
RATING STRATEGY – TERMS OF REFERENCE

OBJECTIVES OF THE REFERENCE GROUP

The objectives of the Rating Strategy Reference Group shall be to act as a Reference group for the development of a new Rating Strategy, and in particular to:

1. Identify and recommend to 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. Make recommendations of Council regarding the equitable sharing of the rates burden between various categories of ratepayers – eg Commercial and Industrial, Residential, Rural.
3. Identify any other special rates, charges or levies it believes the Council should consider.
4. Identify improvement to the ways in which Council can better engage with a diverse range of the Wangaratta community on Budget and Rates issues.

ITEMS OUTSIDE OF THE SCOPE OF THE REFERENCE GROUP

Issues the Rating Strategy Reference Group will not be asked to consider or comment on:

1. The amount of total rates and charges revenue to be collected;
2. The fees and charges for kerbside waste, recycling and organics collection services;
3. The fees and charges for Council services (other than rates), for example childcare services, aged & disability services etc;
4. Strategies and policies of the Council in general, except to the extent they relate directly to rating strategies;
5. Cost effectiveness and efficiency of providing Council services;
6. The merit or otherwise of the range of services and facilities provided by the council; and
7. Council's capital works program.

COUNCIL'S RESPONSIBILITY TO THE REFERENCE GROUP

1. Council will provide the Reference Group with the necessary expert advice to enable it to reach its recommendations. This may include:
 - a. Council's current Rating Strategy;
 - b. References to relevant parts of the Local Government Act 1989;
 - c. Ministerial guidelines and reports;
 - d. Financial modelling generated by Council staff; and
 - e. Rating model and information from other Councils as requested.Council will support participation of officers as requested to inform the meeting, supporting meeting processes and other meeting requirements.
2. Council may use the information provided by the Reference Group and consult further with the wider Wangaratta community.
3. Council will use information that has been obtained from the Reference Group and the wider community as part of its decision making process.
4. Council may amend the recommendations of the Reference Group based on information obtaining during any subsequent consultations.
5. Council will appoint the Independent Chair.
6. Councilors may attend the Reference Group's meetings only to observe the proceedings.

COMPOSITION AND PROCEEDINGS OF THE REFERENCE GROUP

1. The Reference Group shall comprise of six (6) members appointed by resolution of the Council as follows:
 - a. One Independent Chair (non-voting, neutral role);
 - b. One representative from Commercial landowners;
 - c. One representative from Industrial landowners
 - d. One representative from Urban Residential landowners;
 - e. One representative from Rural Residential landowners; and
 - f. One representative from Rural Farming & Agriculture landowners.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.
2. All persons nominated to serve on the Reference Group shall be subject to the initial and continued approval of the Council for the term set out in clause 3.
3. Subject to clause 4, all Reference Group members remain in office until the completion of the review or 30 June 2018, whichever is the earlier.
4. On the resignation of, or in the case of a representative being incapable of acting as a member, the Council may, on the advice of the Reference Group, advertise for a replacement Reference Group member. The term of office of persons appointed to fill such a vacancy shall expire on the date which the previous member would have gone out of office. Council may also consider leaving such a position vacant if it deems the remaining tenure of the Reference Group is sufficient to warrant a replacement being appointed.
5. Council is empowered to declare a Reference Group member's office vacant if he / she failed to attend two (2) consecutive meetings without leave of the Reference Group by resolution duly passed or on the recommendation of the Reference Group.
6. If a member of the Reference group has a conflict of interest in any matter in which the Reference Group is concerned, the member must disclose the nature of that interest at the meeting at which the matter is discussed.
7. Members with a conflict of interest must abstain from the proceedings, including removing themselves from the meeting discussing the relevant item.
8. For the purpose of clause 6, it is accepted that all members of the Reference Group are likely to be ratepayers and may potentially benefit from any changes recommended by the group. It is also accepted that such potential advantage or disadvantage may vary disproportionately in its financial effect between members of the Reference Group. This in of itself would not be deemed to be a conflict of interest.

MEETINGS OF THE REFERENCE GROUP

1. Meetings of the Reference Group shall be held as determined by the Reference Group.
2. Meetings of the Reference Group must be held at a time and place determined by the Reference Group.
3. A motion before a meeting of the Reference Group is to be determined by consensus of the following basis:
 - a. Each member of the Reference Group who is entitled to vote is entitled to one vote;
 - b. Unless the procedures of the Reference Group otherwise provide, voting must be by show of hands; and
 - c. If there is an equality of votes, the motion is lost.

4. The Reference Group 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.
5. When the minutes are confirmed, the Chairperson at the meeting must sign the minutes and certify they have been confirmed.
6. Four (4) members of the Reference Group shall constitute a quorum at any meeting of the Reference Group and no business shall be transacted at any such meeting unless a quorum is present.
7. The Reference Group may form Sub-Reference Groups 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 Reference Group.
8. The Chairperson shall be an ex-officio member of all Sub-Reference Groups.
9. Such Sub-Reference Groups shall only be established by resolution of the Reference Group and shall only carry out those functions stated in such resolution, as determined by the Reference Group.
10. Periodically, the Reference Group will report back to Council on key milestones and also provide copies of the Reference Group's meeting minutes.

INDEMNITY

1. Council will indemnify members of the Reference Group against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Reference Group when they are acting in accordance with these Terms of Reference of the Reference Group in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Reference Group.
2. All materials, information and references provided in the course of the Reference Group meetings will be deemed confidential unless approved by the Council as not being confidential.

TERM OF APPOINTMENT

1. The Reference Group shall cease on 30 June 2018, unless otherwise extended in writing by the Council.

REVOCAION

1. These terms of reference may be revoked at any time by the Council, if in the view of the Council, the Reference Group 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 Reference Group.

REFERENCE GROUP REPRESENTATION

1. It will be the responsibility of the Reference Group to notify the Council of the resignation and / or appointment of members from the Reference Group.