ORDINARY MEETING 15 JULY 2026	**6.6**

GENERAL POLICY UPDATES – RATES BASED FINANCIAL ASSISTANCE FOR NOT FOR PROFIT RECREATION, SPORTING AND COMMUNITY GROUPS AND INTEREST ON TRUST FUNDS

F&BS | 63/19/1 | #7894775

RECOMMENDATION:

That Council adopts:
1. **the Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups General Policy; and**
2. **the Interest on Trust Funds General Policy**

INTERESTED PARTIES:

Not applicable

EXECUTIVE SUMMARY:

As part of Councils' Governance process the Finance & Business Services Directorate have reviewed the following policies:

- Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups; and
- Interest on Trust Funds.

COMMENTS:

Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups

This policy allows Council to consider applications for remissions of general rates, water access and sewerage charges for not for profit recreational, sporting and community organisations.

The policy is reviewed and adopted every four years. There are on only minor changes to the current policy.

A definition for short term crisis accommodation has been added to improve clarity for applicants:

Short Term Housing / Short Term Crisis Accommodation

Short term housing (short term crisis accommodation) refers to accommodation provided on a temporary, non-permanent basis to individuals or households experiencing immediate need due to crisis, vulnerability, or displacement.

For the purpose of this policy, short term housing:

- Is time-limited and provided for a short duration until longer-term or stable housing can be secured;
- Is not intended for permanent residency or ongoing tenancy;
- Is provided to address urgent or transitional housing needs, including homelessness, family crisis, health-related need, or similar circumstances;
- Must be actively used for crisis or transitional accommodation purposes, rather than general residential or commercial letting; and
- Must be accessible by and directly benefit the local community in accordance with this policy.

Short term housing may include, but is not limited to:

- Crisis accommodation services
- Emergency housing placements
- Transitional or supported accommodation programs

Criteria 1 d) has been updated referring to the definition for Short Term Housing.

Under this policy, eligible organisations receive the following concessions:

- General Rates - Council may provide up to 100% concession of the general rate
- Sewerage Charges – Council may provide up to 75% concession of the sewerage charges
- Water Access Charges – Council may provide up to 50% concession of the water access charges

Interest on Trust Funds Policy

The Interest on Trust Funds Policy provides that Council will not pay any interest earned on Trust Funds to the beneficiary of the money held in Trust.

This policy is reviewed and adopted every four years. There are only minor changes to the current policy.

OPTIONS:

Option 1 (Recommended):

That Council adopts:

1. the Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups General Policy; and
2. the Interest on Trust Funds General Policy

Option 2:

That Council:

1. Adopts the Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups General Policy; and
2. Does not adopt the Interest on Trust Funds General Policy and seeks further information

Option 3:

That Council:

1. Adopts the Interest on Trust Funds General Policy; and
2. Does not adopt the Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups General Policy and seeks further information

CONSIDERATIONS:

Statutory:

The Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups Policy has been formulated in compliance with with *Local Government Regulation 2012, Chapter 4, Part 10.*

The Interest on Trust Funds Policy has been formulated in compliance with *Part 8, Division 1 of the Local Government Regulation 2012.*

ATTACHMENTS:

Attachment 1: Rates Based Financial Assistance for Not-for-Profit Recreation, Sporting and Community Groups General Policy – Marked Up Version (#248813)
Attachment 2: Interest on Trust Funds General Policy – Marked Up Version (#7899023)

Steve Cooper
Executive Manager Revenue & Business Support

Jason Ritchie
Executive Manager Finance

Lisa Whitton
Chief Financial Officer

Attachment 1: Rates Based Financial Assistance for Not for Profit Recreation, Sporting and Community Groups General Policy – Marked Up Version (#248813)

CAIRNS REGIONAL COUNCIL

General Policy

RATES BASED FINANCIAL ASSISTANCE POLICY FOR NOT FOR PROFIT RECREATION, SPORTING AND COMMUNITY GROUPS

Intent: To establish a policy for the provision of rates based financial assistance to Not for Profit recreation, sporting and community groups.

Scope: This policy will allow Council to consider applications for remissions of general rates, water access and sewerage charges for Not for Profit recreational, sporting and community organisations. The applicant organisation must be the owner or lessee and occupier of the land with the rate notice being issued in the organisation's name.

The land for which an application is made must be used for the purpose of which the rating concession applies. Organisations that own, lease, manage or operate premises with poker machines will not be considered eligible.

PROVISIONS

BACKGROUND

A local government may grant a ratepayer a concession for rates or charges for land in accordance with the *Local Government Regulation 2012* Chapter 4 Part 10.

DEFINITION

Not for Profit Organisation

Any local association, club, state or national organisation, who holds incorporated status under the *Associations Incorporation Act 1981* or is a company limited by guarantee under the *Corporations Act 2001* and does not operate for the profit or gain (either direct or indirect), of its individual members, either from ongoing operations or on its winding up.

Short Term Housing / Short Term Crisis Accommodation

Short term housing (short term crisis accommodation) refers to accommodation provided on a temporary, non-permanent basis to individuals or households experiencing immediate need due to crisis, vulnerability, or displacement.

For the purpose of this policy, short term housing:

- Is time-limited and provided for a short duration until longer-term or stable housing can be secured;
- Is not intended for permanent residency or ongoing tenancy;
- Is provided to address urgent or transitional housing needs, including homelessness, family crisis, health-related need, or similar circumstances;
- Must be actively used for crisis or transitional accommodation purposes, rather than general residential or commercial letting; and
- Must be accessible by and directly benefit the local community in accordance with this policy.

Short term housing may include, but is not limited to:

- Crisis accommodation services
- Emergency housing placements
- Transitional or supported accommodation programs

CRITERIA

1 Community Organisations

a) Not for Profit organisations that exist primarily to undertake local community service activities and rely mainly on volunteer labour.

b) Not for Profit organisations that have considerable paid labour, however a substantial local community benefit is provided.

c) Religious entities with land exceeding 20 hectares and used for education, health or local community services. *This applies to assessment 553123 for providing land to the community for sporting and recreation purposes.*

d) Organisations that provide subsidised accommodation will only be considered eligible if:

- The property is not Government owned, leased or controlled; and
- The property is used **exclusively for Short Term Housing (Short Term Crisis Accommodation)** as defined in this policy, or is specifically for children, the aged, or persons with a disability; and
- ~~The property is used for short term crisis accommodation or is specifically for children, the aged, or persons with a disability; and~~
- The accommodation is **time-limited, non-permanent, and not used for general residential or commercial letting purposes**; and
- ~~Is accessible by and directly benefits the local community~~ The service is accessible by and provides a **direct and demonstrable benefit to the local community**.

2 Sporting and Recreation Organisations

a) Not for Profit organisations that exist primarily to undertake sporting or recreational activities and rely mainly on volunteer labour.

b) Not for Profit organisations that have considerable paid labour, however a substantial local community benefit is provided.

CONCESSIONS

a) General Rates - Council may provide up to 100% concession of the general rate for organisations that comply with criteria 1 or 2.

b) Water Access Charges – Council may provide up to 50% concession of the water access charges for organisations that comply with criteria 1a, 1b, 1d or 2a and 2b

c) Sewerage Charges – Council may provide up to 75% concession of the sewerage charges for organisations that comply with criteria 1a, 1b, 1d or 2a and 2b.

GENERAL

Unless otherwise determined by Council, Not for Profit organisations will not be eligible if they sub-lease to organisations that do not comply with the Not for Profit definitions, the sub lease activity is not aligned with the primary purpose of the organisation and the property, or the sublease is a commercial activity of a substantial size.

Applications for the current financial year are required be lodged with Council 31 days prior to the commencement of the financial year, however, late applications may be approved by Council for the current rating period subject to the Not for Profit Group (applicant) meeting all the requirements of this policy.

Furthermore, if a Not for Profit Group purchases or leases property during a rating year, Rates Based Financial Assistance will apply from the date the land is actually used for its intended purpose, subject to that group meeting all the requirements of this policy.

The concession provided in this policy is only on the general rate, water access and sewerage charge and will not apply to vacant land. Not for Profit organisations that do not fulfil their lease obligations or their rates are not paid in full prior to the end of a financial year, will not be eligible for further concessions. The concession will be revoked and a new application will be required for future concessions.

It is incumbent upon the organisation receiving this concession to notify Council of any change in circumstances that may affect their eligibility under the provisions of this policy. Council will conduct periodic audits to verify compliance.

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This policy is to remain in force until otherwise determined by Council.

~~General Manager~~ Director Responsible for Review: **Chief Financial Officer**

ORIGINALLY ADOPTED: 21/06/2002
CURRENT ADOPTION: ~~22/6/2022~~
DUE FOR REVISION: ~~22/6/2026~~
REVOKED/SUPERSEDED:

~~Mica Martin~~Ken Gouldthorp
Chief Executive Officer

Attachment 2: Interest on Trust Funds General Policy – Marked Up Version (#7899023)

CAIRNS REGIONAL COUNCIL

General Policy

INTEREST ON TRUST FUNDS

Intent To provide direction with regards to the payment of interest on funds held by Council in Trust.

Scope This policy covers all monies deposited into the Cairns Regional Council Trust Fund.

PROVISIONS

Council will not be required to invest trust funds or pay interest to beneficiaries on trust account balances unless otherwise specifically agreed.

Where a person:

- lodges a cash deposit to secure an obligation to Council; and
- such funds are payable to Cairns Regional Council Trust Fund under Part 8, Division 1 of the *Local Government Regulation 2012*.
  ~~http://www.legislation.qld.gov.au/OQPChome.htm~~

Council:

- will not be obliged to invest that cash deposit in the name of, or for the benefit of, that person;
- may invest that cash deposit (with others) in its own name and for its own benefit;
- will not be obliged to pay any interest earned on that cash deposit to the beneficiary.

It is Council's intention to hold individual cash deposits for a relatively short period and advantageous investment rates for individual deposits are not necessarily sought. The objective for holding trust monies is to ensure underlying work is completed as agreed and in a timely manner.

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This policy is to remain in force until otherwise determined by Council.

Director Responsible for Review: **Chief Financial Officer**

ORIGINALLY ADOPTED: 26/04/2007
CURRENT ADOPTION: ~~29/07/2022~~
DUE FOR REVISION: ~~29/07/2026~~
REVOKED/SUPERSEDED:

~~Mark Wuth~~Ken Gouldthorp
~~A/~~Chief Executive Officer