

Pensioner Rates Concession Policy

Local Government Act 2009



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1. Policy Statement

Townsville City Council (Council) will provide rates concession to assist approved pensioner ratepayers.

2. Principles

Pensioners occupying their own homes should be supported.

3. Scope

This policy applies to the levying of rates upon residential properties of pensioners approved under this policy:

- prior to 01 July 2025; and
- post 01 July 2025.

4. Responsibility

The General Manager, Commercial and Financial Services is responsible for ensuring this policy is understood and followed by all workers involved in administering pensioner rates concessions.

5. Definitions

Term	Definition	
Approved Pensioner	Pre-01 July 2025	<p>a person who:</p> <ul style="list-style-type: none">• is and remains throughout the rating period, the holder of a Queensland Pensioner Concession Card issued by Centrelink or Department of Veterans' Affairs Health Card (All Conditions within Australia) or Department of Veterans' Affairs Health Card (Totally and Permanently Incapacitated);• is the owner or life tenant (either jointly or solely) of the property which is their principal place of residence;• is either solely or jointly with a co-owner, legally responsible for the payment of rates and charges for the specified property as defined in this policy.
	Post-01 July 2025	<p>a person who:</p> <ul style="list-style-type: none">• is and remains throughout the rating period, the holder of one of the following Queensland cards:<ul style="list-style-type: none">○ Pensioner Concession Card issued by Centrelink or the Department of Veterans' Affairs; OR

Term	Definition
	<ul style="list-style-type: none"> ○ Repatriation Health (GOLD) Card - (Full conditions only) issued by the Department of Veterans' Affairs. • is the owner or life tenant (either jointly or solely) of the property which is their principal place of residence; • is either solely or jointly with a co-owner, legally responsible for the payment of rates and charges for the specified property as defined in this policy. <p>Holders of Seniors Cards, Health Care Cards, Health Benefits Card and Repatriation Health Care Card for Specific Conditions do not qualify for Council or State Government Concessions.</p>
Full Pension	means the maximum level of a payment received as an approved pensioner.
Owner	as defined in the <i>Local Government Act 2009</i> .
Part-Pension	where a payment is received as an approved pensioner that is not the maximum amount.
Pension	a pension, allowance or benefit paid under a law of the Commonwealth or State.
Spouse	<p>means a person's partner:</p> <ul style="list-style-type: none"> • in marriage; or, • a de facto relationship where 2 persons are living together as a couple on a genuine domestic basis but who are not married to each other or related by family. <p>Refer to section 32DA of the <i>Acts Interpretation Act 1954</i>.</p>
Workers	includes employees, contractors, volunteers and all others who perform work on behalf of Council.

6. Policy

Council will provide rates concessions to approved pensioners as outlined below:

- pre-01 July 2025 ([section 6.1](#)); and
- post-01 July 2025 ([section 6.2](#)).

6.1. Pensioner Rates Concession Pre-01 July 2025

6.1.1 Rates Concession for Applications Approved Prior to 01 July 2025

For existing recipients of Council's Pensioner Rates Concession (pre-01 July 2025), the maximum concession available is \$800 each year. The concession available to each approved pensioner will be calculated by reference to:

- the proportion of a full pension that the ratepayer receives; and
- the percentage of ownership as per [section 6.1.2](#).

That is, if an approved pensioner receives:

Classification	Description
a full pension	The property will qualify for the maximum pensioner rates concession of \$800 each year where all owners are in receipt of a full pension.
a part-pension	<p>The property will qualify for a pro-rata portion of the maximum pensioner rates concession equivalent to:</p> <ul style="list-style-type: none">• the percentage of a full pension that they receive in the form of a part-pension, excluding any additional benefit or allowance; and• the percentage of ownership.
an allowance or benefit (other than under the <i>Military Rehabilitation and Compensation Act 2004</i>) and not a pension or part-pension	<p>The property will qualify for a pro-rata portion of the maximum pensioner rates concession equivalent to:</p> <ul style="list-style-type: none">• the percentage of a full pension that they receive in the form the additional benefit or allowance; and• the percentage of ownership.
a payment under the <i>Military Rehabilitation and Compensation Act 2004</i>	<p>The property will qualify for a pro-rata portion of the maximum pensioner rates concession calculated;</p> <ul style="list-style-type: none">• by reference to their assessed impairment points as advised by Department of Veterans' Affairs, on the basis of 60 impairment points being equivalent to 75% of a qualifying pension and 80 impairment points being equivalent to 100% of a qualifying pension.• If they also receive a qualifying pension, then the pensioner rates concession will be calculated by adding the <i>Military Rehabilitation and Compensation Act 2004</i> based concession to the pension-based

Classification	Description
	concession, (up to 100% of the maximum pensioner rates concession); and <ul style="list-style-type: none"> the percentage of ownership.
an Australian qualifying supplementary pension payment in addition to a qualifying foreign pension payment	The concession of general rates will be assessed according to: <ul style="list-style-type: none"> the total amount of Australian dollar being received, after converting the foreign pension payment to Australian dollars at the current conversion rate applicable at the date of concession application; adding that to the Australian dollar qualifying supplementary pension payment being received.

No pensioner rates concession is applicable where only a foreign pension payment is being received.

6.1.2 Ownership

In cases of co-ownership, the pensioner rates concession (pre-01 July 2025) will apply only to the approved pensioner's proportionate share of the general rates as:

- recorded on the title for the property on Titles Queensland records; and
- advised to Council on the property transfer information for change of ownership and rates purposes.

This method of determining an approved pensioner's proportionate share will apply except when the co-owners are:

- an approved pensioner and a bank, other financial institution, or government department where the latter holds joint title for debt security purposes and has no responsibility for rates, charges or other costs of maintaining the property. In this situation, the tenure is to be treated as sole ownership and the pensioner rates concession processed as if the pensioner were the sole owner; or,
- an approved pensioner and their spouse, but the spouse does not reside at the property. In these circumstances, it must be established that the approved pensioner is wholly responsible for the payment of all rates and charges levied in respect of the property. The approved pensioner's responsibility for payment of all rates and charges in this circumstance must be established to the satisfaction of Council by sighting and placing on file a copy of a court order or statutory declaration completed by the applicant. In this situation, the tenure is to be treated as sole ownership and the pensioner rates concession processed as if the pensioner were the sole owner.

Under no circumstances is a pensioner to be regarded as an owner or co-owner unless:

- they are listed by name as an owner on the registered title for the property; or,
- it can be clearly established that the title to the property is held in the name of a bank, other financial institution or government department for debt security reasons and the pensioner has not been relieved of the responsibility to pay all rates and charges levied in respect of the property; or,

- the pensioner is eligible as a life tenant to receive the pensioner rates concession as set out in the next part of this policy.

The criteria for determining eligible life tenants will be that:

- the pensioner must not have a major ownership interest in any other residential property (in Townsville or elsewhere);
- the life tenancy must be created by a valid will which applies to the property in question, or by a Supreme or Family Court order; and,
- there must be no provision in the will or court order which would relieve the life tenant of the obligation to pay the rates and charges levied in respect of the property.

6.1.3 Tenancies

With the exception of life tenancies as described in [clause 6.1.2](#) of this policy, tenancies of any other sort (including life-time leases) are not regarded as the type of tenure that would entitle the pensioner to the pensioner rates concession even though they might be responsible for payment of rates and charges. Strict adherence to this principle is important to avoid breaking into areas which are, or are very close to, normal lease or rental.

6.1.4 Residential Requirements

The pensioner rates concession (pre-01 July 2025) is available only in respect of rates levied on an approved pensioner's principal place of residence located in Townsville, and while the pensioner is residing on the property.

For the purpose of determining whether an approved pensioner's residence constitutes their principal place of residence, Council will consider the following:

- the address shown on any driver's licence held by the pensioner;
- the address of the pensioner as recorded on any State Electoral Roll;
- the branch and state where their Services Australia or Department of Veterans' Affairs file is held;
- the state and the address shown on their Pensioner Concession Card;
- whether or not the residence to which the application refers is rented or how otherwise occupied during their absences; and,
- whether or not they receive any pensioner rating concessions on other property/s in Australia and if so the type and level of concessions being received.

The words "principal" and "residence" are to be given their normal meaning. The principal place of residence must be located in the Council area. Under no circumstance is an approved pensioner to receive a pensioner concession in respect of the same period for more than one property that is their principal place of residence, within or outside the Council area.

When a pensioner, for reasons of ill health or infirmity does not permanently reside in the principal place of residence but instead:

- resides in a nursing home; or
- similar type accommodation where personal care is available on site and provided as required; or
- with family or friends,

a pensioner rates concession may be allowed in respect of the pensioner's principal place of residence if it is not occupied on a paid tenancy basis during the absence of the approved pensioner

owner/s. The pensioner must satisfy Council that the residence is not occupied on a paid tenancy basis and that the approved pensioner, as property owner, is responsible for the payment of rates and charges levied in respect of the property.

In cases where a pensioner owns a multi-unit property, commercial property or a rural property which is their principal place of residence, the pensioner rates concession may be applied to that property. The provision of the maximum pensioner rates concession has been included to prevent unduly large concessions being granted in such cases.

Notwithstanding these ownership requirements, when the sole registered owner dies and is, at the time of death, an approved pensioner in receipt of the pensioner rates concession (pre-01 July 2025), the surviving spouse will be entitled to the pensioner rates concession (pre-01 July 2025) on a pro-rata basis from the date of their spouse's death, provided that:

- they are eligible to be an approved pensioner at the time of their spouse's death;
- title to the property has been or will be recorded with the surviving spouse as the registered owner; and,
- Council is satisfied that the transmission of the title occurs within a reasonable time. The surviving spouse is to be encouraged to expedite the transfer of the property's title.

6.1.5 Trusteeships

In the case of property held in trust, in order to be considered for eligibility, the applicant must be considered by Council to have legal responsibility for payment of all rates and charges levied in respect of the property, regardless of whether the applicant is the trustee or the beneficiary of the trust

6.1.6 Withdrawal or Cessation of Pensioner Rates Concession

Pension concessions approved prior to 01 July 2025 under this policy will cease when:

- approved pensioners no longer meet the required eligibility criteria; or,
- it's to the pensioner's financial benefit to move to the post-01 July 2025 concession (i.e. part-pension calculated under the pre-01 July 2025 policy is less than \$200 per year); or
- on the date of death of the approved pensioner (except as documented in 6.1.4 for surviving spouse); or,
- on the date that the approved pensioner's property is sold.

Upon the sale of the property, it is the pensioner's responsibility to ensure that usual conveyancing practice is applied and an adjustment (based on the pensioner concession entitlement at the time of sale and normal rate charges thereafter) made at settlement. Council will not make refunds or allow further concessions as a consequence of this adjustment not being performed.

Following the cessation of the Pensioner Rates Concession (pre-01 July 2025) for any of the reasons above, the property owner(s) will no longer be eligible to apply for this concession under this policy.

6.1.7 Administration

6.1.7.1 Applications Received after 01 July 2025

Council will not accept new applications for this concession after 01 July 2025 unless:

- a joint owner was in receipt of a pension concession under this policy prior to 01 July 2025;

- their spouse or another joint owner became eligible for the pension concession after 01 July 2025;
- both co-owners reside at the property; and,
- it's to the owner's financial benefit to remain under this policy.

All other applications received after 01 July 2025 will be reviewed under Council's Pensioner Rates Concession (post-01 July 2025) - refer to [section 6.2](#) of this policy.

6.1.7.2 Eligibility

Council will verify eligibility for the pensioner rates concession (pre-01 July 2025) on at least an annual basis by obtaining from the pensioner:

- authority for Council to verify with the relevant Commonwealth Agency (Services Australia or Department of Veterans' Affairs) either by electronic data matching; or
- authority for Council to use Services Australia Confirmation eServices (online enquiry) to perform a Services Australia/Department of Veterans' Affairs enquiry to confirm eligibility and status of your current concession; or
- a copy of a written verification from the relevant Commonwealth agency.

If Council is unable to confirm eligibility, the pensioner rates concession approved prior to 01 July 2025 will cease, and the pensioner will have to re-apply under the Pensioner Rates Concession (post-01 July 2025) - refer to [section 6.2](#) of this policy.

6.1.7.3 Pro-Rata Calculations

When pensioner concessions are applied to rates on a property during only part of a rating period - such as upon the death of a pensioner or the purchase or the sale of the property - Council will calculate rates having regard to the dates of change evidenced by the property transfer information or other official advice forwarded to Council regarding change of ownership.

6.2. Pensioner Rates Concession Post-01 July 2025

6.2.1 Rates Concession Per Property

Classification	Description
a full pension	The property will qualify for the maximum pensioner rates concession of \$400 each year where all owners are in receipt of a full pension.
a part-pension	The property will qualify for a partial concession of \$200 each year where: <ul style="list-style-type: none"> • Not all owners are approved pensioners • Not all owners are in receipt of a full pension

Pensioners who are holders of a Centrelink Pensioner Concession card will be assessed through services Australia to obtain an income confirmation to determine the applicable concession.

Pensioner who are the holders of a Department of Veteran Affairs (GOLD CARD) will be assessed as being in receipt of a full pension.

No pensioner rates concession is applicable where only a foreign pension payment is being received.

All annual applications must be confirmed by written advice from Services Australia.

6.2.2 Ownership

In order to receive the maximum concession all owners must be in receipt of the full pension.

Under no circumstances is a pensioner to be regarded as an owner or co-owner unless:

- they are listed by name as an owner on the registered Title for the property; or,
- it can be clearly established that the title to the property is held in the name of a bank, other financial institution or government department for debt security reasons and the pensioner has not been relieved of the responsibility to pay all rates and charges levied in respect of the property; or,
- the pensioner is eligible as a life tenant to receive the pensioner rates concession as set out in the next part of this policy.

The criteria for determining eligible life tenants will be that:

- the pensioner must not have a major ownership interest in any other residential property (in Townsville or elsewhere);
- the life tenancy must be created by a valid will which applies to the property in question, or by a Supreme or Family Court order; and,
- there must be no provision in the will or court order which would relieve the life tenant of the obligation to pay the rates and charges levied in respect of the property.

6.2.3 Tenancies

With the exception of life tenancies as described in [clause 6.2.2](#) of this policy, tenancies of any other sort (including life-time leases) are not regarded as the type of tenure that would entitle the pensioner to the pensioner rates concession even though they might be responsible for payment of rates and charges. Strict adherence to this principle is important to avoid breaking into areas which are, or are very close to, normal lease or rental.

6.2.4 Residential Requirements

The pensioner rates concession is available only in respect of rates levied on an approved pensioner's principal place of residence located in Townsville, and while the pensioner is residing on the property.

For the purpose of determining whether an approved pensioner's residence constitutes their principal place of residence, Council will consider the following:

- the address shown on any driver's licence held by the pensioner;
- the address of the pensioner as recorded on any State Electoral Roll;
- the branch and state where their Services Australia or Department of Veterans' Affairs file is held;
- the state and the address shown on their Pensioner Concession Card;
- whether or not the residence to which the application refers is rented or how otherwise occupied during their absences; and,
- whether or not they receive any pensioner rating concessions on other property/s in Australia and if so the type and level of concessions being received.

The words “principal” and “residence” are to be given their normal meaning. The principal place of residence must be located in the Council area. Under no circumstance is an approved pensioner to receive a pensioner concession in respect of the same period for more than one property that is their principal place of residence, within or outside the Council area.

When a pensioner, for reasons of ill health or infirmity does not permanently reside in the principal place of residence but instead:

- resides in a nursing home; or
- similar type accommodation where personal care is available on site and provided as required; or
- with family or friends,

a pensioner rates concession may be allowed in respect of the pensioner’s principal place of residence if it is not occupied on a paid tenancy basis during the absence of the approved pensioner owner/s. The pensioner must satisfy Council that the residence is not occupied on a paid tenancy basis and that the approved pensioner, as property owner, is responsible for the payment of rates and charges levied in respect of the property.

In cases where a pensioner owns a multi-unit property, commercial property or a rural property which is their principal place of residence, the pensioner rates concession may be applied to that property. The provision of the maximum pensioner rates concession has been included to prevent unduly large concessions being granted in such cases.

Notwithstanding these ownership requirements, when the sole registered owner dies and is, at the time of death, an approved pensioner in receipt of the pensioner rates concession, the surviving spouse will be entitled to the pensioner rates concession on a pro-rata basis from the date of their spouse’s death, provided that:

- they are eligible to be an approved pensioner at the time of their spouse’s death;
- title to the property has been or will be recorded with the surviving spouse as the registered owner; and,
- Council is satisfied that the transmission of the title occurs within a reasonable time. The surviving spouse is to be encouraged to expedite the transfer of the property’s title.

6.2.5 Trusteeships

In the case of property held in trust, in order to be considered for eligibility, the applicant must be considered by Council to have legal responsibility for payment of all rates and charges levied in respect of the property, regardless of whether the applicant is the trustee or the beneficiary of the trust.

6.2.6 Withdrawal or Cessation of Pensioner Rates Concession

Pension concessions will cease when:

- approved pensioners no longer meet the required eligibility criteria; or,
- on the date of death of the approved pensioner; or,
- on the date that the approved pensioner’s property is sold.

Upon the sale of the property, it is the pensioner’s responsibility to ensure that usual conveyancing practice is applied and an adjustment (based on the pensioner concession entitlement at the time of sale and normal rate charges thereafter) made at settlement. Council will not make refunds or allow further concessions as a consequence of this adjustment not being performed.

6.2.7 Administration

6.2.7.1 Late Applications

Unless otherwise provided under this policy, pensioner rates concessions will apply only to rates actually levied subsequently to the application being received by Council.

Council may accept late applications when the applicant met all the eligibility requirements at the commencement of the rating period but had not applied at that time. When a late application is accepted, the pensioner rates concession will apply to the rates levied in the rating period in which the application was received and future rates periods only.

A concession will not be applied retrospectively to previous rating periods other than in exceptional circumstances, in which case a concession may be applied to the immediate prior rates period. The applicant must make a written request advising the reason for the late application. Applicants may be required to obtain payment details and documentation from Services Australia or the Department of Veterans' Affairs to support their application. The application will be reviewed by the General Manager, Commercial and Financial Services or delegated officer, who will decide if backdating to the maximum period will apply.

6.2.7.2 Confirmation of Eligibility

An application is required:

- when applying for the pensioner rates concession for the first time; or,
- when Council needs to re-establish eligibility (e.g. after having a qualifying pension or concession card re-granted, changing the address of the principal place of residence, etc.); or,
- as instructed by relevant Commonwealth agency (Services Australia or the Department of Veterans' Affairs).

6.2.7.3 Initial or Re-established Eligibility

Council will only allow a pensioner rates concession when there are no rates arrears on the property as at the date the application is received.

Application for the pensioner rates concession must be made on the prescribed form and be supported by a statement from Services Australia or the Department of Veterans' Affairs containing details of the type and amount of pension received along with a copy of both sides of the applicant's current qualifying pension or concession card.

When interstate pensioners move permanently to Queensland, Services Australia and the Department of Veterans' Affairs may not immediately issue a Queensland card. In the interim, an application may be accepted if Council is satisfied that the pensioner's permanent place of residence is now located in Townsville. For example, proof of residence could be met by the pensioner providing a letter of confirmation of payment from Services Australia or the Department of Veterans' Affairs listing the address of the property on which the pensioner concession is being claimed.

6.2.7.4 Continuing Eligibility

Council will verify continuing eligibility for the pensioner rates concession on at least an annual basis by obtaining from the pensioner:

- authority for Council to verify with the relevant Commonwealth Agency (Services Australia or Department of Veterans' Affairs) either by electronic data matching; or,
- authority for Council to use Services Australia Confirmation eServices (online enquiry) to perform a Services Australia/Department of Veterans' Affairs enquiry to confirm eligibility and status of your current concession; or,
- a copy of a written verification from the relevant Commonwealth agency.

If Council is unable to confirm continuing eligibility, the pensioner rates concession will cease, and the pensioner will have to re-apply if they wish to receive the concession.

6.2.7.5 Pro-Rata Calculations

When pensioner concessions are applied to rates on a property during only part of a rating period - such as upon the death of a pensioner or the purchase or the sale of the property - Council will calculate rates having regard to the dates of change evidenced by the property transfer information or other official advice forwarded to Council regarding change of ownership.

7. Legal Parameters

Acts Interpretation Act 1954

Local Government Act 2009

Local Government Regulation 2012

Military Rehabilitation and Compensation Act 2004

8. Associated Documents

Pensioner Rates Concession application form - DVA

Pensioner Rates Concession application form - Centrelink

Rates and Charges Debtor Management Policy

Rate Discount Policy

Revenue Policy