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## EXCEPTIONAL CIRCUMSTANCES

### APPROVALS

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<b>POLICY NUMBER</b>	CORP-POL-118	<b>DOC.ID</b>	4589068
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<b>CATEGORY</b>	Community
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<b>POLICY OWNER</b>	Office of the CEO
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<b>APPROVAL DATE</b>	24 March 2021	<b>RESOLUTION NUMBER</b>	7180
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## OBJECTIVE

The objective of this Policy is to provide a framework to facilitate appropriate reduction and/or waivers of Council fees, charges or infringements where exceptions or hardship criteria are met/warranted as determined on a case by case basis.

## SCOPE

This policy is applicable to charges contained in the Fees and Charges Schedule adopted by Council.

## DEFINITIONS

### TERM / ACRONYM

### MEANING

Exceptional Circumstances

Unforeseen and/or rare circumstances which are beyond the control of the bearer of Council's fee or charge in question.

Hardship

Situation where the bearer of the Council's Fee or charge is experiencing, or have experienced, events that inhibit them to meet their responsibilities due to financial and/or circumstantial reasons.

Factors contributing to serious hardship generally include: family tragedy; financial misfortune; serious illness; impacts of natural disaster; and other serious or difficult circumstances.

Determination of any case of "hardship" should be subject to the "reasonable person" test, i.e., would this be considered a case of hardship by a reasonable person.

## POLICY STATEMENT

Council is committed to:

1. Considering requests to reduce or waive fees or charges in accordance with established criteria and following established guidelines to ensure appropriate decision making, documentation and record keeping;
2. Providing reductions in certain circumstances, in accordance with approved guidelines;
3. Ensuring that there are clear written guidelines, procedures and record keeping for the application of reductions or waivers; and
4. In circumstances outside of established guidelines, providing an avenue for review through the Chief Executive Officer (CEO) to facilitate the waiver of fees or charges, in exceptional circumstances for a stated class of ratepayers i.e. those experiencing hardship or otherwise experiences extenuating

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circumstances beyond their control. (Noting that the exceptional circumstances guideline is not an appeal mechanism, but reserved for situations of genuine exceptional circumstances, for which the applicant may be required to produce particular information or documents to be eligible for consideration. This is clearly defined in the *Local Government Regulation 2012* (s122), and delegated to the CEO.)

## LEGISLATIONS AND RELATED GUIDELINES

- *Local Government Act 2009*
- *Local Government Regulation 2012*