

POLICY NAME: (REVIEW)
**PENSIONER CONCESSIONS – RATES
AND CHARGES**

POLICY REF: P10

MEETING ADOPTED: 24 April 2014
Resolution No. 240414/27

POLICY HISTORY: 220710/15



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OBJECTIVE

To provide clear and equitable guidelines for the granting of pensioner concessions on Council rates and charges in conjunction with relevant sections of the Local Government Act 1993 (LGA) and Local Government (General) Regulation 2005 (LGR).

To provide clear guidelines for charging interest and taking debt recovery action for overdue rates and charges on properties owned by pensioners.

POLICY

1. An application for a pensioner concession on rates and charges must be made by an eligible pensioner as defined by the LGA or LGR, by submitting a completed prescribed application form and producing a current pensioner concession card issued by Centrelink or the Department of Veteran Affairs. Council will also confirm through the card issuer, that the pensioner concession card is still current at the time the application is made.
2. Council will adjust rates and charges for an approved pensioner concession application for levies made in the current rating year in which the application was received and the previous rating year only OR from the effective date of eligibility in accordance with the LGA or LGR, whichever is later.

A ratepayer may request Council to review a retrospective pensioner concession for any previous year/s providing that sufficient evidence of eligibility is produced and that substantive reasons are provided for not lodging an application in the subject rating year/s. The General Manager will consider and determine such applications on a case by case basis and the decision will be final. Reasons for the determination will be provided to the applicant in writing.

3. Pensioner concessions for water charges will be allocated to annual water access charges in the first instance. Any remaining allowable pensioner concession amounts for the specific rating year will be allocated equally to quarterly water consumption charge billing periods. This quarterly amount becomes the maximum allowable pensioner concession for water consumption charges per quarter, and any unused concessions in previous water billing quarters are not transferrable to future quarters.
4. The effective date of eligibility commencement for a pensioner concession granted on quarterly water consumption charges will be determined by the pensioner's eligibility status on the date the water meter was read for the commencement of that quarterly billing period.
5. Council will confirm a ratepayer's current eligibility to a pensioner concession with Centrelink and/or the Department of Veteran Affairs at least annually. Any pensioner's that are reported back to Council as ineligible will be deactivated and advised in writing that their pensioner concession on rates and charges has been discontinued or reduced depending upon the pensioner status of other owner/s of the property. Retrospective adjustments as a result of the conformation process will not be made.

6. If an eligible pensioner is temporarily required to leave their principal place of living due to a medical reason (i.e. nursing home or hospital) with an intention to return, Council will continue to grant a pensioner concession on the property's rates and charges for a maximum period of up to 6 months. This is providing that the property is not privately leased or occupied during that period by anyone other than the pensioner's immediate family.
7. Properties owned or part owned by an eligible pensioner are not exempt from interest charges on overdue rates and charges made in accordance with the LGA and Council's adopted annual fees and charges.
8. Properties owned or part owned by an eligible pensioner are not exempt from debt recovery action to recover overdue rates and charges in accordance with the LGA, Council policies and other relevant legislation.

BACKGROUND

In accordance with Sections 575 and 577 of the LGA, Council provides a mandatory pensioner concession to eligible pensioners who own and occupy their property.

The maximum concessions for specific rates and charges are outlined below;

- Ordinary Rate and domestic waste charges – 50% of total up to a maximum of \$250.00 per annum.
- Water Charges (consumption and access) – 50% of total up to a maximum of \$87.50 per annum.
- Wastewater Charges – 50% of total up to a maximum of \$87.50 per annum.

Pensioner concessions are usually granted annually in advance and reversed on a quarterly basis if eligibility ceases.

The State Government provides Council with a reimbursement of 55% of the total mandatory pensioner concessions granted by Council.

This policy provides guidelines that Council will follow when considering an application for pensioner concession on rates and charges in cases where the LGA and LGR are silent.

This policy also confirms Council's previous procedure not to exclude pensioners from interest charges or from debt recovery action on overdue rates and charges.

DEFINITIONS

Immediate Family:

- a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the person; or
- a child, parent, grandparent or sibling of a spouse or de facto partner of the person.

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Ballina Shire Council

(REVIEW) Pensioner Concessions - Rates and Charges

SCOPE OF POLICY

This policy applies to:

- Ratepayers that are eligible pensioners for purpose of receiving a concession on their rates and charges.

RELATED DOCUMENTATION

Related documents, policies and legislation:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Division of Local Government Publication - "Council Rating and Revenue Raising Manual - 2007"
- Internal pensioner concession processing procedure

REVIEW

This policy is to be reviewed every four years.