



# **OPERATING GUIDELINES**

## *RESIDENTIAL OWNER OCCUPIER GRANT*

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## **INTRODUCTION**

Council's previous financial incentives for residential owner-occupiers confirm its strategic commitment to encouraging residential owner occupation in the City. This has been achieved in previous years by using rate rebates to provide a financial incentive relative to other forms of occupation. Council intends to continue providing a financial incentive in the form of the Residential Owner Occupier Grant ('the grant').

The grant scheme was introduced in 2006/2007 and supports the Council's Strategic Management Plan goal of increasing the permanent resident population of the City.

### **Legislative and Policy Framework**

The grant is determined in accordance with Section 137 of the Local Government Act 1999, which states:

*"Subject to this or another Act, a council may expend its funds as the council thinks fit in the exercise, performance or discharge of its powers, functions or duties under this Act or other Acts"*

## **GUIDELINES FOR APPLICATION**

### **1. Application**

The grant will automatically be credited (without the requirement for an application) against the rates of eligible residential ratepayers who received the grant in the previous rating year.

Other residential owner occupiers can establish their eligibility for the grant by submitting an application in writing before 31 December of the current rating year (1 July – 30 June). Applications must clearly identify the grounds for eligibility and provide proof where applicable.

### **2. Calculation of the Grant**

The Grant of \$125 will be applied to the residual amount of the general differential rate after the application of state government and council remissions. The method of calculation will be 50% of the residual general differential rate to a maximum of \$125.

The grant amount will be displayed on the quarterly rate notice as a non-rate item that reduces the amount payable.

### **3. Eligibility**

To be eligible to receive the Grant the beneficiary must meet the following criteria on the last day for payment of the first instalment of council rates for the relevant financial year (this is usually 1 September):

- The land must be rateable and assessed based on residential differential rates. Non-residential properties are not eligible.

- The beneficiary must be a residential occupier at the property and appear on the Certificate of Title as an owner, except where a Rates and Taxes Agreement is in place.
- The property must be the principal place of residence of the beneficiary. Evidence to support eligibility includes (but is not restricted to):
  1. Eligibility for a pension concession at the residential address as confirmed by SA Water.
  2. Eligibility for a self-funded retiree concession at the residential address as confirmed by Revenue SA.
  3. Enrolment on the House of Assembly Electoral Roll at the residential address.
  4. Completion of Residential Enrolment for Adelaide City Council Voters Roll (Form 2 under the Local Government (Elections) Act 1999).
  5. Completion and signing of a Rates and Taxes Agreement by both the occupier and owner of the residential property.
- In the case of joint ownership of a property, with one of the owners residing elsewhere, only the resident owner is eligible (i.e. any reduction is apportioned accordingly)
- The beneficiary must be a natural person, i.e. corporate entities are not eligible to receive the grant.
- Beneficiaries of a mandatory or discretionary rebate on council rates (Sections 159 to 166 of the Local Government Act 1999) cannot also benefit from this grant
- The benefit of this grant shall be determined in accordance with the above eligibility criteria as assessed by the Chief Executive Officer or their delegate.

#### **4. Revocation of the Grant**

Beneficiaries of the grant must satisfy the criteria outlined above on the due date of the first instalment of council rates (usually 1 September). Council may revoke or request repayment of the grant in certain circumstances.

Principally, this will be when the beneficiary is found not to be an owner and occupier of the relevant property at the eligibility date. This may include instances where the property title has been transferred, occupation has changed, or where evidence arises to negate eligibility.

#### **5. Grievance Procedure**

Council is committed to transparent decision making processes and to providing access to a fair and objective procedure for the review of decisions. Council's

Grievance Procedure has been adopted in accordance with Section 270 of the Local Government Act 1999.

If a ratepayer has any queries or concerns about their grant payment or application, they should in the first instance contact the rates staff. All attempts will be made to resolve concerns quickly and efficiently without the need for a formal grievance application to be lodged. If, however, the ratepayer feels that their concerns are not being adequately dealt with, the grievance procedure allows them to seek further clarification or redress.

Assessment Number: .....



Rates & Valuation Section

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## ***Application for Residential Owner Occupier Grant***

### **Details of Applicant**

Name & Address: .....

Telephone or E-mail: .....

### **Details of Land**

Address: .....

Owner(s) of Land: .....

Occupier(s) of Land: .....

### **Residential Owner Occupier Grant Eligibility**

To be eligible to apply for the grant, the beneficiary must meet the following criteria **as at 1 September**:

- The land must be rateable and assessed based on residential differential rates.
- Non-residential properties are not eligible.
- The beneficiary must be a residential occupier at the property and appear on the Certificate of Title as an owner, except where a Rates and Taxes Agreement is in place.
- The property must be the principal place of residence of the beneficiary.
- In the case of joint ownership of a property, with one of the owners residing elsewhere, only the resident owner is eligible.
- The beneficiary must be a natural person, i.e. corporate entities are not eligible to receive the grant.

**Evidence to Support Eligibility of Principal Place of Residence**

- Eligibility for a pension concession at the residential address, as confirmed by SA Water, or
- Eligibility for a self funded retiree concession at the residential address, as confirmed by Revenue SA, or
- Enrolment on the House of Assembly Electoral Roll at the residential address, or
- Completion of Residential Enrolment for Adelaide City Council Voters Roll (Form 2 under the Local Government (Elections) Act 1999), or
- Completion and signing of a Rates and Taxes Agreement by both the occupier and owner of the residential property.
- Other documentary evidence (please specify).....  
.....

**Important Information**

Application forms and all additional information are to be received by 31 December of the current rating year (1 July – 30 June 2010).

It is an offence for a person or body to make a false or misleading statement or representation in this application.

If a person has the benefit of a Residential Owner Occupier Grant and the grounds on which the grant has been approved cease to exist, the person must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a grant ceases.

The Council may determine that an entitlement to a grant no longer applies.

~ FOR FURTHER DETAILS PLEASE REFER TO THE RESIDENTIAL OWNER OCCUPIER GRANT OPERATING GUIDELINES ~

***I declare that the information I have provided on and/or attached to this application form is true.***

**Signature:** ..... **Date:** .....

## Rates and Taxes Agreement

Regarding Adelaide City Council assessment number ..... (assessment number)

this agreement made ..... (date)

between ..... (owner/s)

of ..... (address)

and ..... (occupier/s)

of ..... (address)

### WHEREAS

the occupier(s) ..... (occupier/s)

reside(s) at the property known as .....

..... (property where remission is sought)

in the following capacity:

- (i) no rent is payable; **and**
- (ii) the tenure is for the life of the occupier and not subject to earlier determination except by the occupier; **and**
- (iii) the occupier is liable for all rates and taxes.

### I DECLARE THAT THE INFORMATION PROVIDED ON THIS FORM IS TRUE

Signed ..... (owner/s)

..... (applicant/s)

Daytime contact ..... (occupier's telephone number)