

1 Policy Statement

The purpose of this policy is to provide a strategic framework to guide Council in the formulation and application of annual rates and services charges pursuant to Chapter 10 (Rates and Charges) of the *Local Government Act 1999* (the Act). In doing so, Council will seek to ensure its rating approach is fair, equitable, transparent, consistent, financially sustainable, compliant with legislative requirements, and aligned with the Annual Business Plan and Budget.

2 Scope

This policy applies to all rateable properties within the Council Area.

3 Legislation and References

This Policy should be read in conjunction with the relevant provisions of:

- *Local Government Act 1999*
- *Local Government (General) Regulations 2013*
- *Valuation of Land Act 1971*
- *Landscape South Australia Act 2019*

This Policy should be read in conjunction with:

- Rate Rebates Policy
- Debtor Management Policy
- Rates Financial Hardship Policy

4 Definitions

Capital Value / Valuation	Refers to the valuation methodology used in determining the value of land as defined in the <i>Valuation of Land Act 1971</i> .
General Rates	General rates are a form of property-based taxation and not a fee for service. They are levied by applying a rate in the dollar based to the capital value of rateable land and are used to fund the delivery of Council services and infrastructure to the community.
Rateable Land	All land within the Council area, except for land specifically exempt by Section 147 of the Act.
Service Rates and Charges	Rates or charges levied to recover, in whole or in part, the cost to Council of providing a specific service or activity.
Regional Landscape Levy	A State Government levy which council is required to collect on behalf of the relevant Landscape Board under the <i>Landscape South Australia Act 2019</i> .

5 Policy

5.1 Property Valuations

5.1.1 The Council uses capital value as the basis for valuing land within the Council area. The Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers on the following basis:

- (a) The equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth.

- (b) Property value is a relatively good indicator of wealth and capital value, which closely approximates the market value of a property, provides the best indicator of overall property value.

5.1.2 The Council will adopt the valuations made by the Office of the Valuer General on an annual basis.

5.2 General Rates

5.2.1 General Rates

5.2.1.1 Council adopts differential general rates by land use, based on the capital valuation of rateable properties. In accordance with Regulation 14 (differentiating factors) of the *Local Government (General) Regulations 2013*, the following land use codes are utilised for rating purposes:

- (a) Residential
- (b) Commercial – Shop
- (c) Commercial - Office
- (d) Commercial – Other
- (e) Industry – Light
- (f) Industry – Other
- (g) Primary Production
- (h) Vacant Land
- (i) Other

5.2.1.2 Council will determine a base general rate. Percentage loadings will then apply to commercial and industrial land use categories and the vacant land use category.

The percentage loadings are applied in recognition of the following factors:

- (a) A differential rate above the base General Rate will apply to all vacant land properties as a disincentive to land banking.
- (b) A differential rate above the base General Rate will apply to all Commercial and Industrial properties in consideration of the following factors:
 - i. valuation methods involved in capital value as compared with site value
 - ii. overall service levels related to infrastructure maintenance and Council services
 - iii. tax deductibility
 - iv. relative rates in neighbouring Councils
 - v. other relevant factors.
- (c) Pursuant to Section 158 of the Act, in recognition of enhanced economies of scale and capacity to pay for high-valued commercial and industrial use land, and to act as an economic stimulus in support of low valued commercial and industrial use land, the differential rate loadings for Commercial and Industrial properties will be applied on a progressive taxation basis, based on various valuation ranges determined by Council.

5.2.1.3 Differential rate loadings applied will be reviewed annually by the Council prior to adoption of annual General Rates.

5.2.1.4 Instances where either of the above occur will result in an adjustment of the proportion of general rate revenue collected from other land use sectors.

5.2.2 Boundary Alterations

5.2.2.1 For land affected by an alteration to the boundaries of the Council area, any adjustment to rates declared by Council will be applied in accordance with the relevant proclamation, direction or legislative instrument issued by the State Government.

5.2.2.2 This may include, but is not limited to, rate capping, rebates, remissions or other transitional rating arrangements, as determined by the State Government.

5.2.2.3 Council will apply any such arrangements in accordance with the requirements and timeframes set out in the relevant proclamation or direction.

5.2.3 Minimum Rate

5.2.3.1 In accordance with Section 158 of the Act, Council will apply a minimum rate to rateable property. The minimum rate represents a base level contribution by rateable properties to the cost of Council services and operations.

5.2.3.2 The minimum rate set by Council will be reviewed on an annual basis.

5.2.3.3 The ratio of minimum rate over the total number of properties will be within the legislated maximum of 35%.

5.3 Separate Rates

5.3.1 The Council, pursuant to Section 154 of the Act may levy a separate rate.

5.3.2 Business Development Separate Rate (Town Centre and Non-Town Centre)

This separate rate is levied on commercial and industrial properties to support business development and promotion. Funds raised through the separate rate will be used to deliver economic development initiatives and the Gawler Business & Economic Development Committee Business Plan.

In recognition of the additional services provided to properties within the Town Centre, as identified in Appendix 1, Council may apply a rebate to commercial and industrial properties outside the Town Centre. The level of the separate rate, and any rebate applied, will be reviewed annually by Council.

5.3.3 Gawler East Separate Rates (Transport, Community, and Traffic Interventions infrastructure)

These proportional separate rates are levied for the purpose of securing developer contributions towards construction of the Gawler East Link Road, community infrastructure, and traffic interventions infrastructure which will be of direct benefit to the land and occupiers of the land within the Gawler East Development Area.

The application of the separate rates is done pursuant to Council's Gawler East Development – Infrastructure Funding Policy.

The properties levied these separate rates are outlined in Appendix 2.

5.3.4 Regional Landscape Levy Separate Rates

The amount to be collected will be collected through a separate rate levied as the Regional Landscape Levy. The Council is acting as a revenue collector and as such does not retain this revenue. Revenue collected is forwarded to the Northern & Yorke Peninsula Landscape Board and the Green Adelaide Board.

5.4 Rate Rebates

Mandatory and discretionary rate rebates will be administered in accordance with the Act and Council's Rate Rebates Policy.

5.5 Rate Incentives – Discount

The Council will not provide a rate discount incentive for early payment in full.

5.6 Residential Rate Capping

5.6.1 Where Council resolves to provide a rate cap in accordance with Section 153(3) of the Act, the maximum increase to be applied under this rate capping provision will be determined by Council and reviewed each year. It will only apply upon application by the principal ratepayer, and only where all eligibility criteria is satisfied.

5.6.2 This capping provision is intended to provide relief where the increase in rates is due to a significant movement in the capital value of the property. However, the rate capping will not apply in the following circumstances:

- (a) capital improvement, building work or development activity has occurred on the property;
- (b) the basis for rating or eligibility for a rebate has changed from the previous year, other than due to change in land use;
- (c) the land use of the property, in whole or part, has changed, from the previous year;
- (d) ownership of the rateable property has changed from the previous year;
- (e) the property is no longer the principal place of residence of the principal ratepayer
- (f) the Valuer General has corrected a previously undervaluation of the property;
- (g) the property is owned by a company or incorporated body.

5.7 Service Rates and Charges

5.7.1 Council will recover the cost of providing the standard kerbside refuse, organic and recycling collection service (1 x 140Ltr Refuse Bin, 1 x 140Ltr or 240Ltr Organic Bin and 1 x 240Ltr Recycling Bin) via a bin-based service charge levied pursuant to Section 155 of the Act.

5.7.2 The kerbside refuse, organic and recycling collection service charged will apply to all properties to which the service is available (excluding Vacant Land and Primary Production properties with no, or minimal built form).

5.8 Rate Payment Methods

5.8.1 Council will provide payment options and instalment arrangements for rates, with payment methods published on Council's website and rates notices from time to time.

- 5.8.2 Council rates are due in four (4) instalments. The total outstanding balance of rates may be paid in full at any time. In addition, ratepayers may enter instalment plans for regular pre-payment of rates of an agreed minimum amount for payment in full by 30 June.

5.9 Transitional Rate Remission - Short Stay Accommodation

- 5.9.1 Council may grant a temporary transitional rate remission for eligible properties used for short stay rental accommodation where the Valuer General has reclassified the property from a land use code previously attracting Council's Residential differential general rate to a land use code attracting Council's Commercial - Other differential general rate.
- 5.9.2 To be eligible for consideration, Council must be satisfied that:
- (a) the change in rating treatment resulted from a Valuer General initiated change in land use classification associated with the use of the property for short stay rental accommodation;
 - (b) immediately prior to that reclassification, the property fell within Council's Residential land use category for differential rating purposes;
 - (c) following that reclassification, the property fell within Council's Commercial – Other land use category for differential rating purposes;
 - (d) the property was owned by the applicant prior to the reclassification taking effect; and
 - (e) the applicant has applied in the form and within the timeframe required by Council and has provided any information reasonably required by Council to assess eligibility.

6 Administrative Information

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7 Version History

Revision	Date	Change
1	26 May 2026	Update to current policy template and modernisation to improve clarity and consistency. Introduction of Differential General Rate - Boundary Alteration and Transitional Rates Remission for Short Stay Accommodation.

Appendix 1- shaded area represents Town Centre area referenced in clause 5.3.2 and 5.9



Appendix 2- Gawler East Development Area. The properties which are levied the separate rates as outlined in clause 5.3.2

