

# SUFFICIENT INTEREST IN THE ASSESSMENT RECORD

## COUNCIL POLICY

### PURPOSE

Section 230 of the Local Government Act provides a person with a sufficient interest to inspect or copy an assessment record held by Council.

This Policy outlines the criteria for a person to be considered as having sufficient interest to have access to the council assessment record in relation to an allotment.

### PRINCIPLES

Council is committed to facilitate access to the assessment record in relation to an allotment if the person requesting access has a sufficient interest.

### DEFINITIONS

For the purposes of this Policy, the following definitions apply:

| TERM                | DEFINITION  |
|---------------------|---|
| Allotment           | An allotment is a parcel of land or part of a parcel of land.   |
| Assessment Record   | Brief description of each allotment and Unimproved Capital Value, including name and postal address of owner(s), principal ratepayer (if not the owners) and rating category. |
| Copy                | To inspect and write down information. No photo or photocopying of the rate assessment is allowed.  |
| CEO of the Agency   | The Chief Executive Officer of a Commonwealth, State or Territory Government Agency   |
| Rates Search        | Information as per the Assessment Record plus the rates and charges for the current financial year, including payments received and balance remaining.                        |
| Sufficient Interest | Interest that is not for a commercial purpose, other than the request for rates search in relation to sale of property.   |

| TERM               | DEFINITION  |
|--------------------|---|
| Adjoining land     | An adjoining property. However, a property separated by a road reserve or other narrow parcel, like a laneway or stream, is not considered an adjoining property. |
| Privacy Principles | Principles contained in the Information Act to protect personal information   |

## POLICY STATEMENT

### 1. Criteria

City of Palmerston will use the below criteria to determine whether a person has a sufficient interest in the assessment record in relation to an allotment:

- 1.1. The person is an owner, occupier, lessee or agent of the owner;
- 1.2. The person is an owner, occupier, lessee or agent of the owner of the adjoining land;
- 1.3. The person is a legal practitioner or a licensed conveyancer requesting a rates search on the behalf of purchaser of an allotment;
- 1.4. The CEO of an Agency.

### 2. Determination

Notwithstanding 4.1, the CEO will take into account the public interest and the risk of detriment to the owner or principal ratepayers in granting access to the assessment record.

- 2.1. All persons requesting information must complete a council form that provides the following:
  - 2.1.1. A reasonable explanation, whether personal or professional in nature, for making a request to inspect the assessment record and what the information will be used for. It is not considered to be sufficient interest if the interest is commercial in nature.
  - 2.1.2. That the information inspected and/or copied from the assessment record will not be used for any other purpose that has not been identified in the reasons provided under 2.1.1.
- 2.2. If deemed necessary, the CEO reserves the right to seek approval from the owner/ratepayer prior to releasing access to the assessment record.
- 2.3. The application of this policy may be varied in exceptional circumstances by the CEO.
- 2.4. The CEO will take into account any considerations prescribed by regulation or required by the relevant legislation that requires the application of the Privacy Principles

## ASSOCIATED DOCUMENTS

- Sufficient Interest Form

# REFERENCES AND RELATED LEGISLATION

- Local Government Act
- Information Act

# POLICY DETAILS

|                |             |                     |                                  |
|----------------|-------------|---------------------|----------------------------------|
| OWNER          | CEO         | RESPONSIBLE OFFICER | Director of Finance & Governance |
| APPROVAL DATE  | 7 June 2022 | NEXT REVIEW DUE     | 7 June 2026                      |
| RECORDS NUMBER | 513759      | COUNCIL DECISION    | 10/371                           |