



F 1.7 CONCESSIONS ON COMMERCIAL AND FARMING PROPERTIES OCCUPIED BY PENSIONERS/SENIORS

SY093-07/17
APPENDIX A

Policy Objective

To set the method of calculation for pensioner rebates on properties where there is a curtilage, or dual/commercial use.

Policy Scope

This policy applies to the Finance Manager, Finance Officer (Rates and Debtors) and affected ratepayers.

Policy Statement

Introduction

Section 28(2) of the *Rates and Charges (Rebates and Deferments) Act 1992* provides that:

“Where although land is used as the ordinary place of residence of an applicant or registered person it is not the sole use of that land, the administrative authority may apportion the prescribed charge, and any rebate allowable, according to —
(a) the extent to which the land is so used as a place of residence; and
(b) any other use,
on a basis proportionate to the respective uses.”

This provision enables an administrative authority (the Shire of York) to allow a concession, in an equitable way, to the part of the rates levied relating to the residential use of a commercial property, if the circumstances warrant. For example, if a pensioner resides in a house that is on land also used for cropping.

This policy was created to identify the method that the Shire of York will use to calculate the pensioner rebate on curtilage/dual use properties.

Principles

Concessional rebates are applied in a fair and equitable manner for all concessional ratepayers.

Provisions

Provision of a proportionate rebate

A rebate shall only be applied if the resident has demonstrated they are entitled to such rebate by completing the appropriate application form, including provision of their concession details.

The Finance Officer is to verify the concession entitlement using the Centrelink Confirmation eServices for businesses, and the ratepayer's ownership of the property using a Landgate title search.

If the ratepayer is eligible the Finance Officer is to use the following method to calculate the rebate to be applied:

Finance Officer is to ascertain area of property that is solely used for residential purposes. This involves consultation with the applicant as well as mapping tools.

The rates levied are to be portioned based on the respective areas:

$$\left(\frac{\text{Area used for residential purposes only (Ha)}}{\text{Total area of property (Ha)}} \right) \times \text{Rates Levied (\$)} = \text{Portion of rates on which a concession can be applied(\$)}$$

For example if the rates levied are \$2,000, the total property area is 60 Ha and the area solely used for residential purposes is 5 Ha the rates on which a concession would be applied is as follows:

$$\frac{5}{60} \times 2000 = 166.67$$

The concession is to be applied on \$166.67

If the ratepayer is a pensioner, and they are entitled to a 50% rebate, the rebate amount to be claimed from the Office of State Revenue would be \$83.33, calculated as follows:

$$166.67 \times 0.50 = 83.33$$

If the area used for residential purposes cannot be determined then an arbitrary two (2) hectares is to be used as permitted by the Office of State Revenue.

The Finance Manager is to ensure compliance with this policy.

Key Terms/Definitions

Not Applicable

Policy Administration

Responsible Directorate/Division: Finance Department

Author/Contact Officer Position: Finance Officer

Relevant Delegation: Not Applicable

Relevant Legislation: *Rates and Charges (Rebates and Deferments) Act 1992* – Section 28(2)

Relevant Documents: Procedural Manual, as at July 2016, Issued under the *Rates and Charges (Rebates and Deferments) Act 1992*. Department of Finance, Office of State Revenue.

Date Adopted: TBC

Reviews/Amendments TBC

To the Executive Manager,

Corporate and Community Services.

SHIRE OF YORK	
FILE	FI.RTS.13
OFFICER	INITIALS
ANNEXE	
- 4 JUL 2017	
11610 26	
REFERRED TO COUNCIL	
DATE	INITIALS

I , like many veterans Have chosen York as our home as it is very convenient to medical services and specialist's in the city . People who have laid down their lives and mentality to keep peace and safety to the Australian people so they can try and have a Normal existence . People who have PTSD. Need to have an environment that they need to be safe in and this is why they choose an agricultural environment to spend their rest of their life . The do not want a shire who want to hassle them with Exhorbent shire rates and taxes they deserve better than that and an appreciated shire would recognise just that ,

I suggest that a research needs to be carried out and see when the first world war commenced and the Australian parliament through legislation suspended Rates and tax's in 1937 and was never reinstated ever . So it seems that all shires in Australia have been paying an illegal tax since the end of the end of the second world war .

I agree that rates need to be payed by the users I.E. road maintenance , road side bin service water etc.This does not happen in all area's outside of town . If rates need to be payed then no more than 50% of the average . I know of many people wanting to leave this shire because of the aggressive attitude the Shire has . Pensioners and D.V.A.pensioners have not had a increase in their pensions for a very long time . PLEASE DO NOT MAKE IT HARDER ON THE VETERANS THAT WERE PREPARED TO LAY DOWN THEIR LIVES FOR AUSTRALIA . I must emphasise as well that Police, Fire-fighters and ambulance are well and truly within this category

Regards Norm Whitburn

Assessment number A60819





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