



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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South Australia

Local Government (Basis for Differential Rates) Proclamation 2026

under sections 10(6)(a) and 11(2) of the *Local Government Act 1999*

1—Short title

This proclamation may be cited as the *Local Government (Basis for Differential Rates) Proclamation 2026*.

2—Commencement

This proclamation comes into operation on 1 July 2026.

3—Interpretation

(1) In this proclamation—

Act means the *Local Government Act 1999*;

affected land means land that, on account of the operation of the boundary alteration proclamation, is situated within a different council area to the council area within which it was situated immediately before the commencement of that proclamation;

boundary alteration proclamation means the *Local Government (Boundary Alteration) Proclamation 2026* (*Gazette* 22.01.2026 p84);

former council, in relation to affected land or relevant land, means the council in respect of the area within which the land was, immediately before the commencement of the boundary alteration proclamation, situated;

new council, in relation to affected land or relevant land, means the council in respect of the area within which the land is, from the commencement of the boundary alteration proclamation, situated;

prescribed maximum, in relation to the total amount of general rates and service charges (less any applicable rebates) payable in a financial year in respect of relevant land, means—

- (a) for the financial year commencing on 1 July 2026—an amount that is 15% more than the total amount of general rates and service charges (less any applicable rebates) that would have been payable in respect of the land for the financial year had the land remained within the area of the former council for the duration of the financial year; or
- (b) for any subsequent financial year—an amount that is 15% more than the total amount of general rates and service charges (less any applicable rebates) that were, on account of the operation of this proclamation, payable in respect of the land in the previous financial year;

relevant land means affected land in respect of which the total amount of general rates and service charges (less any applicable rebates) payable in a particular financial year would, but for the operation of this proclamation, exceed the prescribed maximum.

(2) For the purposes of the definition of *relevant land* in subclause (1), land that has ceased to be relevant land cannot become relevant land again at a later time.

4—Basis for differential rates

- (1) Pursuant to section 10(6)(a) of the Act, in order to allow rating relativities to be gradually realigned on account of the alteration of boundaries of councils by the boundary alteration proclamation, differential rates will apply to relevant land on the basis that the new council in respect of the land must ensure that the total amount of general rates and service charges (less any applicable rebates) payable in respect of the land for a financial year does not exceed the prescribed maximum.
- (2) Pursuant to section 11(2) of the Act—
 - (a) a former council in respect of affected land must, on the request of the new council in respect of that land, inform the new council of the total amount of general rates and service charges (less any applicable rebates) that would have been payable in respect of the land for the financial year commencing on 1 July 2026 had the land remained within the area of the former council for the duration of the financial year, along with the individual amounts of each of those rates, charges and rebates; and
 - (b) a new council must send a notice to each ratepayer for affected land that, from the commencement of the boundary alteration proclamation, is within its area to advise the ratepayer—
 - (i) that the new council is the council in respect of the land; and
 - (ii) that, if the land is relevant land, differential rates will apply to the land for the financial year commencing on 1 July 2026 and any subsequent financial year in which the land is relevant land; and
 - (iii) how the differential rates will be calculated; and
 - (c) a notice referred to in paragraph (b) must be sent to a ratepayer for affected land—
 - (i) on or before the day on which the rates notice for the instalment of rates payable in September 2026 in respect of the land is sent to the ratepayer; and
 - (ii) by—
 - (A) the same means as the rates notice is sent to the ratepayer; or
 - (B) post or similar form of delivery, to the address shown in the assessment record in respect of the land; and
 - (d) a rates notice for relevant land must specify the following:
 - (i) the total amount of general rates and service charges (less any applicable rebates) that would, but for the operation of this proclamation, be payable in respect of the land;
 - (ii) the total amount of general rates and service charges (less any applicable rebates) payable in respect of the land on account of the operation of this proclamation; and
 - (e) the basis referred to in subclause (1) will be taken to have been determined by the council pursuant to section 156(1)(d) of the Act, and no resolution is required under section 156(2)(a) in relation to the basis referred to in subclause (1).

Made by the Governor

on the recommendation of the Minister and with the advice and consent of the Executive Council
on 25 June 2026