



**APPLICATION FORM – RATE REBATE**  
**FOR THE 2018/19 FINANCIAL YEAR**

**Details of Applicant**

Name .....

Address .....

.....

Telephone ..... Fax .....

Email.....

**Please provide contact details**

Name .....

Address .....

.....

Telephone ..... Fax.....

Email.....

**Details of Land**

Assessment Number.....Valuation Number.....

Certificate of Title Reference .....

Address .....

.....

Owner of Land (if not you) .....

*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 Local Government Act 1999, Section 159(2). The maximum penalty for this offence is \$5,000.*

## LEGISLATION/REFERENCES

### Local Government Act 1999 Division 5 – Rebates of Rates

- Section 160 – Health Services 100% Rebate
- Section 161 – Community Services (including Housing Associations) 75% Rebate
- Section 162 – Religious Purposes 100% Rebate
- Section 163 – Public Cemeteries 100% Rebate
- Section 164 – Royal Zoological Society of SA 100% Rebate
- Section 165 – Educational Purposes 75% Rebate
- Section 166 – Discretionary rebates of rates

Please check carefully and then tick the category under which you are seeking a rebate. Section numbers quoted refer to the Local Government Act 1999. Please refer to eligibility criteria first and ensure you have the documentation to support your application.

Rate Rebate Policy and Local Government Act can be found as follows:

**Rate Rebate Policy:** [unley.sa.gov.au](http://unley.sa.gov.au) > Council Administration >Policies & Papers> Policies > Rate Rebate

**Local Government Act 1999:** [legislation.sa.gov.au](http://legislation.sa.gov.au) > Acts > L > Local Government Act 1999

***Please read through eligibility criteria carefully before ticking the appropriate box.***

Under Council Policy eligibility for Mandatory Rebates is confirmed annually.  
Under Council Policy Discretionary Rebates are granted for the term of Council.

**Categories of Rebate**

Please tick  the category of rebate under which you are seeking a rebate –

**Mandatory**

- Health Services (100%)** – Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Care Act 2008;
- Religious Purposes (100%)** – Land containing a church or other building used for public worship (and any grounds), or land **solely\*** used for religious purposes;  
  
*\*Solely means the religious purpose must be the only and exclusive use. If it is the predominant use as opposed to the exclusive use your organisation may only apply for a Discretionary rebate under section 166 of the Local Government Act 1999*
- Public Cemeteries (100%)** – Land being used for the purposes of a public cemetery;
- Royal Zoological Society of SA (100%)** – 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.
- Educational Purposes (75%)**

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.

- Community Services (75%)** – Land being predominantly used for service delivery and administration by a community services organisation.

Does your organisation satisfy the following –?

- (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 all 3 above boxes, which of the following services does your organisation provide? Please note, you must provide one or more of the following services below to qualify for this particular rebate

- emergency accommodation;
- food or clothing for disadvantaged persons (i.e., persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability);
- supported accommodation (i.e., 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.
- Community Housing Association that currently provides accommodation and is registered under the Community Housing Providers (National Law) (South Australia) Act 2013

### **Additional Information Required**

The Council requires you to attach as a minimum the following additional information to this Application to support your application for a **Mandatory** Rebate:

- a copy of the organisation's Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis;
- a copy of the organisation's latest Annual Report;
- evidence that the land is being predominantly used specifically for the purpose for which the rebate is being sought;
- evidence of the status of your organisation as a not-for-profit or charitable tax exempt organisation;
- whether you are in receipt of a community grant;
- any other information that you believe is relevant in support of this Application.

If you are requesting a mandatory rebate under **Community Services – Section 161** you must also provide:

- evidence that the land is being used for service delivery and/or administration;
- 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, you (or your organisation) will be providing a service within the Council area;
- the extent of financial assistance (if any) being provided by Commonwealth or State agencies.

**Please Note:** failure to provide supporting documentation could result in no rebate being granted or a lesser percentage rebate being applied if criteria are not met under the Local Government Act 1999.

If you do not qualify for a **Mandatory** rebate you may qualify for a **Discretionary** rebate. Under Council Policy rebates of up to 75% may be granted to applicants who provide services to the City of Unley Community on completion of Section 2 of the Rate Rebate Application form.

**Discretionary**

(Section 166 of the Local Government Act 1999)

***Applications for a Discretionary Rate Rebate must be submitted to council on or before 1<sup>st</sup> May of the Rating Year.***

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

- (a) where the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area);
- (b) where the rebate is desirable for the purpose of assisting or supporting a business in its area;
- (c) where the rebate will be conducive to the preservation of buildings or places of historic significance;
- (d) where the land is being used for educational purposes;
- (e) where the land is being used for agricultural, horticultural or floricultural exhibitions;
- (f) where the land is being used for a hospital or health centre;
- (g) where 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) where 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) where the land is being used by an organisation which provides a benefit or service to the local community;
- (k) where 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;

In assessing your application council will consider whether your organisation:

- Is not-for-profit
- Provide services or activities that are aligned to Councils Community Plan and key strategies
- Provide a direct benefit to the residents of the City of Unley
- Allow access to the services or activities by the community and general public
- Provide direct services to the community as distinct from administration or advocacy

If you are applying for a discretionary rebate, please specify the rebate amount you are applying for (max 75%)

.....

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

.....  
.....  
.....  
.....  
.....

Does your organisation satisfy the following –?

- is incorporated on a not for profit basis for the benefit of the public; **and**
- provides community services without charge or for a charge that is below the cost to the body of providing the services; **and**
- does not restrict its services to persons who are members of the body.

Which members of the community does your organisation assist?

- Elderly people       People with disabilities       Young People
- Family & Children       Ethnic Community       Indigenous Community
- Socially isolated or disadvantaged

How does the City of Unley community benefit from the services offered by your organisation?

.....  
.....

What is the total number of people that your service/ activity provides for?

.....  
.....

What number of these are Unley residents?

.....  
.....

Is your facility open for community and general public use?

YES  NO

Please provide details of access

.....  
.....

Please indicate below what predominant purpose the property is being used for?

Direct service delivery – Please provide evidence on how the property is being used for this purpose

.....  
.....  
.....

Administration

Advocacy/ Other – Please provide details of “Other” if applicable

.....  
.....

**Additional Information Required**

The Council requires you to attach as a minimum the following additional information to this Application in support of a **Discretionary Rebate**:

- evidence that the land is being used for the purpose for which the rebate is being sought;
- information as to whether, and if so to what extent, you (or your organisation) will be providing a service within the Council area;
- at least 2 years audited financial statements (Profit & Loss Statement and Balance Sheet)
- a copy of the organisation’s latest Annual Report;
- whether you are in receipt of a community grant;
- whether you have made or intend to make an application to another Council;
- the extent of financial assistance (if any) being provided by Commonwealth or State agencies;
- whether you have made other applications to Council for financial assistance;
- evidence of the status of your organisation as a not-for-profit or charitable tax exempt organisation;
- a copy of the organisation’s Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis;
- information as to whether, and if so to what extent, you (or your organisation) will be providing a service within the Council area;
- any other information that you believe is relevant in support of this Application.

**Please Note:** failure to provide supporting documentation could result in no rebate being granted or a lesser percentage rebate being applied if criteria are not met under the Local Government Act 1999.



**Application Forms**

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.

**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, (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, (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

Signed .....

Print Name.....