

MR PAUL McEWAN
PO BOX 8030
MARKS POINT NSW 2280

By email only: paul.mcewan@draftcom.net

Dear Mr McEwan

**Re: PAUL McEWAN V PORT STEPHENS COUNCIL, NCAT PROCEEDINGS
2016/00378193**

We refer to our letter to you dated 4 October 2023.

A further instalment of \$500 has been paid on your behalf on 26 October 2023. As such, as of today's date the outstanding balance owed to Council is \$10,790.95, an amount which your agent Telina Webb appears to dispute.

We note that, due to an accounting error, you received a statement for October 2023 which shows the debt remaining as being \$7,790.95. As indicated, this amount is incorrect and will be amended in the statement that will be issued to you at the end of November 2023. We apologise for any confusion this may have caused you. However, to clarify, we provide the following summary of your account to date:

	Date	Amounts (\$)
Assessed costs	30/3/2023	13,812.44
Assessor's costs	30/3/2023	1,776.51
Total at 30/3/2023		15,588.95
Less payment received	1/5/2023	-2000.00
Total at 1/5/2023		13,588.95
Judgment debt filing fee	30/5/2023	202.00
Judgment Debt	30/5/2023	13,790.95
Less payments received	1/6/2023	-500.00
	30/6/2023	-500.00
Council Invoice 98833 raised	12/7/2023	12,790.95
Less payments received	1/8/2023	-500.00
	1/9/2023	-500.00
	2/10/2023	-500.00
	26/10/2023	-500.00
Balance owing at 15.11.2023		10,790.95



Contrary to your agent's claim in her email dated 26 October 2023, the balance outstanding was due and payable in full as per the letter sent to you on 21 July 2023. In NSW, a judgment debt is payable within 28 days of being issued by the Court, unless otherwise stated or agreed.

As you would be aware, there has been no agreement entered into between yourself and Council, for the payment of the debt to be made by instalments. Council however, does invite you to seek its agreement as to instalment amounts and frequency of payments.

If an offer is not received from you within 14 days, Council will consider this as you not seeking to enter into such an agreement. Should you make an offer to Council, Council will inform you in writing within 7 days of receipt of any such offer, if the offer is accepted by Council or if the offer is rejected by Council.

Council puts you on notice that should you not make an offer or if your offer is not accepted by Council, Council may commence enforcement proceedings to recover the amount outstanding, without further notice. Council may also seek its costs for such recovery action.

Please note Council reserves the right to charge interest on the judgment debt amount in accordance with s101 of the *Civil Procedure Act 2005* (NSW). The prescribed rate is presently 10.10%.

If you would like to discuss this matter, please contact the writer.

Yours faithfully,

Lisa Marshall
Legal Services Manager

15 November 2023

Telephone enquiries
02 4988 0377

Please quote file no: PSC2022-00847-001