

Application to Pay Rates by Arrangement

I/We _____

Property Address: _____

Assessment No: _____ Telephone No: _____

A payment arrangement is required because of the following circumstances/reasons:

I/We hereby make application to pay all Rates and Charges owing in relation to the above property in accordance with the following schedule:

Rates

1. weekly / fortnightly / monthly payments of \$_____ to commence _____
OR _____ date

2. To be paid in full by _____
date

Water

1. weekly / fortnightly / monthly payments of \$_____ to commence _____
OR _____ date

2. To be paid in full by _____
date

I/We undertake to meet the above commitment and understand that failure to maintain this arrangement may result in the commencement of formal legal recovery action WITHOUT FURTHER NOTICE to me/us.

Signature/s _____ Date _____

NOTE: Any approval granted will be in accordance with Council's Policy Payment of Rates by Arrangement.

If approved, this arrangement may remain in force until either the end of the current financial period or a twelve (12) month period for the rates and charges to be fully paid. If a period greater than twelve (12) months is required to make payment in full, please refer to Council's Hardship Policy.

If an arrangement to pay is required for future rates and charges, a fresh application will need to be lodged in each year

Interest is accruing on all outstanding balances at the rate of 7.1% per annum compounding monthly for all outstanding amounts.

Privacy Statement

Whitsunday Regional Council is collecting your name, address, contact phone number, details of the matter that could be deemed as your personal information and signature for declaration. This information will be used for the purpose of assessing your application and ensuring that we are able to remain in contact with you regarding the status of your application. This information will only be accessed by employees, contractors and/or Councillors of the Whitsunday Regional Council. Subject to the above disclosure, your personal information will not be given to any other agency unless you have given us permission or we are authorised or required by law to do so.

Office Use Only

Authorised by: _____ Date: _____

Purpose

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

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

Scope

A payment arrangement application for rates and charges will be available to all property owners where it can be substantiated, to the satisfaction of Council, that payment of all rates and charges within the prescribed period (thirty (30) days from the date of issue) will cause **Hardship** to the property owner.

Applicable Legislation

Local Government Act 2009 (**Act**)

Local Government Regulation 2012 (**Regulation**)

Policy Statement

1. **CEO** or delegate may approve an agreement to defer full payment of rates and charges up to a maximum of twelve (12) months, to ratepayers that meet the definition for the class of ratepayers that would experience **Hardship** if payment of the rates or charges by the due date is required, as per Section 120 of the Regulation.
2. The conditions for securing an arrangement for the payment of outstanding rates are as follows:
 - 2.1. Property owners may be granted a payment arrangement to clear the overdue rates and charges by the end of the current financial year or within twelve (12) months of commencement of the arrangement.
 - 2.2. For payments arrangements accepted by Council, that are insufficient to clear the debt within the prescribed period (end of the current financial year or within twelve months), Council reserves the right to review the repayments after a period of no more than six months with a view to increasing the required rate of the repayments.
 - 2.3. Where a longer period is required to make full payment of the arrears, and the property is a residential property or is under the ownership of a not for profit organisation, the applicant may be referred to Council's Rate Relief due to Hardship Policy.

- 2.4. An "Application to Pay by Arrangement" form and copy of this Policy will be issued to ratepayers seeking the opportunity to pay the outstanding rates according to an arrangement. Payments by arrangement may be granted in respect of a dwelling in which the applicants reside as the applicant's principal place of residence or for all other land, where it can be substantiated in writing to the satisfaction of the CEO or delegate that the applicant will not be able to pay all rates and charges within the prescribed period;
- 2.5. Completed applications shall be assessed by Council in accordance with the requirements of the Act and Council's policies.
- 2.6. Interest will accrue in accordance with Section 133 of the Regulation and Council's Interest on Overdue Rates Policy on the outstanding rates or balance of outstanding rates.
- 2.7. No discount shall be allowed on payments made under an arrangement under this Policy.
- 2.8. In the event that a payment arrangement is not maintained within the agreed terms, the ratepayer may apply to make a revised payment arrangement.
- 2.9. Any ratepayer who fails to make the agreed part payments, or full payments by the prescribed time will have their approval automatically withdrawn without further notice.
- 2.10. Where an arrangement is cancelled due to default by the ratepayer, the full amount of outstanding rates will fall due for payment immediately. Failure to pay will result in an escalation of recovery action without further notice.
- 2.11. An arrangement may remain in force until end of the current financial year or a further agreed specified time for the rates and charges to be fully paid. If an arrangement to pay is required for future rates and charges, a fresh application will need to be lodged in each year.

Definitions

CEO refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

Council refers to the Whitsunday Regional Council

Employee refers to any employee, contractor, volunteer etc. of the Council

Form refers to "Application to Pay by Arrangement" form

Hardship refers to when, if payment of rates and charges was made, the ratepayer would be left unable to provide for themselves, their family or other dependents, with food, accommodation, clothing, medical treatment, education; and any other basic necessities as determined by Council.

Relating Documents

Rates & Charges Recovery Policy

Interest on Overdue Rates Policy



Payment of Rates by Arrangement Policy

Corporate Services

LSP_CORP_09

Revokes: Payment of Rates by Arrangement Policy adopted 30 June 2017

Rate Relief due to Financial Hardship Policy

Effective Date

1st July 2018

Review Date

30th June 2019

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