

The General Manager  
 Narromine Shire Council  
 PO Box 115  
 NARROMINE NSW 2821

**APPLICATION FOR CHANGE IN CATEGORY OF LAND FOR RATING PURPOSES  
 (RESIDENTIAL, MINING OR BUSINESS)**

**STATUTORY DECLARATION**

This form can be used to request a change in the categorisation of land for rating purposes. If making application for categorisation as "Farmland" for rating purposes, please use the Application to have Land Categorised as "FARMLAND" under Section 515 of the Local Government Act, 1993 form.

**HOW TO COMPLETE THIS FORM**

1. Ensure all fields have been completed correctly
2. Please note that fields on this form marked with an \* are mandatory and must be completed before submitting the application.
3. Please refer to lodgement details for instructions on where to lodge your application.

Section 1: Applicant details (must be property owner or authorised representative)

Salutation:*( please tick)	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Other (Please Specify)
First Name:*				Surname*
Postal Address*				
				Postcode*
Phone No*				Mobile*
Email				

Section 2: Property details for which you are seeking a review

Assessment Number*	
Owner/s Name*	
Property Address*	
Legal Property Description (Lot/DP)*	
Total Area*	

### Section 3: Request to review rating category

Any application for change in category for rating purposes is subject to Section 523 and 525 of the Local Government Act, 1993.

Current rating category or sub-category of the land*	
Proposed rating category or sub-category of the land*	
Details of the present use of the land*	
Is the land vacant, or, if any buildings or structures are erected on the land, describe these*	
Reasons why the proposed category or sub-category is more appropriate* (Please add additional pages if necessary)	

#### IMPORTANT INFORMATION

Rates and charges must continue to be paid based on the category currently in use. Any adjustments that may be required as a result of your application will be made and applied from the date the completed application is received by Council.

To assist Council in determining this application, an inspection of your property may be warranted to assist Council's determination. Council staff will contact you to arrange a suitable time if an inspection is required.

Omission of any of the requested information may result in the application being rejected. Should you be dissatisfied with Council's decision you may appeal to the Land and Environment Court. Such appeal must be made within 30 days after the declaration is made.

#### Privacy Statement

Personal information collected as a result of this application will only be used for the purpose of assessing your rate categorisation under sections 516, 517 & 518 of the *Local Government Act, 1993* and will not be used for any other purpose, or disclosed to any person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates. Privacy will be maintained in accordance with the *NSW Privacy and Personal Information Protection Act 1998*.

#### INSTRUCTIONS FOR APPLICANTS

Incomplete or illegible applications will not be accepted and will be returned to you.

- Please address your application to: The General Manager
- Lodgement details:
  - By email – to [mail@narromine.nsw.gov.au](mailto:mail@narromine.nsw.gov.au)
  - By mail – Narromine Shire Council, PO Box 115, Narromine NSW 2821
  - By fax – 02 6889 9998
  - In person – Customer Service & Payments Centre, 118 Dandaloo St, Narromine
  - Council's opening hours are 8.30am ~ 5.00pm Monday to Friday



### **Section 514 - Categorisation of land for purposes of ordinary rates**

Before making an ordinary rate, the council must have declared each parcel of rateable land in its area to be within one or other of the following categories:

- farmland
- residential
- mining
- business.

**Note :** Land falls within the “business” category if it cannot be categorised as farmland, residential or mining. The main land uses that will fall within the “business” category are commercial and industrial.

### **Section 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, guesthouse, 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.

Note : 1(A) 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.

### **Section 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.

### **Section 518 - Categorisation as business**

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

### **Section 523 - When are the declarations of categories reviewed?**

(1) A council need not annually review a declaration that a parcel of land is within a particular category, but may review a declaration:

- (a) as part of a general review of the categorisation of all or a number of parcels of land, or
- (b) because it has reason to believe that a parcel of land should be differently categorised.

(2) A council must review a declaration if required to do so in accordance with section 525 by a person who is rateable in respect of a parcel of land to which the declaration applies.

### **Section 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.