



Why does Council set out fees and charges for requests to amend Coffs Harbour’s Local Environmental Plan?

On 27 June 2019, Council adopted its 2019/2020 Fees and Charges, which sets out the fees that Council will charge and recover for the services it provides.

Council’s pricing policy within its adopted fees and charges is based on the ‘User Pays Principle’ (i.e. services where individual costs can be determined and met by the user of the service). Under ‘full cost-recovery pricing’, the price for the service is set to recover the total operating costs, both direct and indirect, of providing this service.

Under the user pays principle, fees are introduced to offset the cost of service provision, in order to support the provision of services, and to alleviate the burden that would otherwise be unfairly placed upon the wider rate-paying community.

The user pays principle is applied in the case of requests to amend Coffs Harbour Local Environmental Plan (LEP) 2013. When a request to amend Council’s LEP is lodged by a developer or landowner which benefits a single or limited number of land owners, most Councils ask that those who benefit to pay the costs of this process.

The LEP amendment process is outlined in Fact Sheet 1.

How are Council’s fees and charges for requests to amend the LEP set up?

Council’s role in the planning proposal process is reflected in Council’s adopted fees and charges as milestones (steps). Amendments to Council’s LEP can be for simple or complex matters.

A proponent can choose to make a one off discounted payment for the whole process (excluding the initial payment for a pre-lodgement

meeting), or alternatively they may choose to make payments for each step in the process to reduce their risk where the proposal may be highly complex and the outcome is uncertain.

Simple changes, including minor amendments and minor anomaly corrections, have fewer charges and do not require specialist studies to be prepared by Council. Major amendments have been divided into 3 categories (Table 1) and each category attracts a different charge (Table 2); and all specialist studies required to accompany these requests are funded at the applicant’s cost.

TABLE 1: Categories of major amendments to Coffs Harbour LEP

CATEGORY	CHARACTERISTICS
Major Type A	Single site or issue generally consistent with Council’s strategic planning framework or Planning directions and where no specialist studies are required.
Major Type B	Multiple sites or issues generally consistent with Council’s strategic planning framework or Planning directions and where specialist studies are required.
Major Type C	Complex application inconsistent with strategic planning framework or Planning directions and where specialist studies are required.

TABLE 2: 2019/2020 charges for different LEP amendment types

MILESTONES (steps)	AMENDMENT TYPE				
	MINOR	MAJOR TYPE A	MAJOR TYPE B	MAJOR TYPE C	ONE OFF PAYMENT
Pre_Lodgement	\$228	\$228	\$228	\$228	\$228
Pre_Gateway (Peer Review)	\$6,000	\$8,950	\$8,950	\$8,950	-
Pre_Gateway (Planning Proposal)		\$12,300	\$12,300	\$12,300	-
Advertising and Submissions Assessment	\$2,290	\$2,290	\$2,290	\$2,290	-
Post Gateway		\$5,680	\$8,950	\$13,648	-
Legal Drafting	\$1,745	\$1,745	\$1,745	\$1,745	-
TOTAL	\$10,263	\$31,193	\$34,463	\$39,161	\$29,708

Note: Costs of all specialist studies to accompany these requests are funded at the applicant’s cost.

For more information contact

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