

# **SNOWY RIVER DEVELOPMENT CONTRIBUTIONS PLAN 2008**

## **APPENDIX 7 OPEN SPACE & PUBLIC ART**

## **Acknowledgments**

This document was prepared following a review of the previous contributions plan adopted by the Council on 16 May 2006. The document was put together by Dr Colin Seaborn of SOS Initiatives Pty Ltd, overseen by SRSC employees who are acknowledged below. In the previous Contributions Plan, Open Space was Appendix 10.

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## **1 SUMMARY**

This document serves as an Appendix to 'Snowy River Development Contributions Plan 2008' and provides:

- A summary of development contributions relating to the provision of suitable open space land, public art and its embellishment within the Snowy River Shire
- A brief outline of the methodology used to assess and define the value of the contributions.

The structure of this appendix is as follows:

- Immediately following this summary is a list of the catchment areas referred to in this appendix, followed by a table stating the contributions applicable within each catchment.
- This is followed by a justification for the levying of contributions and a brief outline of the methodology adopted within this appendix.
- A series of Attachments provides further information, including details of facilities, cost estimates and calculations.

## **2 RELEVANT CATCHMENTS AND CONTRIBUTIONS**

### **2.1 RELEVANT CATCHMENTS**

This appendix applies to the following catchments:

- Jindabyne
- East Jindabyne
- Willow Bay
- Tyrolean Village
- Kalkite
- Berridale
- Adaminaby
- Dalgety
- Shire within 10km of Jindabyne PO
- Shire outside 10km of Jindabyne PO

These catchments are defined in the maps which are in Part C of the overall 2008 Contributions Plan Document. This Appendix is an attachment to that document.

## 2.2 DEVELOPER CONTRIBUTIONS SUMMARY:

Developer contributions are to consist of two components:

- (a) At least 6% of land to be subdivided for urban purposes is to be dedicated to Council for Open Space. Unless otherwise agreed by Council this is to be quality open space, accessible and fairly level, centrally located and landscaped to an approved plan
- (b) Costs of open space and public art embellishments in this appendix. For proposed contribution rates see table 1 below

Contributions Table

Type of Dwelling/ Premises	Equivalent Tenements (ET)	Unit of Measure for Contribution	Jindabyne Catchment @ \$124 per ET	East Jindabyne & Tyrolean Village Catchments @ \$149 per ET	All other Catchments including rest of Shire @ \$119 per ET
Subdivision	1	lot	\$124	\$149	\$119
Dwellings - 1 bedroom	0.57	bedroom	\$71	\$85	\$68
Dwellings - 2 bedrooms	0.71	2 bedrooms	\$88	\$106	\$84
Dwellings - 3 or 4 bedrooms	1	3 or 4 bedrooms	\$124	\$149	\$119
Dwellings - > 4 bedrooms	1 plus 0.29 per extra bedroom >4	Base of 4 plus per extra b'r	\$124 + \$36 per b/r > 4	\$149 + \$43 per b/r > 4	\$119 + \$35 per b/r > 4
Lodges, resorts & motels	0.29 per room	room	\$36	\$43	\$35
Child Care Centres	1 per 20 children > 20	Per 20 children > 20	\$124	\$149	\$119
Educational Establishments	1 per 20 day students	20 day students	\$124	\$149	\$119
	1 per 6 boarders	6 boarders	\$124	\$149	\$119
Camping Grounds	0.29 per site	site	\$36	\$43	\$35
Tourism facilities	0.29 per motel type room or individual assessment	0.29 per motel type room or individual assessment	\$36	\$43	\$35

Notes:

1. These charges are based on the calculations in Schedules B and C.
2. When determining contributions payable for a particular development, consideration will be given to any contributions previously paid with respect to the subject land. Generally, development of an

existing residential lot receives a credit towards development contributions otherwise payable, equivalent to the contributions payable on one lot.

### **3 OUTLINE OF METHODOLOGY**

#### **3.1 INTRODUCTION**

This appendix contains the procedures for administration, assessment and settlement of contributions and accountability, as well as a schedule of the specific rates for contribution. The appendix also contains the methodology for determining the contribution rates and the manner and timing of expenditure of the funds collected.

Attached to the appendix are various supplementary documents, which provide further discussion of its operation and administration.. Included in the attachments are worked examples of the manner in which contributions will be determined for certain types of development.

#### **3.2 TITLE**

This appendix is called “Snowy River Development Contributions Plan 2008 – Appendix 7: Open Space and Public Art

#### **3.3 PURPOSE**

The purpose of this appendix is to permit Council to levy contributions pursuant to Section 94, Environmental Planning and Assessment Act, 1979 and subsequent amendments for the provision of Open Space within the Snowy River Shire.

#### **3.4 AIMS & OBJECTIVES**

- (a) to enable the Council to require as a condition of development consent contribution or dedication towards the provision and/or embellishment of Open Space and Public Art in the Shire;
- (b) to enable the Council to recoup funds which it has spent in the provision and/or embellishment of Open Space and Public Art in anticipation of development; and
- (c) to ensure that the existing community is not burdened by the provision and/or embellishment of Open Space and Public Art required as a result of future development.

#### **3.5 DEFINITIONS**

This appendix adopts the definitions contained in Part D of the overall 2008 Contributions Plan.

#### **3.6 THE LAND TO WHICH THIS APPENDIX APPLIES**

This appendix applies to all that land that is within the catchments listed in section 2.1 of this document.

### 3.7 NEXUS

An increase in the Shire's population and development creates additional demand for Council provided services and facilities which should be met by the incoming population resulting from increases in density as well as new development or redevelopment. All development that results in an increase in demand for the provision of open space and its embellishment in the Shire will be levied to meet these increased demands.

For Council to be able to levy a contribution as a condition of development consent, the contribution must be assessed in accordance with this plan. This appendix establishes the nexus between the expected types of development in that area and the demand for the provision of Open Space, Public Art and embellishment.

In this appendix, nexus is demonstrated in the following terms:

Causal - the need for the facility or service must be a direct result of the development being levied:

Calculations of the relevant contributions have been based on overall growth for the catchments of Jindabyne, East Jindabyne, Alpine Sands/Willow Bay, Kalkite, Tyrolean Village, Berridale, Adaminaby, Dalgety and the balance of the Shire. The growth assessments are shown in Schedule B.

The dedication requirements, facilities and embellishments to be provided in each catchment in accordance with this plan are listed in Schedule A and are based on catchment growth and projects identified by Council and community.

Spatial - the service or facility must be near enough in physical terms to provide benefit to the development:

Public Art is generally seen as benefiting the whole Shire unless stated otherwise.

Temporal - the service or facility must be provided within a period of time to be of benefit to the development.

### 3.8 CALCULATION OF BASE CONTRIBUTION RATES

The formula adopted for calculation of contribution rates in each catchment in Schedule B is as follows:

$$R = \frac{(E \times Y - B)}{N} + S$$

Where

- R = Base Contributions rate payable per Equivalent Tenement (ET)
- E = Cost of Facilities for the catchment from Schedule A
- N = No of additional ETs in a catchment from 2008/09 to 2017/18
- B = Balance in Open Space and Public Art section 94 account estimated as at June 30, 2008
- Y = proportion of cost to be met by new development over the next 10 years (see calculation process below)
- S = study/administration charge per ET – as calculated in Schedule C

### 3.9 APPORTIONMENT

Where the existing population will benefit from new amenities and services the cost of providing those amenities and services will be apportioned between Section 94 funds and other monies of Council. Apportionment rates are included, in the formula for contribution rates.

### 3.10 OCCUPANCY RATES

Based on the 1996 Census information and for the purposes of this appendix, the following occupancy rates and Equivalent Persons (EP) figures are adopted:

Dwelling Size	Occupancy Rates (persons) and assumed Equivalent Persons (EP)	Equivalent Tenements (ETs) assumed in these Calculations
One bedroom dwelling	1.6	0.57
Two bedroom dwelling	2.0	0.71
Three/Four bedroom dwelling	2.8 – 3.6	1
More than four bedroom dwelling	3.2 plus 0.8 per bedroom greater than 4	1 plus 0.29 per bedroom greater than 4

Assumptions related to other types of development are provided in schedule B.

### 3.11 REVIEW OF CONTRIBUTION RATES

To ensure that the value of contributions reflect the costs associated with the provision of public services and facilities, the Council will review the Plan (and appendices), and amend the contribution rates on the following basis:

- (a) The contribution rates will be reviewed at July 1 each year by reference to the Canberra All Groups Index for the previous calendar year (January to December), excluding the impact of the GST.
- (b) Annual review of completed works and amendment of schedules as necessary
- (c) Major reviews and repeal of Plan when required.

### 3.12 METHOD & TIMING OF PAYMENT

A contribution is payable:

- (a) in the case of a consent to development being subdivision – before the issue of a Subdivision Certificate to the applicant;
- (b) in the case of a consent to development where a construction certificate is required – before the issue of a construction certificate to the applicant;
- (c) in the case of Complying development under Division 3 of Part 4 of the Act, - prior to commencement of works;
- (d) in the case of a consent to any other development – before development



is commenced.

### **3.13 PUBLIC AVAILABILITY OF FINANCIAL INFORMATION**

In accordance with Clause 36(1), Environmental Planning and Assessment Regulation, 1980, copies of the following are available for inspection free of charge at Council during office hours.

A copy of the Section 94 Contributions Plan

The contributions register

An annual financial statement at the end of each financial year

### **3.14 SAVINGS AND TRANSITIONAL ARRANGEMENTS**

- (a) A development application that is submitted after the adoption of this Plan shall be assessed in accordance with the provisions of this Plan.
- (b) A development application that has been submitted prior to the adoption of this Plan but not determined shall be assessed in accordance with this Plan.
- (c) Developer contributions payable by way of a condition of a condition of consent of a development application that has been determined prior to the adoption of this Plan but for which that condition has not been satisfied shall be levied contributions in accordance with the provisions of this Plan.

## 4 SCHEDULE A

### 4.1 COSTING OF WORKS

#### Open Space Strategy

A Shire Wide Open Space and Recreational Land Use Strategy was developed during 2006 – 07. The all up cost of developing this strategy was \$65,000 (External consultants \$45000, staff costs \$15000 and communication costs \$5000). The plan has now been completed and adopted by the Council. The plan leads to a number of new facilities and embellishments as indicated below.

#### Open Space Embellishment

The Open Space and Recreational Land Use Strategy developed in 2006-07 identified embellishments required in the Shire or for particular catchments.

In addition to the embellishment works identified in the Open Space and Land Use Strategy (2007), this plan has adopted the following standards (qualitative and quantitative) for the provision of open space facilities.

(a) Local Playground:

A local playground will generally be a minimum of 0.5 hectares in size, containing playground equipment, picnic facilities, seating and landscaping. One is to be provided for approximately every 500 people and to be located within 400 – 500 metres of the majority of residences.

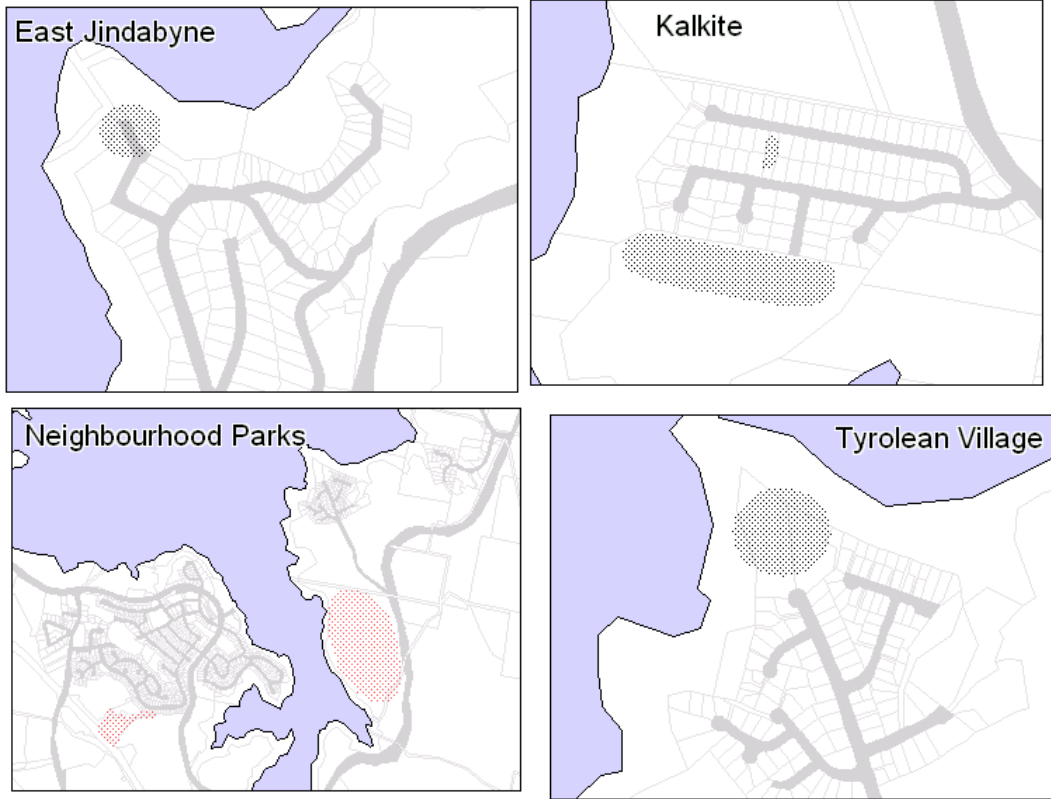
(b) Neighbourhood Parks:

A neighbourhood park should be greater than 0.5 hectares and less than 1.5 hectares in size. Neighbourhood parks contain more features and facilities than a local park and generally caters for a more diverse age group. It can be linked to the neighbourhood sportsground. One is to be provided for every 2000 people.

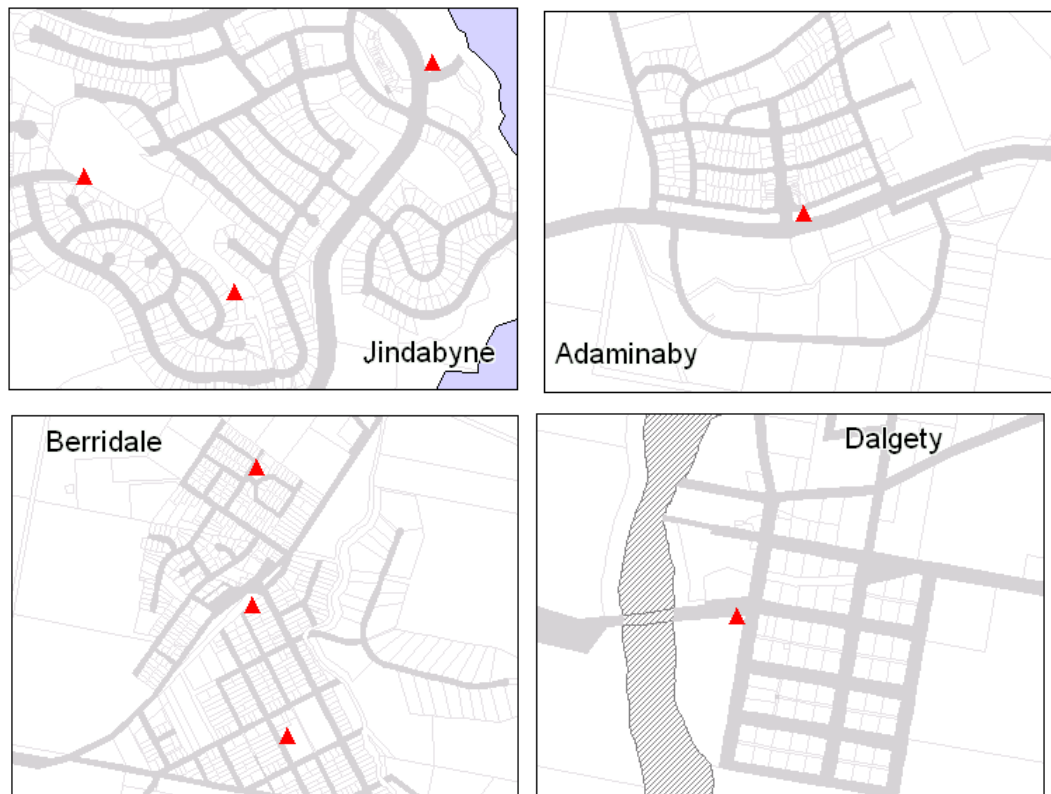
The costs attributable for the provision of Open Space and Recreational facilities are comprised of capital cost for construction and/or embellishment of the various types of recreation facilities as outlined below, plus the cost to acquire lands. For the expected population projections, the following facilities will be provided or embellished.

Catchment / location	Embellishment Works identified in Open Space Strategy	Value of Embellishment Works	Timing
See maps below	3 new local playgrounds	\$100000	5 years (complete by 2013)
See maps below	2 new neighbourhood parks	\$60000	5 years (complete by 2013)
<b>Total for Across Shire</b>		<b>\$160000</b>	

General location of new playgrounds and neighbourhood parks



Location of playgrounds to be embellished.



Snowy River Development Contributions Plan  
Appendix 7 – Open Space & Public Art

Catchment / location	Embellishment Works identified in Open Space Strategy	Value of Embellishment Works	Timing
Jindabyne	Embellishment of Candlebark Circuit	\$1500	2 years (complete by 2010)
Jindabyne	Embellishment of Mitchell Circuit	\$17000	3 years (complete by 2011)
<b>Total for Jindabyne Catchment</b>		<b>\$18500</b>	
50-50 Tyrolean & East Jindabyne catchments	Embellishment of Kokoda Memorial Park	\$5500 for each	4 years (complete by 2012)
East Jindabyne	Embellishment of Baronga St/Jerrara Drive	\$3800	4 years (complete by 2012)
<b>Total for East Jindabyne Catchment</b>		<b>\$9300</b>	
50-50 Tyrolean & East Jindabyne catchments	Embellishment of Kokoda Memorial Park	\$5500 for each	4 years (complete by 2012)
Tyrolean	Embellishment of Tyrolean Village Reserve	\$1000	4 years (complete by 2012)
<b>Total for Tyrolean Village Catchment</b>		<b>\$6500</b>	

### Public Art

The cost attributable for the provision of Public Art comprises capital cost and/or embellishment. The purchase of Public Art is in accordance with the Council's Public Art Policy. A summary of Public Art purchases in accordance with this policy for the last 5 years is as follows:

Year	Purpose/Purchase	Cost (\$)
2007	Refurbishment Big Trout – Adaminaby	7,100
2004	Adaminaby Hall Curtain	500 Spent on hall runners/ some contribution towards materials/opening of event
2007	Sculpture Commission – Jindabyne Foreshore	10,000
2006	“What we treasure” quilt - Shire	1,400
2004	Painting by Carmel McCrow currently in Council Chambers	750
2004	4 paintings - Snowy River Hostel – Kevin Hambly	6,000
2003	Richard Moffat Sculpture – currently in Berridale	1,500
2003	“Many Hands” womens quilt DWD	1,000
Total		\$28,250

Snowy River Development Contributions Plan  
Appendix 7 – Open Space & Public Art

Future projects planned by Council are as follows:

<b>Project</b>	<b>Grant Funding</b>	<b>Total Cost to Snowy River Shire</b>	<b>Timing</b>
Gateway Project Stage 1	Nil	\$45,000	2008/09
Gateway Project Stage 2	\$20000	\$37,000 (\$57,000 less grant of \$20,000)	2009-2011
Future Public Art Purchases	Nil	\$2,000/year over 5 years from Council plus apportioned Developer Contribution	2008/09 – 2013/14
Total		\$92000	

## 5 SCHEDULE B

### 5.1 CALCULATION OF CONTRIBUTIONS

#### Provision for Open Space Land

6% of land to be subdivided for urban purposes is to be dedicated to Council. Unless otherwise agreed by Council this is to be quality open space, accessible and fairly level, centrally located and landscaped to an approved plan. Council will not accept land which is steep, hard to maintain, isolated from the proposed urban area or otherwise of limited value to residents, unless it is in addition to the above and Council specifically accepts the maintenance burden of such lands for documented reason (e.g. because it is part of a planned or recognised wildlife corridor; there are trade-offs negotiated with the developer for community benefit).

The 6% standard is adopted from the Australia Model Code for Residential Development (Mark II) which in turn is based on extensive studies.

#### Open Space Strategy Contribution

The Shire Wide Open Space Strategy will be applicable to all catchments across the Shire. The formula adopted for calculation of rates in a catchment is as follows:

$$SC = \frac{(E \times Y - B)}{N}$$

Where

SC = Rate payable per Equivalent Person (ET) for the Open Space Strategy Development

E = Cost of the Strategy from Schedule A (\$65000)

N = No of additional ETs in a catchment from 2007/08 to 2016/17 = 895 (see below)

B = Balance in Open Space and Public Art section 94 account estimated at June 30, 2008 = \$7001

Y = proportion of cost to be met by new development over the next 10 years (assumed to 100% as strategy has to be developed to meet new demands)

$$SC \text{ (Strategy Cost)} = (\$65000) / 895 = \$64.80 \text{ per ET}$$

#### Open Space Embellishment Costs Contribution

The formula adopted for calculation of rates for embellishment in a catchment is as follows:

$$R = \frac{(E \times Y)}{N}$$

Where

R = Base Contributions rate payable per Equivalent Tenement (ET)

E = Cost of Facilities for the catchment from Schedule A

N = No of additional ETs in a catchment from 2007/08 to 2016/17 (see below)

Y = proportion of cost to be met by new development over the next 10 years (ie number of new ETs divided by total of existing plus new ETs) – see calculation below

### Equivalent Tenements (ET)

For the basis of these growth assumptions see Part C of the overall Contributions Plan Document.

Catchment	ETs at June 2007	Growth in ETs per year over next ten years	Additional ETs over next ten years	Proportion Of New ET compared to total ET
Jindabyne	2954	50	500	0.145
East Jindabyne	263	5	50	0.160
Alpine Sands/Willow Bay	116	14.5	145	0.556
Tyrolean Village	183	3.4	34	0.157
Kalkite	179	2.5	25	0.123
Berridale	772	4.3	43	0.053
Adaminaby	245	2.75	28	0.103
Dalgety	68	1	10	0.128
Shire outside catchments	1019	6	60	0.056
<b>Totals – ET</b>	5799		895	0.134

Calculations of charges for Open Space Facilities:

Therefore, calculate the Contribution Charge as:

$$R = \frac{E \times Y}{N}$$

Where:

E = Cost of Open Space Facilities for the catchment from Schedule A

Y = proportion of cost to be met by new development over the next 10 years (ie number of new ETs divided by total of existing plus new ETs) – from Table above

#### Shire Wide Facilities

$$R = \frac{\$(160000 \times 0.134)}{895} = \$23.96/ET$$

#### Jindabyne Facilities

$$R = \frac{\$(18500 \times 0.145)}{500} = \$5.37/ET$$

#### East Jindabyne Facilities

$$R = \frac{\$(9300 \times 0.160)}{50} = \$29.76/ET$$

**Tyrolean Village Facilities**

$$R = \frac{\$(6500 \times 0.157)}{34} = \$30.01/ET$$

Calculation of charges for Public Art Embellishment Costs Contribution

Assume that Public Art benefits the whole shire. Therefore, calculate the Contribution Charge as:

$$R = \frac{(E \times Y)}{N}$$

Where:

- E = Cost of Facilities for the Shire from Schedule A = \$120250
- Y = proportion of cost to be met by new development over the next 10 years  
(ie number of new ETs divided by total of existing plus new ETs)=  
895/(895+ 5799) = 0.134

$$R = \frac{\$(120250 \times 0.134)}{895} = \$18.00/ET \text{ for Shire}$$

Total Contribution Charge/ET for Each Catchment

= Open Space Strategy + Open Space & Public Art Embellishment + Plan Charge

Catchment	Open Space Strategy – Shire Wide (\$/ET)	Open Space Embellishment (\$/ET)	Public Art Facilities and Embellishment (\$/ET)	Plan Charge from Schedule C (\$/ET)	Total \$/ET
Jindabyne	\$64.80	\$29.33	\$18.00	\$12.29	\$124.42
East Jindabyne	\$64.80	\$53.72	\$18.00	\$12.29	\$148.81
Willow Bay	\$64.80	\$23.96	\$18.00	\$12.29	\$119.05
Tyrolean Village	\$64.80	\$53.97	\$18.00	\$12.29	\$149.06
Kalkite	\$64.80	\$23.96	\$18.00	\$12.29	\$119.05
Berridale	\$64.80	\$23.96	\$18.00	\$12.29	\$119.05
Adaminaby	\$64.80	\$23.96	\$18.00	\$12.29	\$119.05
Dalgety	\$64.80	\$23.96	\$18.00	\$12.29	\$119.05
Shire Outside Catchments	\$64.80	\$23.96	\$18.00	\$12.29	\$119.05



### Contributions by Catchment and Type of Development

Type of Dwelling/ Premises	Equivalent Tenements (ET)	Unit of Measure for Contribution	Jindabyne @ \$124 per ET	East Jindabyne & Tyrolean Village @ \$149 per ET	All other Catchments including rest of Shire @ \$119 per ET
Subdivision	1	lot	\$124	\$149	\$119
Dwellings - 1 bedroom	0.57	bedroom	\$71	\$85	\$68
Dwellings - 2 bedrooms	0.71	2 bedrooms	\$88	\$106	\$84
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Lodges, resorts & motels	0.29 per room	room	\$36	\$43	\$35
Child Care Centres	1 per 20 children > 20	Per 20 children > 20	\$124	\$149	\$119
Educational Establishments	1 per 20 day students	20 day students	\$124	\$149	\$119
	1 per 6 boarders	6 boarders	\$124	\$149	\$119
Camping Grounds	0.29 per site	site	\$36	\$43	\$35
Tourism facilities	0.29 per motel type room or individual assessment	0.29 per motel type room or individual assessment	\$36	\$43	\$35

## 6 SCHEDULE C

### 6.1 PREPARATION AND REVIEW OF CONTRIBUTION PLAN

#### Nexus

In order to establish the contribution rates under this plan, the Council has had to undertake a contribution study over the whole Council area. The capital costs of this study were required in order to identify the types of public facilities for which a contribution may be made, the extent of the benefiting population, the cost of the required facilities, the proportion which may be "reasonably" levied as a Section 94 contribution, the actual contribution rates and the preparation of the implementation schedules. These works and cost incurred are outside the work normally undertaken by Council's Environmental Services Department. It is therefore reasonable to seek the recoupment of these costs.

To cover the capital cost of this study and any additional studies undertaken in the future, it is reasonable for the Council to levy charges from developers under Section 94. The cost of future contribution plans, prepared in response to particular developments, should be recouped from the specific area.

#### Base Contribution Calculation per Equivalent Tenement for all catchments

$$\begin{aligned} S &= \frac{(C + R)}{N} \\ &= \frac{(\$5000 + \$6000)}{895} \\ &= \$12.29 \text{ per ET} \end{aligned}$$

Where

**S** = Plan review, development & Administration Cost

**C** = External (\$3000) and Internal costs of 2005/06 study (\$500) plus cost of 2007/08 study (\$1500) = \$5000

**R** = Cost of updates and administration during period 2008/09 – 2017/18 (\$6000 being 10 annual updates plus administration at a cost of \$300/ yr to update CPI & other factors plus a full review of this plan after 5 – 6 years @ \$3000)

**N** = Estimated number of Equivalent Tenements (as calculated in Schedule B) created over next 10 years