

COMMUNITY HOUSING COUNCIL OF SA INC.

CONCESSIONS AND REBATES PROJECT

EXECUTIVE SUMMARY DISCUSSION PAPER

DECEMBER 2003

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Disclaimer : This paper may contain statements and calculations which have not been verified with the relevant authority and which therefore cannot be relied upon to be accurate. Information in this paper should be checked with the appropriate authority before being used.

GLOSSARY

Abbreviation	Meaning
CHCSA	Community Housing Council of SA Inc
CHO	Community Housing Organisation ie A Housing Association or Housing Co-Operative
DVA	Department of Veterans Affairs
ESL	Emergency Services Levy
FAYS	Family and Youth Services
GST	Goods and Services Tax
ITEC	Income Tax Exempt Charity
LGA	Local Government Association
LGFMG	Local Government Financial Managers Group
OLG	Office of Local Government
PBI	Public Benevolent Institution
RRA	Rates and Land Tax Remission Act 1986
SACHA	South Australian Community Housing Authority
SAIRA	South Australian Rates Administrators Institute Inc
SCU	Special Community Use (land use)
SRML	Save the River Murray Levy
VG	Valuer General

1. Introduction

This is a summary of a much longer Discussion Paper prepared by the Project Officer following research. As such it omits much detail. A copy of the full paper can be obtained on request to the Project Officer or downloaded from the Community Housing Council's website at www.chcsa.org.au.

The Rebates and Concessions Project developed out of longstanding concern among stakeholders in the community housing sector that eligible community housing organisations (CHO's) can experience difficulty in accessing various rebates and concessions for Council rates, water and sewerage rates and the Emergency Services Levy. Concern was deepened by the introduction in 2003 of the Save the River Murray Levy.

Various stakeholders have endeavoured over the years to achieve a fairer and simpler system which would streamline access for eligible CHO's to these rebates and concessions. However progress has been unsatisfactory and it was agreed between the South Australian Community Housing Authority (SACHA) and the Community Housing Council of South Australia (CHCSA) that the best way to achieve progress would be for SACHA to fund a purpose-built project for a period of 12 months with the aim of implementing a streamlined system of access. It was agreed that CHCSA would manage the project with the support of a Reference Group of key stakeholders.

The objectives of the project are to ;

- Clarify current issues and practices by CHO's in accessing rebates and concessions, in liaison with CHO's and other stakeholders;
- Negotiate with CHO's and other stakeholders a more accessible and streamlined set of processes to ensure that SA Water and council rebates and concessions are available to all CHO's, where householders are eligible for such rebates;
- Identify concessions available to CHO's in relation to the Emergency Services Levy (ESL) and negotiate an accessible process for their application.

The Reference Group is comprised of nominees of the following :

- | | |
|-------------------------------|---|
| • PEACH Co-op (Co-ops sector) | • The Women's Housing Association (Associations sector) |
| • CHCSA | • Local Government Association |
| • SACHA | • Office of Local Government |

It was decided that the work of the project would proceed in two phases – a research phase and a change phase. This Discussion Paper summarises work undertaken in the research phase including proposals for change.

The research methodology included :

- Collection of relevant background papers
- Study of relevant legislation
- Discussions with various State officials
- Discussions with the Reference Group
- Surveys of CHO's and Local Government (either personal or by post)
- Discussion at community housing forums

2. The Legislative, Policy and Administrative Framework for Concessions and Rebates

The various rebates and concessions potentially available to CHO's are authorised under the following legislation :

Type of Rate/Levy	Source of Rate/Levy	Rating Authority	Source of Rebate/Concession	Rebate Authority
Council rates	Local Government Act 1999	Local Council	Local Government Act 1999 Rates Remissions Act 1986	Councils SA Water
Water and sewerage rates	Waterworks Act 1932 Sewerage Act 1929	SA Water	Waterworks Act 1932 Sewerage Act 1929 Rates Remissions Act 1986	SA Water SA Water
Emergency Services Levy	Emergency Services Funding Act 1998	Revenue SA	Emergency Services Funding Act 1998	Revenue SA
Save the River Murray Levy	Waterworks Act 1932	SA Water	Waterworks Act 1932	SA Water

The provisions of the Rates Remission Act are applied to CHO's by virtue of the Co-operative and Community Housing Act 1991. Eligibility for a concession under the Act is income-based and is normally established by possession of the relevant card obtained from Centrelink or Department of Veterans Affairs, or by proof of income from Centrelink. This is a uniform scheme across the State. To obtain concession for a property, it must have its own Valuer General number and the resident must be personally eligible. However it may not always be advantageous to obtain concessions for multiple properties on the one water meter.

Rebates of 75% or more of Council rates may be available from a Council for eligible groups under Section 161 of the Local Government Act. This applies to community service organisations providing emergency or supported accommodation. These are organisations which fit specified criteria. The organisation must apply and establish that it fits the criteria. Housing co-operatives are unlikely to comply. Rebates of up to 100% may be available under Section 166 of the Local Government Act. This applies to organisations providing accommodation for the aged or disabled or providing a benefit or service to the local community. Again the organisation must apply and establish a case as the Council has discretion over whether to grant a rebate. Under Section 158, minimum rates cannot be applied to units of supported accommodation or independent living units for the retired within a complex of units.

Under the Water and Sewerage Acts, there are exemptions for charitable organisations. However the rate available may or may not be of advantage compared to the concession under the Rates Remission Act – each property has to be assessed on its merits.

The Save the River Murray levy is a new levy introduced for 2003/2004. The Waterworks Act provides that a CHO is exempt from the levy for a property where the tenant qualifies for a water and sewerage concession.

The Emergency Services Funding Act, which created the Emergency Services Levy, has its own provisions regarding concessions. These are not available to CHO's. There is a provision for remissions to charitable organisations but it is unclear if this has been operationalised. There is also a provision for a concessional rate to land classified as 'Special Community Use'. There is some uncertainty about the capacity of CHO's to access this classification. Also, even if it does access it, the organisation may lose entitlement to concessions under the Rates Remission Act.

The ESL legislation also contains a provision to reduce the fixed component of the levy when an owner owns two or more pieces of contiguous land. This is available to CHO's.

To obtain these various concessions the following processes apply :

Rebate/ Concession	Process
Rates Remissions Act	Lodge written application with SA Water (pensioners) or FAYS (others)
Local Government Act	Lodge written application with Council
Water/Sewerage – charitable rate	Write to SA Water with evidence of status
ESL contiguous land	Submit Revenue SA form
ESL charitable rate	Apply to Valuer General for reclassification of land

Concern has been raised that CHO's could 'double-dip' for concessions under the Rates Remission Act and the Local Government Act. Legislation does not prevent this at present.

3. Consultation with Housing Co-operatives

Co-operatives were consulted by written survey, telephone, in person or at regular forums. Overall it was found that the current process works reasonably well for many co-ops.

Housing co-operatives raised the following key concerns about the current system :

- There are two different bodies to apply to (SA Water and FAYS)
- People who have to apply to FAYS need Centrelink evidence of income and must repeat the process every quarter
- FAYS staff do not always know the process and may not always have forms available
- It can be very difficult to persuade tenants to apply due the time requirements and complexity of the process, and some co-ops have given up
- The process of applying when there are multiple properties sharing a water meter is frustrating
- Forms are poorly designed and are not relevant to co-ops
- Information about the process could be improved

Housing co-ops wanted a number of reforms to the process :

- Preferably a blanket system exempting co-ops automatically, but if not :
- A single form relevant to housing co-ops
- Capacity for co-op to verify eligibility and apply
- A single point of application
- Better information
- Better trained staff
- Single consolidated accounts from SA Water

4. Consultation with Housing Associations

Associations were also consulted by written survey, telephone, in person or at regular forums.

There was widespread lack of knowledge or frustration among housing associations with rebates under the Local Government Act. Applications have been lodged in less than a third of cases where they could. However for those lodged, the success rate was nearly 90%. Decision making can be slow. There was also considerable lack of knowledge of the charitable exemptions under the Water and Sewerage Acts. Knowledge of the contiguous land provision of the ESL was good but knowledge of the Special Community Use provision was poor.

Housing associations reported the following problems with the current process of obtaining rebates and concessions :

- The time and effort involved in ensuring tenants apply, due to complex process and sheer volume of tenants in some cases
- Lack of clear guidelines; inconsistencies
- Problems with FAYS eg inconsistency; lack of knowledge; no forms
- Getting new properties included
- Problems with non-matching addresses
- Councils not willing to backdate concessions like SA Water do
- Difficulties with shared water meters

Associations wanted a similar set of improvements to that suggested by housing co-ops. However associations also wanted Councils to have clearer and more consistent guidelines for Section 161/166 applications.

The success of housing associations with applications under the Local government Act is summarised in the attachment to this Paper.

5. Consultations with Councils

councils were consulted by written survey and by attendance at meetings of local government officers. Generally speaking Councils who had received applications for rebates under Section 161 of the Local Government Act reported approving them. By and large Councils use the definitions of emergency accommodation and supported accommodation provided in the Act but some have their own. There is considerable reliance on legal opinion in assessing applications. There was a wider range of interpretation in respect of Section 166 however, with a sense of Councils feeling their way and the approval rate was much lower.

Most Councils reported no difficulties in administering the provisions of Section 161. Problems identified included :

- Consistency between Local Government.
- Identification of eligibility
- Incomplete form, not enough documentation; lack of understanding of legislation by applicants; lack of understanding of legislation by Council; inconsistency across Councils/Govt departments.
- Require legal opinion in most cases for Section 161 applications.
- Sec 161(3) (c) - does not restrict its services to persons who are members of the body; conflicts with some organisations constitutions which have reference to tenants being members of the body, although apparently there is no restriction to members.

- Site visits to confirm land use; applications for vacant land – cannot provide rebate until land is used for intended purpose; distinguishing owner and lessee – who is responsible for rates; organisations continuing to pay rates until decision is made.
- There have been problems with the interaction of the community services rebate in conjunction with other rebates. We also believe there is difficulty with interpreting the legislation and applying the eligibility criteria which leads to different Councils coming to different conclusions and inconsistency throughout the state.
- Obtaining correct details. Issue of not for profit organisations who think they have automatic entitlement.
- Determining eligibility under the Act as a community service organisation. Determining actual use of property and getting applicants to tick the correct boxes. Many applicants apply under multiple sections/criteria.

There was a considerable degree of support for a centralised application process to determine eligibility of applicants. Greater clarity in the legislation would also be helpful.

For 2003/04, rebates granted totalled \$131,258, covering 245 properties, an average of \$536 per property. However not all Councils providing rebates supplied information, so this figure is incomplete.

6. Options for Streamlining the Current System

a. Introduction

Discussion of reforms can be divided into two areas – a) blanket schemes and b) micro reform of the existing system.

7. Blanket Schemes

Several CHO's and a number of Councils suggested that it should be possible to reform the existing system to provide blanket approval for CHO's for rebates and concessions. The aim of this would be to simplify and stream-line the process for all stakeholders concerned. In a sense approval would become automatic.

There are difficulties with blanket schemes. All the current means of granting rebates and concessions depend on the concept of eligibility. Depending on the legislation, eligibility can revolve around :

- | | |
|----------------------------|-----------------------------|
| • Income | • Charitable status |
| • Community service status | • Service provision status. |

In all cases somebody ultimately has to decide that CHO's are eligible according to these various criteria. Because of the variability between CHO's this may not be an easy matter. Another difficulty is that in some situations there are options and if any of the parameters vary then which option is the best can vary. This is particularly true in regard to water and sewerage rates.

Some schemes are focused on individuals and their status eg as a low income person or a disadvantaged person. This is true of the RRA, for example, which provides what is essentially a means-tested entitlement. Other schemes are focused on properties and the use to which the property is put. This is true of the Local Government Act and the charitable exemption provisions of the Waterworks and Sewerage Acts, for example. In all cases, a determination under existing rules has to be made on the facts in regard to a particular person or a particular piece of property. The concept of exempting an organisation in its own right is alien to the current system.

Hence there are some fundamental dilemmas in trying to design a satisfactory blanket scheme.

Different schemes will be now be discussed separately.

A. Blanket Schemes – Local Government Act Rebates - Section 161

1. Triggers Approach (Preferred Option)

Details :

If a group possesses a certain characteristic this would trigger eligibility. Triggers could include having a funding agreement with SACHA; predominantly housing people who meet government eligibility criteria particularly the needs test; possession of ITEC status; having charitable status; GST exemption status. A combination of triggers could be required.

Comments :

This approach is simple, and easy to administer. SA Water accept ITEC certificates as part-proof of charitable status, so a precedent exists.

2. Definitional Approach

Details :

In this approach terms such as ‘Supported Accommodation’ would be defined by the Office for Local Government following consultation with Local Government, thus providing a standard. Alternatively the Local Government Association could issue guidelines.

Comments :

Simple; Councils could chose whether to participate. The normal practice is for the LGA to issue guidelines not OLG.

3. Regulatory Approaches

Details :

- (1) The Office of Local Government could issue regulations.
- (2) The Local Government Act would be amended to provide for declaration of certain organisations or types of organisation as eligible for a rebate under section 161.
- (3) Definition of ‘supported accommodation’ in the Act would be made more inclusive.

Comments :

Councils would lose discretion but the issue would be clear. This approach could have budgetary implications. It is unlikely the government would act to amend legislation without a clear demonstration of support from local government.

4. Certification Approach

Details :

SACHA certifies that a group is eligible. The size of the rebate could be varied according to **how** eligible. As an alternative the certifier could be the CHC or LGA.

Comments :

This would be simple for Councils. SACHA would need guidance and would have more to do. This approach could be voluntary for Councils and CHO's to participate in.

B. Blanket Schemes – Local Government Act Rebates - Section 166

1. Definitional Approach

Details :

It may be inappropriate to consider a blanket scheme in regard to Section 166 of the Local Government Act because this is by its nature a discretionary provision. However it is possible to devise a voluntary scheme whereby agreed definitions of eligibility are established. Councils would have the choice to join this scheme.

Comments :

Participation in the scheme would reduce the workload for Councils.

C. Blanket Schemes – Rates Remission Act - Water and Sewerage Rates and Council Rates

1. Reimbursement Scheme (Preferred Option)

Details :

CHO's would periodically advise SACHA of the number of eligible tenants, based on information produced by the tenant at the time of income review. The CHO would be allowed to reduce its capital allowance by the amount of the concession involved. SACHA would then claim reimbursement of the amount lost direct from SA Water on a monthly basis.

Comments :

This approach would save time and effort for all. It would build on what CHO's already do and would involve little paperwork for SACHA or SA Water. It would reduce the workload for FAYS and SA Water in processing applications.

2. Certification Approach

Details :

SACHA would use household income data to certify that a certain percentage of the CHO's tenants qualify for a concession based on income source. SA Water and Councils would then apply this percentage to the CHO's total account.

Comments :

This would be a pro rata scheme. It would be easy to administer if SA Water and Councils could issue a single account for each CHO.

3. Averaging Approach

Details :

SACHA would periodically advise SA Water of the percentage of tenants in each CHO whose incomes fall below an agreed figure. SA Water and Councils would apply this percentage to the total rate bill for each CHO. This would be more accurate than the Certification approach but would require more work.

Comments :

CHO's would have to provide a statement of incomes periodically. If this were three-monthly, there would be more work involved. If it was six-monthly, then it would follow on directly from rent reviews and little extra work would be required.

4. Centrelink Approach

Details :

Under this approach, Centrelink would electronically advise SA Water of the names and addresses of eligible tenants. SA Water would match these to properties and grant concession accordingly, thus modifying the account for each property. Any eligible tenants not in the Centrelink system would have to apply separately. Possibly the CHO would need to supply SA Water with a list of properties and tenants, for matching purposes.

Comments :

Centrelink would have to agree to participate. Tenants would have to give Centrelink permission to release the data. SA Water currently do a spot audit of concessionaries so this approach is really an extension of existing practice. Centrelink currently issue a letter confirming eligibility. There may be complications in regard to shared water meters. As an alternative, perhaps the CHO could obtain the verifications en masse from Centrelink.

D. Blanket Schemes – Charitable Rate for Water and Sewerage Rates

1. Certification Approach

Details :

SACHA would certify that the CHO has ITEC status and that its properties are used for charitable purposes. A list of properties would be provided. This would require a different approach by SA Water because the exemption would apply to all properties not on a case-by-case basis as at present.

Comments :

The CHO would have to accept that there could be no fine tuning of the rebate on a per property basis. It is unclear if housing co-operatives could fit this definition. They have ITEC status and appear to fit proposed Commonwealth definitions of a charity, so there may be a case.

E. Blanket Schemes – Save the River Murray Levy

A blanket scheme for the Levy would follow on from one of the above blanket schemes.

F. The Emergency Services Levy

A blanket scheme for the ESL is not feasible without a major change of Government policy to include CHO's as they are currently included via the Rates Remission Act in respect of Council rates and water and sewerage rates. If such a policy decision were to be taken, there would be two options – to either grant complete exemption from the ESL as the Housing Trust is, or to allow access to the income-based concessions available to householders. Exemption could be provided via regulation, as this is provided for in the ESL Act. A blanket scheme for the second possibility could be designed along the lines suggested above for Council rates and water and sewerage rates.

8. Micro Reform of the System

a. Introduction

If it is not possible to introduce one of the blanket schemes discussed above, then there are still many options for reforming the existing system in detail. These reforms should make it easier for CHO's to lodge applications.

b. Council Rates and Water and Sewerage Rates

Most of the reforms suggested by CHO's focused on the process of application for a concession under the RRA. This can be sub-divided into a number of discrete areas : education and training for government officers responsible for administering concessions, education and training for CHO's, application forms, application process and evidencing requirements, frequency of application, and provision of information to applicants.

There have also been concerns about administration of the concession scheme particularly in regard to names and addresses, and reviews.

Education and Training for Government Officers

Both FAYS, SA Water and some Councils were criticised by CHO's for not always being fully informed about eligibility requirements and procedures in regard to rebates and concessions. It is essential that staff be appropriately trained and kept up to date with requirements. It could not be said that this was a widespread problem but it definitely exists and should be addressed, particularly by FAYS as the principal avenue of application.

Education and Training for CHO's

One of the issues which came to light in researching this Discussion Paper is the widespread lack of knowledge of rebate and concession systems and processes among CHO's. There was a widespread lack of knowledge of the Local Government Act rebates, the charitable exemption provisions under the Waterworks Act and Sewerage Act, and the finer points of the RRA such as shared water meters. Acquired knowledge is not being passed on in a systematic way from office holder to office holder or staff member to staff member.

Although there is now much wider and deeper knowledge, it would still be desirable to assist CHO's by producing a Rebates and Concessions Handbook, and by conducting education seminars where CHO's could hear firsthand from government officers knowledgeable in these areas. The CHCSA through the Rebates and Concessions Project could sponsor the first such seminar and they could be repeated from time to time for the benefit of new staff and office holders in CHO's.

Information regarding rebates and concessions for CHO's could also be placed on relevant websites by the responsible agencies, along with application forms.

Application Forms

Current forms are primarily geared towards individual owner-occupiers. In the case of SA Water, the form has been modified slightly to cater for CHO's but a re-design would assist the application process by making it easier to fill out and easier to process. A special form would alert staff to the differences. As mentioned previously there is insufficient room on the current form for the name of the CHO to be inserted.

The current FAYS form is unsuitable for CHO's. FAYS staff have themselves recognised this and suggested that the responses to the questions be manipulated to give the 'correct' answer. What is needed is a separate form for CHO's which recognises their special status under the RRA. This could be an individual form or a group form allowing for several applications at once. However a group form would only work if evidencing requirements were changed as suggested below.

Section A of the current FAYS form could be modified to provide for the name of the CHO as well as the name of the tenant. Section B could then be dropped.

Another possible approach to application forms is to have one consolidated form which covers both applications lodged with SA Water, Councils and FAYS, in respect of CHO's.

It was suggested at the meeting with SAIRA that a better form for Section 161 could be designed. This would assist both applicants and Councils by specifying more precisely the required information.

Application Process and Evidencing Requirements

A frequent concern raised by CHO's was the complexity of the current evidencing processes for individual concessions on Council rates and Water and Sewerage rates.

The obvious difficulty is that the legislation is primarily targeted towards individuals not organisations, and the provision regarding CHO's has in effect been 'squeezed in' to an existing framework. Yet it is the organisation which is the ratepayer and which receives the concession, provided it satisfies certain conditions as specified in legislation. The conditions are that the occupiers of dwellings owned by the group fulfil eligibility criteria as specified in the Act and regulations. If SA Water and FAYS gave recognition to the fact that it is the group not the individual who is the applicant, with individual status only a trigger for group eligibility, then a different approach would become possible.

This leads to consideration of evidencing requirements, under the Rate Remission Regulations. The regulations focus on an **eligible person**, required to pay rates for his/her **principal place of residence**, on a **specified date**.

At present the applicant for a concession must produce evidence of entitlement, usually in the form of a Commonwealth or State concession card or a Centrelink Income Statement. The evidence must be produced to a specified person – a Council officer, SA Water officer, FAYS officer, police officer, JP, or proclaimed bank manager. Another option might be to give authority to managers of Post Offices or postal agencies. Although the SA Water form indicates that a person with a State Concession card can access concessions, it does not appear that this is accepted by FAYS – instead the applicant needs the correct statement from Centrelink demonstrating approved status and matching the date on the account with the date on the Centrelink income statement.

It should be possible for recognised officers of CHO's to be proclaimed as authorised persons as well, perhaps under the Oaths Act if required. This would provide a much smoother and simpler process. Co-operatives meet regularly, so the Treasurer, for example, could sign the required paperwork. Most Associations have offices and staff who are accessible to tenants. Guarantees in regard to accuracy and honesty could be given through the external audit process which all CHO's are subject to on an annual basis. Then the CHO could, as applicant for and beneficiary of the concession, lodge a single bulk application.

This approach could be combined with a new form catering specifically for CHO's. The form could have provision for a number of tenants to be included at the one time. It would then be unnecessary for the tenant to visit FAYS. The CHO could lodge the form direct to SA Water. Such a form and a procedure would combine applications in respect of both pensioners and beneficiaries.

If necessary a special Regulation under the RRA catering specifically for CHO's could be introduced. The Regulations already specifically recognise certain special situations such as bodies corporate and retirement villages.

This could also be a way of addressing the problem that if a property happens to be vacant on the 'specified date' there is no one to apply for the concession, leaving the CHO to pay the full amount until the premises are occupied.

There were also calls for application forms and information to be made available via the Internet. A check of the SA Water website shows that the application form is not available. On the website it states that the form can be obtained from a Council office or SA Water. It does not mention that the forms are also available at FAYS. A check of the FAYS website also shows the their application is not available on-line. It would appear a relatively straight forward matter for both organisations to make their forms available on-line as this is a common practice these days.

Frequency of Application

One of the most frequent complaints from CHO's was the necessity for certain tenants to re-apply for concessions on a quarterly basis. This particularly applies to people in receipt of Centrelink benefits such as Newstart Allowance, Special Benefit, Youth Allowance, Partners Allowance and Sickness Allowance, or those on Austudy and Abstudy. This requirement stems from the speed with which the status of the applicant could change, compared to people on longer term payments such as Aged Pension or Disability Support Pension.

There is a responsibility on government authorities to ensure continuing eligibility for taxpayer funded concessions. Hence a review system is appropriate. However it would be interesting to know if the current system has ever been assessed to see if a quarterly review is really necessary. Perhaps a study of the actual pattern of concessions might show little change in eligibility over say 6 or even 12 months. In that case a reduction in the frequency could be possible, combined with a requirement on applicants to report changes and a spot-check audit system.

As an alternative would it be possible for SA Water and Councils to issue accounts every six months, timed to coincide with CHO income reviews ?

Administration of the Current Scheme

There were a number of comments from CHO's about administration of the scheme.

Apparently Councils, unlike SA Water will not back date applications for concessions on Council rates. Advice from Local Government Officers is that this is due to a difference in the SA Water regulations and Local Government regulations.

Another issue concerns the audit system used by SA Water to verify that concessions are appropriately directed. It is accepted that a verification system is appropriate to safeguard taxpayers funds. However the process should take account of practicalities. CHO's house some of the most disadvantaged people in the community.

In some instances guardians (including parents) or administrators may look after the affairs of the tenant. In such cases, the address of the property receiving the concession may not match the postal address of the beneficiary because correspondence goes to the guardian. Instances were cited where legitimate concessions were denied or terminated because of this mismatch. Others cited instances where concessions were removed with no apparent reason, following an audit. If such accounts were in some way tagged as involving a CHO, then SA Water could take steps to contact the CHO before taking action.

9. The Double Dipping Issue

The critical issues regarding double dipping are :

- 1) SA Water does not know when a CHO is receiving a Local Government Act rebate.
- 2) Lack of a legal basis for the rating authorities to provide one form of rebate but not the other.

In regard to the first issue, if Councils advised SA Water of the details each time a rebate was granted, SA Water could then remove the RRA concession as it does the water concession. This could be the subject of a Memorandum of Understanding between SA Water and Councils.

In regard to the second issue, it is possible that an amendment to the Rates and Remissions Act Regulations could be sufficient. A new regulation could specify that the CHO is entitled to a remission under the RRA in respect of a property if the tenant of the property meets the specified eligibility criteria but that the remission will be reduced by the value of any rebate being received by the organisation of which he or she is a tenant through another legislative provision. This would then cover rebates under the Local Government Act and also exemptions under the Waterworks and Sewerage Acts. Hence if the CHO were receiving a 75% rebate under Section 161 of the Local Government Act then the remission under the RRA would be zero. This regulation could also impose a duty on a Council to notify the relevant Minister of such rebates. Penalties could attach to community organisations which breach this regulation.

10. The Way Forward

The way forward is :

- To circulate this Discussion Paper to stakeholders
- To seek feedback on the findings and proposals
- To reach agreement on workable approaches.

The views of SACHA, FAYS, SA Water, Centrelink and Revenue SA are needed to assess which of the possible solutions will attract support.

Feedback from CHO's is also important along with feedback from the local government sector.

Community Housing Associations - Applications for a Rate Rebate To Local Government Under S.161/166 of the LG Act.

Summary of responses from housing associations.

Situation	Metrc	Country	Total
Accepted	40	12	52
Rejected	5	2	7
Pending	0	1	1
<i>Total Applications</i>	<i>45</i>	<i>15</i>	<i>60</i>
Not Applied	96	35	131
Total	141	50	191
Application rate	31.9	30.0	31.4
Acceptance rate	88.9	80.0	86.7
Rejection rate	11.1	13.3	11.7

(**Note** : Situation as at time of completion of survey).

The detailed tables overleaf reflect information received from housing associations. All responding housing associations were given a respondent number, which is listed down the left-hand side of the table to preserve anonymity.

The names of Councils where community housing is located are shown across the top.

Applications by housing associations to Local Government for Section 161/166 rebates

No.	Adelaide	Burnside	Campbelltown	Charles Sturt	Gawler	Holdfast Bay	Marion	Mitcham	N, P, St Peters	Onkaparinga	Playford	Pt Adelaide Enfield	Prospect	Salisbury	Tea Tree Gully	Unley	West Torrens	Totals/Averages	
1				N	N						A	N		R		N		A	7
3				A	A	A	A	A	R	A	A	A		A	A	A	A	A	13
4			N	N		N	N	N		N				N	N	N	N	N	10
5			N						N		N	A	N	A	A				7
6						N	N	N	N	N	N	N		N		N			9
9			N	N			N		N	N	N	N		N		N	N		10
10	N			N	N					N	N	N	N	N		N		N	10
12			A	A			A	A	A	A	A	A	A	A	A	A		A	12
13	N		N	N	N	N	N	N	N	N	N	N		N		N		N	14
14				R			N				N	N	N	N	N			R	8
15	A	A	A						A			A		A		A		A	8
16							N			N									2
20					N			N		N	A	N		N		N			7
21						R						A							2
22							N	N		A		N	N	N		N		N	8
23							N			N						N		N	4
25	N												N			N		N	4
27											N			N					2
29						N	N	N											3
30								N											1
A	1	1	2	2	1	1	2	2	2	3	4	5	1	4	3	2	4	4	40
R	0	0	0	1	0	1	0	0	1	0	0	0	0	1	0	0	1	1	5
AP'S	1	1	2	3	1	2	2	2	3	3	4	5	1	5	3	2	5	5	45
N	3	0	4	5	4	4	9	7	4	8	7	8	5	9	8	5	6	6	96
Total	4	1	6	8	5	6	11	9	7	11	11	13	6	14	11	7	11	11	141
AR	25.0	100.0	33.3	37.5	20.0	33.3	18.2	22.2	42.9	27.3	36.4	38.5	16.7	35.7	27.3	28.6	45.5	31.9	31.9
AC.R.	100.0	100.0	100.0	66.7	100.0	50.0	100.0	100.0	66.7	100.0	100.0	100.0	100.0	80.0	100.0	100.0	80.0	80.0	88.9

KEY : A = Accepted; R = Rejected; P = Pending; AP's = Applications; N = Not Applied; AR = Application Rate; AC.R. = Acceptance Rate.

Applications by housing associations to Local Government for Section 161/166 rebates

No.	Adelaide Hills	Alexandrina	Barossa	Berri Barmera	Clare & Gilbert Valleys	Copper Coast	Goyder	Kangaroo Island	Light	Loxton Waikerie	Mid Murray	Mount Barker	Mount Gambier CP	Murray Bridge	Naracoorte & Lucindale	Port Augusta	Port Lincoln	Port Pirie	Renmark Paranga	Victor Harbor	Whyalla	Yorke Peninsula	Totals/Averages
1	N																						1
2				N						N		N	N	N					N				6
6	N				N		N			P							N						5
7																						R	1
8																		N					1
9	N			N						N		N				N			N	N			7
11					A																		1
12				A						A		R	A				A	A	A				7
17								A															1
18																		N					1
19	A											A											2
20														N									1
22		N	N									N	N							N			5
24											A												1
26						N																	1
27										N													1
28			N		N		N		N														4
31							N																1
32			N																				1
33	N																						1
34										A													1
A	1	0	0	1	1	0	0	1	0	2	1	1	0	1	0	0	1	1	1	0	0	0	12
R	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2
P	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
AP'S	1	0	0	1	1	0	0	1	0	3	1	1	1	1	0	0	1	1	1	0	0	1	15
N	4	1	3	2	2	1	3	0	1	3	0	1	3	2	1	1	1	2	2	1	1	0	35
T	5	1	3	3	3	1	3	1	1	6	1	2	4	3	1	1	2	3	3	1	1	1	50
AR	20.0	0.0	0.0	33.3	33.3	0.0	0.0	100.0	0.0	50.0	100.0	50.0	25.0	33.3	0.0	0.0	50.0	33.3	33.3	0.0	0.0	100.0	30.0
AC.R	100.0	N/A	N/A	100.0	100.0	N/A	N/A	100.0	N/A	66.7	100.0	100.0	0.0	100.0	N/A	N/A	100.0	100.0	100.0	N/A	N/A	0.0	80.0

KEY : A = Accepted; R = Rejected; P = Pending; AP's = Applications; N = Not Applied; T = Total; AR = Application Rate; AC.R. = Acceptance Rate.