

## Development contributions for community facilities

<b>Policy, procedure, protocol</b>	Policy
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<b>Related documents</b>	
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<b>Section / Department</b>	Strategic & Economic Planning
<b>Linkage to Our Community Plan</b>	2 Our Infrastructure
<b>Objective</b>	2.3 We will have communities that are well serviced with essential infrastructure
<b>Strategy</b>	2.3.4 Develop a strategically located network of quality, accessible and safe public amenities that are adequately maintained and renewed

## 1. Purpose

In some instances Council is either the developer of community facilities, or facilities are developed by community groups on land owned or managed by Council. These may be facilities such as sports centres, sports fields, kiosks/changerooms, community or cultural centres.

The purpose of this policy is to exempt community facilities from the payment of contributions levied under Section 64 of the Local Government Act and Section 94 of the Environmental Planning and Assessment Act.

The exemption will reduce the cost of providing the affected community facilities.

## 2. Definitions

*“Community Facilities”* are facilities which are included in the development schedules contained within Council’s various Section 94 Contribution Plans and/or are sporting or cultural facilities located on Council owned or managed land.

*“Section 64 Contributions”* are financial contributions levied by Council for water and/or sewer headworks under the provisions of S64 of the Local Government Act.

*“Section 94 Contributions”* are financial contributions levied by Council for recreation facilities, community facilities and roadworks under the provisions of S94 of the Environmental Planning and Assessment Act.

## 3. Objectives

- To define those facilities for which contributions under S64 and S94 will not be levied.
- To acknowledge that exempting community facilities from paying contributions under S64 of the Local Government Act for water and/or sewer headworks represents a subsidy by Council’s Water Fund and/or Sewer Fund towards each project benefitting from the exemption.
- To preclude facilities provided to service the community such as schools, hospitals, child care centres, aged care facilities, etc. from the exemption under this policy.

## 4. Policy statement

4.1 Community facilities as defined in this policy and provided by Clarence Valley Council or community groups are exempt from the payment of contributions levied under S64 or S94.

4.2 Council’s Water Fund and Sewer Fund are classified as Category 1 Businesses under the National Competition Policy Guidelines and, as such, exempting community facilities from the payment of S64 Contributions represents a subsidy by the Funds towards each facility so benefitted.