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MINISTERIAL APPROVAL FOR SPECIAL RATE VARIATIONS TO GENERAL INCOME AND MINIMUM AMOUNTS ABOVE THE STATUTORY LIMIT - 2010/11

The *Local Government Act 1993* provides councils with the option to seek the approval of the Minister for Local Government for a special variation to increase general income in 2010/11 above the statutory limit. The Act further provides councils with the option to seek the Minister's approval to increase minimum ordinary rates and minimum special rates above the statutory limit.

For 2010/11, the Division of Local Government has put in place a range of new application processes and procedures. In particular, applications to increase minimum amounts above the statutory limits are now the subject of a separate application process. Councils will not be permitted, as part of a special rate variation, to alter the relative rating burden between those paying the minimum rate and other ratepayers.

Councils wishing to apply for a special variation must comply with the Division's ***Guidelines for the preparation of an application for a special variation to general income in 2010/2011***. These guidelines, together with the relevant application forms, can be downloaded from the "Information for Councils" section of the Division's website at www.dlg.nsw.gov.au.

The guidelines provide advice to councils and other interested parties on:

- how the new Integrated Planning and Reporting reforms impact on special variations
- what the different types of special variations are
- what the special variation application process involves, and
- the treatment of applications to increase minimum rates above the statutory limit.

Councils wishing to increase minimum ordinary or special rates above the statutory limit must comply with the Division's ***Guidelines for the preparation of an application to increase minimum rates above the statutory limit***, which are also published on the "Information for Councils" section of the Division's website.

It is the responsibility of councils to ensure their application is fully compliant with the relevant guidelines and that all relevant information is provided as part of the application.

All councils are required to submit their comprehensive applications in line with the following schedule:

Special Variation Applications - Under section 508(2)

Councils applying for a section 508(2) special variation in 2010/11 are required to submit their completed application, including the results of their draft management plan consultations and resolution to adopt the plan, by **Friday 26 March 2010**.

Special Variation Applications - Under section 508A

Councils applying for a section 508A special variation in 2010/11 are required to submit their application in accordance with the following:

Stage 1: Intention to Apply – to be submitted by **Friday 29 January 2010**

Stage 2: Final application (including community engagement outcomes) to be submitted by **Friday 30 April 2010**.

Minimum Amount Applications

Councils applying to increase minimum amounts above the statutory limit in 2010/11 are required to submit their completed applications, including the results of their draft management plan consultations and resolution to adopt the plan, by **Friday 28 May 2010**.

Note:

Any information forwarded to the Division may be provided to external parties as part of a request under the *Freedom of Information Act 1989*. Councils should therefore ensure they only provide information that is necessary and relevant to their application.



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