



Category Rating Farmland

10 Graham Place, CASINO
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Applicant Details			
Owner/s Name:			
Applicant Name (if agent acting for owner)			
Postal Address:			
Phone (H)	(B)	(M)	
Property Details			
Property Address:			
Property ID:	Land ID:	Lot/DP:	
Total Area of Property:			
Type of activities carried out on the land (see back of form)			
Average quantities and description of activities. (eg Livestock – Beef, Dairy, No of cows, bulls, calves Horticulture - age and species of trees Cropping – specify crops and area under cultivation)			
Approximate area of land used for the above			
Length of time activity been conducted at this property			
Details of land not used for farming (eg 2ha swamp)			
Description of use of buildings or structures on property:			
Primary Producer Number	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Number:
ABN Number	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Number:
Tax returns assessed on the basis of being a primary producer?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Complete returns to Department of Primary Industries?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Complete returns to Local Lands Services?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Complete returns to a Statutory Marketing Authority?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
<i>If you answered Yes to any of above questions please attach copies of documents to support your application</i>			
Consent			
I give my consent for the authorised Council employee to enter onto the above property for the purpose of carrying out an inspection in relation to this application if required.			
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
I require to be present at any inspections of the property			
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
I hereby declare that the information provided as part of this application, is true and correct.			
Signature/s of Applicant			Date:

IMPORTANT INFORMATION

How is the farmland category defined?

Categorisation as farmland (Section 515 Local Government Act 1993)

- (1) Land is to be categorised as **farmland** if it is a parcel of rateable land valued as one assessment and its dominant use is for farming (that is, the business or industry of grazing, animal feedlots, dairying, pig-farming, poultry farming, viticulture, orcharding, bee-keeping, horticulture, vegetable growing, the growing of crops of any kind, forestry or aquaculture within the meaning of the Fisheries Management Act 1994, or any combination of those businesses or industries) which:
 - (a) has a significant and substantial commercial purpose or character, and
 - (b) Is engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made).
- (2) Land is not to be categorised as farmland if it is rural residential land.
- (3) The regulations may prescribe circumstances in which land is or is not to be categorised as farmland.

When should application be made for a change of category?

Notice of change of category (Section 524 Local Government Act 1993)

A rateable person (or the person's agent) must notify the council within 30 days after the person's rateable land changes from one category to another.

Application for change of category (Section 525 Local Government Act 1993 – Part 1)

- (1) A rateable person (or the person's agent) may apply to the council at any time:
 - (a) for a review of a declaration that the person's rateable land is within a particular category for the purposes of section 514, or
 - (b) to have the person's rateable land declared to be within a particular category for the purposes of that section.

What are the requirements for the application?

Application for change of Category (Section 525 Local Government Act 1993 – Parts 2 and 4)

- (3) An application must be in the approved form, must include a description of the land concerned and must nominate the category the applicant considers the land should be within.
- (4) If the council has reasonable grounds for believing that the land is not within the nominated category, it may notify the applicant of any further information it requires in order to be satisfied that the land is within that category. After considering any such information, the council must declare the category for the land.

When does the change of category take effect?

When does the declaration of a category take effect? (Section 521 Local Government Act 1993)

A declaration that a parcel of land is within a particular category takes effect from the date specified for the purpose in the declaration.

What is the process of appeal?

Appeal against declaration of category (Section 526 Local Government Act 1993)

- (1) A rateable person who is dissatisfied with:
 - (a) the date on which a declaration is specified, under section 521, to take effect, or
 - (b) a declaration of a council under section 525,may appeal to the Land and Environment Court.
- (2) An appeal must be made within 30 days after the declaration is made.
- (5) The Court, on an appeal, may declare the date on which a declaration is to take effect or the category for the land, or both, as the case requires.