
P O L I C Y D O C U M E N T

Policy Name	ASSESSMENT BOOK RECORD	
Policy No	A.8	
Policy Reference	CORPORATE & COMMUNITY SERVICES	
File Reference	AS.134	
Review Details	Date Adopted :	22nd October 2007

PURPOSE

The intention of this policy is to outline access to information from the Assessment Book.

POLICY STATEMENT

In accordance with Section 174 (1) of the Local Government Act, Council must provide access to the Assessment Record at its Principal Office, during office hours.

The City of Victor Harbor will provide **a copy of an entry** from the Assessment Record when requested as follows:-

1. Council customers may view free of charge the Assessment Record and manually transcribe individual records at the Principal Office of the Council.
2. Property owners are able to view the details or obtain upon written request an extract of their own property/ies details free of charge.
3. Other persons are able to view the Assessment Record free of charge, or may make written application to Council for a hard copy or electronic copy extract at the nominated charge.

The charges for obtaining a copy of an extract from the Assessment Record are determined by Council annually when reviewing the Register of Fees and Charges. The City Manager may exercise discretion to waive the fee if considered appropriate in the circumstances.

The City of Victor Harbor will not provide full copies of the Assessment Book Record..

THE LEGISLATION

Section 174 of the Local Government Act (The Act) provides as follows:

- (1) ***A person is entitled to inspect the assessment record at the Principal Office of the Council during ordinary office hours.***
- (2) ***A person is entitled, on payment of a fee fixed by the Council, to a copy of an entry made in the assessment book.***

These provisions enable members of the public to exercise their right to inspect free of charge the Assessment Record. They also allow Council to recover the cost of providing extracts from the Assessment Record.

Section 172 (1) of the Local Government Act states that the Assessment Record available to the public must contain:

- (a) (i) **a brief description of each separate piece of rateable land in the area;**
(ii) **the rateable value of the land; and**
- (b) **if a service charge is imposed by the Council on non-rateable land in the area – a brief description of the land; and**
- (c) **the name and address of the owner of the land; and**
- (d) **if the owner is not the principal ratepayer in respect of the land – the name and address of the Principal ratepayer; and**
- (e) **so far as is known to the Chief Executive Officer, the name of any occupier of the land (not being an owner or Principal ratepayer in respect of the land); and**
- (f) **if the land is rated on the basis of a particular land use – the land use; and**
- (g) **other prescribed information.**

This information – and only this information constitutes an Assessment Record.

CONSIDERATIONS

Council is mindful of the sensitivity and security concerns within the community towards direct marketing and unsolicited contact. Local Government is not in the business of providing large scale databases for marketing purposes, however there are such services available commercially from other sources.

The Local Government Act 1999 makes reference to a person being entitled to a **copy of an entry** made within the Assessment Record, which implies singular rather than multiple entries from this record.

When providing information from the Assessment Record at the request of a member of the public the following considerations are relevant.

- (a) Each person listed within the Assessment Record is entitled to a level of privacy in relation to personal information recorded;
- (b) Council may risk negative community feedback for unsolicited contact made with the community by a party or parties as a consequence of information being released from the Assessment Record;
- (c) There is an obligation upon the Council and an expectation from the community that the record will be accurate and up-to-date;
- (d) The Assessment Record contains intellectual property from various sources which Council must respect

DUTY OF CARE

The City of Victor Harbor is committed to a culture that protects privacy and will endeavour to protect the personal information it collects, stores, discloses and uses. By doing this, Council will adopt the “best practice” approach to the management of personal information.

Council has a responsibility to put in place processes and procedures that protect ratepayers’ privacy, therefore only the information referred to in Section 172 (1) of the Act will be accessible.

INFORMATION REQUESTS

Example 1

Often requests are received from the public, community organisations, service providers and property conveyancers for singular or a small specified number extracts from assessment record. Such requests may relate but are not limited to the following purposes:

- To serve a fencing notice on a neighbour
- To contact an owner regarding water, sewer or electricity services
- To notify the owner of a problem
- To arrange settlement upon a sale
- To notify residents or an upcoming matter or event which may directly impact an area, street or neighbourhood

Example 2

Requests are also received from time to time for a full copy of the Assessment Record, either in hard copy or in an electronic format. Such requests may have a political purpose (eg. Postal or personal contact with potential voters) or a commercial motivation (eg. Advertising, direct sales or marketing). These are clearly not the intent of Council maintaining an Assessment Record.

References :

Local Government Act 1999, Section 174
South Australian Institute of Rate Administrators (SAIRA), 2004
Michael Kelledy, Wallmans Lawyers (Formerly Norman Waterhouse) engaged on behalf of the South Australian Institute of Rate Administrators (SAIRA) to prepare template policy

Date : _____

CITY MANAGER : _____
