


|  | COUNCIL POLICY | |
|---|---------------------------|------------------------------------|
| | FINANCIAL HARDSHIP POLICY | |
| | Policy Number | CP0026 |
| | Directorate | Organisational Services |
| | Owner | Ken Diehm, Chief Executive Officer |
| | Last Approved | 28/06/2023 |
| | Review Due | 28/06/2024 |

1. PURPOSE

The purpose of this policy is to establish a decision-making framework regarding the most appropriate assistance to be offered to ratepayers who are experiencing financial hardship.

This policy will also establish guidelines to support owners of drought declared primary production properties.

2. SCOPE

This policy applies to those ratepayers who are experiencing financial hardship and as a result are unable to pay their rates and charges.

This policy also applies to primary production properties that are drought declared.

Council will place a hold on any debt recovery action on receipt of an application.

Properties where legal action has commenced or where a Notice of Intention to Sell has been issued will not be eligible to apply for assistance under this policy.

3. HEAD OF POWER

Local Government Regulation 2012 (QLD) part 10 Concessions.

4. DEFINITIONS

To assist in the interpretation of this Policy the following definitions apply:

Application Form means *Council's Financial Hardship Application Form for the purpose of applying for assistance under this policy.*

Council means *Fraser Coast Regional Council.*

Drought declared area means *the areas within Council boundaries that are drought declared following the recommendation of the Local Drought Committee to the relevant State Minister and as mapped on www.longpaddock.qld.gov.au.*

Financial Hardship means *where the payment of the rates and charges would leave the ratepayer unable to meet reasonable needs for food, clothing, medicine, accommodation, education for children and other basic requirements.*

Individually droughted property means a property that has obtained an individually droughted property (IDP) declaration from the Department of Agriculture, Fisheries and Forestry.

Principal Place of Residence refers to the definition in the Council Principal Place of Residence Council Policy

“word” means text

5. POLICY STATEMENT

5.1 Financial Hardship

Council will grant assistance to properties which meet the following conditions;

- a) one of the following;
 - i. the property is currently being granted a concession under Council’s Community Groups Concession policy, or
 - ii. residential properties where the property is the ratepayer’s principal place of residence, and the property is owned only by natural person/s, and
- b) no commercial benefit is derived from the property, and
- c) a completed application form is submitted, and
- d) all owners of the property are to be party to the application, and
- e) the owner is deemed to be experiencing financial hardship.

Under exceptional circumstances, if the completion of an application by all owners of the property may cause harm or distress to a ratepayer, Council will consider personal circumstances and relative ownership share of the property and may accept an application from part owners of the property.

If approved, assistance will be provided in the form of one or more of the following;

- debt recovery action to remain on hold for a minimum of 6 months from the date of approval, up to a maximum of 24 months
- no interest to be incurred for a minimum of 6 months from the date of approval, up to a maximum of 24 months
- reversal of interest charges which have already been charged
- a repayment plan that is outside of the current Debt Recovery Policy
- reversal of court costs or other legal expenses which have already been charged
- extended payment terms for rates and charges

Additional assistance may be recommended for applicants who are also eligible for concession under Council’s Pensioner Concession Policy and who have a terminal illness or who are in extreme financial hardship. This assistance may include the deferral of payment of the rates and charges for the lifetime of the applicant under section 125 of Local Government Regulation 2012 with the rates and charges to remain a charge on the land.

5.2 Assessment

A Panel will assess applications made under this policy and recommend to the Director Organisational Services the most appropriate form of assistance that Council should provide to ratepayers who make an application and whom are considered to be experiencing financial hardship.

Upon expiry of the initial interest relief period the application will be reviewed and a decision made as to whether a further interest relief period will be granted.

5.3 Composition of the Panel

The panel for each assessment will consist of the Executive Manager Financial Services and three Council officer representatives, one officer from three of the four of the following areas:-

- Customer Service
- Revenue and Property Rating
- Community and Culture
- Tourism, Economic Development and Partnerships

5.4 Funding of Recommended Decisions

Council shall make a specific budget allocation annually from which the relief or other assistance recommended, and subsequently resolved by Council, will be funded.

5.5 Monitoring and data collection

Council will monitor assistance under this policy by including:

- register of application,
- reasons for applications,
- duration of assistance provided to individuals, and
- report on shortfall in income as a result of assistance provided.

5.6 Process for an application

The process for application to Council will remain simple and as accessible as possible in recognition that at the very least, the ratepayers are experiencing financial difficulties. All applications are assessed confidentially and on merit.

5.7 Requests for review

If you do not agree with the decision made by Council, you can request for a review within 30 days of the decision. The Director of Organisation Services will review the decision and report to you with the outcome. As part of this review you may be asked to provide further information relating to your application. If you remain unhappy with the decision, you can raise an administrative action complaint by writing to the Chief Executive Officer.

5.8 Communication of Policy

To maintain a high level of publicity of the policy and to ensure ratepayers in need are aware of the policy, Council will adequately communicate this policy, application form and associated material on the website.

5.9 Confidentiality and Privacy

This policy and in particular the monitoring and data collection process, will ensure the privacy and confidentiality laws are adhered to. Data collected through the hardship assistance process will be dealt with in accordance with Council's Code of Conduct.

5.10 Limitation of assistance

The duration of assistance will be for a minimum of 6 months from the date of approval, up to a maximum of 24 months.

Following approval of a financial hardship application ratepayers cannot reapply for hardship for 3 years after the expiry of their previous application.

6 DROUGHT DECLARED PRIMARY PRODUCTION PROPERTIES

Council will grant assistance to properties levied the differential general rate Category 7a – Primary Production, which meet the following conditions:

- a) the property is in a drought declared area or has a current Individually Droughted Property declaration; and
- b) an owner of the property submits a completed application form.

If approved, assistance will be as follows:

- debt recovery action will remain on hold for the period of drought declaration and for a further 6 months after the end of the current financial year in which the drought declaration is lifted or the Individually Droughted Property has expired, and
- no interest will be incurred for the period of drought declaration and for a further 6 months after the end of the current financial year in which the drought declaration is lifted or the Individually Droughted Property has expired.

7 ASSOCIATED DOCUMENTS

- Revenue Statement
- Principal Place of Residence Policy

8 REVIEW

This Policy will be reviewed when related legislation/documents are amended or replaced, other circumstances as determined from time to time by Council or at intervals of no more than one year.

Version Control

| Version Number | Key Changes | Approval Authority | Approval Date | Document Number |
|----------------|--|--------------------|---------------|-----------------|
| 1 | Amended Policy item 5.1 and general administrative changes | Council | 27/07/2022 | 3574233 |
| 2 | Amended Policy Ordinary Meeting 6/23 | Council | 28/06/2023 | 3574233 |
| | | | | |