



NORTHERN TERRITORY OF AUSTRALIA

No. 30 of 1985

AN ACT

To amend the *Local Government Act*

[Assented to 26 June 1985]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Local Government Amendment Act 1985*.

2. COMMENCEMENT

This Act shall come into operation on 1 July 1985.

3. PRINCIPAL ACT

The *Local Government Act* is in this Act referred to as the Principal Act.

4. REPEAL AND SUBSTITUTION

Section 158 of the Principal Act is repealed and the following substituted:

"158. DECLARATION OF RATES

"A council shall, before 30 September of each financial year, or such later date as the Minister allows, by resolution at a meeting, declare for that financial year -

- (a) the amount which it intends to raise for general purposes by rates; and

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- (b) whether general rates will be raised by the application of -
 - (i) a uniform rate with or without a minimum amount being payable in the application of that rate; or
 - (ii) differential rates with or without minimum amounts being payable in the application of those different rates."

5. NEW DIVISION

The Principal Act is amended by inserting in Part X, after Division 4, the following:

"Division 4A - Uniform and Differential Rates

"159A. UNIFORM RATES

"Where, under section 158(b)(i), a council declares that general rates will be raised by the application of a uniform rate, it shall specify a percentage as the uniform rate and the general rates for each parcel of ratable land shall be calculated by multiplying the unimproved capital value of that parcel by the percentage so specified.

"159B. DIFFERENTIAL RATES

"(1) Where, under section 158(b)(ii), a council declares that general rates will be raised by the application of differential rates, it shall specify -

- (a) the differential percentages; and
- (b) the conditions upon which each percentage shall be applied,

and the general rates for each parcel of ratable land shall be calculated by multiplying the unimproved capital value of that parcel by the percentage which is, by virtue of the specified conditions, applicable to the parcel.

"(2) For the purposes of sub-section (1), the specified conditions shall be that a parcel of land is within a specified -

- (a) ward;
- (b) town within the meaning of the *Crown Lands Act*;
- (c) part of a municipality; or
- (d) zone, within the meaning of a relevant planning instrument under the *Planning Act*,

but within such ward, town, part of a municipality or zone the percentage shall be the same.

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"159C. MINIMUM AMOUNT PAYABLE

"(1) Subject to sub-section (2), where -

- (a) under section 158(b), a council declares a minimum amount or amounts payable; and
- (b) on the application of the uniform rate or differential rates, as the case may be, to the unimproved capital value of a parcel of land (other than land deemed under section 108(a) of the *Unit Titles Act* to form one parcel of land), the rates payable in relation to the parcel of land would, but for this section, be less than the amount declared as the minimum amount payable in relation to that parcel of land,

the amount payable as rates in relation to that parcel of land is the minimum amount so declared.

"(2) Where, under section 108 of the *Unit Titles Act*, the amount payable in relation to a parcel of land by a member within the meaning of that Act is less than -

- (a) the minimum amount declared under section 158(b)(i); or
- (b) the relevant minimum amount declared under section 158(b)(ii),

whichever is applicable to the land deemed, under section 108(a) of the *Unit Titles Act*, to form one parcel of land, the member is liable to pay, instead of the amount calculated in accordance with section 108 of the *Unit Titles Act*, the minimum amount or relevant minimum amount, as the case may be."

6. REPEAL

Section 166 of the Principal Act is repealed.
