

# Local Government Act

## Declaration of Rates and Charges 2021/2022

Notice is hereby given, pursuant to Section 158 of the Local Government Act, that the following rates and charges were declared by the City of Darwin at the Council Meeting held Tuesday, 29 June 2021 pursuant to Chapter 11 of the Local Government Act ("the Act") in respect of the financial year ending 30 June 2022.

### Rates

City of Darwin (the "Council") made the following declaration of rates pursuant to Chapter 11 of the Act.

- 1.0 Council, pursuant to Section 149 of the Act, adopted the Unimproved Capital Value method as the basis for determining the assessed value of allotments within the Darwin Municipality.
  - 2.0 Council, pursuant to Section 155 of the Act declared that it intends to raise, for general purposes by way of rates, the amount of \$67,290,222.00 which will be raised by the application of differential valuation-based charges ("differential rates") with differential minimum amounts ("minimum amounts") being payable in application of each of those differential rates for the financial year ending 30 June 2022.
  - 3.0 For the purposes of paragraph 3, "residential parts or units" means a dwelling house, flat or other substantially self contained residential unit or building.
- Council declared the following differential rates with minimum amounts being payable in application of each of those differential rates:
- a. With respect to all rateable land within the Municipality Zoned LR, RR, R or RL, under the NT Planning Scheme, a differential rate of 0.563150% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,187.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - b. With respect to all rateable land within the Municipality Zoned LMR, MR or HR under the NT Planning Scheme, a differential rate of 0.563150% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,246.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - c. With respect to all rateable land within the Municipality Zoned CV under the NT Planning Scheme, a differential rate of 0.527717% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,187.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - d. With respect to all rateable land within the Municipality Zoned CB under the NT Planning Scheme, a differential rate of 0.704249% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,502.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - e. With respect to all rateable land within the Municipality Zoned PS or CN under the NT Planning Scheme, a differential rate of 0.547979% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - f. With respect to all rateable land within the Municipality Zoned OR under the NT Planning Scheme, a differential rate of 0.510170% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$490.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - g. With respect to all rateable land within the Municipality Zoned FD, SU, CP, CL, RD or U under the NT Planning Scheme, a differential rate of 0.563150% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,246.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - h. With respect to all rateable land within the Municipality Zoned C or SC under the NT Planning Scheme other than those described in (i) and (j) below, a differential rate of 0.751276% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - i. With respect to all rateable land within the Municipality Zoned C or SC under the NT Planning Scheme with a parcel area greater than 40,000m<sup>2</sup> and being allotments on which is situated a major shopping centre, a differential rate of 1.395119% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - j. With respect to all rateable land within the Municipality Zoned C or SC under the NT Planning Scheme with a parcel area less than 40,000m<sup>2</sup> and being allotments on which is situated a major shopping centre, a differential rate of 0.751276% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - k. With respect to all rateable land within the Municipality Zoned TC or HT under the NT Planning Scheme, a differential rate of 0.624223% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - l. With respect to all rateable land within the Municipality Zoned LI under the NT Planning Scheme, a differential rate of 0.545468% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
  - m. With respect to all rateable land (other than the small allotments identified below) within the Municipality Zoned GI or DV under the NT Planning Scheme, a differential rate of 0.462998% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,237.00 multiplied by:
    - 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 allotment of land; or
    - ii) the number 1, whichever is greater.
- Council considers the following classes of allotments to be a different class of allotments and small allotments for the purposes of section 148 (3)(b) of the Act and the example given at the foot of that section:
- Units 1 to 3 and Units 5 to 98 comprised in Unit Plan No 95/95;
  - Units 101 to 216 in Unit Plan 97/112;
  - Units 17 to 32 comprised in Unit Plan 98/32;
  - Lots 6244 to 6285 Hundred of Bagot; and
  - Lots 6330 to 6336 Hundred of Bagot.
- Council considers that an inequity would result if the minimum amount declared in respect of rateable land within Zone GI were applied to these small allotments, and accordingly, Council declares a lesser minimum amount being \$308.00 to be payable in respect of each of each of these small allotments.
- n. With respect to every allotment of rateable land not otherwise described above, a differential rate of 0.563150% of the assessed value of such land with minimum amounts being payable in the application of that differential rate being \$1,187.00 multiplied by:
    - 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 allotment of land; or

- 4.0 Pursuant to Section 156 of the Act, Council declared the following special rate ("the Parking Local Rate")
  - a. The purpose for which the Parking Local Rate is to be imposed is to defray the expense of and in relation to on-street and off-street parking within the Central Business District ("the Central Business District") as defined in Schedule 1 of the Local Government (Darwin Parking Local Rates) Regulations 1982 ("the Regulations") it being the opinion of the Council that such on-street and off-street parking is and will be of special benefit to the ratepayers of the Central Business District.
  - b. The amount to be raised by the Parking Local Rate is \$1,028,376.00
  - c. The Parking Local Rate will be an amount of \$246.82 per car parking space which will be assessed and levied in accordance with the Regulations. Notification of the parking usage schedule 2021/22 has been duly prepared in accordance with Regulation 4 of the Regulations and notified in the Northern Territory News on 10 June 2021 and in the Northern Territory Government Gazette on 9 June 2021.
  - d. The Parking Local Rate will be levied on all rateable land in the Central Business District in accordance with the Regulations.
  - e. Appeals against an entry in the parking usage schedule may be made in accordance with regulation 7 of the Regulations. The period for appeals under regulation 7 of the Regulations expires on Thursday, 8 July 2021.
  - f. Proceeds of the Parking Local Rate will be applied by the Council for the provision, operation and maintenance of land, facilities, services and improvements for and in connection with the parking of vehicles in the Central Business District, including both on-street and off-street parking facilities.

### Charges

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

- 5.0 Council intends to raise \$8,347,229.00 by these charges.

- a. The following charges were declared:

A charge of \$297.00 per annum per residential dwelling in respect of kerbside garbage and recycling collection services and a waste disposal 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 a residential dwelling as described in Parts 1, 2 and 3 of the Schedule below and the occupiers of such land.

The services are -

- (i) a kerbside garbage collection service of one garbage collection visit per week; and
- (ii) a kerbside recycling collection service of one visit per fortnight, with the collection of waste contained in a maximum of one 240 litre mobile bin per garbage collection or recycling collection visit; and
- (iii) access to the SBWMF, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWMF from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

b. A charge of \$277.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal 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 where the number of residential dwellings (as the case may be) exceeds three (3) other than a residential dwelling as described in Parts 2 and 3 of the Schedule below and the occupiers of such land.

The services are as described in Part 1 of the Schedule below.

c. A charge of \$277.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal 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 where:

- (i) the number of residential dwellings exceeds twelve (12), other than a residential dwelling as described in paragraph 5(d) below;
- (ii) the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services; and
- (iii) the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 2 of the Schedule below.

d. A charge of \$277.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal 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 where:

- (i) the number of residential dwellings exceeds forty (40);
- (ii) the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services; and
- (iii) the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 3 of the Schedule below.

e. Where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the weekly kerbside collection of waste contained in one or more additional 240 litre mobile

garbage bins, a charge of \$492.00 per annum, per additional garbage bin shall apply to that residential dwelling. The additional service shall be the provision and collection of waste contained in 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 5(a).

f. Where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the fortnightly kerbside collection of recycled items contained in one or more additional 240 litre mobile

recycling bins, a charge of \$115.00 per annum, per additional recycling bin shall apply to that residential dwelling. The additional service shall be the provision and collection of recycled items contained in the number of additional 240 litre mobile recycling bins approved by Council in response to such written request, which shall be levied and paid in conjunction with the charge for the fortnightly kerbside collection service referred to in paragraph 5(a).

g. For the purposes of this paragraph 5:

- "residential dwelling" means a dwelling house, flat or other substantially self contained residential unit or building on residential land and includes a unit within the meaning of the Unit Titles Act and the Unit Title Schemes Act.
- "residential land" means land used or capable of being used for residential purposes (but does not include land on which there is no residential dwelling).
- "SBWMF" means the Shoal Bay Waste Management Facility located at Lot 3952 Town of Sanderson.

### Relevant interest rate

6.0 The relevant interest rate for the late payment of rates and charges is fixed in accordance with Section 162 of the Act at the rate of 18% per annum and is to be calculated on a daily basis.

### Payment

7.0 Rates and charges declared under this declaration may be paid by four (4) approximately equal instalments on the following dates, namely:-

- First Instalment, 30 September 2021
- Second Instalment, 30 November 2021
- Third Instalment, 31 January 2022
- Fourth Instalment, 31 March 2022

Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

- a. Details of due dates and specified amounts are listed on the relevant Rates Notice.
- b. Variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Rates Notice.
- c. A ratepayer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates and charges, late payment penalties, and costs reasonably incurred by Council in recovering or attempting to recover the rates and charges. If rates are payable by the owner of the land and are not paid by the due date, they become a charge on the land to which they relate, except within an Aboriginal community living area. In addition, Council may apply to register its charge over the land and sell the land to recover unpaid rates and charges.

### SCHEDULE: CITY OF DARWIN GARBAGE AND RECYCLING COLLECTION SERVICES

#### PART 1 –

Communal Services for more than 3 residential dwellings (refer paragraph 5.0 (b) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week, with the collection of waste and recycled items contained in the number of bins for garbage and recycling collections being as set out in the table below; and
- (c) access to the SBWMF, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWMF from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

#### PART 2 –

Communal Services for more than 12 residential dwellings that meet the requirements of Council (refer paragraph 5.0(c) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week, with the collection of waste and recycled items contained in the number of bins for garbage and recycling collections being as set out in the table below; and
- (c) access to the SBWMF, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWMF from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

#### PART 3 –

Communal Services for more than 40 residential dwellings that meet the requirements of Council (refer paragraph 5.0(d) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week, with the collection of waste and recycled items contained in the number of bins for garbage and recycling collections being as set out in the table below; and
- (c) access to the SBWMF, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWMF from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	GARBAGE BINS 240 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER 240 LITRE BINS
4	1	1	2
5-6	2	1	3
7-8	2	2	4
9-12	3	2	5
13-16	4	3	7
17-18	5	3	8
19-20	5	4	9
21-24	6	4	10
25-28	7	5	12
29-30	8	5	13
31-32	8	6	14
33-36	9	7	16
37-40	10	7	17
41-44	11	8	19
45-48	12	8	20

NUMBER OF HOUSEHOLDS	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER MIXED BINS
13-16	1	3	4
17-18	2	3	5

NUMBER OF HOUSEHOLDS	3 CUBIC METRE GARBAGE BIN	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER MIXED BINS
41-48	1	2	3
49-50	1	3	4
51-71	2	3	5