



**Young Shire Council**  
Section 94A Developer Contributions Plan

February 2016

**DOCUMENT CONTROL**

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|                  |                       |             |                |                    |

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## 1.1 Overview

This Section 94A Developer Contributions Plan addresses the public facilities and amenities that will be required to meet the needs of the incoming population of Young. It applies to the whole of the Young Local Government Area.

Section 94 of the *Environmental Planning and Assessment Act 1979* authorises a consent authority responsible for determining a development application to grant consent to a proposed development subject to a condition requiring the payment of a monetary contribution or the dedication of land free of cost, or both, towards the provision of public amenities and public services.

This Plan was prepared in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. This plan describes the forecast future demands for public facilities and amenities in Young, the programs of works (projects) which will be implemented to meet these demands, the anticipated costs of these programs, and the basis for determining a reasonable apportionment of the costs to the incoming resident and worker population.

The new population will result in the need for augmented and/or additional community facilities, recreation facilities; and public domain facilities and infrastructure. This plan is intended to have a life of 10 years, with reviews required every 5 years.

## 1.2 Implementation

As a condition of development consent, Council will require payment of money and/or dedication of land or works as a contribution to the cost of the provision of infrastructure required to enable development in Young LGA.

The following table provides a summary of the cost of the proposed infrastructure to be funded under this Contributions Plan, the money that has been collected under previous plans that is being brought forward and the funds to be collected under this Contributions Plan.

| Cost of infrastructure | Money collected to date | Funds to be collected under this plan |
|------------------------|-------------------------|---------------------------------------|
| \$6,100,000            | \$0-                    | \$6,100,000                           |

The works schedule contained in Appendix B of this plan identifies the public facilities for which section 94A (s94A) levies will be required.

Levies applicable under this section 94A contributions plan are as follows:

| Proposed cost of the development | Levy (%) |
|----------------------------------|----------|
| \$100,000 or less                | Nil      |
| \$100,001 . \$200,000            | 0.5%     |
| More than \$200,000              | 1.0 %    |

# Part A – Summary

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## 2. Administration and operation

### 2.1 Name of the plan

This Plan is called the Young Shire Council Section 94A Developer Contributions Plan.

### 2.2 Land to which this plan applies

This plan applies to all land within the local government area of Young.

### 2.3 What is the purpose of this plan?

The purpose of this contributions plan is:

- To authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 94A of the of the *Environmental Planning and Assessment Act 1979* (EP&A Act);
- To assist the Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area; and
- To identify publicly the purposes for which the levies are required.

### 2.4 Commencement of the plan

This Development Contributions Plan takes effect from the date on which public notice was published, pursuant to clause 31(4) of the *Environmental Planning and Assessment Regulation 2000* (EPA Regulation).

This Section 94A Development Contributions Plan was adopted by Council at its Meeting of **20 April 2016** and came into force on 1 July 2016.

### 2.5 Relationship to other plans

This Plan, together with Young Section 94 Plan (2016) repeals the following plans:

- Young Shire Council Section 94 Contributions Plan (1993)

The Young Section 94 Plan (2016) has been prepared to levy contributions required for RU4 zoned lands, CBD car parking, and industrial subdivisions.

### 2.6 Development to which this plan applies

This Plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 of the Act in respect of development on land to which this plan applies, with the exception of the following development:

- Subdivisions within the RU4 zone where a contribution is required under Young Section 94 Plan (2016)
- Industrial subdivisions and development within the IN1 zone where a contribution is required under Young Section 94 Plan (2016)

### 2.7 Savings and transitional provisions

If a development application has been made but has not been finally determined before notification of the adoption and commencement of this Plan has been published in the local

newspaper, the application is to be determined in accordance with the Contributions Plan in effect at the time the application was originally made.

## 2.8 Definitions

The definitions relating to this Plan not stated below have the same definition as those contained in the Council's LEPs and DCPs. Where a definition is not contained in this Plan, the LEP or DCP then the following documents, in order of preference, shall be used to determine the meaning of the word.

1. The Environmental Planning and Assessment Act 1979.
2. The Environmental Planning and Assessment Regulation 2000.
3. Other Acts and Regulations of the NSW Parliament.
4. The latest edition of the Macquarie Dictionary.

In addition in this Plan, the following words and phrases have the following meanings:

**"ABS"** means the Australian Bureau of Statistics.

**"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 EP&A Act.

**"Council"** means Young Shire Council.

**"CPI"** means the All Groups Consumer Price Index (Canberra) as published by the Australian Bureau of Statistics.

**"EP&A Act"** means the Environmental Planning and Assessment Act 1979 as amended.

**EP&A Regulation** means the Environmental Planning and Assessment Regulation 2000 as amended.

**"LEP"** means a Local Environmental Plan made by the Minister under Section 70 of the EP&A Act.

**"LGA"** means Local Government Area.

**"Planning agreement"** means a planning agreement referred to in Section 94 of the Environmental Planning and Assessment Act 1979.

**"Works Schedule"** means the schedule of public facilities and infrastructure for which development contributions may be required. It also includes the likely timing of provision of those public facilities based on projected rates of development.

## 2.9 Are there any exemptions to the levy?

Directions made under Section 94E of the *Environmental Planning and Assessment Act 1979* by the Minister for Planning require that a Section 94A levy cannot be imposed on certain development. The complete list of development deemed exempt by the Minister and Council are outlined in Appendix A.

## 2.10 What does Section 94A of the Act provide?

Section 94A of the EP&A Act provides as follows:

## 94A Fixed development consent levies

(1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.

(2) A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 94.

(3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

(4) A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.

### 2.11 Council shall require payment of the levy as a condition of development consent

This plan authorises the Council to impose a condition on a development consent requiring the applicant to pay to Council a levy calculated as per clause 2.12.

### 2.12 How will the levy be calculated?

The levy will be calculated as follows:

| Proposed cost of the development | Levy (%) |
|----------------------------------|----------|
| \$100,000 or less                | Nil      |
| \$100,001 . \$200,000            | 0.5%     |
| More than \$200,000              | 1.0 %    |

The Levy will be calculated as follows:

$$\text{Levy payable} = \%C \times \$C$$

Where:

%C is the levy rate applicable

\$C is the proposed cost of carrying out development as determined in accordance with clause 2.15.

Examples of the relevant levies are provided below:

- John Smith intends to build a residential dwelling worth \$205,000. The levy under this plan would be 1% of \$205,000 or **\$2,050** (subject to indexation).
- Jane Doe wants to attached dual occupancy worth \$195,000. The levy under this plan would be 0.5% of \$195,000 or **\$975** (subject to indexation).

### 2.13 How is the proposed cost of carrying out development determined?

Clause 25J of the EP&A Regulation sets out how the proposed cost of carrying out development is to be determined.



That clause provides as follows:

*“25J Section 94A levy—determination of proposed cost of development*

1. *The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:*
  - (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,*
  - (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,*
  - (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.*
2. *For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates*
3. *The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*
  - (a) the cost of the land on which the development is to be carried out,*
  - (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,*
  - (c) the costs associated with marketing or financing the development (including interest on any loans),*
  - (d) the costs associated with legal work carried out or to be carried out in connection with the development,*
  - (e) project management costs associated with the development,*
  - (f) the cost of building insurance in respect of the development,*
  - (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),*
  - (h) the costs of commercial stock inventory,*
  - (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law.”*

## **2.14 Cost estimate reports must accompany an application for a development application or a complying development certificate**

An application for a development application or a complying development certificate is to be accompanied by a report, prepared at the applicant's cost in accordance with this clause, setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the EP&A Regulation.

The following types of report are required:

- Where the estimate of the proposed cost of carrying out the development is less than \$1,000,000 - a cost summary report in accordance with Appendix C; and
- Where the estimate of the proposed cost of carrying out the development is \$1,000,000 or more . a detailed cost report in accordance with Appendix C.

## **2.15 Approved persons for the provision of cost estimate reports**

For the purpose of clause 25J(2) of the EPA Regulation, the following persons are approved by the Council to provide an estimate of the proposed cost of carrying out development in the following circumstances:

- Where the estimate of the proposed cost of carrying out the development is less than \$1,000,000 . a suitably qualified building professional; and
- Where the estimate of the proposed cost of carrying out the development is \$1,000,000 or more . a registered quantity surveyor.

Upon reviewing a cost summary report or detailed cost report, the Council may, at the applicant's cost, require a further estimate to be provided by a registered quantity surveyor.

## **2.16 Complying development certificates and the obligations of accredited certifiers?**

Development applications for Complying Development are also subject to the provisions of this plan, and the payment of a Section 94A contribution. The complying development certificate is to include a condition that requires the payment of the appropriate levy.

Payment for levies on a complying development certificate is to be made to Council within 2 days of the date of the complying development certificate being issued to an applicant and prior to any works occurring on site.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies 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 EPA Regulation. Failure to follow this procedure may render such a certificate invalid.

## **2.17 Can deferred or periodic payments be made?**

The Council's policy is not to allow deferred or periodic payment of monetary section 94A contributions.

## **2.18 Are there alternatives to payment of the levy?**

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

Council may accept such alternatives in the following circumstances:

- a) *Offer made to the Council as part of a development application*

The applicant may include in the relevant development application or in an application for a modification under section 96 of the EP&A Act, an offer to carry out works or provide a material public benefit towards which the levy is to be applied. The Council will consider the offer as part of its assessment of the development application or as

an application for a modification to a development approval under section 96 of the EP&A Act where a levy has been imposed pursuant to this plan. If the Council agrees to the arrangement and grants consent to the application, it will substitute a condition of consent under section 80A or section 96 of the EP&A Act (whichever is relevant) requiring the works to be carried out or the material public benefit to be provided for a condition requiring payment of a levy under section 94A.

In assessing the applicant's offer, the Council will have regard to any relevant requirements of the current Practice Note issued by the NSW Government (DIPNR 2005) and such other matters as the Council considers relevant in the circumstances of the case including, but not limited to:

- a) 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; and
- b) the standard of the works is to Council's full satisfaction and the works are handed over to the Council without restriction of limitation; and
- c) the provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program.

b) *Offer to enter into a Voluntary Planning Agreement (VPA)*

An applicant may offer to enter into a voluntary planning agreement with the Council under section 93F of the EP&A Act in connection with the making of a development application. This offer may include payment of money, dedication of land, the carrying out of works, or another material public benefit for public purposes. Those purposes need not relate to the impacts of the applicant's development nor to the items listed in Appendix B . Works Schedule

The applicant's provision under a planning agreement may be additional to or instead of paying a levy in accordance with a condition of development consent authorised by this plan. This will be a matter for negotiation with the Council. The offer to enter into the planning agreement together with a copy of the draft agreement should accompany the relevant development application.

The Council will publicly notify the draft planning agreement and an explanatory note relating to the draft agreement along with the development application and will consider the agreement as part of the assessment of that application.

If the Council agrees to enter into the planning agreement, it may impose a condition of development consent under section 93I (3) of the EP&A Act requiring the agreement to be entered into and performed. If the Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this plan requiring the payment of a levy.

c) *Legal agreements pertaining to works in kind*

All offers, should they be accepted, to provide Works In Kind, or a material public benefit towards which the levy is to be applied, in lieu (in full or in part) of satisfying a condition of consent relating to payment of a Section 94A contribution will be subject to a legal agreement between Council and the applicant. All agreements will include, but not limited to, the following:

- The works to be undertaken;
- The timing of the works;
- The quality of the works;

- The costs of the works;
- the applicant's rights and responsibilities; and
- Council's rights and responsibilities.

## **2.19 How will the Council apply money obtained from the levy?**

Money paid to the Council under a condition authorised by this plan is to be applied by the Council towards meeting the cost of the public facilities that will be or have been provided within the area as listed in Appendix B.

## **2.20 What are the funding priorities from levies authorised by this plan?**

Subject to section 93E(2) of the EP&A Act and clauses 18 and 20 of this plan, the public facilities listed in Appendix B are to be provided in accordance with the staging set out in that Schedule.

## **2.21 Pooling of levies**

For the purposes of section 93E(2) of the EP&A Act, this plan authorises money obtained from levies paid in respect of different developments to be pooled and applied by the Council progressively towards the public facilities listed in accordance with the staging set out in that Schedule.

## **2.22 Goods and services tax (GST)**

At the time this Plan was made, the position of the Australian Taxation Office (ATO) was that the payment of development contributions made under the EP&A Act is exempt from the Goods and Services Tax (GST). Items in the works schedule of this Plan have been calculated without any GST component.

## **2.23 When is the levy payable?**

A levy must be paid to Council at the time specified in the condition that imposes the levy. If no such time is specified, Council's policy is that the levy is to be paid prior to the issue of a construction certificate, or for development subject to a complying development certificate before any construction works commence on the site.

## **2.24 How will the levy be adjusted?**

A contribution required as a condition of development consent is to be adjusted at the time of payment and indexed in accordance with CPI (All Groups - Canberra) as outlined in Appendix E.

## **2.25 Are refunds for payments of levies possible?**

For a refund of levy payments to be considered, the applicant/landowner must:

Submit a written request to Council:

- As a part of the request, demonstrate that the development that is the subject of the consent has not been commenced
- Formally surrender the consent that applied the levy

In other circumstances considered reasonable by Council at its sole and unfettered discretion, where a formal request is made, part or full refunds may be provided.

## **2.26 Plan will be subject to periodic review**

Council is to undertake periodic reviews of the works included within Appendix B of this plan, including the maintenance of a record of completed works and the introduction of new services and facilities into the works schedule in place of those completed. In this regard it is expected that the plan be reviewed every 5 years.

## **2.27 Ministerial directions under Section 94E of the Act**

Conditions authorised by this Plan are subject to any direction given by the Minister under section 94E of the EP&A Act. This Plan authorises the imposition of conditions in accordance with any such direction.

### 3. Expected Development and Demand for Public Facilities

This part broadly discusses the relationship between the expected types of development in the Council’s area and the demand for additional public amenities and services to meet that development. That relationship is established through current demographic information.

The expected types of development are, but not limited to:

- Residential;
- Multi-dwellings development;
- Residential flat buildings;
- Dual occupancies;
- Alterations and additions;
- Aged care development;
- Mixed use development;
- Retail development;
- Industrial development;
- Recreation and tourism related development;
- Subdivisions; and
- Changes of use.

The relationship between expected development and the demand for public facilities is established through:

1. Population projections estimate the future population of Young Shire utilising information from 1996-2011 census data and NSW Planning and Environment. For full details please refer to the draft Section 94 Contributions Plan.

**Table 1 Population Projections (Estimate)**

| Year                       | Population (No.) |
|----------------------------|------------------|
| 1996                       | 11,400           |
| 2001                       | 11,900           |
| 2006                       | 12,400           |
| 2011                       | 12,800           |
| 2016                       | 13,200           |
| 2021                       | 13,500           |
| 2026                       | 13,900           |
| 2031                       | 14,200           |
| 2036                       | 14,400           |
| Increase from 2011 to 2036 | <b>1,600</b>     |

1996-2011 data from census data ABS

2016-2036 data from NSW Planning and Environment

2. The likely population growth will diminish the enjoyment and standard of public facilities for the existing population unless additional facilities are provided to meet the additional demand.
3. The likely growth will require the provision of additional public facilities to meet additional demands.

Council is committed to promoting sustainability across all areas of the community. Council defines this as delivering social, cultural and environmental systems that operate in harmony for the benefit and wellbeing of all residents. The objective is to enable residents to enjoy a good quality of life in an active and vibrant community. Council's role in the provision of community and recreation facilities and civil infrastructure all contribute to the collective and individual wellbeing. Council aims to provide access and equity to all services and facilities for all members of the community.

The section 94A levy will enable Council to provide high quality and diverse public facilities to meet the expectations of the existing and new businesses and residents of Young. The additional public facilities to be provided to meet the expected future development are set out in Appendix B.

### **3.1 Rationale for development Levy**

There are a number of factors that have traditionally influenced the ability of Council to deliver community facilities in a manner that matches demand using a traditional Section 94 approach:

- Difficulties defining and maintaining the nexus between who contributes toward the cost developing community facilities and who the users of the facilities are; and
- Low apportionments under a traditional Section 94 model.

These problems are overcome through the adoption of a percentage levy of total development cost as the method of collection of development contribution under section 94A of the EP&A Act. Funds collected under this system are pooled in a single reserve and are used to fully fund the provision of new public facilities and services in locations where Council has identified demand. This demand has led to the inclusion of specific projects within the Schedule of Works of the Plan (Appendix B).

### **3.2 Strategic Planning References**

#### **3.2.1 Young Shire Industrial and Commercial Lands Review 2007**

The findings of this review prepared by Parsons Brinckerhoff in 2007 were used by Council in preparation for the Settlement and Development Strategy and also the new LEP for the Young LGA. The existing industrial development in Young is made up of a diverse range of industries, however growth in the past has come from the growth of existing businesses rather than industrial relocation to the area.

It was estimated in the review that employment growth by 2015 would be 5-25%, which amounts to an additional 235 employees and an additional 25 hectares of land. In order for Young to accommodate this estimated growth and to attract industrial growth in the future, current constraints on existing zoned Industrial land to the west of the CBD needs to be addressed. These constraints include:

- a tenure pattern that includes small and irregularly shaped holdings
- numerous owners
- inconsistent road provision (location, width and pavement material)

- a varying landform, incorporating creeks, gullies and rock outcrops.

As a result a number of factors should be considered in new zoning opportunities in order to cater for future industrial land uses, including:

- areas of vacant land
- problems of connectivity and distribution of vacant land
- provision of engineering services
- competing demands for other land uses
- compatible and ancillary service land uses . e.g. retail support
- the impact of tightening up land use controls
- locational problems in finding 35 hectares.

A heavy vehicle by-pass was also considered for Young in order to better accommodate heavy vehicles but also look after the existing road network within the CBD. However, the current situation was not considered critical.

### **3.2.2 Industrial Lands Investigation Young 2011**

This study was put together to address the %deferral matters+in the LEP 2010 in relation to Industrial Land provision in Young. Industrial zoned land (IN1) is located to the west of the CBD and land zoned B6 Enterprise Corridor and B7 Business Park to the north and south of Young could accommodate commercial and industrial development and benefit from its proximity to the Olympic Highway. Across this land there is approximately 218 hectares of land, however only about 41% of land zoned IN1 is being used for industrial purposes, meaning there is approximately 70 hectares of land available for future industrial development.

Based on population forecasts for the Young Shire an increase of 2,000 persons or 16% is expected between 2006 and 2036. It is expected that there is an adequate supply of industrial land for the short, medium and most likely, long term. However there are questions as to the capacity and ability for all of these lands to respond to and satisfy current and foreseeable market demand.

The adequacy of the service within the context of the town appears to be satisfactory. Areas on the edge display differential capability in terms of current capacity and future planning for expansion. This will be a factor in influencing how and where the township expands into the future for a range of land use types. It is not emerging as an issue for the short term.

Again, heavy vehicle route options were examined and although it was not determined to be critical a range of short term options were identified. The location, context, foreshadowed changes and development in the industrial areas are unlikely to exacerbate the situation in the medium to long term. Heavy vehicle traffic generation will be within the range of expectations as industrial areas in Young are developed and occupied in the future.

### **3.2.3 Young Rural Lands Study Report 2008**

This report was developed to provide recommendations to the Young Shire Council for consideration in the development of the LEP. A major finding of the study was that agriculture is greatly significant to the region and that protection of land critical to agriculture is essential for the future growth of Young.

The Rural Lands Study assessed the minimum lot sizes within the current Rural LEP and recommended minimum lot sizes for the future based on the principles of the new Rural Lands (2008) SEPP Rural Sub-division Principles. These minimum lots sizes were:



- 170ha for general/mixed (broadacre) farms; and
- 25ha for horticultural and viticultural activities.

Other recommendations to the Young Shire Council were:

- The adoption of the aforementioned minimum lot sizes;
- Rural residential strategies for the Shire, in particular within the immediate vicinity of Young;
- Village growth strategies; and
- Urban growth strategies for the town of Young.

The adoption of this Rural Lands Study provides the opportunity for Council to underpin the future growth of both the town of Young and the Shire, and strengthen their position as a major town and region within the south west slopes of NSW.

### **3.2.4 Young Planning Proposal No 2 – RU4 Lands around Young and Murringo 2011**

Planning Proposal No 2 arose in response to concerns about optimum zone and minimum lot size requirements following exhibition of the draft LEP. The report looked at subdivision approvals, land supply and demand and agricultural and rural living suitability to provide the best option for future management of RU4 lands.

From 2001 to 2010 the total number of lots created within RU4 land in Young were 466 lots, with an average of 45 lots per year and an average lot size of 4.2 hectares. Strong subdivision activity was recorded in 2009, which may be associated with the pending changes to planning controls following completion of the Booth Rural Lands Study in 2008 and preparation/exhibition of the Draft LEP in 2009. This view is reinforced by the relatively low rate of subdivision activity during 2010 when only 12 lots were created.

Based on population growth projections and data that one third of total demand housing is for larger residential lots and estimate of land demand was undertaken. The total area of land zoned RU4 on the fringes of Young is 9,394.4 hectares. Of this land approximately 6,500 hectares is considered residual and is theoretically available for subdivision. Based on a minimum lot size of 4 hectares and an assumed subdivision approval rate of 30 lots per year the total land required per year is estimated to be 135 hectares. The total RU4 zoned lands around Young is estimated to provide 48.2 years supply for subdivision.

Conclusions from the agricultural and rural living suitability assessment were:

1. Encourage rural living subdivisions close to the existing urban edge.
2. Protect the productive/agricultural potential of land.
3. Encourage rural living subdivisions where the land has less agricultural potential and considerable fragmentation is evident.

## **Appendix A . Plan exemptions**

The following directions under Section 94E of the *Environmental Planning and Assessment Act 1979* have been made by the Minister for Planning that require that a Section 94A levy cannot be imposed on certain development.

- a. For the purpose of disabled access;
- b. For the sole purpose of affordable housing . (including Granny Flat/Secondary dwelling under 60m<sup>2</sup>);
- c. For the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building;
- d. For the sole purpose of adaptive re-use of an item of environmental heritage (note: the term ~~item~~ and ~~environmental heritage~~ have the same meaning as in the Heritage Act 1977);
- e. Other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out;
- f. Seniors living development under SEPP (Housing for Seniors or People with a Disability) 2004 by a social housing provider;

In addition, Council may allow for the following exemptions (partial or full):

1. An application on behalf of the Council for community infrastructure, such as but not limited to libraries, community facilities, child care facilities, recreational areas, recreational facilities or car parks;
2. An application on behalf of the NSW Government for public infrastructure, such as but not limited to hospitals, police stations, fire stations; education facilities and public transport infrastructure;
3. Places of worship, public hospitals, police stations, fire stations, and other emergency services; and
4. Works proposed to be undertaken for charitable purposes by, or on behalf of, a not-for-profit charity (as defined by the ATO) but only in cases where the development is of a small scale, for example a retail outlet operated by the Salvation Army, St Vincent de Paul or similar organisations, and where the Council considers that there will not be an increase in the demand for public works or infrastructure as a result of the development which would warrant the payment of a Section 94A levy.

Those applicants which seek exemption from a levy under this Plan must provide a comprehensive written submission to Council, which clearly demonstrates how the proposed development falls within one of the development types defined above, prior to the Council determining whether such an exemption applies.

In considering any application for an exemption Council will take into account:

- the extent to which the proposed development comprises or includes the provision, extension or augmentation of public amenities or public services that provide a public benefit, and/or
- whether the applicant is affected by any adverse financial circumstance which will impact on its ability to fund the payment of any levy which is imposed in accordance with this Plan.



| Project                                 |   | Location   | Total Cost (\$)    | Timing               |
|---|---|--|--------------------|----------------------|
| CBD Upgrade Program                     | Upgrade of the CBD including paving, street trees and street furniture, lighting, signage, shared vehicle and pedestrian zone and associated costs. |  | \$550,000          | Short to medium term |
| Multi-Purpose Centre                    | A multipurpose cultural and community facility  |  | \$2,000,000        | Medium to long term  |
| Library                                 | CBD Library   |  | \$1,000,000        | Short to medium term |
| Youth Hub                               | Centrally located and accessible youth hub as identified in the 2010 Youth Strategy   |  | \$1,000,000        | Medium to long term  |
| New Animal Pound                        | Animal Pound as identified in Council's Delivery Program and Operational Plan   |  | \$ 200,000         | Short to medium term |
| Pocket Parks Improvement program        | Complete upgrade including landscaping, paving and pathways, entrance treatments, lighting, fencing, playground and park furniture                  | Tresillian Park, Anderson Park, Rotaract Park, Penson Park, Horton Park, Cartwright Park | \$450,000          | Short to long term   |
| Cycleway Improvement Program            | Facility improvements including shade shelters, amenities and spectator seating   | Alfred Oval, Keith Cullen Oval, Gus Smith Oval, Cranfield Oval, Hall Brother Oval        | \$250,000          | Short to long term   |
| Pedestrian Mobility Improvement program | Signage, lane marking, surface treatments, pedestrian crossings   | CBD  | \$250,000          | Medium to long term  |
|   | Upgrades including pedestrian thresholds, paving and pathways, lighting and signage   | CBD  | \$400,000          | Medium to long term  |
| <b>Total</b>                            |   |  | <b>\$6,100,000</b> |                      |



# Cost Summary Report

## Appendix C - Cost Summary Report

A cost summary report is required to be submitted to allow Council to determine the contribution that will be required. The items and components of the following form should be used as a guide in determining the total cost of a development, for the purpose of determining the s94A levy that applies.

Sample Cost Summary Report

### Cost Summary Report

[Development Cost between \$500,000 and \$1,000,000]

DEVELOPMENT APPLICATION No. \_\_\_\_\_ REFERENCE: \_\_\_\_\_

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION NO. \_\_\_\_\_

CONSTRUCTION CERTIFICATE No. \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

APPLICANT'S ADDRESS: \_\_\_\_\_

DEVELOPMENT NAME: \_\_\_\_\_

DEVELOPMENT ADDRESS: \_\_\_\_\_

ANALYSIS OF DEVELOPMENT COSTS:

|                                   |    |                     |    |
|-----------------------------------|----|---------------------|----|
| Demolition and alterations        | \$ | Hydraulic services  | \$ |
| Structure                         | \$ | Mechanical services | \$ |
| External walls, windows and doors | \$ | Fire services       | \$ |
| Internal walls, screens and doors | \$ | Lift services       | \$ |
| Wall finishes                     | \$ | External works      | \$ |
| Floor finishes                    | \$ | External services   | \$ |
| Ceiling finishes                  | \$ | Other related work  | \$ |
| Fittings and equipment            | \$ | Sub-total           | \$ |

|                                 |    |
|---------------------------------|----|
| Sub-total above carried forward | \$ |
| Preliminaries and margin        | \$ |
| <b>Sub-total</b>                | \$ |
| Consultant Fees                 | \$ |
| Other related development costs | \$ |
| <b>Sub-total</b>                | \$ |
| Goods and Services Tax          | \$ |
| <b>TOTAL DEVELOPMENT COST</b>   | \$ |

I certify that I have:

- ▶ inspected the plans the subject of the application for development consent or construction certificate.
- ▶ calculated the development costs in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000* at current prices.
- ▶ included GST in the calculation of development cost.

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Position and Qualifications: \_\_\_\_\_

Date: \_\_\_\_\_



Sample Quantity Surveyors Report

## Registered\* Quantity Surveyors Detailed Cost Report

[Development Cost in excess of \$[1,000,000]

\*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No. \_\_\_\_\_ REFERENCE: \_\_\_\_\_

CONSTRUCTION CERTIFICATE No. \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

APPLICANT'S ADDRESS: \_\_\_\_\_

DEVELOPMENT NAME: \_\_\_\_\_

DEVELOPMENT ADDRESS: \_\_\_\_\_

### DEVELOPMENT DETAILS:

|                                |                |                          |                |
|--------------------------------|----------------|--------------------------|----------------|
| Gross Floor Area . Commercial  | m <sup>2</sup> | Gross Floor Area . Other | m <sup>2</sup> |
| Gross Floor Area . Residential | m <sup>2</sup> | Total Gross Floor Area   | m <sup>2</sup> |
| Gross Floor Area . Retail      | m <sup>2</sup> | Total Site Area          | m <sup>2</sup> |
| Gross Floor Area . Car Parking | m <sup>2</sup> | Total Car Parking Spaces |                |
| <b>Total Development Cost</b>  | <b>\$</b>      |                          |                |
| <b>Total Construction Cost</b> | <b>\$</b>      |                          |                |
| <b>Total GST</b>               | <b>\$</b>      |                          |                |

### ESTIMATE DETAILS:

|  |           |                                    |                   |
|--|-----------|------------------------------------|-------------------|
| <b>Professional Fees</b>               | <b>\$</b> | <b>Excavation</b>                  | <b>\$</b>         |
| % of Development Cost                  | %         | Cost per square metre of site area | \$/m <sup>2</sup> |
| % of Construction Cost                 | %         | <b>Car Park</b>                    | <b>\$</b>         |
| <b>Demolition and Site Preparation</b> | <b>\$</b> | Cost per square metre of site area | \$/m <sup>2</sup> |

|   |                    |   |                   |
|---|--------------------|---|-------------------|
| Cost per square metre of site area        | \$ <sup>2</sup> /m | Cost per space                              | \$/space          |
| <b>Construction – Commercial</b>          | \$                 | <b>Fit-out – Commercial</b>                 | \$                |
| Cost per square metre of site area        | \$ <sup>2</sup> /m | Cost per m <sup>2</sup> of commercial area  | \$/m <sup>2</sup> |
| <b>Construction – Residential</b>         | \$                 | <b>Fit-out – Residential</b>                | \$                |
| Cost per square metre of residential area | \$ <sup>2</sup> /m | Cost per m <sup>2</sup> of residential area | \$/m <sup>2</sup> |
| <b>Construction – Retail</b>              | \$                 | <b>Fit-out – Retail</b>                     | \$                |
| Cost per square metre of retail area      | \$ <sup>2</sup> /m | Cost per m <sup>2</sup> of retail area      | \$/m <sup>2</sup> |

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate.
- prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors.
- calculated the development costs in accordance with the definition of development costs in the S94A Development Contributions Plan of the Council of Gunnedah Shire at current prices.
- included GST in the calculation of development cost.
- measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed: \_\_\_\_\_

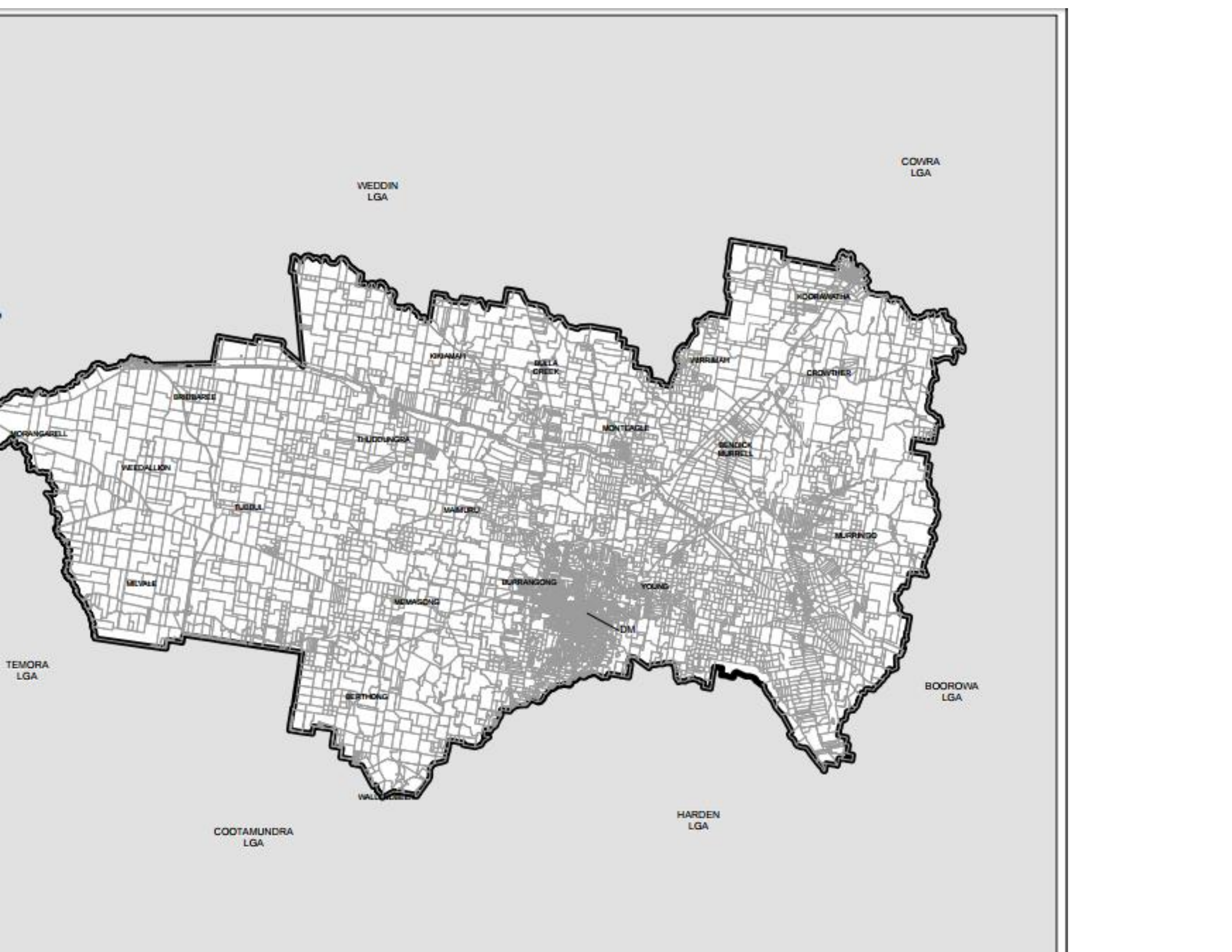
Name: \_\_\_\_\_

Position and Qualifications: \_\_\_\_\_

Date: \_\_\_\_\_

## **Appendix D** - Land Subject to this Plan

See next page



# APPENDIX E – CPI (ALL GROUPS) CANBERRA

2016

2017

2018

2019

2020

2021

2022

2023

2024

2025

2026

2027

2028

2029

2030

2031

2032

2033

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2036