A. Differential General Rates

General rates (including differential rates) are for services, facilities and activities that are supplied or undertaken for the benefit of the community in general (rather than a particular person) as stated in the Local Government Act 2009 at Section 92.

Council supports seven (7) differential categories which enable Council to address the economic circumstances of the community as a whole and/or the circumstances of particular sectors.

In making general rates, Council raises an amount of revenue it sees as being appropriate to maintain and improve assets and provide services to the Shire as a whole. In deciding how that revenue is raised, Council takes into account the following factors –

- The rateable value of land, including valuation relativities among land, and the rates which would be payable if only one general rate was adopted.

- The level of services provided to that land and the cost of providing the services compared to the rate burden that would apply under a single general rate.

- The use of the land in so far as it relates to the extent of utilisation of Council services.

- Location and access to services.

- With an extensive road network, particularly in rural areas of the Shire and demands on Council to upgrade the standard of roads for harvesting, transportation of rural product, processing and services associated with the sugar, grazing, horticulture and aquaculture industries, Council considers those areas benefiting from access to improved road and infrastructure standards should contribute appropriately to Council’s revenue base to maintain the high level of road services expected.

- In the case of sugar milling operations, Council has taken into account that the increased costs of infrastructure associated with maintaining and upgrading roads including tramway corridors, cane sidings and other infrastructure associated with these operations, contribute to Council’s costs in maintaining and upgrading the standards of roads within the Shire.

- In the case of commercial water supply business, Council has taken into account that the existence of predominantly above-ground water delivery and drainage infrastructure within or adjacent to road reserves impacts directly on Council roads and associated drainage, and contributes particularly to Council’s costs in maintaining and upgrading the standard of roads and drainage.

- At the same time, Council acknowledges and again has taken into account that improved services including but not limited to: recreation and sporting, swimming pools, community, cultural, library, welfare services, public halls, environmental health services and amenities, parks and playgrounds, cemeteries, Council’s public buildings, Council’s economic development initiatives, improvements and development work in the Council’s principal towns are Local Government services which should be met by the whole community.

The annual valuation made by the Department of Natural Resources and Mines of all lands in the Burdekin Shire area shall have force and effect for the period of twelve months commencing on 1 July 2013.

The Council determines that a method of differential general rating be applied to all rateable land in the Shire on the bases set out hereunder.
(a) The categories and criteria for each category are:

**Category A – Residential**: Land used for purposes described by the land use codes in Category A of the Table below and within the townships of Ayr, Home Hill, Brandon, Clare, Millaroo, Dalbeg, Giru and other localities within the Shire.

**Category B – Commercial and Industrial**: Land used for purposes described by the land use codes in Category B of the Table below and predominantly located in the principal towns of Ayr and Home Hill.

**Category C – Grazing and Livestock**: Land used for purposes described by the land use codes in Category C of the Table below and located outside urban areas.

**Category D – Rural – Sugar Cane**: Land used for the purpose described by the land use code in Category D of the Table below being the district’s principal agricultural crop of sugar cane within the Pioneer, Kalamia, Inkerman and Invicta Mill areas.

**Category E – Rural – Other**: Land used for the purposes described by the land use codes in Category E of the Table below predominantly being for the district’s produce, other than sugar cane, grazing and livestock.

**Category F – Sugar Milling**: Land used for the Pioneer, Kalamia, Inkerman and Invicta sugar mills and predominantly used for the processing of sugar cane.

**Category G – Commercial Water Business**: Land used for purposes of and incidental to commercial water delivery and drainage.

(b) The Council has identified the category in which each parcel of rateable land in the area is included, applying the criteria specified in Section A. (a) above, as set out in the Table on page 4.

In the Table, “Land Use Codes” means those Land Use Codes used by the Department of Natural Resources and Mines to classify land within the Shire boundaries during the period of the valuation which becomes effective for rating purposes from 1 July 2013.

(c) Under Chapter 4, Part 5 of the Local Government Regulation 2012, the Council advises as follows –

(i) The categories of rateable land in the Shire and the criteria by which the land is categorised is outlined in Section A(a) above;

(ii) The category in which the land to which the rate notice applies is shown on the rate notice;

(iii) The category in which the land is included was identified by the Burdekin Shire Council;

(iv) If owners of rateable land consider their land should have been included in another category, they may object against that categorisation by lodging with the Chief Executive Officer, Burdekin Shire Council, a notice of objection in the prescribed form within thirty (30) days of the date of issue of the rate notice (forms are available through Council’s Rates Section);

(v) The only ground for objecting is that the owner considers the land should belong to a different rating category;

(vi) The owner is liable to pay the amount in the rate notice even if the owner gives an objection notice;
(vii) If the rating category of the owner’s land is changed because of the objection, the rates will be adjusted at that time;

(viii) The making of an objection, or the starting of an appeal, does not stop the levying and recovery of rates on the land; and

(ix) Postal address of the Chief Executive Officer, Burdekin Shire Council is PO Box 974, AYR Q4807.

(d) Differential general rates are hereby made and levied on the unimproved value (UV) or site value (SV) of all rateable land in the Shire included in the specified category as set out hereunder :-

- Category A – RESIDENTIAL: 1.189 cents in the $ on the value of the land.
- Category B – COMMERCIAL & INDUSTRIAL: 1.153 cents in the $ on the value of the land.
- Category C – GRAZING & LIVESTOCK: 2.116 cents in the $ on the value of the land.
- Category D – RURAL SUGAR CANE: 3.551 cents in the $ on the value of the land.
- Category E – RURAL OTHER: 1.968 cents in the $ on the value of the land.
- Category G - COMMERCIAL WATER BUSINESS: 68.119 cents in the $ on the value of the land.

B. Limitation of Increase in Rates Levied

The Council has not resolved to exercise the powers conferred under Local Government Regulation 2012 Section 116 – Limitation of increase in rates or charges levied.

C. Minimum General Rates

Local Government Regulation 2012 Section 77 provides that “The local government may identify parcels of rateable land to which a minimum amount of general rates applies in any way the local government considers appropriate”.

Council also has power, where differential general rates are made and levied, to apply a different level of minimum general rate for each category of land.

The Council considers that the following minimum general rates are reasonable to recover Council’s administrative costs and appropriate revenue for services provided by the Council to all properties irrespective of their rateable value, and which lend themselves to recovery of rates by a minimum general rate.

The following minimum general rates shall apply:

- Categories A, B, C, D & E: $ 894
- Category F: $14,800
- Category G: $ 2,505
TABLE

<table>
<thead>
<tr>
<th>COLUMN 1</th>
<th>COLUMN 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Identification</td>
</tr>
<tr>
<td>A - RESIDENTIAL</td>
<td>Land having any of the following Land Use Codes excluding property numbers 1872, 6214, 6215, 6220, 6221, 6781, 6782, 12390, 12391, 12463 to 12465 and 12580 to 12594:-</td>
</tr>
<tr>
<td></td>
<td>01 - Vacant Urban Land; 02 - Single Unit Dwelling; 03 - Multiple Dwelling (Flats); 04 - Large Homesite – Vacant (less than 10ha); 05 - Large Homesite – Dwelling; 06 - Outbuilding; 07 - Guest House/Private Hotel; 08 – Building Units; 09 - Group Title; 21 – Residential Institutions (Non-Medical Care); 72 - Residential Subdivisions; 97 - Welfare Homes/Institutions.</td>
</tr>
<tr>
<td>B - COMMERCIAL &amp; INDUSTRIAL</td>
<td>Land having any of the following Land Use Codes including property numbers 1872, 6214, 6215, 6220, 6221, 6781, 6782, 12390, 12391, 12463 to 12465 and 12580 to 12594:-</td>
</tr>
<tr>
<td>C - GRAZING &amp; LIVESTOCK</td>
<td>Land having any of the following Land Use Codes :-</td>
</tr>
<tr>
<td></td>
<td>60 - Sheep Grazing - Dry; 61 - Sheep Breeding; 64 - Cattle Grazing – Breeding; 65 - Cattle Breeding and Fattening; 66 Cattle Fattening; 67 Goats; 68 - Dairy Cattle – Quota Milk; 69 Dairy Cattle – None Quota Milk; 85 Pigs; 86 - Horses; 87 - Poultry.</td>
</tr>
<tr>
<td>D - RURAL - SUGAR CANE</td>
<td>Land having any of the following Land Use Codes:-</td>
</tr>
<tr>
<td></td>
<td>75 - Sugar Cane.</td>
</tr>
<tr>
<td>E - RURAL – OTHER</td>
<td>Land having any of the following Land Use Codes excluding property numbers contained in Category G:-</td>
</tr>
<tr>
<td></td>
<td>04 - Large Homesite – Vacant (10ha and greater); 70 - Cream; 71 – Oil Seeds; 73 - Grains; 74 – Turf Farms; 76 - Tobacco; 77 - Cotton; 78 - Rice; 79 - Orchards; 80 - Tropical Fruits; 81 – Pineapple; 82 - Vineyards; 83 - Small Crops and Fodder Irrigated; 84 - Small Crops Fodder Non- irrigated; 88 - Forestry and Logs; ; 89 – Animals Special; 93 - Peanuts; 94 - Vacant Rural Land; 95 - Reservoir, Dam, Bores.</td>
</tr>
<tr>
<td>F - SUGAR MILLING</td>
<td>Land having any of the following Property Numbers:-</td>
</tr>
<tr>
<td></td>
<td>10565, 10566, 10567 and 10569</td>
</tr>
<tr>
<td>G – COMMERCIAL WATER BUSINESS</td>
<td>Land having any of the following Property Numbers:-</td>
</tr>
<tr>
<td></td>
<td>2400, 2568, 2577, 2588, 2788, 2921, 8597, 8750, 9013, 14387 and 16723.</td>
</tr>
</tbody>
</table>
The above minimum general rate provisions shall not apply to any land under the ownership of the North Burdekin Water Board and the South Burdekin Water Board and used for channel and ancillary Water Board purposes.

D. Rebates and Concessions

(a) Remission of Rates and Charges

It is the Council’s policy to provide assistance by way of a remission of rates to eligible pensioners who comply with the policies of Council as identified hereunder.

Council Remission

For the year ended 30 June 2014 a bona fide pensioner, who is in receipt of a full pension/allowance, who produces a Pensioner Concession Card from Centrelink or a Pensioner Concession Card or a Repatriation Health Card – For All Conditions issued by the Department of Veteran Affairs, will be allowed a rates remission on property which is the principal place of residence of the pensioner and is owned by the pensioner. This policy shall also extend to bona fide pensioners who either have another bona fide pensioner(s) residing with them under the same roof or have any other person or persons earning an income residing under the same roof and to War Widows who are the holders of a Gold Card.

Such rates remission to be calculated as half the sum of the relevant General Rates, Water Charges, Sewerage Charges, Septic Charges, and CBD 2 Separate Charge (excluding Waste Service Charges, Environment Separate Charge, Alva Beach Rural Fire Brigade, Clare Rural Fire Brigade, Mount Kelly Rural Fire Brigade, Scott Rural Fire Brigade, Wunjunga SBS Translator Special Charge and Emergency Management, Fire and Rescue Levy) in respect of a bona fide full pensioner(s) to the maximum allowable rates remission set at $342.

The Council may in its discretion consider any case on its merits where special circumstances apply; and allow such remission as it sees fit up to the maximum remission.

A remission shall be allowed to a bona fide pensioner who is in receipt of a pension/allowance, who produces a Pensioner Concession Card from Centrelink or a Pensioner Concession Card or a Repatriation Health Card – For All Conditions issued by the Department of Veteran Affairs, and who occupies a dwelling in respect to which a life tenancy has been granted by way of Will only and providing there is no provision in the Will which relieves the life tenant of the obligation to pay the rates and charges levied in respect of the property and providing such property is the principal place of residence of the pensioner.

A remission shall be allowed to a bona fide pensioner who is a resident of an Institution caring for the aged, including hospitals and Blue Nursing Units, or is in family care.

Applications for remission of rates and charges by qualifying applicants who own relevant properties on 1 July 2013 are to be dealt with in the following manner:

a. For existing bona fide Pensioners, the details currently held continue to be used for annual verification with Centrelink/Department of Veteran Affairs; and
b. For new bona fide Pensioners or Pensioners requesting Council remission due to special circumstances, an annual application is required to be made and received.

The amount of pension payable at time of the verification from Centrelink/Department of Veteran Affairs will determine the eligibility for the Council remission.

A remission granted pursuant to this section is only applicable for the period of time that the applicant pensioner is the owner of the property and all requirements set out above remain fulfilled. If the principal
place of residence is disposed of during the year, a supplementary rates notice will be issued to the owner of the property representing the proportionate share of the remission from date of sale to 30 June next.

**State Government Subsidy**

For the year ending 30 June 2014, an approved pensioner as defined in guidelines for the State Government's Pensioner Rate Subsidy Scheme shall be entitled to a State Government subsidy equivalent to 20 per cent of the cost of rates and charges levied, excluding any amount in excess of $1,000 per annum levied. The maximum entitlement is **$200**. Notwithstanding the provisions of this clause, eligible pensioners will be entitled to the State Government subsidy up to an amount of $200, even if Council rates are not paid by the Due Date.

**Donations' Policies**

For each financial year in the seweriod areas of Ayr, Brandon and Home Hill, donations equivalent to 90% of the remission of half the sum of the relevant sewerage charges in respect of second and subsequent pedestals and/or urinals at premises or land used for private schools, churches, welfare and youth organisations, sporting purposes and public halls, excluding premises licensed under the Liquor Act will be made to the relevant community organisations immediately upon payment in full, together with arrears if any, of all levied rates and charges. The Council may, in its discretion, consider any case on its merits where special circumstances apply and make such donations as Council considers appropriate.

(b) Application for Rates Relief on Grounds of Hardship

Ratepayers may apply for rate relief with an application on the basis of hardship supported by relevant documentation. The Council's policy governing the consideration of any application for relief on the grounds of hardship is currently as follows:-

A. An applicant will be eligible for consideration of rates remission on the grounds of financial hardship upon complying with the following criteria:-

   (i) The applicant does not have reasonable assets external to the land upon which the application for relief on the grounds of hardship applies to; and

   (ii) Payment of rates by the applicant would cause financial hardship within the next twelve (12) months;

B. Applicants will be required to disclose private financial documentation including, where applicable, the previous two (2) years tax returns, profit and loss statement and balance sheet as prepared by a registered accountant or tax agent;

C. For ratepayers experiencing difficulties with payment of rates, the Council may consider allowing delayed payment of rates and any arrears interest over a period of up to two (2) years, upon written application to the Chief Executive Officer for a periodic payment plan.

Further, if there is evidence acceptable to Council that any eligible pensioner is unable to meet rate obligations and is unable to enter into a periodic payment plan for payment of overdue rates, Council may, in exceptional circumstances agree to the overdue rates remaining a charge on the land to be recovered following the death of an eligible pensioner/pensioners or as a result of sale/transfer of the land, providing such property is the principal place of residence of the pensioner.
E. Waste Service

1.0 DEFINITIONS

‘Authorised Officer’ means a person authorised under the Environmental Protection Act 1994.

‘Commercial Waste’ means waste (other than green waste, recyclable waste, interceptor waste or waste discharged to a sewer) produced as a result of the ordinary use or occupation of the premises, being —
(a) a hotel, motel, caravan park, cafe, food store or canteen;
(b) an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education;
(c) premises where a sport or game is ordinarily played in public;
(d) an exhibition ground, show ground or racecourse; or
(e) an office, shop or other premises where business or work, other than a manufacturing process, is carried out.

‘Defined Service Area’ means the sections of the Burdekin Shire that are provided with a waste service as shown in Schedule 1 of Council’s Waste Management Policy.

‘Domestic Waste’ means waste (other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer) resulting from the ordinary domestic use or occupation of any premises or any part thereof, being —
(a) a single unit private dwelling;
(b) premises containing two or more separate flats, apartments or other dwelling units; or
(c) a boarding house, hostel, lodging house or guest house.

‘Green Waste’ means grass clippings, trees, bushes, shrubs, loppings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of premises.

‘Industrial Waste’ means interceptor waste and waste other than —
(a) commercial waste;
(b) domestic clean-up waste;
(c) domestic waste;
(d) green waste;
(e) recyclable interceptor waste;
(f) recyclable waste;
(g) waste discharged to a sewer.

‘Occupied Land’ means land other than vacant land and includes land with a shed, caravan or similar structure, where people may reside, regardless of the length of time.

‘Rates’ includes supplementary rates.

‘Special Event’ refers to a community event held by a charitable or non-profit community group.

‘Three-Bin Service Area’ means a designated area where one 140L mobile bin of refuse is collected and disposed of weekly, one 240L mobile bin of recyclables and one 240L mobile bin of green waste is collected and disposed of fortnightly.

‘Two-Bin Service Area’ means a designated area where one 140L mobile bin of refuse is collected and disposed of weekly and one 240L mobile bin of recyclables is collected and disposed of fortnightly.

‘Waste Service’ refers to the storage, collection and conveyance of waste and the disposal thereof.

‘Waste Services Charges’ means the charges set by Council in this Revenue Statement.
2.0 DOMESTIC SERVICES

2.1 General

Only bins supplied by Burdekin Shire Council are eligible for Council’s collection service. The Council may impound ineligible bins that residents leave out for collection, including bins that residents bring from other councils or buy privately.

The bins supplied to a property are to remain at that property when there are changes in occupants, including with the sale of the property.

2.2 Kerbside Service

The kerbside service for the Shire is either a Three-Bin Service or a Two-Bin Service. Schedule 1 of the Waste Management Policy defines the service areas.

The Two-Bin Service consists of:

- a 140 litre kerbside refuse service, or alternatively a 240 litre service (bin with red lid)* collected weekly;
- a 240 litre kerbside recycling service (bin with yellow lid) collected fortnightly

The Three-Bin Service includes the following in addition to the above service:

- a 240 litre kerbside green waste service (bin with light green lid) collected on alternate fortights.

* Residents may request to change to the 240 litre general waste bin. The larger bin will incur a higher charge.

2.3 Levying of Charges for Kerbside Waste Collection

Council will provide waste services to occupied land only.

The owner of any residential premises or land within the defined service area that is capable of producing waste will be levied a waste service charge. The type of waste service charge will depend on whether the premise is located within a Three-Bin Service or a Two-Bin Service area.

For a residential premise or land outside of these areas, the owner or occupier is required to service their own refuse bins on a weekly basis. Fees will apply for the disposal of these wastes at Council’s waste facilities.

2.4 Services Based on Type of Residential Premise

House or House with Granny Flat

All houses must have, at least, a single waste service: i.e. within a Three-Bin Service Area - 1 x 140L mobile refuse bins, 1 x 240L mobile recycling bin, and 1 x 240L mobile green waste bin; and within a Two-Bin Service Area - 1 x 140L mobile refuse bin and 1 x 240L mobile recycling bin.

Multi-Residential Premise including Duplexes

Multi-residential premises include two or more permanently constructed residential units (single occupancy per unit).

Council will supply each unit with 1 x 140L mobile refuse bin and 1 x 240L mobile recycling bin.

Council’s authorised officer will determine the provision of a green waste service for premises within the Three-Bin Service area.

The green waste service for multi-residential premises will be a communal service with the bins shared between the units. The owner or the owner’s representative may make a written request for an extra green waste service for a particular unit.

Alternatively, a bulk waste bin may be provided (through a private contractor) for the general waste portion of the service. The bulk bin must be the equivalent of the calculated volume of the 140L mobile refuse bins, rounded up to the next bulk bin size.
Council’s authorised officers will determine the minimum refuse services that the owner must provide.

**Residential Unit attached to Commercial/Industrial Premises**

Council’s authorised officers will determine the waste services for residential unit/s. The commercial/industrial portion of the premises shall receive a commercial/industrial service (refer to Commercial/Industrial Requirements).

### 2.5 Residential Premises not within the Defined Service Area

All occupied land within the Shire that is outside the defined service area, and therefore not receiving a regular waste collection service, will be required to pay for the disposal of their waste at Council’s waste facilities.

Residents who would like to receive a domestic waste service are required to submit a request in writing.

When determining the request, Council’s authorised officers will consider the following:

- (i) if the collection vehicles can access the area;
- (ii) whether it is economically viable for the contractor to provide the requested service; and
- (iii) if there is support from 65% of property owners in the road in favour of receiving the service.

### 3.0 COMMERCIAL AND INDUSTRIAL SERVICES

Commercial and industrial premises within the defined service area, as described in Schedule 1 of the Waste Management Policy, are required to have a general waste service with a minimum collection frequency of weekly.

Each premise shall have either, a 240 litre mobile refuse bin or equivalent service provided by an approved private contractor plus a recycling service supplied through council.

Where council has been notified that a private contractor undertakes waste collection services and the general waste service cancelled as per section 6.3, waste charges levied will consist of the relevant recycling service component as detailed in the revenue statement.

Item specific recycling services eg bulk cardboard, scrap metal and the like may be available through a private contractor.

### 4.0 CHARITIES AND COMMUNITY GROUPS

Council’s authorised officers may grant an exemption, refund, or part refund on payments for waste service charges or for a waste service charge for a ‘special event’ by charities and non-profit community groups meeting the following criteria:

- The organisation must be based in and provide services to the residents of the Burdekin Shire.
- A charity and non-profit community group includes:
  - Church, ministry and church-administered institutions for non-profit and charitable purposes,
  - Scouts and Girl Guides,
  - Veteran and War Widow Associations,
  - Voluntary, non-profit community and welfare organisations,
  - Volunteer bush fire brigades, and
  - Voluntary sporting organisations.
- Organisations that hold a commercial liquor licence or gaming licence do not qualify for an exemption.
- Organisations, the main activity of which is the responsibility of another level of government, do not qualify for an exemption.
5.0 BIN ENCLOSURES
Refer to Council’s Waste Management Planning Scheme Policy for more information.

6.0 GENERAL ISSUES

6.1 Change to service level
The owner may request a change to the service in writing or via Council’s Customer Service Centre. The charges for these services are set annually in Council’s Revenue Statement and Council will levy the amount via the rates notice.

The minimum charge levied for the change to service level will be six months.

6.2 Lost or stolen bins
The replacement of lost or stolen bins will be at the discretion of the Manager Environment and Health.

The owner of the lost or stolen bin is to make a Police report in accordance with the Procedure for Lost and/or Stolen Bins.

Repeated reports of lost/stolen bins for a single property may incur a replacement fee.

6.3 Cancelling a service
Cancelling of a waste service will only occur where the building has been demolished or is unfit for occupation. The cancelling of a waste service will not occur where the premises are unoccupied for a period.

A commercial or industrial premise may cancel their waste service provided they are to receive a waste and recycling service from a private contractor.

Cancelling a service will lead to a proportional reduction or refund of the annual levied charge.

6.4 Commencing a service
Waste service charges will apply from the date of commencement or availability of service. New services commenced during the year are pro-rata levied.

6.5 Assessment of bin quota/service level
Council’s authorised officers have the discretion to amend waste management services depending on the needs of the residents and the waste generated.

6.6 Bulk Bin service
Commercial premises that require a bulk bin service may contact an approved waste contractor to arrange a service at their own cost.

6.7 Variations under this Policy
The Manager Environment and Health will assess written requests for an exemption, refund, part refund or variation under the Waste Management Policy.

6.8 Requirements to kerbside collection
- Place bins on the kerb prior to 6:00am on collection day, and brought back within the property boundaries as soon as possible after collection, preferably by dusk.
- Place bins approximately one (1) metre apart and are not to be located near trees, parked cars or other obstacles that may prevent the truck from emptying the bin.
- Bins that are overfull (with the lid open more than 45 degrees); or too heavy (weigh more than 55 kilograms) will not be collected. Residents will need to take their waste to the landfill or transfer station, as the truck will not return to empty the bin. Disposal costs will apply.
• Recycling and green waste bins must only contain the products listed on the lid and/or in the brochure provided, which is also available on Council’s website. Bins contaminated with unsuitable material may be issued with a notice and information brochure advising of the contamination.

When three (3) notices of contamination are issued, in a financial year the service may be suspended either for:

(i) initially for one (1) month;
(ii) for three (3) months if a further three (3) notices are left; or
(iii) permanently,

at the discretion of the Manager Environment and Health.

• Charges will not be removed where greenwaste or recycling services have been suspended under this clause.

7.0 BIN CHARGES

The levying of a charge will occur on all lands and/or premises within the defined service area.

7.1 Consistent commencement of charges

a) The levy for all waste and recycling charges will apply on a pro-rata basis from the date of delivery of the bins to the property.

b) Where Council identifies that a domestic structure or occupied land is without a general waste, recycling or green waste collection charge, the charge will be levied pro-rata from the time that the structure was completed, or the occupied land was capable of producing waste. The backdating of charges will be for a maximum of one year.

7.2 Removal of charges

Removal of any waste and recycling charge on a pro-rata basis will only occur:

a) When Council identifies that the domestic or commercial structure has been demolished and the land is unoccupied; or

b) Upon supply of written evidence (eg. copy of new waste contract) that a commercial premise has an equivalent service provided by an alternative waste service provider.

Waste Service Charges

The following waste service charges shall apply in the defined service area.

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>140L Rural Residential 2 Bin Service</td>
<td>$375</td>
</tr>
<tr>
<td>240L Rural Residential 2 Bin Service</td>
<td>$472</td>
</tr>
<tr>
<td>140L Residential 3 Bin Service</td>
<td>$427</td>
</tr>
<tr>
<td>240L Residential 3 Bin service</td>
<td>$524</td>
</tr>
<tr>
<td>240L Commercial 2 Bin Service</td>
<td>$411</td>
</tr>
<tr>
<td>240L Commercial 3 Bin Service</td>
<td>$463</td>
</tr>
<tr>
<td>140L Multiple Residential 2 Bin Service</td>
<td>$375</td>
</tr>
<tr>
<td>240L Multiple Residential 2 Bin Service</td>
<td>$472</td>
</tr>
<tr>
<td>Multiple Residential Green Waste Service</td>
<td>as determined by Council authorised officer</td>
</tr>
<tr>
<td>and in proportion to residences serviced</td>
<td></td>
</tr>
<tr>
<td>Additional 140L Residential Refuse Bin</td>
<td>$306</td>
</tr>
<tr>
<td>Additional 240L Residential Refuse Bin</td>
<td>$403</td>
</tr>
<tr>
<td>Additional 240L Commercial Refuse Bin</td>
<td>$322</td>
</tr>
<tr>
<td>Additional Residential Recycle Bin</td>
<td>$ 69</td>
</tr>
<tr>
<td>Additional Commercial Recycle Bin</td>
<td>$ 89</td>
</tr>
</tbody>
</table>
Additional Green Waste Bin $  52

**Waste Access Charge**

A Waste Access Charge of $15 shall be levied on each rateable property without an existing refuse service in Category A (Residential), Category C (Grazing & Livestock), Category D (Rural Sugar Cane) and Category E (Rural Other) for access to free sorted domestic dumping at Landfill and Transfer Stations.

**F. Sewerage Scheme**

Council is applying partial cost recovery, including a reasonable return on capital, as the basis for utility charges.

A sewerage charge will be levied on each rateable property, both vacant and occupied, that Council has or is able to provide with sewerage services and identified hereunder.

The sewerage charge is set to recover all of the costs associated with the provision of sewerage and waste water services provided by Council in the financial year. These costs include loan interest, depreciation and the cost of on-going maintenance and operation of the system, including treatment plant operations.

A charge is set, subject to the provisions hereunder, and referred to as classes of buildings in accordance with the “Building Code of Australia 1996” as amended, for each pedestal in residential dwellings and residential lots under the Body Corporate and Community Management Act 1997, or other community titles act that are connected to Council’s sewerage system. Where sewerage services are provided to the common property of sewerage scheme land within the meaning of the Body Corporate and Community Management Act 1997, the Body Corporate shall be levied a charge on each pedestal.

(a) The Sewerage Area shall consist of:

All land situated in the Shire of Burdekin that the Council is prepared to sewer. A parcel of land shall be deemed to be within a sewerage area if the Council is prepared to sewer any part of the land.

Such charges shall be levied to defray the cost of constructing sewerage including the payment of interest on and redemption of, the instalments into a sinking fund, in respect of any loan money borrowed for or in respect of such function and the cost of operating, maintaining, and managing sewerage.

The charges shall also apply in respect of any land or any structure, building or place on land that is not rateable under Section 93 of the Local Government Act 2009.

In this subsection reference is made to classes of Buildings. Buildings and portions of buildings shall be classified in accordance with the “Building Code of Australia 1996”, as amended as follows:

**Class 1** One or more buildings which in association constitute:

(a) Class 1a - a single dwelling being:

(i) a detached house; or
(ii) one or more attached dwellings, each being a building, separated by a fire resisting wall, including a row house, terrace house, town house or villa unit; or

(b) Class 1b - a boarding house, guest house, hostel or the like with a total floor area not exceeding 300 m2 and in which not more than 12 persons would ordinarily be resident, which is not located above or below another dwelling or another Class of building other than a private garage.
Class 2 - A building containing two or more sole-occupancy units each being a separate dwelling.

Class 3 - A residential building, other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including:

(a) A boarding house, guest house, hostel, lodging house or backpackers' accommodation; or
(b) A residential part of a hotel and motel; or
(c) A residential part of a school; or
(d) Accommodation for the aged, disabled or children; or
(e) A residential part of a health-care building which accommodates members of staff.

Class 4 - A dwelling in a building that is Class 5, 6, 7, 8, or 9 if it is the only dwelling in the building.

Class 5 - An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8, or 9.

Class 6 - A shop or other building for the sale of goods by retail or the supply of services direct to the public, including:

(a) An eating room, cafe, restaurant, milk or soft drink bars; or
(b) A dining room, bar, shop or kiosk part of a hotel or motel; or
(c) A hairdresser's and barber's shop, public laundry, or undertaker's establishment; or
(d) Market or sale room, show room, or service station.

Class 7 - A building which is

(a) A public car park; or
(b) for the storage, or display of goods or produce for sale by wholesale.

Class 8 - A laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale, or gain.

Class 9 - A building of a public nature

(a) Class 9a - a health-care building, including those parts of the building set aside as a laboratory; or
(b) Class 9b - an assembly building, including a trade workshop, laboratory or the like in a primary or secondary school, but excluding any other parts of the building that are of another class.

Class 10 - A non-habitable building or structure

(a) Class 10a - a non-habitable building being a private garage, carport, shed, or the like; or
(b) Class 10b - a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool or the like.

(b) The charges in the Sewerage Area shall be:-

A charge of $475 shall be made where sewerage is provided for a full year to Class 1a or Class 4 buildings and portion of buildings and to a single dwelling unit of a Class 2 building. This charge shall apply subject to Clause (c) hereunder. In respect of each and every parcel of vacant land separately valued for rating purposes, a charge of $475 for a full year shall be made.
A charge of $475 shall be made where sewerage is provided for a full year to a Lot contained in a Body Corporate and Community Management Act 1997 or another community title Act. This charge shall apply subject to Clause (c) hereunder. This charge shall be payable from the date of registration of the community titles scheme and shall be payable by the owner.

A pro rata charge based on $475 per annum shall apply in respect of any parcel of land to which sewerage supply is or is not connected and which becomes separately valued during the financial year or to which the Chief Executive Officer deems shall be separately valued during the financial year. Such charge is to take effect from the date of possession or date of effect of valuation, whichever is the earlier.

A pro rata charge based on $475 per annum shall apply in respect of any parcel of land to which sewerage supply is connected.

(c) Two or more water closet pans installed at Class 1a or Class 4 buildings or portions of buildings and to a single dwelling unit of a Class 2 building shall be permitted without the imposition of charges other than those in Clause (b).

(d) A charge of $475 shall be made for each water closet pan and/or each 1800mm of urinal or part thereof (as defined by the Standard Sewerage By-laws) connected, proposed to be connected or required to be connected (in accordance with the minimum number/s of water closet pans and/or urinals specified in the Building Code of Australia 1996) at Classes 1b, 3, 5, 6, 7, 8 & 9 buildings, or portions of buildings, where sewerage is available for a full year or on a pro rata basis according to the proportion of the year for which sewerage is available. In this sub-clause, the charge of $475 shall also apply in respect of three wall urinals or part thereof.

(e) Notwithstanding the above, a charge of $475 shall be made for the first three and a charge of $237.50 for subsequent water closet pans and/or each 1,800 mm of urinal and part thereof (as defined by the Standard Sewerage By-laws) connected, proposed to be connected or required to be connected (in accordance with the minimum number/s of water closet pans and/or urinals specified in the Building Code of Australia 1996) at premises listed in the Schedule below, or as the Council may determine by resolution.

(g) Within the Sewerage Area, for premises that pump septic tank effluent to the sewer system, an annual charge equivalent to 60% of the standard sewerage charge of $475 which equates to $285 shall apply. Provided that approval of the Council is received to dispose of the effluent as aforesaid. Provided also that the Council shall apply an infrastructure contribution charge to be set as a General Charge by resolution of the Council.

(h) Sewerage charges to be levied on sporting and other organisations (including the Burdekin Race Club, Home Hill) located outside the sewerage areas where these organisations provide their own pumping facilities and sewer line for the conveyance of sewage from their premises into the Council's Sewerage System be based on one-third (to the next) of the sum of the number of water closet pans plus each 1800mm of urinal installed for use at the premises at the rate of $475 per water closet pan.
G. Water Supply Scheme

Council has resolved to charge for water services under a consumption based two-part pricing policy. The outcomes of this form of water supply demand management are aimed at community benefit from:

- Establishment of a charging system more closely aligned to equitable user pays principles;
- Reduced water consumption resulting in:
  - reduced operational costs,
  - deferment of future augmentation works for water treatment plants and delivery systems, and
  - an improved environmental balance of ground water reserves for future generations.

Council is applying partial full cost recovery, including a reasonable return on capital, as the basis for utility charges.

Council has adopted a two-part water pricing regime with an annual base allowance of zero kilolitres per meter for a minimum access charge of $387.

(a) The Council has resolved to introduce a consistent water charging regime for the provision of water and makes water charges on the bases set out below to be levied on all land within the Water Area as described below.

The Water Area shall consist of:

All land situated in the Shire to which the Council is prepared to supply water including the Ayr/Brandon, Home Hill, Mt. Kelly and Giru Water Supply Schemes and the Airdmillan, Klondyke, Colevale, Groper Creek, Alva and Sutcliffe Water Supply Extensions. A parcel of land shall be deemed to be within a water area if the Council is prepared to supply water to any part of the land.

Such charges shall be levied to defray the cost of constructing the water supply including the payment of interest on and redemption of any loan money borrowed for or in respect of such function and the cost of operating, maintaining, and managing the water supply.

The charges shall also apply in respect of any land or other structure, building or place on land that is not rateable under Section 93 of the Local Government Act 2009.

(b) The basis of the water charges in the Water Area shall be:

(i) a minimum access charge; and
(ii) a consumption charge for each kilolitre consumed as registered by a meter installed by Council.

(c) Except as hereinunder provided, a minimum access charge of $387 shall be payable in respect of a water connection to any land and building (or part thereof) or other structure whether occupied or not and a minimum access charge of $387 shall be payable in respect of every parcel of vacant land separately valued for rating purposes to which the water supply is or is not connected.

(d) For premises containing Lots under the Body Corporate and Community Management Act 1997 or another community title Act, where each Lot and Common Property is capable of separate measurement of water, a minimum access charge of $387 shall be payable in respect of each and every individual metered water connection point.

(e) For premises containing Lots under the Body Corporate and Community Management Act 1997 or another community title Act, where each Lot and Common Property is not capable of separate measurement of
water, a minimum access charge of $387 shall be payable in respect of each Lot as if each Lot was provided with an individual metered water connection point.

(f) The minimum access charge shall be payable from the date of registration of the community titles scheme and shall be payable by the owner.

(g) Notwithstanding Clause (c) above, in respect of any land connected to the Groper Creek Water Supply Scheme, the minimum access charge of $387 shall not be payable until such time as any land or building (or part thereof) commences to draw water from the water supply scheme.

(h) A pro rata charge based on $387 per annum for all land situated in the Water Area shall apply in respect of any parcel of land to which water supply is, or is not connected and which becomes separately valued during the financial year or to which the Chief Executive Officer deems shall be separately valued during the financial year. Such charge is to take effect from the date of possession or date of effect of valuation, whichever is the earlier.

(i) A building, any part of which is separately occupied or capable of being separately occupied, shall be levied with a minimum access charge in respect of each and every individual metered water connection point, provided the building is in single title ownership.

(j) Where more than one building is erected on a parcel of land, one of which may be used for residential purposes and any others for business purposes, one minimum access charge shall be levied on such parcel of land in respect of each and every individual metered water connection point provided.

(k) Council does not levy a minimum access charge in respect of fire hose reels.

Consumption Readings and Charges

(l) Water meters are read twice per year in October/November (half year reading) and May/June (end of year reading).

Consumption Charges for Water Consumed in the 2012/2013 Financial Year:

(m) A consumption charge shall apply in the 2012/2013 financial year for each kilolitre consumed as registered by a meter installed by the Council in respect of water consumed between the October/November 2012 (half year reading) and the May/June 2013 (end of year reading).

(n) For any rates assessment with more than one (1) meter, consumption charges shall be calculated individually on the basis of water consumption of each meter. No summing of consumption for that rates assessment will occur.

(o) The charge for all water supplied to any land or structure, building or place for which a consumption charge is to be levied shall be based on the following -

- For water usage up to and including 1,000,000 litres - 14.4 cents per 1,000 litres.
- For water usage above 1,000,000 litres - 72 cents per 1,000 litres.

Consumption Charges for Water Consumed in the 2013/2014 Financial Year:

(p) A consumption charge shall apply for each kilolitre consumed as registered by a meter installed by the Council in respect of water consumed in the 2013/2014 financial year.
For any rates assessment with more than one (1) meter, consumption charges shall be calculated individually on the basis of water consumption of each meter. No summing of consumption for that rates assessment will occur.

(q) Water consumed between the May/June 2013 reading and May/June 2014 reading will be deemed to have been consumed in the 2013/2014 financial year and the charge for all water supplied to any land or structure, building or place for which a consumption charge is to be levied shall be based on the following -

For water usage up to and including 1,000,000 litres - 15 cents per 1,000 litres.

For water usage above 1,000,000 litres - 75 cents per 1,000 litres.

(r) The charge for consumption shall be payable in addition to the minimum access charge.

(s) For premises containing Lots under the Body Corporate and Community Management Act 1997 or another community title Act, where each Lot and Common Property is capable of separate measurement of water, consumption charges shall be calculated from the individual water meters serving each lot and common property.

For premises containing Lots under the Body Corporate and Community Management Act 1997 or another community title Act, where each Lot and Common Property is not capable of separate measurement of water, consumption charges shall be calculated from the property primary water meter and charged to the lots proportional to the lot entitlement schedule for the Community Title unless an agreement between the Body Corporate and Council has been entered into pursuant to section 154(4) of the Body Corporate and Community Management Act 1997. Each such lot shall attract water consumption charges in accordance with clause (m) above.

(t) In respect of fire hose reel services, all existing services are to have meters fitted retrospectively where practicable. All such services will be then capable of being measured in respect of their water consumption and Council will levy a consumption charge for each kilolitre consumed. Dedicated fire mains are to be installed with no meter and they are not intended to be metered for consumption. Where a fire hose reel is connected off a dedicated fire main, a combination meter is to be installed and the consumption measurement is to be taken from the low flow (fire hose reel) meter only.

(u) The Council intends to undertake two water meter readings per year based on the current format of October/November and May/June as an initial frequency and increased readings be considered as consumption trends and predictions are identified accurately and with confidence. Following the October/November meter reading a consumption charge (if applicable) shall be levied on the landowner based on the relevant consumption charges for water consumed in that financial year. Following the May/June meter reading, a consumption charge shall be levied on the landowner based on the relevant consumption charges. The calculation of the latter consumption charge will take into account total consumption and the levy of previous charges, if any.

(v) If any meter in use ceases to register or is reported by an officer of the Council to be out of order or registering inaccurately, the Chief Executive Officer may estimate the charge for the water supplied during the period such meter was not in working order by considering the daily average consumption of a comparative period selected by the engineer or the whole of the previous financial year, whichever is the lowest, and multiplying this average by the number of days the meter is out of order or registering inaccurately. Notwithstanding the above, the Chief Executive Officer may cause a check meter to be installed and estimate the charge upon the registration thereof.
In the case where the Chief Executive Officer is satisfied, on reasonable grounds, that there was a previously undetected leak within the property boundaries, the Chief Executive Officer, in accordance with delegated powers from the Council, will determine the basis for charging consumption charges. His determination, entirely in his discretion, shall be made either upon the basis of annual consumption over the previous three year period or where there is not a history of consumption water charges prior to detection of the leak, and where the Chief Executive Officer is satisfied as to the bona fides of the claim, on the basis that the Chief Executive Officer shall reduce the consumption charges up to an amount of 50% of the amount otherwise payable.

H. Environment Separate Charge

The Environment Separate Charge to meet the ongoing and proposed funding commitments towards environment improvement and natural resource conservation initiatives shall be $30 and shall apply equally to all rateable assessments.

I. CBD 2 Separate Charge

The CBD 2 Separate Charge to meet the ongoing payment of interest on and redemption of any instalments in respect of any loan money borrowed for or in respect of cost of constructing and implementing Stage 2 of the CBD Revitalisation Project shall be $10-03 and shall apply equally to all rateable assessments per annum until 2014/15.

J. Wunjunga SBS Translator Special Charge

The Wunjunga SBS Translator Supply Special Charge to meet the ongoing cost of repairs, maintenance and electricity supply to the SBS television translator shall be $4-07. The benefited area is defined in a schedule of benefited properties (held by Council’s Rates office).

K. Alva Beach Rural Fire Brigade Special Charge

The Alva Beach Rural Fire Brigade Special Charge shall be $30 and will be levied on all rateable land within the area marked on Plan No. RF1621 (held by Council’s Rates office) for the purposes of raising funds for the Alva Beach Rural Fire Brigade. Funds collected are for the purpose of contributing to the purchase and maintenance of equipment and infrastructure by the Brigade. The Council is of the opinion that all land within the area receives a special benefit from those activities. The levy is based on the requirements of the Brigade as set out in its budget and agreed to annually by the Council.

L. Clare Rural Fire Brigade Special Charge

The Clare Rural Fire Brigade Special Charge shall be $20 and will be levied on all rateable land within the area marked on Plan No. RF0463 (held by Council’s Rates office) for the purposes of raising funds for the Clare Rural Fire Brigade. Funds collected are for the purpose of contributing to the purchase and maintenance of equipment and infrastructure by the Brigade. The Council is of the opinion that all land within the area receives a special benefit from those activities. The levy is based on the requirements of the Brigade as set out in its budget and agreed to annually by the Council.

M. Mount Kelly Rural Fire Brigade Special Charge

The Mount Kelly Rural Fire Brigade Special Charge shall be $35 and will be levied on all rateable land within the area marked on Plan No. RF2009 (held by Council’s rates office) for the purposes of raising funds for the Mount Kelly Rural Fire Brigade. Funds collected are for the purpose of contributing to the purchase and maintenance of equipment and infrastructure by the Brigade. The Council is of the opinion that all land within the area receives a special benefit from those activities. The levy is based on the requirements of the Brigade as set out in its budget and agreed to annually by the Council.
N. Scott Rural Fire Brigade Special Charge

The Scott Rural Fire Brigade Special Charge shall be $50 and will be levied on all rateable land within the area marked on Plan No. RF0425 (held by Council’s Rates office) for the purposes of raising funds for the Scott Rural Fire Brigade. Funds collected are for the purpose of contributing to the purchase and maintenance of equipment and infrastructure by the Brigade. The Council is of the opinion that all land within the area receives a special benefit from those activities. The levy is based on the requirements of the Brigade as set out in its budget and agreed to annually by the Council.

O. Time within which Rates must be Paid

Rates and charges must be paid by the Due Date, with the Due Date being thirty (30) days after the rate notices have been issued.

P. Overdue Rates and Charges

Rates and charges will become overdue if not paid by the due date.

Q. Interest on Rates and Charges

It is Council’s policy to ensure that the interests of ratepayers are protected by discouraging the avoidance of responsibility for payment of rates and charges when due. To this end, Council will impose interest on rates and charges from the day they become overdue.

The rate of interest to be charged on overdue rates and charges shall be 11% compound interest charged at daily rests. The interest rate will be the maximum rate prescribed in the Local Government Regulation 2012.

R. Recovery of Overdue Rates and Charges

Council requires payment of rates and charges by the due date.

Overdue rates will attract interest calculated daily and added to the account monthly.

Legal action for rates and charges recovery may commence where ratepayers have overdue rates from a previous financial year.

S. Periodic Payments Policy

In arrears
Council will allow landowners who are unable to pay their rates by the due date to enter into an arrangement to make periodic payments in arrears following the levy of the rates and charges. Such arrangements are to be approved by the Chief Executive Officer by way of delegated powers from the Council, with no recovery action being taken while the arrangement is being maintained.

In advance
Council further states that there is no reason landowners cannot make periodic payments in advance of the levy of the rates and charges.

T. Regulatory, Cost Recovery, Commercial and Other Fees

Council shall by resolution fix regulatory fees for services and facilities including but not limited to, an application for, or the issue of, an approval, consent, licence, permission, registration or other authority under a local
government act. Such charges will generally be contained in the Register of Regulatory Fees as adopted by Council from time to time in the Fees and Charges schedule.

The regulatory and cost recovery fees shall be no more than the cost to the local government of providing the service or taking the action for which the fee is charged.

In accordance with Council’s general corporate and contractual powers under the Local Government Act 2009, the Council shall by resolution fix a fee for the commercial or other voluntary supply and acquisition of goods and services.

END