


Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act 1962*.

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract. The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

Land	LOT 3, MILLER ROAD, STAGHORN FLAT VIC 3691	
Vendor's name	Robert Hugh Patterson	Date 30/10/24
Vendor's signature	 _____	
Purchaser's name		Date / /
Purchaser's signature	_____	
Purchaser's name		Date / /
Purchaser's signature	_____	

1. FINANCIAL MATTERS

1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

(a) Their amounts are:

Authority	Amount	Interest (if any)
(1) Indigo Shire Council	\$2,742.50	<input type="text"/>

1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

\$0.00	To	<input style="width: 95%;" type="text"/>
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Other particulars (including dates and times of payments):

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Not Applicable

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits. Not Applicable

1.5 Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows	AVPC No.
(b) Is the land tax reform scheme land within the meaning of the CIPT Act?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice or property clearance certificate or is as follows	Date: OR <input checked="" type="checkbox"/> Not applicable

2. INSURANCE

2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

Not Applicable

2.2 Owner Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner-builder within the preceding 6 years and section 137B of the Building Act 1993 applies to the residence.

Not Applicable

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

(a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered):

Is in the attached copies of title document/s

(b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

Not Applicable

3.2 Road Access

There is NO access to the property by road if the square box is marked with an 'X'

3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area within the meaning of section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

3.4 Planning Scheme

Attached is a certificate with the required specified information.

The required specified information is as follows:

- | | |
|-----------------------------------|------------------------------------------------------|
| (a) Name of planning scheme | Indigo |
| (b) Name of responsible authority | Indigo Shire Council |
| (c) Zoning of the land | Farming Zone (EZ), Schedule to the Farming Zone (EZ) |
| (d) Name of planning overlay | None affecting this land |

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

Are contained in the attached certificates/statements.

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

NIL

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

NIL

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act* 1993 in the preceding 7 years (required only where there is a residence on the land): Not Applicable

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act* 2006.

Not Applicable

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act* 1987.

Not Applicable

8. SERVICES

The services which are marked with an 'X' in the accompanying square box are NOT connected to the land:

Electricity supply <input checked="" type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input checked="" type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input type="checkbox"/>
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9. TITLE

Attached are copies of the following documents:

9.1 (a) Registered Title

A Register Search Statement and the document, or part of a document, referred to as the 'diagram location' in that statement which identifies the land and its location.

10. SUBDIVISION

10.1 Unregistered Subdivision

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

Not Applicable

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

(a) Attached is a copy of the plan for the first stage if the land is in the second or subsequent stage.

(b) The requirements in a statement of compliance relating to the stage in which the land is included that have Not been complied With are As follows: NIL

(c) The proposals relating to subsequent stages that are known to the vendor are as follows: NIL

(d) The contents of any permit under the Planning and Environment Act 1987 authorising the staged subdivision are: NIL

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

Not Applicable

11. DISCLOSURE OF ENERGY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act 2010* (Cth)

(a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and

(b) which has a net lettable area of at least 1000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date): Not Applicable

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

Is attached

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13) (Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections) (Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](http://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

Growth areas

Are you moving to a growth area?

You should investigate whether you will be required to pay a growth areas infrastructure contribution.

Flood and fire risk

Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

Rural properties

Moving to the country?

If you are looking at property in a rural zone, consider:

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

(04/10/2016)

Land boundaries

Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

Planning controls

Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

Safety

Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites, or other potential hazards.

Building permits

Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

Ask the vendor if there is any owner-builder insurance or builder's warranty to cover defects in the work done to the property.

Utilities and essential services

Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

Buyers' rights

Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.



**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

VOLUME 10110 FOLIO 782

Security no : 124119113061K
Produced 17/10/2024 02:57 PM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 323238P.

PARENT TITLES :

Volume 00791 Folio 098 Volume 02781 Folio 066 Volume 10043 Folio 663

Created by instrument PS323238P 21/04/1993

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

ROBERT HUGH PATTERSON of "DUNOLLIE" KENSAL GREEN ROAD ALBURY NSW 2640
AJ803016J 18/07/2012

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS323238P FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: MILLER ROAD STAGHORN FLAT VIC 3691

DOCUMENT END



Imaged Document Cover Sheet


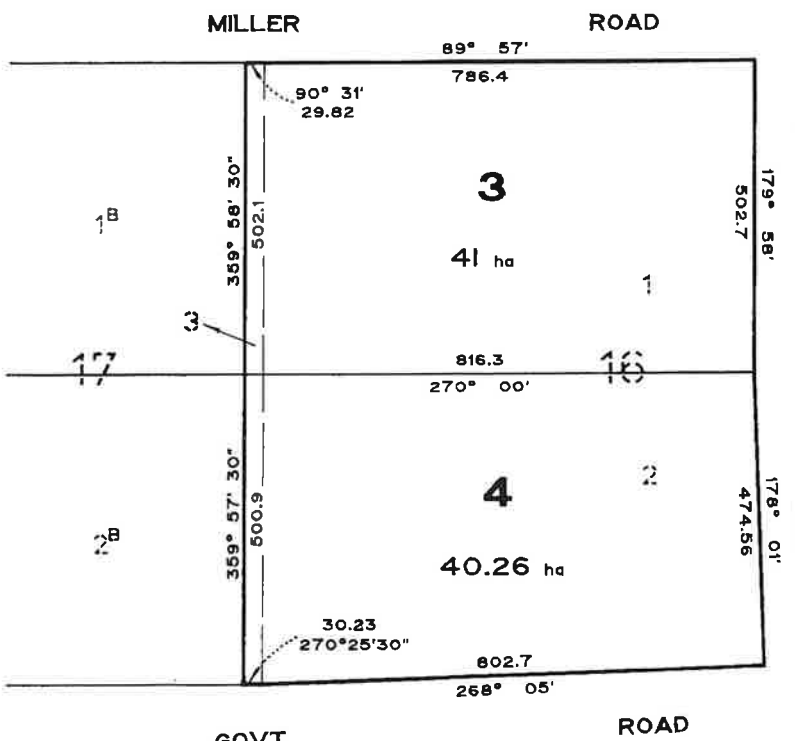
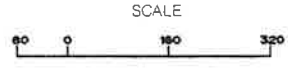
The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Plan
Document Identification	PS323238P
Number of Pages (excluding this cover sheet)	1
Document Assembled	17/10/2024 14:57

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PLAN OF SUBDIVISION		STAGE No. /	LTO USE ONLY	PLAN NUMBER PS 323238P				
EDITION 1								
LOCATION OF LAND PARISH: YACKANDANDAH TOWNSHIP: _____ SECTION: 16 & 17 CROWN ALLOTMENT: 1, 2 & 3 CROWN PORTION: _____ LTO BASE RECORD: LITHO SHEET No. 1 (3929) TITLE REFERENCES: VOL. 2781 FOL. 066 VOL. 791 FOL. 098, VOL. 10043 FOL. 663 LAST PLAN REFERENCE: _____ POSTAL ADDRESS: MILLER ROAD AMG Co-ordinates ALLANS FLAT 3691 E 495 800 ZONE 55 (of approx. centre of plan) N 5 985 230		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: YACKANDANDAH REF: S 1228 1. This plan is certified under section 6 of the Subdivision Act 1988 2. This plan is certified under section 11(7) of the Subdivision Act 1988 Date of original certification under section 6 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988 OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 21/12/92 Re-certified under section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		LTO USE ONLY STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE 15/2/93 LTO USE ONLY PLAN REGISTERED TIME 9.22 DATE 11/4/93  Assistant Registrar of Titles				
VESTING OF ROADS OR RESERVES <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">IDENTIFIER</th> <th style="width: 50%;">COUNCIL/BODY/PERSON</th> </tr> <tr> <td style="text-align: center;">NIL</td> <td style="text-align: center;">NIL</td> </tr> </table>		IDENTIFIER	COUNCIL/BODY/PERSON	NIL	NIL	NOTATIONS DEPTH LIMITATION: OF 15.24m APPLIES TO C.A. 1 & 2; 15m APPLIES TO C.A. 3 STAGING: This is/is not a staged subdivision. Planning Permit No. 90/002 SURVEY: This plan is/is not based on survey. LOTS 1 & 2 HAVE BEEN OMITTED FROM THIS PLAN.		
IDENTIFIER	COUNCIL/BODY/PERSON							
NIL	NIL							
EASEMENT INFORMATION								
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)								
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/ in Favour Of				
								
ESLER & ASSOCIATES SURVEYORS & ENGINEERS 532 DAVID ST. ALBURY 2640 PH. (060) 211322		Sheet 1 of 1 Sheet						
SCALE  LENGTHS ARE IN METRES		ORIGINAL SCALE 1:8000 SHEET SIZE A3		LICENSED SURVEYOR (PRINT) JAMES PETER McCROHAN SIGNATURE _____ DATE 10/11/92 REF 23108/4794 VERSION 1				
				DATE / / COUNCIL DELEGATE SIGNATURE				

Property Clearance Certificate

Land Tax



INFOTRACK / JAMES G SLOAN

Your Reference: 7849
Certificate No: 80439859
Issue Date: 23 OCT 2024
Enquiries: DXS17

Land Address: MILLER ROAD STAGHORN FLAT VIC 3691

Land Id	Lot	Plan	Volume	Folio	Tax Payable
23856545	3	323238	10110	782	\$0.00

Vendor: ROBERT PATTERSON
Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
ROBERT HUGH PATTERSON	2024	\$1,130,000	\$0.00	\$0.00	\$0.00

Comments: Property is exempt: LTX primary production land.

Current Vacant Residential Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total

Comments:

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick
 Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	\$1,150,000
SITE VALUE:	\$1,130,000
CURRENT LAND TAX CHARGE:	\$0.00



Notes to Certificate - Land Tax

Certificate No: 80439859

Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
 - Land tax that has been assessed but is not yet due,
 - Land tax for the current tax year that has not yet been assessed, and
 - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

Information for the purchaser

4. Pursuant to section 96 of the *Land Tax Act 2005*, if a purchaser of the land described in the Certificate has applied for and obtained a certificate, the amount recoverable from the purchaser by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge" overleaf. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

5. Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

Apportioning or passing on land tax to a purchaser

6. A vendor is prohibited from apportioning or passing on land tax to a purchaser under a contract of sale of land entered into on or after 1 January 2024, where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

General information

7. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
8. An updated Certificate may be requested free of charge via our website, if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$5,820.00

Taxable Value = \$1,130,000

Calculated as \$4,650 plus (\$1,130,000 - \$1,000,000) multiplied by 0.900 cents.

Land Tax - Payment Options

BPAY 	Billers Code: 5249 Ref: 80439859
Telephone & Internet Banking - BPAY® Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account. www.bpay.com.au	

CARD 	Ref: 80439859
Visa or Mastercard Pay via our website or phone 13 21 61. A card payment fee applies. sro.vic.gov.au/paylandtax	

Property Clearance Certificate

Commercial and Industrial Property Tax



INFOTRACK / JAMES G SLOAN

Your Reference: 7849
Certificate No: 80439859
Issue Date: 23 OCT 2024
Enquires: DXS17

Land Address: MILLER ROAD STAGHORN FLAT VIC 3691

Land Id	Lot	Plan	Volume	Folio	Tax Payable
23856545	3	323238	10110	782	\$0.00

AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment
520	N/A	N/A	N/A	The AVPCC allocated to the land is not a qualifying use.

This certificate is subject to the notes found on the reverse of this page. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	\$1,150,000
SITE VALUE:	\$1,130,000
CURRENT CIPT CHARGE:	\$0.00

Notes to Certificate - Commercial and Industrial Property Tax

Certificate No: 80439859

Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows any commercial and industrial property tax (including interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue.

Australian Valuation Property Classification Code (AVPCC)

3. The Certificate may show one or more AVPCC in respect of land described in the Certificate. The AVPCC shown on the Certificate is the AVPCC allocated to the land in the most recent of the following valuation(s) of the land under the *Valuation of Land Act 1960*:
 - a general valuation of the land;
 - a supplementary valuation of the land returned after the general valuation.
4. The AVPCC(s) shown in respect of land described on the Certificate can be relevant to determine if the land has a qualifying use, within the meaning given by section 4 of the *Commercial and Industrial Property Tax Reform Act 2024* (CIPT Act). Section 4 of the CIPT Act Land provides that land will have a qualifying use if:
 - the land has been allocated one, or more than one, AVPCC in the latest valuation, all of which are in the range 200-499 and/or 600-699 in the Valuation Best Practice Specifications Guidelines (the requisite range);
 - the land has been allocated more than one AVPCC in the latest valuation, one or more of which are inside the requisite range and one or more of which are outside the requisite range, and the land is used solely or primarily for a use described in an AVPCC in the requisite range; or
 - the land is used solely or primarily as eligible student accommodation, within the meaning of section 3 of the CIPT Act.

Commercial and industrial property tax information

5. If the Commissioner has identified that land described in the Certificate is tax reform scheme land within the meaning given by section 3 of the CIPT Act, the Certificate may show in respect of the land:
 - the date on which the land became tax reform scheme land;
 - whether the entry interest (within the meaning given by section 3 of the Duties Act 2000) in relation to the tax reform scheme land was a 100% interest (a whole interest) or an interest of less than 100% (a partial interest); and
 - the date on which the land will become subject to the commercial and industrial property tax.
6. A Certificate that does not show any of the above information in respect of land described in the Certificate does not mean that the land is not tax reform scheme land. It means that the Commissioner has not identified that the land is tax reform scheme land at the date of issue of the Certificate. The Commissioner may identify that the land is tax reform scheme land after the date of issue of the Certificate.

Change of use of tax reform scheme land

7. Pursuant to section 34 of the CIPT Act, an owner of tax reform scheme land must notify the Commissioner of certain changes of use of tax reform scheme land (or part of the land) including if the actual use of the land changes to a use not described in any AVPCC in the range 200-499 and/or 600-699. The notification

must be given to the Commissioner within 30 days of the change of use.

Commercial and industrial property tax is a first charge on land

8. Commercial and industrial property tax (including any interest and penalty tax) is a first charge on the land to which the commercial and industrial property tax is payable. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid commercial and industrial property tax.

Information for the purchaser

9. Pursuant to section 27 of the CIPT Act, if a bona fide purchaser for value of the land described in the Certificate applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser is the amount set out in the Certificate. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

10. Despite the issue of a Certificate, the Commissioner may recover a commercial and industrial property tax liability from a vendor, including any amount identified on this Certificate.

Passing on commercial and industrial property tax to a purchaser

11. A vendor is prohibited from apportioning or passing on commercial and industrial property tax to a purchaser under a contract of sale of land entered into on or after 1 July 2024 where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

General information

12. Land enters the tax reform scheme if there is an entry transaction, entry consolidation or entry subdivision in respect of the land (within the meaning given to those terms in the CIPT Act). Land generally enters the reform on the date on which an entry transaction occurs in respect of the land (or the first date on which land from which the subject land was derived (by consolidation or subdivision) entered the reform).
13. The Duties Act includes exemptions from duty, in certain circumstances, for an eligible transaction (such as a transfer) of tax reform scheme land that has a qualifying use on the date of the transaction. The exemptions apply differently based on whether the entry interest in relation to the land was a whole interest or a partial interest. For more information, please refer to www.sro.vic.gov.au/CIPT.
14. A Certificate showing no liability for the land does not mean that the land is exempt from commercial and industrial property tax. It means that there is nothing to pay at the date of the Certificate.
15. An updated Certificate may be requested free of charge via our website, if:
 - the request is within 90 days of the original Certificate's issue date, and
 - there is no change to the parties involved in the transaction for which the Certificate was originally requested.

Property Clearance Certificate

Windfall Gains Tax



INFOTRACK / JAMES G SLOAN

Your Reference: 7849
Certificate No: 80439859
Issue Date: 23 OCT 2024

Land Address: MILLER ROAD STAGHORN FLAT VIC 3691

Lot	Plan	Volume	Folio
3	323238	10110	782

Vendor: ROBERT PATTERSON

Purchaser: FOR INFORMATION PURPOSES

WGT Property Id	Event ID	Windfall Gains Tax	Deferred Interest	Penalty/Interest	Total
		\$0.00	\$0.00	\$0.00	\$0.00

Comments: No windfall gains tax liability identified.

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CURRENT WINDFALL GAINS TAX CHARGE:
\$0.00

Notes to Certificate - Windfall Gains Tax

Certificate No: 80439859

Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows in respect of the land described in the Certificate:
 - Windfall gains tax that is due and unpaid, including any penalty tax and interest
 - Windfall gains tax that is deferred, including any accrued deferral interest
 - Windfall gains tax that has been assessed but is not yet due
 - Windfall gains tax that has not yet been assessed (i.e. a WGT event has occurred that rezones the land but any windfall gains tax on the land is yet to be assessed)
 - Any other information that the Commissioner sees fit to include such as the amount of interest accruing per day in relation to any deferred windfall gains tax.

Windfall gains tax is a first charge on land

3. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, windfall gains tax, including any accrued interest on a deferral, is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid windfall gains tax.

Information for the purchaser

4. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, if a bona fide purchaser for value of land applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
6. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

7. Despite the issue of a Certificate, the Commissioner may recover a windfall gains tax liability from a vendor, including any amount identified on this Certificate.

Passing on windfall gains tax to a purchaser

8. A vendor is prohibited from passing on a windfall gains tax liability to a purchaser where the liability has been assessed under a notice of assessment as at the date of the contract of sale of land or option agreement. This prohibition does not apply to a contract of sale entered into before 1 January 2024, or a contract of sale of land entered into on or after 1 January 2024 pursuant to the exercise of an option granted before 1 January 2024.

General information

9. A Certificate showing no liability for the land does not mean that the land is exempt from windfall gains tax. It means that there is nothing to pay at the date of the Certificate.
10. An updated Certificate may be requested free of charge via our website, if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.
11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

Windfall Gains Tax - Payment Options

<p>BPAY</p>  <p>Billers Code: 416073 Ref: 80439854</p> <p>Telephone & Internet Banking - BPAY®</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.</p> <p>www.bpay.com.au</p>	<p>CARD</p>  <p>Ref: 80439854</p> <p>Visa or Mastercard</p> <p>Pay via our website or phone 13 21 61. A card payment fee applies.</p> <p>sro.vic.gov.au/payment-options</p>	<p>Important payment information</p> <p>Windfall gains tax payments must be made using only these specific payment references.</p> <p>Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.</p>
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PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 17 October 2024 02:37 PM

PROPERTY DETAILS

Address: **MILLER ROAD STAGHORN FLAT 3691**
Lot and Plan Number: **Lot 3 PS323238**
Standard Parcel Identifier (SPI): **3\PS323238**
Local Government Area (Council): **INDIGO**
Council Property Number: **909**
Planning Scheme: **Indigo**
Directory Reference: **Vicroads 35 H6**

www.indigo.vic.gov.au

[Planning Scheme - Indigo](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
Urban Water Corporation: **North East Water**
Melbourne Water: **Outside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
Legislative Assembly: **BENAMBRA**

OTHER

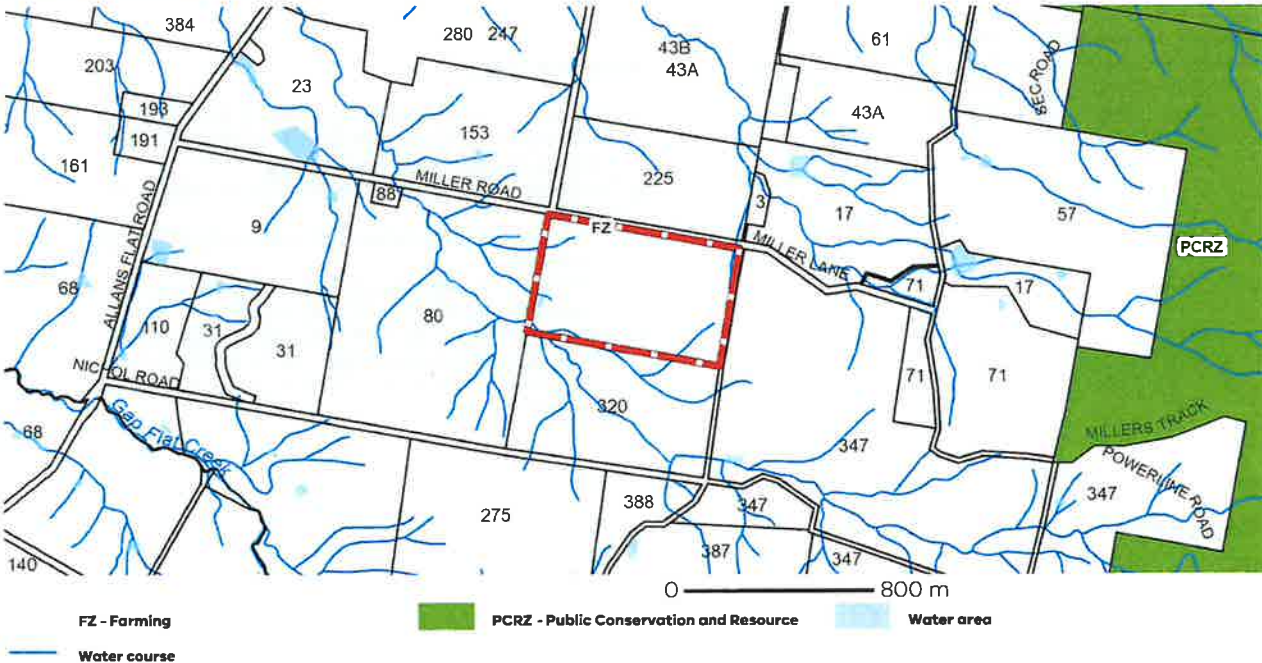
Registered Aboriginal Party: **None**

[View location in VicPlan](#)

Planning Zones

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend

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PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

Planning Overlay

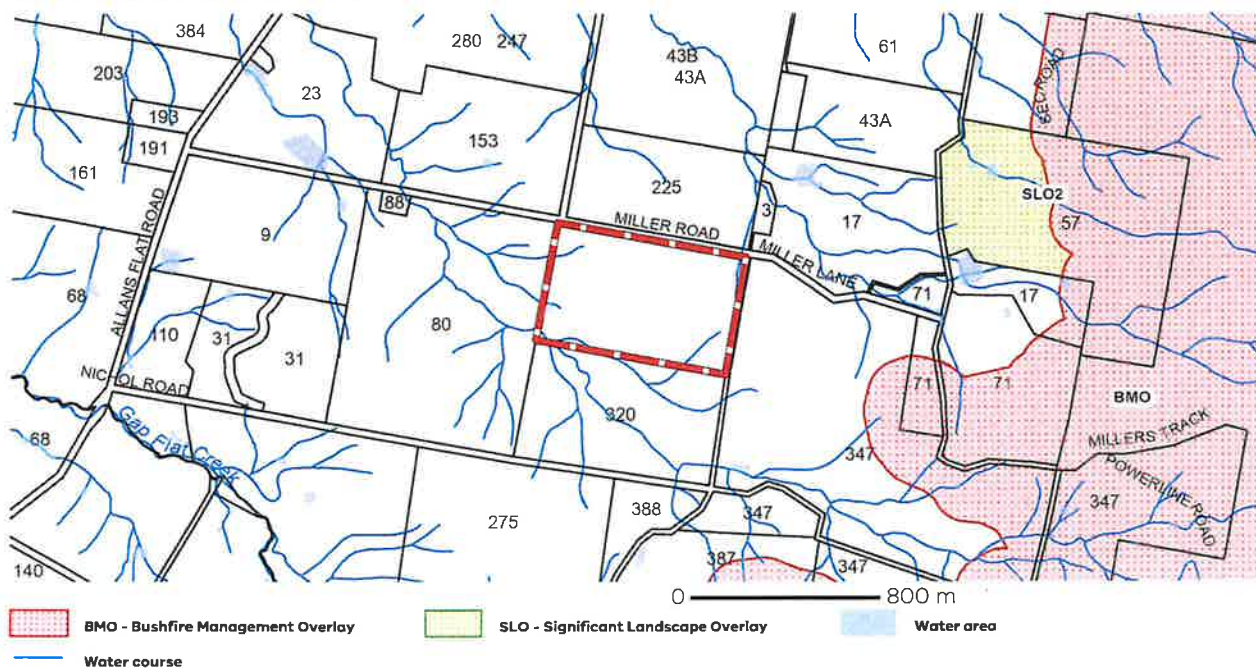
None affecting this land - there are overlays in the vicinity

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

BUSHFIRE MANAGEMENT OVERLAY (BMO)

SIGNIFICANT LANDSCAPE OVERLAY (SLO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 16 October 2024.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme

that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit

<https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

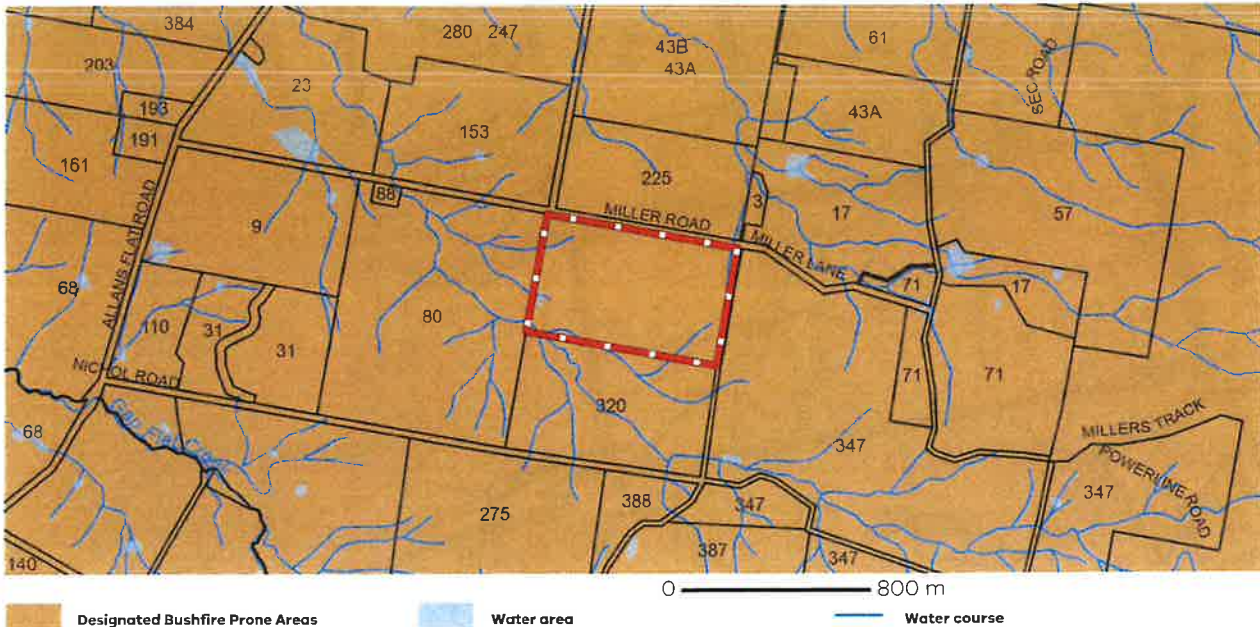
PLANNING PROPERTY REPORT

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)

PROPERTY REPORT



Energy,
Environment
and Climate Action

From www.land.vic.gov.au at 14 October 2024 02:15 PM

PROPERTY DETAILS

Address: **MILLER ROAD STAGHORN FLAT 3691**
Lot and Plan Number: **Lot 3 PS323238**
Standard Parcel Identifier (SPI): **3\PS323238**
Local Government Area (Council): **INDIGO**
Council Property Number: **909**
Directory Reference: **Vicroads 35 H6**

www.indigoshire.vic.gov.au

SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



Area: 410999 sq. m (41.10 ha)

Perimeter: 2640 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
Urban Water Corporation: **North East Water**
Melbourne Water: **Outside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
Legislative Assembly: **BENAMBRA**

PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#).

Planning Property Reports can be found via these two links

Vicplan <https://mapshare.vic.gov.au/vicplan/>

Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

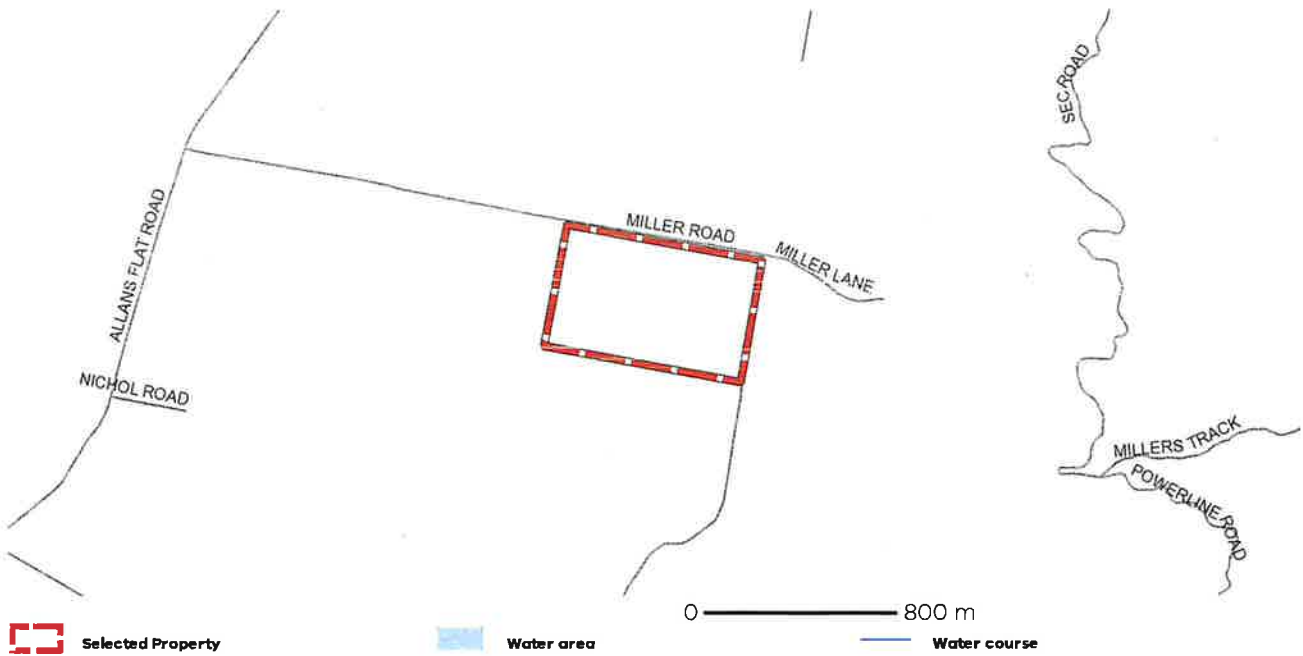
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Read the full disclaimer at <https://www.decca.vic.gov.au/disclaimer>

PROPERTY REPORT: MILLER ROAD STAGHORN FLAT 3691

Area Map





File No: 22/6076
Reference No: REC24/9066

16 April 2024

R H Patterson
Kensal Green Road
ALBURY NSW 2640

Dear R H Patterson,

RE: Property number 909 at Miller Road, Staghorn Flat

I am writing to inform you of some proposed changes to the Indigo Shire Council *Revenue and Rating Strategy* that may impact you. These changes are included within the *Draft Revenue and Rating Strategy* document that is attached to this letter.

At the April Council meeting, Council endorsed the draft strategy for the purpose of public exhibition, and I have also included a copy of the report that went to Council as it provides further information on the changes that are being considered.

These proposed changes would affect your property, as listed above, as it falls within the **40 ha to 50 ha** range and the changes would require you to provide additional information to Council to confirm that this property is used for primary production. Alternatively, these changes would result in the rates for this property increasing, starting from the 2025/26 financial year.

During the public exhibition period Council is seeking submissions from the public in relation to the draft strategy and I wanted to ensure that you were aware of this and had the opportunity to provide your submission should you have any feedback.

All submissions are required in writing and will be accepted up to COB on Friday 28 June 2024.

Submissions can be lodged as below:

- Email - info@indigoshire.vic.gov.au
- Postal - PO Box 28, Beechworth, Vic 3747

Yours sincerely,

A handwritten signature in black ink, appearing to read "Greg Pinkerton".

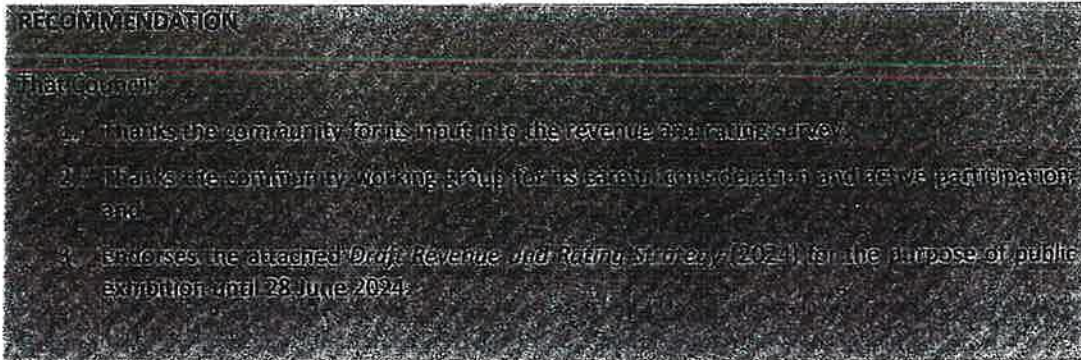
GREG PINKERTON
DIRECTOR PLANNING AND CORPORATE SERVICES

11.2 DRAFT REVENUE AND RATING STRATEGY

File No: 2024/266

Greg Pinkerton - Director Planning & Corporate Services Planning & Corporate Services

For Decision



PURPOSE OF REPORT

The purpose of this report is to present the attached *Draft Revenue and Rating Strategy (2024)* for public exhibition.

BACKGROUND

Council's Revenue and rating Strategy is due for a refresh and work has been done previously to gather the community input, and consider options through a community working group. The result of this work is the attached draft that is ready to proceed to community exhibition before returning to Council for adoption.

DISCUSSION

In producing the attached draft document, Council's management has considered a number of stakeholder inputs including the deliberations of a community working group that considered Council's Revenue and rating Strategy and Hardship Policy, as well as reviewing the results of a community survey that provided guidance on community perspectives on these documents.

In addition to the community consultation, the project also considered State Government guidelines, better practice and legislative changes, including the Victorian Government's 2020 Rating Review as well as the Local Government Legislation Amendment (Rating and Other Matters) Bill 2022.

In regard to waste charges, the attached draft considers the *Local Government Service Rates and Charges, Minister's Good Practice Guidelines for their use* (December 2023) as well as the subsequent clarification letter from The Hon. Melissa Horne MP, Minister for Local Government (March 2024).

A community working group reviewed a number of different options and rates settings. This included looking at all of the differential categories, the property descriptions and percentages, as well as a number of other variables such as the Municipal Charge. The result of this intensive work was the conclusion that the majority of Council's rates settings are still considered to be appropriate and should continue. There were, however, a couple of changes to the strategy that the working group felt was worthy of suggesting to Council. The community working group summarised their work in a number of statements that are attached to this report.

The discussions of the working group centred around the rating differential categories and percentages. For reference, the current rating strategy has the following differential categories and percentages.

General	100%
Residential vacant	200%
Rural 1 – 40 ha or greater	75%
Rural 2 – 2 ha or greater, but less than 40 ha	90%
Commercial / Industrial	135%

As a result of the consultation, benchmarking, and review of state government guidance there have been a number of changes proposed in the attached Draft Revenue and Rating Strategy. The remainder of this section focusses on the proposed changes and key points in implementing the changes.

Increase to the size of the Rural 1 differential category from 40 ha to 50 ha

One of the outcomes of the community working group is the recommendation to increase the size of property that qualifies automatically for the “Rural 1” differential. Currently this is set at 40 ha and aligns with the ‘dwelling as a right’ property size used in land use planning. At the core of these two reference sources (in the Rating Strategy and the Planning Scheme) is the fundamental question of “What characteristics indicate that a property should be treated as a farm?”.

The reference group suggested that the current setting of 40 ha did not guarantee that a property was a farm, and that there are many properties that are 40 ha that are not used for primary production. This seems to be supported by a large number of planning applications to divide larger farms into 40 ha lots that are then used for ‘rural living’ rather than productive farming practices.

The working group suggested that the proliferation of rural blocks that were only slightly above the 40 ha minimum (and being used for rural living) should not benefit from an automatic categorisation as a farm. Several alternatives were discussed (including doubling the automatic qualification from 40 ha to 80 ha) with the group settling on a recommendation of increasing it to 50 ha.

The Strategy contains a recognition that ‘single farming enterprises’ (farms that are made up of multiple smaller parcels) that exceed the proposed Rural 1 threshold of 50 HA would automatically receive the Rural 1 differential and not need to validate their farming credentials for any conjoined parcels under 50 HA.

The working group discussion indicated that there is likely to be a community appetite to further increase this threshold in the future. Council Management agrees that this is an area that should be re-checked at each rating strategy refresh.

Management is supportive of this recommendation and has made this change in the attached draft strategy. There are some important considerations in making this change that give confidence in making this recommendation:

1. The “validation of farming” (detailed below) is an important safety net for farming properties between 40 ha and 50 ha that may be impacted by this change. This provides confidence to increase the Rural 1 property size without concern for primary producers.

2. The transition arrangements for properties that are in between 40 ha and 50 ha (and that do not meet the criteria for “validation of farming”) are important. The re-categorising of these properties from Rural 1 to Rural 2 will result in an increase of their variable rates by 20%. It is therefore important to ensure that adequate notice is given and that there is ample opportunity for property owners to apply for the primary production rate.

The final consideration in this topic is the possible anomaly of a property that is greater than 50 ha that is not being used for primary production (e.g. a 60 ha lifestyle property). It is acknowledged that this is a possibility that would be in contrast to the intent of the Rural 1 category, however;

1. It is suggested that this would be an exception to the rule due to the size of the property and the impracticalities of maintaining a large rural property without engaging in some form of farming practice, and;
2. As rural property size grows, so too does the service-level argument (i.e. people who live in remote areas do not benefit from Council services in the same way as others). Whilst this argument has been considered and dismissed for smaller properties, large properties have a more arguable case. Therefore, the inclusion of properties larger than 50 ha into the Rural 1 differential has some additional arguments.
3. Council strongly supports farming and is concerned with the preservation of large properties that are viable farms. The inclusion of a large property into the Rural 1 differential is an incentive for property owners to keep property sizes large, even if they are not currently being used for primary production.

Validation of farming

In parallel to the recommendation to increase the automatic Rural 1 categorisation from 40 ha to 50 ha is consideration of rural properties (smaller than 50 ha) that are genuine primary producers (distinct from rural lifestyle blocks). With the favourable farming conditions that exist in some parts of the shire it is entirely possible for a farm to be viable on a footprint that is under 50 ha. The principle of horizontal equity prompts consideration about whether a mechanism should be introduced to recognise genuine farms that are smaller than 50 ha, and include them in the Rural 1 differential.

The community working group supported this with the recommendation to “*Allow the farming rate for properties that are above 2 ha that can demonstrate that the primary purpose of the property is farming*”. At the conclusion of the working group the criteria for doing this was not clear, however the principle was clear and the working group set the challenge for Council to investigate this and assess if it was viable.

The attached strategy proposes that the mechanism for assessing farming properties less than 50 ha as;

1. Properties greater than 2 ha, and;
2. Categorised by the Valuer General’s office as being a farm (through the use of the AVPCC codes), and;
3. Used mainly for the purposes of primary production, and;
4. Operated by an entity that has been assessed by the Australian Taxation Office as being a primary producer.

Each of these will now be explained in more detail.

First: Properties that are greater than 2 ha.

It is assumed as part of this strategy that farming is not viable on lots that are smaller than 2 ha. Whilst this property size threshold is somewhat arbitrary, it does align with other councils rating strategies, and was supported by the community working group.

Properties greater than 50 ha will be automatically captured under the rules for Rural 1 and therefore the 'validation of farming' inclusion in the attached strategy relates only to properties from 2 ha to 50 ha.

Second, the property is categorised by the Valuer General's office as being a farm.

The Valuer General's Office manages the annual property valuations for Victorian councils and this involves the allocation of a property code that describes the type of property. These codes are known as AVPCC codes and this classification includes several versions of farming.

The designation of these codes is determined by guidelines from the Valuer General and this is assessed independently of council. It is therefore appropriate to use these codes as one of the criteria for deciding if a property is a genuine farming enterprise.

Third, the property is being mainly used for primary production.

This criteria has been included to ensure that the main use of the property is farming. It is possible that a property may meet the other criteria but be used mainly for an alternative use (such as a wedding venue). The attached strategy does not consider that this sort of business is appropriate for the Rural 1 differential and therefore it is appropriate to include a way of excluding these property types (despite it meeting the other criteria).

Finally, the property is operated by an entity that has been assessed by the ATO and being a primary producer.

The ATO has significant experience in determining if an entity is engaged in primary production.

The ATO website provides the following summary:

A primary producer is an individual, trust or company carrying on a primary production business, alone or in partnership. You are a primary producer if you carry on a business undertaking:

- *plant or animal cultivation (or both)*
- *fishing or pearling (or both)*
- *tree farming or felling (or both)*

You need to consider various indicators before you decide if an activity is a business of primary production. Taxation Ruling TR 97/11 Income tax: am I carrying on a business of primary production? gives a comprehensive explanation of the relevant indicators together with examples of the application of the indicators.

You are not operating a business if the activity is better described as a hobby, a form of recreation or a sporting activity.

To further expand on this the ATO had published a Taxation Ruling (TR 97/11) to assist with understanding the rule. A copy of this ruling is attached.

In deciding if a property meets the ATO ruling the following evidence will be considered appropriate;

- an ATO Private Ruling against the TR 97/11 criteria, or;
- An accountant's statement confirming compliance with this ATO ruling, or;
- A statutory declaration saying that the operation is treated by the ATO as a primary producer, or;
- A copy of a taxation return showing the ATO acceptance of primary producer status.

Because this rule applies to the operation of the land (rather than the land description) it is appropriate to review the rating differential following a transfer of land (through sale or other means of transfer). Therefore, the attached strategy contains a review point following any transfer of ownership. To allow for appropriate time to provide the required information (particularly the ATO criterion), this review includes a significant lead time before the differential category would be adjusted. The rates team would communicate with the new owner and make them aware that they now own a parcel of land that had previously been designated as a farming enterprise and will revert to a rural lifestyle differential unless they are able to verify the validity of their farming practices.

Council will allow for a minimum of three months for the new owner to demonstrate primary production status. If three months is not possible, or the timeframe is deemed by Council to be inadequate for the particular circumstances, then the rating differential will remain at the Rural 1 75%, and the decision will be held over to the following financial year.

Transition arrangements

It is important to include some discussion about the transition arrangements for the changes proposed in this strategy. In order for council to have consistency of rates the transition must be appropriately handled. Retrospective application of primary production decisions would reduce council rates income and put service delivery at risk. Therefore, it is vital that any Rural 1 decision relating to small farms (2 ha to 50 ha) are finalised prior to the striking of the rates. Any assessments that happen later cannot then be applied in the current rates year without reducing Council's rates income – and therefore will be held until the following year.

The transition to the new rates strategy should be done with a long lead time to allow for small farms to be adequately notified, and give them time to complete the Rural 1 application process. For this reason, it is proposed that the new strategy be implemented from the 25/26 financial year.

In addition to the small farm change there are a number of current Rural 1 properties that will not meet the new >50 ha rule, and will transition to the Rural 2 differential. This will involve an increase of the differential rate from 75% to 90%. It is appropriate to allow for some transition time for these properties.

Between adoption of the strategy and its 2025/26 commencement Council will;

- Publicise the new strategy through its usual channels.
- Write to all ratepayers that will be impacted by the changes (properties between 40 ha and 50 ha) to explain the changes and provide information on the primary producer rules.

It is anticipated that the initial changes to the rural differential rules will prompt a large amount of administrative work to set up the first year. Following that, the workload will decrease.

At the time of this report being prepared there are 276 properties in the Rural 1 differential that are between 40 ha and 50 ha. These properties have a special interest in this proposed change and for some of these ratepayers their rates will increase as a result of this strategy. These properties will be sent a copy of this report and the draft strategy as part of the public exhibition.

State Government consideration of valuation averaging mechanism

Whilst not part of this strategy update it is notable that the State Government is currently considering the introduction of a valuation averaging mechanism for council rates. The Discussion Paper for this proposal summaries the considerations in the following way:

Local government rates in Victoria are based on the most recent property valuations undertaken by the Victorian Valuer-General. Valuations have been undertaken annually in Victoria since 2018. Every ratepayer receives their property's new valuation as part of their rate notice and the valuation may be appealed.

A recommendation of the 2020 Local Government Rating System Review was to consider the merits of a valuation averaging mechanism for local government rates. This was to address circumstances when a large movement in individual property values led to large changes in rates – making it difficult for some ratepayers to plan accordingly. An optional valuation averaging system for rates applies in Queensland.

The introduction of a range of different types of Valuation Averaging Mechanisms (VAM) into the Victorian rating system will not directly result in an equivalent change in rates and charges for all ratepayers, and many of the scenarios presented – all based on valuation and rating data from a deidentified Victorian council – will result in an increase in rates for many properties even when an averaged valuation of multiple years is lower than the current year. The impacts on rates of a VAM are highly diffused and would affect individual properties unevenly.

The levying of rates and charges with a VAM becomes highly complicated by councils levying rates via differential rates and/or a municipal charge (used by a majority of councils) as opposed to a simple uniform rate. Where councils alter the calculation of rates and charges through differential rates in the dollar and fixed charges, the effect of the VAM is further dissipated.

The complexities of a VAM are further increased by the requirement for supplementary valuations, along with the administrative complexities for councils and considerations for equity. Finally, the contents of a rate notice may become highly confusing for many ratepayers with the addition of a VAM which will apply to some, but not all of the rates, levies and charges currently displayed on a rate notice. To conclude, the potential benefits of a VAM are diffused and limited, whereas there are many complications and downsides. Moreover, the existing rating tools available to councils allow for targeted ways to address challenges resulting from large year to year movements in property values.

If appropriately implemented and simple to use/understand this would be a step forward in the State Government's rating legislation and provide benefit to property owners experiencing rapid increases in property values (as has been seen in Indigo Shire in recent years). It is noted that the flip-side to this is that all other ratepayers would subsidise properties that were being managed under an averaging arrangement. This seems reasonable because:

1. The impact on the other ratepayers is likely to be small due to the relative number of total properties, and;
2. History shows that valuation jumps happen in all valuation classes over the course of time. Therefore, whilst some properties will be subsidising others impacted in some years, this will be repaid in other years when values shift in a different way.

Options

There are many different permutations of the differential rating settings that can be adopted by a Council and the variances between Victorian Councils demonstrates that there is significant customisation of the rates to match local conditions and strategic directions.

Some of the more likely options that Council may consider are;

- Retain the current rates settings (i.e. no change).
- Reject the suggestion of increasing the Rural 1 size to 50 ha and keep it at 40 ha. This keeps the status quo for farmers currently receiving the 75% differential. Alternatively, this transition could be phased over several years to spread the adjustment out. It is notable that a phased approach would be technically complex and may slightly increase Council's administrative cost during this phasing period.
- Reduce the Rural 2 differential to a lower percentage. The current 90% differential is more closely aligned to the general residential rate than the 75% Rural 1 rate. One option would be to lower this and provide greater benefit to large properties – and shift the cost toward other ratepayers (mainly general residents).
- Some other adjustment to the other differentials, Municipal Charge, etc.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.1 Our financial management is sound, responsible and effective.
Strategic Action	5.1.1 Review Council's Revenue and Rating strategy

This action is part of the current Council Plan, and the adoption of this strategy will acquit this action.

SOCIAL/COMMUNITY IMPLICATIONS

The setting of rates is an important part of Council's responsibilities and the method of distributing the rates across the different property types is a key consideration.

Council does not seek to use rates policy as a means of achieving social outcomes, and instead has based this work on the rating principles outlined in the state government's guidance, better practice and ministerial directions.

ENVIRONMENTAL IMPLICATIONS

As part of the deliberations leading to this rating strategy the community working group and council staff considered options such as a reduced rate for Trust for Nature (TfN) properties (i.e. properties with legal controls in place to protect vegetation and allow the land to return to a natural state). It is recommended that no further subsidy be made for these properties because the valuation of these properties will be lower (due to the TfN controls) and therefore this market pricing mechanism will produce lower rates.

FINANCIAL IMPLICATIONS

The distribution of the rates burden changes the relative weighting of the rates. In this way, an increase to one group of properties is balanced by increases to other properties. The total rates income to Council does not change.

The introduction of some of these changes – particularly the primary producer designation – will require administrative cost that is currently un-budgeted. This will be managed through Council's usual mechanisms.

LEGISLATIVE IMPLICATIONS

The recommendations made in this Rating Strategy update are in accordance with the Local Government Act rules as well as being aligned to the state government guidance on rating policy.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Adverse reaction to the changes proposed in this strategy update	Likely	Minor	Low	Explanation of reasons for changes, extensive community process

The most notable risk related to the adoption of the strategy is that of adverse community reaction from the ratepayers impacted by some of these changes (particularly the property owners in the 40 to 50 ha property size who are not able to prove primary producer status). For these rural residential ratepayers their differential will increase from 75% to 90% (a 20% increase in the variable component of their rates). This increase and is likely to be unwelcome by these ratepayers.

Council will communicate the reasons for this change and provide information and support for property owners who may meet the primary producer status.

The increase for these large rural lifestyle blocks will be offset by a benefit to all other ratepayers, however the value of this benefit will be small (because it is spread over thousands of properties).

COMMUNITY ENGAGEMENT

Engagement undertaken

This strategy is the result of a significant amount of research as well as engagement with the community though;

- A community survey; and
- A community working group.

Engagement outcomes

The community survey received 71 responses and the attachments show the feedback received. This was used to inform the working group content.

The working group met regularly for several sessions and went through a number of aspects of the rating system. The group explored a number of relevant topics and discussed options for changes to the rating system. The group was engaged, and actively participated in the discussion. Councillors attended to observe the process and monitor the discussion.

The working group held a number of different views; however, a set of statements were produced that summarised the key outcomes and recommendations from this group. This outcomes statement is attached to the report and is an important consideration in the recommendations being made in this updated strategy.

Engagement proposed

Subject to Council's endorsement at this meeting the draft will be placed on exhibition until Friday 28 June 2024. This will allow a time for the community to make any submissions. In addition, Council will write to all owners of properties in the Rural 1 differential category where the property size is between 40 ha and 50 ha. These property owners are particularly relevant to the proposed changes and some of these ratepayers will have an increase in rates under the new rating strategy.

Any submissions will then be reviewed and, if considered appropriate, changes will be made to the draft document before being brought back to Council for a final decision. It is proposed that the updated strategy would commence from the 2025/26 financial year – giving a full year for people to adjust and (where appropriate) make application for primary producer status.

CONCLUSION

Any update to the revenue and rating settings that a Council uses is a challenging process. The very nature of the system means that one ratepayer's gain is a cost to another, and a balance must be struck between the competing needs.

Indigo Shire's rating settings are not dissimilar to other rural Councils and have served the Council well. The community survey and community working group did not uncover any burning issues or significant weaknesses with the current settings.

However, this process has uncovered some areas that could be improved to make the system fairer. The main changes being proposed in this update are;

- The ability for property owners (>2 ha) to apply for primary producer status and therefore have their rates calculated using the Rural 1 (75%) differential.
- The increase in the automatic Rural 1 designation from 40 ha to 50 ha. This places more properties into the 'rural living' group (at 90% differential) unless they are genuine farming operations.

Overall, these changes align with Council's principle of supporting farming, and the protection of viable farming land from inappropriate residential development.

The remainder of the strategy (vacant land, commercial, etc) was assessed and found to be appropriate.

The draft document will be placed on exhibition for 4 weeks before returning to Council for final consideration.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services

Attachments

1. Draft Revenue and Rating Strategy (2024)
2. Current Rating Strategy
3. Working Group Outcome Statements
4. ATO Taxation Ruling TR 97/11
5. Survey Responses - Summary

STRATEGY

Revenue & Rating



Version No:	2024 Draft
Trim File No:	
Approval Date:	"To be completed after Strategy is adopted"
Approved By:	"To be completed after Strategy is adopted"
Department:	Planning and Corporate Services
Responsible Officer:	Director Planning and Corporate Services
Next Review Date:	2027
Advent Obligation No:	"To be completed after Strategy is adopted"
Circulation	Public Document

INTRODUCTION

Council provides a range of services and facilities to our local community, and in doing so, must collect revenue to cover the cost of providing these services and facilities.

Council's revenue sources include:

- Rates and Charges
- Waste and environmental charges
- Grants from other levels of Government
- Statutory Fees and Fines
- User Fees
- Cash and non-cash contributions from other parties (i.e. developers, community groups)
- Interest from investments
- Sale of assets

Property rates are Council's single biggest income source, representing approximately half of Council's income. This strategy articulates to the community how the rates are to be raised and apportioned between individual ratepayers.

The introduction of rate capping under the Victorian Government's Fair Go Rates System (FGRS) has brought a renewed focus to Council's long-term financial sustainability. The FGRS continues to restrict Council's ability to raise revenue above the rate cap unless application is made to the Essential Services Commission for a variation. Maintaining service delivery levels and investing in the renewal of community assets remain key priorities for Council. The capped rate is often lower than inflation and this requires that Council operates in an environment of ever-increasing efficiency and/or reducing service levels to the community.

Council provides a wide range of services to the community, sometimes for a fee or charge. The nature of these fees and charges generally depend on whether they relate to statutory or discretionary services. Some of these, such as statutory planning fees are set by State Government statute and are commonly known as statutory fees. In these cases, councils usually have no control over service pricing. However, in relation to other services, Council can set a fee or charge and will set that fee based on the principles outlined in this Revenue and Rating Strategy.

Revenue & Rating Strategy

REVENUE

Councils provide a mix of 'public goods', 'private goods' and 'mixed goods'. Examples of services provided by local governments that are more closely defined as public goods include local roads, footpaths, public parks and community libraries. Examples that are more closely defined as private goods include waste collection, parking and planning permits.

Directly charging users for public services (such as charging people a fee for walking on footpaths) is not appropriate and impractical. Private goods (such as the collection of household waste) can be more easily identified and charged to individuals and it is also more appropriate for these costs to be recouped by the individual who consumes the service (rather than the community at large). In reality the services that Council provides are often a mixture of public and private goods. For example, whilst an individual planning permit application may relate to a particular property owner, there is some benefit to the community in having well-planned developments and good governance processes for land use planning.

When considering the funding of services, it is important to recognise the mixture of private and public good and take this into account in setting the funding model (public money vs. private fees).

In addition to property rates, Council raises revenue through the levying of fees and charges for services, along with other revenue sources. The primary principle behind a user fee or charge is that of 'user-pays'. The basic concept argues that the beneficiary or user of a service pays an amount directly for its use. Many public services attract a fee or a charge.

The funding mix for each service is identified in Council's annual budget documentation and is one of the variables that can be altered by Council. In addition, Council's service review process considers financial performance including the cost of the service and fee income. The result is a dynamic environment where user fees and rates funding balance are reviewed each year in the budget process.

RATES

The system that controls the way that Council raises and levies rates is set by the Victorian State Government through the Local Government Act and related ministerial guidance.

The topics below are key aspects of the rating system and the basis of questions from the community. The following topics are discussed briefly to provide context to the rating system outlined in this document.

No Windfall Gain

In establishing the proportion of rates and charges to be levied on properties, there is a common misconception that if a property's valuation rises then Council's overall rate income increases. This is not the case, as the revaluation process simply results in a redistribution of the rate burden across all properties in the Shire. Therefore, any increase to one property's valuation is balanced by lower rate increases for other properties. Therefore, the more appropriate way of describing an increase in a valuation at a specific property is that this property will now attract a higher proportion of Council rates than it previously did (drawing the rate burden toward that property and away from other properties).

If, for example, every property valuation was doubled, or tripled (or even halved), then the total rates that Council receives would remain the same and each ratepayer would pay exactly the same amount of rates.

Valuations

The purpose, therefore, of the valuation is to ensure that the rates are levied according to property value. This is a fundamental principle of the rating system whereby rates are based on wealth; with property values

Revenue & Rating Strategy

being used as a proxy for wealth. Valuations are performed by the Victorian Valuer General and provided to Council each year.

The use of property valuations as a proxy for wealth is more accurate in the long term, however when applied annually it is prone to two inefficiencies;

1. Property wealth does not guarantee ability to pay, and
2. Property values can be volatile

In response to this first concern, Council provides assistance for pensioners (though a rebate on the rates) and has hardship provisions for ratepayers who find themselves in a tight situation. This includes the use of payment plans and temporary lifting of interest on outstanding rates.

The second concern is more difficult for an individual Council to mitigate. At the time that this strategy is being written the State Government is exploring a valuation averaging system and, if applied in an appropriate and efficient way, this would be a welcome addition to the valuation system.

Equity

One of the key objectives for Council under the Local Government Act (1989) is to ensure the equitable imposition of rates and charges. Equity is a subjective concept that is difficult to define, what may appear to be fair for one ratepayer may be considered unfair for another. It is a choice of Council to what degree it wishes to take these equity factors into account when developing a Rating Strategy.

When considering what is equitable, Council considers a number of concepts, including but not limited to –

Horizontal equity - refers to justice or fairness in the treatment of like properties, in other words, similar rates are paid by similar properties.

Vertical equity - refers to the justice or fairness in the treatment of properties in different circumstances. It is the rationale used for the collection of income tax - those who are better off should pay more than those who are worse off. In the case of property rates, it may be considered equitable for one type of property to have to bear more or less of the rates burden than another type of property.

In its rating strategy Council must consider the valuation base it chooses to adopt to apply property rates and the application of the various rating tools available to it under the Local Government Act (e.g. differential rates).

Simplicity and Efficiency

An important goal of rating is for a simple system that is easy to understand and an efficient processing of the rates. A balance must be struck between Council's strategic rating goals (such as equity) and the cost of over-complicating the rating system. The rating and revenue settings that are articulated in this document represent the balance that is considered to be appropriate for the ratepayers of Indigo Shire.

Further Information on Rates and the Rating System

The Victorian State Government has a number of resources that assist ratepayers with the policy considerations of Council Rating Strategies.

Revenue & Rating Strategy

Rates

This section describes the rating and revenue settings that Indigo Shire Council adopts. These settings are used to produce the annual budget that is considered in draft form before its final adoption in June each year. In this way, these rating and revenue settings are revised and confirmed through this process. It is possible that Council may adjust these settings in a given year to better respond to current circumstances and maintain the underlying principles of the rating strategy (horizontal equity, simplicity, etc).

Differential Categories

General	100%
Residential vacant	200%
Rural 1 – either a/ 50 ha or greater, or b/ a primary production property 2 Ha or greater	75%
Rural 2 – 2 Ha or greater, but less than 50 ha	90%
Commercial / Industrial	135%

*As these are calculated to 6 decimal places, there may be some insignificant variances

General Differential

General properties are those that are predominantly used for human habitation, and assessed by Council's valuer as being "Residential" for the purposes of the State Government's Fire Service Property Levy, or; Not covered by another category. The objective of this general rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the construction and maintenance of infrastructure assets, development and provision of community services and provision of support services.

The categorisation of "general" properties includes some small businesses that operate from residential properties that are of small scale and do not cause significant commercial impact on the community. This may include small accommodation businesses (B&B's or self-contained accommodation, small scale professional business such as accounting etc.).

As the base differential category, the percentage rate applied to 'General' properties is always 100%. Therefore, the adjustment of the proportion of rates that apply to the General differential properties is set by its relative difference to the other rating categories.

Residential Vacant Differential

Residential Vacant land is any land which -

- Does not contain buildings; and
- Is of a type that permits residential development.

Residential vacant land has the potential to be developed for residential type accommodation that will place a similar demand for Council's services as the other residential type classifications.

Development of this land is encouraged to promote urban consolidation within the Shire and protect rural and farming land from unnecessary residential development.

Revenue & Rating Strategy

Rural Differentials

Rural 1 property is a property that is -

- Greater than 50 hectares in area, or;
- A property that is –
 - Greater than 2 ha, and;
 - Categorised by the Valuer General's office as being a farm (through the use of the AVPCC codes), and;
 - Used mainly for the purposes of primary production, and;
 - Operated by an entity that has been assessed by the Australian Taxation Office as being a primary producer.

The objectives of this differential category are to;

- Encourage the use of rural properties for primary production.
- Provide a financial support to farmers.
- Encourage the retention of large land parcels in rural areas.
- Recognise the lower availability of Council services in rural areas.

The first criteria (greater than 50 HA) is assessed using property size and valuation classification (using AVPCC designation). The second criteria (Greater than 2 HA and used for primary production) is assessed on a case by case basis in response to a property owner's application.

Applications for a property to be included in the Rural 1 differential (as a primary producer) will be assessed by Council staff and, if successful, the new differential will apply to the following financial year.

Property owners are required to notify Council if the use of the land for primary production ceases.

Once assessed as being a primary production property this designation will remain until;

- Notification from the property owner that the use of the property has changed.
- Council requests a re-assessment. This would be triggered by an observed change of property use or a concern that the primary production status is no longer valid, or;
- A change of ownership.

Following a change of ownership or a request by Council to re-assess the differential, a minimum of three months will be allowed for this process before changes are made. If three months is not available then the re-assessment will take place for the following financial year.

Rural 2 property is any property which is:

- Greater than 2 hectares and less than 50 hectares in area; and
- Used for Residential purposes as defined in Section 2 of the Valuation of Land Act (1960).

The objectives of this differential category are to;

- Encourage the retention of large land parcels in rural areas.
- Recognise the lower availability of Council services in rural areas.

Commercial / Industrial Differential

Commercial/Industrial property is any property which is:

Revenue & Rating Strategy

- assessed by Council's valuer as being Commercial or Industrial for the purposes of the State Government's Fire Service Property Levy, and;
- operating on a commercial/industrial basis.

Businesses place additional demands on some council services, as well as higher demands on road and parking infrastructure. Additionally, commercial operations are direct and indirect beneficiaries of Council's economic development and tourism activities and promotion within the shire. The objective of this rating differential is to ensure that commercial property rates reflect this demand and investment.

Municipal Charge

Council may declare a municipal charge to offset some of the administrative costs of the Council. The maximum municipal charge that can be levied is 20% of the revenue raised from rates and the municipal charge.

Council considers that it is equitable that properties make a standard contribution to offset some of the core administrative costs and that the municipal charge is a useful means of ensuring that, regardless of property size or valuation, each assessment contributes an identical amount towards the operation of the Council.

Council will set a Municipal Charge at or near the 20% maximum.

Collection and Administration of Rates

Payment Dates for Rates

There are only two options available under the Local Government Act for Council to set payment dates. The first is an option of a lump sum payment (which by law is set on the 15th February of each year) and the second is an instalment approach where payments are required at the end of September, November, February and May. Under this second approach, residents can elect to advance pay instalments at any point in order to opt out of the instalment dates.

Council will charge rates over four instalments.

Payment Methods

Council offers a range of payment methods including payment channels such as direct debit, Bpay, Internet via www.indigoshire.vic.gov.au, by mail, telephone, over the counter services at Council Service Centres, POSTbillpay, and credit card.

Council incurs costs of collection via agency and merchant service fees and will constantly review the cost/benefit case for each of these payment channels, and may adjust or delete inefficient or costly options to ensure an efficient rates collection service.

Pensioner Rebates

Holders of a Centrelink or Veterans Affairs Pension Concession card, or a Veteran Affairs Gold card which stipulates TPI or War Widow may claim a Government-funded rebate on their sole or principle place of residence. This is provided under the Municipal Rates Concession Scheme.

Upon initial application, an ongoing eligibility is maintained unless retracted by Centrelink or Department of Veteran Affairs during verification procedures. Upon acceptance of pensioner status, the concession or rebate is deducted from the rate account and the reduction is applied against any remaining instalments.

Revenue & Rating Strategy

Applications for the concession must be lodged by 30 June in each year.

Interest on Arrears and Overdue Rates

Interest is charged on all overdue rates in accordance with Section 2 of the Penalty Interest Rates Act (1983). The interest rate to apply is fixed under this Act, which is determined by the Victorian Attorney General and published by notice in the Government Gazette. Council cannot apply an alternative rate but under Section 172 of the Local Government Act has the power to exempt any person from paying the whole or part of any interest amount generally or specifically payable.

Applications for the removal or reduction of interest are managed through the provisions of the Hardship Policy.

Hardship

Financial hardship can strike anybody at any time, as a result of an unforeseen event, or due to ongoing low or fixed income. Indigo Shire Council commits to providing flexible repayment arrangements for ratepayers who are experiencing genuine hardship, therefore ensuring respectful and dignified treatment.

The flexible repayment options include payment plans for short- and medium-term financial hardship, as well as rates and charges deferrals for long-term cases (including a possible removal of interest). Finally, a waiver or rates is available for extreme cases.

The hardship supports, as well as information about the application processes is outlined in Council's 'Financial Hardship Policy'. This policy is available on the Council's website.

Revenue & Rating Strategy

Revenue

Council's income is derived from a number of non-rates sources. These are assessed annually as part of the budget process and approved by Council in the adoption of the annual budget.

The following principles guide the setting of revenue targets and methods.

Service Income

As a basic principle, services with a large private benefit will be funded by a higher proportion of fees (and lower general rates) whereas services with public benefit will be funded with a higher proportion of public income (general rates).

Overlaid with this public/private benefit principle is the lens of community desirability and efficiency.

- Community desirability reflects the community's preference for low/no fee services where it is an expectation of modern society. For example, it is arguable that maternal health service is primarily a private good and should therefore be paid on a user-pays (fee) basis. This would be considered to be unacceptable to the general community and it is reasonable that this service should be free (or very low cost). This promotes enrolment, supports families, and benefits the community as a whole through increased vaccination rates as well as improved health and learning outcomes for young children. It is therefore appropriate for this service to stand as an outlier to the general benefit-principle approach to service funding.
- Efficiency is another consideration that influences the revenue decisions that Council makes in the budget build. For example, it could be argued that parks and gardens provide a significant private benefit to the people who use them. This may indicate that a small fee should be charged to people who are visiting a park to recognise this private benefit. This would, of course, be inefficient and impractical to do. For this reason, some private benefit does not always attract Council fees.

Grant Income

Grant income is an important funding source for Council's operations and projects. Grant income is a revenue stream that should be maximised to assist with the provision of services and infrastructure whilst taking financial pressure off general rates.

When considering grant income Council will be mindful of the following influencing factors.

- Alignment to Council plans and strategies.
- Whole of life project costing. Grants may seem attractive at first, however the long-term costs may outweigh the short-term grant opportunity.
- Availability of resourcing for new projects.

Commercial Income

Council operates some services in a commercial environment. The main example of this is Council's Buller Gas operation, however some other services (such as building permits) also exist in a commercial environment.

In these situations, a core consideration is competitive neutrality and Council aims to neither significantly undercut the market through the use of public money, or inflate industry prices by seeking unrealistic returns.

Council will set fees in accordance with the objectives of the commercial operation. For instance, apart from the Council income derived from the service, very little Indigo Shire community benefit is obtained by the Buller Gas operation. Therefore, its primary objective is to support Council's revenue. This is contrasted with a service

Revenue & Rating Strategy

like building permits where there is both a private benefit, as well as a community benefit of increased development and safe construction. It is reasonable that – in addition to the competitive neutrality principles – Council may set different investment return expectations set for different services.

Waste

Council provides many services that manage waste, recycling, and resource recovery. Council aims to match the fees of providing direct waste and recycling services to the cost of those services.

In setting the waste fees and/or managing Council's expenditure it is important to note that waste costs are often difficult to predict from year to year. Large variances between years can occur from external factors such as CPI increases to the waste contracts, or landfill rehabilitation assessments. For this reason, Council does not attempt to achieve a fully matched position in any one year. Instead, Council takes a long-term view of waste and aims to achieve a balanced position over the long term. It is therefore accepted that any given year may be either a surplus or deficit in regard to service fees. For this reason, Council will set budgets in accordance with plans to achieve a long-term balanced outcome, rather than aiming to match each individual budget year.

Indigo Shire Council has traditionally funded waste from a mixture of service charges, environmental levy and general rates. As more information and guidance emerges about the good practice expectations for waste charges this mix may require adjustment to increase or decrease the funding of any particular source. These adjustments take time to implement. Where it is necessary to make an adjustment to the funding mix, Council will map out a plan to make these changes without putting at risk the waste and recycling service level.

The setting of waste fees is an emerging field with much interest. Therefore, the general principles outlined in this strategy will be re-assessed and adapted to contemporary sector guidance as appropriate. Council's charges and approach to waste and recycling may change and will therefore be described in the annual budget documents. This may differ from the approach outlined in this strategy.

Revenue & Rating Strategy

Implementation

The rating strategy changes described in this document will commence from the 2025/26 financial year.

Revenue and Rating Strategy Review and Assessment

This document contains the rates settings and policy positions that Indigo Shire Council will use in the setting and collection of the annual rates. These settings have been determined by Council after deliberative engagement with the community as well as specific financial modelling and consideration of alternatives.

Council's rating strategy will be reviewed once every 4-year Council term.

The 2024 Revenue and rating Strategy has been informed by;

- Community survey.
- Engagement input from other Council processes (Council Plan, etc.).
- Community working group.
- Legislative changes.
- Advice and guidance from the State Government.

RELATED DOCUMENTS

- Council Plan 2021-2025
- 2024 Council Report presenting this document
- Annual Budget
- Revenue & Rating Plan
- Financial Hardship Policy
- Local Government Act (1989 & 2020)
- Penalty Interest Rates Act (1983)
- Valuation of Land Act (1960).

Definitions

AVPCC - Australian Valuation Property Classification Code

TPI – Totally & Permanently Incapacitated

LAND INFORMATION CERTIFICATE

Certificate No: 1255

Date: 18 October 2024

APPLICANT'S DETAILS

APPLICANT: Landata
GPO Box 527
Melbourne VIC 3001

Applicant's Ref: 74615290-015-6
Purchaser: N/A
Vendor: R H Patterson

INDIGO SHIRE COUNCIL
PO Box 28, Beechworth, Vic., 3747
Council Offices: 2 Kurrajong Way, Beechworth
Phone: (03) 5728 8000
Fax: (03) 5728 1676
Email: info@indigoshire.vic.gov.au
ABN: 76887704310

This certificate provides information regarding Valuation, Rates, Charges, and other monies owing and any orders or notices made under the Local Government Act 1958, the Local Government Act 1989, the Local Government Act 2020 or under a local law or by-law of the INDIGO SHIRE COUNCIL and specified flood level if any by the INDIGO SHIRE COUNCIL.

This certificate is not required to include information regarding Planning, Building, Health, Land Fill, Land Slip, other Flooding information or Service Easements. Information regarding these matters may be available from the Council or the relevant Authority. A fee may be charged for such information.

PROPERTY DETAILS

Property Number: 909

Owner(s) as per Rate Book: R H Patterson

Property Name:

Property Address: Miller ROAD, Staghorn Flat

Area (Ha): 41.1057

AVPCC: 520 – Domestic Livestock Grazing

Description: Lot 3 Plan of Subdivision 323238

PROPERTY VALUATIONS

Land Valuation Date: 01/01/2024
Operative Date of Valuation: 01/07/2024
Site Value: \$1,130,000.00
Capital Improved Value: \$1,150,000.00
Net Annual value: \$57,500.00



Bill Code: 397703
Ref: 9245531

Statement of Rates and Charges for YEAR ENDING 30 June 2025

RATES AND CHARGES

BALANCE DUE

Balance Brought Forward:	\$0.00
General	\$1,708.90
Municipal Charge	\$348.40
Garbage	\$0.00
Recycling	\$0.00
Environmental Management	\$88.15
FSPL	\$597.05
	\$0.00
Payments made against current year property rates:	-\$684.50
Total:	\$2,058.00

Any other monies due for this property are shown in the Other Information section on Page 2 of this Certificate. If this Certificate shows any unpaid rates, please contact this office for an update, prior to settlement

LAND INFORMATION CERTIFICATE No: 1255

Page 2

PROPERTY NO: 909

PLEASE NOTE:

- * Verbal confirmation or variations will only be given for a period of 60 days from the date of issue. However, Council will not be held responsible for information provided verbally. For settlement purposes another certificate should be obtained after 60 days.
- * Amounts shown as paid on this Certificate may be subject to clearance by a Bank
- * Overdue amounts accrue interest on a daily basis

OTHER INFORMATION:

1. There ARE NO proposed schemes, notices or orders on the land that have been served by Council under the Local Government Act 1958, Local Government Act 1989, or any other Act or Regulation, or under a Local Law of the Council, which have a continuing application at the date of the Certificate, details being (if any) :
2. A specified Flood Level HAS NOT been determined pursuant to the Building Regulations 1994. The specified Flood Level (if any) is :
3. There IS NO potential liability for the land to become rateable under Section 173, 174, 174A of the Local Government Act 1989.
4. All unpaid monies are required to be paid immediately upon settlement, regardless of due dates. Refer Section 175(1) of the Local Government Act 1989.
5. Unless otherwise stated elsewhere in this certificate, there is no liability for amounts due, or land to be transferred to Council, for recreational purposes, under Section 18 of the Subdivision Act 1988, or Local Government Act 1958, or any other liability for works done under the Local Government Act 1958 or the Local Government Act 1989 or the Local Government Act 2020.

As at the date of issue, the information given in this certificate is a correct disclosure of the rates, charges, interest and other monies payable to the INDIGO SHIRE COUNCIL, together with any Notices pursuant to The Local Government Act 1989, The Local Government Act 2020, Local Laws or any other legislation.



Authorised Officer

