



# NORTHERN MIDLANDS COUNCIL

## POLICY MANUAL

### RATES AND CHARGES

|                                |   |
|--------------------------------|---|
| <b>Originated Date:</b>        | Adopted 9 July 2012 – Min. No. 172/12 (as Policy 65)  |
| <b>Amended Date/s:</b>         | Revision: 24 June 2013 – Min. No. 158/13<br>Revision: 23 June 2014 – Min. No. 155/14<br>Revision: 22 June 2015 – Min. No. 168/15<br>Revision: 21 September 2015 – Min. No. 270/15<br>Revision: 27 June 2016 – Min. No. 171/16<br>Revision: 26 June 2017 – Min. No. 205/17<br>Revision: 25 June 2018 – Min. No. 161/18<br>Revision: 24 June 2019 – Min. No. 182/19<br>Revision: 29 June 2020 – Min. No. 211/20<br>Revision: 28 June 2021 – Min. No. 218/21<br>Revision: 27 June 2022 – Min. No. 22/215 |
| <b>Applicable Legislation:</b> | Part 9 of the <i>Local Government Act 1993</i>  |
| <b>Objective</b>               | This policy sets out the parameters of the Northern Midlands Council for setting and collecting Rates and Charges within its area   |
| <b>Administration:</b>         | Corporate Services  |
| <b>Review Cycle/Date:</b>      | Annually. Next review June 2023.  |

## 1 INTRODUCTION

This policy sets out the parameters of the Northern Midlands Council for setting and collecting Rates and Charges within its area. The purpose of the policy is to outline Council's approach towards rating its community and to meet the requirements of section 86B of the *Local Government Act 1993* which requires Council to have a Rates and Charges policy by 31 August 2022. The policy is reviewable at least every four years or upon adjustment of rates and charges levied, and it must be made available to the public.

## 2 STRATEGIC PRINCIPLES

In making the policy Council has taken into account the principles that

- rates constitute taxation for local government purposes rather than a fee for service
- the value of rateable land being an indicator of the capacity of the ratepayer in respect of that land to pay rates.

In setting its Rates and Charges, Council considers the following:

- Northern Midlands Strategic Plan 2017-2027
- Long Term Financial and Asset Management Plans
- The 2022-23 Annual Plan & Budget
- Current economic climate and external influences such as legislative reform, grant funding programs, inflation factors and interest rates.
- Specific issues faced by this community, including:
  - the need to maintain and update its large road network and other essential infrastructure
  - maintenance and improvement of community assets to enable the municipal area to be promoted as an attractive place to live, work, invest and visit.
- The impact of Rates & Charges on the community, including:
  - residential, commercial, industrial and primary producers
  - minimising the rate levels by adopting a 'user pay' principle where possible
  - new services being funded from new rates raised
  - government grant levels and the need to expend on specific areas



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- provision of concessions to those in the community unable to meet full cost of services.

Council raises revenue for governance and administration, which deliver goods and services to the community. These services are generally not provided by the private sector and may include, amongst others, road, recreation and stormwater infrastructure, waste management, planning, development and health regulatory and compliance activities, economic development and community services.

Council conducts public consultation on a broad range of issues relating to specific programs and future directions of the municipal area. These opportunities are advertised in the local newspapers, put to Local District Committees and other interested groups, and residents are welcome to attend Council meetings. The Council also encourages feedback at anytime and this can be done by visiting [www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au) or sending comments to the General Manager.

Northern Midlands Council has adopted land use as a differentiating factor to be used when setting rates and continues to set a minimum payment for general rates. Service charges are applied for waste management services provided within the municipal area. All properties throughout the municipal area are levied for a Volunteer or General Fire Service contribution which is collected on behalf of the State Fire Service Commission. (Further details of Rates and Charges are provided later in this document).

### 3 RATING STRATEGIES

The following key strategies have been developed consistent with Council's rating objectives:

- valuation methodology based on Assessed Annual value
- different rates for different land use categories
- contribution methodology based on percentage of total revenue required from each category (adjusted for growth)
- incorporating minimum charges as a component of the general rate
- service and separate rates and charges
- rate rebates
- rate remissions
- rate incentives
- rate payments.

#### 3.1 VALUATION METHOD

Councils may adopt one of three valuation methods to value the properties within its municipal area, namely:

- *Land value* – the value of the land excluding the value of buildings and other improvements,
- *Capital value* – the value of the land and all of the improvements on the land, and
- *Assessed Annual value* – a valuation of the rental potential of the property.

Council has decided to continue to use Assessed Annual value as the basis for valuing land within the municipal area as it considers that this method provides the fairest method of distributing the rate burden across all ratepayers because property rental value is a relatively good indicator of capacity to pay (or wealth). It is noted that Assessed Annual value has a minimum of 4% of Capital Value which generally applies to the majority of rural properties and highly valued residential properties.

The property revaluation for the Northern Midlands area was completed under contract by LG Valuation Services on behalf of the Valuer-General in 2019 and bi-annual adjustment factors will be applied for the rating periods from 1 July 2019 on a bi-annual basis, and supplementary valuation adjustments are provided on an ongoing basis. Valuation adjustments are rated pursuant to Section 89 of the *Local Government Act*.

Council rates and charges apply for each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.



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### 3.2 DIFFERENTIAL GENERAL RATES

All land within the Northern Midlands area is rateable, except for land specifically exempt under the *Local Government Act* namely:

- land owned and occupied exclusively by the Commonwealth
- land held or owned by the Crown
- land owned by the Hydro-Electric Corporation
- land or part land owned and occupied exclusively for charitable purposes
- aboriginal land
- land or part of land owned and occupied exclusively by a Council.

The Local Government Act provides for raising of revenue for the broad purposes of the Council through a General Rate which applies to all properties, or through differential General Rates which apply within the municipal area according to any or all of the following factors:

- the use or predominant use of the land
- the non-use of the land
- the locality of the land
- any planning zone
- any other prescribed factor.

Northern Midlands Council has decided to apply differential rates in its area according to the following land use categories as determined by the Valuer General and planning zones as determined by the municipal planning scheme:

- Industrial use
- Public Purpose use
- Commercial use
- Residential use
- Quarries and mining use
- Residential use located within the Rural General planning zone
- Residential Low Density planning zone
- Sport & Recreation use
- Primary Purpose use
- Vacant land within the Industrial planning zone
- Vacant land use.

A General Rate must be set every year under section 90 of the Local Government Act by 31st August each year.

### 3.3 CONTRIBUTION METHODOLOGY

The contribution methodology is an integral component of the overall rating strategy to improve equity in rate distribution across the community, to prevent inequitable shifts in rate responsibility, to minimise the impact of property valuation movements, raise an equitable level of contribution from each land use sector, maintain the relativity within differing communities and between communities, recognising communities where there is a greater consumption of services and resources, and to rank highly against the principles of taxation.

Historically Council modelled its differential rates around the percentage of the 2007 residential rate contribution, and continuing on this basis the following differentials have been determined for the 2022-23 rating year.



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| Differential Rate       | Cents in \$AAV | % Total Rates | % from Residential |
|-------------------------|----------------|---------------|--------------------|
| Industrial              | 8.80           | 14.1%         | 47                 |
| Public Purpose          | 8.08           | 1.7%          | 35                 |
| Quarries or mining      | 7.96           | 0.2%          | 33                 |
| Commercial              | 7.12           | 10.9%         | 19                 |
| Sport & Recreation      | 6.59           | 0.3%          | 10                 |
| Residential             | 5.99           | 39.7%         |                    |
| Residential Rural       | 5.36           | 4.9%          | -10                |
| Residential Low Density | 5.36           | 4.4%          | -10                |
| Vacant Land             | 2.93           | 1.81%         | -51                |
| Primary Production      | 2.54           | 22.8%         | -57                |

### 3.4 MINIMUM GENERAL RATE

A minimum General Rate provides a mechanism by which lower valued properties pay not less than a minimum amount, and it can only apply if there has been no fixed charge applied. The minimum rate must not apply to more than 35 percent of properties in 2022-23.

The reasons for imposing a minimum rate is that Council considers it appropriate that all rateable properties make a base level contribution to the cost of administering council activities, and the cost of creating and maintaining the physical infrastructure that supports each property.

In determining the minimum rates applicable for 2022-23 Council has reviewed the adequacy of the minimum rate level and has set a minimum amount of \$534, and varies the minimum rate to \$341 for properties with land use of public purposes, quarries & mining, sport & recreation, primary production, and vacant land.

The minimum rate applies to approximately 14.3% of properties within the municipal area.

### 3.5 SERVICE RATES & CHARGES

#### *3.5.1 Fire Levy*

Council is required to collect a mandatory state government service rate for the State Fire Levy.

The rate applicable in 2022-23 for

- Cressy, Campbell Town, Longford, Perth & Evandale Volunteer Fire Brigade rating districts will be 0.315 cents in the dollar of assessed annual value of each property,
- other general land the levy will be 0.250 cents in the dollar of assessed annual value of each property,
- a minimum amount payable in respect of the fire levy will be \$44.

Council is required to remit revenue raised to the State Fire Commission, and does not determine how the revenue is to be spent. A commission of 4 percent of revenue is provided by the State Fire Commission for collection of the levy.

#### *3.5.2 Waste Management*

A service charge applies to all properties provided with the provision of a kerbside/roadside refuse collection and recycling service.

The waste management service charge for the refuse collection in 2021-22 will be:

- \$146 for one 140 litre mobile garbage bin and 240 litre mobile recycling bin
- \$212 for one 240 litre mobile garbage bin and 240 litre mobile recycling bin
- \$100 for each additional recycling service.



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### 3.5.3 *On-site Waste Disposal*

A service charge for on-site disposal systems applies to properties where Council provides management of on-site wastewater systems installed on private properties.

The on-site disposal system service charge in 2022-23 will be \$684.

### 3.5.4 *Lake River Riverworks*

Pursuant to Section 201 of the Water Management Act 1999 and the Local Government Act 1993 Council, as the responsible water entity for the Lake River Water District determines and levies a service rate in order to provide for the costs necessarily incurred in the administration of the Lake River Water Works District and in constructing and operating works necessary for the purpose for which the district was appointed a rate equivalent to \$0 per kilometre of river frontage in 2022-23 (Note that this is achieved using a special rate and the remittance provisions for each individual property under of the act).

## 3.6 RATE REBATES

### 3.6.1 *Pensioner Rebate*

Eligible pensioners as at 1 July each year are entitled to a State Government rate rebate of 30 percent up to a maximum in 2022-23 of \$507, or a reduced maximum of \$345 if they are also a Tasmanian Water customer.

This rebate applies only to pensioner's principle place of residence, provided they satisfy the requirements of the State Government and hold a

- Pensioner Concession Card (PCC),
- Veterans Affairs Gold Card (TPP), or
- Health Care Card (HCC), but excludes a Senior Health Card.

Council deducts the rebate for previously eligible Pensioner Remissions from rates prior to issuing notices, but require new pensioners, pensioners who have recently relocated to this municipal area, or any pensioner who believes he/she should have been eligible for a Rate Remission, to complete an application form and lodge with Council.

The State Government verifies and approves the rebate applications each year, and if any rebate application is found to be ineligible the rebate amount will be revoked and payable by the ratepayer.

### 3.6.2 *Urban Farm Land*

Council has declared property within its area as Urban Farm Land pursuant to Division 8 of the *Local Government Act* whereby the Valuer-General determines an adjusted (reduced) valuation because of the land use.

This applies for example, to land with an agricultural use, providing the principle livelihood for its owner, but the value is increased because of either

- its proximity to land being used or developed for residential uses, or
- a substantial demand for the land as rural residential land.

## 3.7 RATE REMISSIONS

Under section 129 of the *Local Government Act*, Council may remit part or all of rates payable by a ratepayer or class of ratepayers.

Council has had a long standing remission policy to remit General Rates and Fire Levy on

- church properties used for religious or charitable purposes - including church buildings, church halls, and cemeteries



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- land used for advancement of education – including Scouts, Cubs, Police Boys, Girl Guides, and Brownies and agricultural show grounds
- aged care facilities – including Eskleigh Hospital and Toosey Aged Care Centre, and has previously resolved that all residential units owned by a charitable institution, occupied by private residents is not a charitable purpose. However, following a Supreme Court challenge against Local Government these properties have been deemed part of a charitable institution and non-rateable from 1 July 2019.
- Lake Leake and Tooms Lake shack and camping sites, but charge an annual licence fee for these properties
- privately owned and commercially leased properties within the Poatina Village 50 percent of the General Rate
- historic world heritage sites Woolmers and Clarendon.

A remission of the refuse collection service charge is provided for ancillary units occupied by pensioner or disabled invalid persons subject to

- the property being deemed as an ‘ancillary unit’ under the Northern Midlands Planning Scheme 1995
- ancillary unit not having a separate waste collection or reciprocals
- annual application being made providing proof of occupancy.

As an incentive for new development, Council provide a remission to Industrial/Commercial development as follows:

- If the General Rate increase is greater than \$30,000 then
  - for a 3 year period, 75 percent of the general rate increase paid and 25 percent of the general rate increase reserved for use on off-site works nominated by the ratepayer (provided the works agreed to by the Council)
  - reserved funds remain for 5 years, after which the balance shall be absorbed into general revenue, or
- If the General Rate increase is greater than \$10,000 but less than \$30,000, then 75% of the rate increase paid for a 3 year period.

### 3.8 PAYMENT OF RATES

Payment of rates may be made in one payment by 31 August 2022 to attract a discount of 0.5 percent (on current rates and charges), or by three equal instalment payments on 31 August 2022, 30 November 2022 and 28 February 2023.

A notice will be sent to each ratepayer 30 days prior to each instalment being due.

Ratepayers may choose to pay rates by the following methods (detailed on the back of each rate notice):

- Australia Post (at any Post Office, or go to [postbillpay.com.au](http://postbillpay.com.au))
- Bpay & BpayView
- Council internet site – [www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au)
- Phone - by credit card on 1300886451 or 1300729859
- Service Tasmania at Campbell Town – present notice to cashier between 11.00am to 4.00pm
- Direct Debit
- In person at Council Offices, Longford
- By mail post cheques and money orders to Northern Midlands Council, PO Box 156, Longford, Tasmania 7301

Note that all Northern Midlands Council Rates & Charges included on the annual rate notice are GST exempt.

### 3.9 LATE PAYMENT PENALTY AND INTEREST

Council has determined that interest and penalty for late payments will be imposed in accordance with section 128 of the *Local Government Act*, if any rate or instalment is not paid on or before the date it falls due.



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There is payable a penalty of:

- 5% of the unpaid rate or instalment imposed on 1 April each year
- 6.5% daily interest in respect of unpaid rate or instalment for the period which it is unpaid.

### 3.10 RECOVERY OF RATES

Any ratepayer who is experiencing difficulty with meeting the standard payment arrangements is invited to contact the Customer Service Team to discuss alternative payment arrangements.

Should any rate instalment not be paid by the due date, Council may require payment of the total annual Rates & Charges.

Rates which remain in arrears for a period exceeding 30 days will be subject to debt recovery action, and debt collection agency charges and court fees are recoverable from the ratepayer.

Council may sell any property where any rates have been in arrears for three years or more. Council is required to notify the owner of the land of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except for extraordinary circumstances, Council will enforce the sale of land for arrears of rates.

## **4 OBJECTIONS**

### 4.1 RATES NOTICE

A person may object to a rates notice on the grounds that

- a) the land specified in the rates notice is exempt,
- b) the amount of rates is not correctly calculated,
- c) the basis on which that rates are calculated does not apply,
- d) he/she is not liable for payment for the rates specified in the notice, or
- e) he/she is not liable to pay those rates for the period specified in the rates notice.

Any objection must be in writing to the General Manager, and made within 28 days after receipt of the rates notice.

A person may appeal to the Magistrates Court for a review if the General Manager

- a) fails to amend the rates notice within 30 days after lodging the objection
- b) refuses to amend the rates notice.

It is important to note that the lodgement of any objection does not change the due date for payment of rates. Rates must be paid in accordance with the Rates Notice until otherwise notified by Council.

### 4.2 VALUATION OR LAND USE

If a property owner believes that a particular property has been incorrectly valued or wrongly classified as to its land use, then an objection may be made to the Valuer-General within 60 days of being notified of the land valuation or land use classification.

## **5 DISCLAIMER**

A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter with the General Manager.

## **6 AVAILABILITY OF POLICY**

This policy is available for inspection at the Council Offices during ordinary working hours at no charge.



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Copies of this policy will be available from Council's website [www.northernmidlands.tas.gov.au](http://www.northernmidlands.tas.gov.au), or in paper form at the Council Offices, 13 Smith Street, Longford, at the cost of a small administration charge.

### **7 REFERENCES**

General Manager  
Northern Midlands Council  
PO Box 156  
LONGFORD TAS 7301  
Phone: 03 63977303

Valuer-General  
Valuer-General's Office  
GPO Box 44  
HOBART TAS 7001  
Phone: 03 62333844

Rate Enquiries  
Customer Service Team  
Northern Midlands Council  
Phone: 03 63977303