

RATES RELIEF FOR RESIDENTIAL RATEPAYERS POLICY

PURPOSE

This policy outlines Council's approach to assessing and granting relief on rates and charges for residential ratepayers experiencing financial hardship, in accordance with section 120(c) of the *Local Government Regulation 2012*.

SCOPE

This policy applies to ratepayers who are experiencing serious financial hardship and are unable to pay their rates and charges. It applies only to residential properties that are the ratepayer's principal place of residence and from which no commercial benefit is derived.

Section 122 of the *Local Government Regulation 2012* states that:

- (1) *The local government may grant the concession only by –*
- (a) *a resolution granting the concession to a stated ratepayer; or*
 - (b) *if the concession is of a type mentioned in section 121(a) a rebate of all or part of the rates or charges or 121(b) an agreement to defer payment of the rates or charges, a resolution granting the concession to a ratepayer who is a member of a stated class of ratepayers.*

POLICY PROVISIONS

1. Background

In accordance with the provisions of the *Local Government Act 2009*, the Elected Council has resolved to implement a process to provide relief to residential ratepayers experiencing hardship.

Council recognises that unforeseen circumstances may affect a ratepayer's ability to meet their financial obligations. This policy provides a structured and equitable framework for considering requests for rates relief.

Financial hardship may arise due to:

- Chronic illness;

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- Long-term unemployment; or
- Death or incapacity of a partner.

Relief provided under this policy does not remove Council's ability to pursue debt recovery, including the sale of land for unpaid rates where applicable.

2. When Applications Will Be Considered

Council will only consider an application for rates relief on a property where:

- An application has been submitted by the property owner;
- It is the property owner's principal place of residence;
- No commercial benefit is derived from the property;
- The property owner is experiencing genuine financial hardship, including:
 - o Having less than two (2) weeks of available funds equivalent to the maximum rate of income support payment provided by Services Australia for Crisis Payments; and
 - o Has been unemployed and receiving payments from Services Australia continuously for twenty-six (26) weeks; or
 - o Suffers from a chronic illness that is permanent or lasts longer than three (3) months; or
 - o Has incurred unexpected expenses (such as funeral costs) and a reduction or loss of family income as a result of total permanent disability or the death of a partner.

3. Relief Available

Council may grant relief to a property owner under this Policy via one or more of the following:

- Repayment plans that are outside of the current Debt Recovery Policy; and/or
- Direct reimbursement for interest already charged and/or for interest that may accrue between Council's decision and satisfactory completion of an agreed repayment plan; and/or
- Court costs or other related legal expenses already charged to the ratepayer for recovery of outstanding rates and charges; and/or
- Assistance to ratepayers in meeting other charges that are attached to the land (e.g. unpaid noxious weed charges or some outstanding costs which Council is entitled to attach to the land).

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Assistance for Ratepayer Categories

Residential Ratepayers

Eligible where the ratepayer:

- Is six (6) months or more in arrears; or
- Has experienced a significant adverse event; or
- Is unable to meet basic living needs and payment of rates and charges would cause serious financial hardship.

Recommended Assistance

- Interest relief;
- Rates and charges relief;
- Payment arrangements outside of Council's Debt Recovery Policy.

Pensioners and Self-Funded Retirees

Eligible where the ratepayer:

- Is making reasonable efforts to pay rates; or
- Partially owns their property and is in extreme financial hardship; or
- Does not qualify for full pensioner concessions but is in financial distress.

Recommended Assistance

- Interest relief;
- Rates and charges relief;
- Payment arrangements outside of Council's Debt Recovery Policy;
- Consideration for equivalent pensioner concession where standard eligibility is not met;
- Deferral of rates for the lifetime of the ratepayer (in accordance with section 125 of the Regulation), with charges remaining against the property.

4. Lodging a Request for Relief

Applications for relief must be submitted using the prescribed form available on Council's website and include sufficient information for a full financial assessment.

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The application assessment process will remain straightforward, acknowledging that ratepayers are facing financial challenges. All applications will be evaluated confidentially and based on their merits.

- 1) Eligible ratepayers are requested to complete and lodge their application on the prescribed form.
- 2) Council will register the application and validate the data contained within the application.
- 3) A briefing report will be prepared by the Rates Officer, which will be presented to the Executive Leadership Team for review and deliberation.
- 4) A report will be submitted to Elected Council for a resolution on the rates relief application, as per section 122 of the *Local Government Regulation 2012*.
- 5) Council will advise the applicant of the outcome of their application in writing.

Dispute or Failure to Comply

Council may continue with normal debt recovery action in the event a ratepayer:

- Does not respond to Council's offer of relief; or
- Fails to wholly comply with Council's offer of relief; or
- Once an agreed payment arrangement is entered, fails to comply with the requirements of that agreed payment arrangement.

ROLES AND RESPONSIBILITIES

Responsible Officer	Responsibility
Elected Council	Approval of the Rates Relief for Residential Ratepayers Policy in accordance with Part 10 - Concessions of the <i>Local Government Regulation 2012</i> . Consider applications under this Policy and provide a resolution on the outcome of applications for rates relief.
Executive Leadership Team	Review briefing notes for applications and provide recommendations that are to be presented to the Elected Council for resolution.
Finance Manager	Review of this Policy on an annual basis.
Rates Officer	Assessment of applications and preparation of briefing reports for the Executive Leadership Team. Act as the primary point of contact for ratepayers. Develop and submit reports for resolution by the Elected Council.

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DEFINITIONS

Act – shall mean the *Local Government Act 2009*.

Application Form – shall mean Council's Rates Relief for Residential Ratepayers Application Form for the purpose of applying for assistance under this policy.

Chief Executive Officer – shall mean the Chief Executive Officer of Cook Shire Council, as appointed under the *Local Government Act 2009*.

Council – the administrative body of Cook Shire Council.

Elected Council – the elected members of Cook Shire Council, comprising the Mayor and Councillors.

Chronic Illness – shall mean an illness that is permanent or lasts longer than three (3) months.

Payment – shall mean the full levied amount, net of the discount incentive.

Death of a Partner – shall mean the unexpected expenses (such as funeral costs) and reduction or loss of family income as a result of the death of a member of a couple (married, registered relationship or de facto relationship).

Financial Hardship – shall mean the inability to meet basic living needs, including food, clothing, medical care, accommodation, and education.

Long Term Unemployment – shall mean a ratepayer who has received income support payments continuously for 26 weeks.

Pensioner – shall mean an individual who:

- a) holds a valid Queensland Pensioner Concession Card or a Department of Veterans' Affairs Gold Card;
- b) owns (solely or jointly), or holds a life interest in, their principal place of residence; and
- c) is legally responsible (solely or jointly) for paying rates and charges on that property.

Property Owner – shall mean the 'owner of the land' as defined under the *Local Government Act 2009*.

Regulation – shall mean the *Local Government Regulation 2012*.

Residential Property – shall mean property that is primarily used for residential purposes.

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SUPPORTING INFORMATION

References and Legislation

Local Government Act 2009

Local Government Regulation 2012

Related Documents

Debt Recovery Policy

Revenue Statement

Application for Rates Relief for Residential Ratepayers Form

Implementation and Communication

This policy will take effect on 1 July 2026 and will be published on Council's website.

Review

This policy will be reviewed annually or earlier following legislative or significant operational change.

DOCUMENT CONTROL

Approved by: Resolution of the Elected Council

Sponsor: Chief Operating Officer

Officer Responsible for Review: Finance Manager

Department: Growth and Liveability

Amendment History

Version	Amendment Details	Date	Resolution
1.0	Previously known as <i>Financial Hardship Policy</i>	27/06/2018	2018/110
2.0	Minor amendments and new template.	19/06/2019	2019/126
3.0	Remove all references to not-for-profit and charitable organisations; now contained within the new Rates Relief for Charitable Organisations Policy.	09/06/2020	2020/140

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	Renamed to Rates Relief for Residential Ratepayers Policy.		
4.0	Minor amendments	11/05/2021	2021/100
5.0	Minor amendments	24/05/2022	2022/107
6.0	Minor amendments	23/05/2023	2023/101
7.0	Significant rewrite and amendments	26/11/2024	2024/240
8.0	Minor amendments	08/07/2025	2025/114
9.0	Minor amendments	30/06/2026	2026/124

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