

South Gippsland Shire Council

RATING STRATEGY STEERING COMMITTEE

TERMS OF REFERENCE

SCHEDULE

1. Definitions

In this Schedule, unless contrary intention appears: **Rating Strategy Steering Committee** (Steering Committee) will advise the Council with regards to reviewing the Council's current Rating Strategy and offer suggestions for improvement.

Steering Committee means the persons who are appointed to the Special Steering Committee in the manner hereafter provided.

2. Objectives of the Steering Committee The objectives of the **Rating Strategy Steering Committee** shall be to act as an advisory group for the development of a new Rating Strategy, and in particular to:

2.1 Identify and recommend to the Council the principles that the Council should consider when striking general rates, particularly with regard to the creation and maintenance of any differential rates.

2.2 Make recommendations to the Council regarding the equitable sharing of the rates burden between various categories of ratepayers – e.g. Residential, Rural, Commercial and Industrial.

2.3 Recommend to the Council any changes to the structure of current charges and their relationship to general rates, e.g. Municipal Charges.

3. Items outside the scope of this review

Issues the Rating Strategy Steering Committee **will not** be asked to consider or comment upon:

3.1 The amount of total rates and charges revenue to be collected;

3.2 Identifying any other special rates, charges or levies it believes the Council should consider.

3.3 Waste service charges cost reflectivity.

3.4 Special Charge Scheme Policy, Unpaid rates Policy, Rates & Charges Hardship Policy and payment options for rates and charges.

3.5 Strategies and policies of the Council in general, except to the extent they relate directly to rating strategies;

3.6 Cost effectiveness and efficiency of providing Council services;

3.7 The merit or otherwise of the range of services and facilities provided by the Council; and

3.8 The Council's Capital Works Program.

4. Council's responsibility to the Steering Committee

4.1 The Council will provide the Steering Committee with the necessary expert advice to enable it to reach its recommendations. This may include;

- Ministerial Guidelines for setting of Differential rates
- MAV/LGV publication: "Developing a Rating Strategy – A Guide for Councils"
- Reference to relevant legislation – mainly the Local Government Act 1989
- Australian Valuation Property Classification Codes (AVPCC)
- Rating models and information from other Large Rural Councils and neighbouring Councils (and other municipalities as requested)
- Rating modelling generated by Council staff

The Council will support participation of officers as required to inform the meeting, support meeting processes and other meeting requirements.

4.2 The Council will consider the recommendations provided from the Steering Committee and may amend the recommendations and use that information to develop a Proposed 2018-2022 Rating Strategy that will inform the development of the Proposed 2018/19 Budget and Long Term Financial Plan.

4.3 The Council will provide feedback to the Steering Committee of any changes made to their recommendations prior to seeking feedback from the South Gippsland community.

4.4 The Proposed 2018-2022 Rating Strategy document will clearly articulate any changes that Council has made to the recommendations and the reasons why those changes were made.

4.5 The Council will seek feedback on the Proposed 2018-2022 Rating Strategy (via a Section 223 submission process) concurrently with the Section 223 submission process that is required to be undertaken for the Proposed 2018/19 Budget from the wider South Gippsland community as part of its decision making process.

4.6 The Council may further amend the Proposed 2018-2022 Rating Strategy based on information obtained during the Section 223 submission process.

4.7 The Council will provide feedback to the Steering Committee of any changes made to Proposed 2018-2022 Rating Strategy that may occur of the submissions received via the Section 223 submission process.

4.8 The Chief Executive Officer of South Gippsland Council shall be an ex-officio, non-voting member of the Steering Committee. The Chief Executive Officer may delegate this membership to other officers.

5. Composition and proceedings of the Steering Committee

5.1 The Steering Committee shall comprise of members appointed by resolution of the Council as follows:

- No more than three Councillors
- Target to have at least twice the number of community members (but no more than nine) as Councillor members:- representing a cross section of ratepayer categories including: Residential, Farm/Rural, Vacant, Land, Commercial and Industrial, along with groups such as the Victorian Farmers Federation, Chamber of Commerce and Industry, not-for-profit organisations, tourism association and environmental groups.

- Council will appoint an independent non-voting chairperson to facilitate the Steering Committee meetings
- Council staff will also attend to provide technical input and administrative support. The Chief Executive Officer will determine the staff required to support the group which may vary from time to time.

5.2 All persons nominated to serve on the Steering Committee shall be subject to the initial and continued approval of the Council for the term set out in clause 5.3.

5.3 Subject to clause 5.4, all Steering Committee members remain in office until the completion of the review, or 30 June 2018, whichever is the earlier.

5.4 On the resignation of, or in the case of a representative being incapable of acting as a representative body, the Council may, on the advice of the Steering Committee, advertise for a replacement Steering Committee person. The term of office of persons appointed to fill such a vacancy shall expire on the date at which the previous member would have gone out of office. Council may also consider leaving such position vacant if it deems the remaining tenure of the Steering Committee insufficient to warrant a replacement being appointed.

5.5 The Council is empowered to declare a Steering Committee member's office vacant if he/she fails to attend two consecutive meetings without leave of the Steering Committee by resolution duly passed or on the recommendation of the Steering Committee.

5.6 If a member of the Steering Committee has a conflict of interest in any matter in which the Steering Committee is concerned, the member must disclose the nature of that interest at the meeting at which the matter is discussed.

Members with a conflict of interest must abstain from the proceedings, including removing themselves from the meeting while the item is under discussion.

5.7 For the purpose of clause 5.6, it is accepted that all members of the Steering Committee are likely to be ratepayers and may potentially benefit from any changes recommended by the group. It is also accepted that such potential benefit, or disbenefit, may vary disproportionately in its financial effect between members of the Steering Committee. This in itself would not be deemed to be a conflict of interest.

6. Meetings of the Steering Committee

6.1 Meetings of the Steering Committee shall be held as determined by the Steering Committee.

6.2 Meetings of the Steering Committee must be held at a time and place determined by the Steering Committee.

6.3 A motion before a meeting of the Steering Committee is to be determined by consensus on the following basis:

- a) Each member of the Steering Committee who is entitled to vote is entitled to one vote;
- b) Unless the procedures of the Steering Committee otherwise provide, voting must be by a show of hands;
- c) If there is an equality of votes, the motion is lost.

6.4 The Steering Committee shall keep a record of each of its meetings and the Chairperson shall ensure that the minutes of the meeting are submitted to the next meeting for confirmation.

6.5 When the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.

6.6 The quorum at any meeting of the Steering Committee shall be a majority of members appointed to the Steering Committee. Motions cannot be adopted if a quorum does not exist.

6.7 The Steering Committee may form Sub-Steering Committees from amongst its members for the purpose of recommending on matters pertaining to the provisions of this instrument, provided that no decision may be acted upon until adopted by the full Steering Committee.

6.8 The Chairperson shall be an ex-officio non-voting member of all Sub-Steering Committees.

6.9 Such Sub-Steering Committees shall only be established by resolution of the Steering Committee and shall only carry out those functions stated in such resolution, as determined by the Steering Committee.

7. Indemnity

7.1 The Council will indemnify members of the Steering Committee against any action liability claim or demand on account of any matter or thing done by them on behalf of the Steering Committee when they are acting in accordance with this Terms of Reference by that member of the Steering Committee in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Steering Committee.

7.2 All materials, information and references provided in the course of Steering Committee meetings will be deemed confidential unless approved by the Council as not being confidential.

8. Term of Appointment

8.1 This Steering Committee shall cease on 30 June 2018, unless otherwise extended in writing by the Council.

9. Revocation

9.1 These terms of reference may be revoked at any time by the Council, if in the view of the Council, the Steering Committee is not functioning in the best interest of the community and the Council. The Council shall not exercise this power of revocation unless all reasonable attempts at negotiation have been exhausted between the Council and the Steering Committee.

10. Steering Committee Representation

10.1. It will be the responsibility of the Steering Committee to notify the Council of the resignation and/or appointment of members from the Steering Committee