

| | | | |
|----------------------|----------------------------------|-------------------|------------|
| Name: | Rate Concession | | |
| Type: | Council Policy | | |
| Owner: | Chief Executive Officer | | |
| Responsible Officer: | Director Organisational Services | | |
| Approval Date: | 07/03/2023 | Next Review Date: | 30/06/2024 |
| Records Number: | 429719 | Council Decision: | 10/730 |

1 PURPOSE

This Policy provides a framework and guidance for applying rates concessions in line with the requirements of the *Local Government Act Northern Territory* to eligible ratepayers.

2 PRINCIPLES

The City of Palmerston is committed to providing a transparent, impartial, and consistent process of application and consideration for rate concessions and/ or remission of interest accrued on overdue rates.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

| Term | Definition |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Act | The Local Government Act currently in force. |
| Rate concession | As defined by <i>Part 11.8</i> in the Act. |
| Waiver | A waiver removes the liability to pay and may be offered to include the whole or part of rates and/or legal charges. |
| Deferment | The action or fact of putting something off to a later time; postponement. |
| Suspend | To temporarily prevent from continuing or being in force or effect. |
| Financial Hardship | Financial hardship is where a ratepayer is found to be unable, because of illness, unemployment or other reasonable cause, to discharge their financial obligations towards the City of Palmerston. |
| Public Benefit Concessions | As defined by <i>Part 11.8</i> in the Act. |
| Natural Disaster | A natural event such as a flood, earthquake, or cyclone that causes great damage or loss of life |
| Public Health Emergency | A declared public health emergency |

4 POLICY STATEMENT

4.1 Financial Hardship

- 4.1.1 The Chief Executive Officer may grant a rates concession upon application for the balance of a financial year for proven financial hardship.
- 4.1.2 Financial hardship arrangements and/or deferments may be accepted by Council staff to alleviate the pressures of sourcing independent financial counsellors. Any waiver is a one-off waiver for the balance of a financial year in response to circumstances presented at the time.
- 4.1.3 Financial hardship applications must be accompanied by a reasonable payment plan.

4.1.4 If the payment plan is not honoured, the hardship application becomes void and overdue interest and any legal charges will begin to be applied to the ratepayer's account.

4.2 Public Benefit Concessions

4.2.1 A rates concession may be granted if the CEO is satisfied that the concession will advance one or more of the purposes outlined in the Act.

4.2.2 Any application for a rate concession requires a written submission by the organisation explaining why the submission should be considered and how it satisfies the condition in 4.2.1.

4.2.3 Sporting and community organisations cannot apply for a rates concession on a property that caters for gambling or that holds a license related to gambling.

4.2.4 Sporting and community organisations must provide with their application a copy of their most recent audited financial statements and the constitution of the organisation. The constitution must clearly prohibit any member of the organisation making a private profit or gain, either from ongoing operations or as a result of distributions of assets if the organisation is wound up.

4.2.5 To be considered for a rates concession, sporting and recreation community groups must provide substantial community benefit by meeting at least two of the following criteria:

- a) The facility is regularly used for junior development.
- b) The facility is regularly used by members of the public other than members of the organisation at no charge.
- c) Where unrestricted/free access is not possible due to the type of facility, the organisation must provide 'pay as you play' type activities.
- d) Where unrestricted or un-supervised access is not possible to the facility due to the type of facility, organisations must demonstrate other methods of encouraging community access through open days, come and try events etc.

4.2.6 Sport and recreation community groups are eligible for one of the following rates concessions:

- a) Category 1: Not for profit organisations that undertake sporting or recreational activities and that predominately rely on player fees, community support and/or grants regardless if they have a special liquor license for events or social purposes can apply for a rates concession that reduces their rates to the declared minimum rate for that zone under the NT Planning Scheme;
- b) Category 2: Not for profit organisations that hold a liquor license and operate a commercial bar, that is open to the public regular hours irrespective of events held at the location, or that has a license to sell take away alcohol can apply for a 50% rates concession or a concession that reduces their rates to the declared minimum rate for their zone under the NT Planning Scheme, whichever result in a lower concession.

4.3 Waiving of Charges, Interest or Legal Fees

4.3.1 Any other waiver of charges, interest or legal fees, is to be submitted to the Chief Executive Officer in writing from the ratepayer or the ratepayer's agent, with reasons as to why the waiver should be considered.

4.3.2 Any waiver is a one-off waiver in response to circumstances presented at the time.

4.4 Waiving of Interest and/or External Recovery Action

4.4.1 In the event of a Natural Disaster or Public Health Emergency, Council or the Chief Executive Officer in the instance Emergency Delegation is in place, may elect to:

- a) Waive interest for a nominated period for ratepayers in line with suggested criteria.
 - b) Defer external recovery action to a later date.
- 4.4.2 Hardship- arrangements and/or deferrals may be accepted by Council staff to alleviate the pressures of sourcing independent financial counsellors. Any waiver is a one-off waiver for the balance of a financial year in response to circumstances presented at the time.
- 4.4.3 All above criteria are subject to management's discretion.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Declaration of Rates and Charges

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Local Government Act Northern Territory*