

## Change in Rating Category Application

### Revenue & Recovery

#### Property Details *(as found on your rate notice)*

Property Identifier:

Lot Number:

Plan Number DP or SP

Property Address:

#### Applicant Details

Property Owner:

ABN if applicable:

Property Owner's Postal Address

Telephone

Mobile

Email:

#### Rating Category - Section 525 Local Government Act 1993

Please note:

If you would like to apply for Farmland Rating, please do not use this application.

Submit your Farmland Rating Application using the form on Council's web page located at:

<https://www.tweed.nsw.gov.au/Controls/Forms/Farmland Rating Application>

Current Rating Category of Land

- Residential
- Business
- Farmland
- Mining

Proposed Rating Category of Land

- Residential
- Business
- Mining

## Use of Land

Please provide details of what the land is being used for:

*Please Tick*

**Are there any dwellings situated on the land?**

Yes

No

**If yes, are the dwellings leased?**

Yes

No

Reason why the proposed category is more appropriate:

Owner's Name  
(please print)

Owner's Signature

Date

DD/MM/YYYY

## LOCAL GOVERNMENT ACT 1993 SECTION 525

### 525 Application for change of category

- (1) A rateable person (or the person's agent) may apply to the council at any time:
  - (a) for a review of a declaration that the person's rateable land is within a particular category for the purposes of section 514, or
  - (b) to have the person's rateable land declared to be within a particular category for the purposes of that section.
- (2) An application must be in the approved form, must include a description of the land concerned and must nominate the category the applicant considers the land should be within.
- (3) The council must declare the land to be within the category nominated in the application unless it has reasonable grounds for believing that the land is not within that category.
- (4) If the council has reasonable grounds for believing that the land is not within the nominated category, it may notify the applicant of any further information it requires in order to be satisfied that the land is within that category. After considering any such information, the council must declare the category for the land.
- (5) The council must notify the applicant of its decision. The council must include the reasons for its decision if it declares that the land is not within the category nominated in the application.
- (6) If the council has not notified the applicant of its decision within 40 days after the application is made to it, the council is taken, at the end of the 40-day period, to have declared the land to be within its existing category.

## LOCAL GOVERNMENT ACT 1993 SECTION 493

### 493 Categories of ordinary rates and categories of land

- (1) There are 4 categories of an ordinary rate and 4 categories of rateable land:
- farmland
  - residential
  - mining
  - business.

## LOCAL GOVERNMENT ACT 1993 SECTION 516

### 516 Categorisation as residential

- (1) Land is to be categorised as **"residential"** if it is a parcel of rateable land valued as one assessment and:
- (a) its dominant use is for residential accommodation (otherwise than as a hotel, motel, guest-house, backpacker hostel or nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the regulations), or
  - (b) in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes, or
  - (c) it is rural residential land.
- (1A) For the purposes of this section, a **"boarding house"** or a **"lodging house"** means a building wholly or partly let as lodging in which each letting provides the tariff-paying occupant with a principal place of residence and in which:
- (a) each tariff charged does not exceed the maximum tariff for boarding houses or lodging houses for the time being determined by the Minister by order published in the Gazette for the purposes of this subsection, and
  - (b) there are at least 3 tariff-paying occupants who have resided there for the last 3 consecutive months, or any period totalling 3 months during the last year, and includes a vacant building that was so let immediately before becoming vacant, but does not include a residential flat building, licensed premises, a private hotel, a building containing serviced apartments or a backpacker hostel or other tourist establishment.
- (2) The regulations may prescribe circumstances in which land is or is not to be categorised as residential.

## LOCAL GOVERNMENT ACT 1993 SECTION 517

### 517 Categorisation as mining

- (1) Land is to be categorised as **"mining"** if it is a parcel of rateable land valued as one assessment and its dominant use is for a coal mine or metalliferous mine.
- (2) The regulations may prescribe circumstances in which land is or is not to be categorised as mining.

## LOCAL GOVERNMENT ACT 1993 SECTION 518

### 518 Categorisation as business

Land is to be categorised as **"business"** if it cannot be categorised as farmland, residential or mining.