



Section 94 Developer Contributions Plan

for

Open Space, Recreation Community and Cultural
Facilities 2013 to 2036



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Effective: 26 March 2014

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2 PART A – Summary Schedules

The following summary schedules are included in this plan:

- Works Program
- Contributions by Development Type and Location

2.1 Works Program Summary

Table 1 provides a summary of the total cost of establishing Open Space, Recreation, Community and Cultural infrastructure in the Wingecarribee Shire for the life of this Plan.

Table 1 - Summary works program¹

Infrastructure Items Summarised	Total Value of Works
Acquisition of Land	\$1,759,150.00
Community Facilities	\$7,933,217.50
Cultural Facilities	\$14,065,000.00
Cycleways	\$5,256,490.00
Open Space & Recreation	\$3,588,000.00
Pools	\$17,051,000.00
Total	\$49,652,857.50

2.2 Summary of Contribution Catchment and Contribution Rate

This Plan applies to development identified in Section of this Plan. Section 3.2 details the land to which this Plan applies and the District Contributions Catchment. The Contribution Rates applicable under this Plan are summarised as follows:

Table 2 - Summary Contribution Rates¹

Infrastructure Items Summarised	Contribution Per Infrastructure Type
Acquisition of Land	\$81.70
Community Facilities	\$305.67
Cultural Facilities	\$187.28
Cycleways	\$244.13
Open Space & Recreation	\$166.64
Pools	\$1,026.38
Total	\$2,011.80

The contribution per development type is based on the contribution per ET noted above and the ET per residential development type noted in Table 7.

¹ It is stressed that Tables 1 and 2 are summary tables only. Please refer to more detailed tables and calculations described in the body of this Plan.

3 PART B – Administration and operation of the plan

3.1 What is the name of this Development Contributions Plan

This Development Contributions Plan is called the *Section 94 Developer Contributions Plan for Open Space, Recreation Community and Cultural Facilities 2013 - 2036* (Plan), for Wingecarribee Shire Council.

3.2 Land to which the Plan applies

This Plan applies to land within the Local Government Area (LGA) of Wingecarribee Shire Council as shown on the map in Figure 1 other than the land to which the *Section 94A Contributions Plan for Wingecarribee Shire Council*; and the *Section 94 Contributions Plan for the Moss Vale Enterprise Corridor 2012 to 2031* apply.

A district contributions rate applies to development on all of the land to which the Plan applies.

3.3 Development to which this Plan applies

This Plan applies to the following types of development, as defined in clause 6.2 of this Plan for all land to which this Plan applies:

Subdivision; Dwelling House², Dual Occupancy, Secondary Dwelling, Rural Worker's Dwelling, Attached Dwellings, Semi Detached Dwelling, Multi Dwelling Housing, Residential Flat Buildings, Serviced Apartments, Shop Top Housing, Tourist and Visitor Accommodation; Housing for Seniors or People with a Disability (Seniors Living SEPP) 2004 and Seniors Housing³; Residential Care Facilities, Residential Accommodation, Hostels and Group Homes⁴; Caravan Parks, Camping Sites; Boarding Houses; Brothels; and Manufactured Homes.

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² Only where the land parcel/s that the dwelling is to be located did not previously contain a dwelling entitlement, i.e. an *existing holding* pursuant to Clause 4.2A of the Wingecarribee Local Environmental Plan 2010.

³ Refer to Section 3.13 of this Plan for Exemption Criteria.

⁴ Refer to Section 3.13 of this Plan for Exemption Criteria.

Figure 1 - Wingecarribee Shire Council Local Government Area



3.4 What is the purpose of this Plan

The purposes of this Development Contributions Plan are to:

- a. Provide an administrative framework under which specific strategies may be implemented and coordinated by Council;
- b. Ensure that adequate public facilities are provided for as part of any new development within the Wingecarribee Shire;
- c. Authorise the Council to impose conditions under Section 94 of the *Environmental Planning and Assessment Act 1979* (EPA Act), when granting consent to development on land to which this Plan applies;
- d. Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis;
- e. Ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development in the Wingecarribee Shire Council LGA;
- f. Enable Council to be both publicly and financially accountable in its assessment and administration of the development contributions plan;
- g. Require an accredited certifier to impose a condition under this Plan in respect of development to which this plan applies which is complying development, and to specify the amount of the monetary contribution and the precise method by which the amount is to be determined.

3.5 Commencement of the Plan

This Plan has been prepared pursuant to the provisions of Section 94 of the EPA Act and Part 4 of the EPA Regulation and takes effect from the date on which public notice is published, pursuant to clause 31(4) of the Environmental Planning and Assessment Regulation 2000 (EPA Reg).

Date from which Public Notice is Published: *26 March 2014*

3.6 Relationship with other Plans and Policies

3.6.1 Plans and Policies that this Plan Compliments

This Plan compliments the provisions of the *Wingecarribee Shire Local Environmental Plan 2010* and the following other Section 94 and Section 94A Contributions Plans; and Development Servicing Plans made under Section 64 of the *Local Government Act 1993* and Sections 305 to 307 of the *Water Management Act 2000*:

Table 3 - Contributions Plans that this Plan Compliments

Name of Plan	Date of Adoption of Plan
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Central Library Facility	9 July 1997
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Bundanoon	11 February 2004
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Roads and Traffic Facilities 2012 to 2031	8 August 2013
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Section 94 Administration 2011 to 2031	8 November 2011
Wingecarribee Shire Council Section 94 Developer Contributions Plan for the Resource Recovery Centre 2009	26 August 2009
Section 94A – Contributions Plan for Wingecarribee Shire Council	12 May 2010
Draft Wingecarribee Shire Council Section 94 Developer Contributions Plan for the Moss Vale Enterprise Corridor 2012 to 2031	14 August 2013
Water Supply Development Servicing Plan for Wingecarribee Shire Council	1 January 2007
Sewerage Development Servicing Plan for Wingecarribee Shire Council	1 January 2007
Stormwater Development Servicing Plan for Wingecarribee Shire Council	9 November 2010

3.6.2 Plans that this Plan Repeals

This Plan Repeals the following Section 94 Plans from the date it takes effect:

Table 4 - Contributions Plans Repealed or Part Repealed by this Contributions Plan.

Name of Plan	Date of Adoption of Plan (original)	Amended/Repealed
Wingecarribee Shire Council Developer Contributions for Open Space and Recreation Facilities 2007	14 March 2007	Entire Plan

Funds held under the contributions Plans, or Parts thereof, to be repealed in Table 4 will be used as part of Council's commitment for funding works in this Plan. Table 5 provides details of funds held in accounts for the Plans to be repealed in Table 4 as at the 30 June 2010 and also how Council will utilise those funds under this Plan.

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Table 5 - Use of funds from repealed Plans

Contribution Plan to be repealed		Account Balance
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Open Space and Recreation Facilities 2007	Shirewide Contributions	\$3,324,307.98
	Sum of Local Contributions	\$365,564.91
Total of funds to be rolled over		\$3,689,872.89
Total of funds Council is responsible for raising under this Plan before funds rolled over:		\$29,830,070.13
Total of funds Council is responsible for raising under this Plan after funds rolled over:		\$26,140,197.55

3.7 Definitions

A list of definitions and list of abbreviations is contained in Part E of this Plan. For other definitions not found in this Plan please refer to *Wingecarribee Local Environmental Plan 2010* (LEP), the EPA Act, EPA Reg and *Local Government Act 1993*.

3.8 When are contributions Payable

A contribution must be paid to the Council at the time specified in the condition of a development consent that imposes the contributions. Council usually requires the contributions to be paid for certain types of development as follows:

Table 6 – Timing of Payment of Contributions by Type of Development in District and Local Contributions Catchments.

Description of Development	Timing of Payment
Subdivision	Prior to the release of the Subdivision Certificate (linen plan), strata plan or a strata plan of subdivision within the meaning of the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986.
Dual Occupancy; Secondary Dwelling; Attached Dwellings; Semi Detached Dwelling; Multi Dwelling Housing; Residential Flat Buildings; Serviced Apartments; Shop Top Housing; Tourist and Visitor Accommodation.	Prior to the Issue of the Construction Certificate. (Regardless of whether or not subdivision is proposed within the application).
Housing for Seniors or People with a Disability (Seniors Living SEPP) 2004 and Seniors Housing by Commercial Enterprises.	Prior to the Issue of the Construction Certificate.
Housing for Seniors or People with a Disability (Seniors Living SEPP) 2004	Prior to the issue of the Occupation Certificate.

and Seniors Housing by Not-for-Profit Organisations that are not exempt in accordance with Section 3.13 of this Plan.	
Residential Care Facilities; Residential Accommodation; Hostels and Group Homes that are not exempt in accordance with Section 3.13 of this Plan.	Prior to the issue of the Occupation Certificate.
Caravan Parks; Camping Sites and Manufactured Homes.	Prior to the issue of a Section 68 Certificate (Local Govt. Act) required for the connection of each site.
Dwelling Houses on land in certain rural and environmental protection zones (as described in Clause 42A the Wingecarribee Local Environmental Plan 2010).	Prior to the issue of the Occupation Certificate.

Note: Contributions are payable in stages where the development consent nominates and identifies the stages within a development. In such cases the contributions payable for each stage of the development must be paid in accordance with Table 6 above or as nominated in the conditions of consent.

3.9 Construction certificates and the obligations of accredited certifiers

In accordance with Section 94EC of the EPA Act and Clause 146 of the EPA Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

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

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

3.10 Complying development and the obligation of accredited Certifiers

In accordance with s94EC(1) of the EPA Act, this Plan requires that, in relation to an application made to an accredited certifier for a complying development certificate:

- the accredited certifier must, if a complying development certificate is issued, impose a condition requiring a development contribution, if such a contribution is authorised by this Plan;
- the amount of the monetary contribution that the accredited certifier must so impose by way of condition is the amount determined in accordance with this clause; and
- the terms of the condition must be in accordance with this clause.

Procedure for accredited certifier to determine the amount of the monetary contribution

1. *If, and only if specified in writing in the application for a complying development certificate, the applicant has requested a credit under s94(6) of the Act or applies for an exemption of part or the whole of the development under section 3.13 of this Plan, the accredited certifier must:*
 - a. *make a request in writing to the Council for the Council's advice on whether the request or application is granted, or the extent to which it is granted; and*
 - b. *in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the complying development certificate, refuse the applicant's request.*
2. *Determine the unadjusted contributions calculated in accordance with the formulas in sections 3.20 and 3.21 of this Plan (as amended).*
3. *Apply the adjusted rates in accordance with clause 3.15 of this Plan to reflect the indexed cost of the provision of infrastructure.*
4. *Subtract any credit advised by the Council under paragraph 1b.*

Terms of s94 condition

The terms of the condition required by this section is as follows:

Contribution

The developer must make a monetary contribution to Wingecarribee Shire Council in the amount of \$[insert amount] for the purposes of the Section 94 Plan for Open Space, Recreation, Community and Cultural Facilities 2013 to 2036.

Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\$C_P = \$C_{DC} + \frac{\$C_{DC} \times \$C_Q - \$C_C}{\$C_C}$$

Where:

$\$C_P$ - is the amount of the contribution calculated at the time of payment.

$\$C_{DC}$ - is the amount of the original contribution as set out in the development consent.

$\$C_Q$ - is the contribution rate applicable at the time of payment.

$\$C_C$ - is the contribution rate applicable at the time of the original consent.

Note: The contribution payable will not be less than the contribution specified on the certificate.

Time for payment

Deferred payments of contributions will only be accepted in accordance with an arrangement entered into with the Council in accordance with section 3.10 of the Section 94 Plan for Open Space, Recreation, Community and Cultural Facilities 2013 to 2036.

For subdivision – the contribution must be paid prior to the release of the Subdivision Certificate (linen plan), strata plan or a strata plan of subdivision within the meaning of the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986.

For any other development where a construction certificate is required, the contribution must be paid prior to the release of the first construction certificate or if the development does not require a construction certificate, prior to the commencement of the use

Works in kind

This condition does not need to be complied with to the extent specified in a works in kind agreement between the developer and the Council as allowed by Section 94 Plan for Open Space, Recreation, Community and Cultural Facilities 2013 to 2036.

3.11 Deferred and periodic payments

The Council's policy concerning deferred payments is that a deferred payment may be permitted in the following circumstances:

- a. the deferred payment of the contribution will not, in the opinion of the Council, prejudice the timing or the manner of the provision of public facilities included in the works program; and
- b. other circumstances considered reasonable by the Council.

Council does not ordinarily allow periodic payments except in circumstances considered reasonable by the Council on a case by case basis.

If Council does decide to accept a deferred payment, this may be on such conditions as the Council considers reasonable and will ordinarily require the applicant to provide a bank guarantee for the full amount of the contribution or the outstanding balance on the following conditions:

- a. The lodgement of an irrevocable bank guarantee without an end date for the amount of the contributions plus an additional 13-months simple interest on that amount, calculated at the Reserve Bank's Policy Interest Rate (Target Cash Rate) plus 1%, as at the date of the Council's approval of the deferred payment.
- b. The maximum period of deferral, is the sooner of 12-months from the date of the deferral, the date of the issuing of an occupation certificate for any building work, or the date of the issuing of any subdivision certificate.
- c. The bank guarantee provides for the bank to unconditionally pay the guaranteed sum to Council if Council so demands in writing not earlier than the date mentioned in paragraph b.
- d. The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development or the qualification of the Council to make the demand.
- e. The bank's obligations are discharged when payment to Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.
- f. Where the bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid. In that regard, appropriate arrangements must be made with the Council for the repayment of interest on the outstanding amount calculated at the Reserve Bank's Policy Interest Rate (Target Cash Rate) plus 1% from the date on which payment was originally due until that date on which payment is actually made as secured by the guarantee.

3.12 Can the contribution be settled "in-kind" or through a material public benefit

Council may accept an offer by the applicant to provide an "in-kind" contribution (i.e. the applicant completes part or all of the work/s identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this Plan.

Council may accept such alternatives in the following circumstances:

- a. The value of the works to be undertaken is at least equal to the value of the contribution that would otherwise be required under this Plan; and
- b. The standard of the works is to Council's full satisfaction; and
- c. The provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program; and
- d. [other as appropriate in the circumstances]

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

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

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

Please refer to Council's *Assessment Policy for Section 94/94A Developer Contributions Plans and Section 64 Development Servicing Plans*, which outlines how to apply for a works-in-kind agreement.

3.12.1 Voluntary Planning Agreements

If an applicant does not wish to pay the contribution in connection with the carrying out of development, the applicant may offer to enter into a voluntary planning agreement with the Council under s93F of the Act in connection with the making of a development application.

The applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. Those purposes need not necessarily relate to the impacts of the applicant's development nor the items listed in Table 11.

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

The offer to enter into the planning agreement together with a copy of the draft agreement should accompany the development application.

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

If the Council agrees to enter into the planning agreement, it may impose a condition of development consent under s93I(3) of the Act requiring the agreement to be entered into and performed. If the Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this Plan requiring the payment of the contribution amount.

Applicants should have regard to:

- a. Wingecarribee Shire Council Planning Agreements Policy 2005 as amended from time to time.
- b. The provisions of Subdivision 2 of Division 6 in Part 4 of the EPA Act.
- c. The provisions of Division 1A of Part 4 of the EPA Reg, and
- d. The Practice Notes by the Department of Planning entitled 'Planning Agreements' dated July 2005 as amended or replaced from time to time.

3.13 Exemptions

Council may consider exempting some development, or components of developments from the requirement for a contribution. Section 94E of the EPA Act requires Council the exempt particular types of development. The following types of development may be exempt at Council's discretion or are exempt by Section 94E:

3.13.1 Short Term or Emergency Accommodation by a Community Organisation – Group Homes

Development involving short term or emergency accommodation primarily for stays of less than two (2) weeks, are exempt from the payment of contributions, provided that the community organisation carrying out the development has received endorsement for the project as a deductible gift recipient by the Australian Taxation Office under the category of a "public benevolent institute".

3.13.2 Development by non-profit organisations

Development by not-for-profit organisations may be exempt from the payment of development contributions, provided that the Council determines that the development is for an essential community service.

3.13.3 State Environmental Planning Policy (Housing for Senior's or People with a Disability) 2004 – Section 94E

Development in accordance with the Minister's direction under s94E of the EPA Act dated 14 September 2007, for so long as that direction remains in force, where the development is for the purposes of any form of *seniors housing* as defined in *State Environmental Policy (Housing for Seniors or People with a disability) 2004* and the development consent is granted to a social housing provider.

3.13.4 Other development

Any other development that may be exempt from the payment of contributions as Directed by the Minister of Planning under the provisions of Section 94E of the Environmental Planning and Assessment Act 2008, and the following:

- a. non-residential land uses; or
- b. existing vacant residential lots currently rated for water and sewer (except where development involves subdivision or an increase in population density).
- c. a change of land use not involving the creation of additional lots, dwellings or increased population; or
- d. rural farming enterprises, which do not result in an increase in the demand for roads and traffic facilities; or
- e. for *granny flats*, where the floor space is equal to or less than 60m²; or
- f. for the purpose of *home based child care*; or
- g. for the purpose of *home business*; or
- h. for the purpose of *home industry*; or
- i. for the purpose of *home occupation*; or
- j. for the purpose of *home occupation (sex services)*
- k. from time to time, any other development for which s94 contributions may not be imposed in accordance with a direction by the Minister under s94E of the EPA Act.

3.13.5 Determination of Applications for Exemption

For claims for exemption to be considered for development referred to in Sections 3.13.1 to 3.13.3 the development application should include a comprehensive submission arguing the case for exemption and including details of the following matters:

- For not-for-profit organisations – evidence from the Australian Tax Office demonstrating their not-for-profit status.
- For Seniors Living (SEPP 2004) – evidence that the Applicant is a ‘social housing provider’ as defined, for the purposes of satisfying the Section 94E Direction.
- Any other information Council request due to the particular circumstances of the case.

3.14 Review of Contribution Rates

To ensure that the value of the contributions are not eroded over time by inflationary pressures, land value increases, the capital costs of administration of the plan or through changes in the costs of studies used to support the Plan, Council will review the contributions rates.

The contributions rates of this Plan are broken down into two components:

1. Future Capital Expenditure Costs
2. Previous Capital Expenditure Costs (recoupment) and land acquisition costs

These two components will be reviewed by reference to the following specific indices:

- Future construction costs by the Producer Price Index,. Output of the Construction Industries, Non-Residential Building Construction New South Wales; as published by the Australian Bureau of Statistics, www.abs.gov.au.
- Previous construction costs (recoupment) by the Consumer Price Index, All Groups, Sydney. as published by the Australian Bureau of Statistics, www.abs.gov.au.

In accordance with clause 32(3)(b) of the EPA Regulation, the following sets out the means that Council will make changes to the rates set out in this plan:

3.14.1 Future Capital Expenditure

For changes to the Future Capital Expenditure Index, the contribution rates within this Plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\$C_A + \frac{\$C_A \times I_C - I_B}{I_B}$$

Where:

- $\$C_A$ - is the contribution rate at the time of adoption of the plan expressed in dollars;
- I_C - is the Producer Price Index, Output of the Construction Industries, Non-Residential Building Construction New South Wales; as published by the Australian Bureau of Statistics, www.abs.gov.au., at the time of the review of the contribution rate.
- I_B - is the Producer Price Index (PPI), Output of the Construction Industries, Non-Residential Building Construction New South Wales; as published by the Australian Bureau of Statistics, www.abs.gov.au., at the time of the adoption of this Plan.

Note: In the event of a negative PPI movement from one quarter to the next, the Contribution Rates will remain the same as the previous quarter.

3.14.2 Recoupment (Previous Capital Expenditure) and future land acquisition costs

For changes to the Recoupment, Land Acquisition and Administration Index the contribution rates within this Plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\$C_A + \frac{\$C_A \times I_C - I_B}{I_B}$$

Where:

- $\$C_A$ - is the contribution at the time of adoption of the plan expressed in dollars.
- I_C - is the Consumer Price Index (CPI), All Groups, Sydney, as published by the Australian Bureau of Statistics, www.abs.gov.au, at the time of the review of the contributions rate.
- I_B - is the Consumer Price Index (CPI), All Groups; Sydney, as published by the Australian Bureau of Statistics, www.abs.gov.au, at the time of the adoption of this Plan.

Note: In the event of a negative CPI movement from one quarter to the next, the Contribution Rates will remain the same as the previous quarter.

3.15 How Contributions are Adjusted at the Time of Payment?

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

$$\$C_P = \$C_{DC} + \frac{\$C_{DC} \times \$C_Q - \$C_C}{\$C_C}$$

Where:

- $\$C_P$ - is the amount of the contribution calculated at the time of payment.
- $\$C_{DC}$ - is the amount of the original contribution as set out in the development consent.
- $\$C_Q$ - is the contribution rate applicable at the time of payment.

$\$C_c$ - is the contribution rate applicable at the time of the original consent.

The current contributions are published by Council and are available from Council's Offices. For Council's latest Contributions Rates please refer to:

- www.wsc.nsw.gov.au on Council's website;

Or contact Council's Contributions/Strategic Planner on (02) 4868 0888.

3.16 Are there Allowances for Existing Development? And Contribution Ratios for Subdivision and Commercial/Industrial Development

Contributions will be levied according to the estimated increase in demand as provided in Table 7. An amount equivalent to the contribution attributable to any existing (or approved) development on the site of a proposed new development will be allowed for in the calculation of contributions. In assessing the contribution of proposed and existing development the following ratios will be used:

Table 7 – Residential Housing and Accommodation Ratios Per Equivalent Tenement

Description of Development	Unit Rate Per ET
	S94 (Direct) Contributions Plans
Single Residential Lots (dwelling house)	
A Standard Residential Lot – a single density (one lot with one dwelling). Dwelling House in residential zones where lots are greater than 450m ² and less than 2000 m ²	1.00
A Large Residential Lot – a single density (one lot with one dwelling). Dwelling House in residential and rural zones where lots are greater than 2000 m ²	1.00
Dual Occupancy, Secondary Dwelling, Attached Dwellings, Semi Detached Dwelling, Multi Dwelling Housing – generally for where each dwelling is to be situated on lots less than 450m ² (but not limited to) and permanent self contained caravan park accommodation.	
One (1) bedroom dwelling	0.50
Two (2) bedroom dwelling	0.67
Three (3) bedroom dwelling or greater	1.00
Residential Flat Buildings, Serviced Apartments, Shop Top Housing Tourist and Visitor Accommodation Units and Boarding Houses (self contained).	
One (1) bedroom apartment	0.50
Two (2) bedroom apartment	0.67
Three (3) bedroom or more apartment	0.90
Tourist and Visitor Accommodation Units and Boarding Houses (not self contained)	
Shared facilities for cooking, laundry and bathrooms per bedroom that are not dormitory or bunk rooms	0.25
Shared facilities for cooking & laundry but own ensuite per bedroom that are not dormitory or bunk rooms	0.35
Shared facilities for cooking, laundry and bathrooms per bed that are dormitory or bunk rooms	0.125
Shared facilities for cooking and laundry but own ensuite per bed that are dormitory or bunk rooms	0.175
Housing for Seniors or People with a Disability (Seniors Living SEPP 2004) or Seniors Housing	
One (1) bedroom self contained (ensuite & kitchen)	0.33
Two (2) bedroom self contained	0.55
Three (3) or more bedrooms self contained	0.75
Residential Care Facilities, Residential Accommodation, Hostels and Group Homes	
High Dependency/Residential Care Facility (per bed)	Nil
Low Dependency/Hostel (per bed)	0.35
Caravan Parks and/or Camping Sites	
Transient, not permanent (not self contained)	0.25

Transient, not permanent (partially self contained)	0.35
Permanent (not self contained)	0.25
Permanent (partially self contained, ensuite)	0.35
Permanent (fully self contained)	See Multi-Unit housing

Note 1: Development types not listed in the above table, particularly shall be assessed on their merits for credit purposes only.

Note 2: Refer to the Definition of a 'bedroom' and 'NDHA' in Section 6.2 of this Policy for the purposes of this table.

Note 3: Social Housing Providers under SEPP (Seniors Living) 2004 are exempt from S94 Contributions – refer to Section 3.13.3.

3.17 Pooling of Contributions

This Plan expressly authorises monetary Section 94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the monetary contributions are shown in the works schedule.

3.18 Savings and Transitional Arrangements

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

3.19 G.S.T Implications

Pursuant to the Division 81 determination made under the Goods and Services Tax Act 1999 by the Federal Treasury, no Goods and Services Tax (GST) is applicable to the payment of contributions made under Section 94 of the EPA Act. Developers should obtain their own advice as to how the determination applies to contributions made in lieu of satisfaction of a condition imposed in accordance with this Plan.

3.20 Contributions Formula

The Development Contributions contained in this Plan are based on a 'District', Shire wide basis.

The contributions are calculated using the following formula:

$$\text{Contribution Rate (Per ET)} = \frac{C - S + I \times P}{N} \times R$$

Where:

TC = Cost of Item (including land acquisition)

<i>S</i>	=	Grants/Subsidies
<i>P</i>	=	Apportionment to new development
<i>N</i>	=	Population Increase
<i>R</i>	=	Average Occupancy rate across the LGA.
<i>I</i>	=	Interest on monetary borrowing (if required)
<i>ET</i>	=	Equivalent Tenement (refer to dictionary)

3.21 Contributions Calculation

Contribution Calculation District (Shirewide Facilities)

$$\$2,011.80 \text{ per } ET = \frac{\$49,652,857.50 - \$11,384,217.50 + \$5,048,461.60 \times 19.48\%}{10,741} \times 2.56$$

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4 PART C – Strategy Plans

4.1 Population Statistics

4.1.1 Current Population Statistics

The Wingecarribee Shire is located 75-kilometres from the south-western fringe of Sydney and covers an expanse of 2,689 square kilometres. The Wingecarribee Shire Council uses <http://profile.id.com.au/wingecarribee?WebID=120> to examine the 2011 Census Data produced by the Australian Bureau of Statistics. In summary, at the 2011 Census:

- The population of the Shire was 46,042;
- There were 17,377 occupied households;
- The Shire had 6,515 households with children;
- Separate housing accounted for 90% of occupied private dwellings; and
- The main employment industries were Health and Social Assistance 11.9%, Retail Trade 11.7%, Manufacturing 10.1%; Education and Training 9.3%; Construction 8.6%; Accommodation and Food Service 8.2%, Professional Scientific and Technical Services 6.4%.

The <http://profile.id.com.au/wingecarribee?WebID=120> also compares the Shire's demography with national, State and regional contexts.

4.1.2 Current Population Profile and Key Changes

The Profile ID website, whilst identifying the current population statistics, also identified key changes in the population characteristics for the LGA. In summary these were:

- The population of the Wingecarribee LGA increased by 3.5% between the 2006 and 2011 census, from 42,272 residents to 46,042 residents.
- The population growth rate according to Table 8 below peaked in 2002, declined until 2005, increased steadily from 2006 to 2009 and began to decline again through to 2011.

Table 8 - Population Growth Rate for Wingecarribee since 2001

Estimated Resident Population (ERP)

Wingecarribee Shire			
Year (ending June 30)	Number	Change in number	Change in percent
2001	42,740		
2002	43,350	+610	+1.43
2003	43,678	+328	+0.76
2004	43,876	+198	+0.45
2005	44,060	+184	+0.42
2006	44,374	+314	+0.71

2007	44,725	+351	+0.79
2008	45,113	+388	+0.87
2009	45,556	+443	+0.98
2010	45,865	+309	+0.68
2011	46,042	+177	+0.39

Source: *Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0)*. Compiled and presented in profile.id by [.id](#) the population experts

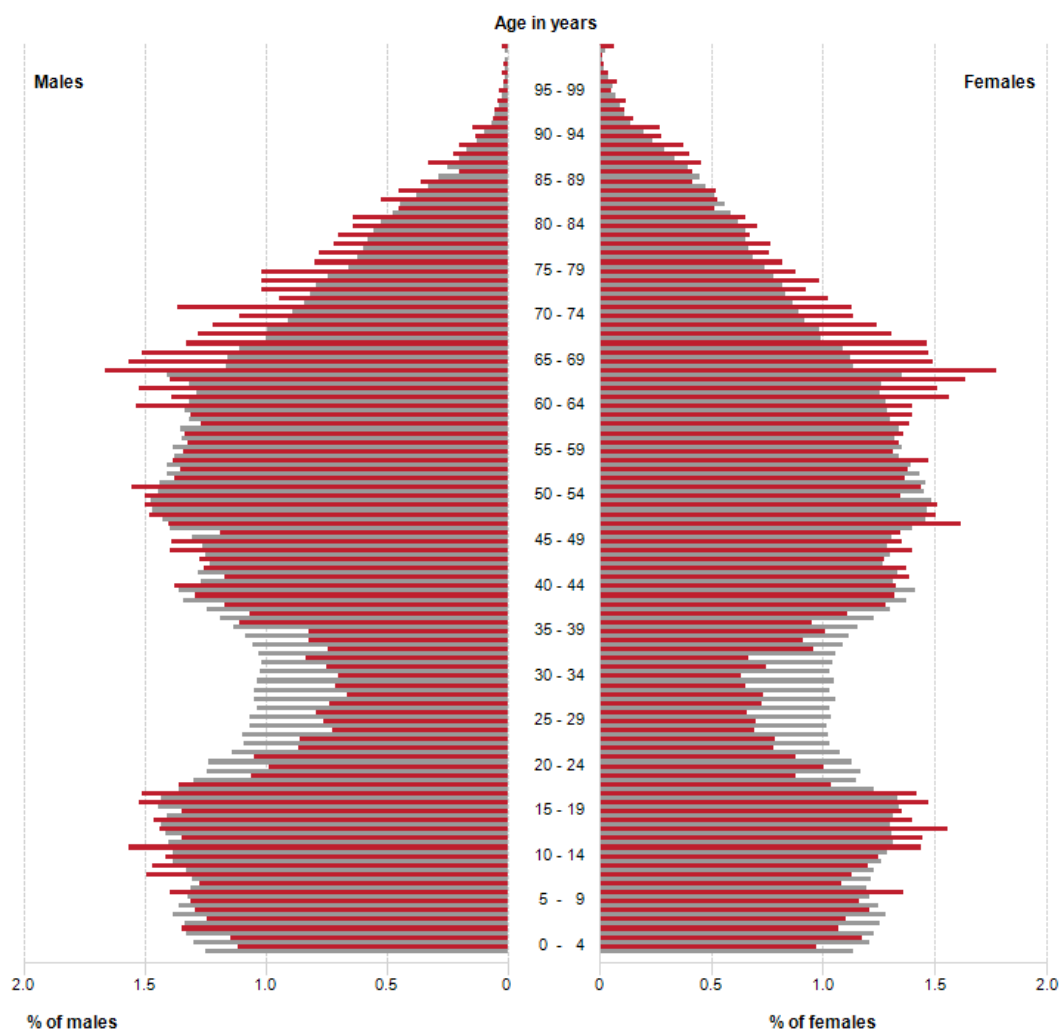


- The LGA has an aging population, as shown in Table 9 below:

Table 9 - Age and Sex Profile 2011 for Wingecarribee Shire

Age and sex pyramid, 2011

■ Wingecarribee Shire ■ Regional NSW



Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 (Usual residence data)
Compiled and presented in profile.id by .id, the population experts.



4.1.3 Families

- In 2011, the Shire had 6,515 households with children, comprising 37.6% of the total population. Of those families 4,739 were couple with children and 1,776 were one parent families.
- Couples without children total 5,421 households and 4,326 were lone person households.

4.1.4 Employment

Since the mid 1980s the Shire has experienced consistent decline in unemployment rates. At Census 2011 the overall unemployment rate was 4% and the number of unemployed persons was 8,853.

4.1.5 Future Growth Statistics

According to the *Sydney-Canberra Corridor Regional Strategy 2006-2031*, published by the NSW Department of Planning and Infrastructure, the Wingecarribee Shire LGA is likely to grow by approximately 16,400 persons between 2006 and 2031. These persons, according to the strategy, will generate approximately 9,000 new jobs in the LGA and the need for approximately 8,700 new dwellings. Specifically, reproduced from the *NSW Dept. of Planning's Fact Sheet, July 2008*, for the Wingecarribee:

“Employment

- *The Strategy targets 9,000 new jobs in the Wingecarribee Shire over the period to 2031. Increases are expected in areas of logistics, warehousing and transport, manufacturing, health and aged care, as well as tourism.*
- *The major regional centre in the Wingecarribee Shire is Bowral, closely supported by Mittagong and Moss Vale. Bowral provides higher order retail and commercial services; Mittagong is the local service centre; and Moss Vale functions as the administrative and rural service centre.*
- *The Wingecarribee Shire currently has around 135 hectares of available employment lands, which contributes to the competitive surplus of employment land that exists within the northern subregion.*
- *Wingecarribee Council will be required to protect regionally significant employment lands, including the Moss Vale-Berrima Enterprise Corridor, to help guarantee local employment for the future.*
- *The Moss Vale-Berrima Enterprise Corridor is 630 hectares of potential employment land identified between Moss Vale and Berrima, which is located close to regional infrastructure and is serviced by a siding off the Main Southern Railway. The extent of developable area is subject to detailed site and environmental assessments.*

Housing

- *Wingecarribees' anticipated population growth of 16,400 and the resulting demand for 8,700 new dwellings will be accommodated primarily through infill and redevelopment opportunities in Bowral and Greenfield areas in Mittagong and Moss Vale.*
- *Through local planning measures, the future housing mix will be better matched to the needs of smaller households and aged residents.*

Environment and Resources

- *The rural landscapes of the Wingecarribee LGA are a key resource for a range of economic contributors to the Region. Traditionally the rural landscapes have been, and continue to be, predominantly made up of agriculture, though now also involve tourism, mineral resources, energy production through wind farms and a home for people seeking a rural lifestyle.*
- *Existing towns and villages such as Hill top and Burrawang play an important role in providing for housing choice, a rural lifestyle and often more affordable housing. The rural character of many villages is a significant local and regional asset.*
- *By encouraging the majority of urban growth in existing major centres such as Bowral, Mittagong and Moss Vale the Strategy ensures the character of the rural areas well away from urban centres is not lost to inappropriate development.*
- *Existing rural residential zones have the capacity to meet demands for rural lifestyle housing within the Region. Additional development areas will only be considered if justified by a Local Settlement Strategy that assesses the net benefit of additional rural residential land against the loss of valuable agricultural lands.*

Transport and Infrastructure

- *Regional infrastructure requirements listed in the State Infrastructure Strategy are included in the Sydney-Canberra Corridor Regional Strategy, to align growth and infrastructure."*

Notwithstanding, Council engaged SGS Economics and Planning to produce the *Wingecarribee Demographic and Housing Study – Final Report* (May 2012). The SGS Study found that the *Sydney-Canberra Corridor Regional Strategy 2006-2031* population forecasts were over exaggerated as provided in Figure 2, which is an extract from page 33 of the SGS Study:

Figure 2 - Table 19 from Wingecarribee Demographic and Housing Study**TABLE 19. POPULATION FORECAST AT FIVE YEARLY INTERVALS**

	DoPI forecast	SGS forecast	Difference
2006	44,400	42,273	2,127
2011	47,300	44,203	3,097
2016	50,400	46,144	4,256
2021	53,400	48,205	5,195
2026	56,200	50,518	5,682
2031	58,800	52,901	5,899
2036	61,100	55,136	5,964

Source: Department of Planning and Infrastructure, 2009; SGS Economics and Planning, 2012

The population forecast by SGS is 5,899 persons less than the Department of Planning and Infrastructure figures by the year 2031. Table 10 builds upon the SGS forecasts by incorporating 2011 Census Data (source Profile ID) and calculates approximate growth in persons and by percentages.

The following section discusses the ‘nexus’ between growth in Shire and the demand for facilities identified in this Plan and addresses the population growth disparities as shown in Figure 2.

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Table 10 - Population projections, households and persons per dwelling

Year	Population				Housing			Persons Per Dwelling
	DP&I Forecast	SGS Forecast	Difference DP&I - SGS	Actual Population 2011 Census (Profile ID)	SGS Forecast	Persons per Dwelling	Actual No. of Households 2011 Census (Profile ID)	Actual persons per dwelling 2011 Census
2006	44,400	42,273	2,127	42,274	16,415	2.58	16,221	2.60
2011	47,300	44,203	3,097	44,395	17,428	2.54	17,337	2.56
2016	50,400	46,144	4,256		18,792	2.46		
2021	53,400	48,205	5,195		20,198	2.39		
2026	56,200	50,518	5,682		21,497	2.35		
2031	58,800	52,901	5,899		22,634	2.34		
2036	61,100	55,136	5,964		23,965	2.30		
Increase from 2011 to 2036	13,800	10,933		10,741	6,537		6,628	
Apportionment of New Population 2011 to 2036	30.30%	20.83%		19.48%	27.28%		27.66%	

Sources: Wingecarribee Housing and Demographic Study, May 2012 by SGS Economics & Planning; and Profile ID

4.2 Identifying Demand

4.2.1 Nexus – Introduction

Nexus is the relationship between the expected types of development in the LGA and the demonstrated need for additional public facilities created by those developments.

The requirement to satisfy nexus is one of the core components a contributions plan must address pursuant to Clause 27(1)(C) of the EPA Regulation. There are 3-main components to the Nexus, which are *causal*, *spatial* and *temporal*. These main components are addressed in the following Sections.

4.2.2 Causal Nexus

As provided by the *Wingecarribee Demographic and Housing Study*, by SGS, the Shire will experience a population growth of approximately 10,741 persons from 2011 to 2036, as shown in Table 10. To meet the demands of the current and future residents of the Wingecarribee Shire, Council will embark on upgrading current and providing new facilities to meet the growing demands upon Open Space, Recreation, Community and Cultural Facilities.

The establishment for the need for such facilities in the Wingecarribee began with the adoption of the *Wingecarribee Open Space, Recreation, Cultural and Community Facilities Study and Strategy*, prepared by Parsons Brinkerhoff (PB) in 2004. The study set down goals and actions for Council to achieve. Council once again engaged PB in 2010 to produce the *Wingecarribee Open Space, Recreation, Cultural and Community Facilities Needs Study and Strategy – Review*, which reported on the Council's successes at achieving the goals of the 2004 Strategy. The 2010 Review made several recommendations for Council moving forward to meet ongoing needs (p.31). Many of those recommendations have been adopted by and identified in Council's strategic level Delivery and Operational Plans and the Wingecarribee Shire Community Strategic Plan 2031+.

Many of the recommendations adopted by Council's high level Strategic Plans include:

- Creation of the pool strategy - *Wingecarribee Shire Council Aquatic Facilities Strategy 2012 to 2030*,
- Extend and link together the LGAs shared pathway network – *Wingecarribee Shire Council Bicycle Strategy for Mittagong, Bowral and Moss Vale*;
- Develop the concept of an arts centre incorporating gallery and performance space – Lake Alexandria has been identified for a potential Arts precinct and Gallery, and the Bowral memorial Hall has been identified for refurbishment as a future performance centre.
- Centralise and redesign youth facilities – Loseby Park Youth Facilities are proposed to be upgraded and pat funded under this Plan.

- Provide a facility for an Indigenous meeting venue – Aboriginal Cultural Centre will be provided with a new car park, part funded by this Plan.

All the above mentioned points include projects to be part funded by this Plan.

4.2.3 Spatial Nexus

This Plan adopts the methodology that all facilities part funded by this Plan are higher order facilities that will be utilised by the greater Wingecarribee Shire population base, as shown in Figure 1. Therefore, the provision of such facilities benefits the whole of the current and future residents of the Shire. Based on this methodology the Plan derives a singular contributions charge payable by all new development within the Shire. The contribution charge has been apportioned appropriately between the existing (2011 Census) population and the projected future population of the year 2036, sourced from the *Wingecarribee Demographic and Housing Study – May 2012*.

4.2.4 Temporal Nexus

The temporal nexus indicates the timing, pooling and provision strategy chosen for the establishment of the works programs.

The works program is reviewed annually to ensure the contributions income from development matches the cost of the proposed scheduled works. Should population growth slow down or increase beyond projections, then projects within the works program can be brought forward or pushed back accordingly. The timing of projects in the Works Schedule are therefore indicative. Programs will be revised in light of policy reviews, development trends and availability of funds. The Pooling Priority column in Table 11 represents the order in which Council will prioritise items in the works program. Council may amend the priority list from time to time to meet the demands of development, as growth areas may change from time to time based on market forces.

The pooling of funds ensures works are carried out and monies spent in a priority order. This reduces Council's need to borrow funds from external sources as Council is able to use all funds collected under this Plan for all works in the Plan. This will also enable Council to provide facilities within a reasonable time.

This Plan will be reviewed in its entirety on a 5-yearly basis to ensure its relevance with Council's strategic direction, or earlier if circumstances require.

4.3 Identifying the relationship (Apportionment)

The cost of providing each works program item has been apportioned individually between current and future demand derived from the breakdown of projected population and household increases between 2011 and 2036, as shown in Table 10.

The following formula illustrates how the apportionment is calculated for each infrastructure item using the population data contained in Table 10:

$$P\% = \frac{I_P}{P_P} \times \frac{100}{1}$$

Where,

$P\%$ = Proportion of New Persons from 2011 to 2036

P_P = Predicted Population by 2036

I_P = Increase in Population from 2011 to 2036 (number of new persons)

For example:

- Number of new persons from 2011 to 2036 is 10,741 persons.
- Predicted Population (2036) is 55,136 persons.

Thus using the apportionment formula:

$$\frac{10,741}{55,136} \times \frac{100}{1} = 19.48\%$$

Hence the apportionment of costs attributable to developers is 19.48%; whilst Council is responsible for 80.52% of the costs.

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5 Part D – Supporting Documents and References

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Wingecarribee Shire Community Strategic Plan 2031+

6 Part E – Definitions and Abbreviations

6.1 Abbreviations

EPA Act means the Environmental Planning and Assessment Act 1979 (NSW)

EPA Reg means the Environmental Planning and Assessment regulation 2000 (NSW)

LAMP means Local Area Access Plan

LGA means Local Government Area

Plan means this Section 94 Development Contributions Plan

WLEP means Wingecarribee Local Environmental Plan 2010

WSC means Wingecarribee Shire Council

6.2 Definitions

accredited certifier has the same meaning as in the EPA Act.

affordable housing has the same meaning as in the EPA Act.

attached dwelling has the same meaning as in the WLEP.

attic has the same meaning as in the WLEP.

backpackers' accommodation has the same meaning as in the WLEP.

bed and breakfast accommodation has the same meaning as in the WLEP.

bedroom means any enclosed habitable room within a dwelling that is capable of being used for sleeping purposes, including any study or similar utility room.

Note: Council may use discretion to determine whether a particular room is to be regarded as bedroom for the purposes of this definition by having regard to the nature of the design and/or layout of the room and its situation in the building.

boarding house has the same meaning as in the WLEP.

brothel has the same meaning as the EPA Act.

building has the same meaning as the EPA Act.

capital cost means all of the costs of a one-off nature designed to meet the cost of providing, extending or augmenting infrastructure.

caravan park has the same meaning as in the WLEP.

catchment means a geographic or other defined area to which a contributions plan applies.

certifying authority has the same meaning as the EPA Act.

community facility has the same meaning as in the WLEP.

community infrastructure means infrastructure of a communal, human or social nature, which caters for the various life-cycle needs of the public including but not limited to childcare facilities, community halls, youth centres, aged persons facilities.

community land has the same meaning as in the Local Government Act 1993.

complying development has the same meaning as the EPA Act.

consent authority has the same meaning as the EPA Act.

construction certificate has the same meaning as the EPA Act.

contributions plan means a public document prepared by council pursuant to s94EA of the EPA Act.

Council means Wingecarribee Shire Council.

development has the same meaning as the EPA Act.

development consent has the same meaning as the EPA Act.

developer contribution means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit.

dwelling has the same meaning as in the WLEP.

dwelling house has the same meaning as in the WLEP.

dual occupancy has the same meaning as in the WLEP.

ET means ‘Equivalent Tenement’, which is the term used to describe the average size of a household’s population. Mathematically this equates to 2.71 persons per dwelling (2006 Census) for the Wingecarribee Shire Council LGA.

exhibition home has the same meaning as in the WLEP.

exhibition village has the same meaning as in the WLEP.

facilities has the same meaning as in Section 31A of the EPA Reg.

farm stay accommodation has the same meaning as in the WLEP.

granny flat means a second dwelling on one allotment of land that contains only 1-bedroom, with no separate studies or similar rooms, and has a floor area of 60m² or less.

group home means a dwelling that is a permanent group home or a transitional group home.

group home (permanent) or permanent group home means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
 - (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,
- but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

group home (transitional) or transitional group home means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
 - (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,
- but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

growth centre has the same meaning as it has in the Growth Centres (Development Corporations) Act 1974.

home-based child care has the same meaning as in the WLEP.

home business has the same meaning as in the WLEP.

home industry has the same meaning as in the WLEP.

home occupation has the same meaning as in the WLEP.

home occupation (sex services) has the same meaning as in the WLEP.

hostel means has the same meaning as in the WLEP.

hotel or motel has the same meaning as in the WLEP.

material public benefit does not include the payment of a monetary contributions or the dedication of land free of cost.

moveable dwelling has the same meaning as in the Local Government Act 1993.

multi dwelling housing has the same meaning as in the WLEP.

nexus means the relationship between expected types of development in the area and the demand for additional public facilities to meet that demand.

place of shared accommodation has the same meaning as the EPA Act.

planning agreement means a voluntary planning agreement referred to in s93F of the EPA Reg.

planning authority means:

- (a) a council, or
- (b) the Minister, or
- (c) the corporation, or
- (d) a development corporation (within the meaning of the growth Centres (Development Corporations) Act 1974, or
- (e) a public authority declared by the EP&A Regulations to be a planning authority for the purposes of this Division.

planning benefit means a development contribution that confers a net public benefit, that is, a benefit that exceeds the benefit derived from measures that would address the impacts of particular development on surrounding land of the wider community.

planning obligation means an obligation imposed by a planning agreement on a developer requiring the developer to make a development contribution.

principal certifying authority has the same meaning as the EPA Act.

public includes a section of the public.

public authority has the same meaning as the EPA Act.

public benefit is the benefit enjoyed by the public as a consequence of a development contribution.

public facilities means public infrastructure, facilities, amenities and services.

public land has the same meaning as in Local Government Act 1993.

public place has the same meaning as in the Local Government Act 1993

public reserve has the same meaning as in the Local Government Act 1993

public road has the same meaning as in the Roads Act 1993

public purpose is defined in Section 93F(2) of the Environmental Planning and Assessment Act to include the provision of, or the recoupment of the cost of providing public amenities and public services (as defined in Section 93C), affordable housing, transport or other infrastructure. It also includes the funding or recurrent expenditure

relating to such things, the monitoring of the planning impacts of development and the conservation or enhancement of the natural environment.

public reserve has the same meaning as in the Local Government Act 1993.

public utility infrastructure, in relation to urban release area, includes infrastructure for any of the following:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewerage.

recurrent costs means any cost, which is of a repeated nature that is required for the operation or maintenance of a public facility.

regional infrastructure means a facility which satisfies the demands of a catchment greater than one local government area.

residential accommodation has the same meaning as in the WLEP.

residential care facility means accommodation for seniors (people aged 55 years or more) or people with a disability that includes:

- (a) meals and cleaning services, and
 - (b) personal care or nursing care, or both, and
 - (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,
- not being a dwelling, hospital or psychiatric facility.

residential flat building has the same meaning as in the WLEP.

rural worker's dwelling has the same meaning as in the WLEP.

secondary dwelling has the same meaning as in the WLEP.

semi detached dwelling has the same meaning as in the WLEP.

seniors housing means 'seniors housing' as referred to in the Minister's 94E direction as follows:

'residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:

- (a) a residential care facility, or*
 - (b) a hostel, or*
 - (c) a group of self-contained dwellings, or*
 - (d) a combination of these,*
- but does not include a hospital.*

Note *The concept of seniors housing is intended to be a shorthand phrase encompassing both housing for seniors and for people with a disability. This Policy deals with both kinds of housing.*

Accommodation provided by seniors housing does not have to be limited to seniors or people with a disability. Clause 20 provides that seniors housing may be used for the accommodation of the following:

- (a) seniors or people who have a disability,*
- (b) people who live within the same household with seniors or people who have a disability,*
- (c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.'*

serviced apartment has the same meaning as in the WLEP.

sex services has the same meaning as in the WLEP..

sex services has the same meaning as in the WLEP.

shop top housing has the same meaning as in the WLEP.

social housing provider means a 'social housing provider' as referred to in the Minister's 94E direction as follows:

- (a) the New South Wales Land and Housing Corporation,*
- (b) the Department of Housing,*
- (c) a community housing organisation registered with the Office of Community Housing of the Department of Housing,*
- (d) the Aboriginal Housing Office,*
- (e) a registered Aboriginal housing organisation within the meaning of the Aboriginal Housing Act 1998,*
- (f) the Department of Ageing, Disability and Home Care,*
- (g) a local government authority that provides affordable housing,*
- (h) a not-for-profit organisation that is a direct provider of rental housing to tenants.*

subdivision certificate has the same meaning as in the EPA Act.

subdivision of land has the same meaning as in the EPA Act.

subdivision work has the same meaning as in the EPA Act.

thresholds means the level at which the capacity of an infrastructure item is reached or the event which triggers the requirement for the provision of a facility.

tourist and visitor accommodation has the same meaning as in the WLEP.

urban release area means an area of land shown hatched and lettered "Urban Release Area" on the Urban Release Area Map pertaining to the WSC LEP 2009.

utility service means basic engineering services such as power, water, sewerage and telecommunications.

works-in-kind means the construction or provision of the whole or part of a public facility that is identified in a works schedule in a contributions plan.

7 Works Schedule

Table 11 - Works Schedule

Approx Year	Pooling Priority (Order of Schedule of Works)	Future Work or Recoupment or Acquisition	Item Description	Park/Facility	Type Of Work	Plan No.	Apportion to Developer %	Cost of Item	Council Contribution	Developer Contribution Amount	Interest for life of loans	Grants, Donations, VPAs, Repealed S94 Monies	Population increase 2011 to 2036	Persons Per Dwelling 2011 Census	Developer Contribution Per ET for Residential
2008	N/A	Recoupment	Queen Street Centre, Moss Vale - Wingecarribee Community Services Centre Inc. (New Building)	Queen Street	Community Facility	Figure	19.48%	\$1,491,218	\$219,414	\$53,086		\$1,218,718	10,741	2.56	\$12.66
2011	N/A	Recoupment	Shared pathway Mittagong to Welby on Old Hume Hwy - Bessemer Street to Pioneer Street	Old Hume Highway	Cycleways	Figure	19.48%	\$228,490	\$183,978	\$44,512			10,741	2.56	\$10.61
2013	N/A	Recoupment	Youth Hub - Extension of Hall, new kitchen, new office and consultation offices.	Loseby Park	Community Facility	Figure	19.48%	\$400,000	\$214,986	\$52,014		\$133,000	10,741	2.56	\$12.40
2013	N/A	Recoupment	Eridge Park Rugby union Club House - Building Upgrade	Eridge Park	Open Space & Recreation	Figure	19.48%	\$150,000	\$120,779	\$29,221			10,741	2.56	\$6.97
2013	N/A	Recoupment	Concourse Upgrade	Bundanoon Pool	Pool	Figure	19.48%	\$28,000	\$22,545	\$5,455			10,741	2.56	\$1.30
2013	N/A	Recoupment	Club House upgrade	Bowral Pool	Pool	Figure	19.48%	\$35,000	\$28,182	\$6,818			10,741	2.56	\$1.63
2013	N/A	Recoupment	Pool shell upgrades	Mittagong Pool	Pool	Figure	19.48%	\$110,000	\$88,571	\$21,429			10,741	2.56	\$5.11
2013	N/A	Recoupment	Moss Vale Indoor Aquatic Centre	Moss Vale Pool	Pool	Figure	19.48%	\$8,448,000	\$5,848,782	\$2,599,128	-\$4,894,380		10,741	2.56	\$619.67
2013	N/A	Recoupment	Leighton Gardens Stage 1 - Embellishment, Furniture, Landscaping, Pathways	Leighton Gardens	Open Space & Recreation	Figure	19.48%	\$148,000	\$119,168	\$28,832			10,741	2.56	\$6.87
2013	N/A	Recoupment	Leighton Gardens Stage 2 - Embellishment, Furniture, Landscaping, Pathways	Leighton Gardens	Open Space & Recreation	Figure	19.48%	\$150,000	\$120,779	\$29,221			10,741	2.56	\$6.97
2013	1	Future Work	Alexandra Square - Demolish ion of Building and Park re-establishment	Alexandra Sqaure	Open Space & Recreation	Figure	19.48%	\$590,000	\$475,063	\$114,937			10,741	2.56	\$27.40
2014	2	Future Work	Corbett Gardens Stage 1 Master Plan & Design	Corbett Gardens	Community Facility	Figure	19.48%	\$75,000	\$60,389	\$14,611			10,741	2.56	\$3.48
2014	3	Future Work	East Bowral Community Centre Car Park - Upgrade	East Bowral Community Centre	Community Facility	Figure	19.48%	\$100,000	\$80,519	\$19,481			10,741	2.56	\$4.64
2014	4	Future Work	Exeter Hall - Alteration and additions - car park, new kitchen, grandstand, change rooms, storage	Exeter Hall	Community Facility	Figure	19.48%	\$1,300,000	\$1046,748	\$253,252			10,741	2.56	\$60.38
2014	5	Future Work	Shared Pathway Link - Phillip Street, Burradoo (0.445km)	Phillip Street	Cycleways	Figure	19.48%	\$85,000	\$68,441	\$16,559			10,741	2.56	\$3.95
2014	6	Future Work	Pools Project Management Plan - Preliminary Design, scoping and tenders for Mittagong Pool Upgrade and Pool Capital Renewal	Mittagong Pool	Pool	Figure	19.48%	\$45,000	\$36,234	\$8,766			10,741	2.56	\$2.09
2014	7	Acquisition	Fitzroy Street, Hilltop. Lots 70 & 71 Sec 66 DP1717 (469sqm)	Fitzroy Street, Hilltop	Acquisition of land	Figure	19.48%	\$8,500	\$6,844	\$1,656			10,741	2.56	\$0.39

Approx Year	Pooling Priority (Order of Schedule of Works)	Future Work or Recoupment or Acquisition	Item Description	Park/Facility	Type Of Work	Plan No.	Apportion to Developer %	Cost of Item	Council Contribution	Developer Contribution Amount	Interest for life of loans	Grants, Donations, VPAs, Repealed S94 Monies	Population increase 2011 to 2036	Persons Per Dwelling 2011 Census	Developer Contribution Per ET for Residential
2015	8	Acquisition	10 Berrima Road, Moss Vale. Lot 11 DP1178993 (4187sqm)	10 Berrima Road, Moss Vale	Acquisition of land	Figure	19.48%	\$315,000	\$253,635	\$61,365			10,741	2.56	\$14.63
2015	9	Future Work	Penrose Hall Upgrade - Stage 1: Design documentation for extension to hall, awning, playground, carpark for project in 2017/18	Penrose Hall	Community Facility	Figure	19.48%	\$50,000	\$40,260	\$9,740			10,741	2.56	\$2.32
2015	10	Future Work	Toilet Demo/Rebuild - Leighton Gardens, Moss Vale	Leighton Gardens	Open Space & Recreation	Figure	19.48%	\$500,000	\$402,595	\$97,405			10,741	2.56	\$23.22
2015	11	Future Work	Mittagong Community Precinct Redevelopment - Stage 1 Master Plan and Design	Mittagong Library	Community Facility	Figure	19.48%	\$40,000	\$32,208	\$7,792			10,741	2.56	\$1.86
2015	12	Future Work	Corbett Gardens Stage 2 - Infrastructure upgrade. Public toilets, built infrastructure and garden refurbishment	Corbett Gardens	Community Facility	Figure	19.48%	\$1,800,000	\$1,449,343	\$350,657			10,741	2.56	\$83.60
2015	13	Future Work	Welby Wier recreation Area - Embellishment of Open Space, seating, pathways, landscaping.	Welby Wier	Open Space & Recreation	Figure	19.48%	\$30,000	\$24,156	\$5,844			10,741	2.56	\$1.39
2015	14	Future Work	East Bowral Off Leash Dog Facility	David Wood Playing Fields	Open Space & Recreation	Figure	19.48%	\$40,000	\$32,208	\$7,792			10,741	2.56	\$1.86
2015	15	Future Work	Balmoral Village Green - Passive Park	Balmoral	Open Space & Recreation	Figure	19.48%	\$100,000	\$80,519	\$19,481			10,741	2.56	\$4.64
2015	16	Future Work	Mittagong Pool Upgrades - Refurbishment of outdoor pool amenities, kiosks, and entrance areas; landscaping of grounds and tiered seating.	Mittagong Pool	Pool	Figure	19.48%	\$540,000	\$434,803	\$105,197			10,741	2.56	\$25.08
2015	17	Future Work	Mittagong Pool Upgrades - Complete refurbishment of outdoor pools, new filtration systems, upgrade of plant rooms and upgrades of water heaters and balance tanks.	Mittagong Pool	Pool	Figure	19.48%	\$2,500,000	\$1,982,960	\$517,040	-\$154,082		10,741	2.56	\$123.26
2016	18	Future Work	Loseby Park Hall internal toilets	Loseby Park	Open Space & Recreation	Figure	19.48%	\$80,000	\$64,415	\$15,585			10,741	2.56	\$3.72
2017	19	Acquisition	3 Soma Ave, Bowral. Part of Lot 21 DP11372 (8,762sqm)	3 Soma Ave, Bowral	Acquisition of land	Figure	19.48%	\$260,000	\$209,350	\$50,650			10,741	2.56	\$12.08
2017	20	Future Work	Aboriginal Cultural Centre Carpark	14 Rainbow Road, Mittagong	Cultural Facility	Figure	19.48%	\$65,000	\$26,169	\$6,331		\$32,500	10,741	2.56	\$1.51
2017	21	Future Work	Shared Pathway - Railway Parade (Mittagong) to Cliff Street (Bowral) via Mt Gibraltar Reserve and Soma Avenue (2.198km)	Soma Avenue	Cycleways	Figure	19.48%	\$600,000	\$483,114	\$116,886			10,741	2.56	\$27.87

Approx Year	Pooling Priority (Order of Schedule of Works)	Future Work or Recoupment or Acquisition	Item Description	Park/Facility	Type Of Work	Plan No.	Apportion to Developer %	Cost of Item	Council Contribution	Developer Contribution Amount	Interest for life of loans	Grants, Donations, VPAs, Repealed S94 Monies	Population increase 2011 to 2036	Persons Per Dwelling 2011 Census	Developer Contribution Per ET for Residential
2018	22	Future Work	Penrose Hall Upgrade - Stage 2: carry out works - extension, awning, playground, carpark and asbestos remediation	Penrose Hall	Community Facility	Figure	19.48%	\$450,000	\$362,336	\$87,664			10,741	2.56	\$20.90
2019	23	Acquisition	31 Harold Street, Hilltop. Lot 45 Sec 3 DP10173	31 Harold Street, Hilltop	Acquisition of land	Figure	19.48%	\$120,000	\$96,623	\$23,377			10,741	2.56	\$5.57
2019	24	Future Work	Bowral Pool Upgrade - Refurbish 50m Pool with wet deck edging and modified depth to suite water turnover rates, change surface treatment to epoxy system	Bowral Pool	Pool	Figure	19.48%	\$475,000	\$382,466	\$92,534			10,741	2.56	\$22.06
2019	25	Future Work	Demo/rebuild Centennial Park Toilets, plus car park formalisation	Centennial Park	Open Space & Recreation	Figure	19.48%	\$500,000	\$402,595	\$97,405			10,741	2.56	\$23.22
2019	26	Future Work	Aboriginal Cultural Centre extension, internal access to toilets, add windows	14 Rainbow Road, Mittagong	Community Facility	Figure	19.48%	\$500,000	\$402,595	\$97,405			10,741	2.56	\$23.22
2020	27	Future Work	Casburn Park Public Toilets Upgrade and Wingello Hall Internal Toilets Upgrade	Wingello	Community Facility	Figure	19.48%	\$600,000	\$483,114	\$116,886			10,741	2.56	\$27.87
2020	28	Future Work	Bowral Memorial Hall - Upgrade Building to Concert Hall and Associated Facilities	Bowral Memorial Hall	Cultural Facility	Figure	19.48%	\$7,000,000	\$1,610,382	\$389,618		\$5,000,000	10,741	2.56	\$92.89
2020	29	Future Work	Shared Pathway - East Bowral to Eridge Park (4.1km)	Eridge Park Road	Cycleways	Figure	19.48%	\$3,620,000	\$2,914,791	\$705,209			10,741	2.56	\$168.13
2020	30	Acquisition	15-17 Soma Ave, Bowral. Part of Lot 18 DP11372 (13,944sqm)	15-17 Soma Ave, Bowral	Acquisition of land	Figure	19.48%	\$210,000	\$169,090	\$40,910			10,741	2.56	\$9.75
2021	31	Future Work	Lake Alexandra demo/rebuild public amenities	Lake Alexandra	Open Space & Recreation	Figure	19.48%	\$500,000	\$402,595	\$97,405			10,741	2.56	\$23.22
2022	32	Future Work	Demolition of Medway Hall and toilets and return to parkland with picnic shelter	Medway Hall	Open Space & Recreation	Figure	19.48%	\$300,000	\$241,557	\$58,443			10,741	2.56	\$13.93
2022	33	Future Work	Cycleway - Illawarra Hwy - Argyle Street to Moss Vale High (1.146km)	Illawarra Hwy	Cycleways	Figure	19.48%	\$223,000	\$179,558	\$43,442			10,741	2.56	\$10.36
2022	34	Future Work	Robertson Community Centre access ramps front and rear	Robertson Community Centre	Community Facility	Figure	19.48%	\$127,000	\$102,259	\$24,741			10,741	2.56	\$5.90
2022	35	Acquisition	Acquisition of Open Space Land Mt Gibraltar - 1 Duke Street, Bowral Part of Lot 137 DP15496.	Mt Gibraltar	Acquisition of land	Figure	19.48%	\$259,000	\$208,544	\$50,456			10,741	2.56	\$12.03
2022	36	Future Work	Bill O'Reiley Oval, Wingello - demo/rebuild toilets	Bill O'Reiley Oval	Open Space & Recreation	Figure	19.48%	\$500,000	\$402,595	\$97,405			10,741	2.56	\$23.22
2023	37	Acquisition	4 Berrima Road, Moss Vale. Part of Lot 1 DP329230	4 Berrima Road, Moss Vale	Acquisition of land	Figure	19.48%	\$80,000	\$64,415	\$15,585			10,741	2.56	\$3.72
2023	38	Acquisition	'Roscrea' 7000 Illawarra Hwy, Moss Vale. Part of Lot 4 DP10658 (6,108sqm)	7000 Illawarra Hwy, Moss Vale	Acquisition of land	Figure	19.48%	\$36,650	\$29,510	\$7,140			10,741	2.56	\$1.70

Approx Year	Pooling Priority (Order of Schedule of Works)	Future Work or Recoupment or Acquisition	Item Description	Park/Facility	Type Of Work	Plan No.	Apportion to Developer %	Cost of Item	Council Contribution	Developer Contribution Amount	Interest for life of loans	Grants, Donations, VPAs, Repealed S94 Monies	Population increase 2011 to 2036	Persons Per Dwelling 2011 Census	Developer Contribution Per ET for Residential
2024	39	Future Work	Bowral Pool Upgrade - New Plant room including filtration systems and water heaters	Bowral Pool	Pool	Figure	19.48%	\$1,200,000	\$966,229	\$233,771			10,741	2.56	\$55.73
2024	40	Future Work	Bowral Pool Upgrade - Re-build 25m pool at a raised level with adequate depth to suit multi-purpose use including lap swimming and hydrotherapy activities	Bowral Pool	Pool	Figure	19.48%	\$1,750,000	\$1,409,084	\$340,916			10,741	2.56	\$81.28
2025	41	Future Work	Mittagong Community Precinct Redevelopment - Stage 2 Construction - alts and adds to library, carpark and relocation of CWA and Baby Health Clinic	Mittagong Library	Community Facility	Figure	19.48%	\$1,000,000	\$805,191	\$194,809			10,741	2.56	\$46.44
2025	42	Future Work	Regional Art Gallery	Lake Alexandra	Cultural Facility	Figure	19.48%	\$7,000,000	\$1,610,382	\$389,618		\$5,000,000	10,741	2.56	\$92.89
2025	43	Future Work	Shared Pathway - Eridge Park to Bong Bong Common Car Park (Historic Site) (1.915km)	Moss Vale Road	Cycleways	Figure	19.48%	\$500,000	\$402,595	\$97,405			10,741	2.56	\$23.22
2025	44	Future Work	Bowral Pool Upgrade - Refurbish existing toddler pool to include beach entry and splash pad	Bowral Pool	Pool	Figure	19.48%	\$250,000	\$201,298	\$48,702			10,741	2.56	\$11.61
2025	45	Future Work	Bowral Pool Upgrades - Refurbishment of amenities, kiosk and entrance areas, including lighting and landscape works.	Bowral Pool	Pool	Figure	19.48%	\$550,000	\$442,855	\$107,145			10,741	2.56	\$25.54
2029	46	Future Work	Bundanoon Pool Upgrades - renewal of amenities, kiosk and entrance areas including upgraded lighting and landscape works	Bundanoon Pool	Pool	Figure	19.48%	\$550,000	\$442,855	\$107,145			10,741	2.56	\$25.54
2030	47	Future Work	Bundanoon Pool Upgrades - Wet deck and return lines	Bundanoon Pool	Pool	Figure	19.48%	\$120,000	\$96,623	\$23,377			10,741	2.56	\$5.57
2030	48	Future Work	Bundanoon Pool Upgrades - Upgraded filtration system, pressure vessels and hydraulic lines, pumps valves, heater; relocation of plant room; and upgrade waste water system	Bundanoon Pool	Pool	Figure	19.48%	\$450,000	\$362,336	\$87,664			10,741	2.56	\$20.90
2036	49	Acquisition	19-21 Soma Ave, Bowral. Part of Lot 17 DP11372 (11,564sqm)	19-21 Soma Ave, Bowral	Acquisition of land	Figure	19.48%	\$210,000	\$169,090	\$40,910			10,741	2.56	\$9.75
2036	50	Acquisition	8 Willow Road, Bowral. Part of Lot 4 DP614505 (21,098sqm)	8 Willow Road, Bowral	Acquisition of land	Figure	19.48%	\$200,000	\$161,038	\$38,962			10,741	2.56	\$9.29
2036	51	Acquisition	40 Oxleys Hill Road, Bowral. Part of part Lot 1 DP404276 (7,384sqm)	40 Oxleys Hill Road, Bowral	Acquisition of land	Figure	19.48%	\$60,000	\$48,311	\$11,689			10,741	2.56	\$2.79

8 Maps identifying Works Program Items

Figure 3 - Moss Vale Town Centre

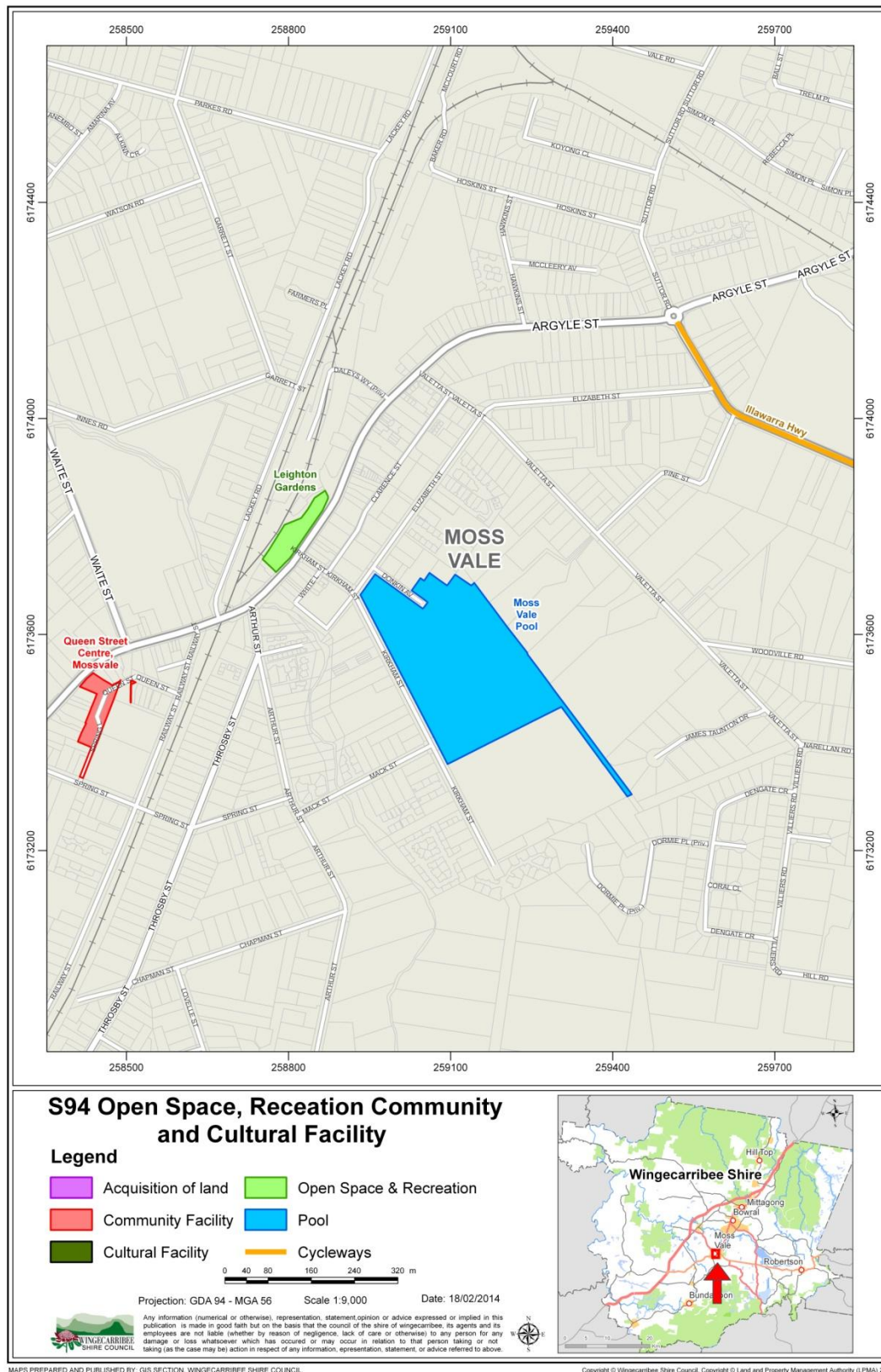


Figure 4 – Eridge Park and Moss Vale Road Shared Pathway

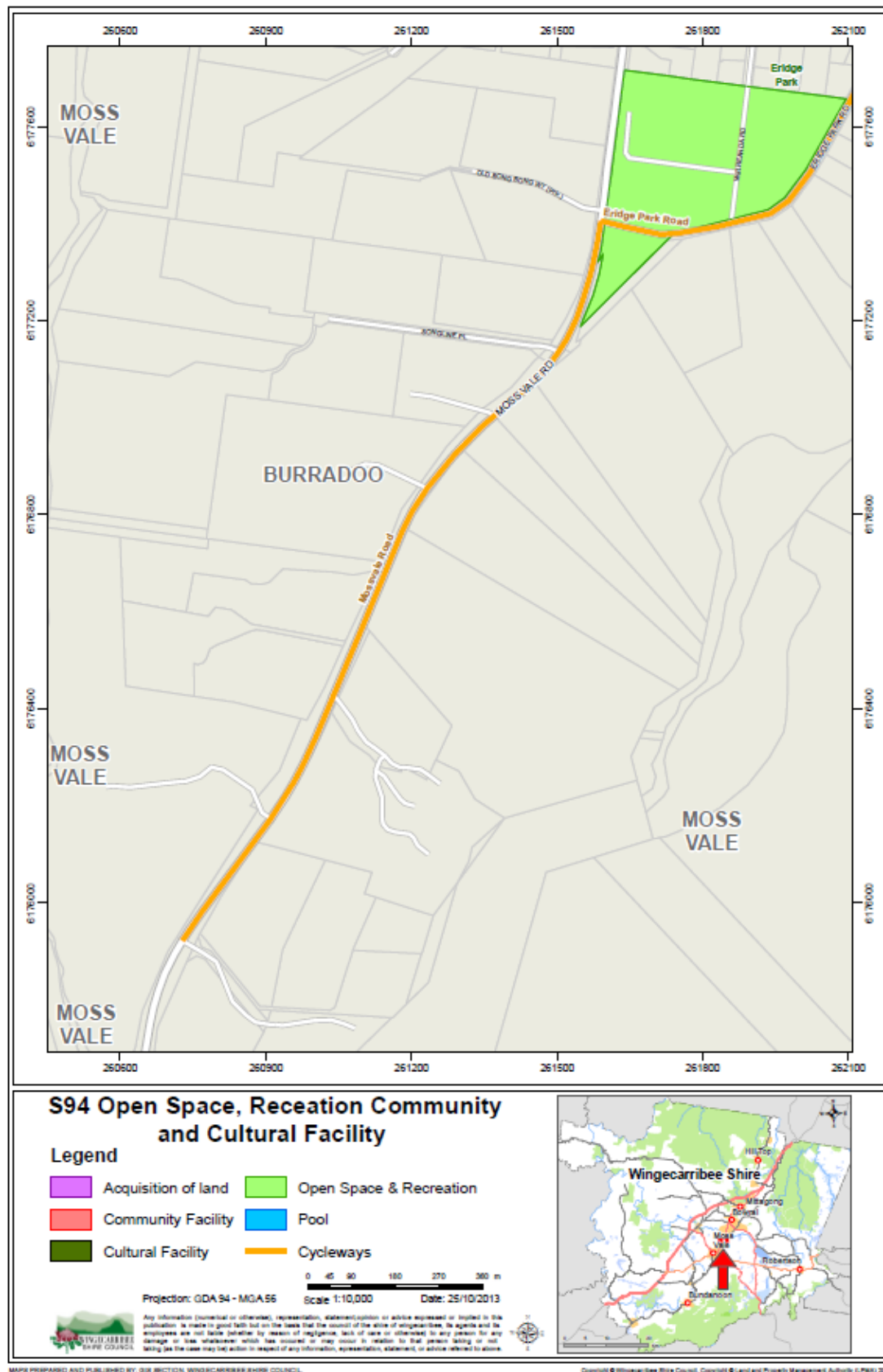


Figure 5 - Whytes Creek Land Acquisitions - Moss Vale

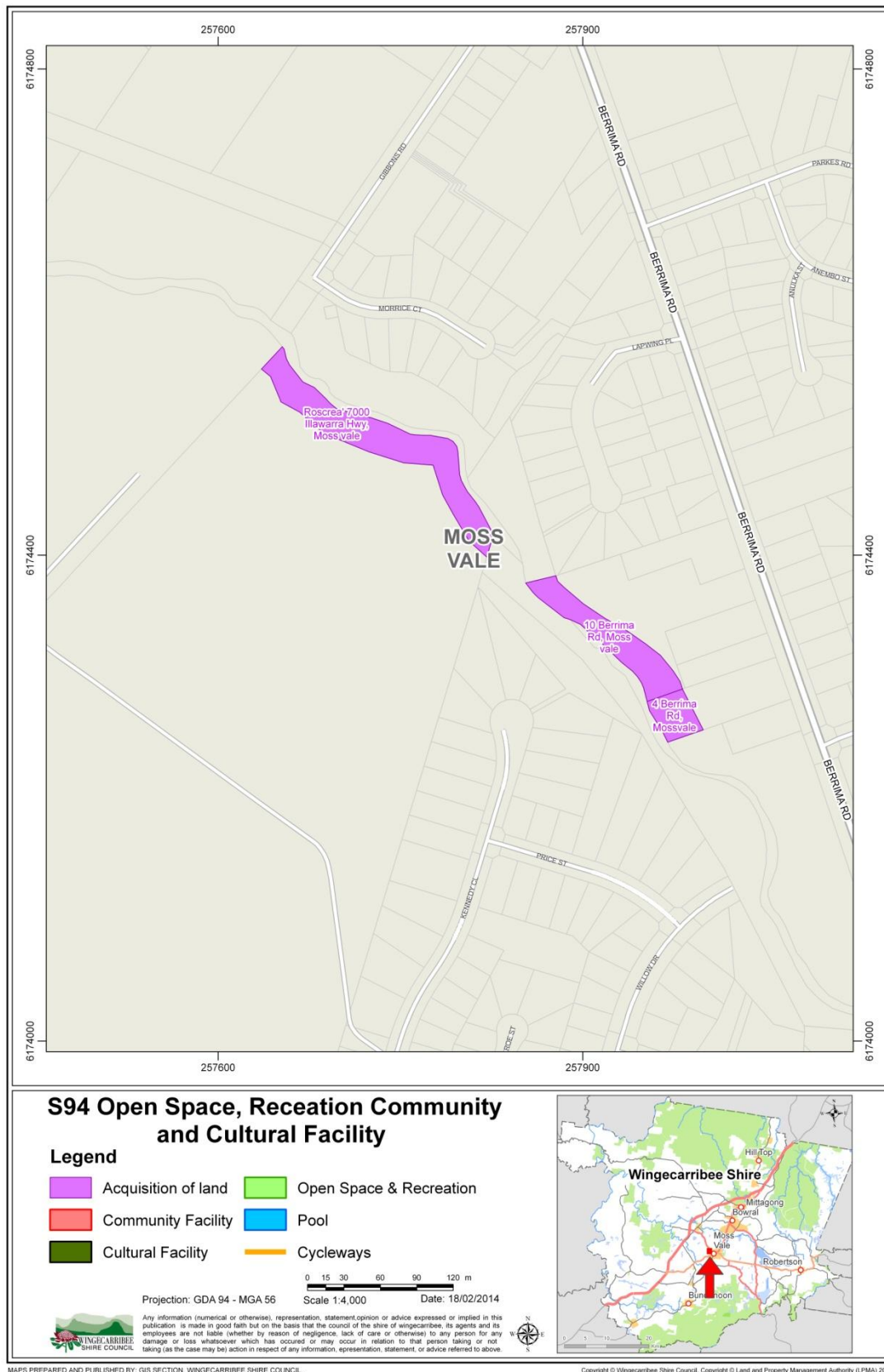


Figure 6 - Mittagong Town Centre

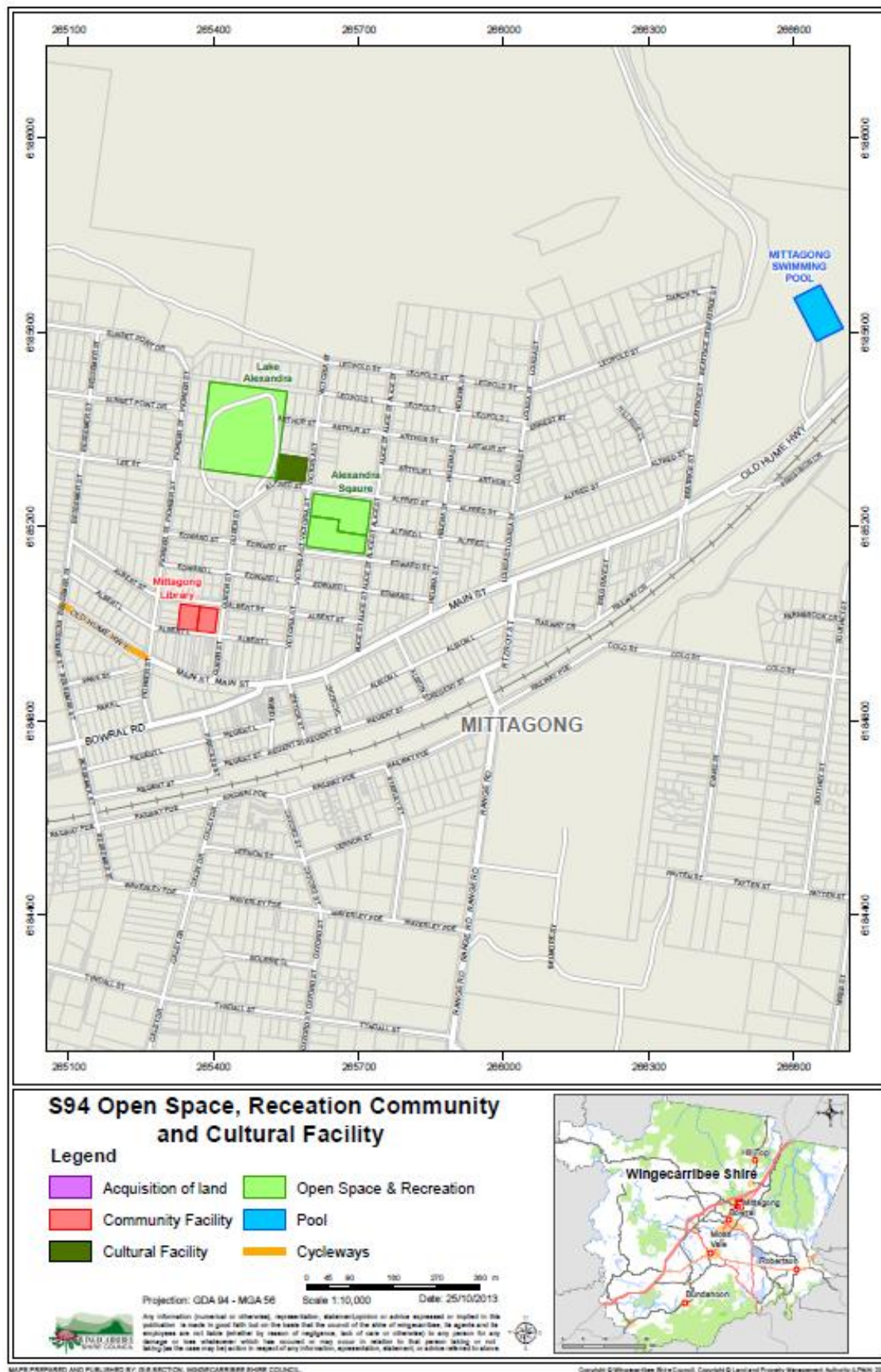


Figure 7 – Welby and Mt Gibraltar Shared Pathway

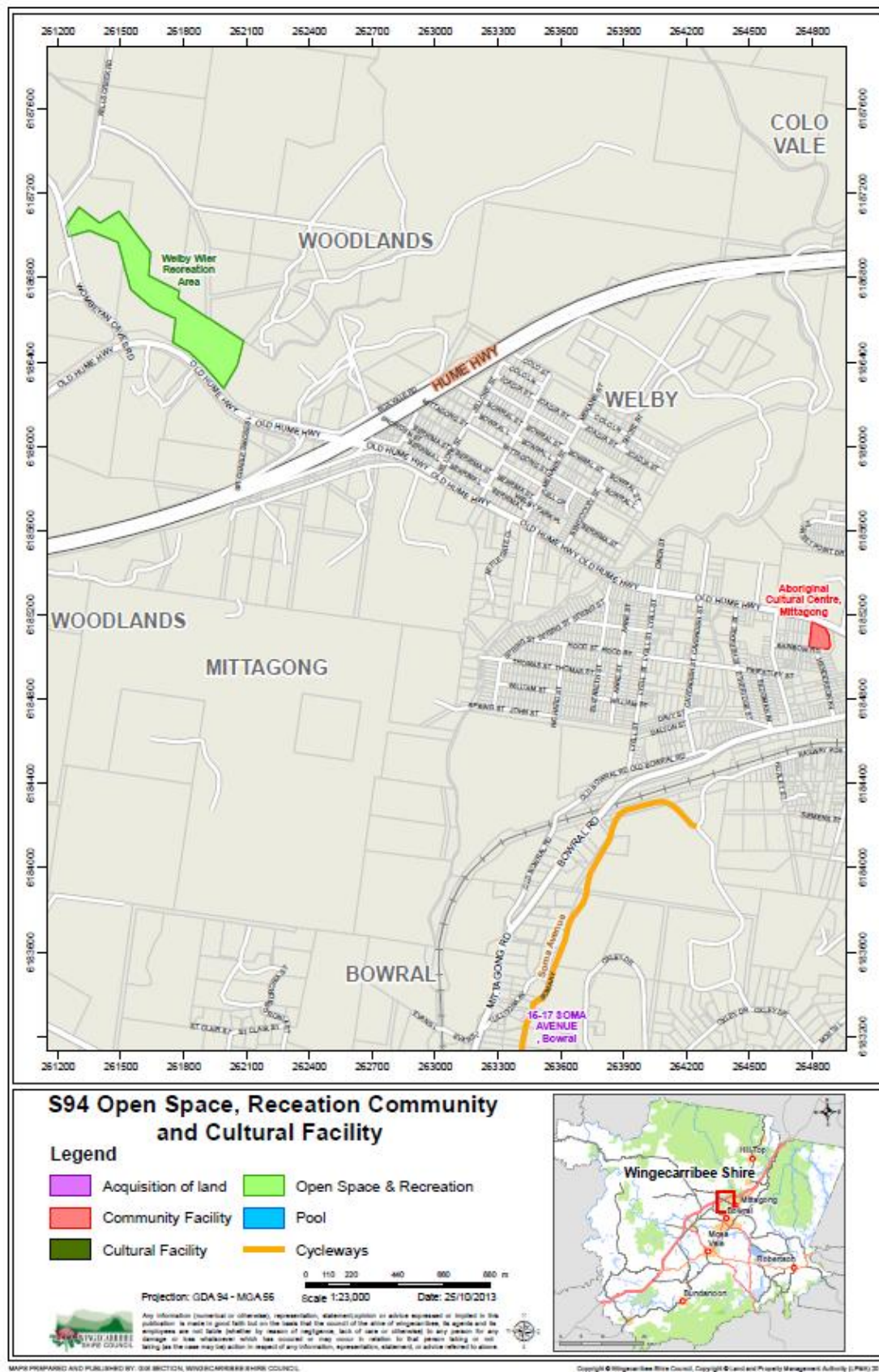


Figure 8 - Bowral Town Centre and Mt Gibraltar Shared Pathway and Land Acquisitions

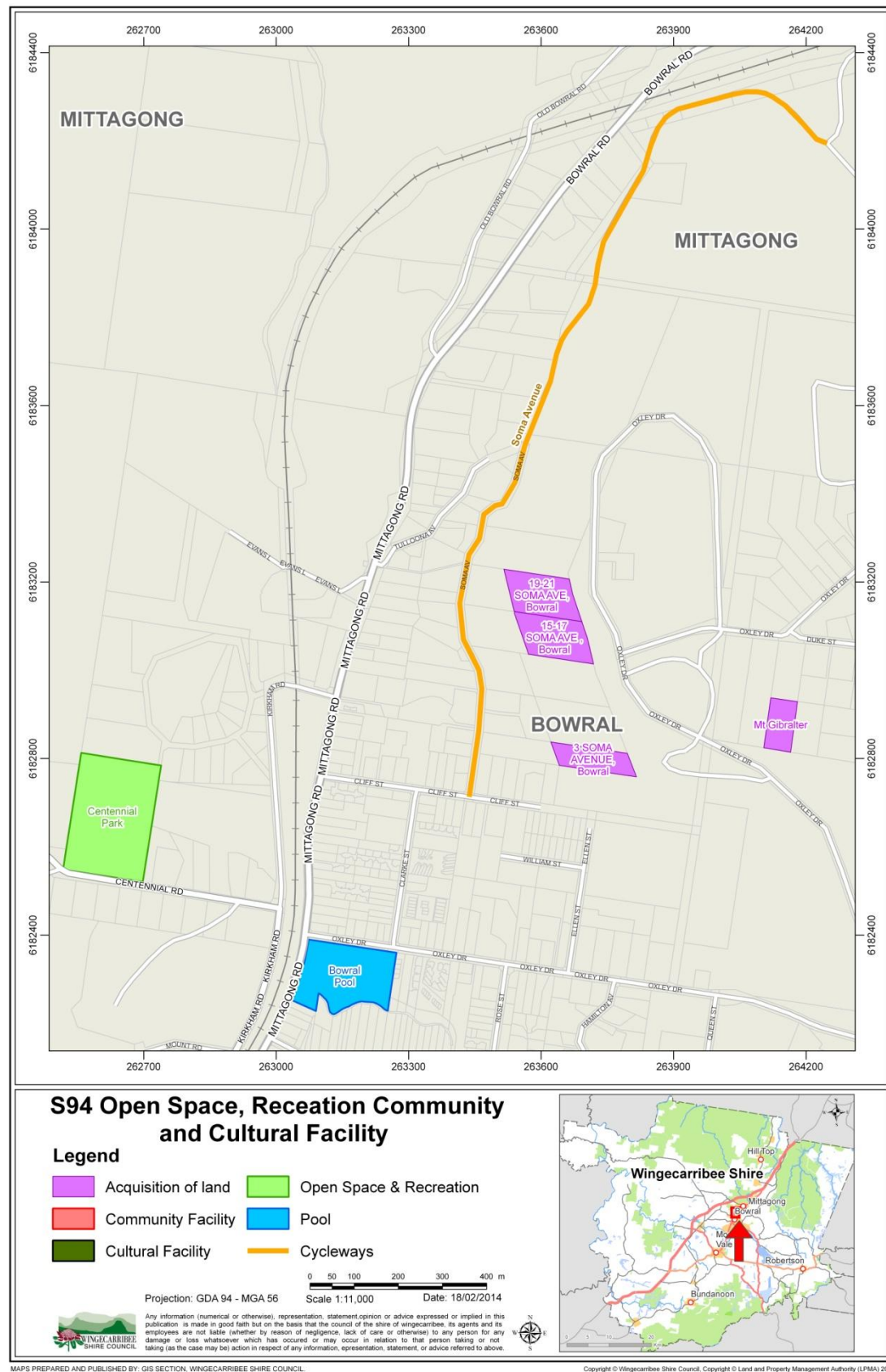


Figure 9 - Bowral Town Centre and Mittagong Creek Land Acquisitions

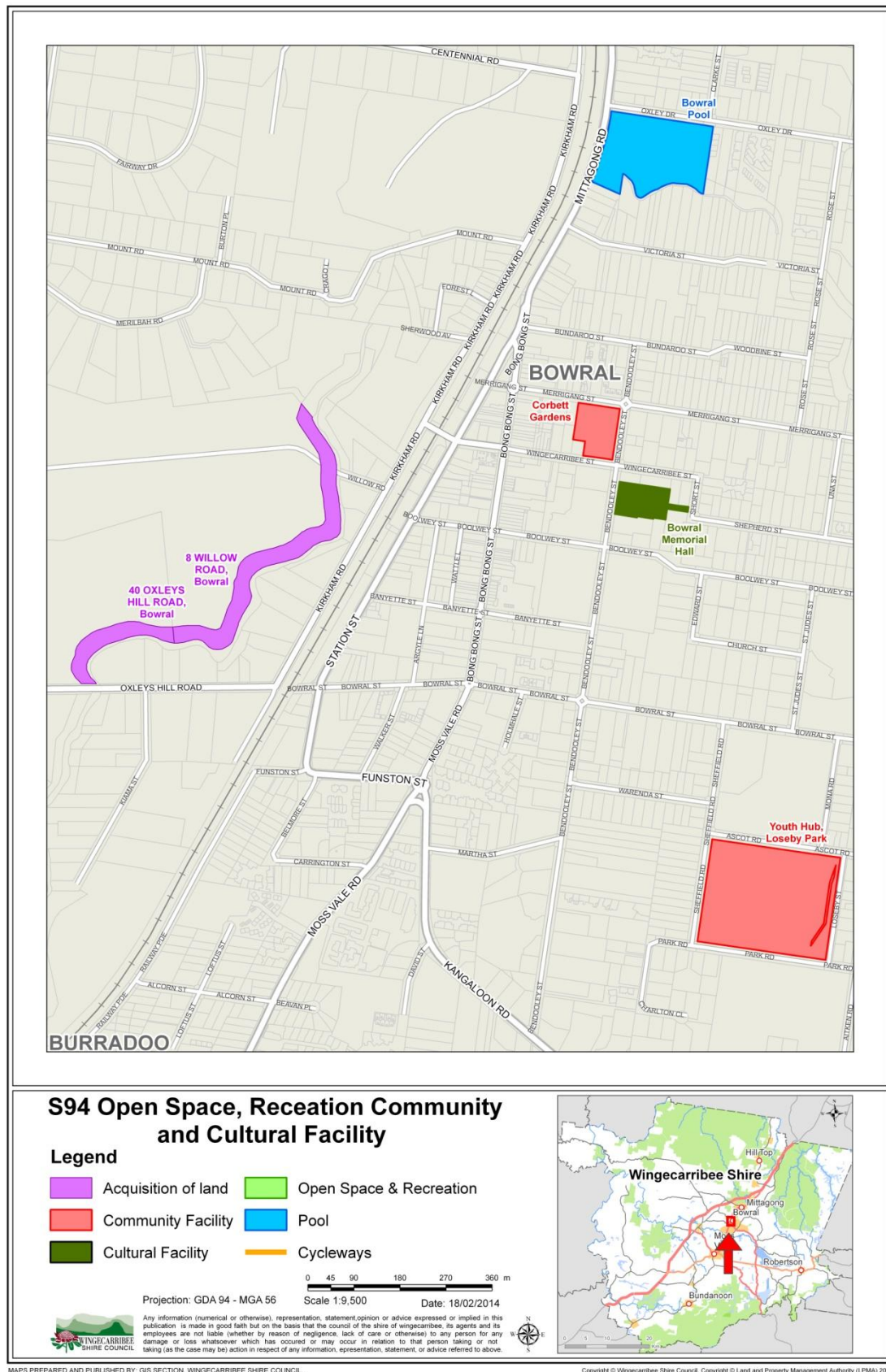


Figure 10 - Eridge Park Road Shared Pathway

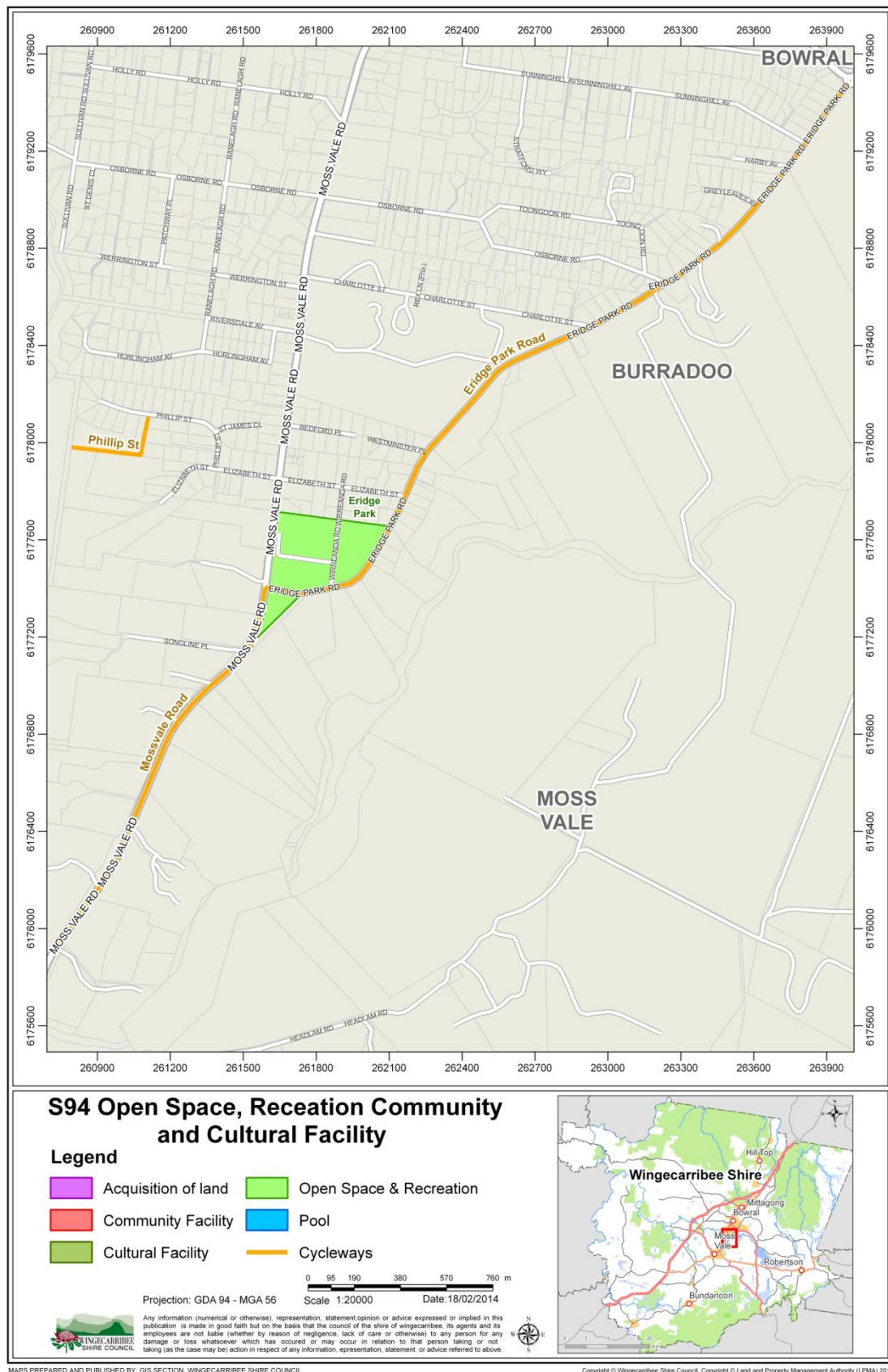


Figure 11 - David Wood Playing Fields and East Bowral Community Centre

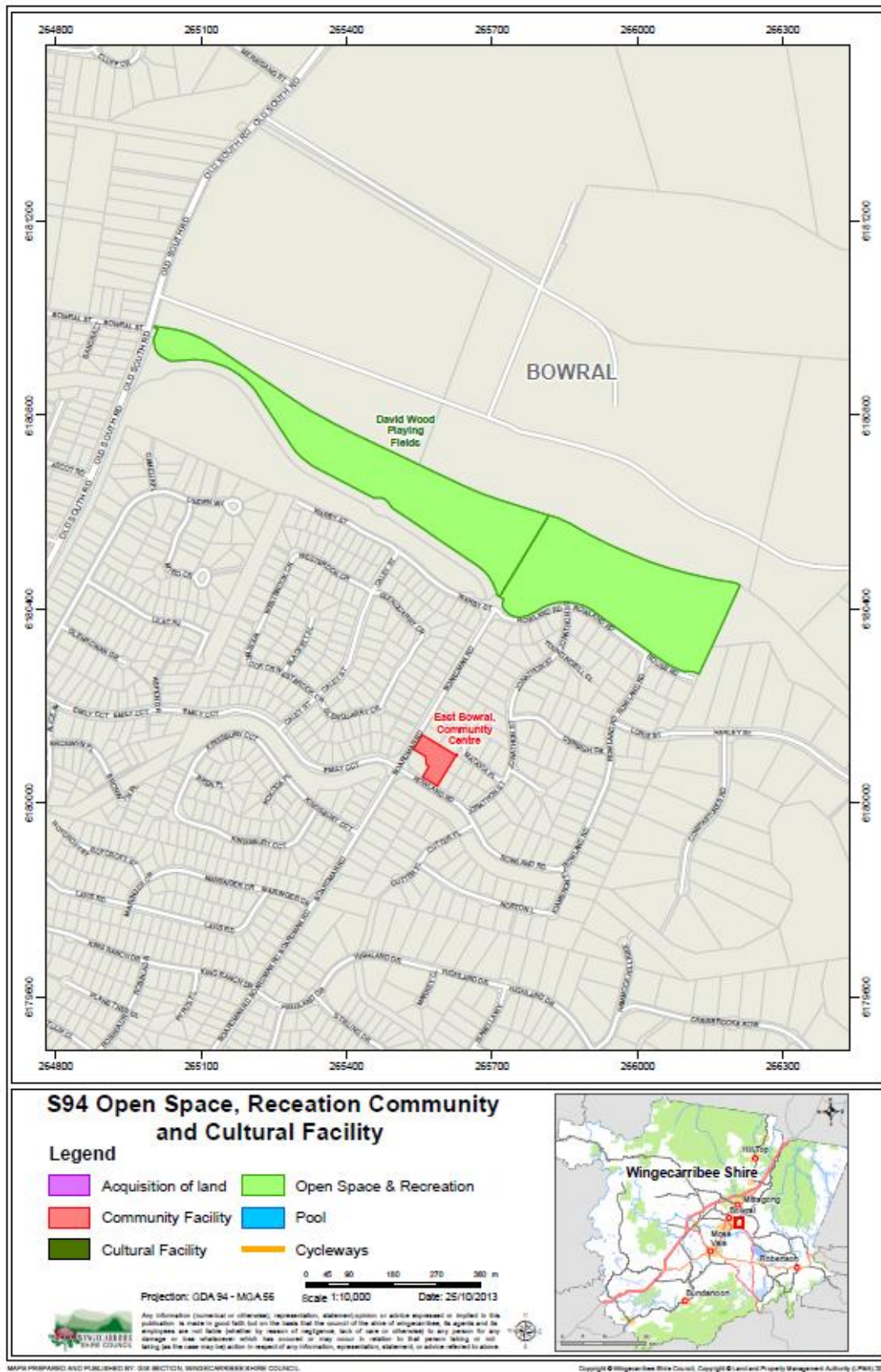


Figure 12 - Exeter

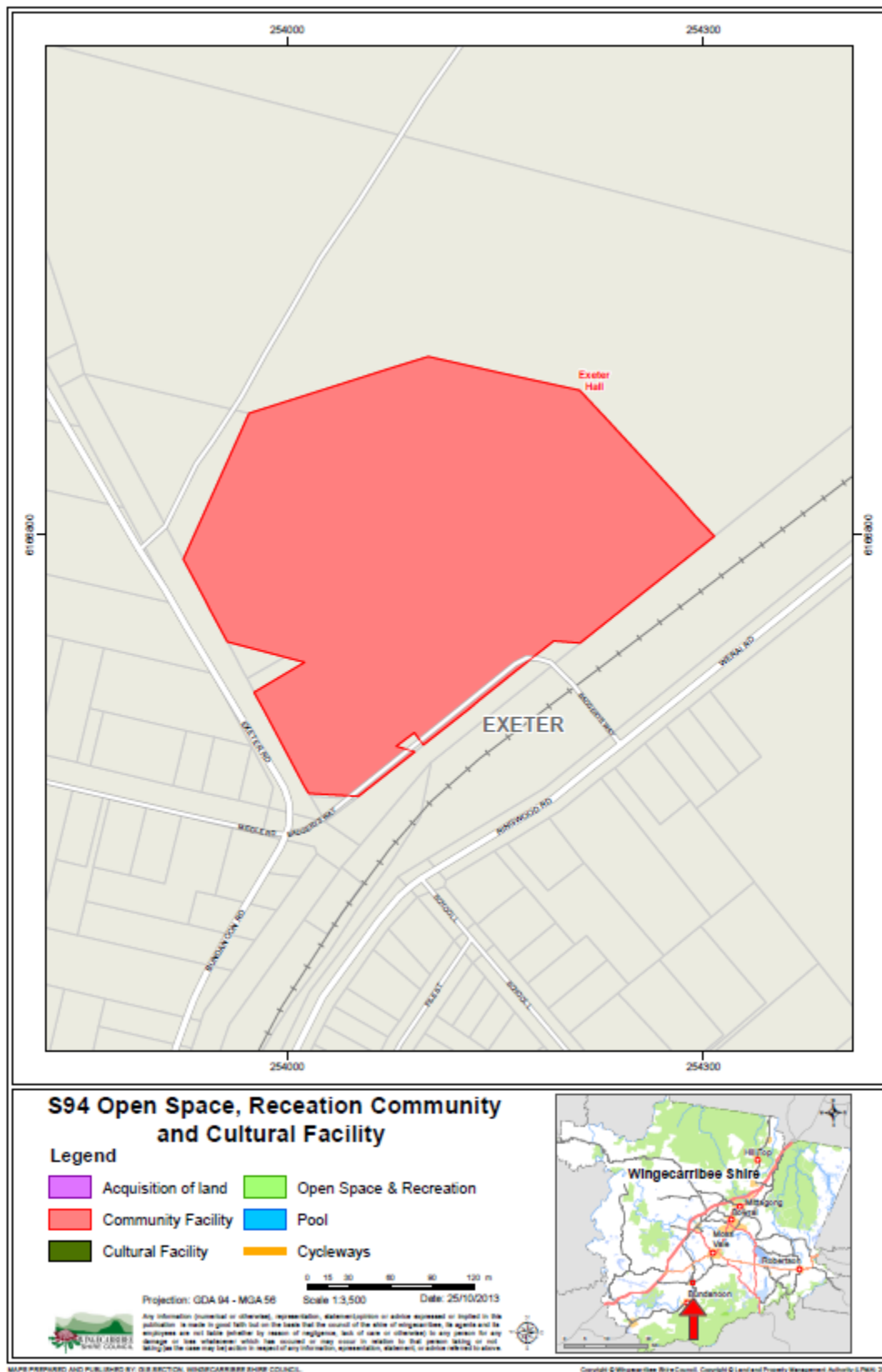


Figure 13 - Penrose

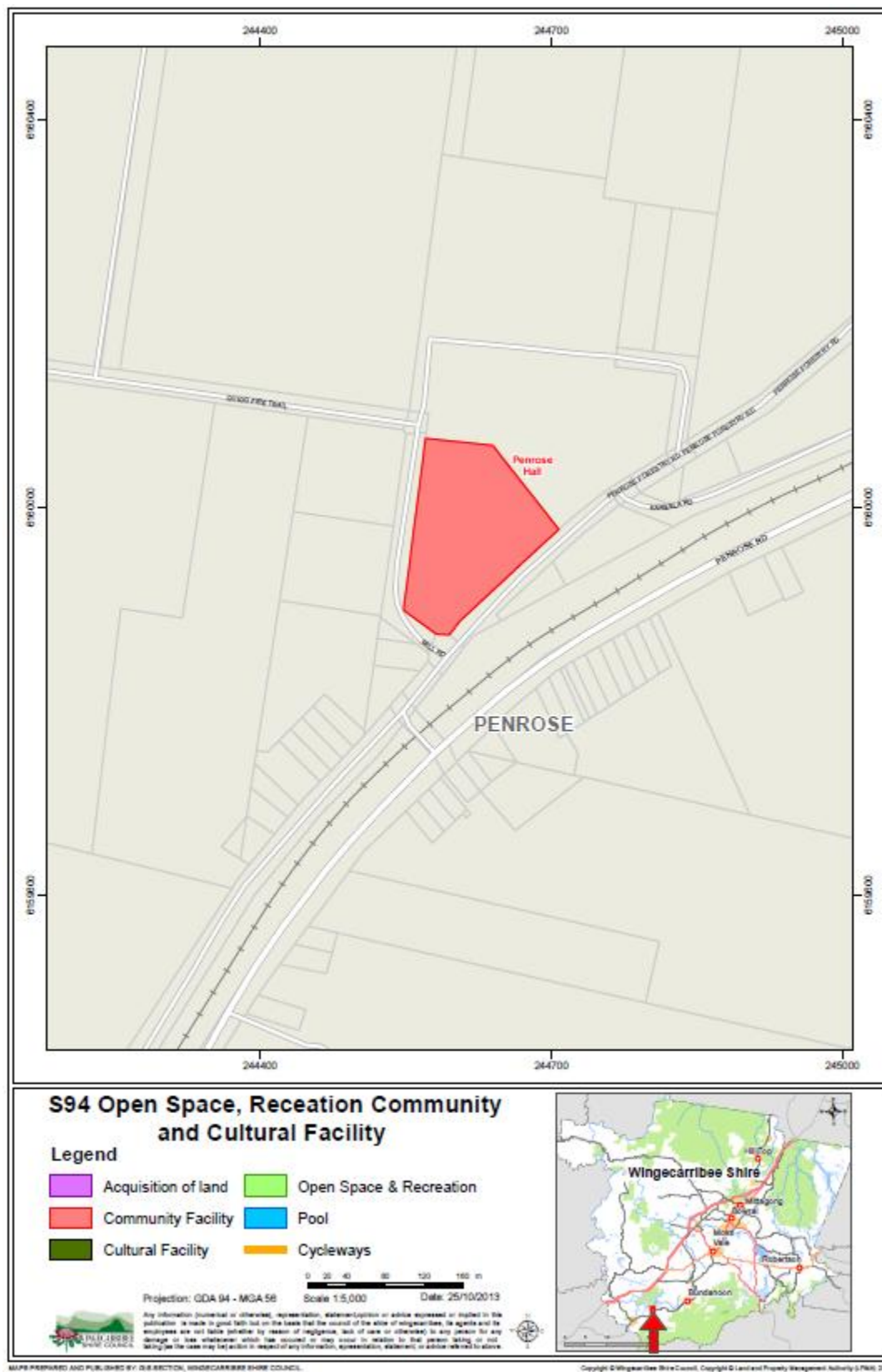


Figure 14 - Medway

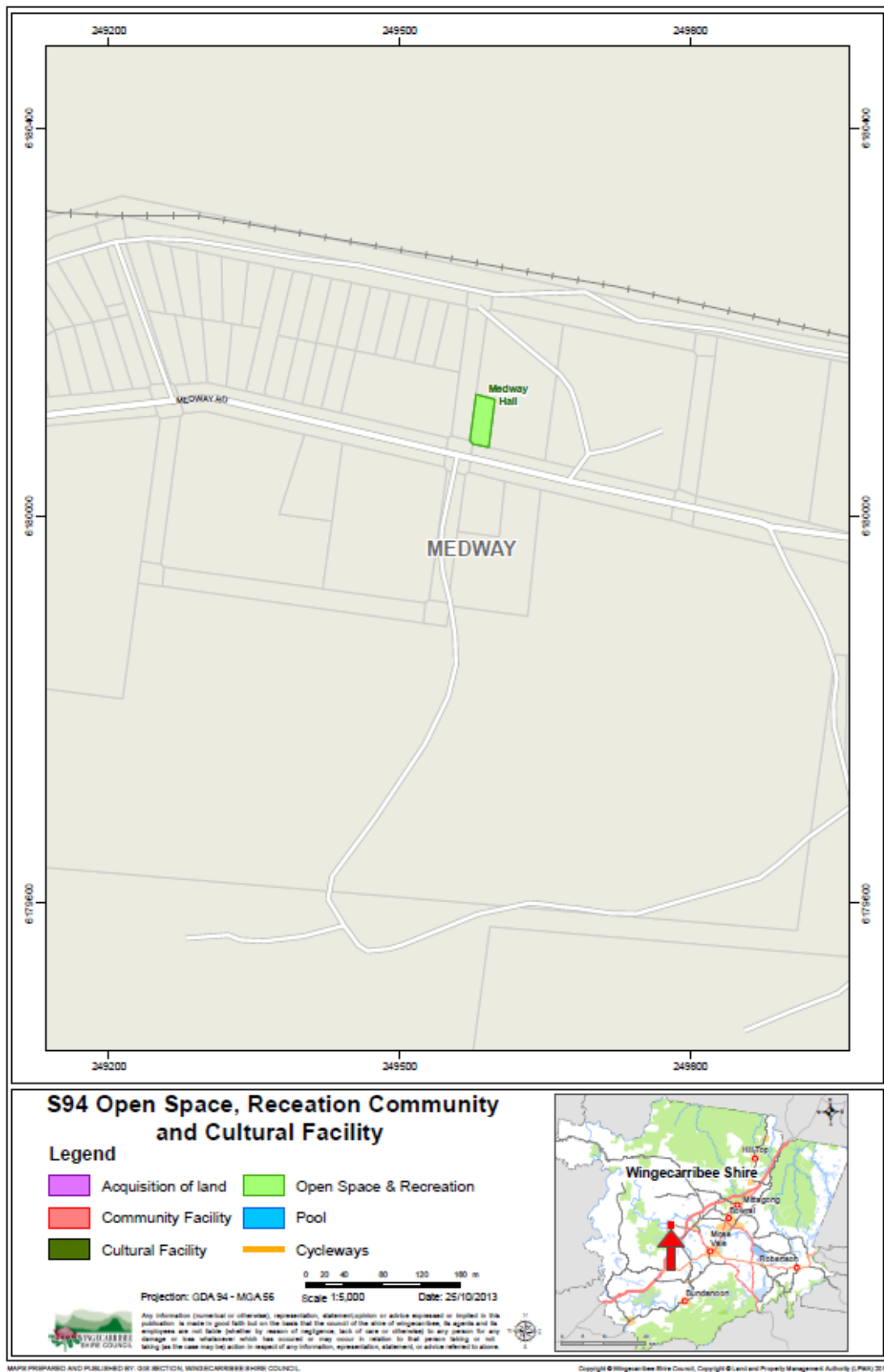


Figure 15 - Robertson

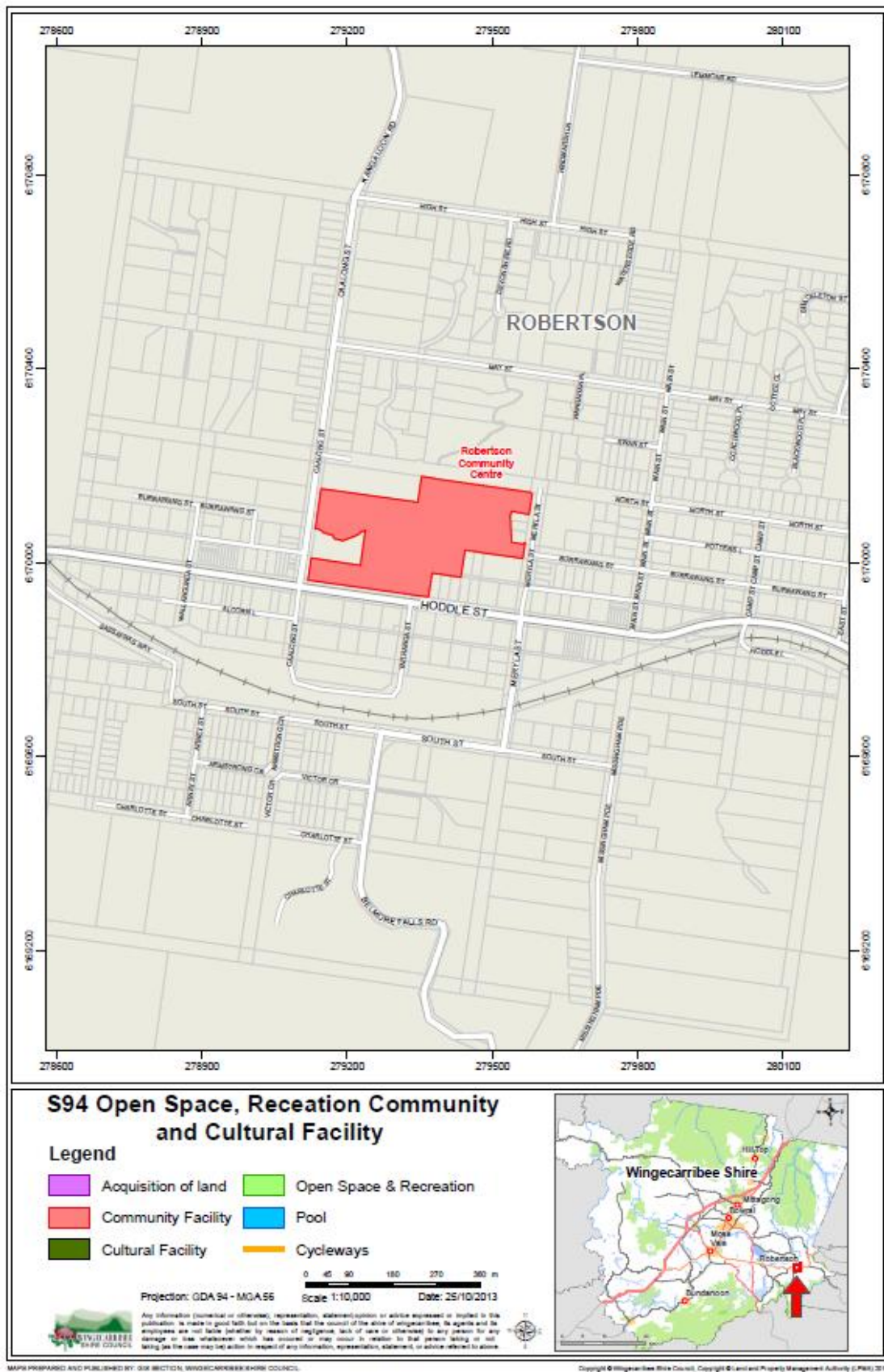


Figure 16 - Wingello

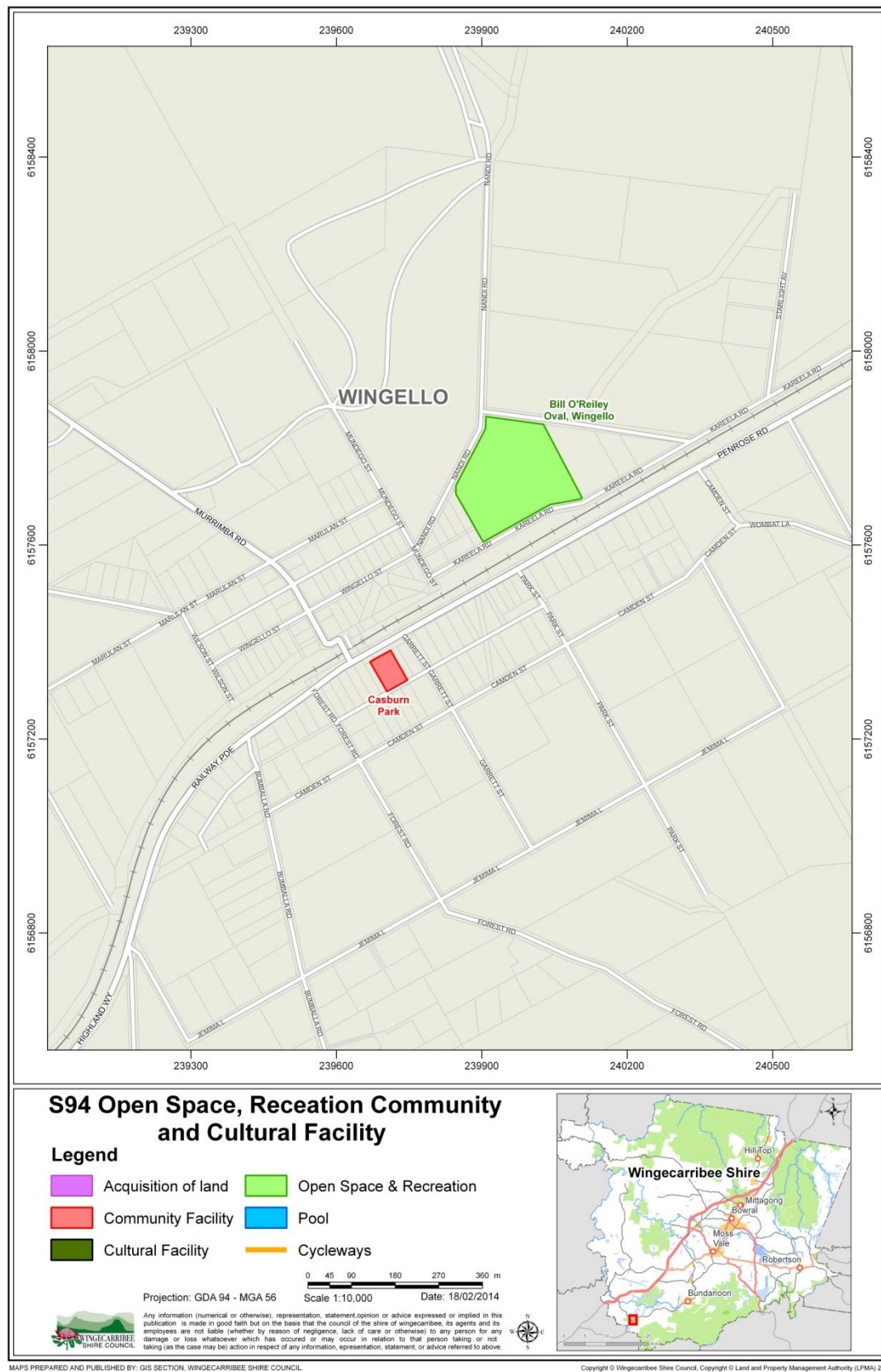


Figure 17 - Bundanoon

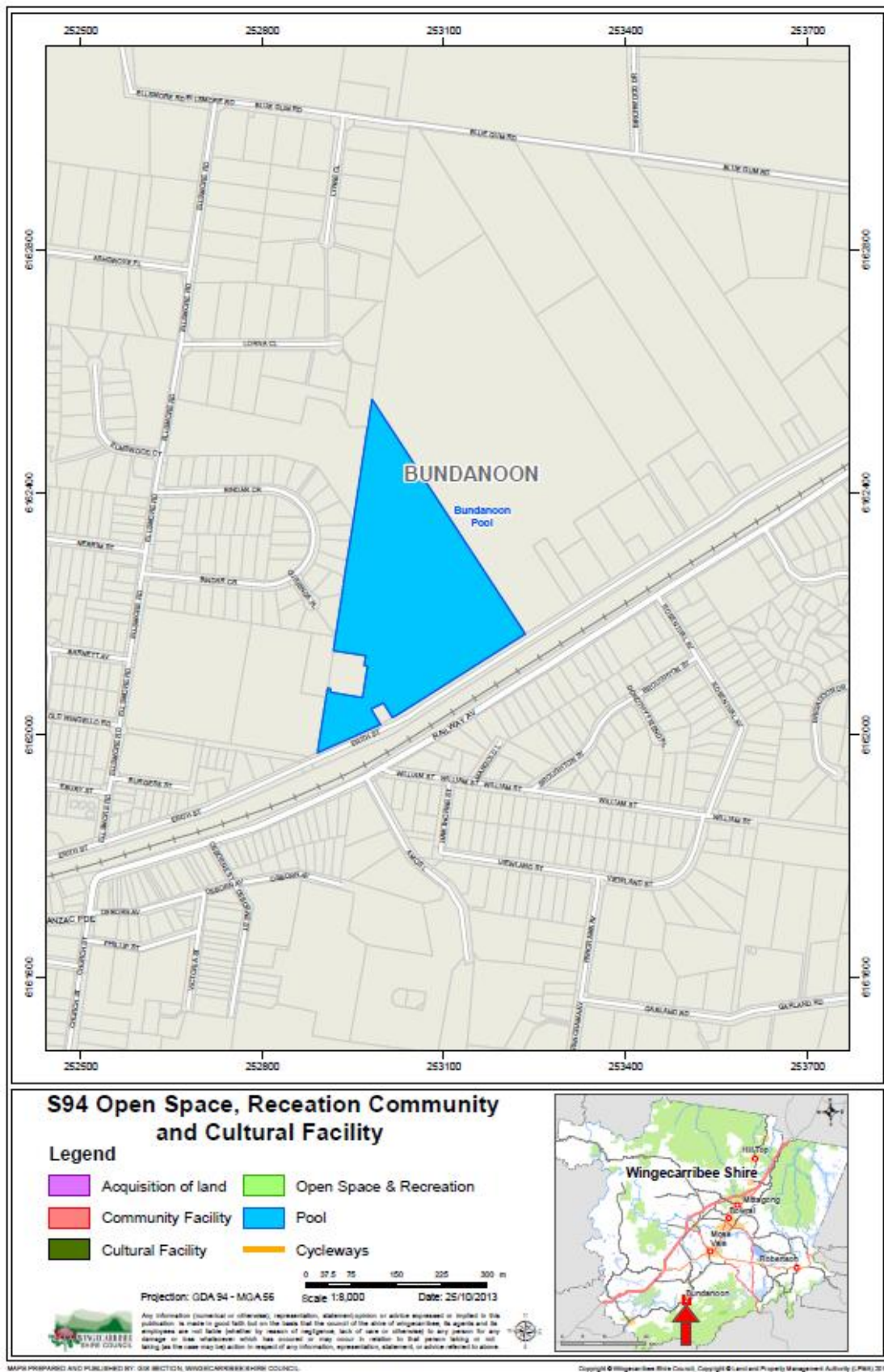


Figure 18 - Balmoral

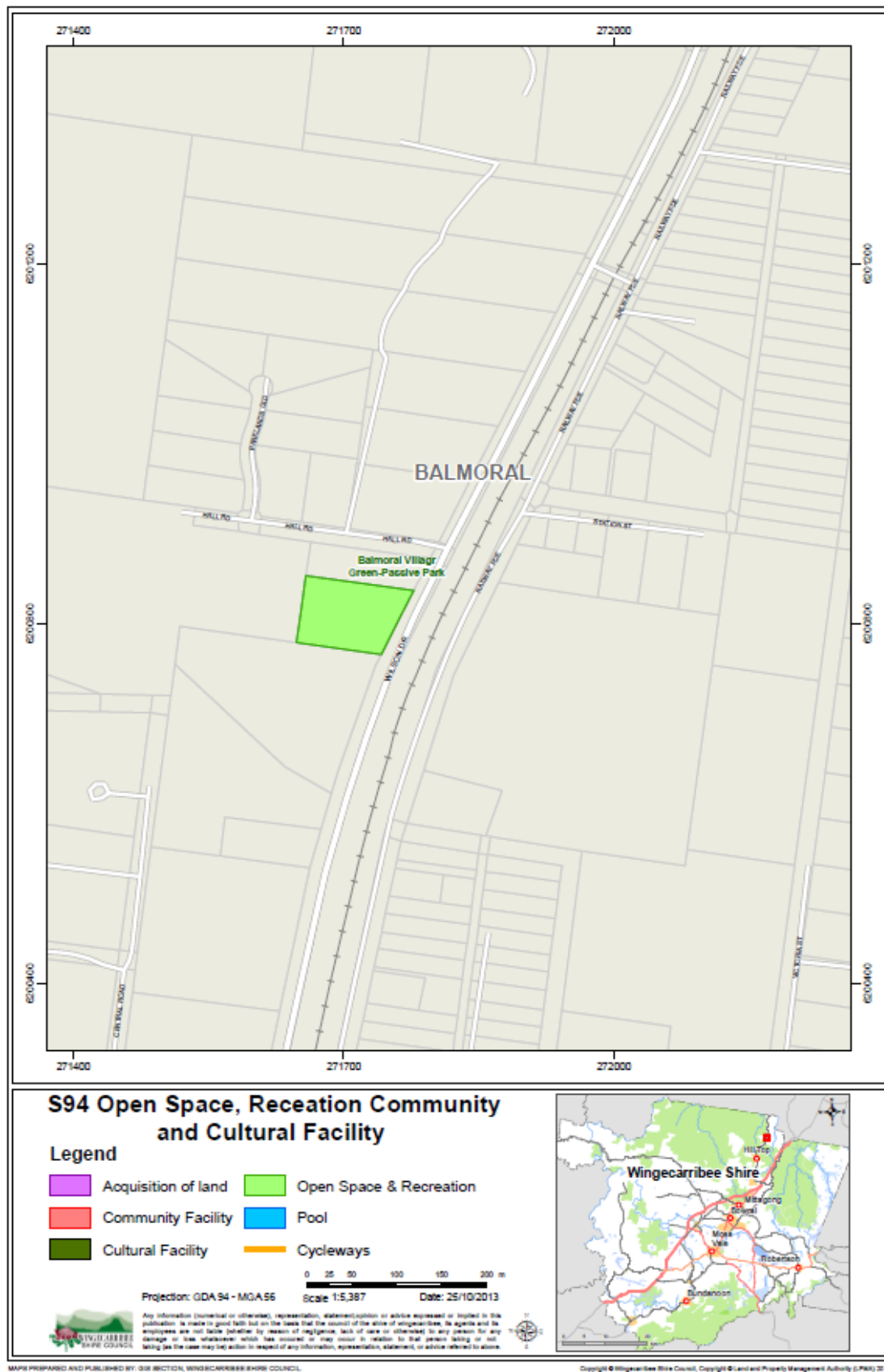


Figure 19 - Hill Top

