



Local Government Annual Report

2021-22

Local Government >>



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The Independent Pricing and Regulatory Tribunal (IPART)

We make the people of NSW better off through independent decisions and advice. IPART's independence is underpinned by an Act of Parliament. Further information on IPART can be obtained from [IPART's website](#).

Acknowledgment of Country

IPART acknowledges the Traditional Custodians of the lands where we work and live. We pay respect to Elders, past, present and emerging.

We recognise the unique cultural and spiritual relationship and celebrate the contributions of First Nations peoples.

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Chapter 1 »

Overview

01

The NSW Government requires the Independent Pricing and Regulatory Tribunal of NSW (IPART) to report on its functions related to local government to the Minister for Local Government and the Minister for Planning and Homes by 31 October each year. This Annual Report describes these functions and IPART's related activities during the 2021-22 financial year.

We assist the Minister for Local Government in regulating the extent to which councils can increase their general income and some of their rates and charges every year.¹ Our activities aim to increase council funds to reflect increased costs, while protecting the community and ratepayers from excessive or unjustified costs.

These activities are set out in Chapter 2 of this report, and consist of:

- Setting of the '**rate peg**', which determines the maximum annual change in councils' general income, including the development of the Local Government Cost Index (LGCI), productivity factor and population factors
- Deciding whether to set a '**waste peg**' which would cap the amount by which councils can increase their domestic waste management (DWM) charges
- Assessment of **special variation** applications from councils, where councils seek to increase their **general income** by more than the rate peg
- Assessment of applications from councils to increase their minimum rates.

In addition, Chapter 2 sets out information about some related functions and reviews we carried out this year:

- assessment of **additional special variation** applications from councils in line with a one-off request by the Minister for Local Government, where councils applied to increase their general income by the rate peg assumed in the council's financial plans
- review of IPART's current approach to its **domestic waste management (DWM) charges** functions
- a review of the rate peg methodology to include population growth. We will be further reviewing the methodology over the next year to investigate and address concerns identified with the local government rate peg. Completion of the review is expected in 2023.

We assist the Minister for Planning and Homes in reviewing the developer contribution rates set by councils to fund the infrastructure required by new development.² Our work helps to ensure that councils' estimates reflect the reasonable cost of providing this infrastructure.

These activities are set out in Chapter 3 of this report. They consist of reviewing local infrastructure **contributions plans** submitted by councils where they set out the contribution rates to be levied on developers.

The terms of reference and delegation instruments for our functions are included in Appendix A of this report. A list of our assessments and reports we have released is available in Appendix B.

\$212^m

Total costs of infrastructure reviewed

226

Reports, papers and fact sheets released



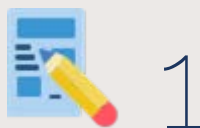
Infrastructure contribution plans submitted by councils



Council applications for special variations



Council applications for additional special variations



Council application for a minimum rate increase



Submissions to our draft report on the review of domestic waste management charges

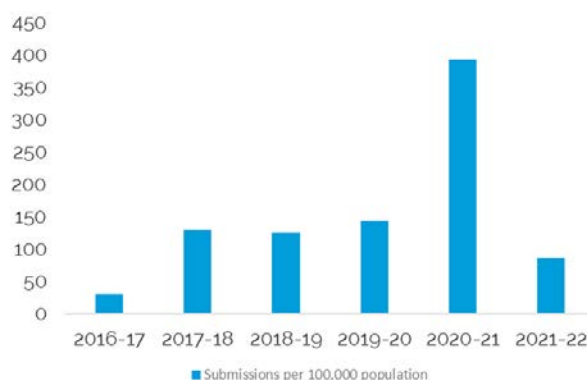


Submissions to our draft report on the review of the rate peg to include population growth

While most of our activities proceed through well-established processes and have done so for many years, we are committed to continually improving how we deliver our local government functions. In this report, we outline our efforts in 2021-22 to streamline our processes to better meet the needs of stakeholders, councils and ratepayers. We also highlight our intention to promote community consultation by providing guidance to stakeholders when engaging with IPART and by taking into account a broad range of perspectives in our assessments.

85

Submissions received
per 100,000 population
during our special
variation process



Chapter 2 »

Assistance to the Minister for Local Government

IPART's activities to regulate increases in a council's general income (via rate peg and special variations) and some categories of rates (minimum rates and DWM charges).

02

2.1 Variation of councils' general income (the rate peg)

The rate peg is the maximum percentage amount by which councils may increase their general income^a for a financial year. IPART is responsible for calculating and specifying this percentage change under delegation from the Minister for Local Government.³

Councils rely on rate revenue to provide their communities with services and infrastructure. Overall, costs for councils can increase year to year, for example if labour or construction costs increase. The rate peg is a cap on the additional rate revenue councils can collect for these increased costs.

IPART announced a rate peg of between 0.7% and 5.0% for 2022-23 on 13 December 2021. For the first time, the amount that councils are able to increase the revenue they can collect from rates will depend on their level of population growth.

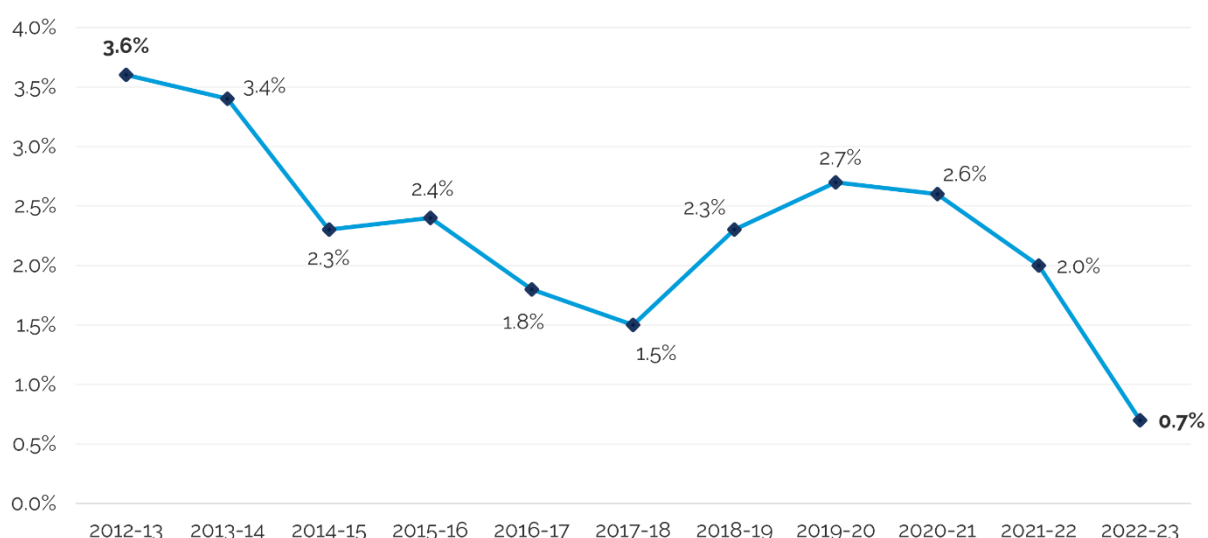
For most councils the rate peg for 2022-23 is lower than the rate peg in previous years, which was 2.0% in 2021-22 and 2.6% in 2020-21. Councils cannot increase their general income in 2022-23 by more than their rate peg unless they seek and obtain approval from IPART for a special variation or additional special variation.

The calculation of the 2022-23 rate peg was based on an increase in the LGCI of 0.9%, less a 0.2% adjustment for the additional income received over the previous year for the 2021 local government elections, and a population growth factor on a per council basis. We published an Information Paper on this decision on our [website](#).



^a General income mainly comprises income from council rates, but also includes other annual council charges.

Figure 2.1 IPART rate peg, 2012–13 to 2022–23



Note: The rate peg for 2022-23 in this graph excludes population factors.

Source: IPART, [Rate peg for NSW councils for 2022-23](#).

2.1.1 The local government cost index

The LGCI measures the changes in prices over the past year for a basket of goods and services, materials and labour used by an average council.⁴

The LGCI is constructed by choosing a basket of 26 components that mirror selected cost categories for NSW councils. This basket represents the purchases made by an average council to undertake its typical activities funded by rates revenue. The purpose of the index is to provide an estimate of the change in the costs incurred by councils from one year to the next.

Since 2010, IPART has undertaken surveys of NSW councils' expenditure to design and weight the LGCI. The latest survey in 2019 updated the expenditure weightings so that the relativities of the cost items within the LGCI remained as accurate as possible. These revised weightings are used to calculate the rate peg for 2021-22 onwards.⁵

To measure the change in prices of almost all components, we use price data from the most relevant Australian Bureau of Statistics (ABS) consumer, producer or wage price index. To calculate the change in the cost of the emergency services levy (ESL) component of the LGCI we use data from Revenue NSW.⁶

While the LGCI accounts for changes in the prices of goods and services used by councils in NSW, it does not account for changes in volume. We have addressed this through our review of the rate peg to consider the increases in costs faced by councils due to population growth.

⁶ Since 2019-20, we used one-year lagged Treasury forecasts to estimate ESL contributions, as using the actual expenditure incurred by councils resulted in a two-year lag due to delays in obtaining audited figures.

2.1.2 Adjustment for the cost of the 2021 local government elections

For the 2022-23 rate peg calculation, we made a downwards adjustment of 0.2% to remove the additional income received by councils in the 2021-22 rate peg for their 2021 elections.

While the LGCI accounts for price increases in the typical items councils spend money on, isolated and abnormal cost changes in a given year may also need to be considered when calculating a rate peg value. In calculating the 2021-22 rate peg, IPART found that the costs of the 2021 local government elections were expected to be substantially higher than the previous elections in 2016 and 2017, with the percentage increase surpassing changes in the Consumer Price Index for Sydney and IPART's rate peg over the same period.

We determined that an adjustment, on top of the annual percentage change in the LGCI, was necessary to assist councils in meeting the costs of the 2021 local government elections. As a result, we added 0.2 percentage points to the 1.8% increase in the LGCI, to set the 2021-22 rate peg at 2.0%.

This adjustment has been reversed in the 2022-23 rate peg to ensure ratepayers are not overcharged in non-election years. We subtracted 0.2 percentage points from the 0.9% increase in the LGCI, to set the 2022-23 rate peg at 0.7%.

2.2 Determining councils' applications for special variations and Crown land adjustments

Special variations are a mechanism by which a council can increase its general income by an amount greater than the rate peg. IPART is responsible for determining the special variation applications submitted by councils, as well as applications for income increases due to Crown land adjustments.⁶ IPART can approve special variations for a single year or for multiple years, either temporarily or permanently.

Councils decide to seek additional rate revenue for a variety of reasons, such as to increase the quality of local services, to improve long-term financial sustainability, to invest in new facilities or to fund backlogs for asset maintenance. Special variations enable councils to raise the funds they need.

We assess special variation applications against the [guidelines](#) issued by the Office of Local Government (OLG) and published most recently in November 2020. Councils are required to explain why an additional increase in rates is needed and consider how the special variation would change their financial position and long-term plans. They must also identify the productivity improvements and cost containment strategies realised in the past and proposed for the special variation period. Finally, councils need to show that they have informed the community of the need for a special variation and have consulted with ratepayers.

OLG criteria^c for special variation assessments^c



Established need

Councils should provide evidence that the special variation is needed within the context of their financial situation and plans to meet community needs



Reasonable impact

Councils should prove that they have assessed the financial impact of a special variation against their community's capacity to pay



Appropriate documentation

Councils must adopt the relevant Integrated Planning and Reporting framework documents before applying for a special variation



Community awareness

Councils should demonstrate that their communities are informed on the need and extent of a rate increase



Efficiency commitments

Councils should identify and quantify their current and future strategies to improve productivity and cost containment

2.2.1 Special variations in 2021-22

In order to better meet the needs of councils and ratepayers, we continued to streamline our special variations process and improve its efficiency in 2021-22.

We have revised part of the application form used by councils to request special variations by including targeted questions for each criterion. We complemented the updated form with a [guide](#) to assist councils in preparing their applications, and with additional fact sheets and information papers to enhance clarity. We have also released a paper on community awareness where we set out examples of best practice when conducting community engagement.

OLG guidelines were updated in November 2020 to recognise the potential impact of the COVID-19 pandemic on councils' activities and ratepayers. In particular, the OLG Guidelines note that councils are expected to provide evidence of appropriate community consultation through virtual channels should face-to-face contact not be available, and to demonstrate consideration for ratepayers' changing capacity to pay due to extenuating circumstances such as floods.

IPART welcomes ratepayer involvement throughout the special variation process. In 2021-22, we received 329 submissions from stakeholders from 4 council areas in relation to 4 SV applications. We consider comments and concerns from stakeholders in our assessment.

^c In addition to any other matters considered relevant by IPART.

Most of the submissions came from residents of the Central Coast Council, as its recent and highly publicised financial issues generated strong public interest over the proposed special variation.

329

Submissions with 316 coming from Central Coast Council residents

Stakeholders' main concerns with the special variations proposed by councils:

- unaffordability of rates
- inadequate community consultation by council
- claims of council mismanagement

In 2021-22, IPART assessed 4 special variation applications and made decisions on:

- One permanent single year increase
- Two permanent multi-year increases
- One temporary single year increase.

A summary of our decisions is set out below.

Table 2.1 Special variations granted in 2021-22

Council	Total % increase approved including the rate peg	Stated purpose
Central Coast	Extension of the current temporary 15.0% increase for a further 7-year period, from 2024-25 to 2030-31, applied across all rating categories.	Repay \$150 million in emergency loans and secure the council's ongoing financial sustainability.
Hunters Hill	Permanent increase of 16.9% in 2022-23 and 7.8% in 2023-24 i.e., 26.02% cumulative increase over 2 years, applied to residential and business ratepayers.	Replace 2 expiring special variations, complete the council's capital works program, reduce its asset backlog and improve its long-term financial sustainability.
Kyogle	Permanent 2.5% increase in 2022-23, applied across residential, business and farmland ratepayers.	Deliver the council's commitments in its long-term financial plan, continue delivering existing services and infrastructure programs, and improve its financial sustainability.
Snowy Valleys	Permanent increase of 15.7% in 2022-23 and 17.5% in 2023-24, i.e., 35.95% cumulative increase over 2 years, applied across all rating categories.	Continue delivering existing service levels without a significant reduction, manage a range of financial impacts (e.g. maintenance of grant-funded new assets and natural disasters) and ensure long-term financial sustainability.

Source: IPART, [Media Release - special variations and minimum rate increases in 2022-23](#), 10 May 2022.

2.2.2 Additional special variations

For 2022-23 the rate peg was 0.7% to 5.0%, depending on each council's population growth. OLG and IPART recognised that, due to delayed council elections and the determination of the 2022-23 rate peg at a lower rate than many councils had forecast, councils may not have had sufficient time to prepare special variation applications within the normal timeframe. This may have resulted in some councils not having sufficient funds to pay for required infrastructure and services. As such, the NSW Government announced a one-off additional special variation process for the 2022-23 rating year only.

Applications were assessed against guidelines issued by OLG, which imposed different criteria to the OLG's special variation guidelines. Councils were required to show that they had budgeted in their IP&R documentation for an income increase higher than the rate peg. Councils applying for a permanent increase also needed to demonstrate the need for the special variation to be included in their rate base on an ongoing basis. Councils were not required to undertake additional consultation with their communities, beyond consultation on their IP&R documentation.

IPART approved applications for 86 NSW councils to increase their general income above the 2022-23 rate peg. Councils were permitted increases of between 1.6% and 2.5% (inclusive of the rate peg).



2.2.3 Crown land adjustments

Unrateable Crown land can become rateable through sale to private individuals or transfer to particular state-owned corporations. When this happens, councils can use Crown land adjustments to increase their general income to reflect the resulting additional rate revenue. These adjustments allow councils to apply the full rate peg uniformly to all rating categories.

OLG assesses councils' requests for Crown land adjustments and makes recommendations to IPART about the appropriate percentage increase to general income. Crown land adjustments are not subject to the standard criteria for a special variation application, as they are expected to have no financial impact on the other ratepayers.

This year, we approved Bega Valley Shire Council's and Wingecarribee Shire Council's applications for permanent increases to their rate bases for 2022-23, to reflect the additional income from properties that are now rateable. In making these determinations, we had regard to OLG's assessment that these applications were valid.

2.3 Minimum council rates

Councils can specify the minimum amount of an ad valorem^d rate to be levied on each parcel of land.⁸ Ratepayers in a rating category then pay at least the minimum amount regardless of the value of their land. Should a council decide to introduce a minimum amount of a rate, it cannot set it above a specified statutory limit.⁹

In 2021-22, we recommended that the statutory limit for the minimum amount of an ordinary rate increase in line with the 0.7% rate peg increase for 2022-23 (excluding population growth), from \$565 to \$569. This approach is consistent with previous years and ensures that the spread between minimum rates and average ad valorem rates grows at the same rate, in the absence of special or minimum rate variations. Councils seeking to increase the minimum amount of a rate above the statutory limit for the first time, or to increase a minimum rate that is above the statutory limit by more than the applicable rate peg or special variation percentage, must apply to IPART for approval.

Unlike special variations, minimum rate increases do not change the amount of general income that a council can collect in a year. Nonetheless, they can influence how the rating burden is allocated among ratepayers. Since all ad valorem rates are based on unimproved land values, minimum rates are usually paid by owners of land with low rateable value. This typically happens when there are many owners per parcel of land, as in the case of strata properties (such as apartments). In the absence of minimum rates, the rating burden can disproportionately affect owners of high value land, like detached dwellings. Councils can use minimum rates to control the gap in contributions to total revenue between minimum ratepayers and ad valorem ratepayers, ensuring a fairer and more equitable distribution.

Minimum rate increase applications are reviewed against OLG guidelines to ensure that the impact on ratepayers is reasonable. We require councils to provide data in support of their decision to increase minimum rates above the statutory limit, including evidence of community consultation. Councils also need to consider the impact of minimum rate increases on affected ratepayers.

2.3.1 Minimum rate increases in 2021-22

As for special variations, we continued to improve our process for approving minimum rate increase applications to make it clear, transparent, and efficient for councils and ratepayers. We published a [Fact Sheet](#) and an [Information Paper](#) that set out our approach to assessments, and that reflected recent changes in OLG Guidelines requiring councils to submit separate applications for special variations and changes to the minimum rate when applying for both. We have also revised our application forms and included a separate guide to help councils in preparing complete and effective applications.

^d i.e. based wholly on land values

We have received and approved an application for a minimum rate increase from one council: Cumberland City. This is summarised in the table below.

Table 2.2 Minimum rate increase applications approved in 2021-22

Council	Approved Minimum Rate	Purpose
Cumberland City	Minimum rate for residential ratepayers will increase to \$715 in 2022-23, \$785 in 2023-24 and \$860 in 2024-2025.	Transition to a more equitable rates structure, as the merged council gradually harmonises rates.

Source: IPART, *Media Release - special variations and minimum rate increases in 2022-23*, 10 May 2022.

2.4 We continued to review domestic waste management charges to ensure good value for ratepayers

We continued our review into how we exercise our regulatory functions relating to domestic waste management (DWM) annual charges. These charges are levied by councils to recover the costs of providing DWM services including kerbside collections for landfill, recycling, green waste and food organics, and periodic bulky goods clean-ups, and associated services.

In the past, IPART had decided each year that no limit is to apply to the percentage by which the amounts of DWM annual charges may be varied for the specified year. Our review aimed to inform our future decisions and consider how best to protect customers and ensure the charges provide value for money into the future.

In 2020, we published a Discussion Paper setting out our early findings and seeking feedback from stakeholders, including councils, ratepayers and contractors. At the time we had found that DWM costs had been rising at more than double the rate of inflation, alongside increases in waste sector costs, and wide variation in DWM charges amongst councils.

Submissions we received identified that there are external factors, largely beyond councils' control, contributing to some of the increase in DWM charges. However, the wide variation could also be associated with a lack of clear guidance on what services can be funded through DWM charges and what is the appropriate share of common council costs to recover from DWM charges.

We explored opportunities for improving regulation of DWM annual charges and transparency for customers and councils. In December 2021, we published a Draft Report seeking feedback on our draft decisions to:

- recommend pricing principles to guide councils on how they should recover the costs of providing DWM services
- propose publishing a 'benchmark' waste peg annually to assist councils in setting their DWM charges, and reporting on the extent to which councils' charges increase more than the benchmark waste peg each year.

We received 80 submissions to our Draft Report from stakeholders, including councils, ratepayers and contractors. We have carefully considered all submissions and feedback provided in response to the Draft Report in progressing the final stages of the review.

In light of our review, we also decided not to limit DWM annual charges for councils from 1 July 2022 to 30 June 2023.

2.5 We completed our review of the rate peg methodology to include population growth

In response to a request from the NSW Government we recommended a rate peg methodology that enables councils to maintain per capita general income over time as their populations grow. Maintaining per capita general income will help councils to maintain existing service levels and provide the services their growing communities expect.

Each year, each council will have a population factor equal to the annual change in its residential population, adjusted for increases in revenue already received from supplementary valuations. The population factor is equal to the maximum of the change in residential population less the supplementary valuations percentage or zero.

The Minister has endorsed our new rate peg methodology. We will be further reviewing the rate peg methodology over the next year to investigate and address concerns identified with the local government rate peg. Completion of the review is expected in 2023.

Chapter 3 »

Local infrastructure contributions plans

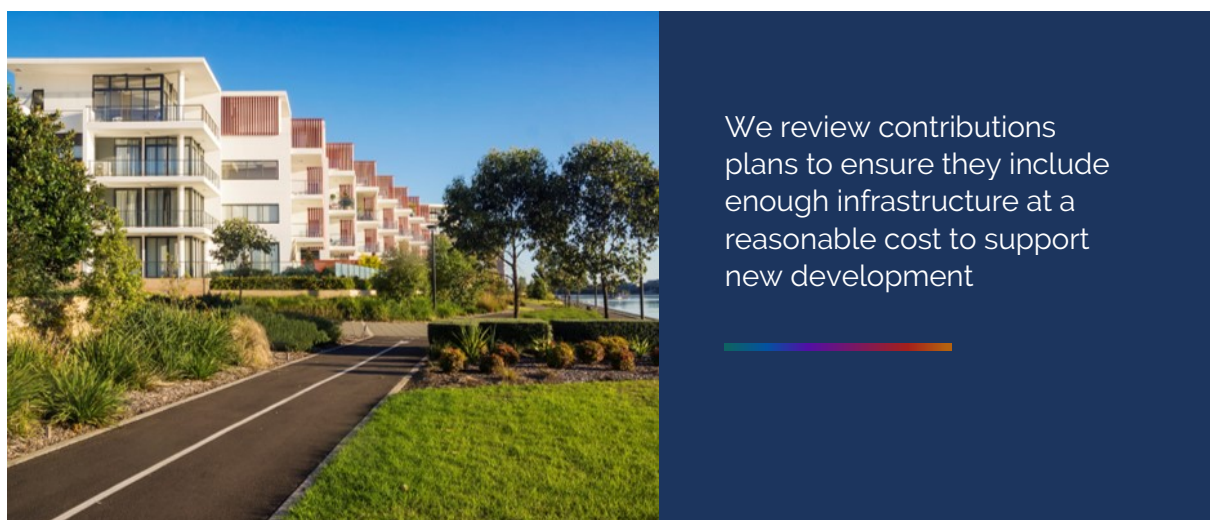
IPART review contributions plans to ensure they include enough infrastructure at a reasonable cost to support new development.

03

3.1 Local infrastructure contributions plans

Contributions plans are prepared by councils. They describe the local infrastructure required to meet the demand arising with new development, its estimated costs, and the associated contribution rates to fund these costs. Councils levy contribution rates on developers, and payment of these rates can be a condition for development consent^e

Councils need to submit their contributions plans to IPART if they are proposing contributions above the thresholds of \$30,000 per residential lot or dwelling in identified greenfield areas and \$20,000 per residential lot or dwelling in other areas. For these plans, councils are required to seek IPART's review. We provide a report on our review to the Minister for Planning and Homes. The Minister (or the Minister's nominee) advises the council of any amendments required. Once the council has made those amendments, it may levy the contributions amounts set out in the adopted plan.¹⁰



We make our assessments to support transparency and accountability in the setting of local development contributions. We assess whether the infrastructure proposed in a contributions plan is required to manage the effects of the additional population in the new development area. We also assess whether the proposed development contribution reflects the reasonable costs of providing this necessary local infrastructure. If costs in the contributions plan are too high, developers may pay too much for local infrastructure, discouraging development. On the other hand, if costs in the plan are too low, then new development will impose costs on the existing and future community. This is because the council's ratepayers would ultimately have to fund any gap for required infrastructure with general revenue rather than the revenue received from development contributions.

^e A consent authority may impose a condition under section 7.11 of the Environmental Planning and Assessment Act 1979 (EP&A Act) only if it is in accordance with a contributions plan (section 7.13). The Environmental Planning and Assessment Regulation 2021 makes provisions about the preparation and approval of contributions plans, including the format, structure and content of plans.

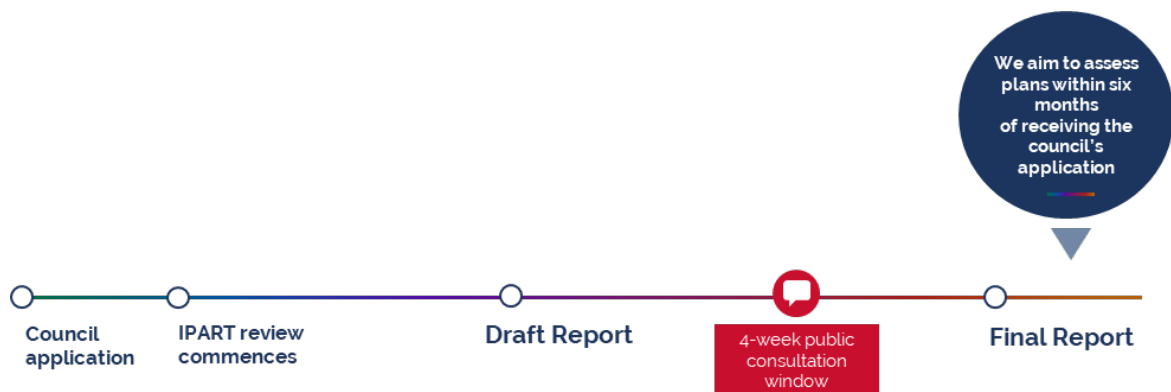
To carry out our assessments, we evaluate plans against the criteria below, as set out by the Department of Planning and Environment (DPE) in its [Practice Note](#). We also consider further advice from the council, DPE and external consultants (if required) and any submissions from stakeholders, as part of a public review process. Delete after addressing

Criteria for contributions plans assessments

- 01 The public amenities and public services in the plan are on the [essential works list](#), which sets out which items are considered necessary to meet the demand for new infrastructure.
- 02 The proposed public amenities and public services are reasonable in terms of nexus, meaning that there is a connection between the land and facilities in a contributions plan and the demand for them arising from the new development.
- 03 The proposed development contributions are based on a reasonable estimate of the cost of the proposed public amenities and public services, meaning that the council's method to calculate prices, including its choice of financial models, benchmarks and/or indexes, and external valuations, is appropriate.
- 04 The proposed public amenities and public services can be provided within a reasonable timeframe.
- 05 The proposed development contributions are based on a reasonable apportionment of costs, meaning that costs are divided equitably between all those who create the need for the infrastructure, including any existing population.
- 06 Council has conducted appropriate community liaison and publicity in preparing the contributions plan.
- 07 Plan complies with other matters we consider relevant.

We generally aim to assess plans within six months, however we pause assessments while we await councils' response to requests for additional information. As part of the assessment process, we release a Draft Report, followed by a four-week period where we seek submissions on its recommendations from the public and interested stakeholders. We then publish our final decisions in the Final Report, which will be delivered to the Minister and the council. The Minister considers our assessment and, if appropriate, advises the council to amend the contributions plan.

Figure 3.1 General timeline for assessing contributions plans



3.1.1 Contributions plans reviewed in 2021-22

During 2021-22, there were four contributions plans submitted for review by IPART. We finalised our assessment of two of these plans and commenced the assessment of two other plans. Details of the timelines for reviewing plans are shown in Figure 3.2.

Figure 3.2 Timeline of contributions plans assessed in 2021-22

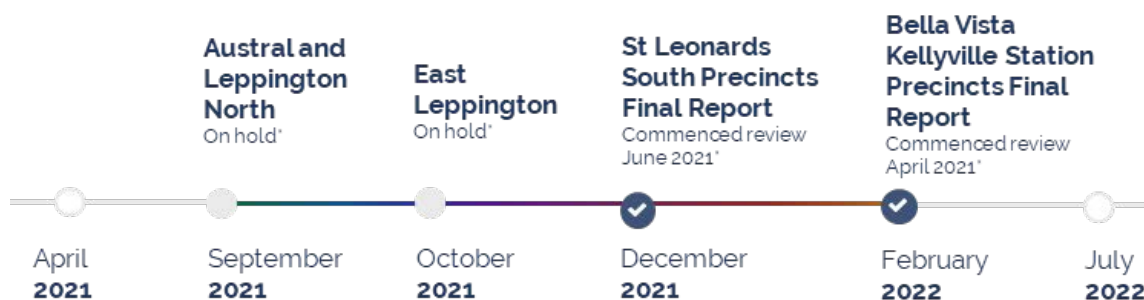


Table 3.1 Contributions plans assessments in 2021-22

Contributions plan	Revised cost of the plan (\$)	Change in total costs	Change in contribution rates	Key recommendations
Lane Cove Council				
St Leonards South	52,600,000	-2%	-2%	Council should investigate providing a local park earlier in the development timeline.
Hills Shire Council				
CP 18 – Bella Vista and Kellyville	160,100,000	+7%	+0.6%	We recommended largely accepting revised site-specific costs as they reflect new infrastructure that is required to service new development.

This year, most of our assessments were reviews of previously submitted plans.

Contributions Plan – St. Leonards South was submitted to IPART by Lane Cove Council for assessment in June 2021 and a final report was issued by IPART in December 2021. The plan includes public infrastructure in a precinct of 7 hectares close to St. Leonards railway station. The precinct would replace existing low density housing with about 2,000 new apartments and increase the population by about 3,600 people. The funding in the contributions plan, of about \$52 million, will fund a new park, extension/improvements of existing parks, and enhancements to the road network. We recommended that the Council consider options to fund the construction of the new park earlier in the development timeline, and small adjustments that would reduce the total cost of the contributions plan by around 2%.

Contributions Plan 18 – Bella Vista and Kellyville Station precincts was submitted to IPART by Hills Shire Council in April 2021 and a final report was issued by IPART in February 2022. The plan includes public infrastructure in a precinct of around 80 hectares close to the Kellyville and Bella Vista metro stations. The precinct would replace predominantly low-density industrial development with a mixture of high density housing and retail/commercial developments. The funding in the contributions plan, of about \$160.1 million, will deliver a shared path along Elizabeth Macarthur Creek, new and upgraded parks, 5 bridges, and new/improved roads. IPART recommended largely accepting the revised costs of the plan, with the exception of removing some items of expenditure which are not on the essential works list (such as public art).

3.1.2 Contributions plans received for review in 2021-22

In this financial year we commenced a review of 2 other Contribution Plans, as follows:

Contributions Plan – Austral and Leppington North was submitted to IPART by Liverpool City Council in September 2021. However, the assessment of the plan is currently (October 2022) on hold whilst further information is collated by the council. The plan covers an area of mostly rural character in Sydney's South-West close to Liverpool. The contributions plan includes new public infrastructure that will support an additional population of about 55,000. The expected cost of the contributions plan is around \$1.1 billion, with contributions rates for lower density dwellings to be around \$60,000 per dwelling. The contributions plan proposes the rates will pay for new open space and recreational, community and cultural, water cycle management, and traffic and transport management facilities.

Contributions Plan – East Leppington was submitted to IPART by Liverpool City Council in October 2021. However, the assessment of the plan is currently (October 2022) on hold whilst further information is collated by the council. The plan covers an area of partially rural but rapidly developing land in Sydney's South-West close to Ingleburn. The contributions plan includes new public infrastructure that will support an additional population of about 3,500. The expected cost of the contributions plan is around \$80 million, with contributions rates for a standard lot size of 450m² to be around \$66,000.

3.1.3 Update in the discount rate

When determining contribution rates in a contributions plan, councils have the option of using the net present value (NPV) approach. This involves the use of a cash flow model where future revenues and costs are discounted by a specified discount rate.

To assist councils that want to use an NPV approach, we calculate our recommended discount rate every six months and publish the results on our website in February and August. The nominal discount rate was 2.9% in February 2022, remaining constant from 2.9% in the previous six months.

One of the contributions plans we have assessed this year utilised an NPV approach.^f

3.2 IPART reviews to inform proposed changes to local infrastructure contributions

In July 2021, IPART was asked to provide advice to the NSW Government to inform aspects of proposed changes to the way local infrastructure contributions are levied. Our work followed on from recommendations made by the NSW Productivity Commission in its Review of Infrastructure Contributions in NSW.¹¹

Under two terms of reference from the Government,¹² we were asked to:

- provide advice to inform an essential works list that would apply to all section 7.11 contributions plans
- provide advice on an approach councils should use to determine the most efficient local infrastructure to meet the needs of new development, applying the principle of nexus
- develop and maintain standardised benchmark costs for local infrastructure that reflect the efficient cost of provision.

We released a draft report and benchmark infrastructure costs in October 2021,¹³ sought submissions and held stakeholder workshops. IPART provided a final report and benchmark infrastructure costs to the Minister for Planning and Minister for Homes in February 2022.

^f Contributions Plan 18, Hills Shire Council, Bella Vista and Kellyville Station precincts.

Appendices

Appendix A >>

Terms of reference



A.1 Terms of reference delegating functions to IPART



TERMS OF REFERENCE

I, Kristina Keneally, Premier of New South Wales approve the provision of services by the Independent Pricing and Regulatory Tribunal (IPART) under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992 (IPART Act)* to the Minister for Local Government (Minister) for the development of a local government cost index in accordance with the following terms of reference.

Background

Since 4 June 2010, the NSW Government has announced changes to local council charges on new housing development. The changes will lower the cost of new housing construction and provide certainty, transparency and fairness to councils, landowners, developers and the community.

At the same time the Government announced that in future the amount by which councils could increase their rating income will be determined by IPART having regard to the movements of the Local Government Cost Index and Productivity Factor. These functions are to be delegated to IPART by the Minister for Local Government.

Terms

In providing the services, IPART must:

- (a) develop a local government cost index (**Local Government Cost Index**);
- (b) develop a productivity factor (**Productivity Factor**); and
- (c) publish the Local Government Cost Index and the Productivity Factor on IPART's website.

In developing the Local Government Cost Index and the Productivity Factor, IPART is to have (where relevant) regard to the following matters (in addition to any other matters IPART considers relevant):

- (a) the change in prices of goods and services composing the typical expenditure of Councils to reflect the annual change in underlying costs of ordinary council operations;
- (b) the findings and recommendations of IPART's final report on the local government review titled "Revenue Framework for Local Government";
- (c) the identification of appropriate price indices that would reflect the movement in component costs over time;
- (d) the estimation of the relevant weights to apply to the components of the index; and

-
- (e) the scope for productivity improvements across the community and in comparable sectors of the economy and the achievable productivity improvements by Councils.

Definitions

Council has the meaning given to that term under the EP&A Act.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

Interpretation

- (a) A reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacement of them.
- (b) A reference to an officer includes a reference to the officer who replaces him or her, or who substantially succeeds to his or her powers or functions.
- (c) A reference to a body, whether statutory or not:
 - a. which ceases to exist; or
 - b. whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions.
- (d) Words importing the singular include the plural and vice versa.

TERMS OF REFERENCE

I, Kristina Keneally, Premier of New South Wales approve the provision of services by the Independent Pricing and Regulatory Tribunal (IPART) under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992 (IPART Act)* to the Minister for Planning and the Councils for the review of Reviewable Contributions Plans in accordance with the following terms of reference.

Background

Since 4 June 2010, the NSW Government has announced changes to local council charges on new housing development including:

- (1) imposing a cap of \$20,000 per lot for council imposed charges on new development on land in established areas and a cap of \$30,000 per lot for council imposed charges on new development on land determined by the Minister for Planning as being within Greenfield areas; and
- (2) requiring IPART to review certain council Contributions Plans.

The changes will lower the cost of new housing construction and provide certainty, transparency and fairness to councils, landowners, developers and the community.

The Department of Planning, in conjunction with the Division of Local Government and IPART (overseen by the Land and Housing Supply Coordination Taskforce) are to develop guidelines for preparing Contributions Plans. Councils with contributions within their Contributions Plans that exceed the relevant cap will be required to submit them to IPART for review unless otherwise exempt by the Minister for Planning. Further, when Councils conduct a review of their Contributions Plans, they will be required to submit them to IPART for review prior to finalising those plans if the contributions within those plans exceed the relevant cap. The Minister may also refer to IPART for review any Contributions Plan that is below the relevant cap, where changes are proposed to that plan that the Minister considers merit having an independent assessment. Once IPART receives those plans, IPART is to assess them against the Guidelines and the Regulation and report to the Minister for Planning and Councils on the compliance of those plans.

Terms

In providing the services, IPART must:

- (a) assist with the preparation of revised contributions plan guidelines;
- (b) conduct an assessment of the Reviewable Contributions Plan against the Guidelines and the Regulation. As part of that assessment, IPART should consider whether:
 - (i) the infrastructure listed in the plan is essential infrastructure
 - (ii) the costs in the plan are reasonable
 - (iii) the Contributions Plan complies with the Guidelines and the Regulation;

-
- (c) provide a report to the Minister for Planning and the relevant Council on IPART's assessment of the Contributions Plan under paragraph (a); and
 - (d) publish a copy of the report in paragraph (b) on IPART's website.

In conducting the assessment under paragraph (a), IPART is to:

- (a) consult with the Department of Planning (NSW);
- (b) consult with the relevant Council and any other person IPART considers necessary; and
- (c) consider any criteria set out in the Guidelines (in addition to any other matters IPART considers relevant).

Definitions

Cap means:

- (a) the \$20,000 cap per residential dwelling or per residential lot on land in established areas; or
- (b) the \$30,000 cap per residential dwelling or per residential lot on land determined by the Minister for Planning as being within Greenfield areas.

Contributions Plan means a contributions plan prepared and approved by the relevant Council under Part 4, Division 6 of the EP&A Act.

Council has the meaning given to that term under the EP&A Act.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

Guidelines means the current guidelines or practice notes (as the case may be) issued by the Department of Planning on Contributions Plans under Part 4, Division 6 of the EP&A Act.

Regulation means the *Environmental Planning and Assessment Regulation 2000* relating to the Contributions Plan.

Reviewable Contributions Plan means either:

- (a) a Contributions Plan which has a contribution that exceeds the relevant Cap, other than a Contributions Plan for which a Council, as at 31 August 2010, has received (in aggregate) development applications for at least 25 per cent of potential development within that existing Contributions Plan; or
- (b) a Contributions Plan which the Minister for Planning determines from time to time should be subject to review by IPART.

Interpretation

- (a) A reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacement of them.
- (b) A reference to an officer includes a reference to the officer who replaces him or her, or who substantially succeeds to his or her powers or functions.
- (c) A reference to a body, whether statutory or not:
 - a. which ceases to exist; or
 - b. whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions.
- (d) Words importing the singular include the plural and vice versa.
- (e) Explanatory notes do not form part of the terms of reference, but in the case of uncertainty may be relied on for interpretation purposes.

TERMS OF REFERENCE

I, Kristina Keneally, Premier of New South Wales approve the provision of services by the Independent Pricing and Regulatory Tribunal (IPART) under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* (IPART Act) to the Minister for Planning and the Minister for Local Government for the preparation of an annual report on the operation of IPART's delegated functions under the LG Act and IPART's assistance to the Minister for Planning and the councils in relation to the EP&A Act in accordance with the following terms of reference.

Background

Since 4 June 2010, the NSW Government has announced changes to local council charges on new housing development. The changes will lower the cost of new housing construction and provide certainty, transparency and fairness to councils, landowners, developers and the community.

Terms

In providing those services, IPART must:

- (a) prepare an annual report for the previous financial year relating to:
 - (i) IPART's delegated functions under the LG Act including:
 - (A) variation of general income
 - (B) special variation applications including those rejected and approved by IPART
 - (C) minimum amounts
 - (D) domestic waste charges
 - (ii) the development and publication of the local government cost index and the productivity factor
 - (iii) IPART assistance to the Minister for Planning and councils in relation to the EP&A Act under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* including reviews of the contributions plans;
- (b) forward to the Minister for Planning and the Minister for Local Government the report in paragraph (a) by 31 October each year; and
- (c) publish the report in paragraph (a) on IPART's website.

Definitions

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

LG Act means the *Local Government Act 1993*

Interpretation

- (a) A reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacement of them.
- (b) A reference to an officer includes a reference to the officer who replaces him or her, or who substantially succeeds to his or her powers or functions.
- (c) A reference to a body, whether statutory or not:
 - a. which ceases to exist; or
 - b. whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions.
- (d) Words importing the singular include the plural and vice versa.



THE HON. BARBARA PERRY MP

Minister for Local Government,
Minister for Juvenile Justice,
Minister Assisting the Minister for Planning,
and Minister Assisting the Minister for Health (Mental Health)

Ref:
MIN:
Doc ID: A219064

Mr Rod Sims
Chairman
Independent Pricing and Regulatory Tribunal
PO Box Q290
QVB POST OFFICE NSW 1230

6 SEP 2010

Dear Mr Sims

I am writing in response to the NSW Government Cabinet Minute 124-10 – Infrastructure Contribution Reforms to Support Land and Housing Release in New South Wales.

As you are aware, Cabinet's decision required me, as Minister for Local Government, to delegate to the Independent Pricing and Regulatory Tribunal responsibility for setting the annual Local Government Rate Peg and for assessing and determining local council's applications for Special Variations to their general income from rates under section 508 and section 508A of the *Local Government Act 1993*.

In order to carry out the necessary determinations I am delegating my authority under the following sections of the Act to the Tribunal:

- Section 506 - the authority to specify the percentage by which councils' general income for a specified year may be varied ie the rate pegging percentage.
- Section 507 - the authority to vary annual charges for domestic waste management services.
- Section 508(2), (3), (6), (7) - the authority to specify a percentage by which individual councils' general income may be varied for a specified year ie special variation with a single annual percentage increase.
- Section 508A - the authority to specify the percentages by which individual councils' general income may be varied for specified years ie special variation for multiple annual percentage increases.
- Section 548(3), (8) - the authority to approve the setting of minimum amounts of rates, above the statutory maximum, for specific councils,

Attached is a copy of my Instrument to effect the above delegation.

Yours sincerely

Barbara Perry MP
Minister


LOCAL GOVERNMENT ACT 1993
DELEGATION UNDER SECTION 744

I, **BARBARA MAZZEL PERRY MP**, Minister for Local Government, by this Instrument made under section 744 of the *Local Government Act 1993* ("Act"), hereby delegate to:

- (a) the Independent Pricing and Regulatory Tribunal of New South Wales ("IPART"); and
- (b) such members of IPART and other persons as are nominated for that purpose by IPART, and approved by the Minister, from time to time:
 - (1) all of my functions (as defined in the Act) under sections 506, 507, 508(2), 508(3), 508(6), 508(7), 508A, 548(3) and 548(8) of the Act (together the "Delegated Functions"); and
 - (2) such other powers under the Act and the *Local Government (General) Regulation 2005* which are necessary for IPART to perform the Delegated Functions.

Section 506	Variation of General Income
Section 507	Variation of Annual Charges for Domestic Waste Management Services
Section 508(2), 508(3), 508(6) and 508(7)	Orders under sections 506 and 507
Section 508A	Special Variation over a period of years
Section 548(3) and 548(8)	Minimum Amounts

Dated this 6th day of September 20 10.


The Hon Barbara Perry MP
Minister for Local Government

A.2 Revised terms of reference for reviewing contribution plans



Ref:A2339404

05 OCT 2018

Dr Peter Boxall AO
Chair
Independent Pricing and Regulatory Tribunal
PO Box K35
HAYMARKET POST SHOP NSW 1240

Dear Dr Boxall,

To date, IPART has reviewed councils' development contributions plans in specified circumstances in accordance with the Terms of Reference issued on 30 September 2010.

On 17 July 2017, the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012* was amended to give effect to development contributions scheme reforms. These reforms were announced by the Government in June 2017 as part of the Housing Affordability Strategy and include a staged removal of caps on council contributions and the phasing out of the Local Infrastructure Growth Scheme program.

I am writing to request that, under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992*, IPART reviews council's contributions plans in accordance with the enclosed revised Terms of Reference, which have been amended to reflect the new Direction issued by the Minister.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Gladys', is written over the closing 'Yours faithfully,'.

Gladys Berejiklian MP
Premier

Enc.

CC: The Hon Anthony Roberts MP, Minister for Planning

GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 5000 ■ F: (02) 9339 5500 ■ W: premier.nsw.gov.au

INDEPENDENT PRICING AND REGULATORY TRIBUNAL ACT 1992

TERMS OF REFERENCE

Reviewable Contributions Plans - *Environmental Planning and Assessment Act 1979*

I, GLADYS BEREJIKLIAN MP, Premier, under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* approve provision, by the Independent Pricing and Regulatory Tribunal (IPART), of services to the Minister for Planning with respect to reviewing Reviewable Contributions Plans, in accordance with the following terms of reference.


Premier

Dated: 12/11/18

Background

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012* contemplates that a Council may submit a Contributions Plan to IPART for review, where the Plan would (but for the Direction) authorise a contribution under section 7.11 of the EP&A Act that exceeds the maximum amount that the Direction allows to be imposed as a contribution in relation to residential development.

The Minister for Planning may also refer any contributions plan to IPART for review where the Minister considers there is merit in having an independent assessment.

Services

On and from the date that these terms of reference are issued to IPART, IPART is to review each Reviewable Contributions Plan submitted to it and provide the Minister for Planning and the relevant Council with a report on its review.

In providing the services, IPART must:

- (a) review the relevant Reviewable Contributions Plan in accordance with the assessment criteria set out in the Practice Note, including whether the public amenities and services to which the Contributions Plan relates are on the essential works list (if any) set out in the Practice Note;
- (b) consider, in its review of the Reviewable Contributions Plan, whether the estimate of the costs of providing those public amenities and services, as set out in the Plan, are reasonable;
- (c) publish a report of its review on its website; and
- (d) provide a copy of the report to the Minister for Planning and the relevant Council.

Consultation

In conducting a review under these terms of reference, IPART must:

- (a) consult with the Department of Planning and Environment (NSW);
- (b) consult with the relevant Council and any other person IPART considers appropriate; and
- (c) consider any criteria set out in the Practice Note (in addition to any other matters IPART considers relevant).

Definitions

Contributions Plan means a contributions plan or draft contributions plan prepared by the relevant Council for the purposes of imposing conditions under section 7.11 of the EP&A Act.

Council has the same meaning as it has in the *Local Government Act 1993*.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

Practice Note means the “Revised Local Development Contributions Practice Note: For the assessment of Local Contributions Plans by IPART” issued by the Department of Planning and Environment and dated January 2018, as amended or replaced from time to time.

Reviewable Contributions Plan means a Contributions Plan submitted to IPART as contemplated by the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012* or referred to it by the Minister for Planning.

Appendix B >>

Reports, papers and decisions
released during 2021-22

B

A.3 Reports and papers released during 2021-22

Table B.1 sets out the reports and papers related to our local government functions published during 2021-22. The list does not include the numerous Fact Sheets and Media Releases on our activities.

Table B.1 Reports and papers publicly released during 2021-22

Date	Report or paper
17 September 2021	Information Paper - IPART assessment of local infrastructure contributions plans
17 September 2021	Draft Report - Assessment of Contributions Plan No 18 - Bella Vista and Kellyville Station Precincts Technical Paper
17 September 2021	Draft Report - Assessment of Contributions Plan No 18 - Bella Vista and Kellyville Station Precincts Overview
05 October 2021	Final Report - Review of the rate peg to include population growth
18 October 2021	Draft Report - Assessment of St Leonards South Precinct Contributions Plan Technical Paper
18 October 2021	Draft Report - Assessment of St Leonards South Precinct Contributions Plan Overview
29 October 2021	Annual Report - Report on IPART's functions in relation to local government in 2020-21
29 October 2021	Draft Report - Essential Works list, Nexus, Efficient design and Benchmarking costs for local infrastructure - Review 1
29 October 2021	Draft Report - Essential Works list, Nexus, Efficient design and Benchmarking costs for local infrastructure - Review 2
12 November 2021	Information Paper - Special Variations in 2022-23
12 November 2021	Information Paper - Minimum Rates in 2022-23
12 November 2021	Information Paper - Community Engagement and Awareness 2022-23
12 November 2021	Information Paper and Report - Typical scopes and benchmark costs of local infrastructure
02 December 2021	Information Paper - Assessment of Contributions Plan No 18 - Bella Vista and Kellyville Station
13 December 2021	Information Paper - Rate peg information paper 2022-23
13 December 2021	Draft Report - Review of Domestic Waste Management Charges
20 December 2021	Technical Paper - Assessment of St Leonards South Precinct Contributions Plan
20 December 2021	Final Report - Overview - Assessment of St Leonards South Precinct Contributions Plan Overview
22 February 2022	Final Technical Paper - Assessment of Contributions Plan No 18 - Bella Vista and Kellyville Station Precincts
22 February 2022	Final Report Overview - Assessment of Contributions Plan No 18 - Bella Vista and Kellyville Station Precincts
10 May 2022	Final Report - Kyogle Council special variation application 2022-23
10 May 2022	Final Report - Snowy Valleys Councils special variation application 2022-23
10 May 2022	Final Report - Hunters Hill Council special variation application 2022-23
10 May 2022	Final Report - Central Coast Council special variation application 2022-23
10 May 2022	Final Report - Cumberland City Council minimum rate application 2022-23
20 June 2022	Final Report - Albury City Council additional special variation application 2022-23
20 June 2022	Final Report - Armidale Regional Council additional special variation application 2022-23
20 June 2022	Final Report - Ballina Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Bathurst Regional Council additional special variation application 2022-23
20 June 2022	Final Report - Bayside Council additional special variation application 2022-23
20 June 2022	Final Report - Bega Valley Shire Council additional special variation application 2022-23

Date	Report or paper
20 June 2022	Final Report - Bellingen Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Berrigan Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Blacktown City Council additional special variation application 2022-23
20 June 2022	Final Report - Bland Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Blayney Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Bogan Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Broken Hill City Council additional special variation application 2022-23
20 June 2022	Final Report - Cabonne Council additional special variation application 2022-23
20 June 2022	Final Report - Cessnock City Council additional special variation application 2022-23
20 June 2022	Final Report - City of Canada Bay Council additional special variation application 2022-23
20 June 2022	Final Report - City of Parramatta Council additional special variation application 2022-23
20 June 2022	Final Report - City of Sydney Council additional special variation application 2022-23
20 June 2022	Final Report - Clarence Valley Council additional special variation application 2022-23
20 June 2022	Final Report - Coffs Harbour City Council additional special variation application 2022-23
20 June 2022	Final Report - Coolamon Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Coonamble Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Cowra Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Cumberland Council additional special variation application 2022-23
20 June 2022	Final Report - Dubbo Regional Council additional special variation application 2022-23
20 June 2022	Final Report - Edward River Council additional special variation application 2022-23
20 June 2022	Final Report - Federation Council additional special variation application 2022-23
20 June 2022	Final Report - Forbes Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Gilgandra Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Glen Innes Severn Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Goulburn Mulwaree Council additional special variation application 2022-23
20 June 2022	Final Report - Greater Hume Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Griffith City Council additional special variation application 2022-23
20 June 2022	Final Report - Gunnedah Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Hawkesbury City Council additional special variation application 2022-23
20 June 2022	Final Report - Hills Shire Council, The additional special variation application 2022-23
20 June 2022	Final Report - Hilltops Council additional special variation application 2022-23
20 June 2022	Final Report - Hornsby, The Council of the Shire of additional special variation application 2022-23
20 June 2022	Final Report - Inner West Council additional special variation application 2022-23
20 June 2022	Final Report - Inverell Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Junee Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Kempsey Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Kiama, The Council of the Municipality of additional special variation application 2022-23
20 June 2022	Final Report - Ku-ring-gai Municipal Council additional special variation application 2022-23
20 June 2022	Final Report - Lachlan Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Lake Macquarie City Council additional special variation application 2022-23
20 June 2022	Final Report - Lane Cove Council additional special variation application 2022-23

Date	Report or paper
20 June 2022	Final Report - Leeton Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Lithgow Council, City of additional special variation application 2022-23
20 June 2022	Final Report - Liverpool City Council additional special variation application 2022-23
20 June 2022	Final Report - Lockhart Shire Council additional special variation application 2022-23
20 June 2022	Final Report - MidCoast Council additional special variation application 2022-23
20 June 2022	Final Report - Moree Plains Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Mosman Municipal Council additional special variation application 2022-23
20 June 2022	Final Report - Murray River Council additional special variation application 2022-23
20 June 2022	Final Report - Murrumbidgee Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Muswellbrook Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Narrandera Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Newcastle City Council additional special variation application 2022-23
20 June 2022	Final Report - North Sydney Council additional special variation application 2022-23
20 June 2022	Final Report - Northern Beaches Council additional special variation application 2022-23
20 June 2022	Final Report - Oberon Council additional special variation application 2022-23
20 June 2022	Final Report - Orange City Council additional special variation application 2022-23
20 June 2022	Final Report - Parkes Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Penrith City Council additional special variation application 2022-23
20 June 2022	Final Report - Port Stephens Council additional special variation application 2022-23
20 June 2022	Final Report - Queanbeyan-Palerang Regional Council additional special variation application 2022-23
20 June 2022	Final Report - Randwick City Council additional special variation application 2022-23
20 June 2022	Final Report - Singleton Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Snowy Monaro Regional Council additional special variation application 2022-23
20 June 2022	Final Report - Sutherland Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Tamworth Regional Council additional special variation application 2022-23
20 June 2022	Final Report - Temora Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Upper Hunter Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Uralla Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Wagga Wagga City Council additional special variation application 2022-23
20 June 2022	Final Report - Walgett Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Warren Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Warrumbungle Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Waverley Council additional special variation application 2022-23
20 June 2022	Final Report - Weddin Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Willoughby City Council additional special variation application 2022-23
20 June 2022	Final Report - Wingecarribee Shire Council additional special variation application 2022-23
20 June 2022	Final Report - Wollongong City Council additional special variation application 2022-23
20 June 2022	Final Report - Woollahra Municipal Council additional special variation application 2022-23
20 June 2022	Final Report - Yass Valley Council additional special variation application 2022-23

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- ¹ These functions are based on terms of reference issued by the Premier in 2010 under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* (IPART Act), and the delegation of various powers under the *Local Government Act* by the Minister for Local Government.
- ² Under the *Environmental Planning and Assessment Act 1979* (EP&A Act).
- ³ The Minister has the power to set the rate peg under section 506 of the *Local Government Act 1993* (LG Act).
- ⁴ More detail on the LGCI is in IPART, [Information Paper - Local Government Cost Index](#), December 2010.
- ⁵ More detail in IPART, [Reweighting of Local Government Cost Index](#), May 2020.
- ⁶ Functions delegated by the Minister for Local Government under sections 508(2) and 508A of the LG Act.
- ⁷ From Office of Local Government, *Guidelines for the preparation of an application for a special variation to general income*, p 8 to 10.
- ⁸ Under section 548 of the LG Act.
- ⁹ Under clause 126 of the *Local Government (General) Regulation 2021*.
- ¹⁰ Minister for Planning, *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012*, 21 August 2012 as amended (Direction).
- ¹¹ NSW Productivity Commission, *Review of Infrastructure Contributions in New South Wales*, Final Report, November 2020, p 3.
- ¹² For copies of the terms of reference see the IPART website.
- ¹³ IPART, *Review of the essential works list, nexus, efficient design and benchmark costs for local infrastructure*, Draft Report, October 2021 and IPART, *Information paper and Report, Typical scopes and benchmark costs of local infrastructure*, 12 November 2021.

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