

Title:	Revenue Policy
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Version	Decision Number	Adoption Date	History
1	20\2501	23/02/2010	Adopted
2	21\225	26/06/2012	Revision Adopted
3	21\2657	30/09/2014	Revision Adopted
4	21\4764	30/08/2016	Included Recoveries
5	21\5437	30/05/2017	Adopted by Council, including rate refunds

1 Policy Summary

Council policy with regard to rates and charges, the granting of concessions and recovery of debts.

2 Policy Objectives

To administer:

- Council's system of levying rates and charges in accordance with the *Local Government Act*.
- Other miscellaneous debtors.

3 Background

A policy on rates, charges and granting of concessions provides guidance for annual rates setting, enables the Council to consider and decide annual applications for concessions and provides a framework for debt recovery.

4 Policy Statement

To administer Council's system of levying rates and charges in accordance with the *Local Government Act* and service the needs of ratepayers and stakeholders in an efficient and effective manner.

To address the granting of concessions from the payment of rates as levied, by implementing a simple administrative system.

To provide future certainty for rate relief granted:

- That rates waived will not be recovered at a future time pursuant to Chapter 11 of the *Local Government Act*.

- That rates deferred will be recovered at a future time pursuant to Chapter 11 of the *Local Government Act*, usually when the property is sold, and outstanding rates are recovered as a charge against the land.
- To provide a framework for debt recovery.

General Rate

A differential General Rate shall be levied on all rateable properties based on the Unimproved Capital Value (UCV) of the land falling within the Planning Zones under the NT Planning Scheme.

Parking Local Rate

The Local Rate (Parking Local Rate) per shortfall bay is assessed and levied in accordance with the Local Government Darwin Parking Local Rates Regulations (The Regulations).

Waste Management Charges

Garbage collection and recycling charges are based on the type of residential dwelling being serviced and the relative applicable type of service provided.

Rebates and Concessions on Rates and Charges

Council recognises that individuals can experience difficulty in meeting their responsibilities for the payment of rates and that it may be appropriate where financial hardship has been demonstrated to grant a concession to the payment of rates. The concession granted can be either a waiving of rates levied (ie. abandonment), or a deferment (for recovery at a later time).

Financial Hardship

Relief from payment of rates on the grounds of financial hardship shall only apply to a natural person(s) who use the rated property as their principal place of residence.

For the avoidance of doubt relief from payment of rates on the grounds of financial hardship shall not apply to entities other than natural person(s) nor to charges for services provided by Council such as garbage collection.

The following are examples of entities that are not natural persons:

- Companies, business partnerships, trusts and other separate entities.
- Clubs or organisations that hold a licence to sell liquor and/or operate gaming machines.

Decisions will be made based on the particular merits in each case.

Deferment of Rates

Every ratepayer will, as a matter of right, be entitled to a deferment of rates pursuant to Chapter 11 of the *Local Government Act* for a period of seven days after the due date without the imposition of late payment penalties, providing the rates are settled within the 7 day period of grace.

Waiver of Rates

Council will as a matter of course, pursuant to Chapter 11 of the *Local Government Act*, waive that portion of any rates or charges in excess of the minimum rate for properties occupied by organisations operating substantially for the benefit of the youth of the community.

Council also recognises that incorporated community associations on having been granted tenancy of a property by way of a Crown Lease for a specific purpose, may experience difficulty in meeting their responsibilities for the payment of rates whilst in the process of substantially achieving the purpose of that Crown Lease.

It is appropriate that where the specific purpose of the Crown Lease satisfies the requirements of Part 11.8 of the *Local Government Act*, Council will waive (abandon) all rates and charges until such time as the associations concerned have substantially achieved the purpose of the relevant Crown Lease and are therefore deemed to be in occupation of the parcels of land in question (Council Decision No. 17\1228 25/02/97).

Waivers will not apply to organisations that hold a licence to sell liquor and/or operate gaming machines.

Refunds Policy

Upon request the Council will refund a credit balance on a rates account to the ratepayer as it considers this is the correct course of action in terms of legal, ethical and customer service considerations.

Payment Arrangements

Council will allow property owners who are unable to pay their rates by the due date to enter into an arrangement to pay by instalments according to an agreed schedule, with no recovery action being taken while the arrangement is being maintained. However interest will be charged on any arrears of rates in accordance with Council's budget resolution.

Interest on Rates and Charges in Arrears

Council encourages ratepayers to meet their rate and charges debt payment responsibilities. To this end Council will impose interest, calculated daily after the instalment due date on instalments of rates and charges that remain unpaid. The rate of interest will be determined annually by resolution.

Decisions relating to requests to the write off interest as a result of error, oversight or on compassionate grounds will be determined on merit.

Sale of Property Database Information

City of Darwin will not engage in the sale of property database information to external parties other than to the extent required by the *Local Government Act* and regulations thereto.

Sale of Land for Unpaid Rates

If rates have been in arrears for at least three years Council may, pursuant to part 11.9 of the *Local Government Act* initiate proceedings to sell the land.

Reclassification of Rateable Land to Non-Rateable

All requests from property owners/ratepayers for a parcel of land to be reclassified as non-rateable on a legislative basis must be provided to Council in writing. These will be determined in accordance with the facts and legal requirements.

5 Revenue/Debt Recovery

Debt recovery is based on the following principles:

- Debt recovery must take a non-discriminatory and impartial approach.
- Privacy and confidentiality.
- Persons owing the Council money must be treated with sensitivity and respect.
- Recovery will include any costs reasonably incurred by the Council.
- Sale of land for unpaid rates may be undertaken as a last resort.
- Interest will be charged in accordance with Council's annual fees and charges.

Structured procedures are to be applied to ensure that debts owed to Council are received by due date or followed up within specified timeframes. As a minimum procedures and actual practices in respect of business ethics will be within the guidelines for debt recovery issued from time to time by the ACCC.

6 Legislation, terminology and references

This policy is subject to the Northern Territory *Local Government Act* and the Local Government (Accounting) Regulations.

7 Implementation and delegation

Implementation and actions at the time of writing this policy rest with the Chief Executive and are subject to the Council's delegations and sub-delegations registers pursuant to the *Local Government Act*.

Writing Off Interest or Fees Charged to Rates Accounts

If the write off of interest or fees is required as a result of error, oversight or on compassionate grounds, the matter is to be referred to the Team Leader Revenue who will organise the appropriate consideration and actions subject to the delegations and sub delegations register/s.

Adjustment of Rates Levies

If a previously-levied rate is to be adjusted as a result of error, oversight or revaluation, the matter is to be referred to the Team Leader Revenue for action subject to the delegations and sub delegations registers.

Approval for Reclassification of Rateable Land to Non-Rateable Land

All requests from property owners/ratepayers for a parcel of land to be reclassified as non-rateable on a legislative basis must be provided to Council in writing addressed to the Chief Executive Officer.

Requests will be assessed for compliance with Section 144 of the *Local Government Act*. Those requests that comply with the specific provisions of Section 144 of the *Local Government Act* require no further referral and may be approved by the Chief Executive or other delegated officer. Where there is uncertainty over compliance with Section 144 of the *Local Government Act*, formal legal advice should be sought.

8 Evaluation and review

The Policy is reviewed every 4 years or more often as required.