

HARDSHIP POLICY

Resolution Number	Created/ Amended by	Adopted by Council	Review Period
2015/20	Chief FinancialOfficer	11 Feb 2015	10/02/2016
2017/79	Manager Revenue & Customer Relations	12 April 2017	01/03/2022
2017/137	Manager Revenue & Customer Relations	14 June 2017	13/06/2021
2021/037	Manager Revenue & Customer Relations	10 Mar 2021	09 Mar 2025

OBJECTIVE

To establish guidelines for the General Manager and staff when dealing with ratepayers, suffering genuine financial hardship, with the payment of the ordinary rate and annual charges. To fulfil the statutory requirements of the *Local Government Act,* 1993 with respect to the ability to grant provision and give special consideration to ratepayer's subject to financial hardship.

POLICY STATEMENT

Council requires all ratepayers to pay their rate in full by the due date(s). However, 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 requirement.

PRIVACY AND CONFIDENTIALITY

Council officers will conduct themselves with courtesy and respect when dealing with ratepayers and shall maintain the privacy and confidentiality of all ratepayers' personal circumstances. Personal information collected as a result of this policy will only be used for the purpose of assessing eligibility under the policy and will not be used for any other purpose, or disclosed to any person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates.

Privacy will be maintained in accordance with the NSW Privacy and Personal Information Protection Act 1998.

ESSENTIAL ELIGIBILTY CRITERIA

- The applicant must be the owner/spouse, or part owner of the property and be liable for the payment of the rates and annual charges. Council will accept an application from the Power of Attorney of the owner or part owner of the property.
- 2. The property for which the financial hardship relates to is the principal place of residency.
- 3. The financial hardship is genuine and can be displayed.
- 4. The property for which the hardship application applies must be categorised "Residential" for rating purposes and in the "Residential" portion of properties with an apportionment factor for mixed development land granted under Section 14X of the Valuation of Land Act 1916.

- 5. Properties categorised as "Farmland" or "Business" may apply under these hardship provisions for special payment arrangements under Section 564(1) of the Local Government Act, 1993.
- 6. Other personal and family circumstances including age, physical and mental disability, injury and illness of the resident ratepayer or family member living with him/her will be considered.

APPLICATION PROCESS

The application for Hardship Rate Relief must be made on the approved form (appendix 1).

SUPPORTING DOCUMENTATION

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

- Reasons why the applicant was unable to pay rates and annual charges when they became due and payable.
- o Copy of bank or financial institutions statements for all accounts.
- o Details of all income and expenditure.
- Details of all assets and investments.
- Letter from recognised financial counsellor or financial planner confirming hardship and advising what steps have been taken by the applicant to resolve the reasons for financial hardship.
- o In cases of illness, a letter from a medical professional confirming medical condition causing hardship.

HARDSHIP ASSISTANCE TO ALL RATEPAYERS

Council recognises that ratepayers may experience hardship in some circumstances in paying rates, annual charges. The *Local Government Act*, 1993 provides for the following assistance to ratepayers.

- Sec 564 (1) Council may accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person.
- Sec 564 (2) Council may write off or reduce interest accrued on rates or charges if the person complies with the agreement.

- Sec 567 (c) Council may write off accrued interest on rates or annual charges payable by a person if, in its opinion payment of the accrued interest would cause the person hardship.
- Sec 568 Money paid to a council in respect of rates or charges levied on land is tobe applied towards payment of those rates or charges in the order in which they became due.
- Sec 607 The Regulations may also specify circumstances in which Council may write off rates and charges and interest accrued on unpaid rates and charges.

HARDSHIP ASSISTANCE TO PENSIONERS

- Sec 575 (1) If an eligible pensioner is the person solely liable, or a person jointly liablewith one or more other persons, for a rate or charge levied on land on which a dwelling is situated, the rate or charge is, on application to the council and on production to the council of evidence sufficient to enable it to calculate the amount of the reduction, to be reduced in accordance with this section.
- Sec 577 Council can 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.
- Sec 582 Council may waive or reduce rates, charges and 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 of the Commonwealth.
- Sec 583 (1) Council is to write off amounts of rates, charges and interest which are reduced or waived under this Division.
- Sec 583 (2) Council may not take proceedings to recover an amount so written offunless the amount has been written off because of a wilfully false statement in an application under this Division or except as provided by section 584.

CONCESSIONS RELATING TO REVALUATIONS

- Sec 601 (1) A ratepayer who, as a consequence of the making and levying of a
 rate on a valuation having a later base date than any valuation previously used
 by a council for the making and levying of a rate, suffers substantial hardship,
 may applyto the council for relief under this section.
- Sec 601 (2) Council has a discretion to waive, reduce or defer the payment of thewhole or any part of the increase in the amount of the rate payable by the ratepayerin such circumstances, for such period and subject to such conditions as it thinks fit.

Sec 712 (1) - Proceedings for the recovery of a rate or charge may be commenced at any time within 20 years from the date when the rate or charge became due and payable.

Council may refer ratepayers or customers to welfare agencies or financial advisors for assistance.

The General Manager will have delegated authority for the approval of any Hardship Rate Relief Application up to the amount of \$5,000. For amounts over \$5,000 the decisions must be by resolution of Council.

EXCLUSIONS

Council Fees and Charges (excluding annual charges levied under the *Local Government Act, 1993*) are not covered by Council's Hardship Policy. Waiver of fees and charges will be dealt with separately under Council's Donations, Sponsorships and Waiver of Fees and Charges Policy.

Rates and charges on rental properties are excluded from assistance as it is assumed that the rental income and taxation advantages associated with rental properties would cover rates and annual charges.

CANCELLATION OF FINANCIAL HARDSHIP RELIEF

The financial hardship relief arrangement may be cancelled as a result of the following:

- 1. The ratepayer has defaulted on payment arrangement.
- 2. The ratepayer no longer owns the land.
- 3. The ratepayer advises Council that financial hardship no longer applies.
- 4. Council receives information that the financial hardship no longer exists.
- 5. The ratepayer has made a willful or inadvertent misstatement in the HardshipRelief Application form.
- 6. The ratepayer is deceased.

Such cancellation will be at the discretion of the General Manager.

REVIEW PERIOD

Hardship relief applications are to be reviewed after 12 months and ratepayers may be required to reapply.

The ratepayer must advise Council if their circumstances change and they are no longer eligible suffering hardship.

DEFINITIONS

Interest – Interest raised in accordance with the Local Government Act, 1993 and as adopted by Council in the Revenue Policy and Fees & Charges.

Rateable Valuation – Land value used for rating purposes as supplied by the Valuer General in accordance with the *Valuation of Land Act, 1916*.

Rates and Annual Charges – Rates and annual charges raised in accordance with the *Local Government Act, 1993* and as adopted by Council in the Revenue Policy.

Eligible Pensioner – Means an eligible pensioner as defined in Clause 134 of the Local Government (General) Regulation 2005.

Approved Form – Council's Rate Relief Hardship Application form

PUBLICATIONS

Local Government Act, 1993

Local Government (General) Regulation 2005

NSW Office of Local Government Debt Management and Hardship Guidelines, Nov 2018

Valuation of Land Act, 1916

Social Security Act 1991

NSW Privacy and Personal Information Protection Act 1998.

Council's Revenue Policy

Council's Donations, Sponsorships and Waiver of Fees and Charges Policy



Narromine Shire Council Hardship Policy - 2021

NARROMINE SHIRE COUNCIL Appendix 1

HARDSHIP RATE RELIEF APPLICATION FORM

Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under Council's Hardship Policy and will not be used for any other purpose, or disclosed to any person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates. Privacy will be maintained in accordance with the NSW Privacy and Personal Information Protection Act 1998.

Mrs

Miss

Ms

Surname:

Other

APPLICANT DETAILS (must be property owner)

Mr

Salutation: (please tick)

First Name:

Str	eet Address:					
Suk	ourb:			Postcode:		
Pos	stal Address:					
(if o	different to street					
ado	dress)					
Suk	ourb:			Postcode:		
Pho	one No:			Mobile:		
Em	ail:					
PRO	PERTY DETAILS					
Ass	essment Number:					
Str	eet Address:					
Suk	ourb:			Postcode:		
Lot	No:			DP No		
	CTION 1: PROPERTY IN		$\overline{}$			
a)	Is this property your			Yes		No
b)	If YES, how long have	·				
c)	Is any part of the pro	• •		Yes		No
d)	If YES, provide details		$\overline{}$			
e)	Do you own the prop			Yes		No
	i. By yourself			Yes		No
	ii. With a spou			Yes		No
	iii. With anoth			Yes		No
f)	How many people liv	e at the property?				
g)	Do you own (in full o	r in part), lease or have				
	A financial or benefic	cial interest in any		Yes		No
	other land or building	3,				
h)	If YES, please provide	address(es) and details	of fir	nancial inter	est:	

HARDSHIP RATE RELIEF APPLICATION FORM

SEC	SECTION 2: PENSION / BENEFIT DETAILS				
1.	Do you receive any pensions or benefits?	Yes	☐ No		
	If YES, please provide type of pension (e.g.; aged, disability etc.,) and amount received per fortnight:				
	Pension	\$	_		
2.	Do you have a current Pensioner Concession Card (PCC)?	☐ No		
	PCC No: Date of	Grant:			
3.	Have you claimed a Pensioner Concession on any property this year?	Yes	☐ No		
	If YES, please state the address of the property:				
			_		
CLA FOI	IF YOU HAVE A CURRENT PENSIONER CONCESSION CARD AND YOU HAVE NOT YET CLAIMED A PENSION REBATE, PLEASE COMPLETE A PENSIONER CONCESSION APPLICATION FORM AVAILABLE FROM COUNCIL AS YOU MAY NOT NEED TO CONTINUE COMPLETING THIS FORM. IF CONTINUING PLEASE SIGN PENSIONER DECLARATION SECTION 8.				
	CTION 3a: INCOME				
	ate gross weekly/fortnightly amounts received from the followi	ng sources of income)			
a)	How much do you receive in pensions & benefits?		Wk / fn		
	I. Centrelink or Veterans Affairs Pension	\$			
	II. Other Centrelink/Government benefits	\$			
b)	What is your gross wage / salary income?	\$			
c)	Spouse / partner gross income	\$			
d)	Gross income of any other persons residing at the				
	property?	\$			
e) Do you receive income from any other source? (provide details)					
	I. Trust income	\$			
	II. Rentals	\$			
	III. Insurance Payments / Compensation	\$			
	IV. Superannuation	\$			
	V. Interest	\$ \$ \$ \$			
	VI. Other income (provide details)	\$			

HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 3b: INCOME (Please provide copies of the most recent bank statements)						
Please provide name & current balance of all bank, credit union or building society accounts held in your name?						
Name of Institution Type of Account Balance						
		\$				
	\$					
\$						
\$						
		\$				

SECTION 4: ASSETS					
Provide details of other non-property assets					
	Estimated Value				
Car/s	\$				
Boats/Watercraft	\$				
Motor Bike(s)	\$				
Shares	\$				
Investments	\$				
Furniture	\$				
Caravan	\$				
Other Assets (provide details)	\$				

SECTION 5: EXPENSES		
Provide details of your expenses		
	Estimated Expense	Wk / fn
Home Loan Repayments	\$	
Personal Loans / Hire Purchase	\$	
Credit Cards	\$	
Health Costs (Where hardship relates to serious illness)	\$	
Council Rates & Charges	\$	
Other mortgages	\$	
Other Expenses	\$	

^{*}Please attach a separate page with any other relevant information you feel may assist your application.

HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 6: HARDSHIP DETAILS				
What is the cause of the hardship? (e.g. illness*	, unemployment)			
How long have you been experiencing this hard	ship?			
What relief are you seeking from Council? (Options	listed under Hardship Assistance to Ratepayers in Policy)			
Have many abildren de vas avenuent?				
How many children do you support? (State ages)				
Which organisations have you sought assistance	a from due to financial hardshin?			
Which organisations have you sought assistance from due to financial hardship?				
Details of recognised financial counsellor, financial	rial nlanner or similar you have			
engaged to provide assistance to you? (Please at	•			
*Please provide Doctor's report if this application	on relates to serious illness.			
SECTION 7: DECLARATION				
I hereby declare that the information provided	ahove is true and correct			
(If you make a false statement in an application you may be quilty of an offence and fined				
up to \$2,200).	, 3 , 3 ,			
Signature	Date / /			

HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 8: PENSIONER DECLARATION

This section should only be completed by Pensioners who are in receipt of a Pensioner Concession Card issued by Centrelink or Department of Veterans' Affairs.

APPLICANT CONSENT

APPLICANT CONFIRMATION

This consent will be used for the sole purpose of authorising Centrelink to provide information to Narromine Shire Council, ("the Council") to assess your eligibility in relation to concessions or services provided by Council.

AITEICANI CONTINMA		
I		authorise
	(Applicant's name)	

- Council to use Centrelink Confirmation eServices to perform an enquiry of my Centrelink or Department of Veteran's Affairs Customer details and concession card status in order to enable the Council to determine if I qualify for a concession; and
- the Australian Government Department of Human Services (the department)
 to provide the results of that enquiry to the Council. This involves electronically
 matching details I have provided to the Council with Centrelink or Department of
 Veterans" Affairs (DVA) records to confirm whether or not I am currently
 receiving a Centrelink or DVA benefit.

I understand that the department will use information I have provided to the Council to confirm my eligibility for the concession and will disclose to the Council personal information including my name, address, payment and concession card type and status.

I understand that this consent, once signed, remains valid while I am a customer of the Council unless I withdraw it by contacting the Council or the department.

I can obtain proof of my circumstances/details from the department and provide it to the Council so that my eligibility for the concession can be determined.

I understand if I withdraw my consent or do not alternatively provide proof of my circumstances/details, I may not be eligible for the concession provided by the Council.

I also understand that this consent, which is ongoing, can be revoked any time by giving notice to the Council.

(Further information about the Centrelink Confirmation eServices is available on Centrelink's website at www.humanservices.gov.au).

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

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

Signature:Dat

HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 9: CHECKLIST FOR APPLICANTS

Council will accept this application sought is provided by you. Additional information that you may have that supports your application can be attached. Please ensure all sections are completed.

I have completed		Yes /No
	Applicant Details	
	Property Details	
	Section 1 – Property Information	
	Section 2 – Pension / Benefit Details	
	Section 3a – Income Details	
	Section 3b – Bank Account Details	
	Section 4 – Asset Details	
	Section 5 – Expense Details	
	Section 6 – Hardship Details	
	Section 8 – Pensioner Declaration	



APPLICANT/S DETA	ILS (mus	t be property owne	er/s)	
Given Names				
Surname				
Postal Address				
Suburb				
State			Postcode	
Contact Phone Number			Mobile	
Email				
PROPERTY DETAILS				
Assessment Numbe	er			
Property Address				
Lot Number/s				
Deposited Plan/s				
		-		
SECTION 1: PROPER	TY INFO	RMATION		
Is this property your principal residence		· ·	ontinue with application) relief not available for rel	ntal properties)
How long have you at the property?				man proportion
Do you own the property?				
Is there a mortgage the property?	e on			
How many people the property?	live at			

Appendix 1 HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 2: PENSION / E	BENEFIT DETAILS		
Do you receive any pensions or benefit?	☐ Yes* *Please continue	□ No** **Proce	ed to Section 3a
Please provide details of pension (e.g. aged, disability, FHA etc.,)			
Amount received per fortnight	\$		
Do you have a Current Pensioner Concession Card (PCC)?	□ Yes □ No		
PCC Number		Date of Gra	nt
Have you claimed a Pensioner Concession on any property this year?	☐ Yes* *Please provide address of the prop	perty in the space	pelow

IF YOU HAVE A CURRENT PENSIONER CONCESSION CARD AND YOU HAVE NOT YET CLAIMED A PENSION REBATE, PLEASE COMPLETE A PENSIONER CONCESSION APPLICATION FORM AVAILABLE FROM COUNCIL'S CUSTOMER SERVICE & PAYMENT CENTRE AS YOU MAY NOT NEED TO CONTINUE COMPLETING THIS FORM. IF CONTINUING PLEASE SIGN PENSIONER DECLARATION SECTION 8.

SECTION 3a: INCOME

(State gross weekly/fortnightly amounts received from the following sources of income)				
SOURCE OF INCOME	AMOUNT	WEEKLY/FORTNIGHTLY		
How much do you receive in pensions & benefits?	\$	□ W	K 🗆	F/N
What is your gross wage / salary?	\$	□ W	K 🗆	F/N
Spouse/partner gross wage / salary?	\$	□ W	к 🗆	F/N
Do you receive income from any other source	? (Provide details)	I		
 Trust Income Rentals Insurance Payments/Compensation Superannuation Interest Other Income (Provide details below) 	\$ \$ \$ \$ \$ \$ \$		K 🗆 K 🗆 K 🗆	F/N F/N F/N F/N F/N
SECTION 3b: BANK ACCOUNT DETAILS				
(Please provide copies of the most recent bank sto	atements)			
Please provide name & current balance of all bank, credit union or building society accounts held in your name?				
NAME OF INSTITUTION	TYPE OF ACC	COUNT	BA	LANCE
			\$	
			\$	
			\$	
			\$	
			\$	
			\$	

	\$
TOTAL	\$

SECTION 4: ASSETS	
Please provide details of other non-pro	pperty assets
ITEM	ESTIMATED VALUE
Car/s	\$
Boats/Watercraft	\$
Motor Bike(s)	\$
Shares	\$
Investments	\$
Furniture	\$
Caravan	\$
Other Assets (provide details)	\$

SECTION 5: EXPENSES				
Please provide details of your expenses				
Tidase previde details of year experises	ESTIMATED			
EXPENSE TYPE	EXPENSE	WEEKLY/FORTNIGHTLY		
Home Loan Repayments	\$	□ WK □	F/N	
Personal Loans / Hire Purchase	\$	□ WK □	F/N	
Credit Cards	\$	□ WK □	F/N	
Health Costs (Where hardship relates to serious illness)	\$	□ WK □	F/N	
Council Rates & Charges	\$	□ WK □	F/N	
Other mortgages	\$	□ WK □	F/N	
Other Expenses	\$	□ WK □	F/N	
TOTAL EST	IMATED EXPENSES	□ WK □	F/N	

^{*}Please attach a separate page with any other relevant information you feel may assist your application.

SECTION 6: HARDSHIP DETAILS
What is the cause of the hardship? (e.g. illness*, unemployment)
*Please provide Doctor's report if this application relates to serious illness.
How long have you been experiencing this hardship?
What relief are you seeking from Council? (Options listed under Hardship Assistance to Ratepayers in Policy)
Which organisations have you sought assistance from due to financial hardship?

SECTION 6: HARDSHIP DETAILS (Cont'd)			
Details of recognised financial counsellor, financial pla	nner or sim	ilar you h	ave
engaged to provide assistance to you? (Please attach rel	evant docum	nentation)	
SECTION 7: APPLICANT DECLARATION			
I hereby declare that the information provided above	is true and	correct.	
(If you make a false statement in an application you may be			and fined
up to \$2,200).	1		
			,
Applicant (1) Signature	Date		/
	Date	1	1
Applicant (2) Signature	Dale	/	/
Applicatif (2) signature			

Appendix 1 HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 8: PENSIONER DECLARATION

This section should only be completed by Pensioners who are in receipt of a Pensioner Concession Card issued by Centrelink or Department of Veterans' Affairs.

APPLICANT CONSENT

APPLICANT CONFIRMATION

This consent will be used for the sole purpose of authorising Centrelink to provide information to Narromine Shire Council, ("the Council") to assess your eligibility in relation to concessions or services provided by Council.

ı		authorise
	(Applicant's name)	domonse

- Council to use Centrelink Confirmation eServices to perform an enquiry of my Centrelink or Department of Veteran's Affairs Customer details and concession card status in order to enable the Council to determine if I qualify for a concession; and
- the Australian Government Department of Human Services (the department) to provide the results of that enquiry to the Council. This involves electronically matching details I have provided to the Council with Centrelink or Department of Veterans" Affairs (DVA) records to confirm whether or not I am currently receiving a Centrelink or DVA benefit.

I understand that the department will use information I have provided to the Council to confirm my eligibility for the concession and will disclose to the Council personal information including my name, address, payment and concession card type and status.

I understand that this consent, once signed, remains valid while I am a customer of the Council unless I withdraw it by contacting the Council or the department.

I can obtain proof of my circumstances/details from the department and provide it to the Council so that my eligibility for the concession can be determined.

I understand if I withdraw my consent or do not alternatively provide proof of my circumstances/details, I may not be eligible for the concession provided by the Council.

I also understand that this consent, which is ongoing, can be revoked any time by giving notice to the Council.

(Further information about the Centrelink Confirmation eServices is available on Centrelink's website at www.humanservices.gov.au).

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

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

Date:	/	/
	Date:	Date: /

Appendix 1 HARDSHIP RATE RELIEF APPLICATION FORM

PRIVACY STATEMENT

Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under Council's Hardship Policy and will not be used for any other purpose. The information will be retained in Council's record keeping system. Information held by Council is not made publicly available unless there is an overriding public interest to do so under the Government Information (Public Access) Act 2009 (GIPA Act) and in accordance with section 18 (1)(b) of the NSW Privacy and Personal Information Protection Act 1998. For further information please contact Narromine Shire Council on (02) 6889 9999 and ask to speak with the Privacy Officer. Alternatively, you may email Council at mail@narromine.nsw.gov.au or write to Council at PO Box 115, Narromine NSW 2821.

HOW TO LODGE

Please email completed form and attachments to mail@narromine.nsw.gov.au, post to Narromine Shire Council, PO Box 115, Narromine NSW 2821 or hand deliver to Council's Customer Service & Payments Centre at 118 Dandaloo Street, Narromine. Further enquiries can be made by phoning 02 6889 9999.

SECTION 9: CHECKLIST FOR APPLICANTS Please ensure all relevant sections are completed. Incomplete or illegible applications will not be accepted and will be returned to you unprocessed. Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under Council's Hardship Policy Section Completed Section ☐ Yes ☐ No Applicant/s details ☐ Yes ☐ No Property details ☐ Yes ☐ No Section 1: Property Information ☐ Yes ☐ No Section 2: Pension/Benefit details ☐ Yes ☐ No Section 3a: Income ☐ Yes ☐ No Section 3B: Bank Account Details ☐ Yes ☐ No Section 4: Assets ☐ Yes ☐ No Section 5: Expenses ☐ Yes ☐ No Section 6: Hardship details ☐ Yes ☐ No Section 7: Applicant Declaration ☐ Yes ☐ No Section 8: Pensioner Declaration (If applicable) ☐ Yes ☐ No