

Fact Sheet:

Proposed Introduction of Separate Rate – Charlotte Lane, Norwood

Local Government Act 1999, Section 151(5)(d)

Overview

The City of Norwood Payneham & St Peters is undertaking consultation on the proposed introduction of a Separate Rate for the properties immediately adjacent to Charlotte Lane, Norwood.

The Separate Rate is for the purpose of recovering the costs of converting Charlotte Lane from a Private Laneway to a Public Road, in accordance with the Council's *Private Laneways Policy & Procedure* and Section 210 of the *Local Government Act 1999* (the Act).

The Separate Rate is proposed to be a fixed charge, to be determined by sharing the costs of converting Charlotte Lane to Public Road equally between the adjacent properties. The Council proposes to declare the Separate Rate on 1 July 2021 for a period of one (1) year, with the Separate Rate to be payable in four (4) equal instalments across the year.

This Fact Sheet provides information about how the Separate Rate will operate, to assist interested persons who wish to make comment on the proposal.

What is a Separate Rate?

Councils in South Australia may declare a Separate Rate on a particular and specifically defined part of the Council area. Revenue raised from a Separate Rate must be used expressly for the benefit of the area from which it is raised and for the benefit of the property owners who pay the Separate Rate.

Under Section 154 of the Act, "a council may declare a separate rate on rateable land within a part of the area of the council for the purpose of planning, carrying out, making available, supporting, maintaining or improving an activity that is, or is intended to be, of particular benefit to the land, or the occupiers of the land, within that part of the area, or to visitors to that part of the area".

A Separate Rate is in addition to the General Council Rate which is applied to each property.

Why is a Separate Rate being introduced?

The Council's *Private Laneways Policy & Procedure* provides that the Council will select at least two (2) Private Laneways for conversion to Public Road each year. By following the process set out in Section 210 of the Act to convert a Private Laneway to Public Road, the Council can assume ownership of and responsibility for the Private Laneway.

A copy of the Council's *Private Laneways Policy & Procedure* is attached to this Fact Sheet.

There are many Private Laneways throughout the City, which often have no known owner or a deceased owner. As there is no "owner", these laneways are not maintained and many have deteriorated in condition over time. Although the Council has no legal obligation to maintain or upgrade these Laneways, it is recognised that the Council is often the only authority which has the capacity to provide a solution for adjacent residents and businesses.

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City of
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& St Peters

In this respect, converting a Private Laneway to Public Road, provides a benefit for adjacent properties and visitors, including:

- improving vehicle and pedestrian access for the adjacent properties;
- improving accessibility of the public road network in the area; and
- **the adjacent property owners and occupiers will have the benefit of the Council's ongoing management and maintenance of the Public Road (at the Council's cost).**

In accordance with the Council's *Private Laneways Policy*, the costs of converting a Private Laneway to Public Road (including the legal, advertising and administration costs) are to be met by the adjoining owners of the Laneway and shared equally between them. In order to recover these costs, the Council may declare a Separate Rate under Section 154 of the Act, which will amount to a rates liability against each adjoining property to the Laneway.

The Council will meet the costs of undertaking the capital works required to upgrade Charlotte Lane to Public Road standard (including, e.g., re-sealing the road surface, kerbing, line-marking, drainage infrastructure and lighting), and the ongoing maintenance costs.

Where will the Separate Rate apply?

Only those properties which are immediately adjacent to Charlotte Lane, Norwood will be affected by the proposed Separate Rate. These properties are listed in **Attachment A** to this Fact Sheet and are shown within the 'Separate Rate Area' on the attached Map.

How is the Separate Rate calculated?

The Separate Rate will be a fixed charge that has been determined by sharing the costs of converting the Private Laneway to Public Road equally between the adjacent properties. On this basis, the Separate Rate to be applied to each adjacent property of Charlotte Lane will be:

- **\$98.91 (including GST)** per rateable property

Where a property comprises more than one (1) rateable property (e.g. there are two (2) separate tenancies within the one property), the Separate Rate will be applied to each rateable property.

For how long will the Separate Rate be applied?

The Separate Rate is a one-off fixed charge that is proposed to be declared for a period of one (1) year commencing on 1 July 2021 and ending on 30 June 2022. The Separate Rate will be payable in four (4) equal instalments across the one (1)-year period. Payments will fall due in September, December, March and June, at the same time as the General Council Rate for each property.

How you can have your say

Comments on the proposed Separate Rate can be provided in writing to the Council:

- by post: PO Box 204, Kent Town SA 5071
- or via email: townhall@npsp.sa.gov.au

(Attention: Manager, Governance, Legal & Property) by no later than **5.00pm, Friday 19 February 2021**.

A public meeting will also be held in relation to the proposed Separate Rate on **Monday 22 February 2021** at **6.00-6.30pm** in the Don Pyatt Hall, 175 The Parade, Norwood (entrance via George Street).

What happens next?

Following conclusion of the consultation period and the public meeting, all feedback will be compiled and reported to the Council for its consideration at the next scheduled Council meeting.

For further information, please contact the Council's Manager, Governance, Legal & Property on 8366 4507 or via email: jdunning@npsp.sa.gov.au

Attachment A

Properties adjoining Charlotte Lane and subject to the Separate Rate:

- 2 Charlotte Place, Norwood SA 5067
- 36 Beulah Road, Norwood SA 5067
- 40-42 Beulah Road, Norwood SA 5067
- Unit 1-2, 44 Beulah Road, Norwood SA 5067
- Unit 1, 46 Beulah Road, Norwood SA 5067
- Unit 2, 46A Beulah Road, Norwood SA 5067
- Unit 7, 50 Beulah Road, Norwood SA 5067
- Unit 8, 50 Beulah Road, Norwood SA 5067
- Unit 9, 50 Beulah Road, Norwood SA 5067
- Unit 10, 50 Beulah Road, Norwood SA 5067
- Unit 11, 50 Beulah Road, Norwood SA 5067
- Unit 12, 50 Beulah Road, Norwood SA 5067
- Unit 13, 50 Beulah Road, Norwood SA 5067
- Unit 14, 50 Beulah Road, Norwood SA 5067
- 56 Beulah Road, Norwood SA 5067
- 49 Sydenham Road, Norwood SA 5067
- 51 Sydenham Road, Norwood SA 5067
- 51A Sydenham Road, Norwood SA 5067
- 49 Fisher Street, Norwood SA 5067
- Unit 3, 47 Fisher Street, Norwood SA 5067
- Unit 2, 47 Fisher Street, Norwood SA 5067
- Unit 1, 47 Fisher Street, Norwood SA 5067
- Unit 3, 45 Fisher Street, Norwood SA 5067
- Unit 2, 45 Fisher Street, Norwood SA 5067
- Unit 1, 45 Fisher Street, Norwood SA 5067
- 43C Fisher Street, Norwood SA 5067
- 43B Fisher Street, Norwood SA 5067
- 43A Fisher Street, Norwood SA 5067
- 41 Fisher Street, Norwood SA 5067
- 39 Fisher Street, Norwood SA 5067
- 37 Fisher Street, Norwood SA 5067
- 4 Charlotte Place, Norwood SA 5067