



# Application for Postponement of Rates

MADE UNDER SECTION 585 OF THE LOCAL GOVERNMENT ACT 1993

This form may be used to apply for relief from payment of part of the rates levied in a rating year, if it is land on which there is a single dwelling house, that is used or occupied as such, and which the land is zoned or otherwise designated under an environmental planning instrument for industry, commerce or residential flat rural land that permits subdivision into two or more lots.

For more informaton on the legislation used for categorising your property see the attached "Information Sheet".

Once completed you can submit your application by;

- Email – [council@thehills.nsw.gov.au](mailto:council@thehills.nsw.gov.au)
- Mail – PO Box 7064, Norwest 2153
- In person – Customer Service Counter 3 Columbia Court, Norwest 2153

## APPLICANT INFORMATION

Family Name / Company Name		Given Names	
ABN			
Postal Address - Unit No	Street No	Street Name	
Suburb		Post Code	
Mobile No	Home No		
Email			

## DETAIL OF LAND

### PROPERTY ADDRESS

Property Name	Street No	Street Name
Suburb		Post Code

### AREA OF PROPERTY

Assesment No. (as per rates notice)
Lot & Deposited plan

**FROM WHICH PART OF SECTION 585 LOCAL GOVERNMENT ACT 1993, ARE YOU SEEKING RELIEF?**

The owner of the land described in any of the following paragraphs may apply to the council for a postponement of rates payable for the land in the current or following rating year (or in both years):

**Section 585 Local Government Act 1993 WHO MAY APPLY FOR POSTPONEMENT OF RATES**

The rateable person for land described in any of the following paragraphs may apply to the Council for a postponement of rates payable for the land in the current or following rating year:

**Please tick one or more of the below that applies to your property**



- |  |  |
|--|--|
| (a) a parcel of land on which there is a single dwelling-house used or occupied as such and which is zoned or otherwise designated for use under an environmental planning instrument for the purposes of industry, commerce or the erection of residential flat buildings, not being land referred to in paragraph (b) or (c),                          |  |
| (b) a parcel of land (which may comprise one or more lots or portions in a current plan) on which there is a single dwelling-house used or occupied as such and which is zoned or otherwise designated under an environmental planning instrument so as to permit its subdivision for residential purposes, not being land referred to in paragraph (c), |  |
| (c) a parcel of rural land (which may comprise one or more lots or portions in a current plan) which is zoned or otherwise designated under an environmental planning instrument so as to permit its use otherwise than as rural land, or its subdivision into two or more lots or portions, one or more of which has an area of less than 40 hectares.  |  |

**DECLARATION & CONSENT**

I	of
I	of

Declare that I am the Land Owner or the authorised representative for the Business/Company for the purpose of this application and the information I have provided is true and correct in every detail.

I understand that interest will be charged on the postponed portion of the rates and that both postponed rates and interest charges will be due and payable should my property change ownership or use of the land change.

I also give consent to Council, or any person(s) authorised by Council to enter onto the property for the purpose of carrying out an inspection in connection with this application. **I require / do not require** to be present during the inspections (please note that Council will not attend your property without contacting you to arrange a suitable date and time).

Owner/Applicant Signature	Owner/Applicant Signature
Date	Date

**PRIVACY AND PERSONAL INFORMATION**

Council is bound by the provision of the Privacy and Personal Information Protection Act 1998, in the collection, storage and utilisation of personal information provided. Accordingly, the personal information will only be utilised for the purposes for which it has been obtained and may be available for access and/or disclosure under various NSW Government Legislation.

## POSTPONED RATES

If a property is being used as a single dwelling ONLY, but is zoned for use as industrial, commercial, residential flat building or permitted under plan to be further subdivided you can apply for postponed rates.

After Council receives an application and assesses that it meets with the legislative requirement, Council will request Land Property Information NSW to provide a "Postponed Apportionment" valuation. The valuer will determine the portion of your current valuation that can be used for postponement of your rate.

### Example:

Land Valuation	\$1,500,000
Postponed Apportionment Value	\$ 800,000
Remaining Balance of Valuation	\$ 700,000

The rates calculated on the \$700,000 will be due and payable by instalment, but the rates calculated on the Postponed Valuation \$800,000 will be levied but postponed. The postponed portion will not appear on your instalment amounts, but will continue to incur interest.

After five years of continuous postponement of rates, Council will write-off the very first year's postponed rates and the interest that has been applied for that particular year. There will be no more than five years maximum postponed rates and interest charges payable at any time.

Postponed rates can remain on the property providing its use doesn't change, ie: demolition of house for redevelopment, or its use changes to business, commercial, property sold or changed ownership. Should any of these occur the postponed rates and interest charges will become due and payable.

## LEGISLATION USED TO ASSESS APPLICATION FOR POSTPONED RATES

### Local Government Act 1993

#### 585 Who may apply for postponement of rates?

The rateable person for land described in any of the following paragraphs may apply to the council for a postponement of rates payable for the land in the current or following rating year (or in both years):

- (a) a parcel of land on which there is a single dwelling-house used or occupied as such and which is zoned or otherwise designated for use under an environmental planning instrument for the purposes of industry, commerce or the erection of residential flat buildings, not being land referred to in paragraph (b) or (c),
- (b) a parcel of land (which may comprise one or more lots or portions in a current plan) on which there is a single dwelling-house used or occupied as such and which is zoned or otherwise designated under an environmental planning instrument so as to permit its subdivision for residential purposes, not being land referred to in paragraph (c),
- (c) a parcel of rural land (which may comprise one or more lots or portions in a current plan) which is zoned or otherwise designated under an environmental planning instrument so as to permit its use otherwise than as rural land, or its subdivision into two or more lots or portions, one or more of which has an area of less than 40 hectares.

#### 586 Applications to be referred to Valuer-General

- (1) The council must refer the application to the Valuer-General to determine the attributable part of the land value of the land if the council is satisfied that the land is described in section 585 (a), (b) or (c).
- (2) The Valuer-General must determine the attributable part of the land value and notify the council of the determination.

#### 590 Use of determination of attributable part of land value

The attributable part of the land value of land determined, or redetermined, by the Valuer-General may be used by a council for the purpose of postponing rates only while the circumstances that made the land eligible for a postponement of rates under this Division continue to exist and the valuation of the land value for which the determination was made remains in use for rating purposes.

#### 595 Rates to be written off after 5 years

- (1) If 5 years have elapsed since the commencement of a rating year for which part of the rates levied on land have been postponed under this Division, the part postponed and any interest accrued on that part must be written off by the Council.
- (2) Nothing in this section affects the right of the council to recover rates and interest, even though they have been written off under this section, if it subsequently appears to the council that they should not have been written off.