

Rate Rebate Application 2022-2023

SECTION A – All to complete

Details of Applicant

Organisation: _____

Postal Address: _____

Phone: _____ Email: _____

If the applicant is not a natural person, please provide details of a contact person for the applicant

Full Name: _____

Position: _____

Phone: _____ Mobile: _____

Email: _____

Details of Land

Note: for multiple properties we require each assessment to be separately identified. A separate listing can be attached if necessary.

Assessment Number: _____

Valuer General Number: _____

Certificate of Title: _____

Address: _____

Owner/s of the Land
(If not you): _____

Please note: A person or body who makes a false or misleading statement or representation in an application or provides false or misleading information or evidence in support of an application for rebate is guilty of an offence under Section 159(2) of the Local Government Act, 1999. **Maximum penalty: \$5,000**

Categories of Rebates – MANDATORY (go to section b) and DISCRETIONARY (go to section c)

Please tick the category under which you are seeking a rebate (section numbers quoted refer to the Local Government Act, 1999).

Local Government Act 1999 can be found at: www.legislation.sa.gov.au > Acts > L > Local Government Act 1999

Note: You can only be eligible for either a Mandatory or Discretionary Rebate but not both

SECTION B – Mandatory Rebates

Mandatory 100%

- ☐ **Health Service** **Section 160**
 Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976
- ☐ **Religious Purposes** **Section 162**
 Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes
- ☐ **Public Cemeteries** **Section 163**
 Land being used for the purposes of a public cemetery
- ☐ **Royal Zoological Society of SA** **Section 164**
 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

Mandatory 75%

- ☐ **Community Services** **Section 161**
 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 THREE of the following criteria. (See section "Additional Information" at end of this form.)

- ☐ (a) is incorporated on a not for profit basis for the benefit of the public, **AND**
- ☐ (b) provides community services without charge or for a charge that is below the cost to the body of providing the services, **AND**
- ☐ (c) does not restrict its services to persons who are members of the body

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:

- ☐ Housing Association Properties - community Housing Association that currently provides accommodation and is registered under the South Australian Co-operative and Community Housing Act 1991;
- ☐ emergency accommodation
- ☐ food or clothing for disadvantaged persons (ie persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability)
- ☐ supported accommodation (ie residential care facilities in receipt of Commonwealth funding or accommodation for persons with mental health, intellectual, physical or other difficulties who require support in order to live an independent life)
- ☐ 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, and/or
- ☐ research into, or community education about, diseases or illnesses, or palliative care to persons who suffer from diseases or illnesses

Mandatory 75% (cont.)

- ☐ **Educational Purposes** **Section 165**
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 part 5 of the Education Act 1972 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

Amount of Rebate

If you are seeking a 75% mandatory rebate, are you also applying to the Council to increase that rebate?

- ☐ No
- ☐ Yes

If yes, please specify the amount you are applying for and reasons to justify this request:

If you do not satisfy or provide any of the above criteria/services you are not eligible under this Mandatory Rebate category and need to apply under the Discretionary Rebate category. Please refer to Section C of this application.

GO TO SECTION D

SECTION C – Discretionary Rebates

Discretionary Rebates Section 166

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

Also please refer to the 'Additional Information' section at the end of this form

- ☐ (a) the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area)
- ☐ (b) the rebate is desirable for the purpose of assisting or supporting a business in its area
- ☐ (c) the rebate will be conducive to the preservation of buildings or places of historic significance
- ☐ (d) the land is being used for educational purposes
- ☐ (e) the land is being used for agricultural, horticultural or floricultural exhibitions
- ☐ (f) the land is being used for a hospital or health centre
- ☐ (g) the land is being used to provide facilities or services for children or young persons
- ☐ (h) the land is being used to provide accommodation for the aged or disabled
- ☐ (i) the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1987 (Commonwealth) or a day therapy centre
- ☐ (j) the land is being used by an organisation which provides a benefit or service to the local community
- ☐ (k) 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
- ☐ (l) the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:
 - a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates, or
 - a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations
- ☐ (m) where the rebate is considered by the council to be appropriate to provide relief in order to avoid what would otherwise constitute:
 - 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
 - a liability that is unfair or unreasonable
- ☐ (n) where the rebate is to give effect to a review of a decision of the council under chapter 13 part 2 of the Act (Internal Review of Council actions)
- ☐ (o) where the rebate is contemplated under another provision of this Act

Amount of Rebate

If you are seeking a discretionary rebate, please specify the rebate amount you are applying for?

Please specify why you (or your organisation) need financial assistance through a rebate and why the amount of rebate you have applied for is appropriate. Please also address the issues listed in the "Additional information required" section at the end of this application form.

GO TO SECTION D

SECTION D – All to complete

Additional Information Required

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

- ☐ Evidence that the land is being used for the purpose claimed;
- ☐ Evidence as to whether the land is being used for service delivery and/or administration;
- ☐ Copy of constitution or documentation establishing incorporation on a not-for-profit basis;
- ☐ Copy of the latest annual report or audited financial statements;
- ☐ The extent of financial assistance being provided by Commonwealth or State agencies;
- ☐ Evidence that the organisation provides services free of charge or below cost;
- ☐ Evidence that the organisation provides services to persons other than members;
- ☐ Information as to whether, and if so to what extent, services are provided within the Council area;
- ☐ Whether you have made or intend to make an application to any other council;
- ☐ Whether you are in receipt of a community grant

SECTION D – Continued

Due Date

Application forms and all additional information are to be received by **1 September 2022** for the current financial year.

A failure to submit application forms or to provide the additional information required by the Council to assess the application within the specified period may result in the Council refusing to consider the application for the current financial year.

Please Note: It is the responsibility of the applicant to establish their claim for entitlement to a rebate and supply all the information required to substantiate this claim. Where insufficient information or evidence is supplied, applications may be denied for the current financial year. Under the Local Government Act 1999, generally rebates can only be granted on an annual basis and therefore must be applied for annually. Discretionary rebates granted in any one year may not be granted in subsequent years.

Financial year's rates you are applying to have rebated: _____

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 \$5,000.00, (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 thinks 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 \$5,000.00, (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 provided on and attached to this application form is true.

Dated the _____ Day of _____ 20

Printed Name _____

Position Title _____

Signature _____