POLICY NAME: Rates and Charges - Debt Recovery Policy

POLICY REF:

MEETING ADOPTED:

Resolution No.

POLICY HISTORY:



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Rates and Charges - Debt Recovery Policy

#### **OBJECTIVE**

To establish guidelines for the efficient and effective collection of outstanding rates and charges.

To fulfil the statutory requirements of the Local Government Act, 1993, (LGA) in relation to the recovery of outstanding rates and charges.

To ensure the integrity and confidentiality of proceedings for the debtor and Council.

#### **POLICY**

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay their rates and charges when they become due and payable to Council.

It is not Council's intention to cause hardship to any ratepayer through our debt recovery procedures and consideration will be given to acceptable arrangements to clear the debt where possible.

This Policy establishes the framework for recovery action of all amounts due to Council. It also provides the process for debt recovery to ensure the prompt recovery of all amounts due to Council.

#### 1. Issue of Rates and Charges Notices

Rates and charges notices are issued at least 30 days prior to the due date in accordance with Section 562 of the LGA.

Rates are payable in full on 31 August or by quarterly instalments. Quarterly Instalments are due on the following dates each year:

- 31 August
- 30 November
- 28 February
- 31 May

### 2. Interest on Overdue Rates and Charges

Interest is charged on overdue rates and charges in accordance with Council's adopted Fees and Charges.

Interest is not charged on legal costs. However, if legal costs are incurred, payments are allocated to legal costs as the first priority for repayment.

Section 564 and 567 of the LGA allows Council to provide assistance to ratepayers by writing off accrued interest charges. All applications for this assistance must be made in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Page 1 of 5 <Policy No.>

Rates and Charges - Debt Recovery Policy

#### 3. Issue of Overdue Reminder Notices

A rates reminder letter will be issued within 14 days after the due date of an instalment to those ratepayers who have an outstanding balance greater than \$250 and have not made a previous satisfactory payment arrangement with Council.

The reminder gives the ratepayer the balance outstanding and the option of paying the debt off by means of a periodical payment arrangement.

The reminder letter will request payment within 14 days from the posting date of the letter.

If a reminder letter does not result in payment in full or a suitable payment arrangement, the debt will be forwarded to Council's debt collection agency for the issue of a letter of demand.

#### 4. Payment Arrangements

Arrangements may be entered into with all ratepayers in accordance with Section 564 of the LGA.

It is Council's intention to have a maximum period of 24 months for which debts may be paid under a suitable arrangement, including current levies and interest during the period of the arrangement.

Any requests for arrangement periods that exceed 24 months must be in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Requests for payment arrangements or extensions can be made over the phone with authorised Council staff or in writing. Payments can be made either weekly, fortnightly, monthly or by other suitable arrangements.

Interest will continue to accrue on overdue rates and charges during the period of arrangements.

Any requests for the waiving or writing off of interest charges under Section 564 or Section 567 of the LGA must be made in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Recovery action by Council will be deferred whilst the agreed payment arrangement is adhered to.

#### 5. Broken Arrangements

Where a ratepayer fails to adhere to an agreement, Council will advise the ratepayer in writing or by phone that the agreement has defaulted and recovery action will commence or be continued unless the arrangement is brought up to date within seven days from the date of advice.

If legal action has been suspended due to the ratepayer entering into a payment arrangement and the agreement has not been met by the ratepayer, the legal action will be reactivated at the level when the suspension took place.

If a ratepayer has a history of broken arrangements, Council may refuse any requests for further payment agreements and demand payment in full.

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Rates and Charges - Debt Recovery Policy

#### 6. Dishonoured Direct Debit Payments

Where a ratepayer has entered into a direct debit arrangement with Council to reduce their arrears and a payment is dishonoured without prior notification, Council will advise the ratepayer in writing or by phone of the dishonour and recovery action will commence or be continued unless the arrangement is brought up to date within seven days from the date of advice.

If direct debit payments are dishonoured on multiple occasions Council may cancel the direct debit agreement and will notify the ratepayer in writing.

If legal action has been suspended due to the ratepayer entering into a direct debit arrangement and the agreement has not been met by the ratepayer, the legal action will be reactivated at the level when the suspension took place.

#### 7. Legal Action

If Council receives no response from the debtor after the due date of the reminder letter or the debtor defaults on a payment arrangement, Council may initiate legal action.

Any outstanding debts with a balance greater than \$1,000 will be forwarded to Council's debt collection agency for commencement of legal proceedings.

Legal action will be initiated with a Letter of Demand being sent by Council's debt collection agency to the debtor, giving them 14 days to make payment in full or enter into an acceptable payment arrangement.

If full payment is not received or a suitable payment arrangement entered into, a Statement of Claim will be issued for the arrears as at the date of issue and served.

Following expiration of the statutory period, to protect Council's interest in the matter and all available actions to recover the amount outstanding, if the debt is not cleared, a Notice of Motion Default Judgment for liquidated claim will be lodged.

Thereafter, recovery actions that will be considered include, but are not limited to:

- · A garnishee of income (bank/wages/rent)
- Writ of Execution
- Examination Summons
- Statutory Demand
- Sale of Land for unpaid rates in accordance with Section 713 of the LGA.

Recovery action is not limited to the above methods. Each account will be individually assessed to determine the appropriate and most efficient method of recovery action.

Payment arrangements may still be accepted up to the point of a Statement of Liquidated Claim, thereafter all arrangement requests will be assessed individually and may require the signing of a Consent Order.

All legal costs and expenses incurred in recovering outstanding rates and charges shall be charged against the property in accordance with Section 605 of the LGA.

Page 3 of 5 <Policy No.>

Rates and Charges - Debt Recovery Policy

In accordance with Section 459 of the Corporations Act 2001, where the ratepayer is a company and has been served with a Statutory Demand and the ratepayer has not complied within the 21 day period, Council has the right to commence proceedings to have the debtor company wound up and a liquidator appointed.

All debts regarding the issue of a creditors' statutory demand must exceed the sum of \$2,000.

#### 8. Sale of Land for Unpaid Rates and Charges

In accordance with Section 713 (2) of the LGA, Council may sell any land on which any rate or charge has remained unpaid for more than five years from the date on which it became payable.

Where any rate or charge remains unpaid on vacant land for more than one year, Council may proceed to sell the land if the total amount of unpaid rates or charges on the land exceeds the Valuer General's current valuation of the property.

If legal recovery attempts prove unsuccessful and a ratepayer falls into one of the above categories, a letter will be written to the ratepayer advising them that Council will consider sale of land due to unpaid rates and charges. The letter will be a final attempt to give the ratepayer an opportunity to enter into a suitable payment plan prior to a report to Council to consider the sale of land.

If a ratepayer does not respond to Council's final letter, a report shall be provided to Council.

The report will include a General Manager's Certificate certifying the following:

- What rates and charges are payable on the land
- When each rate was levied
- When each rate became due
- What rates and charges are overdue.

The report will also provide a detailed history of the circumstances of each case together with a recommendation in relation to the possible sale of the land to recover the overdue rates and charges.

#### BACKGROUND

This Policy has been developed to ensure a consistent approach in the recovery of outstanding rates and charges is applied across the organisation and to ensure ratepayers are aware of the debt recovery practices followed by Council.

### DEFINITION

Ratepayer

Person, persons or entity responsible for payment of the rates and / or charges levied on a property.

Page 4 of 5 <Policy No >

Rates and Charges - Debt Recovery Policy

### SCOPE OF POLICY

This policy applies to:

- Ratepayers of Ballina Shire
- Council employees
- Councillors

## RELATED DOCUMENTATION

Related documents, policies and legislation:

- Local Government Act, 1993
- Financial Assistance (Hardship) Rates and Charges Policy
- Hardship Rate Relief Application Form
- · Fees and Charges

#### **REVIEW**

This policy is to be reviewed every four years.

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POLICY NAME: FINANCIAL ASSISTANCE - RATES,

ANNUAL CHARGES AND FEES

POLICY REF: F08

MEETING ADOPTED: 26 November 2015

Resolution No. 261115/20

POLICY HISTORY: 220911/19; 230311/23; 260804 (052)



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### **OBJECTIVE**

To provide rate relief to those ratepayers who are experiencing genuine and significant financial difficulties in paying their rates, charges and fees.

To provide financial relief for residents experiencing genuine and significant financial difficulties in paying animal surrender, impounding and sustenance fees that Council imposes.

#### BACKGROUND

Council recognises that, at times, certain ratepayers may have difficulty in paying their property rates, charges and fees. Council is willing to provide financial assistance to ratepayers in these situations.

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.

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Financial Assistance - Rates & Annual Charges and Fees

Additionally Council also recognises that residents may have difficulty meeting Council imposed ranger fees associated with animal surrender, impounding and sustenance. Council cannot alter the registration fees set by the Companion Animals Regulation 2008.

#### **DEFINITIONS**

Land value unimproved land value provided to Council by the Valuer

General for the purpose of levying ordinary land rates.

Ranger fees & charges fees associated with animal surrender, impounding and

substance fees.

companion animal means each of the following:

(a) a dog (b) a cat

(c) any other animal that is prescribed by the regulations as a

companion animal.

Council Ballina Shire Council

#### SCOPE OF POLICY

This policy applies to:

· Ratepayers of Ballina Shire

Residents of Ballina Shire who own or surrender a companion animal

#### RELATED DOCUMENTATION

Related documents, policies and legislation:

- Local Government Act 1993
- Council's rates and charges debt recovery procedure
- · Companion Animals Act 1998
- Companion Animals Act Regulation 2008
- Companion Animals Act (DLG Guidelines February 2010)
- Council's Companion Animals Management Plan

### POLICY

Council will provide assistance for ratepayers facing genuine and significant financial hardship in the payment of their rates and charges. Rates, charges and fees are deemed to include all rates, charges and fees listed on a ratepayers' Rates & Charges Notice.

This policy also covers waiver, deferment or reduction provisions for residents experiencing genuine and significant financial hardship in the payment of Council imposed Ranger fees associated with the surrender, impounding and sustenance of companion animals. These subsidies may be treated as a community service obligation and reflected in Council's general income stream. Council cannot alter the registration fees set by the Companion Animals Regulation 2008. Council must remit the full fee set for each category of registration to the Division of Local Government.

The hardship assistance provisions offered are as follows:

Page 2 of 4 Policy No: F08

Financial Assistance - Rates & Annual Charges and Fees

#### Deferral of the general rate when new land values are used

In accordance with Section 601 of the Local Government Act 1993, if a property owner is eligible, Council will defer payment of the whole of the increase of the ordinary rate due, to the following rating year.

This is subject to one quarter of the amount of the increase being added to each instalment due in the following rating year. Interest is not charged on the deferred amount, unless it remains unpaid when the following rate instalment it was added to, becomes overdue.

The criteria used to determine eligibility is as follows:

- The property must be categorised residential or farmland for rating purposes
- The increase in land value must be greater than the residential shire wide average increase
- The ratepayer must own the property and also occupy the property as their principal place of abode
- The ratio of ordinary rates payable to gross household income must be greater than 3.5%
- The ratepayer will suffer substantial financial hardship if required to pay rates and charges when they fall due. The ratepayer must provide details of their income and expenses, with supporting evidence as required by Council
- This option is only available in the first year that new land values are used to levy rates.

#### 2. Deferral of rates and charges against the estate

This option is offered in accordance with section 564 of the Local Government Act 1993. This option is only available to aged pensioners and self-funded retirees that satisfy the eligibility criteria to defer payment of part or all of their rates and charges against their estate.

Interest charges for approved applicants will be charged at the reserve bank cash rate. This interest rate will be reviewed annually on 1 July. This rate will then be effective for the entire financial year.

The criteria to be used to determine eligibility is as follows:

- The aged pensioner or self-funded retiree would suffer substantial financial hardship if required to pay rates and charges when they fall due. The applicant must provide details of their income and expenses, with supporting evidence as required by Council
- The property must be categorised residential or farmland for rating purposes
- The applicant must have owned the property for at least five years
- The applicant must occupy the property as their principal place of abode
- The applicant must apply annually and their circumstances must remain unchanged from the previous year
- If circumstances change and the applicant no longer qualifies, Council will negotiate a repayment plan for accrued arrears
- All applications for this type of assistance must be approved by the elected Council.

### 3. Other Ratepayer Assistance

In addition to the options outlined Council will provide financial arrangements for ratepayers, who may not meet the criteria outlined in this policy, but are still facing financial difficulties, to pay their outstanding rates, charges and fees.

Page 3 of 4 Policy No: F08

Financial Assistance - Rates & Annual Charges and Fees

These periodical payment agreements offered in accordance with section 564 of the Local Government Act 1993, which will be authorised by the General Manager, will generally allow the ratepayer an extended period of time to pay their account. Such agreements will be subject to interest charges as per the interest rate for overdue rates and charges detailed in Council's Schedule of Fees and Charges.

#### 4. Ranger associated Fees & Charges

The General Manager, or delegate, may consider hardship matters relating to animal surrender, impounding and sustenance fees. Assistance may be provided in the form of allowing additional time to pay or waiving fees in cases of hardship. Council will not consider hardship applications in relation to animal registration fees or the costs of microchipping.

In cases of hardship the Council Rangers will have the discretion to waive animal surrender fees where there are animal welfare concerns and/or obvious community benefit. Where the Rangers exercise this discretion a report must be provided to the Group Manager of the Development and Environmental Health Group detailing the amount waived, customer name and address, the circumstances of the case and the reason for the decision.

The following heads of consideration will be used to determine applications under this section:

- The presence of financial hardship the applicant is a recipient of a pension, government payment or is undergoing some other form of financial hardship (i.e. due to an serious medical condition),
- Track record the past behaviour of the applicant and their animal in relation to compliance with the Companion Animals Act,
- Public safety and risk the animal has acted in an aggressive or dangerous manner and may present a risk to public health and safety,
- Confinement the adequacy of confinement measures (i.e. fences) to contain the animal onto its property.

### REVIEW

This policy is to be reviewed every four years.

Page 4 of 4 Policy No: F08 POLICY NAME: Financial Assistance (Hardship) -

**Rates and Charges** 

POLICY REF: F08

**MEETING ADOPTED:** 

Resolution No.

POLICY HISTORY: 220911/19; 230311/23; 260804 (052)



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Financial Assistance (Hardship) - Rates and Charges Policy

#### **OBJECTIVE**

To provide financial assistance to ratepayers who are experiencing genuine and significant financial difficulties in paying their rates and charges.

To provide a decision making framework for the consistent and equitable determination of all financial hardship applications.

#### POLICY

Any ratepayer who cannot pay their rates and charges due to genuine financial hardship can apply to Council for assistance.

Rates and charges are deemed to consist of those rates and charges listed on a ratepayer's Rates and Charges Notice.

Each individual case will be considered on its merits.

To be eligible for consideration of hardship rate relief, a ratepayer must complete the Hardship Rate Relief Application Form (those applying for a periodical payment arrangement are not required to complete a Hardship Rate Relief Application Form).

The Hardship Rate Relief Application Form is available for download on Council's website www.ballina.nsw.gov.au.

The completed form is to be returned to Council including details of income, expenditure, assets, liabilities, and such other information required for the Council to make an informed decision.

The criteria for assessment will include, but not be limited to the following:

- The applicant must be the owner of the property and must be liable for the payment of rates and charges on the property.
- The property for which the hardship application is made must be the applicant/s principal place of residence.
- The applicant must not own any other property either within or outside the Council area.
- The property must be categorised residential or farmland for rating purposes.
- The Hardship Rate Relief Application must be accompanied with supporting documentation which may include, but is not limited to:
  - Details of income and expenditure, assets and liabilities.
  - Copies of most recent bank statements.
  - A letter supporting the application outlining the reason for applying for financial hardship and the period of time for which the hardship relief sought may apply.

All applications for hardship rate relief will be assessed by an internal Hardship Committee. The Hardship Committee will consist of three Council officers appointed by the General Manager.

The Hardship Committee is to make recommendations to the General Manager for approval of payment terms exceeding 24 months or write-offs less than \$1,000.

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Financial Assistance (Hardship) - Rates and Charges Policy

The Hardship Committee, through the General Manager, is to make recommendations to Council for write-offs greater than \$1,000 or other assistance as considered appropriate under extenuating circumstances.

The hardship assistance provisions offered are as follows:

#### Periodical Payment Arrangements – Section 564

Council may enter into payment arrangements with ratepayers who may not meet the criteria outlined in this policy, but are still facing financial difficulties in meeting their normal instalment payments as provided by the LGA.

Authorised Council staff can accept over the phone payment arrangements for weekly, fortnightly or monthly payments that are within a 24 month timeframe. Any requests for periodical payment arrangements greater than 24 months need to be authorised by the General Manager.

Such agreements will continue to be subject to interest charges as per the interest rate for overdue rates and charges detailed in Council's Fees and Charges.

### Writing Off Accrued Interest – Section 564 and 567

Council may write off accrued interest charges payable by a ratepayer where if, in its opinion, payment of accrued interest would cause the person hardship.

Eligibility for such assistance is to be based on the criteria stated in this policy and the completion of Council's Hardship Rate Relief Application.

The following assistance is only to be granted providing a payment arrangement is made by Direct Debit and full payment is received by the end of the arrangement period.

If eligible, the following two options are provided:

That an interest free period be granted if the full amount (including current rates and charges) is finalised within 12 months of the application. The interest free period will apply from the date of approval.

### Option 2:

That interest charges up to a maximum of 50% be written off if the full amount (including current rates and charges) is finalised in full within 13 to 36 months from the date of approval. The write off will apply from the date of approval and will be granted upon successful completion of the arrangement.

#### 3. Deferral of the general rate following a revaluation - Section 601

Council may defer payment of the whole of the increase of the ordinary rate due, to the following rating year.

This is subject to one quarter of the amount of the increase being added to each instalment due in the following rating year. Interest is not charged on the deferred amount, unless it remains unpaid when the following rate instalment it was added to, becomes overdue.

The additional criteria used to determine eligibility is as follows:

Page 2 of 6 <Policy No > Financial Assistance (Hardship) - Rates and Charges Policy

The percentage increase in land value must be greater than the residential shire wide average increase.

This option is only available in the first year that new land values are used to levy rates.

### 4. Other Ratepayer Assistance

In addition to the above, Council may determine other applications for assistance which are to be submitted to Council on an individual basis for consideration.

#### 5. Cancellation of Hardship Assistance

Hardship assistance may be cancelled as a result of the following:

- Defaulting on a payment arrangement
- The ratepayer no longer owns the land
- The ratepayer advises Council that financial hardship no longer
- Council receives information that the financial hardship no longer exists.

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

#### BACKGROUND

Council recognises that, at times, certain ratepayers may have difficulty in paying their rates and charges. This policy outlines the options Council will provide to cases of genuine financial hardship and also the process to be followed in providing such

The Local Government Act, 1993, (LGA) allows Council to provide assistance to ratepayers under the following sections of the Act.

- a) Section 564 of the LGA provides Council with the option to accept payment of rates and charges due and payable by a person in accordance with a periodical payment arrangement and to write off or reduce interest accrued on rates and charges if the person complies with the agreement.
- b) Section 567 of the LGA provides for Council to write off accrued interest on rates and charges payable by a ratepayer if, in Council's opinion the reasons that the ratepayer was unable to pay the rates and charges when they became payable were beyond the ratepayer's control, or; that the ratepayer is unable to pay the accrued interest for reasons beyond that ratepayer's control, or; that the payment of the accrued interest would cause the ratepayer hardship.
- c) Section 601 of the LGA provides for ratepayers who incur a rate increase in the first year following a General Revaluation of land values to apply to Council for rate relief if the increase in the amount of rates payable will cause them substantial financial hardship.

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Financial Assistance (Hardship) - Rates and Charges Policy

### SCOPE OF POLICY

Ballina Shire Council

This policy applies to:

· Ratepayers of Ballina Shire

### RELATED DOCUMENTATION

Related documents, policies and legislation:

- Local Government Act 1993
- Rates and Charges Debt Recovery Policy
- Hardship Rate Relief Application Form
- Fees and Charges

### **REVIEW**

This policy is to be reviewed every four years.

Page 4 of 6 <Policy No.>

# **Hardship Rate Relief Application Form**



Lodge Applications at Ballina Shire Council • 40 Cherry Street Ballina (Mon-Fri 8.15am to 4.30pm) mail PO Box 450 Ballina 2478 • dx 27789 • e council@ballina.nsw.gov.au t 1300 864 444 • w ballina.nsw.gov.au

If insufficient information is provided, Council will be unable to process this application. This form should be read in conjunction with Council's Financial Assistance Policy - Rates & Charges.

Section 1: Applicant Details				
Full Name of Applicant (s)				
Address	,			
Mobile Number	Telephone Number			
Email Address				
Section 2: Property Details				
Assessment Number	Property Description Lot number / DP or SP number			
Bt-Add				
Property Address				
The property for which I am claiming has been my sole	/principal place of living since			
The property for which fall chairing has been my sole, principal place of living since				
Section 3: Application				
This application is for hardship rate relief for the whole	or part of the year commencing 1 July			
What is the cause of financial hardship? eg. unemployment, i	Iness. Please attach separate letter if insufficient space provided.			
How long have you been experiencing financial hardsh	ip?			

17/11791 Page 1 of 3

Section 3: Application (continue	d)		
What hardship assistance provision	n are you applyin	g for? please refer to Council's Financial Hardship Assist	ance Policy - Rates
and Charges for further details on hardship ass	,		
12 months interest free when			
		n direct debit arrangement is finalised in full within 13-36 mo	nths
Deferral of the general rate f	ollowing a revalua	ation	
Other assistance, please sp	ecify		
Do you own (either partially or fully	any other land o	or building? Yes No	
If Yes, list addresses			
,			
Have seen a demandente de verre sur			
How many dependents do you sup	Oport? provide details	if applicable	
Section 4: Income		Section 5: Expenditure	
Applicants <b>are requested to provi</b> relevant documents to support the		Please state details of all weekly ou	ıtgoings
sources		Home loan / rent	\$
eg. current payslips, Centrelink income statement for own income and spouse's income	and bank statements	Other mortgages	\$
Please state details of all <b>net week</b>	dy income	Personal loans / hire purchase	\$
Wages	\$	Electricity / gas costs	\$
Spouse's income	\$	Health costs	\$
Casual / part-time employment	\$	Council rates & charges	\$
Pensions and benefits	\$	Water rates	\$
Compensation, superannuation, insurance or retirement benefits	\$	Motor vehicle expenses	\$
Rent / board received	\$	Insurance (house, contents, car)	\$
Family allowance	\$	Telephone / mobile / internet	\$
Interest from banks, credit unions, building societies	\$	Groceries	\$
Other	\$	Other outgoings	\$
Total Weekly Income	\$	Total Weekly Expenditure	

\$

ballina Gritis (SOUTE) 1711791 Herdship Rate Relief Application Form

Net Weekly Total (income less expenditure)

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## 10.6 Policy (New and Review) - Debt Recovery and Financial Assistance.DOC

Section 6: Assets			
Please state market value of current assets			
Total savings held in bank, credit union or building society	\$		
House / property	\$		
Other investments	\$		
Motor vehicles	\$		
Household & personal items	\$		
Superannuation	\$		
Other assets	\$		
Other assets	\$		

Section 7: Liabilities			
Please state totals of all current liabilities			
House / property mortgage	\$		
Overdue rates	\$		
Personal loans	\$		
Credit card balance	\$		
Other	\$		

Section 8: Declaration		
I hereby declare that the information provided	l is true and corre	ct.
Signature applicant 1	Date	
	/	/
Signature applicant 2	Date	
	/	/

### **Privacy Protection Notice**

The completed Hardship Rate Relief Application Form contains personal information which is being collected for the purpose of assessing the eligibility for rating financial relief. The information will be processed by the General Manager's Group and will be stored in Council's electronic document management system. Provision of the information is voluntary, however if insufficient information is provided, Council will be unable to to process the application.

ballina Shira GDDING 1711791 Hardship Rate Ratel Application Form

Page 3 of 3

POLICY NAME: Financial Assistance – Ranger

Associated Fees and Charges

POLICY REF:

MEETING ADOPTED: 26 November 2015

Resolution No. 261115/20

POLICY HISTORY: 220911/19; 230311/23; 260804 (052)



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#### **OBJECTIVE**

To provide financial relief for residents experiencing genuine and significant financial difficulties in paying animal surrender, impounding and sustenance fees.

To provide a decision making framework for the consistent and equitable determination of financial assistance applications.

#### **POLICY**

This policy covers waiver, deferment or reduction provisions for residents experiencing genuine and significant financial hardship in the payment of Council imposed Ranger fees associated with the surrender, impounding and sustenance of companion animals.

These subsidies may be treated as a community service obligation and reflected in Council's general income stream.

Council cannot alter the registration fees set by the Companion Animals Regulation 2008.

Council must remit the full fee set for each category of registration to the Office of Local Government.

The General Manager, or delegate, may consider hardship matters relating to animal surrender, impounding and sustenance fees. Assistance may be provided in the form of allowing additional time to pay or waiving fees in cases of hardship. Council will not consider hardship applications in relation to animal registration fees or the costs of microchipping.

In cases of hardship the Council Rangers will have the discretion to waive animal surrender fees where there are animal welfare concerns and/or obvious community benefit.

Page 1 of 2

Financial Assistance – Ranger Associated Fees and Charges

Where the Rangers exercise this discretion a report must be provided to the Group Manager detailing the amount waived, customer name and address, the circumstances of the case and the reason for the decision.

The following heads of consideration will be used to determine applications under this section:

- The presence of financial hardship the applicant is a recipient of a pension, government
  payment or is undergoing some other form of financial hardship (i.e. due to an serious
  medical condition)
- Track record the past behaviour of the applicant and their animal in relation to compliance with the Companion Animals Act
- Public safety and risk the animal has acted in an aggressive or dangerous manner and may present a risk to public health and safety
- Confinement the adequacy of confinement measures (i.e. fences) to contain the animal
  onto its property.

#### BACKGROUND

Council recognises that residents may have difficulty meeting Council imposed ranger fees associated with animal surrender, impounding and sustenance.

Council cannot alter the registration fees set by the Companion Animals Regulation 2008.

#### **DEFINITIONS**

Ranger fees and charges fees associated with animal surrender, impounding and

sustenance fees.

Companion animal means each of the following:

- (a) a dog
- (b) a cat
- (c) any other animal that is prescribed by the regulations as a companion animal.

### SCOPE OF POLICY

This policy applies to:

· Residents of Ballina Shire who own or surrender a companion animal

### RELATED DOCUMENTATION

Related documents, policies and legislation:

- Companion Animals Act 1998
- Companion Animals Act Regulation 2008
- Companion Animals Act (DLG Guidelines October 2015)
- · Council's Companion Animals Management Plan

#### REVIEW

This policy is to be reviewed every four years.

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