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**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 10 MARCH 2021**  
**REPORTS TO COUNCIL – FINANCE & CORPORATE STRATEGY**

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**1. INVESTMENT REPORT AS AT 28 FEBRUARY 2021**

<b>Author</b>	Director Finance & Corporate Strategy
<b>Responsible Officer</b>	Director Finance & Corporate Strategy
<b>Link to Strategic Plans</b>	CSP – 4.3 A financially sound Council that is responsible and sustainable DP - 4.3.1.5 Provide monthly cash balances and detailed quarterly financial reports to Council.

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**Executive Summary**

Council's investments are made in accordance with legislative requirements and are certified as such by the Responsible Accounting Officer.

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**Report**

Under the Local Government Act 1993 and Local Government (General) Regulation 2005, the Responsible Accounting Officer is required to report on Council's Investment portfolio on a monthly basis.

The management of Council's Investments is delegated by the General Manager to the Director of Finance and Corporate Strategy.

Council's current investment portfolio is diversified across a number of investment types and institutions. This includes term deposits, on-call accounts and managed funds. Investments are in accordance with the Office of Local Government's Guidelines and Council's Investment Policy.

The Government Guarantee on aggregated Investments up to \$1 million per account holder per institution expired 1 February 2012 and the new cap is \$250,000.

The investment portfolio decreased **\$120,789** during the reporting period. This is due mostly to less receipts than Capital and Operational Payments which was anticipated.

**Financial Implications**

The 2020/21 Budget estimates the total annual Investment Revenue as \$627,956 which represents an estimated return of 2.5% and is split proportionally across General, Water and Sewer Funds and changes on a monthly basis in accordance with cash flow requirements.

The market value of Council's Investments held as at 28 February 2021 is **\$22,093,060**. The full list of investments is in **Attachment No. 1**.

**1. INVESTMENT REPORT AS AT 28 FEBRUARY 2021 (Cont'd)**

***Legal and Regulatory Compliance***

- Local Government Act, 1993 – Section 625
- Local Government (General) Regulation, 2005 – Clause 212
- Council Investment Policy adopted 11 March 2015
- Ministerial Investment Order – 12 January 2011

***Risk Management Issues***

Council's risk management strategy is to diversify the allocation of funds across different financial institutions and government authorities based on credit ratings as per the Investment Policy. The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk.

**Certification – Responsible Accounting Officer**

I hereby certify that the investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

**Attachments**

- 1 Investments – 28 February 2021

**RECOMMENDATION**

1. That the report regarding Council's Investment Portfolio be received and noted;
2. That the certification of the Responsible Accounting Officer is noted and the report adopted.

## **2. COVID RATES FINANCIAL ASSISTANCE POLICY**

<b>Author</b>	Director Finance & Corporate Strategy
<b>Responsible Officer</b>	Director Finance & Corporate Strategy
<b>Link to Strategic Plans</b>	CSP – 4.3 A financially sound Council that is responsible and sustainable

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### **Executive Summary**

Council adopted this policy at its meeting of 17 June 2020 to assist those with income affected by the COVID-19 pandemic. The policy expired 31 December 2020 and the recommendation is not to renew it.

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### **Report**

Council adopted the COVID-19 Rates Financial Assistance Policy at its meeting 17 June 2020. The policy operates to allow the deferment of rates until 31 December 2020 and that no legal action be taken or interest be charged on that debt until after 31 December 2020 to approved applicants. Applicants must be able to prove income reduction and receipt of JobKeeper, JobSeeker or an increased Farm Household allowance.

NSW Government released a circular on 17 April 2020 announcing amendments to the Regulations and the Act in response to the COVID-19 pandemic. Among other things the changes included the deferring of rates payment dates and the setting of interest rates to NIL on overdue rates until after 31 December 2020. These changes mirrored the assistance Council offered in this policy.

While Council's policy was in force it received no applications. Also, during the same period Council received no applications under its Hardship policy citing COVID-19.

### **Financial Implications**

Nil

### **Legal and Regulatory Compliance**

- Local Government Act, 1993 – Section 625
- Local Government (General) Regulation, 2005 – Clause 212
- Local Government (General) Amendment (COVID-19) Regulation 2020

### **Risk Management Issues**

Nil

### Attachments

- 2 COVID-19 Rates Financial Assistance Policy

## **RECOMMENDATION**

1. That the COVID-19 Rates Financial Assistance Policy not be renewed.

### **3. RELATED PARTY DISCLOSURE POLICY REVIEW**

<b>Author</b>	Director Finance and Corporate Strategy
<b>Responsible Officer</b>	Director Finance and Corporate Strategy
<b>Link to Strategic Plans</b>	CSP – 4.3.1 – Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies. CSP – L1 – provide sound financial management.

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#### **Executive Summary**

This policy was adopted by Council at its meeting 10 May 2017 and must be reviewed every four years. Minor changes have been made to improve its application. There is no requirement to place this on public display.

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#### **Report**

Council adopted this policy in 2017 to comply with the Australian Accounting Standard AASB 124 Related Party Disclosures. The objectives of the Policy are to outline what is expected of elected members and staff of Council in relation to the AASB 124.

Specifically, the policy outlines the disclosure requirements under AASB 124 of Key Management Personnel (KMP), which includes elected members. It also outlines the procedures Council will follow to collect, store, manage and report on related party relationship, transactions and commitments.

A revision of the policy has been undertaken resulting in minor changes made to improve useability.

#### **Risk Management Issues**

Nil

#### **Internal/External Consultation**

Nil

#### Attachments

- 3 Related Party Disclosure Policy

#### **RECOMMENDATION**

1. That the revised Related Party Disclosure Policy be adopted

#### **4. DONATIONS, SPONSORSHIPS & WAIVER OF FEES & CHARGES POLICY REVIEW**

<b>Author</b>	Director Finance and Corporate Strategy
<b>Responsible Officer</b>	Director Finance and Corporate Strategy
<b>Link to Strategic Plans</b>	Delivery Program – 1.2.3.1 Provide grants through the Donations, Sponsorships & Waiver of Fees & Charges Policy process to community groups, with an emphasis on sports, recreation, arts, cultural, leadership and development activities.

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#### **Executive Summary**

This policy outlines the criteria and procedure for assessment of the applications to ensure fairness and alignment with Council's objectives. This policy must be reviewed at least every four years and was last revised and adopted by Council at its meeting 9 August 2017. Minor changes have been made to improve its application.

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#### **Report**

Narromine Shire Council is committed to creating a vibrant and diverse community, based on the development of healthy communities and a sustainable environment. Donations and sponsorships are one of the methods utilised by the Council to recognise and encourage individuals and organisations also committed to achieving these objectives.

Council adopted this policy on 11 December 2013. The policy is revised at least every four years, the last revision being adopted by Council 9 August 2017 (Resolution 2017/201).

A revision of the policy has been undertaken by staff resulting in minor changes made to improve useability. These changes include the removal of a second "eligibility" list on the form which was not wholly consistent with the policy and various formatting improvements.

#### **Risk Management Issues**

Nil

#### **Internal/External Consultation**

Nil

#### **Attachments**

4 Donations, Sponsorships & Waiver of Fees & Charges Policy 2021

#### **RECOMMENDATION**

1. That the revised Donations, Sponsorships & Waiver of Fees & Charges Policy be adopted.

## **5. HARDSHIP POLICY REVIEW**

<b>Author</b>	Director Finance and Corporate Strategy
<b>Responsible Officer</b>	Director Finance and Corporate Strategy
<b>Link to Strategic Plans</b>	DP 4.3.1.4 Levy and collect rates and charges in accordance with statutory requirements and Council policies DP 4.3.1.7 Ensure Council has adequate cash flow to meet their needs DP 4.3.1.8 Ensure Council's ongoing financial viability.

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### **Executive Summary**

The revised Hardship Policy has been amended and is attached for Council's consideration. There is no requirement to place this policy on public exhibition.

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### **Report**

Council requires all ratepayers to pay their rates in full by the due date(s). However, 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 requirement.

Council adopted this Hardship Policy at its Ordinary Meeting held on 11 February 2015 (Resolution No 2015/20). A revision of the policy has been undertaken by staff resulting in minor changes made to align to the NSW Office of Local Government Guidelines and improve useability. These changes include adding headings, some additional clarity and various formatting improvements.

### **Risk Management Issues**

Nil

### **Internal/External Consultation**

Nil

### Attachments

5 Hardship Policy 2021

## **RECOMMENDATION**

1. That the revised Hardship Policy as attached be adopted.

## **6. DEBT RECOVERY POLICY REVIEW**

<b>Author</b>	Director Finance and Corporate Strategy
<b>Responsible Officer</b>	Director Finance and Corporate Strategy
<b>Link to Strategic Plans</b>	CSP – 4.3.1 – Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies. DP 4.3.1.7 Ensure Council has adequate cash flow to meet their needs DP 4.3.1.8 Ensure Council's ongoing financial viability.

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### **Executive Summary**

The revised Debt Recovery Policy has been amended and is attached for Council's consideration. There is no requirement to place this policy on public exhibition.

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### **Report**

The objective of this policy is to ensure money owed to Council is recovered in a timely, efficient and effective, manner in order to finance Council's operations and ensure effective cash flow management.

Council adopted this Debt Recovery Policy at its Ordinary Meeting held on 11 February 2015 (Resolution No 2015/20). A revision of the policy has been undertaken by staff resulting in minor changes made to improve useability. These changes include adding headings, corrections and adding of the Direct Debit form.

### **Risk Management Issues**

Nil

### **Internal/External Consultation**

Nil

### Attachments

- 6 Debt Recovery Policy 2021

## **RECOMMENDATION**

1. That the revised Debt recovery Policy as attached be adopted.

## **7. PENSIONER RATES AND CHARGES REDUCTION POLICY REVIEW**

<b>Author</b>	Manager Revenue and Customer Relations
<b>Responsible Officer</b>	Director Finance and Corporate Strategy
<b>Link to Strategic Plans</b>	DP 4.3.1.4 - Levy and collect rates and charges in accordance with statutory requirements and Council policies.

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### **Executive Summary**

The Pensioner Rates and Charges Reduction Policy was adopted by Council in 2017 following a recommendation from the Office of Local Government. It has been revised and is attached for Council's consideration. There is no requirement to place this policy on public exhibition.

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### **Report**

The Office of Local Government listed in 2017 a requirement for Councils to adopt a policy relating to Pensioner Rates and Charges Reduction. Council adopted this policy at its Ordinary Meeting held on 12 July 2017. A revision of the policy has been undertaken by staff resulting in minor changes made to improve useability.

The purpose of this policy is to provide guidelines for the granting and reversal of pensioner rebates in accordance with the Local Government Act, 1993.

### **Risk Management Issues**

Nil

### **Internal/External Consultation**

Nil

### **Financial Implications**

Maximum pensioner concessions of \$425.00 are granted to eligible pensioners per property as detailed in the Local Government Act. The State Government reimburses 55% of the total pensioner concessions granted by Council.

### Attachments

- 7 Pensioner rates and Charges Reduction Policy 2021

## **RECOMMENDATION**

1. That the revised Pensioner Rates and Charges Reduction Policy as attached be adopted.

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**8. ACCOUNTS RECEIVABLE WRITE OFF – UNDETECTED WATER LEAK**

<b>Author</b>	Director Finance & Corporate Strategy
<b>Responsible Officer</b>	Director Finance & Corporate Strategy
<b>Link to Strategic Plans</b>	CSP – 4.3 A financially sound Council that is responsible and sustainable

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**Executive Summary**

The following report is provided to Council to consider writing off an amount of \$6,423.87 for water charges in accordance with Council's Water and Sewer Policy Best Practice Procedures 2011.

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**Report**

Council adopted the Water and Sewer Policy Best Practice Procedure in November 2011, allowing property owners to apply to Council for a reduction in their water usage charges due to a concealed or undetectable leak.

The owner of Lot 100-101 DP 101193 was advised by Council on 17<sup>th</sup> December 2020 of a possible water leak after the water meter reader noticed higher than usual water consumption, at which time she turned the water off at the mains. The owner then engaged a licensed plumber to investigate the high usage. The plumber found a broken water pipe under concrete (concealing the water leak) which he repaired. The next water bill received from Council was for \$6,742.20.

Council then received an application from the owner for an adjustment due to a concealed or undetectable water leak. The owner has complied with Council's Water & Sewer Policy guidelines by providing Council with a copy of the plumber's invoice accompanied by the correct application form.

An adjustment of \$6,423.87 has been calculated based on the average usage over the previous 2 years (as per Council's Water and Sewer Policy Best Practice Procedure 2011) bringing the usage account down from \$6,742.20 to \$318.33.

**Financial Implications/Considerations**

**a) *Legal Implications Including Directives and Guidelines***

Local Government Act, 1993 – Section 377

Council's General Manager is authorised to write off amounts of fees, charges and interest accrued not exceeding \$5,000 where appropriate circumstances exist.

**b) *Financial Implications/Considerations***

Water account 11457100

Water Bill	\$6,742.20
Less: Estimated Water Usage	<u>\$ -318.33</u>
<b>Total Charges to write off</b>	<b>\$6,423.87</b>

**8. ACCOUNTS RECEIVABLE WRITE OFF – UNDETECTED WATER LEAK (cont'd)**

***Risk Management Issues***

Nil

***Internal/External Consultation***

Nil

**Attachments**

Nil

**RECOMMENDATION**

1. That Council write off \$6,423.87 in water consumption charges.

John Sevil  
**Director Finance & Corporate Strategy**  
**Responsible Accounting Officer**

## Investments – 28 February 2021 (estimate)

Financial Institution	Bank Rating	Investment Type/Maturity Date	Investment Rating	Current Rate	Term	Amount (\$)	Comment
<b>Cash &amp; At Call</b>							
CBA	AA-	Business Online Saver - at call	A-1+	1.00%	N/A	3,417,159.57	S&P Short Term
<b>TOTAL</b>						<b>3,417,159.57</b>	
<b>Percentage Exposure of Total Portfolio</b>						<b>15.47%</b>	
<b>Average Investment Yield (annualised)</b>						<b>1.00%</b>	
<b>Pooled Managed Investments</b>							
				<b>Mth %</b>	<b>FYTD%</b>	<b>Market Value</b>	
TCorp	AAA	T-CorpIM Long Term Growth Fund		0.25%	8.75%	14,647,296	
TCorp	AAA	T-CorpIM Medium Term Growth Fund		-0.41%	-1.07%	4,028,605	
<b>TOTAL</b>						<b>18,675,901</b>	
<b>Percentage Exposure of Total Portfolio</b>						<b>84.53%</b>	
<b>Total Investments and Cash</b>						<b>22,093,060</b>	

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## COVID-19 RATES FINANCIAL ASSISTANCE POLICY

### Document Version Control

Version No.	Created By	Adopted by Council	Resolution No.	Review Period
1.0	Manager Revenue & Customer Relations	17 June 2020	2020/103	6 months

## 1. Introduction

Narromine Shire Council recognises the likelihood that the COVID-19 pandemic will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community.

## 2. Purpose

The purpose of the COVID-19 Rates Financial Assistance Policy is to provide Council with a policy framework that provides financial relief to residents who are experiencing difficulty in paying rates and charges ('rates') because of the economic impact of the COVID-19 pandemic.

Council has a legislative responsibility to maintain effective financial control over its operations. Council must ensure that monies owed are collected in a timely, efficient and effective manner in order to provide services to the community.

This Policy provides assistance with Rate payments only and does not refer to any other debt or Fees/Charges payable to Council.

### Related Legislation

- Local Government Act, 1993
- Local Government (General Regulation) 2005
- Privacy and Personal Information Protection Act, 1998

### Related Council Documentation

- Council's Code of Conduct
- Council's Debt Recovery Policy
- Council's Hardship Policy
- Council's Revenue Policy

## 3. Definitions

The following definitions are applicable to this policy:

TERM	DEFINITION
Act	Local Government Act, 1993
Application	A submission made by a ratepayer to be considered under the provisions of this policy.
Council	Narromine Shire Council
COVID-19	Novel Coronavirus – an infectious disease
Deferral	When payment in full will not be on the instalment due dates specified in the Local Government Act 1993.
Financial Hardship	A lack of financial means to pay rates and charges when they are due. Financial hardship may be either ongoing or temporary.
Interest	The fee charged by Council on rates and charges that remain unpaid after they become due and payable.
Interest Rate	The rate of interest is that set by the council.

Payment Arrangement	An agreement entered into by Council and a Ratepayer for the payment of outstanding Rates and Charges under the provisions of this Policy.
Rates and Charges	Ordinary Rates and Annual Charges levied in accordance with Part 15 the Local Government Act 1993.
Ratepayer	The person liable for payment of Rates and Charges for the property in accordance with the Local Government Act 1993.

#### 4. Scope

This policy provides assistance with rate payments only and does not refer to any other debt or Fees/Charges payable to Council. This policy applies to residents who are experiencing difficulty in paying rates and charges ('rates') as a direct result of the economic impact of the COVID-19 pandemic.

This policy aligns with Council's existing Debt Recovery Policy and Hardship Policy. All ratepayers who are experiencing longer term financial hardship are encouraged to make application for financial assistance under the Hardship Policy.

The specific provisions contained within the Local Government Act 1993 and associated Regulations must be adhered to when applying this policy. Council will only consider debts relating to rates and charges under this policy.

#### 5. Objectives

Council's aim is to provide support to eligible Ratepayers with options for payment of rate instalments during the COVID-19 pandemic without creating additional financial stress when the pandemic has been resolved.

Council aims for approved applicants to agree to a payment plan to have the debt relating to the two rate instalments that are due 31 May 2020 and 31 August 2020 paid in full by 31 December 2020. This will ensure the Ratepayer is better positioned to pay these and future rate instalments.

This is assisted by an interest free period for successful applicants only.

#### 6. Eligible Criteria

To be eligible to apply for assistance under the policy the applicant must be:

1. A ratepayer who is receiving regular COVID-19 related income support;
  - JobSeeker Payment
  - JobKeeper Payment
  - Farm Household Allowance
2. A landlord whose rental income has decreased by at least 30% from an existing tenancy agreement for at least one month

3. A business who qualifies for the JobKeeper payment, or
4. A recipient of any other Federal Government COVID-19 specific support payment as determined by the General Manager as being appropriate for the application of this Policy.

Supporting documentation of receiving any of the above will be required as part of the application process and must be submitted at the time of the application.

## **7. Rates, Interest Charges and Debt Recovery**

Approved applicants:

- Will be encouraged to set up a payment plan with Council tailored specifically to the ratepayer's needs, to reduce the amount of debt owing after the deferral period finishes. If a ratepayer is unable to enter into a payment plan, Council will defer the payment of the rates until after 31 December 2020.
- Will not be charged interest on the rate debt accumulated until after 31 December 2020 to allow ample time for the debt to be paid with no interest. Balances outstanding as at 1 January 2021 will accrue interest, at the prescribed interest rate as adopted by Council.
- Council will not take legal action to recover outstanding rates and charges for ratepayers experiencing hardship for a period of six months. The sixth month legal action free period ceases at 31 December 2020.

Council may make a reasonable attempt to contact a ratepayer about an arrangement made under this policy if required.

Ratepayers with existing outstanding balances prior to 31 May 2020 may not be eligible for deferral under these circumstances. Council will assess such applications on a case by case basis and the eligible ratepayer will be contacted by Council to discuss suitable payment arrangements.

## **8. Applications**

Ratepayers will be required to complete an application and provide supporting documentation to access the provisions of this policy. Should Ratepayers meet the eligibility criteria as detailed within this policy and the application is accepted by Council the eligible Ratepayer will be notified by return email or in writing.

All COVID-19 Rates Financial Assistance applications will be assessed jointly by Council's Director of Finance & Corporate Strategy and Manager Revenue & Customer Relations.

When undertaking an assessment of applications under this Policy, Council will be guided by the principles of:

- Equity – to ensure consistency, fairness, integrity and confidentiality of all proceedings for both Council and the ratepayer.
- Engagement – Council is committed to engaging with ratepayers.
- Transparency – ensuring obligations of Council's ratepayers are clear in assisting them to meet their financial obligations.
- Financial Hardship – Council will assess COVID-19 rates financial assistance applications on an individual basis and will be courteous and respectful.

A determination under this Policy will be assessed against the supporting documentation provided by the applicant. Each application will be considered on a case by case basis.

# COVID-19 FINANCIAL RATES ASSISTANCE

## APPLICATION

(RATE DEFERRAL /PAYMENT PLAN)

Rate Assessment No/s: \_\_\_\_\_

Applicant's name/s: \_\_\_\_\_

\_\_\_\_\_

Property Address/s: \_\_\_\_\_

\_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_ State \_\_\_\_\_ P/code \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

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Relief required: *(please select)*

Deferral of rate outstanding instalment payments until 31/12/2020 *(Interest free period)\**

Payment plan to pay outstanding rate instalments *(Interest free period)\**

*\*Interest free period 1/6/2020 to 31/12/2020*

If option payment plan selected please enter details: *(i.e. weekly, fortnightly or monthly payments)*

\_\_\_\_\_

\_\_\_\_\_

Do you have outstanding rates prior to 1/6/2020?

Yes

No

Are you currently on a payment plan to pay these arrears?

Yes

No

If so, please provide details:

\_\_\_\_\_

\_\_\_\_\_

How have you been impacted by COVID-19? *(Job loss, business closed, etc.)*

\_\_\_\_\_

\_\_\_\_\_



# COVID-19 FINANCIAL RATES ASSISTANCE APPLICATION

(RATE DEFERRAL /PAYMENT PLAN)

Have you received or been approved for Government income support benefit due to the COVID-19 pandemic? *(Supporting documentation of receiving income support will be required as part of the application process and must be submitted at the time of the application).*

- Yes
- No

If yes, please provide detail of benefit received *(i.e. Jobseeker payment)*

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**RATEPAYER DECLARATION:**

I declare that all the information that I have provided in this application is true and correct.

I acknowledge that by completing this application I am aware that I am entering into a payment plan/rate deferral\* for a period of 6 months and that interest will not be charged and that Council will take legal action to recover the outstanding rates during this period.

Applicant/s  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

\*Strike out whichever does not apply

Council will notify you the outcome of your application by mail or email within seven days. If you are unhappy with Council's decision you have the right to appeal by writing to the General Manager at the below address.

**Privacy and Personal Information:** Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under Council's COVID-19 Rates Financial Assistance Policy and will not be used for any other purpose, or disclosed to any person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates. Privacy will be maintained in accordance with the NSW Privacy and Personal Information Protection Act 1998.

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Please address all correspondence to the General Manager, P O Box 115 Narromine NSW 2821  
T: 02 6889 9999 F: 02 6889 9998 E: mail@narromine.nsw.gov.au W: www.narromine.nsw.gov.au  
Office Address: 124 Dandaloo Street Narromine NSW 2821  
ABN 99 352 328 405



## RELATED PARTY DISCLOSURE POLICY

### DOCUMENT VERSION CONTROL

<b>Version No.</b>	<b>Created by</b>	<b>Modified</b>	<b>Approved</b>	<b>Review Period</b>
1.0	<i>Manager Corporate Governance/ Director Finance &amp; Corporate Strategy</i>	<i>Created 10 May 2017</i>	<i>Council – Resolution No 2017/101</i>	<i>Four Years</i>
2.0	<i>Director Finance &amp; Corporate Strategy</i>	<i>Revised Xx Mar 2021</i>	<i>Council – Resolution No 2021/xxx</i>	<i>Four Years</i>

**1. PURPOSE**

This policy provides guidance in complying with Council's obligation to prepare its General Purpose Financial Statements in accordance with Australian Accounting Standards, particularly AASB 124 Related Party Disclosures (July 2015).

**2. OBJECTIVE**

The objectives of this policy are to:-

- Identify related party relationships and transactions
- Identify outstanding balances, including commitments, between Council and its related parties
- Identify the circumstances in which disclosure of the above is required; and
- Determine the disclosures to be made about those items

**3. DEFINITIONS**

**Entities** – includes companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

**Control of Entity** – power over the entity; exposure or rights to variable returns from your involvement with the entity; and the ability to use your power over the entity to affect the amount of your returns.

**Joint Control** – the contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

**Joint Venture** – an arrangement of which two or more parties have joint control and have the rights to the net assets of arrangement.

**Key Management Personnel (KMP)** – is a person(s) having authority and responsibility for planning, directing and controlling the activities of Council.

Specifically, KMP of Council are:-

- Councillors
- General Manager
- Directors and Senior Managers reporting to the General Manager

**Related Party** - is a person or entity that is related to the entity that is preparing its financial statements.

Examples of related parties of Council are:-

- Council subsidiaries
- KMP
- Close family members of KMP
- Entities that are controlled or jointly controlled by KMP or their close family members

**Close Family Members of KMP** – are those family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:-

- That person's children and spouse or domestic partner;
- Children of that person's spouse or domestic partner; and
- Dependants of that person or person's spouse or domestic partner

**Related Party Transaction** – is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

Examples of related party transactions are:-

- purchases or sales of goods;
- purchases or sales of property and other assets;
- rendering or receiving of services;
- leases;
- transfers under licence agreements;
- transfers under finance arrangements (including loans and equity contributions in cash or in kind);
- provision of guarantees or collateral;
- commitments to do something if a particular event occurs or does not occur in the future;
- settlement of liabilities on behalf of Council or by Council on behalf of that related party.

#### **4. AASB 124 RELATED PARTY DISCLOSURE REQUIREMENTS**

##### **4.1 Disclosures**

In order to comply with AASB 124, Council will make the following disclosures in its General Purpose Financial Statements:

- (a) Relationships between Council and its subsidiaries, irrespective of whether there have been transactions between them
- (b) Key Management Personnel (KMP) for the following categories:-
  - (i) Short-term employee benefits;
  - (ii) Post-employment benefits;
  - (iii) Other long-term benefits;
  - (iv) Termination benefits; and
  - (v) Share-based payment
- (c) Amounts incurred by Council for the provision of KMP services provided by a separate management entity.
- (d) The disclosures required in section 4.2 for related party transactions shall be made separately for:-
  - (i) Subsidiaries;
  - (ii) Associates;
  - (iii) Joint ventures in which Council is a joint venturer
  - (iv) Council's KMP
  - (v) Other related parties such as:-
    - Close member of a Council KMP
    - Entities controlled or jointly controlled by a Council KMP or by a close family member of a Council KMP
    - Other entities as specified in AASB 124, paragraph 9(b)

##### **4.2 Disclosed Information**

Council's disclosures of related party transactions will include:-

- (a) The amount of the transactions
- (b) The amount of outstanding balances, including commitments, and:

- (i) Their terms and conditions, including whether they are secured, the nature of the consideration to be provided in settlement; and
  - (ii) Details of any guarantees given or received.
- (c) Provisions for doubtful debts related to the amount of outstanding balances; and
- (d) The expense recognised during the period in respect of bad or doubtful debts due from related parties.

For items of a similar nature, Council will disclose in aggregate except when separate disclosure is necessary for an understanding of the effects of related party transactions on Council's General Purpose Financial Statements.

## **5. IDENTIFICATION OF COUNCIL RELATED PARTY RELATIONSHIPS AND TRANSACTIONS**

### **5.1 Identification**

The Responsible Accounting Officer is responsible for identifying Council subsidiaries, associates and joint ventures.

### **5.2 Control or Joint Control**

The Responsible Accounting Officer is responsible for determining when Council has control or joint control of an entity by applying AASB 10 *Consolidated Financial Statements* and AASB 11 *Joint Arrangements*.

### **5.3 Associate or Joint Venture**

The Responsible Accounting Officer is responsible for determining whether an entity is an associate or, or in a joint venture with Council or a Council subsidiary by applying AASB 128 *Investments in Associates and Joint Ventures*.

### **5.4 Information and Recording**

The Responsible Accounting Officer is responsible for investigating, identifying and extracting information against each related party transaction in Council's business system and transactional documentation not captured by Council's business system. The Responsible Accounting Officer is also responsible for recording the information in a Related Party Transaction Register (**see Attachment No 1**).

## **6. IDENTIFICATION OF KMP AND THEIR CLOSE FAMILY MEMBERS RELATED PARTY TRANSACTIONS**

### **6.1 Provision of KMP Disclosure Form**

The Responsible Accounting Officer will provide KMP with the relevant Related Party Transaction Disclosures form (**see Attachment No 2**) at least 30 days prior to 30 June each financial year.

**6.2 Completion of KMP Disclosure Form**

Those persons identified as KMP must complete and submit the relevant form notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members by 1 July each financial year.

The method for identifying the close family members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

**6.3 Exemptions**

The following transactions which are considered to be at arm's length and in the ordinary course of carrying out Council's functions and activities, are not required to be disclosed:-

- Paying of rates and utility charges
- Using Council's public facilities after paying the corresponding fees
- Mayor and Councillor expenses incurred and facilities provided during the financial year under Council's *Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy*.

**6.4 Other Sources of Information**

The Responsible Accounting Officer is responsible for reviewing if required other sources of information held by Council including but not limited to:-

- Register of Disclosures of Interests
- Minutes of Meetings of Council and Committee Meetings
- Council's Contracts Register
- Council's Gifts and Benefits Register

**7. INFORMATION PRIVACY**

Information provided by KMP and other related parties shall be held for the purpose of compliance with Council's legal obligations and shall be disclosed where required for compliance or legal reasons only.

**8. RELATED LEGISLATION AND DOCUMENTATION**

Local Government Act 1993

Australian Accounting Standard 124 – Related Party Disclosures

Australian Accounting Standard 10 – Consolidated Financial Statements

Australian Accounting Standard 11 – Joint Arrangements

Australian Accounting Standard 128 – Investments in Associates and Joint Ventures







**Notification**

I \_\_\_\_\_ (Full Name), \_\_\_\_\_ (Position) notify that to the best of my knowledge as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the \_\_\_\_\_ financial year.

I make this notification after reading the Related Party Disclosures Policy provided by Narromine Shire Council which details the meaning of the words "related party", "related party transaction", "close members of family", "entity" and the purposes for which this information will be used and disclosed.

I permit the Responsible Accounting Officer and other authorised Council recipients to access the register of interests of me and persons related to me and to use the information for the purpose specified in that policy.

\_\_\_\_\_  
**Signature of Key Management Personnel**

\_\_\_\_\_  
**Date**



# Donations, Sponsorships & Waiver of Fees & Charges Policy

Vers 1.0 (Adopted By Council 11 December 2013) Resolution No 2013/468  
2.0 Amended By Council 8 October 2014 Resolution No 2014/325  
3.0 Reviewed and Adopted by Council 13 April 2016, Resolution No 2016/94  
4.0 8 March 2017, Resolution No 2017/56  
5.0 9 August 2017, Resolution No 2017/201  
6.0 xx xxx 2021, Resolution No 2021/xxx

**Created by:** Finance and Corporate Strategy Department  
**Version No:** ~~6.04.0~~  
**Adopted Date:** 9 August 2017, Resolution No 2017/201  
**Revision Date:** xx xxx 2021

**Purpose:**

Narromine Shire Council is committed to creating a vibrant and diverse community, based on the development of healthy communities and a sustainable environment.

Donations and sponsorships are one of the methods that can be utilised by the Council to recognise and encourage individuals and organisations also committed to achieving these objectives.

**Statement:**

Given that the Council receives a large number of requests from community groups and organisations throughout the year for donations, sponsorships and the waiver of Council fees and charges, a procedure for the assessment of applications ensures:-

- Transparency and accountability to the community;
- An effective reporting mechanism to Council regarding the total value of donations approved in any one financial year;
- An equitable assessment of each application or request received;
- A standard process for applicants to follow when requesting donations or sponsorships from the Shire Council.

The responsibility for the disbursement of funds will be with Council, whilst Council officers will undertake the management of these processes.

The total value of the fund will be determined each year during the Council's annual budget deliberations. The donations program will be advertised across the whole community annually.

Groups who receive support under the Annual Donations Program in one year do not automatically receive ongoing funding in future years. Applications up to \$5,000 per year will be considered.

**Essential Eligibility Criteria:**

In order to be eligible for funding an organisation must:

- Be a not for profit organisation and, depending on amount of grant requested, be able to supply financial statements;
- Demonstrate a substantial degree of community support and representation;
- Explain the nature of the event or activity;
- Explain the perceived benefit of the event or activity to the Shire community;
- Detail alternative funding sources available and accessed by the organisation;
- Detail previous funding assistance provided by the Council;
- Undertake to give due recognition to the Narromine Shire Council for its contribution to their activities;
- Agree to complete an acquittal and evaluation report. Failure to do so may render the application ineligible for future funding.

### **Additional eligibility criteria if applying for rate assistance only**

- ~~Be a non-profit organisation and~~ provide a community service within the Narromine Local Government Area; and
- own the property and be responsible for the payment of rates and charges for which the donation has been sought or be located on community owned or controlled land, either Council or Crown Land; and
- provide a copy of the organisation's Articles of Association, Constitution or Memorandum of Business which makes clear the organisation's purpose;

### **Ineligible applications**

The Council WILL NOT consider applications for donations or the waiver of fees and charges for:

- Any profit making ventures for commercial entities;
- Any activity, event or program that contravenes Council's existing policies;
- The bond associated with the use of Council facilities, (only the waiver of fees for an activity, event or function will be considered).

### **Application Process:**

Applications for Financial Assistance will be ~~advertised called for~~ in July each year and will only be considered if they are submitted on the Request for Financial Assistance Application Form, ~~and~~ are completed in full and include bank statements/financial statements for the group, where feasible. Consideration of completed Applications for Financial Assistance by Council will occur in September each year.

Applications will be considered under the following categories:

Capital Projects ~~(indicative limit of total funds for these projects – 30% of budget)~~  
Requests for funds associated with projects of a capital nature, e.g. purchase of equipment.

Operating Expenses ~~(indicative limit of total funds for these requests – 20% of budget)~~  
Requests for funds associated with running expenses of the group/organisation including requests for the reimbursement of Council Rates, payment of rent, DA Fees and operating expenses, e.g. Contribution towards the maintenance of a sporting facility, refund of tipping fees to charitable organisations.

Annual Donations ~~(indicative limit of total funds for these requests – 15% of budget)~~  
including the annual prize donation to the schools and annual contributions to organisations that benefit the community (e.g. Lifeline, Life Education).

Rate Assistance to Community Organisations Providing community based services in the Narromine Shire ~~–(25% of budget)~~

Council will annually donate a range of rates and charges levied on community organisations to assist in providing community based services to the Narromine Local Government Area. Council recognises the unique nature and diversity of charities and the distinctive roles they play. This assistance is provided by Council as many community based organisations have limited resources and Council's donation can assist these organisations in providing those services.

Where requests for funding under a particular category do not fully utilize the funds available, the funds can be allocated to the other categories at the discretion of Council.

In recognition that groups/organisations may require financial assistance that is unknown at the time the annual process is conducted, approximately 10% of the funds will not be allocated during the annual donations process. An example of the type of requests considered in this way would include an opportunity to represent the Shire at a sporting/athletic event or requests to waive Council Fees.

### **Tax Invoice**

In the event that your group/organisation is successful in receiving financial assistance and is registered for GST, you will be required to provide a Tax Invoice before payment is received. Details of group/organisation's ABN and GST component must also be provided on the Tax Invoice.

### **Purpose of Grant:**

Funds are allocated only for the purposes of the project as described in the application and must not be used for any other purpose or transferred or assigned to any other party without the prior approval of the Council.

### **Disbursement of Grants:**

Unless otherwise agreed by Council, Financial Assistance in excess of \$1,500 will be disbursed in part payments – 50% upfront and 50% at the completion of the project.

Notwithstanding the above, the General Manager and Mayor may adjust the disbursement facility if it can be demonstrated that the arrangements could cause undue financial hardship, or the costs are a one off.

### **Period of Funding:**

Grants are to be expended within the financial year in which they were approved unless agreed otherwise at the outset, **OR** a written request for an extension and carry-over of funds is made to, and approved by, the Council.

### **Unspent Funds:**

Funds which are unspent at the conclusion of the funding period must be returned to Council within sixty (60) days of the completion of the project, activity or event, or at the end of the financial year, whichever occurs first.

### **Council Endorsement of Project:**

Approval of funding for projects does not necessarily imply Council's endorsement of the philosophy, intent or outcomes of the project.

### **Acquittal & Evaluation:**

Groups, organisations or individuals receiving funds from Council must submit to the Council an acquittal and evaluation of the outcomes of the grant on the prescribed form provided by the Council, within thirty (30) days of either the conclusion of the project or activity, or the end of the financial year, whichever falls first. Note, no acquittal will be required where assistance has been given by way of the waiver or reduction of a Council fee.

Information to be provided will include:

- A statement of actual and budgeted expenditure in relation to the grant.
- Copies of supporting documentation such as a summary of receipts, accounts and financial statements.
- A brief statement regarding the success of the project/activity for which the funds were allocated.

Applicants are asked to provide any tangible evidence to support the performance indicators such as photos, press clippings, copies of fliers, newsletters, documents produced etc.

Failure to satisfactorily complete the acquittal and evaluation requirements may disqualify recipients from further grants from the Council's Donations Program.



## APPLICATIONS FOR FINANCIAL ASSISTANCE FOR THE FINANCIAL YEAR .....

If you have any enquiries, please contact Council's Director Finance and Corporate Strategy on 6889 9999.

<b>Name of Organisation:</b>	
<b>Address:</b>	
<b>Contact Person:</b>	
<b>Position:</b>	
<b>Phone No:</b>	
<b>Mobile:</b>	

### AUTHORISATION TO APPLY

I, \_\_\_\_\_, (Print Name) certify that the attached application for funding was approved by the management Committee of this Organisation on \_\_\_\_\_ - (insert date).

Signed: \_\_\_\_\_ Date \_\_\_\_\_

### **PART A- APPLICATION FOR FINANCIAL ASSISTANCE**

1. What is the total amount of your request (exclusive of GST)? \$ .....
2. Is your group/organisation registered for GST? Yes/No
3. Does your group/organisation have an ABN (Australian Business Number)? Yes/No  
If yes, please quote your ABN .....
4. Does your group/organisation have Public Liability Insurance Yes/No  
If yes, please attach a Certificate of Currency

**Please Note: Successful applicants do not need to be registered for GST or have an ABN to receive a donation as the donations are classified as untied. However, should your organisation be registered for GST and/or hold an ABN, please complete the above information.**

5. Please provide details of how your Organisation intends to expend the funds:

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6. How will other residents of the Narromine Shire benefit from your Organisation's activities:

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7. Please list donations given to your Organisation by Council over the last three (3) years:

Amount Received	Date	Purpose to which Funds were Applied

8. Has your Organisation made application for financial assistance from other bodies in the last 12 months? Yes/No

If yes, please complete the following table:

Funding Body	Project	Amount Sought	Amount Granted

**PART B - INFORMATION REGARDING YOUR ORGANISATION**

1. Please supply a brief history of your Organisation and its current activities.

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2. Is the organisation based in the Narromine Shire? YES / NO

3. What is the number of current members of your Organisation? \_\_\_\_\_

4. Please attach your organisation's most recent financial statements to the application and provide any additional comments of relevance with regards to your organisations financial capability.

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5. If you are applying for rate assistance please attach a copy of your organisation's Articles of Association, Constitution or Memorandum of Business which makes clear the organisation's purpose.

6. If you are applying for rate assistance, please indicate the following:

a) Do you own the property and are you responsible for the payment of rates? YES/NO

If yes, please provide details i.e. Lot and DP \_\_\_\_\_

b) Does the organisation lease out any part of the building on the property on a permanent basis? YES/NO

c) Is the organisation located on community owned land or controlled land, being either Council or Crown Land? YES/NO

If yes, please provide details i.e. Lot and DP \_\_\_\_\_



## **ASSESSMENT CRITERIA**

- ~~• No financial assistance will be given to individuals or privately owned businesses/ companies; organisations must be non profit;~~
- ~~• Organisations must be based in the Narromine Shire or the funds are to be used on a service or activity for the Narromine Shire;~~
- ~~• The funds are not to be used for social activities for members.~~

## **SUCCESSFUL APPLICANTS - REQUIREMENTS:**

### **TAX INVOICE**

In the event that your group/organisation is successful in receiving financial assistance and is registered for GST, you will be required to provide a Tax Invoice before payment is received. Details of group/organisation's ABN and GST component must also be provided on the Tax Invoice.

### **FUNDS ACQUITTAL/EVALUATION**

#### Waiver of Fees

No acquittal will be required where assistance has been given by way of the waiver or reduction of a Council Fee.

#### Allocation of Funds

Groups and organisations receiving funds from Narromine Shire Council are required to return the acquittal form (Attachment A) to Council within thirty (30) days of the conclusion of the project or activity, or the end of the financial year, whichever falls first.

### **RETURN OF UNSPENT FUNDS**

Funds which are unspent at the conclusion of the funding period must be returned to Council within sixty (60) days of the completion of the project, activity or event, or prior to the end of the financial year, whichever occurs first.

**Attachment A**



## ACQUITTAL AND EVALUATION FORM FOR FINANCIAL ASSISTANCE ALLOCATION

Name of Organisation: \_\_\_\_\_

\_\_\_\_ Contact Person: \_\_\_\_\_

\_\_\_\_ Contact Number: \_\_\_\_\_

Amount **Allocated**: \_\_\_\_\_

Being For: \_\_\_\_\_

**Summary of Expenditure**

Date	Invoice/ Receipt #	Details	Amount
<b>TOTAL</b>			<b>\$</b>

**Please attach copies of all invoices/receipts listed above**

**Reconciliation of Income & Expenditure**

Income **Allocated**: \_\_\_\_\_

Expenditure (as per above) : - \_\_\_\_\_

Difference: \_\_\_\_\_

NOTE: All unspent funds must be returned to Council prior to the end of the financial year in which the allocation has been made.







## HARDSHIP POLICY

Resolution Number	Created/ Amended by	Adopted by Council	Review Period
2015/20	Chief Financial Officer	11 Feb 2015	10/02/2016
2017/79	Manager Revenue & Customer Relations	12 April 2017	01/03/2022
2017/137	Manager Revenue & Customer Relations	14 June 2017	13/06/2021
2021/xxx	Manager Revenue & Customer Relations	Xx Mar 2021	Xx Mar 2025

## OBJECTIVE

To establish guidelines for the General Manager and staff when dealing with ratepayers, suffering genuine financial hardship, with the payment of the ordinary rate and annual charges. To fulfil the statutory requirements of the *Local Government Act, 1993* with respect to the ability to grant provision and give special consideration to ratepayer's subject to financial hardship.

## POLICY STATEMENT

Council requires all ratepayers to pay their rate in full by the due date(s). However, 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 requirement.

## PRIVACY AND CONFIDENTIALITY

Council officers will conduct themselves with courtesy and respect when dealing with ratepayers and shall maintain the privacy and confidentiality of all ratepayers' personal circumstances.

Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under the policy and will not be used for any other purpose. The information will be retained in Council's record keeping system. Information held by Council is not made publicly available unless there is an overriding public interest to do so under the Government Information (Public Access) Act 2009 (GIPA Act) and in accordance with section 18 (1)(b) of the NSW Privacy and Personal Information Protection Act 1998.

## UNDERSTANDING HARDSHIP

Hardship is the difficulty in paying debts when repayment is due. Any person who cannot pay their rates or charges due to hardship can apply to council for assistance at any time. Ratepayers should be encouraged to seek assistance from the council as soon as practical. The council should then consider each case on its merits.

Short term hardship can arise from a temporary change in circumstances:

- Loss or change in income
- Illness
- Loss arising from accident
- Natural disaster or emergency situation

### UNDERSTANDING HARDSHIP (Cont'd)

- Death in the family
- Separation, divorce or other family crisis
- Family violence, and /or
- Some other temporary financial difficulty due to loss of income or increase in essential expenditure.

Long term hardship can arise from any of the reasons listed above, or it can relate to the problem of managing living costs with a low income or fixed income such as a pension or superannuation payment.

### **ESSENTIAL ELIGIBILITY CRITERIA**

1. The applicant must be the owner/spouse, or part owner of the property and be liable for the payment of the rates and annual charges. Council will accept an application from the Power of Attorney of the owner or part owner of the property.
2. The property for which the financial hardship relates to is the principal place of residency.
3. The financial hardship is genuine and can be displayed.
4. The property for which the hardship application applies must be categorised "Residential" for rating purposes and in the "Residential" portion of properties with an apportionment factor for mixed development land granted under Section 14X of the *Valuation of Land Act 1916*.
5. Properties categorised as "Farmland" or "Business" may apply under these hardship provisions for special payment arrangements under Section 564(1) of the *Local Government Act, 1993*.
6. Other personal and family circumstances including age, physical and mental disability, injury and illness of the resident ratepayer or family member living with him/her will be considered.

## APPLICATION PROCESS

The application for Hardship Rate Relief must be made on the approved form (**appendix 1**). Completed applications can be submitted by the ratepayer or by another person on their behalf.

## SUPPORTING DOCUMENTATION

The application for hardship must be accompanied with supporting documentation which may include, but is not limited to;

- Reasons why the applicant was unable to pay rates and annual charges when they became due and payable.
- Copy of bank or financial institutions statements for all accounts.
- Details of all income and expenditure.
- Details of all assets and investments.
- Letter from recognised financial counsellor or financial planner confirming hardship and advising what steps have been taken by the applicant to resolve the reasons for financial hardship.
- In cases of illness, a letter from a medical professional confirming medical condition causing hardship.

## HARDSHIP ASSISTANCE TO ALL RATEPAYERS

Council recognises that ratepayers may experience hardship in some circumstances in paying rates, annual charges. The *Local Government Act, 1993* provides for the following assistance to ratepayers.

- Sec 564 (1) - Council may accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person.
- Sec 564 (2) - Council may write off or reduce interest accrued on rates or charges if the person complies with the agreement.
- Sec 567 (c) - Council may write off accrued interest on rates or annual charges payable by a person if, in its opinion payment of the accrued interest would cause the person hardship.
- Sec 568 - Money paid to a council in respect of rates or charges levied on land is to be applied towards payment of those rates or charges in

the order in which they became due.

- [Sec 607 – The Regulations may also specify circumstances in which Council may write off rates and charges and interest accrued on unpaid rates and charges.](#)

Council may refer ratepayers or customers to welfare agencies or financial advisors for assistance.

The General Manager will have delegated authority for the approval of any Hardship Rate Relief Application up to the amount of \$5,000. For amounts over \$5,000 the decisions must be by resolution of Council.

### **HARDSHIP ASSISTANCE TO PENSIONERS**

- [Sec 575 \(1\) - If an eligible pensioner is the person solely liable, or a person jointly liable with one or more other persons, for a rate or charge levied on land on which a dwelling is situated, the rate or charge is, on application to the council and on production to the council of evidence sufficient to enable it to calculate the amount of the reduction, to be reduced in accordance with this section.](#)
- [Sec 577 – Council can 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.](#)
- [Sec 582 - Council may waive or reduce rates, charges and 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\* of the Commonwealth.](#)
- [Sec 583 \(1\) - Council is to write off amounts of rates, charges and interest which are reduced or waived under this Division.](#)
- [Sec 583 \(2\) - Council may not take proceedings to recover an amount so written off unless the amount has been written off because of a wilfully false statement in an application under this Division or except as provided by section 584.](#)

### CONCESSIONS RELATING TO REVALUATIONS

- Sec 601 (1) - A ratepayer who, as a consequence of the making and levying of a rate on a valuation having a later base date than any valuation previously used by a council for the making and levying of a rate, suffers substantial hardship, may apply to the council for relief under this section.
- Sec 601 (2) - Council has a discretion to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer in such circumstances, for such period and subject to such conditions as it thinks fit.

### SPECIAL PROVISIONS WITH RESPECT TO THE RECOVERY OF UNPAID RATES AND

#### • CHARGES

- Sec 712 (1) – Proceedings for the recovery of a rate or charge may be commenced at any time within 20 years from the date when the rate or charge became due and payable.

### **EXCLUSIONS**

Council Fees and Charges (excluding annual charges levied under the *Local Government Act, 1993*) are not covered by Council's Hardship Policy. Waiver of fees and charges will be dealt with separately under Council's Donations, Sponsorships and Waiver of Fees and Charges Policy.

Rates and charges on rental properties are excluded from assistance as it is assumed that the rental income and taxation advantages associated with rental properties would cover rates and annual charges.

## CANCELLATION OF FINANCIAL HARDSHIP RELIEF

The financial hardship relief arrangement may be cancelled as a result of the following:

1. The ratepayer has defaulted on payment arrangement.
2. The ratepayer no longer owns the land.
3. The ratepayer advises Council that financial hardship no longer applies.
4. Council receives information that the financial hardship no longer exists.
5. The ratepayer has made a willful or inadvertent misstatement in the HardshipRelief Application form.
6. The ratepayer is deceased.

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

## REVIEW PERIOD

Hardship relief applications are to be reviewed after 12 months and ratepayers maybe required to reapply.

The ratepayer must advise Council if their circumstances change and they are no longer eligible suffering hardship.

## DEFINITIONS

Interest – Interest raised in accordance with the *Local Government Act, 1993* and as adopted by Council in the Revenue Policy [and Fees & Charges](#).

Rateable Valuation – Land value used for rating purposes as supplied by the Valuer General in accordance with the *Valuation of Land Act, 1916*.

Rates and Annual Charges – Rates and annual charges raised in accordance with– the *Local Government Act, 1993* and as adopted by Council in the Revenue Policy.

Eligible Pensioner – Means an eligible pensioner as defined in Clause 134 of the *Local Government (General) Regulation 2005*.

Prescribed Persons – For the purposes of section 582 of the Act, any persons who

receives a pension, benefit or allowance under Chapter 2 of the [Social Security Act 1991](#) of the Commonwealth Government is a prescribed person.

Approved Form – Council's Rate Relief Hardship Application form

## **PUBLICATIONS**

*Local Government Act, 1993*

*Local Government (General) Regulation, 2005*

[NSW Office of Local Government Debt Management and Hardship -  
Guidelines, Nov 2018](#)

*Valuation of Land Act, 1916*

*Social Security Act, 1991*

*NSW Privacy and Personal Information Protection Act, 1998.*

Council's [Statement of](#) Revenue Policy

[Council'S Debt Recovery Policy](#)

Council's Donations, Sponsorships and Waiver of Fees and Charges Policy



## NARROMINE SHIRE COUNCIL

### Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

<b>APPLICANT/S DETAILS</b> (must be property owner/s)			
Given Names			
Surname			
Postal Address			
Suburb			
State		Postcode	
Contact Phone Number		Mobile	
Email			

<b>PROPERTY DETAILS</b>	
Assessment Number	
Property Address	
Lot Number/s	
Deposited Plan/s	

<b>SECTION 1: PROPERTY INFORMATION</b>	
Is this property your principal residence?	<input type="checkbox"/> Yes (Please continue with application) <input type="checkbox"/> No (Hardship relief not available for rental properties)
How long have you lived at the property?	
Do you own the property?	
Is there a mortgage on the property?	
How many people live at the property?	

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

SECTION 2: PENSION / BENEFIT DETAILS			
Do you receive any pensions or benefit?	<input type="checkbox"/> Yes* *Please continue	<input type="checkbox"/> No** **Proceed to Section 3a	
Please provide details of pension (e.g. aged, disability, FHA etc.,)			
Amount received per fortnight	\$		
Do you have a Current Pensioner Concession Card (PCC)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
PCC Number		Date of Grant	
Have you claimed a Pensioner Concession on any property this year?	<input type="checkbox"/> Yes* *Please provide address of the property in the space below		
<p>.....</p> <p>.....</p>			

**IF YOU HAVE A CURRENT PENSIONER CONCESSION CARD AND YOU HAVE NOT YET CLAIMED A PENSION REBATE, PLEASE COMPLETE A PENSIONER CONCESSION APPLICATION FORM AVAILABLE FROM COUNCIL'S CUSTOMER SERVICE & PAYMENT CENTRE AS YOU MAY NOT NEED TO CONTINUE COMPLETING THIS FORM. IF CONTINUING PLEASE SIGN PENSIONER DECLARATION SECTION 8.**

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

<b>SECTION 3a: INCOME</b>		
<i>(State gross weekly/fortnightly amounts received from the following sources of income)</i>		
SOURCE OF INCOME	AMOUNT	WEEKLY/FORTNIGHTLY
How much do you receive in pensions & benefits?	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
What is your gross wage / salary?	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Spouse/partner gross wage / salary?	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Do you receive income from any other source? (Provide details)		
1. Trust Income	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
2. Rentals	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
3. Insurance Payments/Compensation	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
4. Superannuation	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
5. Interest	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
6. Other Income (Provide details below)	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
.....		
.....		
.....		

<b>SECTION 3b: BANK ACCOUNT DETAILS</b>		
<i>(Please provide copies of the most recent bank statements)</i>		
Please provide name & current balance of all bank, credit union or building society accounts held in your name?		
NAME OF INSTITUTION	TYPE OF ACCOUNT	BALANCE
		\$
		\$
		\$
		\$
		\$
		\$

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

		\$
	TOTAL	\$

SECTION 4: ASSETS	
Please provide details of other non-property assets	
ITEM	ESTIMATED VALUE
Car/s	\$
Boats/Watercraft	\$
Motor Bike(s)	\$
Shares	\$
Investments	\$
Furniture	\$
Caravan	\$
Other Assets (provide details)	\$

SECTION 5: EXPENSES		
Please provide details of your expenses		
EXPENSE TYPE	ESTIMATED EXPENSE	WEEKLY/FORTNIGHTLY
Home Loan Repayments	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Personal Loans / Hire Purchase	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Credit Cards	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Health Costs (Where hardship relates to serious illness)	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Council Rates & Charges	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Other mortgages	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
Other Expenses	\$	<input type="checkbox"/> WK <input type="checkbox"/> F/N
TOTAL ESTIMATED EXPENSES		<input type="checkbox"/> WK <input type="checkbox"/> F/N

**\*Please attach a separate page with any other relevant information you feel may assist your application.**

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

<b>SECTION 6: HARDSHIP DETAILS</b>
What is the cause of the hardship? (e.g. illness*, unemployment)
<b><i>*Please provide Doctor's report if this application relates to serious illness.</i></b>
How long have you been experiencing this hardship?
What relief are you seeking from Council? (Options listed under Hardship Assistance to Ratepayers in Policy)
Which organisations have you sought assistance from due to financial hardship?

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

#### SECTION 6: HARDSHIP DETAILS (Cont'd)

Details of recognised financial counsellor, financial planner or similar you have engaged to provide assistance to you? (Please attach relevant documentation)

.....

.....

.....

#### SECTION 7: APPLICANT DECLARATION

I hereby declare that the information provided above is true and correct.  
*(If you make a false statement in an application you may be guilty of an offence and fined up to \$2,200).*

<p>.....</p> <p>Applicant (1) Signature</p>	<p>Date     /     /</p>
<p>.....</p> <p>Applicant (2) Signature</p>	<p>Date     /     /</p>

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

#### SECTION 8: PENSIONER DECLARATION

This section should only be completed by Pensioners who are in receipt of a Pensioner Concession Card issued by Centrelink or Department of Veterans' Affairs.

#### APPLICANT CONSENT

This consent will be used for the sole purpose of authorising Centrelink to provide information to Narromine Shire Council, ("the Council") to assess your eligibility in relation to concessions or services provided by Council.

#### APPLICANT CONFIRMATION

I \_\_\_\_\_authorise

(Applicant's name)

- Council to use Centrelink Confirmation eServices to perform an enquiry of my Centrelink or Department of Veteran's Affairs Customer details and concession card status in order to enable the Council to determine if I qualify for a concession; and
- the Australian Government Department of Human Services (the department) to provide the results of that enquiry to the Council. This involves electronically matching details I have provided to the Council with Centrelink or Department of Veterans' Affairs (DVA) records to confirm whether or not I am currently receiving a Centrelink or DVA benefit.

I understand that the department will use information I have provided to the Council to confirm my eligibility for the concession and will disclose to the Council personal information including my name, address, payment and concession card type and status.

I understand that this consent, once signed, remains valid while I am a customer of the Council unless I withdraw it by contacting the Council or the department.

I can obtain proof of my circumstances/details from the department and provide it to the Council so that my eligibility for the concession can be determined.

I understand if I withdraw my consent or do not alternatively provide proof of my circumstances/details, I may not be eligible for the concession provided by the Council.

I also understand that this consent, which is ongoing, can be revoked any time by giving notice to the Council.

(Further information about the Centrelink Confirmation eServices is available on Centrelink's website at [www.humanservices.gov.au](http://www.humanservices.gov.au)).

I agree that, unless I revoke my consent, this Applicant Consent record is a permanent consent, and may be relied on by the Council until such time as I revoke it.

I acknowledge I have read and understood this Customer Consent record.

Signature: \_\_\_\_\_ Date: / /

# NARROMINE SHIRE COUNCIL

## Appendix 1

### HARDSHIP RATE RELIEF APPLICATION FORM

#### PRIVACY STATEMENT

Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under Council's Hardship Policy and will not be used for any other purpose. The information will be retained in Council's record keeping system. Information held by Council is not made publicly available unless there is an overriding public interest to do so under the Government Information (Public Access) Act 2009 (GIPA Act) and in accordance with section 18 (1)(b) of the NSW Privacy and Personal Information Protection Act 1998. For further information please contact Narromine Shire Council on (02) 6889 9999 and ask to speak with the Privacy Officer. Alternatively, you may email Council at [mail@narromine.nsw.gov.au](mailto:mail@narromine.nsw.gov.au) or write to Council at PO Box 115, Narromine NSW 2821.

#### HOW TO LODGE

Please email completed form and attachments to [mail@narromine.nsw.gov.au](mailto:mail@narromine.nsw.gov.au), post to Narromine Shire Council, PO Box 115, Narromine NSW 2821 or hand deliver to Council's Customer Service & Payments Centre at 118 Dandaloo Street, Narromine. Further enquiries can be made by phoning 02 6889 9999.

#### SECTION 9: CHECKLIST FOR APPLICANTS

Please ensure all relevant sections are completed. Incomplete or illegible applications will not be accepted and will be returned to you unprocessed. Personal information collected as a result of this application will only be used for the purpose of assessing eligibility under Council's Hardship Policy

Section	Section Completed <input type="checkbox"/> Yes <input type="checkbox"/> No
Applicant/s details	<input type="checkbox"/> Yes <input type="checkbox"/> No
Property details	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 1: Property Information	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 2: Pension/Benefit details	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 3a: Income	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 3B: Bank Account Details	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 4: Assets	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 5: Expenses	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 6: Hardship details	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 7: Applicant Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 8: Pensioner Declaration (If applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No



# Debt Recovery Policy

<b>Resolution Number</b>	<b>Created/ modified by</b>	<b>Adopted by Council</b>	<b>Review Period</b>
2015/20	Chief Financial Officer	11/02/2015	10/02/2016
2017/320	Manager Revenue & Customer Relations	08/11/2017	01/11/2021
2021/xxx	xxx	Xx/xx/2021	Xx/xx/2025

**POLICY OBJECTIVES**

The objective of this policy is to ensure money owed to Council is recovered in a timely, efficient and effective, manner in order to finance Council's operations and ensure effective cash flow management.

**POLICY STATEMENT**

This policy applies to any person or organization owing rates, charges or other debts to Council.

**GENERAL**

1. Ratepayer's rates accounts are deemed to be in arrears when one instalment is not paid by the due date as displayed on the rates notice.
2. Water accounts are deemed to be in arrears when the account payment date is not paid by the due date shown on the water and sewer charges account.
3. Accounts receivable invoices are deemed to be in arrears when the monthly account is not paid within thirty days of the date of the invoice.

Debt recovery processes are to commence as soon as practicable for all accounts deemed to be in arrears within the above timeframes with Council taking into consideration the following:

- Ensure effective control over debts owed to Council.
- Be sympathetic and helpful to ratepayers and other debtors suffering genuine financial hardship.
- Fulfill the statutory requirements of the *Local Government Act 1993* and other relevant legislation.
- Ensure consistency, fairness, integrity, sensitively and confidentially of all proceedings for both Council and the debtor.
- Clear and concise debt recovery process and procedures.

## RELEVANT LEGISLATION & GUIDELINES

This document has been drafted with due consideration to the following:

- *Local Government Act, 1993*
- *Valuation of Land Act 1916*
- *Local Government (General) Regulation 2005*
- *Local Courts (Civil Claims Act 1970)*
- Council Rating & Revenue Raising Manual, 2007
- Council's Hardship Policy
- Council's Fees & Charges
- Council's Pensioner Rates & Charges Reduction Policy , 2017
- Council's Water & Sewer Policy, 2011
- Council's Trade Waste Policy, 2016

### 1. RATES AND ANNUAL CHARGES

Rates and Charges include all amounts charged by way of a Rates Notice in accordance with section 546 of the *Local Government Act, 1993*. ('Act')

- Rate Notices must be issued in accordance with Section 546 of the Act.
- Instalment notices must be issued one month prior to the instalment due dates (31 August, 30 November, 28 February and 31 May each year) in accordance with section 562 of the Act.
- It is Council's practice to extend the payment date to the first working day after the due date if the instalment falls due on a weekend or public holiday.

### DEBT RECOVERY PROCEDURES

Recovery proceedings will commence within **fourteen (14) days** after the due date of the rate instalment has passed and where an instalment remains partly or fully unpaid.

#### Reminder Notice

- A Reminder Notice will be issued to each ratepayer who has an outstanding instalment and who has not entered into a payment arrangement with Council.
- If the "Reminder Notice" does not result in payment in full or suitable arrangements are not made within **fourteen (14) days** from the date of the reminder notice the following "Final Notice" procedure is to be followed.

### Final Notice

- Amounts over \$500.00 will be referred to Council's Debt Recovery Agency for the issue of a **fourteen (14) day** Final Notice.
- If payment is not received within fourteen days or a suitable arrangement has not been entered into Council's Debt Recovery Agency is to issue a Pre-summons warning letter. Council's Debt Recovery Agency will telephone the debtor, if a telephone number is provided, prior to the issue of Summons.

### Legal Action

- If payment in full is not received or suitable arrangements are not made within **14 days** after the 'Pre-summons Warning' letter has been issued any amount outstanding over \$1,000.00 will result in a Summons being issued to the owner/s of the property.

### Legal fees

- Legal fees excluding GST will be payable by the debtor.

### Arrangements

- Ratepayers who wish to enter into a mutual payment agreement with Council to pay outstanding rates and charges must submit a written request or complete and sign Council's Application for an Instalment-Agreement form. (**Attachment A**)
- Where a ratepayer who has made arrangements to pay rates and charges by mutual agreement fails to meet their full obligations under the agreement, the agreement will be terminated and legal action shall commence immediately for the recovery of any outstanding rates and charges.
- Any agreement entered into with a ratepayer shall endeavour to ensure all rates and charges outstanding are cleared within twelve (12) months from when the agreement is entered into. An agreement shall not under normal circumstances extend beyond **two (2) years**. Arrangements outside the two (2) year period may be granted under special consideration as outlined in Council's Hardship Policy.
- Where a ratepayer fails to comply with the terms of an arrangement, Council will issue a pay arrangement letter to the ratepayer advising that full payment is required within **fourteen (14) days** from the date of the letter. Upon this the ratepayer may make a further payment arrangement. If no arrangement is made the debt is to be referred to Council's Debt Recovery Agency.

### Direct Debits

- Council will accept an arrangement whereby the debtor agrees to pay their outstanding rates and charges by direct debit providing Council's Direct Debit Request form (**Attachment B**) has been completed in full. If the direct debit fails at any time Council will be subject to a returned direct deposit charge as shown in Council's Fees and Charges. If the direct debit request fails three (3) times the arrangement will be cancelled and the matter will be referred to Council's Debt Recovery Agency for further action.

### Tenanted Properties

- In the case of a tenanted property, in the first instance councils should only pursue the debt directly with the landowner and, where necessary take legal action against the landowner.

### Rent for Rates – Section 569

- Council may under Section 569 of the *Local Government Act 1993* serve on the occupier of the property a notice for the amount of rates and charges unpaid or for the amount of the Judgement.

### Pensioners

- Pensioners with outstanding rates and charges should be encouraged to enter into an arrangement to pay their outstanding rates and charges by fortnightly instalments using Centrelink's Centrepay option. Minimum amount accepted by Council is **\$20.00**.

### Sale of Land

In accordance with section 713 of the *Local Government Act 1993*, Council will act to sell the property to recover outstanding rates where the debt has been outstanding for more than five (5) years from the date on which it became due and payable and other attempts to collect the debt have failed.

### Interest

- Interest accrues on a daily basis in accordance with Section 566 of the *Local Government Act, 1993* on rates and charges that remain unpaid after they become due and payable. The current interest rate is shown in Council's Fees and Charges.

### Interest (Cont'd)

- Ratepayers who are unable to pay accrued interest on rates and charges for reasons beyond their control, or because payment of the accrued interest would cause them hardship, may apply to have the accrued interest written off under Section 567 of the *Local Government Act, 1993*. All applications must be lodged in accordance with Council's Hardship Policy.

## **2. WATER, SEWER, TRADE WASTE ACCESS AND USAGE CHARGES**

Recovery proceedings will commence within fourteen days after the due date of the water, sewer and trade waste account has passed and where an account remains partly or fully unpaid.

### Reminder Notice

- A Reminder Notice will be issued to each ratepayer who has an outstanding account and who has not entered into a payment arrangement with Council.
- If the "Reminder Notice" does not result in payment in full or suitable arrangements are not made within **fourteen (14) days** from the date of the reminder notice the following "Final Notice" procedure is to be followed.

### Final Notice

- Amounts over \$500.00 will be referred to Council's Debt Recovery Agency for the issue of a **fourteen (14) day** Final Notice.
- If payment is not received within fourteen days or a suitable arrangement has not been entered into Council's Debt Recovery Agency are to issue a Pre-summons warning letter. Council's Debt Recovery Agency may telephone the debtor, if a telephone number is provided, prior to the issue of Summons.

### Legal Action

- If payment in full is not received or suitable arrangements are not made within **fourteen (14) days** after the 'Pre-summons Warning' letter has been issued any amount outstanding over \$1,000.00 will result in a Summons being issued to the owner/s of the property.

### Legal fees

- Legal fees excluding GST will be payable by the debtor.

### Arrangements

- Ratepayers who wish to enter into a mutual payment agreement with Council to pay outstanding rates and charges must submit a written request or complete and sign Council's Application for an Instalment Agreement form. (**Attachment AG**)
- Where a ratepayer who has made arrangements to pay rates and charges by mutual agreement fails to meet their full obligations under the agreement, the agreement will be terminated and legal action shall commence immediately for the recovery of any outstanding rates and charges.
- Any agreement entered into with a ratepayer shall endeavour to ensure all rates and charges outstanding are cleared within **twelve (12) months** from when the agreement is entered into. An agreement shall not under normal circumstances extend beyond two (2) years. Arrangements outside the two (2) year period may be granted under special consideration as outlined in Council's Hardship Policy.
- Where a ratepayer fails to comply with the terms of an arrangement, Council will issue a pay arrangement letter to the ratepayer advising that full payment is required within **fourteen (14) days** from the date of the letter. Upon this the ratepayer may make a further payment arrangement. If no arrangement is made the debt is to be referred to Council's Debt Recovery Agency.

### Direct Debits

- Council will accept an arrangement whereby the debtor agrees to pay their outstanding water, sewer and trade waste charges by direct debit providing Council's Direct Debit Request form (Attachment B) has been completed in full. If the direct debit fails at any time the ratepayer will be subject to a returned direct deposit charge as shown in Council's Fees and Charges. If the direct debit request fails three (3) times the arrangement will be cancelled and the matter will be referred to Council's Debt Recovery Agency for further action.

### Interest

- Interest accrues on a daily basis in accordance with Section 566 of the Local Government Act, 1993 on rates and charges that remain unpaid after they become due and payable. The current interest rate is shown in Council's Fees and Charges.
- Ratepayers who are unable to pay accrued interest on rates and charges for reasons beyond their control, or because payment of the accrued interest would cause them hardship, may apply to have the accrued interest written off under Section 567 of the *Local Government Act, 1993*. All applications must be lodged in accordance with Council's Hardship Policy.

### Restricting Water Supply

Council may restrict the supply of water to premises if any charges in respect of the water supplied to the premises are unpaid. Council should only restrict or disconnect water as an option of last resort, after it has issued a notice to the tenant under Section 569 of the *Local Government Act, 1993* and a reasonable opportunity is given to the tenant to comply with the notice. A fee for the placement and removal of restrictors are outlined in Council's Fees and Charges.

### **3. SUNDRY DEBTORS**

- All debtor accounts are strictly 30 days from the date of invoice unless prior arrangements have been made.
- Monthly statements are to be forwarded to sundry debtor. Amounts outstanding for more than thirty (30) days are to be regarded as overdue and will be advised accordingly.
- Where accounts are outstanding for more than **thirty (30) days** the debtor will be contacted by phone to request payment.
- Where amounts are outstanding for more than **sixty (60) days** a "Letter of Demand" will be issued.
- If payment is not received within **ninety (90) days** the matter will be referred to Council's Debt Recovery Agency for legal action.

### Arrangements

- Any request for an arrangement must be made prior to the work commencing or in the case of supply, before the supply has been made.

### Direct Debits

- Council will accept an arrangement whereby the debtor agrees to pay their debtor account by direct debit providing Council's Direct Debit Request form (Attachment B) has been completed in full and prior approval has been obtained. If the direct debit fails at any time the debtor will be subject to a returned direct deposit charge as shown in Council's Fees and Charges. If the direct debit request fails three (3) times the arrangement will be cancelled and the matter will be referred to Council's Debt Recovery Agency for further action.

Further considerations for the collection of Rates & Charges, Water and Sundry Debtors

Council may include outstanding debtor, water, sewer and trade waste accounts in any legal action taken to recover outstanding rates and charges.

**HARDSHIP CONSIDERATIONS**

- All applications for "Hardship Relief" are to be made in accordance with Council's Hardship Policy.



**Narrromine Shire Council** ABN 99 352 328 405

**Phone:** 02 6889 9999 **Fax:** 02 6889 9998

**Email:** [mail@narrromine.nsw.gov.au](mailto:mail@narrromine.nsw.gov.au)

Address all correspondence to:  
The General Manager, PO Box 115 Narrromine NSW 2821

Customer Service & Payments Centre address:  
118 Dandaloo Street Narrromine

**Web:** [www.narrromine.nsw.gov.au](http://www.narrromine.nsw.gov.au)

**ATTACHMENT A - APPLICATION TO MAKE REGULAR PAYMENTS**

Council appreciates the fact that circumstances can prevent people paying rates and charges, water and sewerage usage charges by the due date and for this reason is prepared to accept regular payments provided the account is settled within twelve months.

Other arrangements may be accepted, but only by submitting a Hardship Relief Application Form to Council outlining reasons why the account cannot be settled within this timeframe.

COMMENCEMENT DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_

ASSESSMENT NO: \_\_\_\_\_ CONTACT NO: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

I, \_\_\_\_\_ (Name)

{insert Name}

Of, \_\_\_\_\_ (insert postal address) Should this address be recorded for Rate & Water accounts  (tick if yes)

Hereby agree to make regular WEEKLY/FORTNIGHTLY/MONTHLY payments of:  
(cross out whichever does not apply)

**(Please Note: Both sides are to be completed below)**

- |   |  |
|---|--|
| <input type="checkbox"/> \$ _____ Rates                     | <input type="checkbox"/> Arrears only (current accounts must be paid as they fall due) |
| <input type="checkbox"/> \$ _____ Water/Sewer usage charges | <input type="checkbox"/> Arrears + Current Account                                     |

(Please tick appropriate box and enter amount)

(Please select one of the above options)

With my first payment beginning on \_\_\_\_\_ (insert date) I undertake to settle all rates, water and sewerage usage charge amounts due by me, by the above stated completion date.

I agree to notify Council in writing immediately if there is any substantial change to my financial situation.

I understand, that interest charges, in accordance with the Local Government Act 1993, will continue to apply on overdue rate, water and sewerage charges until paid.

By submitting this request I declare that I am authorised to make this payment arrangement as the owner of the property or authorised person of the owner of the property.

I acknowledge that if these payments are not strictly adhered to, my agreement will be cancelled and legal proceedings will commence to recover the total balance outstanding, including extra charges, owed to Council.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Personal information collected as a result of this application will only be used for the purpose of assessing your application and will not be used for any other purpose, or disclosed to any person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates. Privacy will be maintained in accordance with the NSW Privacy and Personal Information Protection Act 1998.



Narromine Shire Council  
 120-124 Dandaloo Street  
 Narromine NSW 2821  
 Ph: 02 6889 9999 Fax: 02 6889 9998  
 mail@narromine.nsw.gov.au  
 www.narromine.nsw.gov.au

**DIRECT DEBIT REQUEST (DDR)**

Request and Authority to debit	<i>Request and Authority to debit the account named below to pay</i> <b>NARROMINE SHIRE COUNCIL APCA ID 405550</b>	
	Your Surname or Company Name	
	Your Given Names "you"	
	request and authorize <b>Narromine Shire Council, User ID 405550</b> to arrange, through its own financial institution, a debit to your nominated account any amount Narromine Shire Council has deemed payable by <i>you</i> .	

RATES PAYMENT OPTION	WATER PAYMENT OPTION
<input type="checkbox"/> RATES ASSESSMENT NO:..... <input type="checkbox"/> WEEKLY <input type="checkbox"/> FORTNIGHTLY <input type="checkbox"/> MONTHLY <input type="checkbox"/> QUARTERLY (4) Instalments as shown on rates notice <input type="checkbox"/> ANNUALLY As per rate notice due 31st August* AMOUNT    \$ <input type="text"/> START DATE <input type="text"/> / <input type="text"/> / <input type="text"/> * If the instalment date falls due on a weekend or public holiday the instalment will be due on the next working day.	<input type="checkbox"/> WATER ACCOUNT NO:..... <input type="checkbox"/> WEEKLY <input type="checkbox"/> FORTNIGHTLY <input type="checkbox"/> MONTHLY <input type="checkbox"/> FULL BALANCE due as shown on water account AMOUNT    \$ <input type="text"/> START DATE <input type="text"/> / <input type="text"/> / <input type="text"/>

This debit or charge will be made though the Bulk Electronic Clearing System (BECS) from your account held at the financial institution you have nominated below and will be subject to the terms and conditions of the Direct Debit Request Service Agreement.	DEBTOR PAYMENT OPTION			
	<input type="checkbox"/> DEBTOR ACCOUNT NO:..... <input type="checkbox"/> FULL BALANCE <input type="checkbox"/> MONTHLY (Prior approval must be obtained)	AMOUNT	\$	START DATE
Insert the name and address of financial institution at which your account is held				

Insert details of account to be debited	Name/s as shown on Bank account														
	BSB Number	(Must be 6 digits)													
ACCOUNT NUMBER															

**Acknowledgement**    By signing and/or providing us with a valid instruction in respect to your Direct Debit Request, you have understood and agreed to the terms and conditions governing debit arrangements between you and **Narromine Shire Council** as set out in this Request and in your Direct Debit Request Service Agreement.

Insert your signature, address and phone number.	NAME											SIGNATURE	
	ADDRESS												
	PHONE NO:											DATE:	<input type="text"/>
	POSITION:	(If signing for a company, sign and print full name and capacity for signing). eg; Director											
Second account signatory (if required)	NAME												
	SIGNATURE												

Narromine Shire Council  
 120-124 Dandaloo Street  
 Narromine NSW 2821  
 Ph: 02 68899999  
[mail@narromine.nsw.gov.au](mailto:mail@narromine.nsw.gov.au)  
[www.narromine.nsw.gov.au](http://www.narromine.nsw.gov.au)



## Direct Debit Request Service Agreement

This is your Direct Debit Service Agreement with **Narromine Shire Council, User ID 405550 & ABN 99 352 328 405**. It explains what your obligations are when undertaking a Direct Debit arrangement with us. It also details what our obligations are to you as your Direct Debit provider.

Please keep this agreement for future reference. It forms part of the terms and conditions of your Direct Debit Request (DDR) and should be read in conjunction with your DDR authorisation.

<p>Definitions</p>	<p><b>account</b> means the account held at <i>your financial institution</i> from which <i>we</i> are authorised to arrange for funds to be debited.</p> <p><b>agreement</b> means this Direct Debit Request Service Agreement between <i>you</i> and <i>us</i>.</p> <p><b>banking day</b> means a day other than a Saturday or a Sunday or a public holiday listed throughout Australia.</p> <p><b>debit day</b> means the day that payment by <i>you</i> to <i>us</i> is due.</p> <p><b>debit payment</b> means a particular transaction where a debit is made.</p> <p><b>direct debit request</b> means the Direct Debit Request between <i>us</i> and <i>you</i>.</p> <p><b>us</b> or <b>we</b> means <b>Narromine Shire Council</b>, (the Debit User) <i>you</i> have authorised by requesting a <i>Direct Debit Request</i>.</p> <p><b>you</b> means the customer who has signed or authorised by other means the <i>Direct Debit Request</i>.</p> <p><b>your financial institution</b> means the financial institution nominated by <i>you</i> on the DDR at which the <i>account</i> is maintained.</p>
<p>1. Debiting your account</p>	<p>1.1 By signing a <i>Direct Debit Request</i> or by providing <i>us</i> with a valid instruction, <i>you</i> have authorised <i>us</i> to arrange for funds to be debited from <i>your account</i>. <i>You</i> should refer to the <i>Direct Debit Request</i> and this <i>agreement</i> for the terms of the arrangement between <i>us</i> and <i>you</i>.</p> <p>1.2 <i>We</i> will only arrange for funds to be debited from <i>your account</i> as authorised in the <i>Direct Debit Request</i>.</p> <p><b>or</b></p> <p><i>We</i> will only arrange for funds to be debited from <i>your account</i> if <i>we</i> have sent to the address nominated by <i>you</i> in the <i>Direct Debit Request</i>, a billing advice which specifies the amount payable by <i>you</i> to <i>us</i> and when it is due.</p> <p>1.3 If the <i>debit day</i> falls on a day that is not a <i>banking day</i>, <i>we</i> may direct <i>your financial institution</i> to debit <i>your account</i> on the following <i>banking day</i>. If <i>you</i> are unsure about which day <i>your account</i> has or will be debited you should ask <i>your financial institution</i>.</p>
<p>2. Amendments by <i>us</i></p>	<p>2.1 <i>We</i> may vary any details of this <i>agreement</i> or a <i>Direct Debit Request</i> at any time by giving <i>you</i> at least fourteen <b>(14) days</b> written notice.</p>
<p>3. Amendments by <i>you</i></p>	<p>3.1 You may change*, stop or defer a debit payment, or terminate (cancel) this agreement at any time by providing us with at least <b>fourteen (14) days</b> notification by writing to:</p> <p><b>The General Manager, Narromine Shire Council, PO Box 115, Narromine NSW 2821</b></p> <p><b>or</b></p> <p>by telephoning us on <b>02 6889 9999</b> during business hours;</p> <p><b>or</b></p> <p>arranging it through your own financial institution, which is required to act promptly on your instructions.</p> <p>*Note: in relation to the above reference to 'change', your financial institution may change your debit payment only to the extent of advising us <b>Narromine Shire Council</b> of your new account details.</p>

4. Your obligations	<p>4.1 It is <i>your</i> responsibility to ensure that there are sufficient clear funds available in <i>your</i> account to allow a <i>debit payment</i> to be made in accordance with the <i>Direct Debit Request</i>.</p> <p>4.2 If there are insufficient clear funds in <i>your account</i> to meet a <i>debit payment</i>:</p> <ul style="list-style-type: none"> <li>a) <i>you</i> may be charged a fee and/or interest by <i>your financial institution</i>;</li> <li>b) <i>you</i> may also incur fees or charges by <i>us</i> as outlined in Council's Fees and Charges; and</li> <li>c) <i>you</i> must arrange for the <i>debit payment</i> to be made by another method or arrange for sufficient clear funds to be in <i>your account</i> by an agreed time so that <i>we</i> can process the <i>debit payment</i>.</li> </ul> <p>4.3 <i>You</i> should check <i>your account</i> statement to verify that the amounts debited from <i>your account</i> are correct.</p>
5. Disputes	<p>5.1 If you believe there has been an error in debiting <i>your account</i>, <i>you</i> should notify <b>Council's Customer Service &amp; Payments Centre</b> and confirm that notice in writing with <i>us</i> as soon as possible so that <i>we</i> can resolve your query more quickly. Alternatively you can take it up directly with your financial institution.</p> <p>5.2 If <i>we</i> conclude as a result of our investigations that <i>your account</i> has been incorrectly debited <i>we</i> will respond to <i>your</i> query by arranging for <i>your financial institution</i> to adjust <i>your</i> account (including interest and charges) accordingly. <i>We</i> will also notify you in writing of the amount by which <i>your account</i> has been adjusted.</p> <p>5.3 If <i>we</i> conclude as a result of our investigations that <i>your account</i> has not been incorrectly debited <i>we</i> will respond to <i>your</i> query by providing <i>you</i> with reasons and any evidence for this finding in writing.</p>
6. Accounts	<p><i>You</i> should check:</p> <ul style="list-style-type: none"> <li>a) with <i>your financial institution</i> whether direct debiting is available from <i>your account</i> as direct debiting is not available through BECS on all accounts offered by financial institutions.</li> <li>b) <i>your</i> account details which <i>you</i> have provided to <i>us</i> are correct by checking them against a recent <i>account</i> statement; and</li> <li>c) with <i>your financial institution</i> before completing the <i>Direct Debit Request</i> if <i>you</i> have any queries about how to complete the <i>Direct Debit Request</i>.</li> </ul>
7. Confidentiality	<p>7.1 <i>We</i> will keep any information (including <i>your account</i> details) in <i>your Direct Debit Request</i> confidential. <i>We</i> will make reasonable efforts to keep any such information that <i>we</i> have about <i>you</i> secure and to ensure that any of <i>our</i> employees or agents who have access to information about <i>you</i> do not make any unauthorised use, modification, reproduction or disclosure of that information.</p> <p>7.2 <i>We</i> will only disclose information that <i>we</i> have about <i>you</i>:</p> <ul style="list-style-type: none"> <li>a) to the extent specifically required by law; or</li> <li>b) for the purposes of this <i>agreement</i> (including disclosing information in connection with any query or claim).</li> </ul>
8. Notice	<p>8.1 If <i>you</i> wish to notify <i>us</i> in writing about anything relating to this <i>agreement</i>, <i>you</i> should write to:</p> <p style="text-align: center;"><b>The General Manager, Narromine Shire Council, PO Box 115, Narromine NSW 2821</b></p> <p>8.2 <i>We</i> may send notices either electronically to your email address or by ordinary post to the address <i>you</i> have given <i>us</i>.</p> <p>8.3 Any notice will be deemed to have been received on the third <i>banking day</i> after emailing or posting.</p>



## PENSIONER RATES & CHARGES REDUCTION POLICY

DOCUMENT VERSION CONTROL				
Version No	Created/ modified by	Adopted by Council	Resolution No	Review Period
Version 1	Finance & Corporate Strategy	12 Jul 2017	2017/176	4 Years
Version 2	Finance & Corporate Strategy	Xx xxx 2021	2021/xxx	4 Years

## INTRODUCTION

This policy sets out the terms and conditions required by eligible persons for a pensioner concession under sections 575 and 582 of the *Local Government Act, 1993*. Council provides pension concessions on rates and charges for eligible pensioners up to a maximum of \$425.00 per annum, as determined by the Minister of Local Government.

## POLICY OBJECTIVE

- Ensure pension concessions are granted in accordance with section 575 of the *Local Government Act, 1993*.
- Ensure consistency, fairness, integrity and confidentiality of all proceedings for both Council and the pensioner.

## RELEVANT LEGISLATION & GUIDELINES

- *Local Government Act, 1993*
- *Local Government (General) Regulations 2005*
- *Council Rating and Revenue Raising Manual*
- *Veterans' Entitlements Act 1986*
- *Military Rehabilitation and Compensation Act 2004*
- *Social Security Act 1991*
- *Privacy and Personal Information Protection Act 1998*
- Council Hardship Policy
- Council Debt Recovery Policy

Privacy Statement
<p>Personal information collected as a result of the pensioner concession application form will only be used for the purpose of processing a pensioner concession under section 575 of the <i>Local Government Act, 1993</i> and will not be used for any other purpose, or disclosed to any person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates. Privacy will be maintained in accordance with the <i>NSW Privacy and Personal Information Protection Act 1998</i>.</p>

**Eligible pensioner** - A person who is in receipt of a Pensioner Concession Card issued by Centrelink, the Department of Veterans' Affairs or is the holder of a Gold Total Physical Incapacity (TPI), War Widow/er (WW) or an Extreme Disablement Adjustment (EDA) card. Note: Seniors Card or Health Care Cards are not sufficient.

**Jointly eligible occupier** - In Division 1 of Part 8 of Chapter 15, of the *Local Government Act, 1993* in relation to a rate or charge in respect of which an eligible pensioner is jointly liable, means a person who:

- (a) is the spouse or de facto partner of that eligible pensioner; or
- (b) is another eligible pensioner; or
- (c) if another eligible pensioner and his or her spouse or de facto partner has the same sole or principal place of dwelling, is the spouse or de facto partner of that other eligible pensioner, and whose sole or principal place of living is the same as that of that first mentioned eligible pensioner.

**Principal place of residence** – The property that the ratepayer occupies as their sole or dominant residence. Concessions are not available on commercial properties.

**Acceptable proof of residency** - Pension card showing property address along with utility accounts in the applicants name are acceptable.

**Application Form** – Pensioner Concession Application Form approved by the Office of Local Government, Department of Premier and Cabinet (delegate of the Director General, Department of Premier and Cabinet ), in accordance with Clause 135 of the *Local Government (General) Regulation 2005* under the *Local Government Act 1993*.

**Applicant** - The applicant must be the owner, part owner or life tenant of the property (proof of life tenancy under a Will must be provided).

**Temporary** - A period of less than 3 months.

**Ratepayer** - The person liable for payment of the rates on the property for which the pensioner concession is claimed.

## APPLICATION FORM

An application for a pensioner concession on rates and charges must be made by an eligible pensioner, as defined by the *Local Government Act, 1993* or *Local Government Regulations*, by submitting a completed application form. ~~Application forms can be submitted to Council by one of the following options; and producing a current pensioner concession card issued by Centrelink or the Department of Veteran Affairs.~~

1. Paper Based Application form – Submitted by mail or over the counter
2. Electronically – Completed online using Council's website
3. Verbally – Completed over the phone where the need arises

Option 1 is Council's preferred method of applying for a concession. Council can, at the time the customer applies, obtain a photocopy of the current Pensioner Concession Card to verify the applicant's residential address. No consideration will be given if the address shown on the concession card differs from the property address for which a rebate has been sought.

If joint owners are eligible for a pensioner concession, a separate form will need to be completed by each owner to receive the maximum rebate, otherwise only a partial rebate will be granted. Pension concessions will not be considered unless a completed application ~~form~~ has been received by Council.

~~A photocopy of the current Pensioner Concession Card must be provided to verify the applicant's residential address. No consideration will be given if the address shown on the concession card differs from the property address for which a rebate has been sought.~~

Eligible pensioner rebates can be backdated if applied for by 30 June of the current financial year. However, as of 1 July for a new financial year, pensioner rebates will not be backdated unless Council has made an error in the calculation.

If a person becomes an eligible pensioner after the day on which a rate or charge is made and levied, the person is entitled to a reduction under this section of the rate or charge proportionate to the number of full quarters remaining after the day on which the person becomes an eligible pensioner in the year for which the rate or charge is made.

## MAXIMUM REBATES

There is a maximum reduction of \$250.00 (in respect of the aggregate of ordinary rates and charges for domestic waste management services).

The maximum reduction in respect of water access charges is \$87.50 and the maximum reduction for sewer access charges is \$87.50. The maximum rebate in total is \$425.00. Council does not grant any additional rebates. Water usage charges do not attract a pensioner concession.

## **CUSTOMER CONFIRMATIONS**

Council verifies Customer eligibility with Centrelink each quarter. Council may process single verifications during the rating year if required.

If an eligible pensioner becomes ineligible for any reason, the pension rebate will be written back proportionally according to the number of full quarters left in the rating year.

Reinstatement of a concession will require reapplication.

## **ADDITIONAL REBATES**

Council may also grant additional voluntary rebates or provide other concessions against particular special rates or charges. Where these apply, they will be outlined in the Council's Operational Plan. Council currently grants a concession of \$50.00 (\$12.50 per quarter) to eligible pensioners towards the cost of the Food and Organics Waste Collection service.

## **LIFE TENANCY AGREEMENTS – GRANTED UNDER SECTION 577 OF THE LOCAL GOVERNMENT ACT, 1993**

Section 577 of the *Local Government Act, 1993* allows Council to extend the rebate eligibility to avoid hardship. Council can 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 accordance with Section 575 of the *Local Government Act, 1993*. The property must be the applicant/s sole place of living. The applicant/s must be in receipt of a current pensioner concession card.

Council orders are to remain in place for a period of three (3) years or until the applicant/s circumstances change ie: dies or no longer resides at the property.

All applications must be accompanied by the following:

1. Proof that the applicant can remain living at the property for life or until ill health precludes them living at the property. Proof may include one of the following:

- a) A certified copy of the will of a deceased estate stating that the applicant has life tenancy at the property for which the application relates. Council will accept a letter from a Solicitor as proof of eligibility.
  - b) A statutory declaration from the current owner stating that the applicant is solely responsible for all rates and water charges relating to the property.
  - c) A copy of the Certificate of Title noting the life tenancy.
2. Proof that the applicant is solely responsible for all rates and charges. ie: A Council receipt issued to the applicant/s for previous rate and water payment is acceptable.

#### **PENSIONERS TEMPORARILY OVERSEAS**

Pensioners who are temporarily overseas will continue to receive a concession providing they were still receiving a pension from Centrelink and the dwelling was still their sole place of living.

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## **SELF-FUNDED RETIREES**

Current legislation does not permit Council to grant pension concessions to self-funded retirees.

## **PENSIONER TEMPORARILY IN NURSING HOMES OR HOSPITALS**

If a pensioner was required to leave their principal place of living for a temporary period, due to illness, with the intention of returning to their home, they will still receive their pension rebate. However, once a pensioner resides on a permanent basis in a nursing home, hospital or aged care unit they will no longer be eligible for a pension concession.

Periods in excess of 3 months can be extended for pensioners temporarily residing in nursing homes or hospitals upon receipt of medical certificate stating pensioner will be returning home after the convalescing period is completed.

Note: This is providing that the property is not privately leased or occupied during that period by anyone other than the pensioner's immediate family.

## **POSTPONED RATES**

If the payment of part of a rate which is required to be reduced by section 575 is postponed under Division 2, the amount of the rate is taken to be the amount of that part of the rate that is not postponed under Division 2.

## **INTEREST**

Properties owned or part owned by an eligible pensioner are not exempt from interest charges on overdue rates and charges made in accordance with the *Local Government Act, 1993* and Council's adopted annual fees and charges.

## **DEBT RECOVERY**

Properties owned or part owned by an eligible pensioner are not exempt from debt recovery action to recover overdue rates and charges in accordance with the *Local Government Act, 1993* Council policies and other relevant legislation.

## **ENDING A CONCESSION**

If circumstances occur that cause a person's entitlement to a reduction of rates or charges to cease, the entitlement is taken to cease on the last day of the quarterly instalment period during which those circumstances occur.

If, at the time the entitlement is taken to cease, the rates or charges for the whole year have been paid in full, the portion of the payment that is proportionate to the quarterly instalment periods remaining after that time is to be credited to the rates or charges payable in respect of that part of the year remaining after that time.

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