



**WYONG SHIRE COUNCIL**  
*building a better tomorrow!*

**DRAFT**  
**Northern Districts**  
**Contributions Plan**

**Section 94 Development**  
**Contributions Plan**

Wyong Shire Council  
PO Box 21  
Wyong NSW 2259

January 2008

## Contents

<b>PART A – SUMMARY SCHEDULES .....</b>	<b>4</b>
1.0 Summary Schedules .....	4
<b>PART B – ADMINISTRATION AND OPERATION OF THE PLAN.....</b>	<b>5</b>
2.0 Administration and Operation.....	5
2.1 What is the Name of this Development Contributions Plan? .....	5
2.2 Area the Plan applies .....	5
2.3 What is the Purpose of this Development Contributions Plan? .....	5
2.4 Commencement of the Plan.....	5
2.5 Relationship with other Plans and Policies .....	5
2.6 Definitions.....	6
2.7 When is the Contribution Payable?.....	6
2.8 Construction Certificates and the Obligation of Accredited Certifiers .....	6
2.9 Complying Development and the Obligation of Accredited Certifiers .....	6
2.10 Deferred/periodic payments .....	7
2.11 Can the contribution be settled “in-kind” or through a material public benefit? .....	7
2.12 Exemptions.....	8
2.13 Review of Contribution Rates.....	8
2.14 How are Contributions adjusted at the Time of Payment? .....	9
2.15 Are there Allowances for Existing Development? .	9
2.16 Pooling of Contributions .....	9
2.17 Savings and Transitional Arrangements .....	9
2.18 Timing of Works .....	10
2.19 Dedication/Transfer of Land .....	10
2.20 What Types of Development will be Levied? .....	10
2.21 Revision of Plan .....	12
<b>PART C – STRATEGY PLANS .....</b>	<b>13</b>
3.0 Urban Characteristics and Population.....	13
3.1 Area .....	13
3.2 Expected Development .....	13
3.3 Population Increase.....	14
3.4 Occupancy Rates .....	14
3.5 Meeting Needs of the Population .....	14
4.0 Roadworks and Traffic Management .....	16
4.1 Strategic Framework .....	16
4.2 Nexus between Development and Demand.....	16
4.2.1 Causal Nexus .....	16
4.2.2 Spatial Nexus .....	17
4.2.3 Temporal Nexus .....	17
4.3 Calculation of Contribution Rates.....	17
5.0 Open Space and Recreational Facilities .....	20
5.1 Strategic Framework .....	20
5.2 Nexus between Development and Demand.....	20
5.2.1 Causal Nexus .....	20
5.2.2 Spatial Nexus .....	21
5.2.3 Temporal Nexus .....	22
5.3 Calculation of Contribution Rates.....	22
6.0 Community Facilities .....	26

6.1	Strategic Framework .....	26
6.2	Nexus between Development and Demand.....	26
6.2.1	Causal Nexus .....	26
6.2.2	Spatial Nexus .....	27
6.2.3	Temporal Nexus .....	28
6.3	Calculation of Contribution Rates.....	28
<b>PART D – ADMINISTRATION .....</b>		<b>30</b>
<b>PART E – SCHEDULE OF WORKS.....</b>		<b>32</b>
<b>PART F – DETAILED WORK COST BREAKDOWNS</b>		<b>33</b>
<b>PART G – REFERENCES .....</b>		<b>36</b>

**PART A – SUMMARY SCHEDULES****1.0 Summary Schedules**

The following summary schedules are included in this plan:

- Schedule of Works – Part E; and
- Contributions Rates per person by area and category – Table 1.

**Table 1: Summary Schedule – Contributions Rates Per DU by Area and by Category**

NORTHERN DISTRICTS SUB- PLAN	Facility	Base	CATCHMENT <sup>1</sup>				
			A	B	C	D	E
	Roads and Traffic Management	Per DU	\$Nil	\$4,671.00	\$3,633.00	\$3,633.00	\$4,875.00
	Open Space and Recreational Facilities	Per DU	\$3,828.00	\$3,828.00	\$3,828.00	\$3,828.00	\$3,828.00
	Community Facilities	Per DU	\$3,238.00	\$3,238.00	\$3,238.00	\$3,238.00	\$3,238.00
	Administration	Per DU	\$451.00	\$451.00	\$451.00	\$451.00	\$451.00
	<b>TOTAL</b>	<b>Per DU</b>	<b>\$7,517.00</b>	<b>\$12,188.00</b>	<b>\$11,150.00</b>	<b>\$11,150.00</b>	<b>\$12,392.00</b>

*Note: 1 Refer to Figure 1 for Catchment Areas.*

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## **PART B – ADMINISTRATION AND OPERATION OF THE PLAN**

### **2.0 Administration and Operation**

#### **2.1 What is the Name of this Development Contributions Plan?**

This development contributions plan is called the Draft Northern Districts Section 94 Development Contributions Plan dated January 2008.

#### **2.2 Area the Plan applies**

This plan applies to land within the Local Government Area of Wyong Shire as shown on Figure 1.

#### **2.3 What is the Purpose of this Development Contributions Plan?**

The purpose of the Development Contributions Plan is to:

- a Provide an administrative framework under which specific public facilities strategies may be implemented and coordinated;
- b Ensure that adequate public facilities are provided for as part of any new development;
- c Authorise Council to impose conditions under section 94 (s94) of the Environmental Planning and Assessment (“EP&A”) Act 1979 when granting consent to development on land to which this plan applies;
- d Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis;
- e Ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development; and
- f Enable Council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.

#### **2.4 Commencement of the Plan**

This development contributions plan has been prepared pursuant to the provisions of s94 of the EP&A Act and Part 4 of the EP&A Regulation and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the EP&A Regulation.

##### **2.21 Relationship with other Plans and Policies**

This development contributions plan repeals the following development contributions plans:

Contributions Plan No 10 – Lake Munmorah District – December 2006.  
Contributions Plan No 11 – Mannering Park District – December 2006.  
Contributions Plan No 12 – Gwandalan District – December 2006.

This Plan should be read in conjunction with Wyong Local Environmental Plan 1991, relevant Development Control Plans, Contributions Plans, Council’s Management Plan and Council’s Codes and Policies.

This Plan replaces any requirements and details related to Section 94 Contributions that exist within any Development Control Plan prepared by Council for this area.

This Plan takes precedence over any of Council’s Codes and Policies where there are any inconsistencies in relation to Section 94 Contributions.

Other contributions plans may also apply to development covered by this plan. (For example, Shire-Wide Contributions Plan)

## 2.6 Definitions

For the purposes of this plan a “Development Unit (DU)” is defined as being equivalent to a three bedroom residential dwelling. Where development other than a three bedroom dwelling is proposed, an equivalent contribution factor based on a proportion of DU will need to be calculated as follows:

4 bedroom dwelling	1.28 DU
3 bedroom dwelling	1.00 DU
2 bedroom dwelling	0.73 DU
1 bedroom dwelling	0.52 DU

## 2.7 When is the Contribution Payable?

A contribution must be paid to the Council at the time specified in the condition that imposes the contribution. If no such time is specified, the timing of the payment of the contribution is as follows:

- Development applications involving subdivision – prior to release of subdivision certificates;
- Development applications involving building works – prior to the release of the construction certificate;
- Development applications where no building approval is required – at the time of development consent.

In regard to the latter case, the applicant may make a cash payment of contributions prior to issue of the development consent or alternatively lodge a suitable bank guarantee, also prior to issue of the consent. This bank guarantee will be called up upon commencement of the consent.

### 2.21 Construction Certificates and the Obligation of Accredited Certifiers

In accordance with section 94EC of the EP&A Act and Clause 146 of the EP&A Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where a works in kind, material public benefit or dedication of land has been agreed by Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

### 2.21 Complying Development and the Obligation of Accredited Certifiers

In accordance with s94EC(1) of the EP&A Act, accredited certifiers must impose a condition requiring monetary contributions in accordance with this development contributions plan and chapter 86 of Council’s Development Control Plan 2005 – Complying Development.

The conditions imposed must be consistent with Council's standard section 94 consent conditions and be strictly in accordance with this development contributions plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the section 94 condition correctly.

### **2.10 Deferred/periodic payments**

Council does not permit deferred or periodic payments of developer contributions.

### **2.21 Can the contribution be settled "in-kind" or through a material public benefit?**

Council may accept an offer by the applicant to provide an "in-kind" contribution (ie. The applicant completes part or all of work/s identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this plan.

Council may accept such alternatives in the following circumstances:

- a The applicant making a formal application to carry out the works; and
- b The standard of the works is to Council's full satisfaction; and
- c The provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program.

The value of the works to be substituted will be the value assigned to it under this contributions plan. If there is a dispute between Council and the developer over the value of the works, the developer must provide documented evidence of the value by an independently certified Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Council will require the applicant to enter into a written agreement for the provision of the works prior to the commencement of the works.

Acceptance of any such alternative is at the sole discretion of Council. Council may review the valuation of works and may seek the services of an independent person to verify their value. In these cases, all costs and expenses borne by Council in determining the value of the works or land will be paid by the applicant.

Offsetting of contributions will not be automatic. Applications will be considered on their merits. Water and sewerage contributions (under the Water management Act) will not be offset against contributions determined in accordance with this plan, rather they will be offset against the contributions determined in accordance with the relevant Development Servicing Plan. Nor will Council offset contributions where such a situation is likely to lead to a delay in the provision of land or facilities to the detriment of the incoming population.

Where the value of a particular work in kind exceeds the contribution due for that work, this excess value may (subject to Council's concurrence) form a credit to the developer. The timing for the repayment of the credit is to be included in the above written agreement. Unless otherwise agreed, the credit will be repaid once all of the following criteria have been met:

- 1 The credit will not be refunded until such time as all of the developer's land within the area serviced by the subject land has been developed and all relevant contributions have been offset against the credit value.
- 2 The credit will not be refunded until such time as 75% of the areas benefiting from the credited land have contributed to the scheme.

- 3 The credit will not be refunded if insufficient funds exist in the fund meaning the refund will impact on Council's ability to carry out works contained on its rolling works programme.

It may be feasible to provide temporary measures to service initial stages of development in lieu of constructing major works up front. Such proposals will need to be assessed at the time of application and provision of such works will be the sole responsibility and cost of the particular applicant, except where they form part of the final work identified in this contribution plan (in which case that part will be treated as works in kind).

The cost of temporary works not recognised as works in kind cannot be offset against any other contributions required under this Plan.

## 2.12 Exemptions

Council does not have a policy that exempts development from payment of contributions under this plan.

## 2.21 Review of Contribution Rates

To ensure that the value of contributions are not eroded over time by movements in the Consumer Price Index, land value increases, the capital costs of administration of the plan or through changes in the costs of studies used to support the Plan, Council will review the contribution rates.

The contribution rates will be reviewed by reference to the following specific indices:

- Roadworks and traffic management facilities, open space and recreational facilities, community facilities and administration by the Consumer Price Index, Australia for Sydney as published by the Australian Bureau of Statistics (Source: ABS 6401.0 Table 1).

In accordance with clause 32(3)(b) of the EP&A Regulation, the following sets out the means that Council will make changes to the rates set out in this plan.

For changes to the Consumer Price Index, the contribution rates within the plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\$C_A + \frac{\$C_A \times ([\text{Current Index} - \text{Base Index}])}{[\text{Base Index}]}$$

Where:

$\$C_A$	is the contribution at the time of adoption of the plan expressed in dollars;
Current Consumer Price Index	is the Consumer Price Index, Australia for Sydney as published by the Australian Bureau of Statistics available at the time of review of the contribution rate;
Base Consumer Price Index	is the Consumer Price Index, Australia for Sydney as published by the Australian Bureau of Statistics used in the preparation of this plan which is 157.4 (June 2007)

**Note:** In the event that the Current Consumer Price Index is less than the previous Consumer Price Index, the Current Consumer Price Index shall be taken as not less than the previous Consumer Price Index.



## 2.21 How are Contributions adjusted at the Time of Payment?

The contributions stated in development consents are calculated on the basis of the s94 contribution rates determined in accordance with this plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

$$\$ C_P = \frac{\$ C_{DC} + [\$ C_{DC} \times (\$ C_Q - \$ C_C)]}{\$ C_C}$$

Where

$\$ C_P$  is the amount of the contribution calculated at the time of payment

$\$ C_{DC}$  is the amount of the original contribution as set out in the development consent

$\$ C_Q$  is the contribution rate applicable at the time of payment

$\$ C_C$  is the contribution rate applicable at the time of the original consent

## 2.21 Are there Allowances for Existing Development?

Contributions will be levied according to the estimated increase in demand. An amount equivalent to the contribution attributable to any existing (or approved) development on the site of a proposed new development will be allowed for in the calculation of contributions. In assessing the allowance to be given to existing development the factors contained in Table 3 will be used. For example:

- Dwelling houses and single vacant allotments – 1.00 DU.
- Other dwellings:
  - 4 bedroom units – 1.28 DU;
  - 3 bedroom units – 1.00 DU;
  - 2 bedroom units – 0.73 DU;
  - 1 bedroom units – 0.52 DU.

Where a development does not fall within any of the items noted above, Council will determine the credit on the basis of the likely demand that the existing development will create.

## 2.16 Pooling of Contributions

This plan expressly authorises monetary s94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are generally shown in the Schedule of Works in Part E.

## 2.17 Savings and Transitional Arrangements

A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

## **2.21 Timing of Works**

Council is generally not able to bankroll proposed works required as a consequence of development proposed under this Plan and will only be able to provide works and services when sufficient funds have been provided by way of contributions.

Priority spending of contributions may, however, be directed to particular items identified in this Plan and this has been considered in formulating works schedules. Actual timing of the works will be dependent on development patterns and funds available from Section 94 contributions.

## **2.19 Dedication/Transfer of Land**

Subject to prior agreement with Council, land may be dedicated/transferred in lieu of making a contribution towards the acquisition of land and in some cases, Council may require dedication/transfer of particular land as a condition of consent. Council will only accept land dedication/transfer where that land is of a suitable nature for the purpose for which it is being dedicated/transferred. All land to be dedicated/transferred to Council is to be free of any improvements, structures or other impediments which would restrict or hinder its future use or development for the purposes for which it is being acquired, unless otherwise agreed by Council. The land is also to be dedicated/transferred in an appropriate state, free of any refuse, contamination, or the like, unless otherwise agreed by Council.

## **2.21 What Types of Development will be Levied?**

Unless otherwise stated within the various schemes, the contribution rates contained within this plan will be levied upon any type of development or subdivision of land within the relevant catchment.

The following Table summarises the types of development which will be required to contribute towards the various contribution categories.

**Table 2: Types of Development required to Contribute towards the Various Contribution Categories**

Development Types	Factor Per DU	Open Space	Community Facilities	Roads
Residential Flats & Dual Occupancies (including self contained dwelling and infill self care housing as defined under SEPP – Seniors Living)		√	√	√
1 bedroom unit	0.52/unit	√	√	√
2 bedroom unit	0.73/unit	√	√	√
3 bedroom unit	1/unit	√	√	√
4 bedroom unit	1.28/unit	√	√	√
Residential Subdivision	1/unit	√	√	√
Shops/Offices	0.005/m <sup>2</sup>			
Rural Subdivision	1/lot	√	√	√
Rural Dual Occupancies		√	√	√
1 bedroom unit	0.52/unit	√	√	√
2 bedroom unit	0.73/unit	√	√	√
3 bedroom unit	1/unit	√	√	√
4 bedroom unit	1.28/unit	√	√	√
Industrial Subdivision	1/lot			
Industrial Development	5/ha NDA			
Shopping Centre	0.001/m <sup>2</sup>			
Restaurants	0.008/m <sup>2</sup>			
Tourists Developments				
1 bedroom unit	0.52/unit			
2 bedroom unit	0.73/unit			
3 bedroom unit	1/unit			
4 bedroom unit	1.28/unit			
Motel Suite	0.26/Suite			
Caravan Park – Holiday Site	0.52/site			
Caravan Park – Long Term	0.73/site	√	√	√
Schools	0.04/pupil			
Licensed Club	0.04/occpt			
Hotel	0.01/m <sup>2</sup>			
Pre Schools/Child Care Centres	0.0625/pupils & staff			
SEPP – Seniors Living				
Residential Care Facilities	0.4/bed			√
Hostels	0.4/bed	√	√	√
Serviced self-care housing	0.4/bed	√	√	√

**Note:** √ contribution is applicable to development.

**Housing for older persons or people with a disability**

## 2.21 Revision of Plan

This Plan may be revised if the extent or nature of the proposed development varies and these variations lead to a change in the demand for public services and amenities.

Costings of works identified in this Plan are based on preliminary designs and changes to cost estimates as a result of detailed design may also necessitate a revision to this Plan. The following table outlines the amendments to this Plan.

**Table 3: Plan Amendments**

<b>Date</b>	<b>Nature of Revision</b>
August 2007	No previous versions
October 2007	Final draft following exhibition
December 2007	Final following removal of Catherine Hill Bay from Wyong LGA.
January 2008	Reduction in the number of lots in Precinct E

## PART C – STRATEGY PLANS

### 3.0 Urban Characteristics and Population

#### 3.1 Area

The area of the plan is shown on Figure 1. The District has been divided into five catchments being Catchments A, B, C, D and E. The catchments are necessary as the proposed roadworks and traffic management are only applicable to Catchments B, C, D and E. The catchments are mapped on Figure 1:

#### 3.2 Expected Development

This plan relates to demand for public facilities and services created by residential development within the Northern Districts of the Wyong Local Government Area.

It is forecast that a further 3,017ots will be developed within the Plan area. These development assumptions are based on an assessment of the areas, known rezoning proposals and historic rates of development.

In addition, an allowance has been given to further subdivision of existing zoned properties within each area based on the size of the property and the characteristics of surrounding development. Details of the proposed development potential within the area are shown in Table 4.

**Table 4: Development and Population Potential**

Location	Lots	Dwellings on New Lots (a)	Medium Density Lots (b)	Medium Density DU's (c)	Total DU's (a + c)	Est. Pop (@ 2.92 people per DU)
<b>Gwandalan</b>						
Catchment E	187	177	10	20	197	575
Catchment D	700	665	35	70	735	2,146
Subdivision of existing zoned land	5	5	0	0	5	15
Medium Density Development	30	0	30	60	60	175
<b>Sub Total</b>	<b>922</b>	<b>847</b>	<b>75</b>	<b>150</b>	<b>997</b>	<b>2,911</b>
<b>Summerland Point</b>						
Medium Density Development	21	0	21	42	42	123
Subdivision of existing zoned land	40	38	2	4	42	123
<b>Sub Total</b>	<b>61</b>	<b>38</b>	<b>23</b>	<b>46</b>	<b>84</b>	<b>246</b>
<b>Lake Munmorah</b>						
Medium Density Development	74	0	74	148	148	432
Subdivision of existing zoned land	30	29	1	2	31	91
<b>Sub Total</b>	<b>104</b>	<b>29</b>	<b>75</b>	<b>150</b>	<b>179</b>	<b>523</b>
<b>Manning Park</b>						
Medium Density Development	65	0	65	130	130	380
Subdivision of existing zoned land	20	19	1	2	21	61
<b>Sub Total</b>	<b>85</b>	<b>19</b>	<b>66</b>	<b>132</b>	<b>151</b>	<b>441</b>

Location	Lots					Est. Pop (@ 2.92 people per DU)
		Dwellings on New Lots (a)	Medium Density Lots (b)	Medium Density DU's (c)	Total DU's (a + c)	
<b>Chain Valley Bay</b>						
Precinct 2	1,773	1,684	89	178	1,862	5,437
Medium Density Development	57	0	57	114	114	333
Subdivision of existing zoned land	15	15	0	0	15	44
<b>Sub Total</b>	<b>1,845</b>	<b>1,699</b>	<b>146</b>	<b>292</b>	<b>1,991</b>	<b>5,814</b>
<b>Grand Total</b>	<b>3,017</b>	<b>2,632</b>	<b>385</b>	<b>770</b>	<b>3,402</b>	<b>9,935</b>

### 3.3 Population Increase

The population increase for the Plan area is anticipated to be 9,935. This is based on an occupancy rate of 2.92 persons per dwelling unit (DU).

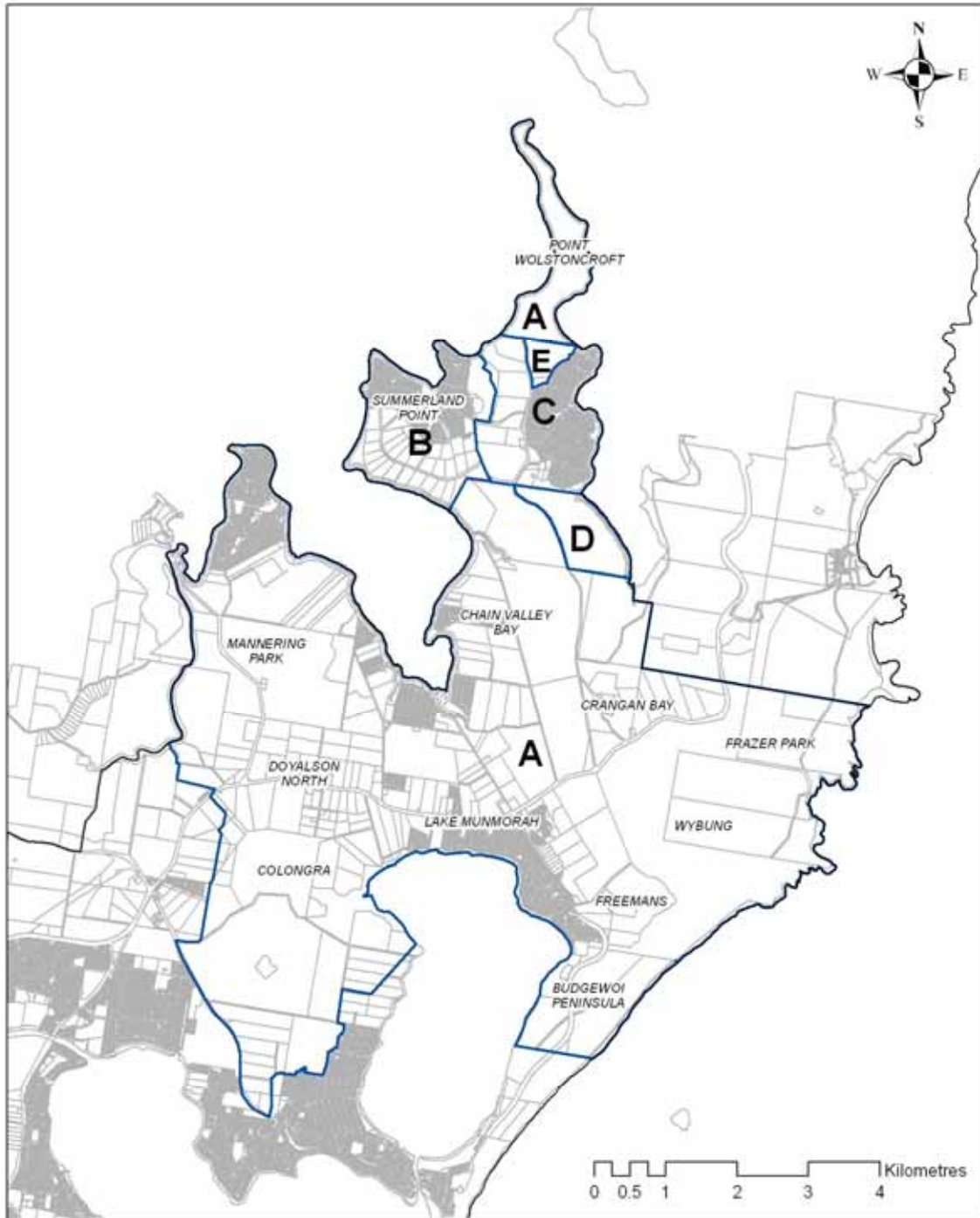
### 3.4 Occupancy Rates

Occupancy rates for this Contributions Plan are based on the average occupancy rates for the urban release areas of Blue Haven, Hamlyn Terrace and Woongarra areas. This data is from the Census conducted in 2006.

Council will continue to monitor the occupancy rates during the life of this plan and will amend the plan to align with the updated occupancy rate as required. The current occupancy rate of 2.92 persons per dwelling unit (DU) will be applied to determine the contribution rate for a residential development. The applicable DU factor will then be applied to determine the contribution rate for other types of development.

### 3.5 Meeting Needs of the Population

The incoming population will be distributed across the district. This additional population will create increased demand for a range of services including roadworks and traffic management, open space facilities and community facilities.



**Legend**

- Catchment Area Boundary
- A** Catchment Area

**NORTHERN DISTRICTS**

Figure 1 : District Plan

Date : January 2008

**SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN NO.10 - NORTHERN LAKES DISTRICT**

## 4.0 Roadworks and Traffic Management

### 4.1 Strategic Framework

Roadworks and traffic management requirements are based on a traffic report completed by Gutteridge, Haskins & Davey (June 1990), a technical report completed by Council's Design Section (Report No 424, June 1992) (contained in the supporting documentation) and comments by Council's Senior Transport Engineer.

The proposed works to be undertaken include the following:

**Table 5: Proposed Roadworks and Traffic Management**

Item	Proposed Roadworks and Traffic Management
1	Improvement of the curves along Kanangra Drive between the Pacific Highway and Summerland Road
2	The realignment and widening of Summerland Road
3	The widening of Kanangra Drive between Parraweena and Orana Road
4	The widening of Kanangra Drive between Summerland and Parraweena Road
5	Minor intersection improvements to Summerland Point

A detailed schedule of works and costs is provided in Part F – Detailed Work Cost Breakdowns. These costings are based on 2007 costs and have been indexed in accordance with the Consumer Price Index published by the Australian Bureau of Statistics. Refer to Part G for the indices use to update these costings.

### 4.2 Nexus between Development and Demand

#### 4.2.1 Causal Nexus

The traffic study completed for this area indicated that the existing roads and intersections are adequate to cater for existing development and future low density development (detached dwellings) on existing residential lots. It also identified that upgrading of certain roads and intersections will be required to cater for the proposed development within Catchments B, C, D and E.

The traffic investigations used the following approach to establish road and intersection requirements for this area:

- Identify existing road hierarchy and traffic flows;
- Predict future road hierarchy and traffic flows generated by existing development or existing zoned areas for which no contributions may be sought when development does proceed, but excluding the proposed development;
- Identify road and intersection improvements necessary to cater for these predicted flows;
- Predict future road hierarchy and traffic flows generated by all future development including the proposed development;
- Identify additional road and intersection improvements necessary to cater for these predicted flows; and
- Where necessary, apportion costs of improvements based on traffic flows.



### 4.2.2 Spatial Nexus

The traffic investigations concluded that the above proposed works are required to meet the demands of new development within Catchments B, C, D and E. Roadworks will not be levied on Catchment A.

Traffic works are based on the development within these areas. Therefore, the costs of the works have been apportioned to the relevant development that attributes to the roadworks as follows.

**Table 6: Roadworks and Traffic Management Apportionment**

Traffic Item	1	2	3	4	5
Catchment B Summerland Point	7.8%	6.4%	0%	0%	100%
Catchment C Gwandalan	6.0%	0%	0%	0%	0%
Catchment D	68.0%	0%	0%	0%	0%
Catchment E	18.2%	0%	34.3%	11.6%	0%
Existing Development (Council)	0%	93.6%	65.7%	88.4%	0%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

The above apportionment factors will be used to calculate the costs of works to be levied for each of the Catchments.

Figure 2 outlines the proposed roadworks and traffic management for the Northern Districts.

### 4.2.3 Temporal Nexus

Wyong Council will undertake the works in accordance with priorities as outlined in the schedule of works.

The works will commence either in conjunction with surrounding new development or when the traffic volumes at various locations warrant the works to be completed. An indicative time frame for the commencement of the works is shown in Part E.

## 4.3 Calculation of Contribution Rates

The above apportionment factors have been used to determine the costs of works to be levied for each catchment. That is, the above percentage has been applied to the total cost to determine the costs applicable to each Catchment. The following table outlines the costs for the roadworks and traffic management for each Catchment.

Table 7: Apportioned Costs

Traffic Item	Total Cost \$	Apportioned Cost \$				Existing Development (Council)
		Catchment B	Catchment C	Catchment D	Catchment E	
1	3,927,700	305,205	236,171	2,670,545	715,779	0
2	581,500	37,174	0	0	0	544,326
3	648,000	0	0	0	222,397	425,603
4	192,000	0	0	0	22,289	169,712
5	50,000	50,000	0	0	0	0
<b>TOTAL</b>	<b>5,379,200</b>	<b>392,379</b>	<b>236,171</b>	<b>2,670,545</b>	<b>960,465</b>	<b>1,139,641</b>

All rates are determined to the nearest dollar.

The following calculation is used to determine the levy per person for each of the Catchments.

$$C = \frac{\$ \text{Facility Cost}}{\text{Demand}}$$

Where:

- C** = the contribution rate per person;  
**\$Facility Costs** = the total cost of the proposed works to the Catchment;  
**Demand** = the total new development proposed in the Catchment;

#### Catchment B – Summerland Point

$$C = \frac{\$392,379}{84 \text{ DU}}$$

$$= \$4,671 \text{ per DU}$$

#### Catchment C – Gwandalan

$$C = \frac{\$236,171}{65 \text{ DU}}$$

$$= \$3,633 \text{ per DU}$$

#### Catchment D

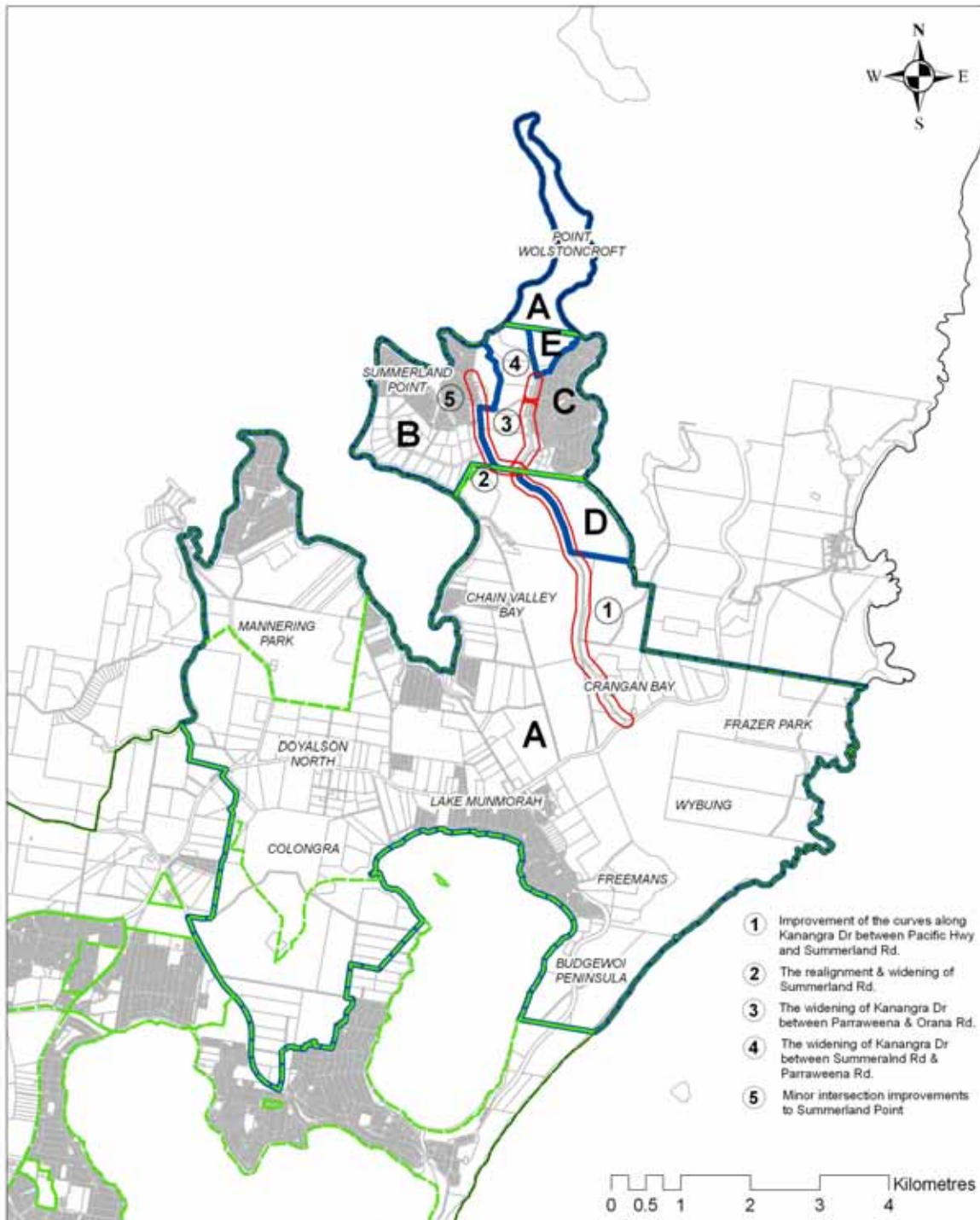
$$C = \frac{\$2,670,545}{735 \text{ DU}}$$

$$= \$3,633 \text{ per DU}$$

#### Catchment E

$$C = \frac{\$960,465}{220 \text{ DU}}$$

$$= \$4,875 \text{ per DU}$$



- 1 Improvement of the curves along Kanagra Dr between Pacific Hwy and Summerland Rd.
- 2 The realignment & widening of Summerland Rd.
- 3 The widening of Kanagra Dr between Parraweena & Orana Rd.
- 4 The widening of Kanagra Dr between Summerland Rd & Parraweena Rd.
- 5 Minor intersection improvements to Summerland Point

0 0.5 1 2 3 4 Kilometres



**Legend**

- Catchment Area Boundary
- Previous Catchment Area Boundary
- A** Catchment Area

**NORTHERN DISTRICTS**

Figure 2 : Proposed Roadworks and Traffic Management

Date : January 2008

**SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN NO.10 - NORTHERN LAKES DISTRICT**

## 5.0 Open Space and Recreational Facilities

### 5.1 Strategic Framework

Wyong Shire Council's goal for open space is to implement an open space system, which conserves a sustainable natural character for the Shire and provides a variety of settings for recreation to meet identified community needs.

Council requires that local open space for residential areas be provided at the standard of 3.0ha per 1,000 persons.

There are various categories of open space within Wyong Shire as follows:

- Regional Open Space which includes Semi Natural open space, Regional Parks and Field/Courts;
- District Open Space which includes Large Parks, Fields and Courts;
- Local Open Space which includes Local Parks;
- Ancillary Open Space which is open space that has a dual use such as a drainage corridor and passive open space or a visual use.

Wyong Shire Council's Open Space Principles Plan (2005a) provides minimum areas for the different types of open space, however there is flexibility where it can be proven that the open space purpose can be achieved. The minimum area for each of the types is as follows:

A contribution towards open space works will still be required and this is addressed below.

**Table 8: Minimum Open Space Areas**

Type of Open Space	Minimum Area (ha)
Field	4.0
Large Park	2.0
Semi Natural Open Space	2.0
Court	1.0
Small Park	0.5

## 5.2 Nexus between Development and Demand

### 5.2.1 Causal Nexus

It is proposed to levy contributions based on the standard provision of 3.0ha per 1,000 persons. Therefore, 29.805ha of open space are required to meet the demands of the new population growth of 9,935 persons. Embellishment will improve the quality of the open space and recreational facilities to allow additional use.

The Principles Plan also provides how open space should be proportioned against the different types of open space. The following table outlines this proportion and the amount of the different types of open space for the Plan area.

**Table 9: Apportionment Open Space Areas**

Open Space Type	Notional Proportion (%)	Notional Area Required (ha)
Local and Large Parks	35	10.4318
Courts	5	1.4903
Fields	30	8.9415
Semi-Natural	25	7.4513
Cycleways (not part of this plan. See Shire Wide contribution plan)	5	1.4903
<b>TOTAL</b>	<b>100</b>	<b>29.8052</b>

### 5.2.2 Spatial Nexus

The Open space Principles Plan sets out the requirements for location of open space and recreational facilities such as locating fields and courts adjacent to each other, locating small parks within 500m of all consolidated residential areas and co-location of facilities wherever possible.

Projects have been located in areas to meet the needs of the new residential development and taking advantage of existing facilities. Contributions are levied on a per capita basis so that only the open space required to meet the demands of the new population is levied. Table 10 and Figure 3 identify some of the Open Space and Recreational Facility projects to be undertaken for this District. Council will continue to identify projects that will meet the needs of the future population. These projects will be identified through the revision of this Section 94 Development Contributions Plan and/or Council's annual Management Plan.

**Table 10: Open Space and Recreational Facilities**

Item	Open Space and Recreational Facilities	Open Space Type
1	Embellishment of Tunkawallin Sporting Facility Gwandalan	Fields / Local Park
2	Embellishment of Sandy Beach Reserve Summerland Point	Local Park
3	Embellishment and Oval development at Colongra Bay Reserve Lake Munmorah	Fields

A detailed schedule of works is provided in Part E – Schedule of Works and Part F – Detailed Work Cost Breakdowns.

### Open Space Land – New Release Areas

There are two major rezoning proposals covered by the contributions plan and they are to provide the minimum hectares of useable open space as shown in table 11:

**Table 11: Open Space Land Requirements**

Location	Estimated Population	Minimum Hectares of Open Space
Coal & Allied (Gwandalan – Catchment D)	2,146 people	6.44ha
Rosecorp (Gwandalan – Catchment E)	575 people	1.725ha
<b>Total</b>	<b>2,721 people</b>	<b>8.165ha</b>

As permitted under section 94(1) of the EP&A Act, Council requires dedication of land to satisfy the demand generated for open space within the locality. Having regard to the calculations above, Council requires the dedication of 8.165 hectares of land for open space purposes within these catchments.

Conditions to require this dedication will be imposed upon relevant development consents.

The dedication of the land will be at no cost to Council, and will satisfy the increased demand generated by the development of these localities for open space land.

In relation to open space works, these are separate, and will be dealt with by way of contributions.

### 5.2.3 Temporal Nexus

Wyong Council has undertaken various open space reports such as the 'Draft Local Parks Resource Report for Action Plan', 'Local Parks Strategy' and the 'Draft Local Parks Action Plan' which outlines the required actions and priorities for open space projects. These reports have been used to identify the priority of the proposed projects. Contribution funds for the open space projects will be pooled together. This allows the open space projects to be undertaken in accordance with its prioritisation as outlined in the Schedule of Works.

### 5.3 Calculation of Contribution Rates

Embellishment costs have been determined based on the average costs for previous works undertaken by Council as follows:

#### Local Parks - \$47/m<sup>2</sup>

Owl Park by AVJ developments indexed to 17 July 2007  
\$192,809 for 5,000m<sup>2</sup> park = \$39/m<sup>2</sup>

Mataram Road small park by Council 2007  
\$220,000 for 3,992m<sup>2</sup> park = \$55/m<sup>2</sup>

Average \$47/m<sup>2</sup>

#### Courts - \$133/m<sup>2</sup>

Value of courts in Warnervale contributions plan indexed to 17 July 2007 -  
\$4,149,000 for 31,200m<sup>2</sup> = \$133/m<sup>2</sup>

**Fields - \$62/m<sup>2</sup> (average of the following examples)**

Pat Morley Oval indexed to 17 July 2007 - \$1,990,000 for 92,000m<sup>2</sup> = \$22/m<sup>2</sup>

Jubilee Oval indexed to 17 July 2007 - \$3,417,000 for 34,644m<sup>2</sup> = \$99/m<sup>2</sup>

Wadalba Sporting Fields indexed to 17 July 2007 - \$6,121,000 for 95,525m<sup>2</sup> = \$64/m<sup>2</sup>

**Semi Natural Areas - \$8/m<sup>2</sup>**

Wadalba Corridor embellishment quotes 2007

The following table provides a summary of the current rates for embellishment of open space based on the above:

**Table 12: Embellishment Rates per Square Metre**

Open Space Facility	Embellishment Costs
Local Parks	\$47/m <sup>2</sup>
Courts	\$133/m <sup>2</sup>
Fields	\$62/m <sup>2</sup>
Semi-Natural	\$8/m <sup>2</sup>

The above cost estimates are applied to the area requirements to determine the overall embellishment costs for open space within the District.

**Table 13: Open Space Embellishment Costs**

Open Space Facility	Area Required (m <sup>2</sup> )	Embellishment Rate \$ per m <sup>2</sup>	Embellishment Cost
Local Parks	104,318	47	\$4,902,923
Courts	14,903	133	\$1,982,032
Fields	89,415	62	\$5,543,730
Semi Natural	74,513	8	\$596,100
<b>TOTAL</b>			<b>\$13,024,785</b>

All rates are determined to the nearest dollar.

The Open space and Recreational Facilities will be fully levied on new development. The contribution rate is determined as follows:

$$C = \frac{\$ \text{Facility Cost}}{\text{Demand}}$$

Where:

- C** = the contribution rate per person;  
**\$Facility Costs** = the total Open Space and Recreational Facilities costs;  
**Demand** = the total DU proposed in the District.

**Local Parks**

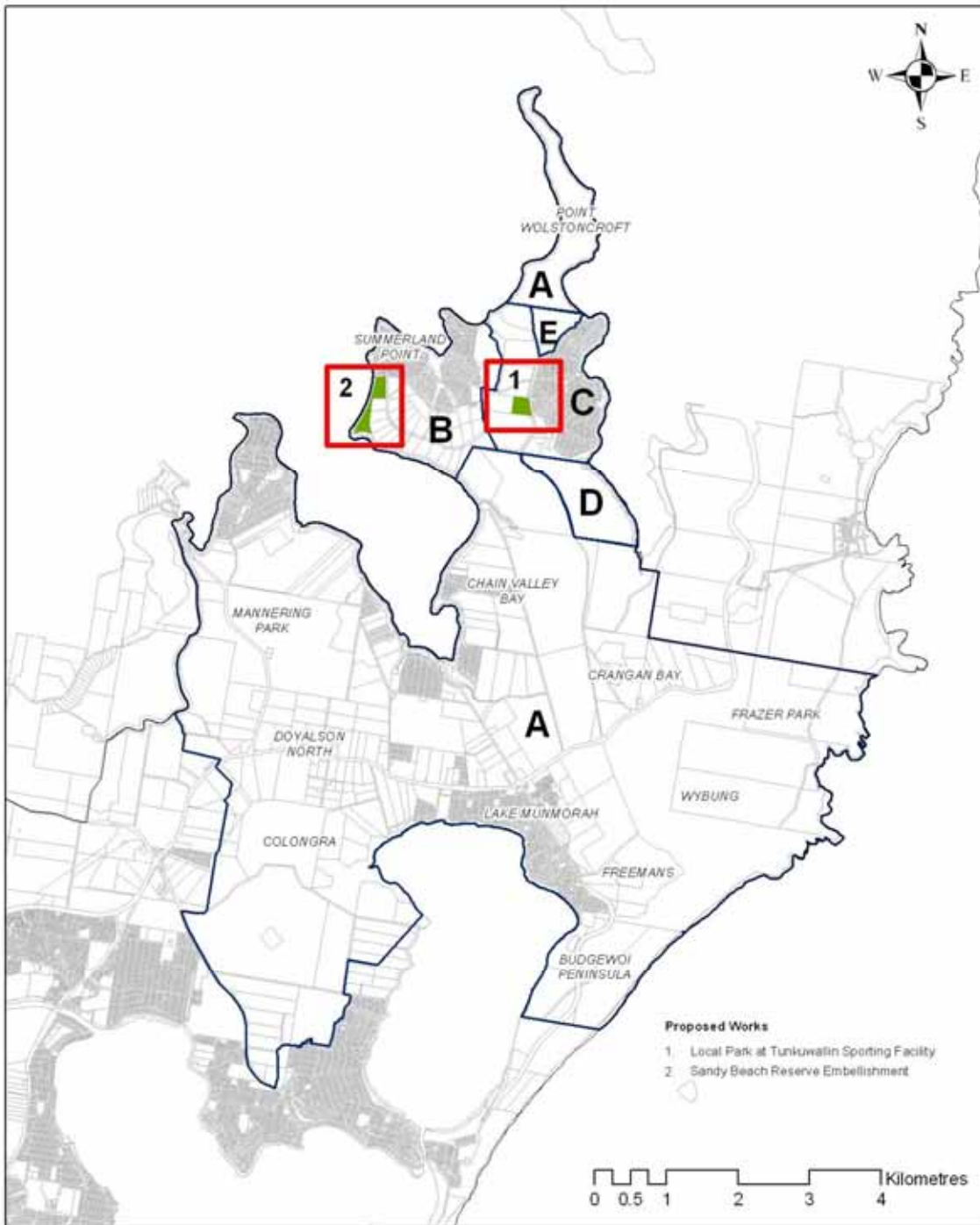
$$\begin{aligned} C &= \frac{\$4,902,923}{3,402 \text{ DU}} \\ &= \$1,441 \text{ per DU} \end{aligned}$$

**Sporting Fields, Courts & Semi Natural**

$$\begin{aligned} C &= \frac{\$8,121,863}{3,425 \text{ DU}} \\ &= \$2,387 \text{ per DU} \end{aligned}$$

**Combined = \$3,828 per DU**





**Legend**

- Catchment Area Boundary
- A** Catchment Area
- Open Space & Recreational Facilities

**NORTHERN DISTRICTS**

Figure 3 : Open Space & Recreational Facilities

Date : January 2008

**SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN NO.10 - NORTHERN LAKES DISTRICT**

## **6.0 Community Facilities**

### **6.1 Strategic Framework**

Wyong Council has prepared Guidelines for the Planning and Provision of Community Facilities in Wyong Shire (2000) which determines the requirements to specify the scope and level of community need for facilities and in identifying location, siting, design and other criteria.

Wyong Council provides a network of community facilities as a focus for community activities and as venues for the delivery of community support services and programs. These facilities function as both specific purpose and multi-function community facilities including libraries, public halls, youth, child care and senior citizens centres and general purpose neighbourhood/community centres. They incorporate spaces and rooms for large public meetings/private functions, group activities, workshops, interviews/counselling services, office accommodation and the provision of a diverse range of health, education, welfare and leisure services and programs (Wyong Shire Council 2000).

The Guidelines (2000) adopt a flexible approach through the construction of multi-purpose facilities and the co-location of services. This also includes the embellishment of existing facilities where feasible to increase the functionality of halls and centres and develop more multi-purpose facilities. The development of multi-purpose facilities presents the opportunity to establish a major focus for community services delivery through the co-location of a number of services in the one facility. This flexible approach also encourages joint venture projects with community based and voluntary sector organisations as well as schools.

### **6.2 Nexus between Development and Demand**

#### **6.2.1 Causal Nexus**

The Northern Districts is characterised by a number of small isolated communities including Chain valley Bay, Summerland Point, Gwandalan, Mannering Park and Lake Munmorah. In each of these communities, Council provides a number of local community facilities in the form of small halls. Council also provides a hall used as a district senior citizens centre at Lake Munmorah and a facility at Tunkawallin which was originally designed as an indoor recreation centre for young people.

Most of the halls were built in the last 10 to 20 years and are in varying levels of condition. Typically these halls comprise one main room with associated kitchen and toilet facilities.

Despite the regular usage of most of the facilities being quite low, special consideration needs to be given to the relatively isolated position of the Northern Districts in the Shire and the lack and range of any higher order services and facilities available to the population of this district. These facilities are serving localised communities and have the potential to be key focal points of activity.

The population report shows that this community is experiencing strong growth and one that is characterised by young families and retirees.

A model of localised community facility provision is considered to be the best model of provision in this district given a range of factors including the geography of the area and nature of settlement, lack of public transport and localised use of most facilities.

It is not proposed to construct any new facilities within the district at this time. Rather, an assessment of the usage patterns and catchments of existing facilities has resulted in a recommendation to embellish these existing facilities to ensure that they can cater for the demand created by the future population.

Council's Guidelines (2000) recommend that an additional 0.314m<sup>2</sup> per person of community floor space is provided. This amount of floor space has been determined based on average sizes for community facilities and the standard provision for each type of facility. An additional 3,120m<sup>2</sup> of community floor space is required to meet the needs of the additional 9,935 persons within the Plan area.

The required area of 3,120m<sup>2</sup> is then calculated by the cost per square metre to provide additional community facilities. The cost of \$3,531 per m<sup>2</sup> has been used. This cost has been derived by Council based on the detailed design and development of a number of community facilities within the Shire as outlined below:

- Blue Haven Community Centre Construction Cost \$4,327,466 for 1,092m<sup>2</sup> = \$3,962.88 per m<sup>2</sup>.
- Southern Lakes Community Centre Construction Cost \$1,806,742 for 583m<sup>2</sup> = \$3,099 per m<sup>2</sup>.
- **Average \$3,531 per m<sup>2</sup>.**

An amount of \$11,016,401 will be levied on the new population to embellish existing community centres and halls to meet the additional demand.

### 6.2.2 Spatial Nexus

The District provides a number of existing community halls and centres. It is proposed that these existing facilities will be embellished to increase the capacity to meet the demand from the new population growth. A Joint Venture has also been entered into with the Lake Munmorah High School to provide additional community space for the public. Contributions are levied on a per DU basis so that only the Community Facilities required to meet the demands of the new population is levied. Table 14 and Figure 4 identify some of the Community Facility projects to be undertaken for this District. Council will continue to identify projects that will meet the needs of the future population. These projects will be identified through the revision of this Section 94 Development Contributions Plan and/or Council's annual Management Plan.

**Table 14: Community Facilities**

Item	Proposed Community Facilities
1	Joint Venture of Community Space at Lake Munmorah High School
2	Chain Valley Bay Embellishment
3	Summerland Point Hall Embellishment
4	Lake Munmorah Hall Embellishment
5	Gwandalan Community Hall Embellishment
6	Mannering Park Hall Embellishment
7	Tunkawallin Hall Embellishment

**6.2.3 Temporal Nexus**

Contribution funds for the Community Facilities will be pooled together. This allows these projects to be undertaken in accordance with the prioritisation as outlined in the Schedule of Works.

**6.3 Calculation of Contribution Rates**

All rates are determined to the nearest dollar.

The contribution rate is determined as follows:

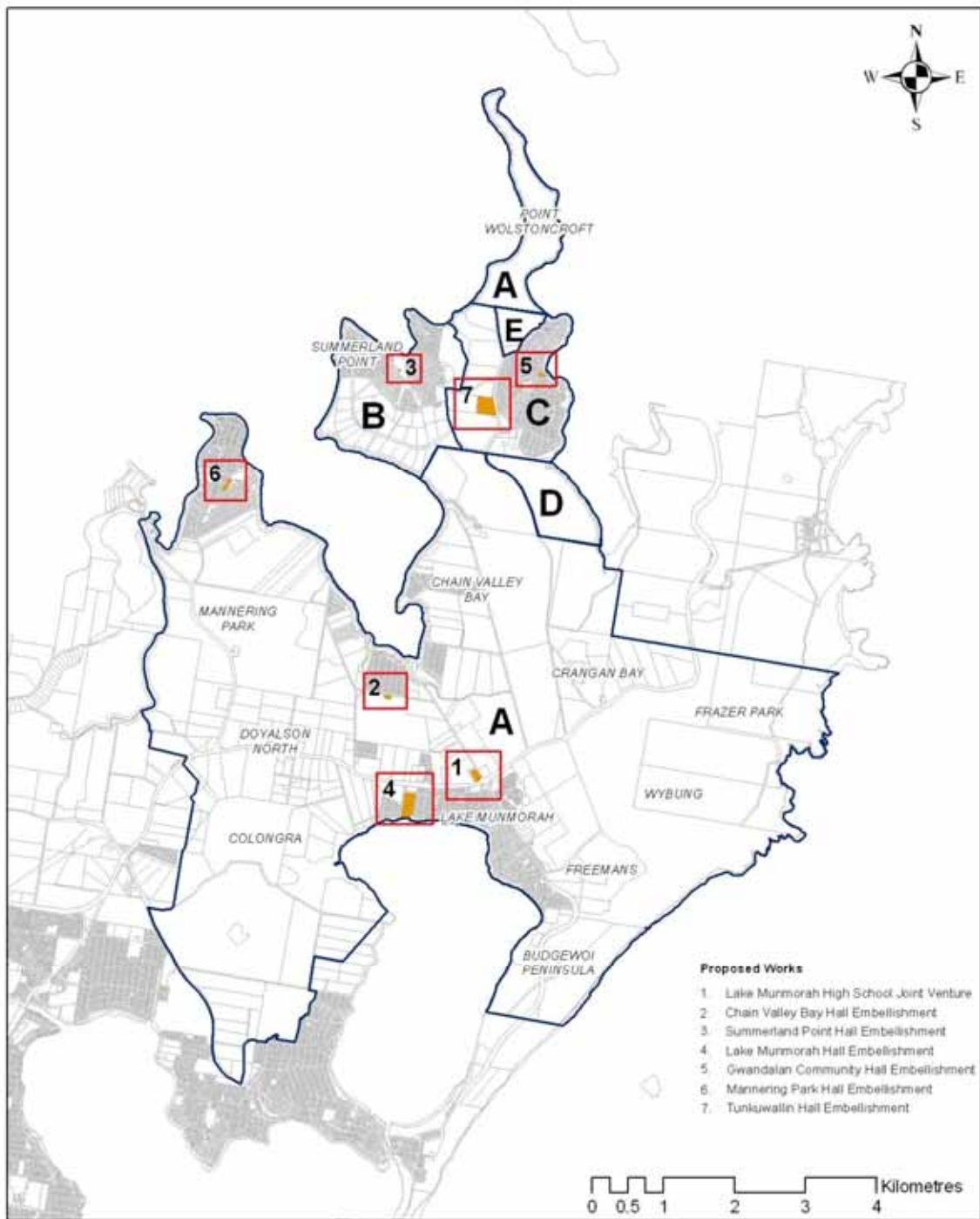
$$C = \frac{\$Facility\ Cost}{Demand}$$

Where:

- C** = the contribution rate per person;
- \$Facility Costs** = the total Community Facilities costs;
- Demand** = the total DU in the District.

$$C = \frac{\$11,016,401}{3,402\ DU}$$

$$= \$3,238.00\ per\ DU$$



- Proposed Works**
1. Lake Murmorah High School Joint Venture
  2. Chain Valley Bay Hall Embellishment
  3. Summerland Point Hall Embellishment
  4. Lake Murmorah Hall Embellishment
  5. Gwandalan Community Hall Embellishment
  6. Mannering Park Hall Embellishment
  7. Tunkuwallin Hall Embellishment



**Legend**

- Catchment Area Boundary
- A** Catchment Area
- Community Facilities

**NORTHERN DISTRICTS**

Figure 4 : Community Facilities  
Date : January 2008

**SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN NO.10 - NORTHERN LAKES DISTRICT**

## PART D – ADMINISTRATION

### Nexus

The effective administration and management of the development contribution process is crucial to achieving the objectives of the Section 94 process. To ensure that contribution funds are managed effectively and that services and facilities are provided within a reasonable time, Council has a number of staff that are directly involved in the contribution process. The administration and management costs to be recovered under this plan only partly cover the full costs of the process; however the Department of Planning recognises that these costs are a legitimate cost able to be recovered under Section 94. The administration costs will be included in all of Council's contributions plans. Based on the coverage of this contributions plan, 12.5% of the total administration costs are included.

### Scheme Detail

The costs to be recovered under this plan include:

- The salary and operating costs over a 5 year period for the coordination of the contribution process.
- A salary component over a five year period for other Council officers who are directly involved in preparing plans and carrying out other Section 94 functions.
- On-costs, vehicles and award increases over a 5-year period.

Table 15 provides details of the costs to be recovered under this section of the plan.

**Table 15**

Description	Total Salary & On Costs for 5 year Period	Percentage to be Recovered by S94	Amount to be Recovered across All Contribution Plans	Amount to be Recovered by this Plan Based on 12.5% of Total Costs
Development Contributions Section Staff	\$1,366,898	100%	\$1,366,898	\$170,862
Accounting Staff	\$430,367	20%	\$86,073	\$10,759
Development Design Staff	\$2,065,821	35%	\$723,037	\$90,380
Subdivision Supervision Staff	\$1,382,307	20%	\$276,461	\$34,558
<b>TOTAL</b>			<b>\$2,452,470</b>	<b>\$306,559</b>

### Apportionment of Costs

Costs will be shared by all developments on an equivalent dwelling unit basis. The costs of this scheme have been calculated based on a five-year period - for the purpose of this calculation, the years 2007-2011 inclusive has been used. The total costs over that five-year period have been apportioned over new development forecasted for the same five-year period.

Table 16 provides details of new development forecasted for the period 2007-2011.

Table 16

Development	Equivalent Dwelling Units or Tenements per Year					
	2007	2008	2009	2010	2011	Total
Development Units	136	136	136	136	136	680

### Program for Works and Funding

Income from administration contributions will be allocated annually to the salaries of the relevant staff in conjunction with Council's Management Plan.

### Contribution Rate Calculation

The contribution for new development is calculated using the following formula:

$$\begin{aligned}
 \text{Contribution per DU} &= \frac{\text{Annual salary costs for staff involved in S94 x 5 years}}{\text{Future Equivalent DU in next five years}} \\
 &= \mathbf{\$306,559 \text{ per } 680 \text{ DU}} \\
 &= \mathbf{\$451 \text{ PER DU}}
 \end{aligned}$$

**PART E – SCHEDULE OF WORKS****Table E.1: Schedule of Works**

<b>Catchment</b>	<b>Schedule of Works</b>	<b>Cost Summary</b>	<b>Priority</b>
B, C, D & E	Improvement of the curves along Kanangra Drive between the Pacific Highway and Summerland Road	\$3,927,700	Medium
B	The realignment and widening of Summerland Road between Kanangra Drive and Government Road (Stages 1 and 2)	\$581,500	Long
E	The widening of Kanangra Drive between Parraweena and Orana Road	\$648,000	Medium
E	The widening of Kanangra Drive between Summerland and Parraweena Road	\$192,000	Medium
B	Minor intersection adjustments to Summerland Point	\$50,000	Short
All	Embellishment of Open Space	\$4,935,987	Medium to Long
All	Embellishment of Existing Centres	\$13,477,437	Medium to Long
<b>TOTAL COSTS OF WORKS</b>		<b>\$23,812,624</b>	



## PART F – DETAILED WORK COST BREAKDOWNS

The following outlines the detailed cost breakdowns for each of the projects outlined in the Works Schedule. The costs for the Open Space and Recreational Facilities and Community Facilities are based on 2006 costs. The costs for Roads and Traffic Management are based on 2007 costs and have been indexed in accordance with 6401.0 Consumer Price Index, Australia ([www.abs.gov.au](http://www.abs.gov.au)).

**Table F.1: Roads and Traffic Management – Kanangra Drive between Pacific Hwy and Summerland Road**

<b>Works</b>	
Curve 2	
Distance from highway	0.4km
Area	2,475
Pavement cost	\$297,000
Services	\$0
Traffic/Supervision/Contingencies	\$163,350
<b>TOTAL</b>	<b>\$460,350</b>

<b>Works</b>	
Curve 3	
Distance from highway	0.7km
Area	2,800
Pavement cost	\$336,000
Services	\$178,000
Traffic/Supervision/Contingencies	\$184,800
<b>TOTAL</b>	<b>\$698,800</b>

<b>Works</b>	
Curve 4	
Distance from highway	1.2km
Area	2,000
Pavement cost	\$240,000
Services	\$0
Traffic/Supervision/Contingencies	\$132,000
<b>TOTAL</b>	<b>\$372,000</b>

<b>Works</b>	
Curve 5	
Distance from highway	2.3km
Area	3,135
Pavement cost	\$376,200
Services	\$218,000
Traffic/Supervision/Contingencies	\$206,910
<b>TOTAL</b>	<b>\$801,110</b>

<b>Works</b>	
Curve 6	
Distance from highway	2.7km
Area	935
Pavement cost	\$112,200
Services	\$0
Traffic/Supervision/Contingencies	\$61,710
<b>TOTAL</b>	<b>\$173,910</b>

<b>Works</b>	
Curve 7	
Distance from highway	3.5km
Area	605
Pavement cost	\$72,600
Services	\$62,000
Traffic/Supervision/Contingencies	\$39,930
<b>TOTAL</b>	<b>\$174,530</b>

<b>Works</b>	
Curve 8	
Distance from highway	3.8km
Area	5,500
Pavement cost	\$660,000
Services	\$224,000
Traffic/Supervision/Contingencies	\$363,000
<b>TOTAL</b>	<b>\$1,247,000</b>

**Table F.2: Roads and Traffic Management – Summerland Road**

<b>Works</b>	<b>Costs</b>
Realignment and Widening of Summerland Road between Kanangra Drive and Government Road Stage 1	\$581,500
<b>TOTAL</b>	<b>\$581,500</b>

**Table F.3: Roads and Traffic Management – Kanangra Drive between Summerland Road and Orana Road**

<b>Works</b>	<b>Costs</b>
The Widening of Kanangra Drive between Summerland Road and Orana Road (\$840,000 – 2007)	\$840,000
<b>TOTAL</b>	<b>\$840,000</b>

**Table F.4: Roads and Traffic Management – Gwandalan/Summerland Point – Minor Intersection Works**

<b>Works</b>	<b>Costs</b>
Minor Intersection adjustments at Summerland Point (complete \$30,000 – 2007)	\$50,000
<b>TOTAL</b>	<b>\$50,000</b>

**Table F.5: Community Facilities – Chain Valley Bay Community Hall**

<b>Works</b>	<b>Costs</b>
Subject to findings of Community Facilities Strategy 07/08	TBA
<b>TOTAL</b>	

**Table F.6: Community Facilities – Summerland Point Community Hall**

<b>Works</b>	<b>Costs</b>
Subject to findings of Community Facilities Strategy 07/08	TBA
<b>TOTAL</b>	

**Table F.7: Community Facilities – Lake Munmorah Hall**

<b>Works</b>	<b>Costs</b>
Subject to findings of Community Facilities Strategy 07/08	TBA
<b>TOTAL</b>	

**Table F.8: Community Facilities – Gwandalan Community Hall**

<b>Works</b>	<b>Costs</b>
Subject to findings of Community Facilities Strategy 07/08	TBA
<b>TOTAL</b>	

## PART G – REFERENCES

The following references have been used to formulate this Plan. A supporting document of this background information is available. This document includes all documents prepared by or on behalf of Council to support this Section 94 Development Contributions Plan. Other documentation such as the Practice Notes and CPI are available on the relevant website.

Australian Bureau of Statistics	6401.0 Consumer Price Index, Australia All Groups, Percentage Change (from previous financial year) for Sydney ( <a href="http://www.abs.gov.au">www.abs.gov.au</a> ).
Gutteridge, Haskins & Davey 1990	Traffic Report June 1990.
ID Consulting (2006)	2001-2031 Population and Household Forecasts for Northern Lakes. Prepared for Wyong Shire Council.
NSW Department of Planning	Development Contributions Practice Notes. <a href="http://www.dipnr.nsw.gov.au">www.dipnr.nsw.gov.au</a> . NSW Planning Reforms.
Wyong Shire Council 2000	Guidelines for the Planning and Provision of Community Facilities in Wyong Shire. Section 94 Background Report. Final Report prepared by Strategic Planning Department June 2000.
Wyong Shire Council 2005	Development Control Plan 2005 – Complying Development.
Wyong Shire Council 2005a	Draft Wyong Open Space Principles Plan. Prepared by the Strategic Planning Department Amendment No 4 June 2005.
Wyong Shire Council 2005b	Draft Local Parks Strategy Prepared by Strategic Planning Department 8 August 2005.
Wyong Shire Council 2005c	Local Parks Resource Report for Action Plan Strategic Planning Department November 2005.
Wyong Shire Council 2005d	Local Parks Action Plan Strategic Planning December 2005.
Wyong Shire Council 2006(a)	Contributions Plan No 10 Lake Munmorah District December 2006.
Wyong Shire Council 2006(b)	Contributions Plan No 11 Mannering Park District December 2006.
Wyong Shire Council 2006(c)	Contributions Plan No 12 Gwandalan District December 2006.
Wyong Shire Council 1992	Technical Report No 424 prepared for Contributions Plan No 12 Gwandalan and Summerland Point Roads and Intersections completed by Council's Design Section (June 1992).