



Section 94 Contributions Plan

Amendment No.90

01CFAC0003

Nowra Community Centre

01CFAC0005

East Nowra District Community Centre

02CFAC0004

Culburra Community Centre – Expansion Area

03CFAC0003

Bay & Basin District Recreation & Cultural Centre, Vincentia High School

05CFAC0005

Southern Shoalhaven District Community Centre

05CFAC0010

Southern Shoalhaven District Library

MACFAC0001

Northern Shoalhaven District Integrated Children's Services

CWCFAC0001 stage 3

Shoalhaven Mobile Children's Services

CWCFAC0001 stage 4

Shoalhaven Multimedia & Music Centre

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1 Introduction

The major review of Council's section 94 Contributions Plan for Community Facilities (Contributions Plan Amendment No. 67) became effective in May, 2004. Since that date, some projects have required further consideration for a number of reasons.

At the time a draft of Amendment No. 67 was reported to Council, a number of issues were still to be resolved. These included the location of the Nowra Community Centre, the Northern Shoalhaven Integrated Children's Services and the Southern Shoalhaven District Branch Library, and possible uses for the first floor of the Shoalhaven Arts Centre building. Expansion plans for the City Library at Nowra were also listed for further investigation.

More recently, discussion has occurred on future development potential at Culburra Beach, and the locations of the East Nowra District Community Centre and Shoalhaven Mobile Children's Services. Construction of the Family Day Care Headquarters has been completed at 80 Park Road, Nowra, and the Ulladulla Multi Purpose Centre has been constructed in St. Vincent Street, Ulladulla.

It is necessary to amend the section 94 Contributions Plan for Community Facilities to reflect these and other changes in the Contributions Plan. Most were the subject of Council resolution MIN05.1085 of August, 2005, which required Amendment No. 90 to be created. However some additional changes are included as a result of changing circumstances and other Council decisions that relate to the provision of community facilities. The projects affected by this amendment are summarised in Table 1.

Table 1
Summary of changes proposed in Contributions Plan Amendment No. 90

Project code	Description	Change authorised in Amendment No. 90
01CFAC0003	Nowra Community Centre	Adjustment to accumulated developer funds and scope of project, and change of location of the facility.
01CFAC0005	East Nowra District Community Centre	Change of location for the facility.
02CFAC0004	Culburra Community Centre – Expansion Area	Change to boundary of Contributions Area.
03CFAC003	Bay & Basin District Recreation & Cultural Centre, Vincentia High School (recoupment project)	Delete from the Contributions Plan when fully recouped.
05CFAC0005	Southern Shoalhaven District Community Centre	Construction completed so project is deleted from the Contributions Plan and surplus developer funds transferred to another project.
05CFAC0010	Southern Shoalhaven District Library	Change of location for the facility.
MACFAC0001	Northern Shoalhaven District Integrated Children's Services	Change to project scope and location.
CWCFAC0001 stage 3	Shoalhaven Mobile Children's Services	Change of location for the facility.
CWCFAC0001 stage 4	Shoalhaven Multimedia & Music Centre	New project.

2 Definitions

The definitions of terms used in this plan are listed in Appendix A.

3 Name of the Plan

This Contributions Plan is Amendment No. 90 (Changes to Certain Community Facilities) of the Shoalhaven City Council Section 94 Contributions Plan 1993. This amendment applies to the following projects in the Shoalhaven City Council Contributions Plan: 01CFAC0003; 01CFAC0005; 02CFAC0004; 03CFAC0003; 05CFAC0005; 05CFAC0010; MACFAC0001; CWCFCAC0001.

4 Legal context

This Contributions Plan has been prepared by Shoalhaven City Council pursuant to Section 94 of the Environmental Planning and Assessment Act and in accordance with the Environmental Planning and Assessment Regulation.

5 Purpose of the Plan

The purpose of Amendment No. 90 is to:

- a) authorise changes to certain details associated with projects affected by this Plan, including the proposed location, estimated cost and/or contribution rate for certain community facilities;
- b) ensure Council's Contributions Plan reflects Council's current position regarding the provision of community facilities;

- c) provide for one new project in Council's Contributions Plan for community facilities, this being the Shoalhaven Multimedia & Music Centre;
- d) authorise Council to require contributions toward the cost of these facilities, as a condition of development consent;
- e) ensure equitable apportionment of costs between existing and future development as a result of new development; and
- f) provide a framework for administration and management of this plan.

6 Commencement of the plan

This Plan will take effect from the date on which public notice is published, pursuant to the EP&A Regulation.

7 Relationship with other plans and policies

This Contributions Plan is Amendment No. 90 of the Shoalhaven City Council Section 94 Contributions Plan 1993. This Plan is a supplement to Council's **Cityplan**, Management Plan, Local Environment Plan and Community Plan 2005 - 2010.

Projects 01CFAC0003, 01CFAC0005, 02CFAC0004, 03CFAC0003, 05CFAC0005, 05CFAC0010, MACFAC0001 and CWCFCAC0001 (stages 1 – 3) are existing projects in Council's Contributions Plan and were the subject of Contributions Plan Amendment No. 67, effective from May, 2004. Contributions Plan Amendment No. 90 makes changes

to certain technical details associated with these projects and therefore bears relationship to, but does not repeal, Contributions Plan Amendment No. 67.

Project CWCFC0001 stage 4 is a new project in the Contributions Plan.

8 Area to which the Plan applies

For each project affected by this Plan, the area to which the Plan applies is shown on the Contribution Area Maps in Appendix B.

9 Assessment of Demand

9.1 Community Centres

Shoalhaven City Council considers that the social development of local communities requires a community facility to be provided, and that local residents use it for their activities. In this regard, residents will have a central place to provide for meetings and for allowing members of the community to build relationships and engage in social activities. Local government is traditionally responsible for the provision of community facilities such as local community halls.

According to the Department of Planning Circular 42, the level of community facility provision is for a neighbourhood centre to service a population of about 2,775 people. This standard, however, was set for suburban development in the Sydney metropolitan area. Whilst conscious of this standard, this Contributions Plan provides a range of community facilities that takes into account the dispersed nature of settlement in the Shoalhaven.

A local multi-purpose community hall is designed to provide a place for a

variety of community activities, which may include:

- playgroups
- community meetings
- club meetings
- classes
- holiday programs
- special interest group activities
- social events
- arts events
- welcoming new residents
- information gathering & distribution
- lockable storage areas for community property

The exact location of a facility essentially depends on the existing road layout and the size of the available land. In some cases an exact location has not been determined, with the criteria for site selection based on a number of factors. Where possible, community buildings are generally located and designed so that the facility will work in harmony with nearby shops, public transport and/or other recreational areas. The building needs to be designed for flexible use with adequate parking and, where possible, allow for future expansion. The site may provide play equipment suitable for a children's' playgroup and there may also be an outdoor area suitable for informal functions such as picnic-barbeques. In addition, the site should be landscaped with a variety of local plant species to illustrate the revegetation possibilities to residents of the local area.

9.2 Libraries

Public libraries are the most widely used community facility in Australia and this pattern is reflected in the Shoalhaven with more than double the usage of other community facilities. They are available to all

citizens, some of whom have no alternative place to access information.

This is important in the Shoalhaven where the average income and education status of the population is lower than the average for NSW. Lifelong learners and tertiary students form a large section of the library clientele. The low school retention rate and low tertiary qualification attainment of Shoalhaven's general population make educational support a high priority. It is also the responsibility of the library to provide services for the elderly and people with special needs, including people with a disability, literacy students and the unemployed.

Information technology is fostering both the use of and demand for information. Use of the Internet and non-book information sources, together with periodicals and other information delivered on-line, dramatically increase the demand for access through the library service. This results in greater demand for in-house resources and staff expertise in an increasing number of specialised areas; i.e. reference library guidance in use of the Internet, CD & DVD materials, new and complex software (e.g. for the disabled) and children's services.

9.3 Children's Services

The Community Plan identifies the key needs for children in the Shoalhaven to be:

- access to services and facilities (particularly in smaller towns and villages)
- child care for 0-2 year olds
- public transport and mobility
- upgrading and increased provision of playground facilities

- co-ordination between service providers
- distribution of services throughout the LGA, and within planning areas, which reflect the need of growing communities

Children's Services in the Shoalhaven offer unique challenges. The City area is relatively large, with many small towns and villages. The population of many communities is not large enough to sustain a range of centre-based care, although the need for children's services is, nevertheless, very real. For this reason, home-based care and multi-purpose facilities need to be considered as preferred options for such communities.

Consequently, Children's Services within the Shoalhaven comprise a range of centre-based and home-based care options in addition to other ancillary support services. The availability of Children's Services offers parents (especially women) employment, training, and social, recreational and respite opportunities which may otherwise be inaccessible.

The issue of affordability is critical in offering Children's Services, especially given the high proportion of low-income families living in the Shoalhaven. Children's Services need to be accessible to lower income groups. However, issues of accessibility and affordability have to be balanced against budgetary constraints and funding limitations.

The Shoalhaven Mobile Children's Services provides an essential service to pre-school aged children living in smaller and more isolated areas of the Shoalhaven who have limited access to preschool and other services. The Mobile Preschool

service is involved in the care and education of pre-school aged children and aims to assist in the achievement of their full development potential. The service is an important generator of social capital in the Shoalhaven and creates a focal point for families in local communities.

The Mobile Preschool service offers structured early childhood sessions for mainly 3 to 5 year old children in community halls, with sessions lasting between 3 and 6 hours duration. The service provides activities for up to four separate communities each week and often includes a program for transition to infant school.

The needs of local communities may vary as the number of preschool aged children changes from year to year as communities establish, grow, age and then change when young families move in again. The Shoalhaven Mobile Preschool provides a flexible early childhood service to local communities without the need for large infrastructure costs associated with a centre-based service.

9.4 *Expected population growth*

For the purposes of cost apportionment in this amendment, the population growth estimates used in Contributions Plan Amendment No. 67 will be applied.

9.5 *Method of Apportionment of Costs*

For the facilities described in this Plan, the cost of the facility will be apportioned pro rata between the existing population and the additional population arising from expected residential development in the relevant Contributions Area, as

measured by the current and expected number of residential dwellings (equivalent tenements, ET). Council will bear the cost share for the existing population and developer contributions will be required for the cost share associated with future development.

10 *Project 01CFAC0003, Nowra Community Centre*

10.1 *Project description and scope*

Following development of the Shoalhaven Multi Purpose Cultural & Convention Centre and its inclusion as project CWCFCAC002 in the Contributions Plan in December, 2005, Council determined that some of the functions that were previously associated with the Nowra Community Centre, specifically those associated with social and arts events, would be accommodated at the Cultural Centre. Activities associated with community and club meetings, community information and community classes remain within the scope of the Community Centre. In reconsidering the scope of the Nowra Community Centre, Council has resolved to allocate 50% of funds available as at January, 2006, amounting to \$266,794 from project 01CFAC0003 to project CWCFCAC0002. This amendment authorises the transfer of these funds.

10.2 *Project Location*

Contributions Plan Amendment 67 identifies the location of this facility as Bridge Road, Nowra. This site is no longer available. A number of alternative sites have been considered but as at the date of this amendment, none have been adopted

by Council as a preferred site for a new Community Centre. Consequently, this project is retained in the Contributions Plan at an unspecified location.

10.3 Estimated Cost of Facility

A revised cost estimate that reflects a change in project scope is included in Appendix C.

For the purpose of Contributions Plan Amendment No. 90, it is assumed that the preferred location is within or adjoining the Nowra CBD on land that will need to be acquired by Council, so the cost estimate for property acquisition has been reviewed accordingly based on typical Nowra CBD land values. Note that until a specific property has been identified, a number of options are possible, including

- acquisition of vacant land requiring construction of a new facility
- acquisition of property with an existing building on site requiring refurbishment to the standard necessary for a public purpose
- amalgamation of this project with another section 94 community facilities project
- acquisition of premises that are partly required for the purpose of a community centre and partly available for other purposes

Consequently, some flexibility is required in interpretation of cost estimates for this project, but the proposed cost estimate is considered reasonable in satisfying any of these options.

11 Project 01CFAC0005, East Nowra District Community Centre

Contributions Plan Amendment No. 67 identifies the location of this facility as Isa Road, Worrigeer. This location is no longer available. This project is retained in Contributions Plan Amendment No. 90 at an unspecified site in Worrigeer or adjoining localities. The scope of the project is unchanged. The cost estimate has been increased according to the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics (see Table 2).

Developer contributions to this project are approaching the target amount set in Contributions Plan Amendment No. 67. Amendment No. 90 authorises the deletion of this project from the Contributions Plan when the target amount is reached. The project financial account will remain active and interest earnings will be applied to the account to offset cost increases until the facility is built.

12 Project 02CFAC0004, Culburra Community Centre

The South Coast Sensitive Urban Lands Review of October, 2006, has recommended to the NSW Minister for Planning that future development at Culburra Beach be excluded from the catchment of Lake Wollumboola and restricted development be permitted only outside this area.

The review panel has recommended that significant buffer areas be established to protect sensitive ecosystems, but encourages development densities greater than normal in those areas that can be

developed. Initial assessment by Council staff indicates that an area of approximately 35 ha of land currently zoned 2(c) Residential might be available for future development, with potential for around 830 ET depending on development density.

Project 02CFAC0004 in Contributions Plan Amendment No. 67 was based on a development scenario of 800 ET, which remains a reasonable estimate of development potential. However, it was applied to a contributions area that is no longer possible for development. Consequently, Contributions Plan Amendment No. 90 contains a revised contributions area, as shown in Appendix B, but retains the same project description. The cost estimate has been increased according to the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics (see Table 2).

13 Project 03CFAC0003, Bay and Basin District Recreation and Cultural Centre, Vincentia High School (recoupment project)

This project has been completed but retained in the Contributions Plan until the developer share of expenditure has been recouped from contributions. This amendment authorised the deletion of this project from the Contribution Plan when expenditure is fully recouped.

14 Project 05CFAC0005, Southern Shoalhaven District Community Centre

Construction of the Southern Shoalhaven District Community Centre has now been completed in

St. Vincent Street, Ulladulla, allowing project 05CFAC0005 to be deleted from the Contributions Plan.

Construction cost was lower than foreshadowed in the Contributions Plan. Complying with a Council resolution, this amendment authorises the transfer of surplus developer contributions, amounting to \$350,031 plus future contributions to project 05CFAC0005 arising from consents issued but not yet acted on, to project 05CFAC0010 (Southern Shoalhaven District Branch Library). Council considers this to be a reasonable equivalent community facility for these funds to be applied to.

15 Project 05CFAC0010, Southern Shoalhaven District Branch Library

Contributions Plan Amendment No. 67 lists the location of the Southern Shoalhaven District Branch Library (project 05CFAC0010) at 266 Green Street (cnr St. Vincent Street), Ulladulla. Council has resolved to not acquire this property for the Library.

Contributions Plan Amendment No. 90 retains this project in the Plan at an unspecified location within the Ulladulla CBD. The cost estimate has been increased according to the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics (see Table 2).

16 Project MACFAC0001 (part 1), Northern Shoalhaven District Integrated Children's Services - Family Day Care Headquarters

A new facility for Shoalhaven Family Day Care Headquarters has been completed at 80 Park Road, Nowra. This was part of the scope of works for project MACFAC0001 (Northern Shoalhaven District Integrated Children's Services) described in Contributions Plan Amendment No. 67. The cost of construction was met by the proceeds of the sale of the Berry Street Preschool, with no call on developer contributions. Contributions Plan Amendment No. 90 removes this project from the scope of works for project MACFAC0001 and includes an amended scope and cost estimate for the remaining parts of project MACFAC0001 (see Table 2).

17 Project MACFAC0001 (parts 2 & 3), Northern Shoalhaven District Integrated Children's Services - Noah's Ark and Jumbunna Preschool expansion

17.1 Project Location

Contributions Plan Amendment No. 67 nominates 37 and 39 Worrigeer Street as the location for an expanded facility. Council has resolved to not acquire these properties for this purpose but an alternative location has not been adopted. Given the preference of the existing providers of these services for a Nowra CBD location, Contributions Plan Amendment No. 90 retains these parts of project MACFAC0001 but at an unspecified location.

17.2 Estimated Cost of Facility

The cost schedule in Appendix C recognises the reduction in scope of the remaining parts of the project, reducing the proposed floor space

and construction cost accordingly. However, this has been offset by an increase in the estimated cost of land to be acquired for the purpose.

18 Project CWCFAC0001 stage 3, Shoalhaven Mobile Children's Services

Contributions Plan Amendment No. 67 nominates Isa Road as the location for this project, which is no longer available. It is proposed to co-locate this facility with other community facilities at 80 Park Road, Nowra. The cost estimate has been increased according to the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics (see Table 2).

19 Project CWCFAC0001 stage 4, Multimedia & Music Centre (new Citywide project)

19.1 Project description and scope

The Shoalhaven Multimedia & Music Centre will comprise music recording studios, film and television production suites, a radio production suite, digital production and editing suites, multimedia training laboratories and facilities for the local community radio station Triple U FM.

In summary, the purpose of the Shoalhaven Multimedia & Music Centre is to:

- establish a 'State of the Art' facility that provides access to

- specialty resources and training programs for the entire community
- present accredited courses in Media, Multimedia, Music, Film Making, Event Management and Arts Management
- enhance the Creative Industry throughout the Shoalhaven, specifically in Multimedia and Music
- address skill shortages among existing industry workers in the Multimedia/Music industry in the Shoalhaven
- create new career pathways for local school leavers
- skill local personnel to serve as a resource for regional business development
- establish trainee and apprenticeship programs in Multimedia/Music industry in the region
- develop networks and collaborative projects in community radio, TV, music and film making

Construction of the Multimedia and Music Centre is the second stage of the redevelopment of a disused institutional building into the Shoalhaven Arts Centre. At the time of acquisition by Council, the building did not meet current building standards for mobility and access and did not comply with the requirements of the Disability Discrimination Act.

Stage one of the redevelopment, to create a functioning Art Gallery and associated facilities on the ground floor of the building, was completed in 2004 and is project CWCFA0001 (stage 2) in Council's Contributions Plan. Council has committed a further \$550,000 specifically to the redevelopment of the first floor of the

building, allocated to building compliance issues such as lift, floor levels, access toilets, some air conditioning, fire escape, security and project management. Conversion of the disused building, located at a prime location within the Community Services precinct of Nowra CBD, represents a low cost but highly effective solution to the delivery of this facility.

19.2 Project Location

This facility occupies the first floor of the Shoalhaven Arts Centre, located at 12 Berry Street, Nowra, as shown in the locality map in Appendix D.

19.3 Assessment of Demand

Shoalhaven City Council's '**CityPlan**', Management Plan and Community Plan all indicate a need for recreational and cultural development while specifically recommending expansion of the City's Arts facilities. The Multimedia and Music Centre will offer a source of training and mentoring in media and music industry while presenting a facility where music recording and film making can be enjoyed and developed. The Centre will provide an unmet need in educational training and qualification attainment in the Shoalhaven and serve existing and potential residents in the whole of the Shoalhaven area.

Shoalhaven City Council contracted Twyford Consulting to conduct consultations with the community in regard to the concept of developing the first floor of the Arts Centre in Nowra into a Multimedia and Music Centre. Meetings were advertised through public notice. Four consultations were conducted and 350 letters were sent to Arts

organisations and youth sector. The community were highly enthusiastic to the concept with schools and other institutions providing strong support.

It is proposed that accredited courses be offered in Entertainment, Media and the Arts to secondary, tertiary and mature age students, while mentoring individuals and groups within the community in music/video based recording and development. State of the art technology will be employed in the fit out of training and recording rooms providing a fully professional and high quality facility for the delivery of various projects and programs.

By providing nationally accredited training and educational programmes and supporting growth in employment opportunities in the arts, entertainment, film, television, music, radio and multimedia industries, it is expected career pathways and higher education opportunities will become available to all sectors of the community, adding value to the social capital of the Shoalhaven. It will generate strong and positive networks through the region, developing into collaborative projects such as entertainment and cultural festivals, seminars and development workshops. New CDs, films, short films, animated shorts, film festivals, film crew and team opportunities are some of the products and services that will emerge from this facility. The interest and growth in writing music and having work recorded for distribution and/or playing commercially will grow as training support enhances skill development.

19.4 Estimated Cost of Facility

Council has voted \$550,000 to make the building usable in respect of

compliance to building standards and functional objectives. This amount is subject to recoupment under Contributions Plan Amendment No. 90 and is in addition to expenditure by the operators of the facility.

Council has secured grant funding of an additional \$400,000, to be applied to the fit-out of the facility. This portion of the project cost will not be included in the s94 project. Income derived from lease or other rental sources will be applied to recurrent expenditure and therefore not affect contributions.

19.5 Apportionment of Costs

Cost apportionment for this project will be the same as applied to stages 1 – 3 of project CWCFA0001, as described in Contributions Plan Amendment No. 67 and being 18.4% funded by developer contributions.

20 Contributions Formula

20.1 Equivalent Tenements

Council uses the term Equivalent Tenement (ET) when referring to residential development. For residential development, a single detached dwelling is rated as 1.0 ET. For medium density residential development, the number of ET is calculated as follows:

- 1 bedroom unit = 0.4 ET
- 2 bedroom unit = 0.6 ET
- 3 bedroom unit = 0.8 ET
- 4 bedroom unit = 1.0 ET

An allowance for existing land use is permitted in calculating the number of ET.

20.2 Contribution rate formula

The contribution rate is specified on a '\$ per ET' basis, and is calculated by the following formula:

Contribution Rate (\$/ET) = Developer Cost Share (\$) ÷ Estimated additional dwellings (ET)

Values for the developer cost share and the estimated number of additional dwellings are summarised in Table 2. Where the project cost estimate is based on that used in Contributions Plan Amendment No. 67, the original cost estimate has been indexed by the Implicit Price Deflator published by the Australian Bureau of Statistics.

Table 2
Values used in the contributions formula

Project code	Description	Estimated project cost (\$)	Developer cost share (\$)	Estimated additional dwellings (ET)
01CFAC0003	Nowra Community Centre	\$1,882,168	\$427,252 (22.7%)	3,924
01CFAC0005	East Nowra District Community Centre	\$3,442,009	\$2,086,202 (60.6%)	2,297
02CFAC0004	Culburra Community Centre – Expansion Area	\$582,728	\$582,728 (100%)	800
05CFAC0010	Southern Shoalhaven District Library	\$3,677,055	\$1,278,879 (34.8%)	5,871
MACFAC0001	Northern Shoalhaven District Integrated Children's Services	\$1,394,320	\$237,034 (17%)	7,324
CWCFAC0001 stage 3	Shoalhaven Mobile Children's Services	\$432,714	\$79,663 (18.4%)	11,036
CWCFAC0001 stage 4	Shoalhaven Multimedia & Music Centre	\$550,000	\$101,200 (18.4%)	11,036

21 Contribution Rates

Table 3 summarises current and proposed contribution rates for projects affected by this amendment.

Table 3
Contribution Rates

Project code	Description	Current contribution rate (per ET)	Contribution rate under this amendment (per ET)
01CFAC0003	Nowra Community Centre	\$256.11	\$108.88
01CFAC0005	East Nowra District Community Centre	\$908.22	No change
02CFAC0004	Culburra Community Centre – Expansion Area	\$728.44	No change
03CFAC003	Bay & Basin District Recreation & Cultural Centre, Vincentia High School (recoupment project)	\$15.82	Deleted
05CFAC0005	Southern Shoalhaven District Community Centre	\$247.81	Deleted
05CFAC0010	Southern Shoalhaven District Library	\$217.83	No change
MACFAC0001	Northern Shoalhaven District Integrated Children's Services	\$39.34	\$32.38
CWCFAC0001 stage 3	Shoalhaven Mobile Children's Services	\$7.21	No change
CWCFAC0001 stage 4	Shoalhaven Multimedia & Music Centre	(not in current Contributions Plan)	\$9.17

22 Review of contribution rates

22.1 Annual review of contribution rates

Contributions will be adjusted annually on 1st July in line with movements in the Implicit Price

Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics.

22.2 Receipt of grant funding

Should grant funding be made toward these projects, such funds will be used to reduce the total cost of the relevant part of the project, and contribution rates will be adjusted accordingly.

22.3 Periodic review of population projections

Population projections that were applied to these projects in Contributions Plan Amendment 67 (effective May, 2004) have been applied to this Plan. Council periodically reviews population projections, usually at 5 year intervals to coincide with new census data. It is expected that a review of the 2006 census data will occur during the first few years of this Plan. Should future analysis reveal significant departure from the estimates used in this Plan, the Plan will be amended.

23 Payment of Contributions

The contribution is expected for all residential subdivision and development in the designated Contribution Area. Credit for existing land use is determined at the time of a subdivision or development application.

23.1 Method and timing of payment

Payment of contributions can be by cash, money order or bank cheque. Payment will be required prior to the issuing of the linen plan in the case of subdivisions, or before the issue of a construction certificate or complying development certificate in any other case.

23.2 Construction Certificates and the Obligation of Accredited Certifiers

In accordance with section 94EC of the EP&A Act and Clause 146 of the EP&A Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied. In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

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

23.3 *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 for residential 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.

23.4 *Adjustment of contributions at the time of payment*

If payment is not made in the financial year that consent is granted, the amount payable will be adjusted on 1st July in line with movements in the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics, and according to the following formula:

$$CR_c = CR_p \times IPD_c \div IPD_p$$

where

CR_c = contribution rate for the current year

CR_p = contribution rate for the previous financial year

IPD_c = implicit price deflator index for current year

IPD_p = implicit price deflator index for previous financial year

23.5 *Deferral of payment*

In exceptional circumstances, Council may permit deferred payment provided the following criteria are met:

- The works to which the contribution is to be applied are

not essential works or relate to public health or safety;

- The maximum deferral is two years from the standard payment date;
- A bank guarantee is provided for the full amount plus interest charges;
- Interest will be charged equivalent to that charged on overdue rates for the period of the bank guarantee;
- Payment of an administration fee equivalent to the bank guarantee lodgement fee for subdivision related matters, to be paid at the time of lodgement of the bank guarantee;
- The amount of the contribution exceeds \$5,000.

Council will also consider an application for payment by instalments over 5 years for tenants of businesses operating in the Shoalhaven Local Government Area that can demonstrate special circumstances.

An application for deferral or payment by instalments will need to be submitted to Council and will be determined at Council's discretion.

23.6 *Savings and transitional arrangements*

A subdivision or 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 this Plan if this Plan is effective at the date the application is determined.

23.7 *Exemptions and Discounts*

Council does not allow standard exemptions or discounts for contributions in this Plan.

23.8 Works In Kind and other Material Public Benefits

Council will consider the construction or provision of facilities, services or infrastructure by an Applicant to offset a monetary contribution or to bring forward the construction of a facility ahead of Council's budgeted works program.

If construction of a facility is requested by an Applicant in advance of its inclusion in Council's budgeted works schedule, Council will consider options including:

- Provision of the facility by the Applicant by way of Work In Kind or other Material Public Benefit in lieu of a monetary contribution;
- Provision of the facility at the Applicant's expense, with Council recouping contributions from future development in the Contribution Area and reimbursing those to the Applicant for costs exceeding the Applicant's share, up to the total projected cost of the Plan.
- Provision of the facility at the Applicant's expense, with Council reimbursing the Applicant for Council's stated share of the costs when such funds become allocated in the budget.

These options apply to all works described in this Plan, including works to be fully funded by Council.

The applicant will need to initiate an acceptable option by providing Council with the full details of the proposed works prior to construction. Council will then consider the request and advise the Applicant accordingly. Acceptance of any such alternative is at the sole discretion of Council.

Works In Kind and other Material Public Benefits are subject to Council approval, and will be expected to comply with the requirements of any relevant Development Control Plan, Planning Policy, this Contribution Plan amendment and relevant construction standards. Council will require the applicant to enter into a written agreement for the provision of the works.

23.9 Land Dedication

Council may permit the dedication of land to offset a monetary contribution. Suitability assessment of the subject land occurs at the development or subdivision application stage.

24 Construction Schedule

The estimated schedule for construction for projects yet to be completed is summarised in Table 4. However, this schedule is subject to the rate of development and competing priorities in Council's capital works program, and is therefore to be used only as a guide.

Table 4
Estimated Construction Schedule

Project code	Description	Estimated construction schedule
01CFAC0003	Nowra Community Centre	2007 - 2012
01CFAC0005	East Nowra District Community Centre	2007 - 2012
02CFAC0004	Culburra Community Centre – Expansion Area	Subject to rate of development.
05CFAC0010	Southern Shoalhaven District Library	2007 - 2012
MACFAC0001	Northern Shoalhaven District Integrated Children's Services	2007 - 2012
CWCFAC0001 stage 3	Shoalhaven Mobile Children's Services	2010 – 2012
CWCFAC0001 stage 4	Shoalhaven Multimedia & Music Centre	2007 - 2008

References

Shoalhaven City Council
Contributions Plan Amendment No.
67 (Community Facilities)

Shoalhaven Community Plan 2005 -
2010

Adopted by Council:
25th June 2007

and

Became effective from:
25 July 2007



Appendices

- A Definitions
- B Contribution Area Maps
- C Project Cost Estimates
- D Locality map

R D Pigg
General Manager

Section 94 Contributions Plan
Amendment No. 90 - Changes to
Certain Community Facilities, being
this written Statement and
accompanying maps, was

Date: APPENDIX A

Definitions

The following definitions apply to terminology used in this Plan:

Anticipated Development

An estimate of the number of new dwellings to be built.

Apportionment

The % of the total cost of a project to be borne by existing residents compared to the % of the total cost to be borne by anticipated development.

Contribution Area

Land which is the subject of a contributions plan.

Contributions Plan

A formal document prepared by Council as required under the EP&A Act, to explain how developer contributions are calculated and spent, and a number of administrative details.

Contribution rate

The amount to be paid as a development contribution, expressed per unit of development.

Deferral

Payment of Section 94 contributions may be deferred until after the standard date of payment, subject to exceptional circumstances and specific approval from Council.

Development Consent

Formal approval by Council before a development can proceed; s94 contributions are stated as one of the conditions of development consent.

Development Contribution

An amount of money Council is entitled to collect toward the cost of infrastructure arising from new development.

Development Control Plan (DCP)

Detailed guideline that illustrates the controls that apply to a particular type of development or in a particular area. A DCP refines or supplements a regional environmental plan (REP) or local environmental plan (LEP) and is made according to the EP&A Act 1979.

Dwelling

A building used as a separate domicile.

Equivalent Tenement (ET)

A unit of measure, based on the number of bedrooms for a residential development, to determine the relative impact of a development compared to a single detached dwelling.

Implicit Price Deflator (IPD)

A standard measure of price movements published by the Australian Bureau of Statistics. Council uses the IPD for New Engineering and Construction to best reflect changes in the cost of works.

Material Public Benefit

A contribution by a developer that is not in the form of a monetary contribution or land dedication.

Medium Density Development

Residential development consisting of flats, villa units, cluster housing, mobile housing estates or caravan parks.

Nexus

The specific relationship between expected development and the demand it creates for additional infrastructure or facilities.

Patronage Factor

An estimate of how much use of a facility will be generated from a particular area or group.

Residential Development

Development for the construction of dwellings.

Transitional Arrangements

A procedure that is applied whilst a contributions plan is in preparation.

Works In Kind

A type of material public benefit where construction of some or all of the works contained in a contributions plan is by the developer.

Works Program

A list of the works to be undertaken by Council.

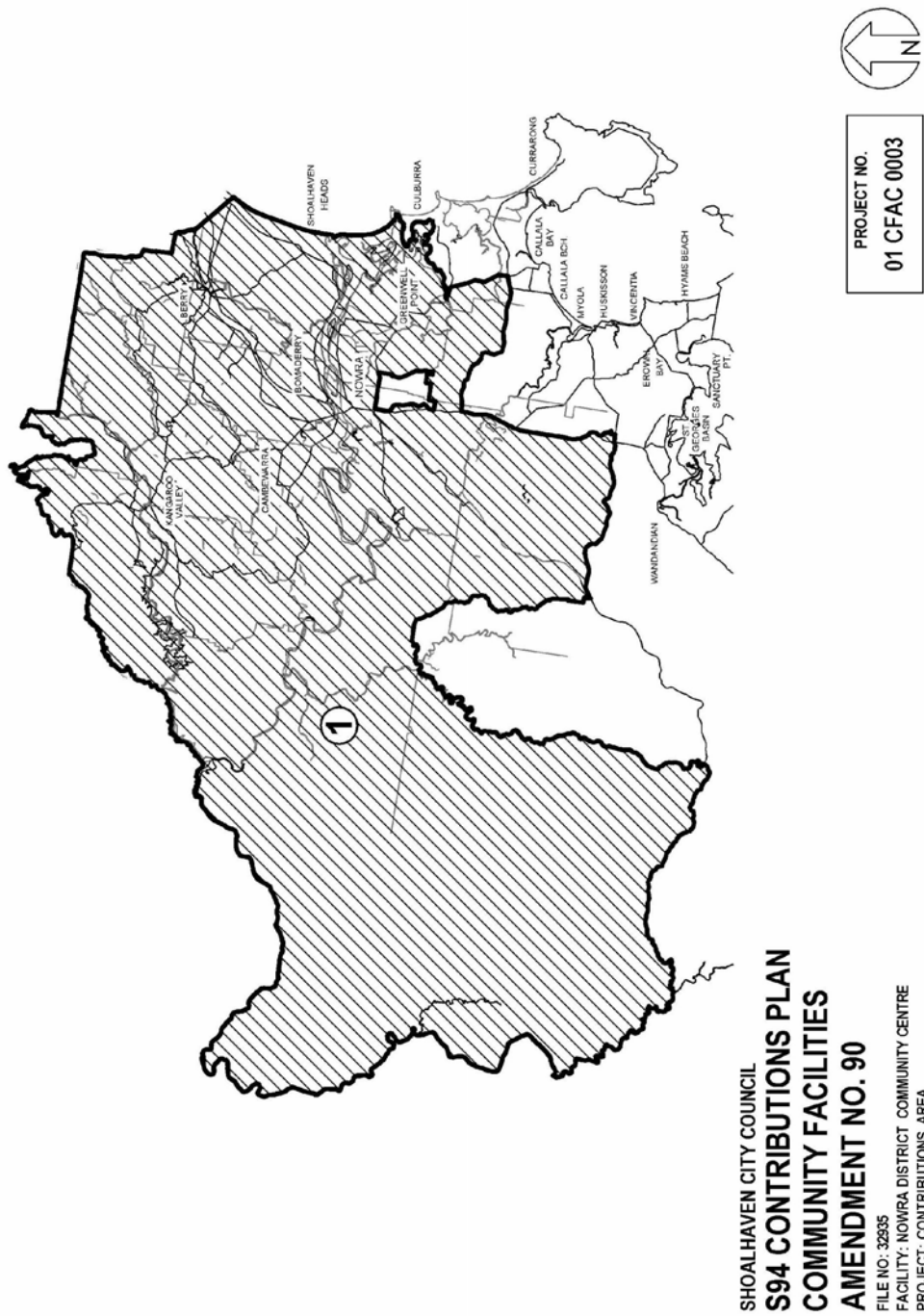
Works Schedule

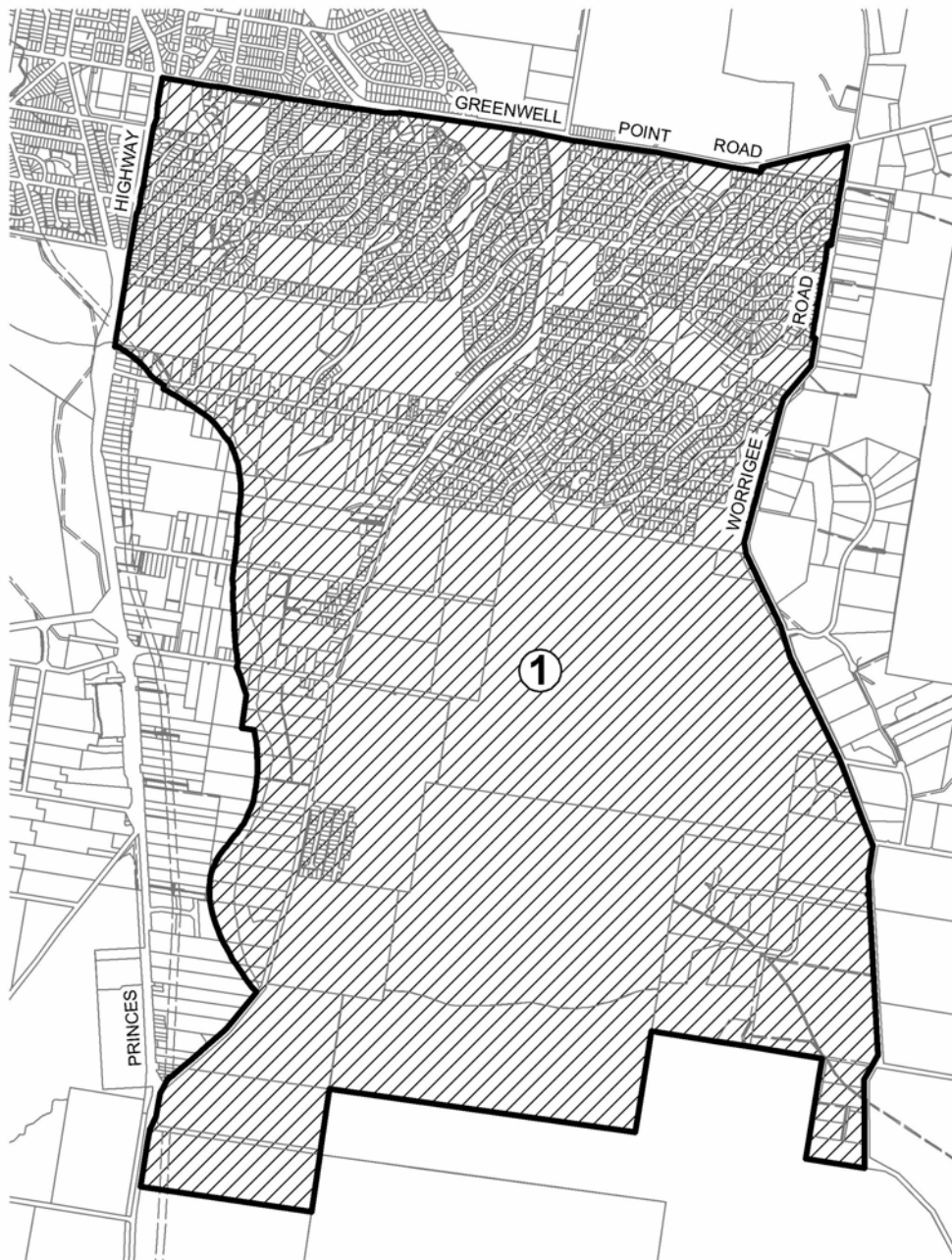
A list stating when Council expects the works in the works program to be undertaken.

APPENDIX B

Contribution Area Maps

The following maps identify the land which is the subject of contributions for the various projects affected by this Plan.



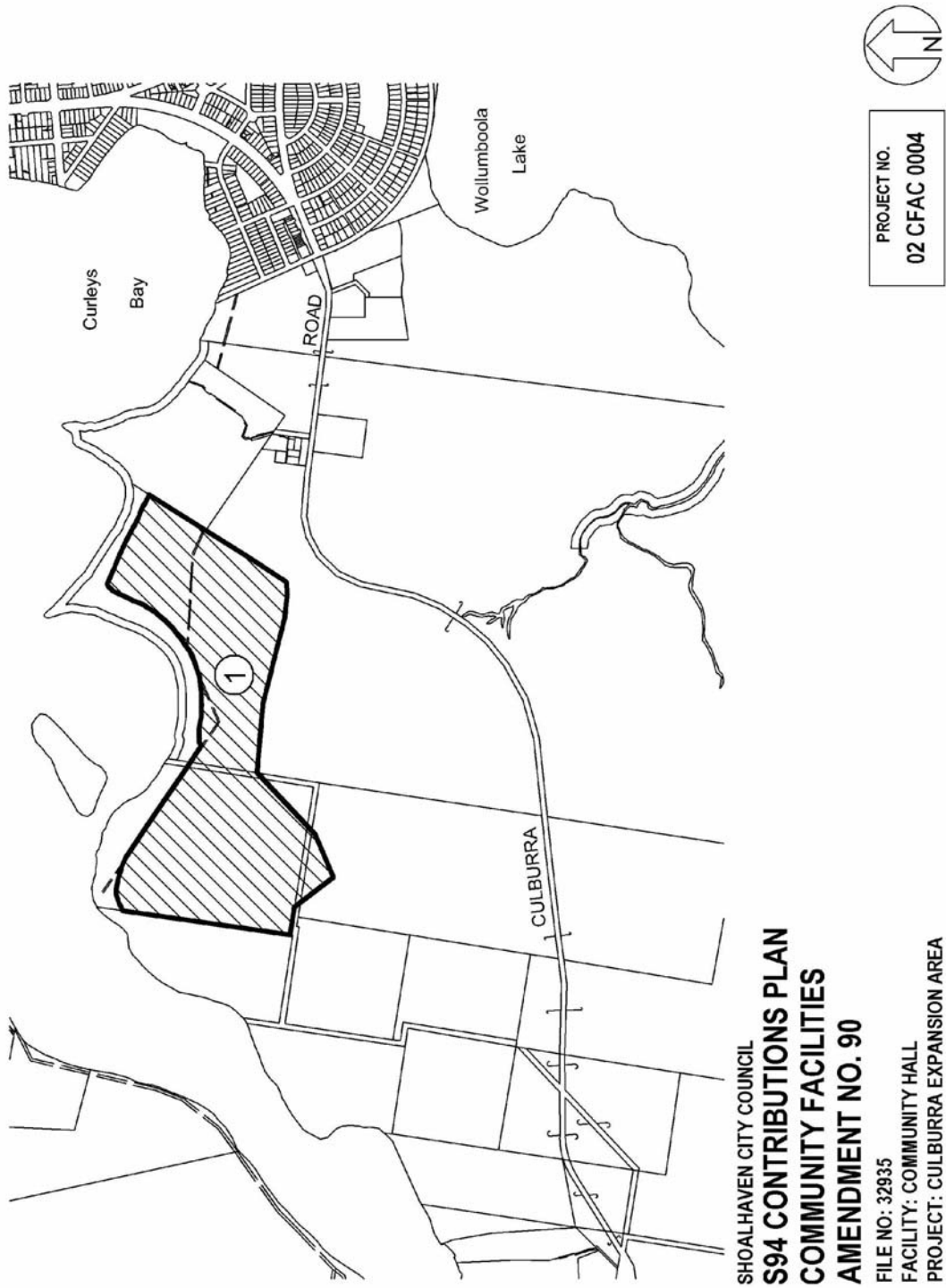


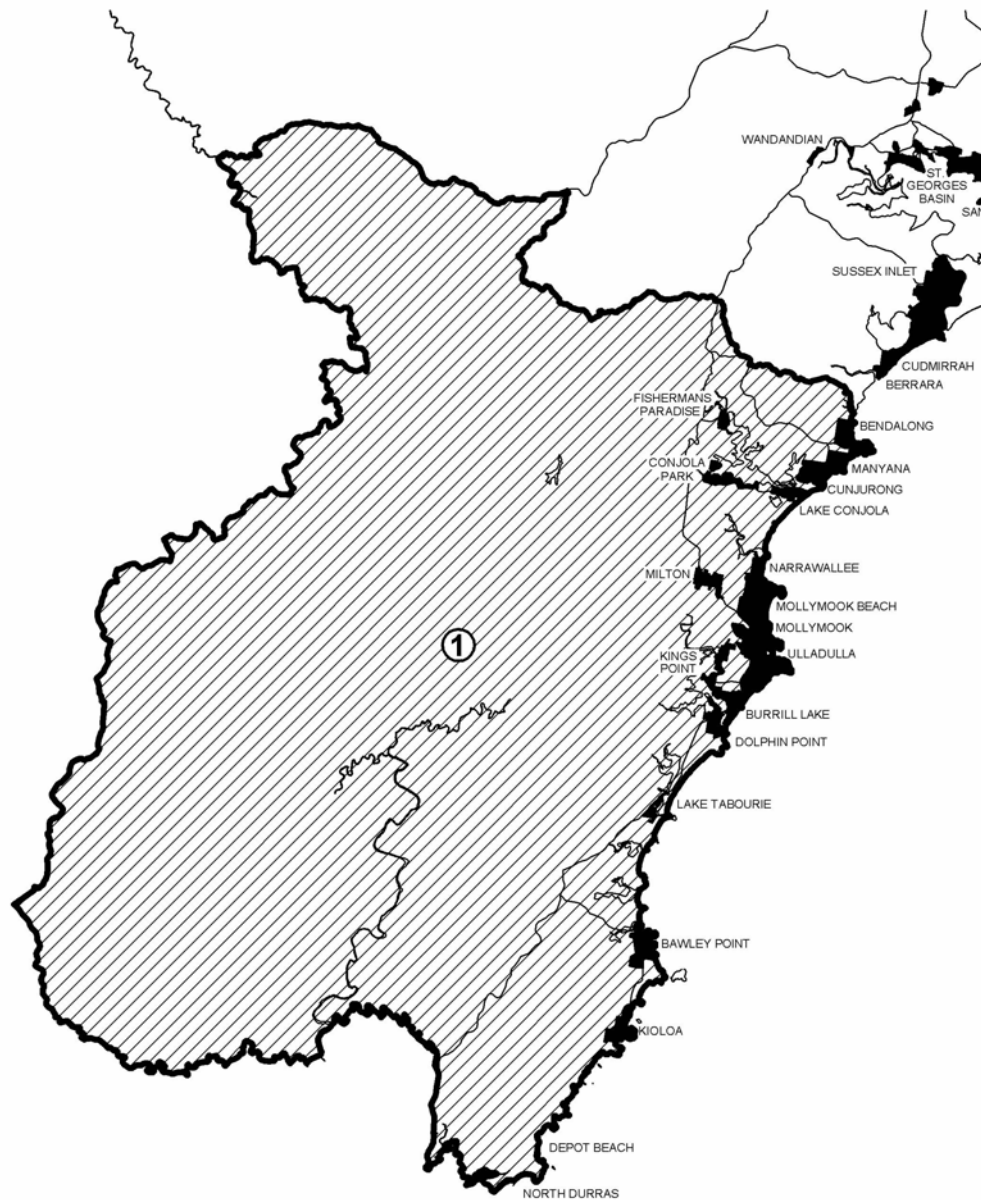
SHOALHAVEN CITY COUNCIL
S94 CONTRIBUTIONS PLAN
COMMUNITY FACILITIES
AMENDMENT NO. 90

FILE NO: 32935
FACILITY: EAST NOWRA DISTRICT COMMUNITY CENTRE
PROJECT: CONTRIBUTIONS AREA

PROJECT NO.
01 CFAC 0005





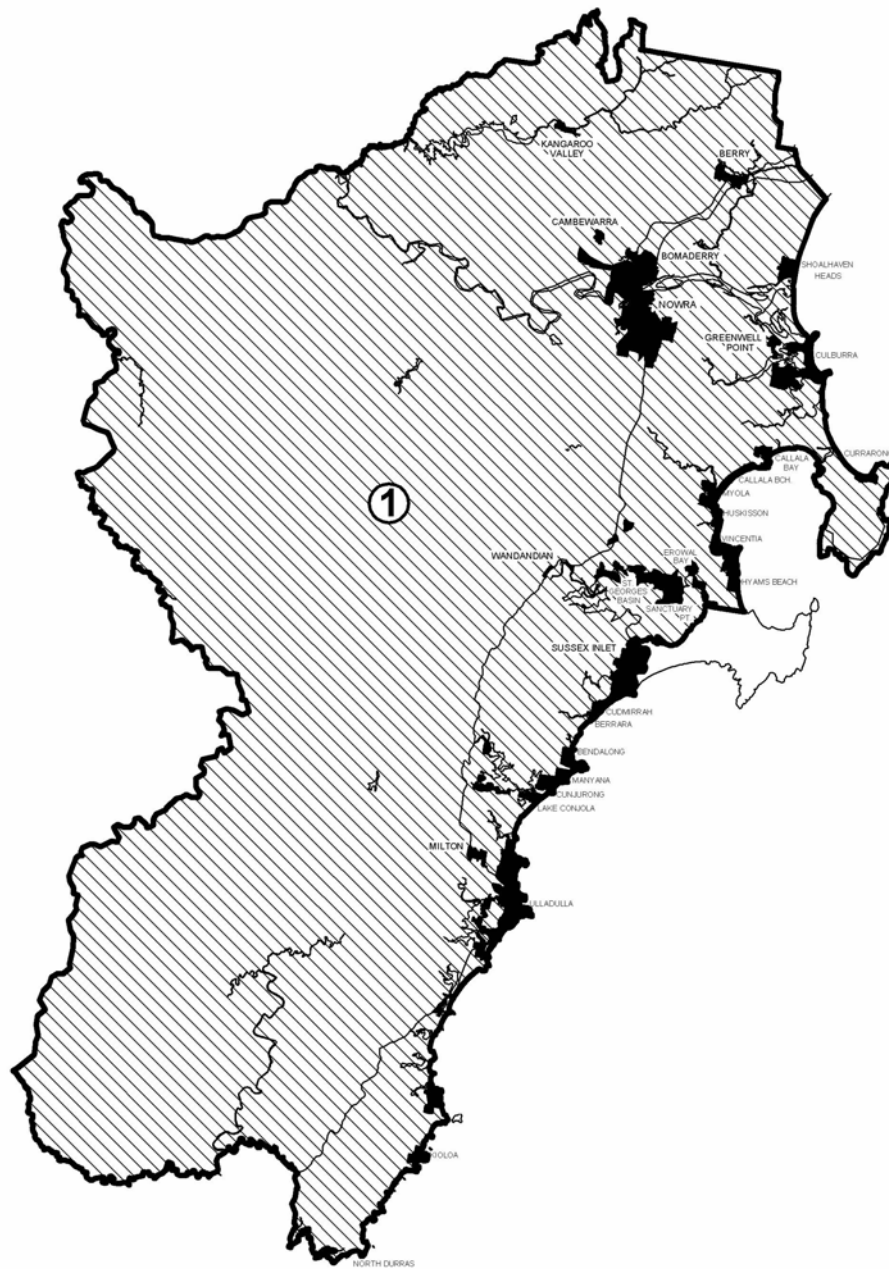


SHOALHAVEN CITY COUNCIL
**S94 CONTRIBUTIONS PLAN
COMMUNITY FACILITIES
AMENDMENT NO. 90**

FILE NO: 32935
FACILITY: SOUTHERN SHOALHAVEN DISTRICT BRANCH LIBRARY
PROJECT: CONTRIBUTIONS AREA

PROJECT NO.
05 CFAC 0010





**SHOALHAVEN CITY COUNCIL
S94 CONTRIBUTIONS PLAN
COMMUNITY FACILITIES
AMENDMENT NO. 90**

FILE NO: 32935

FACILITY: STAGE 1 - SHOALHAVEN CITY LIBRARY EXTENSIONS - BERRY STREET, NOWRA
STAGE 2 - SHOALHAVEN CITY ARTS CENTRE - BERRY STREET, NOWRA
STAGE 3 - SHOALHAVEN MOBILE CHILDREN'S SERVICES
STAGE 4 - SHOALHAVEN MULTIMEDIA & MUSIC CENTRE - BERRY STREET, NOWRA
PROJECT: CONTRIBUTIONS AREA

PROJECT NO.
CW CFAC 0001



APPENDIX C

Cost Estimate 01CFAC0003, Nowra Community Centre

Site preparation		\$42,000	
Building works	265 m ² @ \$1,700	\$450,500	
Balconies, verandahs, etc.	70 m ² @ \$1,000	\$70,000	
Car parking	45 spaces @ \$2,800	\$126,000	
Landscaping, paving, signs, etc.		\$65,000	
Soil & water management		\$30,000	
Sewer & water charges		\$10,845	
Sub-total			\$794,345
Survey & design	8.5%		\$67,519
Project management	10%		\$79,435
contingencies	20%		\$158,869
Land costs	1100 m ² @ \$700		\$770,000
Transaction costs			\$12,000
Total cost			\$1,882,168

Cost Estimate MACFAC0001, Northern Shoalhaven Integrated Children's Services

Building works	250 m ² @ \$1,700	\$425,000	
Balconies, verandahs, etc.	25 m ² @ \$1,000	\$25,000	
Car parking	10 spaces @ \$2,800	\$28,000	
Landscaping, paving, signs, etc.		\$55,100	
Soil & water management		\$12,000	
Sub-total			\$545,100
Survey & design	8.5%		\$46,351
Project management	10%		\$54,510
contingencies	20%		\$109,020
Land costs	1120 m ² @ \$560		\$627,200
Transaction costs			\$12,000
Total cost			\$1,394,164

APPENDIX D

Locality Map, Shoalhaven Multimedia & Music Centre

