

LOCAL GOVERNMENT ACT 1993
INSTRUMENT UNDER SECTION 508(2)
TWEED SHIRE COUNCIL

The Independent Pricing and Regulatory Tribunal (IPART), delegate of the Minister for Local Government pursuant to the delegation dated 6 September 2010, determines under section 508(2) of the *Local Government Act 1993* (the Act) that:

1. the percentage by which Tweed Shire Council (Council) may increase its general income for Year 2016-17 is 2.77%.

“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.

“Additional Income” means:

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

“Report” means IPART’s report entitled “Tweed Shire Council’s Application for a Special Variation for 2016-17” dated May 2016 on IPART’s determination under section 508(2) of the Act.

- II. The Council reports, in its annual report for each Year from Year 2016-17 to Year 2025-26, on the following for that Year:
 - a) the scope of the proposed improvements, maintenance and management activities for the environmental lands within the Cobaki Lakes Development agreed between the Council and the developer of the Cobaki Lakes Development;
 - b) the program of expenditure that was actually funded by the Special Variation;
 - c) 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; and
 - d) the outcomes achieved as a result of the Special Variation.

“Cobaki Lakes Development” means the area of land that is the subject of the Concept Plan approval No. MP06_0316 approved by the Minister for Planning in December 2010 under the *Environmental Planning and Assessment Act 1979*.

- III. The Council must, in the rates and charges notices served on Cobaki Residential and Business Ratepayers for each Year from Year 2016-17 onwards, itemise the impact of the Special Rate.

“Cobaki Residential and Business Ratepayer” means a rateable person (as that term is defined in the Act) in respect of land that is:

- (a) within the Cobaki Lakes Development; and
- (b) categorised for the purposes of the Act as residential or business.

“Special Rate” means the special rate levied by the Council on Cobaki Residential and Business Ratepayers as described in the Report.

Dated this 25 day of May, 2016

A handwritten signature in black ink, appearing to read 'Peter J. Boxall', written in a cursive style.

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