

Ansoul, Stephen

From: Ansoul, Stephen
Sent: Thursday, 26 August 2021 2:29 PM
To: 'shane@iq.org.au'
Subject: Byron Shire Council - Island Quarry Reserve Trust - Submission to Draft Rates and Charges Policy - Future Actions - 214 Ewingsdale Road BYRON BAY - Assessment 1101963 - iQ
Attachments: Island Quarry Reserve R140104 Overview Letter.pdf

Hi Shane,

Thanks for taking the time to discuss this matter with me this morning.

The purpose of my contact was to inform you that a report will be tabled to the 23 September 2021 Council meeting to consider adopting the draft Rates and Charges Donations policy. The draft policy was on public exhibition up until 4 August 2021 and your trailing email was the only submission we received. The report to Council will include comments specifically about your submission.

As explained, even though the rates donation policy limits the number of organisations that receive Council financial assistance to pay their rates, Council acknowledges and appreciates the vast range of community services provided by many local organisations.

Donation adjustments were not included on the 2021/22 rate notices issued in July 2021 due to the pending policy review. As a result, we will soon write to recipients of rates donations under the former policy (regardless of whether they are included in the draft new policy or not) to advise them that we will process any relevant rates adjustments once Council adopts a new policy and also that they need not pay the first quarterly rates instalment listed on their notice which is due on 31 August 2021 (amounts payable will be spread over the three remaining 2021/22 quarterly instalments).

Thanks again for the enlightening conversation this morning and please contact me on 02 6626 7007 if any further queries arise.

Regards

Steve Ansoul | Revenue Coordinator | BYRON SHIRE COUNCIL

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Byron Shire Council acknowledges the Traditional Owners of this land, the Arakwal people, the Minjungbal people and the Widjabul people of the Bundjalung Nation, and pays our respects to Elders past and present.

Emails from Byron Shire Council may contain confidential and/or privileged information. Please consider the context in which this email has been sent to you, the email's content, and whether it can be disclosed to a third party.

From: Shane Rennie_iQ <shane@iq.org.au>
Sent: Wednesday, 23 June 2021 9:47 PM
To: Cr. Alan Hunter <alan.hunter@cr.byron.nsw.gov.au>; Cr. Basil Cameron <basil.cameron@cr.byron.nsw.gov.au>; Cr. Cate Coorey <cate.coorey@cr.byron.nsw.gov.au>; Cr. Jan Hackett <jan.hackett@cr.byron.nsw.gov.au>; Cr. Jeannette Martin <jeannette.martin@cr.byron.nsw.gov.au>; Cr. Michael Lyon <michael.lyon@cr.byron.nsw.gov.au>; Cr. Paul Spooner <paul.spooner@cr.byron.nsw.gov.au>; Cr. Sarah Ndiaye <sarah.ndiaye@cr.byron.nsw.gov.au>;

council <council@byron.nsw.gov.au>; Ansoul, Stephen <SAnsoul@byron.nsw.gov.au>

Subject: CM: Motion this Thursday to remove IQ from not paying Rates

Dear Councillors & to whom it may concern,

We were just made aware of the agenda (below) for Thur 24 June.

We hope to have your support.

iQ Inc feels it fits all the criteria for 365 rate donations.

- iQ Inc are a non-for-profit incorporated association who are the appointed Crown Land Managers of Island Quarry Reserve.
- We provide numerous charitable services & facilities to the community.
- The Island Quarry Reserve is integral to our organisations provision of services & activities

iQ Inc pays full commercial rates for the Railway Station where we host work for the dole activities & provide space & services to the community; we also maintain the building.

Upon your consideration of the attached details, we request your support for 365 donations to continue for the Island Quarry Reserve.

Please see attached documents for more information.

I am happy to answer any questions or hear your feedback; please feel free to contact me on the number below.

Kind Regards, Shane
on behalf of iQ Inc

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Shane Rennie
iQ Inc Chairperson
mob: 0414 779 881
www.iQ.org.au

BYRON SHIRE COUNCIL

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES 13.9

Report No. 13.9 Section 356 Donations - Rates and Charges - Policy Review

Directorate: Corporate and Community Services

Report Author: Stephen Ansoul, Revenue Coordinator

File No: I2021/978

Summary:

The policy for Section 356 Donations – Rates and Charges was last adopted in 2014 and requires a review to ensure that its content remains contemporary.

The purpose of this report is to present an updated draft policy to Council for consideration prior to exhibiting for public comment.

The draft updated policy includes minor changes to eligibility criteria and includes an updated list of eligible organisations/properties proposed to receive a yearly donation made by Council towards their rates and charges.

RECOMMENDATION:

1. That Council places the updated draft ‘Section 356 Donations – Rates and Charges – 2021’ policy (Attachment 2 E2021/77889) on public exhibition for a period of 28 days and if no submissions are received, adopts the policy.

2. That any submissions received on the updated draft ‘Section 356 Donations – Rates and Charges – 2021’ policy (Attachment 2 E2021/77889) be reported to Council for consideration, prior to the adoption of the draft policy.

Attachments:

1 Policy: Section 356 Donations - Rates, Water and Sewerage (Changed as per Resolution 13-695) (Current_Policies), E2014/19569

2 DRAFT Policy - Section 356 Donations - Rates and Charges - 2021, E2021/77889

Report

For many years Council has provided financial support to eligible not-for-profit organisations in the form of a yearly donation towards their rates and charges in accordance with Section 356 of the Local Government Act 1993 (LGA).

These donations recognise the valuable services and/or activities provided to the local community by not-for-profit organisations and their limited resources to deliver these important services.

Some examples of organisations/properties that have traditionally received a donation towards their rates and charges include public halls, community centres, community preschools, scouts/girl guides and historical societies.

Council’s current policy (Attachment 1 E2014/19569) was last updated in 2014 and is due for review.

Following that review, a draft updated 2021 policy has been attached to this report (Attachment 2 E2021/77889) for Council’s consideration.

Key changes to the current 2014 policy, as a result of the review process, are summarised below.

Eligibility Criteria

The current 2014 policy eligibility criteria states that in order to be eligible for inclusion the facility must:

- a) Be operated by a not-for-profit organisation; and
- b) Must relate to a community centre, public hall or facility that is available for use and / or provides a charitable service to the general community.

The suggested 2021 policy retains the general eligibility requirements of the current policy but now expands financial and property use qualification criteria to:

- The organisation must be not-for-profit and/or provide a charitable service.
- The property occupied by the organisation must be integral to the organisation's provision of services.
- The organisation must not be significantly funded from other revenue sources.
- The services and/or activities provided by the organisation must benefit the local community.
- The organisation must not qualify for a rating exemption under sections 555 or 556 of the LGA.
- The organisation can be defined as one of the following:
 - Community preschool
 - Community based Hall or Community Centre
 - Surf Life Saving Club
 - Scouts or Girl Guides
 - Historical Society
 - Community Garden
 - Showgrounds
 - Other charitable organisation approved for inclusion by Council

Level of Donation

The updated 2021 policy suggests retention of the current process of providing a donation of 100% of an eligible property's rates, charges and fees (excludes user-based charges such as water usage, wastewater [sewer] usage, waste bin collection services).

Changes to the list of organisations/properties that qualify for a donation

During the review process, a number of organisations/properties currently receiving a donation were identified as being ineligible. Several eligible organisations/properties that have not been receiving a donation were also identified.

The list of (52) eligible organisations/properties within the suggested 2021 policy has been updated accordingly with the changes from the 2014 policy listed below:

Exclusions

- NSW Rural Fire Service – Cook Pioneer Hall – 32 Gordon Street MULLUMBIMBY
Funded via alternative method.
- Island Quarry – 214 Ewingsdale Road BYRON BAY
Doesn't satisfy eligibility criteria.
- Byron Gem and Lapidary Club – 25 Staceys Way TYAGARAH (airfield)
Doesn't satisfy eligibility criteria.
- Billinudgel School of Arts – 4 Wilfred Street BILLINUDGEL
Dilapidated building – unused for any activities or services.

Inclusions

- Federal Community Children's Centre - 898 Binna Burra Road FEDERAL
- Durrumbul Hall - 9 Durrumbul Road MAIN ARM
- Mullumbimby Showground - 62 Main Arm Road MULLUMBIMBY
- Byron Bay Preschool Inc - Cavanbah Centre - 35 Marvell Street BYRON BAY
- Bangalow Community Children's Centre - 1 Raftons Road BANGALOW
- Shara Community Gardens - 125 Shara Boulevard OCEAN SHORES
- Ocean Shores Preschool Inc - 121 Shara Boulevard OCEAN SHORES
- Byron Shire Respite Service Inc - Brunswick Valley Community Centre –
42 South Beach Road BRUNSWICK HEADS
- Brunswick Valley Meals on Wheels Inc - Brunswick Valley Community Centre –
42 South Beach Road BRUNSWICK HEADS
- Byron Bay Preschool - 49 Bottlebrush Crescent SUFFOLK PARK
- Tweed Valley Early Childhood - 89 Bottlebrush Crescent SUFFOLK PARK

- Byron Visitor Centre Inc - 80 Jonson Street BYRON BAY
- Tyagarah Community Association Inc - Tyagarah Hall
25 Staceys Way TYAGARAH
- Lilly Pilly Community Preschool Inc - 96 Kingsford Drive BRUNSWICK HEADS
- Mullumbimby Community Gardens - 156 Stuart Street MULLUMBIMBY
- Byron Youth Service - Youth Activities Centre - 1 Gilmore Crescent BYRON BAY
- Byron Bay Community Association Inc
Fletcher Street Cottage - 18 Fletcher Street BYRON BAY
- Byron Bay Community Association Inc
Byron Community Cabin (former Girl Guides Hall) - 35 Carlyle Street BYRON BAY
- Suffolk Park Community Gardens - 46 Beech Drive SUFFOLK PARK
- Mullumbimby Community Preschool -90 Station Street MULLUMBIMBY
- Byron Bay Scout Hall - 29 Tennyson Street BYRON BAY

The draft 2021 policy is intended to become effective from the 2021/22 rating year.

Options

Financial assistance provided by Council under section 356 of the LGA is optional. For rates and charges, Council can choose who to assist and the level of assistance provided (for example Council could choose to limit the donation to specific rates or charges and also a certain percentage of that rate or charge).

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	L2	CSP Strategy	L3	DP Action	L4	OP Activity
Community Objective 2: We cultivate and celebrate our diverse cultures, lifestyle and sense of community	2.2	Support access to a wide range of services and activities that contribute to the wellbeing of all members of the Byron Shire community	2.2.1	Develop and maintain collaborative relationships with government, sector and community	2.2.1.2	Participate in community planning to inform decision making, build capacity and develop a shared responsibility for actions with the community.

Legal/Statutory/Policy Considerations

Donations provided by Council under section 356 of the LGA are optional.

Financial Considerations

Funding for rates and charges donations is included in the annual budget process with expenditure allocated to general, water or wastewater (sewer) funds to match the type of rate or charge donation provided.

The total amount of rates and charges donated in 2020/21 under the current 2014 policy was around \$125,000. If donations were provided in 2020/21 under the draft 2021 policy, a total amount of \$149,000 would have been donated. The draft 2021/22 budget has adequate funding available should Council wish to offer the revised level of donation proposed.

Consultation and Engagement

This report recommends that the draft 2021 policy be advertised for public comment for 28 days.