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| Name: | Sufficient Interest in the Assessment Record | | |
| Type: | Council Policy | | |
| Owner: | Chief Executive Officer | | |
| Responsible Officer: | Director of Finance and Governance | | |
| Adopted Date: | 7/06/2022 | Next Review Date: | 7/06/2026 |
| Records Number: | 513759 | Council Decision: | 10/371 |

1 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.

2 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.

3 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 a rates search in relation to sale of property. |
| 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 |

4 POLICY STATEMENT

4.1. 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:

- 4.1.1 The person is an owner, occupier, lessee or agent of the owner;
- 4.1.2 The person is an owner, occupier, lessee or agent of the owner of the adjoining land;
- 4.1.3 The person is a legal practitioner or a licensed conveyancer requesting a rates search on the behalf of purchaser of an allotment;
- 4.1.4 The CEO of an Agency.

4.2. 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.

4.2.1 All persons requesting information must complete a council form that provides the following:

4.2.1.1 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.

4.2.1.2 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 4.2.1.1.

4.2.2 If deemed necessary, the CEO reserves the right to seek approval from the owner/ratepayer prior to releasing access to the assessment record.

4.2.3 The application of this policy may be varied in exceptional circumstances by the CEO.

4.2.4 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

5 ASSOCIATED DOCUMENTS

Sufficient Interest Form

6 REFERENCES AND RELATED LEGISLATION

Local Government Act
Information Act