

# COFFS HARBOUR ADMINISTRATION LEVY

**Developer Contributions  
Plan 2014**



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# **PART 1 - SUMMARY SCHEDULES**

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## **EXECUTIVE SUMMARY**

This contribution plan enables Coffs Harbour City Council to levy contributions under Section 94 of the Environmental Planning and Assessment Act 1979 where the anticipated development will or is likely to increase the demand for public facilities.

Council's "Our Living City" Settlement Strategy 2007 advises that the population of Coffs Harbour is expected to increase by 32,000 by 2031.

In September 2013 the NSW Department of Planning and Environment NSW released population forecasts for the state and individual local government areas. These projections show Coffs Harbour having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 and the population is expected to be 88,100 in 2031.

As a consequence of this anticipated population growth and having regard to the level of facilities currently available and the expected profile of the new population, it will be necessary to provide additional infrastructure and services. Council considers that the costs involved with developer plan preparation, plan monitoring and review and administration and accounting are an integral part of the provision of facilities and services required as a result of development. Accordingly the related expenses are to be funded from developer contributions.

## **SUMMARY OF CONTRIBUTION RATES**

Table 1 summarises the costs of the identified in the administration of Council's development Contributions system.

Table 2 summarises the contribution rates applying to the different public facilities to be provided in accordance with this contributions plan. Appendix "B" includes additional contribution rates that apply to various other forms of development.

## **DATE OF COMMENCEMENT OF THE PLAN**

This plan came into operation on 29/10/2014

**Table 1 – Summary of Costs of Public Services**

<b>Public Facility</b>	<b>Total Cost</b>	<b>Grant Funds or other Income</b>	<b>Net Cost to be Levied</b>
	\$	\$	\$
Developer Contributions Co-ordination and Administration	828,321	186,881	641,440

**Table 2 – Summary of Contribution Rates**

<b>Service / Facility</b>	<b>Net Cost to be Levied</b>	<b>Per Person</b>	<b>Per Lot/ Large Dwelling</b>	<b>Per Small Dwelling</b>
	\$	\$	\$	\$
S94 Co-ordination & Administration	641,440	196.89	511.92	358.34

**Notes:**

1. Contribution rates will be applied as follows:
  - the first lot in a residential subdivision is exempt from contributions
  - the first dwelling on a residential lot is exempt from contributions
  - the contribution rate for a dual occupancy, villa, townhouse or residential flat development is the number of dwellings multiplied by the appropriate dwelling rate minus one lot rate.
2. A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).
3. The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).
4. Additional contribution rates for various other types of development are included in this Plan at appendix "B"

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# **PART 2 – ACCOUNTING AND ADMINISTRATION**

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## **NAME OF THE PLAN**

This contributions plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 4 of the Environmental Planning and Assessment Regulation 2000 and may be referred to as the Coffs Harbour Administration Levy Developer Contributions Plan 2014.

## **PURPOSE OF THE PLAN**

The primary purpose of this plan is to satisfy the requirements of the EP & A Act and Regulation to enable Council to require a contribution towards the costs associated with developer contribution plan preparation and administration.

These administrative functions include, but are not limited to:

- (i) Developer contribution plan preparation;
- (ii) Monitoring and review of developer contributions plans to ensure adequate funding is being achieved for the provision of infrastructure and services included in Council's developer contributions plans;
- (iii) Statutory requirements of advertising and review of submissions;
- (iv) Negotiating works in kind arrangements in accordance with Council's policy where appropriate;
- (v) provide a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions on an equitable basis throughout the Coffs Harbour local government area (LGA).

The Co-ordination and Administration contribution applies to the Coffs Harbour Local Government Area.

## **RELATIONSHIP TO OTHER PLANS AND POLICIES**

This contributions plan supersedes the previous developer contributions plan for Administration included in the former Regional District and Neighbourhood facilities & Services Developer Contributions Plan, which came into effect on 18<sup>th</sup> December 2013.

This plan should be referred to in conjunction with other contributions plans adopted by Council and applying within the Coffs Harbour LGA.

## **FORMULA FOR DETERMINING CONTRIBUTIONS**

The formula to be used for the calculation of contributions under Section 94 of the EP&A Act is as set out below:

Contribution per person

$$= \frac{(C - O)}{L}$$

### **Where:**

C = total cost of administering Councils Developer Contributions portfolio

O = funds from other sources

L = anticipated additional residential lots/dwellings

## **TIMING OF PAYMENT OF CONTRIBUTIONS**

Payment of financial contributions should be finalised at the following stages:

- development consents involving subdivisions – prior to release of the linen plan;
- development consents involving building work – prior to the release of the building approval;
- development consents where no building approval is required – at the time of issue of the notification of consent, or prior to the commencement of approved development as may be determined by Council.

## **DEFERRED OR PERIODIC PAYMENT**

Where the applicant can demonstrate that the settlement of the contribution, in terms of the above, is unreasonable in the circumstances of the case, the Council may accept deferred or periodic settlement. In such a case, the applicant needs to make a written request and satisfy Council in accordance with the following:

- there are valid reasons for deferred or periodic payment;
- no prejudice will be caused to the community deriving benefits from the public facilities required by the proposed development;
- no prejudice will be caused to the operation of this plan;
- the provision of the public facility or service in accordance with the adopted work schedule will not be adversely affected.

Applications for deferment of payments will be subject to the following conditions:

- the deferment will be for a fixed period not exceeding 6 months from the date the contribution becomes due;
- the applicant must agree to pay the Council interest on contributions or on so much thereof as shall remain outstanding from time to time computed from the date that the contribution becomes due at the appropriate rate of interest;

- payment of the contributions and the interest must be secured by delivery to the Council of a guarantee in writing issued by an appropriate institution;
- deferments will not be granted based on progressive land sales.

For the purposes of this provision, "*appropriate rate of interest*" means 6 month Bank Bill Swap Rate applicable from time to time, and "*appropriate institution*" means a licensed bank or other institution where securities comprise authorised investments under the Trustee Act 1925.

## **WORKS IN KIND**

Council may accept an applicant's offer to make a contribution by way of a works in kind contribution (for an item included on the works schedule) or a material public benefit (for an item not included on the works schedule) as referred to in Section 94(5b) of the Environmental Planning and Assessment Act.

Applicants should consult Councils current Works in Kind Policy prior to making an application for the undertaking of Works in Kind.

Council may accept the offer of a works in kind contribution if the applicant, or any other person entitled to act upon the relevant consent, satisfies the consent authority that:

- (a) payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case;
- (b) the in kind contribution will not prejudice the timing or the manner of the provision of the public facility for which the contribution was required;
- (c) the value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this plan.

## **EXEMPTIONS**

Council may consider exempting developments, or components of developments from the requirement for a contribution for developments that include aged care accommodation where the residents require in house care, and developments that are specifically exempted under directions that may be made from time to time by the NSW Minister for Planning.

## **POOLING OF FUNDS**

This plan expressly authorises monetary S94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

## **REVIEW OF CONTRIBUTION RATES**

Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the open space and administrative duties.

The contribution rates will be reviewed quarterly on the basis of movements in the Consumer Price Index, All Groups Sydney, as published by the Australian Bureau of Statistics in accordance with the following formula:

$$RC = \frac{C \times \text{Current index}}{\text{Previous index}}$$

where

RC = Revised contribution rate per ET applicable at the time of payment

C = Previous contribution rate

*Current index* is the Consumer Price Index at the date of review of the contribution

*Previous index* is the Consumer Price index as listed in Appendix "A" or applicable at the time of issue of the consent.

The Council may also review the works schedule, population projections, or other aspects relating to the contribution plan.

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## PART 3 – STRATEGY PLANS

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### RELATIONSHIP BETWEEN EXPECTED DEVELOPMENT AND DEMAND FOR ADDITIONAL PUBLIC FACILITIES

The following documents provide the basis for establishing the relationship (nexus) between the expected types of development in the area and the demand for additional public facilities to meet that development.

**The Coffs Harbour “Our Living City” Settlement Strategy** identifies the preferred location and expected type of future urban expansion within the City, and the associated requirements for public facilities.

In September 2013 the NSW Department of Planning and Environment NSW released population forecasts for the state and individual local government areas. These projections show Coffs Harbour having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 and the population is expected to be 88,100 in 2031.

### NEXUS

The preparation, review, and administration of Council’s Developer contributions plans is currently undertaken by the Developer Contributions Internal Working Group, which includes representatives from all areas of Council. Additionally other staff are required to ensure the smooth and effective operation of Developer Contributions. These additional staff include, but are not limited to, Executive Leadership Team members (policy decisions etc), Strategic Planning staff, and Information Services staff support.

This process is co-ordinated by Council’s Developer Contributions Co-ordinator.

As developer contributions are required to provide the new infrastructure and services required as a result of development, the Developer Contributions Co-ordinators role is required to assist in ensuring that all contributions plans are operating in accordance with their objectives, and that plans are regularly reviewed to ensure that facilities are provided in a timely manner.

Part 4 of the Environmental Planning and Assessment Regulation sets out the requirements surrounding the approval, amendment and repeal of contributions plans. It further requires Council’s to maintain a contributions register, account for contributions, and prepare annual statements. These requirements are the result of Council choosing to implement contributions plans so that the costs of providing public facilities and amenities to the incoming population are equitably borne by those who will receive their benefit.

Therefore the co-ordinators role, together with the input of other staff involved on the Developer Contributions Team, is required as a direct result of development. Contributions towards the costs of this role are to be funded by way of contributions.

This contribution is to be levied on all development applications where Section 94 developer contributions are applied.

## FUTURE POPULATION & DENSITIES

Population forecasts released in September 2013 by the NSW Department of Planning and Environment NSW show Coffs Harbour as having a population of 88,100 in the year 2031. These forecasts indicate that the 2014 population of the Coffs Harbour Local Government Area is 73,277 therefore resulting in an additional 14,823 people within the Coffs Harbour Local Government Area.

It should be noted that this plan provides for development consents approved where contributions have been imposed on consents but not yet received.

Average occupancy rates in Coffs Harbour in 2011 were as follows:-

### OCCUPANCY RATES

DWELLING TYPE	OCCUPANCY RATE
Large Dwelling	2.6
Small dwelling	1.8

Source: ABS census figures

- A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).
- The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).
- Additional occupancy rates are included in this plan at appendix "B"

### Calculation of Contribution

The cost of co-ordination and administration of developer contribution plans for the next five years is \$828,321. Of this approximately \$186,881 is applicable to contributions other than those levied under S94. This proportion will be funded from sources other than contributions under S94.

The net amount to be collected is therefore \$641,440.

### Contribution

Total cost of service C = \$828,321

Funds from other Sources O = \$186,881

Total Lots L = 1,253

Contribution per Lot

$$= \frac{(C - O)}{L}$$

$$= \frac{828,321 - 186,881}{1,253}$$

$$= \$511.92 \text{ per Lot}$$

## APPENDIX A - INDEXING FACTORS FOR PROPOSED WORKS

Contribution Type	Indexation Basis	Index	Date Applied
S94 Contribution Co-ordination & Administration	Consumer Price Index – (All Groups) for Sydney	105.0	Dec. 2013

## APPENDIX B – STANDARD EQUIVALENT TENEMENT FIGURES

CLASSIFICATION	Unit Rate per ET Section 94 Contribution Plans	Unit Rate per ET Water DSP	Unit Rate per ET Waste Water DSP
<b>RESIDENTIAL</b>			
Subdivision lot	1	1	1
Small Dwelling*	0.7 per dwelling	0.7 per dwelling	0.7 per dwelling
Large Dwelling**	1 per dwelling	1 per dwelling	1 per dwelling
Boarding House	0.35 per bed	0.35 per bed	0.35 per bed
Seniors Living (SEPP)	0.55 per dwelling	0.55 per dwelling	0.55 per dwelling
Nursing Home	0.35 per bed	0.35 per bed	0.35 per bed
Self Care retirement unit	0.55 per unit	0.55 per unit	0.55 per unit
Granny Flats (Affordable Rental Housing SEPP)	0.4 per dwelling	0.4 per dwelling	0.4 per dwelling
Hostel	0.35 per bed	0.35 per bed	0.35 per bed
Group Home	0.35 per bed	0.35 per bed	0.35 per bed
<b>TOURIST AND VISITOR ACCOMMODATION</b>			
Motel / hotel / resort room	0.35 per room	0.35 per room	0.35 per room
Serviced apartments	0.35 per room	0.35 per room	0.35 per room
Backpackers accommodation per room	0.2 per room	0.2 per room	0.2 per room
Bed & Breakfast Accommodation	0.35 per room	0.35 per room	0.35 per room
Guest House/Hostel	0.35 per room	0.35 per room	0.35 per room
Caravan/Camp/cabin site - Permanent	0.6 per site	0.6 per site	0.6 per site
Caravan/ Cabin site temporary	0.35 per site	0.35 per site	0.35 per site
Camp/Tent Site temporary	0.25 per site	0.25 per site	0.25 per site

	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
	Section 94		
CLASSIFICATION	Contribution Plans	Water DSP	Waste Water DSP
<b>BUSINESS PREMISES</b>			
Shop	N/A	0.3 per 100m2	0.3 per 100m2
General Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Convenience Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Supermarket	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Bulky Goods Premises	N/A	0.2 per 100m2	0.2 per 100m2
Hairdressing/beauty salon	N/A	0.5 per 100m2	0.5 per 100m2
Laundromat	N/A	0.5 per machine	0.5 per machine
Office Premises	N/A	0.65 per 100m2 GFA	0.65 per 100m2 GFA
Warehouse/distribution centre	N/A	0.1 per 100m2 GFA	0.1 per 100m2 GFA
Industrial Premise***	N/A	0.1 per 100m2 GFA	0.1 per 100m2 GFA
Self Storage Premises***	N/A	0.1 per 100m2 GFA (admin area )	0.1 per 100m2 GFA (admin area )
Car Wash	N/A	Determined on Application	Determined on Application
Plant nursery	N/A	Determined on Application	Determined on Application
Service Station	N/A	0.6 per lane	0.6 per lane
Car Sales Showroom ( indoor)	N/A	Determined on Application	Determined on Application
Car Sales Showroom ( outdoor)	N/A	Determined on Application	Determined on Application
<b>FOOD AND DRINK PREMISES</b>			
Café / Coffee Shop	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Convenience Store	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Fast Food/Snack Bar No amenities	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Fast Food/Snack Bar with amenities	N/A	1.5 per 100m2 GFA	1.5 per 100m2 GFA
Restaurant	N/A	1.0 per 100m2 GFA	1.0 per 100m2 GFA
Hotel Public Bar	N/A	1.4 per 100m2 GFA	1.4 per 100m2 GFA
Lounge/beer garden	N/A	1.3 per 100m2 GFA	1.3 per 100m2 GFA
Registered Club - Licensed	N/A	0.6 per 100m2 GFA	0.6 per 100m2 GFA
Registered Club - Unlicensed	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
<b>COMMUNITY FACILITIES</b>			
Child care without Laundry - per child	N/A	0.04 per child	0.04 per child
Child care with Laundry - per child	N/A	0.07 per child	0.07 per child
Marina per berth -	N/A	Determined on Application	Determined on Application
Place of worship	N/A	1 per 80 seats (pro- rata)	1 per 80 seats (pro- rata)
Cultural Establishment	N/A	0.3 per 100m2 GFA	0.3 per 100m2 GFA
Correctional Centre	N/A	0.5 per bed	0.5 per bed
<b>Educational Establishment</b>			
- Primary/Secondary School	N/A	.04 per student	.04 per student
- Tertiary	N/A	.04 per student	.04 per student
- Boarding School	0.35 per resident student	0.35 per resident student	0.35 per resident student
Eco Tourism facility			
Passenger Transport Terminal	N/A	0.15 per 100m2 GFA	0.15 per 100m2 GFA

	Unit Rate per ET	Unit Rate per ET	Unit Rate per ET
	Section 94		
CLASSIFICATION	Contribution Plans	Water DSP	Waste Water DSP
Hospital	N/A	1 per bed	1 per bed
Medical Centre	N/A	0.5 per consultancy room	0.5 per consultancy room
Dental Surgery	N/A	0.5 per consultancy room	0.5 per consultancy room
Veterinary Clinic	N/A	0.5 per consultancy room	0.5 per consultancy room
ENTERTAINMENT			
Bowling Alley	N/A	0.2 per alley	0.2 per alley
Brothel	N/A	0.4 per room	0.4 per room
Swimming Pool - Commercial	N/A	7 per ML	7 per ML
Recreational centre - indoor	N/A	0.3 per 100m2	0.3 per 100m2
Function/Conference Centre	N/A	0.3 per 100m2	0.3 per 100m2

***\*A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).***

***\*\*The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres of floor area (excluding garages and balcony areas).***

***\*\*\* For onsite caretaker facilities refer to the residential rate applicable***

**Coffs Harbour City Council  
Cnr Coff and Castle Streets  
(Locked Bag 155)  
COFFS HARBOUR NSW 2450**

**Telephone: (02) 6648 4000**