

9.8 Policy Review - Hardship Provision Rates and Charges

REPORT BY THE MANAGER PROPERTY AND REVENUE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0340005

RECOMMENDATION

That Council:

1. **receive the report by the Manager Property and Revenue on the Policy Review - Hardship Provision Rates and Charges;**
2. **place the revised Hardship Provision - Rates and Charges Policy on public exhibition for 28 days; and**
3. **adopt the revised Hardship Provision - Rates and Charges Policy if no submissions are received.**

Executive summary

The existing Policy Review - Hardship Provision Rates and Charges (the Policy) has been reviewed and proposed amendments are suggested as part of Council's ongoing policy review program.

Disclosure of Interest

Nil

Detailed report

The proposed changes to the Policy are consistent with the intent of the existing Policy and are primarily minor amendments to give clarity to, and reflect the scope of Council's current business operations and current business practices.

All proposed changes are shown as "track changes" on the copy of the Policy attached to this report.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

Strategic implications

Council Strategies

Nil

Council Policies

By adopting the recommendation, Council is endorsing the Policy changes to be placed out on public exhibition for comment. Should any submissions be received a further report will be

presented back to Council for consideration. If no submissions are received at the end of the exhibition period, the revised policy will be adopted and apply from that date.

Legislation

Local Government Act 1993

Local Government (General) Regulation 2005

Privacy and Personal Information Protection Act 1998

Privacy and Personal Information Protection Regulation 2019

Financial implications

Not Applicable

Associated Risks

Not Applicable

DIANE SAWYERS
MANAGER PROPERTY AND REVENUE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

27 April 2021

Attachments: 1. Current Hardship Provision - Rates and Charges Policy with track changes.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Hardship Provision – Rates and Charges

*A prosperous
and progressive
community.*

ADOPTED	15/03/2017	VERSION NO	2.0
COUNCIL MEETING MIN NO	49/17	REVIEW DATE	MARCH 2021/MAY 2025
DATE:	30/06/2017	FILE NUMBER	GOV400047 A0340005

Objective

The objectives of this policy are to:

Provide assistance where possible, in accordance with the Local Government Act 1993 NSW (LGA) and the Local Government (General) Regulation 2005 NSW, to those ratepayers who are experiencing substantial financial difficulties in paying their rates and charges.

Provide an administrative process to determine hardship applications.

Legislative requirements

- Local Government Act 1993 NSW
- Local Government (General) Regulation 2005 NSW
- Valuation of Land Act 1916 NSW

Related policies and plans

- Privacy Management Plan
- Debt Recovery Policy

Policy

This Policy recognises that due to exceptional circumstances, ratepayers may at times encounter difficulty in paying rates and charges. The policy provides the framework to be followed in providing assistance to those ratepayers who are suffering substantial financial hardship. A ratepayer in substantial financial hardship is someone who is identified by themselves, the council or an independent financial counsellor as having the intention, but not the financial capacity to make the required payments within the timeframe set out in the rates and charges notice. Where a ratepayer falls within this definition, the council may apply its hardship provision – rates and charges policy.

1.1 The Local Government Act 1993 NSW (LGA) specifies a range of assistance measures that Council can provide to ratepayers who are experiencing substantial financial hardship, including those addressed in this policy - sections 567 and 601.

2. Eligibility

2.1 This Policy is available to the ratepayers of all land categorised as Residential or Farmland for rating purposes within the Mid-Western Regional Council local government area, subject to the “definitions” and “provisions” as disclosed in this Policy.

