

AGENDA

Special Meeting of Council

Monday, 3 July 2023

4.00pm

Council Chambers, Civic Centre,
Stuart Highway, Katherine

The Chief Executive Officer of Katherine Town Council hereby provides notice of the Ordinary Meeting of Council, in accordance with Section 92 of the *Local Government Act 2019*.

ELECTED MEMBERS

- Mayor Elisabeth Clark (Chair)
- Councillor Maddy Bower
- Deputy Mayor Denis Coburn
- Councillor Amanda Kingdon
- Councillor Jeremy Trembath

OFFICERS

- Ms Ingrid Stonhill – Chief Executive Officer
- Ms Rosemary Jennings – Director Community Services
- Mr Brendan Pearce – Director Infrastructure and Environment
- Mr Avtar Singh – Director of Corporate Services
- Amanda Haigh – Governance and Executive Officer

VISION:

Katherine is a place of opportunities. We celebrate diversity as we live, work, learn and grow together.

MISSION:

Together, we will work effectively today to shape our exceptional future tomorrows.

VALUES:

- **Accepting of diversity**
- **Sense of community**
- **Respect for people, environment, and culture.**

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1 ACKNOWLEDGEMENT OF COUNTRY

WE WOULD LIKE TO ACKNOWLEDGE THAT **THIS MEETING IS BEING HELD ON THE TRADITIONAL LANDS OF THE FIRST NATIONS** PEOPLE OF THE KATHERINE TOWNSHIP AND SURROUNDING COUNCIL COMMUNITIES. WE RECOGNISE THE FIRST NATIONS CULTURE AS ONE OF THE LONGEST SURVIVING CULTURES IN THE WORLD AND WE PAY OUR RESPECTS TO ELDERS BOTH PAST, PRESENT AND FUTURE.

2 OPENING PRAYER

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

3 MEETING DECLARED OPEN

4 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

4.2 APOLOGIES

4.3 LEAVE OF ABSENCE

5 DECLARATION OF INTEREST OF MEMBERS AND STAFF

Members Disclosure Conflict of Interest

Council declares any conflicts of interest in line with Conflict-of-Interest Policy. A copy of this policy can be downloaded from www.katherine.nt.gov.au or obtained by emailing records@ktc.nt.gov.au


6 REPORTS OF OFFICERS

6.1 RATES DECLARATION 2023-24 - REVISED DIFFERENTIAL RATES

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\SPECIAL MEETING OF COUNCIL (SMC)\SPECIAL MEETING OF COUNCIL (SMC) - AGENDA\SPECIAL MEETING OF COUNCIL (SMC) - AGENDA - 2023/179930

AUTHOR : CASEY ANDERSON, ADMINISTRATION MANAGER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : 1. RATES DECLARATION 2023-2024 - DRAFT FINAL V2 - 3 JULY 2023.PDF 

OFFICER RECOMMENDATION

1. That Council approves the amended differential rates in respect of those classifications.
 - (a) Agriculture (A) allotments that are used solely for workers accommodation, rates will be raised by application of a differential rate of 0.00249.
 - (b) Agriculture (A) parcel area equal to or greater than 100,000m² and being allotments on which there are situated Major Cattle Facility, rates will be raised by application of a differential rate of 0.003759.

PURPOSE OF REPORT

To approve the amended differential rates for those classifications in respect to classes of allotments of rateable land within that part of the municipality known as Agriculture (A) under the NT Planning Scheme, where a fixed dwelling or multiple dwelling is used solely to provide workers' accommodation, rates will be raised by application of a differential rate of 0.00249 multiplied by the assessed value of such land with the minimum amount payable in the application of the differential rate applicable to those allotments shall be \$1,470.00 multiplied by the greater of:

- i) the number of separate parts or units that are adapted for separate occupation or use pursuant to section 226(5) of the Act on each such allotment of rateable land; and
- ii) the number one (1).

To approve the amended differential rates for those classifications in respect In respect of all those classes of allotments within the municipality zoned Agriculture (A) under the NT Planning Scheme with a parcel area equal to or greater than 100,000m² and being allotments on which there are situated a Major Cattle Facility, rates will be raised by application of a differential rate of 0.003759 multiplied by the assessed value of each classes of allotment of rateable land within that part of the minimum amount payable in the application of that rate being \$1,470.00 multiplied by the greater of:

- i) the number of separate parts or units that are adapted for separate occupation or use pursuant to section 226(5) of the Act on each such allotment of rateable land; and
- ii) the number one (1).

COMMUNITY PLAN/STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority Four	Growth and Sustainability	Lead with Best Practice	Be prudent with our financial management for stronger returns for ratepayers and sustainable long-term finances with current risk management practices current at all times.

BACKGROUND

On 29 June 2023, Special Council Meeting; Council approved of Katherine Town Council’s Declaration of Rates and Charges for 2023/24 and Council’s Municipal Plan 2023/24.

The Municipal Plan 2023/24 contained the correct rate in the dollar and was approved by Council.

DISCUSSION

An administrative error was identified on Monday 3 July 2023, that being, two (2) classification differential rates were not the consistent value which was published and approved in the Municipal Plan 2023/24.

CONSULTATION PROCESS

NIL

POLICY IMPLICATIONS

Amend and re-approve of the Differential Rates for those classifications that pertain to the purpose of this report. The attached Version two (2) Declaration of Rates and Charges 2023/24 will supersede the Declaration that was approved on Thursday, 29 June 2023; Special Meeting of Council.

BUDGET AND RESOURCE IMPLICATIONS

If Council was administering the differential rate that was published in the Declaration of Rates and Charges, rates applicable would have been unfair and equitable for the respected ratepayer.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Rates are declared under Section 226 of the *Local Government Act 2019*.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

NIL

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relations to this matter.



DECLARATION OF RATES AND CHARGES FOR 2023/2024

1. Basis of Assessed Value

Pursuant to section 227(1) of the *Local Government Act 2019* (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 1963*) as the basis of the assessed value of allotments in the Katherine municipality.

2. General Rate – Declaration

Council declares that in respect to the financial year ending 30 June 2024 Council intends to raise \$8,756,737.00 in rates for general purposes which will be raised by the application of differential valuation-based amounts (**differential rates**) with differential minimum amounts (**minimum amounts**) being payable in application of each of those differential rates.

3. Basis of Rates 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 2024:

- a) In respect of the allotments of rateable land within those parts of the municipality being the different planning zones set out in the differential rates schedule below (the **schedule**), rates are calculated by multiplying the applicable differential rate, as set out in the schedule, by the assessed value of each allotment with the minimum amount payable in the application of the differential rate being the applicable minimum amount set out in the schedule 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 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).

DIFFERENTIAL RATES SCHEDULE		
DIFFERENTIAL RATE	PLANNING ZONES ACCORDING TO NT PLANNING SCHEME OR OTHER PLANNING INSTRUMENT	MINIMUM AMOUNT
0.017087	Low Density Residential (LR), Low-Medium Density Residential (LMR), Medium Density Residential (MR), Specific Use 5 (SK5)	\$1,385
0.019039	Specific Use 1 (SK1), Specific Use 4 (SK4)	\$1,470
0.024217	Specific Use 2 (SK2)	\$1,470
0.00249	Agriculture (A) subject to paragraphs 3i) and 3j) below, Horticulture (H), Highway Control Plan (HCP)	\$1,470
0.0054442	Water Management (WM)	\$1,470
0.003759	Rural (R)	\$1,385
0.0068321	Rural Living (RL)	\$1,385
0.034976	Community Living (CL), Community Purpose (CP)	\$1,385
0.029038	Central Business (CB) subject to paragraphs 3b) and h) below, Caravan Parks (CV), Tourist Commercial (TC)	\$1,470
0.02258	Commercial (C) subject to paragraph 3h) below	\$1,470
0.0430011	Service Commercial (SC)	\$1,470
0.277771	Future Development (FD)	\$1,470
0.1666425	Railway (RW)	\$1,470
0.017087	Light Industry (LI), General Industry (GI)	\$1,470
0.0117183	Organised Recreation (OR)	\$1,470

- b) In respect of those classes of allotments within the municipality zoned Central Business (CB) under the NT Planning Scheme used solely for residential purposes, rates will be raised by the application of a differential rate of 0.022300 multiplied by the assessed value of such land, with the minimum amount payable in the application of that rate being \$1,470.00 multiplied by the greater of:
- i) the number of separate parts or units that are adapted for separate occupation or use pursuant to section 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).
- c) In respect of rateable land within that those parts of the municipality known as RAAF Base Tindal, rates will be raised by application of a differential rate of 0.00000001 multiplied by the minimum amount payable in the application of that rate being \$1,606.00 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 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).
- d) In respect of rateable land within that those parts of the municipality known as Binjari Community, rates will be raised by application of a differential rate of 0.00000001 multiplied by the minimum amount payable in the application of that rate being \$1,385.00 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 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).
- e) 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 1992*, rates will be raised by the application of a differential rate of 0.000566 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 \$696.28.
- f) In respect of rateable land within that part of the municipality that is subject to a mining tenement, rates will be raised by the application of a differential rate of 0.006427 multiplied by the assessed value with a minimum amount payable in the application of that rate being \$1,647.93 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.

- g) 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 0.002795 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 \$1,385.00 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 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).

- h) In respect of all those classes of allotments within the municipality zoned Commercial (C) or Central Business (CB) under the NT Planning Scheme with a parcel area equal to or greater than 10,000m² and being allotments on which there is situated a Major Shopping Centre, rates will be raised by application of a differential rate of 0.029038 multiplied by the assessed value of each classes of allotment of rateable land within that part of the minimum amount payable in the application of that rate being \$1,470.00 multiplied by the greater of:
 - i) the number of separate parts or units that are adapted for separate occupation or use pursuant to section 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).

- i) In respect of those classes of allotments of rateable land within that part of the municipality known as Agriculture (A) under the NT Planning Scheme, where a fixed dwelling or multiple dwelling is used solely to provide workers' accommodation, rates will be raised by application of a differential rate of 0.00249 multiplied by the assessed value of such land with the minimum amount payable in the application of the differential rate applicable to those allotments shall be \$1,470.00 multiplied by the greater of:
 - i) the number of separate parts or units that are adapted for separate occupation or use pursuant to section 226(5) of the Act on each such allotment of rateable land; and
 - ii) the number one (1).

- j) In respect of all those classes of allotments within the municipality zoned Agriculture (A) under the NT Planning Scheme with a parcel area equal to or greater than 100,000m² and

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being allotments on which there are situated a Major Cattle Facility, rates will be raised by application of a differential rate of 0.003759 multiplied by the assessed value of each classes of allotment of rateable land within that part of the minimum amount payable in the application of that rate being \$1,470.00 multiplied by the greater of:

- i) the number of separate parts or units that are adapted for separate occupation or use pursuant to section 226(5) of the Act on each such allotment of rateable land; and
- ii) the number one (1).

4. Waste Management Charges

Pursuant to section 239 of the Act, Council declares that in respect to the financial year ending 30 June 2024 Council intends to raise \$1,439,006.00 for the purpose of enabling or assisting Council to meet the operational costs, cost of garbage collection and the waste disposal service it provides for the benefit of land within the municipality and the occupiers of such land.

- a) 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 1975* and the *Unit Titles Schemes Act 2009*.

“Allotments” has the meaning set out in section 225 of the Act.

“Residential land” means land used or capable of being used for residential purposes.

“Commercial land” means land used or capable of being used for commercial purposes.

The following charges are declared:

- b) Council declares a charge of \$393.87 per annum, per residential dwelling, in respect of waste management services provided to each residential dwelling within the municipality other than allotments described in paragraphs c) and e).

The services are:

- i) a kerbside collection of one (1) garbage collection service per week, collecting waste contained in a maximum of one 240 litre mobile garbage bin per garbage collection visit: and
 - ii) unlimited access by the occupiers of residential dwellings within the municipality 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 2023/2024.
- c) Council declares a charge of \$139.75 per annum, per residential allotment, in respect of waste management services, to which Council is unwilling and unable to provide a kerbside collection.

The services are:

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- i) a charge of \$139.75 per annum per allotment of land in respect of the waste management service provided for the benefit of vacant residential land within the municipality and the occupiers of such land.
 - ii) unlimited access by the occupiers of residential dwellings within the municipality to Council's Waste Management Facility (Dump) solely for the deposit of waste generated from such allotment of land, excluding items declared as pay per disposal in Council's Fees & Charges Structure 2023/2024.
- d) Council declares that in respect and for the benefit of operational costs, a charge of \$139.75 per annum, will be applied to all allotments within the Katherine Municipality that are not defined as residential land.

5. Payment of Rates & Charges

Pursuant to section 244 of the Act, Council determines that rates and charges for the year 1 July 2023 to 30 June 2024 inclusive, shall be due and payable by four (4) approximately equal instalments on the following dates, namely:

First Instalment - 30 September 2023

Second Instalment - 30 November 2023

Third Instalment - 31 January 2024

Fourth Instalment - 31 March 2024

- a) 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.
- b) In accordance with section 243 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 2024 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 \$700.00 subject to the following conditions:
 - i) That the total amount of all rates and charges levied for the financial year ending 30 June 2024 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 2023.
 - ii) The payment will not extend to any part of the waste management charge.
 - iii) All Government agencies, Council Councillors and Council employees are excluded from the draw.
 - iv) The winning ratepayer shall be notified by post.

6. Interest and Penalty for Late Payment

Pursuant to section 245 of the Act, Council determines that the relevant interest rate which accrues on overdue rates and charges 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 258 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 and charges has been registered for at least six (6) months, Council may sell the land.

DRAFT

7 CLOSURE OF MEETING