



Rous Water
REGIONAL WATER SUPPLY

BALLINA
BYRON
LISMORE
RICHMOND VALLEY

Our Ref: WFVG: 151/12 (46014)

13 October 2015

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Dear Sir

Rous Water bulk developer charge – secondary dwellings

A number of issues have arisen in the assessment of developer charges by both Rous Water and the constituent Councils acting on behalf of Rous Water with respect to secondary dwellings (granny flats).

Rous Water requested advice from each of the constituent Councils on their treatment of secondary dwellings. From the information received it was evident that there exists differences between Councils in assessing secondary dwellings however there is a common desire to either wave or treat the assessment of developer charges for secondary dwellings in a manner which finds basic secondary dwellings not liable for developer charges.

The responses from constituent Councils also showed that there is a potential for Rous Water developer charges to be discounted or waived under other circumstances without reference to and agreement from Rous Water.

A report was presented to the Rous Water Council meeting of 19 August 2015. Following consideration of the report, Council made the following resolution:

1. Rous Water implement the methodology for determining developer charges for granny flats utilised by Lismore City Council and Ballina Shire Council.
2. When data is available (no later than two years) on the impacts from the constituent Councils, the impact of this policy be assessed and reported to Council.
3. Staff discuss the collection of developer charges with constituent Councils to ensure that charges payable to Rous Water are not discounted without agreement of this Council.
4. As part of the development of the revised Rous Water Development Servicing Plans, the agency agreement between Rous Water and the constituent Councils for the collection of developer charges on behalf of Rous Water be reviewed to ensure that it clearly sets out the methodology for the discounting of Rous Water development contributions by the constituent Councils.
5. That Rous Water convene a meeting with constituent Councils to determine suitable criteria for determining the calculation of equivalent tenements (ETs) for secondary dwellings.

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The effect of the resolution is as follows:

Resolution 1

1. All secondary dwellings will be exempt from Rous Water developer charges where the secondary dwelling does not increase the number of overall bedrooms in the site to greater than five, the number of water closets to greater than three and the laundries to greater than two.
2. One or two bedroom Attached or Detached Dual Occupancy dwellings with a floor area of 115m² or less will be exempt from Rous Water developer charges, provided the total number of bedrooms on the site does not exceed five, the total number of laundries does not exceed two and the total number of water closets does not exceed three.
3. Two or more bedroom Attached or Detached Dual Occupancy dwellings with a floor area of greater than 115m² and which do not create a total number of bedrooms in excess of five, a total number of laundries in excess of two and a total number of toilets in excess of three on the site are to be levied 0.3 ETs for Rous Water developer charges.

Resolution 2 and 5

Rous Water requests the assistance of the constituent Councils in determining the impact of the adoption of Resolution 2 above. It is envisaged that pre development and post development water consumption of a sample of properties where secondary dwellings have been built will be compared to determine if the assessment of developer charges for those developments is fair and reasonable.

With respect to Resolution 5, it is intended that the matter be pursued through the Regional Water Supply Liaison Committee once sufficient data is available.

Resolution 3 and 4

Rous Water is currently preparing new bulk and retail developer servicing plans. During preparation of those plans, Rous Water will contact each constituent Council to discuss these plans. It is intended that the agency agreements between the constituent Council and Rous Water, for the collection of development servicing charges, be reviewed at that time. In the interim, your Council is requested to collect all charges payable to Rous Water and to not discount or waive any charge without reference of the matter to Rous Water. It should be noted that where a constituent Council chooses to discount or waive its own developer charges that discount or waiver does not apply to Rous Water charges.

Should you require any clarification on the above, please contact Guy Bezrouchko or Wayne Franklin on (02) 6623 3800.

Yours faithfully



Wayne Franklin
Technical Services Director