



2004

**Lake Macquarie Section 94
Contributions Plan
North Wallarah**

5

CERTIFICATION

This Contributions Plan, the Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula (2004), was adopted by Council on 13 December 2004, and came into effect on 20 December 2004.

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1 Executive Summary

- This Section 94 Contributions Plan is called the Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula (2004). The plan originally came into force on 19 August 2000.
- The plan applies to the land shown outlined in Figure 1, titled 'Land to Which the Plan Applies'.
- The Plan has been prepared with the purpose of satisfying the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000, and to enable Council to require Section 94 contributions towards public amenities and services to meet the demand of new development within North Wallarah Peninsula
- The Plan repeals the existing Lake Macquarie Section 94 Contributions Plan No. 5 – North Wallarah Peninsula (2000).
- This contributions plan has been prepared taking into consideration the principles of nexus, apportionment and reasonableness.
- Section 94 Contributions are required for the following purposes:
 - Open Space Acquisition;
 - Local Recreation Facilities;
 - Citywide Recreation Facilities;
 - Community Facilities;
 - Roadworks and Traffic Management;
 - Conservation; and
 - Management.
- Details of the public amenities and services required to satisfy the demand generated by the anticipated development, and the cost and proposed timing of these amenities and services, can be found in the work schedules attached as appendices to the Plan.
- There are a number of possible methods of payment of Section 94 contributions; dedication of land, monetary contribution, works in kind or material public benefit. Where land identified for acquisition in the Plan falls within land the subject of a development application, the primary method of requiring a contribution will be the dedication of land free of cost in accordance with Section 94(1)(a) of the Act.
- Details of the cost and proposed timing of the public services and amenities required to satisfy the demand generated by the anticipated development can be found in the work schedules attached as appendices to the Plan.
- Different rates of contribution are levied based on the size and type of development. These contribution rates can be found in Table 1.
- Enquiries concerning the Plan should be directed to the Environmental Planning Department. The following information is available for inspection at the Council's Administrative Building during Council's ordinary office hours:
 - This Contributions Plan;
 - Current Contribution Rates;
 - Contributions Register;
 - Each Annual Statement; and
 - Supporting information to the Plan.

Table 1 - Contributions Rates Summary

Facility	Contribution				Dedication 3+ Bed / Lot
	Person	1 / 2 Bed Dwelling	3+ Bed / Lot	Tourism Unit	
Local Recreation	\$1,809	\$3,618	\$4,522	\$2,352	N/A
City-wide Recreation	\$47	\$94	\$117	\$61	N/A
Open Space Acquisition	N/A	N/A	N/A	N/A	56.75m2
Community Facilities	\$730	\$1,460	\$1,825	\$949	N/A
Community Facilities Land	\$45	\$90	\$112	\$58	2.83m2
Roadworks and Traffic Management	\$242	\$484	\$605	\$315	N/A
Conservation Corridor Management	N/A \$60	N/A \$120	N/A \$150	N/A \$78	116.15m2 N/A
TOTAL	\$2,933	\$5,866	\$7,331	\$3,813	175.73m2

Note: Contribution rates vary depending for different size dwellings, based on occupancy rates (as explained in Section 5.3).

2 Introduction

2.1 Name of the Plan

The Plan is referred to as the Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula (2004). It will hereafter be referred to as “the Plan”.

2.2 Purpose of the Plan

This plan has been prepared with the primary purpose of satisfying the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000, in that:

- Where Council is satisfied that a development, the subject of a development application or of an application for a complying development certificate, will or is likely to require the provision of or increase the demand for public amenities and public services within the area, Council may grant consent to that application subject to a condition requiring:
 - (a) the dedication of land free of cost, or
 - (b) the payment of a monetary contribution, or both.provided the contribution and/or dedication required is reasonable.
- Where Council has, at any time, provided public amenities or public services within the area in preparation for or to facilitate the carrying out of development in the area, the subject of a development application or of an application for a complying development certificate, will, if carried out, benefit from the provision of those public amenities or public services, the consent authority may grant consent to the application subject to a condition requiring the payment of a monetary contribution towards recoupment of the cost of providing the public amenities or public services.
- A contribution cannot be imposed under s.94(1) or (3) unless it is of kind allowed by, and is determined in accordance with, a contributions plan approved under s. 94B.
- Section 94 contributions are levied under this plan for the following amenities and services:
 - Open Space Acquisition;
 - Local Recreation Facilities;
 - Citywide Recreation Facilities;
 - Community Facilities;
 - Roadworks and Traffic Management;
 - Conservation; and
 - Management.

Other objectives of this plan are to:

- offer the public and those involved in development certainty as to current contribution levels and Council's intentions regarding the nature, location and timing of the provision of public services and amenities;
- provide a comprehensive strategy for providing public services and amenities, including the extension or embellishment of existing public facilities, which are required to meet the demand of the incoming population;

- provide a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions, and to ensure that these contributions are fair and reasonable;
- provide public services and amenities for new development in a timely fashion, to a level and location determined to be appropriate for residents' needs;
- demonstrate that the existing community is not burdened by providing public services and amenities required as a result of development;
- ensure an equitable sharing of costs of the services and amenities between those developments that benefit from these services and amenities; and
- ensure that Council is both publicly and financially accountable in its assessment and administration of the plan.

2.3 Land to Which the Plan Applies

This contributions plan applies to an area bounded by the Pacific Ocean to the east, Lake Macquarie to the west and by the urban development areas of Swansea and Caves Beach to the north, as shown outlined in Figure 1, titled 'Land to Which the Plan Applies'.

2.4 Structure of the Plan

The Plan is arranged into a number of major parts:

- Executive Summary
- Introduction to the Plan, including the land to which the Plan applies, and relationship to other plans and policies.
- Operation of the Plan, including expected type of development and payment of contributions details.
- Administration of the Plan, which describes the Plan's management and administration.
- Demographics – provides details of the expected development and population characteristics of the population arising from this development.
- Strategy Plans for the following amenities and services:
 - Open Space and Recreation;
 - Community Facilities;
 - Roadworks and Traffic Management;
 - Conservation; and
 - Management.
- Information which supports the Strategy Plans.

2.5 Relationship to other plans

The Plan repeals the existing Lake Macquarie Section 94 Contributions Plan No. 5 – North Wallarah Peninsula (2000). In accordance with Section 94C(3), the amendment or repeal of the original plans (as amended) does not affect the previous operation of these plans or anything duly done under the Plan. Therefore, development consents including a condition requiring Section 94 contributions levied under the original plan will continue to be acted upon and the payment of those contributions still required, including any indexation provisions outlined in the condition requiring payment of contributions.

The Plan levies contributions to meet the demand of the expected population following public notice of its approval by Council. Contributions received under the provisions of the repealed contributions plans will be spent in accordance with provisions of, and to meet the demand of development identified in the repealed plans.

Other plans and instruments that have a functional and policy relationship with the Plan are:

- The North Wallarah Peninsula Local Environmental Plan 2000 (LEP)
- Conservation and Land use Management Plan (CLUMP)
- Development Control Plans No.33, 34 – Exempt and Complying Development.
- Council Policy – Section 94 - Works-in-Kind.
- Council Policy – Section 94 - Material Public Benefit.
- Council Policy – Section 94 – Acceptance of Additional Land.
- Council Policy – Section 94 – Credit.
- Council Policy – Section 94 – Deferred Payment.
- Council Policy – Section 94 – Land Banking.

3 Operation of the Plan

3.1 When does the Plan take Effect?

The Plan takes effect following approval by Council and the date of the public notice of this decision (refer to 'Certification' for details). Development applications assessed on or after this date will be subject to the provisions of the Plan.

3.2 How does the Plan Operate?

The North Wallarah Peninsula is expected to take approximately thirteen (13) years to be fully developed. The scope and duration of the Plan is anticipated to be approximately five (5) years.

In determining a development application, Council may impose a condition requiring the payment of a monetary contribution and/or the dedication of land or, in lieu thereof, accept the provision of a material public benefit or works in kind in accordance with the provisions of the Plan. Contributions will be required for all forms of residential development that create the potential for an increase in demand for the public amenities and services identified in the Plan, and will be calculated on the basis of the additional demand.

3.3 Expected Types of Development

It is expected that the development of the land to which this plan applies will be primarily residential in the form of new land subdivision. However, there is also expected to be two (2) tourist precincts, with a total of 550 double rooms.

3.4 Complying Development and the Obligation of Accredited Certifiers

In accordance with Section 94D(1) of the Environmental Planning and Assessment Act 1979, accredited certifiers must impose a condition requiring monetary Section 94 contributions for any complying development which satisfies the criteria set out in Chapter 3.2 (How does the Plan Operate?). The amount of the contribution is to be determined in accordance with the formulas contained in the Plan and current contribution rates.

The imposed condition must be consistent with Council's standard Section 94 consent conditions, including indexation provisions. Council will assist accredited certifiers by providing copies of Council's standard Section 94 consent conditions. The certifier must also ensure that there is no conflict between development, the subject of the development application, and the location of proposed public amenities and services in the Plan. It is the professional responsibility of accredited certifiers to keep up to date with any amendments or changes to the Plan (including changes to contribution rates arising from indexation) and consent conditions, and to accurately calculate and apply Section 94 contributions.

3.5 Construction Certificates and the Obligation of Accredited Certifiers

In accordance with Clause 146 of the Environmental Planning and Assessment Regulation 2000, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it is satisfied that each condition requiring the payment of a monetary contribution is complied with.

The certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been paid. The only exceptions to this requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been entered into with Council. In such cases, Council will, upon request, provide a letter confirming that an alternative method of payment has been agreed with the applicant.

3.6 Payment of Contributions

3.6.1 Method of Payment

There are a number of possible methods of payment of Section 94 contributions:

- Dedication of land;
- Monetary contribution;
- Works in Kind; and
- Material Public Benefit.

Where land identified for acquisition in the Plan falls within land the subject of a development application, the primary method of requiring a contribution will be the dedication of land free of cost in accordance with Section 94(1)(a) of the Act. A monetary contribution will only be required where:

Additional land above and beyond that available within the land the subject of a development application is required; or

No land identified for acquisition in the Plan falls within land the subject of a development application.

Dedication of Land

Dedication of land will be required on an area basis in accordance with the rates in the Plan at the date of dedication. All costs of dedication are to be borne by the applicant, including (but not limited to) survey, legal and administration costs. The land is to be in a condition suitable for its intended purpose, should be cleared of all rubbish, debris and weeds, and have separate title. Land to be dedicated is to come into Council ownership prior to the release of the Subdivision Certificate or Construction Certificate.

Monetary Contribution

A monetary contribution is the usual method of payment of Section 94 contributions, other than contributions for land acquisition. Development consents involving the payment of a monetary contribution include particulars of the amount payable in monetary terms, and the conditions whereby the contributions will be indexed until payment is received. The amount of the contribution shall be the rate applicable at the time of payment. The adjustment of contributions is detailed in Chapter 3.6.3.

Works in Kind

A works in kind is the undertaking of work or provision of a facility that is scheduled within a contributions plan, in part or full satisfaction of a condition requiring the payment of a monetary contribution or the dedication of land imposed in accordance with Section 94(1) of the Act.

Council may accept the construction of works listed in the schedules of the Plan in full or partial settlement of a monetary contribution. Applicants seeking Council's acceptance of a works in kind arrangement should obtain a copy of Council's relevant policy, which sets out the matters for consideration and conditions applying to approvals. Any proposals should also be discussed with Council officers to determine details of Council's requirements. The applicant will need to initiate action by applying to Council in writing, including full details and plans of the work proposed to be undertaken. The acceptance of a works in kind will be at Council's absolute discretion.

Material Public Benefit

A material public benefit is something other than the dedication of land or a monetary contribution, and may be offered by a developer in part or full satisfaction of a condition requiring the payment of a monetary contribution or the dedication of land imposed in accordance with Section 94(1) of the Act. A material public benefit may include the provision of work that is not scheduled within a contributions plan.

Council may accept a material public benefit in full or partial settlement of a monetary contribution. Applicants seeking Council's acceptance of a material public benefit arrangement should obtain a copy of Council's relevant policy, which sets out the matters for consideration and conditions applying to approvals. Any proposals should also be discussed with Council officers to determine details of Council's requirements. The applicant will need to initiate action by applying to Council in writing, including full details and plans of the work proposed to be undertaken. The acceptance a material public benefit will be at Council's absolute discretion.

Where the value of the works in kind, material public benefit or dedication of land is greater than the amount of the required contribution, Council may consider the additional proportion to be a 'credit' and use it to settle contributions arising from future developments in the same area. Where the value of the works in kind, material public benefit or dedication of land is less than the value of the required contribution, the applicant will be required to settle the balance of the contribution by way of monetary contribution and/or land dedication.

3.6.2 Timing of Payment

Payment of Section 94 contributions (including land dedication and/or completion of works) shall be as follows:

- Development applications involving subdivision - prior to the release of the Subdivision Certificate.
- Development applications involving building work - prior to the release of any Construction Certificate.
- Development applications involving both subdivision and building work - prior to the release of the Subdivision Certificate or any Construction Certificate, whichever occurs first.
- Development applications where no Construction Certificate is required - prior to the release of the development consent or prior to issue of any Certificate of Occupancy.

3.6.3 Adjustment of Contributions

Contributions required as a condition of development consent will be adjusted at the time of payment in accordance with the latest Consumer Price Index (All Groups – Sydney) as published quarterly by the Australian Bureau of Statistics, using the following formula:

$$\text{Contribution at time of payment} = C \times \frac{\text{CPI 2}}{\text{CPI 1}}$$

- Where:
- C = The original contribution amount as shown on the consent.
 - CPI 2 = The Consumer Price Index Number (Sydney - All Groups) currently available from the Australian Bureau of Statistics at the time of payment.
 - CPI 1 = The Consumer Price Index Number (Sydney - All Groups) last published by the Australian Bureau of Statistics at the time of coming into effect of the Plan, or subsequent amendment of the Plan.

3.6.4 Deferred Payment

Council may consider the deferred payment of contributions. Applicants seeking Council's acceptance of deferred payment should obtain a copy of Council's relevant policy, which sets out the matters for consideration and conditions applying to approvals. The applicant will need to initiate action by applying to Council in writing, and will need to satisfy Council that:

- there are valid reasons to seek an alternative paying arrangement;
- a suitable bank guarantee can be provided in the event that Council approves the application in an amount required by Council; and
- were Council to grant the application, the applicant will make periodic or deferred payment of contributions at no cost to Council.

Council will consider all applications on their merits having regard to the following criteria:

- no prejudice will be caused to the community deriving benefit from the public facilities required by the proposed development;
- no prejudice will be caused to the efficacy and operation of the Plan; and
- the provision of the public facility in accordance with the adopted works schedule will not be jeopardised by the acceptance of the alternative arrangement.

The bank guarantee referred to above must:

- Be by an Australian Bank.
- Be for a maximum twelve month period.

Be for an amount in the sum of the total contribution or the amount of the outstanding contribution at the time of deferring payment, plus a further amount to cover interest on that sum calculated from the date of release of any Construction Certificate or Subdivision Certificate until the date of payment of the total contribution. The rate of interest will be the private borrowing rate for local government as proclaimed from time to time by the Minister administering the Local Government Act. This amount will also represent the amount payable at the end of the deferred payment period.

The acceptance of a request to defer payment of contributions is at Council's absolute discretion. Council charges an administrative fee for submission of a Bank Guarantee. The fee appears on the Council's Schedule of Fees, a copy of which is available from Council upon request.

3.7 State Environmental Planning Policy (Seniors Living) 2004

All new development, including housing for senior and people with disabilities, intensifies the use of the existing resources and adds incrementally to the demand for public amenities and services. Older people with disabilities enjoy the current provision of open space and are one of the major users of parkland areas.

Older people and people with a disability also use public libraries or receive visits from the mobile library service. Many attend senior citizens meetings in Council's facilities. They also receive services, such as meals on wheels, community transport, and neighbour aid, organised from the offices of the Commonwealth and State funded Home and Community services located in Council's multipurpose facilities.

Further development of any sort within the catchment areas to which the Plan applies will lead to an increase in the stormwater runoff and will generate demand on the Road works and Traffic Management Facilities.

It is therefore reasonable for Council to levy contributions on all development within the area, including housing built under the State Environmental Planning Policy (Seniors Living) 2004. Contributions are levied for the following: Open Space and Recreation Facilities, Community Facilities, Roadworks and Traffic Management Facilities and Drainage and Stormwater Quality Control. However, Council may consider an application to discount or exempt the development from one or more of the above contributions. Applicants seeking Council's acceptance of such an arrangement must be able to demonstrate to the satisfaction of Council sufficient on site facilities are provided. Council will consider the merits of the application, including the potential social and financial implications, and the ability of the proposed facilities to meet the demand of the incoming residents. The applicant will need to initiate action by applying to Council in writing, including fill details and plans for the facilities to be provided. The acceptance of an application will be at Council's absolute discretion. Facilities considered suitable must be additional to those facilities that are required to be provided as a result of the development.

3.8 Funding

The contributions made to Council under the provisions of the Plan may fully or partially fund the public amenities and services identified in the Plan. The contribution rates have been determined based on apportionment between the expected development and other sources of demand. In circumstances where public amenities and services are not fully funded by contributions, the remaining funds will be supplied from other sources (normally Council's General Revenue and State Grants).

Public amenities and services are required at the time demand is created, which may be before completion of development and before sufficient contributions are received. Council's ability to forward fund these services and amenities is very limited, and consequently their provision is largely contingent upon the availability of contributions.

To provide a strategy for the implementation of the services and amenities levied for in the Plan, and to use contributions in the most effective manner, the individual work schedules have been prioritised. This priority of provision takes into account development trends, population characteristics, existing funds, funds from other sources (where required) and anticipated revenue.

4 Administration of the Plan

4.1 Formulas to be used for Determining Section 94 Contributions

The following sections detail the formulas to be used for the different categories of public amenities and services in the Plan.

4.1.1 Open Space and Recreation

Open Space – Dedication of Land

$$\text{Dedication (m}^2\text{/person)} = \frac{L}{P}$$

Where:

L = Total Open Space and Recreation land requirements.
P = The total projected resident population.

Recreation Facilities (Local and Citywide) – Monetary Contributions

$$\text{Contribution Rate (\$/person)} = \frac{(C1 + C2)}{P}$$

Where:

C1 = The estimated future cost for Open Space and Recreation Facilities.
C2 = The actual cost of Open Space and Recreation Facilities to date.
P = The total projected resident population.

4.1.2 Community Facilities

Community Facilities – Monetary Contributions

$$\text{Contribution Rate (\$/person)} = \frac{(C1 + C2)}{P}$$

Where:

C1 = The estimated cost of future Community Facilities.
C2 = The actual cost of Community Facilities provided to date.
P = The total projected resident population.

Community Facilities Land - Dedication of Land

$$\text{Dedication (m}^2\text{/person)} = \frac{L}{P}$$

Where: L = Total Community Facilities land requirements.

P = The total projected resident population.

Community Facilities Land – Monetary Contributions

$$\text{Contribution Rate (\$/person)} = \frac{(L1 + L2)}{P}$$

Where: L1 = The estimated cost of land yet to be acquired for Community Facilities.

L2 = The actual cost of land acquired for Community Facilities to date.

P = The total projected resident population.

4.1.3 Roadworks and Traffic Management

Roadworks and Traffic Management Facilities – Monetary Contributions

$$\text{Contribution Rate (\$/person)} = \frac{(C1 + C2)}{P}$$

Where: C1 = The estimated cost of future Roadworks and Traffic Management facilities within the catchment.

C2 = The actual cost of Roadworks and Traffic Management facilities provided to date within the catchment.

P = The total projected resident population.

4.1.4 Conservation

Conservation - Dedication of Land

$$\text{Dedication (m}^2\text{/person)} = \frac{L}{P}$$

Where: L = Total conservation corridor land requirements.

P = The total projected resident population.

4.1.5 Management

There are three residential contributions plans in operation in the Lake Macquarie LGA;

- The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide;
- The Lake Macquarie Section 94 Contributions Plan No.2 - Northlakes; and
- The Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula.

The formula to be used to determine contributions for Management is:

Management

$$\text{Contribution Rate} \quad = \quad C \quad \times \quad \frac{R}{P}$$

(\$/Lot)

- Where:
- C = The cost of management per year.
 - P = The combined population per year for the three residential contributions plans in operation.
 - R = The average occupancy rate per lot of the three residential contributions plan in operation.

4.2 Contribution Rates

The calculation of contribution rates using the formulas contained in Chapter 4.1 are detailed in the separate chapters for the different categories of public amenities and services in the Plan. A schedule of contribution rates for the different categories of public amenities and services can be found in Appendix K.

4.3 Goods and Services Tax

The current position of the Australian Taxation Office concerning GST for contributions received under Section 94 is:

- Monetary contributions – under Division 81 of the GST Act, contributions made by developers to finance the provision of public infrastructure and services are GST-free; and
- Dedication of land, works in kind or material public benefit - Council's advice is that non-cash contributions by way of dedication of land, works in kind or material public benefit in lieu of contributions that would be exempt under Section 81-5 of the GST Act, does not constitute a taxable supply. Therefore, there are no GST implications for non-cash contributions, and the previous method of receiving a tax invoice from the developer, remittance of GST etc is no longer applicable.

4.4 Land Value

Council's objective is to ensure that the funds Council receives for land acquisition from Section 94 contributions are equivalent to the amount required to fund the purchase of all the land identified for acquisition in the Plan. The estimated value of land to be acquired used for determining contribution rates is the value of the land identified for acquisition assuming that the land concerned is available for immediate development and services are available. The value so assigned does not necessarily represent the current market value of any particular parcel of land. Costs associated with land acquisition are also included in the determination of contribution rates, based on 7.5% of total land value. The costs include administration, valuation, negotiations, survey, legal and conveyancing.

When land is to be acquired, the current market value of this land would be assessed at the time of acquisition or determination of compensation with regard to current market conditions, the availability of services, appropriate heads of compensation and the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991.

4.5 Monitoring and Review Process

The provision of facilities in the Plan reflects current planning and engineering practice, population trends and expected types of development. The work schedules in the Plan include estimates of staging of provision of facilities at thresholds of development. It is therefore essential that the Plan is reviewed on a regular basis to ensure that the provisions are effective, the basis upon which nexus and other tests remain appropriate, the needs of new development are being met, and the amounts of the contributions and the manner in which they are spent are actually providing facilities in an efficient and effective way.

As a consequence, Council's intention is to comprehensively review the Plan on an annual or 'as needs' basis, or as part of any Masterplan process. As part of this review process, Council may seek to examine the following aspects of the Plan:

- Location, rate, type, density and yield of development.
- The relationship between contribution levels and current land acquisition rates and construction costs.
- Community responses to service and facility provision, changing community needs for service and facility provision and the proponent's requirements.
- The actual cost incurred by Council in providing services and amenities.
- Current planning and engineering practice, population trends, policy and funding issues.
- The works schedules in relation to the actual income derived from development, in conjunction with Council's Capital Works Program and budget estimates for the following year.
- The manner and time in which the contributions have been spent.
- Current management and strategic plans.
- Changes in legislation and legal precedent, which effect the management, content and/or implementation of the Plan.

In the event that this process identifies development or population trends that significantly depart from the assumptions upon which the Plan is based, Council may review the Plan in accordance with the requirements of the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

4.6 Indexation

The contribution rates in the Plan, and the estimated costs upon which these rates are based, will be adjusted to reflect variations to the adopted index (the Consumer Price Index) in accordance with the basic formula set out in Chapter 3.6.3. The adjustment of contribution rates and estimated costs will occur by way of an amendment without the need to prepare a new contributions plan, in accordance with Section 32(3)(b) of the Environmental Planning and Assessment Regulation 2000.

4.7 Financial Information

Council maintains a contributions register and accounting records, and produces an Annual Statement for the Plan in accordance with the requirements of Part 4, Division 5 of the Environmental Planning and Assessment Regulation 2000 and the Department of Local Government Code of Accounting Practice and Financial Reporting.

4.8 Enquiries Regarding the Plan

Enquiries concerning the Plan should be directed to the Environmental Planning Department. The following information is available for inspection at the Council's Administrative Building during Council's ordinary office hours:

- This Contributions Plan.
- Current Contribution Rates.
- Contributions Register.
- Each Annual Statement.
- Supporting information to the Plan.

5 Demographics

5.1 Projections of Development and Expected Population

The North Wallarah Peninsula is expected to generate a residential population of 4,950 people with a combined resident and tourist population of 5,665 by 2011. This has been determined from Australian Bureau of Statistics 2001 census data, and is based on the following assumptions:

- A total of 1,980 allotments.
- An occupancy rate of 2.50 persons per three bedroom unit or single dwelling on a single allotment. This occupancy rate has been based on the Lifestyle 2020 Strategy, which was adopted by Council in 2000.
- A total of 550 double rooms in two tourist precincts. Allowing for an occupancy rate of 65%, the average tourist population in the North Wallarah Peninsula at any time would be 715 (550 rooms x 2 persons x 65% occupancy rate).

The forecast yield for the project has not been based on a detailed development management plan and should only be taken as an indicative guide. The final yield for the project will be defined from the application of the principles contained in the Local Environmental Study, LEP and CLUMP. Section 4.5 details Council's intention to review the plan on an annual or as needs basis, or as part of any masterplan process, and that as part of this review process, Council may seek to examine the "population trends, and the rate, type and density of development". Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

The development of the area will most likely occur in three precincts; the Lake Sector that is located west of the Pacific Highway, the Northern Sector, and the Ocean Sector located east of the Pacific Highway. The anticipated residential population based on the land potential of the sectors is detailed below:

- | | | |
|--------------------|----------------|---------------|
| • Lakeside Sector: | 750 allotments | 1,875 persons |
| • Northern Sector: | 750 allotments | 1,875 persons |
| • Ocean Sector: | 480 allotments | 1,200 persons |

In addition to the permanent resident population, the North Wallarah Peninsula development is proposed to include tourist facilities. It is understood that there will be a total of 550 double rooms in two tourist precincts. Allowing for an occupancy rate of 65%, the average tourist population in the North Wallarah Peninsula at any time would be 715 (550 rooms x 2 persons x 65% occupancy rate).

5.2 Anticipated Characteristics of the Incoming Population

An analysis of the anticipated demographic profile is essential to understand the needs of the incoming population. All parts of the population place a demand on the public services and amenities that Council provides.

A planning framework is to be prepared for the North Wallarah Peninsula, which is intended to deliver a development outcome that will be responsive to environmental issues, and have unique attributes linked to the natural characteristics of the site. Consequently, it is difficult to forecast the exact characteristics of the incoming population. For the purposes of this plan, the anticipated characteristics of the incoming population have been projected from an analysis of 2001 Australian Bureau of Statistics census data for the Caves Beach area, which is assumed to be of a similar demographic distribution. However, it is recognised that these projections will have to be reviewed when actual population data becomes available. Details of the projected residential population distribution for North Wallarah Peninsula, based on the Caves Beach demographic distribution, can be found in Table 2.

Table 2 - Population Distribution

Years	Lake Macquarie Total %	Caves Beach Area %	North Wallarah Peninsula
0-4	6	6	297
5-11	10	11	545
12-17	9	10	495
18-29	14	12	594
30-39	13	13	643
40-59	27	30	1485
60+	20	18	891
Total	100	100	4950

The projected adult population of the North Wallarah Peninsula (>18 years) at 73% compares with the overall city proportion of 74%. However, as the family formation is likely to be advanced, there is expected to be a marginally higher proportion of those aged over 40 years than the Citywide average. It is also expected that this relationship will change over time as the area develops and matures.

5.3 Occupancy Rates

To calculate the proportional contribution rates for different size dwellings, the following occupancy rates for medium density development (attached and detached dual occupancy developments, town houses, villa houses and integrated housing) and single dwelling developments on single lots are assumed. These rates have been derived from the Australian Bureau of Statistics 2001 census data.

- 1 or 2 bedroom dwelling: 2.0 persons/dwelling
- 3+ bedroom dwelling or single lot: 2.50 persons/dwelling
- Seniors Living 1.37 persons per dwelling
- Tourism Unit 1.3 persons per dwelling

6 Open Space and Recreation

6.1 Background

Lake Macquarie City Council provides a large range of open space and recreation facilities for its residents. These range from natural bushland areas for recreation and contemplative pursuits, small parks for unstructured recreational activities, sportsground areas for both unstructured activities and organised sport, swimming and leisure centres, facilities at patrolled beaches, and facilities to enhance the recreational use of the lake and its foreshore.

These facilities are provided to cater for the existing population of the city. However, increases in population resulting from new residential development generate increased demands for use of these facilities, which in many cases exceed the capacity of the facility to provide a quality recreational experience for the user. In recent times, Council has begun to design new facilities with inbuilt capacity to accommodate the projected growth in demand from residents from new development.

6.2 Nexus

Causal

The open space and recreation facilities within the area surrounding the North Wallarah Peninsula are adequate only to service the existing population. As the anticipated population increase from North Wallarah Peninsula will generate demand for open space and recreation facilities, it is reasonable for Council to require the provision of additional open space and recreation facilities to meet this demand.

The tourist population is expected to make use of many of the recreation facilities within the North Wallarah Peninsula, and in the adjoining local community. Thus planning for recreation facilities has been based on the total of the permanent residential population plus the average tourist population.

This plan identifies additional facilities and the amplification of existing facilities, which as a result of development are considered necessary to maintain the quality of recreational experience currently enjoyed by residents of the city. The plan also provides for recoupment for outlays already incurred by Council in providing facilities designed to accommodate future growth. A description of the proposed facilities is detailed in Section 6.3.

The demand for these facilities has been established having regard to:

- the type and extent of anticipated development;
- the expected increase in population as a consequence of that development;
- the characteristics of the population and the requirements for new, additional or augmented facilities;
- the availability and capacity of existing facilities in the area; and
- the extent to which the proposed new or augmented public facilities will meet the needs of the incoming population.

Spatial

The location of open space and recreation facilities has been determined in a manner to best satisfy population growth, with due regard to the location of increased demand, topography and accessibility issues within the North Wallarah Peninsula.

Temporal

The timing of provision of open space and recreation facilities in this plan will occur at thresholds designed to satisfy the demands generated by population growth over the life of the plan. Timing of City Wide Recreation Facilities will be dependant on availability of funding from other sources for these works. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

6.3 Facility Provision

6.3.1 Open Space and Recreation Facilities

From the viewpoint of the embellishment of open space, and the provision of recreation facilities, the projected population distribution for the North Wallarah Peninsula does not indicate substantial divergence from the current city distribution. There continues to be a need for playgrounds and for outdoor recreation spaces including sports fields and parkland areas.

Over time, the need for recreation facilities suitable for an aging population will grow, however this does not negate the need to provide facilities for the more active residents. In the longer term population renewal will occur with younger residents buying into the area as older people pass on. The important factor is that recreation spaces should be flexible and able to accommodate changing needs over time.

An initial assessment of recreation facilities for the North Wallarah Peninsula has been developed from the standards of provision applying to the rest of the city, which are detailed in Appendix A. These standards have been applied to determine the projected recreational need for the total residential and average tourist population of the North Wallarah Peninsula as shown in Appendix B.

The local recreation facilities proposed to meet the projected recreational need generated by the residential and tourist development within the North Wallarah Peninsula plan can be found in the schedule of works attached as Appendix C, and are also summarised below.

- Chapman Oval, Swansea – Construct a cricket wicket off-site, replace the floodlights to accommodate cricket & upgrade existing facilities.
- Mawson Cl, Caves Beach – Construct a cricket field off-site, including amenities & pavilion, cricket pitch, car parking, landscaping, fencing and seating. The land is owned by Council and categorised as parkland and a Plan of Management is required to change the categorisation to sportsground to enable the development of sporting facilities on the site.
- Parbury Park, Swansea – Upgrade existing field off-site, upgrade amenities building and landscaping.
- Nords Wharf Oval – Upgrade existing oval off-site, cricket pitch, amenities and pavilion, car parking, access road, landscaping and fencing.
- Environmental Park Cams Wharf – Boardwalk, seating, platform and interpretive signage.

- Playground Settings – Five play areas for children are required to be provided on-site. At least one play area is to be provided within each sector. One larger playground, also catering for children with disabilities, is to be provided within the Foreshore Park.
 - 6a - Lake Sector - Play Area Type 1 - (Young Children) Play equipment for 0-5 yrs, sofffall, seating, shade structure, pathway, childproof fencing, landscaping.
 - 6b - Lake Sector - Play Area Type 3 (Children, incl. Children with disabilities & Youth) – A range of play equipment for 0-14 yrs, sofffall, seating, shelter, pathway, landscaping, and childproof fencing (if required) is to be located within the Foreshore Park.
 - 6c - Coastal Sector - Play Area Type 2 - (Children) – Play equipment 0-12 yrs, sofffall, seating, shelter, pathway, public toilet and landscaping.
 - 6d - Northern Sector - Play Area Type 1 - (Children) – Play equipment for 4-12 yrs, sofffall, seating, shelter, pathway and landscaping. Maybe co-located at sports ground site.
 - 6e - Northern Sector - Play Area Type 2 - (Children) – Play equipment for 0-10 yrs, sofffall, seating, shade structure, pathway, childproof fencing, public toilet and landscaping.
- Skate Park Setting – In-situ pour skate park, public toilet, seating, shelter, bins, bubbler & water supply, pathway, vehicle barrier fencing and landscaping. The skate park may be positioned either with the dog exercise area or at the sportsground site. The proposed location should be visible and accessible with a main street frontage for passive surveillance. The site should also be within close proximity to public toilets, shops and a telephone.
- BMX Facility – Dirt jumps, seating, garbage bin, bubbler, vehicle barrier fencing and pathway. This facility maybe co-located at the sports ground site.
- Sports Fields - (2 fields on-site) – Field construction, cricket wicket, amenities building, storm water control management, floodlighting, water charged fenceline, seating, pathway, landscaping, access road, car park and vehicle barrier fencing. Fields may comprise a cricket oval, soccer fields, rugby union, rugby league and/or baseball/softball. The recommended layout is for 2 fields with a cricket wicket in between. This enables dual use of the amenities building.
- Tennis Courts – (3 courts on-site) - Tennis courts, club house, fencing, subsoil drainage, lighting, seating, pathway, landscaping, access road, car park and vehicle barrier fencing. It is recommended that the tennis courts are located within either the coastal or the lakeside sector. To optimise the use of this facility, and to encourage a more active lifestyle for residents, the location of this facility is critical. Since tennis is a sport that is played into later life, the tennis courts would best be located adjoining any proposed medium density development and opposite open space and in close proximity to the shops.
- Netball Courts – (3 courts on-site) – Netball courts, club house, subsoil drainage, lighting, seating, pathway, landscaping, access road, car park and vehicle barrier fencing. The netball courts maybe co-located at the sportsground site.
- Patrolled Beaches – Proportion of the cost to develop facilities at a new site. Contribution to be used to increase facilities at Caves Beach & Catherine Hill Bay patrolled beaches.
- Pinny Beach is rated as a very dangerous surf beach and its use is not to be encouraged. Visitor facilities are not to be provided at this beach. The developer is required to provide a means of emergency vehicle access, warning signage and a vandal secure emergency phone at Pinny Beach as a condition of development consent. This is not considered a section 94 requirement.
- Swimming Centres – Proportion of cost to redevelop & expand facilities at existing Swansea Pool. (Indoor program pool, amenities, kiosk, office, carpark).

- Lake Foreshore Park - Picnic tables & shelter, sheltered BBQ's, seating, bins, bubbler, public toilet cycleway/walkway, bridge, fish cleaning table, park lighting, kiosk, car park, vehicle barrier fencing, interpretive signage, landscaping, jetty (refer to item 15) and children's play area (refer to item 6b).
- Public Jetty – A public jetty is to be located at the foreshore park. Length subject to water depth.
- Boat Ramp – Cost of a new boat ramp & assoc. facilities. i.e. car park, lighting, fish cleaning table, to be distributed between the upgrading of 2 boat ramps at Cams Wharf & The Esplanade, Swansea.
- Mawson's Lookout – Stage 1 only will be provided. Lockable gates, vehicle barrier fencing, car park at main lookout, landscaping, viewing area, interpretive signage, seating, bins, 2.5 m pathway to coastal lookout, landscaping, demolition of structures, public toilet, rehabilitation plan and bushfire management plan.
- Dog exercise area – Grass, tap, stainless steel bubbler, water connection, dog bowl, signage. A large grassed area (1 hectare) is required to exercise dogs' off-leash. The area maybe co-located with other recreation facilities. However, if located with a playground, a childproof fence is required to be provided around the playground.

The topography of the North Wallarah Peninsula has made the provision of the full compliment of sports fields' onsite impracticable. For this reason it is necessary to provide some of these facilities off-site, by expanding and/or reconfiguring existing sports facilities in adjoining residential areas.

The direct application of facility standards is not necessarily considered appropriate for the tourist population component. It is expected that tourists will place an increased demand upon: passive parkland areas, lookouts, tennis courts, walking and cyclepaths, beach and swimming facilities, jetties and boat ramps.

Contributions for patrolled beaches and swimming centres would be directed towards the provision of upgrading existing facilities to accommodate increased use as a result of population growth through development.

These facilities do not include open space linkages for environmental reasons, pathways or cycleways throughout the North Wallarah Peninsula. These facilities are to be provided in association with subdivision of the development sites at full cost to the developer.

Any proposal for Works in Kind for the above facilities is to be discussed with Council officers prior to the preparation of any plans to determine details of Council's requirements and specifications.

6.3.2 City Wide Recreation Facilities

The Lake Macquarie Section 94 Contributions Plan No. 1 – Citywide (2004) has incorporated a component for the upgrading of major recreation and traffic management facilities that will cater for more than a local need. Contributions plans for new release areas will also include a component for these major facilities, based on the extent to which the proposed public facilities will meet the needs of the incoming population of these areas.

Facilities in this category include the development of major recreational linkages such as foreshore paths and cycleways, city or regional parks and reserves, major sport and leisure centres, and public beaches.

The citywide recreation facilities that will benefit residential development within the North Wallarah Peninsula can be found in the schedule of works attached as Appendix D. Residential and tourist development will be subject to a contribution for these facilities.

6.3.3 Open Space Land Dedication

The dedication of open space land is based on the need to accommodate the identified local recreation facilities. The open space land requirements directly generated by residential development within the North Wallarah Peninsula are detailed in the schedule or works in Appendix E. Residential and tourist development will be subject to a contribution for these facilities.

Sporting Area

Land is required to accommodate: two playing fields with a cricket wicket in between, amenities building, netball courts, car parking, skate park, BMX and children's play area referred to as 6d. Flat land of at least 5 hectares with a minimum width of 200 metres is required. Depending upon the gradient of the land, an increased land area may be required for batters. The land is to be free of any contamination and testing may be required to be provided. The land is required to have good access and a wide street frontage extending the length of one site boundary.

Foreshore Park

Council currently owns 2.56 hectares of foreshore land adjoining Lake Macquarie. Additional land zoned 6(c) is required to be dedicated to Council. This land was identified in the North Wallarah Peninsula Lakeside Reserve and Habitat Corridor Draft Plan of Management. The land is part of Lot 121 DP 807535 and identified in Figure 3 of the Plan of Management as the land zoned 6(c). The foreshore land area in the Lake Sector to be dedicated to Council is 4.33 hectares. This is the site for the development of the lake foreshore park (Item 14), the public jetty (Item 15) and the play area (Item 6b). Good road access is required to be provided to this park.

Tennis Facility

0.4 hectare. This is to be located on land adjoining the foreshore park or coastal park. To optimise the use of this facility, and to encourage a more active lifestyle for residents, the location of this facility is critical. The tennis courts would best be located adjoining any proposed medium density development, opposite open space and in close proximity to the shops.

Local Park in Lake Sector

0.5 hectare. This is the site where play area (Item 6a) is to be provided which is centrally located within the Lake Sector.

Local Park in the Coastal Sector

0.5 hectare. This is the site where play area (Item 6c) is to be provided which is to be located adjoining the coastal walkway.

Local Park in the Northern Sector

1 hectare. This is the site where play area (Item 6a and 6b) is to be provided. This park is not to be located in close proximity of the sporting area.

Dog Exercise Area

1-hectare total. 3 (3 x 0.33ha) small dog exercise areas to be located within walking distance of type 3 and 4 development. Maybe co-located with other facilities such as a local park. If located with a playground the playground must be fenced.

Mawsons Lookout

Two areas of land are identified for dedication in the Mawson's Lookout Plan of Management. These areas are referred as Part Lot 2 DP 811759 in Figure 1.2 of the Plan of Management. The land areas of these two lots are 908 sq metres and 297 sq metres respectively.

The above-mentioned land, within North Wallarah Peninsula, is to be dedicated by the developer at no cost to Council as the primary method of contribution. All the above-mentioned land must be suitable for its intended purpose and is to be dedicated free of weeds, rubbish or any other hazards. Considerations of land to be dedicated include:

- Size of the land; and
- Location, configuration and topography of the land; and
- Shape of the land; and
- Accessibility, current use, improvements; and
- Availability of utility services; and
- Environmental factors, such as significance of existing vegetation, habitat trees, soil condition, flood liability, bush fire risk;
- Any encumbrances, drainage conflicts that may restrict usage, contaminants, ongoing costs to Council including maintenance and remediation and other site costs.

Lands to be dedicated that is currently categorised or proposed to be categorised as 'park', 'sportsground' or 'general community use' land according to the Local Government Act 1993 (as amended) is required to have:

- A tree assessment to ensure the stability of the trees to be retained within the proposed area, and
- All dead limbs on trees to be retained, are to be lopped prior to the dedication of the land.

6.3.4 Criteria for Land to be Developed as a Local Park

A number of local parks with play equipment are to be provided within the urban release area on land to be dedicated to Council. Prior to submitting a development application the applicant should notify Council of the proposed site and seek written advice as to whether the proposed site is likely to be acceptable. Proposed sites must conform to the following criteria.

Location

The local parks should be positioned in a central location to the population within the sector served. Ideally, a park should be located within approximately 500 metres of each household.

Size of Land

No smaller than 5,000 sq metres (0.5 hectares).

Slope of the Land

The land should be flat at the road frontage, with a slight to moderate gradient towards the rear of the parcel.

Shape of the Parcel

Ideally, the land will be a square or rectangular configuration. The parcel of land should not be irregular in shape with elongated areas, or areas with acute angles as these parks are not multi-functional. The minimum width of the parcel should be no less than 60 metres. This will allow the playground to be sited with a reasonable distance from adjoining residential property boundaries.

Accessibility

The local parks should be located on clearly defined pedestrian and cycleway routes, or adjoining the shops, sports ground or open space corridor. Play areas are to be designed to be accessible by all, including the elderly and parents with prams. The pathway within the park from the road to the street should be only a slight gradient. Pathways are also required along the roads leading to the park.

Visibility

The proposed site must be visible from adjacent residential housing, streets, or public areas to facilitate passive surveillance. The minimum street frontage of the land should be no less than 60 metres. The site should be cleared towards the road frontage and around the playground for good visibility.

Clearing of the Land

At least 50% of the site towards the street frontage should be cleared. The land surrounding the playground should also be cleared. However, several mature trees may be retained, if suitable as shade trees. A tree assessment is required to ensure the stability of the trees to be retained within the proposed park. All dead limbs on trees to be retained are to be lopped prior to the dedication of the land.

Siting of the Play Area within the Park

The edge of the softfall for the play equipment should be located no less than 10 metres from the boundary of the adjoining residential development. The play equipment should be located at least 20 metres from the nearest road. However, if the playground equipment is located within 40 metres of a road, it is recommended that the playground have fencing installed. A risk assessment is to be provided with any proposed concept plan submitted to Council for approval.

6.4 Apportionment of Contributions

Apportionment is a very important aspect of Section 94 as it ensures that the developer (and consequently the end user) is charged a fair contribution towards the provision of services and amenities, based on the portion of demand actually created by the development.

The open space and recreation facilities to be provided at a local level have been established based on the existing standards of provision within the Lake Macquarie City as a whole, and are directly related to the anticipated population increase of North Wallarah Peninsula. For this reason, it is reasonable that the cost of these facilities be fully recovered.

The Citywide facilities identified in this plan are intended to satisfy not only the demand of development within the North Wallarah Peninsula, but also demand at a Planning District, Citywide or Regional level (depending on the facility). The cost of these facilities has therefore been apportioned with all those users who may benefit, which ensures that the contributing population will only pay for its share of the total demand. Details of this apportionment can be found in the work schedule attached as Appendix D.

6.5 Calculation of Contributions

The contribution formulae take into account the cost of works to be undertaken, the cost to Council of acquiring land and the potential population of the catchment area. Separate formulae are used for calculating the contribution rates for the capital works and open space land components.

6.5.1 Local Recreation Facilities

Contributions for local recreation facilities will be determined using the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{\$10,247,636}{5,665} \\ (\$/\text{person}) & \\ &= \$1,809 \end{aligned}$$

6.5.2 City-wide Recreation Facilities

Contributions for Citywide recreation facilities will be determined using the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{\$267,417}{5,665} \\ (\$/\text{person}) & \\ &= \$47 \end{aligned}$$

6.5.3 Open Space Acquisition

The primary method of open space acquisition is to be by dedication. However, there may be situations whereby a monetary contribution may be required. Therefore, in accordance with the provisions of this plan, a condition may be imposed requiring either a monetary contribution and/or dedication of land.

Land dedication

Council will ordinarily require the dedication of land for open space purposes. The land that is to be provided must be suitable for the intended purpose. It should be noted that the final survey plan of subdivision and/or building approval will not be released until satisfactory arrangements are made to transfer any such land into Council ownership. Where land is to be dedicated, the amount of land required will be determined by the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{128,505\text{m}^2}{5,665} \\ (\text{m}^2/\text{person}) & \\ &= 22.7\text{m}^2 \end{aligned}$$

The estimated cost of land yet to be acquired for open space purposes is the average land value of the land identified for acquisition assuming that the land concerned is available for development and services are available. Council's objective is to ensure that the funds Council receives for land acquisition from Section 94 contributions are equivalent to the amount required to fund the purchase of all the land Council must acquire. The value so assigned does not necessarily relate to the current market value of any particular parcel of land. Each parcel of land to be acquired is subject to detailed valuation at the time of acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991.

6.6 Contribution Rates

The contribution rates in this plan are based on estimates of the cost of works involved and/or land acquisition, and the projected total population increase in the North Wallarah Peninsula. The contribution rates for Local Recreation Facilities, Citywide Recreation Facilities and Open Space Acquisition are set out in Appendix K.

7 Community Facilities

7.1 Background

Council provides a wide range of community facilities including children's services, youth centres, community halls, senior citizens centres, neighbourhood centres, libraries and multipurpose centres. The current trend is to provide multipurpose centres, which may include functional areas for a number of different uses such as a neighbourhood centre, youth specific area, offices for services such as family support, meeting rooms for senior citizens, social and recreational groups and support groups. The size of the available site generally determines the number of services or functions that may be co located.

7.2 Nexus

Causal:

Existing and proposed community facilities within the surrounding area of the proposed development have adequate capacity only to service the existing population, but not the future population of the North Wallarah Peninsula. It is therefore reasonable for Council to require future developments, which increase the population within the release area to contribute towards the provision of the same level of facilities that the current population may access.

The demand for these facilities has been established having regard to:

- the type and extent of anticipated development;
- the expected increase in population as a consequence of that development;
- the characteristics of the population and the requirements for new, additional or augmented facilities;
- the availability and capacity of existing facilities in the area; and
- the extent to which the proposed public facilities will meet the needs of the incoming population.

This plan details the community facilities that are required as a consequence of anticipated development within the North Wallarah Peninsula. A description of these facilities is detailed in Section 7.3.

Spatial:

It is expected that residents of the North Wallarah Peninsula will conduct business and shopping activities in the township of Swansea. As a new library and multipurpose centre is planned for the township, it seems appropriate that the centre is constructed to provide additional space to meet the demands of the incoming population of the North Wallarah Peninsula. Due to site constraints, a childcare centre cannot be co-located in the multipurpose centre. Therefore, a specific purpose childcare centre will need to be located within the North Wallarah estate or in the Swansea district where residents may either be working or en-route to work

Temporal:

The timing of provision of community facilities in this plan will be prepared in conjunction with the masterplan process (as required by the LEP and CLUMP), at thresholds designed to satisfy the demands generated by population growth over the life of the plan. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

7.3 Facility Provision

The level of provision for community facilities required to satisfy the additional demand created by the incoming population of the North Wallarah Peninsula is established on the existing standards of provision within the Lake Macquarie City as a whole. These standards of provision are detailed in Appendix F. It is proposed that the new library and multipurpose centre planned for the Swansea Township is constructed to provide additional space to meet the demands of the incoming population of the North Wallarah Peninsula. However, the developer has the option of providing the facilities within the North Wallarah Peninsula or contributing to the cost of the proposed new facilities at Swansea.

The Community Facilities proposed to meet the projected demand generated by residential development within the North Wallarah Peninsula can be found in the schedule of works attached in Appendix G, and summarised below. Residential development within the North Wallarah Peninsula will be subject to a contribution for these facilities.

Child Care Centre

This may be a long day childcare centre, occasional child care centre or extended hours pre schools for children from 0 to 4 years of age. Construction must be in accordance with the licensing requirements of the Department of Community Services. The Child Care Centre site must have a minimum area of 2,422m². The preferred location is on the northern side of the street, external play areas should be north to northeast, the fall of the land must be 1 in 25 or less, and the site must be fully serviced including road access and utilities to the perimeter of the land. The minimum floor area of the Child Care Centre is 533.5m². The land for the Child Care Centre is to be dedicated to Council.

Multipurpose Centre

Additional space is to be provided to meet the demands of the incoming population of the North Wallarah Peninsula. This building will incorporate a neighbourhood facility that provides before and after school care, vacation care, function rooms, an early childhood health clinic, a youth specific area and general community meetings and activities.

These services are described in more detail below:

- Early Childhood Health clinic is a service provided by Area Health to parents and children from 0-5 years of age. Two consulting rooms, a parent's room and a waiting room are required.
- Before & After School Hours Care and Vacation Care is a service provided for children of working/student parents and is generally provided in a community facility that includes both indoor and outdoor play areas for children from 5 to 12 years of age.
- Neighbourhood Centre includes offices and an interview room for staff and committee members and information displays. The service develops and co-ordinates a range of programs to meet the needs of the local community. Programs may include special interest groups, community meetings, and the distribution of emergency relief funds.
Community Activity rooms include function rooms that may be hired by individual community members for social and recreational events, as well as by organised groups such as play groups, and for programs developed by the Neighbourhood Centre staff.
- Youth Section provides offices, counselling rooms and activity areas for youth programs and services. An external courtyard and exercise area is also an essential component.

Library

Additional space is to be provided to meet the demands of the incoming population of the North Wallarah Peninsula. Council is seeking to incorporate this within the multipurpose centre. There are advantages of scale with including a library within a multipurpose centre. The shared use of activity space means that these areas do not have to be duplicated within a library that requires space for activities such as children's story time, puppet shows, and special events such as launching of books, or oral history projects. Libraries are also not complete with out stock items and any increases in population create a demand for additional books, CDs, tapes, and special reading aides.

7.4 Apportionment of Contributions

The community facilities to be provided have been established based on the existing standards of provision within the Lake Macquarie City as a whole, and are directly related to the anticipated population increase of North Wallarah Peninsula. For this reason, it is reasonable that the cost of these facilities be fully recovered.

7.5 Calculation of Contributions

The contribution formulae take into account the cost of works to be undertaken, the cost to Council of acquiring land and the potential population of the catchment area. Separate formulae are used for calculating the contribution rates for the capital works and land components, as described below.

7.5.1 Community Facilities – Monetary Contributions

Contributions for community facilities will be determined using the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{(\$3,611,250)}{4,950} \\ (\$/\text{person}) &= \$730 \end{aligned}$$

7.5.2 Land dedication

Where appropriate, Council may accept or require the dedication of land to offset the monetary contribution payable. The land that is to be provided must be in accordance with the zonings shown on Council's Local Environmental Plan for the area. It should be noted that the final survey plan of subdivision and/or building approval will not be released until satisfactory arrangements are made to transfer any such land into Council ownership. Where land is to be dedicated, the amount of land required is calculated by the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{5,571\text{m}^2}{4,950} \\ (\text{m}^2/\text{person}) &= 1.13\text{m}^2 \end{aligned}$$

7.5.3 Community Facilities Land - Monetary Contribution

Where appropriate land cannot be dedicated, the value of the dedication is calculated using the land requirements for each additional lot to be created, and an identified land value rate (\$/m²). Contributions will be determined using the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{(\$223,496)}{4,950} \\ (\$/\text{person}) &= \$45 \end{aligned}$$

7.6 Contribution Rates

The contribution rates in this plan are based on estimates of the cost of works involved and the projected total population increase in the North Wallarah Peninsula. The contribution rates for community facilities are based on recent tender prices for multipurpose centres recently constructed or planned to be constructed and are set out in Appendix K.

8 Roadworks and Traffic Management

8.1 Background

The proposed development within the North Wallarah Peninsula will create three development areas as detailed in the Local Environmental Plan. These areas are the Northern Sector, the Lake Sector and the Ocean Sector.

The Pacific Highway traverses the site in a north – south direction. Traffic generated by each sector will need to connect to the highway in a manner that does not adversely affect the amenity of existing residential areas of Caves Beach and Swansea. The connection to the highway must also provide a safe point of ingress and egress and respect the environmental and visual attributes of the site. To satisfy these criteria, it is proposed to construct a grade separated intersection (underpass) to provide a complete range of turning movements both on and off the highway for traffic from the new development. All three sectors will obtain their primary point of access to the highway from the underpass.

It is also proposed to construct strategic cycleways to the north and south of North Wallarah Peninsula, linking the development to the local street network, existing cycleways and recreation facilities within Swansea, Caves Beach and Nords Wharf.

8.2 Nexus

Causal

It is reasonable for Council to levy contributions to ensure that the intersection with the Pacific Highway is adequate, and can safely and efficiently cope with the additional traffic generated by development within the North Wallarah Peninsula.

The cycleways will provide access for the residents of North Wallarah Peninsula to the Swansea Township, associated community facilities, and recreation facilities within Swansea, Caves Beach and Nords Wharf.

The upgrading of major traffic management facilities contained in this plan will cater for more than a local need, and will benefit development within the North Wallarah Peninsula.

Spatial

Several alternative options for access to the Pacific Highway were examined including the use of Cams Wharf Road, Flowers Road, Scenic Drive, Mine Camp Road and Caves Beach Drive. The preferred option is to construct the proposed underpass near the intersection of the old and new Pacific Highway.

Temporal

As all three sectors will obtain their primary point of access to the highway from the underpass, construction will be required to service initial development of the site. Construction of the cycleways will also be required to service initial development of the site.

8.3 Facility Provision

The internal road hierarchy throughout the North Wallarah Peninsula is designed to provide local access and connections between the three development sectors, and is to be provided in association with development of the site.

The developer has proposed to construct the underpass to the Pacific Highway, which will be accepted by Council as a works in kind in lieu of paying monetary contributions, in accordance with Council's policy as discussed in Section 3.6 of this plan. Accordingly, the condition of consent for the initial stage of development should reflect this intention, and contribution rates are not shown in this plan.

The proposed traffic management facilities to meet the demand generated by development of North Wallarah Peninsula can be found in Appendix I, and are also summarised below. Residential development will be subject to a contribution for these facilities.

- Underpass - to be constructed at the intersection of the old and new Pacific Highway, to provide a complete range of turning movements onto the highway for traffic from the new development.
- Strategic Cycleway - constructed along the old Pacific Highway from the proposed underpass to Parbury Street to the north.
- Strategic Cycleway - constructed along Rafferty's access road and Crangan Bay Road from the southwestern corner of the development to Nords Wharf Oval.

As discussed in Section 4.5, the revision of the Lake Macquarie City Council Section 94 Contributions Plan No.1 will incorporate a component for the upgrading of major recreation and traffic management facilities that will cater for more than a local need. Contributions plans for new release areas will also include a component for these major facilities, based the extent to which the proposed public facilities will meet the needs of the incoming population of these areas.

8.4 Apportionment of Contributions

The underpass to the Pacific Highway has been designed to be the primary point of access for the North Wallarah Peninsula, whilst the cycleways are designed primarily to serve residents of this area. Therefore, it is appropriate that the future development within the North Wallarah Peninsula should be subject to the full cost of these facilities.

8.5 Calculation of Contributions

The contribution formulae take into account the cost of works to be undertaken, and the potential population of the North Wallarah Peninsula. The formulae are used for calculating the contribution rates for the capital works and land components, as described below.

8.5.1 Roadwork's and Traffic Management Facilities – Monetary Contributions

Contributions for traffic management facilities will be determined using the following formula:

$$\begin{aligned} \text{Contribution Rate} &= \frac{(\$1,372,140)}{5,665} \\ (\$/\text{person}) & \\ &= \$242 \end{aligned}$$

8.6 Contribution Rates

The contribution rates in this plan are based on estimates of the cost of works involved and the projected total population increase in the North Wallarah Peninsula. The contribution rates for traffic management facilities are set out in Appendix K.

9 Conservation

9.1 Background

Flora and fauna surveys carried out over a number of years have confirmed that there are high ecological values associated with North Wallarah Peninsula. A Conservation Strategy has been developed to ensure the protection of biodiversity values throughout the site, while allowing appropriate development within suitable areas. Major outcomes of this strategy are the establishment of a Conservation Reserve covering approximately 200 ha, and a wildlife habitat corridor linking the Reserve, to the lakeshore Red Gum Forest and wildlife habitat on an adjoining property (as shown in Figure 2). The aim of the proposed Conservation Reserve is to retain a significant proportion of vegetation that contains the food resources for fauna and a diverse array of canopy flowering trees that represent seasonal food resource requirements. The Forest Red Gum Reserve adjoining Lake Macquarie is also a critical resource as it forms a component of the biodiversity of the site and provides resources for threatened fauna species.

The Conservation Reserve is to be dedicated to the National Parks & Wildlife Service as National Park at no cost. The wildlife habitat corridor zoned 7(e) – Environmental Protection “E” Zone (Wildlife Corridor), has appropriate zoning controls that prohibit development that could endanger its role and function as a habitat corridor. The habitat corridor is to be dedicated to Council at no cost as part of the conservation acquisition requirements of this plan.

9.2 Nexus

Causal

Council is committed to the application of Ecologically Sustainable Development (ESD) principles to the full range of activities for which it is responsible, including biodiversity and ecological integrity as fundamental components of sustainability. In addition to applying ESD principles to the development process, it is also essential they be applied to the protection, restoration and management of the ‘Ecological Values’ throughout the site. In particular the conservation of biodiversity and maintenance of ecological integrity should be major objectives of future use and management of the site.

The site is characterised by areas of significant disturbance due to previous mining and quarry activities, and areas of high conservation value. Development of the site will involve the removal of native vegetation, which will generate the need to conserve critical biological resources. To enhance the conservation reserve to the west of the Pacific Highway, a linkage or corridor to a larger area of bushland is required. The wildlife habitat corridor is a critical resource, which needs to be conserved as a connection between two significant portions of bushland. These resources will also maintain the health, wealth, well-being, lifestyle and amenity of the occupants of the development, and will be further used for passive appreciation and recreation. It is therefore reasonable for Council to levy contributions to acquire the wildlife habitat corridor and ensure that it is preserved in its present state.

Spatial

The conservation strategy, which includes the establishment, location and size of the Conservation Reserve and wildlife habitat corridors, was agreed to by NSW National Parks and Wildlife Service.

Temporal

The wildlife habitat corridor is to be dedicated to Council progressively with development, having regard to the number of lots developed and the nexus with development. A management plan is to be prepared for the corridor in accordance with the CLUMP prior to dedication.

9.3 Facility Provision

The wildlife habitat corridor is to be dedicated to Council progressively with development, having regard to the number of lots developed and the nexus with development. Accordingly, the condition of consent for the initial stage of development in each Precinct should reflect this intention.

9.4 Apportionment of Contributions

The need to preserve the wildlife habitat corridor will be generated by development of the site. Therefore, it is appropriate that the future development within the North Wallarah Peninsula should be subject to the full cost of this land.

9.5 Calculation of Contributions

The wildlife habitat corridor is to be dedicated to Council as a condition of consent in accordance with the following formula.

$$\begin{aligned} \text{Contribution Rate} &= \frac{23\text{Ha}}{4,950} \\ (\text{m}^2/\text{person}) &= 46.46\text{m}^2 \end{aligned}$$

9.6 Contribution Rates

The contribution rates in this plan are based on the area of land to be dedicated for Conservation and the projected total resident population increase in the North Wallarah Peninsula. The contribution rates for Conservation are set out in Appendix K.

10 Management

10.1 Nexus

The employment of specific Section 94 officer(s) to co-ordinate the administration of s.94 within councils, and for such positions to be funded through s.94 contributions, is an orthodox approach utilised by many councils in New South Wales.

Lake Macquarie City Council has employed a Section 94 Coordinator, whose role includes:

- ensuring that legislative requirements are met;
- formulation and supervision of the initial planning studies necessary to establish the requirements of the incoming population, and the provision of necessary facilities;
- developing, maintaining and reviewing contributions plans, policies and procedures to produce the desired outcomes for the provision of facilities in terms of standard, appropriateness, timing and cost;
- overseeing the financial management of Section 94 contributions plans, including contribution rates and expenditure priorities for services and amenities to be provided by Section 94;
- monitoring and review of the contribution plans to ensure that contribution levels reflect current land and construction costs, the level of provision reflects current planning and engineering practice and likely population trends, and that work schedules are amended if development levels and income received differ from current expectations;
- regular and efficient reviews of Section 94 contribution rates for inflation;
- negotiation and consideration of works in kind, material public benefit and land dedication proposals;
- reacting to legal precedent;
- ensuring that detailed studies, estimates and surveys are prepared by Council in advance of the execution of works;
- incorporation of scheduled items in Council's Capital Works Program and annual budgetary process; and
- preparation of Annual Statements.

Council considers that the costs involved with managing the Section 94 contributions system are an integral and essential component of the efficient and effective provision of public amenities and services within the Lake Macquarie LGA. Council therefore considers it reasonable that the expenses directly related to the position of Section 94 co-ordinator be funded from developer contributions. The cost of managing the Section 94 contributions system is based on the Section 94 Co-ordinator's salary and oncosts.

10.2 What will be Provided and When

The Plan aims to provide funds to ensure the efficient management of the Section 94 processes within Council (as described above). These functions will be ongoing throughout the life of the contributions plan.

10.3 Apportionment

There are significant costs associated with management of the Section 94 contributions system within Council. In addition to the Section 94 Co-ordinator, there are also a number of other staff who work on the Planning, design and implementation of work programs to be funded from developer contributions. Many other staff spend time directly or indirectly on the administration of developer contributions. It is emphasised that no contribution is sought for the cost of this work.

10.4 Calculation of Contributions

The contribution formula used for determining Section 94 contributions for Management are detailed in Chapter 4.1.5. The projected population for each contributions plan in operation is detailed in the following table:

Table 3 - Projected Population Per Year

Contributions Plan	Projected Population	Life of Plan (Years)	Population Per Year	Occupancy rate
The Lake Macquarie Section 94 Contributions Plan No.1 – Citywide	9,054	5	1,811	2.5
The Lake Macquarie Section 94 Contributions Plan No.2 – Northlakes	12,372	15	825	3.0
The Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula	5,665	13	436	2.5
TOTAL			3,072	2.67 (average)

The following calculations input the cost of Management, the combined population per year and average occupancy rate. A schedule of contribution rates can be found in Appendix K.

$$\begin{aligned} \text{Contribution Rate} &= \$173,131 \times \frac{2.6}{3,072} \\ (\$/\text{Lot}) & \\ &= \$150 \end{aligned}$$

Figure 1

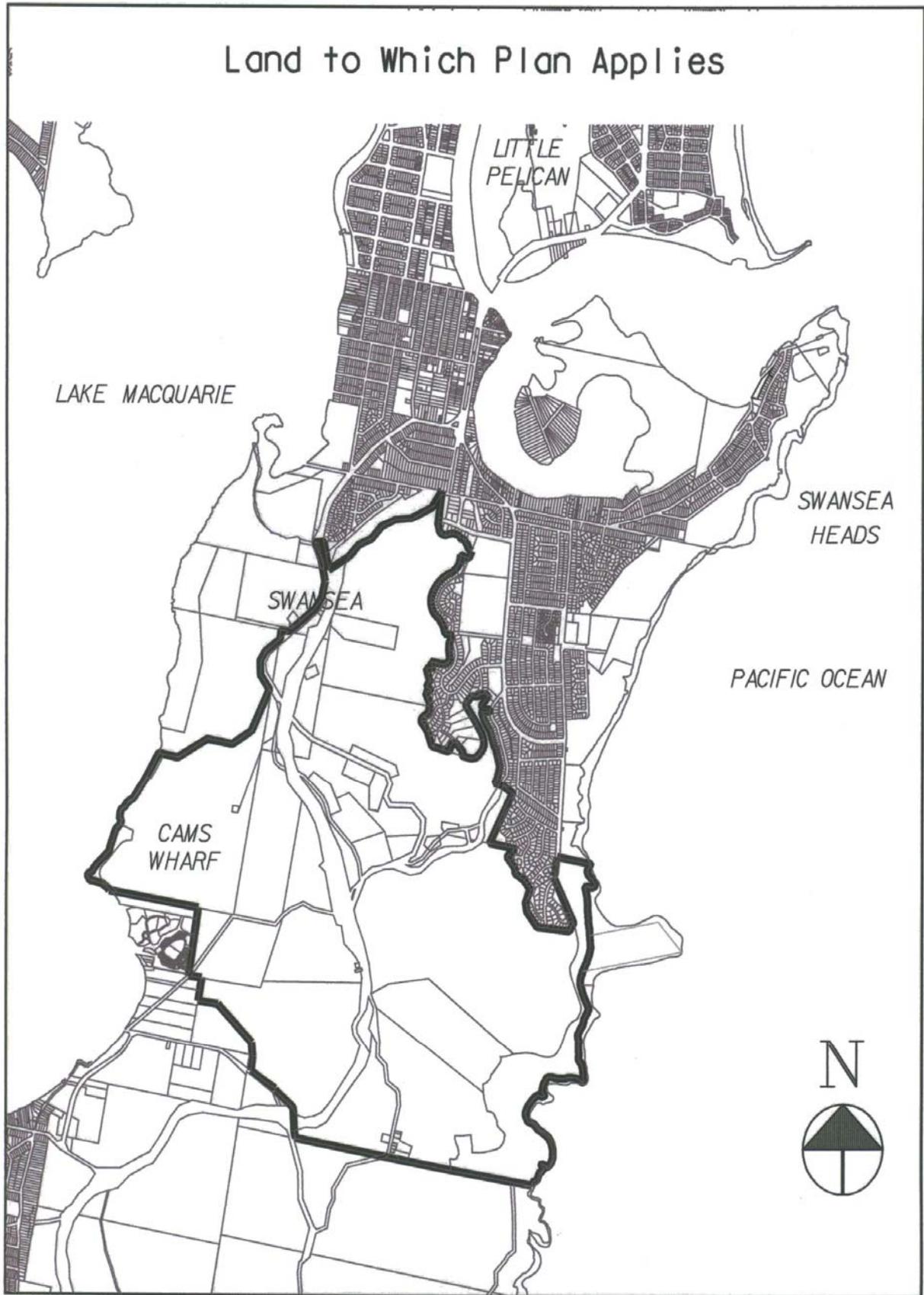
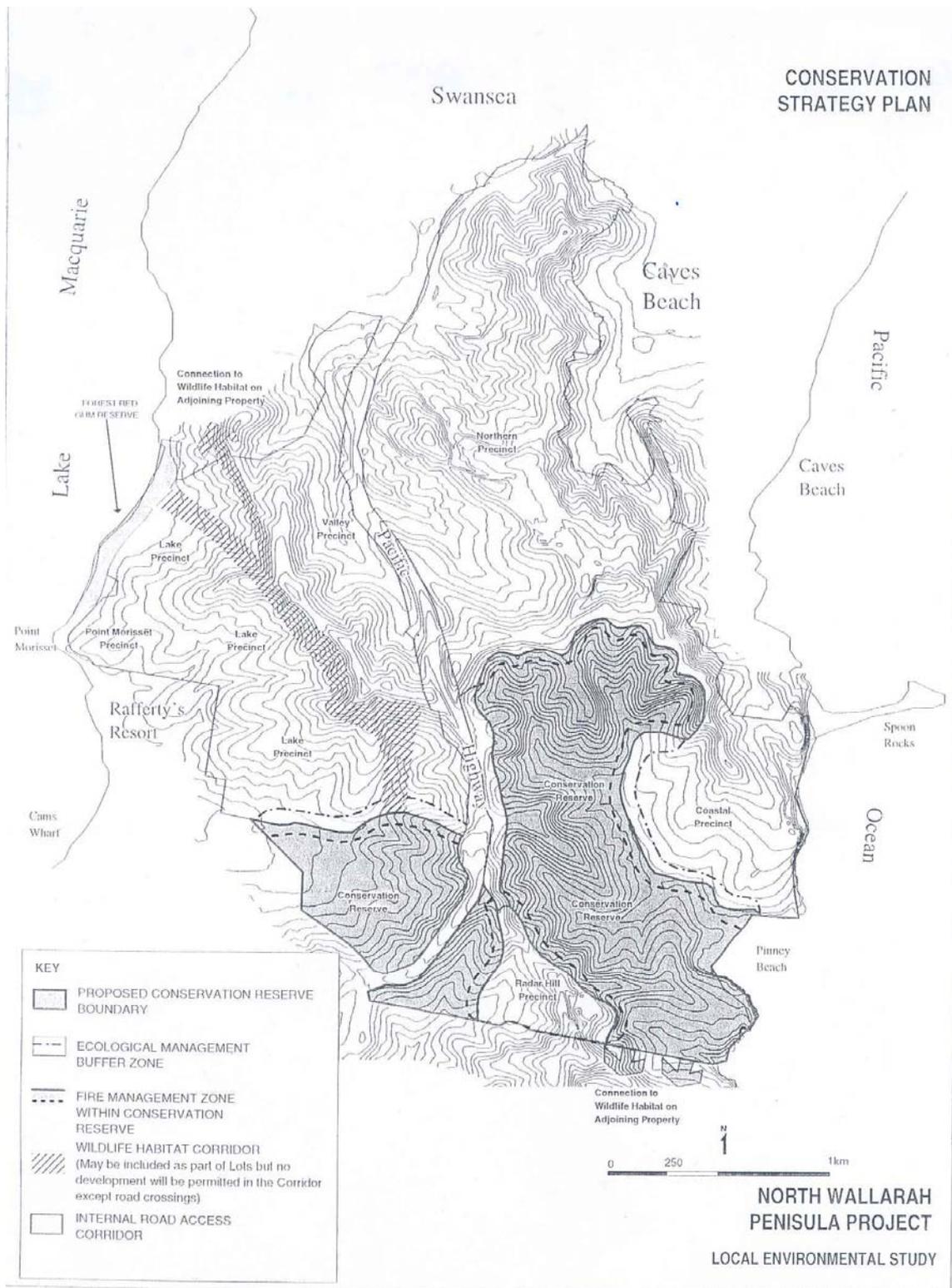


Figure 2



Appendix A - Recreation Facilities Standards of Provision

Facility	Current Provision	Planned 2004	Total Provision	Citywide 189,150	Design Standard
Informal Parkland	158	0	158	1,197	1,000
Park (with facilities)	182	3	185	1,022	1,000
Play equipment	163	5	168	1,123	1,000
Multi-courts	11	0	11	17,195	12,000
Skate parks	6	3	9	21,016	12,000
BMX	2	2	4	47,287	12,000
Sports fields	145	0	145	1,304	1,200
Roo ball fields	8	0	8	23,644	25,000
Cricket wickets	57	3	60	3,152	3,000
Cricket practice nets	50	0	50	3,783	3,500
Tennis courts	81	0	81	2,335	2,000
Netball courts	109	0	109	1,735	1,500
Petanque piste	12	0	12	15,762	14,500
Cycleways (km)					
Patrolled beaches	4	0	4	47,287	45,000
Swimming centres	5	0	5	37,830	35,000
Public wharf/jetty	29	1	30	6,305	6,000
Public boat ramp	31	0	31	6,102	6,000
Dog exercise areas	30	0	30	6,305	6,000

Note: Citywide population is based on 2003 ABS data.

Appendix B - Projected Recreational Need

Facility	Design Standard	Lakeside Sector	Northern Sector	Ocean Sector	Total Population*
Informal Parkland	1,000	2.6	1.8	1.2	5.7
Park (with facilities)	1,000	2.6	1.8	1.2	5.7
Play equipment	1,000	2.6	1.8	1.2	5.7
Multi-courts	12,000	0.2	0.2	0.1	0.5
Skate parks	12,000	0.2	0.2	0.1	0.5
BMX	12,000	0.2	0.2	0.1	0.5
Sports fields	1,200	2.2	1.6	1	4.7
Roo ball fields	25,000	0.1	0.08	0.05	0.2
Cricket wickets	3,000	0.9	0.6	0.4	1.9
Cricket practice nets	3,500	0.7	0.5	0.3	1.6
Tennis courts	2,000	1.3	0.9	0.6	2.8
Netball courts	1,500	1.7	1.3	0.8	3.8
Petanque piste	14,500	0.18	0.13	0.08	0.4
Cycleways (km)					
Patrolled beaches	45,000	0.06	0.04	0.02	0.12
Swimming centres	35,000	0.07	0.05	0.03	0.16
Public wharf/jetty	6,000	0.4	0.3	0.2	0.9
Public boat ramp	6,000	0.4	0.3	0.2	0.9
Dog exercise areas	6,000	0.4	0.3	0.2	0.9

* 5,665 pop

Appendix C - Schedule Of Works For Local Recreation Facilities

Item	Facility	Total	Staging
1	Chapman Oval, Swansea - Construct a cricket wicket off-site, replace the floodlights to accommodate cricket & upgrade existing facilities.	\$377,600	When 400 lots are created within the Lakeside Sector
2	Mawson Cl, Caves Beach - Construct a cricket field off-site on land owned by Council, categorised as parkland. Plan of Management, earthworks, cultivation, turfing, fertilising, amenities & pavilion, cricket pitch, car parking, landscaping, fencing and seating.	\$635,392	When 700 lots are created within the Northern Sector
3	Parbury Park, Swansea - Upgrade existing field off-site, upgrade field, amenities building, and landscaping.	\$268,160	When 250 lots are created within the Coastal Sector
4	Nords Wharf Oval - Upgrade existing oval off-site, cricket pitch, amenities and pavilion, car parking, access road, landscaping and fencing.	\$371,456	When 600 lots are created within the Lakeside Sector
5	Environmental Park Cams Wharf - Board walk, seat, platform, signage and interpretive signage	\$177,920	When 700 lots are created within the Lakeside Sector
6	Playground Settings		
6a	Lake Sector - (Young Children) - Play equipment for 0-5 yrs, softfall, seating, shade structure, pathway, childproof fencing, landscaping. This play area must be located at least 750 metres from the children's play area located in the foreshore park.	\$121,600	When 450 lots are created within the Lakeside Sector
6b	Lake Sector - (Children, incl. Children with disabilities & Youth). A range of play equipment for 0-14 yrs, softfall, seating, shelter, pathway landscaping, childproof fencing (if required). To be located within the Foreshore Park.	\$192,000	When 300 lots are created within the Lakeside Sector
6c	Coastal Sector - (Children) – A range of play equipment 0-12 yrs, softfall, seating, shelter, pathway, public toilet, landscaping.	\$185,600	When 100 lots are created within the Coastal Sector
6d	Northern Sector - (Children) – A range of play equipment for 4-12 yrs, softfall, seating, shelter, garbage bin, pathway, landscaping. Maybe co-located at sports ground site	\$116,377	When 500 lots are created within the Northern Sector

Item	Facility	Total	Staging
6e	Northern Sector - (Children) – A range of play equipment for 0-10 yrs, sofffall, seating, shade structure, pathway, childproof fencing, public toilet, landscaping.	\$185,600	When 100 lots are created within the Northern Sector
7	Skate Park Setting - In situ poured skate park, public toilet, seating, shelter, bubbler & water supply, bins, pathway, vehicle barrier fencing and landscaping. Maybe co-located at sports grounds site.	\$343,244	When 50 lots are created within the Lakeside Sector
8	BMX Facility - Dirt jumps, seating, bubbler, water supply, vehicle barrier fencing and pathway. Maybe co-located at sports ground site	\$115,276	When 350 lots are created within the Coastal Sector
9	Sports Fields - (2 fields on-site) - Preliminaries, earthworks, field construction, cricket wicket, storm water control management, floodlighting, water charged fence-line, seating, pathway, landscaping, turfing, car park, access road, vehicle barrier fencing & amenities building.	\$2,497,779	When 300 lots are created within the Northern Sector
10	Tennis Courts – (3 courts on-site) - Earthworks, tennis courts, fencing, subsoil drainage, lighting, seating, pathway, landscaping, grassing, car park, access road, vehicle barrier fencing, club house. Maybe located as a stand-alone facility at the lake or coastal sector.	\$750,604	When 350 lots are created within the Lakeside Sector
11	Netball Courts – (3 courts on-site) - Earthworks, subsoil drainage, netball courts, lighting, seating, pathway, landscaping, grassing, club house, car park, access road. Maybe co-located at the sportsground site.	\$903,308	When 600 lots are created within the Northern Sector
12	Patrolled Beaches - Proportion of cost to develop facilities at a new site (Contribution to be used to increase facilities at Caves Beach & Catherine Hill Bay patrolled beaches).	\$77,440	When 50 lots are created within the Northern or Coastal Sector
13	Swimming Centres - Proportion of cost to redevelop & expand facilities at existing Swansea Pool. (Indoor program pool, amenities, kiosk, office, carpark)	\$896,000	When 500 lots are created within the Coastal Sector
14	Lake Foreshore Park - Picnic tables & shelter, sheltered BBQ's, seating, bins, bubbler, public toilet cycleway/walkway, bridge, fish cleaning table, park lighting, kiosk, car park, vehicle barrier fencing, interpretive signage, landscaping, jetty (refer to item 15) and children's play area (refer to item 6b).	\$1,233,087	When 250 lots are created within the Lakeside Sector

Item	Facility	Total	Staging
15	Jetty - To be located at the foreshore park. Length subject to water depth.	\$256,000	When 500 lots are created within the Lakeside Sector
16	Boat Ramp - Cost of a new boat ramp & assoc. facilities. i.e. car park, lighting, fish cleaning table, to be distributed between the upgrading of 2 boat ramps at Cams Wharf & The Esplanade, Swansea.	\$256,000	When 200 lots are created within the Northern Sector
17	Mawson's Lookout - Stage 1 only will be provided. Lockable gates, vehicle barrier fencing, car park at main lookout, car park landscaping, viewing area, interpretive signage, seating, bins, 2.5 m pathway to coastal lookout, landscaping, demolition of structures, public toilet, rehabilitation plan and bushfire management plan.	\$279,769	When 300 lots are created within the Coastal Sector
18	Dog exercise areas – 1 ha – 3 smaller dog exercise areas to be located within walking distance of type 3 and 4 developments. Grass seeding to dog exercise area, tap, stainless steel bubbler, water connection, dog bowl, and signage. Maybe co-located with other facilities such as a local park. However, if located with a playground the playground must be fenced.	\$7,424	When 450 lots are created within the Coastal Sector
	TOTAL	\$10,247,636	

Note: Items 1 to 18 inclusive include an allowance for design, survey and administration.

Timing of facilities will be prepared in conjunction with the masterplan process. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

Appendix D - Schedule Of Works For City Wide Recreation Facilities

Item	Facility	Facility Cost	Proportion attributable to development	Cost attributable to development	Staging
1	Great North Walk (East Lake Macquarie section)	\$215,431	5665/189,150 =3.0%	\$6,463	When 600 Lots are created within the Lakeside Sector
2	City-wide Foreshore Reserve development	\$2,000,000	5665/189,150 =3.0%	\$60,000	When 300 Lots are created within the Coastal Sector
3	Hunter Region Athletics & Gymnastics Centre (recoupmnt)	\$7,400,000	5665/600,000 = 0.944% #2	\$69,856	When 50 lots are created within the Northern Sector
4	City Stake Park – Charlestown	\$508,941	5665/189,150 = 3.0%	\$15,268	When 300 lots are created within the Coastal Sector
5	Fernleigh Track (interpretive & visitor facilities)	\$1,102,900	5665/333,525 = 1.7% #3	\$18,749	When 500 lots are Created within the Coastal Sector
6	Swansea Western Foreshore Embellishment	\$2,575,728	5665/189,150 = 3.0%	\$77,272	When 700 lots are created within the Northern Sector
	SUB-TOTAL	\$13,803,000		\$247,608	
	Design/Project management 8%			\$19,809	
	TOTAL			\$267,417	

- Note:
- Costs for Items 1, 2, 4 and 6 have been apportioned by total North Wallarah population (residential and tourist) over total Lake Macquarie population from 2003 ABS projections.
 - Costs have been apportioned on a 'Regional Level' Basis.
 - Costs have been apportioned over the total Lake Macquarie and Newcastle populations from 2003 ABS projections (189,150 and 144,375 respectively).
 - Timing of City Wide Recreation Facilities will be dependant on availability of funding from other sources for these works. Any changes to the plan will be prepared in accordance with the Environmental Planning Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

Appendix E – Recreation and Open Space Land Requirements

Item	Site	Comment	Area+	Staging
1	Sporting Area	Two playing fields, amenities and netball courts & car park provided on land with a minimum width of 200m.	5 Ha #1	When 250 lots are created within the Northern Sector.
2	Foreshore Park	The foreshore land zoned 6(c) in the Lake Sector. Identified as part of Lot 121 DP 807535 in Figure 3 of the North Wallarah Peninsula Lakeside Reserve and Habitat Corridor Draft Plan of Management.	4.33 Ha	When 100 lots are created within the Lakeside Sector.
3	Tennis Facility	Land for tennis courts adjoining the foreshore park or coastal park, any proposed medium density development, opposite open space and in close proximity to the shops.	0.4 Ha	When 300 lots are created within the Lakeside Sector. The provision may also be considered at the initial stages of the coastal sector.
4	Local Park in Lake Sector (Item 6a)	This is the site where play area is to be provided centrally located within the Lake Sector.	0.5 Ha	When 450 lots are created within the Lakeside Sector.
5	Local Park in the Coastal Sector (Item 6c)	This is the site where play area is to be provided on land located adjoining the coastal walkway.	0.5 Ha	When 100 lots are created within the Coastal Sector.
6	Local Park in the Northern Sector (Item 6e)	This is the site where two play areas are to be provided, centrally located within the Northern Sector but not in close proximity of the sporting area.	1 Ha	When 150 lots are created within the Northern Sector.
7	Dog Exercise Area	3 smaller dog exercise areas to be provided within walking distance of type 3 and 4 developments. Maybe co-located with other facilities such as a local park.	1 Ha	When 300 lots are created within the Coastal Sector.
8	Mawson's Lookout	Two areas are to be dedicated -referred to as Part Lot 2 DP 811759 in Figure 1.2 of the Mawson's Lookout Plan of Management.	908 sq m, & 297 sq m	When 600 lots are created within the Northern Sector.
	TOTAL		At least 12.8505 Ha	

Note:

1. Provided the land is flat and able to be developed for playing fields.
2. Timing of facilities will be prepared in conjunction with the masterplan process. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

Appendix F - Community Facility Standards of Provision

Facility	Standard of Provision
Children's services:	1 place: 5 children 0-4 years of age. Internal floor area 10.22 m2 per place. Site area 46.4m2
Multipurpose Centres:	In recent years, Council has concentrated on the provision of multipurpose centres instead of single use functions/facilities such as childcare centres, youth centres, neighbourhood centres, function rooms, before and after school centres, early childhood health clinics, community halls, scout halls, guide halls, and senior citizens centres. Multipurpose centres provide accommodation for a number of these functions but each will vary depending on site availability and compatibility of users. There may still be a need for single function centres from time to time. For North Wallarah, a contribution to the multipurpose centre and library is required and it is also necessary to provide a separate child care centre due to the constraints of the proposed multipurpose centre site.
Multi Purpose Centre:	Floor area 209.7 m2 per 1000 residents. Site area 715 m2 per 1000 residents
Libraries:	Floor area 50 m2 per 1000 residents. Site Area –160m2 per 1000 residents
Costs:	The current cost of facilities is based on the price to design, construct and equip the construction of three recent facilities – Bonnells Bay Youth & Community Centre, Morisset Multipurpose Centre and the Swansea Multipurpose Centre and Library. Current Price is \$ 2,800 per m2 of floor space. This price covers all costs – design, construction, equipment, furniture, carparking and landscaping.

Appendix G - Schedule Of Works For Community Facilities

Item	Facility	No. of Places	Floor area (m2)	Costs	Staging
1	Child Care Centre	45	460	\$1,288,000	TBA
2	Multi-Purpose Centre		578	\$1,618,400	TBA
3	Library in MP Centre		248	\$694,400	TBA
4	Book items			\$10,450	TBA
	TOTAL			\$3,611,250	

Note: Timing of facilities will be prepared in conjunction with the masterplan process. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

Appendix H - Community Facilities Land Requirements

ITEM	FACILITY	SITE AREA (m2)	TOTAL COST	PROPORTION ATTRIBUTABLE TO DEVELOPMENT	COST ATTRIBUTABLE TO DEVELOPMENT
1	Child Care Centre	2,088	Dedication to Council		Dedication to Council
2	Multi-Purpose Centre including; Early Childhood Health Centre, OOSHC & Vacation Care, Youth Centre, Community Activity Area and Library	3,483.76	\$659,281	33.9%	\$223,496
	TOTAL	5,571.76			\$223,496

Note: Timing of facilities will be prepared in conjunction with the masterplan process. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

Appendix I - Schedule Of Works For Roadworks And Traffic Management

Item	Facility	Total Cost	Proportion attributable to development	Cost attributable to development	Staging
1	Grade separated intersection (underpass)	Works in Kind #1	100%	Works in Kind #1	At initial stage of development.
2	Strategic Cycleway – north	\$561,000	100%	\$561,000	At initial stages of development.
3	Strategic Cycleway - south	\$709,500	100%	\$709,500	At initial stages of development.
	Sub-total	\$1,270,500		\$1,270,500	
	Design/Project management 8%			\$101,640	
	TOTAL			\$1,372,140	

- Note:
1. As the developer has proposed to construct the underpass as a Works in Kind, no costs have been included.
 2. Timing of facilities will be prepared in conjunction with the masterplan process. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000.

Appendix J - Conservation Corridor Land Requirements

Item	Site	Area	Staging
1	Conservation Corridor	23 Ha	To be dedicated progressively with development, having regard to the number of lots developed and the nexus with development
Total		23 Ha	

Note: Timing of facilities will be prepared in conjunction with the masterplan process. Any changes to the plan will be prepared in accordance with the Environmental Planning & Assessment Act 1979, and the Environmental Planning & Assessment Regulation 2000

Appendix K - Schedule Of Contribution Rates

Facility	Total Cost/ Dedication	Population	Contributions				Dedication
			Person	1 / 2 Bedroom Dwelling	3+ Bedroom dwelling / Lot	Tourism Unit	3+ Bedroom dwelling / Lot
Local Recreation Facilities	\$10,247,636	5,665 #1	\$1,809	\$3,618	\$4,522	\$2,352	N/A
City-wide Recreation Facilities	\$267,417	5,665 #2	\$47	\$94	\$117	\$61	N/A
Open Space Acquisition	12.8505 Ha	5,665 #3	N/A	N/A	N/A	N/A	56.75m2
Community Facilities	\$3,611,250	4,950	\$730	\$1,460	\$1,825	\$949	N/A
Community Facilities Land	\$223,496	4,950	\$45	\$90	\$112	\$58	2.83m2
Traffic Management Facilities	\$1,372,140	5,665 #4	\$242	\$484	\$605	\$315	N/A
Conservation Corridor	23Ha	4,950	N/A	N/A	N/A	N/A	116.15m2
Management	N/A	N/A	\$60	\$120	\$150	\$78	N/A
TOTAL			\$2,933	\$5,866	\$7,331	\$3,813	175.73m2

- Note: 1, 2, 3 and 4 Population is based on expected resident and tourist population for North Wallarah Peninsula.
- 5 Contribution rates vary depending for different size dwellings, based on occupancy rates (as explained in Section 5.3).
- 6 Contributions for management are levied at 4.4% of the cost of acquiring land and constructing works. Where land is dedicated, or works carried out in lieu of monetary contributions, the administration component will be levied based on the monetary contribution.