

Deferred Developer Contributions Policy

1 Purpose

To establish clear guidelines for instances where Council is approached by Developers seeking deferment of Contributions towards works levied under Section 64 of the Local Government Act 1993 and Section 94 of the Environmental Planning and Assessment Act 1979.

2 Policy

The objective of this policy is to provide a framework for deferment of developer contributions payable towards works that are the subject of an adopted Developer Contributions Plan prepared in accordance with Section 64 of the Local Government Act and Section 94 of the Environmental Planning and Assessment Act 1979.

This policy ensures that a consistent and co-ordinated approach is taken in the assessment and approval of applications for the deferment of contributions. Specifically:

1. Each application be considered on its merits
2. No prejudice will be caused to the operation of the relevant contributions plan;
3. Deferments for works involving building for works not involving subdivision be granted for a maximum period of 12 months.
4. Deferments for developments involving the subdivision of land be granted for a maximum period of 12 months
5. Where deferral of contributions is sought beyond the release of a subdivision certificate, interim occupation certificate or final occupation certificate, this is to be time limited to a maximum period of 6 months from the release of the relevant certificate
6. Council accept bank guarantees as security for the amount of the deferment plus interest only from registered trading banks or institutions registered under the Trustees Act.
7. Interest be applied to the deferment at the prevailing 6 month Bank Bill Swap Rate from the date the contribution amount becomes due until final settlement of the contributions.

Applications deemed suitable will be referred to Council's Group Leader, Financial Services and Logistics for approval.

3 Definitions

Deferment: The act of delaying or postponing

4 Key Responsibilities

Position	Directorate	Responsibility
Mayor	Council	To lead councillors in their understanding of, and compliance with this policy
General Manager	Executive	To lead staff (either directly or through delegated authority) in their understanding of and compliance with this policy.
Directors	All Directorates	To communicate, implement and comply with this policy.
Group Leader, Financial Services & Logistics	Business Services	To review the assessment of applications and approve where appropriate.
Developer Contributions Co-ordinator	Business Services	To assess applications to ensure that they conform with the requirements of this policy before referring them to the Group Leader, Financial Services & Logistics for approval.

5 References (laws, standards and other Council documents)

- Local Government Act 1993

6 Details of Approval and revision

- Approval date: 22/06/2017
- Responsible Section: Financial Planning
- Superseded policies/procedures:
- Next review date: 22/06/2021

Table of amendments

Amendment	Authoriser	Approval ref	Date