

<b>Title</b>	Rates Concession Policy
<b>Policy No</b>	030
<b>Adopted by</b>	Council
<b>Date of Adoption</b>	19 March 2025
<b>Responsibility</b>	Chief Executive Officer
<b>Next review date</b>	19 March 2029

## Document History

Version	Decision number	Adoption date	History
1	Resolution 3 on 31 October 2018	31 October 2018	Original
2	OCM/99	19 March 2025	

### 1. PURPOSE

The purpose of this policy is to provide a framework and guidance for applying rate concessions in line with the requirements of the *Local Government Act 2019* to eligible rate payers.

### 2. SCOPE

This policy applies to all ratepayers in the Tiwi Islands Regional Council.

### 3. POLICY STATEMENT

3.1 Council recognises that individuals can experience difficulty in meeting their responsibilities for the payment of rates and that it may be appropriate where financial hardship has been demonstrated to grant a concession to the payment of rates.

3.2 Concessions may also be applied to meet public benefits or to correct anomalies in the rating system.

3.3 Tiwi Islands Regional Council is committed to providing a transparent, impartial, and consistent process of application and consideration for rate concessions.

3.4 This policy provides a framework and guidance for applying rate concessions and outlines the criteria and circumstances for which rate concessions may be granted.

3.5 There is no guarantee that a rate concession will be granted as decisions are made on a case-by-case basis.

3.6 All applications for rate concessions require a written submission.

## 4. DEFINITIONS

<b>Deferment</b>	The action or fact of putting something off to a later time; postponement.
<b>Financial hardship</b>	Financial hardship is a where a ratepayer is found to be unable, because of illness, unemployment or other reasonable cause, to discharge their financial obligations towards the Tiwi Islands Regional Council
<b>Public Benefit Concession</b>	As defined by part11 of the <i>Local Government Act 2019</i> .
<b>Rate Concession</b>	As defined by part 11 of the <i>Local Government Act 2019</i> .
<b>Ratepayer</b>	The registered owner of the property. Applications of third parties, other than the ratepayer require written approval from the property owner.
<b>Relevant interest rate</b>	The relevant interest rate is a rate of interest fixed by Council as the relevant interest rate and outlined in the Fees and Charges in line with the <i>Local Government Act 2019</i> .
<b>Remission of interest</b>	A remission of interest is a waiver of interest wholly or in part as per the <i>Local Government Act 2019</i> .
<b>Waiver</b>	A waiver removes the liability to pay and may be offered to include the whole or part and or legal charges.

## 5. PRINCIPLES

### 5.1 Rate Concessions

5.1.1 A rate concession is:

- (a) a waiver in whole or part of rates or a component of rates; or
- (b) a deferment in whole or part of an obligation to pay rates or a component of rates.

5.1.2 Council may provide rate concessions for the following three reasons:

- (a) to assist ratepayers experiencing financial hardship.
- (b) to correct anomalies in the operation of the rating system.
- (c) for public benefit.

5.1.3 Financial hardship



Ratepayers may have rates and charges or a part thereof postponed, although rates and charges will continue to be levied subject to compliance with the following conditions:

- (a) The ratepayer must be experiencing undue and unavoidable hardship.
- (b) An application must be submitted to the Chief Executive Officer by the ratepayer or ratepayer's representative providing evidence from an approved Financial Counsellor of such circumstance referred to in (a).
- (c) The postponement can be on a fixed or on an ongoing basis until the property is disposed of or sold.

5.1.4 Financial hardship applications must be accompanied by a reasonable payment plan.

5.1.5 Any waiver is a one-off waiver for the balance of a financial year in response to circumstances presented at the time.

## **5.2 Failure to comply with rate concession conditions.**

If the Council grants a rate concession on any conditions the council considers appropriate and the ratepayer fails to comply with a condition, the Council may by notice to the ratepayer:

- (a) Withdraw the concession; and
- (b) Require the ratepayer to pay an amount, on or before a date specified in the notice, to neutralise any benefit to the ratepayer of the rate concession.

## **5.3 Correction of anomalies in the operation of the rating system.**

5.3.1 The Council may grant a rate concession to a particular ratepayer or to ratepayers of a particular class if satisfied that it is necessary to do so to correct anomalies in the operation of the rating system.

5.3.2 The Council may grant a rate concession under this section on:

- (a) the Council's own initiative; or
- (b) application by an affected ratepayer.

## **5.4 Public Benefit Concessions**

5.4.1 The Council may grant a rate concession if satisfied that the concession would advance one or more of the following purposes:

- (a) Securing the proper development of its area;
- (b) Preserving buildings or places of historical interest;
- (c) Protecting the environment;

- (d) Encouraging cultural activities;
  - (e) Promoting community health or welfare;
  - (f) Encouraging agriculture;
  - (g) Providing recreation or amusement for the public.
- 5.4.2 The Council may grant the rate concession on:
- (a) the Council's own initiative; or
  - (b) application by an affected rate payer.

## 5.5 Rate concession not to exceed term of Council

The Council must not agree to grant a rate concession for a financial year that does not fall wholly or partly within the current term of the Council.

## 5.6 Remission of Interest accrued on overdue rates

- 5.6.1 The Council charges interest on a daily basis on overdue rates.
- 5.6.2 The Council will consider applications from ratepayers for remission of interest in situations of proven financial hardship, or to correct rate anomalies.
- 5.6.3 The Council may fix a rate of interest as the relevant interest rate for a financial year.
- 5.6.4 The Council must not vary a rate of interest previously fixed as the relevant interest rate.
- 5.6.5 The Council may remit interest wholly or in part.

## 6. LEGISLATION

This policy is made in accordance with part 11 of the *Local Government Act 2019*.

## 7. ASSOCIATED DOCUMENTS

Tiwi Islands Regional Council Declaration of Rates and Charges.

## 8. RESPONSIBILITY

8.1 The Chief Executive Officer is responsible for the overall establishment and periodic review of this policy.

8.2 This policy is subject to review every 4 years.

