



ANABRANCH  
BURONGA  
COOMEALLA  
CURLWAA  
DARETON  
ELLERSLIE  
GOL GOL  
MONAK  
POMONA  
POONCARIE  
RUFUS RIVER  
TRENTHAM CLIFFS  
WENTWORTH



# Rates and Charges Financial Hardship Policy

DOC/22/1696

Policy No: AF013

Approved: 17 February 2022



If you require assistance reading and understanding this document, please contact the Translating and Interpreting Service on 131 450 and ask them to call Wentworth Shire Council on 03 5027 5027.

## IMPORTANT | ENGLISH

If you require assistance reading and understanding this document, customer service staff of Wentworth Shire Council are happy to assist in the arrangement of a free interpretive service.

To arrange an interpreter, please contact Council on 03 5027 5027, or visit a Council Office listed below.

### MAHALAGA | FILIPINO

Kung kailangan mo ng tulong sa pagbabasa at pag-unawa sa dokumentong ito, ang mga kawani ng customer service ng Wentworth Shire Council ay masaya na tumulong sa pag-aayos ng isang libreng serbisyo ng interpretive. Upang ayusin ang isang interpreter, mangyaring makipag-ugnayan sa Council sa 03 5027 5027, o bisitahin ang isang Council Office na nakalista sa ibaba.

### IMPORTANT | FRANÇAIS

Si vous avez besoin d'aide pour lire et comprendre ce document, le personnel du service client du Wentworth Shire Council se fera un plaisir de vous aider à organiser un service d'interprétation gratuit. Pour organiser un interprète, veuillez contacter le Conseil au 03 5027 5027 ou visitez un bureau du Conseil indiqué ci-dessous.

### ΣΗΜΑΝΤΙΚΟ | ΕΛΛΗΝΙΚΟ

Εάν χρειάζεστε βοήθεια για την ανάγνωση και την κατανόηση αυτού του εγγράφου, το προσωπικό εξυπηρέτησης πελατών του Wentworth Shire Council είναι πρόθυμο να σας βοηθήσει στη διευθέτηση μιας δωρεάν υπηρεσίας διερμηνείας. Για να κανονίσετε έναν διερμηνέα, επικοινωνήστε με το Δήμο στο 03 5027 5027 ή επισκεφθείτε ένα Γραφείο του Συμβουλίου που αναφέρεται παρακάτω.

### IMPORTANTE | ITALIANO

Se hai bisogno di assistenza per leggere e comprendere questo documento, il personale del servizio clienti del Wentworth Shire Council sarà lieto di assisterti nell'organizzazione di un servizio interpretativo gratuito. Per organizzare un interprete, contattare il Comune allo 03 5027 5027 o visitare uno degli uffici del Comune elencati di seguito.

### PENTING | MELAYU

Jika anda memerlukan bantuan membaca dan memahami dokumen ini, kakitangan perkhidmatan pelanggan Wentworth Shire Council berbesar hati untuk membantu dalam pengaturan perkhidmatan tafsiran percuma. Untuk mengatur jurubahasa, sila hubungi Majlis di 03 5027 5027, atau lawati Pejabat Majlis yang disenaraikan di bawah.



**Midway Community Centre**  
6 Midway Drive, Buronga NSW 2739

### 重要 | 普通话 (简体中文)

如果您在阅读和理解本文件时需要帮助, 温特沃斯郡议会的客户服务人员很乐意协助安排免费口译服务。如需安排口译员, 请致电 03 5027 5027 联系市议会, 或前往下列市议会办公室。

### ਮਹੱਤਵਪੂਰਨ | ਅੰਗਰੇਜ਼ੀ

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਪੜ੍ਹਨ ਅਤੇ ਸਮਝਣ ਵਿੱਚ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਵੈਨਟਵਰਥ ਸ਼ਾਇਰ ਕਾਉਂਸਲ ਦੇ ਗਾਹਕ ਸੇਵਾ ਸਟਾਫ਼ ਇੱਕ ਮੁਫਤ ਵਿਆਖਿਆ ਸੇਵਾ ਦੇ ਪ੍ਰਬੰਧ ਵਿੱਚ ਸਹਾਇਤਾ ਕਰਨ ਲਈ ਖੁਸ਼ ਹਨ। ਦੁਬਾਰਾ ਦਾ ਇੰਤਜ਼ਾਮ ਕਰਨ ਲਈ, ਕਰਿਪਾ ਕਰਕੇ 03 5027 5027 'ਤੇ ਕਾਉਂਸਲ ਨਾਲ ਸੰਪਰਕ ਕਰੋ, ਜਾਂ ਹੇਠਾਂ ਸੂਚੀਬੱਧ ਕਮਿ ਕਾਉਂਸਲ ਦਫ਼ਤਰ 'ਤੇ ਜਾਓ।

### สำคัญ | แบบไทย

หากคุณต้องการความช่วยเหลือในการอ่านและทำความเข้าใจเอกสารนี้ เจ้าหน้าที่บริการลูกค้าของ Wentworth Shire Council ยินดีให้ความช่วยเหลือในการจัดการบริการล่ามฟรี หากต้องการจัดเตรียมล่าม โปรดติดต่อสภาที่ 03 5027 5027 หรือไปที่สำนักงานสภาตามรายการด้านล่าง

### ÖNEMLİ | TÜRKÇE

Bu belgeyi okuma ve anlama konusunda yardıma ihtiyacınız varsa, Wentworth Shire Belediyesi'nin müşteri hizmetleri personeli, ücretsiz tercümanlık hizmetinin ayarlanmasında yardımcı olmaktan mutluluk duyacaktır. Bir tercüman ayarlamak için lütfen 03 5027 5027 numaralı telefondan Belediye ile iletişime geçin veya aşağıda listelenen bir Belediye Ofisini ziyaret edin.

### QUAN TRỌNG | TIẾNG VIỆT

Nếu bạn cần trợ giúp để đọc và hiểu tài liệu này, nhân viên dịch vụ khách hàng của Hội đồng Wentworth Shire sẵn lòng hỗ trợ sắp xếp dịch vụ thông dịch miễn phí. Để sắp xếp một thông dịch viên, vui lòng liên hệ với Hội đồng theo số 03 5027 5027 hoặc đến Văn phòng Hội đồng được liệt kê bên dưới.



**Wentworth Shire Council Main Office**  
26-28 Adelaide Street, Wentworth NSW 2648

## RATES AND CHARGES FINANCIAL HARDSHIP POLICY

### POLICY OBJECTIVE

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

### 1. 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.

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 fulfil the statutory requirements of the *Local Government Act* 1993 (Act) with respect to the ability to grant provision and give special consideration to ratepayers subject to financial hardship

### 2. POLICY COVERAGE

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

### 3. STRATEGIC PLAN LINK

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

### 4. DEFINITIONS AND ABBREVIATIONS

| Term/Word | Definition                             |
|-----------|--|
| Act       | <i>Local Government Act</i> (NSW) 1993 |
| Council   | Council of the Shire of Wentworth      |

### 5. POLICY CONTENT

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



## RATES AND CHARGES FINANCIAL HARDSHIP POLICY

---

### Application Conditions/Procedure

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.

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 subcategory; and
- Repayment history, including any previous defaults or arrangements.

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

- Letter from a recognised financial counsellor or financial planner confirming financial hardship or a Statutory Declaration from ratepayer outlining reasons for applying for hardship;
- Copy of recent bank statements of all accounts; and
- Details of income and expenditure 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

Once the ratepayer has submitted the application, the Rates Officer will make an assessment based on the merit of the individual case against the eligibility conditions within this policy.

A recommendation to be made to the General Manager for amounts less than \$2,000. For amounts greater than \$2,000 a report to be prepared for resolution in Closed Council to protect the applicant(s) privacy in accordance with Section 10A(2)(b) of the Act.

Council will consider hardship applications 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.

### Available Options

Options available under this policy for those suffering hardship include the following:

- Defer outstanding amounts for a set period of time;
- Periodic Payment Arrangements;
- Charge interest rate of 0% on overdue amounts for a set period of time;
- Writing off accrued interest and costs;
- Extend pensioner concession to avoid hardship; and
- Pensioner Abandonments.

## RATES AND CHARGES FINANCIAL HARDSHIP POLICY

Section 564 of 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.

Accrued interest on rates or charges payable by a person may be written off under Section 567 of the Act.

Interest will be written off with the following conditions;

- Interest is charged and then written-off where a repayment schedule is adhered to and the arrangement provides for accrued interest to be waived.
- Where a scheduled repayment default occurs, the levying of interest charges are to be reactivated from the last payment made in accordance with the repayment schedule. The ratepayer will be contacted via correspondence and advised of the repayment default.

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.

Section 577 of the Act, 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.

Section 582 of the Act, 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 Act 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.

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*

### Hardship Concession Termination

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

- Defaulting on a payment arrangement;
- 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; or

# RATES AND CHARGES FINANCIAL HARDSHIP POLICY

- 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.

## 6. RELATED DOCUMENTS & LEGISLATION

### Legislation

- Local Government Act (NSW) 1993
- Local Government (General) Regulation 2021

### Council Policies

- AF014 – Debt Recovery Policy
- GOV022 – Legislative Compliance Policy

### Council Documents

- Legislative Compliance Framework

## 7. ATTACHMENTS

Nil.

## 8. DOCUMENT APPROVAL

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 16 February 2022. All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council’s record management system and Reliansys.

Signed:  .....

17 February 2022

General Manager Wentworth Shire Council

Date

This page intentionally left blank



## Contact

 **Main Service Centre**  
26-28 Adelaide Street, Wentworth

 **Postal Address**  
PO Box 81, Wentworth NSW 2648

 **(03) 5027 5027**

 **council@wentworth.nsw.gov.au**

 **wentworth.nsw.gov.au**

**Have Your Say:**  
[wentworth.nsw.gov.au/have-your-say](https://wentworth.nsw.gov.au/have-your-say)