

## **RATE CONCESSION POLICY**

### **CONCESSION FOR RATES AND CHARGES (CHAPTER 14 PART 6 LOCAL GOVERNMENT ACT 1993)**

A local government may exercise a power under Chapter 14 Part 6 of the *Local Government Act 1993* if the local government resolves that the case justifies the exercise of the power or the case is of a kind that has been accepted by resolution of the local government as justifying the exercise of the power.

This only applies to an organisation making an application for rating concession from the date of council's resolution approving this policy.

#### **Charitable Organisations**

For the purpose of this policy charitable organisation means any one or more of the following

- An organisation supplying help, aid, relief, or support to, or the education or instruction (whether spiritual, mental, physical, technical, social, or otherwise) of, or the care, housing, or assistance otherwise of, any persons in distress;
- An organisation aiding in any manner howsoever, of any hospital or ambulance or nursing service in the city;
- An organisation which purpose is to promote or assist in the promotion of providing educational, training or information aimed at youth development or leisure opportunities;
- An organisation which the Council determines to be a charitable purpose;
- The preservation, restoration or maintenance of structures or places of cultural, environmental, historic, heritage or scientific significance to the local government's area;
- An entity that provides assistance or encouragement for the arts or cultural development;
- An organisation which purpose is to provide early childhood care and are affiliated with Cheche and Kindergarten Association or is a community based early childhood care provider;

An organisation must provide to Council an application on the prescribed form made out and signed by the owner of the land and a copy of the organisation's constitution, which details the objectives of the organisation. The land must be used for the purpose which the rating concession is being applied unless otherwise determined by Council.

Organisations deemed to be classed, as Charitable for the purpose of a rate concession shall be entitled to receive a general rate concession of 100%.

#### **Non-Profit/Sporting Organisations**

For the purpose of this policy, non-profit/sporting organisation means the following

- An organisation whose objects do not include the making of profit

An organisation must provide to Council an application on the prescribed form made out and signed by the owner of the land and a copy of the organisation's constitution, which details the

objectives of the organisation. The objectives of the organisation should indicate that the organisation does not make a profit, which is distributed, to the directors or principals. The organisation may make a profit but this profit is not distributed to the directors or principals but distributed only for the purpose of the continued operation of the organisation does not impede the organisation from being classed as non-profit.

The land must be used for the purpose which the rating concession is being applied unless otherwise determined by Council.

Organisations deemed to be classed as non-profit/sporting for the purpose of a rate concession shall be entitled to receive a general rate concession of 100%.

### **Hardship concession**

In accordance with the *Local Government Act 1993* Council will grant a deferral of liability to pay rates for 6 months from the time of the approved hardship application.

Where a ratepayer has requested a concession on a hardship basis, the ratepayer must provide to Council an application signed by the owner of the land and provide the following information.

- Occupation of rate payer;
- Number of dependents (if applicable);
- Present income and prospective income from all sources;
- Financial position (provide details of the last three most recent bank statements);
- Details of major assets owned and major liabilities.

For hardship concession to be granted the ratepayer should demonstrate that payment of the rate will or has affected the well being of one or more individuals in such a way as to constitute an unreasonable outcome based on present community standards.

The provision of hardship concession does not extend to companies that are established to engage in entrepreneurial activities that have associated risks of failure ever present.

### **Others**

Where an application falls outside this policy and it is determined that the application requires special consideration by Council, a report with a recommendation to the appropriate Council meeting shall be made.

### **Register of Organisations that receive a rate concession**

A register of organisations that have been granted a rate concession is to be kept and updated when applicable.

### **Yearly Review of Organisations receiving a rate concession**

Organisations receiving a rate concession under this policy are to be reviewed yearly. This requires the Organisations to provide to Council relevant details as requested. This review is to be performed prior to the 30 June each year.

**Consultation with Divisional Councillor**

As part of the decision making process the divisional councillor will be consulted prior to any decision or recommendation being made as to the eligibility of the application.

**Date of Council Resolution: 21 May 2003**

**Committee Reference and Date: Finance and Special Purposes Board No. 2003(8) of 13 May 2003**

**No of Resolution: B42.01**