

Public Benefit Concessions Policy for Commercial and Residential Ratepayers



Council Policy

Policy Name	Public Benefit Concessions Policy for Commercial and Residential Ratepayers		
Type	Council Policy		
Owner	Director Corporate Services		
Responsible Officer	Manager Finance		
Decision Number	20949	Approval Date	31/05/2020
Records Number	Add number here	Next Review Date	27/07/2020

1 Purpose

This public benefit concessions policy seeks to advance the following purposes under the *Local Government Act 2008*:

- (a) securing the proper development of council's area (section 167(1)(a)); and
- (b) promoting community health or welfare (section 167(1)(e)).

This policy provides detail on the provision of financial relief to commercial and residential ratepayers, specific to COVID-19, and further to Council's Pandemic Financial Hardship Assistance policy.

This policy provides ratepayers with a clear and transparent understanding of options and assistance available if they are experiencing financial hardship due to the pandemic. It provides direction to Council's Officers when collecting and providing for debts owed to Council and ensures consideration is given to the financial hardship caused by a pandemic.

2 Definitions

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

Term	Definition
Appropriate rent relief	means that the landlord has negotiated in good faith with their tenant for rent relief in line with the Code of Conduct, agreed to by National Cabinet.
Commercial ratepayer	means a ratepayer for an allotment that is not classed as residential under council's assessment record (section 152).
COVID-19 pandemic period	means the period (or reasonable subsequent recovery period) in accordance with the Code of Conduct, agreed to by National Cabinet.
Eligible business	means a business that is eligible under the Relief Package, which is aligned with the Commonwealth Government's JobKeeper programme.
Hardship Register	means the register of eligible businesses that are assessed as meeting the requirements of the Relief Package.
Relief Package	means the Jobs Rescue and Recovery Plan's Business Relief Support Package.

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3 Policy Statement

Council will provide the following support to commercial and residential ratepayers in temporary financial hardship due to the impacts of COVID-19 and in accordance with the *Local Government Act 2008*.

This policy is guided by the principles of transparency, efficiency, capacity/ability to pay and equity by treating all debtors consistently and in a fair manner.

3.1 Eligibility Criteria

A **commercial ratepayer** is eligible for rate concessions on an allotment if the ratepayer has a rates liability on the allotment for 2019-20 and / or 2020-21 and is:

- (a) an eligible business that has business premises on the allotment; or
- (b) a landlord that has provided appropriate rent relief to a tenant that is an eligible business that has business premises on the allotment.

A **residential ratepayer** is eligible for rate concessions on an allotment if the ratepayer has a rates liability on the allotment for 2019-20 and / or 2020-21 and is experiencing financial hardship due to the impacts of COVID-19.

3.2 Rate concessions

On successful application by an eligible ratepayer, the council will grant the following for each qualifying allotment:

- (a) for ratepayers who have paid their 2019-20 rates in full – a refund in part of rates paid for 2019-20 (issued as a grant from the council to the ratepayer); or
- (b) a waiver in part of rates owing for 2019-20 (with any excess rate waiver amount provided as a waiver in part of rates for 2020-21); or
- (c) a waiver in part of rates for 2020-21.

In addition, for all qualifying allotments, the council will grant a deferment of the obligation to pay rates declared for 2020-21 until 1 January 2021.

The total amount available under (a), (b) or (c) is to be equal to a three-month waiver on annual rates for the allotment in accordance with council's declaration of rates for 2019-20.

For new allotments, the rate waiver amount under (c) is to be calculated proportionately based on what the allotment would have been rated if it were included in council's declaration of rates for 2019-20.

3.3 Applications

Commercial applicants must demonstrate eligibility by providing information that meets the requirements of the terms and conditions of the Relief Package or the eligibility criteria under this policy.

Residential applicants must demonstrate eligibility by providing information that supports their claim of financial hardship due to impacts of COVID-19 and eligibility criteria under this policy.

Rate concessions under this policy are to be granted to an eligible ratepayer either:

- a) on council's own initiative, based on an application to the Hardship Register; or
- b) on application by the ratepayer to the council.

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4 Responsibilities

- The *Rates Officer* is responsible for overseeing the Pandemic Financial Hardship Assistance application process as well as implementing and managing any approved arrangements.
- *Director Corporate Services* is responsible for assessing and endorsing any Pandemic Financial Hardship Assistance application and submitting to the CEO for approval.
- The *Chief Executive Officer* is responsible for approving all Pandemic Financial Hardship Assistance applications.

5 Related Documents

- *Pandemic Financial Hardship Assistance Policy*
- *Pandemic Financial Hardship Assistance Application Form*
- *Debt Recovery Policy*

6 Version History

Title/Version	Date	Approved by
Nil		

7 Communication and Training

Will this policy be communicated through internal communications?	Yes
Where will this policy be available?	ASTC Website
Will training needs arise from this policy? If yes, who will be responsible.	No