

515 Categorisation as farmland

- 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.

516 Categorisation as residential

- 1) Land is to be categorised as residential if it is a parcel of rateable land valued as one assessment and
 - (a) its dominant use is for residential accommodation (otherwise than as a hotel, motel, guest-house, backpacker hostel or nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the regulations), or
 - (b) in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes, or

(c) it is rural residential land.

1A) For the purposes of this section, a boarding house or a lodging house means a building wholly or partly let as lodging in which each letting provides the tariff-paying occupant with a principal place of residence and in which

(a) each tariff charged does not exceed the maximum tariff for boarding houses or lodging houses for the time being determined by the Minister by order published in the Gazette for the purposes of this subsection, and

(b) there are at least 3 tariff-paying occupants who have resided there for the last 3 consecutive months, or any period totalling 3 months during the last year,

(c) and includes a vacant building that was so let immediately before becoming vacant, but does not include a residential flat building, licensed premises, a private hotel, a building containing serviced apartments or a backpacker hostel or other tourist establishment.

2) The regulations may prescribe circumstances in which land is or is not to be categorised as residential.

517 Categorisation as mining

1) Land is to be categorised as mining if it is a parcel of rateable land valued as one assessment and its dominant use is for a coal mine or metalliferous mine.

2) The regulations may prescribe circumstances in which land is or is not to be categorised as mining.

518 Categorisation as business



Land is to be categorised as business if it cannot be categorised as farmland, residential or mining.