

## PENSIONER POLICY

### OBJECTIVE

To provide assistance to eligible pensioners with regards to their ordinary rates, annual and/or user charges on their principal place of living in accordance with the *Local Government Act 1993 NSW*, the *Local Government (General) Regulation 2021 NSW* and the Office of Local Government’s *Debt Management and Hardship Guidelines*.

### COMMENCEMENT OF THE POLICY

This Policy will commence from March 2024 and is to be revised yearly.

### DEFINITIONS AND ABBREVIATIONS

Item	Description
<b>Act</b>	<i>Local Government Act 1993 NSW</i>
<b>Council</b>	<i>Tamworth Regional Council</i>
<b>DSS</b>	Department of Social Security/Centrelink
<b>DVA</b>	Department of Veterans Affairs
<b>Eligible Pensioner</b>	An eligible pensioner as defined in Division 4 Pensioners of the <i>Local Government (General) Regulation 2021 (NSW)</i> .  <i>In general if you are the holder of a Pensioner Concession Card or a Veterans Affairs Card you are an eligible pensioner.</i>
<b>Principal place of residence</b>	The property that the ratepayer occupies as their sole or dominant residence, sometimes referred to as ‘primary place of residence’ or ‘principal place of living’.
<b>Rate / Rates</b>	Ordinary Rates and Annual Charges (excluding Stormwater Management Charge)
<b>Statutory Rebate</b>	A mandatory rebate of Rates and Charges (includes Domestic Waste Management, Water & Sewerage Charges) to the maximum amount determined by Section 575 of the Local Government Act will apply for eligible pensioners. This amount is set by the State Government.  Statutory Rebates will be disclosed annually in Council’s Statement of Revenue Policy.

<b>Voluntary Council Rebate</b>	<p>Council may provide a voluntary Council rebate to eligible pensioners.</p> <p>Voluntary rebates will not be provided retrospectively.</p>
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## POLICY

### Intention

The intention of this Policy is to recognise that additional options for support and flexibility are required for pensioners who may be experiencing financial hardship or difficulties in meeting the rates and charges associated with their principal place of living.

Council will achieve this by:

- providing clear and accessible communication;
- being flexible with its payment options and processes to meet the needs and special circumstances of all eligible pensioners;
- working to achieve payment through informal means;
- providing fair, equitable and respectful treatment;
- being consistent in the application of debt management;
- undertaking an individual assessment of all pensioner rebate applications to ensure maximum allowable concessions are afforded to successful applicants;
- rebates will be granted to pensioners who met the eligibility criteria and will be limited to the current rating year and rating year prior to the application. Adjustments beyond the current and previous year may be made to correct any irregularities and/or administrative errors, where required;
- annually assess the feasibility of providing a voluntary pensioner rebate to eligible pensioners as part of its annual budget process;
- disclosing all pensioner rebate amounts annually in Council's Statement of Revenue Policy;
- not undertake legal action against a pensioner with regards to their principal place of living except for exceptional circumstances and only after having been endorsed by Council's senior management team;
- continue to apply pensioner rebates even when an eligible pensioner enters an aged care facility so long as their rateable property was considered to be their sole or principal place of living prior to entering aged care, and the property is not being rented while they are in aged care;
- will grant a pensioner rebate where an eligible pensioner, not the owner of the property, has a life interest in the property and is responsible for payment of rates. Council requires confirmation in writing from a legal representative with a copy of the will of a deceased estate, copy of the Certificate of Title if the life tenancy is registered or relevant documentation to validate a life tenancy agreement;
- allow pensioners to defer their rates and charges against their eventual estate when the value of that estate exceeds the outstanding debt but only after providing documentary evidence of having obtained recent independent financial advice;
- waiving interest due by any person prescribed by the regulations as an eligible pensioner if they do not have;

- outstanding charges older than one year
- have adhered to their payment plan for a period of twelve weeks and continue to adhere to their payment plan; and
- considering individual circumstances of pensioners.

**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 as per Council’s Privacy Management Plan. Personal information collected as a result of this Policy will only be used for the purpose of assessing eligibility under the Policy, and will not be used for any other purpose, or disclosed to any other person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates.

**Communication**

The Policy will be posted on Council’s web site for public access.

**POLICY AMENDMENTS**

This Policy may be amended or revoked at any time and must be reviewed on an annual basis to ensure continuing compliance with all relevant legislation and related regulations.

**ASSOCIATED COUNCIL DOCUMENTS**

- Debt Recovery Policy
- Privacy Management Plan
- Ratepayers Hardship Policy.

**REFERENCES AND LEGISLATION**

- *Local Government Act 1993.*
- *Local Government (General) Regulation 2021 (NSW).*
- *Valuation of Land Act 1916*
- *Debt Management and Hardship Guidelines November 2018*
- *Social Security Act*
- *Veteran Affairs Act*

**POLICY VERSION AND REVISION INFORMATION**

Policy Authorised by: Title: Manager Finance	Original issue: 2024 Revision Period 1 year
Policy Maintained by: Financial Services	Current Version 4



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- ◆ HISTORY – Reviewed in General Policy review – updated – Ordinary Meeting 9 December 2025 Minute No. 303/25  
Reviewed by Policy Owner – updated – Ordinary Meeting 25 March 2025 – Min no. 65/25  
Reviewed– Ordinary Council Meeting 22 October 2024 – Min No 281/24  
Adopted As TRC Policy - Ordinary Council Meeting 27 Feb 2024 – Min No 26/24