

# *Burwood Council*

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## **HARDSHIP RESULTING FROM CERTAIN VALUATION CHANGES – SECTION 601 POLICY**

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## Purpose

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To provide a framework for determining assistance for residential ratepayers who have suffered substantial financial hardship from a revaluation or a valuation change under Section 601 of the *Local Government Act 1993* (the Act).

## Scope

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Owner occupiers of residential property within the Burwood Council Local Government Area who wish to apply for rate relief due to valuation changes in residential land values. The rate relief is for a period of one year only.

## Definitions

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**Interest** – a charge raised in relation to unpaid or deferred rates and charges in accordance with Section 566 of the Act

**Principal place of residency** – the property is the applicant's primary or sole place of habitation

**Relief** – for the purposes of this policy, relief refers to the deferral of rates payable for the first year only on which the new valuation is applied

**Residential** – land rated as such pursuant to Section 516 of the Act

**Substantial hardship** – excessive rates payment burden determined on the basis of the information returned in the Hardship Rates Relief form

**Mixed Development** – a valuation where the NSW Valuer General has assigned a mixed development apportionment factor percentage

**Deferral** – does not mean a write-off of an amount, eventual future payment is required and interest will be applied

## Eligibility

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Burwood Council recognises that properties may be subject to significant variations in land rates, compared to the previous year's land rates, due to the NSW Valuer General's revaluation of land.

If a ratepayer believes they would suffer substantial hardship as a result of paying rates, based on the new land value, as they would normally fall due and payable, they may make an application (refer appendix A) to Council. The following selection criteria/conditions apply:

- Application must be in respect to land that is the principal place of residency
- The applicant(s) must have owned the applicable property for five years or more
- Properties that are subject to mixed development apportionment factor will not be considered
- An application for an assessment with carried-forward arrears, with no appropriate arrangement in place to repay current arrears, will not be considered

## Assessment

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Rate relief in the form of deferral will only be applicable to the rates payable for the first year on which the new valuation is applied.

Deferral will be in the form of the difference between the rates applicable on the new valuation and the rates applicable for the previous valuation. The ratepayer will be required to pay the previous year rates plus the current rate pegging in the rating year of the new valuation. The difference

between the new rates and previous years rates as a result of the valuation will be carried forward to the next rating year and accrue interest changes in accordance with Section 566 of the Act.

Ratepayers who apply for the deferral of rates under Section 601 of the Act will be notified of the determination within 10 working days of receipt of the completed application.

### **Related Information**

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*Local Government Act 1993*

Burwood Council Statement of Revenue Policy

Council Rating & Revenue Raising Manual – NSW Office of Local Government

*Privacy and Personal Information Protection Act 1998*

Rates and Charges Hardship Assistance Policy

### **Review**

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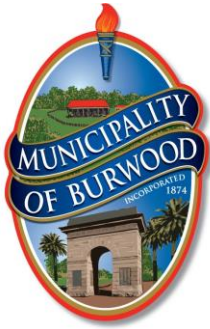
This policy will be reviewed every four years.

### **Contact**

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Financial Operations Accountant - 9911 9836

Appendix A



# Burwood Council

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## APPLICATION FORM - HARDSHIP RATE RELIEF UNDER SECTION 601 OF THE LOCAL GOVERNMENT ACT 1993

Note: Pensioners are to complete the Hardship Rate Relief Application Form

### APPLICATION FOR HARDSHIP RATE RELIEF FOR THE WHOLE OR PART OF THE YEAR COMMENCING 1 JULY 20\_\_

\*please answer all questions relevant to you using block letters and ticking appropriate boxes.

#### Applicant Details

I, \_\_\_\_\_  
(Full name in block letters)

of \_\_\_\_\_  
(Residential address)

Telephone number \_\_\_\_\_ apply for concession on the basis of financial hardship.

Property Rates Assessment Number \_\_\_\_\_

For the purposes of this application, I give the following information, and that contained in the attached Statement of Position, which I believe to be correct.

#### PRIVACY

The information in your application and any information the Council obtains confirming your eligibility for hardship rate relief is private and confidential. Council employees and any other people dealing with this document are instructed to keep it confidential. If they do not, they may be guilty of an offence under the *Privacy and Personal Information Protection Act 1998*.

1. Do you receive any pensions or benefits?  Yes  No

If Yes, please provide type of pension and amount received per fortnight.

Pension: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

2. Do you have a current Pensioner Concession Card issued by the Commonwealth Government?

PCC No. \_\_\_\_\_ Date Granted: \_\_\_\_\_

**IF NOT, PLEASE CONTINUE**

3. Is this property your sole or principal place of residency?  Yes  No

The property for which I am claiming has been my sole/principal place of residency since \_\_\_\_\_

4. I am liable for the payment of rates and charges on this property, together with others as listed below. **(If no others, write "SOLE OWNER")** \_\_\_\_\_

Please provide details of all "other" persons indicated in Question 4. **(ALL OWNERS other than the applicant should be listed, including your spouse):**

\_\_\_\_\_  
\_\_\_\_\_

Evidence of joint ownership is attached/has been provided to council previously (circle whichever is applicable).

5. Is the property owned as shares in a company title?  Yes  No  
If you do not own or rent the property, please explain why you are liable to pay the rates

\_\_\_\_\_

6. Are there people living at the property other than those listed at Question 4?  Yes  No

7. Please indicate who these people are?

- Self
- Spouse
- Children (State ages \_\_\_\_\_)
- Boarders
- Relatives
- Other (please specify) \_\_\_\_\_

8. Do you own (either fully or partially) any other land or buildings?  Yes  No  
If yes, list addresses.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. How many children do you support? \_\_\_\_\_ State ages \_\_\_\_\_

10. What is the cause of financial hardship?

\_\_\_\_\_  
\_\_\_\_\_

11. How long have you been experiencing hardship? \_\_\_\_\_

12. Please state gross weekly amount received in dollars and cents from the following sources of income:

- a) Pensions and benefits \$ \_\_\_\_\_
- b) Compensation, superannuation insurance or retirement benefits \$ \_\_\_\_\_
- c) Spouse's income \$ \_\_\_\_\_
- d) Income of other residents of the property \$ \_\_\_\_\_
- e) Casual/part-time employment \$ \_\_\_\_\_
- f) Family allowance \$ \_\_\_\_\_
- g) Interest from banks/credit unions/building societies \$ \_\_\_\_\_

13. Please provide name and current balance of all bank, credit union or building society accounts held by you.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Please state details of fortnightly outgoings.

- Outgoings Owed to Amount
- Rent/Home Loan \$ \_\_\_\_\_
- Other mortgages \$ \_\_\_\_\_
- Personal loans/Hire purchases \$ \_\_\_\_\_
- Health Costs \$ \_\_\_\_\_
- Council rates and other service charges \$ \_\_\_\_\_

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

I hereby declare that the information provided 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.**

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