Hawkesbury City Council

attachment to item 4

Draft Section 94 Contributions Plan Review

date of meeting: 31 January 2006
location: council chambers
time: 5:00 p.m.

1 INTRODUCTION

New development generates additional demand for open space, recreational facilities, community facilities, road works and the like. Section 94 of the Environmental Planning & Assessment Act 1979 permits Councils to require persons developing land to pay monetary contributions and/or dedicate land to meet the increased demand for public services and amenities generated by development.

This plan sets out the guidelines for administration of Section 94 Contributions and more specifically, makes the public aware of how Section 94 Contributions are formulated and Council's intentions regarding the type, location and timing of the public amenities and services to be provided.

1.1 WHAT IS THE NAME OF THIS DEVELOPMENT CONTRIUBTIONS PLAN?

~~The~~ This development contributions plan is called the "Section 94 Contributions Plan Review November 2005".

This plan is a revision of Council's Section 94 Contributions Plan originally adopted in 1992, and subsequently revised in 1993, 1996, 1997, 1998, 2000 and 2001.

1.2 AREA THE PLAN APPLIES

This plan applies to all land within the local government area~~s~~ (LGA) of Hawkesbury City Council as shown in Figure 1.

1.3 WHAT IS THE PURPOSE OF THIS DEVELOPMENT CONTRIBUTIONS PLAN?

The purpose of ~~the~~ this Development Contributions Plan is to:

(a) provide an administrative framework under which specific public facilities strateg~~y~~ies may be implemented and coordinated;
(b) ensure that adequate public facilities are provided for as part of any new development;
(c) to authorise the council to impose conditions under ~~S~~Section 94 of the *Environmental Planning and Assessment Act 1979* *(EP & A Act)* when granting consent to development on land to which this plan applies;
(d) provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis;
(e) ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development; and,
(f) enable the council to be both publicly and financially accountable in its assessment and administration of development contributions plan.

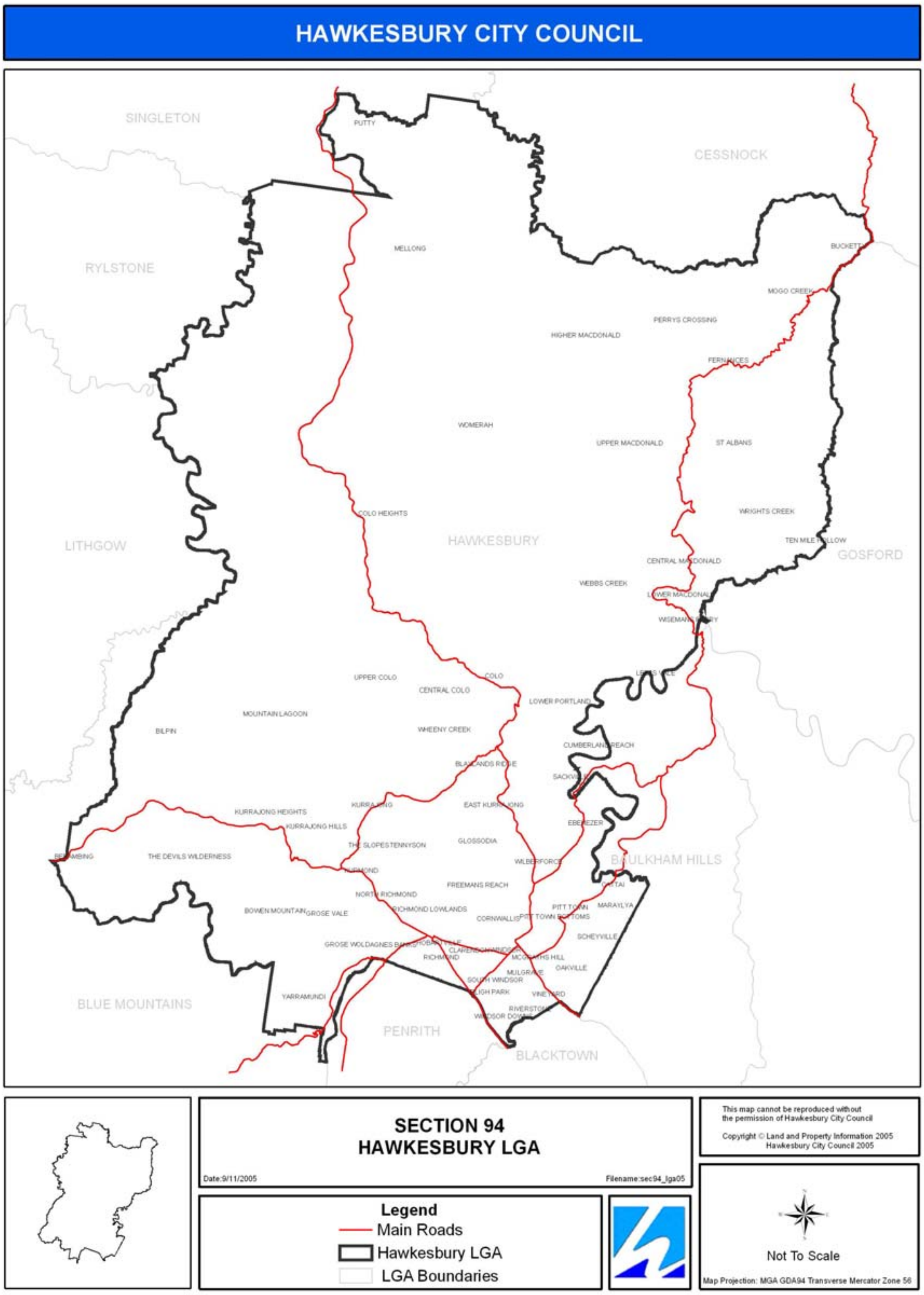


Figure 1 - Hawkesbury Local Government Area

1.4 COMMENCEMENT OF THE PLAN

This development contributions plan has been prepared pursuant to the provisions of ~~s~~Section 94 of the *EP & A Act* and Part 4 of the *EP & A Regulation* and takes effect from the date on which public notice was published , pursuant to clause 31(4) of the EP & A Regulation.

1.5 RELATIONSHIP TO OTHER PLANS

The development contributions plan supplements the provisions of the Hawkesbury Local Environmental Plan 1989 and Hawkesbury Development Control Plan and any amendments or additional plans which they may supersede.

These plans must be consulted by applicants when deciding to develop, as they set down standards and guidelines for different development types. Depending upon the development type, the appropriate contributions will then be determined.

1.6 BASIC PRINCIPLES OF S94

Council may levy Section 94 Contributions for:

1. public services and public amenities which are to be provided in the future, or

2. those public services and facilities which Council has already provided ahead of demand, in anticipation of increased population or demand.

It is important to recognise that Section 94 Contributions are to meet demands generated by new development. The contributions ~~-~~are not in any way used to help address the service demands of existing residents.

In order for Council to require Section 94 Contributions for development, three principles must apply. These principles are:-

- *a contribution must be for, or relate to, a planning purpose;*
- *a contribution must fairly and reasonably relate to the subject development; and*
- *the contribution must be such that the responsible planning authority, duly appreciating its statutory duties, could have properly imposed.*

Apart from addressing the above three principles, the nexus or relationship between the development and the facilities being provided must be clearly demonstrated in the contributions plan. Therefore, as long as contributions are fair, reasonable and directly related to development and a clear relationship can be established between the demand for the facility or the types of services, then a Section 94 Contribution can be applied. Levying contributions on development is important as it reduces the cost burden of new development on the existing residents and ensures the provision of an acceptable level of public amenity and service to new development in the Hawkesbury LGA.

For each type of amenity and service for which a contribution is required, within this plan the following will be addressed:-

- the nexus between the development and the provision of the public amenity or service
- the level of provision
- the contribution rate
- the catchment area
- a Works Schedule outlining works to be undertaken.

The purpose of providing this information is to give a clear background behind the contribution rate and the facilities and amenities which will ultimately be provided to meet the demands of new development.

This Contributions Plan will be reviewed periodically and adjusted where required. This is because anticipated development trends and population predictions cannot be precisely determined.

2 AIMS AND OBJECTIVES

In light of the above introduction and the basic principles of Section 94 Contributions Plans, the aims and objectives of this ~~e Hawkesbury City Section 94~~ Contributions Plan are:

- To ensure that the Section 94 Contributions levied on new development in the Hawkesbury LGA are reasonable. This will be achieved by establishing a level and range of public services and public amenities which are most appropriate to the needs and expectations of new residents.

- To ensure that an appropriate level in the provisions of public amenities and services occurs in the Hawkesbury LGA by making clear Council's intentions regarding the type, location and timing of the public amenities and services in this area.

- To ensure that public services and public amenities are provided as early as practicable and in line with new demands.

- To ensure that the capital cost of providing the public amenities and public services described in this Plan and as detailed in the Works Schedule of the Contributions Plan are funded by developer contributions on an equitable basis, employing a user pays policy regarding the funding identified for public services and public amenities so that existing residents of the LGA are not subsidising new development. In return, any public amenities and public services to be provided under this Contributions Plan are not for the purpose of making up the shortfalls in the services and amenities of the existing residents.

- To establish the nexus (relationship) between the proposed new development and the need for increased public amenities and services in the LGA. This will be established by providing the link between the increases in the population and the established level for the provision of the services and amenities identified in this Contributions Plan.

3 POPULATION GROWTH AND AMENITIES AND SERVICES

3.1 DEFINITION OF S94 CONTRIBUTION CATCHMENT AREAS

It is important to predict where the new arrivals in the community are going to live so that the demand for public amenities and services that they generate can be satisfied in a cost effective manner. In other words, contributions levied by Council must be spent within an area which is accessible to the contributor. For the purpose of this document, this area is defined as a "catchment".

In preparing the original 1992 Contributions Plan the following research was undertaken prior to defining the "catchment" boundaries:

- Subdivision and medium density housing commencements were mapped for the period 1989 - 1991.
- Activity/Nodes were identified and mapped. These activity nodes included shopping and commercial centres and community activities.
- Highly used road routes were identified and mapped.
- Physical constraints such as rivers, slope, floodplain, wetlands and bushfire hazard were identified and mapped.
- "Collector districts" from the 1986 Census were mapped and population data used to identify trends in facilities provision.
- The growth rate attributable to residential land releases and potential for future development was examined.

It quickly became obvious that the Hawkesbury River physically divides the LGA~~local government area~~ into two regions as crossing the river is difficult, being restricted to three bridges and four ferries.

Applying the other factors mentioned above further refined the analysis and resulted in four catchments being originally formed.

Subsequent amendments to the original Contributions Plan have re-examined past and future population and development trends and the validity of defining the four catchments in original 1992 plan has stood the test of time.

However, as a result Hawkesbury Local Environmental Plan 1989 - Amendment 145 and the likely future development of land to the north of Pitt Town village Catchment 5 was added to the Contributions Plan on <INSERT DATE of adoption>. Catchment 5 is separately discussed in Section 7A of this plan.

The location of the five catchments ~~in~~is shown in Figure 2.

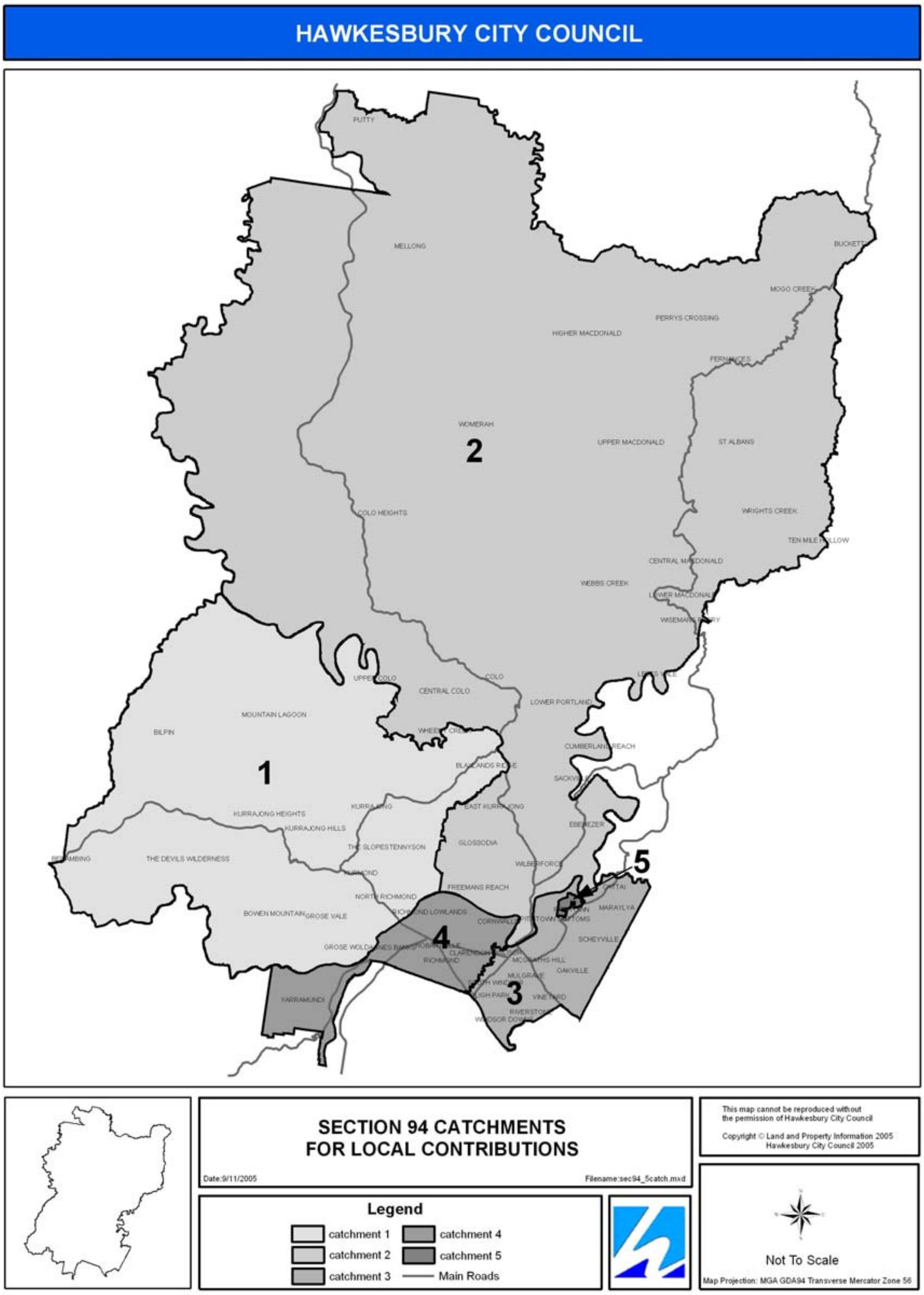


Figure 2 - Location of catchments

3.2 SUMMARY OF POPULATION CHANGE 1991-1996

	1991	1996	No. Change	% Change
Catchment 1	11,828	13,172	1,344	11.36%
Catchment 2	10,781	11,441	660	6.12%
Catchment 3	18,676	22,807	4,131	22.12%
Catchment 4	10,038	9,961	(77)	-0.77%
TOTAL	51,323	57,381	6,058	11.80%

The above tables shows population growth, by catchment, for the Hawkesbury LGA for the period 1991 to 1996 based on census information. The table illustrates annual growth for the period of 5 years to 1996 of 11.80%, which is annual growth rate of 2.36%.

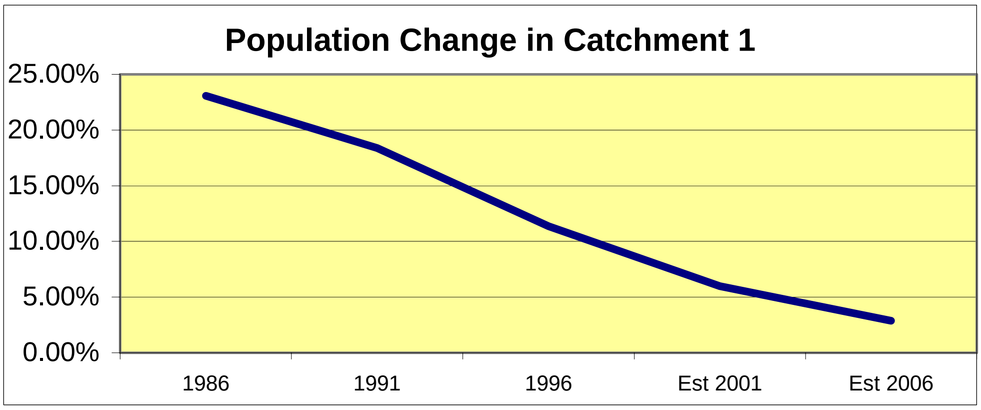
There are limited opportunities in each catchment for increased density through infill developments. These are difficult to predict in terms of numbers and location. Section 94 contributions are levied for this development and each plan review will assess the level of such development.

3.3 EXPECTATIONS OF GROWTH

The following tables show estimated population growth, by catchment, for the period 1996 - 2001, based on available information. The tables also show an estimate for population growth for the period 2001 - 2006, based on existing trends with reference to likely future development in each catchment.

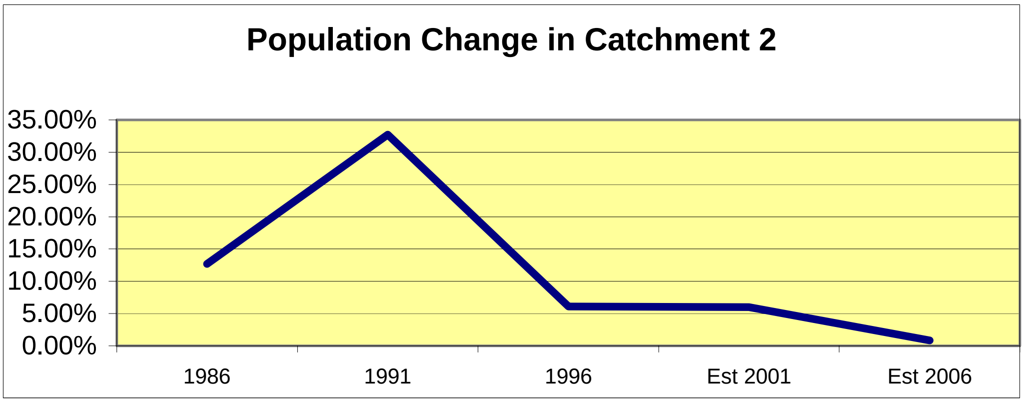
Catchment 1

Year	Population	Population Change	% Change	Avge Annual Pop'n Growth
1981	8,118			
1986	9,991	1,873	23.07%	4.61%
1991	11,828	1,837	18.39%	3.68%
1996	13,172	1,344	11.36%	2.27%
Est 2001	13,962	790	6.00%	1.20%
Est 2006	14,595	633	4.5%	0.9%



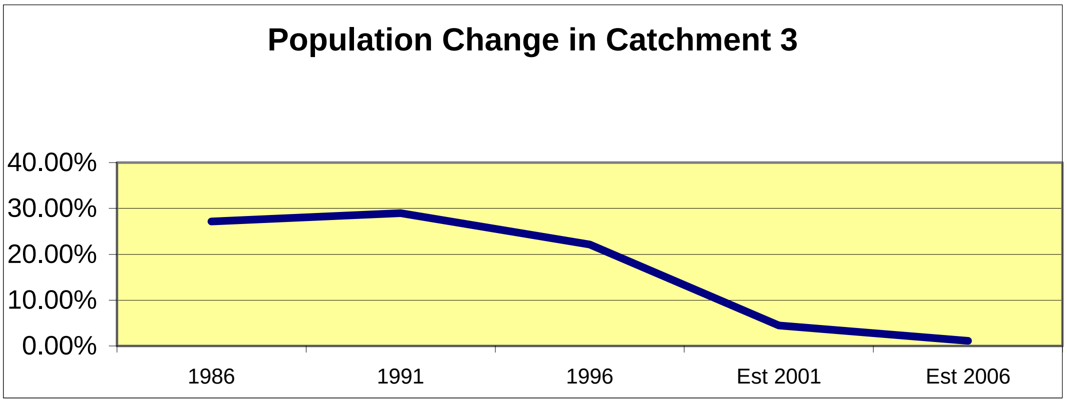
Catchment 2

Year	Population	Population Change	% Change	Avge Annual Pop'n Growth
1981	7,207			
1986	8,123	916	12.71%	2.54%
1991	10,781	2,658	32.72%	6.54%
1996	11,441	660	6.12%	1.22%
Est 2001	12,127	686	6.00%	1.20%
Est 2006	12,227	100	0.82%	0.16%



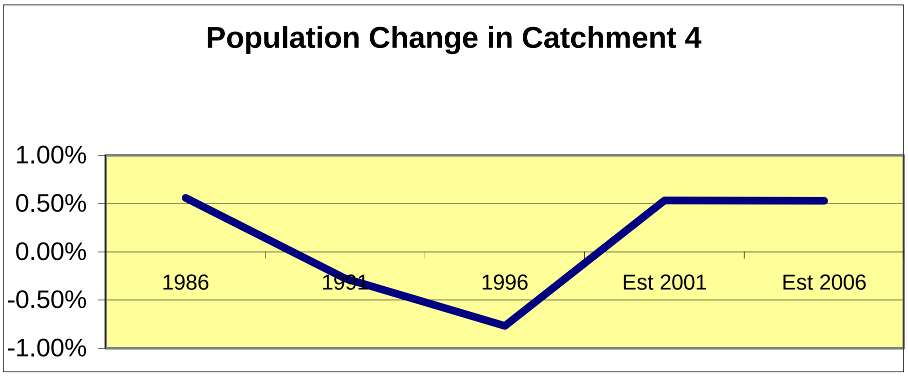
Catchment 3

Year	Population	Population Change	% Change	Avge Annual Pop'n Growth
1981	11,389			
1986	14,482	3,093	27.16%	5.43%
1991	18,676	4,194	28.96%	5.79%
1996	22,807	4,131	22.12%	4.42%
Est 2001	23,833	1,026	4.50%	0.90%
Est 2006	25,259	1,426	5.98%	1.20%



Catchment 4

Year	Population	Population Change	% Change	Avge Annual Pop'n Growth
1981	10,010			
1986	10,066	56	0.56%	0.11%
1991	10,038	-28	-0.28%	-0.06%
1996	9,961	-77	-0.77%	-0.15%
Est 2001	10,014	53	0.53%	0.11%
Est 2006	10,067	53	0.53%	0.11%



Total

It is anticipated that the population growth, as a result of development for the period 1996 to 2001 will be in the order of 2,555 persons and an average growth rate of 0.89%. Infill development is to be monitored closely and the plan revised to accommodate any variances from these projections. The forecast population increases on which Section 94 contributions are collectable for the period 2001 - 2006 by catchment are shown below.~~:~~

Catchment 1	633
Catchment 2	100
Catchment 3	1426
Catchment 4	53
TOTAL	2,212

The incoming population over the five year period July 2001 to July 2006 will generate demands for many public amenities and services, including:-

- Community Facilities
- Recreation Facilities
- Open Space

- Car Parking in Commercial Areas
- Road Intersection Improvements
- Drainage

Also, future industrial and commercial developments may generate the need for contributions for, drainage, road maintenance and intersection improvements.

4 OCCUPANCY RATE

The following occupancy rates are used in this Plan for the purpose of calculating contributions on a per lot or dwelling basis for community facilities, recreation facilities and open space.

New lot = 3.5 people/dwelling

Multi-Unit Housing (villas, townhouses, flats, dual occupancy)

3 bedrooms = 2.6 people/dwelling

2 bedrooms = 2.3 people/dwelling

1 bedroom = 1.8 people/dwelling

For other residential development types, contributions will be calculated in accordance with an appropriate occupancy rate determined by the nexus between the residential development and the demand for facilities generated.

In calculating the contributions for residential development, it is the **increased** number of persons which is used as the basis of the calculation. In other words, credit is given for existing development on the land.

5 COMMUNITY FACILITIES

Community facilities include buildings such as Child Care Centres, Community Centres, Neighbourhood Centres (Community Halls, Schools of Arts etc.), Function Centres and Libraries. The design of new community buildings as specified in this plan is best described as multi-purpose and will enable use by different age groups at different times for different purposes.

These types of buildings will be required to be provided in each catchment. In some cases, existing buildings can be extended or altered; in other cases, new buildings will have to be erected. The cost of these buildings includes the bricks and mortar, car parking provision and landscaping etc. The estimated costing for the construction of such facilities is extracted from the Rawlinson's Construction Cost Guide and is estimated to be $1,808.11 per m^2 (2001).

5.1 NOTIONAL AND ACTUAL STANDARD FOR COMMUNITY FACILITIES

To arrive at a per person or per dwelling contribution rate for Community Facilities, it is necessary to establish a "standard". In other words, what is a reasonable amount of Community Facilities floor space/person that Council can require "new" people to contribute towards? The notional standard for community buildings has been determined to be 0.5 m^2 per capita. Of this 0.3 m^2 should be local facilities and 0.2 m^2 would comprise of district facilities. District facilities refer to community infrastructure that services the entire population base, for example the city library.

A comparison of the notional standard for community facilities within each catchment and the actual standard is summarised in the table below.

Catchment	Population (1996)	Existing floor space (m^2) (July 1998)	Actual standard (m^2)	Notional Standard (m^2)
1	13,172	3,104	0.2357	0.3000
2	11,441	2,653	0.2319	0.3000
3	22,807	5,067	0.2222	0.3000
4	9,961	3,500	0.3514	0.3000
District	57,381	14,360	0.2503	0.2000

In those catchments where a shortfall exists, i.e.: the actual standard is below the notional standard, Hawkesbury City Council is committed to financing the shortfall. Developers will be required to contribute at a level equivalent to the actual standard.

5.2 CONTRIBUTION FORMULA

Considering the above information the contribution formula for local and district community facilities can be expressed as

Contribution = N x [A+ (C x S)]

Where:
- N = Number of Occupants
- A = Admin Cost (@$12.50 per capita)
- C = Actual cost of providing facility/m^2
- S = Community facilities actual standard for catchment. If actual standard is greater than the nominal standard then the nominal standard is to be used

Hence the contribution rates from 1 July 2001 ~~will be~~ is as detailed in the table below.

	Local Facilities Contribution per person	District Facilities Contribution per person	Total Contribution payable per person
Catchment 1	$438.67	$374.12	$812.79

Catchment 2	$431.80	$374.12	$805.92
Catchment 3	$414.26	$374.12	$788.38
Catchment 4	$554.93	$374.12	$929.05

Note: Above contribution rates adopted by Council on 11 September 2001.

5.3 WORKS PROGRAM

The contributions collected for community facilities under this plan will be expended in accordance with the works program detailed below~~on the next page~~. The works program also takes into consideration unexpended monies collected under earlier versions of this plan.

Project	Catchment	Projected Year for Works	Estimated Present Value of Works
Nth Richmond Community Centre Extensions	1	2001/2002	$485,968
Kurrajong District Community Facility	1	2005/2006	$290,293
Glossodia Community Centre Extensions	2	Current	$179,799
Glossodia Community Centre Extensions	2	2005/2006	$100,650
Sth Windsor - Family & Children's Centre	3	2002/2003	$362,000
Sth Windsor - Family & Children's Centre	3	2005/2006	$116,578
Yarramundi Community Centre	4	Current	$27,433
Richmond Senior Citizens Centre	4	2001/2002	$38,000
Hobartville Community Centre Extension	4	2002/2003	$197,687
Hobartville Community Centre Extension	4	2005/2006	$117,728
New Library	District	2005/2006	$1,811,431
Extension to Hawkesbury Senior Citizens Centre - Richmond	District	2009	$1,500,000

6 RECREATION FACILITIES

~~Recreation facilities include amenities blocks, change rooms, kiosks, park shelters and swimming pools.~~

Even though there is an abundance of open space land within the LGA~~Hawkesbury City Council local government area~~, this land is under-utilised principally due to a lack of facilities and embellishments. Recreation facilities include amenities blocks, change rooms, kiosks, park shelters and swimming pools. These types of facilities will be required to be provided in each catchment.

The estimated costing for the construction of such facilities is extracted from the Rawlinson's Construction Cost Guide and is estimated to be $2,092.77 per m^2 (2001).

6.1 NOTIONAL AND ACTUAL STANDARD FOR RECREATION FACILITIES

To arrive at a per person or per dwelling contribution rate for Recreation Facilities, it is necessary to establish a "standard". In other words, what is a reasonable amount of Recreation Facilities floor space/person that Council can require "new" people to contribute towards? The notional standard for recreation buildings has been determined to be 0.15 m^2 per capita. Of this 0.12 m^2 should be local facilities and 0.03 m^2 would comprise district facilities.

A comparison of the notional standard for community facilities within each catchment and the actual standard as is summarised in the table below.

Catchment	Population (1996)	Existing floor space (m^2) (July 1998)	Actual standard (m^2)	Notional Standard (m^2)
1	13,172	1,128	0.0856	0.1200
2	11,441	1,300	0.1136	0.1200
3	22,807	3,237	0.1419	0.1200
4	9,961	1,255	0.1260	0.1200
District	57,381	9,521	0.1659	0.0300

In those catchments where a shortfall exists, i.e.: the actual standard is below the notional standard, Hawkesbury City Council is committed to financing the shortfall. Developers will be required to contribute at a level equivalent to the actual standard.

6.2 CONTRIBUTION FORMULA

Considering the above information the contribution formula for local and district recreation buildings can be expressed as

Contribution = N x [A+ (C x S)]

Where:
N = Number of Occupants
A = Admin Cost (@$12.50 per capita)
C = Actual cost of providing facility/m^2
S = Community facilities actual standard for catchment

Hence the contribution rates from 1 July 2001 is a detailed in the table below~~are provided in the following table on the next page~~.

	Local Facilities Contribution per person	District Facilities Contribution per person	Total Contribution payable per person
Catchment 1	$191.64	$75.28	$266.92
Catchment 2	$250.24	$75.28	$325.52
Catchment 3	$263.63	$75.28	$338.91
Catchment 4	$263.63	$75.28	$338.91

Note: Above contribution rates adopted by Council on 11 September 2001

6.3 WORKS PROGRAM

The contributions collected for recreational buildings under this plan will be expended in accordance with the works program detailed below. The works program also takes into consideration unexpended monies collected under earlier versions of this plan.

Project	Catchment	Projected Year for Works	Estimated Present Value of Works
Memorial Park Shelter	1	Current	$10,000.00
Bowen Mountain-H/cap amenities	1	Current	$18,886.00
Kemsley Down Reserve amenities	1	Current	$111,771.00
Navua Reserve Amenities	1	Current	$54,859.00
Kemsley Downs, Shelter	1	2001/2002	$14,000.00
Turnball Park Improvements	1	2002/2003	$75,000.00
Bilpin - Disabled Toilet	1	2003/2004	$8,900.00
Powell Park, Picnic Shelter	1	2003/2004	$15,000.00
Memorial Park - Rotunda	1	2005/2006	$81,434.00
Wilberforce Park Shelters	2	Current	$15,214.00
Woodland Park - Shelter/Tables	2	2001/2002	$12,000.00
Woodbury Park Storage Facility	2	2005/2006	$30,467.00
McLeod Park Amenities	3	Current	$28,000.00
Pool Park Amenities	3	Current	$64,000.00
Bligh Pk Berger Rd-Awning	3	Current	$20,000.00
Berger Rd Lakeside Amenities	3	Current	$43,970.00
Berger Lakeside Shelter/Tables	3	Current	$31,255.00
McQuade Park Shelter	3	Current	$10,000.00
Maraylya Pk Disabled Aments	3	Current	$20,000.00
Bligh Pk Tennis Courts - Disabled Toilet	3	2001/2002	$15,000.00
Sth Windsor Netball - Disabled Toilet	3	2001/2002	$20,000.00
South Windsor Netball Court Building Extension	3	2001/2002	$70,000.00
Cattai Bridge Reserve, Amenities	3	2001/2002	$45,000.00

Cattai Bridge Reserve, Shelter	3	2001/2002	$12,000.00
Berger Rd Lakeside Facilities	3	2005/2006	$90,623.00
Icely Park-Amenities Ext	4	Current	$52,115.00
Pugh's Lagoon - Shelter	4	2001/2002	$20,000.00
Tamplin Field - Shelter	4	2002/2003	$12,000.00
Smith Park - Rotunda	4	2005/2006	$55,542.00
Hanna Pk Public Amenities	District	Current	$120,000.00
Richmond Park Rotunda	District	Current	$60,000.00
Friendship Park - Shelter	District	Current	$20,000.00
Colbee Park Shelter	District	2001/2002	$20,000.00
Friendship Park Shelter	District	2001/2002	$20,000.00
Kurrajong Heights Lookout Platform	District	2003/2004	$30,000.00
Hanna Park Shelters	District	2005/2006	$35,814.00

7 PARK IMPROVEMENTS

Types of park improvements include playgrounds, park furniture, earthworks, sporting infrastructure and landscaping.

The same catchments identified in community facilities and recreation facilities apply to park improvements. It has been deemed 60% of the total contribution payable by developers should be spent on local facilities within the collection catchment. The remaining 40% of the developer's contribution will be spent on district facilities for use by new residents.

Below is a table estimating the average cost of constructing a park to serve 1200 residents.

Improvements	2001 Cost
Groundworks (earthworks, irrigation, turf	$112,058.10
Park Furniture (BBQ, Seat & Tables, fencing, signage)	$18,433.80
Playground Equipment	$25,738.02
Landscaping (garden beds, tree planting, revegetation)	$58,905.00
Facilities Construction (lighting, sporting infrastructure)	$100,942.38
Car Parking	$23,104.62
Cost of average park construction for 1200 residents	$339,181.92

Per Capita Cost	**$282.65**

7.1 CONTRIBUTION FORMULA

Contribution = N x [A+ C]

Where: N = Number of Occupants
A = Admin Cost (@$12.50 per capita)
C = Actual cost of providing facility/m^2 (i.e 60% of $282.65 for local catchment facilities and 40% of $282.65 of district facilities)

Contribution rates from 1 July 2001 are provided in the following table.

Catchment	Local Facilities Contribution per person	District Facilities Contribution per person	Total S94 Contribution Payable
1	$182.09	$125.56	$307.65
2	$182.09	$125.56	$307.65
3	$182.09	$125.56	$307.65
4	$182.09	$125.56	$307.65

Note: Above contribution rates adopted by Council on 11 September 2001

7.2 WORKS PROGRAM

The contributions collected for park improvements under this plan will be expended in accordance with the works program detailed below. The works program also takes into consideration unexpended monies collected under earlier versions of this plan.

Project	Catchment	Projected Year for Works	Estimated Present Value of Works
Kemsley Downs-Playground	1	Current	$30,180
Redbank Ck- Landscaping	1	Current	$35,650
Navau Reserve Landscaping	1	Current	$30,000
Hanna Park Landscaping	1	Current	$10,000
Hawkesbury Park Skate Park	1	Current	$47,119
Nth Richmond Park Shelter	1	Current	$11,945
Memorial Park - Landscaping	1	2003/2004	$50,000
McMahon Park - 400m Track	1	2005/2006	$48,783
Wilberforce Park Landscaping	2	Current	$22,270
Woodbury Pk Landscape Bush Regeneration	2	Current	$20,000
Woodlands Park - Carparks	2	2005/2006	$28,012
Colbee Park Groundwork	3	Current	$91,585
Berger Rd Lake-L/scaping	3	Current	$22,927
Winifred Banks L/scaping	3	Current	$3,013
Pool Park - Improvements	3	Current	$50,000
McQuade Park Landscaping	3	Current	$38,808

McLeod Pk Landscaping	3	Current	$20,000
Berger Rd Irrigation	3	Current	$69,000
McQuade Park Fencing	3	Current	$12,000
Berger Road Sportsfield Floodlights	3	2003/2004	$27,000
Bligh Pk/Sth Windsor - Skate Park	3	2005/2006	$23,497
Pughs Lagoon Stage 2 Improvements	4	2001/2002	$19,000
Yarramundi - Bush Regeneration, Track Construction & Fencing	4	2001/2002	$33,473
Richmond Park - Parklighting	4	2005/2006	$47,360
Benson's Lane Groundworks	District	Current	$11,704
Richmond Park Landscaping	District	Current	$30,000
Benson's Lane Landscaping	District	Current	$50,000
Rickabys Ck Footbridge	District	Current	$60,000
North Richmond Skate Park	District	2001/2002	$45,881
Community Nursery	District	2001/2002	$105,000
Macquarie Park - Bank stabilisation, bush regeneration, track construction, furniture	District	2004/2005	$50,000
Charles Kemp Memorial Reserve	District	2005/2006	$47,902

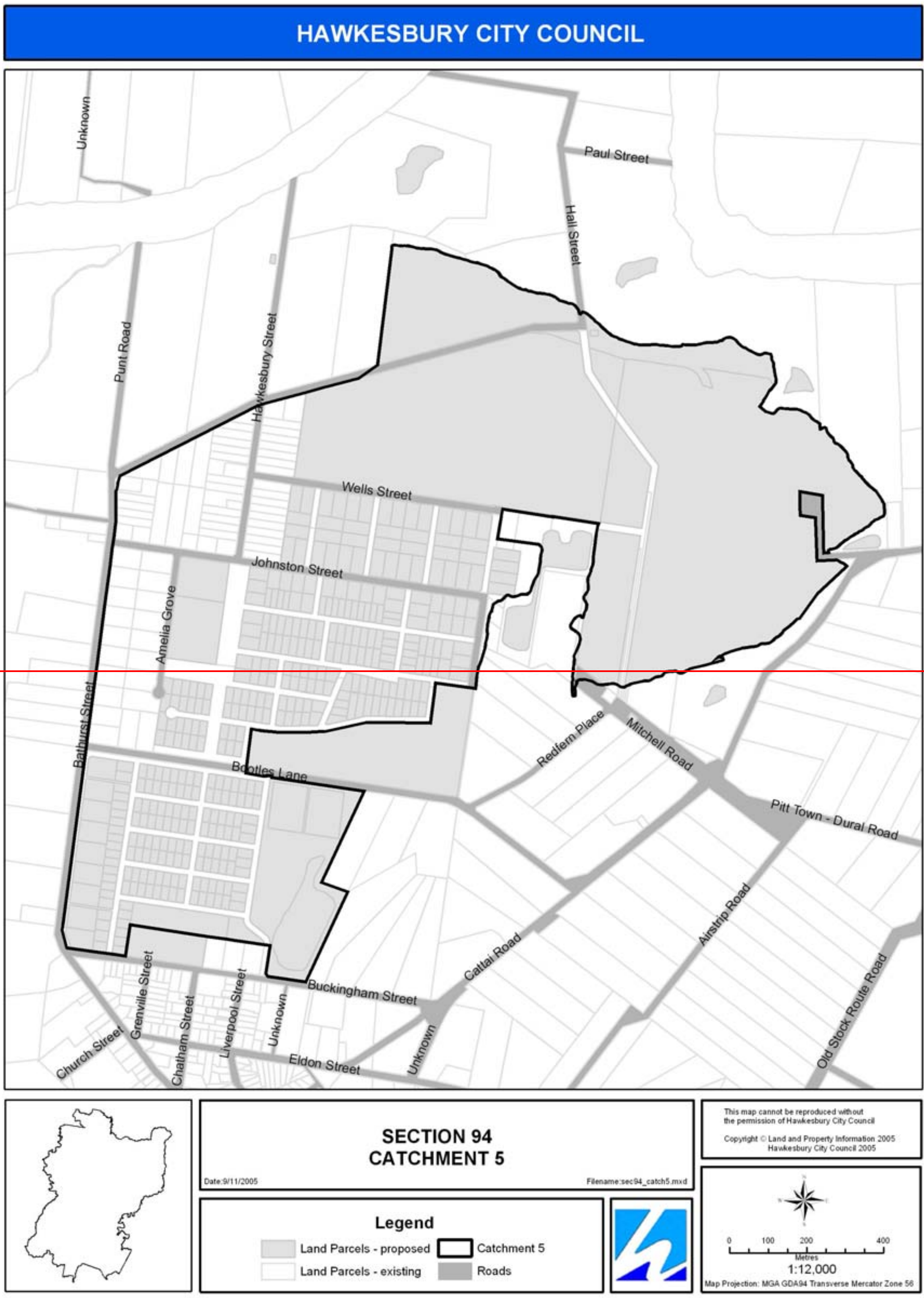
7A CATCHMENT 5 – PITT TOWN DEVELOPMENT AREA

7A.1 EXPECTATION OF GROWTH AND OCCUPANCY RATE

Catchment 5 substantially comprises land affected by Hawkesbury Local Environmental Plan 1989 - Amendment 145 and is shown in Figure 3. A maximum of 631 additional allotments are proposed. With respect to residential development, only single dwellings will be permissible on the land within this catchment and the assumed occupancy rate per single dwelling/lot is 3.2 persons. (This occupancy rate is derived from analysis of the latest census figures using Windsor Downs as a basis.) Therefore it is expected that the development will generate an additional 2020 persons.

In calculating the contributions for residential development, it is the increase number of lots or ~~/~~persons that is used as the basis of the calculation. In other words, credit is given for existing development.

Contribution rates for this section will primarily be provided on a per lot basis. For consistency with Sections 5, 6 and 7 of this Plan, where required, contribution rates will also be provided on a per person basis. The per person contribution is the per lot contribution divided by 3.2.


HAWKESBURY CITY COUNCIL
Unknown
Paul Street
Hall Street
Punt Road
Hawkesbury Street
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SECTION 94
CATCHMENT 5
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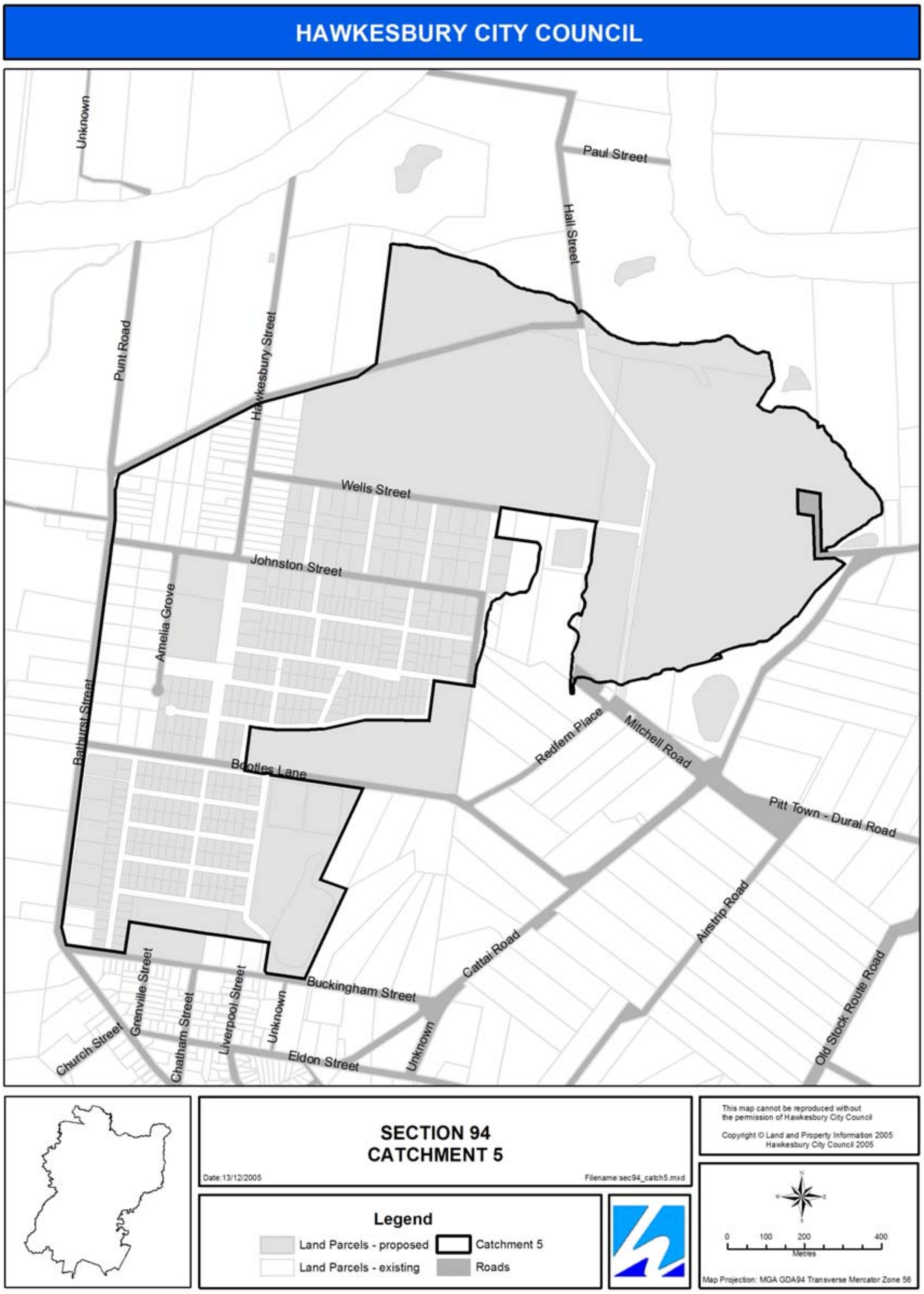


Figure 3 - Catchment 5

Contributions in this section will ~~only~~ be required upon subdivision of land in accordance with the provisions of HLEP 1989 - Amendment 145. It is anticipated that subdivision of land ~~in~~ within Catchment 5 will substantially occur over a five year period from the date of gazettal of HLEP 1989 - Amendment 145. It is anticipated that the works programs identified in this Section will be completed concurrently with subdivision of land and therefore will be substantially completed upon the occupation of the new lots.

7A.2 PRELIMINARY INVESTGATIONS / PLANS

Council has incurred consultancy costs in preparing this section of the Contributions Plan and Hawkesbury Development Control Plan Part E Specific Areas Chapter 4 Pitt Town which will guide future development.

These costs (exclusive of GST) are:

Item	Cost
Intersection/Road design	$7,080
Pitt Town DCP chapter	$12,853
Land Valuations	$3,571
TOTAL	**$23,504~~2~~**

The contribution formula for the recoupment of these costs can be expressed as:

Contribution per lot = CI / T

Where CI = the cost of the investigations

T = the number of additional development lots (i.e 631)

Hence the contribution per lot from <insert date of adoption> is $37.25~~4~~

7A.3 LAND ACQUISITION

Land within Catchment 5 will need to be acquired to provide the additional population with community facilities, recreational buildings, park improvements, and road works.

Land to be acquired is shown on Figure 4 and consists of the following properties.

Property	Area of Land	Purpose
A. Lot 132 DP 1025876, 18 Johnston Street, Pitt Town	1.32ha rectangular area of land in north-western corner of property	Passive open space
B. Lot 132 DP 1025876, 18 Johnston Street, Pitt Town and Lot 14 DP 865977, 17 Bootles ~~l~~Lane, Pitt Town	31m wide by 313m (approx) long strip of land on eastern side of Item A and Lot 131 DP 1025876, 11 Amelia Grove	Road reserve
C. Lot 14 DP 865977, 17	31m wide by 125m long	Road reserve

Bootles ~~l~~Lane, Pitt Town	(approx) strip of land on southern side Lot 131 DP 1025876, 11 Amelia Grove	
D. Lot 1 DP 133026, 7 Buckingham Street, Pitt Town	Trapezoidal shaped area of land with area of 3ha	Active open space
E. Lot 1 DP 133026, 7 Buckingham Street, Pitt Town	Irregular shaped land with area of 4000m2	Community centre site
F. Lot 1 DP 133026, 7 Buckingham Street, Pitt Town	Irregular shaped area of land with area of 1.28ha	Passive open space

The anticipated cost of acquiring this land is $~~944,000~~1,136,000.

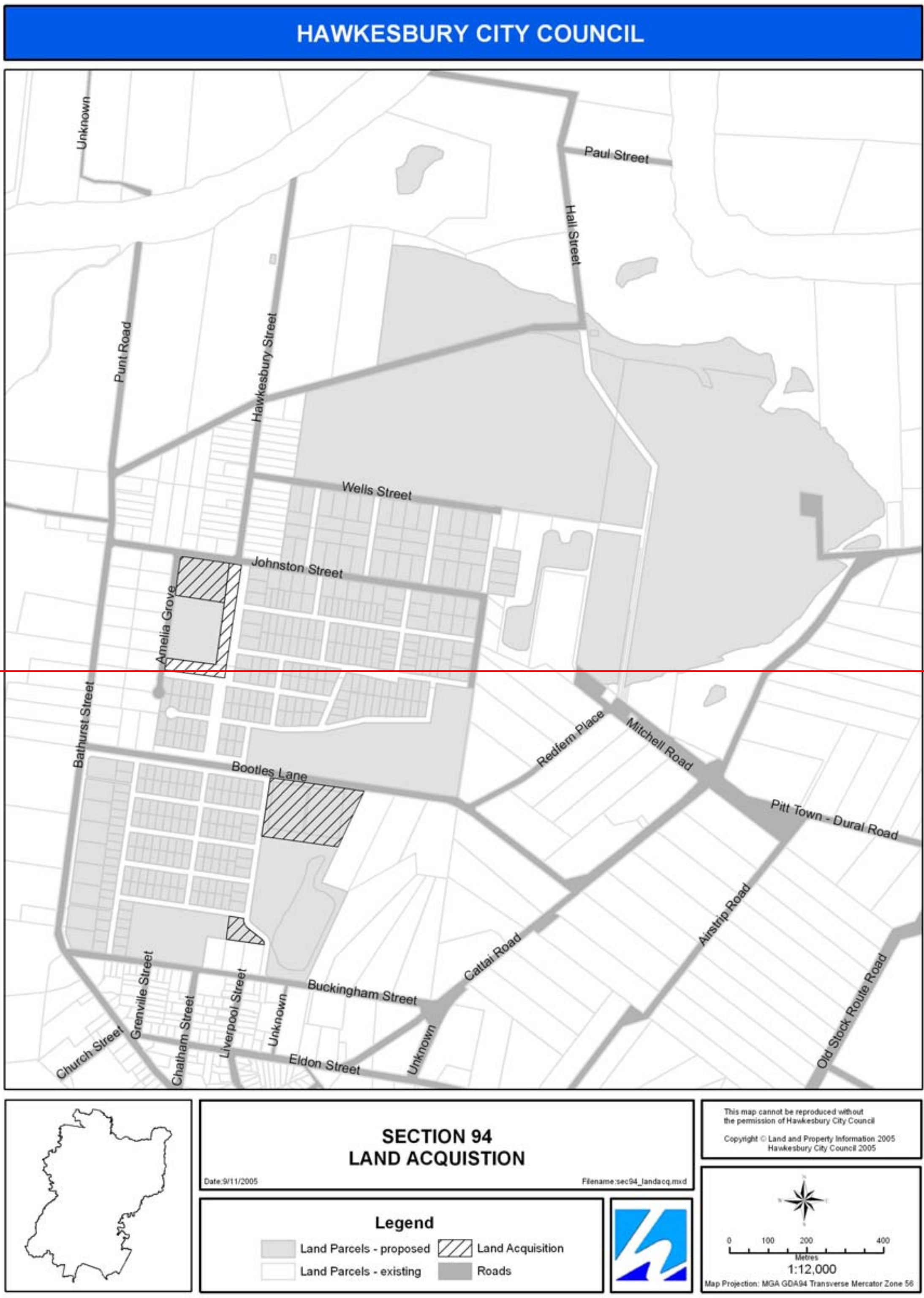
The contribution formula for land acquisition can be expressed as:

Contribution per lot = CLA / T

Where CLA = the cost of land acquisition

T = the number of additional development lots (i.e 631)

Hence the contribution per lot from <insert date of adoption> is $~~1496.04~~1,800.32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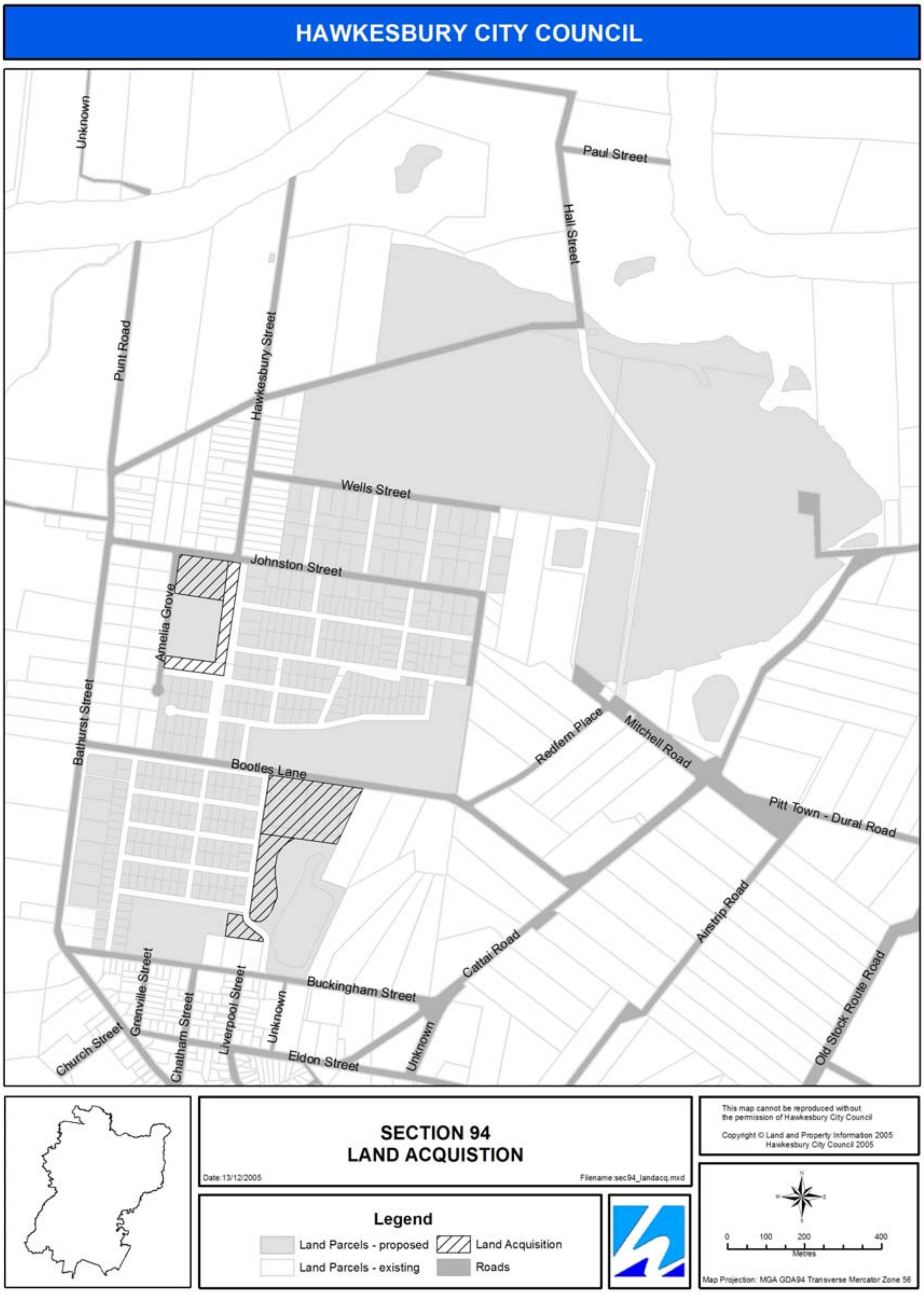


Figure 4 - Catchment 5 Land Acquisition map

7A.4 COMMUNITY FACILITIES

Due to the predevelopment lack of community facilities in Catchment 5 a new local community facility will need to be provided. A site to the north~~-east~~ of the Pitt Town Public School has been identified for the community facility. The area of the site is 4000m2 and is shown in Figure 5.

As explained in Section 5.1 of this plan, the notional standard for community facilities has been determined to be 0.5m2 per capita. Of this 0.3 m^2 should be local facilities and 0.2 m^2 would comprise of district facilities.

In Catchment 5 the actual standard is to be the same as the notional standard. Hence, based on an assumed additional 2020 persons, the community facility will have an area of not less than 606m2. The likely design of this new community facility will be a multi-purpose building that will enable use by different age groups at different times for different purposes.

7A.4.1 CONTRIBUTION FORMULA

The anticipated cost of local community facilities in Catchment 5 is $1,685,250. A break down of these costs is shown in the works program.

The contribution formula for local community facilities in Catchment 5 can be expressed as:

Contribution per lot = (CCf / T) +A

Where CCf = the cost of community facilities

T = the number of additional development lots (i.e 631)

A = Admin cost ($40 per lot ~~ie~~i.e $12.50 per person)

Hence the local community facility contribution per lot from <insert date of adoption> is $2,710.76. The local community facility contribution per person is therefore $847.11 (i.e $2,710.76 divided 3.2).

The district contribution rate for Catchment 5 is based on the costing contained in Section 7 updated in accordance the provisions of Section 14.

Hence the contribution rates from <insert date of adoption > will be as detailed in the table below.

	Local Facilities Contribution per person	District Facilities Contribution per person	Total Contribution payable per person
Catchment 5	$847.11	~~$419.52~~$417.07	$~~1266.63~~1,264.18

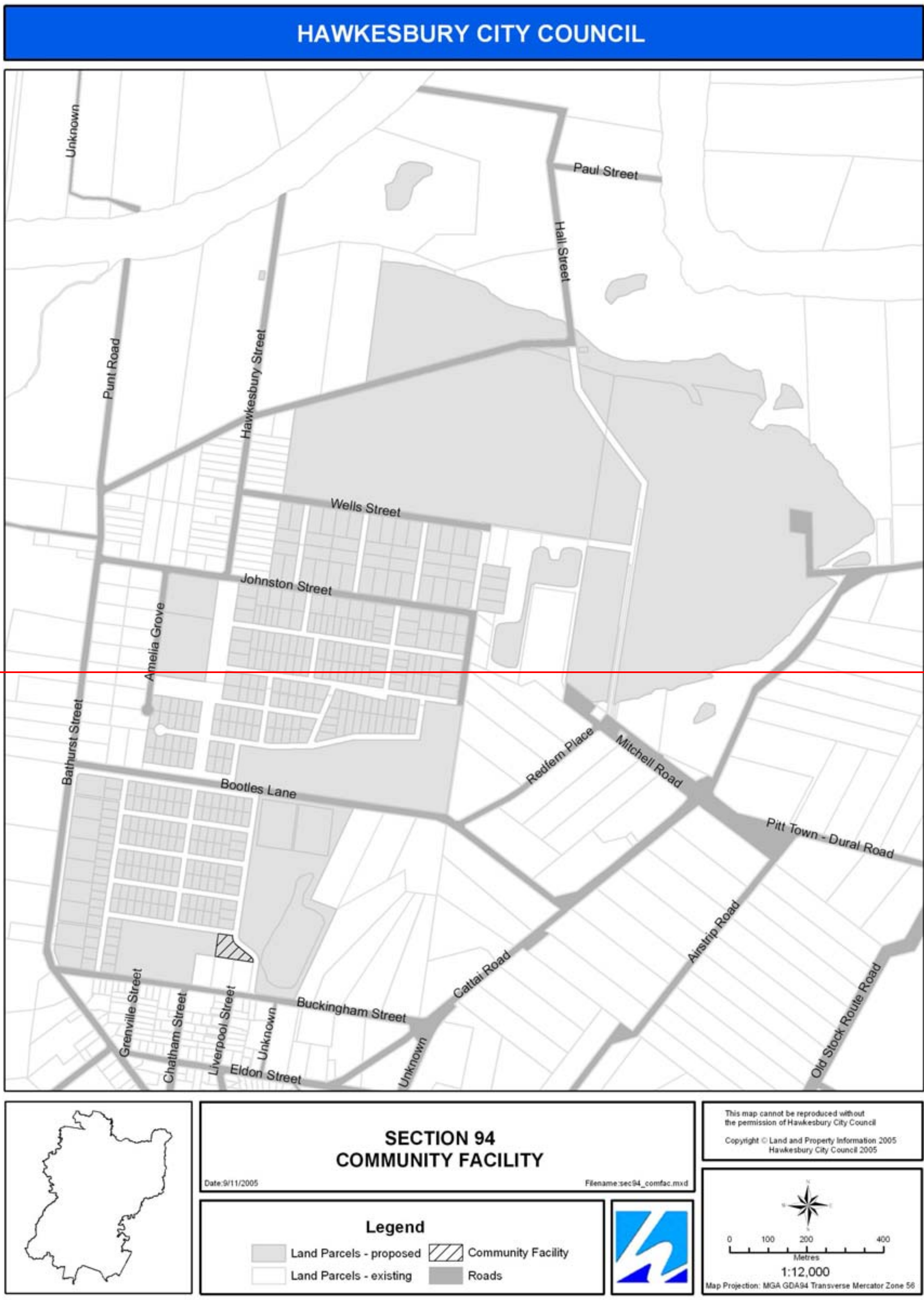
Hence the contribution per lot (both local and district) from <insert date of adoption> is ~~$4053.22~~$4,045.38.

7A.4.2 WORKS PROGRAM

The contributions collected for local community facilities will be expended in accordance with the works program detailed below.

Item	**Estimated Present Value of Works**
Construction costs	$1,200,000
Carpark (50 spaces and lighting)	$80,000
Landscaping	$80,000
Application fees and administration costs	$87,000
Architectural services	$15,000
Site safety and building security	$28,000
Utilities	$45,000
Fit-out	$70,000
Contingencies (5%)	$80,250
TOTAL	**$1,685,250**

Contributions collected for district community facilities will be expended on district items identified in the works program in Section 5.3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COMMUNITY FACILITY
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Map Projection: MGA GDA94 Transverse Mercator Zone 56

Figure ~~5~~6 - Catchment 5 Community Facilities map

7A.5 RECREATION FACILITIES

Due to the predevelopment lack of recreational facilities in Catchment 5 ~~a~~ new local recreational facilities will need to be provided.

Recreational facilities include playgrounds, shelters, bbqs, toilets, change rooms, kiosks~~.~~ etc. Recreational facilities are to be provided within the proposed Bona Vista Park, Fernadell Park~~Playing fields~~ and ~~C~~community facility site. The locations of the proposed facilities are shown in Figure 6.

7A.5.1 CONTRIBUTION FORMULA

The anticipated cost of local recreation facilities in Catchment 5 is $552,000. A break down of these costs is shown in the works program.

The contribution formula for local recreation facilities in Catchment 5 can be expressed as:

Contribution per lot = (CRf / T) +A

Where CRf = the cost of recreation facilities

T = the number of additional development lots (i.e 631)

A = Admin cost ($40 per lot ~~ie~~i.e $12.50 per person)

Hence the local recreation facility contribution per lot from <insert date of adoption> is $914.80. The local recreation facility contribution per person is therefore $285.88 (i.e $914.80 divided 3.2).

The district contribution rate for Catchment 5 is based on the costing contained in Section 7 updated in accordance the provisions of Section 14.

Hence the contribution rates from <insert date of adoption > will be as detailed in the table below.

	Local Facilities Contribution per person	District Facilities Contribution per person	Total Contribution payable per person
Catchment 5	$285.88	$~~84.42~~83.92	$~~370.30~~369.80

Hence the contribution per lot (both local and district) from <insert date of adoption> is $~~1184.96~~1,183.36.

7A.5.2 WORKS PROGRAM

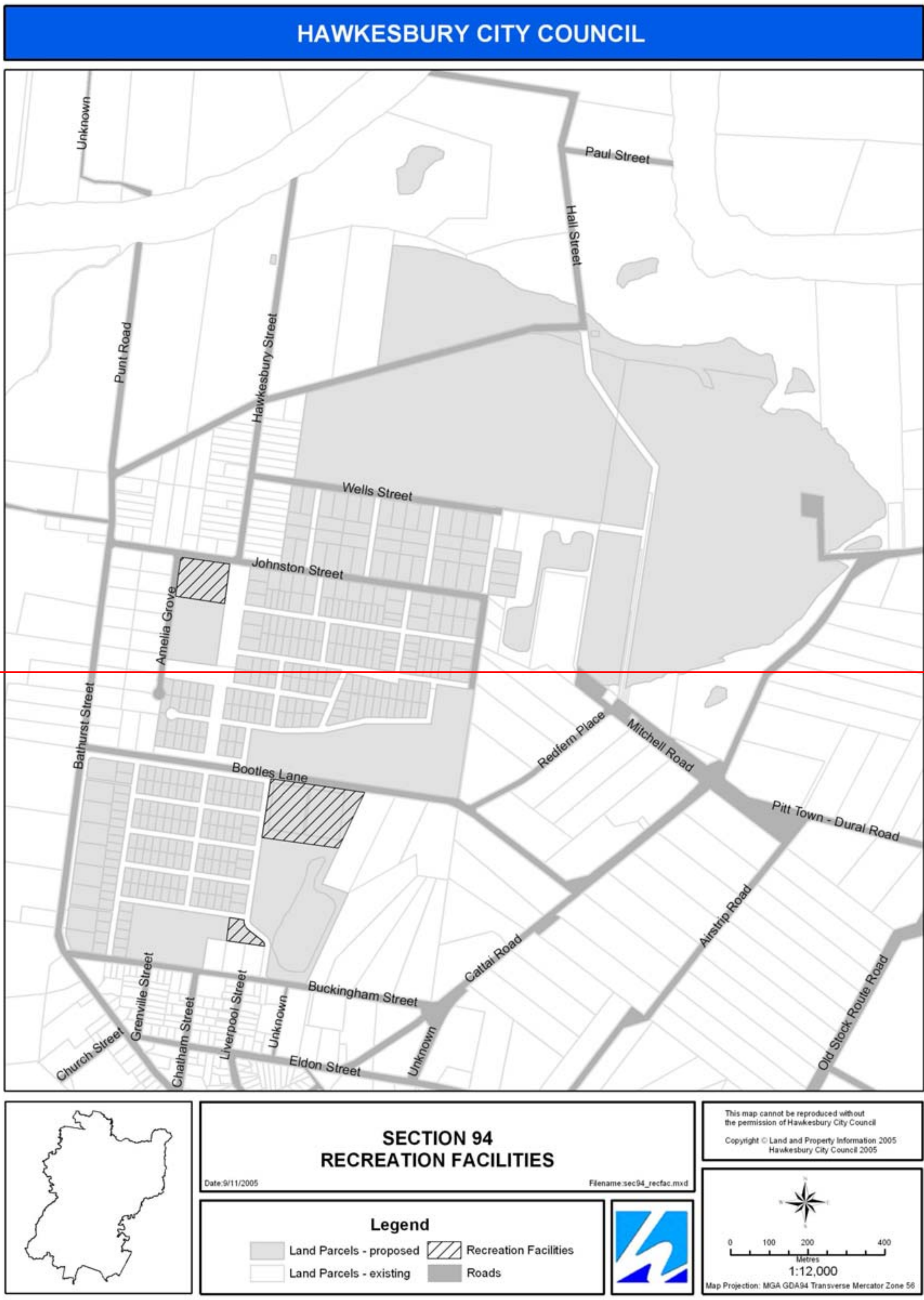
The contributions collected for local recreational facilities will be expended in accordance with the works program detailed below.

Bona Vista Park	**Estimated Present Value of Works**
Shelters (including seating) X 2	$50,000
BBQs	$11,000
Playground	$70,000
TOTAL	**$131,000**

Fernadell ~~Playing Fields~~Park	**Estimated Present Value of Works**
Shelters (including seating) X 4	$100,000
BBQs	$11,000
Toilet/change rooms/kiosk	$200,000
Playground	$70,000
TOTAL	**$381,000**

Community Centre site	**Estimated Present Value of Works**
Playground	$40,000
TOTAL	**$40,000**

Contributions collected for district recreation facilities will be expended on district items identified in the works program in Section 6.3



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RECREATION FACILITIES
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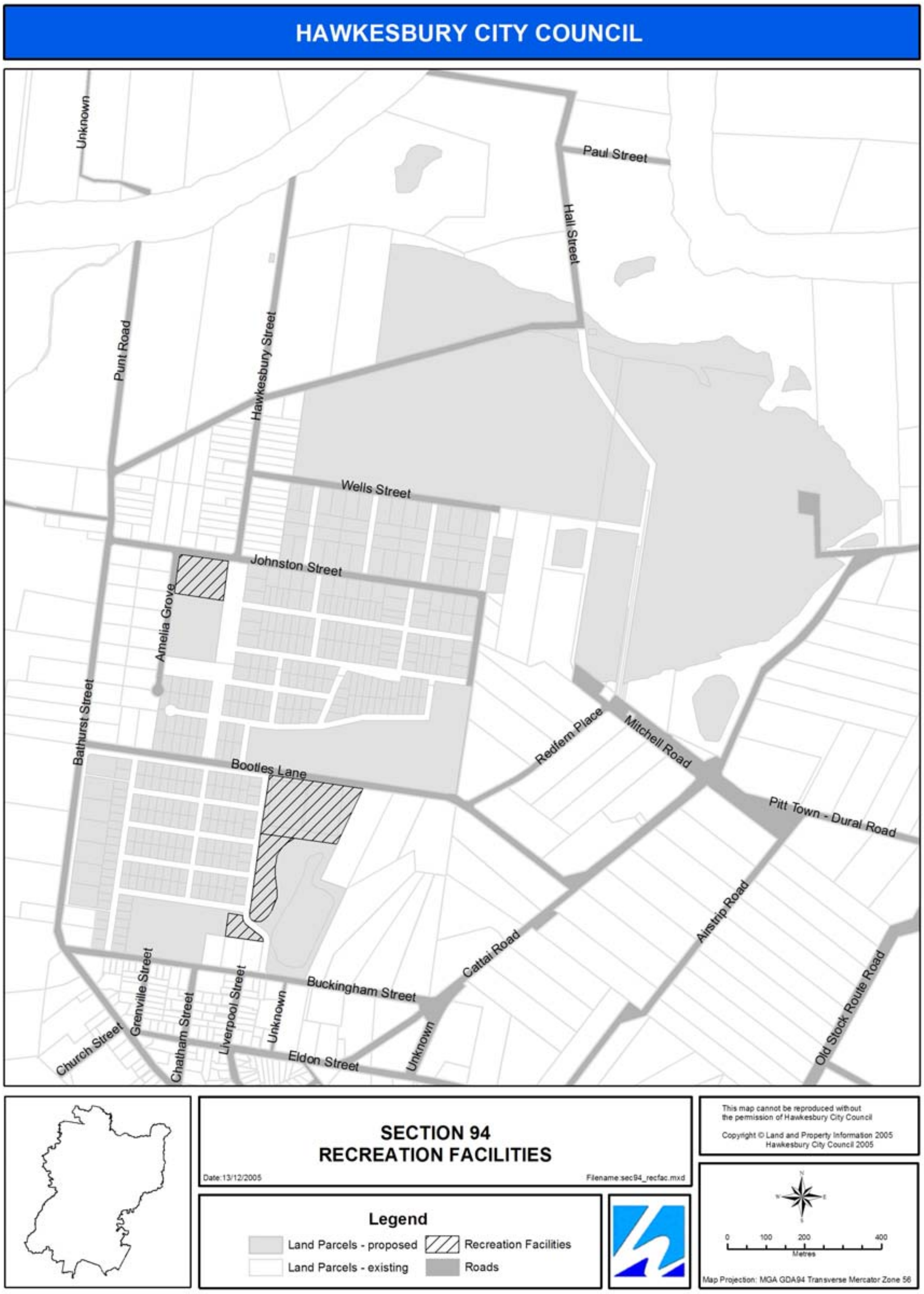


Figure 6 - Catchment 5 Recreational Facilities map

7A.6 PARK IMPROVEMENTS

Due to the predevelopment lack of park improvements in Catchment 5 new park improvements will need to be provided.

Park improvements are to be provided within the proposed Bona Vista Park and Fernadell ~~Playing fields~~ Park as shown in Figure 7.

Park improvement ~~in~~ include tables and seats, bubblers, irrigation, landscaping, carparks, fencing, signage, lighting, bins etc.

7A.6.1 CONTRIBUTION FORMULA

The anticipated cost of local park improvements in Catchment 5 is ~~$1,028,500~~ $1,078,500. A break down of these costs is shown in the works program.

Being totally new parks, it should be noted that significant establishment costs are contained in the works program in order to provide parks of a comparable standard to ~~that~~ those in the other four local catchments.

The contribution formula for local park improvements in Catchment 5 can be expressed as:

Contribution per lot = (CPi / T) +A

Where CPi = the cost of park improvements

T = the number of additional development lots (i.e 631)

A = Admin cost ($40 per lot ~~ie~~i.e $12.50 per person)

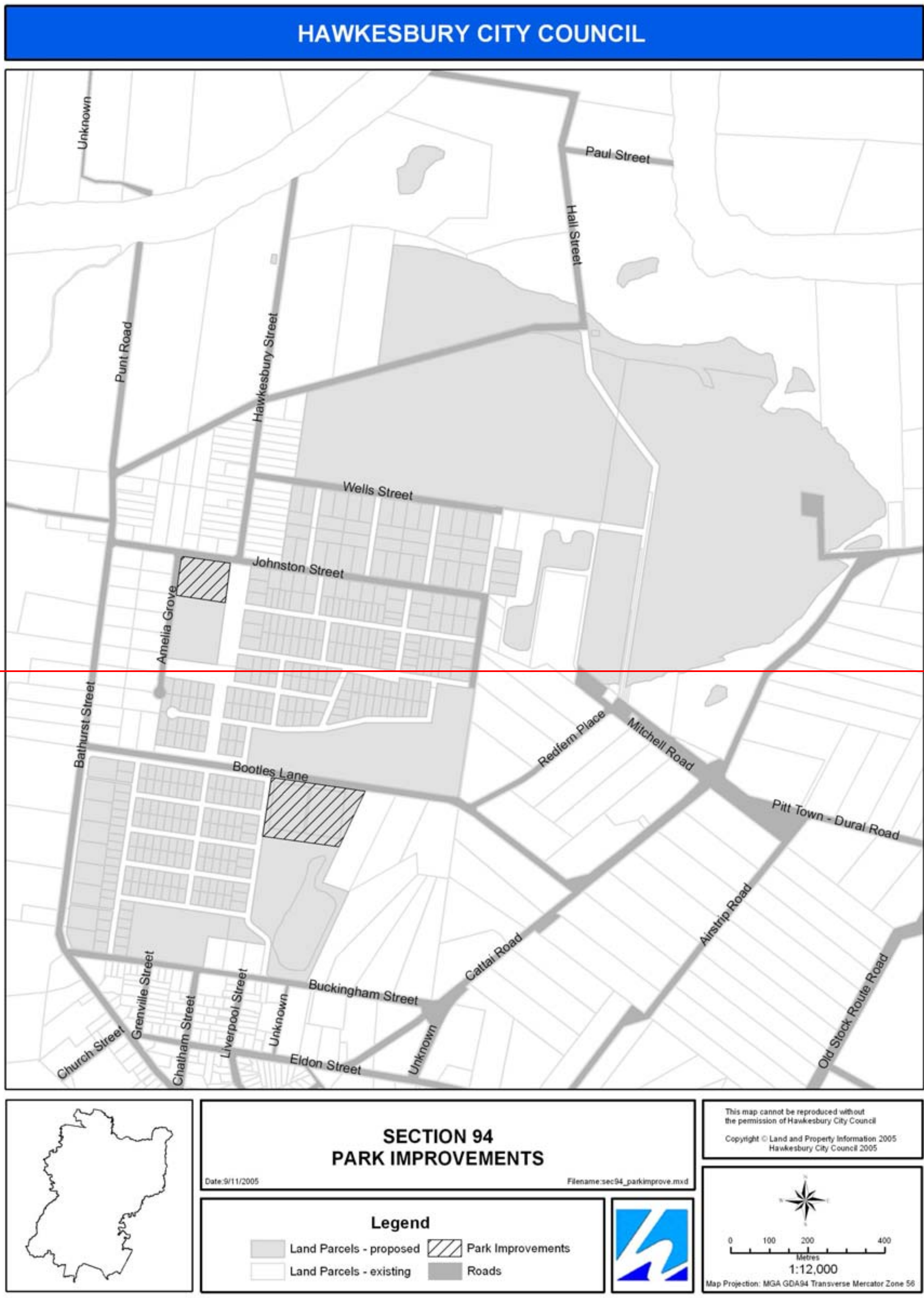
Hence the local park improvement contribution per lot from <insert date of adoption> is $~~1669.95~~1,749.19. The local park improvement contribution per person is therefore $~~521.86~~546.62 (i.e $~~1669.95~~1,749.19 divided 3.2).

The district contribution rate for Catchment 5 is based on the costing contained in Section 7 updated in accordance the provisions of Section 14.

Hence the contribution rates from <insert date of adoption > will be as detailed in the table below.

	Local Facilities Contribution per person	District Facilities Contribution per person	Total Contribution payable per person
Catchment 5	$~~521.86~~546.62	$~~140.80~~139.98	$~~662.66~~686.60

Hence the contribution per lot (both local and district) from <insert date of adoption> is $~~2120.51~~2,197.12.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SECTION 94
PARK IMPROVEMENTS
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Park Improvements
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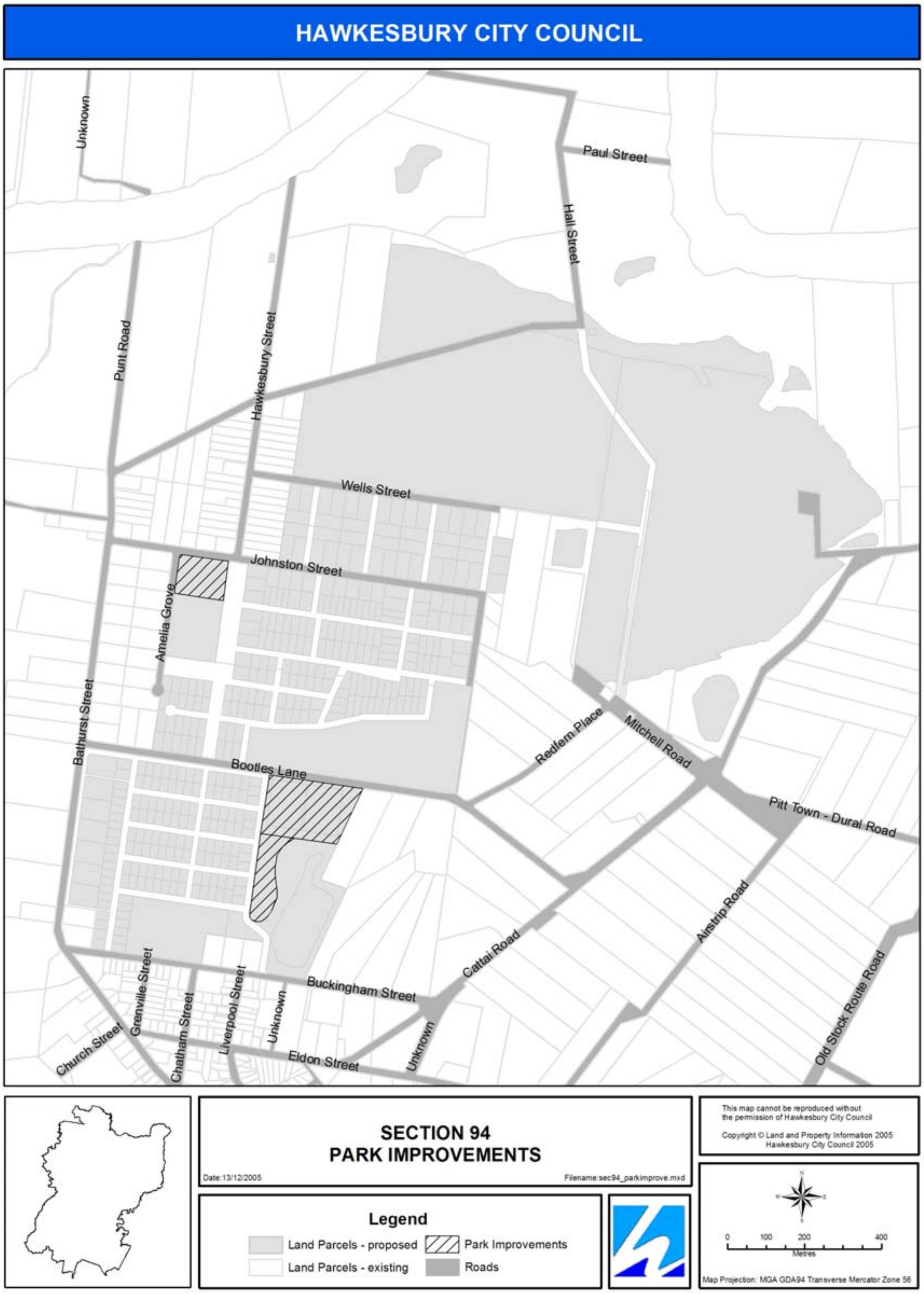


Figure 7 - Catchment 5 Park Improvements map

7A.6.2 WORKS PROGRAM

The contributions collected for park improvements under this plan will be expended in accordance with the works program detailed below.

Bona Vista Park	**Estimated Present Value of Works**
Landscape Plan	$15,000
Tables and seats	$10,000
Bubblers X 2	$8,000
Irrigation	$10,000
Tanks X 1	$15,000
Pumps	$3,000
Plants and gardens	$30,000
Pathways	$80,000
Carpark - 20 spaces	$30,000
Fencing	$50,000
Signage/entrance	$20,000
Tree removal	$5,000
Bins	$4,500
Lighting	$5,000
TOTAL	**$285,500**

Fernadell ~~Playing Fields~~Park	**Estimated Present Value of Works**
Landscape Plan	$15,000
Level playing fields	$100,000
Retaining walls	$100,000
Sports field lighting	$200,000
Seats	$10,000
Bubblers X 2	$8,000
Plants and gardens	$30,000
Irrigation	$70,000
Pumps	$10,000
Carpark - 50 spaces	$60,000
~~Plants and gardens~~Signage/entrance	$~~30,000~~20,000
Bins	$15,000
Pathways	$100,000
Fencing	$50,000

Lighting	$5,000
TOTAL	**$~~793,500~~793,000**

Contributions collected for district park improvements will be expended on district items identified in the works program in Section 7.3

7A.7 ROAD WORKS

Development within Catchment 5 will require the improvement to the existing road network as well as the construction of new roads.

These road works are shown in Figure 8 and consist of:

Item	**Cost**
Intersection Cattai, Pitt Town Dural & Mitchell Roads	$706,810
Roundabout Chatham & Eldon Streets	$178,620
Intersection Chatham & Bathurst Streets	$138,405
Local Roads	~~$5,837,111~~5,637,070
Flood evacuation route	$1,388,116
TOTAL	**$~~6,860,946~~8,049,021**

A detailed description and costing for these works is contained in Appendix 1.

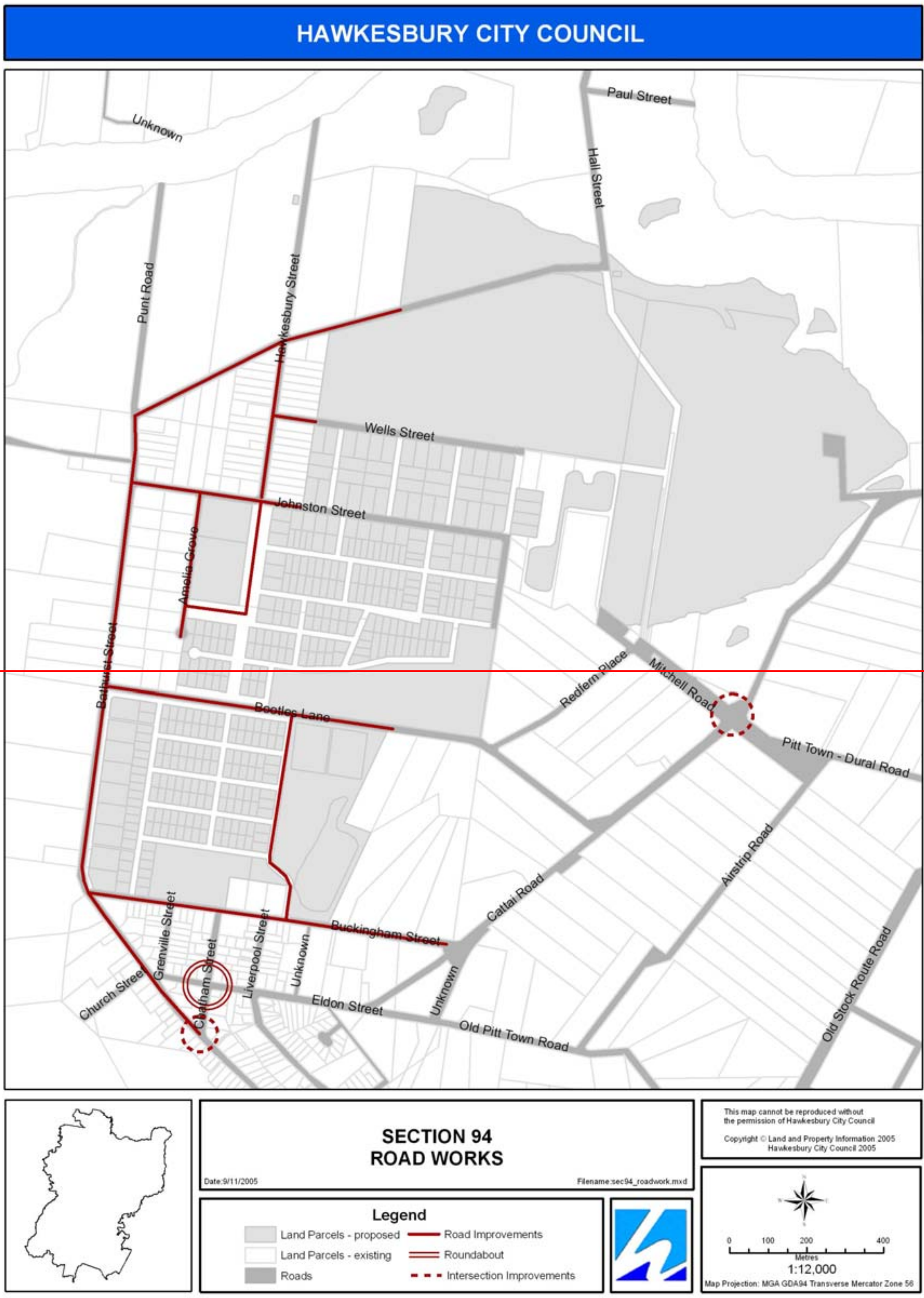
The contribution formula for road works can be expressed as:

Contribution per lot = CRw / T

Where CRw = the cost of road works

T = the number of additional development lots (i.e 631)

Hence the contribution rate~~d~~ from <insert date of adoption> is $~~10,873.13~~12,755.98~~.~~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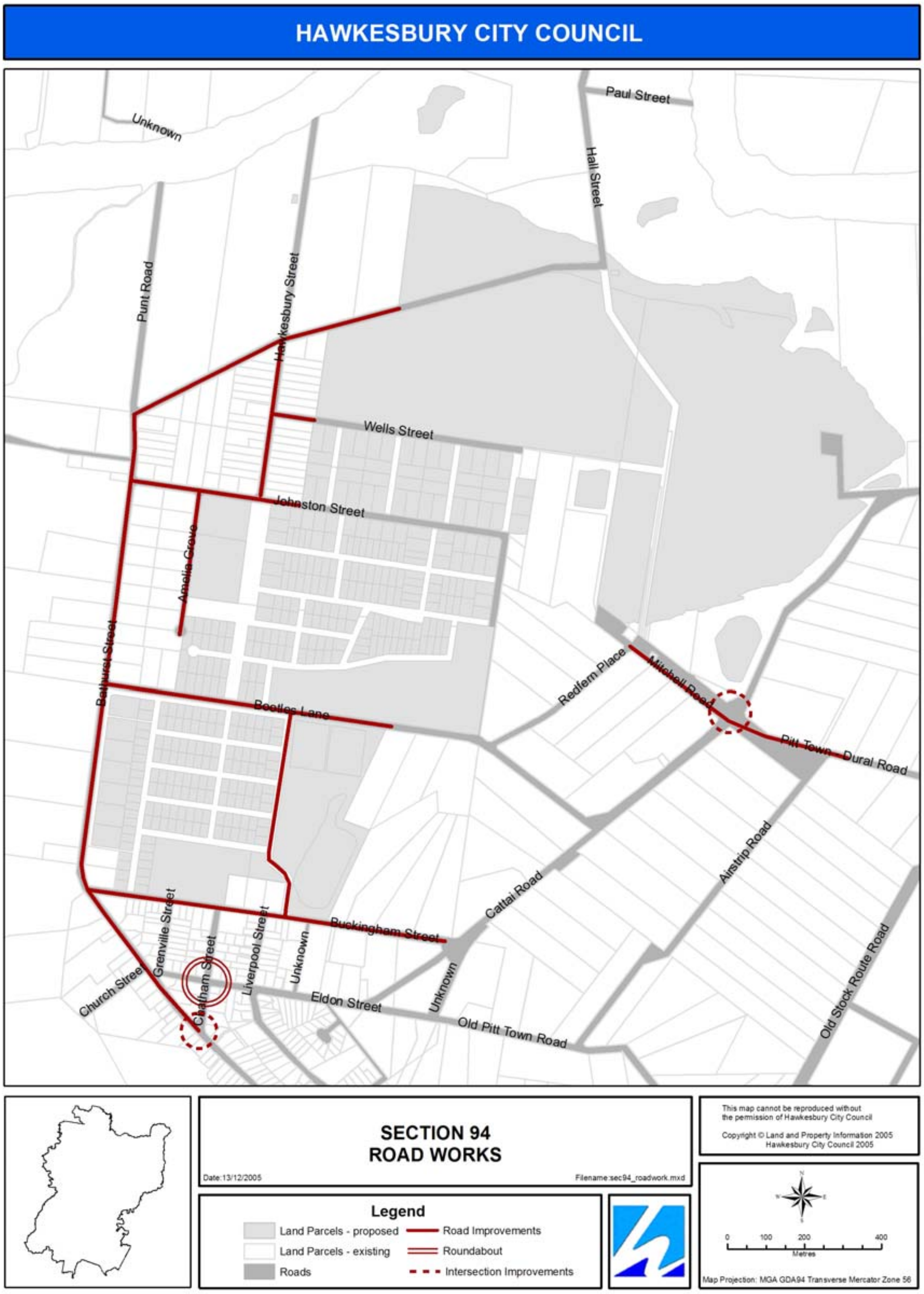


Figure 8 - Catchment 5 Road works map

7A.8 REGIONAL INFRASTRUCTURE

Development within Catchment 5 will require the provision of regional infrastructure for the additional population.

These regional infrastructure improvements are shown in Figure 9 and consist of:

Item	Cost
Mulgrave Railway station parking	$300,000
Interim bus service for 2 years	$460,500
TOTAL	**$760,500**

The contribution formula for regional infrastructure cost can be expressed as:

Contribution per lot = CRi / T

Where CRi = the cost of regional infrastructure

T = the number of additional development lots (i.e 631)

Hence the contribution rate~~d~~ from <insert date of adoption> is $1,205.23.

Figure 9 - Catchment 5 Regional Infrastructure Improvement map

8 CAR PARKING

New development in commercial centres generates parking demands. Sometimes it is not practical or feasible to provide on-site parking. In these cases, it is reasonable for Council to accept a contribution in lieu of providing on-site parking and to provide parking in a location that is accessible to the development that has generated the car parking demand.

Different commercial activities generate different parking demands. The Hawkesbury Development Control Plan must be consulted to determine the relevant parking requirements for different land uses.

The area to which this Contributions Plan applies in relation to car parking is the land designated in Hawkesbury Local Environmental Plan 1989 as General Business 3(a) and Special Business 3(b).

The estimated cost for construction of the parking space is extracted from Rawlinson's Construction Cost Guide and is currently estimated at $1,428 (2001) per space.

8.1 CONTRIBUTION FORMULA

The contribution formula for a car parking space can be expressed as

Contribution per parking space = C + (A x V)

Where C = Cost of Construction
A = Area of land to be acquired
V = Value of land

Hence the contribution rate from 1 July 2001 is detailed below.

Cost of construction, $1,428
Area of land is 35 m^2
Value of land $250/$m^2$

1 car parking space = $10,178

This contribution rate adopted by Council on 11 September 2001.

It is intended to collect car parking contributions and expend them within five years on the basis of suitable land becoming available within that period

9 INTERSECTION IMPROVEMENTS

When new development occurs in the Mulgrave industrial area, it generates additional traffic. All traffic flows from and onto Windsor Road via three intersections, namely Curtis Road, Groves Avenue and Park Road. These intersections need to be upgraded to accommodate the increase in industrial traffic. The location of the intersection improvement contribution map is shown in Figure 10.

Figure 10 - Intersection Improvements

9.1 CONTRIBUTION FORMULAE

Contribution = $\frac{\text{Cost of Intersection}}{\text{Area of Developable land}}$

Contribution rate of Curtis Road/Windsor Road Intersection

Cost of intersection = $100,290 (1992)
Area of developable land = 130,737 m^2

Contribution = $\$0.77/m^2$

Contribution rate for Groves Avenue and Park Road Intersections

Cost of intersection = 2 x $251,800 (1992)
Area of developable land = 428,000 m^2

Contribution = $\$1.18/m^2$

These contribution rates adopted by Council on 14 December 1992.

10 ROAD MAINTENANCE

Where as a result of development there is excessive wear and tear on local roads, contributions may be sought by Council for road maintenance within the ~~local government area~~LGA. Development which would attract contributions include extractive industry operations, landfills and concrete batching plants. The road maintenance levy applies to all land within the City of Hawkesbury.

10.1 CONTRIBUTION FORMULA

The contribution formula for road maintenance can be expressed as follows:

Landfill sites
Road Maintenance Contribution = 3c/tonne/km of transported material

This contribution rate adopted by Council on 14 December 1992.

Quarries
Road Maintenance Contribution = 54.3c per tonne of material extracted

This contribution rate adopted by Council on 11 September 2001.

11 DRAINAGE

Four drainage plans have been designed to upgrade the trunk drainage and inter-allotment drainage systems for the already developed parts of Richmond and Windsor.

Two drainage plans have been designed to~~A further two plans were reported to Council to~~ provide the ~~required~~ drainage works in the developing area of Mulgrave.

Council has identified that substantial drainage works are required to ensure that the impact of development on drainage flows in the area will be minimised. It is anticipated that redevelopment will principally be for medium density housing and factory development~~ at Mulgrave~~.

In order to determine the actual provision level and ultimately the contribution rate, the area which will benefit from the drainage upgrading or the developable area has been calculated. In calculating the developable areas, uses which do not contribute to the developable area, such as open space and roads, have been excluded.

11.1 CONTRIBUTION FORMULA

The contribution formula for drainage works can be expressed as follows.

Contribution per square metre = A/B

Where A = Estimated cost of capital works
B = Developable area

The drainage contribution for all development will be calculated on the total site area of the land to be developed. Where a parcel of land is not fully developed and potential exists at a later stage for the development of the remaining section of land or where development is staged, the calculation will be based on the land being developed at the time.

11.2 DRAINAGE CATCHMENTS

Drainage Catchment No. 1

As a consequence of the upgrading within Catchment 1, developments will no longer be required to have on-site detention of stormwater.

Drainage Catchment No 1 has a total developable area of 16.295ha. It is estimated that the total cost of the drainage works for the catchment will total $1,242,765.61 (1996), which includes a 10% contingency fee.

The potential exists for a 7ha area of land directly to the west of drainage Catchment No 1 to benefit from the drainage upgrading being undertaken. Accordingly, the total cost of drainage upgrading in Catchment No 1 has been reduced to take into account the potential cost of works which may benefit this adjoining catchment. Whilst Council cannot predict the extent of this catchment, it is intended that the cost of works will be recouped when a drainage plan is finalised.

Drainage Catchment No. 2

To facilitate development in the area of Drainage Catchment No 2, an inter-allotment drainage line is required to be constructed.

Drainage Catchment No 2 has a total developable area of 19,370.5m^2. It is estimated that the total cost of the drainage works for the catchment will total $80,639.14 (1996), which includes a 10% contingency fee.

Drainage Catchment No. 3

To enable development to occur in drainage Catchment No 3, the provision of interallotment drainage is required. However, as no Council funds are available to undertake this work , it is required that developers provide the drainage works.

Drainage Catchment No 3 has a total developable area of 32,247.3m^2. Part of the benefit area has already been developed and accordingly Council will not be able to recover the cost of these works. It is estimated that this cost amounts to $22~~-~~,090, which is 7,833m^2 of the benefit area.

It is estimated that the total cost of the drainage works for the catchment will be total $91,031.23 (1996) which includes a 10% contingency fee.

Drainage Catchment No. 4

A drainage plan has been designed to provide trunk drainage for the developed and undeveloped part of Richmond, generally in the Pitt Street, Bowman Street and Hobart Street area.

In calculating the developable areas, uses which do not contribute to the developable area such as open space and roads, have been excluded.

Drainage ~~c~~Catchment 4 has a total developable area of 38,800m^2. It is estimated the total cost for drainage works for the catchment will be $372,000 (1999) which includes a 10% contingency fee.

Drainage Catchment No. 5

A ~~D~~drainage plan has been designed to provide trunk drainage for the undeveloped light industrial zoned part of Vineyard generally between Park Road and Groves Avenue.

Drainage ~~c~~Catchment 5 has a total developable area of 54,400m^2. It is estimated the total cost for drainage works for the catchment will be $195,000 (1999) which includes a 10% contingency fee.

Drainage Catchment No. 6

A ~~D~~drainage plan has been designed to provide trunk drainage for the undeveloped light industrial area zoned part of North Richmond generally off Beaumont Avenue.

Drainage ~~c~~Catchment 6 has a total developable area of 33,200m^2. It is estimated the total cost for drainage works for the catchment will be $50,000 (1999) which includes a 10% contingency fee.

The contribution rates are detailed in the table below.

Catchment	Estimated cost of the works	Developable Area in m^2	Total S94 Contribution Payable
1	$1,242,765.61	162,950.00	$7.63
2	$80,639.14	19,370.50	$4.16
3	$91,031.23	32,247.30	$2.82
4	$372,000.00	38,000.00	$9.79
5	$195,000.00	53,400.00	$3.65
6	$50,000.00	33,200.00	$1.51

Contribution rates for Catchments 1, 2 and 3 adopted by Council on 11 June 1996.

Contribution rates for Catchments 4, 5, and 6 adopted by Council on 9 February 1999.

The location of the six catchments is shown in Appendix 2 of this ~~report~~plan.

12 ADMINISTRATION OF S94 PLAN

Included in the contribution rates for community facilities, recreation facilities and park improvements is an administration cost.

The administration cost covers:-

- secretariat of Section 94 Committee;
- computer software and hardware;
- monitoring of plan;
- documentation;
- research and investigation;
- accounting of monies; and
- annual review of plan.

The guidelines of preparing a Section 94 plan allow the employment of a Section 94 officer.

Administration costs are factored into the contributions for community facilities, recreational facilities and park improvements.

13 PAYMENT OF CONTRIBUTIONS

13.1 WHEN IS THE CONTRIBUTION PAYABLE?

Council requires Section 94 contributions to be paid in full as follows:

- **Development involving subdivision only:**
  Prior to release of final plan of subdivision (i.e. Subdivision Certificate)

- **Development involving building work only:**
  Prior to issue of Construction Certificate

- **Development involving subdivision and building work (e.g. dual occupancy, integrated~~ing~~ housing):**
  Prior to release of final plan of subdivision (i.e. Subdivision Certificate) or prior to issue of construction certificate for the building works, whichever occurs first.

- **Development where no Construction Certificate is required:**
  Prior to occupation/commencement of the development.

13.2 CONSTRUCTION CERTIFICATES AND THE OBLIGATION OF ACCREDITATED 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~~d~~ a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provide to the council in accordance with Clause 142(2) of the *EP & A* ~~r~~*Regulation*. Failure to follow this procedure may render such a certificate invalid.

The only exception to the requirement are where a works in kind~~g~~, 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.

13.3 COMPLYING DEVELOPMENT AND THE OBLIGATION OF ACCREDITATED CERTIFIERS?

In accordance with Section 94EC(1) of the *EP & A Act*, accredited certifiers must impose a condition requiring monetary contributions in accordance with this development contributions plan for industrial buildings and industrial building additions, as is applicable.

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

13.4 CAN PAYMENTS BE DEFERRED?

Council may allow payment of contributions to be deferred in the following cases only:

- ~~D~~deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program;

- where the applicant intends to make a contribution by way of a planning agreement, works in kind or land dedication in lieu of a cash contribution and council and the applicant have a legally binding agreement for the provision of the works and land dedication; or

- there are circumstances justifying the deferred or periodic payment of the contribution.

Deferred payments as outlined above are acceptable only where an unconditional bank guarantee is provided for the amount deferred. Bank guarantees will be accepted on the following conditions:

- the guarantee must carry specific wording, for example "drainage contributions for stage 3";

- the guarantee will be for the contribution amount plus the estimated amount of compound interest foregone by Council for the anticipated period of deferral, (refer to formula below);

- Council may call up the guarantee at any time without reference to the applicant, however the guarantee will generally be called up only when cash payment has not been received, land is not dedicated or material public benefit not provided by the end of the period of deferral;

- the period of deferral will be as agreed where land is to be dedicated or a material public benefit is to be provided. In merit cases, the period of deferral will be as approved by Council. The period of deferral may be extended subject to providing a renewed bank guarantee, which includes anticipated future interest; and

- Council will discharge the bank guarantee when payment is made in full by cash payment, land transfer or by completion of works in kind.

Formula for Bank Guarantee

The following formula will be applied to all bank guarantees for Section 94 contributions:

GUARANTEE AMOUNT = P + P(CI x Y) where:

P Is the Section 94 contribution due;

CI is the compound interest rate comprised of Council's estimate over the period plus 3% (allowance for fluctuations); and

Y is the period of deferral (years).

13.5 METHOD OF PAYMENT

Section 94 payments may be made in one or a combination of any of the following ways:

Monetary Contribution

This is the most common method of payment of contributions. However, payment can be off-set by transferring land to Council or providing a material public benefit as follows.

Transfer of Land

An applicant may transfer land to Council in part or full satisfaction of a contribution. The land may be for open space, community facilities, drainage, or roads and must be land which is included in a schedule of facilities in this plan. The estimated value at the time of transfer will be off-set against the contribution required for the same facility category. Off-sets against other facility categories will be by agreement only.

Material Public Benefit (Works in Kind)

An applicant may provide a material benefit (commonly referred to as works in kind) in part of full satisfaction of a contribution. The works must be included in the schedule of facilities in this plan. The value of works will be off-set against the contribution required for the same facility category. The value of the off-set will be as agreed with Council.

13.6 CREDIT FOR LAND AND MATERIAL PUBLIC BENEFITS

Where an applicant transfers land to Council or provides a material public benefit, which is included in the schedule of facilities in this plan, and is in excess of the contribution required, the excess land or value of works will be held by Council as credit for future development. The credit is expressed in terms of "number of lots" and will be off-set against contributions for the same facility category in any future development by that applicant in the area to which this plan applies. The off-set will generally be made at the contribution rate at the time of the subsequent development.

If no future development is intended, the application will be reimbursed by Council for the excess land or works, subject to agreement by Council as to the value of same. No credit will be given for land or works which are not included in this plan.

14 REVIEW OF CONTRIBUTIONS RATES

To ensure that the value of contributions are not eroded over time by movements in the Consumer Price Index (~~: ~~All Groups ~~i~~Index) for Sydney~~ number~~, land value increases, and the capital costs of studies used to support the Plan, the council will review the contribution rates.

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

- Construction costs by the Consumer Price Index (~~: ~~All Groups Index) for Sydney ~~Number~~ as published by the Australian Bureau of Statistics
- Land acquisition cost by reference to average land valuation figures published by Council in Council's Management Plan
- Specific valuation for particular parcels of land that are identified in the s94 plan as published by the Council in Council's Management Plan
- Changes in the capital costs associated with provision of administration and salary costs for staff involved in implementing council's Section 94 plan by reference to increases~~d~~ in salary rates under the Local Government State Award Plan as published by the council in Council's Management Plan
- Changes in the capitals costs of various studies and activities required to support the strategies i~~o~~n the plan by reference to the actual costs incurred by council in obtaining these studies plan as published by the council in Council's Management Plan

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

Unless otherwise provided for in this plan, for changes to the Consumer Price Index (~~: ~~All Groups Index) for Sydney~~ Number~~, the contributions rates within the plan will be reviewed on a quarterly basis in accordance with the following formula:

$Ca + $Ca X ([Current Index - Base Index])/ [Base Index]

Where

$Ca is the contribution at the time of the adoption of the plan expressed in dollars. Note this plan has been reviewed a number of times and therefore subject to a number of adoption dates. The specific adoption date for a particular contribution is shown in the relevant section relating to the contribution.

Current Index is the Consumer Price Index (~~: ~~All Groups Index) for Sydney~~ Number~~ as published by the Australian Bureau of Statistics available at the time of review of the contribution rate.

Base Index is the Consumer Price Index (~~: ~~All Groups Index) for Sydney~~ Number~~ as published by the Australian Bureau of Statistics available at the date of adoption of this plan. Note this plan has been reviewed a number of times and therefore subject to a number of adoption dates. The specific adoption date for a particular contribution is shown in the relevant section relating to the contribution.

Unless otherwise provided for in this plan, for changes to the land values, the council will publish at least on an annual basis the revised land index values that are to be used to change the base land values contained in the plan which will be determined in accordance in the following formula:

$Clv + $Clv X ([Current LV Index - Base LV Index])/ [Base LV Index]

Where

$Clv is the land values within the plan at the time of the adoption of the plan expressed in dollars. ~~.~~ Note this plan has been reviewed a number of times and therefore subject to a number of adoption dates. The specific adoption date for a particular contribution is shown in the relevant section relating to the contribution.

Current LV Index is the land value index as published by the council available at the time or review of the contribution rate.

Base LV Index is the land value index as published by the council at the date of adoption of this plan. Note this plan has been reviewed a number of times and therefore subject to a number of adoption dates. The specific adoption date for a particular contribution is shown in the relevant section relating to the contribution.

For changes in salary costs and changes in the costs for studies and other activities associated with the plan, council will publish at least on an annual basis the revised indices that are to be used to change the base costs of salaries and the costs of studies and associated activities in administering the plan.

Note: This clause does not cover the adjustment of a contribution between the time of consent and time payment is made. This is covered by Section 15.

15 HOW ARE CONTRIBUTIONS ADJUSTED AT THE TIME OF PAYMENT?

The contributions stated in a consent are calculated on the basis of the Section 94 contributions rates determined in accordance with this plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

$Cp = $Cdc + [$Cdc x ($Cq - $Cc)] / $Cc

Where

$Cp is the amount of the contribution calculated at the time of payment.

$Cdc is the amount of the original contribution as set out in the development consent.

$Cq is the contribution rate applicable at the time of payment.

$Cc is the contribution rate applicable at the time of the original consent.

The current contribution are available from council offices.

16 POOLING OF CONTRIBUTIONS

This plan expressly authorises monetary Section ~~s~~94 and Section 94A contributions paid for different purposes to be pooled and applied (progressively or otherwise) for these purposes. In the event that contributions are pooled, expenditure priority will be given to those items identified in the works programs for community facilities, recreation facilities, park improvements and intersection improvements.

17 MONITORING AND REVIEW

This Contributions Plan will be subject to regular review by Council. The purpose of any review is to ensure that:

- levels of public service and amenity provision are consistent with likely population trends and community needs;
- contribution levels reflect changes to land values and construction costs;
- work schedules can be amended if development levels differ from current expectations.

18 FINANCIAL INFORMATION

Separate accounting records will be maintained for each contribution type in this Plan. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided.

The records are held at Council's Administration Office and may be inspected upon request.

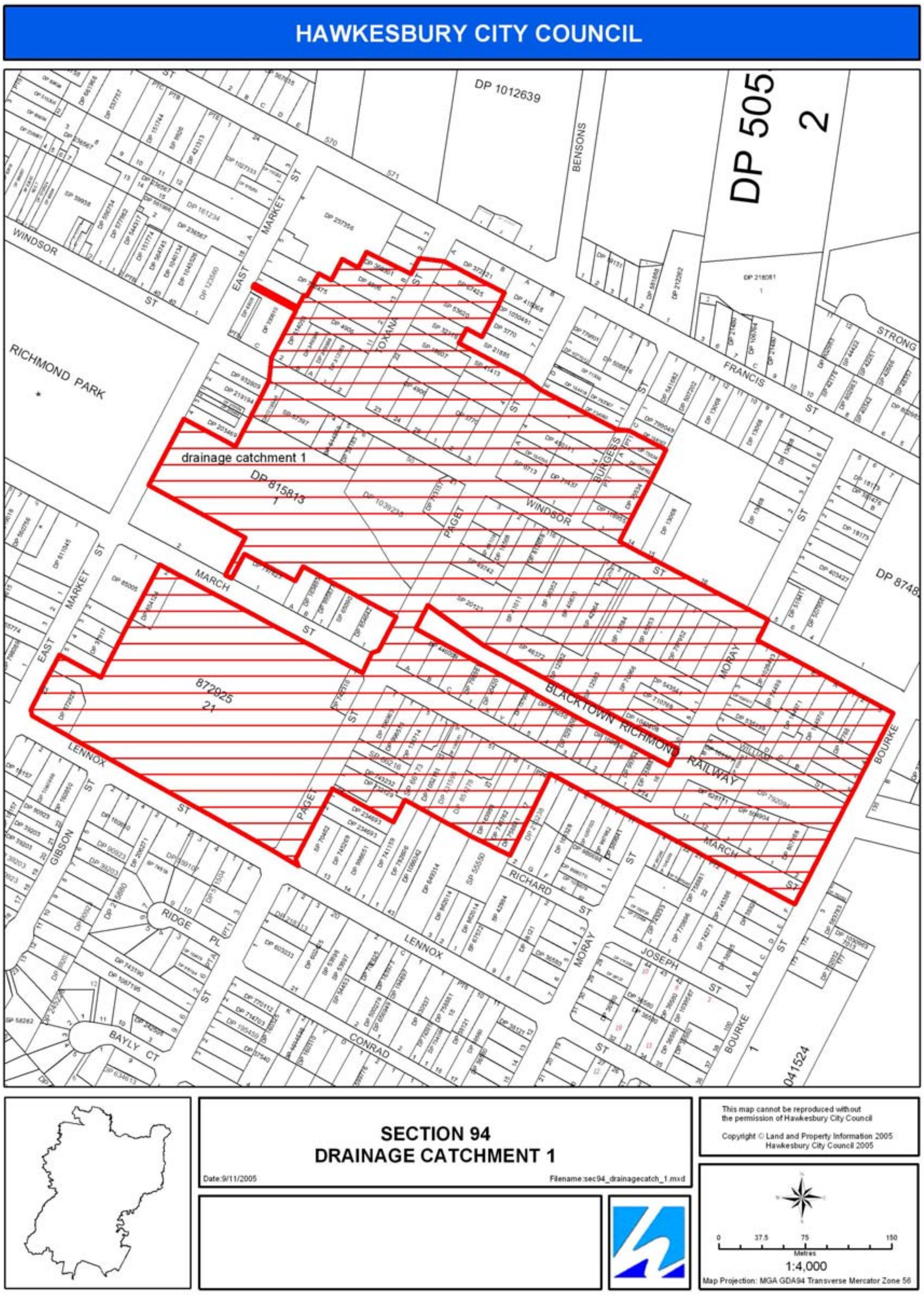
In accordance with the Environmental Planning and Assessment Act, 1979, and Regulations, a contributions register will be maintained by Council and may be inspected upon request.

Appendix 1

Catchment 5 - Road works costing

Appendix 2

Drainage catchments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drainage catchment 1
RICHMOND PARK
WINDSOR ST
MARCH ST
LENNOX ST
BLACKTOWN RICHMOND RAILWAY
SECTION 94
DRAINAGE CATCHMENT 1
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Filename:sec94_drainagecatch_1.mxd
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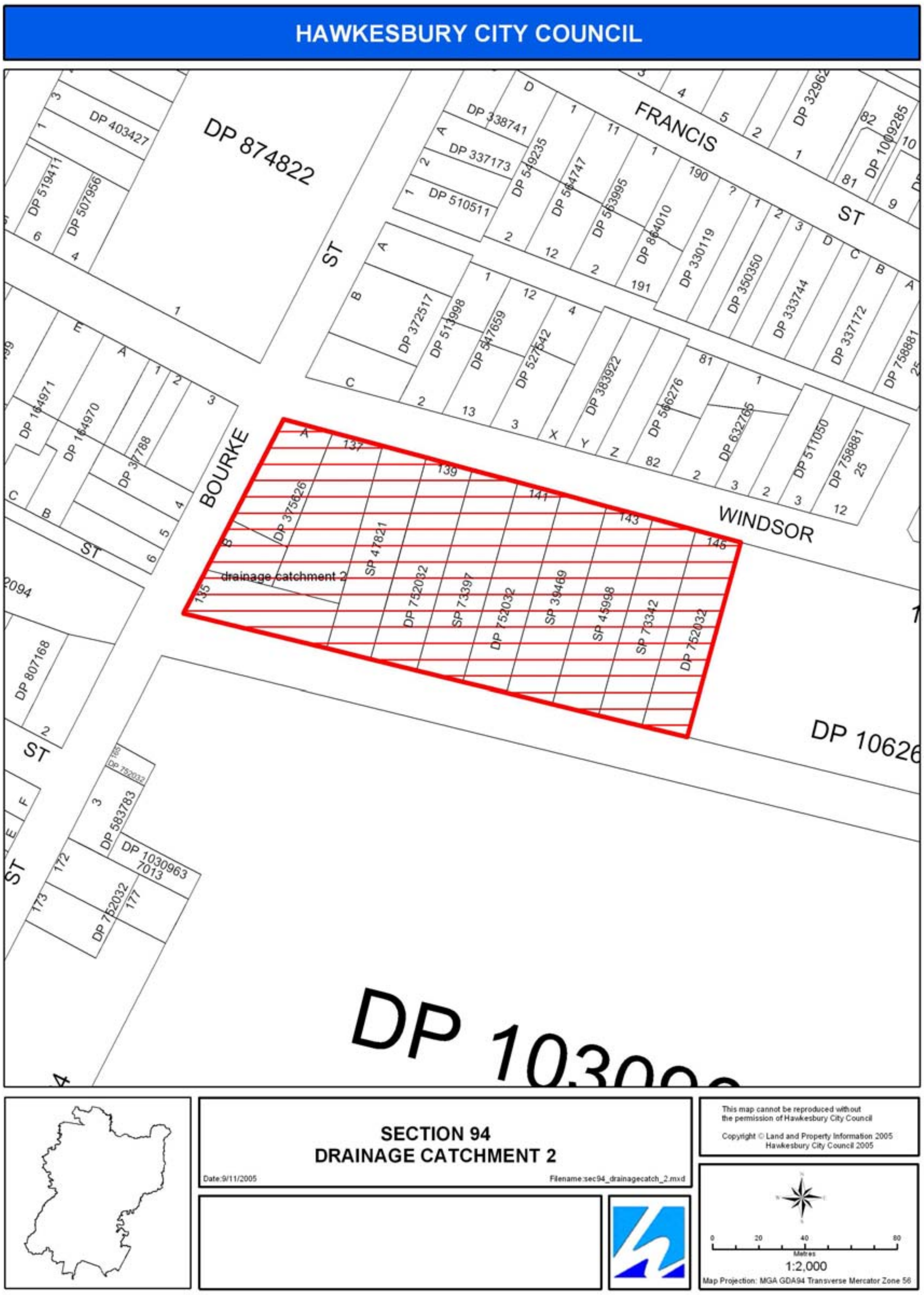
Map Projection: MGA GDA94 Transverse Mercator Zone 56


HAWKESBURY CITY COUNCIL
FRANCIS ST
WINDSOR
BOURKE
ST
ST
ST
drainage catchment 2
DP 874822
DP 10626
DP 10300
SECTION 94
DRAINAGE CATCHMENT 2
Date:9/11/2005
Filename:sec94_drainagecatch_2.mxd
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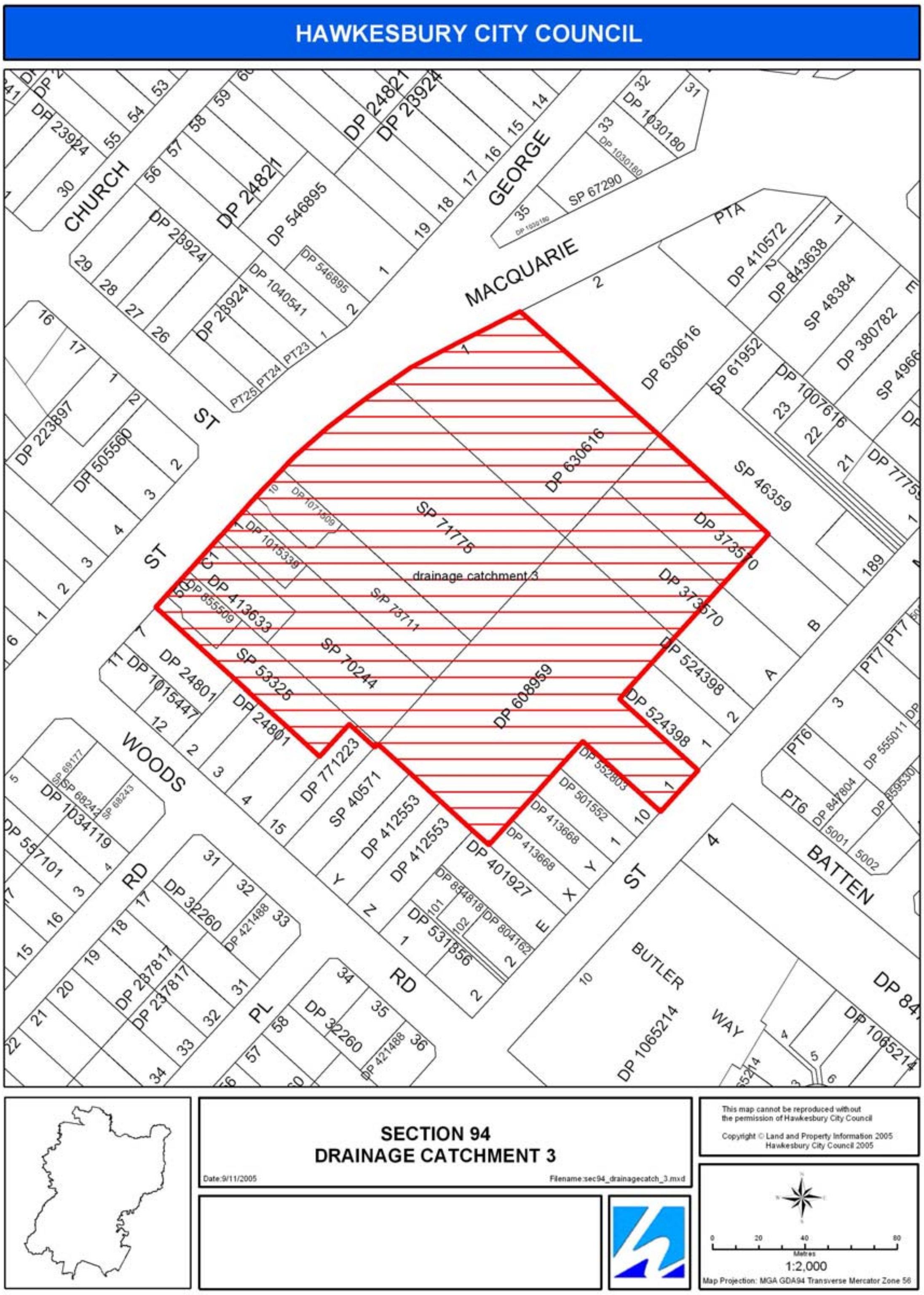
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CHURCH
ST
GEORGE
MACQUARIE
PTA
WOODS
RD
ST
BATTEN
BUTLER
WAY
PL
RD
CT
drainage catchment 3
SP 71775
SP 73711
SP 70244
DP 608959
DP 630616
SP 53325
SP 46359
SECTION 94
DRAINAGE CATCHMENT 3
Date:9/11/2005
Filename:sec94_drainagecatch_3.mxd
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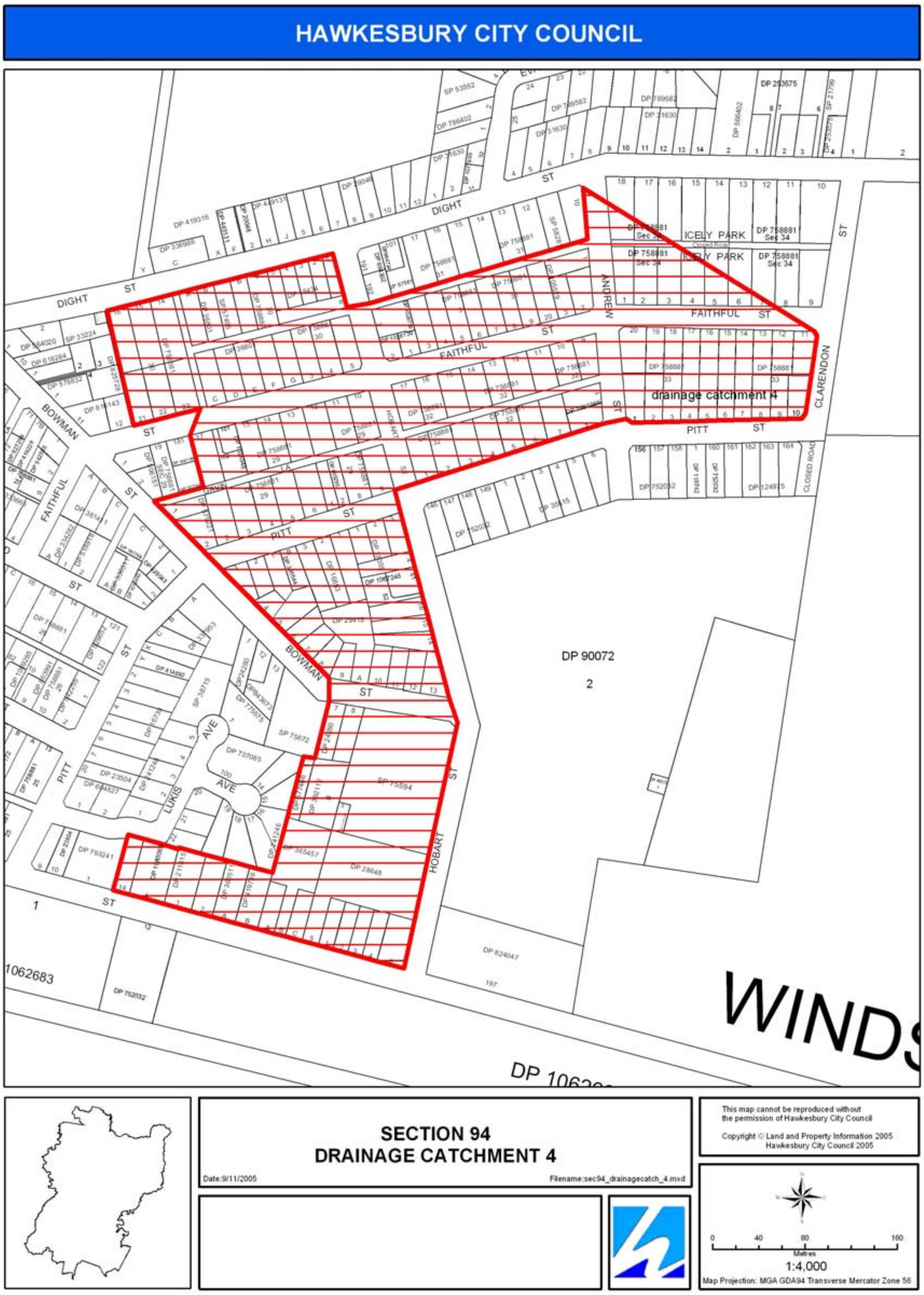
HAWKESBURY CITY COUNCIL
DIGHT ST
ICELY PARK
FAITHFUL ST
ANDREW
CLARENDON
drainage catchment 4
PITT ST
BOWMAN
HOBART ST
LUKIS AVE
CLOSED ROAD
DP 90072
2
1062683
WINDS
SECTION 94
DRAINAGE CATCHMENT 4
Date:9/11/2005
Filename:sec94_drainagecatch_4.mxd
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Hawkesbury City Council 2005
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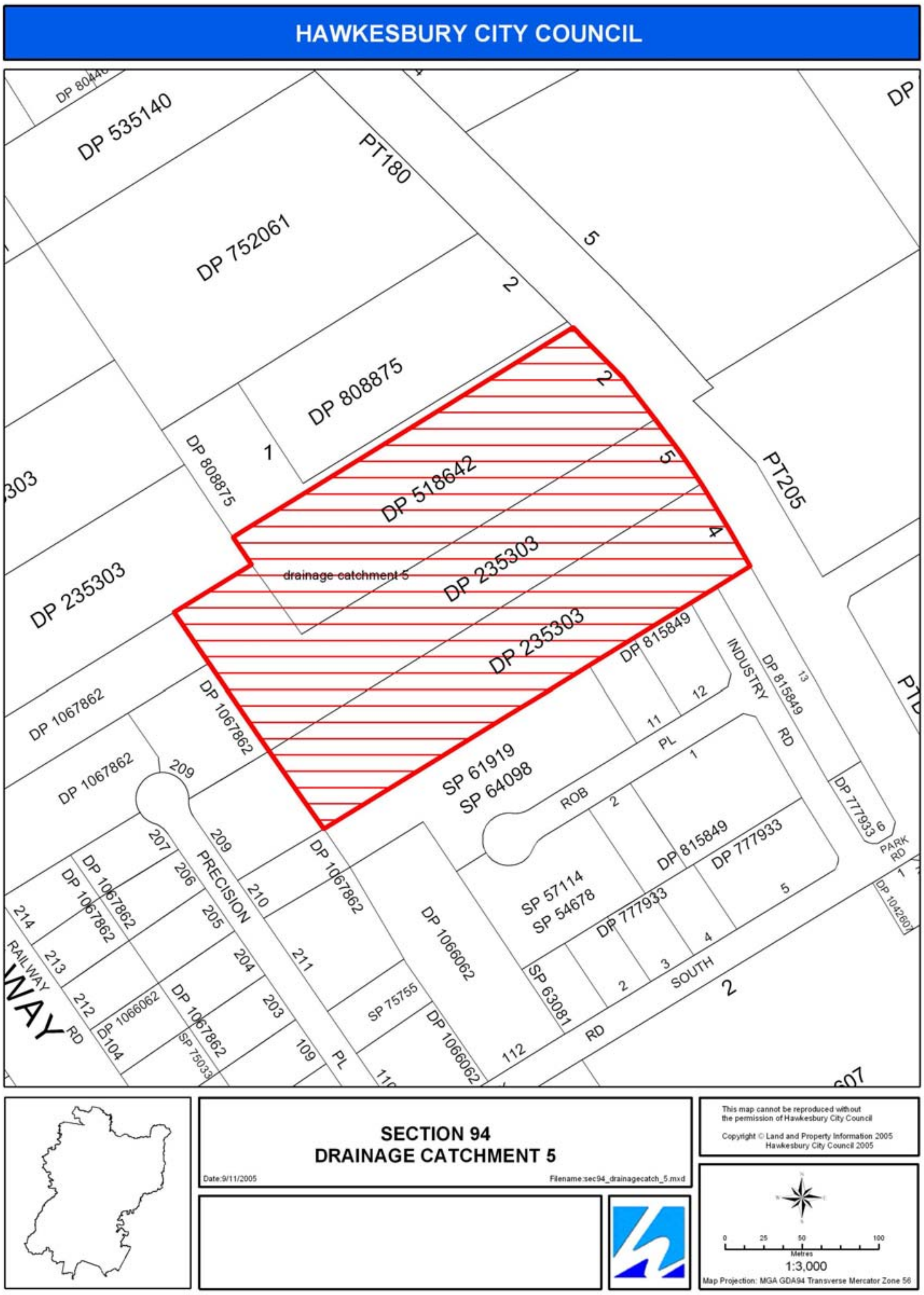
HAWKESBURY CITY COUNCIL
DP 535140
DP 752061
PT180
DP 808875
DP 518642
DP 235303
drainage catchment 5
DP 1067862
SP 61919
SP 64098
DP 815849
INDUSTRY RD
ROB PL
PRECISION PL
RAILWAY RD
SOUTH RD
PARK RD
PT205
SP 57114
SP 54678
DP 777933
DP 1066062
SP 75755
SP 63081
SECTION 94
DRAINAGE CATCHMENT 5
Date:9/11/2005
Filename:sec94_drainagecatch_5.mxd
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Hawkesbury City Council 2005
Metres
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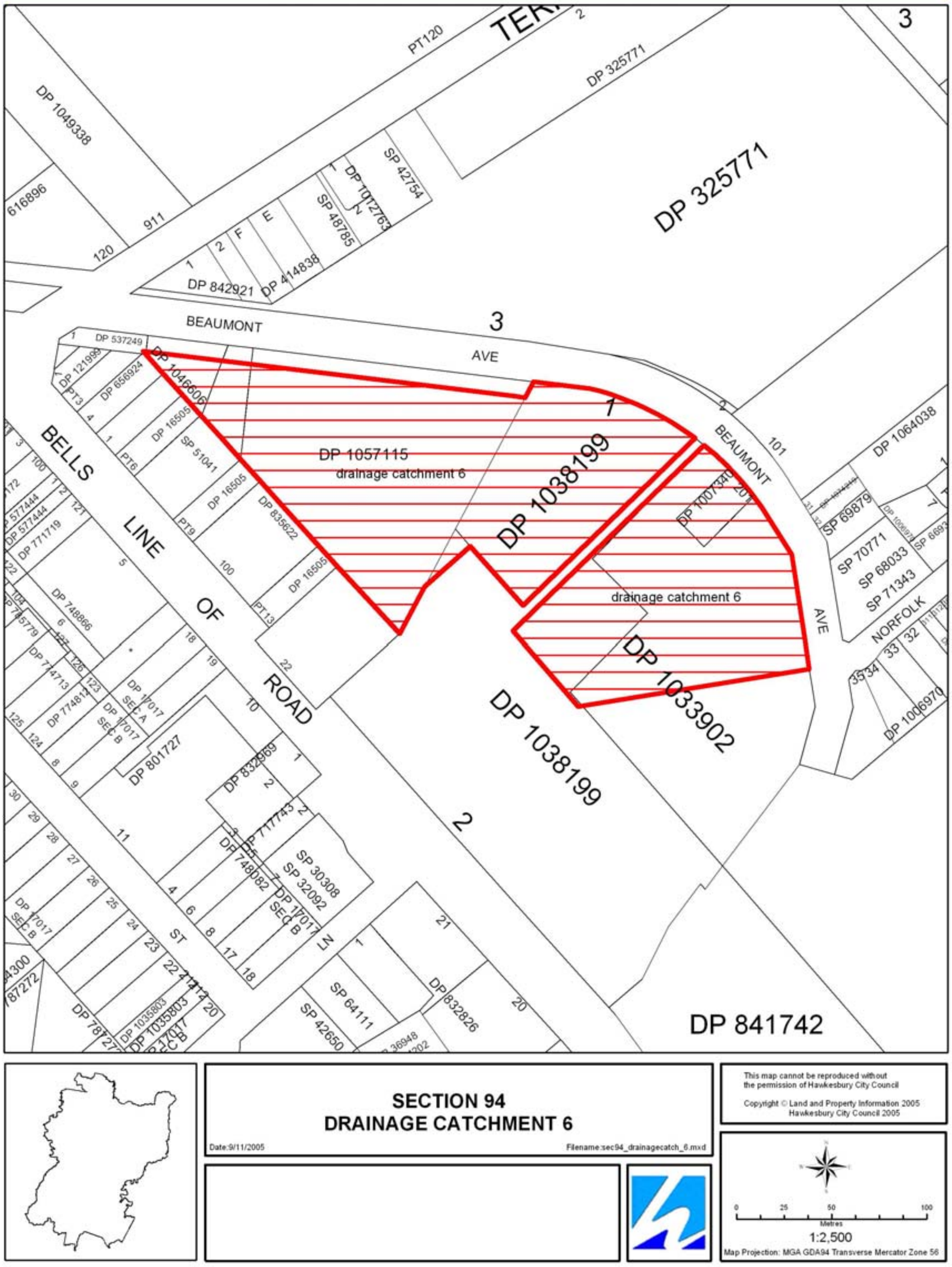
Map Projection: MGA GDA94 Transverse Mercator Zone 56

HAWKESBURY CITY COUNCIL



Appendix 3

Maps showing location of community facilities, recreation facilities and park improvements to be completed as at <insert date of adoption>