



## SECTION 2 – APPLICANT SIGNATURE

I hereby make application to the District Council of Loxton Waikerie for the above assessments to be rated as a “single farm enterprise” and to have the number of fixed charges reduced to one fixed charge.

**Note: Council may request further information or evidence before approving the application.**

**CLOSING DATE FOR APPLICATIONS IS 31<sup>ST</sup> MAY EACH YEAR**

Applicants Signature	
Date	

## SECTION 3 – OFFICE USE ONLY

Approved by Council on	
Signed (Chief Executive Officer)	

## **SECTION 152 OF THE LOCAL GOVERNMENT ACT 1999**

**152** (1) A general rate may

- (a) be a rate based on the value of the land subject to the rate; or
- (b) be a rate that consists of two components-
  - (i) one being based on the value of the land subject to the rate; and
  - (ii) the other being a fixed charge.

(2) The following provisions apply in relation to a fixed charge under section (1) (b):

- (a) except as provided by paragraphs (b), (c) and (d), a fixed charge must apply equally to each separate piece of rateable land in the area:
  - (b) a fixed charge cannot be imposed against land that constitutes less than the whole of a single allotment.
  - (c) If two or more pieces of contiguous rateable land are owned by the same owner and occupied by the same occupier, only one fixed charge may be imposed against the whole of that land;
  - (d) If two or more pieces of rateable land within the area of the council constitute a single farm enterprise, only one fixed charge may be imposed against the whole of the land
- (3) Subsection 2 (d) only applies if the council is satisfied, on application to the council and by provision of such information or evidence as the council may reasonably require, that the relevant land is within the ambit of this provision.
- (4) If grounds on which land is within the ambit of subsection 2(d) cease to exist, the person who has the benefit of the provision must immediately inform the council of that fact.  
Maximum penalty \$5,000.

(5) In this section-

- (a) an allotment is-
  - (i) the whole of the land comprised in a certificate of title; or
  - (ii) the whole of the land subject to a separate lease or licence, other than a lease or licence of a prescribed class (if any);
- (b) a reference to a single farm enterprise is a reference to two or more pieces of rateable land-
  - (i) which-
    - (A) are farm land; and
    - (B) are farmed as a single enterprise; and
    - (C) are occupied by the same person or persons,whether or not the pieces of land are contiguous; or
  - (ii) which-
    - (A) as to all pieces except one, are farm land farmed as a single enterprise occupied by the same person or persons; and
    - (B) as to one piece contiguous with at least one of the other pieces, is the principle place of residence of the person or one of the persons.