



GANNAWARRA

Shire Council

Wednesday, 16 March 2022

6:30pm

Vitual Meeting via ZOOM

AGENDA

Council Meeting

The Council Meeting will be live-streamed via Council's website which can be accessed at this link
gannawarra.vic.gov.au/Council/Council-Meetings/Meeting-livestream

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Geoff Rollinson
ACTING CHIEF EXECUTIVE OFFICER

1 WELCOME TO COUNTRY

Playing of the Welcome to Country video clip.

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Meeting - 16 February 2022

5 DECLARATION OF CONFLICT OF INTEREST

General conflict of interest

Unless exempt under section 129 of the *Local Government Act 2020* (the Act) or regulation 7 of the Local Government (Governance and Integrity) Regulations 2020, a Councillor or member of Council staff has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests (as defined in section 127(2) of the Act) could result in that person acting in a manner that is contrary to their public duty.

Material conflict of interest

Unless exempt under section 129 of the *Local Government Act 2020* or regulation 7 of the Local Government (Governance and Integrity) Regulations 2020, a Councillor or member of Council staff has a material conflict of interest in respect of a matter if an affected person (as defined in section 128(3) of the Act) would gain a benefit or suffer a loss depending on the outcome of the matter.

Disclosure of a conflict of interest

A Councillor who has a conflict of interest and is attending a meeting of the Council must make a full disclosure of that interest by either advising:

- a) the Council at the meeting immediately before the matter is considered at the meeting; or
- b) the Chief Executive Officer in writing before the meeting –

whether the interest is a general conflict of interest or a material conflict of interest; and the nature of the interest.

Note: If a Councillor advises the Chief Executive Officer of the details under b) above, the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

In accordance with section 130 of the Act, a councillor who has disclosed a conflict of interest in respect of a matter must exclude themselves from the decision making process in relation to the matter, including any discussion or vote on the matter at any Council meeting, and any action in relation to the matter.

Failure to comply with section 130 of the Act may result in a penalty of 120 penalty units

6 BRIEFING SESSIONS

6.1 RECORDS OF COUNCILLOR BRIEFINGS - 9 FEBRUARY TO 8 MARCH 2022

Author: Mel Scott, Executive Assistant - Chief Executive Office

Authoriser: Geoff Rollinson, Acting CEO

Attachments: 1 Record of Councillor Briefing - 7 March 2022

RECOMMENDATION

That Council note the records of Councillor Briefings from 9 February to 8 March 2022.

EXECUTIVE SUMMARY

This report presents to Council written records of Councillor Briefings in accordance with Clause 31 of the Gannawarra Shire Council Governance Rules.

DECLARATIONS OF CONFLICT OF INTEREST

The Officer preparing this report declares that they have no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2021-2025: Be a creative employer of choice through our adherence to good governance and our inclusive culture.

BACKGROUND INFORMATION

In accordance with Clause 31 of the Gannawarra Shire Council Governance Rules, a written record of a meeting held under the auspices of Council is, as soon as practicable, reported at a meeting of the Council and incorporated in the minutes of that Council meeting.

The record must include:

1. The names of all Councillors and members of Council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a Councillor attending
4. Whether a Councillor who has disclosed a conflict of interest left the meeting.

CONSULTATION

Consultation with Councillors and staff has occurred to ensure the accuracy of the Councillor Briefing records.

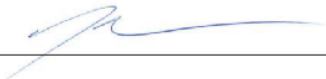
CONCLUSION

To ensure compliance with Clause 31 of the Gannawarra Shire Council Governance Rules, it is recommended that Council note the Councillor Briefing records as attached to this report.

RECORD OF A COUNCILLOR BRIEFING



Type of Meeting	Councillor Briefing
Date:	Monday, 7 March 2022
Time:	9:00am – 4:05pm
Location:	Virtual Video Conference Meeting via Zoom
In Attendance: (Councillors)	Cr Charlie Gillingham Cr Ross Stanton (from 9:11am) Cr Kelvin Burt Cr Travis Collier Cr Jane Ogden Cr Keith Link Cr Garner Smith
Apologies:	Nil
In Attendance: (Officers)	Geoff Rollinson, Lisa Clue, Stacy Williams, Phil Higgins, Mel Scott, Wade Williams, Roger Griffiths, Shana Johnny, Alissa Harrower, Paul Fernee, Mesh Thomson, Kyle Hodgkinson, Shae Dixon, Kellie Burmeister
In Attendance: (Other)	Melanie Bell – Acting Executive Officer – Loddon Mallee Waste and Resource Recovery Group Ian Gillingham – Market Development Manager – Loddon Mallee Waste and Resource Recovery Group Natalie Clue – Communications and Project Officer – Loddon Mallee Waste and Resource Recovery Group Paul Brown – Managing Director – Ironbark Sustainability Evan Davies – Corporate Unit Leader – Ironbark Sustainability
Matters Discussed:	<p>Presentations: Waste and Recycling Update Climate Change Adaptation Strategy Workshop</p> <p>Draft Council Agenda – March Meeting of Council Reports: 7.1 Audit and Risk Committee – 8 February, 2022 Meeting 7.2 Council Policy Review 7.3 Policy Review – Policy No. 140 – Covid-19 Hardship</p> <p>Councillor Briefing Updates:</p> <ul style="list-style-type: none"> • Councillor Induction and Development Program • Council Memberships • Proposed 2022/2023 Budget • Draft 10 Year Capital Works Program • Draft Gender Equality Action Plan • Draft Cohuna Recreation Reserve Masterplan • Future Listing Report <p>Councillor Strategic Briefing Update:</p> <ul style="list-style-type: none"> • Asset Disposal – Council Property - Update • 2021/2022 Capital Works Program Update • Strategic Projects – Towards 2025 Update • The Glasshouse @ the Gannawarra – Design and Development <p>Councillor Issues Raised</p>

Conflict of Interest Disclosures		
Matter No.	Councillor/Officer making disclosure	Councillor/Officer left meeting Yes/No
Nil		
Completed By:	Geoff Rollinson – Acting Chief Executive Officer 	



7 BUSINESS REPORTS FOR DECISION

7.1 AUDIT AND RISK COMMITTEE - 8 FEBRUARY, 2022 MEETING

Author: Phil Higgins, Director Corporate Services

Authoriser: Geoff Rollinson, Acting CEO

Attachments: Nil

RECOMMENDATION

That Council receive and note the summary of the discussions of the Audit and Risk Committee meeting held 8 February 2022.

EXECUTIVE SUMMARY

The Audit and Risk Committee (ARC) met on Tuesday, 8 February, 2022. The focus of the ARC meeting was to review the progress on the financial position of the Council through the Quarterly Budget Report, the Fees and Charges. Other reports related to governance, compliance and risk management matters.

PURPOSE

This report outlines the actions of the ARC to meet its responsibilities to: - ensure compliance with Council policies; monitor financial performance; monitor risk and fraud control and overview the audit functions.

ATTACHMENTS

Nil

DISCUSSION

Details of the 8 February, 2022 ARC Meeting:

Member attendees:

John Campbell – Independent Member – Chair

Bradley Tarr – Independent Member

Francis Crawley – Independent Member

Cr Charlie Gillingham – Councillor Representative

Cr Garner Smith – Councillor Representative

Also in attendance:

Staff

Tom O'Reilly – Chief Executive Officer

Lisa Clue – Acting Director Corporate Services

Shanna Johnny – Chief Financial Officer

Alissa Harrower – Acting Manager Governance

Allison Peace – Administration Officer

The following items were considered by the ARC at the meeting:

Report	Item for Discussion	Recommendation/Outcome
Quarterly Budget Report	The quarterly budget report for quarter ending 31 December 2021 was presented.	The report was received and noted.
Proposed Scheduled Fees & Charges for 2022/2023	The proposed scheduled Fees and Charges for 2022/2023 was reviewed.	The report was received and noted.
Compliance with legislation and regulations	The ARC is chartered with the responsibility to monitor compliance with legislation and regulations	The report was received and noted.
Risk Management Report	Council's current Risk Management Framework requires quarterly reporting to the ARC. The report examined risk management progress and highlights from individual directorates for the period 1 October 2021 to 31 December 2021.	The ARC received and noted the report.
Reports from VAGO, IBAC, Ombudsman and LG Inspectorate	Various agency reports were considered on topics about performance audits, council elections and complaints handling.	The various recommendations in the reports were considered and noted.
Corporate Credit Card	Details of expenditure on credit cards and work related reimbursements for October – December 2021 was presented.	The report was received and noted
Councillor Expenditure Report	A report of the expenses of Councillors and Delegated committee members was presented to the ARC for October -December 2021.	The report was received and noted
Annual Work Plan	The Charter documents the tasks to be completed by the ARC and how often the tasks are to be undertaken. This report updates the status of each requirement in the Annual Work Plan.	The report was received and noted
Internal Control Environment (ICE) Plan	The ICE Plan is a rolling four year plan. The report reviewed the items listed for 2022.	The policy reviews to be undertaken by Council in 2022 were linked to the ICE.

RELEVANT LAW

Section 53 and 54 *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

The ARC was established by Council at its meeting on 19 August 2020.

Council first appointed Cr Gillingham and Cr Smith to the ARC at its 25 November 2020 meeting and reappointed to the ARC at its 17 November 2021 meeting.

OPTIONS

There are no specific recommendations for Council's consideration in this report.

SUSTAINABILITY IMPLICATIONS

The *Local Government Act 2020* gives the ARC a broader focus and a stronger emphasis on key responsibility areas in financial and performance reporting, internal control environment (ICE), risk management, fraud prevention, internal audit, external audit and compliance management risks.

COMMUNITY ENGAGEMENT

The three independent members on the ARC ensure that there is involvement by key community members.

INNOVATION AND CONTINUOUS IMPROVEMENT

The new framework of the Audit Plan and ICE Plan are being implemented.

COLLABORATION

There were various reports from various agencies reviewed in the agenda.

FINANCIAL VIABILITY

The ARC is operating within the adopted budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The ARC is a requirement of the *Local Government Act 2020*.

COUNCIL PLANS AND POLICIES

A review of Council policies is a key component of the ICE Plan.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.

7.2 COUNCIL POLICY REVIEW

Author: Lisa Clue, Manager Governance

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 Policy No. 119 - Children's Services
2 Policy No. 122 - Non-Refund of Statutory and/or Regulatory Services Fees - with tracked changes

RECOMMENDATION

That Council:

1. **Repeal Policy No. 119 – Children’s Services**
2. **Endorse Policy No. 122 – Non-Refund of Statutory and/or Regulatory Service Fees.**

EXECUTIVE SUMMARY

Council officers undertake regular reviews of Council policies to ensure compliance with relevant legislation and that they are reflective of current practices. This report addresses the following policies which have recently been reviewed:

- Policy No. 119 – Children’s Services
- Policy No. 122 – Non-Refund of Statutory and/or Regulatory Service Fees

PURPOSE

This report addresses two recently reviewed policies for the consideration of Council.

ATTACHMENTS

Policy No. 119 – Children’s Services

Policy No. 122 – Non-Refund of Statutory and/or Regulatory Service Fees

DISCUSSION

Council officers undertake regular reviews of Council policies to ensure compliance with relevant legislation and that they are reflective of current practice. Council policies are reviewed as needed, however most policies must be reviewed within either 12 months or two years after a General Election. Reviewed policies are presented to Council for endorsement, or for repeal if it has been determined the policy is no longer required.

Council policies provide guidance to staff, Council and the community and are published on Council’s website.

Below is a summary of recommended adjustments to reviewed policies.

Policy No.	Policy Title	Comments
119	Children's Services	<p>This policy outlines the steps Council takes to meet the National Quality Standards for childhood education.</p> <p>It is recommended to repeal this policy. Council's children services are registered with Australian Children's Education and Care Quality Authority (ACECQA) and as such this registration confirms Council commitment to National Quality Standards and compliance with National Act and Regulations which require processes and procedures for continuous improvement.</p>
122	Non-Refund of Statutory and/or Regulatory Service Fees	<p>The purpose of this policy is to outline Council's position on the exemption of statutory and/or regulatory fees, determining Council does not refund or exempt.</p> <p>Statutory fees imposed by other government agencies mostly require councils to provide the services at a subsidised fee.</p> <p>Proposed adjustments to this policy are for administrative purposes only.</p>

RELEVANT LAW

Not applicable

RELATED COUNCIL DECISIONS

Council Policy No. 119 – Children's Services was last reviewed and endorsed by Council on 28/06/2017.

Council Policy No. 122 – Non-Refund of Statutory and/or Regulatory Services fees was last reviewed and endorsed by Council on 18/07/2018.

OPTIONS

Council may wish to endorse the recommended, or alternative adjustments or decide to not make any adjustments to the policies at this time.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Council policies provide guidance to Council, staff and the community in decision making and service delivery.

Policies are reviewed as required however most policies must be reviewed within either 12 months or two years of a Council election. Regular reviews of Council policies ensure compliance with relevant legislation and that they are reflective of current practices.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

Not applicable.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

National Quality Standard – Childhood Education

COUNCIL PLANS AND POLICIES

Gannawarra Shire Council Local Law No 1 – Community Amenity 2012.

Gannawarra Shire Council Plan 2021 – 2025 – Be a creative employer of choice through our adherence to good governance and our inclusive culture.

Gannawarra Shire Council Plan 2021 – 2025 - Carefully monitor expenditure to ensure value for money and monitor our long term financial plan to maintain financial sustainability.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officers preparing this report declares that they have no conflict of interest in regards to this matter.



CHILDREN SERVICES

COUNCIL POLICY NO. 119

1. POLICY

Gannawarra Shire Council, Children's Services provide long day care, family day care and a kindergarten program to children in our community.

Gannawarra Shire Council will be guided by the National Quality Standards which aims to promote:

- the safety, health and wellbeing of children
- a focus on achieving outcomes for children through high-quality educational programs
- families' understanding of what distinguishes a quality service.

In order to meet the National Quality Standards, Gannawarra Shire Council Children's Services will:

- Provide an educational program and practice that is stimulating, engaging and enhances children's learning and development.
- Safeguard and promote every child's health and wellbeing with whom there is a service responsibility.
- Provide a physical environment that is safe, suitable and provides a rich and diverse range of experiences which promote children's learning and development.
- Provide staffing arrangements that create a safe and predictable environment for children and support warm, respectful relationships.
- Develop and maintain responsive and respectful relationships with children that promote children's sense of security and belonging and free them to explore the environment and engage in learning.
- Support sensitive and responsive relationship building with other children and adults to promote children's sense of security and belonging.
- Develop and maintain collaborative relationships with families to achieve quality outcomes for children.

A range of procedures have been developed and performance measures identified to support meeting the National Quality Standards. These will form part of the Children's Services Quality Improvement Plan which will be reviewed as needed, but at least every three years.

2. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

3. FURTHER INFORMATION

Members of the public may inspect all policies at the Gannawarra Shire Council’s Kerang and Cohuna office or online at www.gannawarra.vic.gov.au

Any enquiries in relation to this policy should be directed to the Director Community Wellbeing on (03) 5450 933

Records – Document Profile No. 14/00485
Originally adopted: 30/03/2013
Reviewed: 28/06/2017
To be reviewed by: 2022

Minute Book Reference: 9787
Minute Book Reference: 12551





Non – Refund Of Statutory and/or Regulatory Services Fees

COUNCIL POLICY NO. 122

1. POLICY OBJECTIVE

To have a uniform policy that clearly informs community groups and organisations that Council does not refund Statutory and/or Regulatory Services fees.

2. POLICY

That Council not grant exemptions for requests to refund Statutory and/or Regulatory Services fees.

3. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

4. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gsc.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Altus – 3.000518			
Originally adopted:	17/04/2013	Minute Book Reference:	9844
Reviewed:	18/07/2018	Minute Book Reference:	12699
Reviewed:	16/03/2022		
To be reviewed:	2026		

7.3 POLICY REVIEW - POLICY NO. 140 - COVID-19 HARDSHIP

Author: Phil Higgins, Director Corporate Services

Authoriser: Geoff Rollinson, Acting CEO

Attachments: 1 Council Policy No 140 - Covid-19 Hardship
2 Council Policy No 034 - Rate Relief

RECOMMENDATION

That Council:-

- 1) Cease the operations of Policy No. 140 – COVID-19 Hardship on 30 June 2022;**
- 2) Endorse the review of Policy No. 034 Rate Relief to include a clause on Interest rate relief for COVID – 19 Hardship affected properties up until 30 June 2023; and**
- 3) Communicate the policy changes to the community.**

EXECUTIVE SUMMARY

In response to the potential impact that Coronavirus (COVID-19) was likely to have on our local businesses and employment, Council adopted Policy No. 140 – COVID-19 Hardship in April 2020. The policy was put in place for six months. The policy was extended on several occasions the latest being to 31 March 2022. It was amended in December 2020 to broaden the policy parameters to include assistance to commercial ratepayers who have paid multiple waste charges during periods where their business was shut down due to the imposed lock down restrictions.

Policy No. 034 Rate Relief is the policy that has traditionally provided for assistance to ratepayers experiencing general and financial hardship, specifically around rates and charges raised by Council.

PURPOSE

The purpose of this report is to cease the operations of Policy No. 140 – COVID-19 Hardship on 30 June 2022, and to integrate a clause in the Council’s Rate Relief policy to allow COVID-19 Hardship affected properties to obtain interest rate relief in 2022/2023, subject to conditions.

ATTACHMENTS

Council Policy No 140 - Covid-19 Hardship

Council Policy No 034 - Rate Relief

DISCUSSION

Policy No. 140 – COVID-19 Hardship caters for the following rates and charges payment arrangements:

- Council to hold interest on all outstanding debts incurred during the COVID-19 pandemic and hold off on legal action of rates and charges;
- The interest hold date will begin from the declaration of the State of Emergency, 16 March, 2020; and
- Include assistance to commercial ratepayers who have paid multiple waste charges during periods where their business has been shut down due to the lockdown/restrictions.

Numerous lockdowns have been imposed over the last almost two years which have had an impact on business operations.

RELEVANT LAW

Local Government Act 1989 – Sections 170 (Deferred payment); and 171A (Waiver by application – financial hardship).

RELATED COUNCIL DECISIONS

Council adopted Policy No. 140 - COVID-19 Hardship on 15 April, 2020. The policy was reviewed and extended several times up to 31 March 2022. The policy was expanded to include assistance to commercial ratepayers making multiple waste charges on 16 December 2020. The resolution in September 2021 was to cease operation of Policy No. 140 - COVID-19 Hardship and to align it with Policy No. 034 Rate Relief.

OPTIONS

The Council can either:-

- conclude Policy No. 140 - COVID-19 Hardship ;
- extend the operations of Policy No. 140 - COVID-19 Hardship;
- extend the operations of Policy No. 140 - COVID-19 Hardship and integrate features of it with Policy No. 034 - Rate Relief Policy at a future date; or
- integrate features of Policy No. 140 - COVID-19 Hardship into Policy No. 034 - Rate Relief now.

SUSTAINABILITY IMPLICATIONS

There is and has been an impact of COVID-19 on our community. The economic impact has been visible in certain areas of the retail, commercial and tourism sectors. The forced restrictions have impacted community events (social) and regular sporting and cultural activities.

COMMUNITY ENGAGEMENT

Policy No. 140 – COVID-19 Hardship has been in place for 23 months. Council has been in discussion on this matter with affected ratepayers

INNOVATION AND CONTINUOUS IMPROVEMENT

Policy No. 140 – COVID-19 Hardship was developed and adopted by Council in April, 2020 in response to the potential impact that Coronavirus (COVID-19) was likely to have on our local businesses and employment

COLLABORATION

The COVID-19 Hardship policy was established following evaluation of policies adopted by other councils in the region providing similar responses to the COVID-19 pandemic. The Victorian Ombudsman report - Investigation into how local councils respond to ratepayers in financial hardship was tabled in the Victorian parliament on Monday 17 May, 2021. The report provided recommendations on how local councils could respond appropriately to ratepayers in financial hardship. The report was considered by Council's Audit and Risk Committee on 15 June, 2021.

Community consultation will occur between April and June to advise affected ratepayers of the changes.

FINANCIAL VIABILITY

216 ratepayers have taken up the interest relief available in the COVID-19 Hardship policy.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The COVID-19 Hardship policy is aligned to various state and national plans to provide assistance to our communities during the pandemic.

COUNCIL PLANS AND POLICIES

Council Policy No. 025 – Outstanding Debt

Council Policy No. 034 – Rate Relief

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.



COVID-19 Hardship

COUNCIL POLICY NO. 140

1. POLICY OBJECTIVE

To outline options for Council to assist ratepayers who are experiencing temporary financial hardship due to the impacts of Coronavirus (COVID-19).

COVID-19 was declared a global pandemic on the 30 January 2020 and a State of Emergency was declared in Victoria on the 16 March 2020.

2. SCOPE

This policy applies to ratepayers who have an outstanding rate or charge account with Council who are experiencing temporary financial hardship due to COVID-19.

The policy also applies to pro rata relief for assessments paying a multiple commercial garbage charge who are impacted by COVID-19.

This policy allows Council to withhold interest raised on outstanding charges levied, place a hold on referring accounts to Council's debt collection agency for recovery and allows Council to put in place payment plans tailored specifically to the debt holders needs.

3. REFERENCES

Local Government Act 1989

4. POLICY

Council to hold interest on all outstanding debts during the COVID-19 pandemic and hold off on legal action of rates and charges.

The interest hold date will begin from the declaration of the State of Emergency, 16 March 2020 and stay in place until a further review on or before 31 March 2022.

If the debt is not paid in full by this time and COVID-19 Hardship policy has not been extended, Council's Rate Relief – Policy No. 034 will apply and interest will be accrued from policy end date.

Rates notices will continue to be issued while interest holds are in place.

5. RELATED POLICIES

- Policy No. 034 – Rate Relief

6. RESPONSIBILITY

Council will review the COVID-19 Hardship policy on or before 31 March 2022.

Council will notify account holders of outstanding balances at the expiry of COVID-19 Hardship policy timeframe.

7. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna offices or online at www.gannawarra.vic.gov.au.

Records – Document Profile No. 3.000518
Originally adopted: 15 April 2020
Reviewed: 16 September 2020
Reviewed: 16 December 2020
Reviewed: 17 March 2021
Reviewed: 16 June 2021
Reviewed: 30 September 2021
To be Reviewed: 31 March 2022



Rate Relief

COUNCIL POLICY NO. 034

1. POLICY OBJECTIVE

To outline options for Council to assist ratepayers who are experiencing general and financial hardship make payments of rates and charges raised by Council.

2. SCOPE

This Policy applies to ratepayers who have an outstanding rate or charge account with Council and that ratepayer is experiencing general or financial hardship.

The Policy allows Council to consider an application for deferral or waiver for all or part of the rate or charge levied.

3. REFERENCES

Local Government Act 1989

4. POLICY

Council will give consideration to assisting a ratepayer experiencing general or financial hardship in the following manner:

- Deferred Payment of rate or charge
- Waiver or all or part of rate or charge.

Applications for consideration of assistance must be received by Council in writing.

Deferred Payment [Refer s170 *Local Government Act 1989*]

The intent of providing a deferral for payment of rates will be to assist a ratepayer who owns and occupies a single rateable property and who can demonstrate, via a Certified Statement of Financial Position, that payment of rates will cause hardship.

Council will consider an application for a deferred payment for such period as it thinks fit and if granted, will be based on the following conditions:

- That the ratepayer pays interest on the amount affected by the deferral at the interest rate adopted by Council for the rating year.
- The deferral ceases and the deferred rates and accrued interest are immediately payable if the ratepayer ceases to own or occupy the property on which the rates are imposed.
- The deferral ceases if Council, in its discretion, revokes the deferral. In such cases, Council will notify the ratepayer in writing and request full payment of the deferred rates and accrued interest within 30 days.
- The deferral will be reviewed each year within one month of the issue of the annual rate notice.
- The granting of a deferral for payment of rates does not apply to the garbage charge nor will it alter the due date for payment of rates. An increase in the valuation of a property and a subsequent increase in rates cannot be considered grounds for a deferred payment of rates.

**Waiver of Rates and Charges** [Refer s171 Local Government Act 1989]

The intent of providing a waiver or partial waiver of rates and charges (including interest) will be to assist a ratepayer, who is the owner/occupier of a single rateable property that is used exclusively for residential purposes, to overcome immediate and significant financial difficulties.

Council will consider an application for a waiver or partial waiver of rates and charges (including interest) where such difficulties can be demonstrated and if granted, the waiver or partial waiver will apply only for the rating year in which the application was made.

An increase in rates by more than 50% that is caused by the revaluation of an owner occupied single rateable residential property may also be considered as grounds for a partial waiver of rates if it can be demonstrated that payment of such increase would cause significant financial difficulties. Applications for waiver cannot be considered if rates increases are caused by valuation increases where improvements or additions to the land have occurred.

Ratepayers that apply for a waiver or partial waiver must be:

- eligible for a rates concession under the *State Concessions Act 1983*
- the owner and occupier of a single rateable property that is used exclusively for residential purposes
- able to provide a Certified Statement of Financial Position
- able to provide documented support for a waiver from a welfare agency, financial counsellor or government agency
- able to provide a Financial Plan to ensure future rates and charges and other household payments can be made.

Waiver of Rates and Charges [Refer s171A Local Government Act 1989]**Financial Hardship**

Under Section 171A of the Act a person suffering financial hardship may make application to Council for a waiver of the whole or part of any rate, charge or interest.

Where a ratepayer is unable to make rate payments and the charging of interest would cause undue financial hardship, an application under section 171A will be considered subject to the following conditions:

1. This assistance will only be considered:-
 - a. for a property used for residential purposes and is the sole or principal place of residence of the applicant
 - b. for land classified as farm land and is the sole or principal place of residence of the applicant
 - c. for land classified as commercial/industrial and is owned and operated by the applicant.
2. The applicant is able to provide a:-
 - a. Certified Statement of Financial Position signed by a qualified accountant or financial counsellor.
 - b. Financial Plan to ensure future rates and charges can be paid.
3. That an application will only apply for the current rating financial year after which a review will be required. Policy

Financial Hardship – COVID-19

Under Section 171A of the Act a person suffering financial hardship may make application to Council for a waiver of the whole or part of any rate, charge or interest.

Where a ratepayer has indicated prior to 16 March 2022 under the following conditions:-

- that they were impacted by COVID-19 and;
- had received assistance under Policy No. 140 - COVID-19 Hardship and;
- has an outstanding rates and charges account as at 16 March 2022.





Then they can enter into a repayment plan to repay the outstanding rates and charges under the following conditions for the 2022/2023 year only:-

- the rates and charges need to be repaid by 30 June 2023 and;
- a repayment schedule is developed involving equal repayment amounts, on at least a quarterly basis and;
- interest will not be charged for the 2022/2023 year only if the repayment plan is adhered to and;
- if the repayment plan is not adhered to then interest will be charged from the date of default and in accordance with the existing rating provisions in the Local Government Act and interest rate adopted by Council.

5. POLICY REVIEW

Council will review the Rate Relief Policy within twelve months after a General Election of the Council. This policy will be reviewed in July 2023, to evaluate the relevance of the clause on Financial Hardship – COVID-19.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

6. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna offices or online at www.gsc.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Records – Document Profile No. 14/00434			
Originally adopted:	11/10/2000	Minute Book Reference:	1690
Reviewed:	13/11/2002	Minute Book Reference:	2455
Reviewed:	22/04/2009	Minute Book Reference:	7394
Reviewed:	18/03/2015	Minute Book Reference:	11477
Reviewed:	16/08/2017	Minute Book Reference:	12575
To be reviewed by:	2021		

8 URGENT BUSINESS

9 NOTICES OF MOTION

Nil

10 QUESTION TIME

Question Time provides an opportunity for members of the public to submit questions, in advance, to gain a response at the Council meeting.

QUESTIONS FROM THE GALLERY

Completed Question Time forms must be submitted to the Chief Executive Officer via email council@gannawarra.vic.gov.au no later than 5.00 pm on the day prior to the Council meeting.

A maximum number of two questions may be submitted in writing by any one person.

Questions will be read by the Mayor or Chief Executive Officer.

The Mayor or Chief Executive Officer may indicate that they require further time to research an answer. In this case, an answer will be provided in writing generally within ten (10) business days.

Questions will be answered at the meeting, or later in writing, unless the Mayor or Chief Executive Officer has determined that the relevant question seeks confidential information defined in Section 3 of the Local Government Act 2020 such as:

- Council business information
- security information
- land use planning information
- law enforcement information
- legal privileged information
- personal information
- private commercial information
- confidential meeting information
- internal arbitration information
- Councillor Conduct Panel confidential information
- an issue outside the Gannawarra Shire Council core business

or if the question is:

- defamatory, indecent, abusive or objectionable in language or substance
- repetitive of a question already answered (whether at the same or an earlier meeting)
- asked to embarrass a Councillor or Council officer.

No debate or discussion of questions or answers shall be permitted and all questions and answers shall be a brief as possible.

11 DELEGATES REPORTS

11.1 DELEGATES REPORTS

Author: Mel Scott, Executive Assistant - Chief Executive Office

Authoriser: Geoff Rollinson, Acting CEO

Attachments: Nil

EXECUTIVE SUMMARY

Council has memberships with peak Local Government associations, local and regional forums along with statutory committees. Some memberships require that a Councillor be appointed to act as a delegate to formally represent Council; typically in a voting capacity. This Agenda item provides an opportunity for Council appointed delegates to present a verbal update on any pertinent matters arising from Council's membership on the following associations.

Association	Appointed Council Delegate
Central Victorian Greenhouse Alliance	Cr Stanton
Community Halls Community Asset Committee	Cr Burt
Loddon Campaspe Group of Councils	Mayor
Loddon Mallee Waste and Resource Recovery Group (LMWRRG) Forum	Cr Ogden
Municipal Association of Victoria	Cr Collier
Municipal Fire Management Planning Committee (MFMPC)	Cr Link
Murray River Group of Councils (MRGC)	Mayor
Rail Freight Alliance	Cr Stanton
Rural Councils Victoria	Cr Smith
Timber Towns Victoria	Cr Smith

NB: * Audit and Risk Committee - no delegate report is required as the Audit and Risk Committee formally reports back separately to Council in accord with the Audit and Risk Committee Charter.

12 CONFIDENTIAL ITEMS

Nil