



# APPLICATION FOR RATE REBATE

PURSUANT TO SECTION 159-166  
OF THE LOCAL GOVERNMENT ACT 1999

## 1. DETAILS OF APPLICANT

Organisation/Applicant Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

*Please provide details of a Contact Person if applicant is an Organisation*

Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## 2. DETAILS OF LAND *(Please attach rate notice where application is for multiple assessments)*

Council Assessment Number/s: \_\_\_\_\_

Certificate of Title: \_\_\_\_\_

Property Address: \_\_\_\_\_

Owner (if different from Applicant): \_\_\_\_\_

## 3. CATEGORIES OF REBATE

Please tick  the category of rebate under which you are seeking a rebate:

### 3.1 Mandatory - 100%

Health Services – Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976 (Section 160 of the Local Government Act 1999);

Religious Purposes – Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes (Section 162 of the Local Government Act 1999);

Public Cemeteries – Land being used for the purposes of a public cemetery (Section 163 of the Local Government Act 1999);

Royal Zoological Society of SA – Land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated (Section 164 of the Local Government Act 1999).

### 3.2 Mandatory - 75%

- Community Services** - (Section 161 of the Local Government Act 1999) Land being predominantly used for service delivery or administration by a community services organisation).

To qualify as a 'Community Service Organisation' under the rebate provisions of the Local Government Act 1999 an organisation MUST MEET ALL of the following criteria and provide 'Additional Information' as per Section 5 of this application form.

- (a) is incorporated on a not for profit basis for the benefit of the public; **and**

YES  NO

- (b) provides community services without charge or for a charge that is below the cost to the body of providing the services; **and**

YES  NO

- (c) does not restrict its services to persons who are members of the body.

YES  NO

If you have ticked (a), (b) and (c) above which of the following services does your organisation provide from the property specified in this application:

(If these services apply only to part of your property, please supply additional details)

- Emergency accommodation;
- Food or clothing for disadvantaged persons (i.e., persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability);
- Supported accommodation (as defined in the Local Government Act):

(a) Residential care facilities that are approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth); or

(b) Accommodation for persons with mental health difficulties, intellectual or physical difficulties, or other difficulties, who require support in order to live an independent life; or

(c) Without limiting paragraph (b), accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public, other than accommodation provided by such a body that:

(i) has as a principal object of the body, the provision of housing for members of the body; or

(ii) is excluded from the ambit of this paragraph by the Minister by notice published in the Gazette.

- Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
- Legal services for disadvantaged persons;

- Drug or alcohol rehabilitation services;
- Research into, or community education about, diseases or illnesses, or palliative care to persons who suffer from diseases or illnesses.
- Disadvantaged person are persons who are disadvantaged by reasons of poverty, illness, frailty, or mental, intellectual or physical disability.

**Educational Purposes** - (Section 165 of the Local Government Act 1999)

Which of the following criteria apply:

- Land occupied by a government school under a lease or licence and being used for educational purposes; **or**
- Land occupied by a non-government school registered under The Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; **or**
- Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.

**3.3 Discretionary** - (Section 166 of the Local Government Act 1999)

The Council may in its discretion grant a rebate of rates or service charges in any of the following cases. Please indicate which of the following is applicable to your application:

- The rebate is desirable for the purpose of securing the proper development of the area (or a part of the area);
- The rebate is desirable for the purpose of assisting or supporting a business in its area;
- The rebate will be conducive to the preservation of buildings or places of historic significance;
- The land is being used for educational purposes;
- The land is being used for agricultural, horticultural or floricultural exhibitions;
- The land is being used for a hospital or health centre;
- The land is being used to provide facilities or services for children or young persons;
- The land is being used to provide accommodation for the aged or disabled;
- The land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth) or a day therapy centre;
- The land is being used by an organisation which, in the opinion of the Council provides a benefit or service to the local community;
- The rebate relates to common property or land vested in a community corporation under the *Community Titles Act 1996* over which the public has a free and unrestricted right of access and enjoyment;

- The rebate is considered by the Council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a rate payer due to:
  - (i) a redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or
  - (ii) a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations;
- The rebate is considered by the Council to be appropriate to provide relief in order to avoid what would otherwise constitute:
  - (i) a liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the Council in its annual business plan; or
  - (ii) a liability that is unfair and unreasonable;
- The rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2;
- The rebate is contemplated under another provision of the Local Government Act 1999.

**4. AMOUNT OF REBATE**

4.1 If you are seeking a **mandatory rebate** under Clause 3.2 ('Community Services' or 'Educational Purposes') of this Application, for which you are entitled to a 75% rebate, are you also applying to the Council to increase that rebate?

YES  NO

Please specify the percentage of rebate that you are applying for: \_\_\_\_\_%

4.2 If you are applying for a **discretionary rebate** under Clause 3.3 of this Application, please specify the percentage of rebate you are applying for:

\_\_\_\_\_%

4.3 Please specify why you (or the organisation you represent) need financial assistance through a rebate and why the amount of rebate you have applied for is appropriate.

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## **5. ADDITIONAL INFORMATION REQUIRED**

The Council requires you to attach the following additional information to this Application:

- 51 Where you are seeking a rebate under Clause 3.2 of this Application (**Community Services**) –:
- 5.1.1 Evidence that the land is being used for service delivery and/or administration;
  - 5.1.2 A copy of the organisation’s Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis;
  - 5.1.3 A copy of the organisation’s latest Annual Report;
  - 5.1.4 Evidence that the organisation provides services free of charge or below cost;
  - 5.1.5 Evidence that the organisation provides services to persons other than its members.
- 52 Where you are seeking a rebate in any other case:
- 5.3.1 Evidence that the land is being used for the purpose for which the rebate is being sought;
  - 5.3.2 Information as to whether, and if so, to what extent you (or the organisation you represent) will be providing a service within the Council area;
  - 5.3.3 Whether you have made or intend to make an application to another council;
  - 5.3.4 The extent of financial assistance (if any) being provided by Commonwealth or State agencies;
  - 5.3.5 Whether you are in receipt of a community grant;
  - 5.3.6 Any other information that you believe is relevant in support of this Application.

## **6. APPLICATION FORMS**

Application forms and all additional information must be submitted to the Council on or before the 30<sup>th</sup> April annually to be considered for a discretionary Rebate of Rates for the following financial year.

The application date does not apply to applicants which satisfy the criteria for a mandatory rebate, and does not prevent Council from considering applications at any other time if extenuating circumstances exist.

Failure to submit application forms or to provide the additional information required by the Council to assess the application by the due date may result in the Council declining to consider the application.

**7. IMPORTANT INFORMATION**

It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act. The maximum penalty for this offence is \$5,000, (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council considers fit.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases.

If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of \$5,000, (Section 159 (7) and (8) of the Local Government Act 1999).

The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

I declare that the information I have provide on and attached to this application form is true and correct.

**Date:** \_\_\_\_\_

**Name (print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Position Title:** \_\_\_\_\_

<b>Office Use Only</b>	Mandatory / Discretionary	Assessment Number: _____
Rate Rebate Application Approved:	Yes / No	Date Received: _____
Council Resolution/Date: _____		Rebate Applied (Code/Act Ref): _____
Rebate %: _____		Year Applicable: _____
Applicant Advised (Letter Ref): _____		Comment: _____