

### 1.1.21 Defer, Grant Discounts, Waive or Write off Debts

<b>Delegator:</b>	Local Government	
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 Delegation of some powers or duties to the CEO	
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.12 Power to defer, grant discounts, waive or write off debts	
<b>Delegate:</b>	<b>Chief Executive Officer</b>	
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Waive or grant a concession of a debt which is owed to the Town.</li> <li>2. Write off an amount of money which is owed to the Town.</li> <li>3. Waive or grant concession in relation to fees and charges set by the Town (other than rates and service charges).</li> </ol>	
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge however the write off of penalty interest (excluding the penalty interest on any State Government charge such as the emergency services levy) or of any instalment fee or payment plan fee is not considered a rate or service charge.</li> <li>2. A debt in relation to penalty interest or the fee for instalment charges or payment plans on a rate or service charge may be written off where it meets the requirements of Policy 308 Financial hardship.</li> <li>3. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Town.</li> <li>4. Limited to individual non rates debts valued below \$5,000 or cumulative non rates debts of a single debtor valued below \$5,000. Write off of debts greater than these values must be referred for Council decision.</li> <li>5. <b>Waiving or a concession of fees and charges not exceeding \$5000 where the following conditions are met:</b> <ol style="list-style-type: none"> <li>i. Applicants must demonstrate a specific community benefit to their activity and demonstrate their limited financial capacity to pay relevant fees or demonstrate a unique set of circumstances that justify the reduction or waiver of fees on a commercial basis</li> <li>ii. The applicant must not already be receiving support through a Council donation or contribution.</li> <li>iii. Insurance fees and venue hire bonds are excluded.</li> </ol> </li> </ol>	
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 CEO may delegate some powers and duties to other employees	
<b>Sub-Delegate/s:</b>	<b>1003.01</b>	<b>Chief Financial Officer</b>
	<b>1027.01</b>	<b>Manager Business Services</b>
	<b>1218.01</b>	<b>Manager Finance</b>

		1028.01	Coordinator Finance		
		1002.01	Chief Community Planner		
		1004.01	Chief Operations Officer		
CEO Conditions on this Sub-Delegation:		Nil.			
Compliance Links:		Collection of Rates Debts – refer to Delegations:  1.1.24 Agreement as to Payment of Rates and Service Charges  1.1.25 Recovery of Rates or Service Charges  1.1.26 Recovery of Rates Debts – Require Lessee to Pay Rent  1.1.27 Recovery of Rates Debts – Actions to Take Possession of the Land  Policy 303 Debt collection  Policy 308 Financial hardship			
Record Keeping:		Exercise of authority to be recorded in CM9.			
Version	Approved, Amended, Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	21/5/2019	Council	87/2019	Adopted.
2	Amended	28/6/2019	CEO	-	Sub-delegates and CEO conditions added.
3	Amended	28/6/2019	CEO	-	Sub-delegates revised
4	Amended	19/05/2020	Council	414/2020	Item 15.2 Adoption of financial hardship policy
5	Amended	01/07/2020	CEO	-	Annual Sub-delegate Review
6	Amended	15/06/2021	Council	108/2021	Item 11.1 Annual Review of Delegations
7	Amended	16/05/2023	Council	101/2023	Annual review
8	Amended	26/05/2023	CEO	D23/30454 D23/30566	Annual sub-delegate review

### 1.1.24 Agreement as to Payment of Rates and Service Charges

<b>Delegator:</b>	Local Government				
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 Delegation of some powers or duties to the CEO				
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.49 Agreement as to payment of rates and service charges				
<b>Delegate:</b>	<b>Chief Executive Officer</b>				
<b>Function:</b>	Authority to make an agreement with a person for the payment of rates or service charges.				
<b>Council Conditions on this Delegation:</b>	<div>1    Agreements must be in writing and must ensure acquittal of the rates or service charge debt within <b>three</b> financial years, including the year that the rates notice was issued.</div> <div>2    Applicants for agreements as to alternate payment arrangements must meet the requirements of Policy 308 Financial Hardship.</div>				
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 CEO may delegate some powers and duties to other employees				
<b>Sub-Delegate/s:</b>	<b>1003.01</b>	<b>Chief Financial Officer</b>			
	<b>1218.01</b>	<b>Manager Finance</b>			
	<b>1028.01</b>	<b>Coordinator Finance</b>			
	<b>1034.01</b>	<b>Senior Rates Officer</b>			
<b>CEO Conditions on this Sub-Delegation:</b>	Nil.				
Compliance Links:	Policy 308 Financial Hardship				
Record Keeping:	Exercise of authority to be recorded in CM9.				
<b>Version</b>	<b>Approved, Amended, Rescinded</b>	<b>Date</b>	<b>Authority</b>	<b>Resolution Number</b>	<b>Key Changes/Notes</b>
1	Approved	21/5/2019	Council	87/2019	Adopted.
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3	Amended	19/05/2020	Council	414/2020	Item 15.2 Adoption of financial hardship policy
4	Amended	01/07/2020	CEO	-	Annual Sub-delegate Review
5	Amended	26/05/2023	CEO	D23/30454 D23/30566	Annual sub-delegate review