

Kentish Council - Rates Resolution 2020-2021

That in accordance with the provisions of Part 9 of the *Local Government Act 1993*, (“the Act”) and the *Fire Service Act 1979*, the following Rates and Charges are made for the period 1 July 2020 to 30 June 2021:

1. GENERAL RATE

- 1.1 Pursuant to sections 90 and 91 of the *Local Government Act 1993*, Council makes the following **General Rate** on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area of Kentish for the period commencing 1 July 2020 and ending 30 June 2021 consisting of two components:
- (a) a rate of 5.831 cents in the dollar on the assessed annual value of the land; and
 - (b) a fixed charge of \$377
- 1.2 Pursuant to Section 107, of the *Local Government Act 1993*, Council declares by absolute majority, that component (a) of the **General Rate is varied** within the municipal area according to the use or predominant use of land as follows:
- i) for the following subcategories of the use or predominant use of the land, as set out in the most recent Land Use Codes provided to Council by the Valuer-General;
 - R5 - Rural residential;
 - R5L- Rural residential with rural classification;
 - R9 - Holiday Home / Shack;
 - R91 - Holiday Home / Shack Private Land; and
 - R10 - Shed/Carportvary the General Rate to 6.414 cents in the dollar on the assessed annual value of the land
 - ii) for land used for commercial purposes, vary the General Rate to 9.330 cents in the dollar on the assessed annual value of the land;
 - iii) for land used for primary production purposes, vary the General Rate to 6.414 cents in the dollar on the assessed annual value of the land;
 - iv) for land used for public purposes, vary the General Rate to 11.080 cents in the dollar on the assessed annual value of the land;
 - v) for land used for industrial purposes, vary the General Rate to 12.362 cents in the dollar on the assessed annual value of the land; and
 - vi) for land used for mining purposes, vary the General Rate to 12.362 cents in the dollar on the assessed annual value of the land.
- 1.3 Pursuant to Section 88A of the *Local Government Act 1993*, Council by absolute majority, sets a maximum percentage increase in the General Rate in respect of all rateable land within the municipal area and fixes the condition which applies in order for a ratepayer to qualify for the maximum percentage increase as follows:
- a. the maximum percentage increase is 2.8%; and
 - b. to qualify for the maximum increase in sub-paragraph (a), the rateable land must not have increased in value as evidenced by a supplementary valuation issued by the Valuer-General effective from a date after 30 June 2019.
- 1.4 Pursuant to Section 88A(1)(b) of the *Local Government Act 1993*, Council by absolute majority, determines that the maximum percentage increase as set in paragraph 1.3(a) above is varied within the municipal area according to the non-use of the land and/or the use or predominant use of land as follows:

- i) for the following subcategories of the use or predominant use of the land, as set out in the most recent Land Use Codes provided to Council by the Valuer-General;
 - V1 – Vacant-Residential;
 - V2 – Vacant-Commercial;
 - V3 – Vacant-Industrial;
 - V4 – Vacant-Englobo/Broad Hectares;
 - V5 – Vacant Rural Residential; and
 - V9 – Vacant-Small crown lease area,vary the maximum percentage increase to 5%

2. SERVICE RATES & SERVICE CHARGES

Pursuant to Sections 93, 93A, 94, and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Kentish (including land which is otherwise exempt from rates pursuant to Section 87 but excluding Crown Land to which Council does not supply any of the following services) for the period commencing 1 July 2020 and ending on the 30 June 2021, namely:

Waste Management Service Charge

- 2.1 Service charges for waste management in respect of all land to which Council makes available a waste removal service as follows:
 - (i) \$190.91 for 140 litre bin;
 - (ii) \$252.00 for 240 litre bin.
- 2.2 If any land to which the waste management service is made available is the subject of separate rights of occupation which are separately valued in the valuation list under the *Valuation of Land Act 2001* then the charge applies per bin to each separate occupation.
- 2.3 A service charge for the provision of waste transfer station facilities at Sheffield and Wilmot:
 - i. A transfer station access fee of \$28.36 for all land to which Council supplies or makes available a waste removal service
 - ii. A transfer station access fee of \$104.73 for all land to which Council does not supply or make available a waste removal service except for land subject to paragraph iii or paragraph iv below;
 - iii. A transfer station access fee of \$28.36 for all rural vacant land properties to which Council does not supply or make available a waste removal service and;
 - iv. A transfer station access fee of \$232.37 for all properties classified as Commercial or Industrial in the list provided to Council by the Valuer-General pursuant to the *Valuation of Land Act 2001*.
- 2.4 A service charge for recycling bin collection in respect of all land to which Council makes available a recycling removal service of \$60.00 per 240 litre bin.

Fire Service Contribution

- 2.5 Pursuant to Section 93A of the *Local Government Act 1993* Council makes a service rate in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area of Kentish as follows:
 - i. for land within the Sheffield Volunteer Fire Brigade District 0.384837 cents in the dollar of the assessed annual value of such land;

- ii. for land within the Railton Volunteer Fire Brigade District 0.384837 cents in the dollar of the assessed annual value of such land;
- iii. for general land 0.349313 cents in the dollar of the assessed annual value of such land.

2.6 Pursuant to section 93(3) Council sets a minimum amount payable in respect of the service rate for fire protection of \$41.00.

3. SEPARATE LAND

For the purposes of these resolutions the rates and charges shall apply for each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

4. PAYMENT

Pursuant to Section 124 of the *Local Government Act 1993*, Council:

- a) Decides that all rates are payable by all ratepayers by four instalments which must be of approximately equal amounts.
- b) Determines that the dates by which such instalments are to be paid shall be as follows:
 - (i) the first instalment on or before 30 September 2020;
 - (ii) the second instalment on or before 31 October 2020;
 - (iii) the third instalment on or before 28 February 2021 and
 - (iv) the fourth instalment on or before 30 April 2021.

If a ratepayer fails to pay any instalment within 21 days of the date on which the rates are due, the ratepayer is to pay the full amount owing for the financial year.

- c) If a ratepayer elects not to pay instalments, then the entire amount must be paid on or before 30 September 2020.
- d) Pursuant to Section 130 of the *Local Government Act 1993* a discount on the current year rates and charges of 1.0 per cent on any rate and charge specified in a rate notice will apply where all rates and charges, including arrears are paid in full on or before 30 September 2020.

5. PENALTY AND INTEREST

Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date they fall due, then daily interest charged monthly, at the prescribed percentage, is payable from the date they fell due to the date of payment.

6. SUPPLEMENTARY RATES

- (1) If a supplementary valuation is made of any land prior to 30 June 2021 the General Manager may at his discretion, adjust the amount payable in respect of any rate for that land for that financial year.
- (2) If a rate notice is issued by the General Manager under clause 6(1), the amount shown as payable on that notice is due to be paid within 30 days of the date on which that notice issued.

7. WORDS AND EXPRESSIONS

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.