

POLICY:	Hardship Rate Relief
DATE ADOPTED:	Director Corporate Services and Finance Report #8.2.8 Ordinary Council Meeting 15 March 2023 Resolution No. ORD2023-56
ORIGINAL ADOPTION:	Director Corporate Services and Finance Report #8.2.8 Ordinary Council Meeting 15 March 2023 Resolution No. ORD2023-56
FILE REFERENCE:	11.00006
OBJECTIVE:	This policy is intended to ensure that Council offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding.

This policy is intended to provide rate relief to ratepayers who are able to provide evidence of genuine financial hardship.

This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of the policy; and
2. Rates and service charges levied for the current and future financial years.

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 within statutory requirements. It applies to alternate or flexible payment arrangements for up to 12 months or writing off rates, fees, annual charges, and interest accrued on such debts.

In cases of genuine hardship each case will be referred to Council for consideration in accordance with Council's adopted policy.

An application for hardship must be received in writing on the approved Hardship Rate Relief Application Form. Council may also request the ratepayer attend an interview to assist Council in the understanding of the issues causing hardship.

The application for hardship must be accompanied with supporting documentation which may include but is not limited to:

- Reasons why the person was unable to pay the rates and charges when they became due and payable
 - Copy of recent bank statements for all accounts
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- Details of income and expenditure
- Letter from a recognised financial counsellor or financial planner confirming financial hardship

With respect to Section 601 of the Local Government Act, Council will not consider hardship applications under this provision, as valuations are independently determined by the NSW Valuer General. Council will encourage aggrieved ratepayers to make an appropriate application under the appeal provisions of the NSW Valuation of Land Act 1916.

Council's Hardship Policy will be used in conjunction with Council's adopted Recovery of Rates and Charges Policy.

Support services may be available for financial advice to help manage debts:

www.moneysmart.gov.au/managing-your-money/managing-debts

Financial Advice, including financial counsellor search function

www.legalaid.nsw.gov.au/get-legal-help/find-a-service

Legal Aid service (Legal Advisers) Community Legal Centres in different local government areas:

www.clcnsw.org.au/find_legal_help

In assessing an application for Hardship Rate Relief, Council must give due consideration to the relevant legislative provisions of the Local Government Act, 1993.
