

**LOCAL GOVERNMENT ACT 1993**

**INSTRUMENT UNDER SECTION 508(2)**

**SPECIAL VARIATION FOR LITHGOW CITY COUNCIL 2019-20**

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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 Lithgow City Council (**Council**) may increase its general income for Year 2019-20 is 9.0%.

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

*[Note: The Council is required to reduce its income for Year 2019-20 to reflect any expiring special variation amount (\$636,992) 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 the proposed program of expenditure (**Proposed Program**) set out in 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.

**“Report”** means IPART’s report entitled “Special variation increase Lithgow City Council 2019-20” dated May 2019 on IPART’s determination under section 508(2) of the Act.

- b) The Council report, in its annual report for each Year from Year 2019-20 to Year 2020-21, 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 2019-20 to Year 2028-29 summarised in Appendix C of the Report.

Dated 1 May 2019



**Dr Paul Paterson, Chair**  
**On behalf of the Independent Pricing and Regulatory Tribunal**  
As delegate for the Minister Administering the *Local Government Act 1993*



13 December 2022

Carmel Donnelly  
Chair  
Independent Pricing and Regulatory Tribunal  
PO Box K35  
HAYMARKET POST SHOP NSW 1240

Dear Ms Donnelly,

### **Declaration of Compliance**

This declaration is provided to confirm that Lithgow City Council is compliant with the conditions set out in the Special Variation Instrument under Section 508(2) dated 1 May 2019

The conditions set out in the Instrument that Council are compliant with are:

- a) The Council uses the Additional Income for the purposes of funding the proposed program of expenditure (Proposed Program) set out in 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 508(2) of the Act.

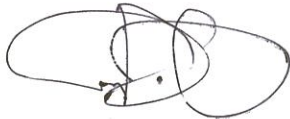
"Report" means IPART's report entitled "Special variation increase Lithgow City Council 2019-20" dated May 2019 on IPART's determination under section 508(2) of the Act.

- b) The Council report, in its annual report for each Year from Year 2019-20 to Year 2020-21, 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 2019-20 to Year 2028-29 summarised in Appendix C of the Report.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Craig Butler', with a large, loopy flourish extending from the end.

**Craig Butler**  
GENERAL MANAGER



SPECIAL VARIATION TO ORDINARY RATES

On 13 May 2019, IPART announced that it had approved the Special Rate Variation in part for an increase of 9.0% (including rate peg). The rate increase may be retained in the Council's general income base permanently. To ensure compliance with the provisions of s508(2) of the Local Government Act 1993, Council is required to provide information on projects funded from the Infrastructure Levy Program (ILP) during 2019/20 as follows:

TRANSPORT		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
ROADS		
First Street, Lithgow	140,000	103
William Street, Portland	65,000	
View Street, Lidsdale	35,000	
Red Hill Road, Upper Turon	125,000	
Total Road Renewal	365,000	
General Asset Transport - Maintenance	110,000	
TOTAL TRANSPORT SRV PROGRAM	475,000	



DRAINAGE INFRASTRUCTURE		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
STORMWATER DRAINAGE		
Alison Close, Wallerawang	75,000	109
General Asset Drainage - Maintenance	17,000	
<b>TOTAL DRAINAGE SRV PROGRAM</b>	<b>92,000</b>	
BUILDINGS		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
BUILDINGS		
Pioneer Park Toilet replacement	125,000	97
Union Theatre Sound & Lighting	50,000	96
<b>Total Buildings Renewal</b>	<b>175,000</b>	
General Asset Building Maintenance	NIL	97
<b>TOTAL BUILDING SRV PROGRAM</b>	<b>175,000</b>	
BUSINESS IMPROVEMENT CAPITAL PROJECT		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
BUILDINGS		
Installation of solar panels - JM Robson Aquatic Centre	69,180	92
<b>TOTAL BUSINESS IMPROVEMENT SRV PROGRAM</b>	<b>69,180</b>	



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TRANSPORT		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
ROADS		
Glen Davis Road, Glen Davis	424,125	
Total Road Renewal	424,125	
General asset transport maintenance	102,500	
TOTAL TRANSPORT SRV PROGRAM	526,625	

\$821,210  
SRV  
PROGRAM

The implementation of the Special Rate Variation Roads and Drainage programs meet the objectives of council's Strategic Asset Management Plan by:

- Facilitating the renewal of assets;
- Reducing council's asset renewal backlog;
- Providing high quality transport assets to the community.



DRAINAGE INFRASTRUCTURE		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
STORMWATER DRAINAGE		
Cemetery Stormwater Improvements (project deferred)	Nil	
General Asset Drainage - Maintenance	94,300	
<b>TOTAL DRAINAGE SRV PROGRAM</b>	<b>94,300</b>	

BUILDINGS		
RENEWAL WORKS TO THE FOLLOWING	AMOUNT \$	PAGE
BUILDINGS		
Gumnut Childcare Facility – Facility Upgrade	65,457	
Lake Lyell Jetty Repair	29,600	
Lake Wallace Amenities Block – Re-tiling	21,224	
Centrelink Building – Painting (project deferred)	Nil	
<b>Total Buildings Renewal</b>	<b>116,281</b>	
General Asset Building - Maintenance	84,004	
<b>TOTAL BUILDING SRV PROGRAM</b>	<b>200,285</b>	

