

## 5.6. RATES PENSIONER REMISSION POLICY

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### RECOMMENDATION

**That Council adopts the Rates pensioner remission policy.**

### EXECUTIVE SUMMARY

In accordance with s 119-122, *Local Government Regulation 2012*, Council may grant concessions to ratepayers who satisfy eligibility criteria. The Rates pensioner remission policy establishes the guidelines and level of assistance Council will grant to eligible ratepayers.

Council offers a Rates pensioner remission as outlined in Council's Revenue Statement.

A formal policy has been drafted to outline the guidelines and levels of assistance of this rates remission. Several other types of rate rebates/incentives are offered by Council and a formal policy will now exist for each of these.

### COMMENTS

There has been a change in the provisions of the Rates pensioner remission policy for the year ended 30 June 2023. The changes are as follows:

1. Council rates pensioner remission

Prior to 30 June 2023, the Council rates pensioner remission was only granted for a property whereby all ratepayers of the property were deemed to be a 'pensioner' and satisfied the criteria outlined in Council's Revenue Statement. For the year ended 30 June 2023 the Council rates pensioner remission will be granted to each ratepayer who is deemed to be a 'pensioner' and satisfies the criteria outlined in the Rates pensioner remission policy and the Revenue Statement, pro-rata according to their percentage share of the property.

2. State Government pensioner remission

Prior to 30 June 2023, the State Government pensioner remission was granted in full for a property, whereby one of the ratepayers was deemed to be a 'pensioner' and satisfied the criteria outlined in Council's Revenue Statement. For the year ended 30 June 2023 the State Government rates pensioner remission will be granted to each ratepayer who is deemed to be a 'pensioner' and satisfies the criteria outlined in the Rates pensioner remission policy and the Revenue Statement, pro-rata according to their percentage share of the property.

### PROPOSAL

The Rates pensioner remission policy is presented to Council for adoption.

## FINANCIAL/RESOURCE IMPLICATIONS

The cost to Council of adopting the Rates pensioner remission policy is estimated to be approximately \$50,000 per annum. This has been calculated by assessing the likely Council rates pensioner remission that would be granted to pensioners who currently only receive the State Government rates pensioner remission.

## RISK MANAGEMENT IMPLICATIONS

Complying with legislative requirements ensures Council mitigates any regulatory or reputational risk. Adopting the revised policy will provide a benefit to approximately one hundred and fifty additional pensioners in the Shire. There are no political risks for Council in not adopting the revised Rates pensioner remission policy as the previous policy would remain unchanged. The financial impact on budget is estimated to be approximately \$50,000 per annum.

## SUSTAINABILITY IMPLICATIONS

**Economic:** The policies are reviewed to ensure they appropriately support the economic sustainability of Council as well as maintaining legislative compliance.

**Environmental:** Nil

**Social:** The Rates pensioner remission policy will provide greater assistance to eligible pensioner ratepayers who tend to be a vulnerable sector of the community.

## CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

### Corporate Plan 2019-2024 Initiatives:

#### Theme 5 - Robust Governance and Efficient Service Delivery

Strong governance and financial management are the foundations of the way in which Council will conduct its business and implement the initiatives of the Corporate Plan.

**Goal 1** - *We will conduct Council business in an open and transparent manner with strong oversight and open reporting.*

**Goal 3** - *We will make sound financial decisions by ensuring robust strategic planning, financial management and reporting.*

## COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

**Regulator** Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes based approach that balances the needs of the community with social and natural justice.

## CONSULTATION

**Internal:** Rates team

**External:** Mead Perry Group, Centrelink, various other Councils

## COMMUNITY ENGAGEMENT

Nil

## ATTACHMENTS

1. Rates Pension remission Policy DRAFT (1) [5.6.1 - 4 pages]

## ##. RATES PENSIONER REMISSION POLICY

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### Intent

To establish a policy for the provision of rates remission to pensioner/s who reside in the Douglas Shire, are eligible for the State Government pension remission and who apply for the Council Pensioner Rate remission **in accordance with s 119- 122 of the *Local Government Regulation 2012***.

### Scope

To enable Council to process applications and provide pensioner remission for Council rates and charges on properties within the Douglas Shire Council boundaries.

### Provisions

Under s 119-122 of the *Local Government Regulation 2012*, Council may resolve to grant a ratepayer a remission for rates and charges provided the specified criteria is met by the ratepayer.

#### 1 Criteria

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To be eligible for this remission, the following conditions must be met:

- 1.1 The applicant (s) must be a resident of the Douglas Shire and the owner/occupier of the property in respect of which remission is sought or be a Life tenant(s) under a Will with responsibility to pay all rates and charges;
- 1.2 The property must be their principal place of residence. If an applicant meets all the criteria on multiple properties for the full rating period, remission will be applicable to one property only.
- 1.3 The applicant must be an individual, not a Trust, Company or other non-individual entity
- 1.4 The applicant(s) must be the holder(s) of one of the following Queensland cards:
  - Centrelink, Pension Concession Card.
  - Department of Veterans' Affairs, Pension Concession Card.
  - Department of Veterans' Affairs, Repatriation Health Card. (Full Conditions only)
- 1.5 Either a Certificate of Occupancy or a Final Inspection Certificate has been issued for the residence. The approved structure must have a classification of 'Dwelling – 1a'. Pension remission is not applicable to vacant land.

Special consideration to grant Council pensioner remission is at Council's discretion for circumstances outside of the above criteria.

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## **2 Application for the Rate Remission:**

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- 2.1 All applications for rate remission must be made on the prescribed form and contain a declaration as to the accuracy of the information contained therein.
- 2.2 Supply a photocopy of a valid Pensioner Concession card with the application
- 2.3 Remissions will be calculated for new applicants from the date the application is received, once approved.
- 2.4 In regard to Ownership / Co-ownership, Council shall apply the same requirements as the Queensland Government Pensioner Rate scheme. Eligible pensioners who are co-owners shall be entitled to Pensioner Remission based on their percentage share of the property.
- 2.5 Once an application for remission is approved it shall remain in force from year to year without further renewal whilst the applicant remains owner/occupier of the property in question.
- 2.6 Where an applicant's circumstances alter it is incumbent upon the applicant to notify Council.
- 2.7 Council will conduct periodic audits to verify current entitlements.
- 2.8 If a pensioner becomes the owner of a new property, they must make a new application for remission in respect of that property.

## **3 Pensioner Remission Amount**

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Pensioners deemed eligible may be entitled to the following:

- 3.1 State Government remission up to twenty percent (20%), to a maximum of \$200.00 per property per annum. Where the State Government remission applies, Council will rebate the appropriate amount on the rate notice and claim reimbursement from the State Government.
- 3.2 Council's pensioner remission will be up to forty percent (40%) of the General Rate to a maximum of \$1,350.00 per annum.
- 3.3 State Government remission of Twenty Percent (20%) of the Emergency Management Levy

## **4 Additional Information**

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- 4.1 Should a property change ownership during a rating period, Pensioner Remission will only apply for the period of ownership by the approved applicant(s) and pro-rata Pension Remission reimbursements to Council will apply.
- 4.2 Recognising that many pensioners reside some or all of the time in hospitals, nursing homes, or with family or friends for ill health reasons, the residence may be regarded as the 'principal place of residence' if it is not occupied on a paid tenancy basis during the absence of the approved pensioner owner(s). A declaration may be requested by Council.

- 4.3 Where a sole pensioner is receiving pensioner remission and the person dies, pensioner remission will cease at the end of the rating period in which records obtained from Centrelink for entitlement purposes do not match Council’s Records.
- 4.4 Where more than one pensioner is receiving pensioner remission in respect of a property owned by those pensioners under joint tenancy and one of the pensioners dies but the title hasn’t been changed; then the remaining pensioner(s) will continue to receive the full pensioner remission until Council receives notification of transfer of ownership. If all pensioner owners are tenants in common, the remaining pensioners will receive their percentage entitlement only.
- 4.5 Whereby the ratepayer(s) is eligible for additional Council rate rebates or concessions, the pensioner remission shall apply first and subsequent rebates will be calculated on the reduced levy.

If Council becomes aware of any ratepayer providing false or misleading information in order to gain assistance for which he/she would otherwise not be eligible, the remission provided by Council will then become null and void. Any benefit provided to a pensioner through the Rates Pensioner Remission Policy must be repaid to Council from the date of cancellation/ineligibility.

**Related Legislation and guidelines**

- Local Government Act 2009*
- Local Government Regulation 2012*
- Douglas Shire Council Revenue General Policy*
- Douglas Shire Council Revenue Statement*
- Douglas Shire Council Utility Charges and Associated Rating matters*

**Policy Review**

This policy is to be reviewed every four years/whenever legislation changes, or at the direction of the Chief Executive Officer.

**Policy Details**

<b>Policy Name</b>	<b>Rates Pensioner Remission Policy</b>
<b>Policy Number</b>	##
<b>Policy Version</b>	1
<b>Document Number</b>	
<b>Endorsed by</b>	Chief Executive Officer
<b>Policy Type</b>	Council
<b>Approval Authority</b>	Council
<b>Date Adopted</b>	31 May 2022

<b>Commencement Date</b>	1 July 2022
<b>Time Period</b>	Four years
<b>Review Date</b>	1 May 2026
<b>Policy Department</b>	Finance and Corporate Services
<b>Link to Corporate Plan</b>	Robust Governance and Efficient Service Delivery
<b>Revoked/Superseded</b>	

**This policy is to remain in force until otherwise determined by Council.**