



Murray Shire Council

**SECTION 94
DEVELOPMENT
CONTRIBUTIONS
PLAN**

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MURRAY ON THE MOVE

S94 Development Contributions Plan 2011



S94 Development Contributions Plan 2011

Applies to areas zoned **R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, B2 Local Centre, B6 Enterprise Corridor, IN1 General Industrial**

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Part A – Summary Schedules

The following summary schedules are included in this plan:

- Works program (Schedule 1)
- Contributions by category
- Contributions by development type.

It is stressed that these are provided as summary tables only and more details are contained in the individual strategies within the plan.

1.1 Summary Schedule - Works program

The works program (Schedule 1) and associated map identifies both the public facilities and location of such facilities for which section 94 (S94) contributions will be required.

Contributions paid to council under a condition authorised by this plan will be applied towards meeting the cost of provision or augmentation of public facilities that have been or will be provided. Schedule 1 provides a summary of public facilities, which have been or will be provided by Council over the next 5 years, as well as the estimated cost of provision and timing.

1.2 Summary Schedule – Contributions by category

CONTRIBUTION TYPE	TOTAL VALUE OF WORKS	CONTRIBUTIONS PER ET
Roads Upgrade	\$3,871,000.00	\$1,500
Open Space	\$715,029.00	\$450
Community Facilities	\$376,850.00	\$150
Waste	\$735,482.00	\$300
Stormwater	\$1,090,000.00	\$450
Car Parking	\$60,000	\$550
Water Contribution under S64	-	\$2,130
Sewer Contribution under S64	-	\$2,047

Notes: Refer to Councils S64 plan for more detail on water and sewer figures.

1.3 Summary Schedule – Contribution by development type

CONTRIBUTION RATES							
DEVELOPMENT	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION AMOUNT					
		ROAD UPGRADE	OPEN SPACE	COMMUNITY FACILITIES	WASTE	STORM WATER	CAR PARKING
Conventional lot	100%	\$1,500	\$450	\$150	\$300	\$450	\$550
4 bedroom unit	100%	\$1,500	\$450	\$150	\$300	\$450	\$550
3 bedroom unit	90%	\$1350	\$405	\$135	\$270	\$405	\$495
2 bedroom unit	70%	\$1,050	\$315	\$105	\$210	\$315	\$385
1 bedroom unit	60%	\$900	\$270	\$90	\$180	\$270	\$330
Motel/ Hotel/ Hostel	60% contribution rate per room	\$900	\$270	\$90	\$180	\$270	\$300
Commercial/ Retail/ Industrial	% of ET contribution based on trip generation	TBD	-	-	-	-	-
Extractive Industry	Based on formula provided in the Strategy Plan	TBD	-	-	-	-	-
Development with transport component	Based on formula provided in the Strategy Plan	TBD	-	-	-	-	-

Notes:

- TBD: contribution amount to be determined in accordance with the Strategy Plan rationale (Part C);
- For the purposes of the calculation of the S94 contribution the above rates are applied to each type of development to reflect the nexus between developments and demand for facilities. It is levied on the basis of an equivalent tenement (ET) which equates to a standard residential lot.
- Carparking is only levied when a development can not meet its onsite carparking requirements as per Council Policy.

S94 Development Contributions Plan 2011**Part B – Administration and operation of the plan****2.1 What is the name of this development contributions plan?**

This development contributions plan is called the *Murray Shire Council S94 Development Contributions Plan 2011*.

2.2 Area the plan applies

This plan applies to land within the local government area of **Murray Shire Council** zoned R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, B2 Local Centre, B6 Business Enterprise Zone, IN1 General Industrial, SP3 Tourist as shown on the Land Zoning Maps, Murray Local Environmental Plan 2011.

2.3 The purpose of this development contributions plan

The purpose of the Development Contributions Plan is to:

- (a) provide an administrative framework under which specific public facilities strategies 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 S94 of the *Environmental Planning and Assessment Act 1979* 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
- (f) enable the council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.

2.4 Commencement of the plan

This development contributions plan has been prepared pursuant to the provisions of S94 of *the EP&A Act* and Part 4 of the *EP&A Regulation* and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the *EP&A Regulation*.

2.5 Relationship with other plans and policies

This development contributions plan repeals the *Murray Shire Council S94 Development Contributions Plan 2007*.

The development contributions plan supplements the provisions of the Murray Local Environmental Plan 2011 and any amendment or local environmental plan which it may supersede.

2.6 When is the contribution payable?

A contribution must be paid to the council at the time specified in the condition that imposes the contribution. If no such time is specified, the contribution must be paid prior to the issue of a Construction Certificate or Complying Development Certificate.

2.7 Construction certificates and the obligation of accredited certifiers

In accordance with section 94EC of the *EP&A Act* and Clause 146 of the *EP&A Regulation*, a certifying authority must not issue a Construction Certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

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In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

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

2.8 Deferred/periodic payments

Where the applicant can demonstrate that the settlement of the contribution in accordance with Section 2.6 is unreasonable in the circumstances of the case, the Council may accept a deferred or periodic settlement.

The applicant needs to make written request and satisfy the Council that:

- (a) there are valid reasons for deferral or periodic payment
- (b) 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
- (c) no prejudice will be caused to the efficacy and operation of the plan.
- (d) 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, the Council and the applicant have a legally binding agreement for the provision of the works or land dedication

The conditions under which the Council may accept deferred or periodic settlement by way of instalments is that the instalment be paid before the work commences on any stage of the development as the amount calculated on a pro-rata basis in proportion to the overall development.

The conditions under which the Council may accept deferred or periodic settlement by way of a bank guarantee is that:

- (i) The Bank guarantee be by an Australian Bank for the amount of the total contribution or the amount of the outstanding contribution;
- (ii) The Bank unconditionally pays the guarantee sum to the Council if the Council so demands in writing not earlier than 6 months from the provision of the guarantee or completion of work, whichever occurs first;
- (iii) The Bank must pay the guarantee sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent.
- (iv) The Bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the Bank in writing that the guarantee is no longer required.

Any outstanding component of the contribution shall be indexed, at the date of payment, in accordance with the indicative Borrowing Rate for NSW Local Government Authorities, as published weekly.

Indexing will be calculated from the date the contribution was due until the date of payment. The applicant will be required to pay the contribution, the accrued interest and any charges associated with establishing or operating the bank security. Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

2.9 Can the contribution be settled by alternative/ other means?

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.

Council may accept such alternatives in the following circumstances:

- (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
- (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; and

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The value of the works to be substituted must be provided by the applicant at the time of the request and must be independently certified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications. This is to be provided at the expense of the applicant.

Council will require the applicant to enter into a written agreement for the provision of the works.

Acceptance of any such alternative is at the sole discretion of the council. Council may review the valuation of works or land to be dedicated, and may seek the services of an independent person to verify their value. In these cases, all costs and expenses borne by the council in determining the value of the works or land will be paid for by the applicant.

2.10 Procedural requirements for alternative/ other contribution payment methods

If an applicant for development consent seeks to make a contribution towards the provision of public facilities to meet development other than by payment of a development contribution, the applicant may adopt one of the following procedures.

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

If the applicant does not wish to pay a development contribution in connection with the carrying out of development, the applicant may include in the relevant development application an offer to carry out works or provide a material public benefit towards which the development contribution is to be applied.

The Council will consider the offer as part of its assessment of the development application. If the Council agrees to the arrangement and grants consent to the application, it will substitute a condition under section 80A of the *EP&A Act* requiring payment of development contributions with a condition requiring the works to be carried out and/ or the material public benefit being provided within a nominated time frame. If the Council does not agree to the alternative arrangement, it may grant consent subject to a condition authorised by this plan requiring payment of development contributions.

In assessing the applicant's offer Council will have regard to circumstances outlined in Section 2.09 and any other matters as the Council considers relevant in the circumstances of the case.

- **Offer made to Council following the grant of development consent requiring the payment of development contributions**

If development consent has been granted to the carrying out of development subject to a condition authorised by this plan to pay development contributions, the applicant must comply with the condition unless it is modified under Section 96 of the Act.

If the applicant does not wish to pay the development contributions, the applicant may make an application to the Council under Section 96 of the Act to modify the consent by substituting the condition requiring the payment of a development contribution with a condition requiring the carrying out of works or the provision of a material public benefit towards the public purposes to which the development contributions was to be applied.

If the Council approves the application, the applicant will be bound by the substituted condition. If the Council does not approve the application, the applicant will remain bound by the condition authorised by this plan requiring the payment of the development contributions.

- **Offer to enter into a voluntary planning agreement**

If an applicant does not wish to pay development contributions in connection with carrying out development, the applicant may offer to enter into a voluntary planning agreement with the Council under Section 93F of the Act in connection with the making of a development application.

Under the planning agreement, the applicant may offer to pay money, dedicate land, carryout works, or provide other material public benefits for public purposes. Those purposes need not relate to the impacts of the applicant's development nor to the items listed in the Works Program (Schedule 1).

The applicant's provision under a planning agreement may be additional to or instead of paying development contributions in accordance with a condition of development consent authorised by this plan. This will be a matter for negotiation with Council.

The offer to enter into a 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 its assessment of that application.

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If Council agrees to enter into the planning agreement, it may impose a condition of development consent under Section 93I(3) of the 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 development contributions.

Applicant's should refer to the *EP&A Act/ Regulation* and the Department of Planning Practice Note – Planning Agreements (Issued 19 July 2005) and Councils Planning Agreement Policy for additional guidance relating to the fundamental principles relating to the use of planning agreements, setting out the broad policy framework, basic statutory procedures for negotiating, entering into and administering planning agreements.

2.11 Exemptions

There are no exemptions to this plan except where a Ministerial Direction has been issued directing such exemption. Applicants are to verify with Council whether exemptions are provided under these Directions.

Council will not consider exempting other developments, or components of developments from the requirement of paying a contribution except where in exceptional circumstances the development is being carried out by Council, a community or 'not for profit' organisation for the benefit of Council or the community for no commercial gain. A planning agreement may be negotiated in lieu of payment on contributions at the discretion of Council.

2.12 Review of contribution rates

To ensure that the value of contributions are not eroded over time by movements in the **Consumer Price Index (CPI)**, land value increases, the capital costs of administration of the plan or through changes in the 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 **CPI** as published by **RBA Website**.
- land acquisition costs by reference to average land valuation figures published by council in Council's Management Plan
- specific valuations 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 S94 plan by reference to increases in salary rates under the Local Government State Award Plan as published by the council in Council's Management Plan
- changes in the capital costs of various studies and activities required to support the strategies in 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.

For changes to the **CPI** index, the contribution rates within the plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\text{\$C}_A + \frac{\text{\$C}_A \times (\text{Current Index} - \text{Base Index})}{\text{Base Index}}$$

Where:

\\$C_A	is the contribution at the time of adoption of the plan expressed in dollars;
Current Index CPI	is the CPI as published by the RBA Website available at the time of review of the contribution rate;
Base Index CPI	is the CPI as published by the RBA Website at the date of adoption of this Plan which is the CPI on the DATE .

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

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For changes to 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 with the following formula:

$$\text{\$C}_{LV} + \frac{\text{\$C}_{LV} \times (\text{Current LV} - \text{Base LV Index})}{\text{Base Index}}$$

Where:

$\text{\$C}_{LV}$	is the land values within the plan at the time of adoption of the plan expressed in dollars;
Current LV Index	is the land value index as published by the council available at the time of 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 which is DATE.

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.

The current contributions are published by council and are available from council offices. Should the council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

The contribution rates within this plan will be reviewed annually.

This plan to be reviewed 5 years from the date of its adoption.

Note: This clause does not cover the adjustment of a contribution between the time of consent and the time payment is made. This is covered by clause 2.13.

2.13 How are contributions adjusted at the time of payment?

The contributions stated in a consent are calculated on the basis of the S94 contribution rates determined in accordance with this plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

$$\text{\$C}_P = \text{\$C}_{DC} + \frac{\text{\$C}_{DC} \times (\text{\$C}_Q - \text{\$C}_C)}{\text{\$C}_C}$$

Where:

- $\text{\$C}_P$ is the amount of the contribution calculated at the time of payment
- $\text{\$C}_{DC}$ is the amount of the original contribution as set out in the development consent
- $\text{\$C}_Q$ is the contribution rate applicable at the time of payment
- $\text{\$C}_C$ is the contribution rate applicable at the time of the original consent

The current contributions are published by council and are available from council offices. Should the council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

2.14 Are there allowances for existing development?

Contributions will be levied according to the estimated increase in demand. An amount equivalent to the contribution attributable to any existing (or approved) development on the site of a proposed new development will be allowed for in the calculation of contributions. In assessing the contribution of existing development the following rates will be used:

- Conventional lot – 100% contribution rate

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- 4 bedroom dwelling – 100% contribution rate
- 3 bedroom dwelling – 90% contribution rate
- 2 bedroom dwelling – 70% contribution rate
- 1 bedroom dwelling – 60% contribution rate
- Motel/hotel/hostel – 60% contribution rate per room.
- Commercial/retail/industrial - % of ET contribution based on trip generation.
- Extractive industry – based on formula provided in the Strategy Plan.
- Development with transport component – based on formula in the Strategy Plan.

Where a development does not fall within any of the items noted above, the council would determine the credit on the basis of the likely demand that the existing development would create.

2.15 Complying Development

In accordance with s94EC of the EPA Act this plan stipulates the following in respect to an application made to an accredited certifier for complying development certificate;

- An accredited certifier must in issuing a complying development certificated impose a condition under section 94 in accordance with this plan.
- This condition must only relate to the requirement for a monetary contribution in accordance with this plan
- The amount of this monetary contribution is to be in accordance with the contribution rates detailed in section 1.3 of this plan

Note: A condition requiring the payment of a section 94 contribution is only to be imposed in circumstances where the payment of this contribution has not already been made in the approval of a subdivision

2.16 Pooling of contributions

This plan expressly authorises monetary s94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule.

2.17 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

Part C – Strategy Plan

3.1 What the strategy plan should consider

The strategy plan will establish the nexus between the expected types of development in the Shire and the demand for additional/ upgrading of new/ existing public amenities and public services.

This will be achieved by a three step process:

- **Step 1:** Determining the anticipated development in the area to which the plan applies
- **Step 2:** Determining the expected demand for public facilities and infrastructure arising from the proposed development
- **Step 3:** Identifying the relationship between this development and the demand for additional public amenities and public services.

3.1.1 Step 1: Anticipated development

Anticipated development is the population or employment growth expected for the entire local government area.

It will be determined through an analysis of:

- **Past Population Growth:** past growth and demographic changes
- **Housing Trends:** past occupancy levels and changes
- **Future Population Growth:** Greenfield areas, Brownfield locations, infill, locations and timing

3.1.2 Step 2: Expected demand

Expected demand for each development contributions category will be determined by the following process:

- **Examine levels of existing provision:** the standard that exists at present may be adequate to meet some of the needs of the incoming population
- **Identify categories of facilities required for the incoming population:** these may include community facilities, open space, roads, car parking, civic improvements and other support facilities
- **Use relevant industry standard** for provision for facilities where existing provision is not appropriate
- **Derive demand** by analysis of existing provision/industry standards against the incoming population.

3.1.3 Step 3: Identifying the relationship

The relationship between expected development and demand is one of establishing the proportional responsibility of expected development, and whether there is a need to make allowance for any existing demand or past deficiencies (apportionment).

This strategy plan will identify the proportional responsibility (apportionment) associated with each contributions category, which will be determined by accepted methodologies and formulae set out by the Department of Planning based on the expected cost of the service to be provided.

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3.2 Step 1: Anticipated Development

3.2.1 Past Population Growth/ Development Figures

The growth rate within the Murray Shire is approximately 2% per annum, which is one of the fastest growth rates in the state. This growth goes against the trend for the majority of the states other rural councils.

This growth is largely in the residential sector with on average 85 new dwellings being built annually in the last 10 years.

The growth is largely attributed to life style change and the cost of housing in area compared to Melbourne (which is located 200km to the south).

Table A: Past Population Growth, Murray Shire 1981-2001 (census periods)

	1981	1986	1991	1996	2001	2006	2011 (estimated)
Population (persons)	4814	4913	5013	5500	5910	6417	7300

Murray Shire is continuing to experience growth, with the population expected to exceed 8000 people by 2021. The Department of Planning in their population forecasts for local government areas predicts that the Shire's population will grow by over 1% per annum over the next ten years. This growth is due largely to inter-state migration from Victoria.

Recent development can be ascertained from development and building application approvals (see Table B). Dwellings will be the main form of urban development that produces demand for services such as drainage, roads, open space and community facilities.

Table B: Existing Development/ Population Figures, Murray Shire 1996-2010

Year	Residential Lots	New Dwellings	New Population
1996	14	43	112
1997	67	68	177
1998	87	84	218
1999	6	99	257
2000	53	71	185
2001	55	76	198
2002	84	96	250
2003	42	126	327
2004	105	103	268
2005	101	127	330
2006	70	116	301
2007	77	91	237
2008	15	41	98
2009	25	52	125
2010	121	48	135

Note: New Population based on averaged house size

Source: Murray Shire Council, 2011

3.2.3 Housing Trends

Table C provides a profile of housing statistics for Murray Shire in 2001. Around 84.7% of the housing comprises private separate dwellings while medium density housing (terraces, flats) represents 10.4% of the dwelling stock and other forms of dwelling accounts for around 4.8% of stock.

Table C: Housing stock and Occupancy Rates, Murray Shire 2006

	Dwellings Occupied	Unoccupied	Total	%
Separate House	2201	501	2,702	84.7
Semi-detached, row or terrace house, town house	96	Nil	96	3.7
Flat, unit or apartment	175	Nil	175	6.7
Other	126	Nil	126	4.8
Not Stated	0	Nil	0	0.9
TOTAL	2,598	501	3,099	100

Source: Census of Population and Housing 2006

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The average household size is 2.4 people compared to the Australian average of 2.6 people. The rate is typical of the region, it can be expected that these trends will continue during the course of this Plan.

3.2.5 Existing/ Future Population Growth

The basis of nexus is largely population growth, as this is the factor that creates the demand for additional/ upgraded new/ existing public facilities and services.

3.2.5.1 Current land supplies and population capacity

Current zoned residential lands available to accommodate future population growth outlined in Table D

Table D: Land Supply and Lot Yield.

Identified Land	Yield (lots)	Population Capacity (persons)	Equivalent Tenements
Maidens Park Estate	60	150	60
East of Nicholas Drive	300	720	300
North of Perricoota Rd	800	1900	800
North of Moama Recreation Reserve	600	1400	600
South East Moama Infill Development	100	240	100
Cobb Highway (Large Lot Residential)	50	120	50
Winbi Estate	200	480	200
Merool Lane Infill Development	50	120	50

Source: Murray Shire Council

The total capacity of all land zoned residential under the draft Murray LEP 2011 is approximately 5130 persons (or approximately 2160 equivalent tenements). While this total population may not eventuate, it provides a maximum likely population figure for the area. Based on current growth figures, there is adequate land for future population growth in the Shire for the life of this Plan in Moama.

3.2.5.2 Population Increases and Characteristics

The past population growth of the Shire is summarised in Table E which also provides an estimate of possible growth levels. Growth in the last decade has been around 2% per annum. This growth level is likely to increase due to the aging population and the lifestyle that the area has to offer.

Table E provides the projected population growth. It is expected that the population will be 7800 by 2016. This would equate to approximately 1300 equivalent tenements (ETs) over the next 5 years.

Table E Estimated Population Growth: Murray Shire (projected)

Year	Total Population	Growth Rate (%)	Growth Index (2006 = 100)
2011	7300	1.67	109
2016	7800	1.35	116
2021	8200	1.16	123
2026	8600	0.98	129
2031	9000	0.80	135
2036	9300	0.63	139

Source: Department of Planning 2010

Table F Estimated Population Growth: Moama

Year	Total Population
1996	3545
2001	3661
2006	4,500 estimated
2011	5,300 estimated
2016	6,000 estimated

Source: ABS, Moama North West Masterplan, Moama Development Strategy

The growth rate in Moama will be approximately 12% over the next 5 years. As growth is high in the Shire and particularly in Moama, the Council should have a Section 94 Plan that will provide the ability to respond to the growth of the Shire to ensure that any required facilities are funded, at least partly, by the incoming population.

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3.3 Step 2: Expected Demand

3.3.1 Road Upgrading

3.3.1.1 Levels of existing provision

The shire has over 1355 kilometres of roads in various conditions over which the Council is charged with the care and control. These roads have a total of 54.66 km of kerb & gutter, and 17.01 km of footpaths.

The current road hierarchy classifies road in the following categories:

- State Highway
- Regional Roads
- Feeder Roads
- Connector Roads
- Local Roads L1 – Gravelled or Sealed
- Local Roads L2 – Formed Gravelled
- Local Roads L3 – Ungravelled
- Sub-Arterial Streets
- Collector Streets
- Local Streets
- Access Streets.

The condition assessment of Council's roads and streets identifies that sealed roads are in fair to good condition; however there is development pressure which sees the need to upgrade and improve numerous roads in the Council area. Future development subject to Section 94 contributions will contribute to all roads except defined state roads.

3.3.1.2 Derived Demand

The increasing levels of development and the current condition of Councils roads means that future works will be largely aimed at improving the existing conditions of roads and reconstructing these roads as circumstances demand.

Trip Generating Land Uses

The population growth in Moama in the next 5 years is projected at approximately 12%. Given the growth is likely to comprise residential development, it is proposed that this figure be used as the basis for the roads contribution. That is, 12% of the total road upgrading costs will be attributed to future development.

The following traffic generating rates for various land uses are based on RTA trip generation rates (refer to Table F), which provides a basis for the contributions.

Table F Trip Generation Rates by Land Use

Land Use	Daily Trip Rate	Unit Per
Detached Housing	6.5	Household
Units	3.9	Unit
Child Minding Facility	3.7	Enrolment
Primary School	1.4	Enrolment
High School	1.4	Enrolment
Service Station	200	Pump
TAFE College	1.8	Enrolment
Shopping Centres, 100 square metres	2.8(A)	A=m2 GFA
Shopping Centres, 101 – 6000 square metres	200+0.8(A)	A=m2 GFA
Office (Professional Centre)	16	100m2 GFA
Medical Centres & Dentists	50	100m2 GFA
GP Surgery	50-150	100m2 GFA
Retail Tyre Outlets	10	100m2 GFA
Motels	5	100m2 GFA
Taverns, Hotels	110	100m2 GFA
Restaurant	60	100m2 GFA
Recreation – Squash or tennis	40	Court
Recreation – Gymnasium	50	100m2 GFA

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Factories covered by light industry	5	100m2 GFA
Warehouses	4	100m2 GFA
Hospitality Facilities	50	100m2 GFA
Licensed Clubs	100	100m2 GFA
Motor Showrooms	5	100m2 GFA
General Heavy Industry	1.5	100m2 GFA

Note:

1. Rates based on NSW Roads and Traffic Authority figures
2. GFA = Gross Floor Area in metres squared.
3. GFA for Motor Showrooms includes any external display areas.

The derived demand is calculated by dividing the daily trip generation of 1ET (considered to be a detached dwelling) from the daily trip generation of the subject land use.

For example the derived demand calculation for a unit is as follows

- $3.9/6.5 = 0.6$ ET

This simple relationship can be applied to all the land uses in Table F to obtain the ET for that use.

Residential Development

Road upgrading for the roads within the subdivisional area is normally provided by the developer as a condition of development consent. Lead roads (i.e. roads that connect new residential estates to existing urban areas and for which Council is responsible) may require upgrading to meet the demands of traffic generated from development. Similarly there may be a requirement for the upgrading of intersections that will be affected by increased traffic as a result of residential development.

Extractive Industries/ Transport Dependent Industries

Road pavement deterioration associated with quarries is caused largely by the passage of heavy vehicles. Extractive industries typically cause and exacerbate the deterioration of the road surfaces which then requires the need for considerable expenditure to maintain, repair and, where necessary, reconstruct roads. There have been a number of land and Environment Court cases on the issue of Section 94 contributions. The Courts have established that Section 94 can be used to levy for the maintenance, repair and where necessary reconstruction of roads subject to quarry traffic.

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

One ESA is equivalent to approximately 8.2 tonnes and has the same damaging effect on road pavement as around 15 000 car axles (of 0.3 tonnes), or 4500 car axles transmitting 1.0 tonne. Assuming an average car weighs 1300kg (500kg on one axle and 800kg on the other axle), one ESA is the equivalent in pavement damage of around 9500 average cars. The ESA of a 6 axle articulated truck is 4.0 (or 4.4 for a spread tandem). Consequently, the approximate number of cars needed to do the same road damage as a standard 5 axle articulated truck is around 38 000 (or 41 500 for spread tandem).

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

However, as these costs are unknown until the time of expansion/development, all that can be provided at this stage is a formula for the calculation of the levy.

The same principals apply for transport dependent industries. The formula for the calculation of the levy is provided in Section 3.4.

Facilities required for incoming population

The Works Program (Schedule 1) identifies the facilities to be provided over the next 5 years.

These works are largely to cater to the needs of the existing population. However, these works and parks are also likely to be used by the incoming population/ development, extractive industries and transport dependent industries. Accordingly, a proportion of these works will be funded by future population growth and traffic generating development activities as defined in Table F and the sections above..

S94 Development Contributions Plan 2011**3.3.1 Car Parking****3.3.2.1 Levels of existing provision**

Street parking is provided within the commercial centre of Moama. Off street car parking is also provided in Moama by Council at the following locations:

The Moama Council Office – 37 spaces

Car Park Behind IGA – 66 spaces

3.3.2.2 Derived Demand

The demand for car parking will be from retail and commercial development in the town centre in Moama.

However with regard to demand in Moama it is not possible to determine a forward projection of the demand, therefore Council is proposing to embellish the existing car parks in Moama to allow for future demand.

The car parking that is available in the Council car parks is in excess of current car parking needs and, consequently, there is an ability for Council to recoup costs for upgrading these car parks (no acquisition costs are involved).

3.3.2.3 Facilities required for incoming population

The Works Program (Schedule 1) identifies the facilities to be provided for the incoming population.

3.3.3 Open Space

The historical level and nature of provision of open space and leisure facilities has an important bearing on future section 94 contributions. An assessment has been made to establish the capacity of existing open space and leisure resources to provide open space resources to meet the anticipated future demand (either through embellishment or expansion).

3.3.3.1 Levels of existing provision

Moama enjoys a good supply of open space for its population size as is evident from the open space inventory shown in Table G.

The great bulk of area can be characterised as parkland, constituting around 42.95 ha in total, most of which is considered of local importance, "District" open space, which comprises mainly Crown reserves, accounts for another 73.7 hectares. Consequently, the current level of provision for open space is approximately 72.67 square metres per person. The current supply of district open space is approximately 100 square metres per person.

Table G Inventory of Open Space in Moama

Location	Area (m ²)	Category	Description
Lot 24, DP 258661, Maiden-Smith Drive, Moama	43 660	LP	Bushland, foreshore
Lot 22, DP 849935, River Park Drive, Moama	100 800	LP	Bushland, foreshore
Horse Shoe Lagoon Reserve, Lot 7009, DP 1023582, Berry Street, Moama	184 800	DP	Bushland, foreshore
Lot 7011, DP 1029482, Blair Street, Moama	48500	DP	Bushland, foreshore
Lot 7012, DP 1029482, Blair Street, Moama	29 600	DP	Bushland
Lot 7014, DP 1029842, Blair Street, Moama	7568	DP	Bushland
Moama Recreation Reserve, Lots 266 & 267, DP 822981, Perricoota Road, Moama	451 600	DP	Recreation reserve, Sports facilities.
Lot 53, DP 247666, Hillview Avenue, Moama	5427	LP	Parkland
Lot 2, DP 537724, Cnr Nicholas Dr & Cobb Hwy, Moama	59800	LP	Roadside rest area, map bay
Lot 34, DP 708269, Iluka Avenue, Moama	2337	LP	Parkland
Lots 27 & 28, DP 253390, Lawson Drive, Moama	1450.5	LP	Parkland
Lot 2, DP 853862, Regent Street, Moama	6364	LP	Public parkland
Lot 102, DP 717500, Lawson Drive, Moama	3835	LP	Parkland
Lot 75, DP 717500, Lawson Drive, Moama	1212	LP	Parkland
Lot 28, DP 253930, Lawson Drive, Moama	713	LP	Parkland
Lot 5, Section 56A, DP 758686, Meninya Street, Moama	525	LP	Parkland

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Lot 5, DP 776982, Meninya Street, Moama	535.8	LP	Parkland
Lot 6, DP 776982, Meninya Street, Moama	1071	LP	Parkland
Lot 7, DP 776982, Meninya Street, Moama	1467	LP	Parkland
Lot 185, DP 1080039, Shetland Dve, Moama	9743	LP	Parkland
Lot 16, DP 1047916, Dundee Crt, Moama	7008	LP	Parkland
Lot 76, DP 717500, Ruby Court, Moama	669.7	LP	Walkway, Parkland
Lot 58, DP 261046, Carolyn Close, Moama	134.0	LP	Walkway
Lot 54, DP 247666, Hillview Avenue, Moama	143.9	LP	Walkway
Lot 66, DP261046, Lawson Drive, Moama	158.6	LP	Walkway
Lot 27, DP261596, Regent Street, Moama	9053	LP	Buffer Zone, industrial estate
Lot 58, DP261596, Nicholas Drive, Moama	1412	LP	Buffer Zone, Industrial estate
Part Lot 2, DP 537724, Cobb Highway, Moama	59810	LP	Buffer Zone
Lot 33, DP 803895, Winnima Avenue, Moama	136.5	LP	Walkway
Lots 10 & 11, DP801078, Kulgoa Avenue, Moama	259.8	LP	Walkway
Lot 51, DP 623247, Meninya Street, Moama	151.2	LP	Walkway
Lot 1, DP249655, Martin Street, Moama	3504	LP	Buffer Zone, Industrial estate
Lot 28, DP 1009801, Cobb Highway, Moama	5335	LP	Buffer Zone
Lot 54, DP1035734, Cobb Highway, Moama	5257	LP	Buffer Zone
Part Lot 32, DP 881868, Nicholas Drive, Moama	883.6	LP	Buffer zone
Lot 30, DP 1009556, Harris Court, Moama	281.3	LP	Walkway
Lot 35, DP 877708, Callander Court, Moama	282.7	LP	Walkway, buffer zone

Source: Murray Shire Council, Plan of management of Community Lands update March 2004.

Note: LP = Local Park, DP = District Park

Existing playground equipment has been progressively upgraded and now complies with current standards. Parks with playground equipment are detailed in Table H.

Table H Playground Equipment

Location	Equipment
Kerrabee Sound Shell. Moama	One large climbing apparatus, 2 slides, one medium climbing apparatus, 2 swings
Lions Park Moama	2 swings, One swing-see-saw, see-saw.
Swim Centre Park	1 slide, 1 see-saw, 2 swings
Crn Saw and Chanter Streets	1 swing
Tyro Court	2 swings, one climbing apparatus medium
Dundee Crt	One large climbing apparatus, 2 individual play pieces.
Shetland Dve	One large climbing apparatus
Play park at Rec Reserve Moama	Full play park Plus a large climbing apparatus, 2 slides and 2 swings.

Source: Murray Shire Council 2011.

3.3.3.2 Derived Demand

As outlined in section 3.2.5.2, the anticipated population in 2016 for Moama is an estimated 6000 persons. This equates to an increase of 12% over the period of the plan.

As growth is likely to be high, and there is a good supply of existing open space, the best method for provision of open space is to adopt an approach of maintaining the existing per capita supply of local open space and the existing level of provision of leisure facilities (refer to Table I). It is considered that the existing provision of district open space will adequately cater to the needs of future residents for a considerable period.

The range of Council reserves and the extent to which they are embellished has been a function of the existing population's demands. While at this stage these reserves may be adequate for the population they serve, the population growth within the shire will see the need for additional reserves and/or the embellishment of existing facilities. While at this stage it is not possible to predict with any certainty the demands generated by the future population, a methodology for assessment has been formulated and is outlined within Section 3.4. Note the below figures are only intended as a guide.

Table I General Standards for Provision of Leisure Facilities

Facility	AWDC	NCDC	DIPNR
Football	1:2500-3000	1:1000	1:1000
Soccer	Combined Football	Combined Football	Combined Football

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Hockey	1:3500	1:3000	Combined Football
Cricket	1:2200 -3000	1:2200	
Tennis Court	1:1000	1:1500	1:1000
Netball Court	1:1000	1:1000	1:2000
Golf Course	1:25000	NA	1:25000
Swimming Pool	1:20000	NA	1:50000

Source: Albury Wodonga Development Corporation, National Capital Development Corporation, Department of Infrastructure, Planning and Natural Resources.

3.3.3.3 Facilities required for incoming population

The Works Program (Schedule 1) identifies the facilities to be provided over the next 5 years.

These works are largely to cater to the needs of the existing population. However, these parks are also likely to be used by the incoming population. Accordingly, a proportion of these works will be funded by future population growth.

3.3.4 Community Facilities

The term 'community facilities' can cover a broad spectrum of services and facilities such as sport and recreation grounds, swimming pools, tennis courts, community halls, neighbourhood centres, transportation services. Some of these facilities are typically covered under the term 'recreation', however, there are a range of facilities that do not fit neatly under the definition of recreation.

Typically, community facilities may include the following:

- Long Day Care
- Occasional/Casual Child Care
- Playgroups
- Pre-Schools
- Youth Centre
- Community Hall/Centre
- Library and Toy Library
- Senior Citizens Centre
- Multi-purpose Child Care Centre
- Multi-purpose Community Centre

These definitions can often overlap particularly where they are under one roof. To simplify and provide more clarity to these definitions, the following classifications of services and facilities are proposed:

- **Children's Services:** These services include long day care, family day care, occasional care, out of school hours programs, early childhood centres, pre-schools and immunisation clinics.
- **Youth Services:** These include leisure and meeting facilities, individual support services and can include housing and other similar support services.
- **Aged Services:** Services for the aged include health services, leisure and recreation services, transport services and support services including senior citizens centres.
- **Community Centres and Spaces:** These facilities may include community and neighbourhood centre where combined services are available and where cultural services and events may take place.
- **Library Resources:** Centres providing books for loan and reference purposes. These may also offer similar services for videos, prints, CDs, toys, also may provide educational/entertainment programs.

All of these services are available in some form in the Murray Shire and may be provided by the Council, government authorities, the private sector or a combination of these. The spatial distribution and adequacy in terms of the incoming population is the main issue concerning the Section 94 Plan. The following sections examine existing supply and future planning of services and facilities that are provided by the Council.

3.3.4.1 Levels of existing provision

A listing of existing community facilities in Moama has been prepared by Murray Shire Council and is presented below in Table J. This includes only the facilities that are provided by the Council.

Table J Current Provision of Community Facilities, Murray Shire LGA

Location	Facility	Council Owned	Uses
Moama	Cemetery	Yes	Cemetery
Moama	Community centre and sports complex	Yes	Sports, recreation.
Moama	Senior citizens centre	Yes	Recreation, health care.

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Moama	Swimming Pool	Yes	Swimming pool
Moama	Preschool	Yes	Preschool

Source: Murray Shire Council 2011

The level of provision of these community facilities is typical for a town the size of Moama. Considering the community services and facilities provided by others, there do not appear to be major gaps in service provision.

S94 Development Contributions Plan 2011**3.3.4.2 Derived Demand**

Given the high population growth there will be a demand for new facilities, however with the cross border links with Echuca and its services, no new facilities are planned. Consequently, Council has determined that the best use of resources is to enhance and embellish existing facilities to provide for future population growth as well as providing for existing residents. This will, in effect, maintain the existing level of provision of community facilities.

3.3.4.3 Facilities required for incoming population

The Works Program (Schedule 1) identifies the facilities to be provided over the next 5 years.

These works are largely to cater to the needs of the existing population. However, these facilities are also likely to be used by the incoming population as Council is providing enhanced facilities ahead of demand. Consequently, a proportion of these works will be funded by future population growth.

3.3.5 Waste Management**3.3.5.1 Levels of existing provision**

Council provides an existing waste facility for the residents of the Shire and wishes to ensure that future development contributes to the enhancement of this facility. The enhancement works are required to ensure the tip can accommodate all future Council waste sources.

3.3.5.2 Facilities required for incoming population

The Works Program (Schedule 1) identifies the facilities to be provided over the next 5 years.

These works are largely to cater to the needs of the existing population. However, these facilities are also likely to be used by the incoming population as Council is providing enhanced facility ahead of demand. Consequently, a proportion of these works will be funded by future population growth.

3.3.6 Stormwater Management

Council provides an existing stormwater management system for the residents of Moama and seeks to ensure that future development contributes to the expansion of this system. This includes necessary works to manage stormwater within the Moama West growth corridor.

3.3.6.1 Facilities required for incoming population

The Works Program (Schedule 1) identifies the facilities to be provided over the next 5 years.

These works are largely to cater to the needs of the existing population. However, these facilities are also likely to be used by the incoming population as Council is providing enhanced facility ahead of demand. Consequently, a proportion of these works will be funded by future population growth.

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3.4 Step 3: Identifying the relationship

The relationship between expected development and demand is one of establishing the proportional responsibility of expected development, and whether there is a need to make allowance for any existing demand or past deficiencies (apportionment).

This strategy plan will identify the proportional responsibility (apportionment) associated with each contributions category, which will be determined by accepted methodologies and formulae.

The development contributions contained within this Section 94 Plan are calculated on the basis of the demand created by a proposed development. This is reduced to a simple formula based on the expected cost of the service to be provided. The formula is calculated from the total cost of each service (for example, a road including contraction and loan costs if required), minus any subsidies that may have been applied. A proportion is also deducted to make an allowance for the existing population benefiting from the service (where this is relevant and reasonable).

The following sections outline the proposed contribution formulae and rate where these are applicable.

3.4.1 Road Upgrades

3.4.1.1 General

Most roadworks throughout the Shire are the responsibility of the Council to fund, supplemented by grants particularly for main roads. The formula for road development contributions are as follows:

$$C = TC \times \{NT / (ET + NT)\} / NT$$

$$3,871,000 \times (292 / (2298 + 292)) / 292 = 1494.59$$

Where:

- C is the Section 94 levy expressed as a per lot contribution
- TC total cost of the work, minus any subsidies received and Council's liability
- NT is the total number of new equivalent tenements created in the road catchment
- ET is the existing number of equivalent tenements in this catchment.

Based on the works program for the area, the priorities and costings contained in Section 3.0, it is proposed that the section 94 contribution for road upgrading be as follows:

$$\begin{aligned} TC &= \$3\,871\,000 \\ NT &= 292 \\ ET &= 2298 \end{aligned}$$

Based on the likely incoming population, this would equate to a rate of \$1494 rounded to \$1500 per ET

3.4.1.2 Extractive Industries

The formula for road upgrading and maintenance is:

$$\text{Contribution per tonne (in cents)} = 3(L_1 \times P_1 + L_2 \times P_2 \dots \dots \dots L_n \times P_n)$$

Where:

- L₁ = Length of the road route 1 between extractive industry and the main road system.
- P₁ = Estimated percentage of extractive material trucked along route 1.

- L₂ = Length of the road route 2 between extractive industry and the main road system.
- P₂ = Estimated percentage of extractive material trucked along route 2.

- L_n = Length of the road route "n" between extractive industry and the main road system.
- P_n = Estimated percentage of extractive material trucked along route "n".

3.4.1.3 Transport Dependent Industry

The formula for road upgrading and maintenance is:

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$$\text{Contribution} = [((Wd+Pd) - EP) \times R1] + ((Wd-Pd) - EP) \times R2 + ((Wd+Pd) - EP) \times R3] \times AF$$

Where:

Wd = Cost per lineal metre of upgrading carriageway to cater for estimated design traffic volume.

Pd = Cost per lineal metre of upgrading sealed area to cater for estimated design traffic volume.

EP = Value of existing pavement per lineal metre.

R1, R2, R3 = Length of road used by truck traffic or vehicles traffic.

AF = Apportionment Factors - Future truck to traffic volume using the roads divided by existing traffic using the roads.

3.4.2 Car Parking

The existing car parks in Moama have been assessed as being adequate for the existing and likely development in Moama over the course of this plan. The following formula has been applied to the open space contribution:

$$\text{Car Parking Space} = C/P$$

Where:

C is the capital cost of the embellishment of the existing parking spaces

P is the number of parking spaces to be embellished

No apportionment factor is used as this has been taken into account with the total cost. Therefore, the contribution is as follows:

$$C = \$60,000$$

$$P = 110 \text{ approximately}$$

Therefore the contribution per parking space will be \$545.5 rounded to \$550.

Open Space

The existing district reserves are adequate in area for the incoming population. Works have been undertaken in anticipation of future population growth as well as providing for existing residents. Consequently, Council will seek to recoup funds expended for this future population.

$$\text{Public Reserve} = C/P \times AF$$

Where:

C is the proportion of the capital cost of the public reserves provided ahead of demand

P is the estimated population increase over the next five years in Moama.

AF is the apportionment factor.

In this case the apportionment factor will be 0.12. That is, the Council is recouping costs for provision ahead of demand.

Therefore, the contribution is as follows:

$$C = \$1,087,029.00$$

$$P = 700$$

$$AF = 0.12$$

$$\text{Number of persons per ET} = 2.4$$

Based on the likely incoming population, this would equate to a rate of \$186.34 per person or \$447.23 per ET rounded to \$450 per ET.

3.4.3 Community Facilities

The existing community facilities are adequate in number for the incoming population. Works have been undertaken in anticipation of future population growth as well as providing for existing residents. Consequently, Council will seek to recoup funds expended for this future population.

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Community Facilities = $C/P \times AF$

Where:

C is the proportion of the capital cost of the community facility provided ahead of demand

P is the estimated population increase over the next five years in Moama.

AF is the apportionment factor.

In this case the apportionment factor will be 1. That is, the Council is recouping costs for provision ahead of demand.

Therefore, the contribution is as follows:

$C = \$376,850.00$

$P = 700$

$AF = 0.12$

Number of persons per ET = 2.4

Based on the likely incoming population, this would equate to a rate of \$64.60 per person or \$155.05 per ET rounded to \$150 per ET.

3.4.4 Waste Management Services

The existing Waste management Services will provide for the incoming population. Works have been undertaken in anticipation of future population growth as well as providing for existing residents. Consequently, Council will seek to recoup funds expended for this future population.

Waste Management = $C/P \times AF$

Where:

C is the proportion of the capital cost of the community facility provided ahead of demand.

P is the estimated population increase over the next five years in Moama.

AF the apportionment factor.

Therefore, the contribution is as follows:

$C = \$735,482.00$

$P = 700$

$AF = 0.12$

Number of persons per ET = 2.4

Based on the likely incoming population, this would equate to a rate of \$157.6 per person or \$302.60 per ET rounded to \$300 per ET.

3.4.5 Stormwater Management

The existing Stormwater management will provide for the incoming population. Works have been undertaken in anticipation of future population growth as well as providing for existing residents. Consequently, Council will seek to recoup funds expended for this future population.

Stormwater Management = $C/P \times AF$

Where:

C is the proportion of the capital cost of the community facility provided ahead of demand.

P is the estimated population increase over the next five years in Moama.

AF the apportionment factor.

Therefore, the contribution is as follows:

$C = \$1,070,000.00$

$P = 700$

$AF = 0.12$

Number of persons per ET = 2.4

Based on the likely incoming population, this would equate to a rate of \$186.85 per person or \$448.45 per ET rounded to \$450 per ET

S94 Development Contributions Plan 2011**Part D – References**

This S94 Plan has been supported by extensive assessment of population growth and development in the Murray Shire local government area. This, in turn, has assisted in determining the long term needs of the future population to fulfil the nexus and reasonableness criteria.

The following reference documents have been utilised in the preparation of this Section 94 Plan.

- Murray Local Environmental Plan 2011
- Draft Murray Shire Council Section 94 Contributions Plan 2004-2009
- Murray Shire Strategic Land Use Plan
- Murray Shire Council Management Plan - General Fund 20011/2012, 2012/2013, 2013/2014, 2014/2015 & 2015/2016
- Draft Murray Shire Council Moama Development Strategy.
- Department of Planning – Development Contributions Practice Notes – July 2005
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Australian Bureau of Statistics, Basic Community Profile, 2006 Census, Murray LGA.
- Murray Shire Council, Plan of Management of Community Lands, Updated March 2004.
- Murray Shire Council, Social and Community Plan 2003-2008, Updated
- Department of Planning - New South Wales Statistical Local Area Population Projections, 2006-2036

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Schedule 1 – Works Program

Public Facilities to be funded/ embellished through S94 levies are listed in the following Schedule and their location identified on the associated map attached.

ROADS				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Moama Urban Roads Improvements	\$108,000.00	2011/12- 2015/16	H
2	Nicholas Dve Upgrade	\$42,000.00	2011/12	H
3	Alert Crt Improvement	\$90,000.00	2011/12	L
4	Francis St Upgrade	\$30,000.00	2011/12	M
5	Canberra Crt Improvement	\$50,000.00	2012/13	M
7	Francis St / Cobb Hwy Extension	\$75,000.00	2013/14	M
7	Shaw St / Francis St Roundabout	\$100,000.00	2015/2016	H
8	Shaw St: Council St- Warden St	\$62,000.00	2011/12- 2012/13	M
9	Shaw St: Francis St- Council St	\$44,000.00	2013/14- 2014/15	M
10	Blair St / Horseshoe Lagoon	\$48,000.00	2011/12	M
11	Tyro Crt Improvement	\$75,000.00	2012/13	L
12	Francis St / Blair St Intersection	\$55,000.00	2012/13	H
13	Other Moama Street Improvements	\$270,000.00	2015/2016	M
15	Cemetery Rd Improvements	\$110,000.00	2013/14 - 2014/15	M
14	Cobb Highway / Nicholas Dve Intersection Improvement	\$230,000.00	2013/14 - 2014/15	H
16	Francis St Streetscape	\$100,000.00	2013/14 - 2014/15	L
17	Blair St Footpath Construction	\$26,000.00	2011/12	M
18	Martin St Footpath Construction	\$54,000.00	2011/12 - 2014/15	M
19	Shaw St Footpath Construction	\$48,000.00	2013/14 - 2014/15	M
20	Boyes St / Kirchoffer St Footpath Construction	\$35,000.00	2015/16	H
21	Perricoota Rd Improvements	\$1,209,000.00	2011/12 - 2015/16	M
22	Town Streets Upgrade	\$358,000.00	2011/12 - 2015/16	L
23	Street Lighting	\$56,000.00	2011/12 - 2015/16	M
24	Bus Shelter Installation	\$206,000.00	2011/12 - 2015/16	M
25	Road Signage Improvement	\$90,000.00	2011/12 - 2015/16	H
26	Pedestrian Strategy- Moama	\$108,000.00	2011/12 - 2015/16	M
27	Bike Path Construction- Moama	\$192,000.00	2011/12 - 2015/16	M
	TOTAL	3,871,000.00		

CAR PARKING				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Moama Car Parking: resealing and line marking	\$50,000.00	2011/12 – 2015/16	M
2	Echuca St Car Park Improvements	\$10,000.00	2011/12	L
	TOTAL	\$60,000.00		

OPEN SPACE				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Botanical Gardens Construction	\$80,000.00	2011/12 - 2015/16	H
2	Perricoota Road - Avenue of Trees	\$20,000.00	2014/15	L
3	Moama Rec Reserve – Planting of trees	\$20,000.00	2011/12 - 2015/16	M

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4	Moama Rec Reserve –Improvements to internal Roads	\$15,000.00	2012/13	L
5	Automatic Irrigation System Installation	\$15,000.00	2013/14	M
6	Urban Streetscape Plan	\$100,000.00	2011/12 - 2015/16	L
7	Nicholas Drive - Beautification	\$75,000.00	2012/13	M
8	Moama Business Park Gardens	\$10,000.00	2011/12	L
9	Installation of Half Courts in Parks	\$15,000.00	2014/15	L
10	Play Ground Equipment Upgrade	\$25,000.00	2011/12 - 2015/16	M
11	Moama Beach Improvements	\$75,000.00	2011/12 - 2015/16	M
12	Moama Rec Reserve Improvements	\$75,000.00	2011/12 - 2015/16	M
13	improvements to Moira Park	\$5,517.00	2011/12	L
14	improvements to Langwell Park	\$3,078.00	2011/12	L
15	McMahon Park improvements	\$19,700.00	2011/12 - 2012/13	L
16	improvements to Ivo Ham Park	\$5,734.00	2012/13	L
17	improvements to Apex Park	\$1,000.00	2012/13	L
18	Moama Skate Park Construction	\$372,000.00	2011/12	H
19	Street Trees Residential Areas	\$40,000.00	2011/12 - 2015/16	M
20	Moama North Entrance	\$25,000.00	2013/14	L
21	Tree Risk Assessment	\$50,000.00	2011/12 - 2015/16	M
22	Urban Streetscape Plan	\$40,000.00	2011/12	M
	TOTAL	\$1,087,029.00		

COMMUNITY FACILITIES

Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Contribution to Central Murray - Disability	\$30,000.00	2011/12 - 2015/16	M
2	Moama Office Building Improvements	\$15,000.00	2011/12	H
3	SES Building Extension	\$15,000.00	2011/12	L
4	Moama Senior Citizens Building	\$15,000.00	2011/12	L
5	Moama Pre School	\$48,850.00	2011/12 - 2013/14	L
6	Telegraph Station Improvements	\$8,000.00	2011/12	L
7	Moama Sports Complex	\$10,000.00	2012/13	L
8	Moama Playpark	\$22,000.00	2012/13	H
9	Installation of Shade Shelters	\$30,000.00	2011/12 - 2015/16	M
10	Contribution to Central Murray Library	\$94,000.00	2011/12 - 2015/16	M
11	C.M.R.L Government Subsidy	89,000.00	2011/12 - 2015/16	M
	TOTAL	\$376,850.00		

WASTE MANAGEMENT

Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Waste Bin Enclosures	\$30,000.00	2011/12 - 2015/16	M
2	Landfill Management	\$100,000.00	2011/12 - 2015/16	M
3	Cover Material	\$10,000.00	2011/12 - 2015/16	M
4	Construction new Cell	\$298,482.00	2013/14	L
5	Drainage Works	\$47,000.00	2011/12	H
6	Construction of New Office Building	\$250,000.00	2015/16	L
		\$735,482.00		

STORMWATER MANAGEMENT

Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Moama Drainage Study	\$80,000.00	2011/12	H
2	Moama Drainage Extensions	\$58,000.00	2011/12- 2015/16	M
3	Construction of Bartlett St / Horseshoe Lagoon Drainage	\$40,000.00	2013/14	L
4	Chanter St Drainage Improvements	\$15,000.00	2011/12	M
5	Drainage Infrastructure Upgrade- Lawson	\$120,000.00	2012/13- 2013/14	M
6	Blair St to Horseshoe Lagoon Drainage Upgrade	\$90,000.00	2011/12	L

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7	Stormwater Management and Harvesting Project Works	\$216,000.00	2011/12	H
8	Stormwater Harvesting- Rec Reserve	\$212,000.00	2012/13	M
9	Stormwater Harvesting Project	\$94,000.00	2011/12	M
10	Stormwater Harvesting- Echuca Basin	\$20,000.00	2012/13	M
11	Stormwater Harvesting Project- Litter	\$33,000.00	2011/12- 2015/16	L
12	Bench Marks - Echuca West	\$10,000.00	2014/15	M
13	Merool / Grimison Drainage Works	\$40,000.00	2013/14- 2014/15	L
14	Stormwater Treatment	\$42,000.00	2012/13- 2015/16	M
15	Drainage Reserve Improvements	\$20,000.00	2012/13	M
		\$1,090,000.00		

Schedule 2 – Works Program Map

MAPS AVAILABLE FROM COUNCIL

**Schedule 3 - Development Contributions Practice Notes – July 2005
Planning Agreements**



Murray Shire Council

**SECTION 94A
LEVY
DEVELOPMENT
CONTRIBUTIONS
PLAN**

ADOPTED:
17 JANUARY 2006

Reviewed:
13 December 2011

MURRAY ON THE MOVE



S94A Levy Development Contributions Plan 2011

Applies to areas zoned **RU1 Primary Production, RU3 Forestry, RU5 Village, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, E3 Environmental Management, W1 Natural Waterways, W2 Recreational Waterways**

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Original Plan Prepared on behalf of the Council by **Habitat Planning in November 2005.**

Section 94A development contributions plan for the council of *MURRAY SHIRE*

Part A – Administration and operation of the plan

1.1 What is the name of this development contributions plan?

This development contributions plan is called the *Murray Shire Council S94A Levy Development Contributions Plan 2011*

1.2 Application of this plan

This plan applies to land within the local government area of **Murray Shire Council** zoned RU1 Primary Production, RU3 Forestry RU5 Village, SP1 Special Activities, SP2 Infrastructure, RE2 Private Recreation, E3 Environmental Management, W1 Natural Waterways and W2 Recreational Waterways as shown on the on the Land Zoning Maps, Murray Local Environmental Plan 2011.

1.3 Development to which this contributions plan applies

This development contributions plan applies to applications for development consent and applications for complying development certificates under Part 4 of the *Environmental Planning and Assessment Act, 1979*.

1.4 When does this development contributions plan commence

This development contributions plan has been prepared pursuant to the provisions of S94 of *the EP&A Act* and Part 4 of the *EP&A Regulation* and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the *EP&A Regulation*.

1.5 Relationship with other plans and policies

This development contributions plan repeals the *Murray Shire Council Section 94a Contribution Plan 2005*.

The development contributions plan supplements the provisions of the draft Murray Local Environmental Plan 2011 and any amendment or local environmental plan which it may supersede.

1.6 The purpose of this contributions plan

The primary purposes of this contributions plan are:

- to authorise the imposition of a condition on all development consents and complying development certificates on land to which this plan applies requiring the payment of a contribution pursuant to section 94A of the *Environmental Planning and Assessment Act, 1979*
 - to assist the council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the local government area
 - to publicly identify the purposes for which the levies are required.
-

S94a Development Contributions Plan 2011**1.7 Are there any exemptions to the levy?**

The only exemptions to the levy are as follows;

- a) for the purpose of disabled access,
- b) for the sole purpose of affordable housing,
- 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 the adaptive reuse of an item of environmental heritage, or
- 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.

Council will not consider exempting other developments, or components of developments from the requirement of paying a contribution except where in exceptional circumstances the development is being carried out by Council, a community or 'not for profit' organisation for the benefit of Council or the community for no commercial gain. A planning agreement may be negotiated in lieu of payment on contributions at the discretion of Council.

1.8 Pooling of levies

This plan expressly authorises monetary s94A levies paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule.

1.9 Construction certificates and the obligation of accredited certifiers

In accordance with clause 146 of *the EP&A Regulation 2000*, 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 levies has been satisfied.

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 *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

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

1.10 How will the levy be calculated?

The levy will be calculated as follows:

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

Where

%C is;

- Where the proposed cost of carrying out the development is up to and including \$100,000 – nil
- Where the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000 – 0.5% of that cost
- Where the proposed cost of carrying out the development is more than \$200,000 – 1% of that cost

\$C is the proposed cost of carrying out the development

1.11 How is the proposed cost of carrying out of the development calculated?

A development application or an application for complying development certificate must submit an estimated cost of development that has been calculated in accordance with clause 25J of the *EP&A Regulation*.

That clause provides as follows:

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

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- (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,*
 - (j) *the costs of enabling access by disabled persons in respect of the development,*
 - (k) *the costs of energy and water efficiency measures associated with the development,*
 - (l) *the cost of any development that is provided as affordable housing,*
 - (m) *the costs of any development that is the adaptive reuse of a heritage item.*
- (4) *The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.*
- (5) *To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.*

Without limitation to the above, council may review the estimated cost of development and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant and no construction certificate will be issued until such time that the levy has been paid.

1.12 When is the levy payable?

A levy must be paid to the council at the time specified in the condition that imposes the levy. If no such time is specified, the levy must be paid prior to the issue of a Construction Certificate or Complying Development Certificate.

1.13 How will the levy be adjusted?

Contributions required as a condition of consent under the provisions of this plan will be adjusted at the time of payment of the contribution in accordance with the following formula:

$$\text{Contribution at time of payment} = \$C_o + A$$

Where

$\$C_o$ is the original contribution as set out in the consent condition

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A is the adjustment amount which is =

$$\frac{\$C_o \times (\text{Current Index} - \text{Base Index})}{[\text{Base Index}]}$$

Where

Current Index CPI is the **CPI** as published by the **RBA Website** available at the time of review of the contribution rate;

Base Index CPI is the **CPI** as published by the **RBA Website** at the date of adoption of this Plan which is **the CPI on the DATE**.

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

1.14 Can deferred/periodic payments be made?

Where the applicant can demonstrate that the settlement of the contribution in accordance with Section 1.12 is unreasonable in the circumstances of the case, the Council may accept a deferred or periodic settlement.

The applicant needs to make written request and satisfy the Council that:

- (a) there are valid reasons for deferral or periodic payment
- (b) 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
- (c) no prejudice will be caused to the efficacy and operation of the plan.
- (d) 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, the Council and the applicant have a legally binding agreement for the provision of the works or land dedication

The conditions under which the Council may accept deferred or periodic settlement by way of instalments is that the instalment be paid before the work commences on any stage of the development as the amount calculated on a pro-rata basis in proportion to the overall development.

The conditions under which the Council may accept deferred or periodic settlement by way of a bank guarantee is that:

- (i) The Bank guarantee be by an Australian Bank for the amount of the total contribution or the amount of the outstanding contribution;
- (ii) The Bank unconditionally pays the guarantee sum to the Council if the Council so demands in writing not earlier than 6 months from the provision of the guarantee or completion of work, whichever occurs first;
- (iii) The Bank must pay the guarantee sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent.
- (iv) The Bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the Bank in writing that the guarantee is no longer required.

Any outstanding component of the contribution shall be indexed, at the date of payment, in accordance with the indicative Borrowing Rate for NSW Local Government Authorities, as published weekly.

Indexing will be calculated from the date the contribution was due until the date of payment. The applicant will be required to pay the contribution, the accrued interest and any charges associated with establishing or operating the bank security. Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

1.15 Procedural requirements for alternative/ other contribution payment methods

If an applicant for development consent seeks to make a contribution towards the provision of public facilities to meet development other than by payment of a development contribution, the applicant may adopt one of the following procedures.

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

If the applicant does not wish to pay a development contribution in connection with the carrying out of development, the applicant may include in the relevant development application an offer to carry out works or provide a material public benefit towards which the development contribution is to be applied.

The Council will consider the offer as part of its assessment of the development application. If the Council agrees to the arrangement and grants consent to the application, it will substitute a condition under section 80A of the *EP&A Act* requiring payment of development contributions with a condition requiring the works to be carried out and/ or the material public benefit being provided within a nominated time frame. If the Council does not agree to the alternative arrangement, it may grant consent subject to a condition authorised by this plan requiring payment of development contributions.

In assessing the applicant's offer Council will have regard to circumstances outlined in Section 1.13 and any other matters as the Council considers relevant in the circumstances of the case.

- **Offer made to Council following the grant of development consent requiring the payment of development contributions**

If development consent has been granted to the carrying out of development subject to a condition authorised by this plan to pay development contributions, the applicant must comply with the condition unless it is modified under Section 96 of the Act.

If the applicant does not wish to pay the development contributions, the applicant may make an application to the Council under Section 96 of the Act to modify the consent by substituting the condition requiring the payment of a development contribution with a condition requiring the carrying out of works or the provision of a material public benefit towards the public purposes to which the development contributions was to be applied.

If the Council approves the application, the applicant will be bound by the substituted condition. If the Council does not approve the application, the applicant will remain bound by the condition authorised by this plan requiring the payment of the development contributions.

- **Offer to enter into a voluntary planning agreement**

If an applicant does not wish to pay development contributions in connection with carrying out development, the applicant may offer to enter into a voluntary planning agreement with the Council under Section 93F of the Act in connection with the making of a development application.

Under the planning agreement, the applicant may offer to pay money, dedicate land, carryout works, or provide other material public benefits for public purposes. Those purposes need not relate to the impacts of the applicant's development nor to the items listed in the Works Program (Schedule 1).

The applicant's provision under a planning agreement may be additional to or instead of paying development contributions in accordance with a condition of development consent authorised by this plan. This will be a matter for negotiation with Council.

The offer to enter into a 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 its assessment of that application.

If Council agrees to enter into the planning agreement, it may impose a condition of development consent under Section 93I(3) of the 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 development contributions.

Applicant's should refer to the *EP&A Act/ Regulation* and the Department of Planning Practice Note – Planning Agreements (Issued 19 July 2005) and Councils Planning Agreement Policy for additional guidance relating to the fundamental principles relating to the use of planning agreements, setting out the broad policy framework, basic statutory procedures for negotiating, entering into and administering planning agreements.

1.16 Can the levy be settled by alternative/ other means?

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.

Council may accept such alternatives in the following circumstances:

S94a Development Contributions Plan 2011

- (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
- (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; and

The value of the works to be substituted must be provided by the applicant at the time of the request and must be independently certified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications. This is to be provided at the expense of the developer.

Council will require the applicant to enter into a written agreement for the provision of the works.

Acceptance of any such alternative is at the sole discretion of the council. Council may review the valuation of works or land to be dedicated, and may seek the services of an independent person to verify their value. In these cases, all costs and expenses borne by the council in determining the value of the works or land will be paid for by the applicant.

1.17 Complying Development

In accordance with s94EC of the EPA Act this plan stipulates the following in respect to an application made to an accredited certifier for complying development certificate;

- An accredited certifier must in issuing a complying development certificate impose a condition under section 94A in accordance with this plan.
- This condition must only relate to the requirement for a monetary contribution in accordance with this plan
- The amount of this monetary contribution is to be calculated in accordance with section 1.10 of this plan

Note: A condition requiring the payment of a section 94A contribution is to be only imposed in circumstances where the payment of this contribution has not already been made in the approval of a subdivision

1.18 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

Part B – Works Program

The works program (Schedule 1) and associated map identifies both the public facilities and location of such facilities for which section 94A (S94A) levies will be required.

Levies paid to council under a condition authorised by this plan will be applied towards meeting the cost of provision or augmentation of public facilities that have been or will be provided. Schedule 1 provides a summary of public facilities, which have been or will be provided by council over the next 5 years, as well as the estimated cost of provision and timing.

Part C – Expected development and demand for public facilities

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

- the population projections undertaken by the *Department of Planning* indicate an estimated population of 9,000 people by 2031 in the Shire which represents a net increase of 2,700 persons.
- the likely population growth will require the provision of additional public facilities
- the likely population growth will diminish the existing populations enjoyment and standards of public facilities unless additional facilities are provided to meet the additional demand.

Murray Shire Council is committed to providing the equitable distribution of public facilities for the benefit and well being of all residents. Council's works program (Schedule 1) identifies the public amenities or services to be provided, recouped, extended or augmented by contribution monies derived by this plan.

Notwithstanding this plan only applies to land within the local government area of Murray Shire Council zoned RU1 Primary Production, RU3 Forestry RU5 Village, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, E3 Environmental Management, W1 Natural Waterways and W2 Recreational Waterways.

Department of Planning (DoP) Circular (Ref: PS 05-003) states there does not have to be a connection between the subject of the development consent levy and the object any monies derived are spent on, accordingly, monies derived by this plan may be used to embellish public facilities outside those zones to which this plan applies.

S94a Development Contributions Plan 2011**Part D - References**

The following reference documents have been utilised in the preparation of this Section 94A Plan.

- Murray Shire Council s94A Contributions Plan 2005
- Murray Local Environmental Plan 2011
- Murray Shire Council Management Plan - General Fund 2011/2012, 2012/2013 & 2013/2014, 2014/2015, 2015/2016
- Department of Planning – Development Contributions Practice Notes – July 2005
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2005
- Department of Planning - New South Wales Statistical Local Area Population Projections, 2006-2036

Dictionary

In this plan, unless the context or subject matter otherwise indicates or requires, the following definitions apply:

[INSERT HERE DEFINITIONS AS REQUIRED]

S94a Development Contributions Plan 2011

Schedule 1 – Works Program

Public Facilities to be funded/ embellished through S94A levies are listed in the following Schedule and their location identified on the associated map attached

ROADS				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Liston Bridge Replacement	\$44,000.00	2012/13	M
2	Nicholas Dve Upgrade	\$108,110	2011/12- 2015/16	H
3	Alert Crt Improvement	\$42,000.00	2011/12	H
4	Francis St Upgrade	\$90,000.00	2011/12	L
5	Canberra Crt Improvement	\$30,000.00	2011/12	M
6	Francis St / Cobb Hwy Extension	\$50,000.00	2012/13	M
7	Shaw St / Francis St Roundabout	\$75,000.00	2013/14	M
8	Shaw St: Council St- Warden St	\$62,000.00	2011/12- 2012/13	H
9	Shaw St: Francis St- Council St	\$44,000.00	2013/14- 2014/15	M
10	Blair St / Horseshoe Lagoon	\$48,000.00	2011/12	M
11	Tyro Crt Improvement	\$75,000.00	2012/13	M
12	Francis St / Blair St Intersection	\$55,000.00	2012/13	H
13	Cemetery Rd Improvements	\$110,000.00	2013/14 - 2014/15	M
14	Cobb Highway / Nicholas Dve Intersection Improvement	\$230,000.00	2013/14 - 2014/15	M
15	Francis St Streetscape	\$100,000.00	2013/14 - 2014/15	H
16	Blair St Footpath Construction	\$26,000.00	2011/12	L
17	Martin St Footpath Construction	\$53,500.00	2011/12 - 2014/15	M
18	Shaw St Footpath Construction	\$48,000.00	2013/14 - 2014/15	M
19	Boyes St / Kirchoffer St Footpath Construction	\$35,000.00	2015/16	M
20	Bus Shelters Installation	\$206,886.00	2011/12 - 2015/16	M
21	Pedestrian Strategy- Moama	\$108,030.00	2011/12 - 2015/16	M
22	Bike Path Construction- Moama	\$191,450.00	2011/12 - 2015/16	M
23	Mitchell St - Cobb Hwy Improvements	\$35,000.00	2012/13	M
24	Carter St - Lawrence St Improvements	\$43,000.00	2014/15	L
25	Lawrence St Works	\$24,000.00	2012/13	M
26	Mathoura St Upgrade	\$82,000.00	2011/12	H
27	Steven St Works	\$34,000.00	2012/13	M
28	Frome St - Cobb Hwy Improvements	\$65,000.00	2012/13	M
29	Burnes St Works	\$33,000.00	2015/16	L
30	Gulpa St Upgrade	\$46,000.00	2013/14	M
31	Tataila Road Works	\$162,000.00	2012/13	M
32	Thyra Rd Works	\$103,000.00	2011/12	H
33	Aratula Rd Works	\$195,000.00	2014/15	L
35	Garden Reserve Rd	\$42,000.00	2011/12	M
36	Barham Rd Improvements	\$205,000.00	2012/13 - 2014/15	H
37	Paringavale Rd Works	\$180,127.00	2011/12 - 2015/16	L
38	Perricoota Rd Improvements	\$1,209,000.00	2011/12 - 2015/16	H
39	Caldwell Line Rd Works	\$180,125.00	2011/12 - 2015/16	L
40	Brassi Rd Works	\$172,666.00	2011/12 - 2014/15	L
41	Lower River Rd Works	\$148,666.00	2011/12 - 2013/14	M
42	Calimo Rd Works	\$148,668.00	2011/12 - 2013/14	M
43	Mathoura St Footpath Construction	\$57,536.00	2011/12 - 2015/16	M
44	Bike Path Construction- Mathoura	\$98,621.00	2011/12 - 2015/16	M

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CAR PARKING				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Moama Car Parking: resealing and line marking	\$50,000	2011/12 – 2015/16	M
2	Echuca St Car Park Improvements	\$10,000	2011/12	L
OPEN SPACE				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Botanical Gardens Construction	\$80,000.00	2011/12 - 2015/16	H
2	Bunnaloo Rec Reserve Upgrade	\$20,000.00	2011/12	M
3	Perricoota Road - Avenue of Trees	\$20,000.00	2014/15	L
4	Moama Rec Reserve – Planting of Trees	\$20,000.00	2011/12 - 2015/16	M
5	Moama Rec Reserve –Improvements to internal Roads	\$15,000.00	2012/13	L
6	Automatic Irrigation System Installation	\$15,000.00	2013/14	M
7	Urban Streetscape Plan	\$100,000.00	2011/12 - 2015/16	L
8	Nicholas Drive - Beautification	\$75,000.00	2012/13	M
9	Moama Business Park Gardens	\$10,000.00	2011/12	L
10	Installation of Half Courts in Parks	\$15,000.00	2014/15	L
11	Moama Rec Reserve –Improvements to internal Roads	\$25,000.00	2011/12 - 2015/16	L
12	Mathoura Recreation Reserve Works	\$50,000.00	2011/12 - 2015/16	L
13	Moama Rec Reserve improvements	\$75,000.00	2011/12 - 2015/16	M
14	improvements to Moira Park	\$75,000.00	2011/12 - 2015/16	L
15	improvements to Langwell Park	\$5,517.00	2011/12	L
16	McMahon Park improvements	\$3,078.00	2011/12	L
17	improvements to Ivo Ham Park	\$19,700.00	2011/12 - 2012/13	L
18	improvements to Apex Park	\$5,734.00	2012/13	L
19	Moama Rec Reserve improvements	\$1,000.00	2012/13	L
20	Mathoura Playpark	\$50,000.00	2011/12	H
21	Street Trees Residential Areas	\$40,000.00	2011/12 - 2015/16	M
22	Mathoura Rec Res - Line Planting	\$25,000.00	2014/15	M
23	Mathoura North Entrance Upgrade	\$10,000.00	2015/16	L
24	Moama North Entrance Upgrade	\$25,000.00	2013/14	L
25	Tree Risk Assessment	\$50,000.00	2011/12 - 2015/16	M
26	Urban Streetscape Plan	\$40,000.00	2011/12	M
27	Mathoura Main Street Upgrade	\$35,000.00	2011/12	H
28	Liston Park – Mathoura Improvements	\$25,000.00	2014/15	L
COMMUNITY FACILITIES				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Contribution to Central Murray Library	94,000.00	2011/12 - 2015/16	M
2	C.M.R.L Government Subsidy	89,000.00	2011/12 - 2015/16	H
3	Contribution to Central Murray - Disability	30,000.00	2011/12 - 2015/16	M
4	Mathoura Hall	\$26,400.00	2011/12 - 2015/16	L
5	Moama Office Building Improvements	\$15,000.00	2011/12	H
6	SES Building Extension	\$15,000.00	2011/12	L
7	Mathoura Retirement Village	\$3,600.00	2011/12	L
8	Moama Senior Citizens Building	\$15,000.00	2011/12	L
9	Moama Pre School	\$48,850.00	2011/12 - 2013/14	L
10	Mathoura Pre School	\$5,000.00	2011/12 - 2015/16	L
11	Mathoura Swimming Pool	\$12,000.00	2011/12	H
12	Telegraph Station	\$8,000.00	2011/12	L
13	Womboota Hall Works	\$15,000.00	2011/12 - 2015/16	M

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14	Caldwell Hall Works	\$17,000.00	2011/12 - 2015/16	M
15	Womboota Hall Works	\$18,000.00	2011/12 - 2015/16	M
16	Moama Sports Complex	\$10,000.00	2012/13	L
17	Moama Playpark	\$22,000.00	2012/13	H
18	Construction of New Mathoura Pool	\$500,000.00	2015/16	H
19	Toilet Facilities Mathoura	\$60,000.00	2014/15	L
20	Installation of Shade Shelters	\$30,000.00	2011/12 - 2015/16	M
WASTE MANAGEMENT				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Waste Bin Enclosures	\$30,000.00	2011/12 - 2015/16	M
2	Landfill Management	\$100,000.00	2011/12 - 2015/16	M
3	Cover Material	\$10,000.00	2011/12 - 2015/16	M
4	Construction of new Cell	\$298,482.00	2013/14	L
5	Drainage Works	\$47,000.00	2011/12	H
6	Construction of New Office Building	\$250,000.00	2015/16	L
STORMWATER MANAGEMENT				
Item No	Description	Estimated Cost	Estimated Time Frame	Priority Low (L) Medium (M) High (H)
1	Moama Drainage Study	\$80,000.00	2011/12	H
2	Moama Drainage Extensions	\$58,000.00	2011/12- 2015/16	M
3	Construction of Bartlett St / Horseshoe Lagoon Drainage	\$40,000.00	2013/14	L
4	Chanter St Drainage Improvements	\$15,000.00	2011/12	M
5	Drainage Infrastructure Upgrade- Lawson	\$120,000.00	2012/13- 2013/14	M
6	Blair St to Horseshoe Lagoon Drainage Upgrade	\$90,000.00	2011/12	L
7	Stormwater Management and Harvesting Project Works	\$216,000.00	2011/12	H
8	Stormwater Harvesting- Rec Reserve	\$212,000.00	2012/13	M
9	Stormwater Harvesting- Echuca Basin	\$20,000.00	2012/13	M
10	Bench Marks - Echuca West	\$10,000.00	2015/15	M
11	Merool / Grimison Drainage Works	\$40,000.00	2013/14- 2014/15	L

Schedule 2 – Works Program Map

MAPS AVAILABLE FROM COUNCIL

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