

POLICY NO LG40 RATES AND CHARGES POLICY

DEPARTMENT:	Corporate Services
RESPONSIBLE OFFICER:	Manager Corporate Services
LINK TO STRATEGIC PLAN:	Maintain financial viability and accountability in budgeting and administration.
STATUTORY AUTHORITY:	Local Government Act 1993
OBJECTIVE:	<p>This policy defines Council's commitment to levying rates and charges in an equitable manner and provides clear principles and direction at a strategic level to guide Council's decision making process in making rates and charges. It informs the annual decision making process of Council but does not represent the making of specific decisions on rates and charges levied each year under Part 9 of the <i>Local Government Act 1993</i>.</p> <p>This policy provides the community and ratepayers with the underlying principles Council uses in determining rates and charges, taking into account the varying nature of properties, the relative capacity to pay within the community, and Council's obligations under section 86B of the <i>Local Government Act 1993</i>.</p>
POLICY INFORMATION:	Adopted 25 June 2012 – Minute No 06/12.11.7.147 Amended 19 January 2015 – Minute No 01/15.11.7.011

POLICY

1. STRATEGIC REQUIREMENTS

Council will consider the following when setting the rates and charges for a particular financial year:

- Council's Strategic Plan
- Council's Long Term Financial Plan
- The Annual Plan & Budget for that year
- Current economic climate and external influences such as legislative reform, grant funding programs, inflation factors and interest rates, as well as local economic issues affecting the municipality as a whole or individual industries or sectors.

2. LEGISLATIVE REQUIREMENTS

When setting the rates and charges for each year, Council also takes into account the principles outlined in section 86A of the *Local Government Act 1993* that:

- (a) Rates constitute taxation for the purposes of local government, rather than a fee for a service; and
- (b) The value of ratable land is an indicator of the capacity of the ratepayer, in respect of that land, to pay rates

3. COUNCIL'S REVENUE RAISING POWERS

As an overriding principle, general rates will be levied on all land within the municipality regardless of service provided in accordance with the legislated principle that rates constitute taxation for the purposes of the Act. However section 87 of the *Local Government Act 1993* provides for exemptions to this principle and Council's "Rating Exemptions and Remissions Policy" outlines the criteria set by Council in accordance with this section.

4. VALUES TO BE USED A BASIS OF RATES

The *Local Government Act 1993* outlines that Council can use any one (1) of the three (3) valuations provided under the Valuation of *Land Act 2001*, as the basis of its rates. These are:

- Land Value
- Capital Value
- Assessed Annual Value (AAV) or any portion of the AAV as determined by the Valuer-General under section 11(3) (c) of the *Valuation of Land Act 2001*.

Council will use the AAV (including the adjusted AAV) as the primary basis for levying rates. Council believes this is the fairest method of distributing the rate burden across all ratepayers and it is consistent with the value of land being an indicator of capacity to pay (as provided by S86A(1) of the *Local Government Act 1993*).

Rates are adjusted throughout each financial year under section 89 of the *Local Government Act 1993*, using supplementary valuations issued by the Valuer General (eg for new dwelling, subdivisions, etc) and these change the total valuation of the municipality.

The state government has recommended Councils move from AAV to Capital Value as the basis of rating, preferably by 1 July 2016, but this has not been mandated. It is particularly encouraged to make the transition in conjunction with a municipal revaluation and Council should consider this, prior to the next revaluation.

5. GENERAL RATE

Council will levy a general rate on all ratable property. This rate will be determined in accordance with the requirements of the Annual Plan and Budget each year and will recover the cost of services for which specific users cannot readily be identified, or for which a regime of full cost recovery through user charges is not appropriate or has not been established by Council.

6. 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% of properties.

Council will apply a minimum general rate in accordance with section 90 of the Act at an appropriate level to recognise that each ratable property should bear a reasonable portion of the total rates burden each year to enable Council to deliver appropriate services and infrastructure as determined in the Annual Plan and Budget.

7. SERVICE RATES AND CHARGES

Council will levy service rates and charges as required for the purposes of fire protection and waste management in accordance with the Act. These rates and/or charges will apply to all ratable

properties at an appropriate level to recognise that each ratable property should bear a reasonable portion of the cost of the service provided.

The service rate and associated minimums for fire protection will be levied in accordance with notifications provided by the State Fire Commission under relevant legislation.

Service charges for waste management will be levied on a fixed amount for each property recognising that waste management services, comprising waste disposal areas, waste transfer stations and related waste management facilities, are available to all land within the municipal area and therefore all ratepayers should contribute to the cost of this service. These charges will also recognise where mobile garbage bin services are provided and the level of that service. Council may consider varying the level of these charges where land is vacant or where Council determines a level of community benefit.

8. SEPARATE RATES AND CHARGES

Where Council has identified, for the purpose of planning, carrying out, making available, maintaining or improving anything that in Council's opinion is, or is intended to be, of particular benefit to specific land or a class of land, or the owners of that land, Council may make a separate rate or charge in respect of that land, as per Section 100 of the Act.

9. DISCOUNTS AND REBATES

Council may provide a discount on rates and charges where these are paid in full by the date determined for the payment of the first quarterly rates installment.

Council may apply rebates to general rates payable in respect to specific properties and/or classes of ratepayers where Council determines there is social, economic, or equity benefit to the community in providing such rebates. While Council may provide rate rebates to various classes of ratepayers from time to time, Council is committed to the principle that social welfare responsibilities lie with State and Federal Governments.

10. PENALTY AND INTEREST

Council will apply penalty and interest charges in accordance with S128 of the Act where any rates and charges are not paid on or before the date on which the rates or installments fall due.

11. MONITORING AND REVIEW

Council will review and amend this Policy in compliance with Section 86B of the Act, including by the end of each successive 4-year period after 31 August 2012, or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.

POLICY NO LG41

CUSTOMER SERVICE CHARTER POLICY

DEPARTMENT:	Corporate Services
RESPONSIBLE OFFICER:	Manager Corporate Services
LINK TO STRATEGIC PLAN:	Community: Create an informed and involved community by developing channels of communication. Key Focus Area: Communication Improve and develop communication processes that lead to the community feeling more informed and involved. Services: To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes. Strategy 1. Ensure Council services support the betterment of the community
STATUTORY AUTHORITY:	Local Government Act 1993
OBJECTIVE:	To provide responsive and consistent services to all members of the Break O'Day community.
POLICY INFORMATION:	Adopted 19 August 2013 – Minute 08/13.11.9.215 Amended 19 January 2015 – Minute 01/15.11.6.010 Amended 20 February 2017 – Minute 02/17.12.10.34 Amended 21 May 2018 – Minute 05/18.12.4.112

POLICY

1. INTRODUCTION

The Break O'Day Council's Customer Service Charter is in accordance with the requirements of the *Local Government Act 1993* and outlines our commitment to customer service enabling us to meet the differing needs of the community. It also outlines customers' rights, the standards you can expect when dealing with Council, what our expectations are of you and what a customer can do if dissatisfied with a Council decision or action.

2. DEFINITIONS

Customer A customer is any person or organisation having dealings with Council.

General Manager Person appointed by the Council to the position of General Manager.

Officer Person employed by the General Manager to undertake Council duties in accordance with the Local Government Act 1993 and any associated legislation, statutory, regulatory, policy or procedural requirements.

Councillor Elected representative of the Council.

3. SERVICE PHILOSOPHY

Leadership/ Ownership:

We will be visionary and accountable leaders who advocate and represent the views of our community in a transparent way.

We will make decisions for the greater good of Break O'Day by being accessible and listening to our community.

Great Communication:

We will listen, consult and engage with the community and individuals.

We will be open, honest and proactive in our communication.
We will keep people informed about the things that matter to them.
Infrastructure and services:

We will strive to deliver excellent customer service and promote Break O'Day as a desired destination.

Working together:

We will build and maintain strong relationships and partnerships through consultation, engagement and collaboration.

We will support and facilitate our community

4. SERVICE STANDARDS Answering the telephone

We aim to answer all calls promptly and transfer your call to a relevant officer, if that person is unavailable, you will be given an opportunity to leave a message or have that person return your call.

All staff answering the main switchboard will state the Council's name and their name.

If the service you seek is not provided by Council we will endeavour to direct you to the correct service provider.

In person

We will ensure that the reception counter is staffed during normal business hours, and if possible, that staff are available to answer enquiries in departmental areas. We can ensure staff will be available if you assist us by making an appointment in advance.

Written contact with Council

All written correspondence to Council should be marked to the attention of the General Manager.

We will respond to your written correspondence within ten (10) working days from receipt of your letter. If the request is more complex and requires greater attention, we will contact you explaining the reason for any delay and, where possible, tell you when a response will be made. If prolonged investigations are required, we will keep you informed of its progress.

All reply correspondence will have a contact name, phone number and Council's file number for your reference.

Social Media – commenting on a Council post and direct messaging

Posts

When you comment on a Council post on social media, it is not considered direct communication with our organisation; therefore it is at the administrator of the page's discretion whether or not to reply to your comment.

Direct Messaging

A direct message is when a private message is sent through a social media page.

When you direct message Council through Facebook, it is considered the same as a Customer Service or Information Request. Customers will get an immediate automated response and then administrators of the page will address your question within 24hrs if during work hours; outside of work hours (weekends and public holidays) the request could take up to three (3) working days.

A direct message is not however considered a formal request. If a formal response or archival of the concern is required, it must be put in writing to the General Manager directly.

Visit by Council staff

Any Council staff member visiting your home, business or property, will have an official identity card. If you have any doubt about the authority of a particular officer, you should contact the Council office for confirmation.

If you require a member of staff to visit your home, business or property, please contact the Council office to arrange an appointment.

5. OUR EXPECTATIONS OF YOU THE CUSTOMER

There are things you can do that will assist us in better handling your complaint or request.

- Supply accurate, complete and relevant information.
- Provide information within agreed timeframes.
- Treat our staff courteously and with respect.
- Respect the rights of other customers.
- Where possible, make an appointment with a relevant officer.
- Consider the bigger picture and be open-minded in our views and actions.
- Engage and speak up about issues of concern.
- Seek and share information with the council.
- Be mindful that every request has an impact on finances and that difficult decisions need to be made to ensure the best outcome for all.
- Be prepared to pay for additional services and infrastructure that are requested.
- Understand that sometimes because of legislative and statutory obligations, Council may be unable to comply with a request.

Community Feedback

We want to know how you perceive our service. We aim to make it easy to express your opinion on how to improve the service we provide, or any concerns you may have. When a particular service we provide is working well, and you are satisfied with it, we would also like to know so we can share this good practice for the benefit of others. Council appreciates the time you take to make a compliment.

You can let us know your views in many ways: you can write to us, visit our office, telephone or email us.

Abusive Customers

Interactions with members of the community where personal abuse or vulgar language is used may be terminated immediately by an officer. If on a telephone, the officer will advise they are terminating the call and hang up. If face to face, the officer will walk away. If the abuse is contained in an email, the address may be blocked.

On occasion a customer may feel their issue has not been dealt with satisfactorily and it is not possible for Council officers to continue to respond; or correspondence contains personal abuse or vulgar language. In these instances, Council may decide to limit or cease responses to that person. A decision of this nature will be communicated in writing to the person.

Should a staff member feel threatened by abusive language or behaviour of a customer, the matter may be referred to the police.

Social Media

With respect to social media, Council reserves the right to remove any comments or block users if they breach our commenting guidelines; these guidelines can be found on our Facebook page in the About Us section. This will only be in extreme cases and not without the offender being warned. The guidelines are:

- Be respectful
- Watch your language
- Do not repeat comments
- Refrain from publishing any comments that are self-promoting, advertising or spam

6. COMPLAINTS What is a complaint?

A complaint arises through dissatisfaction with a decision, level or quality of service, or behaviour of an employee, councillor or representative of Council, which can be investigated and acted upon.

What is not a complaint?

- A request for service (unless an initial request has not been responded to)
- A request for information or explanation of a policy or procedure
- Disagreement with a policy or procedure of Council

7. COMPLAINTS PROCEDURE

Our aim is to provide you with the best possible service, however, we do recognise that from time to time things can go wrong, or there may be aspects of Council's services that you are unhappy with. When problems arise, we would like you to bring it to our attention so it can be dealt with quickly and courteously. If you have a complaint you would like acted upon, you can do this in writing to the General Manager (or, in the case of a complaint against the General Manager, to the Mayor), by visiting the Council office, or via phone, fax or email.

Your complaint or request for services will be forwarded to an appropriate officer for action. Please ensure you leave contact details when making a complaint to enable Council to follow up if necessary. If you would like to enquire about a previously registered complaint, please contact the Council office.

Council will endeavour to meet the following timeframes for dealing with a complaint/request:

- Urgent matters – within ten (10) working days.
- Non urgent matters that are not considered to be complex or where the complaint is to be investigated under an internal review mechanism – within thirty (30) days.
- Complex matters or where the complaint is to be investigated under an external review mechanism – within forty five (45) days.

SERVICE	OUR STANDARD
Answering your telephone call	Within three (3) rings
Returning your call	Within one (1) working day
General correspondence – response	Acknowledge within three (3) working days and respond within ten (10) working days
General requests – response	Within ten (10) working days
Keeping you informed	Council will use social media to advise of any delay in our service commitment within one (1) working day

Community Consultation	Receipt of submissions will be acknowledged in the format received (mail or email) whether undertaken by staff or consultant on behalf of Council within three (3) working days of the closing date
Job Applications	All applications for advertised positions of Council will be acknowledged within three (3) working days of the closing date for applications and unsuccessful applicants advised as soon as a decision has been finalised
Missed visits	We will leave a 'visit card' with contact details if we call to your residence and you are not at home – 100% of the time
Dogs – urgent requests	Respond seven (7) days a week
Environmental health – food and water quality complaint	Within five (5) working days
Safety matter that places any member of the community at risk	Immediate
Noise complaint	Within five (5) working days
Roads and footpaths – urgent requests	Within five (5) working days
Waste collection (wheelie bins)	Within five (5) working days
Drainage issues – urgent requests	Within five (5) working days
Dumped rubbish – inspect and collect	Within five (5) working days
If Council is unable to provide the service you require, we will endeavour to refer you to an appropriate service provider.	100% of the time

8. PROTECTION OF A CUSTOMER

Council will take all reasonable care to ensure that the reporting of complaints will not result in a customer experiencing any form of victimisation, retribution or abuse as a result of making a complaint.

9. REVIEW PROCESS

Break O'Day Council has a Decision Review Procedure that outlines what you can do if you disagree with a Council decision. The document is available on the Council website or by contacting the Council office. Information is available in *Council's Decision Review Procedure* available on the website or from the Council office.

Internal Review Process

A person who is affected by a decision made by Council, its employees or other persons acting on behalf of Council may lodge an application for an internal review of that decision.

Residents, ratepayers, members of a community group, users of Council facilities and visitors to the municipal area all have the right to lodge an application to review a decision of Council.

All attempts will be made to resolve grievances quickly and efficiently, without the need for a more formal process to be applied. Dealing with grievances at the local level is considered the most effective way of resolving matters.

External Review Process

If you have exhausted all avenues within Council and feel that your complaint has not been dealt with in an appropriate manner you may contact an external organisation who may be able to assist you.

10. PERSONAL INFORMATION PROTECTION

Personal information provided by a customer to Council will be protected in accordance with the requirements of the *Personal Information Protection Act 2004*.

11. CONTACTING COUNCIL

The Council office is open from 9:00am and 5:00pm Monday to Friday (excluding public holidays and the annual closure between Christmas and New Year).

The office is located at 32-34 Georges Bay Esplanade, St Helens.

Main Office

Phone: (03) 6376 7900
Email: admin@bodc.tas.gov.au

Address all correspondence to:

The General Manager Break O'Day Council
32-34 Georges Bay Esplanade ST
HELENS TAS 7216

Website: www.bodc.tas.gov.au

FaceBook page: www.facebook.com/BODCTas

12. REVIEW & MONITORING

Council will review and amend this Policy every two (2) years in compliance with Section 339F of the Local Government Act 1993, or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.