

LOCAL GOVERNMENT ACT 1993

INSTRUMENT UNDER SECTION 508(2)

SPECIAL VARIATION FOR CENTRAL COAST COUNCIL (May 2022)

This instrument is made by the Independent Pricing and Regulatory Tribunal (**IPART**) as delegate for the Minister administering the *Local Government Act 1993* (**Act**) (delegation of 6 September 2010).

This instrument revokes and replaces the instrument dated 14 May 2021 made by IPART under section 508(2) of the Act and titled 'Special Variation for Central Coast Council 2021-22'.

IPART determines under section 508(2) of the Act that:

1. The percentage by which Central Coast Council (**Council**) may increase its general income for Year 2021-22 is 15.0%.

"**Year**" means the period from 1 July to the following 30 June.

[Note: The Council is required to reduce its income for Year 2031-32 to reflect any expiring special variation amount before increasing its general income for that Year in accordance with clause 1 above.]

2. The percentage increase set out in clause 1 above (**Special Variation**) is subject to the following conditions:

- a) The Council uses the Additional Income for the purposes of repaying loans and restricted funds (**Proposed Program**) generally in accordance with Appendix B of the Report.

"**Additional Income**" means:

- i) the additional income raised in accordance with clause 1 above, less
- ii) the additional general income that would otherwise be available to the Council under section 506 of the Act.

"**Report**" means IPART's report entitled "Central Coast Council Special Variation Application for 2022-23" dated May 2022 on IPART's determination under section 508(2) of the Act.

- b) The Council report, in its annual report for each Year from Year 2021-22 to Year 2030-31, on the following for those Years:
 - i) the program of expenditure that was actually funded by the Additional Income;
 - ii) any significant differences between the Proposed Program and the program of expenditure that was actually funded by the Additional Income and the reasons for those differences;
 - iii) the outcomes achieved as a result of the Additional Income;
 - iv) the Council's actual revenues, expenses and operating balance against the projected revenues, expenses and operating balance as outlined in the Long Term Financial Plan; and

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- v) any significant differences between the Council's actual revenues, expenses and operating balance and the projected revenues, expenses and operating balance as outlined in the Long Term Financial Plan and the reasons for those differences.

"Long Term Financial Plan" means:

- i) for reporting on Year 2021-22, the part of the long term financial plan for the Year summarised at Appendix C of IPART's report entitled "Central Coast Council Special Variation Application from 2021-22" dated May 2021; and
- ii) for reporting on each Year from Year 2022-23 to Year 2030-31, the long term financial plan for the period from Year 2022-23 to Year 2031-32 summarised in Appendix B of the Report.
- c) The Council reduces its general income for Year 2031-32 by:
- i) \$22,810,026 (**Initial Reduction Amount**); and
- ii) the cumulative additional income derived for each Year, from Year 2022-23 to 2030-31 (inclusive), on the application of:
- A. any special variation percentage approved under section 508(2) or 508A of the Act for the Council for each Year, from Year 2022-23 to Year 2030-31; and
- B. where there is no approved special variation percentage for the Council applying to a Year from Year 2022-23 to Year 2030-31, any percentage approved for the Council under section 506 of the Act for each such Year,
- to the Reduction Amount.

Reduction Amount means the Initial Reduction Amount as increased by the additional income derived for each previous Year relating to the Initial Reduction Amount.

[Note: The purpose of this clause 2(c) is to reduce the Council's general income to the amount of general income that the Council would have had in 2031-32 without this Special Variation.]

Dated 5 May 2022

5/05/2022

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Ms Carmel Donnelly
Chair

Signed by: Carmel Donnelly

Ms Carmel Donnelly PSM, Chair
On behalf of the Independent Pricing and Regulatory Tribunal
As delegate for the Minister Administering the *Local Government Act 1993*