



## Special Rates and Charges

<b>Policy type</b>	Council
<b>Adopted by</b>	Moirashire Council
<b>Responsible director</b>	Director Infrastructure Services
<b>Responsible officer</b>	Manager Infrastructure Planning
<b>Date adopted</b>	21 November 2011
<b>Scheduled for review</b>	21 November 2016

### PURPOSE

To provide guidance on how Council will implement and administer a special rate or special charge.

### SCOPE

This policy applies to all special rates and charges declared by Council under the *Local Government Act 1989* ("the Act").

### POLICY

#### 1. Beneficiary Principles

The beneficiary principles set out in Appendix A to this policy will provide guidance for Council to work out a fair apportionment of costs for all participants in special rates or charges schemes.

#### 2. Council Contributions

Council will contribute as follows to special rates or charges schemes:

Nil	Where there will be no benefit to the community, unless a Council owned property is included in the scheme.
20%	For provision of infrastructure - where there is a community benefit that is less than or equal to this contribution; or
50%	For construction of a standard footpath servicing a residential area - where there is a community benefit that is less than or equal to this contribution; in recognition of use by other residents and to promote footpath linkages between residential areas.

In any other circumstances Council will contribute to a special rates or charges scheme according to its statutory and legal obligations.

#### 3. Discontinued Schemes

If a special rate or special charge scheme does not proceed due to lack of support during the initial assessment stage, or is discontinued as a result of objections or appeal, then the project or work will not be re-investigated for two years unless circumstances change significantly.



## Special Rates and Charges

### 4. Payment of Special Rates and Charges

- (a) Notices requesting payment will generally be raised after the service or works are complete unless Council specifies otherwise.
- (b) Council will provide reasonable opportunity for payment of special rates and charges. Special rate or charge levies will be payable by:
  - lump sum in full within 30 days after the date of issue of the notice; or
  - quarterly instalments over a period of years as set by Council for each scheme, but not exceeding 10 years.
- (c) Council will encourage contributors to a scheme to utilise private lending options to enable the lump sum in full payment to be made.
- (d) Applications for relief or assistance due to hardship will be considered in accordance with Council's Rates and Charges policy.

### 5. Application of Interest

- (a) Interest will be charged from the due date.
- (b) The overdraft interest rate charged by Council's banker, plus one percent, as at the first day in the billing period will be used to calculate the instalment interest rate.
- (c) Thereafter the interest rate will be adjusted quarterly to reflect Council's current overdraft interest rate, plus one percent. This will not apply to accounts for a special rate or charge, raised prior to 1 January 2006, where an agreed lower alternative interest rate is already in place.
- (d) The interest will be charged on the principal balance outstanding, as at the end of the previous quarter.

### ATTACHMENTS

Appendix A – Beneficiary Principles

### RELATED POLICIES

*Development of Policy Documents*  
*Rates and Charges Policy*

### RELATED LEGISLATION

*Local Government Act 1989*  
*Local Government (General) Regulations 2004*



## Special Rates and Charges

### REFERENCES

Moirashire Council, *Draft Special Rates and Charges Quality Assurance Procedure*

Local Government Victoria (2004), *Special Rates and Charges Ministerial Guideline – September 2004*

### REVIEW

This policy will be reviewed five years from the date of adoption, with operational amendments as required in accordance with Council's approval.

## Special Rates and Charges

### Appendix A – Beneficiary Principles

Type of Project or Infrastructure	Category	Deemed Beneficiaries	Benefit Calculation Principles	Apportionment Principles
Footpath  Shared Pedestrian / Bicycle Path	Access street, road or place.	Abutting and opposite properties (except where a path exists opposite and has been contributed to by opposite owners). Properties directly serviced by path. Council for non-rateable properties.	Benefit based on access and amenity in proportion to reason for construction. Access based on relative volume of pedestrian volume. Amenity based on relative length of path across property. Community benefit based on volume of through pedestrian traffic.	Determined by proportion of property frontage to path. Beneficiary contribution limited to standard width of footpath (1.5 metres) with additional width being paid for by Council. Path thickening at driveways (to 1.5 metres width) are full responsibility of each property.
	Arterial road.  Commercial and industrial areas.	Abutting properties only, due to the need to have paths on both sides. Properties directly serviced by path. Council for non-rateable properties.	Benefit based on access and amenity in proportion to reason for construction. Access based on volume of pedestrian traffic. Amenity based on relative length of path across property. Community benefit based on volume of through pedestrian traffic.	Determined by proportion of benefit gained by the property from the works. Contribution limited to standard width of footpath (1.5 metres) with additional width being paid for by Council. Path thickening at driveways (to 1.5 metres width) full responsibility of each property.
Urban Drainage	Property drainage	Properties either discharging stormwater into the drain or receiving protection from stormwater runoff by the drain. Council for non-rateable properties.	All beneficiaries to receive same weighting. Nil community benefit.	Determined by relative area of each property drained or protected by drain.
	Outfall drainage	Properties either discharging stormwater into the drain or receiving protection from stormwater runoff by the drain. Council for non-rateable properties.	All beneficiaries to receive same weighting. Community benefit based on additional capacity costs over identified scheme beneficiaries.	Determined by relative area of each property drained or protected by drain.

## Special Rates and Charges

Type of Project or Infrastructure	Category	Deemed Beneficiaries	Benefit Calculation Principles	Apportionment Principles
Road	Access street, road and place	Abutting properties and properties directly serviced by road. Council for non-rateable properties.	Benefit based on access and amenity in proportion to reason for construction. Access based on volume of vehicle traffic. Amenity based on relative length of road across property. Community benefit based on volume of through vehicle traffic.	Determined by proportion of benefit gained by the property from the works.
	Collector and link. Industrial access. Industrial collector and link	Abutting properties and properties directly serviced by road. Community for non-rateable properties.	Benefit based on access and amenity in proportion to reason for construction. Access based on volume of vehicle traffic. Amenity based on relative length of road across property. Community benefit based on volume of through vehicle traffic.	Determined by proportion of benefit gained by the property from the works. Beneficiaries to contribute to the equivalent full cost of residential access street construction standard with Council contributing additional costs involved in upgrading the road to collector or trunk collector standard.
Off Street Carpark	Retail/Commercial	Properties which will derive a benefit through likelihood of customers using carpark.	Based predominantly on access. Determined by relative existing and potential shop size, type, proximity and any alternative provision or previous contribution towards spaces provided. Community benefit only if carpark (or standard of design) serves amenity (township promotion or landscape) purpose.	Determined by relative existing and potential shop size, type, proximity and any alternative provision or previous contribution towards spaces provided.
Streetscape Upgrade	Retail/Commercial Industrial Residential	Abutting properties.	Based predominantly on amenity. Relates to works to a standard above any determined minimum standard for the type and location. Community benefit based on (or standard of design) serves amenity (township promotion or landscape) purpose.	Determined by relative type and proximity of business.



## Special Rates and Charges

Type of Project or Infrastructure	Category	Deemed Beneficiaries	Benefit Calculation Principles	Apportionment Principles
Marketing/Promotion Program	Retail/Commercial Industrial	Properties which will receive an identifiable benefit from program, given use and type of business.	Benefit based potential for financial benefit, given relative existing and potential size of business	Capital Improved Value of property.
Provision of Services	Retail/Commercial Industrial Residential	Abutting properties. Properties which will receive an identifiable benefit from the program, given the use and type of business.	Benefit based on the potential for financial, amenity or access benefit given relative existing and potential size of business or residence. Community benefit based on the benefit to the Community outside the Scheme boundary.	Determined by relative type and proximity of business, as well as service usage.