



# Rates Path Protection Policy



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### Document Control

<b>Policy</b>	Rates Path Protection Policy	<b>Policy Number</b>	TBA
<b>Author/Reviewer</b>	Chief Financial Officer	<b>Review Period and Date</b>	This policy shall remain in place until the rate path protection period concludes on 30 June 2020.

This policy shall be reviewed: -

- This policy shall remain in place until the rate path protection period concludes on 30 June 2020.
- Subject to the provisions of the Local Government Act and/or Regulation, the Local Government Amendment (Rates – Merged Council Areas) Act 2017, this policy may be amended or cancelled by council at any time without prior notice or obligation to any person.

### Document History

<b>Date</b>	<b>Status</b>	<b>Version</b>	<b>Resolution</b>	<b>Description</b>
28 June 2017	Draft	0.1		Presented to Hilltops Council for endorsement, public exhibition 28 days
28 June 2017	Draft	0.2	17/152	Endorsed - public exhibition 28 days
28 July 2017	Final	1.0	17/152	Adopted



## 1. INTRODUCTION

Hilltops Council was created on 12 May 2016, at this time an assurance was made to affected communities regarding a four-year rate path protection commitment. This commitment was to ensure that rates paid by residents of a newly amalgamated Council would not increase as a result of the merger for four years.

On 29 March 2017, the NSW Parliament passed the Local Government Amendment (Rates – Merged Council Areas) Act 2017, which came into effect three days later (31 March 2017).

The Local Government Amendment (Rates – Merged Council Areas) Act 2017 enables the Minister for Local Government to make determinations that set out the methodology to be used in setting rates and continuing the rate path protection. This methodology provides guidance for the handling of property's that straddled the former Council boundaries.

## 2. OBJECTIVES

To detail the processing of requests to amalgamate parcels of land that straddle the boundary between the previous Local Government of Boorowa Council, Harden Shire Council and Young Shire Council.

To comply with the statutory requirements of the LSW Local Government Act 1993, Local Government (Council Amalgamations) Proclamation 2016 and the Local Government Amendment (Rates – Merged Council Areas) Act 2017.

To define how requests for the amalgamation of parcels of land straddling the previous local government boundary between Boorowa Council, Harden Shire Council and Young Shire Council will be processed by Hilltops Council during the rate freeze period.

## 3. APPLICATION

This policy applies to parcels of land within the Hilltops Council LGA that straddle the previous local government boundary between Boorowa Council, Harden Shire Council and Young Shire Council, which are amalgamated by Property NSW.

This policy applies for the duration of the rate freeze period prescribed by the Local Government Amendment (Rates – Merged Council Areas) Act 2017.

### 4. LEGISLATION and other REFERENCES

- Local Government Act 1993 (the Act)
- Local Government (Council Amalgamations) Proclamation 2016
- Local Government Amendment (Rates – Merged Council Areas) Act 2017.
- Valuation of Land Act 1916

## 5. DEFINITIONS and TERMS

**the Act:** Local Government Act 1993

**the Regulation:** Local Government (General) Regulation 2005



## 6. Policy

Requests for the amalgamation of parcels of land straddling the previous local government boundary of Boorowa Council, Harden Shire Council and Young Shire Council must be made in writing. Council will forward the requests to Property NSW for determination and processing.

Hilltops Council will only support requests for amalgamation across the previous local government boundary between Boorowa Council, Harden Shire Council and Young Shire Council, and where a council is issued with a single land valuation for such properties by the NSW Valuer General under section 26 of the Valuation of Land Act 1916.

To provide clarity and in keeping with the NSW Government's rate path protection commitment, councils should apply the rating structure that will result in the lowest rates being levied on the affected ratepayer in these situations.