

REVENUE STATEMENT FOR THE 2022/23 FINANCIAL YEAR

1. INTRODUCTION

This revenue statement is produced in accordance with s104 (5) of the *Local Government Act 2009* and s169 (2) and s172 of the *Local Government Regulation 2012*.

2. DIFFERENTIAL GENERAL RATING

2.1 – Differential General Rating – General Comments

Council has decided that in accordance with s81 of the *Local Government Regulation 2012*, differential general rates will be levied on all rateable land in the Council area. In Council’s opinion, differential general rating enables there to be a more equitable relationship between revenue raised from particular land and the circumstances relevant to that land (both generally and with respect to revenue-producing potential), than would be the case under a standard rating system where rates are levied at a single rate in the dollar on all rateable land.

In determining its differential rating system, Council’s objective is to ensure the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations and disregarding irrelevancies such as the perceived personal wealth of individual ratepayers or ratepayer classes.

In summary, the differential rating categories have been determined having regard to matters such as:

- Land use;
- Availability of services;
- Consumption of services;
- Valuation; and
- Income producing capacity of land.

2.2 – Summary of Differential General Rating Categories & Descriptions (refer to Schedule 1 for the full list of categories, descriptions and identification for each category)

The following categories and descriptions are to be used for rating purposes for all rateable properties:

Category	Description
1 - Residential PPR	Residential properties, which are the principal place of residence of the owner/s, with a rateable valuation from \$1 to \$695,000.
2 - Residential PPR	Residential properties, which are the principal place of residence of the owner/s, with a rateable valuation from \$695,001 to \$1,300,000.
3 - Residential PPR	Residential properties, which are the principal place of residence of the owner/s, with a rateable valuation from \$1,300,001 to \$2,000,000.
4 - Residential PPR	Residential properties which are the principal place of residence of the owner/s, with a rateable valuation greater than \$2,000,000.

5 - Residential NPPR	Residential properties, which are not the principal place of residence of the owner/s, with a rateable valuation from \$1 to \$695,000.
6 - Residential NPPR	Residential properties, which are not the principal place of residence of the owner/s, with a rateable valuation from \$695,001 to \$1,300,000.
7 - Residential NPPR	Residential properties, which are not the principal place of residence of the owner/s, with a rateable valuation from \$1,300,001 to \$2,000,000.
8 - Residential NPPR	Residential properties, which are not the principal place of residence of the owner/s, with a rateable valuation greater than \$2,000,000.
9 - Residential Units PPR	Residential properties that are building units, which are the principal place of residence of the owner/s.
10 - Residential Units NPPR	Residential properties that are building units, which are not the principal place of residence of the owner/s.
11 - Residential Flats	Multi Unit Dwellings (Flats 2)
12 - Residential Flats	Multi Unit Dwellings (Flats 3 - 4)
13 - Residential Flats	Multi Unit Dwellings (Flats 5 - 6)
14 - Residential Flats	Multi Unit Dwellings (Flats 7+)
15 - Residential Section 50	Residential land which is subject to s50 of the <i>Land Valuation Act 2010</i> .
16 - Rural Productive	All properties which are used predominantly for Primary Production.
17 - All Other Land	All land which is not otherwise categorised.
18 - Commercial North	Properties that are used, or capable of being used, for commercial/industrial purposes in the localities of Cooya, Mossman and other localities to the north of Mossman (excluding those properties in Categories 19, 20, 21 and 22).
19 - Commercial South	Properties that are used, or capable of being used, for commercial/industrial purposes in the localities of Port Douglas, Craiglie and other localities to the south of Craiglie (excluding those properties in Categories 18, 20, 21 and 22)
20 - Commercial NFP	Properties used by Not-for-Profit Recreation, Sporting and Community Groups that are eligible for a rates remission or rebate.
21 - Commercial Marina	Shopping Centres with a secondary land use of Marina with a total area over 1.5ha.
22 - Heavy Industry	Properties that are used, or has the potential to be used for a sugar mill, co-generation plant or any heavy industry purpose

Council delegates to the Chief Executive Officer (CEO) the power to determine which differential rating category a particular rateable assessment should be allocated into. In this regard, the CEO may be guided by the list of land use codes set out in Schedule 1.

Further information that the CEO may utilise in this regard includes:

- The land use codes as adopted by the Department of Resources for formulating Local Authority valuations;
- The current Planning Areas in the 2018 Douglas Shire Planning Scheme Version 1.0. and the Integrated Resort Development Act 1987 (Mirage Port Douglas Scheme);
- Other such criteria as outlined within this statement and existing as at 1 July 2022.

The definition of rateable land and details of land exempted from rates are outlined in s93 of the *Local Government Act 2009* and s73 of the *Local Government Regulation 2012* and are attached as Schedule 2.

2.3 – Limiting the increase in rates and charges

In accordance with s116 of the *Local Government Regulation 2012*, for the 2022/2023 financial year, Council has not made, and will not make, a resolution limiting an increase of Rates and Charges.

3. CALCULATION OF LEVIES

3.1 PROVISIONS

- Differential General Rates will apply based on differential rating categories.
- Minimum general rates will apply.

3.2 APPLICATION OF GENERAL RATES BY CATEGORY

(a) RESIDENTIAL

Category 1	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 2	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 3	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 4	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 5	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 6	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 7	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 8	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 9	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 10	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 11	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 13	A single rate in the dollar to apply to all properties included in this category with a set minimum.
Category 14	A single rate in the dollar to apply to all properties included in this category with a set minimum.

Category 15 A single rate in the dollar to apply to all properties included in this category with no minimum, as required under s50 of the *Land Valuation Act 2010*.

(b) RURAL PRODUCTIVE

Category 16 A single rate in the dollar to apply to all properties included in this category with a set minimum.

(c) All OTHER LAND

Category 17 A single rate in the dollar to apply to all properties included in this category with a set minimum.

(d) COMMERCIAL

Category 18 A single rate in the dollar to apply to all properties included in this category with a set minimum. The minimum will not apply to properties that are subject to s50 of the Land Valuation Act 2010.

Category 19 A single rate in the dollar to apply to all properties included in this category with a set minimum. The minimum will not apply to properties that are subject to s50 of the Land Valuation Act 2010.

Category 20 A single rate in the dollar to apply to all properties included in this category with a set minimum.

Category 21 A single rate in the dollar to apply to all properties included in this category with a set minimum.

(e) HEAVY INDUSTRY

Category 22 A single rate in the dollar to apply to all properties included in this category with a set minimum.

4. ISSUE OF NOTICES

The issuing of rate notices and the payment of rates is closely linked to interest charged on overdue rates.

- Rate notices for the 2022/23 financial year will be issued half-yearly, with water access and water usage notices being issued three times during the year.
- The due date for payment is defined as being not more than thirty-five (35) days from the date of issue of the rate notice.

4.1 SUPPLEMENTARY RATE NOTICES

In instances where changes that impact Rates and Charges are brought to Council's attention throughout the year, a Supplementary Rates Notice will be issued as required. Some examples might include reconfigurations, valuation amendments, additional services and change of ownership.

Where a change results in raising a supplementary levy to the ratepayer of an amount less than \$10, Council will not raise the notice to the ratepayer.

Any Council error/mistakes in levy charges, with the exception of Special Charges, will only be backdated for the current financial year with a supplementary notice.

4.2 INTEREST ON OVERDUE RATES AND CHARGES

In accordance with s133 of the *Local Government Regulation 2012*, interest at the rate of eight point seventeen percent (8.17%) per annum compounding daily is to be charged on all overdue rates or charges from the day the rates or charges become overdue or a later day decided by the local government.

5. REMISSIONS AND REBATES

5.1 LODGEMENT OF APPLICATIONS

- (a) All applications must be in writing on the prescribed form and contain a declaration as to the accuracy of the information contained therein.
- (b) Remission will be calculated for new applicants from the date the application is received, once approved, and is not applied retrospectively to previous rating periods.

Depending on the lateness of the application and processing times, the applicant may be required to pay the rates in full by the due date to ensure that interest does not apply. In such cases a credit for the amount of the remission or rebate will be placed on the applicant's rate file.

- (c) Once an application for a remission or rebate is approved it shall remain in force from year to year without further renewal whilst the applicant remains owner/occupier of the property in question.
- (d) Where an applicant's circumstances alter it is incumbent upon the applicant to notify Council. Council will conduct periodic audits to verify current entitlements.

5.2 PENSIONER REMISSION

Pensioners may be entitled to a State Government Rate remission (currently 20%, up to a maximum of \$200.00 per property per annum). Where the State Government Rate remission applies, Council will remit the appropriate amount on the rate notice and claim reimbursement from the State Government.

Pensioners deemed eligible for the State Government Rate remission will also be entitled to the Council Pensioner Remission.

- (a) The Council pensioner remission will be up to 40% of the General Rate to a maximum of \$1,350.00 per annum.
- (b) The upper limit of total remission will not exceed 5% of Council's total net general rates at which point the 40% rebate is to be reduced on a pro rata basis.
- (c) The following guidelines apply in respect of persons applying for a pensioner remission:
 - i. The applicant(s) must be a resident of the Douglas Shire and the owner/occupier of the property in respect of which the remission is sought or be Life tenant(s) under a Will with responsibility to pay all rates and charges.
 - ii. Such property must be their principal place of residence.
 - iii. The applicant must be an individual, not a Trust, Company or other non-individual entity.
 - iv. The applicant(s) must be the holder(s) of one of the following Queensland cards:
 - Centrelink, Pension Concession Card.
 - Department of Veterans' Affairs, Pension Concession Card.
 - Department of Veterans' Affairs, Repatriation Health Card. (Full Conditions only)
 - v. Either a certificate of Occupancy or a Final Inspection Certificate has been issued for the residence. The approved structure must have a classification of "Dwelling – 1a". Pension remission is not applicable to vacant land.
 - vi. If a pensioner becomes the owner of a new property, they must make a new application for a remission in respect of that property.
 - vii. Regarding Ownership / Co-ownership, Council shall apply the same requirements as the Queensland Government Pensioner Rate scheme. Eligible pensioners who are co-owners shall be entitled to Council Pensioner Remission based on their percentage share of the property.
- (d) Recognising that many pensioners reside some or all of the time in hospitals, nursing homes, or with family or friends for ill health reasons, the residence may be regarded as the 'principal place of residence' if it is not occupied on a paid tenancy basis during the absence of the approved pensioner owner(s).
- (e) Where a pensioner is receiving a Council pensioner remission in respect of a property owned by that person and the person dies, the remission will cease at the end of the rating period in which records obtained from Services Australia for entitlement purposes do not match Council's Records.
- (f) Where more than one pensioner is receiving a Council pensioner remission in respect of a property owned by those pensioners and one of the pensioners dies

but the title hasn't been changed then the remaining pensioner(s) will receive the full Council remission.

- (g) When the property title is transferred under a will to a beneficiary who qualifies for a Council pensioner remission, that person will need to complete an application form and may be granted a remission from the first day of the next rating period.

Special consideration to grant Council pensioner remission is at Council's discretion for circumstances outside of the above criteria.

Provisions of this aspect of the policy may change from time to time depending on the policies of the Government of the time. Guidelines currently applicable are available on request from Council.

5.3 RETIREMENT VILLAGE REMISSION

A remission will be extended to retirement villages (as classified under Land Use Code 21), where a legal entity separate to the residents is the owner and the residents are responsible for paying the rates, to the extent that residents of the village are pensioners.

Thirty days prior to the commencement of any rating period the owner of the land shall lodge an application for remission in the following form:

- (a) There shall be a Declaration by the owner that pensioners resident in the complex will be given the benefit of the remission.
- (b) A list of all residents in the village and an indication as to which of those residents are pensioners.
- (c) Where residents are pensioners, their pension number.
- (d) A declaration from residents or their legal representatives (where they were residents) that they received the benefit of the remission in the prior year.

A pensioner remission will then apply based on the number of dwellings occupied by pensioners as a percentage of the total number of dwellings in the village.

5.4 RATES REBATE – NOT FOR PROFIT ENTITIES POLICY

This policy allows Council to consider applications for a rebate of general rates and sewerage charges from Not-for-Profit Recreation, Sporting and Community Groups.

To qualify for assistance, the constitution of these organisations must state prohibitions on any member of the organisation making a private profit or gain, either from ongoing operations of the organisation or as a result of distribution of assets if the organisation is wound up.

Those Not-for-Profit organisations that are not already receiving a remission and believe that they may be eligible should contact Council.

Council may provide up to 100% rebate of the general rate and up to 50% rebate of sewerage charges for organisations that comply with the requirements as set out in Council's policy.

This rebate is not available on vacant land.

5.5 RATES INCENTIVE FOR CONSERVATION POLICY

This policy allows Council to consider applications for a rebate of general rates where a landholder enters into a Conservation Agreement for a Nature Refuge under the *Nature Conservation Act 1992* or a Voluntary declaration (VDec) under the *Vegetation Management Act 1999*.

The rebate is proportionately attributed to that area of land included in an agreement. The owner enters into an agreement preserving/conserving flora and fauna on a rateable property within the boundaries of the Council. This agreement must be bound to the property title, in perpetuity.

Council may provide up to either 35% or 50% rebate of the general rate for landholders that comply with the requirements as set out in Council's policy. The rates rebate will be credited to the recipient's rates notice prior to being issued.

Those landholders that are not already receiving Rates Incentive for conservation and believe that they may be eligible should contact Council.

5.6 RATES REBATE FOR PERMITS TO OCCUPY LAND ON DAINTREE RIVER POLICY

A rates rebate of 50% of the general rate will only apply on rateable land on the banks of the South Arm and the Heads of the Daintree River that is occupied by holders of Permits to Occupy (fishing huts) which have been issued by the Department of Resources and comply with the requirements as set out in Council's policy.

6. SPECIAL CHARGES

6.1 RURAL FIRE BRIGADES

A special charge will be levied on all rateable land within the Wonga, Thornton Peak, Daintree, Mowbray Valley and Bloomfield River Rural Fire Brigade areas (identified by the Rural Fire Service of Queensland).

Each parcel of rateable land will specially benefit from the service, facility or activity funded by the special charge because each such parcel is within the area for which the brigade is in charge of firefighting and fire prevention under the *Fire and Emergency Services Act 1990*. Further, the fire emergency response capability that is provided by the brigade would be substantially diminished if it did not receive the funding provided by Council as a direct consequence of the levying of the special charge.

The special charge will form part of the half yearly rates levy issued twice yearly.

6.2 REFUSE DISPOSAL

A special charge will be levied on each rateable assessment with improvements, based on the improvements on the property, (excluding properties holding Permits to Occupy on the South Arm and the Heads of the Daintree River) that do not receive the Council kerbside waste and/or recyclables collection service, where the occupier has been provided with an identification card to use the Cow Bay, Daintree, Killaloe and Ayton Transfer Stations.

The special charge represents a contribution towards the costs associated with funding the provision, operation and maintenance of landfill refuse disposal sites including transfer stations available for general public use.

Each occupier of rateable land will benefit from the use of landfill and transfer stations that are available.

The levy will form part of the half yearly rates levy issued twice yearly.

7. UTILITY CHARGES

7.1 WATER

(a) RESIDENTIAL and "ALL OTHER LAND" (excluding Commercial and Rural Productive)

All properties in this class of consumer receiving water from the following Water Supply Schemes and Catchments:-

Daintree;

Mossman/Port Douglas;

Whyanbeel; and other groundwater and run off river sources, shall be levied the following charges:-

- An access charge for all residential type improvements.
- Water usage charged at a prescribed rate.
- Water access and water usage charges are levied three times during the year.

In circumstances where improvements are built over the boundary line of two allotments and neither allotment could be sold without a boundary re-alignment and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

Financial assistance is available to offset water usage costs for users of Home Dialysis Equipment. Written applications must be submitted to Council for approval.

(b) COMMERCIAL

All properties in this class of consumer regardless of supply scheme shall be levied the following charges:-

- An access charge per improvement.
- Water usage charged at a prescribed rate.
- Water access and water usage charges are levied three times during the year.

In circumstances where commercial/industrial improvements are built over the boundary line of two allotments and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

(c) RURAL PRODUCTIVE

All properties in this class of consumer receiving water from the following Water Supply Schemes and Catchments:-

Daintree;

Mossman/Port Douglas;

Whyanbeel; and other groundwater and run off river sources, shall be levied the following charges:

- An access charge for all residential type improvements.
- An access charge for all rural productive improvements with water connected.
- Water usage charged at a prescribed rate.
- Water access and water usage charges are levied three times during the year.

(d) UNTREATED WATER SCHEME (COMMERCIAL, RESIDENTIAL AND RURAL PRODUCTIVE)

All properties receiving an untreated water supply:

Dagmar Heights (14 active water users identified);

Upper Daintree (4 active water users identified) and other groundwater and run off river sources;

shall be levied the following charges:-

- An access charge for all residential or commercial type improvements.
- Water usage charged at a prescribed rate.
- Water access and water usage charges are levied three times during the year.

In circumstances where improvements are built over the boundary line of two allotments and neither allotment could be sold without a boundary re-alignment and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

Financial assistance is available to offset water usage costs for users of Home Dialysis Equipment. Written applications must be submitted to Council for approval.

(e) ALL CATEGORIES

For Residential, "All Other Land", Commercial and Rural Productive where improvements are of a joint nature, water usage charges will be calculated using the water usage rate applicable to the differential rating category on which general rates are levied or would be levied if the property was rateable.

Meters shall be read on a rotational basis, three times each year.

Where residential type improvements share a meter with commercial improvements and the Department of Resources land use code for that assessment is commercial, water usage charges will be levied at the commercial rate.

For Residential, "All Other Land" and Commercial properties, where improvements are built on one parcel of land any adjoining parcels with the same owners shall be rated separately for utility charges.

Not for Profit Recreation, Sporting and Community Groups that are recipients of a remission or rebate will be charged for all water usage at the relevant residential or commercial charge per kilolitre.

Water charges apply to properties within the declared water service area.

(f) AVERAGING / ESTIMATING CONSUMPTION CHARGES

When water is not measured by a water meter or where water meter readings are unable to be obtained due to:

- Inability to locate water meter; or
- Inability to access water meter; or
- Faulty water meter.

Council will calculate utility charges as per s101(2) of the *Local Government Regulation 2012* and Councils' Revenue Policy. Average water consumption shall be calculated using the previous three (3) water consumption totals for the land.

7.2 SEWERAGE

(a) RESIDENTIAL and "ALL OTHER LAND" (excluding Commercial and Rural Productive)

A base charge will be levied for each vacant allotment, residence, flat and each strata-title unit where Council is prepared to accept sewage.

In circumstances where improvements are built over the boundary line of two allotments and neither allotment could be sold without a boundary re-alignment and the ratepayer proves to Council that this is the case, Council shall levy utility charges as if it were one property.

In circumstances where pedestals/urinals are built on common property associated with Strata Title units a standard commercial charge per water closet (W.C.) will apply.

(b) COMMERCIAL

To be charged per water closet (W.C.).

(c) RURAL PRODUCTIVE

- i. A base charge will be levied for all residency type improvements.
- ii. A charge per water closet (W.C.) will apply for all rural productive improvements connected to the sewer.

(d) ALL CATEGORIES

Sewage charges apply to properties within the declared sewage service area.

7.3 CLEANSING

(a) DOMESTIC CLEANSING CHARGE

A base charge will be levied for all residency type improvements.

(b) **COMMERCIAL CLEANSING CHARGE**

All properties are to be charged in accordance with the adopted schedule (refer Rates and Charges).

8 SEPARATE CHARGES

Emergency Management Levy (EML)

The Emergency Management Levy (EML) is a State Government levy. Council is required to collect the levy on behalf of the Queensland State Government, in accordance with the provisions of the *Fire and Emergency Services Act 1990* and *Fire and Emergency Services Regulation 2011*, and such are levied in accordance with the prescribed fees as defined in schedule 2 of the *Fire and Emergency Services Regulation 2011*.

The levy is not a Council Charge and the Funds collected are remitted to Queensland Fire and Emergency Services.

Fire and Emergency Services Act 1990, s113, (1)(c)(ii) & (2)

s113 – Appeal against local government’s determination

(1) An owner of property to whom a levy notice is given may appeal to the commissioner on any of the following grounds and on no other grounds:-

(c) (ii) the prescribed property should in the circumstances be taken to be within a category other than the category on which the local government based its determination

(2) A person wishing to appeal must lodge a notice to that effect with the commissioner setting out the grounds of the appeal within 30 days after the levy notice is given.

9. FEES AND CHARGES

9.1 GENERAL COMMENTS

In general, the application of the "user pays" principle is the most acceptable methodology for applying a charge for services provided by Council. It permits a choice that can be exercised by constituents and allows increases or supports reductions in consumption in accordance with the particular preferences and tastes of the individual user. As well, equity benefits are paramount because those who do not use a particular service are not required to pay part of the cost of its supply.

Council may decide to provide subsidised services in certain instances to various disadvantaged groups and may relax or reduce user fees in those cases. Decisions to subsidise these community groups will be explicit both in terms of the groups to be subsidised and the level of subsidy to be provided.

Council’s adopted Fees and Charges Schedule includes cost-recovery fees.

9.2. COST-RECOVERY FEES

In accordance with s97 of the *Local Government Act 2009*, Council may fix a cost-recovery fee for any of the following:-

- (a) An application for the issue or renewal of a licence, permit, registration or other approval under a "Local Government Act" (this term is defined in the Schedule to the *Local Government Act 2009*);
- (b) Recording a change of ownership of land;
- (c) Giving information kept under a Local Government Act;
- (d) Seizing property or animals under a Local Government Act; or
- (e) The performance of another responsibility imposed upon Council under the *Building Act 1975* or the *Plumbing and Drainage Act 2018*.

The cost recovery fees will not exceed the cost to Council of providing the service or taking the action for which each fee is charged.

- 9.3 **DISHONOUR FEE – CHEQUES, DIRECT DEBITS AND PERIODIC PAYMENTS**
Where Council is advised of a Dishonoured payment when a Direct Debit or Cheque withdrawal is not allowed because there are not enough funds available in your account, Council will -charge a Dishonour Fee to the Debtor / Ratepayer as per Council's Fees and Charges for that financial year.

- 9.4 **PAYMENT ARRANGEMENTS**
To ease the financial burden of paying Rates and Charges, Council does have the option of a Payment Arrangement, which is available to residential and commercial properties.

The preferred period for a Payment Arrangement is six (6) months, but under extraordinary circumstances Council may agree to extend the payment period from six (6) up to twenty-four (24) months.

Payments must be made either weekly, fortnightly or monthly.

Interest will continue to be applied to all outstanding rates and charges as per the *Local Government Regulation 2012*, s133.

New Rates and Charges do not constitute part of a payment arrangement and are payable by the due date. Should the new Rates and Charges become overdue a new arrangement would be required.

10. POLICY FOR RATING EXEMPTIONS and ASSISTANCE

Upon receipt of a written submission Council shall:

- (a) Decide if the land is rateable land after considering s93 of the *Local Government Act 2009*.
- (b) If the land is rateable land, consider if the land is exempt under s73 of *Local Government Regulation 2012*.
- (c) If the land is still considered rateable after due consideration to the above, Council may grant financial relief under Chapter 4 Part 10 of *Local Government Regulation 2012* by way of a concession after considering the following:-

- i. A local government may grant the concession only by-
 - A resolution granting the concession to a stated rate payer; or
 - if the resolution is a rebate of all or part of the rates or charges, or an agreement to defer payment of rates or charges, by a resolution granting the concession to a rate payer who is a member of a stated class of rate payers.

- ii. However, the only circumstances or factors justifying the exercise of the power are –
 - the land is owned or occupied by a pensioner; or
 - the land is owned by -
 - an entity whose objects do not include making a profit; or
 - an entity that provides assistance or encouragement for arts or cultural development; or
 - the payment of the rates or charges will cause the owner of land hardship; or
 - the concession will encourage the economic development of all or part of the local government area; or
 - the concession will encourage land that is of cultural, environmental, historic, heritage or scientific significance to the local government area to be preserved, restored or maintained; or
 - the land is used exclusively for the purpose of a single dwelling house or farming and could be used for another purpose, including, for example, a commercial or industrial purpose; or
 - the land is subject to a GHG (greenhouse gas) tenure, mining tenement or petroleum tenure; or
 - the land is part of a parcel of land (a parcel) that has been subdivided and
 - the person who subdivided the parcel is the owner of the land; and
 - the land is not developed land.

11. SCHEDULE 1 - LAND USE CATEGORIES

Note: The Planning Areas in the 2018 Douglas Shire Planning Scheme Version 1.0. and the Integrated Resort Development Act 1987 (Mirage Port Douglas Scheme) may be a factor in determining the rating categories for various Land Use Codes.

11.1 RESIDENTIAL

CATEGORY 1 RESIDENTIAL – Principal Place of Residence (PPR)

Description

Properties used solely for a single residential dwelling, which is the principal place of residence of the owner/s with a rateable valuation from \$1 to \$695,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 02 Residential single unit dwelling - urban and rural;
- 05 Large homesite - dwelling - urban and rural;
- 09 Group Titles;

CATEGORY 2 RESIDENTIAL – Principal Place of Residence (PPR)

Description

Properties used solely for a single residential dwelling, which is the principal place of residence of the owner/s with a rateable valuation from \$695,001 to \$1,300,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 02 Residential single unit dwelling - urban and rural;
- 05 Large homesite - dwelling - urban and rural;
- 09 Group Titles;

CATEGORY 3 RESIDENTIAL – Principal Place of Residence (PPR)

Description

Properties used solely for a single residential dwelling, which is the principal place of residence of the owner/s with a rateable valuation from \$1,300,001 to \$2,000,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 02 Residential single unit dwelling - urban and rural;
- 05 Large homesite - dwelling - urban and rural;
- 09 Group Titles;

CATEGORY 4 RESIDENTIAL – Principal Place of Residence (PPR)

Description

Properties used solely for a single residential dwelling, which is the principal place of residence of the owner/s with a rateable valuation greater than \$2,000,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 02 Residential single unit dwelling - urban and rural;
- 05 Large homesite - dwelling - urban and rural;
- 09 Group Titles;

CATEGORY 5 RESIDENTIAL – Non-Principal Place of Residence (NPPR)

Description

Properties used solely for, or capable of use for, a single residential dwelling, which is not the principal place of residence of the owner/s with a rateable valuation from \$1 to \$695,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 01 Vacant urban land (excluding those included in commercial categories 18 and 19);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 18 and 19);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 18 and 19);

- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY 6 RESIDENTIAL – Non-Principal Place of Residence (NPPR)

Description

Properties used solely for, or capable of use for, a single residential dwelling, which is not the principal place of residence of the owner/s with a rateable valuation from \$695,001 to \$1,300,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 01 Vacant urban land (excluding those included in commercial categories 18 and 19);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 18 and 19);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 18 and 19);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY 7 RESIDENTIAL – Non-Principal Place of Residence (NPPR)

Description

Properties used solely for, or capable of use for, a single residential dwelling, which is not the principal place of residence of the owner/s with a rateable valuation from \$1,300,001 to \$2,000,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 01 Vacant urban land (excluding those included in commercial categories 18 and 19);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 18 and 19);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 18 and 19);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY 8 RESIDENTIAL – Non-Principal Place of Residence (NPPR)

Description

Properties used solely for, or capable of use for, a single residential dwelling, which is not the principal place of residence of the owner/s with a rateable valuation greater than \$2,000,000.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 01 Vacant urban land (excluding those included in commercial categories 18 and 19);
- 02 Residential single unit dwelling - urban and rural;

- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 18 and 19);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 18 and 19);
- 09 Group Titles;
- 94 Vacant rural land.

CATEGORY 9 RESIDENTIAL Building Units – Principal Place of Residence (PPR)

Description

Properties that are used for residential purposes and the unit lot is part of a Community Title Scheme, which is the principal place of residence of the owner.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

- 08 Building Units

CATEGORY 10 RESIDENTIAL Building Units – Non-Principal Place of Residence (NPPR)

Description

Properties that are used for residential purposes and the unit lot is part of a Community Title Scheme, which is not the principal place of residence of the owner.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

- 08 Building Units

CATEGORY 11 RESIDENTIAL – Flat 2

Description

Properties used for multi residential purposes (flats) and contain 2 independent living flats.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

- 03 Multi Unit Dwelling (Flats)

CATEGORY 12 RESIDENTIAL – Flats 3-4

Description

Properties used for multi residential purposes (flats) and contain 3 or 4 independent living flats.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

- 03 Multi Unit Dwelling (Flats)

CATEGORY 13 RESIDENTIAL – Flats 5-6

Description

Properties used for multi residential purposes (flats) and contain 5 or 6 independent living flats.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

03 Multi Unit Dwelling (Flats)

CATEGORY 14 RESIDENTIAL – Flats 7+

Description

Properties used for multi residential purposes (flats) and contain 7 or more independent living flats.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

03 Multi Unit Dwelling (Flats)

CATEGORY 15 RESIDENTIAL – Section 50

Description

Residential properties that are subject to s50 of the *Land Valuation Act 2010*.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

72 Residential land which is subject to s50 of the *Land Valuation Act 2010*.

11.2 RURAL PRODUCTIVE

CATEGORY 16 RURAL PRODUCTIVE

Description

Properties which are used predominately for primary production.

Identification (as determined by the CEO)

Ordinarily properties with the following land use codes would fall within this category:-

- 60 Sheep Grazing - Dry;
- 61 Sheep Breeding;
- 64 Cattle Grazing - Breeding;
- 65 Cattle Breeding and Fattening;
- 66 Cattle Fattening;
- 67 Goats;
- 68 Milk - Quota;
- 69 Milk - No Quota;
- 70 Cream;
- 71 Oil Seeds;
- 73 Grains;
- 74 Turf Farms;
- 75 Sugar Cane;
- 76 Tobacco;
- 77 Cotton;
- 78 Rice;

- 79 Orchards;
- 80 Tropical Fruits;
- 81 Pineapples;
- 82 Vineyards;
- 83 Small Crops and Fodder Irrigated;
- 84 Small Crops Fodder Non-irrigated;
- 85 Pigs;
- 86 Horses;
- 87 Poultry;
- 88 Forestry and Logs;
- 89 Animals Special;
- 93 Peanuts.

11.3 ALL OTHER LAND

CATEGORY 17 ALL OTHER LAND

Description

All land which is not otherwise categorized.

Identification (as determined by the CEO)

11.4 COMMERCIAL

CATEGORY 18 COMMERCIAL NORTH

Description

Properties in the localities of Cooya, Mossman and other localities to the north of Mossman (excluding those properties in Commercial Categories 19, 20, 21 and 22):

- (i) that are used, or capable of being used, for commercial/industrial purposes; or
- (ii) included as Commercial and Industry Planning Areas in the 2018 Douglas Shire Planning Scheme Version 1.0.

Identification

Ordinarily properties with the following land use codes would fall within this category:-

- 01 Vacant urban land;
- 04 Large vacant urban land;
- 06 Outbuildings;
- 07 Guest House/Private Hotel;
- 08 Building Units;
- 09 Group Titles;
- 10 Combined Multi Dwelling and Shop;
- 11 Shop - Single;
- 12 Shops - Shopping group (more than 6 shops);
- 13 Shopping group (2 to 6 shops);
- 14 Shops - Main Retail;
- 15 Shops - Secondary Retail;
- 16 Drive In Shopping Centres;
- 17 Restaurant;
- 18 Special Tourist Attraction;
- 19 Walkway;
- 20 Marina;
- 22 Car Park;

- 23 Retail Warehouse;
- 24 Sales Area Outdoor;
- 25 Offices;
- 26 Funeral Parlours;
- 27 Hospitals; Convalescent Homes (Medical Care) (Private);
- 28 Warehouses and Bulk Stores;
- 29 Transport Terminal;
- 30 Service Station;
- 31 Oil Depots and Refinery;
- 32 Wharves;
- 33 Builders Yard/Contractors Yard;
- 34 Cold Stores - Iceworks;
- 35 General Industry;
- 36 Light Industry;
- 37 Noxious/Offensive Industry;
- 38 Advertising - Hoarding;
- 39 Harbour Industries;
- 40 Extractive;
- 41 Child Care;
- 42 Hotel/Tavern;
- 43 Motel;
- 44 Nurseries;
- 45 Theatres and Cinemas;
- 46 Drive-In Theatres;
- 47 Licensed Clubs;
- 48 Sports Clubs/Facilities;
- 49 Caravan Parks;
- 50 Other Clubs; Non-Business;
- 51 Religious;
- 52 Cemeteries (including Crematoria);
- 55 Library;
- 56 Showgrounds/Racecourses/Airfields;
- 57 Parks and Gardens;
- 58 Educational - including Kindergartens;
- 72 Refer to s50 of the *Land Valuation Act 2010*.
- 91 Transformers;
- 92 Defence Force establishments;
- 95 Reservoir, Dam, Bores;
- 96 Public Hospital;
- 97 Welfare Homes/Institutions;
- 99 Community Protection Centre.

CATEGORY 19 COMMERCIAL SOUTH

Description

Properties in the localities of Port Douglas, Craiglie and other localities to the south of Craiglie (excluding those properties in Commercial Categories 18,20,21 and 22):

- (i) that are used, or capable of being used, for commercial/industrial purposes; or
- (ii) included as Commercial and Industry Planning Areas in 2018 Douglas Shire Planning Scheme Version 1.0.

Identification

Ordinarily properties with the following land use codes would fall within this category:-

- 01 Vacant urban land;
- 04 Large vacant urban land;

- 06 Outbuildings;
- 07 Guest House/Private Hotel;
- 08 Building Units;
- 09 Group Titles;
- 10 Combined Multi Dwelling and Shop;
- 11 Shop - Single;
- 12 Shops - Shopping group (more than 6 shops);
- 13 Shopping group (2 to 6 shops);
- 14 Shops - Main Retail;
- 15 Shops - Secondary Retail;
- 16 Drive In Shopping Centres;
- 17 Restaurant;
- 18 Special Tourist Attraction;
- 19 Walkway;
- 20 Marina;
- 22 Car Park;
- 23 Retail Warehouse;
- 24 Sales Area Outdoor;
- 25 Offices;
- 26 Funeral Parlours;
- 27 Hospitals; Convalescent Homes (Medical Care) (Private);
- 28 Warehouses and Bulk Stores;
- 29 Transport Terminal;
- 30 Service Station;
- 31 Oil Depots and Refinery;
- 32 Wharves;
- 33 Builders Yard/Contractors Yard;
- 34 Cold Stores - Iceworks;
- 35 General Industry;
- 36 Light Industry;
- 37 Noxious/Offensive Industry;
- 38 Advertising - Hoarding;
- 39 Harbour Industries;
- 40 Extractive;
- 41 Child Care;
- 42 Hotel/Tavern;
- 43 Motel;
- 44 Nurseries;
- 45 Theatres and Cinemas;
- 46 Drive-In Theatres;
- 47 Licensed Clubs;
- 48 Sports Clubs/Facilities;
- 49 Caravan Parks;
- 50 Other Clubs; Non-Business;
- 51 Religious;
- 52 Cemeteries (including Crematoria);
- 55 Library;
- 56 Showgrounds/Racecourses/Airfields;
- 57 Parks and Gardens;
- 58 Educational - including Kindergartens;
- 72 Refer to s50 of the *Land Valuation Act 2010*.
- 91 Transformers;
- 92 Defence Force establishments;
- 95 Reservoir, Dam, Bores;
- 96 Public Hospital;
- 97 Welfare Homes/Institutions;
- 99 Community Protection Centre.

CATEGORY 20 COMMERCIAL NOT FOR PROFIT

Description

Properties used by not-for-profit recreation, sporting and community groups that receive a remission or rebate under Council's Rates Rebate – Not for Profit Entities Policy.

Identification (as determined by the CEO)

Properties in this category are recipients of a remission or rebate under Council's Rates Rebate – Not for Profit Entities Policy.

CATEGORY 21 COMMERCIAL MARINA

Description

Properties which are predominantly used or intended for use as a shopping centre and with a secondary use of a marina which:

- (a) Have an area in excess of 1.5 ha; and
- (b) Contain a building or group of buildings comprising more than six shops.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

12 Shops - Shopping group (more than 6 shops).

With a secondary land use of:

20 Marina

CATEGORY 22 HEAVY INDUSTRY (SUGAR MILL)

Description

Properties that are used or have the potential to be used for a sugar mill or co-generation plant.

Identification (as determined by the CEO)

Ordinarily properties with the following land use code would fall within this category:-

35 General Industry

INTERPRETATION

The following terms used in the differential rating categories have the meanings set out below:

Community Titles Scheme: a community titles scheme under the *Body Corporate and Community Management Act 1997*.

Land use code: the codes recorded in Council's land records which identify the principal use of the land determined by the State valuation authority.

Principle place of residence: land that is the place of residence at which at least one natural person who constitutes the owner/s of the land predominantly resides.

In establishing whether land is the owner's principal place of residence, Council may consider, but not be limited to the owner's declared address for electoral, taxation, government social security or national health registration purposes, or any other form of evidence deemed acceptable by the Council. Residential premises that have not met these criteria will be deemed a secondary residence.

Principal Place of Residence for Building Units - To be eligible for Principal Place of Residence your property must be able to be occupied as a permanent residence under Council's Planning Scheme or have a relevant planning approval.

For the avoidance of doubt, land will not be the owner's principal place of residence where it is:

- 1) not occupied by at least one person/s who constitute the owner/s, but occupied by any other person/s, whether in return for rent or remuneration or not, including members of the owner's family, or;
- 2) vacant, whether permanently or temporarily (for more than 120 days of the financial year), including for the purposes of renovation or redevelopment, except in the case where:
 - a) premises that are being renovated are and remain the principal place of residence of the owner, and the owner does not during the renovation period own any other property which is used as, or asserted by the owner for any purpose to be, the owner's place of residence; and
 - b) a property is vacant for a period longer than 120 contiguous days of the financial year due to the owner/s absence on an extended holiday, provided that the property remains completely vacant for the entire period of their absence;
 - c) a property is vacant due to the owner/s absence due to work commitments, provided that the absence is confirmed in writing by the owner's employer to Council's satisfaction and the property remains vacant or is occupied by immediate family members only during the period of the owner's absence;
 - d) The owner is absent due to medical reasons of the owner or a close relative and this is confirmed in writing by a health professional to Council's satisfaction; or
- 3) not owned by a natural person, e.g., owned by a company, except where the ratepayer residing at the property as their principal place of residence is the company owner.
- 4) flats and other multiple tenement residential properties, even where the owner of the land resides in one of the flats or tenements.

12. SCHEDULE 2 - RATEABLE AND NON-RATEABLE LAND DEFINITIONS

Rateable land is any land or building unit, in the local government area, that is not exempt from rates.

The following land is exempt from rates-

- (a) *unallocated State land within the meaning of the Land Act 1994;*
- (b) *land that is occupied by the State or a government entity, unless*
 - (i) *the government entity is a GOC or its subsidiary (within the meaning of the Government Owned Corporations Act 1993) and the government entity is not exempt from paying rates; or*
 - (ii) *the land is leased to the State or a government entity by someone who is not the State or a government entity;*
- (c) *land in a state forest or timber reserve, other than land occupied under-*
 - (i) *an occupation permit or stock grazing permit under the Forestry Act 1959; or*
 - (ii) *a lease under the Land Act 1994;*

- (d) *Aboriginal land under the Aboriginal Land Act 1991 or Torres Strait Islander land under the Torres Strait Islander Land Act 1991, other than a part of the land that is used for commercial or residential purposes;*
- (e) *the following land under the Transport Infrastructure Act 1994 -*
 - (i) *strategic port land that is occupied by a port authority, the State, or a government entity;*
 - (ii) *strategic port land that is occupied by a wholly owned subsidiary of a port authority, and is used in connection with the Cairns International Airport or Mackay Airport*
 - (iii) *existing or new rail corridor land;*
 - (iv) *commercial corridor land that is not subject to a lease;*
- (f) *airport land, within the meaning of the Airport Assets (Restructuring and Disposal) Act 2008, that is used for a runway, taxiway, apron, road, vacant land, buffer zone or grass verge;*
- (g) *land that is owned or held by a local government unless the land is leased by the local government to someone other than another local government;*
- (h) *land that is-*
 - (i) *primarily used for show grounds or horse racing; and*
 - (ii) *exempted from rating by resolution of a local government;*
- (i) *land that is exempted from rating, by resolution of a local government, for charitable purposes;*
- (j) *land that is exempted from rating under-*
 - (i) *another Act; or*
 - (ii) *a regulation, for religious, charitable, educational or other public purposes.*

The following land is included in (j) (ii) above as specified in s73 of the Local Government Regulation 2012;

- (a) *land owned by a religious entity if the land is less than 20ha and is used for 1 or more of the following purposes -*
 - (i) *religious purposes, including, for example, public worship;*
 - (ii) *the provision of education, health or community services including facilities for aged persons and persons with disabilities;*
 - (iii) *the administration of the religious entity;*
 - (iv) *housing incidental to a purpose mentioned in subparagraph (i) to (iii);*
- (b) *land vested in, or placed under the management and control of, a person under an Act for-*
 - (i) *a public purpose that is a recreational or sporting purpose; or*
 - (ii) *charitable purposes;*
- (c) *land used for the purposes of a public hospital if-*
 - (i) *the public hospital is-*
 - (A) *part of a private hospital complex; or*
 - (B) *a private and public hospital complex; and*
 - (ii) *the land used for the purpose is more than 2ha and is separated from the rest of the complex;*
- (d) *land owned by a community organisation if the land is less 20ha and is used for providing the following-*
 - (i) *accommodation associated with the protection of children;*
 - (ii) *accommodation for students;*

(iii) educational, training or information services aimed at improving labour market participation or leisure opportunities;

(e) land used for a cemetery.

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