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## DRAFT COVID-19 Contributions Discount Subsidy Policy

**Policy Number:** POL20/23 • **Adopted:** 28 April 2020 • **Minute Number:** MIN20.275 • **File:** 51680E • **Produced By:** Planning Environment & Development Group • **Review Date:** 28 April 2021

### 1. PURPOSE

In response to the COVID-19 crisis; the purpose of this Policy is to maintain, continue and encourage as much economic activity as possible in the Shoalhaven Local Government Area (LGA) through the provision of a short term discount subsidy.

### 2. PROVISIONS

#### 2.1. Application of Policy

The Policy applies to development proposals which, in the opinion of the Council's Chief Executive Officer, or his delegate, will result in the creation of employment (construction and/or operational), or places of employment, for example (but not limited to) new retail buildings, buildings of a commercial nature, industrial development and the like (**Eligible Development**).

Any Eligible Development that has been the subject of a development consent granted before 28 April 2020 (including applications approved prior to the COVID-19 pandemic) or granted on or after 28 April 2020 and in respect of which development contributions under s7.11 of the *Environmental Planning & Assessment Act 1979* (**EPA Act**) have not been paid before 28 April 2020, will qualify for the discount set out in section 2.2 below, provided that an application is made for the discount within:

- Two years of the issue of an operational development consent for the Eligible Development; and
- The operational period of the Policy.

#### 2.2. Payment of Discount Subsidy

The Policy requires full payment of the development contributions required to be paid under a development consent for the Eligible Development. Council will then pay an amount of 50% of the development contributions paid (subject to the exclusions in section 2.3 below) as a discount subsidy once the Council's Chief Executive Officer, or his delegate, determines that the Eligible Development has reached the following stage, and after a request for the discount subsidy has been received from the owner of the land on which the Eligible Development is to be carried out:

- Buildings: Approximately 25% completion - Being completion of the slab for the entire development or stage of development. The development cannot have received an Occupation Certificate.
- Infrastructure: Approximately 25% completion.
- Subdivision:
  - No infrastructure: At the point of approval of the Subdivision Works Certificate for each stage of the subdivision.
  - With associated infrastructure: Approximately 25% completion (e.g. roads and associated infrastructure, excluding bulk earthworks).
- Activities/Use (where the development does not include building/construction works) – Following payment of contributions.

If a property changes ownership, the discount subsidy entitlement will remain with the land, and be payable to the owner of the land at the time the discount subsidy is applied for and paid.

### **2.3. Exclusions**

The 50% discount subsidy will not apply to any amount of the development contribution paid in respect of the Eligible Development which is to be applied to the following projects (works where public safety is an issue (i.e. traffic facilities)):

- 01DRAI0006 - Moss Vale Road South URA Drainage.
- 01ROAD0145 - Mundamia URA Access Roads.
- 01ROAD0149 – Mundamia URA George Evans and Yalwal Road Intersection Upgrade.
- 01ROAD0150 - Roundabouts - Yalwal Road/Rannoch Drive and Yalwal Road/Lightwood Drive.
- 01ROAD0152 - Traffic signals and associated works at intersection of Albatross/Yalwal Roads.
- 01ROAD0154 - Moss Vale Road South URA Roads.
- 05ROAD0069 - Bendalong Road and Inyadda Drive intersection upgrade (Voluntary Planning Agreement for specific properties).
- 05ROAD2001 - Bishop Drive – Matron Porter Drive to Princes Highway.
- 05ROAD3058 - Corks Lane (Princes Highway Link Road and Associated Works).
- 05ROAD3061 - Matron Porter Drive (Princes Highway to Leo Drive, Mollymook).
- 05ROAD4008 - St Vincent Street Extensions to Princes Highway and Roundabout – South Ulladulla.

The 50% discount subsidy will not apply to CWMGMT3001 Contributions management & administration.

The 50% discount subsidy will not apply in respect of Eligible Development where development/construction unlawfully occurred prior to the payment of development contributions under s7.11 of the EPA Act (i.e. compliance matters).

## **2.4. Relationship to the Nowra CBD Contributions Discount Subsidy Policy**

Council currently operates the [Nowra CBD Contributions Discount Subsidy Policy](#) which seeks to encourage certain development within the Nowra CBD through the provision of a 50% discount subsidy relating to the [Nowra Car Parking Contributions Project \(01CARP3001\)](#).

An Eligible Development cannot benefit from a subsidy under this Policy and the [Nowra CBD Contributions Discount Subsidy Policy](#) for the Nowra Car Parking Contributions Project (01CARP3001).

## **3. IMPLEMENTATION**

This Policy operates separately and in isolation to Council's Contributions Plan. The discount subsidy is paid from Council's general funds and not from current contribution projects funds. This means that Council will retain all contributions funds for the purpose that they were collected.

## **4. OPERATION AND REVIEW**

The Policy commences on 28 April 2020 and will be in place for an initial period of 12 months. Council will then consider the take up and impact of the Policy during that period with any policy extension to be considered in a future report to Council. The Policy will remain in force until directed otherwise by Council.

Council reserves the right to review or amend this Policy and any future review may involve rescinding the policy.

## **5. APPLICATION OF ESD PRINCIPLES**

The Policy seeks to encourage and stimulate development in the Shoalhaven LGA as well as provide construction and operational employment opportunities in response to the COVID-19 crisis.