

Special Meeting of Council Agenda

Monday, 8 July 2019

6:30 PM

Council Chambers, Civic Centre,
Stuart Highway, Katherine

Notice of Meeting of Council
Notice is hereby given in accordance with Section 59
of the Local Government Act

1. Welcome to the Country

I am honoured to be on the ancestral lands of Katherine's Aboriginal peoples. I acknowledge the First Australians as the traditional custodians of the continent, whose cultures are among the oldest living cultures in human history. I pay respect to the Elders of the community and extend my recognition to their descendants who are present.

2. Opening Prayer

Grant O God to this Council wisdom, understanding and sincerity of purpose in the Governance of this Municipality. Amen

3. Present

4. Apologies and Leave of Absence

5. Disclosure of Conflict of Interest

6. Reports of Officers

6.1 Declaration of Rates _____ 1 - 8

7. Meeting Close



REPORT

FOLDER: Finance / Rates / Declarations
MEETING: SPECIAL MEETING OF COUNCIL – 8 JULY 2019
REPORT TITLE: DECLARATION OF RATES

Purpose of Report

To declare the Rates and Charges for 2019/2020.

Background

Pursuant to the *Local Government Act* ('The Act') Council is required to declare general rates on allotments throughout the Council area before 31 July each year. The declaration of rates must state:

- Amount to be raised for general purposes and, if an amount is to be realised for a special purpose, the amount to be raised for the special purpose;
- The basis or bases for the rates; and
- If the rates are to be payable in instalments – the number of instalments and when they will be payable.

In accordance with the Municipal Plan Council has budgeted to raise \$7,381,210 in general rates on the basis of a combination of differential rates. Rates are levied with the option of payment in four equal instalments.

Current Position

Unimproved Capital Values (UCV)

Rates payable are calculated on the basis of the unimproved capital values determined by the Australian Valuation Office as at 1 July 2016 in accordance with the Municipal Plan. Total minimum rate revenue has been increased for 2019/2020 by 7.5%.

Conditionally Rateable Land

Under the Act, pastoral leases are included as conditionally rateable land and conditionally rateable land is subject to Ministerial approval. The Municipality includes three pastoral leases and the Minister set a rate for these pastoral leases pursuant to a notice in the Government Gazette on 17 April 2018.

Waste Management Charge

The waste management charge has been increased by 7.5% for the 2019/2020 financial year.

Legal Advice

Legal advice confirms that the attached Declaration of Rates meets the requirements of the Act.

Certification of Assessment Record

The Local Government (Accounting) Regulations requires Council's Chief Executive Officer to check all available records to ensure that all rateable land is recorded in the assessment. This certification has been completed.

KATHERINE TOWN COUNCIL



REPORT

OFFICER RECOMMENDATION

That it be recommended to Council:

That items 1 to 7 in the attached Declaration of Rates & Charges be approved for the Financial Year ending 30 June 2020, pursuant to Part 11.5 of the Local Government Act.

A handwritten signature in blue ink, appearing to read 'R. Jennings'.

Robert Jennings

CHIEF EXECUTIVE OFFICER

Delegation: Executive Manager – Corporate & Community Development, Ms Rosemary Jennings

Schedule of Attachments: Katherine Town Council Declaration of Rates & Charges 2019/20

KATHERINE TOWN COUNCIL

DECLARATION OF RATES AND CHARGES FOR 2019/2020

1. Basis of Assessed Value

Pursuant to section 149(1) of the *Local Government Act* (the **Act**), Council adopts the unimproved capital value (as it appears on the valuation roll prepared by the Valuer-General under the *Valuation of Land Act*) as the basis of the assessed value of allotments in the Katherine municipality.

2. General Rate – Declaration

Pursuant to section 155 of the Act, Council, declares that in respect to the financial year ending 30 June 2020 Council intends to raise \$7,381,210 in rates for general purposes which will be raised by the application of differential valuation-based charges (**differential rates**) with differential minimum charges (**minimum amounts**) being payable in application of each of those differential rates.

3. Basis of Rate Calculation

Council hereby declares the following differential rates and minimum amounts payable in the application of those differential rates for the financial year ending 30 June 2020:

- a) In respect of the allotments of rateable land set out in the Differential Rates Schedule below rates are calculated by multiplying the applicable differential rate, as specified in the Differential Rates Schedule below, by the assessed value of each allotment or rateable land within those parts of the municipality being the different planning zones described alongside the applicable rate in the Differential Rates Schedule below with a minimum amount payable in the application of that rate being \$1,214.75 multiplied by the greater of:
 - i) the number of separate residential parts or units that are adapted for separate occupation or use pursuant to section 148(4) of the Act on each such allotment of rateable land; and
 - ii) the number 1.

DIFFERENTIAL RATES SCHEDULE		
DIFFERENTIAL RATE	ZONE ACCORDING TO NT PLANNING SCHEME	MINIMUM AMOUNT
0.014765362	Single Dwelling Residential, Multiple Dwelling Residential, Medium Density Residential, Specific Use 1 (SD, MD, MR, SK1)	\$1,214.75
0.002008810	Agriculture (A)	\$1,214.75

0.001998629	Water Management (WM)	\$1,214.75
0.003520528	Rural (R)	\$1,214.75
0.005807408	Rural Living (RL)	\$1,214.75
0.022987650	Community Living, Specific Use 2, Specific Use 3, Community Purpose (CL, SK2, SK3, CP)	\$1,214.75
0.026363655	Central Business 1 (CB1)	\$1,214.75
0.020249259	Central Business 2 (CB2)	\$1,214.75
0.026387670	Central Business 3 (CB3)	\$1,214.75
0.020133933	Commercial (C)	\$1,214.75
0.039159756	Service Commercial (SC)	\$1,214.75
0.011647679	Future Development, Railway (FD, RW)	\$1,214.75
0.025486648	Caravan Parks, Tourist Commercial (CV, TC)	\$1,214.75
0.014980845	Light Industry (LI)	\$1,214.75
0.014176444	General Industry (GI)	\$1,214.75
0.010263197	Organised Recreation (OR)	\$1,214.75
Nil	Land which is otherwise non-rateable and land within that part of the municipality comprising Zone Utilities (U).	Nil

- b) In respect of rateable land within that those parts of the municipality known as Binjari Community and RAAF Base Tindal, rates will be raised by application of a differential rate of 0.0000001 multiplied by the assessed value of each allotment of rateable land within those parts of the municipality with a minimum amount payable in the application of that rate being \$1,214.75 multiplied by the greater of:
- i) the number of separate residential parts or units that are adapted for separate occupation or use pursuant to section 148(4) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).
- c) In respect of rateable land within that part of the municipality over which there is a pastoral lease as defined in the *Pastoral Land Act*, rates will be raised by application of a differential rate of 0.000306 multiplied by the assessed value of the land within each such pastoral lease with a minimum amount payable in the application of that rate being \$376.45.
- d) In respect of rateable land within that part of the municipality that is subject to a mining tenement, rates will be raised by application of a differential rate of 0.003475 multiplied by the assessed value with a minimum amount payable in the application of that rate being \$890.96 and on the basis that:
- i) contiguous tenements or reasonably adjacent tenements held by the same person are to be rated as if they were a single tenement; and
 - ii) if the owner of the mining tenement is also the owner of another interest in land (the **other interest**) then:

- (A) if the rate calculated in accordance with this paragraph d) is less than or equal to the rate payable for the other interest - no rate is payable for the mining tenement; or
 - (B) if the rate calculated in accordance with this paragraph d) (**amount A**) is greater than the rate payable for the other interest (**amount B**) - the rate payable for the mining tenement is the difference between amount A and amount B.
- e) In respect of all other rateable land within the municipality (including allotments not covered by the NT Planning Scheme), rates will be raised by application of a differential rate of 0.0020253 multiplied by the assessed value of each allotment of rateable land within that part of the municipality with a minimum amount payable in the application of that rate being \$1,214.75 multiplied by the greater of:
- i) the number of separate residential parts or units that are adapted for separate occupation or use pursuant to section 148(4) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).

4. Waste Management Charges

Pursuant to section 157 of the Act, Council declares the following charges for the purpose of enabling or assisting Council to meet the cost of garbage collection and the waste disposal service it provides for the benefit of residential land within the municipality and the occupiers of such land.

Council intends to raise \$1,240,466 by these charges.

For the purpose of this paragraph:

- “Residential dwelling” means dwelling house, flat or other substantially self-contained residential unit or building on residential land used or capable of being used for residential purposes and includes a unit within the meaning of the Unit Titles Act and the *Unit Titles Schemes Act*.
- “Residential land” means land used or capable of being used for residential purposes.

The following charges are declared:

- 4.1 A charge of \$358.27 per annum per residential dwelling in respect of the waste management service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality other than residential dwellings described in paragraphs 4.2 and 4.3.

The waste management service shall consist of:

- a) a kerbside collection service of one (1) garbage collection service per week, with a maximum of one 240 litre mobile garbage bin per garbage collection visit; and

- b) unlimited access by the occupiers of residential dwellings within the municipality to the Council's Waste Management Facility (Dump) solely for the deposit of waste generated from such residential dwellings, excluding items declared as pay per disposal in Council's Fees & Charges Structure 2019/20.

4.2 A charge of \$127.12 per allotment of land in respect of the waste management service provided for the benefit of residential land within the municipality, being residential land:

- a) on which Council is advised in writing by the land owner and it is confirmed that there is no residential dwelling; and
- b) to which Council is willing and able to provide a weekly kerbside collection service; and
- c) on which no commercial enterprise is conducted.

The waste management service shall consist of unlimited access to Council's Waste Management Facility (Dump) solely for the deposit of waste generated from such residential land, excluding items declared as pay per disposal in Council's Fees & Charges Structure 2019/20.

4.3 A charge of \$127.12 per allotment of land in respect of the waste management service provided for the benefit of residential land within the municipality and the occupiers of such land being residential land:

- a) to which Council is either not willing or not able to provide a weekly kerbside collection service; and
- b) on which no commercial enterprise is conducted.

The waste management service shall consist of unlimited access to Council's Waste Management Facility (Dump) solely for the deposit of waste generated from such residential land, excluding items declared as pay per disposal in Council's Fees & Charges Structure 2019/20.

4.4 Where, in response to a written request from a person liable to a charge in respect of a residential dwelling, Council approves the request and provides an additional service in the form of the weekly kerbside collection of one or more additional 240 litre mobile garbage bins, a charge of \$358.27 per annum, per additional garbage bin shall apply to that residential dwelling.

The additional waste management service shall consist of the provision and collection of the number of additional 240 litre mobile garbage bins approved by Council in response to such written request, which charge shall be levied and paid in conjunction with the charge for the weekly kerbside collection service referred to in paragraph 4.1.

5. Payment of Rates & Charges

That, pursuant to section 161 of the Act, Council determines that rates and charges for the year 1 July 2019 to 30 June 2020 inclusive, shall be due and payable by four approximately equal instalments on the following dates, namely:

First Instalment - 30 September 2019

Second Instalment – 30 November 2019

Third Instalment – 31 January 2020

Fourth Instalment - 31 March 2020

Payment of all or any remaining instalments may be made on or before the due date of the next instalment. Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

In accordance with section 160 of the Act, Council determines that the benefit to be given for the prompt payment of rates and charges and to encourage the early payment for the financial year ending 30 June 2020 shall be the conduct of an 'Early Bird Draw' whereby Council will offer a monetary prize to one (1) eligible ratepayer selected from the draw in an amount being the lesser of the current year's rates and \$700 subject to the following conditions:

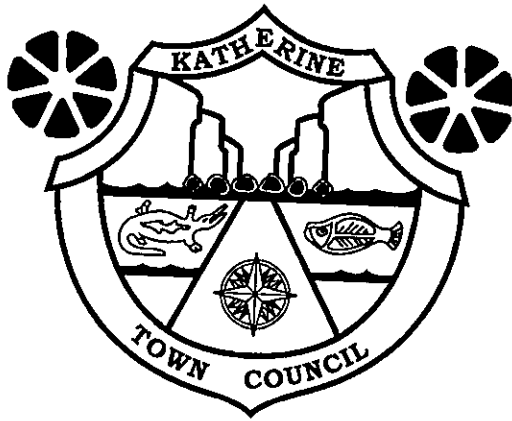
- a) That the total amount of all rates and charges levied for the financial year ending 30 June 2020 in respect of any parcel of rateable land owned by the winning ratepayer, together with arrears (if any) must have been paid in full on or before the 30 September 2019.
- b) The payment will not extend to any part of the waste management charge.
- c) All Government agencies, Council Elected Members and Council employees are excluded from the draw.
- d) The winning ratepayer shall be notified by post.

6. Penalty for Late Payment

That pursuant to section 162 of the Act, Council determines that the relevant interest rate which accrues on overdue rates will be 9% per annum.

7. Recovery of Outstanding Rates & Charges

A ratepayer who fails to pay rates and charges on the due date for payment may face legal action for recovery of the principal amount of the rates and charges, interest accrued on the late payment and costs reasonably incurred by Council in recovering or attempting to recover rates and charges. Under section 173 of the Act, if rates and charges have been in arrears for at least three (3) years, and an overriding statutory charge securing liability for the rates has been registered for at least six (6) months, Council may sell the land.



CERTIFICATION OF ASSESSMENT RECORD

SECTION 24 – Local Government (Accounting) Regulations

I, Robert Jennings, Chief Executive Office of Katherine Town Council certify to Council that to the best of my knowledge, information and belief, the assessment record is a comprehensive record of all rateable land within the Municipality of Katherine.

Robert Jennings
CHIEF EXECUTIVE OFFICER

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Date