



Mulwaree Shire Council

SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN

2003-2008

Adopted: 7 January 2004

Effective From: 9 January 2004

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1. Summary Schedules

1.1 Executive Summary

This plan is identified as Mulwaree Section 94 Contributions Plan (CP) 2003. It replaces the previous *Mulwaree Shire Contribution Plan* adopted by Council in 1992.

The 1992 CP was prepared on the basis of certain strategic planning assumptions which have changed due to development changes and infrastructure planning requirements. The works in the 1992 CP also required review, particularly in light of detailed population forecasts undertaken for Council in 2002 and 2003.

Whilst many of the original works proposals in the 1992 CP remain valid, there is a need to ensure that the works in the new Plan are reflective of the changing needs of Mulwaree and that the existing community does not unnecessarily pay for works that should reasonably be funded through a "user pays" system.

This CP applies to the whole of Mulwaree Shire and is based on population projections over a 15 year planning timeframe to the year 2021. It is intended that the Plan will be reviewed periodically to ensure it remains current and relevant.

Notes, text and examples in shadowed boxes throughout this plan are for guidance or information only and do not form part of the Plan.

1.2 Summary of Works Schedule

The following table provides a summary of the works schedule adopted for this Plan and the costs of these works. Whilst all works may not be completed by 2008, Council will collect funds and review the Plan on a regular basis to ensure the works schedule remains valid.

Where works are incomplete Council may include these works in a subsequent plan. Alternatively, Council may review the works and substitute other works. Council's intention is to ensure that demand created by future development is catered for and that costs borne by Council are recovered.

NOTE ON POPULATION PROJECTIONS

The works schedule in this Plan is based on expected population growth in the period 2003-2018. The works schedule is based on the projected population growth to 2021. Should this growth not occur to 2021, it will not render this Plan invalid. Rather, it will simply put back to a later date the works proposed in the schedule.

1.3 Summary of Works Schedule

FACILITY	WORKS	S94 COSTS
Community Facilities	▪ Community/health centre	▪ \$305,500
Open Space:	▪ Local parks ▪ Embellish existing parks ▪ Land acquisition	▪ \$471,250
Civic and Urban Improvements	▪ Street planting and pathways	▪ \$197,925
Roads	▪ Traffic management ▪ Upgrades	▪ \$14,978,622
Bush Fire Fighting	▪ Vehicles and upgrades	▪ \$262,235
S94 Administration	▪ Administration of Plan	▪ \$160,000

Note: Details of the works comprising the above program are contained in each of the strategies and Appendix A

1.4 Summary of Works Schedule

Development Type	Community Facilities	Open Space	Civic & Urban Improvements	Roads	Bush Fire Protection Facilities	Administration
1-bedroom unit	\$573	\$884	\$371	\$3,000	\$113	\$153
2-bedroom unit	\$840	\$1,296	\$543	\$3,600	\$165	\$224
3-bedroom unit	\$955	\$1,473	\$618	\$4,200	\$188	\$255
Residential housing	\$955	\$1,473	\$618	\$6,600	\$188	\$255
Subdivision (per lot)	\$955	\$1,473	\$618	\$6,600	\$188	\$255
Other uses ²	N/A	N/A	N/A	\$600/trip	\$75/person ³	\$102/person ³

Notes:

- Community facility, civic and urban improvements and open space contributions are only payable in the Marulan catchment - Refer Figure 2.2
- Commercial retail and industrial development will pay a contribution per person based on the following person generation rates:
 commercial development - 1/20 m² of gross floor area (GFA);
 retail - 1/40 m² GFA;
 industrial - 1/80 m² GFA.
 Other development types not covered by this table will be assessed on their merits and against the likely demand generated by the use.
- Motels and other forms of tourist accommodation will be levied on a per bed rate with a bed being equivalent to a "person".

2. Administration and Accounting

2.1 Section 94 Contributions Plans

Section 94 of the *Environmental Planning and Assessment Act 1979* ("the Act") enables Council to impose conditions of consent on a development application or an application for a complying development certificate to require the dedication of land free of cost, or the payment of a monetary contribution, or both, in order to meet demand for public amenities and public services within the Shire.

Council can accept a material public benefit in part or full satisfaction of such a condition. A condition can also be imposed to partly or wholly recoup funds that have been spent if those funds were spent to provide for demand (or a component of that demand) ahead of that demand occurring.

There are a number of fundamental principles that Council is required to follow when imposing contributions under section 94:

- Council must establish a **nexus** (or direct relationship) between the need (or demand) created by a new development and the provision of public amenities and public services.
- The contributions must relate to or be imposed for a **planning purpose**.
- The contributions must be **reasonable** for the particular development.
- The contributions must be spent within a **reasonable time**
- The funds collected must be **accounted for** in a clearly identifiable manner and in the prescribed form and manner.

For Council to impose a condition under section 94, a contributions plan that complies with the above principles and clause 27(1) of the *Environmental Planning and Assessment Regulation 2000* ("the Regulation") must be in place. The plan must also set out in detail the manner in which Council has arrived at and calculated the contribution. This Plan satisfies those requirements.

Note: Clause 27(1) of the Regulation provides that a contributions plan must include particulars of the following:

- (a) *the purpose of the plan;*
- (b) *the land to which the plan applies,*
- (c) *the relationship between the expected types of development in the area and the demand for additional public amenities and services to meet that development,*
- (d) *the formulas to be used for determining the section 94 contributions required for different categories of public amenities and services,*
- (e) *the contribution rates for different types of development, as specified in a schedule to the plan,*
- (f) *the Council's policy concerning the timing of the payment of monetary section 94 contributions and the section 94 conditions that allow deferred or periodic payment,*
- (g) *a works schedule of the specific public amenities and services proposed to be provided by the Council, together with an estimate of their cost and staging.*

2.2 How to Use this Plan

This Plan has five Sections and one Appendix as follows:

- **Section 1:** This section provides a summary of the contribution rates applicable to various types of development throughout the Shire.
- **Section 2:** This section establishes the statutory framework of the Plan, including matters such as objectives, definitions, timing of payments and any amendments to the Plan.
- **Section 3:** This section outlines future demand in the area which is used to determine the public services and public amenities to be provided under this Plan. This section also outlines the strategies that Council will follow for the provision of public amenities or public services throughout the Shire during the term of this Plan including the costs and staging of public services and public amenities. This section also includes the formulae that have been used to establish the rates for each of the public services and public amenities, as well as the rates themselves.
- **Section 4:** This section outlines the background documents and research that has been used in the course of the preparation of the Contributions Plan.
- **Appendix A:** This provides a more detailed works program for the public services and public amenities identified in the Plan.

Council will allocate funds for the upgrading and establishment of public services and public amenities or public services in line with growth and development in the local government area (LGA), and in consideration of funds accrued for the various types of facilities and services.

2.3 Name of this Plan

This document is called the *Mulwarae Shire Section 94 Contributions Plan 2003* (the "Plan")

2.4 Objectives of this Plan

The objectives of the Plan are:

- (a) provide an overall administrative framework under which specific public facilities strategies may be implemented and co-ordinated;
- (b) ensure that adequate public facilities are provided for as part of any new development;
- (c) authorise the Council, when granting consent to development applications for development on land to which this plan applies, to impose conditions under Section 94 of the Environmental Planning and Assessment Act 1979 requiring the payment of monetary contributions or the dedication of land or both towards the provision, extension or augmentation of public amenities and public services within the Council's area;
- (d) provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis;
- (e) ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development;
- (f) enable the Council to be both publicly and financially accountable in its assessment and administration of the Contributions Plan.

2.5 Relationship with Other Plans and Policies

This Contributions Plan has been prepared pursuant to the provisions of Section 94 of the EP&A Act and Part 4 of the EP&A Regulations and takes effect from the date on which public notice was given (date to be inserted), pursuant to Clause 31(4) of the E P&A Regulations.

This Plan repeals the *Mulwaree Shire Council Section 94 Contributions Plan* adopted in 1992 in its entirety.

2.6 Where Does the Plan Apply?

This Plan applies to all land within the Shire of Mulwaree. The Shire and the individual catchments referred to in this Plan are shown on **Figures 2.1 and 2.2**.

This Plan will apply to development applications that require the provision of, or which increase the demand for public services and public facilities in the Shire of Mulwaree.

In particular, the following will be subject of a condition of consent that requires a relevant contribution by way of a monetary contribution, dedication of land, or provision of a material public benefit (or combination of these forms of contribution) for the relevant contribution:

- i) development which result in a net increase in dwellings; or
- ii) development where subdivision is involved which results in a net increase in the number of lots where the additional lot or lots are capable of being used for the purpose of residential, commercial, retail or industrial development; or
- iii) residential development carried out on land that is vacant, or is made vacant for the development to occur; or
- iv) development that involves commercial, retail or industrial floorspace that yields additional floor area; or
- v) development that intensifies a current approved commercial, retail or industrial use; or
- vi) extractive industries;
- vii) any other development that, in the opinion of the Council, will require the provision or extension of public amenities or public services.

2.7 Approval and commencement of this Plan

This Plan was approved by Mulwaree Shire Council on ... and commenced on

2.8 Savings and Transitional Arrangements

A development application that is submitted after the commencement of this Plan shall be determined under the provisions of this Plan and any relevant strategies made under this Plan. A development application which has been submitted prior to the commencement of this Plan but not determined shall be determined under the provisions of the contributions Plan which applied at the date of determination of the application.

A development consent that was determined under a previous Contributions Plan that has been repealed by this Plan will be subject to the rates that applied under that previous Plan (subject to CPI and other escalations as described in that Plan).

A condition of consent imposed by virtue of this Plan, which at the date of the repeal of this Plan is unpaid, shall be indexed and adjusted as if this Plan had not been repealed in the manner set out in this Plan.

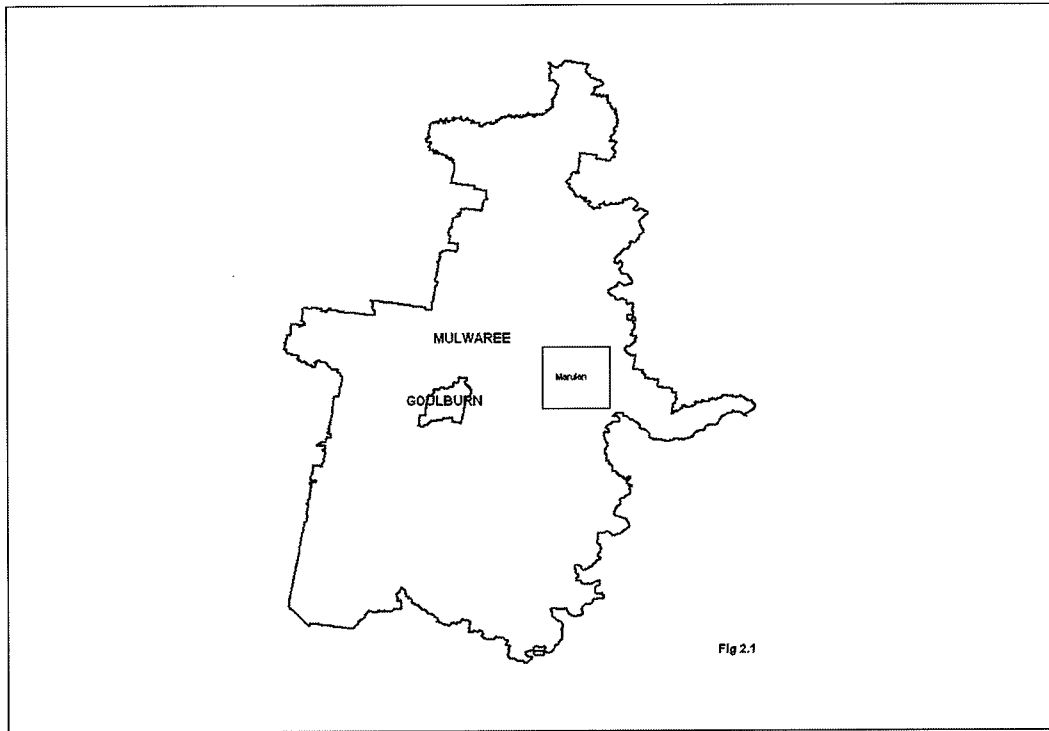


Figure 2.1: Mulwree Shire

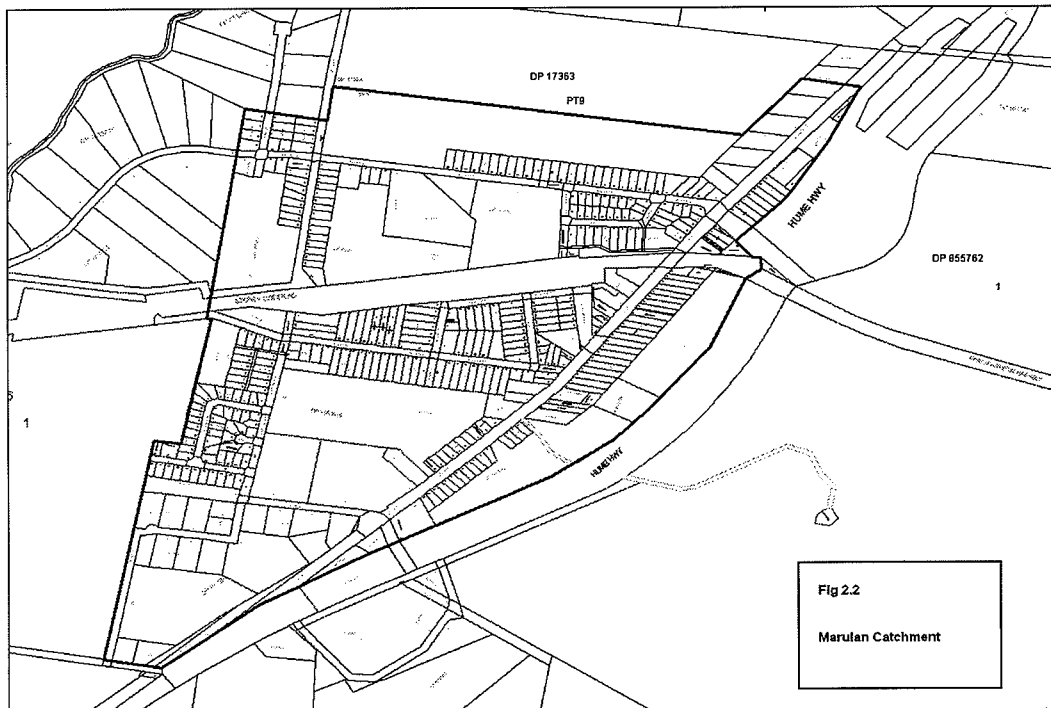


Figure 2.2: Marulan Catchment

2.9 Definitions

"Applicant"	means the person, company or organisation submitting a development application.
"Contribution"	means the dedication of land, the making of a monetary contribution or the provision of a material public benefit, as referred to in section 94 of the Act.
"Contributions Plan"	means a contributions plan referred to in Section 94B of the EP & A Act.
"Council".	means the Council of the Shire of Mulwaree
"CPI"	means the consumer price index (Price index for materials used in building – Other than house building, Catalogue Reference 6807.0) as published by the Australian Bureau of Census and Statistics.
"DoP"	means the then NSW Department of Planning (or its predecessor bodies), now known as the Department of Infrastructure, Planning and Natural Resources
"Embellishment"	means the enhancement of any public amenity or public service provided by the Council by the provision of services, facilities or works which would increase its carrying capacity or allow additional use.
"Gross Floor Area"	For the purposes of this Plan, means the sum of the area of each floor of a building where the area of each floor is taken to be the areas within the internal faces of the walls measured at a height of 144mm above floor level, excluding stairs, amenities, lift corridors and other public areas but including stock storage area.
"LEP"	means a local environmental plan made by the Minister under section 70 of the Act.
"LGA"	means the local government area of the Shire of Mulwaree.
"Recoupment"	means the payment of a monetary contribution to the Council to offset the cost (plus any interest) which the Council has already incurred in providing public amenities or public services in anticipation of development.
"Settlement"	means the payment of a monetary contribution, the undertaking of a work in kind or the exchange of documents for the dedication of land required as a result of new development.
"the Act"	means the Environmental Planning and Assessment Act 1979, as amended.
"the Regulation"	means the Environmental Planning and Assessment Regulation 2000, as amended.
"Works in kind"	has the same meaning as a "material public benefit" as referred to in section 94(5)(b) of the EP & A Act and means the undertaking of work associated with the provision of a public amenity or public service in part or in full.
"Works schedule"	means the schedule of the specific public amenities or public services for which contributions may be required, and the likely timing of provision of those public amenities or public services based on projected rates of development, the collection of development contributions and the availability of funds from supplementary sources.

2.10 Payment of Contributions

Payment of monetary contributions should be finalised at the following stages:

Type of Application	When is Contribution Payable?
In the case of a consent for subdivision	(a) Before the subdivision linen plan(s) (subdivision certificate) are released to the applicant.
In the case of a consent for development not involving subdivision but where a subsequent building Construction Certificate is required	(a) Where an Occupation Certificate must be obtained for the building - prior to its issue; and (b) Where an Occupation Certificate is not required – prior to the occupation of the building.
In the case of a consent for development involving both a subdivision and building works requiring a subsequent building Construction Certificate	(a) Before the subdivision linen plan(s) (Subdivision Certificate) are released by the Council to the applicant; or (b) Where an Occupation Certificate must be obtained for the building - prior to its issue; or (c) Where an Occupation Certificate is not required prior to the occupation of the building. Whichever occurs first.
In the case of a consent for any other development	Prior to occupation/use of the development

2.11 Deferred or Periodic Payments

The Council may accept the deferment of the payment of a contribution in respect of subdivisions subject to the following conditions:

- (a) Lodgement of an unconditional bank guarantee to cover the amounts of such contributions.
- (b) All money due as part of such contributions being payable within twelve (12) months from the date of uplifting of the plan of subdivision.
- (c) The proposal applies to subdivision releases of five (5) blocks or more, or development of an equivalent value.
- (d) The decision to accept a deferred payment is at the sole discretion of Council's General Manager or delegate.

2.12 Works in Kind

The Council may accept an offer by the applicant to provide an "in-kind" contribution or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this Plan. The following formula will be applied for works in kind contributions in lieu of Section 94 contributions:

$$C = VW$$

where

- C** - is the Section 94 contribution due
- VW** - is the value of the work in dollars

Council will only accept such alternatives provided the value of the works to be undertaken is at least equal to the value of the contribution that would otherwise be required under this Plan. The value of the works must be provided by the applicant at the time of the request and must be independently certified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Acceptance of works in kind is at the sole discretion of the Council. Council may review the valuation of works and may seek the services of an independent person to verify the costs. In these cases, all costs will be at the expense of the applicant.

2.13 Review of Contributions Payable

It is the policy of the Council to review contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the particular public facility. This is to ensure that the value of contributions is not eroded over time by movements in the Consumer Price Index (CPI).

Where a Section 94 contribution is paid to Council after the consent is issued, Council will increase the amount of the contribution in accordance with the formula as set out below:

$$\text{Contribution at time of payment} = P \times \text{TRC}$$

where

- P - are the original contributions as shown on the consent
- TRC - Total Reviewed Contribution

2.14 Review of Contribution Rates

The Council will regularly review the contribution rates by reference to:

- (a) Changes in the capital costs associated with provision of administration and salary costs for Council's officers by reference to increases in salary rates under the Local Government State Award;
- (b) Changes in the actual costs of the facilities in this Plan as provided by the Council; and
- (c) Changes in the capital costs of various studies required to support the strategies in this Plan by reference to the actual costs incurred by Council in obtaining these studies.

For the capital cost component of public facilities - to be reviewed on the basis of Consumer Price Index (CPI) - (All groups – Sydney) as published by the Australian Bureau of Statistics for the previous quarter.

For the land acquisition component of public facilities - to be reviewed on the basis of current land values as determined by Council on the basis of comparable land or by an independent valuer for the land which remains to be acquired.

The following formula will be applied for reviewing all Section 94 contributions:

$$\text{Total Reviewed Contribution: TRC} = \text{RCC} + \text{RLAC}$$

where

- TRC = Total Reviewed Contribution
- RCC = Reviewed Capital Component = $C_{\text{capital}} \times ((\text{Latest CPI} - \text{Previous CPI}) / \text{Previous CPI})$
- RLAC = Reviewed Land Acquisition Component = $C_{\text{land}} + R_{\text{land}}$

where

- Ccapital** - is the current total capital cost component;
- Current CPI** - is the consumer price index at the time of adjustment;
- Previous CPI** - is consumer price index for the quarter at the date of adoption of this Plan (for the initial adjustment) or applicable at the time of the previous adjustment;
- Cland** - is the total value of land which has already been acquired;
- Rland** - is the revised land value of the land which is yet to be acquired.

Note : In the event that the Current CPI is less than the Previous CPI, the Current CPI shall be taken as not less than the previous CPI

2.15 Flexibility in Imposition of Contributions

This Plan assumes particular land uses and traditional forms of development consistent with a wide range of urban forms. However, not all situations can be predicted and, from time to time, Council may receive applications which do not fit within these assumptions.

Council may consider adjustment or waiver of Section 94 Contributions (either in full or in part) as they apply to individual applications. The following are provided as example of such circumstances:

- (a) Where previous contributions have been paid on a particular property towards the planning need for which the contribution is to be levied and where it can be demonstrated that this can be attributed to the current development (ie that the demand for which the previous contribution was levied has not been realised and will be superseded by the current development application); or
- (b) Where a material public benefit has been obtained by council in lieu of a monetary contribution for the purposes outlined in (a) above; or
- (c) Where the applicant can demonstrate that the development does not generate demand for public amenities or services, or generates demand at a lower quantum than the rates set out in part 4 of this plan.

Council has a strong preference for a negotiated outcome. However, in the event that an agreement cannot be reached, Council will commission a competent consultant funded by the applicant to resolve the matter.

3. Strategy Plans

3.1 Introduction

This section sets out in summary form the strategies that Mulwaree Council intends to follow to cater to the needs of future population growth and development in the LGA.

The strategies described are intended as a statement of policy with regards to the demand for public services and public facilities identified by the Council in response to development within the LGA. While the Council has the intention to accomplish these strategies, conditions or assumptions may vary beyond that envisaged by the Council. The Council reserves the right to amend these strategies in response to future changes. This may require the amendment of the CP which will occur in accordance with the provisions of the EP & A Act.

To arrive at contributions for different types of development and for different types of facilities, the methodology adopted in the Plan is as follows:

- identify the types of existing development in the Council's area;
- identify the public amenities and public services that serve each type of existing development and assess whether they are adequate;
- identify the expected types of new development;
- assess the demand for public amenities and public services that will be generated by each expected type of new development;
- determine the additional public amenities and public services that the Council proposes to provide;
- apportion the demand for those additional public amenities and public services between existing and new development and between local and regional demands.

The following sections provide an outline of the anticipated growth and development in the LGA that will create demand for a range of public amenities and public services.

3.2 Description of Mulwaree Shire

Mulwaree Shire is located in the north eastern corner of the NSW Southern Tablelands region. It covers an area of over 5,200 square kilometres stretching 130 km from Wombeyan Caves in the north to Lake George in the south. It is a predominantly rural local government area (LGA) surrounding the City of Goulburn.

The Shire has a population of over 7,000 and over 6,000 of these residents live in the rural area of the Shire. There are six villages in the Shire, with Marulan being the largest of these (est. pop. 442), followed by Taralga (270), Tallong (263), Tarago (105), Bungonia (35) and Lake Bathurst (31).

3.3 Nexus

The strategies for provision of facilities and services made under this CP establish the nexus between the expected types of development in the area and the demand for additional public amenities and public services.

Each of the Public Facilities Strategies made under this Plan provide a demonstration of nexus based on:

- the anticipated types of development in the Council area;
- the capacity of public facilities currently provided in the area;
- the anticipated demand for public facilities and infrastructure arising from the proposed development;

- the relationship between this development and the demand for additional public amenities and public services
- the contribution required by development to meet the anticipated demand; and
- the nature of the works proposed to be implemented from funds generated by the development.

The contribution rates for different types of development and the proposed works to satisfy those needs are summarised in Section 1. The formulae to be used for determining individual contributions is provided in the CP for the various facility strategies.

3.4 Expected Development

3.4.1 Past Growth

SGS Economics and Planning (SGS 2003) undertook a study for Goulburn and Mulwarae in 2003. The study examined the existing demographic profile of Mulwarae and presented population projections for the whole Shire (and Goulburn) based on historical development and population trends, regional influences and Council's draft Settlement Strategy.

Key points from the SGS study and the Draft Settlement Strategy (DSS) are noted below:

- Mulwarae experienced an average population growth rate of around 4.5% per annum (pa) from 5,806 persons in 1996 to 7,334 in 2001. Goulburn's population remained fairly static over the period.
- The South Eastern Statistical Division in which Mulwarae is located was the second fastest growing region in NSW in 2001 (1.1% growth compared to Sydney SD 1.4%).
- Mulwarae's demographic profile is notably different to Goulburn's, with relatively more children, fewer young adults, more middle aged and fewer elderly.
- Demographic projections indicate that Mulwarae's population profile will generally age over the next 15 years (particularly female cohorts).
- Mulwarae is expected to experience continued growth supported by several factors:
 - the State Government's Sydney-Canberra Corridor Strategy promotes development along the Hume Highway corridor and particularly in Marulan, the Shire's largest town
 - availability of higher order services in Goulburn
 - improved accessibility to Sydney via the M5 and proposed Western Sydney Orbital
 - shortage of urban and rural residential land in the LGAs between Sydney and Mulwarae
 - several potential employment generating projects in the Shire
 - proposed provision of reticulated sewerage in Taralga in 2004
 - proposed rezoning of 1,000 lots in East Marulan (Medway).

Table 3.1 indicates the past population growth in the Shire. It shows very strong growth in the rural population, strong growth in Marulan and growth in the other villages of the Shire.

Table 3.1: Total Population (ABS, 2001)

Area	1991	1996	2001	% Change 1991-2001
Marulan	359	411	442	23%
Other Urban	758	504	875	15%
Rural	4606	4991	6017	31%
Mulwarae Shire	5723	5906	7334	28%

Source: Mulwarae Shire Council *Draft Settlement Strategy 2003*, Appendix 5.

3.4.2 Housing Trends

In the 2001 Census, there were 2509 separate houses (95.7%), 12 semi detached, row or terrace houses and townhouses (0.5%), 11 flats, units or apartments (0.4%) and 57 other dwellings (2.2%).

In the 2001 Census, there were 795 couple families with children (which comprised 44.7% of all families in occupied private dwellings), 800 couple families without children (45.0%), 166 one parent families (9.3%) and 16 other families (0.9%). There were 79 people (1.3%) in group households and 431 people (7.3%) in lone person households in the 2001 Census.

The average occupancy rate for Mulwaree Shire at the 2001 census was 2.64 persons/dwelling and is reflective of the NSW State average of 2.67 persons/dwelling. Mulwaree's occupancy rate has declined significantly in recent years from 2.78 persons/dwelling in 1996 from 3.1 persons/dwelling in 1986. In view of this trend, the following occupancy rates have been adopted for the purposes of the CP:

- Detached dwellings: 2.5 persons per dwelling
- Medium density units:
 - 1 bedroom – 1.5 persons per dwelling
 - 2 bedroom – 2.2 persons per dwelling
 - 3 bedroom – 2.5 persons per dwelling

3.4.3 Future Population Growth

Mulwaree Council has prepared a Draft Settlement Strategy (DSS) for the LGA. Growth of the magnitude forecast by the SGS study and Council's settlement strategy will clearly have a major long term impact on demand for the services and facilities provided by Council. Planning for facilities to service this growth (and hence this CP review) requires an understanding of its likely distribution across the Shire's villages and rural area, as noted in Table 3.2 below.

Table 3.2: Existing & Potential Village Population to Year 2021

Village	Existing Lots ¹	Existing houses	Existing population	Potential new Dwellings ²	Potential population ³	Potential Population to 2008
Rural Area	NA	2,289	6,017	1,260	3,150	875
Marulan ⁴	309	228	442	320	800	222
Taralga ⁵	277	110	270	400	1,000	278
Tallong ⁶	277	98	263	178	445	124
Tarago	164	43	105	35	88	25
Bungonia	115	14	35	40	100	28
Lake Bathurst	14	12	31	33	83	23
Total Shire⁷		2794	7,163	2,266	5,665	1,575

Source: Mulwaree Shire Council.

Notes:

1. Existing figures are based on 2001 Census and Council counts of dwelling and lot numbers. Lots in rural areas are not included as not all attract dwelling entitlements.
2. Potential dwellings based on standard residential lots where water and sewer are available or planned (Marulan & Taralga), otherwise on a minimum lot size of 3,333m² to allow for on-site effluent disposal. It is assumed that there will be around 70 new dwellings in rural areas per annum for the planning period.
3. Potential village population is based on 2001 census average occupancy rate of 2.5 persons per dwelling.
4. Figures for Marulan include village and rural-residential exclude any future rezoning.
5. Taralga growth assumes that water and sewer will become available in 2004.
6. Tallong includes the village and the adjacent Tallong Park rural-residential estate. Potential figures assume a dwelling on each of the 128 vacant rural-residential lots and 50 potential dwellings in the 2(v) Village zone.
7. Total Shire figures are from *Mulwaree Shire Council Draft Settlement Strategy July 2003*

A projection has been made for each urban area and the remaining rural area for the period 2003-2008. It is projected that there will be strong growth in Marulan with other areas having modest growth largely based upon their past growth profiles and location.

The growth in all urban areas is based on an assumed level of development of current unsubdivided residential land together with increased densities through medium density housing such as dual occupancy and garden flat development in areas where this development is permitted under existing development controls.

The types of development that will occur to house the capacity residential population includes detached dwellings, infill development, townhouses and medium density development. For the purposes of this CP, the following breakdown of these forms of housing have been determined based on projected dwelling approvals and with reference to differential occupancy rates for urban and rural areas:

- Detached dwellings – 95% of total new housing stock
- Medium density units – 5% of total new housing stock

The spatial distribution of this housing development is shown in Table 3.2. This residential development will create demand for provision or upgrading the following facilities and services:

- Roads and traffic management facilities
- Open space (structured and unstructured)
- Community facilities
- Civic improvements
- S94 Plan Administrative Support
- Bushfire Protection

The extent to which the above residential development will create the demand for each of these facilities and services is outlined in following sections.

3.4.4 Non-Residential Development

The Shire's villages have commercial centres that provide for the needs of town and rural residents, visitors and travelers.

Marulan is the largest village and has a long history as a Highway service centre. Commercial services include 4 service stations, convenience store, hotel, medical centre, roadside food outlets, rural supplies & hardware, garden centre, vet clinic, butcher and craft shop. The village also has a post office, railway station, police station, 3 churches, rural fire brigade, public school, parks and sporting fields and CWA.

Taralga is the second largest centre and provides 2 hotels, 2 B&Bs and Farm Stay accommodation, a licensed club, 4 churches, 2 schools, a post office, industrial workshops & businesses, rural supply centre, service station, rural fire shed and a child care centre.

Tarago has a school, convenience shop, service station, hotel, CWA, pre-school, rural fire shed, pre-school, 2 churches, community hall, police station and a railway station. Tallong provides a community hall, shop, railway station, Big Apple tourist shop, rural fire shed, school and a church. Lake Bathurst has the Lavender Gardens Tea Room & Accommodation, antique shop, church and a cabinet maker. Bungonia has a community hall, 2 churches and a rural fire station, but no commercial services. An industrial area is located at Marulan.

For the purposes of this Plan, it is assumed that commercial and industrial areas will develop generally in line with population growth over the planning period. The extent to which the above development will create the demand for facilities and services is outlined in following sections. With respect to road upgrading, it is recognised that there will be dual purpose trips between residential properties and retail, commercial and industrial development. This has been recognised in the calculation of the levies through a reduction in the overall levy.

3.5 Outline of Strategy Plans

The following Strategy Plans have been prepared by the Council to address the anticipated development in the LGA. It is based on an assessment of the expected types of new development in the LGA and the demands for public amenities and public services that are generated by these types of development as discussed above.

Where relevant, demand generated by new types of development is apportioned between that new development and existing local demand. Where demands for public amenities and public services are generated solely by the new development no apportionment is adopted.

3.6 Community Facilities Strategy Plan

3.6.1 Nexus

The determination of nexus for new community and cultural facilities in the Shire requires consideration of the following:

- Population and housing projections
- Age distribution and existing and incoming population
- Assessment of level of capacity of existing community, human and cultural facilities
- Analysis of types of community facilities required for incoming population.

Each step in the establishment of a contribution rate and the proposed apportionment considers the relevant key components as follows:

- Demand projections based on expressed demand of existing population together with the use of on accepted approaches to community facility demand.
- Existing provision: using current facility provision as a key element in establishing future requirement models.
- Demographics: projection of population increase/decrease and anticipated community profile to establish expected demand.
- Costs: anticipated expenditure based on existing capital costs and appropriate indexing to maintain the total value of the works.
- Works to be completed/funds to be collected: outstanding works and/or funds to be collected from previous Plans that are brought forward to the new plan.

This approach to the provision of community and cultural facilities allows demand to be identified in a transparent manner and ensures that the appropriate apportionment rates are established.

3.6.2 Current Section 94 Funds Reconciliation

There is no current CP for community facilities.

3.6.3 Needs and Demands

Baseline community facilities are those which are considered to be the minimum level of local services to which new residents require access. Local baseline facilities differ by area, however, the following are generally considered to be local baseline services that should be accessible to residents (Department of Planning, 1990, Liverpool Council, 1999):

- Local community/health centre
- Child care service
- Community nurse
- Open space

These facilities are basic community needs and may be provided by government or the private sector. Where the service is not directly provided reasonable access to the service should be provided.

3.6.4 Community Facilities Plan

It is proposed that a community/health centre be provided in Marulan to provide for future population growth. This facility is estimated to cost \$470,000 of which 65% will be funded from Section 94 contributions which accounts for potential use by existing residents.

Table 3.3: Community Facility Program

Proposed Works	Total Cost (\$)	Apportionment	S94 Cost (\$)
• Community/health care centre	470,000	65 ⁽¹⁾	305,500

Note: (1) An apportionment rate less than the projected population share has been adopted to take account of the use by others.

3.6.5 Apportionment of Works

The existing community facilities are adequate for the incoming population. Where there is a community benefit from the creation of new facilities where an existing deficiency exists, the apportionment rate is adopted to ensure only that that proportion of the facility required by the future population is levied.

3.6.6 Contributions

The contribution for community facilities is as follows:

$$\text{Community Facilities Contribution} = \frac{C}{P}$$

Where: C – proportion of the capital cost of the community facilities (apportioned cost).
 P – the estimated population increase

Therefore,

$$\begin{aligned} \text{Community Facilities Contribution} &= \frac{305,500}{800} \\ &= \$382/\text{person} \end{aligned}$$

The contribution will be sought for the following types of development that generate demand for new or enhanced community facilities:

- Residential development of all types in the Marulan catchment.

The contribution is:

CONTRIBUTIONS RATES BY DEVELOPMENT TYPE		AMOUNT
	Occupancy rate	
1-bedroom unit	1.5 person	\$573
2-bedroom unit	2.2 persons	\$840
3-bedroom unit	2.5 persons	\$955
Residential housing	2.5 persons	\$955
Subdivision (per lot)	2.5 persons	\$955

3.7 Open Space and Recreation Facilities

3.7.1 Nexus

The link between the expected types of development in the area and the need for additional open space facilities required to meet that need is based upon:

- Demographics of projected incoming population
- Age distribution and existing and incoming population
- Community consultation and needs assessments
- Needs of major target groups
- Assessment of level of capacity of existing open space and leisure facilities
- Analysis of types of open space and leisure facilities required for incoming population.

A major resource in establishing nexus is the *Marulan Open Space & Recreation Strategy*, the *Outdoor Recreation and Open Space Planning Guidelines for Local Government* (Department of Urban Affairs and Planning) as well as the assessment of needs undertaken as part of this review.

The establishment of a contribution rate and the proposed apportionment considers the relevant key components as follows:

- Demand projections based on expressed demand of existing population (community consultation) or, where unavailable, on accepted broad trends in recreational demand.
- Standards-used in two ways:
 - where currently considered appropriate by the Department of Infrastructure, Planning and Natural Resources; and
 - where demand information is not available.
- Existing provision: using current reserves and basic facility provision as a key element in establishing future requirement models.
- Demographics: projection of population increase/decrease and anticipated community profile to establish expected demand.
- Accessibility: based on travel times around and within the LGA.
- Costs: anticipated expenditure based on existing capital costs and appropriate indexing to maintain the total value of the works.
- Works to be completed/funds to be collected: outstanding works and/or funds to be collected from previous Plans that are brought forward to the new plan.

The following outlines the level of provision required for the incoming population for each of these facilities and services.

3.7.2 Needs and Demands

An analysis of recreation demand in the Mulwaree area indicates the following general needs:

- The aging of the population will suppress demand for more active pastimes that are traditionally associated with young participants. Informal activities, particularly walking and driving for pleasure, walking the dog, fishing and picnics/bbq's are expected to be more popular than more structured activities such as organised sports.
- Of structured activities, the national data suggests that the highest participation growth is expected in swimming, aerobics and golf.
- Informal and unstructured use of parks and reserves will assume greater importance with a wider sector of the community.
- Organised sports will continue to be important although only for a proportion of the community.
- Indoor activities (aerobics, gym based-training, basketball, indoor cricket) are estimated to have lower participation rates although these sports are popular.

3.7.3 Supply vs Demand

An assessment has been made of the existing level of open space and leisure facilities in the Shire and in each catchment and urban area.

The assessment of supply versus the demand created for additional open space and leisure facilities has been carried out through assessment of the demands created by the incoming population. Population growth will create demand for the following open space and leisure facilities:

- Local open space (playgrounds, informal open space)

The philosophy adopted in the Plan is to maintain the existing level of provision of open space and leisure facilities in the Shire although the emphasis will be more on improvement and embellishment where local open space is well provided and provision of new open space where the need exists.

3.7.4 Program Costs

The total cost for the works program is set out in Table 3.4. Appendix A contains the works program for the period 2003-2008 and the calculation for the embellishment of open space.

Table 3.4: Open Space Program

Proposed Works	Total costs (\$)	Apportionment (%)	Section 94 Cost (\$)
• Meridian Park upgrade	150,000	65	\$97,500
• Brayton Street Reserve upgrade	280,000	65	\$182,000
• Portland Ave Reserve upgrade	180,000	65	\$117,000
• Tupra Park upgrade	15,000	65	\$9,750
• Tony Onions Park upgrade	100,000	65	\$65,000
	725,000	65	\$471,250

3.7.5 Apportionment of Works

The existing open space and leisure facilities are adequate for the existing population. However, as the incoming population creates only a proportion of the demand equal to their proportional share of the future total population, an 70% apportionment factor applies.

3.7.6 Contribution Calculations

The contribution for open space and leisure facilities is made up of a local facility contribution and a shire-wide facility contribution. The formula for both of the contributions is as follows:

$$\text{Open Space Contribution} = \frac{C}{P}$$

Where: C – proportion of the capital cost of open space facilities (apportioned cost).

P – the estimated population increase

Therefore,

$$\begin{aligned} \text{Open Space Contribution} &= \frac{471,250}{800} \\ &= \$589/\text{person} \end{aligned}$$

The contribution will be sought for the following types of development that generate demand for new or enhanced open space facilities:

- Residential development of all types in the Marulan catchment.

The contribution is:

CONTRIBUTIONS RATES BY DEVELOPMENT TYPE		AMOUNT
Occupancy rate		
1-bedroom unit	1.5 person	\$884
2-bedroom unit	2.2 persons	\$1,296
3-bedroom unit	2.5 persons	\$1,473
Residential housing	2.5 persons	\$1,473
Subdivision (per lot)	2.5 persons	\$1,473

3.8 Civic and Urban Improvements

3.8.1 Nexus Issues

The link between the expected types of development in the area and the need for civic and urban improvements to meet the need of the future population requires an assessment of:

- The total projected incoming population
- Future development of commercial, retail and industrial development which generates employees
- The spatial distribution of this incoming population and employment base
- Community consultation and needs assessments
- Assessment of existing civic improvements and facilities
- Analysis of the types of improvements and facilities required for incoming population and employment base.

3.8.2 Demand Assessment

Civic improvement covers a variety of facilities that are required in urban areas to support the population and employee growth in commercial and industrial areas. This may include:

- Walkways/footpaths
- Landscaping and urban design improvements

There are currently provided by the Council in strategic locations mainly around town centres but also in potential high use areas (eg, well used roads and walkways). As the population growth and commercial/retail and industrial development occurs, there will be an increase in demand for additional facilities and place pressure on existing facilities, Council will seek from new development the proportion of the costs of provision of new facilities required for the incoming population.

Based on an assessment of existing facilities, population and development in the Shire and community consultation, Council has made an assessment of the various urban centres and existing civic amenities and have proposed further improvement or embellishment of facilities to cater to growth.

3.8.3 Apportionment of Works

The existing civic and urban facilities are adequate for the existing population and development in the Shire. As the proposed works are solely to cater to future development, there will be no apportionment for these facilities and incoming development will be responsible for the future works.

Table 4.27: Civic and Urban Improvement Works

Works	Total costs (\$)	Apportionment (%)	Apportioned Cost (\$)
• Footpath/cycleways	252,000	65	\$163,800
• Street tree planting	52,500	65	\$34,125
TOTAL	304,500	65	\$197,925

3.8.4 Calculation of Contributions

The formula for civic and urban improvements is as follows:

$$C = \frac{TC}{NP}$$

Where: C is the Section 94 levy
 TC is the total cost of the work
 NP is the additional new population including tourist numbers

Therefore,

$$\begin{aligned} \text{Civic and urban improvements contribution} &= \frac{197925}{800} \\ &= \$247/\text{person} \end{aligned}$$

The contribution will be sought for the following types of development that generates demand for urban and civic improvements:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures or by the additional gross leasable area for commercial, retail and industrial development.

The contribution is:

CONTRIBUTIONS RATES BY DEVELOPMENT TYPE		AMOUNT
	Occupancy rate	
1-bedroom unit	1.5 person	\$371
2-bedroom unit	2.2 persons	\$543
3-bedroom unit	2.5 persons	\$618
Residential housing	2.5 persons	\$618
Subdivision (per lot)	2.5 persons	\$618

3.9 Roads and Traffic Management

3.9.1 Nexus

The link between the expected types of development in the area and the need for additional traffic, parking and movement systems required to meet that need is based upon:

- The total projected incoming population
- The spatial distribution of this incoming population
- Community consultation and needs assessments
- Road traffic generation
- Assessment of level of capacity of existing roads, car parking and bikeway facilities
- Analysis of the types of facilities required for incoming population.

A major resource in establishing nexus is the existing *Mulwaree Council Section 94 Contributions Plan* various documents produced by the NSW Roads and Traffic Authority as well as the assessment of needs undertaken as part of this review.

3.9.2 Establishing Demand for Facilities

The establishment of demand for traffic, parking and movement systems is based upon the overall needs of the incoming population. Mulwaree Shire does not have a well developed public transport system and urban centres are dispersed. This results in a high dependence on private vehicles.

Determination of demand for private vehicle use is relatively straightforward. The NSW Roads and Traffic Authority publication *Guide to Traffic Generating Development* provides information on traffic generating development that can be used to assess the projected traffic impact on new population increase.

Each use has a different trip generation rate, which is derived from the NSW Roads and Traffic Authority (*Guide to Traffic Generating Development*, 2000). These rates will be used to determine the contributions for individual land uses in the Mulwaree area where they do not comprise residential development (refer Table 3.5).

3.9.3 Future Traffic Growth

The growth in traffic is directly proportional to the number of new developments that occur in the Shire. The potential growth in traffic is based on the following assumptions:

- Traffic growth will continue at similar levels as the past 5 years. The majority of traffic growth (80%) is attributable to dwelling growth.
- Rural areas will experience moderate growth.
- Commercial and industrial growth will continue slowly.

The volume and characteristics of traffic growth and demand is directly related to land use. Manuals such as the *RTA Guide to Traffic Generating Development* clearly demonstrates the nexus between development and traffic increases. It also provides an indication of the magnitude of traffic generation by land use type.

Table 3.5 Generalised Trip Generation Rates by Land Use

Land Use	Daily Trip Rate	Unit per
Aged housing	1-2	Dwelling
Child Minding Facility	3.7	Enrolment
Commercial	25	100 m ² GFA ³
Factories covered by light industry	5	100 m ² GFA
Garden centre not included in Shopping Centre	40	100 m ² retail area
General Heavy Industry	1.5	100 m ² GFA
GPSurgery	50-150	100 m ² GFA
Hardware not included in shopping centre	80	100 m ² GFA
Hospitality Facilities	50	100 m ² GFA
Licensed Clubs	100	100 m ² GFA
Medical Centres & Dentists	50	100 m ² GFA
Mixed Industrial Park	9.0	100 m ² GFA
Motels	3	Unit
Motor Showrooms ²	5	100 m ² GFA
Other Office	16	100 m ² GFA
Restaurant	60	100 m ² GFA
Residential housing ¹	11	Household
Residential Units	4 (1br) 5 (2 br) 6 (3br+)	Unit
Retail	48	100 m ² GFA
Retail Market	20	100 m ² GFA
Service station	200	Pump
Shopping Centres, < 10,000m ²	67	100m ² GFA ²
Taverns, Hotels	110	100 m ² GFA
Warehouses	4	100 m ² GFA

Source: NSW Roads and Traffic Authority

Notes:

1. Residential housing includes semi-detached, townhouses, villas, etc
2. GFA for Motor Showrooms includes any external display areas.
3. GFA is Gross Floor Area
4. Some situations may not fit these categories and Council will determine the trip generation based on expected generation rates.
5. Industrial development trip generation rates will be increased by 33% to take account of road damage caused by heavy vehicles generated by industrial development.

3.9.4 Apportionment of Works

The requirement for road upgrading is directly proportional to the increase in population across the Shire. Table 3.6 sets out the required works to cater to new development towards the road upgrading program. These amounts have been determined following the earlier traffic increase assessment, and taking into account existing road deficiencies, future funding sources and community benefit arising from the works.

Table 3.6: Road Upgrading Needs

Projected Lots to 2021	Total trips	Total Road Upgrading Costs (\$)	S94 (%)	Apportioned Cost (\$)
2,266	24,926	33,285,827	45	14,978,622

Note: Traffic growth has been based on projected population growth and distributed on roads according to existing use patterns. Figures may be affected by rounding. Total trips per lot estimated at 11 per standard residential lot.

The majority of roads are adequate for the existing population and development in the Shire. Where future development has solely created the demand for the works, there will be no apportionment of costs. The following table shows the apportionment rates adopted.

The projected increase in trips as a result of new development will create needs for upgrading of roads as well as management of traffic. No apportionment is adopted for rural roads as these works are solely generated by rural based development.

The works schedule includes all costs that are to be borne by future development. In the case of highway works, these costs are exclusive of RTA grants which will be used to cater to through traffic needs or to address such issues as "black spots" or other such traffic needs.

3.9.5 Calculation of Contributions

All local roadworks are the responsibility of Council to fund. The formula for road contribution plans is as follows:

$$C = \frac{TC}{NT}$$

Where: C is the Section 94 levy expressed as a per trip contribution
 TC is the total cost of the work (apportioned including funds to be collected)
 NT is the total number of new trips in the Shire

Based on the works program for the area, it is proposed that the Section 94 contributions for urban road upgrading be as follows:

TC = \$14,978,622
 NT = 24,926

Thus,

$$C = \frac{\$14,978,622}{24926} = \$600/\text{trip}$$

The contribution will be sought for the following types of development that generate demand for new or enhanced roads and traffic management facilities:

- Residential development of all types.
- All other forms of development that impose demands on roads and other traffic management facilities

Development that does not impose demands on roads and other traffic management facilities will not be subject to a levy for these facilities.

There will also be an additional surcharge on industrial traffic arising from the additional impact that heavy vehicles have on the life of road pavements. For example, the life of road pavements are typically measured as a function of usage. This is known as an Equivalent Standard Axle (ESA) which is equivalent to a small truck.

The life of a road pavement varies typically between 4×10^5 to 1×10^6 ESA's. In other words, a road will require total rehabilitation (rebuilding) after 4,000,000 to 10,000,000 ESA's have traversed it.

A standard T44 articulated semi-trailer vehicle is equivalent to 3.26 ESA's. Therefore, it will reduce the road pavement life at roughly 3 times the rate of a standard ESA. However, not all the traffic generated by industrial development will be semi-trailers (eg, a proportion may be light vehicles of employees). Consequently, it has been assumed that one third of industrial traffic comprises vehicles in excess of 1 ESA. Therefore, industrial traffic will have a 33% surcharge on top of the per trip levy to account for this additional road damage arising from heavy vehicles.

The contributions are:

CONTRIBUTIONS RATES BY DEVELOPMENT TYPE		AMOUNT
	Trip generation rate	
1-bedroom unit	5 trips	\$3000
2-bedroom unit	6 trips	\$3600
3-bedroom unit	7 trips	\$4200
Residential housing	11 trips	\$6600
Residential subdivision (per lot)	11 trips	\$6600
Other	Based on traffic generation	Based on traffic generation

Note: Some situations may not fit these categories and Council will determine the trip generation based on expected trip generation rates.

3.9.6 Extractive Industries

Road pavement deterioration associated with quarries is caused largely by the passage of heavy vehicles. Extractive industries typically cause and exacerbate the deterioration of the road surfaces which then requires the need for considerable expenditure to maintain, repair and, where necessary, reconstruct the roads. Road maintenance can be funded via Section 94 only for quarry and mining operations.

Damage to road surfaces is caused by heavy vehicles and is to be measured by equivalent standard axles (ESA's). It is also widely accepted that the damaging effect of a 4 axle vehicle on road pavement is non-linear (eg double the load causes 16 times the damage – $2 \times 2 \times 2 \times 2$).

This load equivalency results in high potential levels of damage to Shire roads. Therefore, a section 94 contribution is reasonable for new quarries or quarries that expand production to cover the increased level of road deterioration. Such a levy is appropriate for new construction, maintenance and rebuilding of any road that is used by quarry traffic.

As future development of quarries is unknown until the time of expansion/development, all that can be provided at this stage is a formula for the calculation of the levy. The formula for road upgrading and maintenance is as per the existing CP with an increased tonnage rate of 4 cents per tonne to reflect inflation and increase material/labour costs.

$$\text{Contribution per tonne (cents)} = 4(L_1 \times P_1 + L_2 \times P_2 \dots\dots L_n \times P_n)$$

Where:

- L₁ Length of road route 1 used by the extractive industry
- P₁ Estimated percentage of extractive material trucked along route 1
- 4 4 cents per tonne as the contribution towards pavement rehabilitation, restoration, repair and/or maintenance
- L₂ Length of road route 2
- P₂ Estimated percentage of extractive material trucked along route 2

3.10 Bushfire Fighting Facilities

3.10.1 Nexus

The link between the expected types of development in the area and the need for shire support facilities to meet the need of the future population requires an assessment of:

- The total projected incoming population
- Future development of commercial, retail and industrial development which generates employees
- The spatial distribution of this incoming population and employment base
- Community consultation and needs assessments
- Assessment of existing civic improvements and facilities
- Analysis of the types of shire support facilities required for incoming population and employment base.

3.10.2 Existing Facilities

At present, Council contributes towards a bushfire fighting service to the rural areas of the Shire. Discussions with Council have indicated that the following capital expenditure will be required to meet the demand of the future population:

- Upgrading equipment and additional vehicles - \$262,235

3.10.3 Apportionment of Works

The proposed works will be shared with the existing population and an apportionment of 45% has been adopted to take this into account.

3.10.4 Calculation of Contributions

The formula and contributions for bushfire fighting is set out below.

$$\text{Bushfire fighting Contribution} = \frac{C}{P}$$

- Where: C – proportion of the capital cost of the bushfire fighting (apportioned cost).
- P – the estimated population increase to 2008

Therefore,

$$\begin{aligned} \text{Bushfire fighting Contribution} &= \frac{118,005}{1575} \\ &= \$75/\text{person} \end{aligned}$$

The contribution is:

CONTRIBUTIONS RATES BY DEVELOPMENT TYPE		AMOUNT
	Occupancy rate	
1-bedroom unit	1.5 person	\$113
2-bedroom unit	2.2 persons	\$165
3-bedroom unit	2.5 persons	\$188
Residential housing	2.5 persons	\$188
Subdivision (per lot)	2.5 persons	\$188
Tourist facilities	Per bed	\$75
Rural development		Based on demand

The contribution for bushfire fighting purposes will be sought for the following types of development that generates demand and leads to demand for improvement or upgrading of existing or future rural fire fighting services:

- All residential development
- Tourist facilities
- Rural development.

Development that does not impose demands on bush fire fighting facilities will not be subject to a levy for these facilities.

3.11 S94 Administration

3.11.1 Nexus

The preparation and ongoing administration of the Contributions Plan requires the provision of additional resources to ensure that the plan is effective and achieves the intended purpose. It is appropriate that Council recoups this cost.

The purpose of the Administration Levy is to ensure that the provisions of this Contributions Plan are implemented in an efficient and sustainable manner having due regard to the information available to the Council at the time, the provisions of this plan and legal parameters.

The costs for the administration of the Section 94 plan includes:

- The direct capital costs associated with the administration of the Plan including staff time and provision of office space for these functions.
- Professional costs such as for Plan investigations and studies, and land valuations for the purposes of adjusting contributions rates
- Executing legal documents for works-in-kind agreements
- Land acquisition costs

These costs are the direct result of the administration of the Section 94 Contributions Plan. As these are a cost to the Council, the Council has the ability to recoup some or all of these costs through Section 94 levies. Only that proportion of the costs that are borne by Council that are the direct result of administration of Section 94 are included. These have been capitalised across the life of the plan.

3.11.2 Apportionment of Works

The future administration of the Section 94 functions is solely for future development. The capital costs associated with the administrative centre have been apportioned and separated from other costs associated with the centre that house Councils other functions. There is no apportionment of the capital costs associated with salaries, administrative and professional costs and incoming development will be responsible for these costs.

3.11.3 Calculation of Contributions

The costs for the administration of the Section 94 CP is as follows:

- Salaries and administrative costs for life of Plan- \$150,000
- Professional costs for life of Plan - \$10,000

The formula for the administrative contribution is as follows:

$$C = \frac{S + PC}{P}$$

Where: C is the Section 94 levy expressed as a per person contribution
 S is the salaries and administrative cost
 PC is the professional costs
 P is the additional new population to 2008

Thus, the contribution rate at the commencement of this Plan is:

$$C = \frac{160,000}{1575} = \$102/\text{person}$$

The contribution will be sought for the following types of development:

- Residential development of all types.
- All other forms of development that require Section 94 contributions.

The contribution by is:

CONTRIBUTIONS RATES BY DEVELOPMENT TYPE		AMOUNT
	Occupancy rate	
1-bedroom unit	1.5 person	\$153
2-bedroom unit	2.2 persons	\$224
3-bedroom unit	2.5 persons	\$255
Residential housing	2.5 persons	\$255
Subdivision (per lot)	2.5 persons	\$255
Other development	Per person	\$102

Note: Commercial, retail and industrial development will pay a contribution per person based on the following person generation rates:

- commercial development – 1/20 m² of gross floor area (GFA);
- retail – 1/40 m² GFA;
- industrial – 1/80 m² GFA.

4. Part D – Supporting Documents

This Plan has been supported by extensive assessment of population growth and development in the Mulwaree Shire local government area (refer *Accompanying Report*). This has allowed determination of the long term needs of the future population to fulfil the nexus and reasonableness criteria.

This CP has been compiled with reference to the following key documents:

- Department of Urban Affairs and Planning, *Section 94 Manual*, 1997
- DUAP Review of Section 94, 1999
- Urban Development Institute of Australia, *Review of Section 94, Submission to the Department of Urban Affairs and Planning*.
- Local Government and Shire Association of New South Wales, *Review of Section 94, Submission to the Department of Urban Affairs and Planning*.
- Department of Urban Affairs and Planning, *Outdoor Recreation and Open Space Planning Guidelines for Local Government* (NSW DUAP, 1992).
- Mulwaree Shire Council, *Mulwaree Local Environmental Plan 1995*
- Mulwaree Shire Council, *Mulwaree Council Section 94 Contributions Plan 1992*
- Mulwaree Shire Council, *Management Plan 2003/2004*
- Mulwaree Shire Council, *Draft Settlement Strategy 2003*
- SGS Economics & Planning, *Goulburn and Mulwaree Demographic Profile and Projections*, Draft Final Report January 2003.

**APPENDIX A
MULWREE SHIRE WORKS PROGRAM
SECTION 94 CONTRIBUTIONS PLAN: 2003-2008**

Works Program Details	
1. Urban & Civic Improvements	
Foot/cycle pathways upgrade	\$252,000
Tree planting	\$52,500
Total	\$304,500
2. Community Facility Strategy	
Health Care/Community Centre:	
Costs:	
Building	\$250,000
Land acquisition	\$140,000
Site preparation	\$40,000
Services/car parking	\$40,000
Total	\$470,000
3. Open Space and Recreation Strategy	
Meridian Park	
Toilets: 1 @ \$30,000	\$30,000
Picnic tabled, chairs and shelter: 5 @ \$3,000	\$15,000
Landscaping: 0.777ha @ \$10,000	\$7,777
Seats: 10 @ \$1,000	\$10,000
Sign: 1 @ \$1,000	\$1,000
Parking: 15 @ \$1000	\$15,000
Playground: 1 @ \$20,000	\$20,000
Trees: 200 @ \$120	\$24,000
Design/contingency	\$27,300
Sub Total	\$150,000
Brayton Street Reserve	
Toilet: 1 @ \$30,000	\$30,000
Skateboard ramp: 1 @ \$75,000 net	\$75,000
Landscaping: 3.65ha @ \$10,000	\$36,650
Parking: 50 @ \$1,000	\$50,000
Playground: 1 @ \$20,000	\$20,000
Seats: 20 @ \$1,000	\$20,000
Pathway: 50m @ \$100	\$5,000
Fencing: 175m @ \$20	\$3,500
Trees: 100 @ \$120	\$12,000
Design/contingency	\$27,850
Sub Total	\$280,000
Porthand Avenue	
Toilet: 1 @ \$30,000	\$30,000
Landscaping: 3.665ha @ \$10,000	\$36,650
Playground: 1 @ \$20,000	\$20,000
Seats: 20 @ \$1,000	\$20,000
Pathways: 50m @ \$20,000	\$5,000
Fencing: 350m @ \$20	\$7,000
Trees: \$100 @ \$120	\$12,000
Parking: 30 @ \$1,000	\$30,000
Design/contingency	\$19,350
Sub Total	\$180,000

Works Program Details	
Tupra park	
<i>Landscaping: 0.383ha @ \$25,000</i>	\$9,575
Design/contingency	\$5,425
Sub Total	\$15,000
Tony Onions Park	
<i>Seating: 5 @ \$1,000</i>	\$5,000
<i>Pathways: 50m @ \$100</i>	\$5,000
<i>Trees: 200 @ \$120</i>	\$24,000
<i>Native theme area</i>	\$50,000
Design/contingency	\$16,000
Sub Total	\$100,000
TOTAL	\$725,000
4. Roads and Traffic Improvements Strategy	
<i>Road length construction required – new/existing development</i>	235 km
<i>Capital expenditure - 2021</i>	\$33,285,827
<i>Annual Expenditure</i>	\$1,849,213
4. Bushfire Management Strategy	
Upgrading equipment and additional vehicles	\$262,235