
9.19 Farmland Rating Policy - Draft for Public Exhibition

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PURPOSE

The purpose of this report is to endorse the newly created draft Farmland Rating Policy to be placed on public exhibition for 28 days. The purpose of this Policy is to enable staff to assess an application made to be categorise a parcel of land as Farmland for rating purposes. The draft Policy also provides transparency for ratepayers in how Farmland categorisations are determined.

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Farmland Policy to be placed on public exhibition for a period of 28 days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

REPORT

BACKGROUND

Council is required to determine a rating category for each parcel of land in accordance with the Local Government Act 1993. To date, Council officers have been guided by legislative provisions, various legal rulings and localised procedures in determining applications to have a property categorised, for rating purposes, as Farmland. The proposed Policy will provide ratepayers transparency in how Farmland rating applications are determined.

REPORT

Council has approximately 25,600 rateable assessments, of which approximately 1,240 are categorised for rating purposes as Farmland. The purpose of this report is to provide Council and the community greater transparency in how Farmland rating is determined. The draft Policy covers the following key themes:

- The definition of "Dominant Use" in accordance with Section 515 of the Local Government Act 1993.
- Guiding factors such as the commercial use and intention to carry on a business that is consistent with farming (including the size, scale and permanency).
- Business like documentation such as business plans, taxation status and legal structures to determine the intentions of the activity.
- Types of farming that enables the farmland rating category to be levied.
- Definition and exclusions of Agri-tourism from a rating perspective.
- Drought relief provisions for Farmland rated properties.
- Dry Sheep equivalent to ensure consistencies in application of this Policy.
- Farmland Rating applications review protocols.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 20 MARCH 2024

It is noted that at the December 2023 Council meeting, a report was tabled to Council advising of the agritourism land use introduced by the Department of Planning and Environment and of the possible implications to the categorisation of a property for rating purposes. Council resolved to:

“Write to the Minister for Local Government advising of the possible impact of the agritourism land use on the categorisation of the property for rating purposes and requesting that the rating legislation be amended to add the agritourism land use to the definition of Farmland detailed in the rating legislation.”

The outcomes of this resolution have been enacted.

In preparing the draft Farmland Rating Policy, neighbouring Council’s such as Wollondilly and Camden Council were used as reference Councils to ensure consistency.

COMMUNICATION AND CONSULTATION

Community Engagement

No community engagement has been conducted to date on this draft Policy. It is proposed to publicly exhibit this draft Policy for 28 days.

Internal Communication and Consultation

An internal Communication Plan has been developed to ensure alignment with legislative provisions and community expectations.

External Communication and Consultation

Legal representatives have reviewed the draft Policy to ensure it is compliant with various pieces of legislation. Neighbouring Councils have been consulted to ensure consistency in applying this draft Policy.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

There are no broader economic implications in relation to this report.

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no financial implications with this report.

RELATED COUNCIL POLICY

The current policies impacted by this report are the Statement of Revenue Policy.

CONCLUSION

It is proposed to publicly exhibit the draft Farmland Rating Policy for 28 days and table a further report once consultation has concluded.

ATTACHMENTS

1. Draft Farmland Rating Policy [9.19.1 - 14 pages]