CASSOWARY COAST REGIONAL COUNCIL

Rating Concessions Policy

Policy type	Council
Function	Corporate Services
Policy Owner	Rates and Revenue Department
Effective date	27 June 2019
Last review date	25 June 2026

1. Purpose

The objective of this policy is to:

(a) provide transparency and equity in regard to eligible pensioners receiving a Council rates remission;

(b) provide guidance in dealing with requests for a reduction in the water consumption charge, where a genuine leak on a property has occurred;

(c) establish a policy for the provision of rates based financial assistance for community organisations including, not for profit, community, recreation and sporting organisations;

(d) assess applications from consumers who incur increased water consumption due to the use of a home dialysis machine.

2. Scope

This policy applies to:

(a) property owners whereby Council will consider providing the pension concession to eligible pensioners to receive the Council rates remission;

(b) circumstances under which Council will provide a rating concession to eligible community organisations;

(c) circumstances under which Council may provide a water consumption concession to eligible property owners;

(d) establishing guidelines for Council staff and the public regarding the provision of a concession to ratepayers.

3. Responsibility

All Council employees must comply with this policy and are responsible for giving effect to it. Customers who are receiving a metered water connection from Council are responsible for water consumed through the water meter. The internal water reticulation infrastructure within the property boundaries is the responsibility of the landowner and should be maintained in good condition and regularly monitored for deterioration.

4. Definitions and principles

Smart Meter – Automatic Meter Reading Device – is a device fitted to a standard water meter that enables both Council and the property owner to monitor water consumption.

Water meters that are not equipped with a smart meter do not have this capability and therefore cannot provide ongoing consumption monitoring.

Average Water Consumption – is based on the average water consumption over the past twelve months for the current owner of the property and not including the current usage. Where twelve months' water consumption history is not available, Council will determine an average amount based upon current available data.

Community Organisation – means a not-for-profit organisation which:

(a) exists primarily to undertake community service activities; or

(b) undertakes sporting or recreational activities and relies on player fees and/or community fundraising only; or

(c) exists primarily to undertake community service activities and receives on-going Federal or State Government funding support for the organisation's operations; or

(d) is the owner of a cultural icon which is a tourist attraction and to which the public is given access for no fee or charge.

Concealed Leak – means a leak in the water supply pipe to a property on the property owner's side of the water meter either underground, under or within concrete or paving, or underneath a structure where the leak was not apparent, and the occupant could not reasonably be expected to know of its existence.

Pensioner – refers to an individual who holds either a Queensland **Pensioner Concession Card** issued by Services Australia or a Queensland **Veteran Gold Card**.

Pensioner Concession Card – means a Queensland "Pensioner Concession Card" issued by Services Australia or a Queensland Veteran Gold Card.

Property Owner – means the person or organisation that owns, leases land, or is the primary occupier of the land.

Rating Concession – is a concession granted to an approved community organisation and will be applied in line with Chapter 4, Part 10 of the *Local Government Regulation 2012.*

Water Leak – means a leak that has occurred from the Council water meter to the customer's property. Tap leaks, pool leaks, hot water system leaks, leaks in the showers, bathroom, toilets, irrigation systems or in any area other than in the main supply pipe are not covered under this policy.

Suspected Water Leak Notice – is a notice that is sent to the property owner(s) indicating a potential water leak at the property, and, if found that there is a leak, requests that the leak be repaired by a current licensed plumber within thirty (30) calendar days from the date on the "leak notice".

5. Procedure

5.1 Concession for Pensioner

Pensioners who are eligible must meet the following criteria:

(a) all applications for remission must be in writing on the prescribed form and contain a declaration as to the accuracy of the information contained therein;

(b) if the property is in joint names, all applicants must produce the required information;

(c) eligible pensioners who are co-owners of an eligible property in conjunction with persons who are not eligible pensioners, shall be entitled to pro-rata rate concession based on their share of the property;

(d) proof of pension must be produced at time of application;

(e) the property in respect of which the rates are levied must be the principal place of residence of the pensioner and the pensioner must actually reside on the property (i.e. a life tenant cannot reside in a nursing home and claim the subsidy, as may occur with ordinary home ownership);

(f) if there is a temporary dwelling or structure on the property, the concession may be allowed on the condition that the structure is "habitable" as determined by Council;

(g) the applicant/s must be the holder/s of a current Centrelink Queensland Pensioner Concession Card or a Veterans' Affairs Gold Card. The cards that do not qualify for a remission are Seniors Cards, Health Care Cards, Health Benefits Cards, and Repatriation Health Cards for specific conditions.

5.1.1 Where a pensioner for reasons of ill health or infirmity (e.g. poor health, feeble in body or health, physically weak, especially through age) resides some or all of the time in alternative accommodation such as a nursing home or similar type of accommodation (where personal care is available on site and provided as required) or with family or friends, 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.

5.1.2 Life Tenant/s under a Will with responsibilities to pay all rates and charges must produce a certified copy of the Will stating the applicant is a life tenant and responsible for payment of rates.

5.1.3 Once an application for remission is approved, it shall remain in force from year to year without further renewal whilst the person remains owner/occupier of the property in question.

5.1.4 Where an applicant's circumstances alter, it is incumbent upon the applicant to notify the Council. Council will conduct periodic audits to verify current entitlements.

5.1.5 In order to receive a concession in the first rating period commencing 1 July in any year, Council must receive applications no later than 30 June. To receive the concession in the second rating period commencing 1 January in any year, Council must receive the application no later than 31 December.

5.1.6 Late applications received during the rating period, may be considered provided the applicant/s meet all of the eligibility requirements at the commencement of the rating period. For ratepayers who are new eligible card holders, the concession will be considered from the effective date on the concession card, if submitted within the same rating period. For ratepayers who are eligible card holders, and who have newly purchased the property, the concession will be considered from the date of possession, if submitted within the same rating period.

5.1.7 Where a pensioner is receiving concession in respect of a property owned by that person and the person dies, Council concession will cease at the end of the rating period. When the property title is transferred under a will to a beneficiary who qualifies for Council concessions, that person will be granted concessions retrospectively from the end of the rating period after the date of death.

5.1.8 Pensioners who meet the eligibility requirements as set out in section 5.1 of this policy, may receive the Council Pension Concession up to a maximum of **$300.00 per annum**.

5.2 Concession for Water Consumption – applicable for non-Smart Meters only

5.2.1 To ensure that any water leaks are detected early, the property owner is responsible for monitoring water consumption as recorded on the water meter. Council recognises that leaks can occur and can go for long periods without being detected and cause considerable financial difficulties for the property owner.

5.2.2 A concession on water consumption charges may be permitted when all the following conditions have been met:

(a) The property must be residential and fall within the following categories:
   (i) Residential 1, 2, 3, 4 & 5 (excluded 1A, 2A, 3A, 4A & 5A);
   (ii) Residential Other (excluded OtherA).

(b) The property must not be fitted with a smart water meter, except where the applicant is a holder of a Pension Concession Card, in which case this condition does not apply;

(c) The leak was a concealed leak;

(d) The property owner/resident can demonstrate that all possible action was taken as soon as a leak was suspected. If Council issues a High-Water Consumption notice, the property owner will have 30 calendar days from the date of the notice to have the leak repaired by a current licensed plumber. If the leak is not repaired within this time, and the property owner has not made contact to advise Council of issues securing a current licensed plumber, the property owner will not be eligible to apply for the water consumption concession. However, Council will give consideration to exceptional circumstances which may have impacted the length of time taken to have the leak repaired;

(e) The property owner provides a copy of the plumber’s invoice and receipt for work undertaken to repair the concealed leak and a written statement by the plumber on the nature of the leak and actions to repair including materials used in the repair;

(f) An application for water concession is lodged with Council within 30 days from the date of the plumber’s invoice.

A reduction in water charges will be granted once within a two-year period per meter, per owner with no further applications being considered.

5.2.3 Following the assessment of the application, Council may undertake water meter reads to confirm the leak has been repaired.

5.2.4 The calculation for this concession is outlined below:

(a) 50% of the consumption charged (leak period);

(b) Less the average water consumption (12 months prior; or where this is not possible, an estimated average household consumption as calculated by Council officers);

(c) Equals the concession provided, however, will be capped at $500 for general applicants and $750 for those who have an active pension concession applied to their rate file.

Example 1:

Leak consumption half yearly to 30 June 2024	=	500KL
Less 'average' consumption (prior 12 month)	=	100KL
	=	400KL
50% concession of increased water consumption	=	200KL
Concession calculation: 200KL x $1.18	=	$236
Concession to be allocated	=	$236

Example 2:

Leak consumption half yearly to 30 June 2024	=	1500KL
Less 'average' consumption (prior 12 month)	=	300KL
	=	1200KL
50% concession of increased water consumption	=	600KL
Concession calculation: 600KL x $1.18	=	$708
Concession to be allocated (capped)	=	$500

If in the opinion of Council there are exceptional circumstances which warrant the approval of an application of a property owner that is not eligible under the terms of this policy, the Director Corporate & Community Services or Chief Executive Officer may grant a concession up to $5,000. Any concession above $5,000 will require Council resolution.

5.3 Concessions for Not-for-Profit Community Organisations

5.3.1 To be eligible for funding under this policy, the community organisation must:

(a) Be a community organisation, as defined in this policy;

(b) In its constitution, clearly prohibit any member of the organisation making a private profit or gain either from the ongoing operations of the organisation or as a result of the distribution of assets if the organisation is wound up (this condition does not apply to the owner of a cultural icon);

(c) Operate within the boundaries of the Cassowary Coast Regional Council;

(d) Be liable to pay the rates and charges for which the concession is sought;

(e) Not utilise gaming machines to raise revenue;

(f) Not use the property for residential purposes unless utilised for an aged care facility or short-term accommodation for homeless and/or at risk persons;

(g) Not rent, hire, or lease the land to a third party for a purpose that is not the core business of the community organisation; and

(h) Lodge an application on the approved form as detailed in section 5.3.4 of this policy.

5.3.2 A property owner that meets the criteria in section 5.3.1 will be categorised in one of the following categories:

(a) Category 1 - A community organisation which relies mainly on volunteer labour.

(b) Category 2 - A community organisation which:

(i) has a high level of paid labour, a low level of volunteer labour and provides a substantial community benefit; or

(ii) are in receipt of either Federal or State Government funding.

(c) Category 3 - An owner of a cultural icon which is a tourist attraction and to which the public is given access for no fee or charge.

5.3.3 Council may provide a rating concession to properties that meet the criteria in section 5.3.1. The level of assistance provided for a property owner categorised under section 5.3.2 of this policy will be:

Category	General Rates	Transport Infrastructure Levy	Waste Utility Charge	Sewerage	Maximum Concession
Category 1	100%	100%	*$206	**75%	No Max
Category 2	100%	100%	*$206	0%	$2,000.00
Category 3	100%	100%	*$206	0%	$1,500.00

**The concession for the Waste Utility Charge is equivalent to an amount equal to the Residential D charge or the Non-Residential D charge*

*** If there are no general rates levied to the property owner, a concession on sewerage charges may apply.*

5.3.4 In relation to concessions for Community Organisations:

(a) An approval for assistance provided under this policy will cover a two-year period;

(b) For new applications, the approved form must be completed and lodged by 31 May prior to the first of the two financial years for which assistance is being sought;

(c) For renewal of applications, the approved form must be completed and lodged with Council by the date as set out in the reminder renewal letter;

(d) Supporting documentation must be attached to the application form. The documentation must include:

  (i) A copy of the constitution of the organisation;

  (ii) Audited financial statements for the two previous years;

  (iii) Any other relevant information supporting that the organisation is a not-for-profit entity or otherwise exists for a public purpose.

(e) Concessions are not available for vacant land or in circumstances where an organisation does not fulfil its lease obligations;

(f) An approved rating concession will be applied directly to the property and the successful property owner will be provided with a credit on each half-yearly rate notice;

(g) If in the opinion of the Council there are exceptional circumstances which warrant the approval of an application for rates-based assistance, notwithstanding the organisation is not eligible under the terms of this policy, including applying the concession retrospectively, Chief Executive Officer may grant a concession considered reasonable up to $5,000. Any concession above $5,000 will require a Council resolution.

(h) Where the applications for assistance exceed the budget allocation made by Council, concessions may be reduced on a fair basis as determined by Council;

(i) It is the organisation's responsibility to notify Council of any changes to the organisation which may affect their eligibility for the concession, at which time the concession would be reviewed.

5.4 Concession for Home Water Dialysis

5.4.1 A non-chargeable water allowance of up to 190kl per year will be granted to those patients on a home renal dialysis machine. A concession to eligible applicants will be payable annually in July of the following year that the dialysis occurred, up to a maximum of 95 kilolitres per 6 monthly levy period.

5.4.2 Consultation has been undertaken previously with both the Kidney Organisation of Australia and the Cairns Base Hospital Haemodialysis Unit requesting guidance as to the likely water consumption directly attributed to the operation of a home dialysis unit.

This information is based upon that advice as outlined in the Schedule one and two located at the end of this policy. It is important to note that Schedule one are estimates only, and have been based on the least conservative assumptions provided. Schedule two uses these factors to calculate an approximate and likely level of water employed solely for the purposes of operating a home dialysis unit. However, actual water consumption from usage will be dependent on the specific machine used along with the type and frequency of treatment described.

5.4.3 Eligibility:

To be eligible, the following must occur:

(a) An application form from Council must be completed by the applicant;

(b) The patient to provide documentation that the treatment is being undertaken on the property including commencement date of the treatment and if applicable the date the renal dialysis ended;

(c) The application form must be received by Council prior to the end of the discount period of the first concession being applied;

(d) Applicants must reapply every three years.

5.4.4 Application for Concession Approval

(a) If the application for concession is approved, the water consumption and consequent charges will be adjusted accordingly and payable annually in July of the following financial year;

(b) The concession is calculated on the basis of the number of sessions per week as shown in Schedule two below;

(c) It is the responsibility of the applicant to advise Council if home renal dialysis is no longer undertaken on the premises.

Schedule One – Refer to 5.5.2

Assumptions		
1	Frequency of treatment	5-6 treatments per week
2	Length of each treatment *Assuming:* *-30 minutes hot rinse before treatment* *-4 hours treatment* *-30 minutes disinfection post treatment*	5 hours per treatment
3	Total water usage per treatment *Assuming:* *-water consumption of* +/- 1500mls/minute reject water from the reverse osmosis -water consumption of +/- 1500mls/minute dialysate flow rate	600 litres

Schedule Two – Refer to 5.5.2

Estimated Usage Calculation	
2	Litres per minute
300	Minutes per session
600	Litres per session
3,600	Litres per week (6 treatments per week)
3.6	Kilolitres per week
187	Kilolitres per year

Related forms, policies and procedures	Pensioner Rate Concessions form Water Consumption Concession form Water Consumption Concession for Home Dialysis form Rate Based Assistance for Community Organisations form Revenue Statement Revenue Policy Debt Recovery Policy
Relevant legislation	*Local Government Act 2009* *Local Government Regulation 2012*
Reference and resources	Services Australia (formerly Department of Human Services)

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