A. GENERAL RATES - OVERVIEW

In accordance with section 94(1)(a) of the Local Government Act 2009 and section 80(1) of the Local Government Regulation 2012, Council will levy differential general rates on all rateable land within the Shire.

For the 2017/18 financial year, Council has determined that it will, in accordance with section 81 of the Local Government Regulation 2012, adopt twelve (12) differential categories.

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 use of the land and the economic value of that use;
- the location of the land;
- the level of services provided to that land;
- the access that the land has to services; and
- the rateable value of land, including the potential for the land to produce income.

The annual valuation made by the Department of Natural Resources and Mines of all lands in the Shire shall have force and effect for the period of twelve months commencing on 1 July 2017.

Council determines that a method of differential general rating be applied to all rateable land in the Shire on the bases set out hereunder.

B. DIFFERENTIAL GENERAL RATING CATEGORIES

In accordance with section 81 of the Local Government Regulation 2012, the categories into which rateable land is categorised, the description of those categories and the method by which land is to be identified and included in its appropriate category is set out in the following table.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>A - Residential</td>
<td>Land which is used or intended to be used for residential purposes.</td>
<td>Land with land use codes 01-06, 08, 09, 21, 72 and 97 and/or a property type of Urban Residential or Urban Vacant and as identified by the CEO, but excluding the following properties with assessment numbers: 1872, 3085, 3094, 3097, 3100, 3112, 6214, 6215, 6220, 6221, 6781, 6782, 12390, 12391, 12463 to 12465, 12580 to 12594, 15251 and 15252.</td>
</tr>
<tr>
<td>A1 – Rural Residential</td>
<td>Land which is used or intended to be used for rural residential purposes.</td>
<td>Land with land use codes 01, 02, 04-06, 09, and 72 and/or a property type of Rural Residential or Rural Vacant and as identified by the CEO.</td>
</tr>
<tr>
<td>B – Commercial and Industrial</td>
<td>Land used, or intended to be used, for commercial and/or industrial purposes other than land included with category B1.</td>
<td>Land with land use codes 07, 10-20, 22-59, 90-92, 96 and 99 and as identified by the CEO, and including the following properties with assessment numbers: 1872, 3085, 3094, 3097, 3100, 3112, 6214, 6215, 6220, 6221, 6781, 6782, 12390, 12391, 12463 to 12465, 12580 to 12594, 15251 and 15252.</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td>Identification</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>B1 – Shopping Centre</td>
<td>Land used, or intended to be used, for the purposes of a shopping centre, or as a part of a shopping centre, having a gross floor area greater than 4,500 square metres, and on-site car parking for more than 80 vehicles</td>
<td>Land with land use code 16 and as identified by the CEO.</td>
</tr>
<tr>
<td>C – Grazing and Livestock</td>
<td>Land used for the purposes of grazing or livestock.</td>
<td>Land with land use codes 60-69, 85-87 and 89 and as identified by the CEO.</td>
</tr>
<tr>
<td>D – Sugar Cane</td>
<td>Land used for the purposes of growing sugar cane.</td>
<td>Land with land use code 75 and as identified by the CEO.</td>
</tr>
<tr>
<td>E – Rural (Other) - less than 20 hectares</td>
<td>Land used for rural purposes, other than land included in category C or D, with an area of less than 20 hectares.</td>
<td>Land with land use codes 70-71, 73-74, 76-84, 88, 93, 94 and as identified by the CEO.</td>
</tr>
<tr>
<td>E1 – Rural (Other) - 20 hectares or more</td>
<td>Land used for rural purposes, other than land included in category C or D, with an area of 20 hectares or greater.</td>
<td>Land with land use codes 70-71, 73-74, 76-84, 88, 93-94 and as identified by the CEO.</td>
</tr>
<tr>
<td>F – Sugar Milling</td>
<td>Land used, or intended to be used, for the purposes of sugar milling, including land used in connection or in association with sugar milling.</td>
<td>Land identified by the CEO.</td>
</tr>
<tr>
<td>G1 – Water (less than 10 hectares)</td>
<td>Land used, or intended to be used, for the extraction, storage, delivery, transport or drainage of water, with an area of less than 10 hectares.</td>
<td>Land with land use code 95 and as identified by the CEO.</td>
</tr>
<tr>
<td>G2 – Water (10 hectares or more)</td>
<td>Land used, or intended to be used, for the extraction, storage, delivery, transport or drainage of water, with an area of 10 hectares or greater.</td>
<td>Land with land use code 95 and as identified by the CEO.</td>
</tr>
<tr>
<td>H – Other</td>
<td>Land not otherwise categorised.</td>
<td>Land identified by the CEO.</td>
</tr>
</tbody>
</table>

The land use codes referred to under the “Identification” column in the table above, are 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 2017.

Council delegates its power, under section 81(4) of the Local Government Regulation 2012, to identify the rating category to which each parcel of rateable land within the Shire belongs to the Chief Executive Officer.
C. DIFFERENTIAL GENERAL RATES AND MINIMUM GENERAL RATES

In accordance with section 77 and section 80 of the *Local Government Regulation 2012*, the differential general rate and minimum general rate for each differential rating category is set out in following table.

<table>
<thead>
<tr>
<th>Category</th>
<th>Rate (cents) in the dollar ($)</th>
<th>Minimum General Rate ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A – Residential</td>
<td>1.446</td>
<td>$1,035</td>
</tr>
<tr>
<td>A1 – Rural Residential</td>
<td>1.405</td>
<td>$1,035</td>
</tr>
<tr>
<td>B – Commercial and Industrial</td>
<td>1.581</td>
<td>$1,056</td>
</tr>
<tr>
<td>B1 – Shopping Centre</td>
<td>2.454</td>
<td>$30,450</td>
</tr>
<tr>
<td>C – Grazing and Livestock</td>
<td>2.467</td>
<td>$1,056</td>
</tr>
<tr>
<td>D – Sugar Cane</td>
<td>3.898</td>
<td>$1,056</td>
</tr>
<tr>
<td>E – Rural (Other) less than 20 hectares</td>
<td>2.180</td>
<td>$1,056</td>
</tr>
<tr>
<td>E1 – Rural (Other) 20 hectares or more</td>
<td>3.898</td>
<td>$1,056</td>
</tr>
<tr>
<td>F – Sugar Milling</td>
<td>27.376</td>
<td>$152,250</td>
</tr>
<tr>
<td>G1 – Water (less than 10 hectares)</td>
<td>20.295</td>
<td>$1,056</td>
</tr>
<tr>
<td>G2 – Water (10 hectares or more)</td>
<td>67.78</td>
<td>$4,904</td>
</tr>
<tr>
<td>H – Other</td>
<td>1.446</td>
<td>$1,035</td>
</tr>
</tbody>
</table>

D. LIMITATION OF INCREASE IN RATES LEVIED

Council has, in accordance with section 116 of the *Local Government Regulation 2012*, resolved not to limit the increase in general rates.

E. REBATES AND CONCESSIONS

(a) Rate Concession – Pensioner Rebate

For the 2017/18 financial year, Council has determined that, in accordance with chapter 4, part 10 of the *Local Government Regulation 2012*, it shall grant rating concessions for eligible pensioners with respect to a property which is the principal place of residence of the eligible pensioner.
Eligibility

The concession shall only be granted with respect to a property which is owned solely by eligible pensioner/s and where the property is the principal place of residence of the eligible pensioner/s.

An eligible pensioner is one who is in receipt of a full pension/allowance, who produces a Pensioner Concession Card or a DVA Health Card (All Conditions within Australia or Totally & Permanently Incapacitated) issued by Centrelink or the Department of Veterans’ Affairs.

This rebate shall also extend to:

• War Widows who are the holders of a Gold Card;
• Eligible pensioners who occupy a dwelling in respect to which a life tenancy has been granted by way of Will and providing there is no provision in the Will which relieves the life tenant of the obligation to pay the rates and charges; and
• Eligible pensioners who reside in an Institution caring for the aged, including hospitals and Blue Nursing Units, or are in family care irrespective of whether or not the property is occupied on a paid tenancy basis.

The pensioner rebate is to be calculated as half the sum of the relevant General Rates, Water Charges, and Sewerage Charges up to the maximum rebate set at $358.

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

Applications for rate concessions by qualifying applicants who own relevant properties on 1 July 2017 are to be dealt with in the following manner:

1. for existing eligible pensioners, the details currently held continue to be used for annual verification with Centrelink/Department of Veterans’ Affairs;
2. for new eligible Pensioners, an initial application is required to be made; and
3. for pensioners requesting a rebate due to special circumstances, an annual application is required to be made.

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

Any rebate granted pursuant to this section is only applicable for the period of time that the eligible 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 financial year, a supplementary rates notice will be issued to the new 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 2018, 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.

Donations to Not for Profit Community Organisations:

For each financial year donations equivalent to 45% of 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 1992 will be made to the relevant community organisations immediately upon payment in full of all levied rates and charges, together with any overdue rates and charges, if any. Council may, at 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. Council's policy governing the consideration of any application for relief on the grounds of hardship is currently as follows:-

1. an applicant will be eligible for consideration of rates concession on the grounds of financial hardship upon complying with the following criteria:-
   a. 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
   b. payment of rates by the applicant would cause financial hardship within the next twelve (12) months;

2. 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; and

3. for ratepayers experiencing difficulties with payment of rates, Council may consider allowing delayed payment of rates, charges and 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.

F. WASTE MANAGEMENT UTILITY CHARGE

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. 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 fortnights.

* 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 may 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 bin, 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.

Example

Multi-Residential Premise of five units (5 x 140L = 700L) is required to have at least 5 x 140L mobile refuse bins or the equivalent in bulk waste bin, serviced at least once per week; and at least 5 x 240L mobile recycling bins and up to 5 x 240L mobile green waste bins, serviced at least once per fortnight.

Council’s authorised officers will determine the minimum green waste 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, may 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 or an equivalent service provided by an approved private contractor.

Where it is deemed by the Manager of Governance and Local Laws that the replacement general waste or recycle service provided by a private contractor are not an equivalent service, then waste charges levied will consist of the relevant component as detailed in the revenue statement.

Item specific recycling services e.g. 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 Governance and Local Laws.

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. The premises must provide a copy of their waste service agreement as proof of alternative service.

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 Governance and Laws 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 not located near trees, parked cars or other obstacles that may prevent the truck from emptying the bins.

- 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 may 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 any twelve (12) month period, the service may be suspended:

(i) initially for one (1) month;

(ii) for three (3) months if a further notice is left; and

(iii) for three (3) months after one additional notice, at the discretion of the Manager Governance and Local Laws.

- Charges will not be removed where green waste 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 or is unfit for occupation; or
   b) Upon supply of written evidence (e.g. 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>$406</td>
</tr>
<tr>
<td>240L Rural Residential 2 Bin Service</td>
<td>$512</td>
</tr>
<tr>
<td>140L Residential 3 Bin Service</td>
<td>$463</td>
</tr>
<tr>
<td>240L Residential 3 Bin Service</td>
<td>$569</td>
</tr>
<tr>
<td>240L Commercial 2 Bin Service</td>
<td>$448</td>
</tr>
<tr>
<td>240L Commercial 2 Bin Service</td>
<td>$505</td>
</tr>
<tr>
<td>140L Multiple Residential 2 Bin Service</td>
<td>$406</td>
</tr>
<tr>
<td>240L Multiple Residential 2 Bin Service</td>
<td>$512</td>
</tr>
<tr>
<td>Multiple Residential Green Waste Service as determined by Council authorised Officer and in proportion to residences serviced</td>
<td></td>
</tr>
<tr>
<td>Additional 140L Residential Refuse Bin</td>
<td>$332</td>
</tr>
<tr>
<td>Additional 240L Residential Refuse Bin</td>
<td>$438</td>
</tr>
<tr>
<td>Additional 240L Commercial Refuse Bin</td>
<td>$351</td>
</tr>
<tr>
<td>Additional Residential Recycle Bin</td>
<td>$74</td>
</tr>
<tr>
<td>Additional Commercial Recycle Bin</td>
<td>$97</td>
</tr>
<tr>
<td>Additional Green Waste Bin</td>
<td>$57</td>
</tr>
</tbody>
</table>

8.0 WASTE ACCESS CHARGE
A Waste Access Charge of $16 shall be levied on each rateable property without an existing refuse service in Category A (Residential), Category A1 (Rural Residential), Category C (Grazing & Livestock), Category D (Rural Sugar Cane), Category E (Rural (Other) less than 20 hectares) and Category E1 (Rural (Other) 20 hectares or more) for access to free sorted domestic dumping at Landfill and Transfer Stations.

9.0 WASTE LEGACY LANDFILL CHARGE
In accordance with section 92(4) of the Local Government Act 2009 and Section 99 of the Local Government Regulation 2012, Council shall levy a charge on every parcel of rateable land in the Shire to fund expenditure and projects that assist in remediating or reducing the environmental and human health risks associated with former landfill sites located in the Shire, including further detailed assessment of sites if required. For the 2017/18 financial year, the amount of the charge shall be $20.
G. SEWERAGE UTILITY CHARGE

In accordance with section 94(1)(b)(ii) of the Local Government Act 2009 and section 99 of the Local Government Regulation 2012, Council shall levy a sewerage charge on each rateable property, both vacant and occupied, that Council has or is able to provide with sewerage services.

A charge is set, subject to the provisions hereunder, and referred to as classes of buildings in accordance with the “Building Code of Australia” 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 Council is prepared to sewer. A parcel of land shall be deemed to be within a sewerage area if 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", 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 of a group of two 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 -

(i) a boarding house, guest house, hostel or the like -

(A) with a total area of all floors not exceeding 300 m² measured over the enclosing walls of the Class 1b; and

(B) in which not more than 12 persons would ordinarily be resident; or

(ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation,

which are not located above or below another dwelling or another Class of building other than a private garage.

Class 2: a building containing 2 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, children or people with disabilities; or

(e) a residential part of a health-care building which accommodates members of staff; or

(f) a residential part of a detention centre.

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 bar; or

(b) a dining room, bar area that is not an assembly building, shop or kiosk part of a hotel or motel; or

(c) a hairdresser's or barber's shop, public laundry, or undertaker's establishment; or

(d) market or sale room, showroom, or service station.

Class 7: a building which is:

(a) Class 7a - a car park; or

(b) Class 7b - for 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; or

(c) Class 9c - an aged care building.

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; or

(c) Class 10c - a private bushfire shelter.
(b) The charges in the Sewerage Area shall be:-

A charge of $535 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 $535 for a full year shall be made.

A charge of $535 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 $535 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 $535 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 $535 shall be made for each water closet pan and/or each 1,800 mm 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) 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 $535 shall also apply in respect of three wall urinals or part thereof.

(e) Notwithstanding the above, a charge of $535 shall be made for the first three and a charge of $267.50 for subsequent water closet pans and/or each 1,800 mm of urinal and/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”) at premises listed in the Schedule below, or as Council may determine by resolution.

Schedule

Motels, Hotels, Taverns, Accommodation Units, Caravan Parks, Service Stations, Non-Government Offices (includes combined workshops, warehouse), Shops, Restaurants, Drive-In Theatres, Factory, Foundry, Private Day Care Centres, Sporting Bodies with permanent liquor licences, Ayr Anzac Club – RSL Premises.

i. In relation to the Burdekin Delta Cinema, the sewerage charge shall be calculated on the basis that there exists, in total, seven water closet pans and/or 1,800 mm of urinal or part thereof.

(f) A charge of $535 shall be made in respect of each separately valued parcel of land on which any building and portions of buildings are erected, and not being chargeable as hereinbefore set out.

(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 $535 which equates to $321 shall apply. Provided that approval of Council is received to dispose of the effluent as aforesaid. Provided also that Council shall apply an infrastructure contribution charge to be set as a General Charge by resolution of 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 Council's Sewerage System be based on one-third (to the next) of the sum of the number of water closet pans plus each 1,800 mm of urinal installed for use at the premises at the rate of $535 per water closet pan.

H. WATER UTILITY CHARGE

(1) In accordance with section 94(1)(b)(ii) of the Local Government Act 2009 and section 99 and section 101 of the Local Government Regulation 2012, Council has resolved to charge a utility charge for the provision of water services.

(2) The charge shall be levied as a two-part charge with the following components:-

(a) an access charge levied irrespective of the volume of water used; and
(b) a consumption charge calculated according to the metered volume of water used.

(3) The charge shall be levied on every parcel of rateable land within the water area. The water area consists of all land to which 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 (“the Water Area”).

(4) A parcel of land shall be deemed to be within a water area if Council is prepared to supply water to any part of the land.

Access Charge

(5) For the 2017/18 financial year, an access charge of $447 shall be levied on all land within the Water Area.

Consumption Charge

(6) A consumption charge shall apply for each kilolitre consumed as registered by a meter installed by Council in respect of water consumed. 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.

(7) For the 2017/18 financial year, the following charges shall apply:

(a) water usage up to and including 1,000,000 litres - 22 cents per 1,000 litres; and
(b) water usage above 1,000,000 litres - $1.10 per 1,000 litres.

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

(9) 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.

(10) 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 196(4) of the Body Corporate and Community Management Act 1997. Each such lot shall attract water consumption charges in accordance with clause (6) above.
(11) 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.

**Other Matters**

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

(13) Council resolves, in accordance with section 102(2) of the *Local Government Regulation 2012*, that a meter shall be taken to have been read on a day which starts two (2) weeks before, and ends two (2) weeks after, the date the meter is actually read.

(14) If any meter in use ceases to register or is reported by an officer of 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.

(15) 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 Council, will determine the basis for charging consumption charges. His determination, entirely in his discretion, and if he is satisfied as to the bona fides of the claim, may provide a reduction of a maximum 50% of the difference between the consumption for the billing period and the average of the previous consumption history as recorded by Council over the preceding three (3) years.

**I. ENVIRONMENT SEPARATE CHARGE**

(1) In accordance with section 94(1)(b)(iii) of the *Local Government Act 2009* and section 103 of the *Local Government Regulation 2012*, Council shall levy a separate charge on every parcel of rateable land within the Shire to fund projects that have an environmental benefit to the Burdekin community, including but not limited to the following environmental improvement and natural resources conservation initiatives:

(a) Rehabilitation, care or maintenance of the natural environment in areas such as tree planting; fish restocking; aquatic weed management; wetland management; herbicide subsidy; and natural resource management.

(b) Preservation or remediation of environmentally important areas.

(c) Acquisition of land that has particular environmental value.

(d) Promotion and encouragement of sustainable practices such as energy efficiency and waste minimisation.

(2) For the 2017/18 financial year, the amount of the charge shall be $10.
J. MOUNT KELLY RURAL FIRE BRIGADE SPECIAL CHARGE

(1) In accordance with section 94(1)(b)(i) of the Local Government Act 2009 and section 94 of the Local Government Regulation 2012 and section 128A of the Fire and Emergency Services Act 1990, Council will levy a special charge on land within the area marked on plan number RF2009 (as annexed hereto) to fund the ongoing provision and maintenance of rural fire fighting equipment for the rural fire brigades that operate in the Mount Kelly area ("the Service").

(2) The land the subject of the special charge specially benefits from the provision of the Service, because this land is not otherwise serviced by urban fire fighting brigades.

(3) For the 2017/18 financial year, the amount of the charge shall be $15.

(4) The overall plan for the special charge is as follows:

(a) The special charge is levied to fund the cost of providing rural fire fighting services to properties in the Mount Kelly area.

(b) The rateable land to which the special charge applies is every parcel of rateable land shown on plan number RF2009 (as annexed hereto).

(c) The estimated cost of carrying out the overall plan is $2,295.

(d) The time for carrying out the overall plan is 12 months ending 30 June 2018.

K. SCOTT RURAL FIRE BRIGADE SPECIAL CHARGE

(1) In accordance with section 94(1)(b)(i) of the Local Government Act 2009 and section 94 of the Local Government Regulation 2012 and section 128A of the Fire and Emergency Services Act 1990, Council will levy a special charge on land within the area marked on plan number RF0425 (as annexed hereto) to fund the ongoing provision and maintenance of rural fire fighting equipment for the rural fire brigades that operate in the Scott area ("the Service").

(2) The land the subject of the special charge specially benefits from the provision of the Service, because this land is not otherwise serviced by urban fire fighting brigades.

(3) For the 2017/18 financial year, the amount of the charge shall be $50.

(4) The overall plan for the special charge is as follows:

(a) The special charge is levied to fund the cost of providing rural fire fighting services to properties in the Scott area.

(b) The rateable land to which the special charge applies is every parcel of rateable land shown on plan number RF0425 (as annexed hereto).

(c) The estimated cost of carrying out the overall plan is $4,400.

(d) The time for carrying out the overall plan is 12 months ending 30 June 2018.

L. 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.
M. OVERDUE RATES AND CHARGES
Rates and charges will become overdue if not paid by the due date.

N. 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 on daily rests. The interest rate will be the maximum rate prescribed in the Local Government Regulation 2012.

O. 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.

P. 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 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.

Q. 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, Council shall by resolution fix a fee for the commercial or other voluntary supply and acquisition of goods and services.

END

ANNEX