

**QLDC Council
25 September 2014**

Report for Agenda Item 7

Department:

Finance

Revised Development Contribution Policy 2014/15

Purpose

- 1 To adopt the revised Policy on Development Contributions 2014/15 as per sections 201A and 202A of the Local Government Act 2002 (LGA 2002).

Recommendation

2 That Council

- a. **Agree** to adopt the revised Policy on Development Contributions for 2014/15 pursuant to 201A and 202A of the Local Government Act 2002 to incorporate the Reconsideration Process (Attachment B) and reference to the Schedule of Assets (Attachment A).

Prepared by:



Chief Financial Officer

12/09/2014

Reviewed and Authorised by:



Title

18/09/2014

Background

- 3 The recent Local Government Act 2002 Amendment Act 2014 (LGAA14) has made changes to the development contributions provisions within the LGA 2002.
- 4 The Council adopted the last Policy on Development Contributions along with the Annual Plan in June 2014 and in doing so correctly anticipated that some of the major legislative changes would impact the 2014/15 year. In particular, the narrowing of the definition of community facilities.

- 5 At the time, there was considerable uncertainty as to when the legislation would complete the parliamentary process, and therefore, when the various changes would take effect.
- 6 The Bill was actually passed on 7 August 2014 and the revised transitional provisions have required Councils to implement the following changes by 8 September 2014:
 - Schedule of Assets – per Section 201A
 - Reconsideration Process – per Section 202A
- 7 The Schedule of Assets showing the required disclosure has been completed and has been publicly available since 5 Sep 2014. The Schedules are included as Attachment A and the Policy will be updated to make reference to these schedules which will be included in the supporting document to the Policy.
- 8 Similarly, the Reconsideration Process has been publicised and made available from 8 Sep 2014. The Act prescribes the process to be used and formalises timeframes for applying and responding. The process is included as Attachment B and the Policy will be amended to include these provisions. The guidance material on the web-site has been updated to reflect the changes.

Local Government Act 2002 Purpose Provisions

- 9 The legislation provides for these changes to the Policy to be formalised by a simple resolution of Council. There is no consultation required.
- 10 The decision to amend the Policy on Development Contributions is mandatory in order to comply with the new legislation.

Council Policies

- 11 The following Council Policies were considered:
 - Policy on Development Contributions
 - Annual Plan 2014-15

Consultation

- 12 The legislation provides for these changes to the Policy to be formalised by a simple resolution of Council. There is no formal consultation required; however, the changes have been reflected in updated guidance material and publicity on Council's website.

Attachments

- A Schedule of Assets
- B Reconsideration Process