

CITY OF DARWIN

MINUTES OF THE SPECIAL COUNCIL MEETING OF THE TWENTY-FIRST COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 24 JUNE 2014 COMMENCING AT 7:00 P.M.

PRESENT: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chairman); Member R K Elix; Member H I Galton; Member G J Haslett; Member R M Knox; Member G A Lambert; Member G Lambrinidis; Member R Lesley; Member A R Mitchell; Member S J Niblock; Member R Want de Rowe;

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Dr D Leeder; Acting General Manager Infrastructure, Mr D Lelekis; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Manager Strategy and Outcomes, Ms V Green; Manager Technical Services, Ms N Douglas; Senior Community Engagement Officer, Ms A Malgorzewicz; Business Manager, Mr L Carroll; Revenue Supervisor, Mr E Grenenger; Committee Administrator, Mrs P Hart.

APOLOGY: Member J M Anictomatis; Member K J Worden.

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1. MEETING DECLARED OPEN

The Chairman declared the meeting open at 7:00 p.m.

2. APOLOGIES AND LEAVE OF ABSENCE**2.1 Apologies**

(Elix/Lambrinidis)

THAT the apology from Member J M Anictomatis be received.

DECISION NO.21\2349 (24/06/14) Carried

2.2 Leave of Absence Granted

(Lesley/Mitchell)

THAT it be noted Member K J Worden is an apology due to a Leave of Absence previously granted on 25 February 2014, for the period 4 June 2014 to 29 June 2014.

DECISION NO.21\2350 (24/06/14) Carried

3. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Nil

4. DEPUTATIONS AND BRIEFINGS

Nil

5. CONFIDENTIAL ITEMS**5.1 Closure to the Public for Confidential Items**

Common No. 1944604

Nil

6. SUBJECT ITEMS**6.1 Certificate in Terms of Regulation 21 (1) of the Local Government (Accounting) Regulations**

(24/06/14) Common No. 2337805

(Lesley/Niblock)

THAT the Certificate in Terms of Regulation 21 (1) of the Local Government (Accounting) Regulations, as tabled by the Chief Executive Officer at the 24 June 2014 Special Meeting, be received and noted.

DECISION NO.21\2351 (24/06/14) Carried

6.2 Declaration of Rates and Charges 2014/15

Report No. 14A0101 EG:jm (24/06/14) Common No. 2511322

With the consent of the Council, by Notices of Motion on 29 July 2014, Decision No.21\2421 and 21\2422, this decision was amended.

(Elix/Lesley)

- A. THAT Report Number 14A0101 EG.jm entitled, 2014-15 Declaration of Rates and Charges, be received and noted.
- B. THAT pursuant to Section 149 of the *Local Government Act ("the Act")*, Council adopts the Unimproved Capital Value method as the basis of the assessed value of allotments within the Darwin Municipality.
- C. THAT pursuant to Sections 155-157 of the Act, Council declares that it intends to raise, for general purposes by way of rates, the amount of \$54,350,054 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. Council hereby declares the following differential rates and minimum amounts in the application of those differential rates for the financial year ending 30 June 2015;

For the purposes of this paragraph C, residential parts or units means a dwelling house, flat or other substantially self-contained residential unit or building:

RATES**ALLOTMENTS OF LAND TO WHICH RATES APPLY AND MINIMUM AMOUNTS**

- i) 0.417394% With respect to all rateable land within the municipality zoned SD, RR, R or RL under the *NT Planning Scheme*, the minimum amount being \$1,012.00 multiplied by :-
- (a) 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

- (b) The number 1,
whichever is the greater.
- ii) 0.417394% With respect to all rateable land within the municipality zoned MD, MR or HR under the NT Planning Scheme, the minimum amount being \$1,064.00 multiplied by :-
- (c) 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
- (d) The number 1,
whichever is the greater.
- iii) 0.408030% With respect to all rateable land within the municipality zoned CV under the *NT Planning Scheme*, the minimum amount being \$1,012.00 multiplied by :-
- (a) 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
- (b) The number 1,
whichever is the greater.

- iv) 0.543177% With respect to all rateable land within the municipality zoned CB under the *NT Planning Scheme*, the minimum amount being \$1,281.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- v) 0.376267% With respect to all rateable land within the municipality zoned PS or CN under the *NT Planning Scheme*, the minimum amount being \$1,055.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- vi) 0.345432% With respect to all rateable land within the municipality zoned OR under the *NT Planning Scheme*, the minimum amount being \$417.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- vii) 0.417394% With respect to all rateable land within the municipality zoned FD, SU, CP, CL, RD or U under the *NT Planning Scheme*, the minimum amount being \$1,064.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.

- viii) 0.545344% With respect to all rateable land within the municipality zoned C, or SC under the NT Planning Scheme other than those classes of allotments described below, a minimum amount being \$1,055.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- ix) 1.00056% With respect to those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area equal to or greater than 40,000m² and being allotments on which is situated a major shopping centre, a minimum amount being \$1,055.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- x) 0.545344% With respect to those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area less than 40,000m² and being allotments on which is situated a major shopping centre, a minimum amount being \$1,055.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- xi) 0.574167% With respect to all rateable land within the municipality zoned TC or HT under the NT Planning Scheme, the minimum amount being \$1,055.00 multiplied by :-
- (a) 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
 - (b) The number 1,
whichever is the greater.
- xii) 0.347398% With respect to all rateable land within the municipality zoned LI under the NT Planning Scheme, the minimum amount being \$1,055.00 multiplied by :-
- (a) 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

- (b) The number 1,
whichever is the greater.

xiii) 0.293502% 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, the minimum amount being \$1,055.00 multiplied by :-

- (a) 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
- (b) The number 1,
whichever is the greater.

Council considers the following classes of allotments within the municipality zoned GI 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 \$263.00, to be payable in respect of each of these small allotments.

xiv) 0.417394% With respect to every allotment of rateable land within the municipality not otherwise described above, the minimum amount being \$1,012.00 multiplied by :-

- (a) 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
- (b) The number 1,
whichever is the greater.

D. THAT pursuant to Section 156 of the Act Council declares the following special rate ("the Parking Local Rate"):

- i). 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* ("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;

- ii). The amount to be raised by the Parking Local Rate is \$967,514;
 - iii). The Parking Local Rate is to be an amount of \$235.80 per car parking space which will be assessed and levied in accordance with the Regulations. Notification of the parking usage schedule 2014-15 has been duly prepared in accordance with Regulation 4 of the Regulations and notified in the Northern Territory Government Gazette and in the Northern Territory News on 11 June 2014;
 - iv). The Parking Local Rate will be levied on all rateable land in the Central Business District in accordance with the Regulations;
 - v). Appeals against the assessment of the Parking Local Rate may be made in accordance with regulation 7 of the Regulations. The period for appeals under regulation 7 of the Regulations expires on 10 July 2014;
 - vi). Proceeds of the Parking Local Rate shall 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.
- E. THAT pursuant to Section 157 of the Act, Council declares that it intends to raise \$6,925,540 and makes and declares the following charges for the financial year ending 30 June 2015 in respect of the garbage collection and recycling collection services it provides for the benefit of all residential land within the municipality (except such land as the Council from time to time determines to be exempt or excluded from the provisions of such services) and the occupiers of such land.

For the purposes of this paragraph E:

- “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).
- i). A charge of \$260.00 per annum per residential dwelling in respect of kerbside garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality other than a residential dwelling as described in Parts 1, 2 and 3 of the Schedule below.

The services are –

- a kerbside collection service of one garbage collection visit per week; and
- a kerbside recycling collection service of one visit per fortnight,

with a maximum of one 240 litre mobile bin per garbage collection or recycling collection visit.

- ii). A charge of \$240.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, 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.

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

- iii). A charge of \$237.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality where:

- (a) the number of residential dwellings exceeds twelve (12);
- (b) the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;
and
- (c) 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.

- iv). A charge of \$179.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality where:

- (a) the number of residential dwellings exceeds forty (40);
- (b) the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;
and
- (c) 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

- v). Where the person otherwise liable to pay a charge in respect of a residential dwelling referred to in this paragraph E (other than a residential dwelling as described in paragraphs (ii) to (iv)), satisfies Council that a comparable alternative recycling service is being provided to that residential dwelling, a charge of \$108.00 per annum shall apply to that residential dwelling in respect of the garbage collection service provided to, or which Council is willing and able to provide to all or any such residential dwellings within the municipality.

The garbage collection service shall be a kerbside collection service of one garbage collection visit per residential dwelling per week, with a maximum of one 240 litre mobile garbage bin per visit.

vi). Where the person otherwise liable to pay a charge in respect of a residential dwelling referred to in this paragraph E (other than a residential dwelling as described in paragraphs (ii) to (iv)), satisfies Council that a comparable alternative garbage collection service is being provided to that residential dwelling, a charge of \$108.00 per annum shall apply to that residential dwelling in respect of recycling collection service provided, or which Council is willing and able to provide to all or any such residential dwellings within the municipality.

The recycling collection service shall be a kerbside collection service of one recycling collection visit per residential dwelling per fortnight, with a maximum of one 240 litre mobile recycling bin per visit.

SCHEDULE
CITY OF DARWIN
GARBAGE AND RECYCLING COLLECTION SERVICES

PART 1 –

Communal Services for more than 3 residential dwellings (refer paragraph E (ii) 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 number of bins for garbage and recycling collections being as set out in the table below.

NUMBER OF HOUSEHOLDS	GARBAGE BINS 240 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER 240 LTR 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

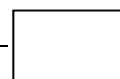
PART 2 –**Communal Services for more than 12 residential dwellings that meet the requirements of Council** (refer paragraph E(iii) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below.

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	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER 1,100 LTR BINS
19-24	2	1	3
25-32	2	2	4
33-48	3	2	5
49-64	4	3	7
65-71	5	3	8
72-80	5	4	9
81-96	6	4	10
97-112	7	5	12



PART 3 –**Communal Services for more than 40 residential dwellings that meet the requirements of Council** (refer paragraph E (iv) 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 number of bins for garbage and recycling collections being as set out in the table below.

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

F. THAT 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 18.0% per annum and is to be calculated on a daily basis.

G. THAT 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 2014
- Second Instalment: 30 November 2014
- Third Instalment: 31 January 2015
- Fourth Instalment: 31 March 2015

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 will be 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.

DECISION NO.21\2352

(24/06/14)

Carried



7. CLOSURE OF MEETING

The meeting closed at 7:02 p.m.

**THE RIGHT WORSHIPFUL, LORD
MAYOR, MS KATRINA MARY FONG
LIM (CHAIRMAN) – SPECIAL
COUNCIL MEETING – TUESDAY, 24
JUNE 2014**

Confirmed On: *Tuesday, 15 July 2014*

Chairman: _____