



EXPLANATORY STATEMENT

Draft Shoalhaven Contributions Plan 2018

Public Exhibition: Wednesday 26 September to Friday 26 October 2018

Overview

The existing **Shoalhaven Contributions Plan 2010 (the Plan)** is a web-based plan that allows Council to levy contributions on development consents and complying development certificates issued for the development of land within Shoalhaven. These contributions are collected to enable the provision of community infrastructure projects (as detailed in the Plan) to meet demand created by development.

Since its commencement in 2010 there have been a number of amendments to the Plan, some minor in nature, others more significant. However, over time the Plan has become out of date, the website is aged and is difficult to navigate, and the list of contribution projects is in need of review.

The main components of this review are:

1. Revision of the content of the Plan.
2. Review and rationalisation of projects within the Plan.
3. Creation of an updated website, including a new online Contributions Calculator.

Following completion, this will represent a significant review of the Plan, and the establishment of, essentially, a new Plan.

Proposed Amendments

The new plan will be called *Shoalhaven Contributions Plan 2018* to reflect the significant number of changes that are proposed to update the Plan.

1. Content Review

The overall content of the Plan has been reviewed to improve readability and ensure ongoing compliance with relevant legislation and guidelines. The proposed amendments to the Plan cover:

- Recent amendments to the *Environmental Planning and Assessment Act 1979*;
- Clear explanation of concepts;
- Correction of weblinks throughout the website;
- Clarification of the policy regarding refunds of contributions;
- Updates to population forecasts, where available; and
- Improvements to overall readability.

Contributions Refunds

The existing Plan contains provisions that allow for refunds of paid contributions where development consents have been surrendered or Council has made an error in calculating the contributions payable. The revised refund provisions in the Draft Plan have been strengthened to ensure that:

- Requests for refunds are made within 12 months of paying the contributions;
- Refunds do not materially impact on Council's ability to deliver works identified in the Capital Works Program; and
- Refunds are not possible where a project has commenced and money has been expended, or is a recoupment project.

Future Amendments

The purpose of this review is primarily to remove those projects that are considered redundant, and to update costings for certain projects to reflect accurate costs where more realistic figures are known. As such, there are limitations to the scope of this review that will need to be addressed via ongoing management and future amendments to the Plan, for example:

- Population Projections
The apportionment rates for some projects have not yet been updated to reflect the population projections and current household composition figures from the 2016 Census. These figures are currently being collated and refined by Council's demographic consultant and will be provided to Council within the coming months. When received, affected projects will be revised as part of a future amendment, which will likely result in amended contribution rates to reflect these revised population statistics.
- Changes to Significant Contributions Projects
There have been recent changes to significant projects that have a portion of funding coming from the Contributions Plan, in particular the Shoalhaven Community and Recreation Precinct Project in Bomaderry, and the Bay and Basin Community Centre and Branch Library Project. The scope of these projects is currently being investigated in terms of design, location and costings in line with recent resolutions of Council. When complete, these projects will be updated via a future amendment to the Plan.
- Projects Affected by the Halloran Planning Proposals and Culburra Beach and Callala Bay
Council is currently considering two Planning Proposals that affect large portions of land at Culburra Beach and Callala Bay. The outcome of these Planning Proposals is likely to have an impact on the contribution rates for a number of projects within Planning Area 2, which will be updated via a future amendment to the Plan.
- Outstanding Major Project Approvals
There are a number of contribution projects throughout Shoalhaven that are affected by existing State Government Major Project Approvals, for example, large residential subdivisions at Manyana and Dolphin Point.

Generally, these approvals require the developer to provide the infrastructure rather than pay a contribution to Council. As these Major Projects are completed, and the projects delivered, there will be a need to update the Plan to remove the completed projects.

2. Project Review and Rationalisation

The current Plan contains 179 separate projects, 89 of which are proposed to be deleted through this review. Reasons for the proposed deletion of these projects include:

- The project has been completed and paid off;
- The project has been completed and no further contributions are able or likely to be collected;
- The project is no longer required due to Council policy changes and/or changes in community requirements;
- The project is no longer economically feasible; or
- The project has been changed/amended.

Eight new projects for recreation and community facilities have been added to the Plan, to assist with delivering community infrastructure in line with Council's adopted *Community Infrastructure Strategic Plan 2017*.

Appendix A contains a list of the project proposed to be deleted and why. **Appendix B** contain a list of new and revised projects.

Recoupment Projects and Recoupment Fund

The existing recoupment projects have also been rationalised through the review process. Where projects are considered to have a reasonable timeframe for recoupment of funds (for example, within 20 years), the projects will be retained. Where the timeframes for recoupment of funds are anticipated to be unreasonable (for example, 50+ years), the projects are proposed to be deleted, with the balance of any contributions paid to date to be included in the pooled recoupment fund.

The rate of recoupment from the retained projects will continue to be monitored as part of the ongoing administration and management of the Plan. There may be additional projects in the near future that are deleted based on expected low future recoupment of funds for projects.

As part of this review, a 'recoupment fund' will be created from the contributions paid into projects that are proposed to be deleted. Council previously resolved on 21 March 2017 that:

The funds from recoupment projects and identified deleted projects be transferred to a "recoupment fund" and used as Council's apportionment to projects and to provide seed funding for community infrastructure projects identified in the revised Contributions Plan.

Consistent with this resolution, these recoupment funds will be put towards upcoming projects that are necessary to promote development that supports future population growth, for example, the provision of community infrastructure in urban release areas, roads to service additional commercial development, and the like.

3. New Website

A new website for the Plan has been created that has a similar look and feel to the existing format of the Shoalhaven *Local Environmental Plan (LEP) 2014* and *Shoalhaven Development Control Plan (DCP) 2014* websites. This website forms part of the public exhibition material, and can be accessed via the following link: www.cp.shoalhaven.nsw.gov.au

It is important to note that the Contributions Calculator is not currently active on the new Draft Plan website. The website for the existing Plan will continue to operate until the new Plan commences, at which point a new calculator will be made available for public use on the new website.

Public exhibition

The draft documents and supporting material will be on public exhibition **from Wednesday 26 September to Friday 26 October 2018** (inclusive) at Council's Administrative Centre, Bridge Road, Nowra during business hours, 9am – 5pm.

The draft documents and supporting material are also available for viewing at the Ulladulla Administration Building and on Council's website at: www.shoalhaven.nsw.gov.au/My-Council/Public-exhibition/Documents-on-exhibition

How to make a submission

You are encouraged to view the documents and provide written submissions during the consultation period. Submissions should be made in writing and include Council's reference 51680E. All submissions must be received in writing by **5pm Friday 26 October 2018**.

Post: The General Manager, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

E-mail: council@shoalhaven.nsw.gov.au

Website: via the form on the Exhibition page at <https://cp.shoalhaven.nsw.gov.au/exhibition>

Please note that correspondence submitted to Council on this matter may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a submission are required to declare any relevant political, donations and/or gifts in accordance with Section 10.4(5) of the *Environmental Planning and Assessment Act 1979*.

Further Information

For further information, contact Marie-Louise Foley of Council's Planning Environment and Development Group on (02) 4429 3559.