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# Deferral of developer contributions: The Buttery

Responsible Officer: Group Manager Planning and Delivery (Andrew Logan)

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## Recommendation

That Council, under clause 2.5 of Council's Development Servicing Plan for Bulk Water Supply 2016, approve the deferral of the Rous County Council developer contributions, payable by *The Buttery Limited* in relation to their proposed water service connection.

## Background

The purpose of the report is to recommend to Rous County Council ('Council') that it approve the deferral of the bulk water developer contributions payable by *The Buttery Limited* in relation to their proposed water service connection.

*The Buttery Limited* made application to Council for a water service connection to supply the existing residential rehabilitation centre located at 346 Lismore Road, Bangalow.

The connection request was internally assessed, and a letter sent to the applicant in July 2022 advising the water supply works would incur developer contributions.

The assessed developer contributions payable are \$76,454.56 (2022/23) (8.26 equivalent tenements) based on the *Water Directorate Equivalent Tenement Guidelines* for 27 short term accommodation bedrooms and 421m<sup>2</sup> of office space.

In August 2022, *The Buttery Limited*, wrote to Council requesting a deferral of bulk water developer contributions payable in relation to the proposed water service connection ([Attachment 1](#)).

Council's Development Servicing Plan for Bulk Water Supply 2016 (the 'Plan') makes provision for Council to defer developer contributions in certain circumstances. The applicable clause in the Plan is reproduced below:

*"2.5 Exemption*

*Rous Water may defer developer contributions where the proponent demonstrates to Rous Water's satisfaction that it is a non-profit and charitable organisation, which by virtue of carrying out such development, is considered by Rous Water to be making a significant and positive contribution to the community and is unable to recover the charge from the end user".*

*The Buttery Limited* is a non-profit, community-based organisation registered with the Australian Charities and Not-for-profits Commission. The organisation's Australian Business Number is 53130812994. The publicly available information on the organisation, from the Australian Charities and Not-for-profits Commission website, is included in [Attachment 1](#).

## Finance

Council's Development Servicing Plan for Bulk Water Supply 2016 provides for the deferral of developer contributions for a non-profit and charitable organisation (clause 2.5).

Based on the organisation's positive contribution to the community and publicly available information confirming the organisation's non-profit status, granting the request for deferral would be appropriate.

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Historically, the number of requests received, and subsequent financial impact of deferrals granted has been low and is considered insignificant in terms of impact on Council's overall financial position.

### **Legal**

Refer to comments in the body of the report.

### **Consultation**

Consultation has been between Council staff and *The Buttery Limited*.

### **Conclusion**

It is recommended that the developer contributions, otherwise payable to Council, be deferred in accordance with clause 2.5 of the Development Servicing Plan, in relation to the proposed water service connection at 346 Lismore Road, Bangalow for *The Buttery Limited*.

### Attachment

1. Letter from The Buttery Limited, including Australian Charities and Not-for-profits Commission Information Form