Council Policy **GENERAL RATES AND CHARGES FINANCIAL HARDSHIP POLCY**	
Corporate Plan Reference:	Theme 5: Excellence Objective 5.2: Continue to deliver a financially sustainable Council that has the resources now and into the future to achieve its strategic objectives. This will be supported through the introduction of enhanced sustainability reporting and performance indicators, as well as ESG (environment social and governance) accounting practices as guided by statutory requirements
Endorsed by Council:	23 June 2026
Policy Author:	Director Corporate Services

POLICY STATEMENT

The *Local Government Regulation 2012* (*the Regulation*) empowers Noosa Shire Council (Council) to provide concessions when the payment of rates or charges will cause financial hardship for the landowner. Council recognises that sometimes, due to a variety of factors, property owners may face financial problems that impact their ability to pay their rates and charges, and it seeks to support them in these difficult times.

However, Council also acknowledges that granting concessions could adversely impact the provision of Council's services, burdening other ratepayers. Council will deal with applications for hardship concessions in a way that is compassionate, equitable, transparent, responsive to the landowner's capacity to pay, and financially responsible having regard to Council's obligation to maintain its financial sustainability.

PURPOSE

The purpose of the Rates and Charges Financial Hardship Policy (the Policy) is to explain how Council provides financial assistance to landowners regarding rates and changes, where financial hardship is proven to exist.

SCOPE

The Policy allows Council to consider and approve applications for financial assistance from landowners who are experiencing financial hardship and as a result are unable to pay their rates and charges by the due date.

REVIEW

The Policy will be reviewed annually for adoption as part of the annual budget.

COUNCIL POLICY

Legislative Requirements

Section 120(1)(c) of *the Regulation* states that "*the local government may grant the concession only if it is satisfied the payment of the rates or charges will cause financial hardship to the landowner.*"

What is Hardship?

Hardship is not a fixed concept; it may may arise in a variety of situations, requiring case-by-case consideration, for example:

- long-term unemployment, or loss of employment, of the landowner or family member
- reduction in income
- increase in non-discretionary expenditure
- family breakdown, including domestic violence
- elder abuse
- death in the family of the landowner
- adverse health issues, including illness (physical or mental), physical incapacity, or hospitalisation, of the landowner or landowner's family member
- natural disaster affecting the landowner or their dependents
- other factors resulting in unforeseen changes in the landowner's capacity to meet their payment obligations.

Eligibility Criteria

To be eligible for a concession under the Policy:

- the applicant must be a sole or joint owner of the property
- the property must be the landowner's principal place of residence
- the applicant must have legal responsibility for payment of the property's rates and charges
- the landowner must provide sufficient information to demonstrate that they will suffer hardship if required to pay rates and charges when due
- the property is not let, partially or fully, short-term or long-term
- the owner must demonstrate a sound payment history for Council rates and charges
- the balance or amount payable must exceed $1,000.

A landowner will not be eligible to make an application under the Policy if:

- s/he owns more than one property; or
- Council has commenced recovery action by (a) referring the matter of the outstanding rates to a debt recovery agency, or (b) commencing legal proceedings itself, or (c) given the owner, per section 140 of the *Regulation*, notice of intention to sell the land for overdue rates.

Types of Concession provided

1. A 12-month interest free payment plan under which all outstanding rates and charges will be paid within 12 months of the agreement.

To be eligible, the landowner must submit a completed Hardship Concession Application Form and a statutory declaration including sufficient supporting information such as:

(a) the event or events that impacted on the landowner's ability to pay the rates and charges
(b) the landowner's estimated income and expenditure from all sources for the year in which the application is made, and for previous financial years when the rates and charges were not paid
(c) the current balances of any bank accounts and investment accounts held by or for the landowner, and a description of all loans including balances owing, and if relevant the extent to which any loan payment is overdue (note that account numbers will not by requested and should not be provided)
(d) the landowner's assets – whether the asset is owned by the landowner or by a company in which the landowner has a controlling interest – including the estimated value of each asset
(e) details of superannuation fund balances and if an early release has been sought to assist in paying the debts.

2. A 2-year interest free payment plan under which all outstanding rates and charges will be paid within 2 years of the agreement.

   To be eligible for this type of concession the landowner must provide the information requested for the 12-month interest free payment plan and provide proof they have engaged with a licensed accountant or other licensed financial counsellor, who has determined that there is a reasonable expectation the landowner will be able to clear all outstanding rates and charges within the 2-year period.

Information on where to access a financial counsellor can be found on the Australian Government website www.afsa.gov.au/i-cant-pay-my-debts/support-services/where-find-help-managing-debts.

Payment plans under the Policy will be interest-free for a maximum period of 2 years from the date the plan is approved by Council. Interest accrued prior to this date will not be reversed/rebated. Payment plans will be reviewed quarterly, and interest will accrue again from the date of any default in making a payment under the agreed plan.

Council's usual debt recovery action will be suspended while a payment plan is in place and being followed. Council officers must ensure that the aggregate of outstanding rates and recovery costs does not exceed the market value of the property.

Exceptional Circumstances

After obtaining a concession under the Policy, a landowner is not eligible to make another application for two years unless s/he:

(a) demonstrates in the fresh application that s/he has made significant progress in reducing the value of arrears (generally a 40% reduction in the debt will be regarded as significant progress), or
(b) demonstrates that s/he exhausted all other avenues to avoid, alleviate or escape the hardship – for example by making real efforts to sell the property or other assets.

Exceptional circumstances beyond those recognised in the Policy will be considered case-by-case and presented to the Council for individual consideration.

Failure to Comply

Council reserves the right to rescind a concession and commence or recommence debt recovery action should the ratepayer fail to comply with agreed concession requirements, e.g., by defaulting in payment.

ROLES AND RESPONSIBILITIES

Councillors

Councillors consider and adopt Council's Rates and Charges Financial Hardship Policy.

Chief Executive Officer (CEO) and Executive Team

The CEO and Executive Team endorse the Policy for Council adoption and provide leadership and commitment in complying with the Policy and relevant legislation and documents.

Revenue Services

Revenue Services assess and process applications, maintain the list of applied concessions, and undertake reviews of eligibility in accordance with the Policy.

Applicants

Landowners who apply for consideration under the Policy are entitled to a prompt response to their application and to be kept informed of the progress and outcome of the application process.

RELEVANT LEGISLATION AND POLICIES

Local Government Act 2009
Local Government Regulation 2012
Revenue Statement
Revenue Policy

HUMAN RIGHTS AND ANTI-DISCRIMINATION COMPATIBILITY STATEMENT

In developing the Policy, the subject matter has been considered in accordance with the requirements of the *Human Rights Act 2019* and the *Anti-Discrimination Act 1991*. It is considered that the subject matter does not conflict with any human rights or anti-discrimination imperative, and supports a human rights and non-discrimination approach to decision making by Council.

The Policy should be read in conjunction with the *Human Rights Act*, Council's Human Rights Policy, and the *Anti-Discrimination Act*.

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	New	N	Council	*28/06/2024*
2.0	Review	N	Council	30/06/2025
3.0	Review	N	Council	23/06/2026