

11.5 REPEAL OF RATES AND SERVICE CHARGES POLICY

Attachments: 1. Rates and Service Charges Policy

RECOMMENDATION:

That Council repeal the Rates and Service Charges Policy at Attachment 1.

PURPOSE OF REPORT:

To seek Council approval to repeal the Rates and Service Charges Policy as at **Attachment 1**.

BACKGROUND:

Each year during the Budget process the City considers, and Council adopts, the annual budget which includes the Rates and Services charges payment options and due dates. Council also adopts the City's Fees and Charges which includes the administration fee and interest for the instalment payment option.

The City's approach to the Negotiated Special Payment Arrangement (NSPA) is set out in the City's [Recovery of Debts, Rates and Service Charges \(1.2.13\)](#) policy.

The requirement of provisions outlined in clause 1.3 of the [Policy Development and Review Policy](#) and Administrations proposal to repeal the policy, were presented to Council Members through the monthly Policy Paper in October 2021.

No feedback was received from Council Members.

DETAILS:

This policy is outdated, incomplete and no longer required as legislation and associated regulations adequately governs the standard for rates and service charges. Annual review of fees and charges, and delegations, provides adequate governance.

Administration is of the opinion that the following provisions adequately govern the standard for rates and service charges:

- *Local Government Act 1995* (Act) and associated regulations.
- The Recovery of Debts, Rates and Service Charges (1.2.13) policy.
- Council approval of rates and services charges, payment options, due dates and administration fees during the Annual Budget process.
- Certified Delegations and Authorisations.

Administration complies with all legislative requirements as stated in the Act.

CONSULTATION/ADVERTISING:

No Community Consultation is required for the repeal of the policy.

LEGAL/POLICY:

Nil

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to repeal the Policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Deleting this policy does not impact on the achievement of specific sustainability outcomes in the *City's Sustainable Environment Strategy 2019-2024*.

PUBLIC HEALTH IMPLICATIONS:

Deleting this policy does not impact on the achievement of the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil

POLICY NO: 1.2.12**RATES AND SERVICE CHARGES****OBJECTIVES**

To establish a standard for charges relating to rates and service charges in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

POLICY STATEMENT**1. Options and conditions**

The following payment options, time frames, charges and interest rates shall apply to rates and service charges.

Option	Admin Charge	Late Payment Interest Charge	Incentive	Due Dates
Pay in full	Nil	N/A	No	35 days following issue of rate notice
2 equal instalments	Yes – 1 only	Yes	No	35 days following issue of rate notice; and 63 days after due date of 1 st instalment
4 equal instalments	Yes – 3 only	Yes	No	35 days following issue of rate notice; 63 days after due date of 1 st instalment; 63 days after due date of 2 nd instalment; 63 days after due date of 3 rd instalment
Negotiations Special Payment Arrangements	Yes	Yes	No	As determined in agreement

2. Administration Fee

An Administration Fee, as adopted in the Annual Budget, together with an interest charge, not greater than the maximum rate of interest allowed under Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, is applicable. Such interest is to be calculated in accordance with Regulation 69 of the *Local Government (Financial Management) Regulations 1996*, being on a simple interest basis by applying the rate of interest imposed by the local government to the amount of each instalment.

3. Negotiated Special Payment Arrangements (NSPA)

- (a) In accordance with the provisions of Section 6.49 of the *Local Government Act 1995*, a local government may enter into a Negotiated Special Payment Arrangement with a ratepayer for the payment of rates and service charges;
- (b) An Administration fee as adopted in the annual budget will apply for each payment arrangement, for each assessment; and
- (c) A NSPA will be administered in accordance with Policy No. 1.2.13 – ‘Recovery of Debts, Rates and Service Charges’.

Delegated Authority

The Chief Executive Officer will administer and enforce this Policy, Guidelines and Procedures, in accordance with the Council Delegated Authority Register.

Date Adopted:	8 June 2010
Date Amended:	-
Date Reviewed:	-
Date of Next Review:	June 2015