



POLICY: CORP-F-005

Rates Exemption Policy

Purpose

In accordance with the *Local Government Act 1995*, Section 6.26 (2) describes land that is not rateable land and as such is exempt from general rates without being referred to Council for determination.

This policy sets specific criteria that must be met by those entities that are not covered under Section 6.26 (2) who are seeking a general rate exemption.

In the situation where a rateable property is being leased to a Not-for-Profit (NFP) Community Group (including Sporting Associations) that meets Councils' rate exemption criteria, consideration will be given to providing a rate exemption proportional to the area leased by the NFP tenant.

By meeting the specified criteria the entity is deemed eligible for rate exemption.

Definitions

Not-for profit (NFP) Community Group is defined as an organisation of people who are formed (including a group that is incorporated under the Associations Incorporations Act) to promote a community or sporting activity which has a positive effect on the community of City of Kalgoorlie-Boulder.

Statement

The following criteria must be met before consideration is given to the eligibility for a general rate exemption.

Rate Exemption Application Form;

1. Organisations need to provide clear and concise information regarding the nature of their activities to illustrate eligibility. Supporting documentation must accompany the

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application for the application to be assessed Rates and charges must be paid in full at the time application is made. A refund will be made to the applicant if approved.

2. The organisation must be an incorporated body as per the Associations Incorporated Act 1987.
3. The organisation must hold the following tax exemption certifications from the Australian Taxation Office (ATO).
 - Not for Profit certificate
 - Public Benevolent Institution certificate
4. The organisation must own or have the vesting of the property on which rates are levied. If the rateable property is being leased, the organisation must be responsible for the payment of rates under their leasing agreement.
5. Where the organisation operates commercial activities from the property, the organisation must show what portion of the property is being used for the commercial activities. The portion of the property being used for commercial purposes will not attract a Rate Exemption.
6. The organisation must not hold a liquor licence (issued under the Liquor Licensing Act 1988) for the provision of alcohol for sale to the general public for profit.
7. The Chief Executive Officer has delegated authority to approve applications that meet all of the eligibility criteria.
8. All approved applications will remain in force for a maximum period of three (3) years unless otherwise advised then the applicant must reapply.
9. Where an organisation, that has been granted a general rates exemption, changes its method of operation, and that change would result in the organisation being precluded from exemption eligibility, the organisation must immediately inform the City of the change. An example would be where an organisation commences commercial activities from the property address.
10. Applications shall be determined within 30 days of receipt of the original application and or any additional information requested, whichever is the later.
11. A summary of all approved applications shall be presented to Council annually prior to the annual budget deliberations.
12. All rates and charges will be levied each financial year whilst the rates exemption is in place. All charges will be included in the annual rates notice. Once the organisation

has paid all non-exempt charges (i.e sewerage, ESL, sanitation), the exempted amount (i.e rates levied) will credited back onto the property

Example:

Rates Levied	\$1,000.00
Sewerage	\$ 200.00
Sanitation	\$ 200.00
ESL	\$ 100.00
Total rates levied	\$1,500.00

Therefore in this example the amount of \$500.00 (sewer, ESL & bin charges) must be paid before the credit of \$1,000.00 (i.e rates levied) is applied to the property.

13. The City will provide written notification to organisations when general rates exemptions have been granted each year. For any three (3) year approvals, organisations will receive written notification advising their rate exemption is due to expire and will be invited to lodge a new application for the new rating year.

Relevant Documents

- Local Government Act 1995
- Application for Rate Exemption Form