

Information Guide - Maritime Property

Domestic Waterfront Lease Concessions and Hardship Relief

This guide;

- confirms the circumstances and procedures relating to the provision of concessions and hardship relief available to lessees of Domestic Waterfront Maritime Property.
- is applicable to all new (and existing) agreements (referred to generically as Leases) issued over Roads and Maritime's land for structures and uses associated with Domestic leases or Licences.
- will generally be applied by Roads and Maritime unless the delegated personnel determine that circumstances exist which justify a departure from this guide, including to the extent necessary to comply with its obligations at law.

Note: To avoid unnecessary duplication lessees and licensees will be referred to in this guide generically as lessees and references to Roads and Maritime relate to its relationship as the property owner and Lessor.

Concessions and Hardship Relief

Roads and Maritime offers flexible rent payment options, concessions and Hardship Relief on rental payments for domestic waterfront leases. Concessions are available to Lessees who hold certain concession cards issued by Centrelink or the Department of Veterans' Affairs.

In addition, Lessees suffering genuine, temporary, financial hardship may be eligible for Hardship Relief. Hardship relief options may include extensions of time or payment by instalments. Concessions and Hardship Relief are not transferable and cannot be assigned.

It is an offence to provide false information or fail to advise Roads and Maritime of any relevant circumstances that may have changed.

Concession Relief

Concession and hardship relief is only available for Domestic Waterfront Lease rental payments.

There is no concession relief from the payment of administration fees or from maintenance requirements.

Concession Eligibility

Concessions are available for individuals only and are not granted to businesses or other legal entities. In order to be eligible for a concession rate Lessee's **must** hold one of the following:

- Current Pensioner Concession Card (PCC) issued by Centrelink (including a valid Newstart Card or Newstart Mature Age Card displaying the words 'Pensioner Concession') showing a NSW address
- Centrelink Confirmation of Concession Card Entitlement form providing the PCC indicated on the form is stamped by Centrelink. These forms are issued while the pensioner is awaiting their new PCC (photocopies of forms are not acceptable)

- PCC as issued by the Department of Veterans' Affairs (DVA) showing a NSW address
- Valid DVA Gold Card endorsed 'totally and permanently incapacitated' or 'extreme disablement adjustment'
- Valid DVA Gold Card endorsed 'war widow' or 'war widower'
- Letter or statement from the DVA stating that the person receives a Disability Pension of 70% or higher or an Intermediate or Extreme Disablement Adjustment Pension, or who has been assessed under the *Military Rehabilitation and Compensation Act 2004* at 50 or more impairment points; or
- A letter from the executor of an estate where two Lessee's are subject to concessions, and where one of the Lessee's has died, advising of the deceased party and the names of the residing occupants.

Eligibility General Provisions

The following are general provisions for the eligibility of customers for concession relief:

- Only cardholders are entitled to concession rates and dependents listed on cards are not eligible for concession rates.
- For domestic waterfront leases, customers eligible for concession rates must provide evidence of eligibility on an annual basis by providing certified copies of documents establishing concession eligibility to Roads and Maritime; and
- Customers who lose their entitlement to concession rates must notify Roads and Maritime in writing within 28 days.

Applicants must produce their current card and proof of identity or provide a certified copy of both sides of the card and a certified copy of acceptable proof of identity documentation to Roads and Maritime.

The rates for concession for domestic waterfront Leases for those with eligibility are as follows:

- For Concession Card holder **before** 1 December 2004: - The lower of 50% of the calculated rent or a maximum rent of \$1,221 (in 2012 dollars indexed by the Sydney — All Groups CPI)
- For Concession Card holder **after** 1 December 2004: - 50% of the calculated rent
- For Domestic waterfront leases in two or more names: - Concession rate of 50% pro-rata on that Lessees portion of the calculated rent.

Where a domestic waterfront lease is in two or more names, any lessee eligible for a concession may be granted a concession rate on their portion of the calculated rent only.

No pro-rata concession is available on the administration fee that is applicable from 1 July 2012.

The Administration Fee is determined by IPART and is currently \$441.25 +GST (in 2016 dollars indexed at Public Service salary increase rates and/or as reviewed every four years by IPART).

Hardship Relief

Roads and Maritime will consider Hardship Relief for Domestic Waterfront Lessees suffering genuine short-term financial difficulties in addition to the concessions outlined above.

Hardship Relief Options

Hardship Relief may be granted in the form of extensions of time or tailored payment plans. Hardship Relief for Domestic Leases can only relate to rental payments and not to any other obligations of a Lease such as maintenance requirements. Interest may be charged on any outstanding rental payments.

Hardship Relief may be granted for up to a maximum of 12 months. Irrespective of the outcome of any Hardship Relief application, an invoice for the full rental payment will be forwarded to the Lessee in the following year.

Any decision to grant Hardship Relief and the form of relief that may be granted is at the discretion of Roads and Maritime, noting that Roads and Maritime is not obliged to grant Hardship Relief, or to provide relief on the same or similar terms to that previously provided to the applicant or any other person.

Hardship Relief Applications

Applications for Hardship Relief must be submitted using the [Domestic Waterfront Hardship Relief Application Form](#).

Applicants may be asked to provide supporting documentation or further information in support of their application and may be asked to attend one or more meeting(s) with Roads and Maritime officers to discuss the application. Where an applicant fails to provide requested material or to comply with a meeting request, Roads and Maritime may elect to complete its assessment based on such material as has been provided.

Assessment will be conducted on a case-by-case basis with consideration given to the following:

- Ability of the applicant to meet current and future rental payments based on the evidence provided to Roads and Maritime;
- Any outstanding debt incurred from previous years, noting that Roads and Maritime may, at its discretion, carry over debt from previous years incurred as a result of immediate or short-term hardship
- Applicant's history of prior payments and compliance with lease conditions
- Whether the application relates to a dwelling
- Any other matters which Roads and Maritime deem relevant.

Applications will normally be determined within 14 days of receipt unless further information is required. Applicants will be advised in writing of the determination, the reasons for the determination, and any specific arrangements relating to payments. Where Hardship Relief is not granted appeals will be assessed by an officer that was not involved in the original application or determination, along with an officer of a separate government agency with relevant experience.

Personal information collected by Roads and Maritime through Hardship Relief applications is held and used in accordance with *the Privacy and Personal Information Protection Act 1998*.

Other relevant Information Guides

The following guides provide further information relating to Domestic Lease Concessions and Hardship Relief;

- [Information Guide — Maritime Property — Establishing a Domestic Waterfront Lease or Licence](#)
- [Information Guide — Maritime Property — Managing Domestic Waterfront Leases & Licences](#)
- [Information Guide — Maritime Property — End of Lease Activities](#)
- [Information Guide — Maritime Property — Removal of Structures](#)
- [Information Guide — Maritime Property - Gaining Roads & Maritime Permission To Lodge DA](#)
- [Information Guide — Maritime Property - Exempt & Complying Developments](#)

Important Note: This document does not constitute legal advice and provides guidance only. Users are advised to seek professional advice and refer to the relevant legislation as necessary, before taking action in relation to any matters covered by this document.

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