

**LOCAL GOVERNMENT ACT 1993**

**INSTRUMENT UNDER SECTION 508(2)**

**SPECIAL VARIATION FOR TWEED SHIRE COUNCIL 2021-22**

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

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

1. The percentage by which Tweed Shire Council (**Council**) may increase its general income for Year 2021-22 is 4.35%.

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

*[Note: The Council is required to reduce its income for Year 2021-22 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 funding management and maintenance of environmental protection lands within the Kings Forest Development (**Proposed Program**) generally in accordance with Appendix B of the Report.

“**Additional Income**” means:

- i) the additional general 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.

“**Kings Forest Development**” means the development associated with Project Approval No. 08\_0194 for Kings Forest Stage 1 determined under Section 75J of the *Environmental Planning & Assessment Act 1979* on 11 August 2013 and any modifications to that Approval.


“**Report**” means IPART’s report entitled “Special Variation Application Tweed Shire Council from 2021-22” dated May 2021 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
- 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 the long term financial plan for the period from Year 2021-22 to Year 2030-31 summarised in Appendix C of the Report.

Dated 14 May 2021



**Ms Deborah Cope, Acting Chair**  
**On behalf of the Independent Pricing and Regulatory Tribunal**  
As delegate for the Minister Administering the *Local Government Act 1993*