in works carried out on the beach in front of the properties and also to provide guidance to the individual land owners, Council adopted a draft policy in December 2017 titled "*Otago Road Sand Drift Policy*".

This draft Policy was publicly advertised and also referred to the CPB for comment.

As part of the public consultation process for the *Otago Road Sand Drift Policy* a public meeting was held on 23 January 2018. Due to the differences of opinion at the meeting, it was agreed that a *Sand Drift Study Committee*, consisting of the *Wallaroo Beach Home Owners Association (WBHOA)*, be established to represent the home owners along Otago Road.

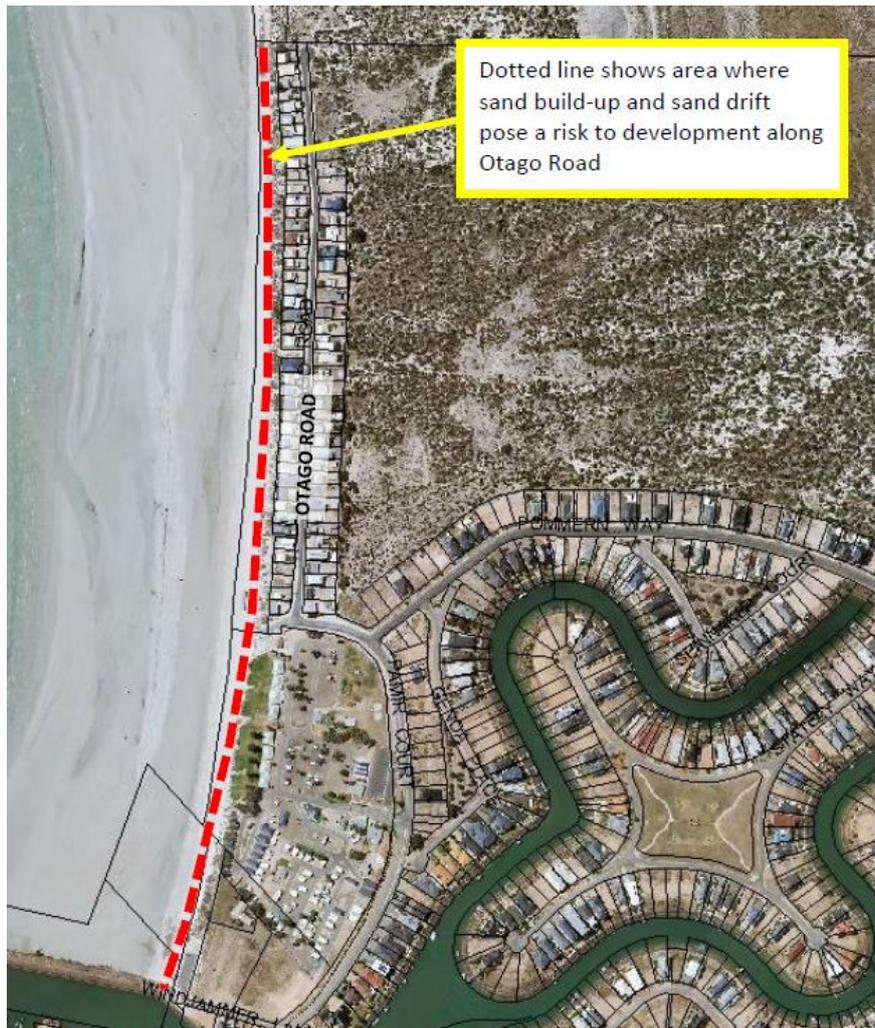
Upon referral however, CPB advised that the Policy could not be supported unless a study was undertaken by suitably qualified coastal experts to investigate and advise what measures should be implemented to manage the sand drift problem. The study was intended to formulate a sand drift strategy which would then to replace the draft Policy adopted by

Coast Protection Board required a formal study to be undertaken by suitably qualified experts.

Council was approached by residents to resolve the sand drift problem.

Council. At this stage, a decision was made that it would be beneficial for all stakeholders if Council takes control of the process to ensure a unified approach in resolving the sand management along the entire beach.

A Victorian based company, *Water Technology*, was engaged in accordance with Council's *Procurement Policy* to conduct the study. The study covered an area from the Wallaroo Marina northern breakwater northwards to a point in line with the end of Otago Road (refer to *Figure 1*). The study with recommendations to manage the sand drift was finalised and supported by the CPB and Council in 2019.



**Figure 1:** Study area (shown by red dotted line) for the coastal study for the Otago Road Sand Drift Policy

Council was successful in obtaining \$52,000 grant funding from the CPB to assist with the implementation of the strategy. At the time when the study was concluded, it was estimated that the implementation of the recommended works would cost around \$130,000.

No provision was made on Council's budget to fund either the study or the implementation of the strategy.

In accordance with Council's *Procurement Policy* a *Request for Quotation* was sent out to nine selected companies and after careful consideration and

consultation with the *CPB, Succession Ecology* was engaged at a cost of \$313,870 for the implementation of the strategy.

### 3. Rate Structure

The proposal is to apply an additional charge in the form of a *Separate Rate* to 43 residential properties located along the western boundary of Otago Road, North Beach and the privately owned property on Lot 11, located to the immediate south of the North Beach Tourist Park (see Map, *Appendix 1*), for five (5) years to fund the implementation of the sand drift strategy.

As the *Separate Rate* is imposed on the land, it will remain with the land if the property is sold.

The *Separate Rate* can only be used for the purpose for which it was collected.

The proposed charge is calculated based on the linear beach frontage (i.e. the width) of each property and is reflected in the table in *Appendix 2*.

Should the project exceed the budgeted amount, there will be no additional charge to the property owners. Should the project be completed for less than the amount stated, any additional funding will not be returned to the owners as the project is already subsidised by Council to reduce the costs for the property owners by at least 50%. In addition to this, the home owners' contribution over 5 years does not include any interest accrued over this period. The *Separate Rate* is capped with the figures reflected in the table in *Appendix 2*.

Any additional costs will be borne by the Council.

The *Separate Rate* is a liability for the residential properties located along the western boundary of Otago Road, North Beach and the privately owned property on Allotment 11, located to the immediate South of the North Beach Tourist Park, over and above the general rates and any other applicable rate or charge.

In addition, the *Natural Resources Management Levy* for the 2020/2021 financial year will be the *Regional Landscape Levy* and the *Natural Resources Management Act 2004* will be repealed by the *Landscape South Australia Act 2019*.

## 4. Local Government Act 1999 – Separate Rate

The following extract is from the Local Government Act and describes a Separate Rate.

### 154—Separate rates

- (1) A council may declare a separate rate on rateable land within a part of the area of the council for the purpose of planning, carrying out, making available, supporting, maintaining or improving an activity that is, or is intended to be, of particular benefit to the land, or the occupiers of the land, within that part of the area, or to visitors to that part of the area.
- (2) A separate rate may be based on—
  - (a) the value of land subject to the rate; or
  - (b) a proportional measure or other proportional basis related to the relevant land or the area, or to the estimated benefit to the occupiers of the land in the part of the area subject to the rate; or
  - (c) a fixed charge.
- (4) A council may declare a separate rate in respect of a particular activity despite the fact that the activity is not to be directly undertaken or provided by the council.
- (5) A separate rate—
  - (a) may be declared for a specified period (eg the time taken to carry out a capital project);
  - (b) may be declared for a period exceeding one year.
- (6) Except where a separate rate is declared for more than one year, a separate rate must not be declared more than one month before the commencement of the financial year to which the rate relates.
- (7) A council may declare differential separate rates.
- (8) A council must, at the time that it declares a separate rate, identify the land to which the rate will relate.
- (9) If a council declares a separate rate, the council must, in each rate notice sent to each ratepayer who is liable to pay the separate rate, specify—
  - (a) the purpose or purposes for which the rate is declared; and
  - (b) the basis on which the rate is declared; and
  - (c) the amount payable for the particular financial year; and
  - (d) if relevant, the period for which the rate will apply (according to a determination of the council under subsection (5)).

- (10) If a separate rate is declared to raise funds for a particular purpose and—
- (a) the council resolves not to carry the purpose into effect; or
  - (b) there is an excess of funds over the amount required for that purpose,  
the revenue raised by the rate or the excess (as the case may be) must, according to a determination of the council, be—
  - (c) credited against future liabilities for rates in respect of the land on which the separate rate was imposed; or
  - (d) refunded to the persons who paid the rate,  
in proportion to the amounts paid by each person.

## **5. Rates Policy (taken from 2019/20 Annual Business Plan & Budget)**

### **WHAT IT MEANS FOR RATES**

The Annual Business Plan for 19/20 aims to strike a balance between the level of services for the community and the need to ensure the long-term financial sustainability of Council. Council has limited options to generate the income required to pay for services which it provides to the community. The primary source of income for Council is a property based tax – rates.

In setting its rates for the financial year the Council needs to give primary consideration to strategic directions, budget considerations, the current economic climate and the likely impacts on the community.

To prepare the Annual Budget, rate income was projected in line with the key assumptions within the Long Term Financial Plan and will be adjusted accordingly when information is received from the Valuer General's Office regarding the capital values within the Council area.

Council considers the service delivery needs and related expenditure. Rate levels are then determined only after consideration of expenditure priorities in relation to the Strategic Plan and community needs.

There will continue to be economic pressures applying to the Council in a number of ways, which will have an impact on the Council's budget and therefore put pressure on rates, for example:

- as other tiers of Government re-assess their core business, it is likely that Local Government will be required to provide more services to fill gaps;
- there are fewer funds available to Council via grants from other tiers of Government;
- recent natural disasters impacting on the level of funding available;
- as households have less income, the community will become increasingly reliant on Local Government for the provision of additional services;
- State and Federal Governments are increasingly promoting a philosophy of user-pays for service provision and delivery;
- cost increases which are unavoidable, for example, waste, fuel and water.

There is pressure on Council to minimise rate increases. Rates represent Council's major source of income. In order to respond to the increased service demands and additional costs detailed above, increases in rates will be unavoidable to maintain services.

When projecting and proposing a draft budget, Council have assessed the following key principles:

1. That rates, represent a general tax levied on the basis of the value of land.
2. There is a commitment to the broad principle of fairness and equity in the distribution of rates across all ratepayers.
3. Capital value is used as the basis for valuing land within the Council area, as determined by the Valuer-General each year.
4. A differential rate applying to residential, vacant land, commercial, industrial, primary production, marina berths and other properties and a fixed charge will be applied as a means of raising taxation revenue within the community.
5. The Council will, as is required under the Natural Resources Management Act 2004, impose a separate rate to fund the operations of the Natural Resources Management Board.
6. The Council will continue to accept the payment of rates in full or by four instalments provided either choice is received in full on or before the due date shown on the front of the rate notice.
7. Pre-payment of rates may be made in instalment amounts. Payment can be made at the Council Office, by use of Bpay or the Internet.
8. The Council will impose late payment penalties strictly in accordance with the Local Government Act 1999.
9. The Council may enforce the sale of land for non-payment of rates after three years in accordance with the Local Government Act 1999.
10. The Council will consider any application from a ratepayer to partially or wholly remit rates or to postpone rates on the basis of hardship in accordance with Section 182 or Section 182A of the Local Government Act 1999.
11. The Council will apply mandatory rebates and may apply discretionary rebates in accordance with Chapter 10, Division 5 of the Local Government Act 1999.
12. The Council advises that a rate cannot be challenged on the basis of non-compliance with this policy and rates must be paid in accordance with the required payment provisions.

### **Council's Revenue Raising Powers**

All land within a Council area, except for land specifically exempt (eg. Crown Land, Council occupied land and other land prescribed in the Local Government Act 1999), is rateable. The Local Government Act provides for a Council to raise revenue for the broad purposes of the Council through a general rate, which applies to all rateable properties or through differential general rates which, applies to the use of properties. The Council also raises revenue through fees and charges, which are set, giving consideration to the cost of the service provided and any equity issues.

### **Method Used to Value Land**

The Council will continue to use *capital value* as the basis for valuing land within the Council area. The Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers on the following basis:

- the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth;

- Property value is a relatively good indicator of wealth. Capital value, which closely approximates the market value of a property, provides the best indicator of overall property value.

### **Adoption of Valuations**

Council will adopt the valuations made by the Valuer-General as provided to the Council effective July 3<sup>rd</sup>, 2019.

If a person is dissatisfied with the valuation made by the Valuer-General then they may object to the Valuer-General in writing, within 60 days of receiving the notice of the valuation, explaining the basis for the objection - provided the person has not:

- (a) previously received a notice of this valuation under the Local Government Act, in which case the objection period is 60 days from the receipt of the first notice; or
- (b) previously had an objection to the valuation considered by the Valuer-General. The Council has no role in this process. It is important to note that the lodgement of an objection does not change the due date for payment of rates.

The 60 day objection period may be extended by the Valuer-General where it can be shown there is reasonable cause.

### **Differential General Rates**

The Council will continue to apply the differential general rates on properties within the Council area. Land use is used as the factor to levy differential rates. For all rateable land within the area of the Council which has a land use designated as:

- Category (a) - Residential, a rate of 0.2809 cents in the dollar. Expected revenue \$12.54 M;
- Category (b) - Commercial—Shop, Category (c) - Commercial—Office or Category (d) – Commercial-Other, a rate of 0.6173 cents in the dollar. Expected revenue \$1.67M;
- Category (e) – Industry-Light, Category (f) – Industry-Other, a rate of 0.6404 cents in the dollar. Expected revenue \$199k.
- Category (g) - Primary Production, a rate of 0.2428 cents in the dollar. Expected revenue \$1.60M;
- Category (h) - Vacant Land, a rate of 0.4754 cents in the dollar. Expected revenue \$1.78M;
- Category (i) - Other (any other land use not referred to in a previous category), a rate of 0.3166 cents in the dollar. Expected revenue \$129k; and
- for all rateable land within the area of the Council which has a land use designated as Marina Berths, a rate of 0.6173 cents in the dollar. Expected revenue \$18.2k.

Council believes that differential general rates are appropriate for reasons of equity and relative benefit between classes of ratepayers given the nature, mix and significant capital values in a coastal community like the Copper Coast.

### **Fixed Charge**

The Council will impose a fixed charge system, rather than a minimum rate, which tends to distort the equity principals of taxation. Council will increase the fixed charge by 3.2% in the total of rates generated to \$607, (was \$588 in 2018/19).

The fixed charge is levied against the whole of an allotment (including land under a separate lease or licence) and only one fixed charge is levied against two or more

pieces of adjoining land (whether intercepted by a road or not) if the same owner occupies and owns them.

The reasons for imposing a fixed charge are:

- The Council considers it appropriate that all rateable properties make a contribution to the cost of administering the Council's activities and the creation and maintenance of the physical infrastructure that supports each property
- The fixed charge system has a lesser proportionate impact on lower income earners than a minimum rate system
- The fixed charge system is more readily understandable than a minimum rate system

### **Separate Rates**

Pursuant to Section 154 of the Act, a Council may declare a separate rate on rateable land within a part of the area of the Council for the purpose of planning, carrying out, making available, supporting, maintaining or improving an activity that is, or is intended to be, of particular benefit to the land, or the occupiers of the land, within that part of the area, or to visitors to that part of the area.

### **Separate Rate – Kadina CBD**

In 12/13 the local traders in the Kadina Business District requested a separate rate to fund planning towards development in this area. It is now proposed that this rate will be continued to be raised against Kadina CBD businesses and will raise approximately \$30,000 to be transferred to the Kadina Chamber of Commerce who will administer the funds. All properties rated will gain immediate membership to the Chamber and be entitled to vote and be part of the decision making process for the funding. The area concerned is as per the diagram below.



### **Separate Rate – Port Hughes Golf Course (Dunes)**

The Council introduced in the 13/14 financial year a new Separate Rate to partly fund the maintenance of the Port Hughes Golf Course (Dunes). This replaced the annual

Development Levy that each land owner has agreed to pay to the developer of The Dunes Port Hughes. The Separate Rate will be ongoing and remain as an annual charge on properties rates notices as long as the course is open and operational and is indexed by CPI each year.

In 19/20 the proposed separate rate will be the 18/19 (\$712) rate indexed by the Consumer Price Index (All Groups) for Adelaide between the March Quarter to March Quarter of the year immediately preceding the financial year in which the Separate Rate is charged which is \$721.

If the additional 9 holes are established the Separate Rate would increase by 100% to reflect the intention of the current encumbrance and the initial intention to have a fully operational 18 hole golf course when the land was originally developed and purchased.



### **Separate Rate – Riley Cove Community Corporation**

The Council was approached in 14/15 by the residents of the Riley Cove Community Corporation (20692) to assist with the maintenance of the internal roads owned by the Corporation for a period of one hundred (100) years to fund the replacement of the road seal, pavement and kerbing.

The proposal is to resurface the road every 10 years to minimise maintenance and protect the pavement and to allow for kerb replacement and maintenance over a 50 year cycle.

The Council has decided to implement a separate rate of \$265 to apply to each allotment per certificate of title for properties adjoining the Community Corporations

internal roads (see map). This means it includes all properties that benefit from the road, not just those that are part of the Community Corporation 20692.

Should the project be completed for less than the amount stated, revisited every 10 years, the charge will be reduced by this amount over the remaining years.



### **Separate Rate – Moyle Street Upgrade**

Council implemented a separate rate for the residents adjoining Moyle Street after their submission to Council was received requesting an upgrade to the road by installing kerbing. The proposal was that the residents will contribute 50% of the cost of the upgrade, estimated to be a total of \$80,000 over a 5 year period which will be set at \$195 per property allotment per annum. A total of \$975 contribution by each allotment adjoining the road as highlighted in the diagram below.



### **Separate Rate – Olive Parade Kerbing**

At the Council meeting 6<sup>th</sup> September 2017 the Council supported the motion to install kerbing for properties adjoining Olive Parade, New Town in the 18/19 budget at the rate of \$164 per allotment per certificate of title. This rate was requested by Olive Parade residents to upgrade the road by the installation of kerbing. Olive Parade was due for a reseal and the greatest benefit would be provided to the residents if the kerbing was completed before the resealing works were undertaken.

This rate will be applied over a 5 year period ending in 22/23 and the properties to which this separate rate will apply is as highlighted in the diagram below.



### **Service Charge**

Pursuant to Section 155 of the Act, Community Wastewater Management Annual Service Charges based on the nature of the service and varying according to the CWMS Property Units Code in accordance with Regulation 12(4)(b) of the Local Government (General) Regulations 2013 be declared and imposed on all land to which the Council provides or makes available the prescribed service for the financial year ending 30th June 2020. This includes the areas covered by the Kadina Community Wastewater Management Systems, the Wallaroo Community Wastewater Management Systems and the Moonta, Pt Hughes and Moonta Bay Scheme. The annual service charge for the 19/20 financial year is \$534 on each property unit for occupied allotment and \$534 on each vacant allotment.

### **NRM Levy**

The Council area falls within the Northern and Yorke Natural Resources Management Board area and as such the Council is required pursuant to the Natural Resources

Management Act 2004, to raise funds by way of a separate levy to assist in funding the operations of the Board. The levy is imposed as a differential separate rate upon all properties within the area of the Board.

The Council is required to collect this revenue and pay the amount collected to the Board. It does not retain this revenue or determine how the revenue is spent, nor does it determine the amount of the levy to be collected. The amount of the levy per property is set by the total amount of funds Council are required to raise for the Northern and Yorke Natural Resources Management Board. The levy has increased to \$642,200 (\$625,318 for 18/19).

A separate rate of 0.0180 cents in the dollar has been declared in 19/2020 on all rateable land within the Council area within the area of the Northern and Yorke Natural Resources Management Board.

Any queries regarding the NRM Levy should be raised with the Northern and Yorke Natural Resources Management Board.

**Head Office**

Unit 2/17 Lennon Street

Clare SA 5453

Phone: (08) 8841 3400

Website: <http://www.naturalresources.sa.gov.au/northernandyorke/home>

## **Rate Concessions**

### **State Government concessions**

To check eligibility contact the Concessions SA Hotline 1800 307 758 or go to [www.sa.gov.au/concessions](http://www.sa.gov.au/concessions)

Should you be eligible for a State Government funded concession this will be paid directly to you by the Department of Human Services and is not provided via your rates notice.

### **Remission and Postponement of Rates**

Section 182 of the Local Government Act and the Essential Services Commission of South Australia permit the Council, on the application of the ratepayer, to partially or wholly remit rates or to postpone rates and to partially or wholly remit or to postpone the service charge for CWMS services, on the basis of hardship. Where a ratepayer is suffering hardship in paying rates he/she is invited to contact the Council office to discuss the matter. The Council treats such inquiries confidentially.

### **Postponement of Rates for Seniors**

Ratepayers who hold a State Seniors Card are now able to apply to Council to postpone payment of Council rates on their principal place of residence.

To be eligible for postponement of rates the applicants need to satisfy the following criteria:

- a State Seniors Card holder (or have applied for the card); and
- the property is the principal place of residence (where you live most of the time); and
- no other person, other than the applicant's spouse, has an interest as an owner of the property.

A minimum amount of \$500 of the annual rates must be paid.

The interest rate which will apply to the amount of rates postponed is prescribed in the Local Government Act (SA) 1999, Section 182A(12). Interest will be charged and compounded monthly on the total amount postponed, until the debt is paid.

The accrued debt including interest is payable at the time of disposal or sale of the property. However, there is an option for the payment of all or any part of the debt at an earlier time.

### **Payment of Rates**

Council rates will be payable by quarterly instalments falling due on 1 September 2019, 1 December 2019, 1 March 2020 and 1 June 2020. The total outstanding balance of rates may be paid in full at any time.

Council rates may be paid:

- In person at any Post Office
- In person at the principal office of Council in Kadina
- By telephone at the ratepayers participating bank, credit union or building society using B-Pay
- By internet with ratepayers online banking using B-Pay
- By Post Billpay service

- By mail (by cheque or by credit card details advised on the Rate Account remittance advice).

(Methods of payment details are outlined on the reverse of the rates notice)

In addition, regular pre payments of Council Rates are allowed at any time and can be made at the principal Council office, via Bpay and via Australia Post.

Any ratepayer who may, or is likely to, experience difficulty with meeting the standard arrangements should contact the Rates Officer on 8828 1200 to discuss alternative payment arrangements. Such enquiries are treated confidentially by the Council.

### **Late Payment of Rates**

The Council has determined that penalties for late payments will be imposed in accordance with the provisions of Section 181(8) of the Local Government Act 1999 and relevant Council procedures.

Late payment fines are levied in accordance with the provisions of Section 181(8) of the Act. These provisions are the only provisions available to the Council to ensure that all ratepayers pay promptly.

The Act provides that:

“If an instalment of rates is not paid on or before the date on which it falls due:

- a) the instalment will be regarded as being in arrears, and
- b) a fine of two (2) percent of the amount of the instalment is payable, and
- c) on the expiration of each full month from that date, interest of the prescribed percentage of the amount in arrears (including the amount of any previous unpaid fine but excluding interest from any previous month) accrues.”

Any ratepayer who may or is likely to, experience difficulty with meeting the standard instalments and due dates can contact the Council to discuss alternative payment arrangements. It should be noted that fines and interest are still levied in accordance with the Act under any payment arrangement.

Council will consider applications for remissions of fines in certain extenuating circumstances. A request for waiver of fines should be made in writing, setting out detailed reasons why a fine remission has been requested.

When the Council receives a payment in respect of overdue rates, the Council applies the money received as follows:

- First – to satisfy any costs awarded in connection with court proceedings;
- Second – to satisfy any interest costs;
- Third – in payment of any fines imposed;
- Fourth – in payment of rates, in chronological order (starting with the oldest account first).

### **Recovery of Rates**

In accordance with sound financial management principles, the Rates Officer will apply prudent debt management practices to Rate Debtors. This includes an ongoing review of rates in arrears and following a systematic debt recovery approach.

Rates, which remain in arrears for a period exceeding 30 days, will be subject to recovery action in accordance with the Councils normal debt recovery procedures.

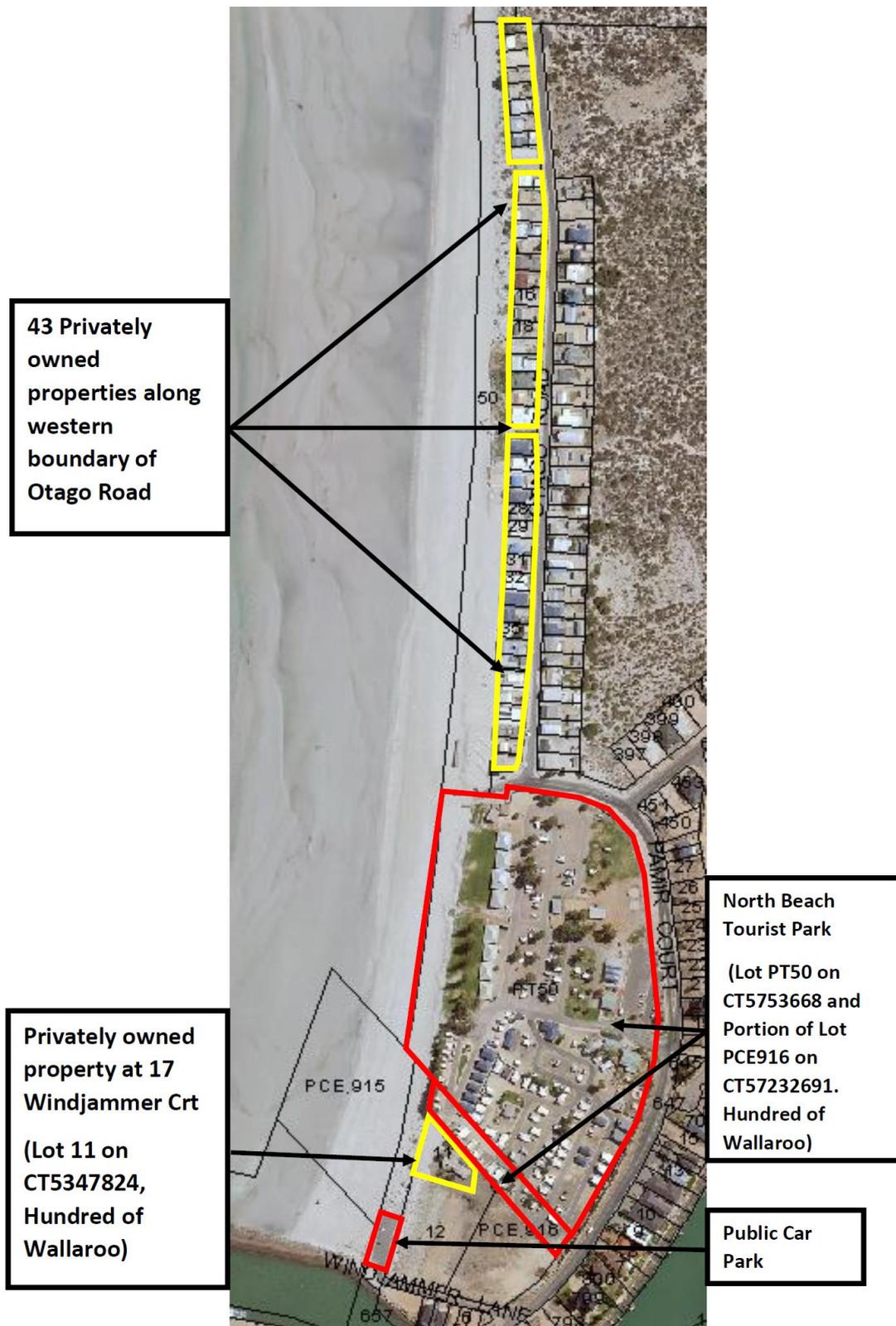
**Sale of Land for Non-payment of Rates**

Section 184 of the Act provides that a Council may sell any property where the rates have been in arrears for three (3) years or more. The Council is required to notify the owner of the land of its intention to sell the land, provide the owner with details of the outstanding amounts and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one (1) month. Except in extraordinary circumstances, the Council will enforce the sale of land for arrears of rates.

## **Attachments**

**MAP**

The map outlines the properties that will benefit from the proposal. The properties outlined in yellow are those properties where Council is proposing to charge the Separate Rate.



**CALCULATION OF COST ALLOCATION TO INDIVIDUAL PROPERTIES**

*Proposed charge calculated for each property based on the linear width of the properties.  
Proposed charge per annum to apply for 5 years.*

Lot No	Address	Sea Front Length (m)	Ownership	Total Charge (\$)	Charge per Annum (\$)
38	87 Otago Rd	15.6	Private	2 321.88	464.35
2	85 Otago Rd	15.0	Private	2 232.57	446.50
3	83 Otago Rd	15.4	Private	2 292.11	458.40
4	81 Otago Rd	14.8	Private	2 202.81	440.55
5	79 Otago Rd	14.1	Private	2 098.62	419.70
6	77 Otago Rd	14.7	Private	2 187.92	437.55
7	75 Otago Rd	14.0	Private	2 083.73	416.75
8	73 Otago Rd	14.5	Private	2 158.15	431.60
9	71 Otago Rd	14.2	Private	2 113.50	422.70
10	69 Otago Rd	15.3	Private	2 277.22	455.40
11	67 Otago Rd	15.4	Private	2 292.11	458.40
4	65 Otago Rd	15.3	Private	2 277.22	455.40
13	63 Otago Rd	14.9	Private	2 217.69	443.50
14	61 Otago Rd	15.0	Private	2 232.57	446.5
15	59 Otago Rd	17.0	Private	2 530.25	506.05
16	57 Otago Rd	15.0	Private	2 232.57	446.50
17	55 Otago Rd	14.7	Private	2 187.92	437.55
18	53 Otago Rd	15.2	Private	2 262.34	452.45
19	51 Otago Rd	15.2	Private	2 262.34	452.45
20	49 Otago Rd	15.2	Private	2 262.34	452.45
21	47 Otago Rd	16.3	Private	2 426.06	485.20
22	45 Otago Rd	15.2	Private	2 262.34	452.45
51	43 Otago Rd	18.6	Private	2 768.39	553.65
24	39 Otago Rd	15.5	Private	2 306.99	461.40
25	37 Otago Rd	14.6	Private	2 173.04	434.60
26	35 Otago Rd	14.8	Private	2 202.81	440.55
27	33 Otago Rd	15.1	Private	2 247.46	449.45
28	31 Otago Rd	15.3	Private	2 277.22	455.40
29	29 Otago Rd	15.8	Private	2 351.64	470.30
30	27 Otago Rd	15.8	Private	2 351.64	470.30
31	25 Otago Rd	15.8	Private	2 351.64	470.30
32	23 Otago Rd	15.8	Private	2 351.64	470.30
33	21 Otago Rd	15.1	Private	2 247.64	449.45
34	19 Otago Rd	15.4	Private	2 292.11	458.40
35	17 Otago Rd	14.1	Private	2 098.62	419.70
36	15 Otago Rd	14.7	Private	2 187.92	437.55
37	13 Otago Rd	12.5	Private	1 860.48	372.10
38	11 Otago Rd	14.8	Private	2 202.81	440.55
39	9 Otago Rd	15.8	Private	2 351.64	470.30
40	7 Otago Rd	15.0	Private	2 232.57	446.50
41	5 Otago Rd	15.3	Private	2 277.22	455.40
42	3 Otago Rd	14.6	Private	2 173.04	434.60
43	1 Otago Rd	17.7	Private	2 634.44	526.85
11	17 Windjammer Crt	59.5	Private	8 855.87	1 771.15
PT150, PCE916 & Public Car Park	Pamir Court	340.8	Council	*50 724.06	*10 144.80
<b>TOTAL</b>		<b>1054.4</b>		<b>156 935.00</b>	<b>31 386.00</b>

*\*Separate Rate not to be charged to Council owned land. Figures shown for clarity only*