

NOT-FOR-PROFIT ORGANISATIONS PARTIAL REBATE OF GENERAL RATES POLICY

OVERVIEW

Brisbane City Council has resolved to grant a partial rebate to not-for-profit organisations that have made an Application to Council that has been approved and meets the Eligibility Criteria set out in this policy.

This policy sets out:

- (a) the criteria for determining whether a non-for-profit organisation is eligible for a partial rebate of general rates
- (b) Council's assessment and approval process for such applications
- (c) the effect of Council approving an Application made in accordance with this policy and
- (d) any conditions that apply to the grant of the partial rebate of general rates.

LEGISLATION

Council may, by resolution, grant a ratepayer or a ratepayer who is a member of a stated class of ratepayers a concession for rates and charges in accordance with Chapter 4, Part 10 of the *City of Brisbane Regulation 2012*.

DEFINITIONS

Community Housing Rent Policy means the Community Housing Rent Policy dated September 2013 published by the Queensland Government, through the Department of Housing and Public Works, as amended, supplemented or replaced from time to time.

community services:

- (a) means:
 - (i) services or activities that promote and encourage social cohesion, the furthering of multiculturalism or the support of identifiable groups who may require specific support due to age, gender, religion, ethnicity, health, disability, or some other factor that sets a group apart from the general community
 - (ii) essential services provided or supported on a volunteer basis
 - (iii) services that encourage the appreciation and/or protection of the environment
 - (iv) services that preserve and promote the appreciation of culture or heritage and
- (b) includes services such as non-formal youth education and training, youth activities, personal development, cultural or ethnic activities supporting a cohesive multi-cultural society, community education, environmental awareness, social justice, arts and heritage conservation and promotion, any other activity or service which is provided by a group of volunteers that enhances the liveability, cultural diversity, environment or social cohesiveness of the Brisbane community.

demonstrably subsidised basis means any service provided within the definition of essential welfare or community services for which a fee is paid, where the organisation can demonstrate that such fees are manifestly less than what might be charged by a 'for-profit/commercial' provider.

financial year has the meaning given to it in the Resolution of Rates and Charges.

general rates means general differential rates, post application of rate capping.

lessee:

- (a) means either the sole lessee, or (where there is more than one lessee) each of the lessees of rateable land under a lease or permit to occupy granted by the Queensland Government or the Australian Government that includes an obligation on the lessee to pay rates and charges as though the lessee is the registered owner of the rateable land
- (b) excludes a sub-lessee of a holder of a lease or a permit to occupy from the Queensland Government or the Australian Government.

rating quarter has the meaning given to it in the Resolution of Rates and Charges.

residential accommodation services mean residential accommodation services provided to:

- (a) persons suffering some form of disablement whether by medical condition or age and consequently requiring daily care or supervision to provide meals, assist with personal hygiene, provide safety or any other essential function in supporting the resident in a degree of independent living or
- (b) legitimate asylum seekers or refugees provided that all of the residents:
 - (i) have limited financial capacity due to restricted welfare support and/or opportunities of paid employment and
 - (ii) are deemed legitimate asylum seekers or refugees by the Australian Government's Department of Home Affairs.

Resolution of Rates and Charges means the resolution of Council contained in Council's Annual Plan and Budget 2024-25, setting rates and charges applicable for the 2024-25 financial year.

welfare services:

- (a) means:
 - (i) disability support services including support, education, therapy, respite or other forms of assistance to the aged or people with disabilities or chronic illness and/or their carers
 - (ii) social support services including practical support such as emergency accommodation, food, clothing, counselling or any other form of assistance to socially disadvantaged members of the general community and
- (b) includes services such as counselling, education, research support, vocational training for the disadvantaged, advocacy, respite care, family support, substance dependence education, counselling and rehabilitation, referral, life education, sheltered workshops, guide dog training, social work, or any other service which supports or enhances the quality of life of its clients.

POLICY

Council grants a partial rebate of general rates to approved not-for-profit organisations who continue to meet the Eligibility Criteria to assist those organisations in achieving or enhancing their principal objectives.

APPLICATION PROCESS

Organisations that meet the Eligibility Criteria may make an application to Council in the approved form for the not-for-profit organisations partial rebate of general rates (**Application**).

The approved form is available on Council's website or from any Council Customer Centre.

An Application must be completed for each separate parcel of rateable land.

An organisation is not required to make an Application, if:

- (a) Council has previously approved an Application in this financial year in relation to the relevant rateable land (or an application in any of the four financial years immediately before this financial year) and
- (b) the organisation met the eligibility criteria when the relevant application was made and maintained its eligibility for the partial rebate of general rates on and from the relevant approval date, including any changes that may have been made to such eligibility criteria from one year to the next.

ELIGIBILITY CRITERIA

To be eligible to make an Application for a partial rebate of general rates, an organisation must be:

- (a)
 - (i) the sole registered owner of rateable land to which the Application applies or
 - (ii) the Lessee of rateable land to which the Application applies
- (b) be established for the purpose of providing or supporting welfare services or community services in the Brisbane local government area
- (c) provide welfare services or community services free of charge or on a demonstrably subsidised basis
- (d) be recognised as an “income tax exempt charity” and a “deductible gift recipient” by the Australian Taxation Office
- (e) hold current registration as a “public benevolent institution” or a “health promotion charity” with the Australian Charities and Not-for-Profits Commission
- (f) not receive a rebate under Council’s *Not-for-profit Affordable Housing Providers Partial Rebate of General Rates Policy* or under Council’s *Not-for-profit Kindergartens Partial Rebate of Rates and Charges Policy* for the financial year
- (g) have a rate account for the rateable land that is clear of all indebtedness as at the last day of the rating quarter
- (h) if the organisation provides residential accommodation services for periods longer than six months for a fee, be able to demonstrate that:
 - (i) 100% of the fee for the residential accommodation service is on a demonstrably subsidised basis and
 - (ii) the provision of the accommodation is consistent with the Community Housing Rent Policy,

(together the **Eligibility Criteria**).

ASSESSMENT AND APPROVAL BY COUNCIL

Upon receipt of an Application, Council must:

- (a) consider and decide each Application against the Eligibility Criteria and
- (b) give the organisation a notice of its decision to:
 - (i) approve the Application (the **Approval Date**) or
 - (ii) refuse the Application.

Council may request additional information or proof that the organisation meets the Eligibility Criteria at any time after the Application is received by Council.

If the organisation does not provide the additional information or proof requested by Council within 30 days of the date of Council’s request, the Application is deemed to have lapsed.

EFFECT OF APPROVAL BY COUNCIL

The date of entitlement to the not-for-profit organisation partial rebate of general rates is the Approval Date and each day thereafter that the organisation continues to meet the Eligibility Criteria.

The rebate will be applied on a pro-rata basis on and from the Approval Date for that rating quarter.

Entitlement to the not-for-profit rebate of general rates will continue while the relevant organisation complies with the Eligibility Criteria in this policy.

QUANTUM OF PARTIAL REBATE

The amount of the partial rebate of general rates is set out in the Resolution of Rates and Charges.

CONDITIONS

1. The organisation must ensure that the rate account is paid in full by the due date of each rating quarter.
2. The organisation must immediately notify Council if, at any time during the financial year it ceases to meet the Eligibility Criteria.
3. Council may audit the eligibility of an organisation in relation to its eligibility for the not-for-profit organisation partial rebate of general rates at any time and may:
 - (a) request the organisation to provide any reasonable information to confirm that the organisation continues to meet the Eligibility Criteria and
 - (b) inspect or re-inspect the rateable land.
4. If the organisation fails to provide any reasonable information requested by Council in accordance with Condition 3 within 30 days of such request, the organisation will be deemed to cease to meet the Eligibility Criteria and Council must issue a notice stating the date upon which the eligibility ceased. The organisation may make a fresh Application for the not-for-profit organisation partial rebate of general rates.

AUTHORITY

Council Resolution, 20 June 2024.

POLICY OWNER

Chief Financial Officer, Corporate Finance, Organisational Services.

FURTHER ASSISTANCE

For further assistance, please contact the Revenue and Grants Team, Corporate Finance, Organisational Services.

RELATED INFORMATION

This policy relates to Council's Revenue Policy, Revenue Statement and Resolution of Rates and Charges presented to Council for adoption on 12 June 2024.

REVIEW DATE

Not applicable. This policy will expire on 30 June 2025.