

Local government pronouncements guidance note

April 2022



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Items	Details
Financial / annual reporting	
Circular 22-01 'Local Government Code of Accounting Practice and Financial Reporting 2021-22'	<ul style="list-style-type: none"> • Prescribes the format of council's financial statements for 2021-22, including joint organisations, as approved by the Office of Local Government.
Circular 21-23 'End of Financial Reporting 2020-21'	<ul style="list-style-type: none"> • Updates end of year financial reporting information for 20-21 and the Financial Data Return for changes in the Local Government Code of Accounting Practice and Financial Reporting – Update 2020-21, • Annexures 1 and 2 provides information to help councils and joint organisations (JOs) prepare their 2020-21 financial statements.
Circular 21-19 'Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22'	<ul style="list-style-type: none"> • Advises joint organisations (JOs) that: <ul style="list-style-type: none"> - the 'Joint Organisation Calendar of Compliance and Reporting Requirements' (the calendar) which includes key statutory and other reporting deadlines for JOs has been updated for the 2021-22 financial year - their statutory and other reporting deadlines for 2021-22 is not limited to those included in the calendar.
Circular 21-18 'Calendar of Compliance and Reporting Requirements 2021-22'	<ul style="list-style-type: none"> • Advises councils that: <ul style="list-style-type: none"> - the 'Calendar of Compliance and Reporting Requirements' (the calendar) which includes key statutory and other reporting deadlines for councils has been updated for the 2021-22 financial year - their statutory and other reporting deadlines for 2021-22 is not limited to those included in the calendar.
Circular GC 150 '2021-22 Financial Assistance Grants (FAGs) – advance payment'	<ul style="list-style-type: none"> • Advises councils that: <ul style="list-style-type: none"> - the Federal Government will again bring forward the first two instalments of the estimated 2021-22 FAGs. The attachment to the circular details the indicative advance payment made to the councils on 8 June 2021 - the advance payment represents approximately 50 per cent of the amount the council is entitled to. Further adjustments will be made to the remaining payments to take into account the determination by the Federal Treasurer for the final adjustments for 2020-21 and the Grants Commission's recommendation for 2021-22 • The balance of the grants will be paid with a corresponding reduction to the quarterly payments during 2021-22. The first quarterly instalment is expected to be paid to councils in mid-August 2021, with subsequent instalments in November 2021, February 2022 and May 2022.
Circular 21-16 'Annual Report and Annual Performance Statement Checklists'	<ul style="list-style-type: none"> • Advises that the annual report checklist has been drafted for councils and an annual performance statement checklist has been drafted for joint organisations. These checklists should be used to ensure that their annual report / performance statement contains all the information required under the <i>Local Government Act 1993</i>, the <i>Local Government (General) Regulation 2005</i> and other relevant legislation and guidelines.

Items	Details
Special purpose financial statements	
<p>‘Pricing and Costing for Council Business - A Guide to Competitive Neutrality’</p>	<ul style="list-style-type: none"> • Helps councils apply the principle of competitive neutrality. The principle is part of a national competition policy, applied by government businesses at all levels throughout Australia. • Sets out the minimum compliance requirements and includes areas that councils are encouraged to adopt the principle. • Applies to council business activities (excluding non-business and non-profit activities). • Helps councils prepare the special purpose financial statements for Declared Business Activities required by the Local Government Code of Accounting Practice and Financial Reporting.
Related parties	
<p>Circular 16-36 ‘Financial reporting obligations - AASB 124 Related party disclosures’</p>	<ul style="list-style-type: none"> • Advises that from 1 July 2016, AASB 124 ‘Related Party Disclosures’ applies to local government. • Councils will need to: <ul style="list-style-type: none"> – have systems in place to identify their related parties and capture transactions – identify their related parties. These are likely to include the mayor, councillors, general manager, senior manager, senior executives, their close family members and any entities controlled or jointly controlled by councils – identify transactions between the council and their related parties (monetary and non-monetary) and determine whether these require disclosure in their financial statements. • disclose in their financial statements related party relationships, transactions and outstanding balances, including commitments.
Public Private Partnership (PPP) projects	
<p>Circular ‘22-02 New guidelines covering section 358 applications and Public Private Partnerships (PPP)’ Public Private Partnership Guidelines 2022</p>	<ul style="list-style-type: none"> • Advises councils that the new PPP Guidelines have been released • The revised PPP Guidelines are issued pursuant to section 400C of the <i>Local Government Act 1993</i> and require councils to comprehensively address the rationale for the proposed PPP projects. The guidelines require councils to consult widely with their communities and encourage them to carefully consider alternatives. Guidelines issued pursuant to section 400C are mandatory guidelines that councils must comply with.
Capital expenditure	
<p>Circular 10-34 ‘Capital Expenditure Guidelines’ Capital Expenditure Guidelines December 2010</p>	<ul style="list-style-type: none"> • Issued under section 23A of the <i>Local Government Act 1993</i>. • Helps councils prepare and review certain capital expenditure projects. • Requires councils to undertake capital expenditure reviews for non-exempt projects exceeding the greater of 10 per cent of the council’s ordinary rates revenue or \$1 million (GST exclusive). • Imposes additional requirements for non-exempt capital projects expected to exceed \$10 million (GST exclusive).

Items	Details
Tendering and procurement	
<p><u>Circular 21-27 'Review of the tendering provisions of the Local Government (General) Regulation 2021'</u></p>	<ul style="list-style-type: none"> • Advises councils that in response to recommendations by the Audit Office the Office of Local Government (OLG) has undertaken a review of the tendering provisions of the Local Government (General) Regulation 2021 (the regulation) to identify possible amendments that would support councils to make better use of technology when tendering and to achieve greater efficiencies. • A discussion paper was issued by OLG to consult with councils and others on the proposed amendments to the Regulation. Submissions were due COB, Friday 15 October 2021.
<p><u>Circular 20-41 'Further extension of increased tendering exemption threshold for contracts for bushfire response and recovery to 30 June 2021'</u></p>	<ul style="list-style-type: none"> • Advises councils that the temporary higher \$500,000 tendering exemption threshold prescribed under the Local Government (General) Regulation 2005 for contracts for the purpose of bushfire- related response and recovery work has been further extended until 30 June 2021.
<p><u>Circular 20-24 'Extension of increased tendering exemption threshold for contracts for bushfire response and recovery to 31 December 2020'</u></p>	<ul style="list-style-type: none"> • Advises councils that the temporary higher \$500,000 tendering exemption threshold prescribed under the Local Government (General) Regulation 2005 for contracts for the purpose of bushfire-related response and recovery work has been extended for a further six months to 31 December 2020.
<p><u>Circular 20-03 'Amendments to the Local Government (General) Regulation 2005 to increase the tendering exemption threshold for contracts for bushfire recovery and operations'</u></p>	<ul style="list-style-type: none"> • Advises councils of the Local Government (General) Amendment (Tendering) Regulation 2020 that prescribes an amount for contracts less than \$500,000 as exempt from the tendering requirements under section 55(3)(n)(i) of the <i>Local Government Act 1993</i>, that were entered during 17 January 2020 to 1 July 2020 primarily for the purposes of bushfire response and recovery.
<p><u>Circular 18-12 'Management of unsolicited proposals received by councils'</u></p>	<ul style="list-style-type: none"> • Encourages councils seeking to adopt their own unsolicited proposal guidelines to consider using the 'Unsolicited Proposals Guide for Submission and Assessment' for NSW Government agencies as the model framework.
<p><u>Circular 12-02 'Procurement from disability employment organisations'</u></p>	<ul style="list-style-type: none"> • Informs councils of the NSW Government policy and encourages councils to procure goods and services from disability employment organisations.

Items	Details
Councillor expenses and facilities	
Circular 22-04 'Payment of councillor superannuation'	<ul style="list-style-type: none"> • Advises that following an amendment to the <i>Local Government Act 1993</i> in 2021 that councils may make payments as a contribution to a superannuation account nominated by their councillors, starting from the financial year commencing on 1 July 2022. • Superannuation contribution payments for councillors is optional and is at each council's discretion. • Where a council resolves to make superannuation contribution payments for its councillors, the amount of the payment is to be the amount the council would have been required to contribute under the <i>Commonwealth Superannuation Guarantee (Administration) Act 1992</i> as superannuation if the councillors were employees of the council. • As of 1 July 2022, the superannuation guarantee rate will be 10.5 per cent. The rate will increase by half a per cent each year until 1 July 2025 when it reaches 12 per cent. • The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to councillors.
Circular 17-17 'Councillor Expenses and Facilities Policy - Better Practice Template'	<ul style="list-style-type: none"> • Advises councils: <ul style="list-style-type: none"> – of the new template councils can use to prepare their own policies – their Councillors Expenses and Facilities Policy must be adopted within 12 months of the commencement of the new council term (section 252 of the <i>Local Government Act 1993</i>) and be made publicly available on their website.
Circular 09-36 'Release of revised Councillor Expenses and Facilities Guidelines' Councillor Expenses and Facilities Guidelines 2009	<ul style="list-style-type: none"> • Advises councils of the release of the revised guidelines. • The guidelines help councils develop, implement and review their policies on the payment of expenses and the provision of facilities to mayors and councillors.
Budget controls	
Quarterly Budget Statement for NSW Local Government	<ul style="list-style-type: none"> • Provides the minimum requirements and sample templates to help councils meet their obligations in clause 203(3) of the <i>Local Government (General Regulation) 2005</i>. • Requires responsible accounting officers to prepare and submit a quarterly budget review statement. • Provides template documents containing the minimum quarterly reporting requirements.

Items	Details
Asset management	
<p>Circular 19-16 'New Property Acquisition Standards to apply immediately to all acquiring authorities in New South Wales, including all general purpose and county councils'</p>	<ul style="list-style-type: none"> • Advises councils they must comply with the revised Property Acquisition Standards issued by the Department of Finance, Services and Innovation when undertaking acquisitions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.
<p>Circular 17-42 'Changes to the Crown reserve management under the Crown Land Management Act 2016'</p>	<ul style="list-style-type: none"> • Advises councils of the commencement of the <i>Crown Land Management Act 2016</i> (CLM Act) in 2018. • The CLM Act will change the way Crown reserves are managed by councils. • Under the new system: <ul style="list-style-type: none"> – councils manage Crown reserves under the <i>Local Government Act 1993</i> (LG Act) – ownership of the land will remain with the State with the NSW Minister for Lands and Forestry retaining certain oversight functions – the majority of council managed Crown reserves will be classified as community land, meaning councils will be required to have plans of management under the LG Act for most Crown reserves that they manage. • The circular includes a diagram which provides an overview of the key steps for councils in the lead up to the commencement of the legislation.
<p>Circular 12-09 'Fair valuation - infrastructure, property, plant and equipment'</p>	<ul style="list-style-type: none"> • Outlines the timing of asset revaluations under the fair value model of AASB 116 'Property Plant and Equipment'. • Requires councils to assess at each reporting date whether there is any indication an asset's carrying amount materially differs from its fair value.
<p>Circular 09-25 'Land under roads'</p>	<ul style="list-style-type: none"> • Outlines the accounting requirements for land under roads acquired: <ul style="list-style-type: none"> – before 1 July 2008 - councils can elect to recognise or not recognise this land as an asset – after 1 July 2008 - accounted for under AASB 116 'Property Plant and Equipment'. • Details council actions for land under roads acquired before and after 1 July 2008.
<p>Circular 08-07 'Valuation of property, plant and equipment at fair value'</p>	<ul style="list-style-type: none"> • Requires councils to commence valuing property, plant and equipment at fair value. • Provides brief guidance on the valuation methods for operational and community land, buildings, plant and equipment and other assets.

Items	Details
Formation of corporations or other entities	
<p>Circular '22-02 New guidelines covering section 358 applications and Public Private Partnerships (PPP) Formation of Corporations and Entities (Section 358) Guideline</p>	<ul style="list-style-type: none"> • The circular advises councils that the new section 358 guidelines have been released. • The new section 358 guidelines replace previous guidance in Circular 07-49. The new guidelines have been issued pursuant to section 23A of the LG Act and expand the range of considerations to provide councils with a better understanding of the procedures and processes to be followed when considering an application to the Minister under section 358 to establish a corporation or entity. • Guidelines issued pursuant to section 23A must be taken into account before a council makes a relevant decision.
Investment and borrowing powers	
<p>Circular 17-29 'Investment Policy Guidelines - Interim TCorp waiver'</p>	<ul style="list-style-type: none"> • Advises councils that: <ul style="list-style-type: none"> - the NSW Government has waived the requirement under section 5 of the Office of Local Government's Investment Policy Guidelines requiring councils to only seek advice from advisors licensed by the Australian Securities and Investments Commission - they can now engage and seek investment advice from NSW Treasury Corporation (TCorp) as part of their financial and strategic planning process - the waiver only applies to TCorp.
<p>Circular 11-01 'Revised Ministerial Investment Order' Investment Order</p>	<ul style="list-style-type: none"> • Issued pursuant to section 625 of the <i>Local Government Act 1993</i>. • Lists the approved types of investments where councils may invest their funds.
<p>Circular 10-11 'Release of Investment Policy Guidelines' Investment Policy Guidelines</p>	<ul style="list-style-type: none"> • Issued under section 23A of the <i>Local Government Act 1993</i>. • Applies to all general purpose and special purpose councils. • The guidelines: <ul style="list-style-type: none"> - help councils invest funds in a prudent and appropriate manner - outline the legislation associated with the investment of surplus funds - help councils prepare a suitable investment policy - outline key issues when investing funds - define duties and obligations of the council and council officers - outline the requirements for internal control procedures - establish proper reporting and monitoring procedures.
<p>Circular 09-21 'Revised Borrowing Order'</p>	<ul style="list-style-type: none"> • Issued pursuant to section 624 of the <i>Local Government Act 1993</i>. • Restricts councils from borrowing from sources outside Australia or in currencies other than Australian dollars.

Items	Details
Employment related	
<p>Circular 21-06 '2021–22 Determination of the Local Government Remuneration Tribunal'</p>	<ul style="list-style-type: none"> • Advises councils that the Local Government Remuneration Tribunal (the Tribunal): <ul style="list-style-type: none"> – determined an increase of 2 per cent to mayoral and councillor fees for the 2021–22 financial year, effective 1 July 2021 – last undertook a significant review of the remuneration categories of councils and mayoral offices as part of its 2020 review and will next review these categories in 2023 – found that the allocation of councils into the current categories continued to be appropriate having regard to the 2020 review, the current category model and criteria and the evidence put forward in the submissions received. • Sections 248 and 249 of <i>Local Government Act 1993</i> require councils to fix and pay an annual fee to councillors and mayors from 1 July 2021 based on the Tribunal's determination for the 2021–22 financial year.
<p>Circular 11-14 'Guidelines for the appointment and oversight of the general managers'</p> <p>Guidelines for the Appointment and Oversight of General Managers 2011</p>	<ul style="list-style-type: none"> • Issued under section 23A of the <i>Local Government Act 1993</i>. • Summarises the essential matters councils must address when recruiting, appointing, re-appointing and managing the performance of general managers.
<p>Circular 06-52 'Standard Contract of Employment of General Managers of Local Councils in NSW and Standard Contract of Employment'</p> <p>Standard Contract of Employment for General Managers of Local Councils in NSW 2006</p>	<ul style="list-style-type: none"> • Issued under section 338(4) of the <i>Local Government Act 1993</i>. • Provides the standard documentation general managers must use when appointing senior staff. • Ensures consistency and certainty in employment relationships at the management level including reflecting community expectations by providing greater transparency and accountability.
Goods and services tax / fringe benefits tax / tax equivalent regime	
<p>Circular 11-23 'GST Certificate - Revised Requirements'</p>	<ul style="list-style-type: none"> • Changes the date that councils must submit GST certificates to the Office of Local Government from 1 June to 31 July. • Reduces red tape by allowing the certificate to be signed by the general manager and responsible accounting officer, removing the requirement for submission to council.

Items	Details
Audit and internal controls	
<p>Circular 21-26 'New risk management and internal audit framework for councils and joint organisations'</p>	<ul style="list-style-type: none"> • Advises councils of the new risk management and internal audit framework for councils and joint organisations (JOs). • Under section 428A of the <i>Local Government Act 1993</i> (LG Act), all councils (including county councils) and JOs are required to have an audit risk and improvement committee (ARIC). Councils and JOs are permitted under section 238B of the LG Act to enter into arrangements with other councils or joint organisations to share ARICs. • The transition provision of the LG Act requires all councils and JOs to appoint an ARIC or entered into an arrangement with another council or JO to share an ARIC before 4 June 2022. • The Office of Local Government will issue Guidelines for Risk Management and Internal Audit for Local Councils in NSW (the guidelines) to guide the operations of ARICs and to require councils to have a risk management framework and internal audit function to support and inform their operations. • Under the proposed guidelines, councils and JOs are not required to establish a risk management framework and internal audit function that complies with the guidelines until 30 June 2024. • The proposed guidelines set out membership requirements for ARICs. Councils and JOs are not required to comply with these requirements until June 2027. This will allow councils and joint organisations five years to transition the membership of their existing ARICs to comply with the new requirements. • OLG is seeking the views of councils and others on the proposed Guidelines and submissions should be made by 26 November 2021.
<p>Internal Audit Guidelines</p>	<ul style="list-style-type: none"> • Issued under section 23A of the <i>Local Government Act 1993</i>. • Helps local councils and county councils develop and implement internal audit and risk management frameworks to build community confidence in their managerial performance. • The guidelines: <ul style="list-style-type: none"> – provide additional requirements for independent audit committees – expand the conflict of interest provisions – clarify the role of the general manager in the internal audit function.

Items	Details
Governance	<ul style="list-style-type: none"> • Advises that the new Model Meeting Code of Meeting Practice for Local Councils in NSW (model meeting code) has been published in the Government Gazette and is expected to be prescribed under the Local Government (General) Regulation 2021 (the regulation) on or before Friday 19 November 2021. • The new model meeting code contains new provisions that allow councils to permit individual councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or public health emergencies. The provisions governing attendance at meetings by audiovisual link are non-mandatory. Councils can choose not to adopt them or to adapt them to meet their own needs. • The repeal date for section 237 of the regulation which exempts councils from the requirement under clause 5.2 of the previous iteration of the model meeting code for councillors to be personally present at meetings in order to participate in them has been extended to 30 June 2022. • Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the model meeting code within 12 months of the local government elections. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions. • Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council. • Under section 361 of the <i>Local Government Act 1993</i>, before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code. This requirement does not apply to joint organisations.
Circular 21-35 '2021 Model Code of Meeting Practice for Local Councils in NSW'	<ul style="list-style-type: none"> • Advises that: <ul style="list-style-type: none"> – councils in the 'general area' are no longer subject to stay home restrictions and councils can resume meeting in person – the Local Government (General) Regulation 2021 has been amended to temporarily exempt councils from the requirement under clause 5.2 of the Model Code of Meeting Practice for Local Councils in NSW and the equivalent provision in each council's code of meeting practice for councillors to be personally present at a meeting in order to participate in it – councils and joint organisations (but not county councils) can continue to meet by audio-visual link and to permit individual councillors to participate in meetings by audio-visual link should they choose to do so – councils are required under section 10 of the <i>Local Government Act 1993</i> to permit members of the public to attend meetings in person. Councils that continue to meet by audio-visual link must provide a physical venue that members of the public can attend to observe meetings in person.
Circular 21-34 'Updated guidance on COVID-19 restrictions and council meetings'	

Items	Details
<p>Circular 21-22 'Updated guidance on the appointment and dismissal of senior staff'</p>	<ul style="list-style-type: none"> • Provides updated guidance to councils on the requirements of the <i>Local Government Act 1993</i> (LG Act) relating to the appointment and dismissal of senior staff other than the general manager. • Advises councils that: <ul style="list-style-type: none"> – under section 338 of the LG Act only general managers and the holders of positions determined by the council by resolution to be 'senior staff' positions may be employed under fixed term contracts of employment based on those approved by the 'Departmental Chief Executive' of the Office of Local Government – council staff must not be employed under a senior staff contract unless the council has first determined by resolution that the position the staff member has been appointed to, is a senior staff position for the purposes of section 332 of the LG Act. – under section 337 of the LG Act general managers must consult with the governing body of the council before appointing or dismissing the holders of senior staff positions.
<p>Circular 20-13 'Managing fraud and corruption risks during the COVID-19 pandemic'</p>	<ul style="list-style-type: none"> • Advises councils of two new resources that have been issued to assist government agencies (including councils) to manage the fraud and corruption risks associated with these changes to their operations as a result of the COVID-19 pandemic. • Councils are encouraged to consider these resources and to make any necessary changes to their operations and internal control framework in response to the guidance provided in them. • These resources include: <ul style="list-style-type: none"> – the NSW Independent Commission Against Corruption's Managing corrupt conduct during the COVID-19 outbreak which provides guidance on fraud and corruption risks associated with working from home, procurement and purchasing and stimulus funding and new programs – the Australian Cyber Security Centre's Web Conferencing Security which provides guidance on the use of web conferencing and collaboration tools and the management of associated privacy, security and legal risks.
<p>Circular 19-21 'Release of IPC Guideline 1 Returns of Interests'</p>	<ul style="list-style-type: none"> • Advises councils that the Information and Privacy Commission has finalised and issued 'Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interest of councillors and designated persons' (Guideline 1). • Guideline 1 states that councillors' and designated persons' returns of interests must be made publicly available free of charge on councils' websites, unless there is an overriding public interest against disclosure of the information contained in them or to do so would impose unreasonable additional costs on the council.

Items	Details
<p>Circular 18-37 'Audit Office - Local Government Fraud Control Performance Audit'</p>	<ul style="list-style-type: none"> • Provides the outcome of the sector-wide performance audit conducted by the Audit Office on councils' fraud controls. • Encourages councils to review their fraud controls and assess their efficacy against the Audit Office's Fraud Control Improvement Kit. • Advises that all councils must adopt an internal reporting policy for the management of public interest disclosures.
<p>Legislative requirements</p>	
<p>Circular 22-09 'Councils' obligations under the Modern Slavery Act 2018'</p>	<ul style="list-style-type: none"> • Advises councils that the commencement of the <i>Modern Slavery Act 2018</i> (NSW) (Modern Slavery Act), introduces new obligations for councils under the Local Government Act 1993 relating to modern slavery. • From 1 July 2022, councils will be required to take reasonable steps to ensure that goods and services procured by and for the council are not the product of modern slavery within the meaning of the Modern Slavery Act. • Commencing from the 2022/23 financial year, each council will be required to publish in their annual reports: <ul style="list-style-type: none"> - a statement of the action taken by the council in relation to any issue raised by the Anti-slavery Commissioner during the year concerning the operations of the council and identified by the Commissioner as being a significant issue - a statement of steps taken to ensure that goods and services procured by and for the council during the year were not the product of modern slavery within the meaning of the Modern Slavery Act.
<p>Circular 21-33 'Compliance with records management provisions and transfer of local government records to the State Archives Collection'</p>	<ul style="list-style-type: none"> • Advises councils that the Department of Premier and Cabinet (DPC) has issued a circular C2021-05 'Managing Records in NSW Government' providing advice on the making, keeping and safeguarding of records. • NSW State Archives and Records (SARA) has released the Records Management Assessment Tool (RMAT) for assessing records management performance and maturity and planning for improvements, and Transfer Tool to identify and forecast records required for transfer to the State Archives Collection. • Under section 12 of the <i>State Records Act 1998</i> (SR Act), a council must make and keep full and accurate records of its activities and maintain a records management program that conforms with standards and codes of best practice. • All staff, councillors and council officials should be made aware of their responsibilities to make and keep records. • Councils should review their records management program and systems against DPC circular C2021-05 and the RMAT for compliance with obligations under the SR Act, with particular consideration to the increasing use of records in digital format and digitally stored records.

Items	Details
Circular 21-07 'Commencement of Local Government Amendment Act 2021'	<ul style="list-style-type: none"> • Advises councils that the <i>Local Government Amendment Act 2021</i> (the Amendment Act) was assented to on 24 May 2021. Certain reforms come into effect on the date of assent, with some reforms commencing at a later date by proclamation. • The Amendment Act includes: <ul style="list-style-type: none"> - reforms to ensure a fairer and more flexible rating system for councils and ratepayers - councillor superannuation - minor changes that relate to council elections and the terms of office of chairs of county councils and joint organisations.
<p>Integrated planning and reporting</p>	
Circular 21-28 'Updated Integrated Planning and Reporting Guidelines and Handbook'	<ul style="list-style-type: none"> • Advises councils that the streamlined integrated planning and reporting requirements are now in place. The Office of Local Government has revised the Integrated Planning and Reporting Guidelines. • Councils are required to establish and implement a strategy (called its community engagement strategy) for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters) no later than 12 months after the next ordinary election. • Councils are required to appoint an Audit, Risk and Improvement Committee to keep under review the implementation of integrated planning and reporting. • Issued pursuant to the <i>Local Government Act 1993</i> (LG Act) and Local Government (General) Regulation 2005 (the regulations). • Requires councils to plan and report activities in accordance with the LG Act and the regulations, including having: <ul style="list-style-type: none"> - a community strategic plan - a resourcing strategy - a delivery program - an operational plan. • The framework allows councils to draw various plans and policies together, understand how they interact and get the maximum leverage from their efforts by planning holistically and sustainably for the future. • The guidelines list all the mandatory requirements from the LG Act, regulations and the essential elements councils must follow when undertaking their planning and reporting activities. • Advises councils of the Charter for Public Participation (the charter) which aims to assist NSW agencies to seek effective public input into the development and delivery of policies and services. • Recommends that councils consider using the charter in developing community engagement strategies to inform strategic planning, policy development and other decision-making.
Integrated Planning and Reporting Framework (the framework) Integrated Planning and Reporting Guidelines (the guidelines)	
Circular 18-22 'Release of the Charter for Public Participation – a guide to assist agencies and promote citizen engagement'	

Items	Details
Rating and special variations	
<p>Circular 22-07 'Guidelines for Additional Special Variation (ASV) Process for 2022-23'</p>	<ul style="list-style-type: none"> • Advises councils that the Independent Pricing and Regulatory Tribunal (IPART) will accept and process an additional round of 2022-23 special variation (ASV) applications. • This one-off ASV round is available for the 2022-23 financial year only and it is for councils that can show that the special variation will enable them to meet the obligations they set for 2022-23 in their 2021–22 integrated planning and reporting (IP&R) documentation. • The ASV guidelines set out in this circular apply in place of, and supersede, the ASV guidelines issued in Circular 22-03 • For applications made under the ASV process, the ASV guidelines set out in the circular apply in place of the guidelines for the preparation of an application for a special variation to general income issued by the Office of Local Government in 2020. • The ASV guidelines set out in this circular apply where council is applying for: <ul style="list-style-type: none"> – a temporary or permanent single year special variation for 2022-23 under section 508(2) of the <i>Local Government Act 1993</i> – the percentage sought in the application is the lower of 2.5 per cent (including population factor) or the council's assumed 2022-23 rate peg as exhibited in its 2021–22 long term financial plan (including population factor).
<p>Circular 22-06 'Information about Ratings 2022-23'</p>	<ul style="list-style-type: none"> • Outlines changes to the following rates for 2022-23: <ul style="list-style-type: none"> – maximum boarding house tariffs – maximum interest rate payable on overdue rates and charges – section 603 certificate fee – statutory limit on the maximum amount of minimum rates. • Requires councils to incorporate these determinations into their 2022-23 rating structures and operational plan statement of revenue policies.

Items	Details
<p>Circular 21-32 'Government endorses new rate peg methodology to support growing councils'</p>	<ul style="list-style-type: none"> • Advises that the minister has endorsed the new rate peg methodology and has asked Independent Pricing and Regulatory Tribunal (IPART) to give effect to it in setting the rate peg from the 2022-23 financial year. • Some of the key points of the change include: <ul style="list-style-type: none"> - to prepare for this reform, an amendment to the <i>Local Government Act 1993</i> was made earlier this year to ensure that multiple rate pegs may be set - councils with growing residential populations will be able to raise notional general income by an additional population factor as part of the rate peg from 2022-23. - the population factor for each council will reflect estimated residential population growth less revenue received from supplementary valuations that year. This will increase revenue for many councils serving growing communities - no council will be worse off under the new methodology - IPART has estimated that, for example, over the past four years, the new rate peg methodology would have increased total general income for the local government sector by 1.5 per cent, or \$287 million.
<p>Circular 21-04 'Information about Ratings 2021-22'</p>	<ul style="list-style-type: none"> • Outlines changes to the following rates for 2021-22: <ul style="list-style-type: none"> - maximum boarding house tariffs - maximum interest rate payable on overdue rates and charges - section 603 certificate fee - statutory limit on the maximum amount of minimum rates. • Requires councils to incorporate these determinations into their 2021-22 rating structures and operational plan statement of revenue policies.
<p>Circular 20-38 'Special Rate Variation and Minimum Rate Variation Guidelines and Process'</p>	<ul style="list-style-type: none"> • Advises councils: <ul style="list-style-type: none"> - the guidelines that apply for special rate variation and minimum rate variation applications have been published on the Office of Local Government website - the rate peg for 2021-22 is 2.0 per cent - new councils seeking to harmonise rates in a way that increases their general income above the rate peg, must apply to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Rate Variation - the process for all councils applies as normal during the COVID-19 pandemic period however, to the extent compliance has been or is anticipated to be affected by COVID-19, councils should explain the impact in their application. These explanations will be taken into consideration by IPART when assessing the application - the cap limit on local development contributions has been removed entirely.

Items	Details
<p>Guidelines for the preparation of an application for a special variation to general income 2021–22</p>	<ul style="list-style-type: none"> • Establishes guidelines for councils applying for special variations. • Sets the assessment criteria for applications and provides information on how and when to apply. • Advises that with the rate path protection ending in the 2020–21 rating year, any new council must submit a special variation application in line with these guidelines to the Independent Pricing and Regulatory Tribunal if the council wishes to harmonise rates in a way that increases general income above the rate peg from the 2021–22 rating year onwards.
<p>Guidelines for the preparation of an application to increase minimum rates above the statutory limit</p>	<ul style="list-style-type: none"> • Issued pursuant to section 548 of the <i>Local Government Act 1993</i> (LG Act). • Apply to all councils, except in specific circumstances, to new councils yet to harmonise. • Advises that: <ul style="list-style-type: none"> – The Independent Pricing and Regulatory Tribunal will assess and determine special variation applications by councils – when councils resolve to adopt a minimum amount of a rate, the size of the minimum amount must not exceed the relevant permissible limits provided in section 548(3) of the LG Act and clause 126 of the Local Government (General) Regulation 2005 – ‘Special Guidelines for new councils applying to harmonise minimum rates on 1 July 2021’ (special guidelines) have been issued to new councils. The special guidelines temporarily replace, in specific circumstances only, these minimum rates guidelines for new councils formed during a council merger process in 2016 and required to harmonise rates on 1 July 2021.
<p>Circular 18-39 ‘Debt Management and Hardship Guidelines’ Debt Management and Hardship Guidelines 2018</p>	<ul style="list-style-type: none"> • Advises the Office of Local Government has issued new guidelines on debt management and hardship practices for all NSW councils. • The guidelines are issued under section 23A of the <i>Local Government Act 1993</i> and councils must take these into account when developing and implementing debt management and hardship policies and procedures.
<p>Pensioner concession Factsheet 2011</p>	<ul style="list-style-type: none"> • Briefly outlines the pensioner concessions on ordinary council rates and domestic waste management services charges, concessional amounts and eligibility.
<p>Circular 08-49 ‘Amendment to the Local Government Act 1993 - Rating of Land Partially Subject to a Conservation Agreement’</p>	<ul style="list-style-type: none"> • Advises councils that the amendment to section 555(3) of the <i>Local Government Act 1993</i> provides for the continued proportional rating of lands that include a Conservation Agreement established under section 69A-KA of the <i>National Parks and Wildlife Act 1974</i>.

Items	Details
Circular 06-47 'Stormwater Management Services Charge Guidelines'	<ul style="list-style-type: none"> • Issued under section 23A of the <i>Local Government Act 1993</i>. • Details the requirements for levying the stormwater management services charge.
Council Rating and Revenue Raising Manual 2007	<ul style="list-style-type: none"> • Outlines the main sources of council income under the <i>Local Government Act 1993</i>. • Provides a comprehensive overview of rates including categories of rates, rate structures, charges for domestic waste services, rate exemptions, levying and payment of rates and charges, concessions and fees.
Council elections	
Circular '21-31 Post-Election Guide on key decisions and activities for councils, county councils and joint organisations following the local government elections'	<ul style="list-style-type: none"> • Advises councils, county councils and joint organisations that OLG has prepared a 'Post-Election Guide for Councils, County Councils and Joint Organisations' to help them comply with several key decisions and activities that need to occur at the first meetings following the elections and in the 12 months that follow.
Circular 19-22 'Government response to IPART's review of local government election costs'	<ul style="list-style-type: none"> • Advises councils that on 18 September 2019, the Government released its response to the Independent Pricing and Regulatory Tribunal's final report of its review of local government election costs and announced that it intended to fund the NSW Electoral Commission's (the Commission) core costs in relation to the administration of local government elections, thereby reducing councils' election costs. • The NSW Government's funding contribution will result in an indicative weighted average cost per elector of \$8.21, which will be passed onto councils, compared to a weighted average cost per elector of \$12.72 if no government contribution was provided.
Circular 18-23 'Mayoral Elections'	<ul style="list-style-type: none"> • Advises councils that under section 230(1) of the <i>Local Government Act 1993</i>, mayors elected by councillors hold office for 2 years.
Miscellaneous items	
Circular 21-29 'Release of the Guideline on the Use and Management of Credit Cards'	<ul style="list-style-type: none"> • Advises that the Office Local Government has released the 'Guideline on the Use and Management of Credit Cards' (the guideline). This guideline provides an overarching framework and suggested considerations and approaches to guide the development and/or review of credit card policies and related procedures and is divided into two parts: <ul style="list-style-type: none"> – Part A provides a list of core responsibilities that councils should consider as foundational elements of their credit card policy and related procedures – Part B provides operational guidance that expands on these core responsibilities with practical advice on best practice credit card management and the responsibilities of individual cardholders, including risk management, preventative controls and detective controls.

Items	Details
<u>Circular 21-25 'Job Retention Allowance 2021-22'</u>	<ul style="list-style-type: none"> • Advises councils of the following updated resources that will assist councils to apply for the Council Job Retention Allowance Subsidy for the first quarter 2021-22: <ul style="list-style-type: none"> - Guidelines for the Council Job Retention Allowance Subsidy - JRA Eligibility Criteria (Eligibility Criteria) 2021-22 - JRA Eligibility Return – Quarter 1 – 2021-22 - Council JRA subsidy variation template letter (JRA Variation).
<u>Circular 21-15 'Introduction of free lifetime registration for rescued pets and increases to companion animal fees for 2021-22'</u>	<ul style="list-style-type: none"> • Advises councils: <ul style="list-style-type: none"> - that the NSW Government is introducing free lifetime registration for people who adopt a rescue pet from council pounds and animal shelters, and rehoming organisations - of the adjusted registration and annual permit fees for 2021-22.
<u>Circular 20-16 'COVID-19 Economic Stimulus Package'</u>	<ul style="list-style-type: none"> • Advises of the following three new resources to assist councils to apply for the Council Job Retention Allowance Subsidy, a key element of the COVID-19 Economic Stimulus Package. <ul style="list-style-type: none"> - Guidelines for the Council Job Retention Allowance Subsidy - Financial Stimulus Eligibility Criteria (Eligibility Criteria) - Financial Stimulus Eligibility Return (FSER).
<u>Circular 19-06 'Changes to emergency services funding arrangements'</u>	<ul style="list-style-type: none"> • Advises councils: <ul style="list-style-type: none"> - of the changes made by the NSW Government to workers' compensation to provide better protection for volunteer and career firefighters affected by work-related cancers - that the local government share of the cost of the emergency services levy will be 11.7 per cent.
<u>Circular 17-25 'Container Deposit Scheme and waste management contracts'</u>	<ul style="list-style-type: none"> • Advises councils: <ul style="list-style-type: none"> - of the commencement of the NSW Container Deposit Scheme (the Scheme) on 1 December 2017, with a 10 per cent refund claimable on eligible containers - that under the Scheme, operators of Material Recovery Facilities (MRFs) will be able to claim a portion of the refund on containers collected from kerbside recycling using the MRF Protocol.
<u>Circular 06-32 'Provision of Financial Assistance under Section 356'</u>	<ul style="list-style-type: none"> • Provides guidance for councils providing financial assistance to others (including charitable, community and sporting organisations and private individuals) under section 356 of the <i>Local Government Act 1993</i>.

OUR VISION

Our insights inform and challenge government to improve outcomes for citizens.

OUR PURPOSE

To help parliament hold government accountable for its use of public resources.