

RATES EXEMPTION APPLICATION

Local Government Act 1995 – Section 6.26 (FCCS016)



Shire of
Narrogin
Love the life

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CASHIER HOURS:
8:30am – 4:30pm
MONDAY- FRIDAY

This application form is to be used by organisations seeking exemption from rates, pursuant to the provisions of Section 6.26 of the Local Government Act 1995. In doing so you are objecting to the rate book under Section 6.76 of the Local Government Act 1995. The application for exemption will be checked based on the information you have provided, and you will be advised of the outcome in due course.

Please attach any additional documents requested, as failure to do so may result in the application being refused.

Privacy

The personal information collected on this form will only be used by the Shire of Narrogin for the sole purpose of providing requested and related services. Information will be stored securely by the Shire and will not be disclosed to any third parties without your express written consent.

Please note that where exemption from rates is approved, the property will still be subject to the Emergency Services Levy and any other charges, if applicable, such as rubbish collection charges. All properties which are granted exemption from rates are subject to periodic reviews to ensure continued approval.

PROPERTY DETAILS

Assessment Number					
Property Address					
Suburb/Town		State		Postcode	

PROPERTY OWNER DETAILS

Owner's Surname		Owner's Other Names	
Organisation Name			
Contact Person			
Postal Address			
Phone Number		Mobile Number	
Email Address			

APPLICANT DETAILS

Contact Person		Position Title	
Organisation Name			
Residential Address			
Postal Address			
Phone Number		Mobile Number	
Email Address			

NON RATEABLE LAND

Council can apply for rates and charges to all land, with the following exceptions as per section 6.26, subsections s6.26(2) to s6.26(6) of the Local Government Act 1995.

6.26 (2) the following land is not rateable land –

- (a) land which is property of the Crown and –
 - (i) is being used or held for a public purpose; or
 - (ii) is unoccupied, except –
 - (I) where any person is, under paragraph (e) of the definition of owner in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting license held under the Mining Act 1978 in respect of the land the area of which does not exceed 10 ha or a miscellaneous license held under the Act: or
 - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of owner in section 1.4 occupies or makes use of the land:
 - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for the purposes of trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government: and
 - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
 - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood: and
 - (e) land used exclusively by a religious body as a school for the religious instruction of children: and
 - (f) land used exclusively as a non-government school within the meaning of the School Education Act 1999; and
 - (g) land used exclusively for charitable purposes: and
 - (h) land vested in trustees for agricultural or horticultural show purposes: and
 - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government; and
 - (j) land which is exempt from the rates under any other written law; and
 - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the Gazette.
- (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

WHAT IS THE CURRENT USE OF THE PROPERTY?

Please complete the section below, detailing what the property is currently being used for:

For example:-

- S6.26(2)(d) – ‘Religious Body’.....a place of residence of a minister of religion, a convent, nunnery.....
- Current use of property – place of residence for Sisters of X, who provide a chaplain service to the local community, local schools and aged care facilities.

1. Please quote what sub-section of **s6.26(2) to s6.26(6)** of the Local Government Act 1995 are you claiming the rates exemption under?

2. Briefly describe what the property is used for?

ORGANISATION DETAILS

<ul style="list-style-type: none">• Is the organisation an incorporated body as per the <i>Association Incorporated Act 1987 (WA)</i>? If <u>yes</u>, please provide a Certificate of Incorporation.	Yes	No
<ul style="list-style-type: none">• Is the organisation registered with <i>Australian Charities and Not-for-profits Commission (ACNC)</i>? Please provide an extract of the relevant certificate from the ACNC.	Yes	No
<ul style="list-style-type: none">• Has the organisation registered for an ABN number? If <u>yes</u>, please provide the number: _____	Yes	No
<ul style="list-style-type: none">• Is the organisation the owner and occupier of the land with the rate notice being issued in the organisation's name? If <u>yes</u>, please provide a copy of Certificate of Title.	Yes	No
<ul style="list-style-type: none">• Does the organisation lease and occupy the rateable property? If <u>yes</u> and the lessee is responsible for the payment of the rates, please provide a copy of the lease agreement showing the lessee is responsible for payment of the rates.	Yes	No
<ul style="list-style-type: none">• Does the organisation occupy the whole building? If <u>no</u>, please provide a copy of the floor plans showing the areas leased and/or areas claiming rate exemption.	Yes	No
<ul style="list-style-type: none">• Has planning approval for the land use of the property been obtained? A site inspection may be required by Council before the application is processed.	Yes	No

Please provide a copy of the following documents (in addition to those documents already specified in the previous sections).

- 1. A copy of the organisations Constitution.**
- 2. Written statement outlining the nature of the Organisation's operations: Details to include are:**
 - i. Confirm the grounds upon which an objection is being made to the rateage record under Section 6.76 of the Local Government Act 1995;
 - ii. Confirm the grounds upon which the exemption application applies under Section 6.26 of the Local Government Act 1995;
 - iii. Use and occupancy of the land, inclusive of date of commencement;
 - iv. Type of service provided (e.g. community service, food, accommodation/rental etc.);
 - v. Frequency of the service provision (e.g. daily, weekly, short-term, long-term etc.);
 - vi. Is payment received for the service;
 - vii. If there is commercial activities conducted on the land, please provide details of the activity and if revenue is raised, where it is disbursed.
- 3. A plan of the property, showing all buildings and outbuildings;
or,
A Floor plan of the leased property area, if only part of the property is the subject of this application.**
- 4. A copy of the current years audited financial statements for the Organisation**
(If this exemption applies to only a portion of land owned by this Organisation, provide the relevant statements for the land this application applies to.)

Please read through and check the information you have provided before continuing with the Authorisation and Statutory Declaration.

AUTHORISATION

By signing this Application, I hereby certify that the information provided is true and correct to the best of my knowledge.

Name:

Position:

Organisation:

Signature of CEO / Trustee:

Date:

***Important** This Declaration must be made before any of the following persons:-

Academic {post-secondary institution}
Accountant
Architect
Australian Consular Officer
Australian Diplomatic Officer
Bailiff
Bank Manager
Chartered secretary
Chemist
Chiropractor
Company auditor or liquidator
Court officer {Judge, magistrate, registrar or clerk}
Defence Force officer {Commissioned, Warrant or NCO {with 5 years continuous service}}
Dentist
Doctor
Electorate Officer {State – WA only}
Engineer
Industrial organisation secretary
Insurance broker
Justice of the Peace {any State}
Lawyer
Local government CEO or deputy CEO
Local government councilor
Loss adjuster
Marriage Celebrant
Member of Parliament {State or Commonwealth}
Minister of religion
Nurse
Optometrist
Patent Attorney
Physiotherapist
Podiatrist
Police officer
Post Officer manager
Psychologist
Public Notary,
Public Servant {State or Commonwealth}
Real Estate agent
Settlement agent
Sheriff or deputy Sheriff
Surveyor
Teacher
Tribunal officer
Veterinary surgeon

Or,

Any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a Statutory Declaration may be made.

FOR INFORMATION: Any authorised witness for the State of Western Australia may also witness a Commonwealth Statutory Declaration, as long as they are in Western Australia at the time of witnessing {Schedule 2, item 231 of the Commonwealth Statutory Declarations Regulations 1993}.

IMPORTANT INFORMATION:

AS OF 1 JANUARY 2006 THERE IS NO PROVISION FOR COMMISSIONERS FOR DECLARATIONS IN THE STATE OF WESTERN AUSTRALIA

OFFICE USE ONLY

CONSIDERATIONS			
Approval with Shire's Town Planning Scheme?		Yes	No
Has the property been inspected?		Yes	No
Recommend for non-rateable status?		Yes	No
Section of the Local Government Act 1995 6.26(2):			
Classification:			
Person(s) or Classes of Persons affected by this decision:			
Reason for Non-Rateable status:			
Date of New Application:		Date of Review of Exemption:	
If Approved, amount of rates to be exempted and dates to be applicable from ('Application Date'). The Approval will be for a period of 3 years, unless circumstances change:			
Amount:		Date (From):	
Rubbish Bin charges to be levied and dates to be applicable from:			
Amount:		Date (From):	

DECISION – DELEGATED AUTHORITY 1.2.27	
The person exercised the power or discharged the duty by the CEO's Sub-delegation:	
Renewals less than \$10,000 – Executive Manager Corporate and Community Services Applications and renewals less than \$25,000 – Chief Executive Officer	
This application has been:	Comments:
<u>DENIED</u> for Non-ratable Status	
<u>APPROVED</u> for Partial Non-ratable Status	
<u>APPROVED</u> for Non-ratable Status	

Executive Manager Name:	Signature:	Date:
CEO Name:	Signature:	Date: