

CP12

Section 94 Plan

No. 12 – Bus Shelters

Version 1.3.5
December 2009
Indexed July 2016

CERTIFIED IN ACCORDANCE WITH
 THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
 AND REGULATIONS



GENERAL MANAGER

DATE: 15 December 2009

SECTION 94 PLAN No 12

BUS SHELTERS

VERSION 1.5
 In force 23 December 2009
 Version 1.3.5 Indexed 1 July 2016

Version	Adopted	Description	Effective
1	20/3/1996		1/4/1996
1.1 (Amendment 1)			10/2/1998
1.2 (Amendment 2)	1/6/2005	Shelter cost, occupancy rates and levy updated	13/7/2005
1.3 (Amendment 3)	15/12/2009	Admin levy reduced to 5%; shelter cost, occupancy rates and levy updated	23/12/2009
1.3.1		Indexation applied in accordance with Section 2.10 of this plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000.	1/7/2012
1.3.2		Indexation applied in accordance with Section 2.10 of this plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000.	1/7/2013
1.3.3		Indexation applied in accordance with Section 2.10 of this plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000.	1/7/2014
1.3.4		Indexation applied in accordance with Section 2.10 of this plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000.	1/7/2015
1.3.5		Indexation applied in accordance with Section 2.10 of this plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000.	1/7/2016

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1.0 PART A – SUMMARY SCHEDULES

1.1 Summary schedule – contribution rates

	Persons	Version 1.3	Version 1.3.5 Indexed July 2016*
Per person	1	\$25	\$27.97
Per Lot/ET	2.4	\$60	\$67
Detached dwelling	2.4	\$60	\$67
1 bedroom unit	1.3	\$33	\$36
2 bedroom unit	1.7	\$43	\$48
3 bedroom unit	2.1	\$53	\$59
4+ bedroom unit	2.4	\$60	\$67

* See calculations in Appendix 1.

NB: Does not apply to residential development in a rural zone or residential subdivision in a rural zone.

1.2 Summary schedule - works program

Price per shelter including concrete base \$13,100

NB: 4 shelters required for each 2,200 persons

1.3 Published indices at time of adoption

Index	Rate	Index Date	Published
IPD (Engineering Construction)	105.94	July 2009	Released 14/10/2009 ABS
TSC Land Index	142.50	June 2009	2009/2010 Tweed Shire Council Revenue Policy

2.0 PART B - ADMINISTRATION

2.1 Name of plan

The name of this Plan is Tweed Shire Council Section 94 Contributions Plan No. 12 – Bus Shelters.

2.2 Land to which the plan applies

The Plan applies to all residential development, including subdivision, on land within Tweed Shire, except residential development in a rural zone and residential subdivision within a rural zone.

2.3 Purpose of the plan

The purpose of the Development Contributions Plan is to:

- (a) enable the levying of developer contributions for the provision of bus shelter facilities. Bus shelters are required to meet the expected demand for such facilities generated by residential population growth within the Shire, particularly in areas of new subdivision or development.
- (b) enable the collection of direct contributions for key community infrastructure, being the provision of local bus facilities in accordance with Section 116H of the *Environmental Planning and Assessment Act*
- (c) ensure that adequate key community infrastructure is provided for as part of any new development
- (d) authorise the council to impose conditions under section 94 (s94) of the *Environmental Planning and Assessment Act 1979* when granting consent to development on land to which this plan applies
- (e) provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- (f) ensure that the existing community is not burdened by the provision of key community infrastructure required as a result of future development
- (g) 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

The provisions of this Contributions Plan come into effect on 1/4/96, being the date of public notification of adoption by Council of the Plan. This Plan was subsequently amended on 10/2/98, 13/7/05 and 23/12/2009.

This amended version (Version 1.3) has been prepared pursuant to the provisions of s94 of the *Environmental Planning & Assessment Act* and Part 4 of the *Environmental Planning & Assessment Regulation* and takes effect from the date on which public notice was published, being 23 December 2009, pursuant to clause 31(4) of the *Environmental Planning & Assessment Regulation*.

2.5 Relationship with other plans and policies

This Plan is part of the package of Contributions Plans prepared for a variety of key community infrastructure which are required to be provided and/or augmented by Tweed Shire Council to meet the needs of new development within the Shire.

This development contributions plan supplements the provisions of Tweed Local Environmental Plan 2000 and any amendment or local environmental plan which it may supersede.

This development contributions plan supplements the provisions of the adopted Tweed Development Control Plan and any amendment which it may supersede.

2.6 Definitions and standards

Definitions	
Accredited Certifier	For the purposes of the certification of Construction Certificates and Complying Development Certificates as referenced in this plan, the Accredited Certifier is the principal certifying authority.
EP&A Act	Environmental Planning and Assessment Act, as amended
EP&A Regulation	Environmental Planning and Assessment Act Regulation, as amended.
IPD (Implicit Price Deflator)	Index used for adjustment of construction component – refers to the value of work done (implicit price deflator); Chain Volume Measures; Engineering Construction; ABS Reference A405071T, ABS Product Number 8782.0.65.001
TSC Land Index	Index used for adjustment of land acquisition costs – Tweed Shire Council Land Index, as published in Council's Management Plan and Quarterly Report.
Nexus	The relationship between the expected types of development in the area and the demand created by those developments for additional public facilities. The link between the proposed development and the increased demand for public facilities may be demonstrated through causal nexus (what), spatial nexus (where) and temporal nexus (when). Causal nexus requires that the need for the service or facility being levied must be a result of the development being levied. Physical nexus requires that the service or facility be near enough in physical terms to provide benefit to that development. Temporal nexus requires that the service or facility must be provided within a reasonable time.

Standards used in this contributions plan	
Dwelling house/lot	Equivalent to 2.4 persons (one Equivalent Tenement) Source: Tweed Shire Urban Land Release Strategy 2009
1 bedroom unit	Equivalent to 1.3 persons Source: Tweed Shire Urban Land Release Strategy 2009
2 bedroom unit	Equivalent to 1.7 persons Source: Tweed Shire Urban Land Release Strategy 2009
3 bedroom unit	Equivalent to 2.1 persons Source: Tweed Shire Urban Land Release Strategy 2009
4+ bedroom unit	Equivalent to 2.4 persons Source: Tweed Shire Urban Land Release Strategy 2009
Tourist related development that provides accommodation	Equivalent to the above residential standards with reference to the number of bedrooms

2.7 Timing of payment

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.

Council's policy regarding the timing of payment of S94 contributions is as follows:

- DAs involving subdivision - prior to the release of the subdivision linen plan;
- DAs involving building work - prior to the release of approved building plans; and
- DAs where no building work involved - prior to occupation.

2.8 Obligation of accredited certifiers

Construction Certificates:

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

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in

accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

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

Complying Development Certificates:

In accordance with section 94EC of the EP&A Act a certifying authority must impose a condition on a complying development certificate requiring the payment of a monetary contribution in accordance with this plan. The condition must require payment prior to commencement of works or prior to commencement of use whichever occurs first. The condition must be set out and be calculated in accordance with APPENDIX 3 of this plan.

Payment for contributions cannot be accepted by Council before Council has registered the complying development certificate in its system which will not occur until Council has received notification of the complying development certificate from the accredited certifier of the issuing of the certificate.

Failure to follow this procedure may render such a certificate invalid.

Recalculation of contributions:

Council's search fee will apply in cases where the recalculation of contribution rates is required.

2.9 Deferred/periodic payments

Deferred or periodic payments may be permitted in the following circumstances:

- (a) compliance with the provisions of Clause 2.8 is unreasonable or unnecessary in the circumstances of the case,
- (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) where the applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a cash contribution and council and the applicant have a legally binding agreement for the provision of the works or land dedication,
- (d) there are circumstances justifying the deferred or periodic payment of the contribution.

If council does decide to accept deferred or periodic payment, council may require the applicant to provide a bank guarantee by a bank for the full amount of the contribution or the outstanding balance on condition that:

- the bank guarantee be by a bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to

thirteen (13) months interest plus any charges associated with establishing or operating the bank security

- the bank unconditionally pays the guaranteed sum to the council if the council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work
- the bank must pay the guaranteed 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
- 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.
- 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.

2.10 “In-kind” settlement or material public benefit

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.

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.

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.

2.11 Discounting and apportionment factors

As the bus route network expands to meet the demand generated by population growth arising from new residential development, the provision of additional bus shelters along existing and future bus routes will be necessary.

A typical new residential neighbourhood of approximately 64ha (ie, 4 modules or cells of 400m) with a population of 2,200 persons, would be likely to require provision of about 5-8 bus stops and, say, 4 bus shelters (assuming an average dwelling density of twelve dwellings per hectare).

This plan has previously provided for the collection of contributions for bus shelters from rural development. Previous versions of this plan did not collect a contribution from smaller urban developments of less than 10ET. This version apportions the contribution to all residential development in Tweed Shire except for development in rural zones. It is felt that although many properties in rural zones are in reasonable proximity to a bus route, the frequency of personal trips from and to those properties is likely to be limited, given the more infrequent bus services available to those locations.

Given the above factors, together with the likelihood that any new bus shelters will be constructed in and used by residents of residential and urban areas, contributions will be collected from all residential development in those areas only, and apportionment of the cost per person in those areas will be set at 100%. It is likely that some bus shelters will continue to be provided or subsidised by private sponsorship; however, this is expected to occur only in existing areas or commercial areas, rather than in new subdivisions. It is intended that all advertising revenue be utilised for maintenance only, and not for the capital costs of providing shelters. Grant funding, which has also contributed significantly to previous works programs also cannot be guaranteed to continue. Where appropriate, Council will continue to require actual provision of bus shelters as conditions of consent to the larger, self-contained subdivisions, and in these cases, contribution levies will not be sought under Section 94.

2.12 Adjustment of contribution rates

To ensure that the value of contributions are not eroded over time by movements in the 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 adjust the contribution rates.

The contribution rates will be adjusted in accordance with the consent condition by reference to the following specific indices:

- construction costs by the **IPD Chain Volume Measures:Engineering Construction** as published by **the Australian Bureau of Statistics (ABS)**;
- land acquisition costs by reference to average land valuation figures (**Tweed Land Index**) 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 **IPD** index, the contribution rates within the plan will be adjusted 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 IPD is the **IPD** as published by the ABS available at the time of adjustment of the contribution rate;
- Base Index IPD is the **IPD** as published by the **ABS** for the date of adoption of this Plan.

Note: In the event that the Current IPD is less than the previous IPD, the Current IPD shall be taken as not less than the previous IPD. Also note that the ABS adjusts the base year annually and therefore the actual IPD figures to be used are those applicable on the date on which indexation occurs. Please refer to paragraph 1.3 for the applicable figures at the time of adoption, however these may vary over time for the reasons stated.

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

- \\$C_{LV}** is the land values within the plan at the time of adoption of the plan expressed in dollars;
- Current LV Index TSC Land Index is the land value index as published by the council available at the time of adjustment of the contribution rate;
- Base LV Index TSC Land Index is the land value index as published by the council for the date of adoption of this Plan.

Note: In the event that the Current LV Index is less than the previous LV Index, the Current LV Index shall be taken as not less than the previous LV Index. Also note that the council may adjust the base year for this index and therefore the actual LV Index figures to be used are those applicable on the date on which indexation occurs. Please refer to paragraph 1.3 for the indexation figures available at the time of adoption, however these may vary over time for the reasons stated.

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.

2.13 Adjustments 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. 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 accordance with the consent condition.

The current contribution rates 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 Allowances for existing development

Contributions will be levied according to the estimated increase in demand. An amount equivalent to the contribution attributable to any approved development on the site of a proposed new development will be allowed for in the calculation of contributions. Council will determine the credit on the basis of the likely demand that the existing development would create.

2.15 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.

2.16 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.

2.17 Register

Council will maintain a register of all contributions in accordance with EP&A Regulation 34.

The register will be made available for public inspection at any time during normal office hours. An annual statement of contributions will be produced documenting amounts received and relevant details. Such statements will also be made available for public inspection upon request.

3.0 STRATEGY PLAN AND NEXUS

3.1 Introduction

Part 116D of the Environmental Planning and Assessment Act requires that Council take account of 5 key considerations for development contributions, being:

- (a) *Can the public infrastructure that is proposed to be funded by a development contribution be provided within a reasonable time?*
- (b) *What will be the impact of the proposed development contribution on the affordability of the proposed development?*
- (c) *Is the proposed development contribution based on a reasonable apportionment between existing demand and new demand for public infrastructure to be created by the proposed development to which the contribution relates?*
- (d) *Is the proposed development contribution based on a reasonable estimate of the cost of proposed public infrastructure?*
- (e) *Are the estimates of demand for each item of public infrastructure to which the proposed development contribution relates reasonable?*

These considerations are addressed in this section by demonstrating a clear nexus between the requirement for the required bus services to meet the needs of the increased population as a result of new development and the works program designed to provide it.

3.2 What bus shelter facilities are proposed?

Current residential design guidelines, such as Tweed Shire Council's Subdivision Manual, AMCORD, and QLD Streets (1993), recommend that the design of new residential subdivision estates provide for bus routes via collector roads such that 90% of allotments or dwellings are within a 400m straight line distance of a potential bus route. Existing bus routes and bus services are available mainly through private operators, Surfside Buslines and the Murwillumbah Bus Company to the main urban areas of the Shire, namely Tweed Heads, Tweed Heads West, Tweed Heads South, Banora Point, Terranora, Bilambil Heights, Kingscliff, Chinderah, Bogangar/Cabarita Beach, Hastings Point, Pottsville and Murwillumbah. It is anticipated that bus routes be available through all new residential subdivision release areas by appropriate planning of street systems at subdivisional stage to achieve the objective of 90% of houses being located within 400m of straight line distance of a bus route.

3.3 What is the cost of bus shelter facilities?

The bus shelter design recommended by the Director Engineering & Operations is known as the 'Seaspray' design. The cost of this unit, including construction of the concrete base, in 2009 prices is approximately \$13,100.

3.4 How is the nexus between anticipated new development and the proposed contributions established?

As the bus route network expands to meet the demand generated by population growth arising from new residential development, the provision of additional bus shelters along existing and future bus routes will be necessary.

New subdivisions are required to provide lots with access to a bus route within 400m of the property boundary. It is argued that most properties within the shire, including rural properties, are in reasonable proximity to a bus route of some kind. It is felt that the frequency of personal trips from and to rural properties is likely to be limited, given the more infrequent bus services available to those locations and hence a contribution for bus shelters will not be levied on residential development in rural zones.

A typical new residential neighbourhood of approximately 64ha (ie, 4 modules or cells of 400m) with a population of 2,200 persons, would be likely to require provision of about 5-8 bus stops and, say, 4 bus shelters (assuming an average dwelling density of twelve dwellings per hectare).

Previous versions of this plan did not collect a contribution from smaller urban developments of less than 10ET. This version apportions the contribution to all residential development in Tweed Shire, including smaller urban developments of less than 10ET, except for development in rural zones.

Given the above factors, together with the likelihood that any new bus shelters will be constructed in and used by residents of residential and urban areas, contributions will be collected from all residential development in those areas only, and apportionment of the cost per person in those areas will be set at 100%. As already stated, new estates are required to be designed generally such that 90% of dwellings or allotments are within 400m of an existing or proposed bus route, and it is reasonable to assume that about four shelters would be provided to service a neighbourhood of approximately 2,200 persons.

3.5 How the levy is calculated

The formula for determining the development contribution towards the provision of bus shelters is as follows:

$$\text{Levy per person} = \frac{C \times P}{n} \quad \text{plus 5\% administration levy}$$

where C = cost of provision of four bus shelters within typical urban growth neighbourhood

P = proportion attributable to new development (100%)

n = total population within the neighbourhood

$$= \frac{\$13,100 \times 4 \times 100\%}{2,200 \text{ persons}}$$

$$+ 5\% = \$23.82 + 5\%$$

$$= \$25.00 \text{ per person}$$

Based on current occupancy rates per dwelling or per lot, the actual contribution rates are as follows:

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	Persons	Version 1.3	Version 1.3.5 Indexed July 2016*
Per person	1	\$25	\$27.97
Per Lot/ET	2.4	\$60	\$67
Detached dwelling	2.4	\$60	\$67
1 bedroom unit	1.3	\$33	\$36
2 bedroom unit	1.7	\$43	\$48
3 bedroom unit	2.1	\$53	\$59
4+ bedroom unit	2.4	\$60	\$67

* See calculations in Appendix 1.

NB: Does not apply to residential development in a rural zone or residential subdivision in a rural zone.

APPENDIX 1 – Plan History

TWEED SHIRE BUS SHELTERS

CONTRIBUTIONS PLAN NO 12

LEVY SUMMARY

Version 1.2 (Amendment 1) - This Plan was reviewed and amended on 13 July 2005 to apply an increase in the contribution rate due to an increase in the cost of the bus shelters.

The new levy rates are:

Single Residential Lot \$26 per Lot

Medium Density Residential Lot \$16 per Lot

The occupancy rate per dwelling has also been amended as follows:

Single Residential Lot from 2.9 persons per dwelling to 2.6 persons per dwelling.

Medium Density Residential Lot from 2.2 persons per dwelling to 1.7 persons per dwelling.

Version 1.3 (Amendment 2) (this version)

This version:

- Updates the cost of providing a bus shelter to 2009 levels.
- Fully apportions the cost to all urban residential development.
- Makes reference to forthcoming changes to the EP&A Act with reference to S94 and addresses part 116D regarding the 5 key considerations for a S94 Plan.
- Adjusts the occupancy rates per bedroom to those adopted by Council in the Tweed Shire Urban Release Strategy 2009.
- Includes clauses to enable future indexation of rates in the plan.
- Adds APPENDIX 3 – Complying Development Certificates.
- Applies the current Department of Planning Template for a S94 plan.
- Revises the admin component from 10% to 5%.

Calculations in this amendment result in a contribution of **\$25.00** per person. See Section *Section 1.1 - Summary schedule – contribution rates* on page 1 to view the rates in detail.

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Version 1.3.3 (Indexation 1 July 2014)

ABS IPD Engineering Construction		Difference	% Increase
Jul-09	96.6		
Dec-13	103.37	6.77	7.01%

$$\$25 + 7.01\% = \$26.75$$

	Persons	Version 1.3	Version 1.3.3 Indexed July 2014
Per person	1	\$25	\$26.75
Per Lot/ET	2.4	\$60	\$64
Detached dwelling	2.4	\$60	\$64
1 bedroom unit	1.3	\$33	\$35
2 bedroom unit	1.7	\$43	\$45
3 bedroom unit	2.1	\$53	\$56
4+ bedroom unit	2.4	\$60	\$64

Version 1.3.4 (Indexation 1 July 2015)

ABS IPD Engineering Construction		Difference	% Increase
Jul-09	94.68		
Dec-14	101.77	7.09	7.49%

$$\$25 + 7.49\% = \$27.70$$

	Persons	Version 1.3	Version 1.3.4 Indexed July 2015
Per person	1	\$25	\$27.70
Per Lot/ET	2.4	\$60	\$66
Detached dwelling	2.4	\$60	\$66
1 bedroom unit	1.3	\$33	\$36
2 bedroom unit	1.7	\$43	\$47
3 bedroom unit	2.1	\$53	\$58
4+ bedroom unit	2.4	\$60	\$66

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ABS IPD Engineering Construction	Difference	% Increase
Jul-09	93.53	
Dec-15	101.53	8.55%

$$\$25 + 8.55\% = \$27.97$$

	Persons	Version 1.3	Version 1.3.5 Indexed July 2016
Per person	1	\$25	\$27.97
Per Lot/ET	2.4	\$60	\$67
Detached dwelling	2.4	\$60	\$67
1 bedroom unit	1.3	\$33	\$36
2 bedroom unit	1.7	\$43	\$48
3 bedroom unit	2.1	\$53	\$59
4+ bedroom unit	2.4	\$60	\$67

APPENDIX 2 – Expenditure

Expenditure on bus shelters over the past 4 years showing source of funds:

Fin year	Funding Source	Maintenance	Capital expenditure		
			other sources	s94	
2006-2007	CPTIGS		\$ 156,000		
2007-2008	CPTIGS		\$ 86,636		
	S94			\$ 72,000	
2008-2009	CPTIGS		\$ 92,000		
	S94			\$ 23,000	
2009-	Attorney Gen Dept - Lighting		\$ 78,000		
	Attorney Gen Dept - Refurbishment	\$ 108,000			
	S94			\$ 59,883	
			\$ 412,636	\$ 154,883	
	s94 funds in bank			\$ 35,075	
Total S94				\$ 189,958	32%

APPENDIX 3 – Complying Development Certificates

Contributions will be levied according to the estimated increase in demand. In assessing the contribution of proposed development, the following calculation shall be used:

For commercial and industrial development:

Rate x Unit or Lot = Total Charge

Total Charge – Credit = Contribution

For dwellings:

(Dwelling type persons x rate per person x number of dwellings of that type)
= Total Charge

Total Charge – Credit = Contribution

Notes:

Credit

A credit amount equivalent to the contribution attributable to any continuing (or approved) development on the site of a proposed new development will be allowed for in the calculation of contributions. The credit is equal to the rate (number of lots or units x rate) already paid for as evidenced in a previous development consent. For dwellings and tourist development, the credit is 1 ET which is equivalent to **2.4** persons or any approved existing persons/bedrooms onsite. Where a development consent does not exist for a continuing development, or the total rate charged for cannot be determined, they shall be determined by calculating the current chargeable rate based on existing floor area or existing households / lot.

Rate - Is specified in *Section 1.1 - Summary schedule – contribution rates*.

Lots, Units and Persons – Are specified in *Section 1.1 - Summary schedule – contribution rates*.

Concessions

Concessions may be applied in accordance with this plan if applicable.

Council Assistance

Should a certifying authority choose not to calculate contributions, Council officers are able to undertake calculations at the cost of Council's Enquiry Fee.

Contribution Fee Sheet

The certifying authority shall attach to the complying development certificate, a fee sheet which details calculations (including persons, credits and total ETs) undertaken to determine the applicable contributions.

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Bus Shelters

The contribution fee sheet should use a format showing all of the details in the table below:

S94 Plan	Sector	Persons	Credit (Persons)	ETs (minus credits)	Total \$
S94 Plan No 12	CP 12	Xxx	Xxx	Xxx	\$xxx

Condition Template

The condition must be imposed in the following format:

Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

The complying development shall NOT commence unless all Section 94 Contributions have been paid.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS COMPLYING DEVELOPMENT CERTIFICATE MUST BE PROVIDED AT THE TIME OF PAYMENT.

These charges include indexation provided for in the S94 Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

« *Contribution type:*

XXX Persons @ \$xxxx per person \$xxxx

S94 Plan No. XX

Sector xxxx



Customer Service | 1300 292 872 | (02) 6670 2400

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484