

# San Remo District Development Contributions Plan 2010

EXHIBITION DRAFT

April 2010



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## Summary Schedules

The following summary schedules are included in this plan:

- Schedule of Works (contained in Appendix B) and
- Contributions rates per DU by category (Table 1)

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

<b>Category</b>	<b>Rate</b>
Water Quality Land	\$575
Water Quality Works	\$1,750
Open Space and Recreational Facilities Works	\$3,549
Community Facilities Works	\$2,967
Administration	\$458
<b>TOTAL PER LOT / DU</b>	<b>\$9,299</b>
<b>Road Contribution Rates</b>	<b>Rate</b>
Drainage – Blue Haven Urban Release Area Only	\$21/du
Roadworks – San Remo Medium Density Development and Highview Street Residential Area	\$1,084/du
Roadworks – Doyalson Industrial Area – Scenic Drive / David Street Intersection	\$245,351/nda
Roadworks – Blue Haven (Urban Release Area and Medium Density)	\$2,047/du

Refer to Section 3 for details of how these rates are calculated.

# 1 Administration and Operation of this Plan

## 1.1 Name of this Plan

This plan is called the San Remo District Development Contributions Plan dated .....

## 1.2 Area to which this Plan Applies

This plan applies to land within San Remo Social Planning District, as shown in Figure 1.

## 1.3 Purpose of this Plan

The purpose of this plan is to:

- provide an administrative framework under which specific public facilities strategies may be implemented and coordinated
- ensure that adequate public facilities are provided for as part of any new development
- 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
- provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- 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
- enable Council to be both publicly and financially accountable in its assessment and administration of the development contributions plan

## 1.4 Commencement of this Plan

This 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.

## 1.5 Relationship with other Plans and Policies

This plan repeals the following development contributions plans:

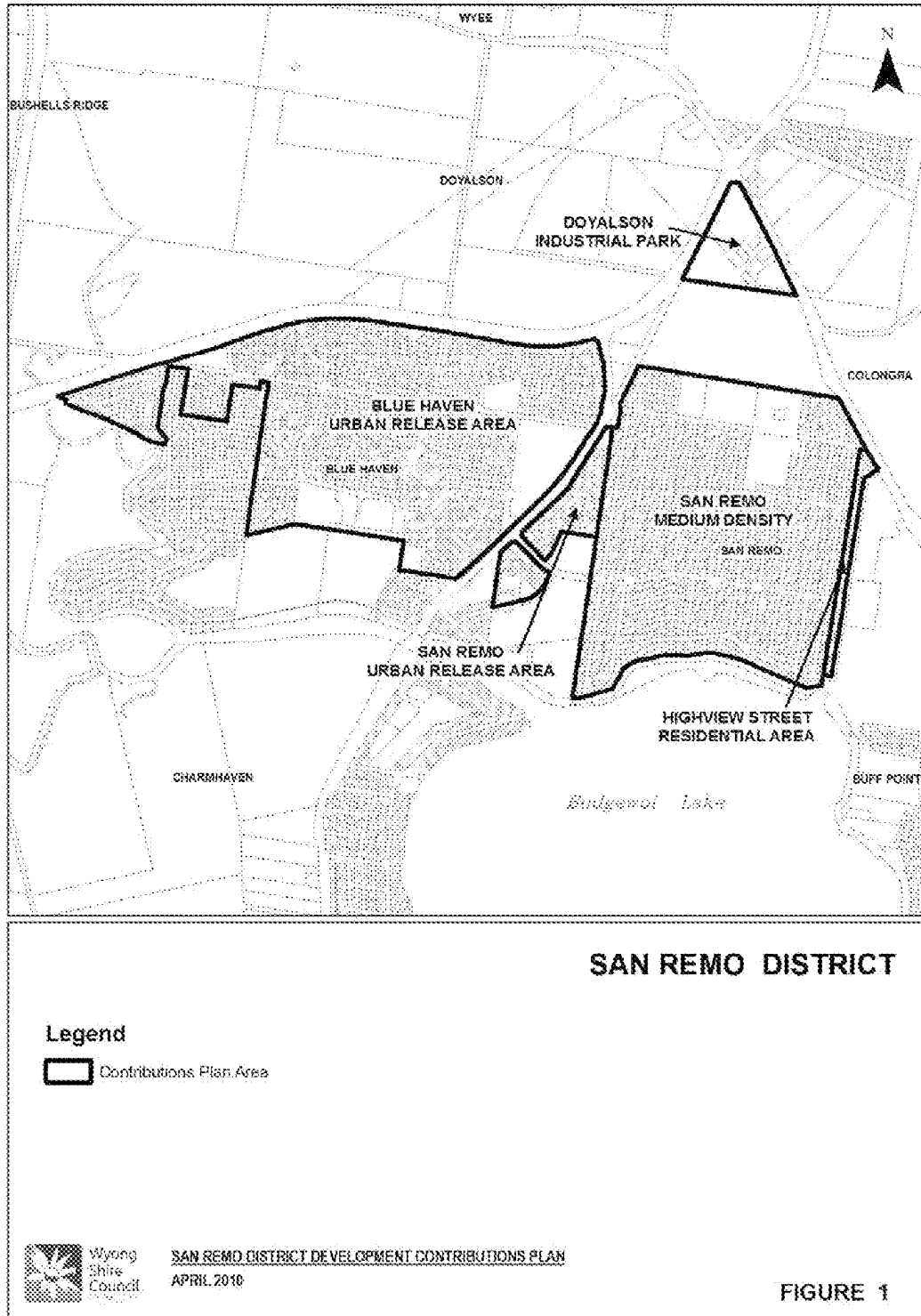
- Contributions Plan No 8 – San Remo District – November 2006

This plan should be read in conjunction with Wyong Local Environmental Plan 1991, relevant Development Control Plan Chapters, 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 Chapter 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, the Shire Wide Contributions Plan).

Figure 1 Contributions Plan Area



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## 1.6 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 in accordance with Table 2.

For the purposes of this plan, "Net Developable Area (NDA)" is expressed in hectares and is the actual area on which a development could be sited. NDA excludes land for trunk drainage, roads, open space, community facilities, noise buffers, undevelopable lands and certain major non-residential land uses.

## 1.7 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.

## 1.8 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 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 developer.



## 1.9 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.

### 1.10 Deferred and Periodic Payments

Council will generally not accept deferred or periodic payment of contributions required under this plan.

Council has, however formulated a policy in relation to the negotiation and preparation of planning agreements which provides for the consideration of deferred or periodic payments.

Consideration of requests for deferral of contributions will involve careful consideration of community/public infrastructure delivery and financial implications for Council.

### 1.11 Can the Contribution be Settled "In-Kind"?

Council may accept an offer by the developer to provide an "in-kind" contribution (i.e. the developer completes part or all of work/s identified in this plan) in lieu of the developer satisfying its obligations under this plan.

Council may accept such alternatives in the following circumstances:

- the developer making a formal application to carry out the works, and
- the standard of the works is to Council's full satisfaction

The value of the works to be substituted will be the value assigned to it under this 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 developer to enter into a written Works In Kind 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 developer.

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. Offsetting of contributions, if considered appropriate, will also only be permitted to occur within the same contributions plan area and against the same category (e.g. dedication of open space land can only be used to offset contributions for open space land and/or works).

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 Works In Kind Agreement. Unless otherwise agreed, the credit will be repaid once all of the following criteria have been met:

- all of the developer's land within the area serviced by a contributions plan covering that area has been developed and all relevant contributions have been offset against the credit value
- 75% of the areas benefiting from the credited land have contributed to the scheme
- sufficient funds exist in the fund ensuring the refund will not 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 developer, except where they form part of the final work identified in this 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.

### 1.12 Exemptions

Council does not have a policy that exempts any development from payment of monetary contributions levied under this plan, except in the following circumstances:

- the Crown as a private developer (e.g. Landcom subdivision of land) – contributions will apply in the same manner as they would for a private development
- developments provided by the Crown which provide a public service (e.g. school, court house, hospital) – contributions will be assessed based on the demand for community infrastructure
- in accordance with any direction issued by the Minister under Section 94(e) of the EP&A Act

### 1.13 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 changes, the capital costs of administration of this plan or through changes in the costs of studies used to support this 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, drainage works, open space and recreational facilities, water quality land and works, 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 this 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<sub>A</sub>** is the contribution at the time of adoption of this 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 169.1 (February 2010)

**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.

### 1.14 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<sub>P</sub>** is the amount of the contribution calculated at the time of payment

**\$C<sub>DC</sub>** is the amount of the original contribution as set out in the development consent

**\$C<sub>Q</sub>** is the contribution rate applicable at the time of payment

**\$C<sub>C</sub>** is the contribution rate applicable at the time of the original consent

### 1.15 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. 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.

### 1.16 Pooling of Contributions

To provide a strategy for the orderly delivery of the infrastructure, this plan authorises monetary community infrastructure contributions paid:

- for different purposes in accordance with the conditions of various development consents authorised by this plan, and
- for different purposes under any other contributions plan approved by the Council

to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary community infrastructure contributions under this plan are the priorities for works as set out in the relevant works schedules (Appendix B).

In deciding whether to pool and progressively apply contributions funds, Council is satisfied that this action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

### 1.17 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.

### 1.18 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.

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### 1.19 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.

### 1.20 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.

Table 2 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	Open Space	Community Facilities	Roads	Drainage	Administration
Residential Flats & Dual Occupancies (including private 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/lot	√	√	√	√	√
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	NDA			√	√	√
Industrial Development	NDA			√		√
Shopping Centre	0.001/m <sup>2</sup>			√	√	√
Restaurants	0.008/m <sup>2</sup>			√	√	√
Tourist 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>			√	√	√
Hospital Bed	1/bed			√		√
Nursing Home Bed	0.4/bed			√	√	√
Hostel Bed	0.125/bed			√	√	√
Pre Schools/Child Care Centres	0.0625/pupils & staff			√	√	√

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

1.21 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. Table 3 outlines the amendments to this Plan.

**Table 3 Plan Amendments**

Date	Nature of Revision
October 1992	No previous versions
September 1995	Amended
November 1996	Amended
September 2000	Amended
November 2000	Amended
November 2002	Amended
January 2007	Amended
April 2010	Amended

## 2 Urban Characteristics and Population

### 2.1 Expected Future Development

This plan relates to demand for public facilities and services created by residential and industrial development within the San Remo District of the Wyong Local Government Area.

It is forecast that a further 152 lots will be developed within this 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	Dwellings on New Lots (a)	Medium Density DUs (c)	Total DUs (a + c)	Estimated Population (@ 2.5 people per DU)
Blue Haven	152	59	211	528
Doyalson	8	0	8	20
Doyalson North	0	0	0	0
San Remo	88	24	112	280
<b>TOTAL</b>	248	83	331	828

### 2.2 Population Increase

The population increase for this plan area is anticipated to be 828. This is based on an occupancy rate of 2.5 persons per dwelling unit (DU).

### 2.3 Occupancy Rates

Occupancy rates for this Contributions Plan are based on the average occupancy rates for the urban release areas of Blue Haven, Buff Point, Colongra, Doyalson, Halekulani and San Remo 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 this plan to align with the updated occupancy rate as required. The current occupancy rate of 2.5 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.

### 2.4 Meeting Population Needs

The incoming population will be distributed across the suburbs of Blue Haven and San Remo. This additional population will create increased demand for a range of services including roadworks and traffic management, drainage and water quality, open space facilities and community facilities.



## 3 Community Infrastructure and Contributions

### 3.1 Roadworks and Traffic Management

This section considers the road and intersection requirements generated as a result of the development in the area of this Plan. There are two schemes:

- Blue Haven and San Remo Residential Areas, and
- Doyalson Industrial Area

Details of the schemes are found below. The areas subject to the schemes are shown in Figures 2 and 3 plus the Highview Street residential area and medium density development in San Remo.

The approach to establishing road and intersection requirements for this area has been:

- 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

#### 3.1.1 Scheme Details

##### Blue Haven / San Remo Residential Areas

The road and intersection requirements are based on a traffic report completed by Pak Poy and Kneebone and a technical report completed by Council's Strategic Planning Department (Report No 462, December 1994).

These identified that upgrading of certain intersections would be required to cater for the proposed development and that certain works within the development (eg. drainage works, internal roundabouts, etc.) should form part of an overall contribution scheme. The proposed works are described below with further details shown in Table 5.

- Four way traffic signals at the Pacific Highway/Goorama Avenue intersection - incorporating a grade-separated pedestrian link across Pacific Highway
- a distributor road link between Pacific Highway and the internal road system of the development area. This link has a 30 metre road reserve accommodating a 19 metre five-lane divided carriageway
- a single lane roundabout at the link road/collector road intersection
- single lane roundabouts at sites 1, 3 and 4 on the collector road as shown in Figure 2
- T intersection works, Give Way at Site 2
- half road construction fronting community, recreational and open space facilities – (Sites A to G in Figure 2)
- cycleways - 2.5 metre wide concrete, shared pedestrian/cycleways

- adjacent to collector road near Roundabout No 4 and community facilities
- adjacent to collector road and link road from the intersection of Colorado Drive and Timbara Crescent to Pacific Highway
- land required for cycleway construction
- land required for link road identified above
- culvert and minor channel augmentation near Wallarah Creek next to Allambee Avenue

The developers of the San Remo release area had, several years ago, dedicated land for and contributed to the cost of the extension of Goorama Avenue and upgrading of the intersection of Goorama Avenue and the Pacific Highway. This had been previously recognised as fulfilling their requirements for road and intersection improvements in the area.

**Doyalson Industrial Area**

The road and intersection requirements are based on Technical Report No 465 completed by Council's Strategic Planning Department.

The proposed works are described below with further details and cost estimates shown in Table 6 and Figure 3.

A Type 'C' intersection at the junction of Scenic Drive and David Street, Doyalson, involving the following:

- construction of a new AC pavement outside the area of the existing pavement
- reconstruction of the existing pavement
- construction of bitumen sealed shoulders

It is identified that the upgrading of the intersection is required to cater for the proposed development in the Doyalson Industrial Area as shown in Figure 3.

**3.1.2 Apportionment of Costs**

**Blue Haven / San Remo**

Table 5 shows details of apportionment of costs on the basis of traffic generated.

**Table 5 Apportionment of Road Schemes – Blue Haven / San Remo**

Item	Apportionment (%)		
	Blue Haven Release Area	Blue Haven Medium Density	Highview Street Residential and San Remo Medium Density
Traffic Signals at Pacific Highway	93.68	2.28	4.04
All Other Items	97.72	2.28	-

Doyalson Industrial Area

Table 6 provides details of apportionment of costs (based on net developable area).

**Table 6 Apportionment of Road Schemes – Doyalson Industrial Area**

Item	Existing Development	Proposed Development	Total Development
Area (ha)	*	7.744	7.744
% Total Area	0	100	100.00

\* Existing development has not generated extra demand on the existing intersection.

3.1.3 Program for Works and Funding

Blue Haven / San Remo

All roadworks and traffic management facilities required under this plan have been delivered. However, Funds for these roadworks and traffic management facilities are yet to be fully recouped.

Doyalson Industrial Area

The actual provision of the intersection works will be required when traffic volumes turning out of David Street reach 60 vehicles per hour. This is expected to occur when the area is about 70% developed.

3.1.4 Calculation of the Contribution Rate

**Roads – Blue Haven (Urban Release Area and Medium Density)**

$$\begin{aligned}
 \text{Contribution} &= 93.68\% \times \text{roundabout} + 2.28\% \times \text{roundabout and 100\% of other items} \\
 &= 93.68\% \times 3,005,843 + 2.28\% \times 3,005,843 + 1,118,662 \\
 &= 2,815,873 + 68,533 + 1,118,662 \\
 &= \$4,003,069
 \end{aligned}$$

$$\begin{aligned}
 \text{Contribution Rate} &= \$4,003,069/1,956 \text{ DU} \\
 &= \$2,047 \text{ per DU}
 \end{aligned}$$

**Drainage – Blue Haven Urban Release Area Only**

Contribution Rate = \$33,443/104 NDA  
= \$321/NDA  
= \$21 per DU (NDA/15.4 lots per hectare)

**Roads – San Remo Medium Density Development and Highview Street Residential Area**

Contribution = 4.04% x roundabout  
= 4.04% x 3,005,843  
= \$121,436

Contribution Rate = \$121,436/112 DU  
= \$1,084 per DU

**Roads – Doyalson Industrial Area - Scenic Drive / David Street Intersection**

Contribution Rate = \$1,900,000/7.744 hectares  
= \$245,351/NDA

Figure 2 Roads / Intersections / Cycleways, Blue Haven

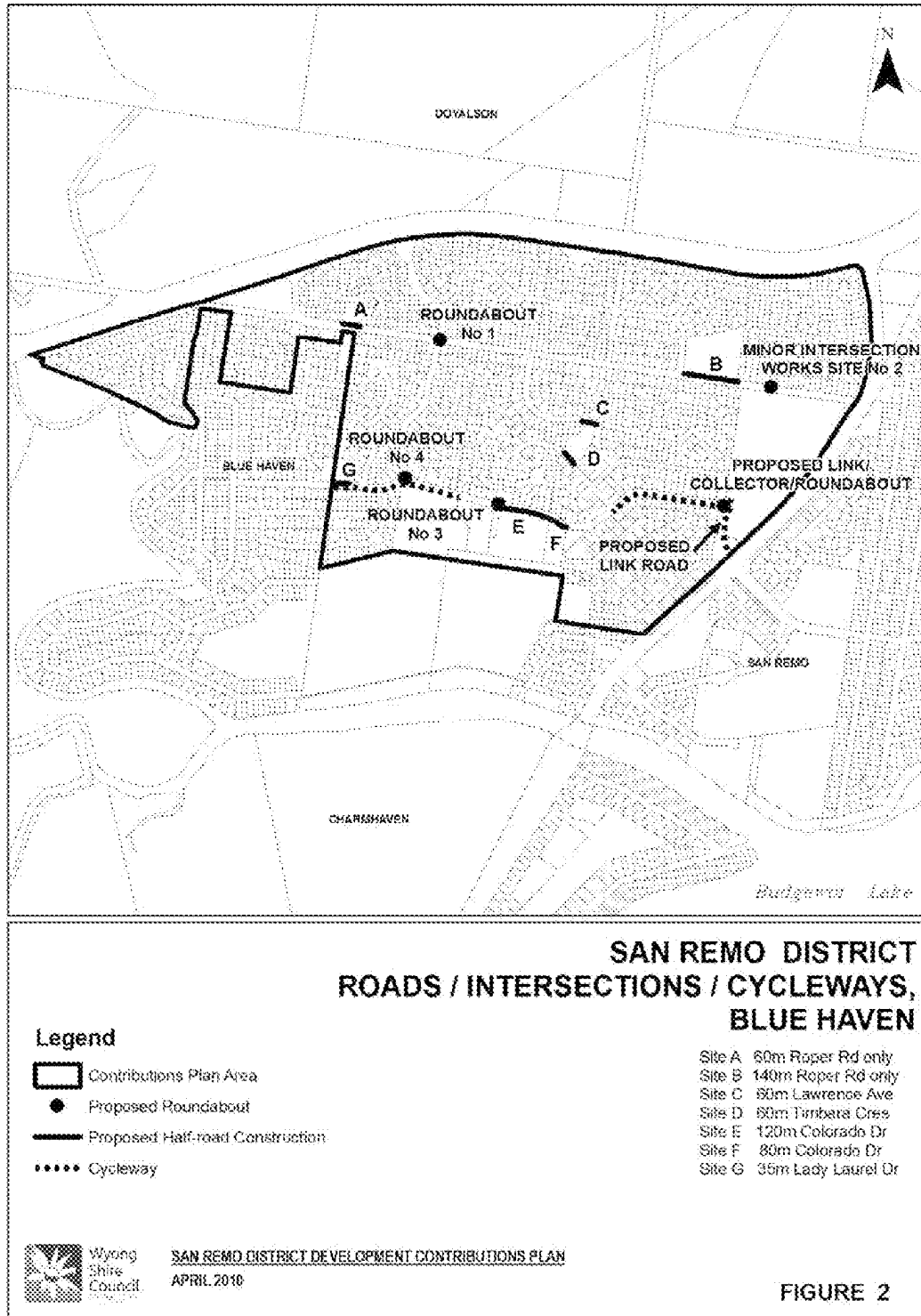
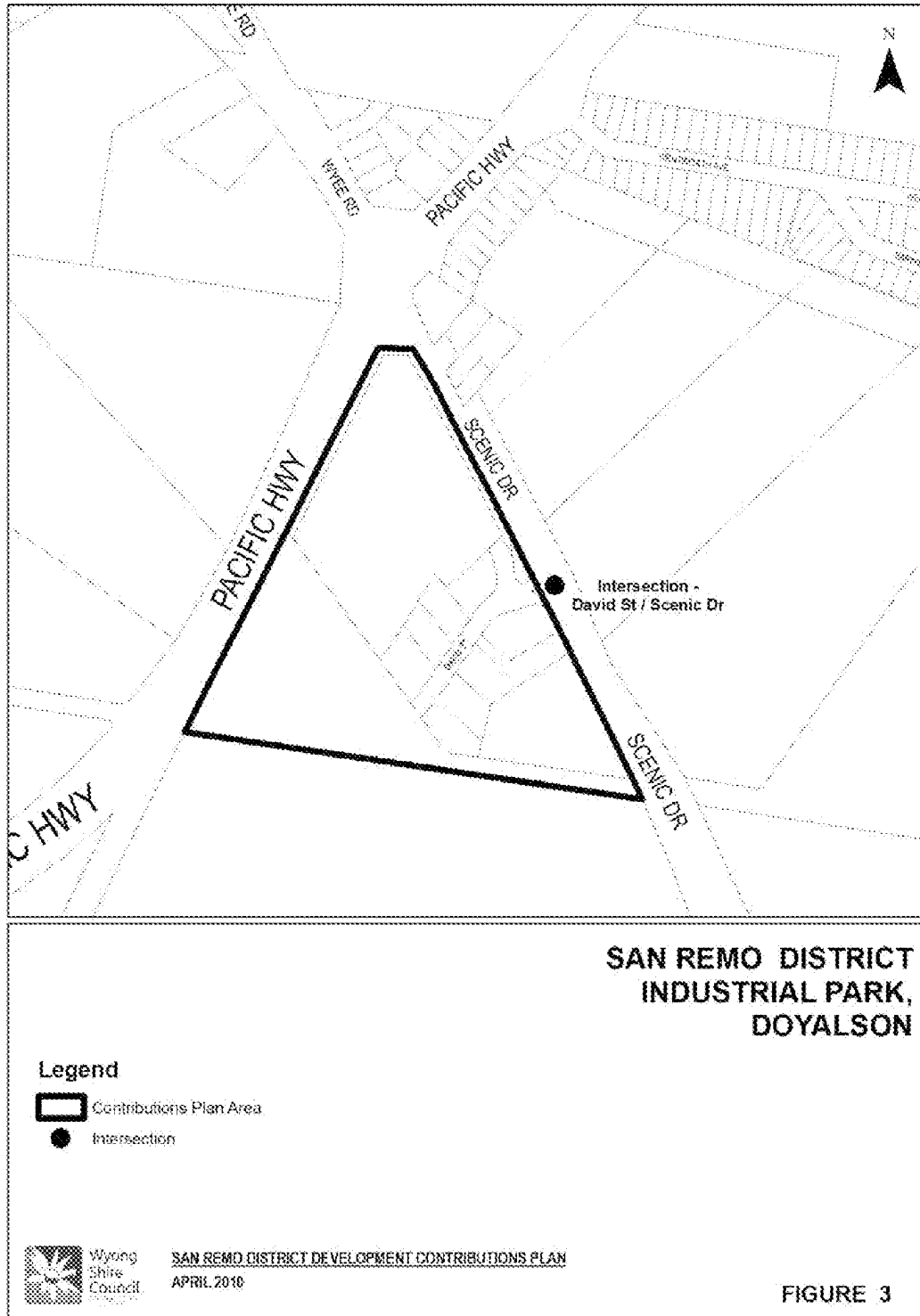


Figure 3 Industrial Park, Doyalson



## 3.2 Water Quality

This section considers the water quality requirements generated as a result of the development in the area shown in Figure 4. The total Net Developable Area (NDA) of the scheme is 22.59 hectares.

Based on the minimum desirable area for a facility with a waterway area of 3% of the catchment, 1 hectare of land is required for the facility. The cost associated with the land for the facility is \$200,000.

Construction of the water quality facility totalled \$608,689 (indexed to April 2010).

### 3.2.1 Nexus and Apportionment of Cost

The scheme covers a drainage catchment within the Blue Haven Urban Release Area which does not have any stormwater treatment facilities controlling run off into the wetland adjacent to Wallarah Creek.

The water quality facility at the location shown on Figure 4 has already been provided. Its purpose was to provide stormwater treatment to match the controls in the adjoining catchments to the west. The cost of providing this facility is to be apportioned across the entire area of the scheme. Council will meet the apportionment of cost attributable to existing development. Table 7 shows a breakdown of land ownership of the subject catchment.

**Table 7 Water Quality Apportionment of Cost**

Area	Net Area
Existing Lots	13.90
Lot 562 DP 1010370 Roper Road (DA 229/10)	6.47
Lot 11 DP 819051 Pacific Hwy (DA 327/02)	2.22
<b>TOTAL</b>	<b>22.59</b>

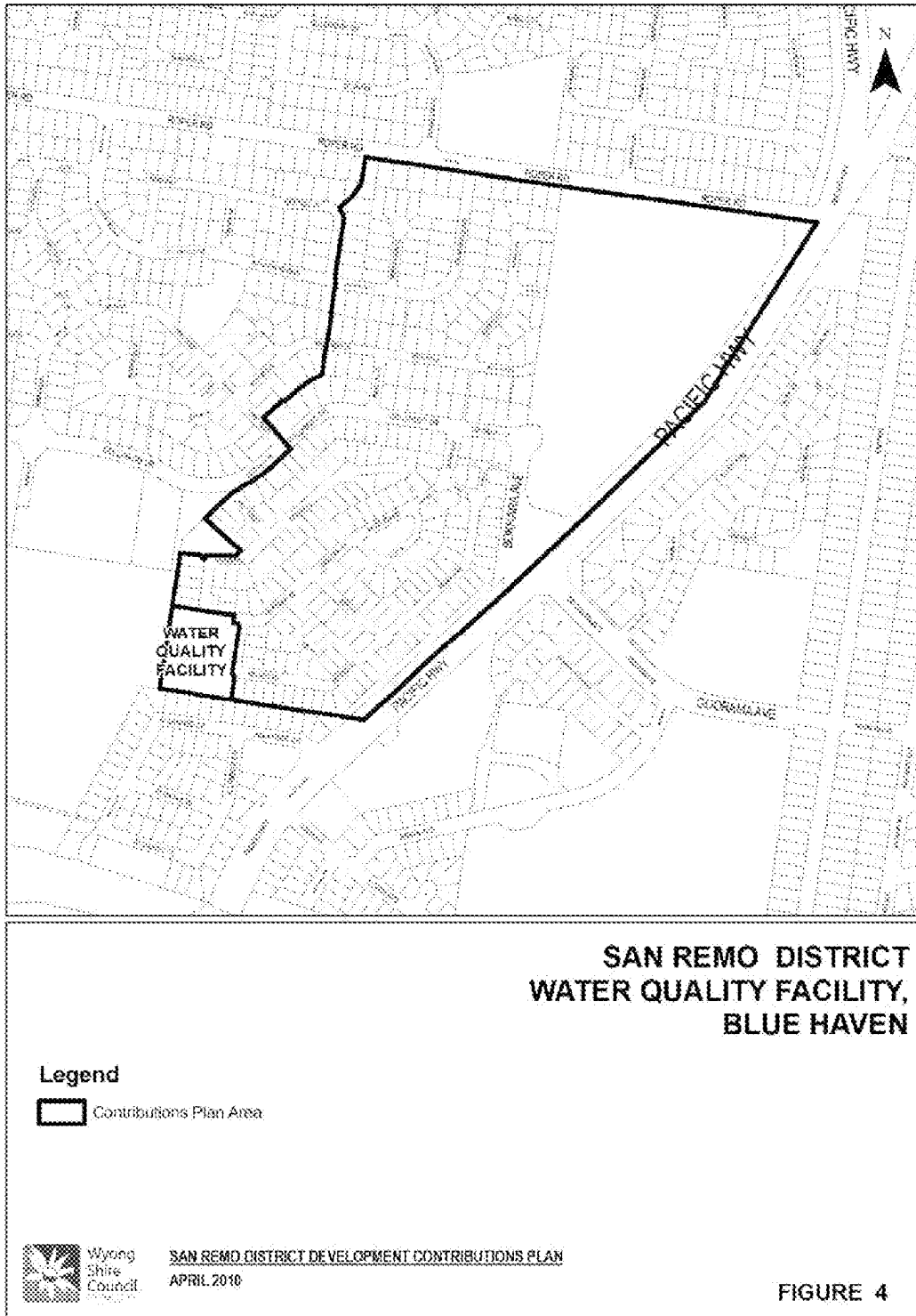
### 3.2.2 Calculation of the Contribution Rate

The contribution for this facility is calculated as follows:

Total cost of land associated with the facility  
 = \$200,000/22.59  
 = \$8,853/NDA  
 = \$575 per DU (NDA/15.4 lots per hectare)

Total cost of works associated with the facility  
 = \$608,689/22.59  
 = \$26,945/NDA  
 = \$1,750 per DU (NDA/15.4 lots per hectare)

Figure 4 Water Quality Facility, Blue Haven





### 3.3 Open Space and Recreational Facilities

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 outlined in Table 8.

**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

#### 3.3.1 Nexus between Development and Demand

##### Causal Nexus

It is proposed to levy contributions based on the standard provision of 3.0ha per 1,000 persons. Therefore, 1.995ha of open space are required to meet the demands of the new population growth of 665 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. Table 9 outlines this proportion and the amount of the different types of open space for this plan area.

**Table 9 Apportionment Open Space Areas**

Open Space Type	Notional Proportion (%)	Notional Area Required (ha)
Local and Large Parks	35	0.87
Courts	5	0.12
Fields	30	0.75
Semi-Natural	25	0.62
Cycleways (not part of this plan; see Shire Wide Contributions Plan)	5	0.12
<b>TOTAL</b>	<b>100</b>	<b>2.48</b>

**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.

Facilities 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 DU basis so that only the open space required to meet the demands of the new population is levied. Council will continue to identify facilities 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.

A detailed Schedule of Works is provided in Appendix B.

**Temporal Nexus**

Wyong Council has undertaken various open space reports such as the Local Parks Resource Report for Action Plan 2005, Local Parks Strategy 2005, Recreation Facilities Strategy 2009 and the Local Parks Action Plan 2005 which outline 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 to allow the open space projects to be undertaken in accordance with prioritisation as outlined in the Schedule of Works (Appendix B).

**3.3.2 Open Space Land Requirements**

Assessment of existing open space land shows that there is an excess of land for the existing population and that there is no significant shortfall due to the requirements generated by the future development. Further, there is no concentrated location for this future development for which specific open space sites can be provided. Hence, there will be no requirement for land due to the future development.

### 3.3.3 Calculation of the Contribution Rate

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

#### Local Parks - \$51/m<sup>2</sup> (average of the following examples)

Owl Park by AVJ developments indexed to March 2010 - \$208,759 for 5,000m<sup>2</sup> park = \$42/m<sup>2</sup>

Mataram Road small park by Council indexed to March 2010 - \$238,199 for 3,992m<sup>2</sup> park = \$60/m<sup>2</sup>

#### Courts - \$144/m<sup>2</sup>

Value of courts in Warnervale contributions plan indexed to March 2010 - \$4,492,217 for 31,200m<sup>2</sup> = \$144/m<sup>2</sup>

#### Fields - \$67/m<sup>2</sup> (average of the following examples)

Pat Morley Oval indexed to March 2010 - \$2,154,619 for 92,000m<sup>2</sup> = \$23/m<sup>2</sup>

Jubilee Oval indexed to March 2010 - \$3,699,664 for 34,644m<sup>2</sup> = \$107/m<sup>2</sup>

Wadalba Sporting Fields indexed to October 2009 - \$6,627,347 for 95,525m<sup>2</sup> = \$69/m<sup>2</sup>

#### Semi Natural Areas - \$9/m<sup>2</sup>

Wadalba Corridor embellishment quotes 2007 indexed to March 2010.

Table 10 provides a summary of the current rates for embellishment of open space based on the above.

**Table 10 Embellishment Rates per Square Metre**

Open Space Facility	Embellishment Costs
Local Parks	\$51/m <sup>2</sup>
Courts	\$144/m <sup>2</sup>
Fields	\$67/m <sup>2</sup>
Semi-Natural	\$9/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 San Remo District.

**Table 11 Open Space Embellishment Costs**

Open Space Facility	Area Required (m <sup>2</sup> )	Embellishment Rate (\$ per m <sup>2</sup> )	Embellishment Cost
Local Parks	8,694	51	\$442,420
Courts	1,242	144	\$178,851
Fields	7,452	67	\$500,244
Semi Natural	6,210	9	\$53,790
<b>TOTAL</b>			<b>\$1,175,304</b>

Contributions for Open Space and Recreational Facilities will be fully apportioned to future development. The contribution rate is determined as follows (all rates are determined to the nearest dollar):

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

Where:

**C** is the contribution rate per DU

**\$Facility Costs** is the total Open Space and Recreational Facilities costs

**Demand** is the total DU predicted in the District

**Local Parks**

$$C = \frac{\$442,420}{331\ DU}$$

$$= \$1,336\ \text{per DU}$$

**Courts**

$$C = \frac{\$178,851}{331\ DU}$$

$$= \$540\ \text{per DU}$$

**Sporting Fields**

$$C = \frac{\$500,244}{331\ DU}$$

$$= \$1,510\ \text{per DU}$$

**Semi Natural**

$$C = \frac{\$53,790}{331\ DU}$$

$$= \$162\ \text{per DU}$$

**Combined = \$3,549 per DU**

**3.2.4 Apportionment of Costs**

Future development predicted within the District will be spread throughout the area and so all future development will be required to share the costs for open space embellishment on a proportional basis.

### 3.4 Community Facilities

Wyong Council has prepared Guidelines for the Planning and Provision of Community Facilities in Wyong Shire (2000, updated in July 2002) 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.

The Guidelines 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.

#### 3.4.1 Nexus between Development and Demand

##### Causal Nexus

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 existing facilities to ensure that they can cater for the demand created by the future population.

Council's Guidelines 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 209m<sup>2</sup> of community floor space is required to meet the needs of the additional 828 persons within the plan area.

The required area of 209m<sup>2</sup> is then calculated by the cost per square metre to provide additional community facilities. The cost of \$3,776 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 \$4,627,898 for 1,092m<sup>2</sup> = \$4,238 per m<sup>2</sup>
- Southern Lakes Community Centre Construction Cost \$1,932,174 for 583m<sup>2</sup> = \$3,314 per m<sup>2</sup>
- **Average \$3,776 per m<sup>2</sup>**

An amount of \$981,796 will be apportioned to future development to embellish existing community centres and halls to meet the additional demand.

**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. 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 development contributions plan and/or Council’s annual Management Plan.

**Temporal Nexus**

Contribution funds for the Community Facilities will be pooled to allow projects to be undertaken in accordance with the prioritisation as outlined in the Schedule of Works (Appendix B).

**3.4.2 Community Facilities Land Requirements**

Assessment of existing community facilities that there is an excess of land for the existing population and that there is no significant shortfall due to the requirements generated by the future development. Further, there is no concentrated location for this future development for which specific community facilities sites can be provided. Hence, there will be no requirement for land due to the future development.

**3.4.3 Calculation of the Contribution Rate**

The contribution rate is determined as follows (all rates are determined to the nearest dollar):

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

Where:

- C** is the contribution rate per DU
- \$Facility Cost** is the total Community Facilities costs
- Demand** is the total DU predicted in the District

$$C = \frac{\$981,796}{331\ DU}$$

$$= \$2,967\ per\ DU$$

### 3.5 Administration

The costs to be recovered under this plan include:

- the salary and operating costs over a 5 year period for the coordination of the development 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 development contribution functions
- on-costs, vehicles and award increases over a 5-year period

Table 12 provides details of the administration costs to be recovered under this plan based on the apportioned number of DUs identified in Table 13.

#### 3.5.1 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, and time taken to administer, this contributions plan, 2.5% of the total administration costs are included (as shown in Table 12).

#### 3.5.2 Apportionment

The apportioned estimated cost of administering development contributions is assessed as follows:

**Table 12 Costs to be Recovered by this Plan**

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 2.5% of Total Costs
Development Contributions Staff	\$1,423,661	100%	\$1,423,661	\$35,592
Accounting Staff	\$429,605	20%	\$85,921	\$2,148
Development Design Staff	\$2,456,104	35%	\$859,636	\$21,491
Subdivision Supervision Staff	\$1,397,045	20%	\$279,409	\$6,985
<b>TOTAL</b>			<b>\$2,648,627</b>	<b>\$66,216</b>

Divide the amount to be recovered by this plan by percentage of DUs apportioned to this Plan area, as shown in Table 13.

**Table 13 Percentage of DUs Apportioned to this Plan Area**

Total No of Predicted DUs Across the Shire in 5 year Period	Percentage of DUs Apportioned to this Plan	2.5% of DUs Apportioned to this Plan
5,789	2.5%	145

**3.5.3 Calculation of the Contribution Rate**

Contributions will be collected from residential and non residential development in Ourimbah toward the cost of administering and managing development contributions.

The monetary contribution per DU is calculated as follows:

$$\text{Contribution per DU (\$)} = \frac{\text{AC(CPA)}}{\text{DU}}$$

Where:

**AC(CPA)** is 2.5% of the estimated cost of administering development contributions in the Shire of Wyong over the life of this plan (i.e. \$66,216 rounded).

**DU** is 2.5% of the total DUs predicted across the Shire over an example 5 year period, as shown in Table 13. (i.e. 145 DU).

$$\begin{aligned} \text{Contribution per DU (rounded)} &= \frac{\$66,216}{145} \\ &= \mathbf{\$458} \end{aligned}$$



## Appendix A – References

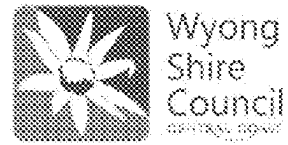
The following references have been used to formulate this Plan. A supporting document of this background information is available. This document includes all documents prepared by or on behalf of Council to support this plan. Other documentation such as the Practice Notes and CPI are available on the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

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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> ).
ID Consulting (2010)	2001-2031 Population and Household Forecasts for Budgewoi / San Remo Social Planning District. Prepared for Wyong Shire Council.
NSW Department of Planning	Development Contributions Practice Notes. <a href="http://www.planning.nsw.gov.au">www.planning.nsw.gov.au</a> .
Wyong Shire Council 2002	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 2005b	Local Parks Strategy Prepared by Strategic Planning Department 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 2005a	Draft Wyong Open Space Principles Plan. Prepared by the Strategic Planning Department. Amendment No 4 June 2005.
Wyong Shire Council 2008	Draft Community Facilities Strategy
Wyong Shire Council 2009	Recreational Facilities Strategy October 2009.

## Appendix B – Schedule of Works

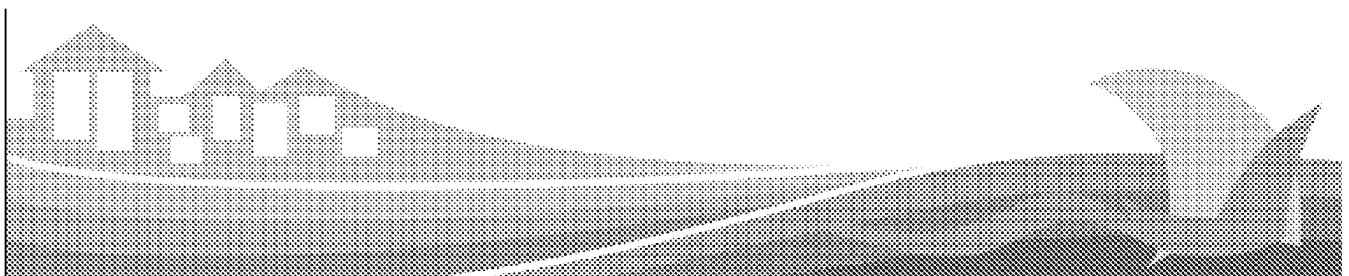
Schedule of Works	Cost Summary	Existing Funds @ 30/6/2009	Total Funds	Predicted Timing
<b>Roadworks and Traffic Management</b>				
San Remo Medium Development and Highview Street Residential Area	\$3,005,843	0	\$3,005,843	Completed
Doyalson Industrial Area – Scenic Drive / David Street Intersection	\$1,900,000	0	\$510,000	Completed
Blue Haven (Urban Release Area and Medium Density)	\$4,003,069	0	\$4,003,069	Completed
<b>Drainage</b>				
Blue Haven Urban Release Area Only	\$33,443	0	\$33,443	Completed
<b>Water Quality Facility</b>				
Land	\$200,000	0	\$200,000	Completed
Works	\$608,689	0	\$608,689	Completed
<b>Open Space and Recreation Facilities</b>				
Local Parks	\$442,420	\$165,726	\$608,146	Funds to be expended in accordance with the rolling works program within Council's Management Plan and the Local Parks Strategy and Recreation Facilities Strategy
Courts	\$178,851	\$23,675	\$202,526	
Sporting Fields	\$500,244	\$142,050	\$642,294	
Semi Natural	\$53,790	\$118,375	\$172,165	
<b>Community Facilities</b>				
Embellishment of Existing Community Facilities	\$981,796	-\$631,348	\$157,865	Funds to be expended in accordance with the rolling works program within Council's Management Plan and the Community Facilities Strategy
<b>TOTAL COSTS OF WORKS</b>	<b>\$11,908,145</b>		<b>\$11,534,040</b>	



# Budgewoi District Development Contributions Plan 2010

EXHIBITION DRAFT

April 2010



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## Summary Schedules

The following summary schedules are included in this plan:

- Schedule of Works (contained in Appendix B) and
- Contributions rates per DU by category (Table 1)

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

Category	Rate
Roadworks and Traffic Management	\$6,604
Open Space and Recreational Facilities Works	\$3,549
Community Facilities Works	\$2,965
Administration	\$458

Refer to Section 3 for details of how these rates are calculated.

# 1 Administration and Operation of this Plan

## 1.1 Name of this Plan

This plan is called the Budgewoi District Development Contributions Plan dated .....

## 1.2 Land to which this Plan Applies

This plan applies to land within the Budgewoi Social Planning District, as shown in Figure 1.

## 1.3 Purpose of this Plan

The purpose of this plan is to:

- provide an administrative framework under which specific public facilities strategies may be implemented and coordinated
- ensure that adequate public facilities are provided for as part of any new development
- 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
- provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- 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
- enable Council to be both publicly and financially accountable in its assessment and administration of this plan

## 1.4 Commencement of this Plan

This 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.

## 1.5 Relationship with other Plans and Policies

This plan repeals the following development contributions plans:

- Contributions Plan No 9 – Budgewoi District - November 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.

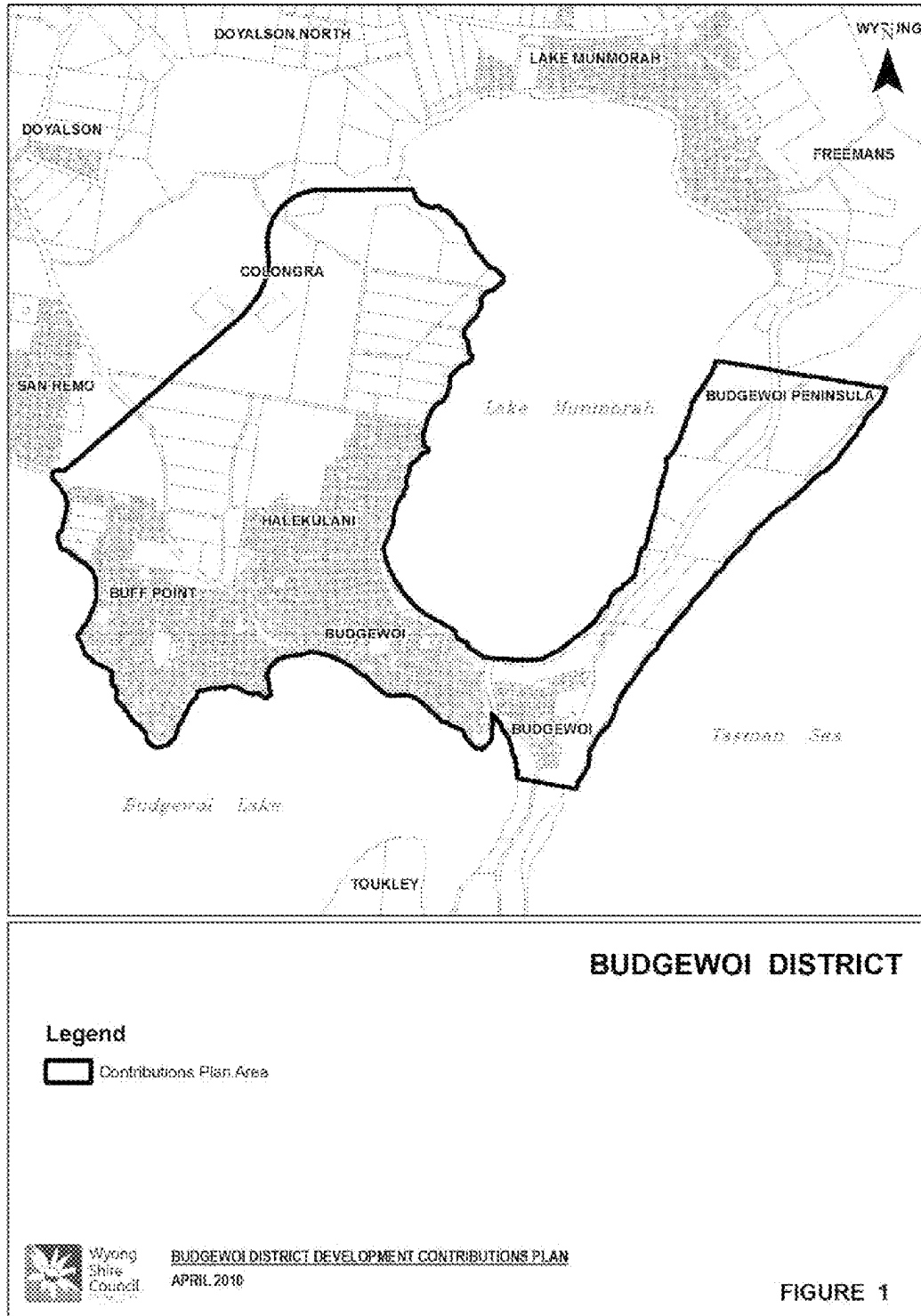
This plan replaces any requirements and details related to Section 94 Contributions that exist within any Development Control Plan prepared by Council for this area.

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, the Shire-Wide Contributions Plan).



Figure 1 Contributions Plan Area



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## 1.6 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 in accordance with Table 2.

For the purposes of this plan, "Net Developable Area (NDA)" is expressed in hectares and is the actual area on which a development could be sited. NDA excludes land for trunk drainage, roads, open space, community facilities, noise buffers, undevelopable lands and certain major non-residential land uses.

## 1.7 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.

## 1.8 Construction Certificates and 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 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 developer.

## 1.9 Complying Development and 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 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 plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the section 94 condition correctly.

### 1.10 Deferred and Periodic Payments

Council will generally not accept deferred or periodic payment of contributions required under this plan.

Council has, however formulated a policy in relation to the negotiation and preparation of planning agreements which provides for the consideration of deferred or periodic payments.

Consideration of requests for deferral of contributions will involve careful consideration of community/public infrastructure delivery and financial implications for Council.

### 1.11 Can the Contribution be Settled "In-Kind"?

Council may accept an offer by the developer to provide an "in-kind" contribution (i.e. the developer completes part or all of work/s identified in this plan) in lieu of the developer satisfying its obligations under this plan.

Council may accept such alternatives in the following circumstances:

- the developer making a formal application to carry out the works, and
- the standard of the works is to Council's full satisfaction

The value of the works to be substituted will be the value assigned to it under this 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 developer to enter into a written Works In Kind 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 developer.

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. Offsetting of contributions, if considered appropriate, will also only be permitted to occur within the same contributions plan area and against the same category (e.g. dedication of open space land can only be used to offset contributions for open space land and/or works).

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 Works In Kind Agreement. Unless otherwise agreed, the credit will be repaid once all of the following criteria have been met:

- all of the developer's land within the area serviced by a contributions plan covering that area has been developed and all relevant contributions have been offset against the credit value
- 75% of the areas benefiting from the credited land have contributed to the scheme
- sufficient funds exist in the fund ensuring the refund will not 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 developer, except where they form part of the final work identified in this 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.

### 1.12 Exemptions

Council does not have a policy that exempts any development from payment of monetary contributions levied under this plan, except in the following circumstances:

- the Crown as a private developer (e.g. Landcom subdivision of land) – contributions will apply in the same manner as they would for a private development
- developments provided by the Crown which provide a public service (e.g. school, court house, hospital) – contributions will be assessed based on the demand for community infrastructure
- in accordance with any direction issued by the Minister under Section 94(e) of the EP&A Act

### 1.13 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 changes, the capital costs of administration of this plan or through changes in the costs of studies used to support this 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 this 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<sub>A</sub>** is the contribution at the time of adoption of this plan expressed in dollars

**Current 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 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 169.1 (February 2010)

**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.

### 1.14 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<sub>P</sub>** is the amount of the contribution calculated at the time of payment

**\$C<sub>DC</sub>** is the amount of the original contribution as set out in the development consent

**\$C<sub>Q</sub>** is the contribution rate applicable at the time of payment

**\$C<sub>C</sub>** is the contribution rate applicable at the time of the original consent

### 1.15 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. 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.

### 1.16 Pooling of Contributions

To provide a strategy for the orderly delivery of the infrastructure, this plan authorises monetary community infrastructure contributions paid:

- for different purposes in accordance with the conditions of various development consents authorised by this plan, and
- for different purposes under any other contributions plan approved by the Council

to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary community infrastructure contributions under this plan are the priorities for works as set out in the relevant works schedules (Appendix B).

In deciding whether to pool and progressively apply contributions funds, Council is satisfied that this action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

### 1.17 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.

### 1.18 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.

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### 1.19 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.

### 1.20 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.

Table 2 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	Open Space	Community Facilities	Roads	Administration
Residential Flats & Dual Occupancies (including private 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/lot	√	√	√	√
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	NDA			√	√
Industrial Development	NDA			√	√
Shopping Centre	0.001/m <sup>2</sup>			√	√
Restaurants	0.008/m <sup>2</sup>			√	√
Tourist 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>			√	√
Hospital Bed	1/bed			√	√
Nursing Home Bed	0.4/bed			√	√
Hostel Bed	0.125/bed			√	√
Pre Schools/Child Care Centres	0.0625/pupils & staff			√	√

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



### 1.21 Revision of this 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. Table 3 outlines the amendments to this Plan.

**Table 3 Plan Amendments**

Date	Nature of Revision
October 1992	No previous versions
September 1995	Amended
December 2001	Amended
January 2007	Amended
April 2010	Amended

## 2 Urban Characteristics and Population

### 2.1 Expected Future Development

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

It is forecast that a further 48 lots 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	Future Lots (a)	Medium Density DUs (c)	Total DUs (a + c)	Estimated Population (@ 2.5 people per DU)
Budgewoi	10	93	103	258
Buff Point	26	243	269	673
Halekulani	12	100	112	280
<b>TOTAL</b>	<b>48</b>	<b>436</b>	<b>484</b>	<b>1211</b>

### 2.2 Population Increase

The population increase for the plan area is anticipated to be 1,211. This is based on an occupancy rate of 2.5 persons per dwelling unit (DU).

### 2.3 Occupancy Rates

Occupancy rates for this Contributions Plan are based on the average occupancy rates for the areas of Blue Haven, Budgewoi, Budgewoi Peninsula, Buff Point, Colongra, Doyalson, Halekulani and San Remo 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 this plan to align with the updated occupancy rate as required. The current occupancy rate of 2.5 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.

### 2.4 Meeting Population Needs

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.

## 3 Community Infrastructure and Contributions

### 3.1 Roadworks and Traffic Management

This section considers the road and traffic management requirements generated as a result of the development in the Vincent Close area.

The general area and elements of this scheme are described below:

- a 107 metre section of Vincent Close to link with Elouera Road to a 6 metre wide standard
- drainage associated with the construction of Vincent Close

Details of the scheme are shown in Appendix C.

#### 3.1.1 Nexus

A small section of Vincent Close has been constructed on the eastern end of the area as shown in Figure 2 and further sections will be constructed progressively to the west as development of adjoining lots proceed. The remaining section through to Elouera Road is the subject of this scheme.

The road and drainage requirements are based on a technical report completed by Council's Design Section (Report No 443, June 1992) and as updated by details contained in Appendix C.

#### 3.1.2 Apportionment of Costs

The cost of works has been based on an estimate by Council's Design Section. The cost of works has been estimated at \$224,551.

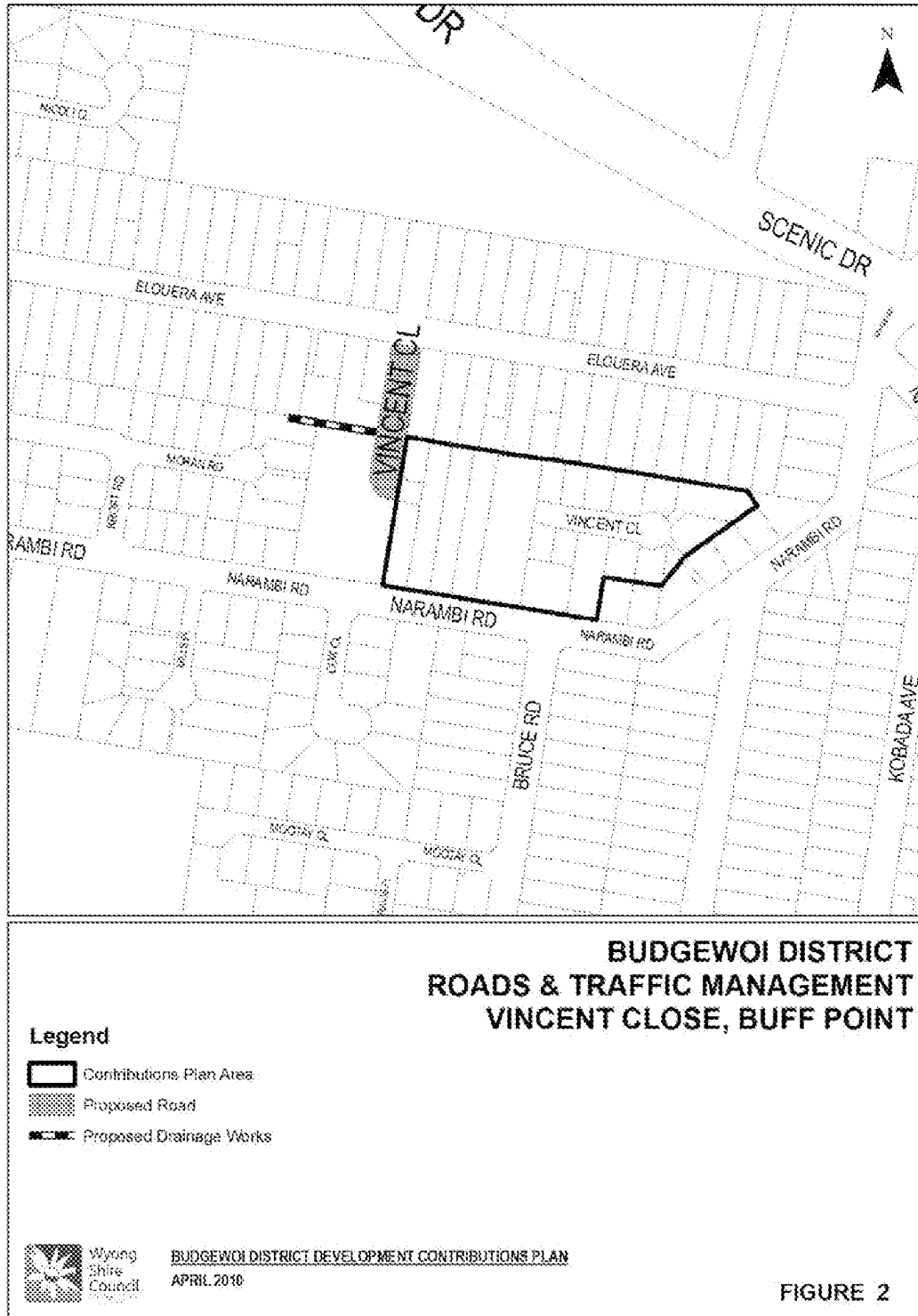
#### 3.1.3 Calculation of the Contribution Rate

$$\begin{aligned}
 \text{Contribution Rate} &= \text{Cost per DU} \\
 &= \$224,551/34 \\
 &= \$6,604 \text{ per DU}
 \end{aligned}$$

#### 3.1.4 Program for Works and Funding

Commencement of work on Vincent Close has been scheduled for 2011-2012.

**Figure 2 Roads and Traffic Management – Vincent Close, Buff Point**



### 3.2 Open Space and Recreational Facilities

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 outlined in Table 5.

**Table 5 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

#### 3.2.1 Nexus between Development and Demand

##### Causal Nexus

It is proposed to levy contributions based on the standard provision of 3.0ha per 1,000 persons. Therefore, 3.633ha of open space are required to meet the demands of the new population growth of 1,211 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. Table 6 outlines this proportion and the amount of the different types of open space for the plan area.

**Table 6 Apportionment Open Space Areas**

Type of Open Space	Notional Proportion (%)	Notional Area Required (ha)
Local and Large Parks	35	1.27
Courts	5	0.18
Fields	30	1.09
Semi Natural Open Space	25	0.91
Cycleways (not part of this plan – see Shire Wide Contributions Plan)	5	0.18
<b>TOTAL</b>	<b>100</b>	<b>3.63</b>

#### 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.

Facilities 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 DU basis so that only the open space required to meet the demands of the new population is levied. Council will continue to identify facilities that will meet the needs of the future population. These projects will be identified through the revision of this plan and/or Council's annual Management Plan.

A detailed Schedule of Works is provided in Appendix B.

#### Temporal Nexus

Wyong Council has undertaken various open space reports such as the Local Parks Resource Report for Action Plan 2005, Local Parks Strategy 2005, Recreation Facilities Strategy 2009 and the Local Parks Action Plan 2005 which outline 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 to allow the open space projects to be undertaken in accordance with prioritisation as outlined in the Schedule of Works (Appendix B).

#### 3.2.2 Open Space Land Requirements

Assessment of existing open space land shows that there is an excess of land for the existing population and that there is no significant shortfall due to the requirements generated by the future development. Further, there is no concentrated location for this future development for which specific open space sites can be provided. Hence, there will be no requirement for land due to the future development.

### 3.2.3 Calculation of the Contribution Rate

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

#### Local Parks - \$51/m<sup>2</sup> (average of the following areas)

Owl Park by AVJ developments indexed to March 2010 - \$208,759 for 5,000m<sup>2</sup> park = \$42/m<sup>2</sup>

Mataram Road small park by Council indexed to March 2010 - \$238,199 for 3,992m<sup>2</sup> park = \$60/m<sup>2</sup>

#### Courts - \$144/m<sup>2</sup>

Value of courts in Warnervale contributions plan indexed to March 2010 - \$4,492,217 for 31,200m<sup>2</sup> = \$144/m<sup>2</sup>

#### Fields - \$67/m<sup>2</sup> (average of the following examples)

Pat Morley Oval indexed to March 2010 - \$2,154,619 for 92,000m<sup>2</sup> = \$23/m<sup>2</sup>

Jubilee Oval indexed to March 2010 - \$3,699,664 for 34,644m<sup>2</sup> = \$107/m<sup>2</sup>

Wadalba Sporting Fields indexed to October 2009 - \$6,627,347 for 95,525m<sup>2</sup> = \$69/m<sup>2</sup>

#### Semi Natural Areas - \$9/m<sup>2</sup>

Wadalba Corridor embellishment quotes 2007 indexed to March 2010.

Table 7 provides a summary of the current rates for embellishment of open space based on the above.

**Table 7 Embellishment Rates per Square Metre**

Open Space Facility	Embellishment Costs
Local and Large Parks	\$51/m <sup>2</sup>
Courts	\$144/m <sup>2</sup>
Fields	\$67/m <sup>2</sup>
Semi Natural	\$9/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 Budgewoi District.

**Table 8 Open Space Embellishment Costs**

Open Space Facility	Area Required (m <sup>2</sup> )	Embellishment Rate (\$ per m <sup>2</sup> )	Embellishment Cost
Local Parks	12,716	51	\$647,066
Courts	1,817	144	\$261,580
Fields	10,899	67	\$731,637
Semi Natural	9,083	9	\$78,671
<b>TOTAL</b>			<b>\$1,718,954</b>

Contributions for Open Space and Recreational Facilities will be fully apportioned to future development. The contribution rate is determined as follows (all rates are determined to the nearest dollar):

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

Where:

**C** is the contribution rate per DU

**\$Facility Cost** is the total Open Space and Recreational Facilities costs

**Demand** is the total DU predicted in the District

**Local Parks**

$$C = \frac{\$647,066}{484\ DU}$$

$$= \$1,336\ \text{per DU}$$

**Courts**

$$C = \frac{\$261,580}{484\ DU}$$

$$= \$540\ \text{per DU}$$

**Sporting Fields**

$$C = \frac{\$731,637}{484\ DU}$$

$$= \$1510\ \text{per DU}$$

**Semi Natural**

$$C = \frac{\$78,671}{484\ DU}$$

$$= \$162\ \text{per DU}$$

**Combined = \$3,549 per DU**

**3.2.4 Apportionment of Costs**

Future development predicted within the District will be spread throughout the area and so all future development will be required to share the costs for open space embellishment on a proportional basis.



### 3.3 Community Facilities

Wyong Council has prepared Guidelines for the Planning and Provision of Community Facilities in Wyong Shire (2000, updated in July 2002) 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.

The Guidelines 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.

#### 3.3.1 Nexus between Development and Demand

##### Causal Nexus

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 existing facilities to ensure that they can cater for the demand created by the future population.

Council's Guidelines 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 380m<sup>2</sup> of community floor space is required to meet the needs of the additional 1,211 persons within the plan area.

The required area of 380m<sup>2</sup> is then calculated by the cost per square metre to provide additional community facilities. The cost of \$3,776 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 \$4,627,898 for 1,092m<sup>2</sup> = \$4,238 per m<sup>2</sup>
- Southern Lakes Community Centre Construction Cost \$1,932,174 for 583m<sup>2</sup> = \$3,314 per m<sup>2</sup>
- **Average = \$3,776 per m<sup>2</sup>**

An amount of \$1,434,932 will be apportioned to future development to embellish existing community centres and halls to meet the additional demand.

### 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. Table 9 identifies the Community Facility project 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 development contributions plan and/or Council's annual Management Plan.

**Table 9 Community Facilities**

Item	Proposed Community Facility to be Embellished	Timeframe
1	Embellishment of Halekulani Hall	2016 – 2020

### Temporal Nexus

Contribution funds for the Community Facilities will be pooled to allow projects to be undertaken in accordance with the prioritisation as outlined in the Schedule of Works (Appendix B).

#### 3.3.2 Community Facilities Land Requirements

Assessment of existing community facilities that there is an excess of land for the existing population and that there is no significant shortfall due to the requirements generated by the future development. Further, there is no concentrated location for this future development for which specific community facilities sites can be provided. Hence, there will be no requirement for land due to the future development.

#### 3.3.3 Calculation of the Contribution Rate

The contribution rate is determined as follows (all rates are determined to the nearest dollar):

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

Where:

**C** is the contribution rate per DU

**\$Facility Cost** is the total Community Facilities costs

**Demand** is the total DU predicted in the District

$$C = \frac{\$1,434,932}{484 \text{ DU}}$$

$$= \$2,965 \text{ per DU}$$

### 3.4 Administration

The costs to be recovered under this plan include:

- the salary and operating costs over a 5 year period for the coordination of the development 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 development contribution functions
- on-costs, vehicles and award increases over a 5-year period

Table 10 provides details of the administration costs to be recovered under this plan based on the apportioned number of DUs identified in Table 11.

#### 3.4.1 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, and time taken to administer, this contributions plan, 2.5% of the total administration costs are included (as shown in Table 10).

#### 3.4.2 Apportionment

The apportioned estimated cost of administering development contributions is assessed as follows:

**Table 10 Costs to be Recovered by this Plan**

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 2.5% of Total Costs
Development Contributions Staff	\$1,423,661	100%	\$1,423,661	\$35,592
Accounting Staff	\$429,605	20%	\$85,921	\$2,148
Development Design Staff	\$2,456,104	35%	\$859,636	\$21,491
Subdivision Supervision Staff	\$1,397,045	20%	\$279,409	\$6,985
<b>TOTAL</b>			<b>\$2,648,627</b>	<b>\$66,216</b>

Divide the amount to be recovered by this plan by percentage of DUs apportioned to this Plan area, as shown in Table 11.

**Table 11 Percentage of DUs Apportioned to this Plan Area**

Total No of Predicted DUs Across the Shire in 5 year Period	Percentage of DUs Apportioned to this Plan	2.5% of DUs Apportioned to this Plan
5,789	2.5%	145

### 3.4.3 Calculation of the Contribution Rate

Contributions will be collected from residential and non residential development in Ourimbah toward the cost of administering and managing development contributions.

The monetary contribution per DU is calculated as follows:

$$\text{Contribution per DU (\$)} = \frac{\text{AC(CPA)}}{\text{DU}}$$

Where:

**AC(CPA)** is 2.5% of the estimated cost of administering development contributions in the Shire of Wyong over the life of this plan (i.e. \$66,216 rounded).

**DU** is 2.5% of the total DUs predicted across the Shire over an example 5 year period, as shown in Table 11. (i.e. 145 DU).

$$\begin{aligned} \text{Contribution per DU (rounded)} &= \frac{\$66,216}{145} \\ &= \mathbf{\$458} \end{aligned}$$

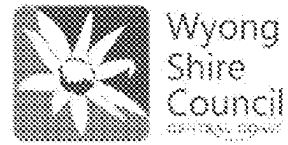
## Appendix A – References

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 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> ).
ID Consulting (2010)	2001-2031 Population and Household Forecasts for Budgewoi / San Remo Social Planning District. Prepared for Wyong Shire Council.
NSW Department of Planning	Development Contributions Practice Notes. <a href="http://www.planning.nsw.gov.au">www.planning.nsw.gov.au</a> .
Wyong Shire Council 2002	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 2005b	Local Parks Strategy Prepared by Strategic Planning Department 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 2005a	Draft Wyong Open Space Principles Plan. Prepared by the Strategic Planning Department. Amendment No 4 June 2005.
Wyong Shire Council 2008	Draft Community Facilities Strategy
Wyong Shire Council 2009	Recreational Facilities Strategy October 2009.

## Appendix B – Schedule of Works

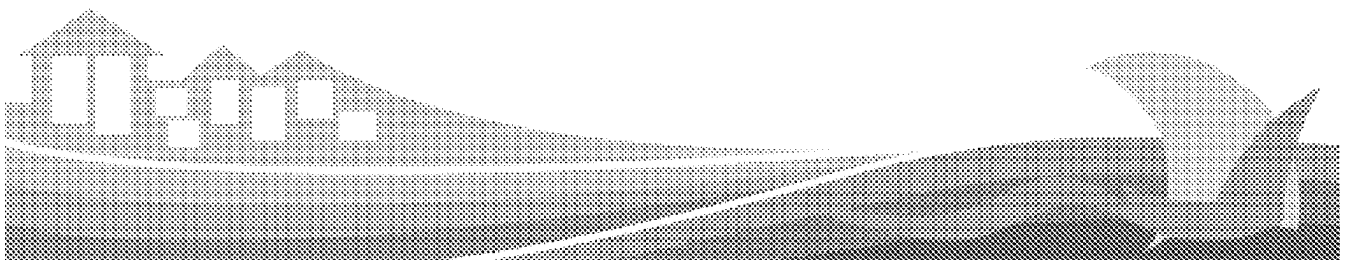
Schedule of Works	Cost Summary	Existing Funds @ 30/6/2009	Total Funds	Predicted Timing
<b>Roadworks and Traffic Management</b>				
Vincent Close Roadworks	\$224,551	\$0	\$224,551	2011-12
<b>Open Space and Recreation Facilities</b>				
Local Parks	\$647,066	\$21,357	\$668,423	Funds to be expended in accordance with the rolling works program within Council's Management Plan and the Local Parks Strategy and Recreation Facilities Strategy
Courts	\$261,580	\$3,051	\$264,631	
Sporting Fields	\$731,637	\$18,306	\$749,943	
Semi Natural	\$78,671	\$15,255	\$93,926	
<b>Community Facilities</b>				
Embellishment of Halekulani Hall	\$1,434,932	\$,314,662	\$1,749,594	Funds to be expended in accordance with the rolling works program within Council's Management Plan and the Community Facilities Strategy
<b>TOTAL COSTS OF WORKS</b>	<b>\$3,378,437</b>		<b>\$3,751,068</b>	



# Gorokan District Development Contributions Plan 2010

EXHIBITION DRAFT

April 2010



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## Summary Schedules

The following summary schedules are included in this plan:

- Schedule of Works (contained in Appendix B) and
- Contributions rates per DU by category (Table 1)

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

Category	Rate
<b>Roadworks and Traffic Management</b>	
Lake Haven Roadworks and Traffic Management	\$33.97*
<b>Open Space and Recreational Facilities Works</b>	\$3,378
<b>Community Facilities Works</b>	\$2,821
<b>Administration</b>	\$458

\* This rate is per square metre of future retail floor space within Zone 3 - Lake Haven Shopping Centre.

Refer to Section 3 for details of how these rates are calculated.

# 1 Administration and Operation of this Plan

## 1.1 Name of this Plan

This plan is called the Gorokan District Development Contributions Plan dated .....

## 1.2 Area to which this Plan Applies

This plan applies to land within the Gorokan Social Planning District, as shown in Figure 1.

## 1.3 Purpose of this Plan

The purpose of this plan is to:

- provide an administrative framework under which specific public facilities strategies may be implemented and coordinated
- ensure that adequate public facilities are provided for as part of any new development
- 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
- provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- 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
- enable Council to be both publicly and financially accountable in its assessment and administration of the development contributions plan

## 1.4 Commencement of this Plan

This 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.

## 1.5 Relationship with other Plans and Policies

This plan repeals the following development contributions plans:

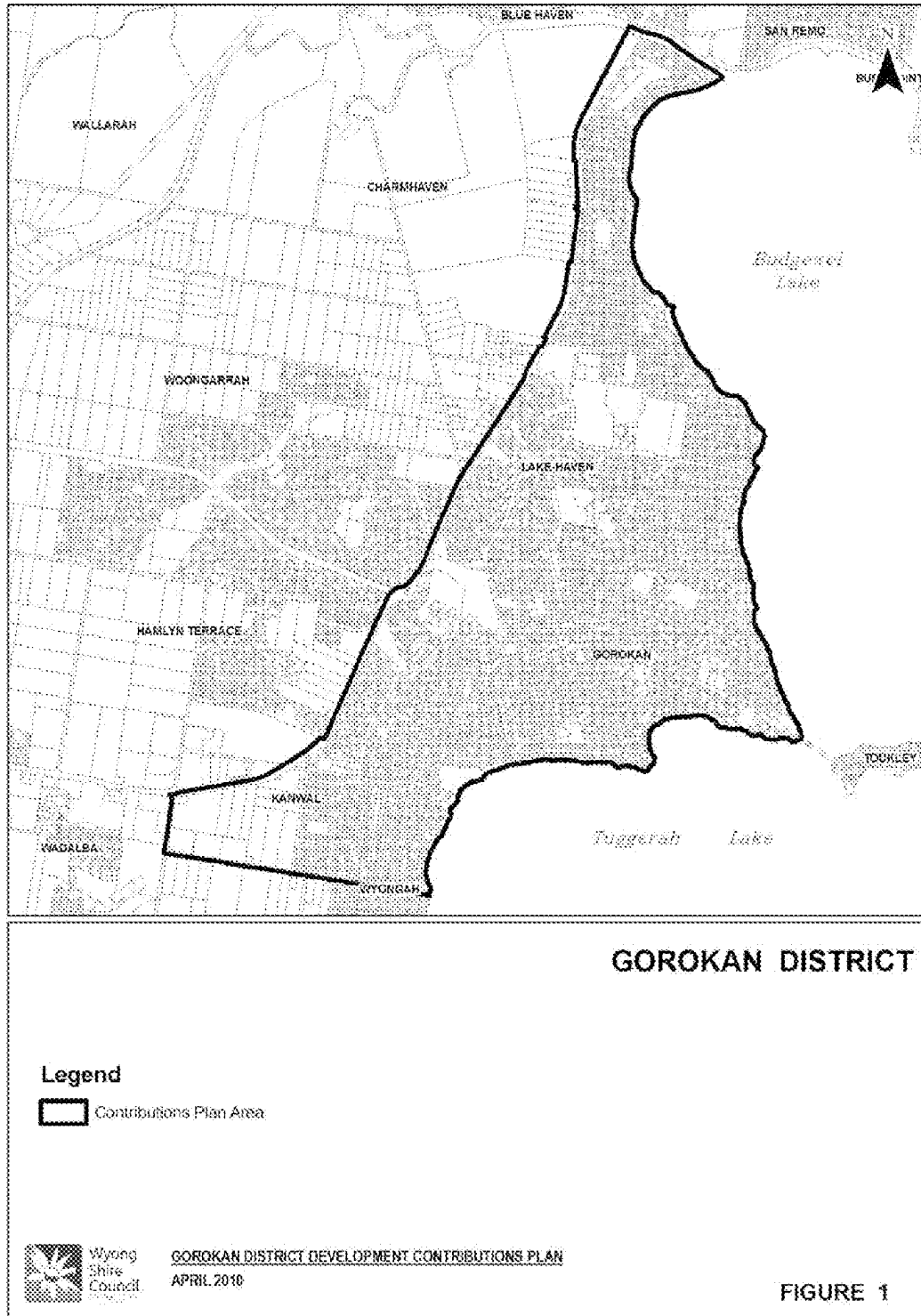
- Contributions Plan No 7 – Gorokan District - November 2006

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, the Shire Wide Contributions Plan).

Figure 1 Contributions Plan Area



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## 1.6 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 in accordance with Table 2.

For the purposes of this plan, "Net Developable Area (NDA)" is expressed in hectares and is the actual area on which a development could be sited. NDA excludes land for trunk drainage, roads, open space, community facilities, noise buffers, undevelopable lands and certain major non-residential land uses.

## 1.7 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.

## 1.8 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 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 developer.

## 1.9 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.

### 1.10 Deferred and Periodic Payments

Council will generally not accept deferred or periodic payment of contributions required under this plan.

Council has, however formulated a policy in relation to the negotiation and preparation of planning agreements which provides for the consideration of deferred or periodic payments.

Consideration of requests for deferral of contributions will involve careful consideration of community/public infrastructure delivery and financial implications for Council.

### 1.11 Can the Contribution be Settled "In-Kind"?

Council may accept an offer by the developer to provide an "in-kind" contribution (i.e. the developer completes part or all of work/s identified in this plan) in lieu of the developer satisfying its obligations under this plan.

Council may accept such alternatives in the following circumstances:

- the developer making a formal application to carry out the works, and
- the standard of the works is to Council's full satisfaction

The value of the works to be substituted will be the value assigned to it under this 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 Works In Kind 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 developer.

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. Offsetting of contributions, if considered appropriate, will also only be permitted to occur within the same contributions plan area and against the same category (e.g. dedication of open space land can only be used to offset contributions for open space land and/or works).

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 Works In Kind Agreement. Unless otherwise agreed, the credit will be repaid once all of the following criteria have been met:

- all of the developer's land within the area serviced by a contributions plan covering that area has been developed and all relevant contributions have been offset against the credit value
- 75% of the areas benefiting from the credited land have contributed to the scheme
- sufficient funds exist in the fund ensuring the refund will not 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 developer, except where they form part of the final work identified in this 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.

### 1.12 Exemptions

Council does not have a policy that exempts any development from payment of monetary contributions levied under this plan, except in the following circumstances:

- the Crown as a private developer (e.g. Landcom subdivision of land) – contributions will apply in the same manner as they would for a private development
- developments provided by the Crown which provide a public service (e.g. school, court house, hospital) – contributions will be assessed based on the demand for community infrastructure
- in accordance with any direction issued by the Minister under Section 94(e) of the EP&A Act



### 1.13 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 changes, the capital costs of administration of this plan or through changes in the costs of studies used to support this 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 this 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 this 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 169.1 (February 2010)

**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.

### 1.14 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

### 1.15 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. 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.

### 1.16 Pooling of Contributions

To provide a strategy for the orderly delivery of the infrastructure, this plan authorises monetary community infrastructure contributions paid:

- for different purposes in accordance with the conditions of various development consents authorised by this plan, and
- for different purposes under any other contributions plan approved by the Council

to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary community infrastructure contributions under this plan are the priorities for works as set out in the relevant works schedules (Appendix B).

In deciding whether to pool and progressively apply contributions funds, Council is satisfied that this action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

### 1.17 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.

### 1.18 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.

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### 1.19 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.

### 1.20 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.

Table 2 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	Open Space	Community Facilities	Roads	Administration
Residential Flats & Dual Occupancies (including private 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/lot	√	√	√	√
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	NDA			√	√
Industrial Development	NDA			√	√
Shopping Centre	0.001/m <sup>2</sup>			√	√
Restaurants	0.008/m <sup>2</sup>			√	√
Tourist 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>			√	√
Hospital Bed	1/bed			√	√
Nursing Home Bed	0.4/bed			√	√
Hostel Bed	0.125/bed			√	√
Pre Schools/Child Care Centres	0.0625/pupils & staff			√	√

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

### 1.21 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. Table 3 outlines the amendments to this Plan.

**Table 3 Plan Amendments**

Date	Nature of Revision
October 1992	No previous versions
September 1995	Amended
December 2001	Amended
January 2007	Amended
April 2010	Amended

## 2 Urban Characteristics and Population

### 2.1 Expected Future Development

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

It is forecast that a further 59 lots 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	Future Lots (a)	Medium Density DUs (c)	Total DUs (a + c)	Estimated Population (@ 2.38 people per DU)
Gorokan	48	769	817	1944
Kanwal	11	149	160	381
Lake Haven	0	229	229	545
<b>TOTAL</b>	<b>59</b>	<b>1147</b>	<b>1206</b>	<b>2870</b>

### 2.2 Population Increase

The population increase for the plan area is anticipated to be 2,870. This is based on an occupancy rate of 2.38 persons per dwelling unit (DU).

### 2.3 Occupancy Rates

Occupancy rates for this Contributions Plan are based on the average occupancy rates for the urban release areas of Gorokan, Lake Haven, Kanwal, Wyongah and Charmhaven East 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 this plan to align with the updated occupancy rate as required. The current occupancy rate of 2.38 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.

### 2.4 Meeting Population Needs

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.

## 3 Community Infrastructure and Contributions

### 3.1 Roadworks and Traffic Management

This section considers the road and traffic management requirements generated as a result of the development in the area of this Plan.

Roadworks and Traffic Management requirements are based on a traffic report completed by Gutteridge, Haskins & Davey (June 1990), Technical Report No 1696 completed by Council in October 1996 and an addendum to this technical report prepared in April 2010.

Four schemes were originally identified within the area. Three of these schemes have been completed and funds fully recouped. As such, these schemes have been removed from this plan. The only remaining scheme is roadworks and a signalised intersection on Lake Haven Drive providing access to the Bulky Goods development, Community Health Centre and Lake Haven Shopping Centre.

The existing Lake Haven Shopping Centre has been in existence for a considerable number of years. The existing road and intersection arrangements of Lake Haven Drive and the Lake Haven Drive/Stratford Avenue intersection would adequately cater for this development. Future expansion of the shopping centre, together with other developments in the area, necessitates the works carried out in Lake Haven Drive.

Lake Haven Shopping Centre is to receive a credit of \$98,723 (indexed to April 2010) for works in kind previously carried out which form part of the final intersection.

#### 3.1.1 Scheme Details

Details of the scheme are described below and further outlined in Technical Report No. 1696, as amended in April 2010:

- road widening, including kerb and guttering on the northern side of Lake Haven Drive between Pacific Highway and Stratford Avenue, and
- construction of traffic signals at the Lake Haven Drive/Stratford Avenue intersection

The final capital cost of these works, which were undertaken by the developer of Zone 1 as works in kind in 2006, is \$635,942.

#### 3.1.2 Apportionment of Costs

The cost of the works is to be apportioned between the development zones shown in Figure 2.

The apportionment of cost (based on predicted traffic generation) to be:

Zone 1 - Bulky Goods	-	\$451,543 (61.5% of traffic generation)
Zone 2 - Community Centre	-	\$14,124 (1.9% of traffic generation)
Zone 3 - Lake Haven Shopping Centre	-	\$169,825 (37% of traffic generation)

### 3.1.3 Calculation of the Contribution Rate

Zones 1 and 2 (no rate provided as these zones have been fully developed) and have contributed their required funds)

Zone 3

Total cost attributable to Zone 3  
Total future floor area identified in Retail Strategy

\$169,825  
5,000m<sup>2</sup>

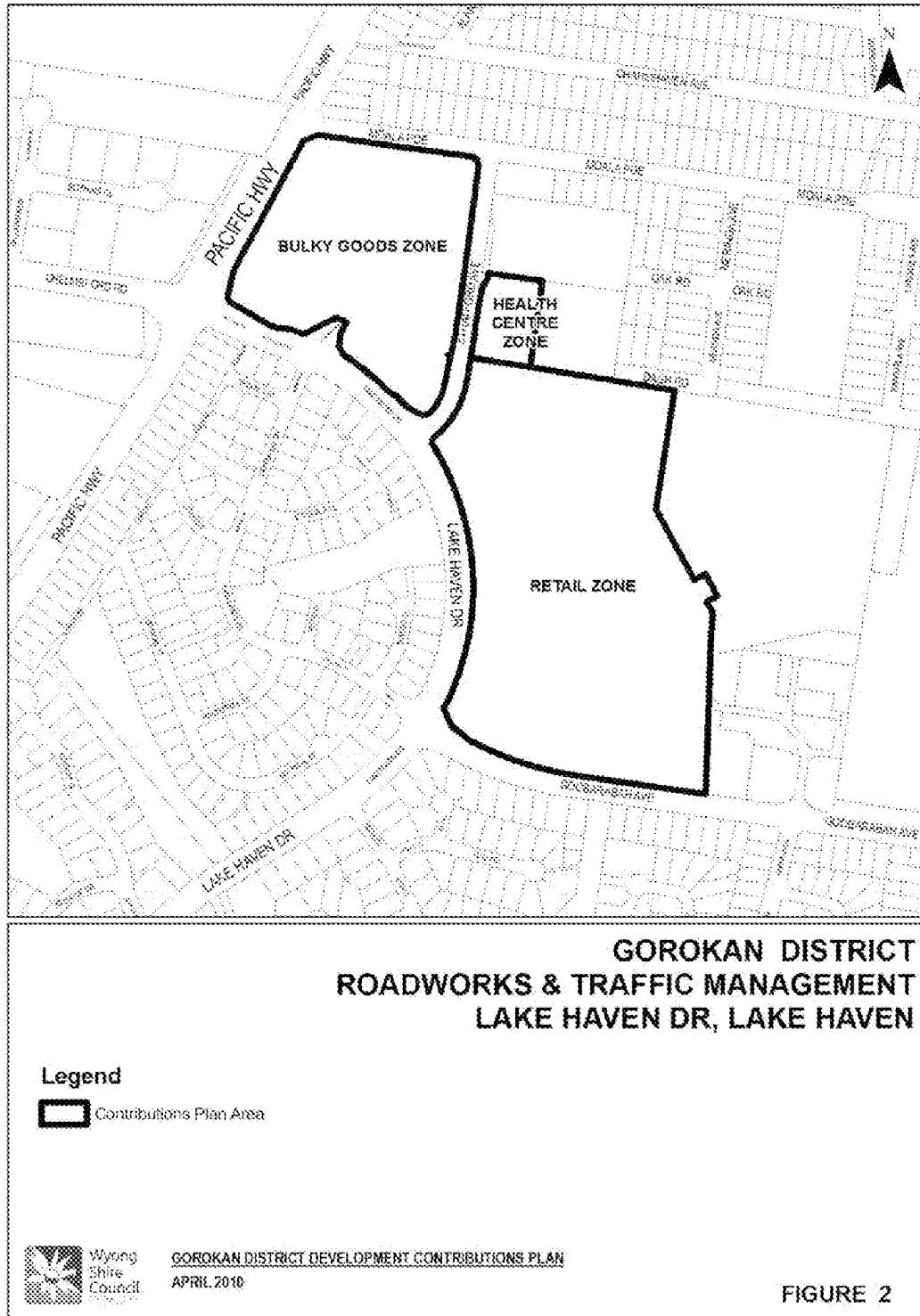
= \$34 per m<sup>2</sup> (rounded) of retail floor space

### 3.1.5 Program for Works and Funding

All roadworks and traffic management facilities required under this plan have been delivered. All funds for these roadworks and traffic management facilities have been recouped except from Zone 3, which is reliant upon future expansion of the Lake Haven Shopping Centre. Once these remaining funds have been collected they will be refunded to Council revenue which has bank rolled the works.



Figure 2 Lake Haven Drive Roadworks and Traffic Management



## 3.2 Open Space and Recreational Facilities

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 outlined in Table 5.

**Table 5 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

### 3.2.1 Nexus between Development and Demand

#### Causal Nexus

It is proposed to levy contributions based on the standard provision of 3.0ha per 1,000 persons. Therefore, 8.61ha of open space are required to meet the demands of the new population growth of 2870 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. Table 6 outlines this proportion and the amount of the different types of open space for the plan area.

**Table 6 Apportionment Open Space Areas**

Open Space Type	Notional Proportion (%)	Notional Area Required (ha)
Local and Large Parks	35	3.01
Courts	5	0.43
Fields	30	2.58
Semi-Natural	25	2.15
Cycleways (not part of this plan; see Shire Wide Contribution Plan)	5	0.43
<b>TOTAL</b>	<b>100</b>	<b>8.60</b>

**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.

Facilities 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 DU basis so that only the open space required to meet the demands of the new population is levied. Council will continue to identify facilities that will meet the needs of the future population. These projects will be identified through the revision of this plan and/or Council's annual Management Plan.

A detailed schedule of works is provided in Appendix B.

**Temporal Nexus:**

Wyong Council has undertaken various open space reports such as the Local Parks Resource Report for Action Plan 2005, Local Parks Strategy 2005, Recreation Facilities Strategy 2009 and the Local Parks Action Plan 2005 which outline 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 to allow the open space projects to be undertaken in accordance with prioritisation as outlined in the Schedule of Works (Appendix B).

**3.2.2 Open Space Land Requirements**

Assessment of existing open space land shows that there is an excess of land for the existing population and that there is no significant shortfall due to the requirements generated by the future development. Further, there is no concentrated location for this future development for which specific open space sites can be provided. Hence, there will be no requirement for land due to the future development.

### 3.2.3 Calculation of the Contribution Rate

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

#### Local Parks - \$51/m<sup>2</sup> (average of the following examples)

Owl Park by AVJ developments indexed to March 2010 - \$208,759 for 5,000m<sup>2</sup> park = \$42/m<sup>2</sup>

Mataram Road small park by Council indexed to March 2010 - \$238,199 for 3,992m<sup>2</sup> park = \$60/m<sup>2</sup>

#### Courts - \$144/m<sup>2</sup>

Value of courts in Warnervale contributions plan indexed to March 2010 - \$4,492,217 for 31,200m<sup>2</sup> = \$144/m<sup>2</sup>

#### Fields - \$67/m<sup>2</sup> (average of the following examples)

Pat Morley Oval indexed to March 2010 - \$2,154,619 for 92,000m<sup>2</sup> = \$23/m<sup>2</sup>

Jubilee Oval indexed to March 2010 - \$3,699,664 for 34,644m<sup>2</sup> = \$107/m<sup>2</sup>

Wadalba Sporting Fields indexed to October 2009 - \$6,627,347 for 95,525m<sup>2</sup> = \$69/m<sup>2</sup>

#### Semi Natural Areas - \$9/m<sup>2</sup>

Wadalba Corridor embellishment quotes 2007 indexed to March 2010

Table 7 provides a summary of the current rates for embellishment of open space based on the above:

**Table 7 Embellishment Rates per Square Metre**

Open Space Facility	Embellishment Costs
Local Parks	\$51/m <sup>2</sup>
Courts	\$144/m <sup>2</sup>
Fields	\$67/m <sup>2</sup>
Semi-Natural	\$9/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 Gorokan District.

**Table 8 Open Space Embellishment Costs**

Open Space Facility	Area Required (m <sup>2</sup> )	Embellishment Rate (\$ per m <sup>2</sup> )	Embellishment Cost
Local Parks	30,135	51	\$1,533,509
Courts	4,305	144	619,929
Fields	25,830	67	\$1,733,937
Semi Natural	21,525	9	\$186,445
<b>TOTAL</b>			<b>\$4,073,820</b>

Contributions for Open Space and Recreational Facilities will be fully apportioned to future development. The contribution rate is determined as follows (all rates are determined to the nearest dollar):

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

Where:

**C** is the contribution rate per DU

**\$Facility Costs** is the total Open Space and Recreational Facilities costs

**Demand** is the total DU predicted in the District

**Local Parks**

$$C = \frac{\$1,533,509}{1206\ DU}$$

$$= \$1,272\ \text{per DU}$$

**Courts**

$$C = \frac{\$619,929}{1206\ DU}$$

$$= \$514\ \text{per DU}$$

**Sporting Fields**

$$C = \frac{\$1,733,937}{1206\ DU}$$

$$= \$1,438\ \text{per DU}$$

**Semi Natural**

$$C = \frac{\$186,445}{1206\ DU}$$

$$= \$155\ \text{per DU}$$

**Combined = \$3,379 per DU**

**3.2.4 Apportionment of Costs**

Future development predicted within the District will be spread throughout the area and so all future development will be required to share the costs for open space embellishment on a proportional basis.

### 3.3 Community Facilities

Wyong Council has prepared Guidelines for the Planning and Provision of Community Facilities in Wyong Shire (2000, updated in July 2002) 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.

The Guidelines 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.

#### 3.3.1 Nexus between Development and Demand

##### Causal Nexus

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 existing facilities to ensure that they can cater for the demand created by the future population.

Council's Guidelines 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 901m<sup>2</sup> of community floor space is required to meet the needs of the additional 2,870 persons within the plan area.

The required area of 901m<sup>2</sup> is then calculated by the cost per square metre to provide additional community facilities. The cost of \$3,776 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 \$4,627,898 for 1,092m<sup>2</sup> = \$4,238 per m<sup>2</sup>
- Southern Lakes Community Centre Construction Cost \$1,932,174 for 583m<sup>2</sup> = \$3,314 per m<sup>2</sup>
- **Average \$3,776 per m<sup>2</sup>**

An amount of \$3,402,300 will be apportioned to future development to embellish existing community centres and halls to meet the additional demand as identified in the Community Facilities Strategy which is currently being developed.

### Spatial Nexus

The District contains 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. 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 and Community Facilities Strategy.

### Temporal Nexus

Contribution funds for the Community Facilities will be pooled to allow projects to be undertaken in accordance with the prioritisation as outlined in the Schedule of Works (Appendix B).

### 3.3.2 Community Facilities Land Requirements

Assessment of existing community facilities that there is an excess of land for the existing population and that there is no significant shortfall due to the requirements generated by the future development. Further, there is no concentrated location for this future development for which specific community facilities sites can be provided. Hence, there will be no requirement for land due to the future development.

### 3.3.3 Calculation of the Contribution Rate

The contribution rate is determined as follows (all rates are determined to the nearest dollar):

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

Where:

**C** is the contribution rate per DU

**\\$Facility Cost** is the total Community Facilities costs

**Demand** is the total DU predicted in the District

$$\begin{aligned} C &= \frac{\$3,402,300}{1206 \text{ DU}} \\ &= \mathbf{\$2,821 \text{ per DU}} \end{aligned}$$

### 3.4 Administration

The costs to be recovered under this plan include:

- the salary and operating costs over a 5 year period for the coordination of the development 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 development contribution functions
- on-costs, vehicles and award increases over a 5-year period

Table 9 provides details of the administration costs to be recovered under this plan based on the apportioned number of DUs identified in Table 10.

#### 3.4.1 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, and time taken to administer, this contributions plan, 2.5% of the total administration costs are included (as shown in Table 9).

#### 3.4.2 Apportionment

The apportioned estimated cost of administering development contributions is assessed as follows:

**Table 9 Costs to be Recovered by this Plan**

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 2.5% of Total Costs
Development Contributions Staff	\$1,423,661	100%	\$1,423,661	\$35,592
Accounting Staff	\$429,605	20%	\$85,921	\$2,148
Development Design Staff	\$2,456,104	35%	\$859,636	\$21,491
Subdivision Supervision Staff	\$1,397,045	20%	\$279,409	\$6,985
<b>TOTAL</b>			<b>\$2,648,627</b>	<b>\$66,216</b>

Divide the amount to be recovered by this plan by percentage of DUs apportioned to this plan area, as shown in Table 10.



**Table 10 Percentage of DUs Apportioned to this Plan Area**

Total No of Predicted DUs Across the Shire in 5 year Period	Percentage of DUs Apportioned to this Plan	2.5% of DUs Apportioned to this Plan
5,789	2.5%	145

**3.4.3 Calculation of the Contribution Rate**

Contributions will be collected from residential and non residential development in Ourimbah toward the cost of administering and managing development contributions.

The monetary contribution per DU is calculated as follows:

$$\text{Contribution per DU (\$)} = \frac{\text{AC(CPA)}}{\text{DU}}$$

Where:

**AC(CPA)** is 2.5% of the estimated cost of administering development contributions in the Shire of Wyong over the life of this plan (i.e. \$66,216 rounded).

**DU** is 2.5% of the total DUs predicted across the Shire over an example 5 year period, as shown in Table 10. (i.e. 145 DU).

$$\begin{aligned} \text{Contribution per DU (rounded)} &= \frac{\$66,216}{145} \\ &= \mathbf{\$458} \end{aligned}$$

## Appendix A – 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 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> ).
ID Consulting (2010)	2001-2031 Population and Household Forecasts for Gorokan Social Planning District. Prepared for Wyong Shire Council.
NSW Department of Planning	Development Contributions Practice Notes. <a href="http://www.planning.nsw.gov.au">www.planning.nsw.gov.au</a> .
Wyong Shire Council 2002	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 2005b	Local Parks Strategy Prepared by Strategic Planning Department 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 2005a	Draft Wyong Open Space Principles Plan. Prepared by the Strategic Planning Department. Amendment No 4 June 2005.
Wyong Shire Council 2008	Draft Community Facilities Strategy
Wyong Shire Council 2009	Recreational Facilities Strategy October 2009.

## Appendix B – Schedule of Works

Schedule of Works	Cost Summary	Existing Funds @ 30/6/2009	Total Funds	Predicted Timing
<b>Roadworks and Traffic Management</b>				
Lakehaven Drive	\$734,216	-\$564,391	\$169,825	Completed
<b>Open Space and Recreation Facilities</b>				
Local Parks	\$1,533,509	\$140,142	\$1,673,651	Funds to be expended in accordance with the rolling works program within Council's Management Plan and the Local Parks Strategy and Recreation Facilities Strategy
Courts	\$619,929	\$20,020	\$639,949	
Sporting Fields	\$1,733,937	\$120,122	\$1,854,059	
Semi Natural	\$186,445	\$100,101	\$286,546	
<b>Community Facilities</b>				
Embellishment of Existing Community Centres and Halls	\$3,402,300	\$49,975	\$3,452,275	Funds to be expended in accordance with the rolling works program within Council's Management Plan and the Community Facilities Strategy
<b>TOTAL COSTS OF WORKS</b>	<b>\$8,210,336</b>		<b>\$8,076,305</b>	