



Financial Hardship

Application	Ratepayers
Responsible Officer	Director Corporate & Community Services
File No	CM:POL:CWP
Authorised by	Council
Effective Date	0689/17.10.2023
Distribution	Internet / Intranet/Public Exhibition

Purpose

The purpose of this policy is to provide a framework for decisions regarding the provision of assistance to individuals and organisations in our community experiencing financial hardship.

Council recognises that, at times, some ratepayers may have difficulty in paying their rates and annual charges, water usage charges or Council-approved fees and charges. Council is willing to provide financial assistance to ratepayers in this situation.

The *Local Government Act 1993* allows Council to provide a range of assistance measures. This policy outlines the options Council will provide to cases of genuine financial hardship.

Policy Statements

Council levies rates and annual charges (s501 *Local Government Act 1993*) to fund public assets and services to people and organisations that live and/or operate in the Carrathool Shire Local Government Area. Council sets annual charges for water and waste-water services that is set aside in a separate fund and is externally restricted solely for water and waste-water purposes. Rates and annual charges are similar to a tax collected by other tiers of government such as income tax.

Council charges according to the annual fees and charges for the actual use of water supply services under s502 *Local Government Act 1993*.

Separate to the above, Council also charges fees and charges for discretionary services that are incurred if a service is accessed (for example hiring a hall) in accordance with s608 *Local Government Act 1993*.

Definitions

Term	Meaning
Council	Carrathool Shire Council
Rates	Are of the nature of a property tax levied on the property owner to provide public goods and services for the local area
Annual Charges	An annual charge is applied to rateable land where that service is able to be provided (water, waste-water and domestic waste)
Water Consumption Charges	Charges for metered water used according to s502 <i>Local Government Act 1993</i>
Fees and Charges	A fee for a service provided by Council under s608 <i>Local Government Act 1993</i>
Interest	Interest charged by Council on overdue rates and annual charges



Reference

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

- *Local Government Act 1993*

Policy Principles

Eligibility

A person or other legal entity is eligible for assistance if it can be demonstrated that the person (s) or organisations is suffering from financial hardship in that they cannot meet their obligations in the short to medium term

Financial hardship may arise as a result of a sudden loss of income by a property owner/facility user/service user or family member upon whom a property owner relies for financial support due to circumstances such as:

- a. loss of employment, or
- b. family breakdown, or
- c. illness or incapacity, or
- d. death, or
- e. a disruptive event.

Application and Assessment

An application in writing must be submitted to the General Manager together with a completed Financial Statement form (available from Council) with all relevant supporting documentation attached. The Director Corporate & Community Services will assess each application on its merits taking into account the responses provided in the supplied documentation.

Determination

Council will make a determination in respect of each application upon consideration of a recommendation made by the Director Corporate & Community Services.

The applicant will be informed of Council's decision in writing and must enter into a written agreement to make payments according to the financial relief determined by Council.

Failure to adhere to written agreements will, in most cases, result in debt recovery action by Council.

Withdrawal of Assistance

Financial hardship assistance may be withdrawn by Council at the discretion of the Director Corporate & Community Services for any of the following reasons:

- a. the ratepayer no longer owns the land, or
- b. the ratepayer advises Council that hardship no longer applies, or
- c. the ratepayer defaults on the payment agreement, or
- d. Council receives new information that proves the hardship no longer exists.

The General Manager reserves the right to withdraw any financial hardship concession.



Revision Table

Minute /Date	Amendment Summary	Reason or Reference
0386 / 14.12.2004		
19.09.2011		Reviewed by General Manage
0606 / 18.03.2014	Clause 1 – All water & sewer Charges	Amended and Reformatted
0741 / 16.10.2018		Amended
0339/18.10.2022		Reviewed
0689/17.10.2023	Complete rewrite of policy	To review and align Council debt recovery documents

Associated Documents

Council Policy 145 – Debt Management Policy
Financial Statement Form
Annual Fees and Charges

Review

This policy may be amended from time to time and will be reviewed within four years of its adoption (or latest amendment) with reference to any relevant legislation and best practice guides.