

### 3.1. ADOPTION OF DIFFERENTIAL GENERAL RATES FOR FINANCIAL YEAR 2021-2022

|                         |  |
|-------------------------|--|
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| <b>MANAGER</b>          | Mark Stoermer, Chief Executive Officer |
| <b>DEPARTMENT</b>       | Finance and Corporate Services         |

#### RECOMMENDATION

That Council resolves to:

1. Pursuant to section 81 of the *Local Government Regulation 2012*, the categories in to which rateable land is categorised, the description of those categories and, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, the method by which land is to be identified and included in its appropriate category is as follows:

#### CATEGORY 1 RESIDENTIAL – Principal Place of Residence

##### Description

Properties used solely for a single residential dwelling or home unit, which is the principal place of residence of the owner/s with a rateable valuation from \$1 to \$250,000.

##### 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

##### Description

Properties used solely for a single residential dwelling or home unit, which is the principal place of residence of the owner/s with a rateable valuation from \$250,001 to \$500,000.

##### 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

##### Description

Properties used solely for a single residential dwelling or home unit, which is the principal place of residence of the owner/s with a rateable valuation from \$500,001 to \$1,000,000.

**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**

**Description**

Properties used solely for a single residential dwelling or home unit, which is the principal place of residence of the owner/s with a rateable valuation from \$1,000,001 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 5 – RESIDENTIAL – Principal Place of Residence**

**Description**

Properties used solely for a single residential dwelling or home unit, 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 6 – RESIDENTIAL – Principal Place of Residence**

**Description**

Properties used solely for a single residential dwelling or home unit, 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 7 – RESIDENTIAL – Non Principal Place of Residence**

**Description**

Properties used solely for, or capable of use for, a single residential dwelling or home unit, which is not the principal place of residence of the owner/s with a rateable valuation from \$1 to \$250,000.

**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 22 and 23);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 22 and 23);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 22 and 23);
- 09 Group Titles;
- 94 Vacant rural land.

**CATEGORY 8 – RESIDENTIAL – Non Principal Place of Residence**

**Description**

Properties used solely for, or capable of use for, a single residential dwelling or home unit, which is not the principal place of residence of the owner/s with a rateable valuation from \$250,001 to \$500,000.

**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 22 and 23);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 22 and 23);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 22 and 23);
- 09 Group Titles;
- 94 Vacant rural land.

**CATEGORY 9 – RESIDENTIAL – Non Principal Place of Residence**

**Description**

Properties used solely for, or capable of use for, a single residential dwelling or home unit, which is not the principal place of residence of the owner/s with a rateable valuation from \$500,001 to \$1,000,000.

**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 22 and 23);
- 02 Residential single unit dwelling - urban and rural;

- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 22 and 23);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 22 and 23);
- 09 Group Titles;
- 94 Vacant rural land.

**CATEGORY 10 – RESIDENTIAL – Non Principal Place of Residence**

**Description**

Properties used solely for, or capable of use for, a single residential dwelling or home unit, which is not the principal place of residence of the owner/s with a rateable valuation from \$1,000,001 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 22 and 23);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 22 and 23);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 22 and 23);
- 09 Group Titles;
- 94 Vacant rural land.

**CATEGORY 11 – RESIDENTIAL – Non Principal Place of Residence**

**Description**

Properties used solely for, or capable of use for, a single residential dwelling or home unit, 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 22 and 23);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 22 and 23);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 22 and 23);
- 09 Group Titles;
- 94 Vacant rural land.

**CATEGORY 12 – RESIDENTIAL – Non Principal Place of Residence**

**Description**

Properties used solely for, or capable of use for, a single residential dwelling or home unit, 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 22 and 23);
- 02 Residential single unit dwelling - urban and rural;
- 04 Large homesite - vacant urban and rural (excluding those in commercial categories 22 and 23);
- 05 Large homesite - dwelling - urban and rural;
- 06 Outbuildings (excluding those in commercial categories 22 and 23);
- 09 Group Titles;
- 94 Vacant rural land.

**CATEGORY 13 – RESIDENTIAL Building Units – Principal Place of Residence**

**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/s.

**Identification (as determined by the CEO)**

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

- 08 Building Units

**CATEGORY 14 – RESIDENTIAL Building Units – Non Principal Place of Residence**

**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/s.

**Identification (as determined by the CEO)**

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

- 08 Building Units

**CATEGORY 15 – RESIDENTIAL Flat 2**

**Description**

Properties that are 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 16 – 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 17 – 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 18 – 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 19 – RESIDENTIAL – Section 50**

**Description**

Residential properties that are subject to section 50 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 section 50 of the *Land Valuation Act 2010*.

**CATEGORY 20 - 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.

#### **CATEGORY 21 - ALL OTHER LAND**

##### **Description**

All land which is not otherwise categorised.

##### **Identification (as determined by the CEO)**

#### **CATEGORY 22 – COMMERCIAL NORTH**

##### **Description**

Properties in the localities of Cooya, Mossman and other localities to the north of Mossman (excluding those properties in Commercial Categories 24, 25 and 26):

- (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 (as determined by the CEO)**

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 section 50 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 23 - 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 24, 25 and 26)

- (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 (as determined by the CEO)**



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 section 50 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 24 – COMMERCIAL NOT FOR PROFIT

##### Description

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

##### Identification (as determined by the CEO)

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

#### CATEGORY 25 - COMMERCIAL MARINA

##### Description

Properties which are predominantly used or intended for use as a shopping centre, 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 26 – 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.

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.
- 2. Council delegates to the Chief Executive Officer the power, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, to identify the rating category to which each parcel of rateable land belongs.**

3. Pursuant to section 94 of the *Local Government Act 2009* and section 80 of the *Local Government Regulation 2012*, the differential general rate to be made and levied for each differential general rate category and, pursuant to section 77 of the *Local Government Regulation 2012*, the minimum general rate to be made and levied for each differential general rate category, is as follows:

| Category                      | Rate in the Dollar |                     | Minimum Differential General Rate |
|-------------------------------|--------------------|---------------------|-----------------------------------|
| 1 - Residential – PPR         | .772456            | cents in the dollar | \$1,075                           |
| 2 - Residential- PPR          | .766187            | cents in the dollar | \$2,168                           |
| 3 - Residential – PPR         | .719624            | cents in the dollar | \$4,192                           |
| 4 - Residential - PPR         | .706632            | cents in the dollar | \$7,655                           |
| 5 - Residential - PPR         | .618822            | cents in the dollar | \$8,999                           |
| 6 - Residential – PPR         | .449203            | cents in the dollar | \$11,813                          |
| 7 - Residential - NPPR        | .772456            | cents in the dollar | \$1,125                           |
| 8 - Residential- NPPR         | .769842            | cents in the dollar | \$2,268                           |
| 9 - Residential – NPPR        | .726362            | cents in the dollar | \$4,387                           |
| 10 - Residential - NPPR       | .713127            | cents in the dollar | \$8,011                           |
| 11 - Residential - NPPR       | .624407            | cents in the dollar | \$9,417                           |
| 12 - Residential – NPPR       | .453186            | cents in the dollar | \$12,363                          |
| 13 - Residential Units - PPR  | 1.110009           | cents in the dollar | \$1,075                           |
| 14 - Residential Units - NPPR | 1.457929           | cents in the dollar | \$1,125                           |
| 15 - Residential Flats 2      | 1.042506           | cents in the dollar | \$1,611                           |
| 16 - Residential Flats 3-4    | 1.042506           | cents in the dollar | \$2,081                           |
| 17 - Residential Flats 5-6    | 1.042506           | cents in the dollar | \$2,552                           |
| 18 - Residential Flats 7+     | 1.042506           | cents in the dollar | \$3,022                           |

|  |                 |                            |                  |
|--|-----------------|----------------------------|------------------|
| <b>19 - Residential – Section 50</b>   | <b>.772456</b>  | <b>cents in the dollar</b> | <b>Nil</b>       |
| <b>20 - Rural Productive</b>           | <b>1.218316</b> | <b>cents in the dollar</b> | <b>\$1,107</b>   |
| <b>21 - All Other Land</b>             | <b>.772456</b>  | <b>cents in the dollar</b> | <b>\$1,075</b>   |
| <b>22 - Commercial North</b>           | <b>1.119641</b> | <b>cents in the dollar</b> | <b>\$1,107</b>   |
| <b>23 – Commercial South</b>           | <b>.917387</b>  | <b>cents in the dollar</b> | <b>\$1,107</b>   |
| <b>24 - Commercial NFP</b>             | <b>.821762</b>  | <b>cents in the dollar</b> | <b>\$1,075</b>   |
| <b>25 - Commercial Marina</b>          | <b>4.424752</b> | <b>cents in the dollar</b> | <b>\$322,812</b> |
| <b>26- Heavy Industry (Sugar Mill)</b> | <b>1.119641</b> | <b>cents in the dollar</b> | <b>\$1,107</b>   |

4. Pursuant to section 116 of the *Local Government Regulation 2012*, the amount of the differential general rate to be levied for the 2021/22 financial year on the categories of land identified in Column 1 of the table below, be limited to an amount no more than an amount equal to the amount of general rate levied on that land in the previous financial year increased by the percentage identified in Column 2 of the table below:

| <i>Column 1</i><br>Category           | <i>Column 2</i><br>Percentage Increase (i.e. “the cap”) |
|---------------------------------------|---|
| <b>Category 20 – Rural Productive</b> | <b>Twenty Percent (20%)</b>                             |

## **EXECUTIVE SUMMARY**

This report provides the recommended resolutions required in relation to the adoption of the Differential General Rates for the 2021/22 financial year.

## **ATTACHMENTS**

Nil