

The purpose of this form is to request a change in rating category to business or to residential.

Land is categorized in accordance with Chapter 15 "Part 3 - Ordinary Rates" of the Local Government Act 1993 and Part 5 of the Local Government General Regulations 2021. Parkes Shire Council has four rating categories - residential, business, farmland and mining.

All questions in this application are structures to assist Council evaluate the application in accordance with the legislative requirements.

RESIDENTIAL RATING CATEGORY

Section 516 of the Local Government Act 1993 prescribes that *'Land is to be categorised as "residential" if its dominant use is for residential accommodation'*.

In the case where the land is vacant, *'it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes or if it is rural land'*. Hotels, motels, guest house, (including boarding houses) are to be categorised as business.

MINING CATEGORY

Section 517(1) of the Local Government Act 1993 states that *'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.'*

BUSINESS RATING CATEGORY

Section 518 of the Local Government Act 1993 prescribes that *"Land is to be categorised as "business" if it cannot be categorised as farmland, residential or mining."*

MIXED DEVELOPMENT LAND

Under Section 14BB of the Valuation of Land Act 1916 *"mixed development land means a parcel of land occupied or used solely as the site of one or more buildings comprising:*

- a) *one, or more than one, flat, and*
- b) *one, or more than one, office."*

An example of land that has mixed use might be, a business downstairs and a residential unit upstairs that each have their own access and amenities. NSW Valuation Services may be able to provide an apportioned valuation between residential and non-residential.



FARMLAND CATEGORY

Section 515 of the Local Government Act 1993 defines criteria which must be met for land to be categorised as Farmland. Section 515 states that:

1. *Land is to be categorised as “Farmland” if it is a parcel of rateable land valued as one assessment and its dominant use is for farming (that is, the business or industry of grazing, animal feedlots, dairying, pig-farming, poultry farming, viticulture, orcharding, bee-keeping, horticulture, vegetable growing, the growing of crops of any kind, forestry or aquaculture within the meaning of the Fisheries Management Act 1994, or any combination of those businesses or industries) which:*
 - (a) *has a significant and substantial commercial purpose or character, and*
 - (b) *is engaged in for the purpose of profit on a continuous or repetitive basis whether or not a profit is actually made).*
2. *Land is not to be categorised as farmland if it is rural residential land.*
3. *The regulations may prescribe circumstances in which land is or is not to be categorised as farmland.*

As per section 515(2) if the property is of a rural nature and not farming the land as a business for commercial purpose, Council cannot rate the land as Farmland.

Example of rural property, residential dwelling, horses for personal use, vegetable garden for domestic/own use – this is not considered to be Farmland in relation to the above legislation, this property would be rated as residential.

AFTER THIS APPLICATION IS PROCESSED BY COUNCIL

Council will notify you of the outcome of your application.

- If approved, your rates will be adjusted from the date council received your application.
- If the application is declined, you can discuss with Council, as there may be further information required to determine the correct category.

If you are still dissatisfied with Council's declaration of the category of your land after it has been reviewed, you may appeal to the Land and Environment Court within 30 days after the declaration is made.

HOW TO SUBMIT THIS APPLICATION

This application can be submitted over the counter or posted to the administration building at 2 Cecile Street, Parkes NSW 2870 or via email council@parkes.nsw.gov.au



Section 1 Applicant Details	
Surname	Given Name
Postal Address	
Suburb	Postcode
Mobile	Email

Section 2 Owner Details	
Owner(s) / Company Name	
Postal Address	
Suburb	Postcode
Mobile	Email
Owner Authorisation Signature(s)	

Section 3 Property Details				
Property Address				
Legal Description (Lot & DPs)				
Property Number				
Current Land Category	Residential	Business	Farmland	Mixed Use
Proposed Land Category	Residential	Business	Farmland	Mixed Use

Section 4 Additional Information
Details of present and prior use of land
Reasons why the proposed category is more appropriate.



Section 5 Mixed Use Information Only complete this section if the property is used for both residential and business purposes					
Area use m²	Residential	Business	Hours of use per day	Residential	Business
Please attach a plan or rough sketch of the mixed development/use site has been attached showing residential and business areas.					
Section 6 Farming Information Only complete this section if you are applying for the property to be categorised as farmland					
Area of whole property			Area of land being farmed		
Farming Business(es) conducted (see options under 'Farmland Category' heading).					
Are you a primary producer as defined by the Australian Taxation Office?				Yes	No
Does your farming business have an ABN?		Yes - ABN No.			No
Approximately how many hours per week do you work on the land?					
Any additional information which may assist your application? Attach further pages if required					
Please attach a plan or sketch of the property layout, (e.g. house, farm buildings, paddocks).					
Section 8 Applicants Declaration					
I acknowledge and accept that Council staff may need to inspect the property in order to make a determination regarding the rating category.					
I give consent for Parkes Shire Council to apply to the Valuer General for a mixed development/use apportionment factor (relevant to section 6 only).					
I accept that if all information is not supplied or completed or is false, Council may not be able to accurately assess the application, and as such, the application may be denied.					
I declare that all information provided is complete, true and correct.					
Signature(s)				Date	
Signature(s)					