
RATES RELIEF FOR RATEPAYERS IMPACTED BY TC JASPER AND ASSOCIATED RAINFALL & FLOODING POLICY

INTENT

To set out Council guidelines for the provision of rates relief due to financial hardship for property owners impacted by Tropical Cyclone Jasper and the associated rainfall and flooding in December 2023.

SCOPE

This policy will allow Council to consider applications for financial assistance from those ratepayers who are experiencing serious impact from TC Jasper. Relief provided under this policy does not forego Council's normal debt recovery action. In applying this policy, Council will ensure that wherever possible, all outstanding debts will eventually be recovered.

PROVISIONS

Under the provisions of the *Local Government Regulation 2012*, Council may resolve to grant a ratepayer a deferment or waiver of interest charges, for their rates and charges whereby the land owner can show they have been impacted by TC Jasper.

To be eligible for financial assistance, the following conditions must be met:

1. The applicant must be the property owner of the land with the rate notice being issued in the applicant's name;
2. A completed application for assistance needs to be made using the "Rates Relief for Land Owners Impacted by TC Jasper & Associated Rainfall and Flooding 2023 Application Form"

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All applications for Rates Relief will be reviewed and final approval given by the Chief Executive Officer or an authorised delegate. In assessing the request for assistance, Council will take into consideration previous applications for assistance and the evidence and circumstances provided in the application.

Council may provide the following financial assistance:

- Freezing of interest, no longer than 12 (twelve) months and/or
- Deferment of rates payment, no longer than 12 (twelve) months

At the time financial assistance expires, if the debt has not been fully extinguished and Council is of the opinion that the ratepayer is in continued financial hardship, upon written request from the ratepayer, Council may consider extending a further period of financial assistance. This will be considered by Council on a case by case basis.

At the expiration of the assistance period, failure to make appropriate payment to extinguish the debt, may result in an escalation of debt recovery actions. Council may terminate assistance at any time and pursue the debt through normal debt collection procedures. If Council becomes aware of any ratepayer providing false or misleading information in order to gain assistance for which they would otherwise not be eligible, the agreement with Council will become null and void. Any charges waived or deferred, including interest, will be restored to the full amount.

DEFINITIONS

TERM	DEFINITION
<i>Act</i>	Shall mean the <i>Local Government Act 2009</i> .
<i>Application Form</i>	"Rates Relief for Land Owners Impacted by TC Jasper & Associated Rainfall and Flooding Application Form" for the purpose of applying for assistance under this policy
<i>Chief Executive Officer</i>	Shall mean the chief executive officer of Cook Shire Council as appointed under the Local Government Act 2009.
<i>Council</i>	Shall mean the Mayor and Councillors of Cook Shire Council.
<i>Payment</i>	Shall mean the full levied amount, net of the discount incentive
<i>Property Owner</i>	Shall mean the 'owner of the land' as defined under the Local Government Act 2009.

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<i>Regulation</i>	Shall mean the Local Government Regulation 2012
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REFERENCES, LEGISLATION AND GUIDELINES

Local Government Act 2009, section 93 (3)(h)

Local Government Regulation 2012, sections 120 & 122

RELATED DOCUMENTS

Debt Recovery Policy

Revenue Statement

Rates Relief for Land Owners Impacted by TC Jasper & Associated Rainfall and Flooding 2023 Application Form

IMPLEMENTATION/COMMUNICATION

This policy will take effect on 27 February 2024 and will be displayed on Council's website.

APPROVED BY

Adoption annually by Council.

REVIEW

SPONSOR:	Director Organisational Business Services
OFFICER RESPONSIBLE FOR REVIEW:	Chief Financial Officer
ADOPTION DATE:	27 February 2024
REVIEW DATE:	December 2024

THIS POLICY IS TO REMAIN IN FORCE UNTIL OTHERWISE DETERMINED BY COUNCIL

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