


# DRAFT

CITY COUNCIL



HARBOUR

COFFS

**North Coffs**

**Developer Contributions Plan 2012**

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# PART 1 - SUMMARY SCHEDULES

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## EXECUTIVE SUMMARY

This contributions 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.

The North Coffs Development Control Plan (DCP) makes provision for further residential expansion for a minimum of 732 additional lots accommodating a minimum of 1903 people. These figures include the Big Banana and adjacent lands, the deferred R1 and R2 Precincts and the Pacific Bay West Lands as identified in the North Coffs DCP.

As a consequence of this anticipated development and having regard to the level of facilities currently available, it will be necessary to provide:

- transport and traffic facilities; and
- planning studies.

The North Coffs Release Area has been divided into two catchments based on the need for the above facilities and services. These are classified as:

- Catchment A (Big Banana and adjacent lands); and
- Catchment B (Pacific Bay West Lands - Southern).

The Pacific Bay West Lands – Northern Catchment is a standalone catchment area which is able to provide all of its own necessary infrastructure requirements. Consequently no contributions are required to be levied on this land.

The Big Banana Lands and the Pacific Bay West Lands – Southern Catchment will also be able to provide much of its own infrastructure.

This infrastructure will be provided by the developers of this land as part of any future

Development Application and in accordance with the North Coffs DCP.

Also of importance is the fact that the Big Banana Land has been zoned to accommodate expansion needs of the Big Banana Tourist Facility. This area will accommodate a significant demand for facilities and services. Most of these services will be provided for by the developer as part of the future development of this land.

It should be noted that the proposed expansion will require the upgrade of West Korora Road and its intersection with the Pacific Highway. Council will not be forward funding these works.

This contribution plan provides Council with the authority to levy contributions on other lands within the catchment that will benefit from these works. These contributions will then be reimbursed to the party that funds West Korora Road and intersection works. This is considered to be the most fair and equitable outcome for all property owners involved.

A further two catchments (identified as Precincts R1 and R2 in the North Coffs DCP) are deferred pending further investigation. This Developer Contribution Plan will be required to be amended once this further investigation has been completed to incorporate these lands.

## **SUMMARY OF CONTRIBUTION RATES**

Table 1 summarises the costs of the identified public facilities required as a result of the future development of the North Coffs Release Area.

Table 2 summarises the contribution rates applying to the different catchments within the North Coffs Release Area.

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

This contributions plan came into operation on ..... 2012

**Table 1 - Summary Cost by Land Use**

Public Facility	Total Cost	Net Cost to be Levied
	\$	\$
Catchment A and B		
Transport and Traffic	4,845,744.00	4,845,744.00
*Planning Studies	229,765.00	188,052

**Table 2 - Summary of Contributions**

Service/Facility	Net Cost to be Levied \$	Per Person \$	Per Lot / large dwelling \$	Per Small Dwelling \$
<b>Catchment A (Big Banana and adjacent lands)</b>				
Transport and Traffic	4,845,744.00	3,407.70	8,860.02	6,133.83
Planning Studies	187,826.07	124.04	322.50	223.27
<b>Catchment B (Pacific Bay West Lands - Southern)</b>				
Transport and Traffic	4,845,744.00	3,407.22	8,858.76	6,133.83
Planning Studies	225.99	7.92	20.58	14.26

**Notes:**

1. ***In addition to the above the relevant contribution rates for Regional, District and Neighbourhood open space and community facilities, Surf Rescue Equipment, the Coffs Harbour Road Network, and the Coffs Harbour Water Supply and Wastewater Development Services Plans will also apply.***
2. ***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; and***
  - ***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.***
3. ***A small dwelling is deemed to be any dwelling with a floor area less than 100 square metres (excluding garages and balcony areas).***
4. ***The lot rate/large dwelling rate applies to all types of dwelling with a floor area equal to or exceeding 100 square metres ( excluding garages and balcony areas).***
5. ***SEPP Seniors Living occupancy rates of 1.5 persons per dwelling refers to developments approved under the State Environmental Planning Policy (Seniors Living) 2004***

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# PART 2

## ADMINISTRATION AND ACCOUNTING

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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 and may be referred to as the **North Coffs Developer Contributions Plan 2012**.

### **PURPOSE OF THE PLAN**

The primary purpose of this plan is to satisfy the requirements of the Environmental Planning and Assessment Act, 1979 to enable Council to require a contribution towards the provision, extension or augmentation of public facilities and services. These facilities and services are required as a consequence of development in the area or have been provided in anticipation of or to facilitate such development.

Other purposes of the plan are to:

- (i) ensure that an adequate level of public infrastructure is provided in North Coffs as development occurs.
- (ii) enable Council to recoup funds that it has spent in the provision of public facilities in anticipation of likely future development.
- (iii) ensure that the existing community is not burdened by the provision of public facilities required as a result of future development.
- (iv) provide a detailed strategy for the assessment, collection, expenditure, accounting and review of development contributions on an equitable basis throughout North Coffs.

### **THE AREA TO WHICH THE PLAN APPLIES**

The plan applies to all land within North Coffs as described on Map 1. As can be identified in Map 1 the North Coffs Release Area has been divided into two catchments based on the demand for the required facilities and services. These are classified as:

- Catchment A (Big Banana and adjacent lands); and
- Catchment B (Pacific Bay West Lands - Southern).

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

This plan supplements the Coffs Harbour City Local Environmental Plan 2000 and the Development Control Plan applying to North Coffs. This plan should be read in conjunction with the Regional, District and Neighbourhood Facilities Developer Contributions Plan 2008, the Coffs Harbour Road Network Contributions Plan 2008, the Surf Rescue Equipment Contributions Plan 2008, and other contributions plans that may apply to the area.

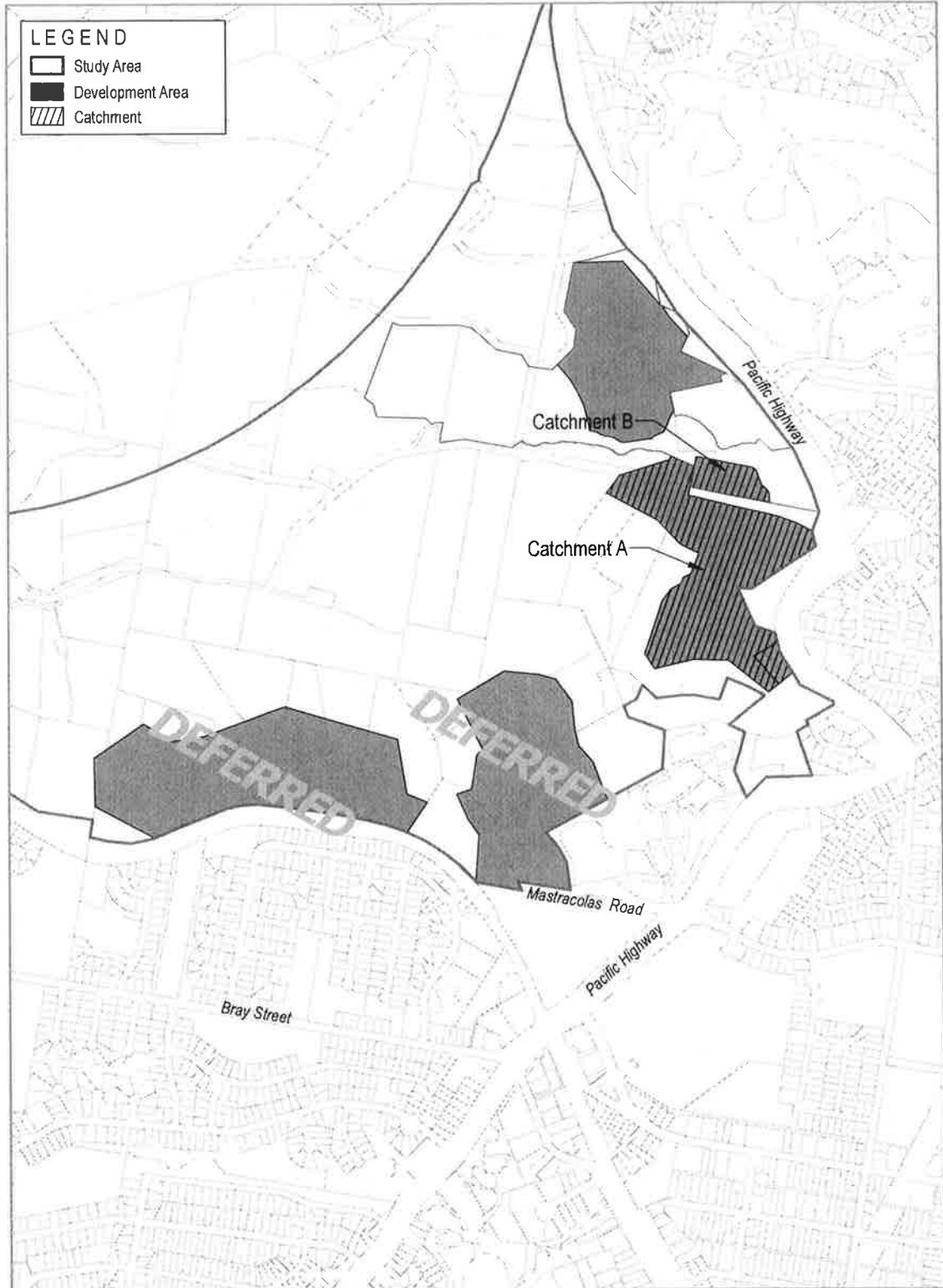
This plan does not include contributions under Section 27 of the Water Supply Authorities Act 1987 for water and sewerage services. Please consult Council in relation to these contributions.

This contributions plan provides a means for implementing some of the planning and community development strategies adopted by Council.

### **HOW THE PLAN OPERATES**

In determining a development application, Council may impose a condition requiring the payment of a monetary contribution and/or the dedication of land in accordance with the provisions of this plan.

# MAP 1 - North Coffs Release Area - Contribution Catchments



North Coffs  
Developer Contribution Plan

### MAP 1 - North Coffs Release Area - Contribution Catchments

N  
1:15,000



## FORMULA FOR DETERMINING CONTRIBUTIONS

The formula to be used for the calculation of contributions under Section 94 of the Environmental Planning and Assessment Act is as set out below.

$$\text{Contribution per person} = \frac{C}{P}$$

Where:

C = total cost of works to provide the desired facility or service including land acquisition, survey and design and construction costs, but less any grant or other funds received

P = future population of catchment

## TIMING OF PAYMENT OF CONTRIBUTIONS

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

- **development consents involving subdivisions** – prior to the release of the subdivision certificate;
- **development consents involving building work** - prior to the release of the construction certificate; and
- **development consents where no construction certificate 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 PAYMENTS

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 operations of this plan; and
- the provision of the public facility or service in accordance with the adopted works 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 six 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 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**; and
- deferments will not be granted based on progressive sales of land.
- For the purposes of this provision, "**appropriate rate of interest**" means the seven year local government interest borrowing 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.

Any offer for carrying out of works in kind or provision of a material public benefit must be made in writing and accepted by Council prior to commencement.

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.

## 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.

## 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.

## INDEXING OF CONTRIBUTION RATES

Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the public facility.

The contribution rates will be reviewed 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, the estimate of costs of the facilities, or other aspects relating to the contributions 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 between the expected types of development in the area and the demand for additional 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. The North Coffs Release Area has been identified in the strategy as an Investigation Area for Residential Purposes’ and given Priority 1 – Short Term (2006-2011) status.

**Coffs Harbour City Council Social and Community Strategic Plan 2006** identifies existing community facilities and services and highlights a range of community facilities and services required for the existing and future population.

The North Coffs DCP sets out detailed guidelines for development within the North Coffs Release Area. It provides for a range of residential densities, although it is expected that the dominant form of development will be detached or semi detached dwellings.

### PROVISION

The anticipated increase in population in North Coffs will place greater demands on existing public facilities and require the provision of new public facilities which are not currently available in the area.

Table 1 in this plan lists the public facilities to be provided in North Coffs.

The Coffs Harbour Regional, District and Neighbourhood Facilities Developer Contributions Plan 2008 lists the public facilities provided for the benefit of future population in North Coffs together with future population in other catchments.

### LOCATION

The location of facilities has been determined having regard to the area of increased demand, accessibility to the identified public facilities and the manner in which such needs may be satisfied.

### TIMING

The public facilities will be provided in a timely manner to benefit those who contributed towards them.

### EXISTING AND FUTURE DEVELOPMENT IN NORTH COFFS

North Coffs is a new release area which has a minimal existing population due to the area previously being zoned Rural 1(A). The future permanent population for the release area is estimated to be a minimum of 1903 people. This includes the Big Banana and adjacent lands, the deferred R1 and R2 Precincts and the Pacific Bay West Lands as identified in the North Coffs DCP.

## **PROJECTED DWELLING YIELD**

Housing policy, prevailing market conditions and environmental constraints will together influence dwelling yield. The forecast population is based on the potential dwelling yields. These yields are derived from balancing existing urban patterns with changing demands for a wider choice of housing and endeavour to promote efficient and sustainable urban environments.

The housing policy promoted for the development of North Coffs is to provide for a variety of housing types which encourage a heterogeneous population. It should be noted that environmental constraints and prevailing market conditions may create a demand for low density housing forms and conventional allotments of 500-700m<sup>2</sup> within the study area. This, coupled with the fact that the likely future development of Catchment A will be unconventional development associated with the existing Big Banana Development, makes it very difficult to project an accurate future yield for catchment A.

For the purposes of this plan, the yield for the North Coffs Release area has been calculated based on Structure Plans prepared for each catchment which have taken into consideration the proposed zoning, site constraints and anticipated development patterns. A minimum lot yield approach has been adopted in preparing these structure plans.

In determining lot yield for the Big Banana Lands, the figures provided in the Traffic Assessment Report in the North Coffs Local Environmental Study have been utilised along with some assumptions based on environmental constraints.

Given the location and the site constraints of the Release Area, it is considered likely that larger lots will predominantly dominate the development pattern outside of the Big Banana expansion area. Accordingly the yields for the release area have been calculated on Large Lot/Dwelling rates with an occupancy rate of 2.6 persons per dwelling.

The total projected population of the North Coffs Coffs Release Area has been based on these occupancy rates, projected dwelling yields and assumptions and are shown in Table 3.

**Table 3 - Population Projection**

Service/Facility	Occupancy Rate	Min Lot Yield/Equivalent Tenements	Population/Equivalent Population
<b>Catchment A (Big Banana and adjacent lands)</b>			
Conventional	2.6	532	1,383.20
<b>Catchment B (Pacific Bay West Lands - Southern)</b>			
Conventional	2.6	15	39.00
<b>Total</b>		<b>547</b>	<b>1,422.20</b>

## POPULATION PROFILE

The social infrastructure needs are based on an anticipated population of 1903 persons.

The population profile of North Coffs is initially anticipated to reflect a "developing" population model. This developing population, is expected to have the following age characteristics:

**Table 4 - Population**

Age	New	%
0-9	367	19.3
10-19	320	16.8
20-29	236	12.4
30-39	316	16.6
40-49	268	14.1
50-59	143	7.5
60+	253	13.3
<b>Total</b>	<b>1,903</b>	<b>100</b>

The population is expected to have a high proportion of young families with persons of pre-school age (0-4 years), school age (5-19 years) and young to middle age adults (30-49 years).

## PROPOSED PUBLIC FACILITIES

There are no community facilities proposed for North Coffs as the expected population for the area is not sufficient enough to support any new facilities. People in North Coffs will have access to the Community Facilities that exist in and around Park Beach.

There is a significant retail/commercial precinct in proximity to the Release Area and the 2A and 2E Zones allow for establishment of a general store if demand dictates a need for such a use.

The population will contribute proportionally to the demands for certain regional facilities

that could not be sustained by the North Coffs Release Area in its own right.

The Coffs Harbour Regional District and Neighbourhood Facilities Contributions Plan 2008 identifies the contribution rate for regional community facilities. The Coffs Harbour Road Network and Surf Rescue Equipment Contributions Plans also apply to the release area.

## OPEN SPACE AND RECREATION

### EXISTING FACILITIES

Existing formal open space and recreation facilities are provided at Park Beach and at Bray Street which are located to the east and south of the release area.

Informal recreation opportunities are provided with the nearby beaches, Coffs Creek and various bushland and reserve corridors.

### IDENTIFIED NEEDS

The initial population of North Coffs is expected to reflect a developing population model with the proportion of the population under 19 years of age and in the 30-39 year age group being well above the NSW average. The lower than average proportion of the projected population in the over 60 years age group is a further indicator of the developing nature of the population.

On the basis of this population model, it is anticipated that a preference for structured sporting facilities and neighbourhood parks/playgrounds will exist. Open space facilities can be considered at a regional, district and local level.

### **Regional**

Regional open space caters for users prepared to travel to significant distances from within and outside the Coffs Harbour local government area. These lands generally form part of a vast network of open space facilities and provide a regional resource for passive and active recreational pursuits, and nature conservation.

Regional open space areas in the vicinity of North Coffs include the Coffs Coast Sport and Leisure Park and Solitary Islands Coastal Walkway.

**Note:**  
**Contributions for Regional Open Space are considered under a separate plan.**

### **District**

District open space is land used primarily for district sporting events and generally comprises playing fields and district sporting facilities. The primary use of these lands will be for organised recreation by residents of North Coffs. Council's Open Space Strategy provides standards for the provision of district sporting facilities. These standards provide a benchmark for provision of district facilities within North Coffs.

Since the expected minimum population of North Coffs is only 1270 people, it is not necessary to provide a centralised complex with all these facilities. Residents of North Coffs can utilize a number of the district facilities available throughout the Coffs Harbour urban area.

Recreation areas located on coastal reserves are also classified as district open space. A range of facilities are provided in these locations to complement the attraction of the coastline and beach.

**Note:**  
**Contributions for District Open Space are considered under a separate plan.**

### **Local**

Local open space is land used primarily for localised recreational purposes. These lands comprise neighbourhood parks, children's playground areas, passive reserves and drainage reserves.

Given that local open space generally serves young children, this space should be provided within a reasonable walking distance. A reasonable walking distance to a neighbourhood park or playground is considered to be 500m which represents, on average, a seven-minute walk.

The North Coffs DCP indicates the proposed location of a neighbourhood park site which is considered to be centrally located to best meet the demands of the future population. Parks and recreation areas are to be provided by developers of land in accordance with the DCP. Consequently no developer contributions for parks and recreation facilities are levied under this plan.

## **TRANSPORT AND TRAFFIC MANAGEMENT**

### **INTRODUCTION**

The strategy for the movement of people within and through North Coffs recognizes the dependence on the motorcar, yet provides for an efficient and convenient network of pedestrian and bicycle routes. The strategy also provides the infrastructure needed for a bus service.

### **EXISTING FACILITIES**

Access to both catchments (which are subject to this contribution plan) is to be obtained from the Pacific Highway at the West Korora Road.

### **IDENTIFIED NEEDS**

The transport demands within North Coffs can be categorised in terms of the road network, public transport and pedestrian/bicycle network.

### **Road Network**

Map 2 identifies the works required to accommodate the proposed development within the North Coffs Release Area. These works include:

- upgrade of the West Korora/Pacific Highway intersection;
- upgrade of part of West Korora Road;
- Pedestrian and bike path facilities.

These works are likely to be funded and build as part of the Big Banana Development with this contribution plan levying development that will benefit from these works.

Local roads will be at the expense of the developer.

This plan also provides for street tree planting along the upgraded section of West Korora Road.

### **Public Transport**

The provision of a good public transport system will reduce car dependency, provide for energy efficiency and enable residents without a private vehicle to maintain reasonable mobility, particularly the elderly and those less than 17 years of age. Opportunities for public transport within North Coffs are limited to the provision of a possible bus service.

To provide for a safe, comfortable and efficient bus service, certain basic facilities are required, including bus shelters and seats. It is proposed to provide a bus shelters/seats along West Korora Road. A total of two shelters will be provided.

### **Pedestrian and Bicycle Ways**

The provision of pedestrian and bicycle facilities in residential areas can provide an important alternative transport route for both recreation and functional journeys.

Pedestrian and cycle routes are to be provided by the developer in the form of on-road footpaths/cycleways on low order local roads and off-road footpaths/cycleways on the collector road and do not form part of this plan.

The proposed route is identified in Map 2 and has been designed to relate to the need for access to the Council's existing pedestrian route.

### **PROPOSED FACILITIES**

The following schedule summarizes the traffic and transport facilities, which will be funded via Section 94 contributions for catchments A and B (excludes areas R1 & R2)

#### **Upgrade to West Korora Road**

Upgrade of intersection at Pacific Highway	\$2,000,000
Upgrade of West Korora Road (including:	\$1,350,000
• 1 Bus Shelters @ \$25,000 each	
• Street tree planting \$8,200	
• Route lighting 500m @ \$100 per metre \$50,000)	

### **Traffic Management**

Cycle & pedestrian paths	\$377,496
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### **Additionally**

15% design and supervision	\$559,124
15% contingencies	\$559,124

<b>TOTAL</b>	<b>\$4,845,744</b>
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### **CALCULATION OF CONTRIBUTION RATE**

The contribution rate is calculated as follows:

C = Cost of Transport and Traffic facilities

P = Expected population

C = \$4,845,744

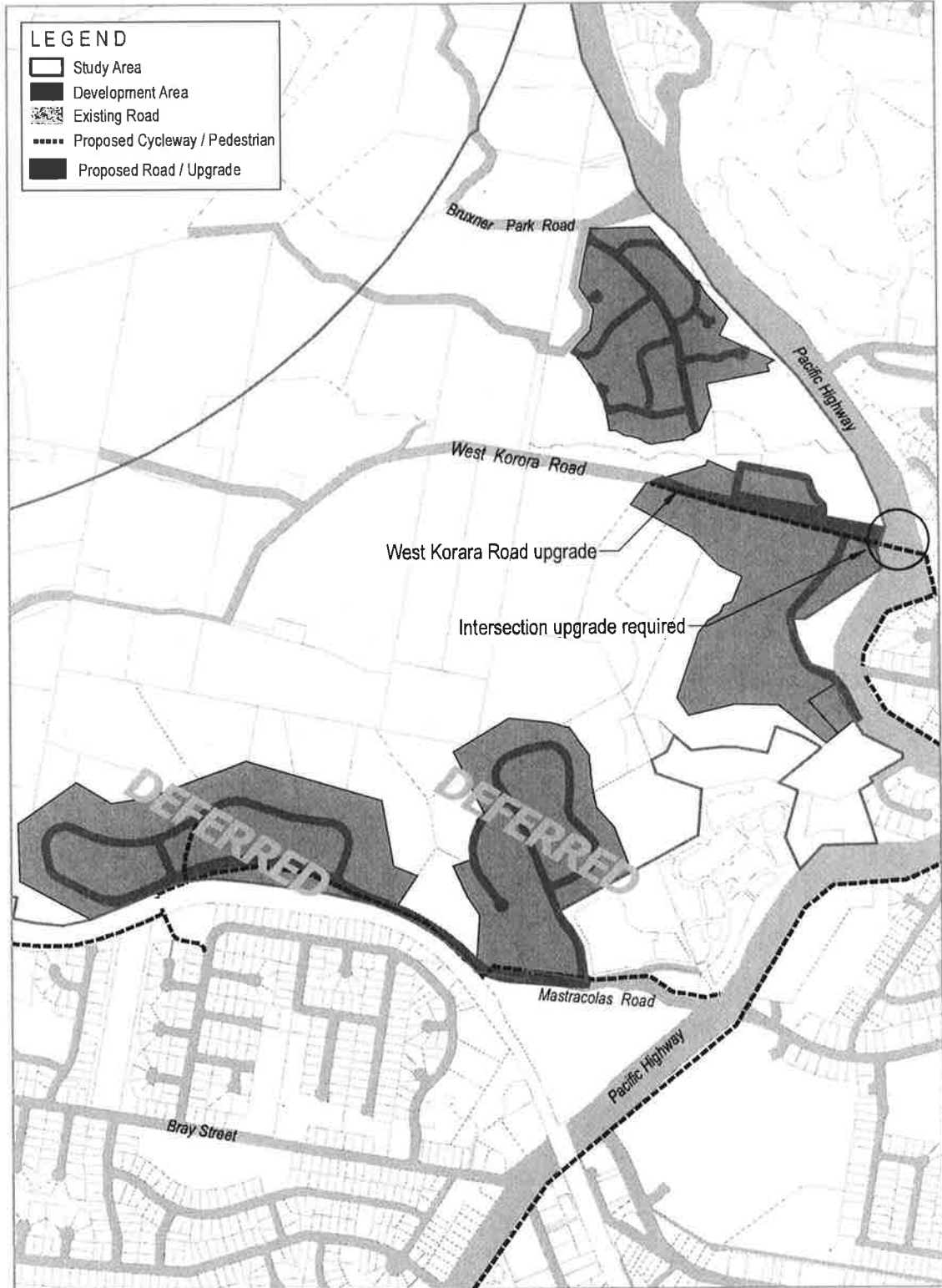
P = 1422

=  $\frac{\$4,845,744}{1422}$

= **\$3,407.70 per person**



**MAP 2 - PREFERRED ROAD NETWORK**



North Coffs  
Developer Contribution Plan

**Map 2 - Preferred Road Network**



## PLANNING REPORTS

### INTRODUCTION

As part of the rezoning of the North Coffs Release Area, Council engaged the services of a consultant to prepare the required Local Environmental Study (LES), Development Control Plan and Developer Contributions Plan.

Pursuant to the provisions of the Environmental Planning and Assessment Act 1979 provides Council the ability to levy expenses it has incurred for planning studies undertaken to initiate the rezoning of land for development.

### STUDIES UNDERTAKEN AND COSTS

The studies undertaken and costs incurred are outlined below.

**Table 6 – Cost of Studies**

Planning Study	\$
Local Environmental Study	195,665
Development control Plan	19,200
Developer Contribution Plan	14,900
<b>Total</b>	<b>229,765</b>

### APPORTIONMENT

All three of the above planning studies applied to land in Catchment A and the deferred areas of R1 and R2 Lands (refer North Coffs DCP). The Developer Contribution Plan also applies to Catchment B. None of the studies applied to the Pacific Bay West Lands – Northern Catchment.

The cost of the Local Environmental Study and the Development Control Plan will be levied against lots within Catchment A and the Deferred R1 and R2 lands (when further investigations are undertaken). The cost of the

Developer Contributions Plan will be levied against Catchments A and B and the Deferred and R1 and R2 lands (when further investigations are undertaken).

### CALCULATION OF CONTRIBUTION RATE

The contribution rate is calculated as follows:

C = Cost of Relevant Planning Studies

P = Expected population

Catchment A

C = \$172,173.13

P = 1,383.20

=  $\frac{\$172,173.13}{1,383.20}$

= **\$124.47 per person**

Catchment B

C = \$308.70

P = 39

=  $\frac{\$308.70}{39}$

= **\$7.92 per person**

## APPENDIX A - INDICES

CONTRIBUTION TYPE	INDEXATION BASIS	DATE APPLIED	INDEX
Roads/Traffic Management	Consumer Price Index – All Groups (A) for Sydney	December 2011	178.7
Planning Studies	Consumer Price Index – All Groups (A) for Sydney	December 2011	178.7

**Notes:**

- *Indices are issued by Australian Bureau of Statistics*

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