

## COUNCIL POLICY

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### Rate Concessions

<b>Policy No:</b>	2.15
<b>Policy Subject:</b>	Rates
<b>Preamble:</b>	The Katanning Shire Council recognises the financial challenges associated with operating not for profit community based, sporting and cultural organisations which support Katanning residents' quality of life.
<b>Policy Statement:</b>	This policy provides guidance on where a rates <b>concession</b> will be applied by the Shire of Katanning. This policy does not guide consideration of a rate <b>exemption</b> for charities under section 6.26 (2) (g) of the Local Government Act 1995 (the Act). This is dealt with under its own guidance document.
<b>Objectives</b>	<ol style="list-style-type: none"><li>1. ensure compliance with the Act and subsidiary legislation;</li><li>2. identify the circumstances &amp; criteria where a rating concession will be applied.</li><li>3. articulate the process to apply for a rate concession.</li></ol>
<b>Legislation:</b>	<p>The granting of a concession of rates is entirely at the discretion of the Council.</p> <p><b><u>Local Government Act 1995</u></b></p> <p><b>6.47 Concessions</b></p> <p>Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.</p> <p>* Absolute majority required.</p> <p><b>6.48. Regulation of grant of discounts and concessions</b></p> <p>Regulations may prescribe circumstances in which a local government is not to exercise a power under section 6.46 or 6.47 or regulate the exercise of the power.</p> <p><b><u>Local Government (Financial Management) Regulations 1996</u></b></p> <p><b>69A. When concession under Act s. 6.47 cannot be granted</b></p> <p>A local government is not to exercise a power to grant a concession in relation to a rate or service charge under section 6.47 of the Act in circumstances where the concession is based on whether or not, or the extent to which, the land in respect of which the rate or service charge is imposed is occupied by a person who owns the land.</p>

**Policy Detail:**

This policy does not consider rating concessions applicable for pensioners as the Rate and Charges (Rebates and Deferments) Act 1992 deals with this matter.

This policy does not consider requests for rating exemptions under section 6.26 (2) of the Act.

The CEO is granted delegated authority to assess applications received against this policy and to process any rates concession.

A rating concession of 25% on general rates may be applied under section 6.47 of the Act where eligible organisations meet the following criteria.

**Rating Concession eligibility**

To be eligible to receive a rating concession from the Shire of Katanning;

1. Property owners must be an Incorporated Association and a not-for-profit organisation.
2. Activities conducted at the property must include one of the following;
  - a. The assistance or encouragement of the arts or cultural development.
  - b. The provision of early childhood care where the operation is affiliated with the Crèches and Kindergarten Association or is a community based early childhood provider.
  - c. The provision of amateur sport or recreational activities.
  - d. The delivery of environmental initiatives.
3. The property must not be vacant land or farmland.
4. The property must not, in the opinion of Council, provide core activities that are in direct competition with a service provided by a private operator in the Shire.

**Other information**

A rating concession will only apply to the general rates levy and will not include waste, rubbish, ESL, soil conservation levy and any other levy imposed by Council or State or Federal Government.

Applicants will be required to complete and lodge an application form prior to 31 December for the rating year that the application relates. The application must be supported by the following documents

- Covering letter describing how the premises is used
- Copy of Annual financial report
- Copy of Certificate of Incorporation
- Copy of the Organisation's Constitution
- Any other organisational information including number of members.

Failure to provide the above information may result in the application being refused.

Successful rating concession will apply for a maximum of two years only.

Adoption of this policy supersedes any previous decision of Council in relation to rating concessions.

**Review:**

This policy is to be reviewed every two years, review by date

**Definitions:**

A "Not-for-Profit organisation" is an organisation whose objectives and/or constitution states that it does not aim to make a profit for distribution to the

organisation's directors or principals but instead exists and invests its proceeds to sustain the organisation's services to community.

**Resolution No:** OC119/24

**Resolution Date:** 23 October 2024

**Amended:**

**Source:** Finance & Administration

**Review Responsibility:** Executive Manager Corporate Services

**Due for Review:**