

**Return Form To:**

Administration Office: 577 Hannan Street, Kalgoorlie WA 6430
 Customer Service Centre: Shop 8-10, 272 Hannan Street, Kalgoorlie WA 6430
 Postal Address: PO Box 2042, Boulder WA 6432
 Telephone: (08) 9021 9600 Facsimile: (08) 9021 6113
 Email: mailbag@ckb.wa.gov.au

APPLICATION FOR RATES EXEMPTION (NON RATEABLE LAND)

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 City of Kalgoorlie-Boulder for the sole purpose of providing requested and related services. Information will be stored securely by the City 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 service fees or charges, if applicable, such as rubbish collection and pedestals charges. All properties granted exemption from rates are subject to periodic reviews to ensure continued approval.

Instructions

Please print clearly in the spaces provided and fill out the attached checklist.

PROPERTY DETAILS

Rates Assessment Number:		
Property Address:		
Suburb:	State:	Postcode:

PROPERTY OWNER DETAILS

Organisation Name:		
Property Owner Name (if different to above)		
Postal Address:		
Phone:	Mobile:	Fax:
Email Address:		
Contact Person:		

APPLICANT DETAILS

Contact Person:	Position:	
Postal Address:		
Suburb:	State:	Postcode:
Email Address:		
Phone:	Mobile:	Fax:

Non Rateable Land

Council can apply rates and charges to all land, with the following exceptions as per section 6.26, sub-sections 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 the 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 licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that 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;*

and

(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 purposes of a 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 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?

S6.26 _____

2. Briefly describe what the property is used for?

ORGANISATION DETAILS - Please complete the sections below and tick the required box

<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 <input type="checkbox"/>	NO <input type="checkbox"/>
<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 <input type="checkbox"/>	NO <input type="checkbox"/>
<ul style="list-style-type: none"> • Has the organisation registered for a ABN number If <u>yes</u>, please provide the number: _____ 		
<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 <input type="checkbox"/>	NO <input type="checkbox"/>
<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 rates, please provide a copy of the lease agreement showing the lessee is responsible for payment of rates. 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<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 <input type="checkbox"/>	NO <input type="checkbox"/>
<ul style="list-style-type: none"> • Have 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 <input type="checkbox"/>	NO <input type="checkbox"/>

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

1. A copy of the Organisation's 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 rate 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.



WESTERN AUSTRALIA

OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005

STATUTORY DECLARATION

**APPLICATION FOR RATES EXEMPTION UNDER
SECTION 6.26 OF THE LOCAL GOVERNMENT ACT 1995.**

STATEMENT OF PROPERTY USE FOR THE YEAR ENDING 30 JUNE 20

(1) Christian name or names and surname of declarant in full	(1) I
(2) Address	(2) of
	In the State of Western Australia
3) Occupation	(3)

Sincerely declare as follows:-

The property located at
is used by
for the purposes of
Description of the activities the property is used for
for the period << ___ to ___ >> or from _____ to _____ .

The applicant agrees to advise the Local Government's Rating Services Section as soon as there is ANY change to the purpose/s as stated above.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

Declared at _____ this _____ day of _____ 200_____ In the presence of _____ (Signature of authorised witness) _____ (Name of authorised witness and qualification as such a witness)		(4) Signature of person making the declaration (4)
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