COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

ABN: 46 211 642 339
PO Box 420, Cootamundra NSW 2590
Email: mail@cgrc.nsw.gov.au
www.cgrc.nsw.gov.au

Rates and Charges Financial Hardship Policy

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Revenue Officer
Section/Service Unit	Finance
Next Review Date	18 January 2027

Version Control

Ref	Date	Description	Resolution Number
4.0	18 April 2023	Presented to Council	104/2023
3.0	8 December 2020	Adopted (reviewed for SRV application)	384/2020
2.0	26 May 2020	Reaffirmed (reviewed Covid-19)	136/2020
1.0	12 December 2017	Adopted	07/12/2017

Purpose

To provide financial assistance to ratepayers who are experiencing genuine financial hardship with the payment of Council's rates and charges.

To provide a decision making framework for the appropriate assessment of financial hardship applications.

Scope

This policy applies to eligible ratepayers within the Cootamundra-Gundagai Regional Council Local Government area who are experiencing genuine financial difficulties in paying their rates and charges.

Legislative Framework

Local Government Act 1993

Review Period

This document is to be reviewed every four years.

Policy Statement

Council recognises there are cases of genuine financial hardship requiring respect and compassion in special circumstances. This policy establishes guidelines for assessment of a hardship application applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements. It applies to all applications for alternative payment arrangements or writing off rates, fees, annual charges and interest accrued on such debts.

The General Manager has the delegated authority to assess applications due to hardship and payment arrangement plans from any customer after receiving a written request and in cases of genuine hardship each case is to be referred to Council for consideration in accordance with Councils adopted policy.

To establish guidelines for the General Manager and staff when dealing with ratepayers, suffering genuine financial hardship, with the payment of their rates and charges.

To fulfill the statutory requirements of the Local Government Act, 1993 with respect to the ability to grant provision and give special consideration to ratepayers subject to financial hardship.

Determination of Eligibility

The criterion for financial hardship involves an inability of the ratepayer to pay their rates, rather than an unwillingness to do so. Hardship may result from any of, but is not limited to, the following:

- Loss of employment by ratepayer or family member.
- Family breakdown.
- Ongoing or long term illness of the ratepayer or family member.
- Death in the family.
- Loss of income due to natural disasters or drought.
- High rate levy increase due to revaluation.

To request consideration for a concession under the hardship policy, the ratepayer must submit in writing a signed and dated application stating the nature of the hardship and the estimated period over which the hardship will be experienced.

- Evidence confirming the ratepayer's hardship status must accompany the application in one of the following forms:
- Evidence in writing from a third party such as the ratepayer's bank manager or accountant;
- Copy of recent bank statements for all accounts.
- Evidence in writing from a recognised financial counsellor;
- Statutory declaration from a person familiar with the ratepayer's circumstances who is qualified to provide Council with a clear, unbiased assessment of the ratepayer's hardship status, such as a carer, power of attorney or a medical practitioner.

Council may request additional information to confirm the ratepayer's hardship status if deemed necessary and may also request the ratepayer attend an interview to assist Council in the understanding of the issues causing hardship.

Hardship Concession Provisions

Once the ratepayer has submitted the application, the Revenue Officer will make an assessment based on the merit of the individual case against the eligibility conditions within this policy, and will make a recommendation to Council regarding the actions they may take in relation to the particular hardship case. Available options are:

Defer outstanding amounts for a set period of time

Periodic Payment Arrangements

Section 564 of the Local Government Act provides that Council may enter into a formal agreement with a ratepayer eligible for alternative periodical payments for due and payable rates and charges. A periodic payment agreement will be offered in accordance with Council's Debt Recovery Policy. Interest will apply unless specifically stated otherwise on outstanding balances but allow ratepayers the required time to make payments without any legal action being undertaken by Council to recover rates and charges.

Charge interest rate of 0% on overdue amounts for a set period of time

Writing off accrued interest and costs

- Accrued interest on rates or charges payable by a person may be written off under Section 567 of the Local Government Act 1993, if:
- The person was unable to pay the rates or charges when they became due for reasons beyond the person's control,
- The person is unable to pay accrued interest for reasons beyond the person's control, or
- Payment of the accrued interest would cause the person hardship.

Extend pensioner concession to avoid hardship

Section 577 of the Local Government Act, 1993 enables Council to make an order deeming certain persons who are jointly liable with an eligible pensioner(s) or solely liable, but who are not themselves eligible, to be eligible pensioners for the purpose of a mandatory reduction in rates and charges to avoid hardship.

Pensioner Abandonments

Section 582 of the Local Government Act, 1993 enables Council to waive or reduce rates, charges and accrued interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the Social Security Act 1991. Thus, council may, in its absolute discretion, further reduce on a voluntary basis (with no subsidy from the state government) rates and charges otherwise payable by an eligible pensioner. Council may also agree to allow the remainder of pensioners' rates, after concessions have been deducted, to accrue against the future estate or sale of the land in appropriate cases.

General Revaluation of the Local Government Area

- Section 601 of the Local Government Act, 1993 provides that where any ratepayer who suffers substantial hardship as the consequence of the making and levying of a rate following a new valuation, may apply to council for rate relief which will then be assessed by council's technical staff.
- Council will not consider hardship applications under this provision, as valuations are independently determined by the NSW Valuer General. Council will encourage ratepayers to make an appropriate application under the appeal provision of the NSW Valuation of Land Act 1916.

Any combination of the above.

Assessment Process

Each case will be considered individually and on its merits and will take into account, but will not be limited to:

The property for which the hardship application applies must be the principal place of residency of the applicant/s if categorised as "Residential" for rating purposes.

- The property for which the hardship application applies must be categorised as "Residential" or "Farmland" for rating purposes.
- The applicant must be the owner or part owner of the property and be liable for the payment of rates on the property.
- The ratepayer's financial circumstances, including income and expenses from all sources.
- The amount of rates levied compared to the average rates levied of the rate category or sub-category.
- Repayment history, including any previous defaults or arrangements.

Hardship applications will be considered in closed meetings and personal information will remain confidential. The ratepayer will be informed of Council's decision in writing and if not satisfied with the outcome can request the Council to reconsider its decision.

All financial details and information provided within the application will be kept with full confidentiality.

If the ratepayer continues to experience hardship after the concession period approved by Council has expired, then a new application must be made by the ratepayer. In such circumstances evidence provided with the initial application may be used to confirm the ratepayer's hardship status, however Council may request additional information to confirm the ratepayer's current hardship status if deemed necessary.

Hardship Concession Termination

The concessions granted may be withdrawn for any of the following reasons:

- The ratepayer no longer owns the land.
- The ratepayer advises Council that the hardship no longer applies.
- The ratepayer defaults on a payment arrangement if a payment arrangement has been entered into,
- Council receives information that proves the hardship no longer exists.

Where property ownership changes on any assessment with a rate deferral agreement in place, all rates and charges must be fully paid at the point of this change. Hardship concessions are not transferable.

Legal and financial advice for ratepayers

Council will outline options for ratepayers to access support services to help resolve legal or financial issues as well as negotiate payment arrangements to minimise the debt.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

HARDSHIP RATE RELIEF APPLICATION FORM

Approved by the Director General of the Office of Local Government, in accordance with clause 135 of the Local Government (General) Regulation 2021 under the Local Government Act 1993.

APPLICATION FOR HARDSHIP RATE RELIEF FOR THE WHOLE OR PART OF THE YEAR COMMENCING 1 JULY 20____

**Please answer all questions relevant to you using block letters and ticking appropriate boxes.*

Assessment No.______________________________

I, ____

(Full name in block letters)

of____

(Address)

telephone number ___________________________ apply for a concession on the basis of financial hardship.

Property Description (Lot/Plan) ____

(office use only)

(1) Do you receive any pensions or benefits? ☐ YES ☐ NO

If Yes, please provide type of pension and amount received per fortnight.

Pension type:________________________________ Amount: $_________________

(2) Do you have a current Pensioner Concession Card issued by the Commonwealth Government?

☐ YES ☐ NO

PCC No.________________________________ Date of Grant __________________________________

(3) Have you claimed a pensioner concession on any other property this year?

☐ YES ☐ NO

If yes, state the address of the other property____

(4) Is this property your sole or principal place of living? ☐ YES ☐ NO

The property for which I am claiming has been my sole/principal place of living since_____________________________

(5) I am liable for the payment of rates and charges on this property, together with others as listed below. **(If no others, write "SOLE OWNER")** ____

Please provide details of all "other" persons indicated in Question 5. (**<u>ALL OWNERS</u> other than the applicant should be listed, including your spouse)**

Name	PCC Holder Y/N	Pension No.	Date of Grant	Relationship to me (e.g. spouse, father, co-owner, etc.)	Resident of Property Y/N	% of ownership

Evidence of joint ownership is <u>attached</u>/<u>has been provided to council previously</u> (*circle whichever is applicable).*

(6) Is the property owner as shares in a company title? ☐ YES ☐ NO

If you do not own or rent the property, please explain why you are liable to pay the rates

____

____

(7) Are there people living at the property other than those listed at Question 5? ☐ YES ☐ NO

(8) Please indicate who these people are?

☐ Self ☐ Spouse ☐ Children (state ages ______________________________)

☐ Boarders ☐ Relatives ☐ Other (please specify______________________________)

(9) Do you own (either fully or partially) any other land and buildings? ☐ YES ☐ NO

If yes, list addresses. ____

____

____

(10) How many children do you support? _____________ State Ages ___________________________

(11) What is the cause of financial hardship? ____

____

____

(12) How long have you been experiencing hardship? ____

(13) Please state gross weekly amount received in dollars and cents from the following sources of income:

(a) Pensions and benefits $___________________________

(b) Compensation, superannuation insurance or retirement benefits $ ___________________________

(c) Spouses' income $ ___________________________

(d) Income of other residents of the property $ ___________________________

(e) Casual/part-time employment $ ___________________________

(f) Family allowance $ ___________________________

(g) Interest from banks/credit unions/ Building societies $ ___________________________

(14) Please provide name and current balance of all bank, credit union or building society accounts held by you. ____

____

____

(15) Please state details of fortnightly outgoings.

Outgoing	**Owed to**	**Amount**
Rent/Home Loan		
Other Mortgages		
Personal Loans/Hire purchases		
Health Costs		
Council rates and charges		

Please attach a separate page with any other relevant information you feel may assist you application.

I hereby declare that the information provided is true and correct. If you make a false statement in an application, you may be guilty of an offence and fined up to $2,200

Signature: ____ Date: ______________________

IMPORTANT NOTICE
CUSTOMER CONSENT

For the sole purpose of authorizing the Council to confirm with Centrelink whether or not the details I have provided to the Council matches Centrelink or other Commonwealth portfolio department or agency records in relation to the current status of my Commonwealth Benefit:

I ____ (full name) authorise the council to confirm with Centrelink the following details.

- Pension Number
- Name
- Address
- Postcode, and
- that I am a valid concessional card holder

I agree that, unless I revoke my consent, this Customer Consent record is a permanent consent, and may be relied on by the Council until such time as I revoke it.

I may revoke this Customer Consent record at any time by giving the Council **written notice** that my consent is revoked. I understand if I revoke this consent, I may not be eligible for the concession given by the council.

I acknowledge I have read and understood this Customer Consent record.

Signature: ____ Date: ___________________

PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998
Compliance with Section 10

The information contained in this application form and any information requested for the purposes of assessing eligibility for a pensioner concession is required under the Local Government Act 1993 and the Local Government (General) Regulation 2021.

This information is required before your application for a pensioner concession can be processed. The information is private and confidential and council must not disclose the information to any person or body if it is not directly related to the purpose for which the information was collected.

If you have a complaint about the use of your personal information, contact the Councils Public Officer. The information contained or referred to in this application form may be corrected and updated by you, by contacting the council.

PURPOSE OF THIS FORM

This form is to be completed by ratepayers wishing to receive a concession on council rates. Eligible ratepayers are entitled to receive up to:

- $250.00 on ordinary rates and charges for domestic waste management services
- $87.50 off their annual water rates and charges
- $87.50 of their annual sewerage rates and charges

Generally, the concessions are available to eligible pensioners, however concessions may be granted to ratepayers suffering financial hardship in certain circumstances.

The information provided by completing this form will enable council to determine eligibility to receive a concession and the level of concession the ratepayer is entitled to.

الغرض من هذا النموذج

يجب إكمال هذا النموذج بواسطة دافعي الرسوم البلدية، والراغبين في استلام تخفيض على رسوم المجلس البلدي. ويحق لدافعي الرسوم المؤهلين استلام مبالغ تصل إلى:

- 250,00 $ على الرسوم العادية والتكاليف لخدمات إدارة النفايات المنزلية
- 87,50 $ من الرسوم السنوية وتكاليف الماء
- 87,50 $ من الرسوم السنوية وتكاليف تصريف مياه المجاري

بصفة عامة، فإن التخفيضات متاحة للمتقاعدين المؤهلين، ومع ذلك فقد تُمنح التخفيضات لدافعي الرسوم الذين يعانون متاعب مالية في حالات خاصة.

المعلومات المتوفرة بإكمال هذا النموذج سوف تجعل المجلس البلدي قادرا على تحديد الأهلية لاستلام تخفيض، ومستوى التخفيض الذي يستحقه دافع الرسوم.

此 表 格 的 用 途

此表格供希望獲得市政稅優惠的納稅人填寫。符合資格的納稅人最高可獲得以下減價優

惠： 普通市政稅及垃圾管理費減價250.00澳元
年度水費及管理費減價87.50澳元
年度廢水處理稅及管理費減價87.50澳元

符合資格的福利金領取者一般可獲得這些減價優惠。但是在某些情況下，有經濟困難的納稅人也可獲得這些優惠。在此表格內填寫的訊息可協助市政會決定該納稅人是否有資格獲得減價優惠，以及優惠的等級。

A cosa serve questo modulo

Questo modulo deve essere riempito dai contribuenti che desiderano ricevere riduzioni sulle imposte comunali. I contribuenti che soddisfano i requisiti necessari possono ricevere le seguenti riduzioni:

- fino a $250.00 sulle imposte comunali ordinarie e sulla bolletta per l'asporto dei rifiuti domestici;
- fino a $87.50 sulla imposta annuale e bolletta dell'acqua;
- fino a $87.50 sulla imposta annuale e bolletta delle fognature.

In linea generale le riduzioni vengono concesse solo ai pensionati aventine diritto ma, in alcune circostanze, possono essere estese anche ai contribuenti che si trovino in difficili situazioni economiche.

Le informazioni fornite riempiendo questo modulo consentiranno al Comune di determinare se il contribuente ha diritto alle riduzioni d'imposta e l'ammontare delle riduzioni stesse.

OBJETIVO DE ESTE FORMULARIO

Los contribuyentes que deseen recibir una rebaja en las contribuciones municipales deben responder a este formulario.
Quienes reúnan los requisitos podrán recibir hasta:

- $250,00 en contribuciones y tarifas ordinarias por servicios de administración de desechos domésticos.
- $87,50 de rebaja anual en las contribuciones y tarifas por agua potable.
- $87,50 de rebaja anual en las contribuciones y tarifas por alcantarillado.

En general, las rebajas están a disposición de los pensionados que reúnan los requisitos. Sin embargo, se podrán conceder rebajas a los contribuyentes que pasen por privaciones económicas en ciertas circunstancias.

La información que se proporcione respondiendo a este formulario permitirá al municipio determinar tanto si el contribuyente reúne los requisitos para recibir una rebaja como el monto de la rebaja a la cual tendrá derecho el contribuyente.

MỤC ĐÍCH CỦA ĐƠN NÀY

Đơn này cho những người đóng thuế địa phương muốn xin giảm thuế và lệ phí. Những người đóng thuế và lệ phí địa phương có thể được giảm đến:

- $250 cho thuế địa phương thường và lệ phí cho dịch vụ đổ rác
- $87.50 cho tiền nước và lệ phí hàng năm
- $87.50 tiền cống rảnh và lệ phí hàng năm

Nói chung, những người hội đủ điều kiện để lãnh trợ cấp xã hội được giảm thuế và lệ phí địa phương, tuy nhiên trong một số trường hợp, những người gặp khó khăn về tiền bạc cũng có thể được giảm thuế và lệ phí.

Những chi tiết điền trong đơn này sẽ giúp hội đồng thành phố (council) ấn định xem quí vị có hội đủ điều kiện hay không và mức độ được giảm thuế và lệ phí.