Policy F7 – Rating Concession – Bona-Fide Primary Producers

Policy Intent

The Shire of Murray (Shire) is committed to providing a rate concession under Section 6.47 of the *Local Government Act 1995* to the agricultural sector for Bona-fide Primary Producers in recognition of the importance of rural pursuits to the district.

Policy Statement

1. Application

The following criteria are to be satisfied to be considered for a rates concession:

(a) The property must be zoned Rural.

(b) The primary production assessable income generated from the property and claimed in the latest tax return must be greater than $20,000.

(c) Adequate financial information and other documents to support the claim must be provided, including:

(i) Confirmation from an accountant that:

- indicators relevant to whether a person is carrying on a business of primary production in Tax Ruling 97/11 have been fulfilled;
- the primary production assessable income claimed in the latest tax return is greater than $20,000; and
- the latest tax return year that has been lodged.

Or

(ii) Where an applicant prepares and lodges their own taxation return:

- a copy of the latest tax return lodged with the Australian Taxation Office (ATO);
- a copy of the Notice of Assessment provided by the ATO; and
- a signed statutory declaration stating the property is used in accordance with Tax Ruling 97/11.

(d) The rural pursuit must be one of the following:

- grazing
- agistment
- dairying
- aquiculture
- timber plantations
- viticulture
- horticulture
- fruit growing
- piggery farms
- poultry farms
- crop growing

(e) The applicant ordinarily resides on the property where the rural pursuit is being conducted, or lives within the Shire boundary, or ordinarily resides within an adjoining local government.

(f) Where the applicant ordinarily resides on the property where the rural pursuit is being conducted, or lives within the Shire boundary, or resides on a property in a neighbouring Shire that is contiguous to the property subject to an eligible concession, the amount of the concession will be 30% of the rates levied, subject to Clause 1.1(j) of this policy. Where

the applicant ordinarily resides within an adjoining local government, the amount of the concessions will be 15% of the rates levied, subject to Clause 1.1(j) of this policy.

(g) Where the applicant is a tenant and liable to pay the Council rates on the property, a copy of the lease stating that they are required to pay the Council rates will need to be provided (Note: the applicant will only be eligible for the concession if all of the above conditions have been satisfied).

(h) To be eligible, all rates and other charges owing to the Shire, for this property, must be paid, and no current or prior years amounts are to be outstanding. Where the current year's rates are not paid in full as at the 30 June in any financial year, the concession granted in that year will be rescinded.

(i) Approval for a primary production rates concession can only be approved for up to a two-year period. All applications for consideration must be received by 30 April preceding the adoption of the budget.

(j) Commencing the 2014/2015 financial year, the maximum amount of total primary producer concessions granted is limited to an annual amount of

(k) $120,000. Thereafter, this maximum limit is to be increased on an annual basis by the percentage average rate increase for the Shire. Where applications exceed the total amount available under this Policy, the concessions will be applied on a pro-rata basis.

(l) In circumstances where the application of a concession would result in the rates levied falling below the minimum prescribed rate for any assessment, the minimum rate will be applied.

Legislation

Local Government Act 1995, Section 6.47

Policy Detail		
Responsible Directorate	Corporate Services	
Responsible Department	Finance	
Responsible Officer	Executive Manager Corporate Services	
Next Policy Review / Schedule	2028 (3-yearly)	
Council Adoption	**Date / Resolution**	28 February 2013 (OCM13/015)
Amendment Record	**Date / Resolution**	27 June 2013 (OCM13/096)
		27 February 2014 (OCM14/011)
		31 July 2014 (OCM14/097)
		25 June 2015 (OCM15/155)
		28 March 2019 (OCM19/034)
		19 December 2019 (OCM19/270)
		22 April 2021 (OCM21/063)
		23 June 2023 (OCM22/070)
		18 December 2025 (OCM25/159)