

Rates and Charges

PURPOSE

To provide direction on issues involving rates and charges and contribute to the effective management of Council's financial resources.

SCOPE

This policy applies to all property rates and charges payable to Moira Shire Council.

DEFINITIONS

Charitable Purposes

An incorporated entity which promotes charity and is involved in the advancement of education or religion, the relief of poverty, or other purposes beneficial to the community – not being purposes merely of sport as such, or hospitality.

POLICY

1. Rateability of Land for Charitable Purposes (s154)

- Under the Local Government Act 1989 land used for charitable purposes is non-rateable. As the act does not provide a definition of charitable purposes Council will adopt the definition contained in this policy.
- All applications to have land assessed as being non-rateable shall be in writing and must be accompanied by documentary evidence to support a claim of "charitable purposes".
- All land assessed as non-rateable for charitable purposes must be reviewed annually.
- Approved applications are valid for one year and will only be reassessed upon further application and documentary evidence being submitted.

2. Waiver of Rates, Charges or Interest

Council will only waive rates, charges or interest after careful assessment of the circumstances involved which may include, but is not limited to the following reasons:

- (a) To provide for rate concession or waiver under the Cultural and Recreational Lands Act 1963;
- (b) To provide rate relief to an industry, developer or business to encourage them to offer additional employment, as authorised by the Chief Executive Officer or resolution of Council;
- (c) To provide relief to a defined class of persons determined by a Council resolution under s171(1)(b) of the *Local Government Act* 1989. Objectives to be achieved by the waiver must also be included in the Council resolution. This could be applied in declared situations, such as exceptional circumstances, resulting from a flood, bushfire or drought event.

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- (d) Applications granted for financial hardship under s171A.
- (i) Applications must be in writing; and
 - (ii) Generally, approved applicants will be offered payment arrangements, as outlined in clause 5 below, for the outstanding rate, charge or interest; and
 - (iii) In some circumstances Council may grant waiver of interest.

3. Interest on Unpaid Rates or Charges (s172)

Council will charge interest from the due date at the rate prescribed under the *Penalty Interest Rates Act 1983* as detailed in the Victoria Government Gazette.

4. Recovery of Unpaid Rates or Charges (s180)

- When rates and charges are overdue and no arrangement has been made for payment Council will ensure recovery action for any material amounts outstanding.
- When a debt fails to be recovered by Council or its debt collector, recovery will be sought through the Magistrates' Court.
- If procedures in accordance with s180 fail a report will be presented to Council considering the possible sale of the property in accordance with s181.

5. Payment Arrangements

- Council recognises that there may be some persons who are genuinely unable to pay their rates and charges by the due date.
- Consideration will only be made when a person is prepared to communicate their situation and enter into a written agreement to make arranged regular payments, over a period of time determined appropriate.
- Payment arrangements will not be made for rental properties.

6. Supplementary Valuations

Council will maximise its valuation base by conducting and applying supplementary valuations at least quarterly in accordance with the *Valuation of Land Act 1960*.

7. Rating Strategy

Council will review its rating strategy at least every two years with the aim of adopting a fair and equitable method of apportioning rates and charges across the municipality.

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