



Business Papers

Special Council Meeting

Tuesday, 24 June 2014
7:00pm



Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend a Special Council Meeting to be held in the Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Tuesday, 24 June 2014, commencing at 7.00 pm.



B P DOWD
CHIEF EXECUTIVE OFFICER

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Placed on Public Notice Board: _____

Removed from Public Notice Board: _____

CITY OF DARWIN

SPECIAL MEETING OF THE TWENTY-FIRST COUNCIL

TUESDAY, 24 JUNE 2014

MEMBERS: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chairman); Member J M Anictomatis; 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; Member K J Worden.

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; Committee Administrator, Mrs P Hart.

Enquiries and/or Apologies: Penny Hart
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1. MEETING DECLARED OPEN

2. APOLOGIES AND LEAVE OF ABSENCE

2.1 Apologies

2.2 Leave of Absence Granted

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.

3. DECLARATION OF INTEREST OF MEMBERS AND STAFF

4. DEPUTATIONS AND BRIEFINGS

5. CONFIDENTIAL ITEMS

5.1 Closure to the Public for Confidential Items
Common No. 1944604

6. SUBJECT ITEMS

6.1 Certificate in Terms of Regulation 21 (1) of the Local Government (Accounting) Regulations

(24/06/14) Common No. 2337805

*The Certificate in Terms of Regulation 21 (1) of the Local Government (Accounting) Regulations is **Attachment A**.*

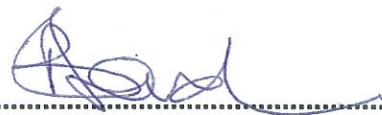
THAT the Certificate in Terms of Regulation 21 (1) of the Local Government (Accounting) Regulations, as tabled by the Chief Executive Officer at the 24 June 2014 Special Meeting, be received and noted.

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

Certificate in Terms of Regulation 24 (1) of the Local Government (Accounting) Regulations

This is to certify that assessments numbered 1 to 36832 declared pursuant to Sections 155 - 157 of the Local Government Act are recorded in the assessment record and to the best of my knowledge, information and belief the assessment record is a comprehensive record of all rateable land within the municipality.

Signed



Chief Executive Officer

Dated at Darwin this 24 Day of June 2014.

Section 24 of the Local Government (Accounting) Regulations states that the above certification must be made before a council adopts its budget.

ENCL: SPECIAL COUNCIL MEETING/OPEN
NO

AGENDA ITEM: 6.2

DECLARATION OF RATES AND CHARGES 2014/15

REPORT No.: 14A0101 EG:jm

COMMON No.: 2511322

DATE: 24/06/2014

Presenter: Manager Finance, Miles Craighead

Approved: General Manager Corporate Services, Diana Leeder

PURPOSE

This report provides for the adoption of 2014-15 Rates and Charges that support the Budget contained in the City of Darwin 2014-15 Municipal Plan.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

KEY ISSUES

- The Declaration of Rates is scheduled to be published on 1 July 2014 in accordance with the budget timetable.

RECOMMENDATIONS

- THAT Report Number 14A0101 EG:jm entitled, 2014-15 Declaration of Rates and Charges, be received and noted.
- 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:

| <u>RATES</u> | <u>ALLOTMENTS OF LAND TO WHICH RATES APPLY AND MINIMUM AMOUNTS</u> |
|----------------|---|
| i) 0.417394% | With respect to all rateable land within the municipality zoned SD, RR, R or RL under the <i>NT Planning Scheme</i> , the minimum amount being \$1,012.00 multiplied by :- <ul style="list-style-type: none"> (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 <i>NT Planning Scheme</i> , the minimum amount being \$1,064.00 multiplied by :- <ul style="list-style-type: none"> (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 <i>NT Planning Scheme</i> , the minimum amount being \$1,012.00 multiplied by :- <ul style="list-style-type: none"> (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. |

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- 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.

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- 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.

BACKGROUND

Council has now adopted the City of Darwin 2014-15 Municipal Plan and Budget pursuant to Section 128 of the *Local Government Act*.

DISCUSSION

The City of Darwin 2014-15 Municipal Plan contains Council's key rating proposals for the 2014-15 financial year.

The General Rate for rateable properties within the Municipality has been increased by 4.0%

The rate for the domestic Garbage and Recycling collection service has increased by \$4.00 per service for Kerbside Collection and \$16.00 per service for Manual Collection.

The rate applied for Car Parking Shortfall has increased by 4.4% to \$235.80 in line with the GST adjusted Consumer Price Index applicable to Darwin for the period December 2012 to December 2013 and the decision of Council 17/4383 which stated as follows:-

"That Council retain the current annual CBD parking rate levy at \$151.50 for 1999/2000 varying annually in accordance with CPI."

Council has previously recognised that strata titled Self-Storage Units should attract a lesser Minimum General Rate than other strata titled units situated within the GI Town Planning Zone. A General Rate of \$253.00 was levied for 2013-14, this has been increased for the 2014-15 rating year to \$263.00, being approximately one quarter of the standard non-residential minimum rate of \$1,055.00. A lesser Minimum General Rate may be declared for these types of properties in accordance with Section 148 (3)(b) of the *Local Government Act*.

The penalty interest rate imposed pursuant to Section 162 of the *Local Government Act* has been retained at 18%. Relief from part or all of penalty interest accruals is available to ratepayers that are experiencing severe financial hardship and meet payment arrangement criteria, upon application.

CONSULTATION PROCESS

The budget estimates have been discussed in depth with Council and the Chief Officers Group. The estimates were published in the City of Darwin 2014-15 Draft Municipal Plan and Budget and made available for public inspection and comment for a period of 21 days following publication on Council's website on Wednesday, 28 May 2014 and advertisement in the NT News on Thursday, 29 May 2014.

POLICY IMPLICATIONS

N/A

BUDGET AND RESOURCE IMPLICATIONS

| | | | | |
|----------------------------|--------------|--|--|------------|
| General Rate | \$54,350,054 | Zone | Rate (%UCV) | Minimum |
| | | SD, RR, R, RL | 0.417394% | \$1,012.00 |
| | | MD, MR, HR | 0.417394% | \$1,064.00 |
| | | CV | 0.408030% | \$1,012.00 |
| | | CB | 0.543177% | \$1,281.00 |
| | | PS, CN | 0.376267% | \$1,055.00 |
| | | OR | 0.345432% | \$417.00 |
| | | FD, SU, CP, CL, RD, U. | 0.417394% | \$1,064.00 |
| | | Major Shopping Centres over 40,000m ² in parcel area | 1.00056% | \$1,055.00 |
| | | Major Shopping Centres less than 40,000m ² in parcel area | 0.545344% | \$1,055.00 |
| | | C, SC | 0.545344% | \$1,055.00 |
| | | TC, HT | 0.574167% | \$1,055.00 |
| | | LI | 0.347398% | \$1,055.00 |
| | | GI, DV | 0.293502% | \$1,055.00 |
| Garbage/Recycling Charges: | \$6,925,540 | \$260.00 | Detached Dwellings and Flats/Units Receiving a Kerbside Service | |
| | | \$240.00 | Flats/Units Receiving a Communal Service | |
| | | \$237.00 | Flats/Unit Development Exceeding Twelve (12) Residential Units or Dwellings That Have Requested The Provision of a 1,100 Litre Bin | |
| | | \$179.00 | Flats/Unit Development Exceeding Forty (40) Residential Units or Dwellings That Have Requested The Provision of a 3 Metre Bin | |
| | | \$ 108.00 | Weekly Waste Collection Service Only | |
| | | \$ 108.00 | Fortnightly Recycling Collection Service Only | |
| Parking Local Rate: | \$967,514 | \$235.80 | Per shortfall space | |

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Section 155 of the *Local Government Act* states that Council shall declare its rates “on or before 31 July in each year”.

ENVIRONMENTAL IMPLICATIONS

N/A

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

MILES CRAIGHEAD
MANAGER FINANCE

DIANA LEEDER
GENERAL MANAGER
CORPORATE SERVICES

For enquiries, please contact Miles Craighead on 8930 0523 or email:
m.craighead@darwin.nt.gov.au.

7. CLOSURE OF MEETING