



WEST ARNHEM REGIONAL COUNCIL AGENDA

**SPECIAL COUNCIL MEETING
WEDNESDAY, 19 FEBRUARY 2025**



WEST ARNHAM REGIONAL COUNCIL

Notice is hereby given that a Special Meeting of the West Arnhem Regional Council will be held in Council Chambers Jabiru on Wednesday 19 February 2025 at 9.00 am.

Andrew Walsh
Chief Executive Officer

Code of Conduct: The Local Government Act 2019

As stipulated in Schedule 1 of the Act, the Code of Conduct for Members is as follows:

1. *Honesty and Integrity:* A member must act honestly and with integrity in performing official functions.
2. *Care and diligence:* A member must act with reasonable care and diligence in performing official functions.
3. *Courtesy:* A member must act with courtesy towards other members, council staff, electors and members of the public.
4. *Prohibition on bullying:* A member must not bully another person in the course of performing official functions.
5. *Conduct towards Council staff:* A member must not direct, reprimand, or interfere in the management of, council staff.
6. *Respect for cultural diversity and culture:* A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.
A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.
7. *Conflict of interest:* A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.
If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.
8. *Respect for confidences:* A member must respect the confidentiality of information obtained in confidence in the member's official capacity.
A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.
9. *Gifts:* Members must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.
A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.'
10. *Accountability:* A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.
11. *Interests of municipality, region or shire to be paramount:* A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.
In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.
12. *Training:* A member must undertake relevant training in good faith.

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Acknowledgement of Country

West Arnhem Regional Council acknowledges the First Nations Custodians, and the many Language and Family groups who are Managers and Caretakers to each of their Traditional homelands and Waters across the West Arnhem Region Wards.

West Arnhem Regional Council pays its respects and acknowledges Elders, past, present and rising.

WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING 19 FEBRUARY 2025

Agenda Reference:	3.1
Title:	Apologies, Leave of Absence and Absent Without Notice
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

This report is to table, for Council's record, any apologies, and requests for leave of absence received by Council's Chief Executive Officer from Elected Members, as well as record any absence without notice for the Special Council meeting held on 19 February 2025.

RECOMMENDATION

THAT COUNCIL

1. Notes the absence of ...
2. Notes the apology received from

COMMENT

Council can choose to accept the apologies or requests for leave of absence as presented, or not accept them. Apologies or requests for leave of absence that are not accepted by Council will be recorded as absent without notice.

LEGISLATION AND POLICY

Section 47(o) of the *Local Government Act 2019*.

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3 Council and Local Authorities

Excellence in governance, consultation administration and representation

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 19 FEBRUARY 2025

Agenda Reference:	4.1
Title:	Acceptance of Agenda
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

Agenda papers are presented for acceptance at the Special Council meeting held on 19 February 2025.

RECOMMENDATION

THAT COUNCIL accept the agenda papers as circulated for the Special Council meeting held on 19 February 2025.

LEGISLATION AND POLICY

Section 92(1) *Local Government Act 2019*.

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3 Council and Local Authorities

Excellence in governance, consultation administration and representation

Goal 6.5 Planning and Reporting

Robust planning and reporting that supports Council's decision-making processes

ATTACHMENTS

Nil

WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING 19 FEBRUARY 2025

Agenda Reference:	5.1
Title:	Disclosure of Interest of Members or Staff
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

Elected Members are required to disclose an interest in a matter under consideration at an Special Council Meeting:

- 1) In the case of a matter featured in an officer's report or written agenda item by disclosing the interest to the meeting as soon as possible after the matter is raised.
- 2) In the case of a matter raised in a general debate or by any means other than the printed agenda of the Council meeting, disclosure as soon as possible after the matter is raised.

Under disclosure, the Member must abide by the decision of the Council on whether they shall remain in the Chambers and/or take part in the vote on the issue. The Council may elect to allow the Member to provide further and better particulars of the interest prior to requesting them to leave the Chambers.

Staff Members of the Council are required to disclose an interest in a matter at any time on which they are required to act or exercise their delegate authority in relation to the matter. Upon disclosure, the staff member is not to act or exercise their delegated authority unless Council expressly directs them to do so.

RECOMMENDATION

THAT COUNCIL receive the declarations of interest as listed for the Special Council meeting held on 19 February 2025.

LEGISLATION AND POLICY/STATUTORY ENVIRONMENT

Section 114 (Elected Members) *Local Government Act 2019*

Section 179 (staff members) *Local Government Act 2019*

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.4 Risk Management

The monitoring and minimisation of risks associated with the operations of Council.

ATTACHMENTS

1. Declaration of Interest Register Elected Members [5.1.1 - 2 pages]



Declaration of Interest Register		
Elected Members	Declared Interest	Connection
Mayor James Woods	Local Government Association Northern Territory (LGANT)	Board Member
	Malala Health Clinic	Staff Member, Board Member
	Maningrida AFL Committee	Committee member
	Maningrida Emergency Response Group	Unit Officer
	Bawinanga Aboriginal Corporation	Deputy Chair
	Maningrida Housing Reference Group	Member
	Traditional Credit Union	Director
Deputy Mayor Elizabeth Williams		
Cr Ralph F Blyth	Warnbi Aboriginal Corporation	Executive Officer
	Wark Aboriginal Corporation	Director
	Red Lily Health Board	Alternative Director / Board Member
Cr Mickitja Onus	Energy Resources Australia (ERA)	Staff Member
Cr Donna Nadjamerrek	National Indigenous Australians Agency (NIAA)	Indigenous Engagement Officer for Gunbalanya, Minjilang and Warruwi.
	Injalak Aboriginal Corporation	Member
	Adjumarllarl Aboriginal Corporation	Member
Cr Otto Dann	Northern Land Council (NLC)	Board Member
	Adjumarllarl Aboriginal Corporation	Member
Cr James Marrawal		
Cr Jacqueline Phillips	JP Cultural Solutions	Director
	Northern Land Council (NLC)	Board Member
	Bawinanga Aboriginal Corporation	Chair
	Maningrida Housing Reference Group	Member
	Maningrida Homelands School Company	Board Member
Cr Jermaine Namanurki	Malala Health Centre	Staff Member
Cr Monica Wilton	Maningrida Homelands School Company	Deputy Chair
	Maningrida School	Teacher / Language and Cultural Team
Cr Tamar Nawirridj	Adjumarllarl Aboriginal Corporation	Member

✉ PO Box 721, Jabiru NT 0886 ● info@westarnhem.nt.gov.au 🌐 www.westarnhem.nt.gov.au



Jabiru (Head Office)
☎ 08 8979 9444

Gunbalanya
☎ 08 8970 3700

Maningrida
☎ 08 8979 6600

Warruwi
☎ 08 8970 3600

Minjilang
☎ 08 8970 3500



	Gunbalanya School Board	Member
	Department of Education and Training	Staff Member

✉ PO Box 721, Jabiru NT 0886 ● info@westarnhem.nt.gov.au 🌐 www.westarnhem.nt.gov.au



Jabiru (Head Office) ☎ 08 8979 9444	Gunbalanya ☎ 08 8970 3700	Maningrida ☎ 08 8979 6600	Warruwi ☎ 08 8970 3600	Minjilang ☎ 08 8970 3500
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WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 19 FEBRUARY 2025

Agenda Reference:	6.1
Title:	Review of Council's General Rates, Special Rates and Concessions Policy
Author:	Jocelyn Nathanael-Walters, Director of Finance

SUMMARY

This report is for Council to consider a revised *General Rates, Special Rates and Concessions Policy*.

RECOMMENDATION

THAT COUNCIL:

1. Receive and note the report titled *Review of Council's General Rates, Special Rates and Concessions Policy*; and
2. Approve the revised *General Rates, Special Rates and Concessions Policy*.

BACKGROUND

The Council approved a *General Rates, Special Rates and Concessions Policy* (version 1.0) in 2021 [OCM88/2021]. This policy is due for review.

COMMENT

The revised *General Rates, Special Rates and Concessions Policy* has:

1. Made clear payments for rates and charges are due in full by the due date, unless deferred due to financial hardship, anticipated difficulty or Public Benefit and a payment plan has been approved by Council resolution;
2. Made clear rates and charges waivers to assist a ratepayer experiencing financial hardship, to correct rate anomalies or for a Public Benefit are to be approved by Council resolution;
3. Included applicable sections of the *Local Government Act 2019* to assist in applying the Policy;
4. Condensed the procedural sections of how rates and charge concessions are to be applied and removed instructions that contradicted the Council's Delegation Manual; and
5. Removed the Sport and Recreation Community Groups rate concession categories to simplify the Policy (i.e. already considered in the Public Benefit description in section 250).

LEGISLATION AND POLICY

Local Government Act 2019
Delegations Manual

FINANCIAL IMPLICATIONS

The Council is required to maintain controls including policies to manage its resources.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals of the *Regional Plan and Budget*:

PILLAR 1 PARTNERSHIPS, RELATIONSHIPS AND BELONGING

Investing in relationships and partnerships at all levels supports and strengthens community and belonging. We prioritise the value of partnerships and relationships as a key determinant of a happy, strong and thriving community.

Goal 1.1 Community Engagement

Seek out and support diverse perspectives and collaborations with community, community leaders, businesses, agencies and local service providers to enhance community life.

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.1 Financial Management

Provision of strong financial management and leadership which ensures long term sustainability and growth.

ATTACHMENTS

1. general rates special rates and concessions policy v 1.0 20210702 [6.1.1 - 6 pages]
2. Draft General Rates Special Rates and Concessions Policy [6.1.2 - 5 pages]



Policy Name	General Rates, Special Rates and Concessions	
Publication Date:	10/09/2021	
Council Decision (Reference):	OCM88/2021	
Classification:	Governance Policy	
Categorisation:	Finance and Assets	
Review Frequency:	3 years	
Review Date:	10/06/2024	
Responsible Officer:	Chief Corporate Officer	
Version (Revision Number):	1.0	

1. PURPOSE

The purpose of this policy is to set out a consistent, transparent and impartial process for the Council to manage rates and to consider rate concessions.

2. SCOPE

This policy applies to ratepayers, the Council, Chief Executive Officer, Chief Corporate Officer, and delegated staff.

3. DEFINITIONS

In the context of this policy the following definitions apply:

Interest on Unpaid Rates and Charges means an extra amount is owed to the Council if property rates and charges are overdue.

Rates are a tax on the land that provides income for Council. Rates are charged to property owners based on the Unimproved Capital Value (UCV) of their properties.

Rates Concession means that the Council waives some or all of a requirement to pay rates. It can also mean the Council postpones a rate payer's obligation to pay some or all of the rates.

Relevant Interest Rate means the percentage interest that the Council uses if rates and charges are overdue.

Remission of Interest means that the Council waives some or all of the interest owed to the Council.

Special rates are a tax on rateable land that is to be collected from a defined area, and used for a defined purpose.

Waiver (and waiving) means that the Council writes off some or all of a debt owed to the Council.

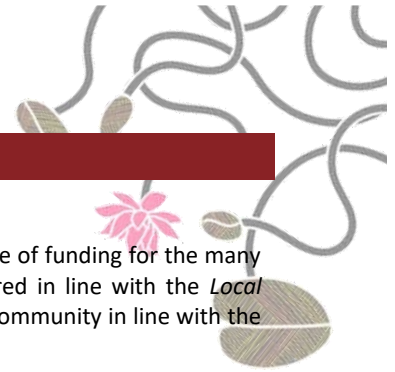


Approved by Chief Executive Officer

P. Findley

Date 10/09/2021

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4. POLICY STATEMENT

Rating Principles

Council rates are a form of property tax levied by local government as a key source of funding for the many mandatory and discretionary services provided by Council. Rates are administered in line with the *Local Government Act*. This Policy sets out how Council sets and collects rates from its community in line with the following principles:

- Council's rates concessions provisions will reflect the best interests of the whole community and be compassionate, transparent, accessible, impartial, and consistently applied.
- The rates concession process will be accessible for a range of different rate payers (e.g. information available in plain English, particularly applicants who may require assistance).
- The rating system will be easy to apply, understand and comply with. Administrative simplicity will be applied and relates to the costs involved in applying and collecting rates.
- Confidentiality will applied with all information provided treated as strictly confidential. All information pertaining to ratepayers will be stored securely.

Setting Rates

General rates, special rates and Council service charges are set in accordance with applicable legislation and regulations.

Exempt land, conditionally rateable land, and land rate exemption for public benevolent institutions, are subject to the application of legislation, including the commencement date for provisions of that legislation.

Rates and service charges will be reviewed each financial year as part of the budgetary process. In setting rates Council will take into account both the Consumer Price Index (CPI), and Local Government Cost Indexing (LGCI) provided by the Local Government Association of the NT, and any major increase in costs to Council (e.g. utility charges).

Annual rating will be based on land valuation, calculated as a proportion of the assessed unimproved capital value of each allotment to provide an overall approved level of revenue.

Levying of Special Rates

Council may make a decision to levy a special rate to fund a particular purpose. A special rate must be:

- Based on the rating principles
- Only be levied against those properties in the area that is the beneficiary of the special rate.
- The subject of consultation with opportunities for feedback by those ratepayers affected.
- Spent in accordance with the purpose for which the special rate was levied.

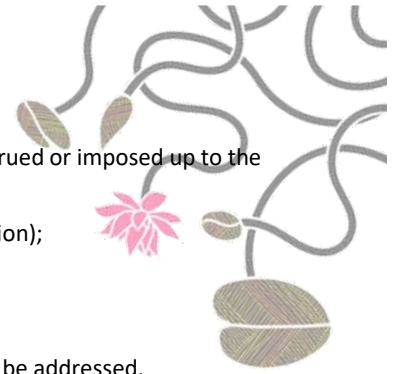
Notice of Rates

In accordance with the requirements of the *Local Government Act*, Council will issue rates notices at least (28) twenty-eight days prior to the due date of the first instalment. The notice will state the due dates and amounts for all instalments for the financial year.

A rates notice will contain:

- The name of the ratepayer to whom the notice is addressed;
- The number and description of the allotment to which the notice relates;





- Particulars of the amount payable (including any interest and penalties accrued or imposed up to the date of the notice);
- The basis of calculations of the rates (including, where relevant, the valuation);
- A description of the ways to make payment; and
- A short statement of the consequences of a failure to pay by the due date.

Council will issue reminder letters to rate debtors if there is an overdue amount to be addressed.

Rates Payment

Rates payments are due in full by the due date, unless application for a payment plan has been approved. No concessions are applied to rates paid in full by the due date. The exact dates that rates fall due, and the various options for making payment of rates, are included on the rates notice.

Where a ratepayer is experiencing financial hardship and anticipates difficulty in paying the next rate instalment notice, Council will work with the ratepayer to make alternative arrangements via payment plan. These arrangements will be treated confidentiality.

Payment arrangements can attract penalty interest for overdue rates, which will continue to accrue unless a rates concession has been granted to the rates debtor.

Rates Concessions

The Council may provide rate concessions to assist ratepayers experiencing financial hardship, to correct rate anomalies, or for public benefit. Applications for rate concessions should include how the applicant satisfies one of these reasons for rates concession.

A rate concession can be a deferral of the whole or part of rates amount owing, or a waiver of the whole or part of rates amount owing.

Under the *Local Government Act*, a rate concession cannot exceed the term of the Council.

Deferment of Rates

The Council may postpone some or all of a rate payer's obligation to pay rates.

The Council may postpone some or all of a rate payer's rates and charges, although rates and charges will continue to be levied subject to compliance with the following conditions:

- An application in writing must be submitted to the Chief Executive Officer by the ratepayer or the ratepayer's representative, providing evidence from an independent financial counsellor, whose assessment is that a person will suffer financial hardship if the rate concession is not granted. The Chief Executive Officer will determine the application outcome. Financial hardship applications will include an appropriate payment plan as part of the process, which may include specific conditions if granting the rates concession.
- A postponement may be on a fixed or on an ongoing basis until the property is disposed of, or sold.

The Council may charge interest on postponed rates at 50% of the Relevant Interest Rate.

Remission of Interest Accrued on Overdue Rates

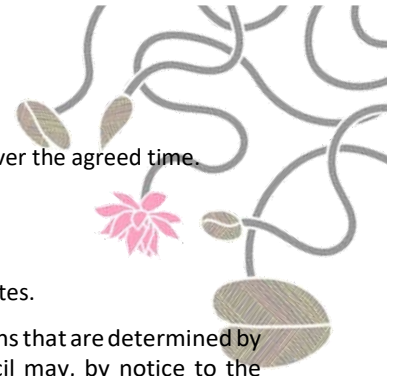
- The Council charges interest on a daily basis on overdue rates.
- The Council will consider applications from ratepayers for remission of interest in situations of proven financial hardship, or to correct rate anomalies.



Approved by Chief Executive Officer

Date 10/09/2021

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- Ratepayers must enter into a viable payment agreement and maintain it over the agreed time.
- The payment agreement shall not result in a debt growing larger.

Waiver of Rates, Charges or Fees

- The Council may provide a rate concession by waiving some or all of the rates.
- The Council may provide a rate concession unconditionally or on conditions that are determined by Council. If the ratepayer fails to comply with a condition, then council may, by notice to the ratepayer, withdraw the concession and require the ratepayer to pay an amount on or before a date specified in the notice, so as to neutralise any benefit to the ratepayer of the rate concession.
- Applications for waiving rates, charges or legal fees shall be submitted in writing to the Chief Executive Officer. The Chief Executive Officer or delegate shall determine amounts less than \$400. The Council will consider a confidential report and determine amounts greater than \$400.
- Any waiver shall be a one-off waiver in response to circumstances presented at the time.

Correction of Anomalies

- The Council may grant a rate concession to a ratepayer, or ratepayers of a particular category, in order to correct anomalies in the operation of the rating system.
- The Council may grant a rate concession on the Council's own initiative or on application by an affected ratepayer.
- A written application by the affected ratepayer or the ratepayer's representative outlining the anomaly shall be submitted to the Chief Executive Officer.
- The Chief Executive Officer or delegate shall determine amounts less than \$400. The Council will consider a confidential report and determine amounts greater than \$400.

Public Benefit Concessions

The Council may grant a rate concession if satisfied that the concession will advance one or more of the following purposes:

- Securing the proper development of its area.
- Preserving buildings or places of historical interest.
- Protecting the environment.
- Encouraging cultural activities.
- Promoting community health or welfare.
- Encouraging agriculture.
- Providing recreation or amusement for the public.

An application for a rate concession requires a written submission to the Chief Executive Officer, and shall be presented to Council for consideration via a Business Paper in the confidential section of the agenda. Exclusions are:

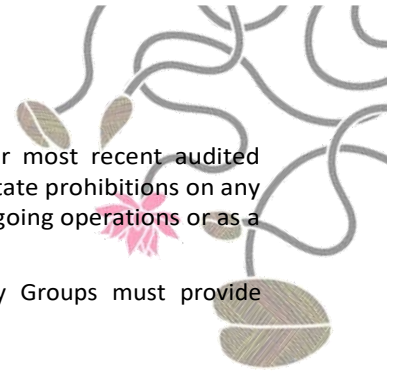
- Sporting and community groups cannot apply for a rates concession on a property that caters for gambling.
- Government agencies.



Approved by Chief Executive Officer

Date 10/09/2021

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Community groups must provide, with their application, a copy of their most recent audited financial statements and their Constitution. The Constitution must clearly state prohibitions on any member of the organisation making a private profit or gain, either from ongoing operations or as a result of distributions of assets if the organisation is wound up.

To be considered for rate concessions, Sport and Recreation Community Groups must provide substantial benefit - at least two of the following criteria must be met:

- The facility is regularly used for junior development.
- The facility is regularly used by members of the public other than members of the organisations at no charge.
- Where unrestricted / free access is not possible due to the type of facility, the organisation must provide 'pay as you play' type activities.
- Where unrestricted or un-supervised access is not possible to the facility due to the type of facility, organisations must demonstrate other methods of encouraging the community through open days, and come and try events, etc.

Sport and Recreation Community Groups are considered for rates concessions in three different categories:

- Category 1: Organisations that undertake sporting or recreational activities and rely on player fees and community fundraising only can apply for up to 100% rates concession.
- Category 2: not for profit organisations that undertake sporting or recreational activities and do not hold a liquor license can apply for up to 75% rates concessions.
- Category 3: Not for profit organisations that undertake sporting or recreational activities that hold a liquor license can apply for up to 50% rates concession.

Record of Rates

The CEO will keep a rates record containing, for each allotment of rateable land:

- All rates and charges being levied;
- The interest imposed;
- The amount of rates written off (if any);
- The amount of payments made; and
- Any rates concessions granted on the allotment.

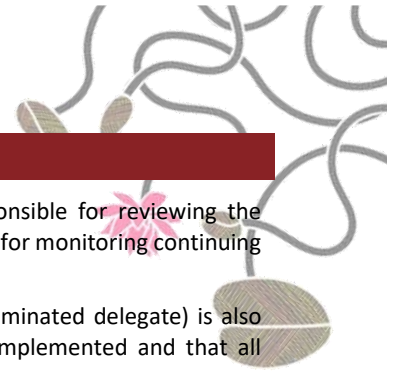
Rates In Arrears

The CEO will, at least once in a financial year, give the Council a report setting out:

- The number of allotments with rates in arrears for more than 2 years and the total amount of those rates in arrears.
- The number of conditionally rated allotments with rates in arrears for more than 2 years and the total amount of those rates in arrears.
- The actions taken to recover the rates in arrears.

For further information on debt recovery, refer to the *Debt Management Policy*.





5. Responsibilities

The Chief Corporate Officer is the Policy Custodian for this policy and is responsible for reviewing the operation of the policy (every 3 years or more frequently as may be required), and for monitoring continuing relevance, effectiveness, and consistency with related documents and the Law.

Following approval of this policy document, the Chief Corporate Officer (or a nominated delegate) is also responsible for ensuring that the implementation and communication plan is implemented and that all Council employees have access to the policy.

6. Related Documents

Legislation and References

Local Government Act (NT)
Local Government (Administration) Regulations
Australian Accounting Standards

Policy documents

Debt Management Policy

Procedures

Nil

Instructions, tools, guidelines, forms and templates

Nil



Approved by Chief Executive Officer

Date 10/09/2021

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Policy Name	Rates, Charges and Concessions	
Effective Date:		
Council Decision (Reference):		
Classification:	Governance Policy	
Categorisation:	Finance and Assets	
Review Frequency:	3 years	
Review Date:	28/02/2028	
Responsible Officer:	Chief Executive Officer	
Version (Revision Number):	2.0	

1. PURPOSE

The purpose of this policy is to set out a consistent, transparent and impartial process for the Council to manage declared rates and charges including concessions, remission of interest and waivers.

2. SCOPE

This policy applies to ratepayers, the Council, the Chief Executive Officer and other Council staff.

3. DEFINITIONS

In the context of this policy the following definitions apply:

Interest on Unpaid Rates and Charges means an extra amount is owed to the Council if property rates and charges are overdue.

Rates are a tax on the land that provides income for Council. Rates are charged to ratepayers based on the Unimproved Capital Value (UCV) of their properties.

Concession means that the Council waives some or all of the requirement to pay rates and charges. It can also mean the Council postpones a ratepayer's obligation to pay some or all of the rates and charges.

Relevant Interest Rate means the percentage interest that the Council uses if rates and charges are overdue. The relevant interest rate is set annual by Council in the Rates Declaration.

Remission of Interest means that the Council waives some or all of the interest on unpaid rates and charges owned to the Council.

Special rates are a tax on rateable land that is to be collected from a defined area and used for a defined purpose.





4. POLICY STATEMENT

Rating Principles

Council rates are a form of property tax levied by local government as a key source of funding for the many mandatory and discretionary services provided by Council. Rates are administered in line with the *Local Government Act 2019*. This Policy sets out how Council sets and collects rates from its community in line with the following principles:

- Council's rates concessions provisions will reflect the best interests of the whole community and be compassionate, transparent, accessible, impartial, and consistently applied.
- The rates concession process will be accessible for a range of different rate payers.
- The rating system will be easy to apply, understand and comply with.
- Confidentiality will apply, with all information provided treated as strictly confidential. All information pertaining to ratepayers will be stored securely.

Setting Rates and Charges

General rates, special rates and Council service charges are set in accordance with applicable legislation.

Exempt land, conditionally rateable land, and land rate exemption for public benevolent institutions, are subject to the application of legislation.

Rates and charges will be reviewed each financial year as part of the budgetary process. In setting rates and charges the Council will consider the Consumer Price Index (CPI), Local Government Cost Indexing (LGCI) provided by the Local Government Association of the NT (LGANT), any increase in costs to Council's operations and the financial pressures affecting ratepayers.

Annual rating will be based on land valuation, calculated as a proportion of the assessed Unimproved Capital Value of each allotment to provide an overall approved level of revenue.

Levying of Special Rates

Council may decide to levy a special rate to fund a particular purpose. A special rate must be:

- Based on the rating principles
- Only be levied against those properties in the area that is the beneficiary of the special rate.
- The subject of consultation with opportunities for feedback by those ratepayers affected.
- Spent in accordance with the purpose for which the special rate was levied.

Notice of Rates and Charges

In accordance with the requirements of the *Local Government Act 2019*, Council will issue notices of rates and charges at least (28) twenty-eight days prior to the due date, stated in the notice, for payment.

The notice of rates and charges will contain:

- The name of the ratepayer to whom the notice is addressed.
- The number and description of the allotment to which the notice relates.
- Particulars of the amount payable (including any interest and penalties accrued or imposed up to the date of the notice).
- The basis of calculations of the rates (including, where relevant, the valuation).





- A description of the ways to make payment.
- A short statement of the consequences of a failure to pay by the due date.

Council will issue reminder correspondence to a ratepayer if there is an overdue amount to be addressed.

Payment of Rates and Charges

Payments for rates and charges are due in full by the due date, unless a payment plan has been approved by Council resolution. The exact date that rates and charges fall due, and the various options for making payment, are included on the notice of rates and charges.

Payment Plans

Where a ratepayer is experiencing financial hardship and anticipates difficulty in paying the next rates and charges notice, Council staff are to work with the ratepayer to develop a proposed payment plan for Council's consideration and approval by resolution. These arrangements will be treated confidentially.

Generally, an application for a payment plan is to be submitted in writing by the ratepayer, or the ratepayer's representative, explaining the financial hardship or anticipated difficulty. For payment plans where the annual rates and charges are not paid in full by the financial year end, in which the annual rates and charges relate see **Deferment of Rates and Charges** title below and note section 251 of the *Local Government Act 2019* rates deferment limitation.

Payment arrangements can attract penalty interest on overdue rates and charges, which will continue to accrue unless a rates and charges concession has been granted to the ratepayer.

Concessions

In accordance with section 247 of the *Local Government Act 2019* a rates or charges concession can be by:

- Waiver in whole or part; and/or
- A deferment in whole or part of an obligation to pay.

Under section 251 of the *Local Government Act 2019*, a rate concession cannot exceed the term of the Council.

Waiver of Rates and Charges

To assist a ratepayer experiencing financial hardship; to correct rate anomalies; or for a public benefit [see **Public Benefit**] the Council may by resolution grant a concession by waiving the whole or part of rates and/or charges imposed. Applications for a waiver of rates and charges are to be in writing and include how the applicant satisfies one these reasons (i.e. experiencing financial hardship; to correct rate anomalies; or for a public benefit) for rates and/or charges waiver concession.

If a ratepayer fails to comply with a condition of waiver, then Council may, by notice to the ratepayer, withdraw the concession and require the ratepayer to pay an amount on or before a date specified in the notice, to neutralise any benefit to the ratepayer of the concession.

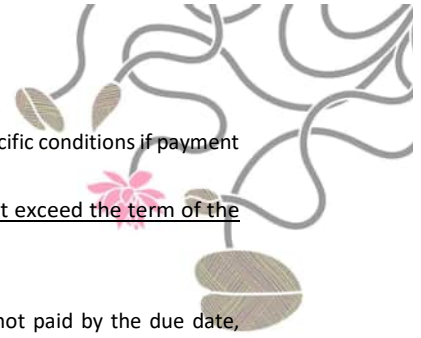
The Council may grant a waiver concession on the Council's own initiative to correct rate anomalies per section 249 of the *Local Government Act 2019*.

Deferment of Rates and Charges

The Council may postpone some or all of a ratepayer's obligation to pay rates and charges, although rates and charges will continue to be levied and be subject to compliance with any conditions imposed.

An application in writing must be submitted by the ratepayer, or the ratepayer's representative, explaining the reason (i.e. financial hardship, anticipated difficulty or public benefit). The Council will assess the





application, decide by Council resolution an appropriate payment plan and any specific conditions if payment deferment is granted.

Under section 251 of the *Local Government Act 2019*, a rate concession cannot exceed the term of the Council.

Remission of Interest Accrued on Overdue Rates and Charges

In accordance with section 245 of the *Local Government Act 2019*, if rates are not paid by the due date, interest may be accrued on the amount of the unpaid rates at the relevant interest rate. The Council considers declared charges, not paid by the due date, are also to accrue interest on the amount unpaid at the relevant interest rate.

Interest is to be calculated on a daily basis on the amount in default (exclusive of interest) from the due date until the date of payment.

The Council may waive interest accrued on overdue rates and charges in whole or in part. An application for a waiver of interest accrued is to be in writing and will be considered by Council in situations of proven financial hardship and where a payment plan is agreed.

The remission of interest may also be applied by Council to correct a rates and charges anomaly.

Legal and Debt Collection Fees

Council may incur legal and debt collection fees in relation to overdue rates and/or charges.

An application for waiving of legal and debt collection fees charged to the ratepayer shall be submitted in writing to the Council for consideration.

Any waiver shall be a one-off waiver in response to circumstances presented at the time.

Public Benefit

In accordance with section 250 of the *Local Government Act 2019*, the Council may grant a rate [or charges] concession if satisfied the concession will advance one or more of the following purposes:

- Securing the proper development of its area.
- Preserving buildings or places of historical interest.
- Protecting the environment.
- Encouraging cultural activities.
- Promoting community health or welfare.
- Encouraging agriculture.
- Providing recreation or amusement for the public.

5. Responsibilities

The Chief Executive Officer is the policy custodian and is responsible for: implementation and communication of the policy; reviewing the operation of the policy (i.e. monitoring the policy's continuing relevance, effectiveness, and consistency with related documents and the law); and submitting a revised policy to Council by the Review Date.



Approved by Council Resolution

Effective Date:

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6. Related Documents

Legislation and References

Local Government Act 2019
Local Government (General) Regulations 2021

Policy documents

Council's Delegation Manual
Debt Management Policy

Procedures

Nil

Instructions, tools, guidelines, forms and templates

Nil



Approved by Council Resolution

Effective Date:

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WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 19 FEBRUARY 2025

Agenda Reference:	7.1
Title:	Closure to the Public for the Discussion of Confidential Items
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

Pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and regulation 52 of the *Local Government (General) Regulations 2021*, the meeting is to be closed to the public to consider confidential matters.

LEGISLATION AND POLICY

Section 99(2) of the *Local Government Act 2019*
Regulations 51 and 52 of the *Local Government (Administration) Regulations 2021*

RECOMMENDATION

That pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and section 52 of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the Confidential items of the Agenda.

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 19 FEBRUARY 2025

EXCLUSION OF THE PUBLIC

The information in this section of the agenda is classed as confidential under section 293(1) of the *Local Government Act 2019* and regulation 52 of the *Local Government (Administration) Regulations 2021*.

Agenda Reference:	8.1
Title:	Rates and Water Use Concession
Author:	Jocelyn Nathanael-Walters, Director of Finance

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(b). It contains information about the personal circumstances of a resident or ratepayer.

Agenda Reference:	8.2
Title:	Approve the Disposal of Fleet Landcruiser 200 Series CF41QP
Author:	Clem Beard, Project Manager

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(c)(i). It contains information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Agenda Reference:	8.3
Title:	West Arnhem Regional Council Organisational Structure and Budget Revision
Author:	Jocelyn Nathanael-Walters, Director of Finance

The report will be dealt with under Section 293(1) of the Local Government Act 2019 and the Local Government (General) Regulation 2021 Section 51(1)(a). It contains information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

Agenda Reference:	8.4
Title:	Council Draft Regional Plan and Budget 2025-26
Author:	Fiona Ainsworth, Director of Community and Council Services

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(e). It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING WEDNESDAY 19 FEBRUARY 2025

RE-ADMITTANCE OF THE PUBLIC

9 DISCLOSURE OF CONFIDENTIAL RESOLUTIONS AND RE-ADMITTANCE OF THE PUBLIC

Agenda Reference:	9.2
Title:	Disclosure of Confidential Resolutions and Re-admittance of the Public
Author:	Jasmine Mortimore, Governance Advisor

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(c)(ii). It contains information that would, if publicly disclosed, be likely to: prejudice the maintenance or administration of the law.

10 MEETING DECLARED CLOSED