

## LOCAL GOVERNMENT ACT 1993

### INSTRUMENT UNDER SECTION 508A(1)

#### KYOGLE COUNCIL

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The Independent Pricing and Regulatory Tribunal (IPART), delegate of the Minister for Local Government, pursuant to the delegation dated 6 September 2010 determines:

1. under section 508A(1) of the *Local Government Act 1993* (the Act), that the percentage by which Kyogle Council (Council) may increase its general income for the period from Year 2015-2016 to Year 2019-2020 (inclusive) is 38.94%, consisting of the following annual increases:

	Year	Annual increase in general income (%)	Cumulative increase in general income (%)
Y1	2015-2016	12.43	12.43
Y2	2016-2017	5.43	18.54
Y3	2017-2018	5.43	24.97
Y4	2018-2019	5.44	31.77
Y5	2019-2020	5.44	38.94

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

2. the percentage increase set out in clause 1 above (Special Variation) is subject to the following conditions:
  - I. The Council uses the Additional Income for the purposes of funding the proposed program of expenditure (Proposed Program) set out in Appendix A of the Report. The funding of stormwater management services is a primary purpose of the Special Variation.

Additional Income means:

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

Report means the report entitled "Kyogle Council's application for a special variation and to set a minimum special rate for 2015-16" dated May 2015 on IPART's determination of the Council's application under section 508A(1) and 548(3)(b) of the Act.

- II. The Council reports, in its annual report for each Year, from Year 2015-2016 to Year 2024-2025 (inclusive), on the following for that Year:
  - a) the program of expenditure that was actually funded by the Special Variation;

- b) any significant differences between the Proposed Program and the program of expenditure that was actually funded by the Special Variation and the reasons for those differences;
- c) the outcomes achieved as a result of the Special Variation;
- d) the Council's actual revenues, expenses and operating balance;
- e) any significant differences between the Council's actual revenues, expenses and operating balance and the revenues, expenses and operating balance forecasted in the Long Term Financial Plan and the reasons for those differences; and
- f) any corrective action taken or to be taken to address any differences reported under clause 2.II.e).

Long Term Financial Plan means the long term financial plan for the period from Year 2015-2016 to Year 2024-2025 (inclusive) summarised in Appendix B of the Report.

- III. The Council reports, in its financial statement for each Year, from Year 2015-2016 to Year 2024-2025 (inclusive), on its compliance with this instrument for that Year.

Dated this 20<sup>th</sup> day of May, 2015



**Dr Peter J. Boxall, AO**  
**Chairman, Independent Pricing and Regulatory Tribunal**