

1. BACKGROUND AND PRINCIPLES

Rate notices are issued half yearly and in accordance with Section 118 of the *Local Government Regulation 2012* Chapter 4, Part 9. Council requires rates and charges are due for payment at thirty (30) days after the date of issue of the notice. Council offers a discount to encourage prompt payment.

In situations where payment cannot be fully paid within thirty (30) days, Council may accept an arrangement for payment.

2. SCOPE

A payment arrangement application for rates and water consumption charges will be available to all property owners where it can be substantiated, to the satisfaction of Council, that the applicant will not be able to pay all rates and charges within the prescribed period (thirty (30) days from the date of issue).

3. POLICY OBJECTIVES

The objectives of this policy are:

- to create consistency for the treatment for ratepayers in similar financial circumstances, and flexibility to respond when circumstances change; and
- to secure regular part payments for all outstanding rates and charges, thereby ensuring the systematic and cost effective recovery of rate arrears.

4. POLICY STATEMENT

4.1 Authorised Officers may approve an agreement to defer full payment of rates and charges up to a maximum of twelve (12) months to ratepayers that meet the definition for the class of ratepayers that would experience hardship if payment of the rates or charges by the due date will cause hardship, as per Section 120 *Local Government Regulation 2012*.

4.2 The conditions for securing an arrangement for the payment of outstanding rates are as follows:

- (a) Overdue or outstanding rates and charges may be granted a payment arrangement to clear the overdue amount by the end of the current financial year or within twelve (12) months of

commencement of the arrangement.

- (b) For payments to be accepted by Council, that are insufficient to clear the debt within the prescribed period (end of the current financial year or within twelve months) Council reserves the right to review the repayments after a period of no more than six months with a view to increasing the required rate of the repayments.
- (c) Where a longer period is required to make full payment of the arrears, and the property is a residential property or is under the ownership of a not for profit organisation, the applicant may be referred to Council's "Hardship Policy".
- (d) An "Application to Pay by Arrangement" form and copy of this Policy will be issued to ratepayers seeking the opportunity to pay the outstanding rates according to an arrangement. Payments by arrangement may be granted in respect of a dwelling in which the applicants reside as his/her/their principal place of residence or for all other land, where it can be substantiated in writing to the satisfaction of the Director Corporate Services that the applicant will not be able to pay all rates and charges within the prescribed period;
- (e) Completed applications shall be assessed by Council's Rates Team, who will be responsible for processing applications in accordance with the requirements of the *Local Government Act 2009* and Council's policies.
- (f) Interest will accrue in accordance with Section 133 of the *Local Government Regulation 2012* and the Council's Interest Policy on the outstanding rates or balance of outstanding rates.
- (g) No discount shall be allowed on such payment.
- (h) In the event that a payment arrangement is not maintained within the agreed terms, the ratepayer may apply to make a revised payment arrangement.
- (i) Any ratepayer who fails to make the agreed part payments, or full payments by the prescribed time will have his/her/their approval automatically withdrawn without further notice.
- (j) Where an arrangement is cancelled due to default by the ratepayer, the full amount of

outstanding rates will be immediately required. Failure to pay will result in an escalation of recovery action without further notice.

- (k) An arrangement may remain in force until end of the current financial year or a further agreed specified time for the rates and charges to be fully paid. If an arrangement to pay is required for future rates and charges, a fresh application will need to be lodged in each year.

5. RELEVANT LEGISLATION

Local Government Regulations 2012, Part 9 Section 118 & Part 11 Section 133

DEFINITIONS

Hardship shall mean when, if payment of rates and charges was made, the ratepayer would be left unable to provide for themselves, their family or other dependents, the following:

- food;
- accommodation;
- clothing;
- medical treatment;
- education; and
- other basic necessities.

7. RELATED DOCUMENTS

Rate Recovery Policy

Interest Policy

Hardship Policy

8. DATE REVIEWED

June 2017

9. NEXT REVIEW

JUNE 2018