

SNOWY RIVER DEVELOPMENT CONTRIBUTIONS PLAN 2008

**Adopted by Council on
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**Contributions rates effective
from 1st September 2008**

Acknowledgments

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1 PART A – SUMMARY OF THE PLAN

1.1 INTRODUCTION TO THE PLAN

Integration

This plan integrates into one document, developer charges and contributions required for;

- (a) water supply and sewerage as per the provisions of section 64 of the Local Government Act 1993 (the LG Act); and
- (b) public services and public amenities as per the provisions of section 94 of the Environmental Planning and Assessment Act 1979 (the EP&A Act)

An integrated plan was seen to be beneficial, so that the basis for developer charges and contributions can be viewed in one document.

Principles

The principles of developer charges, are summarised in the NSW Government publication “Developer Charges Guidelines for Water Supply, Sewerage and Stormwater” (December 2002) as follows.

“Developer Charges for water supply and sewerage (section 64 contributions) and section 94 contributions involve the same underlying principle – development creates a demand for services, and it is therefore equitable that new development pays a contribution towards the capital cost of infrastructure and facilities required to meet the demand. Developer charges serve two related functions:

- (i) they provide a source of funding for infrastructure required for new urban development; and*
- (ii) they provide signals regarding the cost of urban development and thus encourage less costly forms and areas of development.”*

Furthermore in relation to section 94 developer charges the following principles apply:

Principle 1: Section 94(1) of the EP&A Act permits Council to require the dedication of land free of cost, the payment of a monetary contribution, or both, if a development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the local government area (LGA).

Principle 2: Section 94(3) of the EP&A Act additionally authorizes Council to require a monetary contribution towards recoupment of the cost of providing the public amenities or public services (being the cost as indexed in accordance with the regulations) if the Council has provided public amenities or public services within the area in preparation for or to facilitate the carrying out of development in the area, and development for which development consent is sought will, if carried out, benefit from the provision of those public amenities or public services.

Nexus

An increase in the Shire's population and development creates additional demand for Council provided services, 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 facilities within the shire including urban and rural subdivision, residential and rural housing, tourist accommodation, education establishments, industrial and commercial facilities will be levied to meet these increased demands. At the Council's discretion there may be discounts applied to the Developer Charges where a demonstrated community benefit results as indicated in clause 2.11. 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 plan establishes the nexus between the expected types of development in that area and the demand for the provision of facilities within the Snowy River Shire. In this contributions plan, nexus is demonstrated in the following terms:

(i) Causal nexus - the need for the facility or service must be a direct result of the development being levied. Increases in population and other facilities in the Shire (eg tourist facilities) lead to an increase in demand for facilities and services. Assessment of growth in population and Equivalent Tenements (approximately 84 new ETs per year) has been outlined in detail in section 3 of this document. Within individual sections of this plan (that is, Appendices 1 to 9 as described in 1.2 below) specific impacts of population and ET growth are outlined.

(ii) Spatial nexus - the service or facility must be near enough in physical terms to provide benefit to the development. In each of the Appendices to this plan, contributions have only been calculated for catchments which will benefit from the service or facility. Therefore, a number of different approaches have been used specific to the particular circumstances. These approaches include:

- ▶ A Shire wide charge where the benefit of the service or facility is spread across the Shire
- ▶ A charge specific to a catchment or group of catchments where only that catchment or group will benefit from the service or facility
- ▶ A charge reducing according to the distance from the facility

(iii) Temporal nexus - the service or facility must be provided within a period of time to be of benefit to the development. In this plan only planned or likely capital projects up to the next 5 or 6 years are included for contributions calculations purposes.

Apportionment

As indicated in the section above, development creates a demand for services, and it is therefore equitable that new development pays a contribution towards the capital cost of infrastructure and facilities required to meet the demand. To do otherwise would result in either inadequate/deteriorating services being available for the whole community or existing ratepayers having to provide extra funds to enable infrastructure and facilities to be put in place to ensure satisfactory standards.

Where both existing and new developments will benefit from a service or facility then the costs are apportioned. This apportionment takes place in a number of ways.

In the case of water and sewer (s64), the calculation process (based on DLWC guidelines) uses both existing and new developments calculated as Equivalent Tenements (ET's) to determine the contributions charge.

In s94 calculations, where both existing and new developments share the benefits of the facility or service in the catchment, then generally the calculation is based on new developments (calculated as ETs) divided by total of existing and new ETs to obtain the contribution per ET.

Where the facility or service is required by, or only, benefits the new development then the development charge is based on the total cost of the facility or service.

Discounting of water and sewer contributions in Adaminaby, Berridale and Dalgety

Calculations of developer contributions for water and sewer take into account full asset value of the capital items. However the developer contributions to be charged under s64 for Adaminaby and Berridale have been discounted by the Council in accordance with the NSW Government guidelines. The value of the discount is specified in the relevant Development Servicing Plan (DSP).

There are no developer charges for water and sewer under s64 in this plan for Dalgety.

Appendices and tables

This plan includes a number of appendices. Each appendix covers a different component of the required contributions and details the work schedules, works costs as well as calculation methods.

A table showing contributions by area and category is provided in section 1.3.

A table showing contributions by development type and area is provided in section 1.4.

These are provided as summary tables only. Details are contained in the individual Appendices within the plan as listed in the table in section 1.2 as follows.

1.2 SUMMARY OF APPENDICES TO THIS PLAN

Category	Description of Appendices	Comments
Water and Sewer	<p>Appendix 1</p> <p>Appendix 1 consists of 5 Development Services Plans (DSP) based on the catchments for which development is planned to occur</p> <p>DSP 1 – Jindabyne Catchment for Water & Sewer</p> <p>DSP 2 – East Jindabyne Catchments for Water & Sewer</p> <p>DSP 3 – Tyrolean Village Catchment for Water & Sewer</p> <p>DSP 4 – Berridale Catchment for Water & Sewer</p> <p>DSP 5 – Kalkite Catchment for Water & Sewer</p> <p>DSP 6 – Alpine Sands/Willow Bay Catchment for Water and Sewer</p> <p>DSP 7 – Adaminaby Catchment for Water and Sewer</p>	<p>These calculations are based on the provisions of s64 of the Local Government Act 1993 on the principles outlined in NSW Department of Land & Water Conservation document “Developer Charges Guidelines for Water Supply, Sewerage and Stormwater” December 2002</p> <p>These Developer Charges Guidelines were issued by the Minister for Land and Water Conservation pursuant to section 306 (3) of the Water Management Act 2000.</p>
Roadworks	<p>Appendix 2</p> <p>Principles for roadworks calculations have been developed. Particular roadworks have been identified and charges per km of use identified. This Appendix also includes South Jindabyne Access System which was Appendix 7 in the previous Contributions Plan.</p>	<p>Calculations based on the provisions of s94 of the Environmental Planning and Assessment Act 1979 and the Development Contributions Practice Note issued by the Department of Infrastructure Planning and Natural Resources in July 2005.</p>
Community Services and Facilities	<p>Appendix 3</p> <p>Community Services and Facilities in these calculations include various facilities to serve the community</p>	<p>s94 Contributions – see comments under Appendix 2</p>
Regional Waste Management	<p>Appendix 4</p> <p>Facilities and services in these calculations include Jindabyne Regional Waste Management facility, transfer stations across the Shire, smaller landfill rehabilitation and collection systems.</p>	<p>s94 Contributions – see comments under Appendix 2</p>
Bushfire Services	<p>Appendix 5</p> <p>Facilities and services in these calculations include power supply to brigade sheds, communications improvements, OH & S facilities, replacement of tanker fleet from 2005 - 2014</p>	<p>s94 Contributions – see comments under Appendix 2</p>
Parking	<p>Appendix 6</p> <p>Facilities and services included in these calculations are Jindabyne CBD’s Thredbo Terrace and Kalkite St car parks.</p>	<p>s94 Contributions – see comments under Appendix 2</p>
Open Space and Public Art	<p>Appendix 7</p> <p>Facilities and services in these calculations involve a Shire wide Open Space Strategy, Open Space facilities and Works of Public Art.</p>	<p>s94 Contributions – see comments under Appendix 2</p>
Sports and Recreation Facilities	<p>Appendix 8</p> <p>Various sports and recreation facilities have been included in the calculations under this Appendix.</p>	<p>s94 Contributions – see comments under Appendix 2</p>
Jindabyne Area Shared Pathways	<p>Appendix 9</p> <p>Facilities and services in these calculations are based on Jindabyne Shared Pathway Strategy – Stage 1 as adopted by Council on 18 December 2001 and subsequently updated - includes facilities for Jindabyne, Kalkite, East Jindabyne, Willow Bay and Tyrolean Village catchments.</p>	<p>s94 Contributions – see comments under Appendix 2</p>

1.3 CONTRIBUTIONS BY AREA AND BY CATEGORY

Based on the costs and calculations in Appendices 1 to 9 (attached) the contributions required for the various catchments are as follows:

Contribution per lot or ET for the Catchment													
	Jindabyne	East Jindabyne	Willow Bay		Tyrolean		Berridale	Kalkite	Adaminaby		Dalgety	Shire Within 10 Km of Jind PO	Shire outside 10 km of Jind PO
			Low zone	High zone/ SPS 6	Low zone	High Zone /SPS 6			No Scenic Drive SPS	Scenic Drive SPS			
Appendix 1 - Water	\$4663	\$4003	\$8,623	\$15661	\$5765	\$15624	\$7061	\$4890	\$13384	\$13384			
Appendix 1 - Sewer	\$5575	\$8550	\$4844	\$10694	\$6044	\$11895	\$5984	\$6333	\$340	\$1678			
Appendix 2 – Roadworks; specific charges for sub catchments identified in Appendix	Wollondibby Rd, South Jindabyne Access, Avonside Rd and Hilltop Rd						Coolamaton g, Rockwell & Bobundara Roads		Yens Bay Rd & Scenic Drive		Hickeys Rd	Mowamba Bridge	
Appendix 3 - Community Services & Facilities	\$492	\$492	\$492	\$492	\$492	\$492	\$492	\$492	\$490	\$490	\$492	\$492	\$492
Appendix 4 - Regional Waste Management	\$591	\$591	\$591	\$591	\$591	\$591	\$591	\$591	\$591	\$591	\$591	\$591	\$591
Appendix 5 - Bushfire Services	\$143	\$143	\$143	\$143	\$143	\$143	\$143	\$143	\$143	\$143	\$143	\$143	\$143
Appendix 6 - Parking	Kalkite St – Jindabyne \$3160 per car space; Thredbo Terrace – Jindabyne \$4093 per space; \$27597 per coach Parking Bay												
Appendix 7 - Open Space & Public Art	\$124	\$149	\$119	\$119	\$149	\$149	\$119	\$119	\$119	\$119	\$119	\$119	\$119
Appendix 8 - Sport and Recreation Facilities	\$91	\$82	\$82	\$82	\$82	\$82	\$0	\$68	\$0	\$0	\$0	\$68	\$0
Appendix 9 - Jindabyne area shared pathways	\$57	\$72	\$72	\$72	\$27	\$27	\$0	\$78	\$0	\$0	\$0	\$0	\$0
Totals (excluding App 2 -Roads & App 6 - Parking)	\$11,736	\$14,082	\$14,966	\$27,854	\$13,293	\$29,003	\$14,390	\$12,714	\$15,067	\$16,405	\$1,345	\$1,413	\$1,345

1.4 CONTRIBUTION RATES BY DEVELOPMENT TYPE AND AREA

Based on the costs and calculations in Appendices 1 to 9 (attached) the contributions required for the various development types within a catchment are as follows:

Type of Dwelling/ Premises	Unit of Measure for Contribution	Jindabyne @ \$11,736 per ET	East Jindabyne @ \$14,082 per ET	Willow Bay		Tyrolean		Berridale @ \$14,390 per ET	Kalkite @ \$12,714 per ET	Adaminaby		Dalgety @ \$1,345 per ET	Shire Within 10 Km of Jindy PO @ \$1,413 per ET	Shire outside 10 km of Jindy PO @ \$1,345 per ET
				Low zone @ \$14,966 per ET	High zone/ SPS 6 @ \$27,854 per ET	Low zone @ \$13,293 per ET	High Zone /SPS 6 @ \$29,003 per ET			No Scenic Drive SPS @ \$15,067 per ET	Scenic Drive SPS @ \$16,405 per ET			
Subdivision	lot	\$11,736	\$14,082	\$14,966	\$27,854	\$13,293	\$29,003	\$14,390	\$12,714	\$15,067	\$16,405	\$1,345	\$1,413	\$1,345
Dwellings - 1 bedroom	bedroom	\$6,690	\$8,027	\$8,531	\$15,877	\$7,577	\$16,532	\$8,202	\$7,247	\$8,588	\$9,351	\$767	\$805	\$767
Dwellings - 2 bedrooms	2 bedrooms	\$8,333	\$9,998	\$10,626	\$19,776	\$9,438	\$20,592	\$10,217	\$9,027	\$10,698	\$11,648	\$955	\$1,003	\$955
Dwellings - 3 or 4 bedrooms	3 or 4 bedrooms	\$11,736	\$14,082	\$14,966	\$27,854	\$13,293	\$29,003	\$14,390	\$12,714	\$15,067	\$16,405	\$1,345	\$1,413	\$1,345
Dwellings - > 4 bedrooms	bedroom	\$11736 + \$3403/ br >4	\$14082 + \$4084/br >4	\$14966 + \$4340/br >4	\$27854 + \$8078/br >4	\$13293 + \$3855/br >4	\$29003 + \$8411/br >4	\$14390 + \$4173/br >4	\$12714 + \$3,687/br >4	\$15067 + \$4,369/br >4	\$16405 + \$4,757/br >4	\$1345 + \$390/br >4	\$1413 + \$410/br >4	\$1345 + \$390/br >4
Lodges, motels, B & B, holiday dwellings	room	\$3,403	\$4,084	\$4,340	\$8,078	\$3,855	\$8,411	\$4,173	\$3,687	\$4,369	\$4,757	\$390	\$410	\$390
Child care centres	per 20 children > 20	\$11,736	\$14,082	\$14,966	\$27,854	\$13,293	\$29,003	\$14,390	\$12,714	\$15,067	\$16,405	\$1,345	\$1,413	\$1,345
Educational Establishment	20 day students	\$11,736	\$14,082	\$14,966	\$27,854	\$13,293	\$29,003	\$14,390	\$12,714	\$15,067	\$16,405	\$1,345	\$1,413	\$1,345
	6 boarders	\$11,736	\$14,082	\$14,966	\$27,854	\$13,293	\$29,003	\$14,390	\$12,714	\$15,067	\$16,405	\$1,345	\$1,413	\$1,345
Camping Grounds	site	\$3,403	\$4,084	\$4,340	\$8,078	\$3,855	\$8,411	\$4,173	\$3,687	\$4,369	\$4,757	\$390	\$410	\$390
Tourism facilities	per motel room and/or impact of day visitors or large rooms	\$3,403 per motel type room	\$4,084	\$4,340	\$8,078	\$3,855	\$8,411	\$4,173	\$3,687	\$4,369	\$4,757	\$390	\$410	\$390

Commercial		Overall Contributions will be calculated based on principles and charges outlined in relevant Appendices of Appendices 1 - 10.
Industrial		Overall Contributions will be calculated based on principles and charges outlined in relevant Appendices of Appendices 1 - 10.
Major other Developments > \$500,000		Where a particular development does not fit within the descriptions outlined above (eg mixed development) then contributions will be calculated based on the principles and charges outlined in relevant Appendices of Appendices 1 - 10

Notes: (1) Totals exclude items under Appendix 2 (for specific roads) and Appendix 6 (Parking). (2) Where a new development is to take place on the site of an existing or approved development, a credit against the contributions to be levied will be made. The calculation principles are outlined in section 2.14 of this document. **(3)** Where a development straddles the boundary of two catchments then the charges will be based on those applying to the catchment in which the majority of the development is based.

2 PART B – ADMINISTRATION

2.1 NAME OF THIS DEVELOPMENT CONTRIBUTIONS PLAN

This development contributions plan is called the Snowy River Shire Council Development Contributions Plan 2008.

2.2 AREA THE PLAN APPLIES

This plan applies to all land within the Snowy River Shire, with the exception of land contained within the Kosciusko National Park, as shown on the Maps in Section 3.

2.3 PURPOSE OF THIS CONTRIBUTIONS PLAN

The purpose of the development contributions plan is to:

- ▶ provide an administrative framework under which specific public facilities strategies may be implemented and coordinated, and
- ▶ ensure that adequate public facilities are provided for as part of any new development, and
- ▶ allow for the imposing of conditions under section 94 (s94) of the Environmental Planning and Assessment Act 1979 in accordance with this plan, and
- ▶ assist the Council to exercise its functions under section 64 (s64) of the Local Government Act 1993 (cross referenced to sections 305 to 307 of the Water Management Act 2000 and DLWC Guidelines for Water Supply, Sewerage and Stormwater December 2000), and
- ▶ provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis, and
- ▶ ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development, and
- ▶ enable the Council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.

2.4 COMMENCEMENT OF THE PLAN

This development contributions plan has been prepared to be consistent with the provisions of:

- ▶ s64 of the Local Government Act, section 306 (3) of the Water Management Act and the 'Developer Charges Guidelines for Water Supply, Sewerage and Stormwater' released by the NSW Government in December 2002; and
- ▶ s94 of the Environmental Planning & Assessment Act 1979 and Part 4 of the EP&A Regulation.

This plan takes effect from the date on which public notice was published (1st September 2008), consistent with clause 31(4) of the EP&A Regulation.

2.5 RELATIONSHIP WITH OTHER PLANS AND POLICIES

This development contributions plan repeals the previous plan entitled Snowy River Contributions Plan 2005 and any subsequently approved Appendices. The outstanding balances of contributions collected under previous plans will be rolled into relevant accounts of this plan and will be utilised to support the works schedules in this plan.

This means that unspent contributions collected under previous plans, will be utilized to achieve the same objectives, even if the specific facilities change as a result of new information and analyses.

The development contributions plan supplements the provisions of the Snowy River Local Environment Plan 1997, Snowy River Rural Local Environmental Plan 2007 , Snowy River Development Control Plan 1998, Snowy River Rural Development Control Plan 2008 and any subsequent amendments to those plans.

2.6 GLOSSARY OF TERMS

Glossary of terms applicable to this plan is listed in Part D of this document.

2.7 WHEN IS THE CONTRIBUTION PAYABLE

A contribution is payable:

- ▶ in the case of a consent to development being subdivision – before the issue of a subdivision certificate to the applicant;
- ▶ in the case of a consent to development where a construction certificate is required – before the issue of a construction certificate to the applicant;
- ▶ in the case of Complying development under Division 3 of Part 4 of the EP&A Act, - prior to commencement of works;
- ▶ in the case of a consent to any other development – before development is commenced.

2.8 CONSTRUCTION CERTIFICATES AND THE OBLIGATION OF ACCREDITED CERTIFIERS

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

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

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

2.9 DEFERRED / PERIODIC PAYMENT

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

- (a) compliance with the provisions of Clause 1.4 is unreasonable or unnecessary in the circumstances of the case,
- (b) deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program,
- (c) where the applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a cash contribution and council and the applicant have a legally binding agreement for the provision of the works or land dedication,
- (d) there are circumstances justifying the deferred or periodic payment of the contribution.

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

- ▶ the bank guarantee be by a bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest plus any charges associated with establishing or operating the bank security
- ▶ the bank agrees to unconditionally pay the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work
- ▶ the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development
- ▶ the bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when the Council notifies the bank in writing that the guarantee is no longer required
- ▶ where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

2.10 CAN THE CONTRIBUTION BE SETTLED 'IN-KIND' OR THROUGH A MATERIAL PUBLIC BENEFIT?

The Council may accept an offer by the applicant to provide an "in-kind" contribution (ie the applicant completes part or all of work/s identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this plan. The 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 the 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) where the value of the work in kind is greater than the assessed contribution Council may give the developer a credit towards future contributions required as a consequence of future development applications (within the same catchment). Alternatively, the Council may enter into an agreement to transfer future contributions levied for the item provided, to the developer. Such an agreement would generally be subject to an appropriate sunset clause.

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.

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

2.11 DISCOUNTS

The Council may consider discounts of contributions (up to 50%) for developments, or components of developments where a demonstrated community benefit results. The types of developments which may be considered include: heritage items, crisis housing, affordable housing and childcare. It should be noted that in this contributions plan there are no charges for the first 20 children in a child care facility.

2.12 REVIEW OF THE CONTRIBUTION RATES

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

- (a) The contribution rates will be adjusted 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. The contribution rates will be indexed on an annual basis in accordance with the following formula:

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

Where:

\$CA is the contribution at the time of adoption of the plan expressed in dollars;

Current Index [CPI – Canberra All Groups Index] is the value as published by the Australian Bureau of Statistics available at the time of review of the contribution rate;

Base Index [CPI – Canberra All Groups Index] is the value as published by the Australian Bureau of Statistics as at December 31, 2007

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

- (b) Annual review of completed works and amendment of schedules as necessary.
- (c) Major reviews and repeal of the plan when required.

2.13 HOW ARE CONTRIBUTIONS CALCULATED AT TIME OF PAYMENT?

The contributions payable will be calculated on the basis of the rates that are applicable at time of payment in the following manner:

$$\text{\$CP} = \frac{\text{\$CDC} + [\text{\$CDC} \times (\text{\$CQ} - \text{\$CC})]}{\text{\$CC}}$$

Where

\$ CP is the amount of the contribution calculated at the time of payment

\$ CDC is the amount of the original contribution as set out in the development consent

\$ CQ is the contribution rate applicable at the time of payment

\$ CC is the contribution rate applicable at the time of the original consent

2.14 ARE THERE ALLOWANCES FOR EXISTING DEVELOPMENT?

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

- ▶ dwelling houses and single vacant allotments – 1 Equivalent Tenement (ET) per dwelling or lot;
- ▶ other dwellings – 1 bedroom units – 0.57 ET per dwelling; 2 bedroom dwellings – 0.71 ET per dwelling; 3 or 4 bedroom units – 1 ET per dwelling;
- ▶ tourist development – 0.29 ET per motel type room or 0.15 ET per bed in a large room
- ▶ commercial / office space – 0.1 ET per 100 square metres of gross floor area;
- ▶ retail space – 0.1 ET per 100 square metres of gross floor area.

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

2.15 POOLING OF CONTRIBUTIONS

This plan provides no constraints on how s64 funds raised can be applied, other than that water supply developer charges must be used for water supply purposes and sewer supply developer charges used for sewerage purposes within the requirements of a particular Development Servicing Plan. (See Appendix 1)

This plan expressly authorises monetary s94 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule of Appendices 2 to 10.

2.16 SAVINGS AND TRANSITIONAL ARRANGEMENTS

A development application that is submitted after the adoption of this plan shall be assessed in accordance with the provisions of this plan.

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.

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.

2.17 WHAT CRITERIA ARE TO BE USED FOR INDIVIDUAL ASSESSMENT OF CONTRIBUTIONS?

This clause applies to development identified in the contributions tables included in Section 1 of this plan as being 'subject to individual assessment'. An individual assessment of such developments will be undertaken giving consideration to:

- ▶ the specific characteristics of the proposed development;
- ▶ the location and proximity to existing services;
- ▶ the demand for services generated by the development; and
- ▶ the provision of services required to meet this demand.

This assessment will be consistent with the methodology specified within Appendices 1 to 9 of this plan. As an alternative, the Council may consider a negotiated development agreement which would outline the obligations of the applicant (and successors in title) and the Council, and provide a schedule of works to be undertaken at a rate commensurate with the proposed development.

3 PART C - CATCHMENT GROWTH RATES AND MAPS

3.1 CATCHMENT GROWTH RATES

As Snowy River Shire has a high proportion of temporary accommodation and residents, it is not appropriate to simply use current and projected permanent population figures to assess development growth rates and charges. Use of Equivalent Persons (EP) and related Equivalent Tenements (ET) in the calculations reflects the high proportion of temporary accommodation in the Shire. The basis of ETs in this plan has generally been developed from:

- ▶ a Council survey of land use and facilities in mid 1997,
- ▶ development approvals between mid 1997 and June 2007, and
- ▶ projected growth rates and capacity for development based on current development proposals and council officers' assessment of the capacity for development over the next twenty years

As a result of this analysis current and projected growth rates were developed and are summarised in the following table.

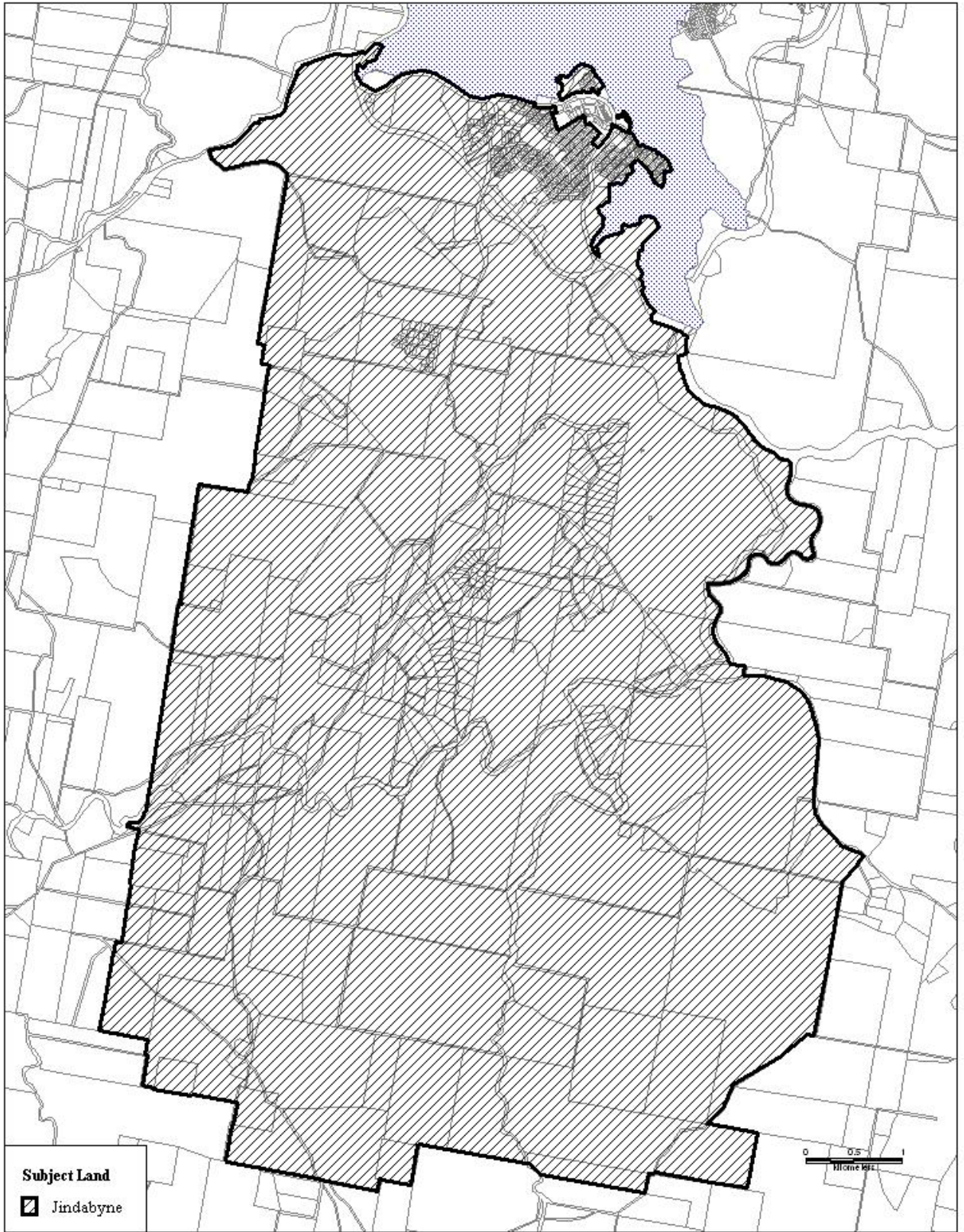
Location	Equivalent Tenements (ET) - includes commercial/ tourist etc as at end June 2007	Equivalent Tenements - comments on calculations of ETs at June 2007	Equivalent Tenements growth - next 20 years	Equivalent Tenements - comments on calculations of ETs growth for next twenty years.
Jindabyne (incl residential estates such as Cobbin)	2954	A survey by council officers and a review of Council records indicated that there were 2453 ETs in mid 1997. From a review of SRSC DA files for new lots, multi-unit development, tourism developments and dual occupancy there were an additional 501 ETs between 1998 and June 2007, giving a total of 2954 ETs at end June 2007.	3956 ETs at end June 2027	Assumes that growth in ETs in next 20 years will be consistent with growth of past ten years.
East Jindabyne	263	From Council survey and records there were 211 ETs in mid 1997. From a review of SRSC DA files for new lots, multi-unit development, tourism developments and dual occupancy there were an additional 52 ETs between 1998 and June 2007, giving a total of 263 ETs at end June 2007.	313 ETs at June 2017; 323 ETs at June 2027	4 new lots (ETs) per year for ten years - reaches expected EJ capacity unless there is rezoning; plus 20 extra ETs due to dual occupancy over next 20 years, based on rate of dual occupancy conversion in the last ten years.
Willow Bay (includes Alpine Sands)	116	No ETs in 1997, 116 ETs created from 1999 to 2007	261 ETs at June 2017, 341 at June 2027	Link Management estimated 209 ETs would be serviced by SPS 6, but this is not all of Willow Bay. Land use study in 1997/98 indicated potential for 261 ETs in Willow Bay by 2017 but based on SRSCV will assume additional 8 ETs (half previous year rate) per yr in new areas (including dual occupancy) per year till 2027
Tyrolean Village	183	From survey and council records there were 142 ETs in mid 1997. From a review of SRSC DA files there were an additional 41 ETs between 1998 and June 2007, giving a total of 183 ETs at end June 2007.	251 ETs at June 2027	2 new lots (ETs) per year for twenty years to reach ultimate current capacity plus 28 extra ETs due to dual occupancy over next 20 years, based on rate of dual occupancy conversion in the last ten years.
Kalkite	179	From survey and council records there were 164 ETs in mid 1997. From a review of SRSC DA files there were an additional 15 ETs between 1998 and June 2007, giving a total of 179 ETs at end June 2007.	229 ETs at June 2027	1 new lots (ET) per year for twenty years plus 30 extra ETs due to dual occupancy over next 20 years, based on rate of dual occupancy conversion in the last ten years.

Location	Equivalent Tenements (ET) - includes commercial/ tourist etc as at end June 2007	Equivalent Tenements - comments on calculations of ETs at June 2007	Equivalent Tenements growth - next 20 years	Equivalent Tenements - comments on calculations of ETs growth for next twenty years.
Berridale	772	From survey and council records there were 729 ETs in mid 1997. From a review of SRSC DA files there were an additional 43 ETs between 1998 and June 2007, giving a total of 772 ETs at end June 2007.	858 ETs as at June 2027	86 new ETs over next twenty years based on growth in ETs over previous ten years.
Adaminaby	245	Town population of approximately 230 in 2004 (Snowy River Shire Social Plan 2003-04, section 2.3). Based on population of 230 and using as a basis, Berridale ET/permanent population ratio of approx 1 to give June 2004 ETs (ie 230). From a review of SRSC DA files there were an additional 15 ETs from 2005 to 2007, giving a total of 245 as at June 2007.	300 ETs as at June 2027	55 new ETs over next twenty years based on average growth of previous nine years
Dalgety	68	Population of 65 in 2004 (Table 6 of Snowy River Shire Residential Planning Project Report by SGS Economics and Planning, October 2005). Based on population of 65 and using, as a basis, Berridale ET/permanent population ratio of approx 1 to give June 2004 ETs (ie 65). From a review of SRSC DA files there were an additional 3 ETs from 2005 to 2007, giving a total of 68 as at June 2007.	88 ETs at June 2027	Assume 1 new ET per year which is consistent with previous ten years
Shire Outside Catchments	1019	Permanent Population (PP) was estimated to be 2008 in 2004 (from table 6 of SGS report & Adaminaby population of 230 as above). Based on 1996 Census information, 2.8 persons occupy a three bedroom dwelling and this is equivalent to 1 ET. If there were only permanent population dwellings then a PP/ET ratio of about 2.8 would be used. However, as there is a moderate proportion of seasonal accommodation (Table 11 of SGS Study), use a conservative PP/ET ratio of 2 to give June 2004 ETs (ie 1004). There were 15 New ETs from 2005-07 giving a total of 1019.	1139 ETs at June 2027	Assumes average growth of 6 extra ETs per year in last 9 years will be maintained over next twenty years
Total	5799		7485	

3.2 CATCHMENT MAPS

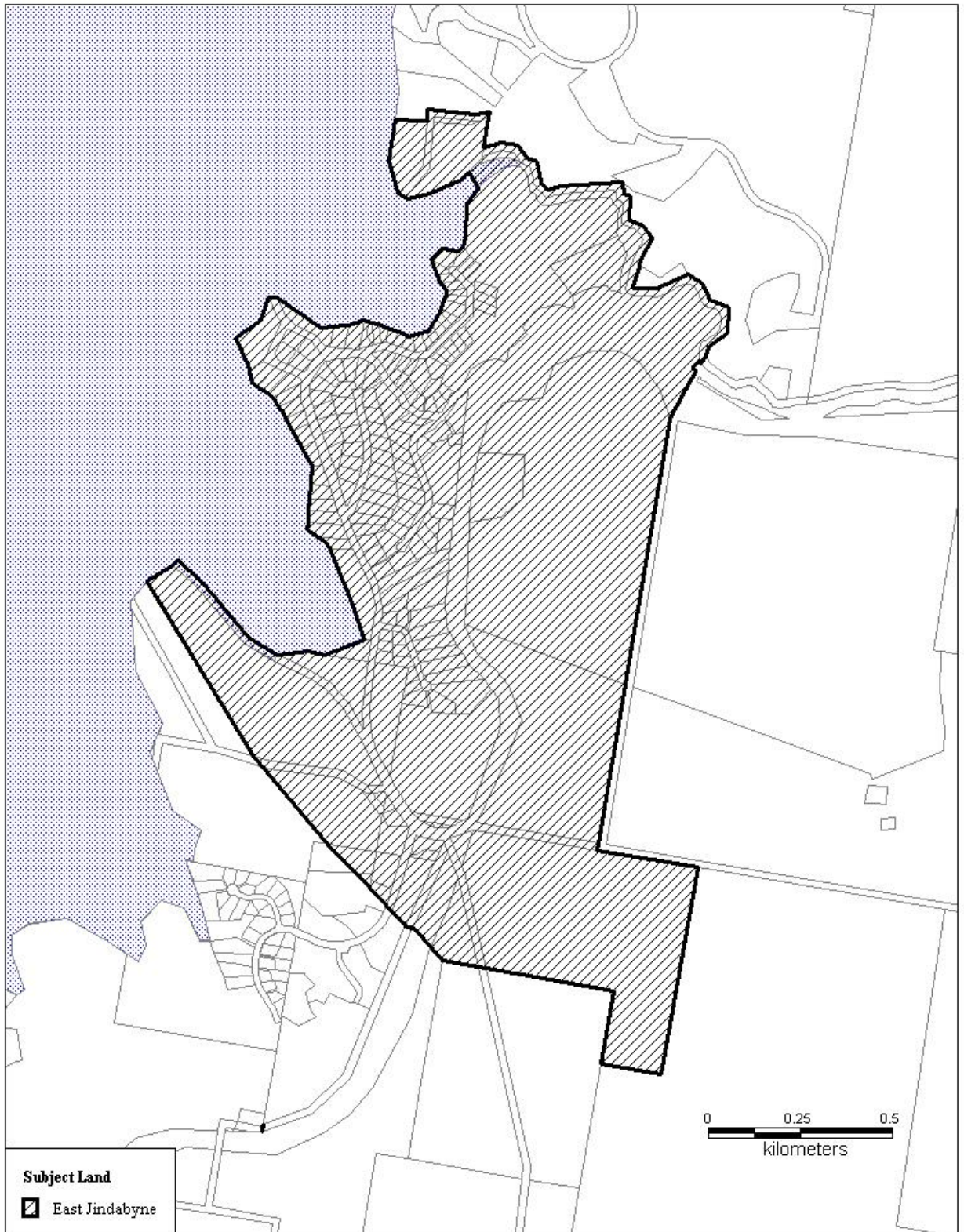
This plan applies to development in all of the catchments in the Shire. These are:

- (a) Jindabyne;
- (b) East Jindabyne
- (c) Willow Bay
- (d) Tyrolean Village
- (e) Kalkite
- (f) Berridale
- (g) Adaminaby
- (h) Dalgety
- (i) Shire outside defined catchments but within 10km of Jindabyne Post Office
- (j) Shire outside defined catchments and not within 10km of Jindabyne Post Office
- (k) Jindabyne Car Parking



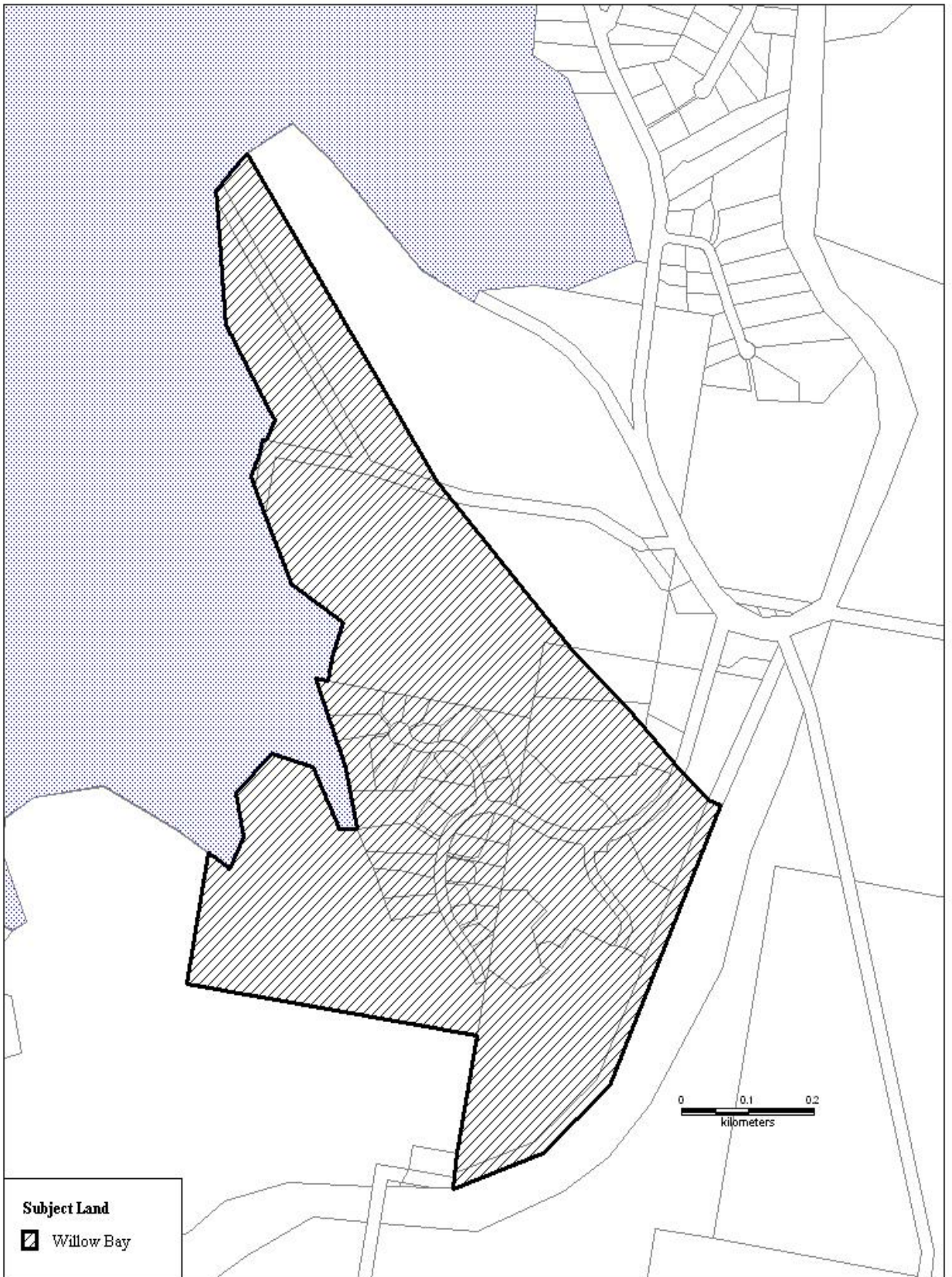
**SNOWY RIVER
 DEVELOPMENT CONTRIBUTIONS PLAN 2008
 JINDABYNE CATCHMENT**





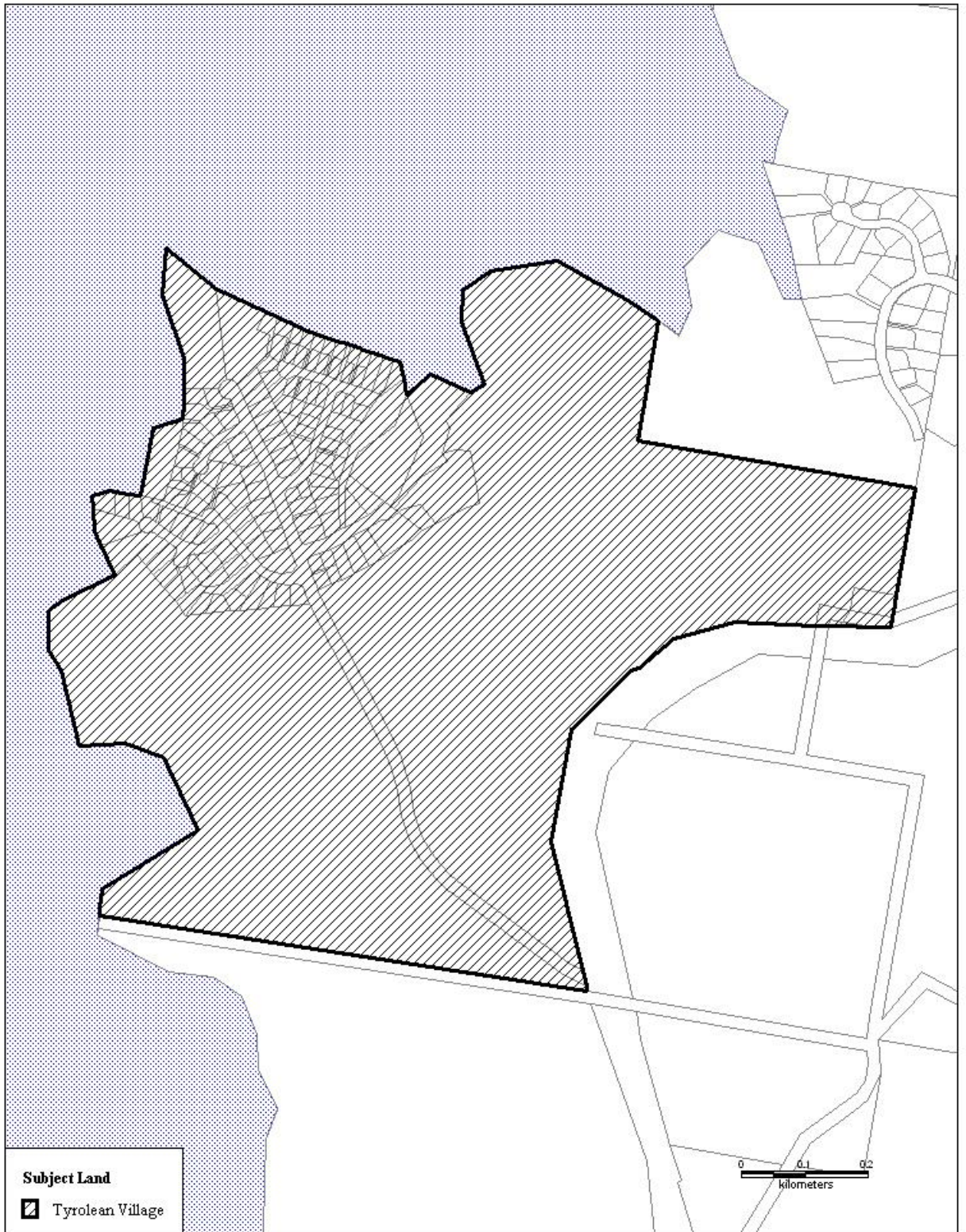
**SNOWY RIVER
DEVELOPMENT CONTRIBUTIONS PLAN 2008
EAST JINDABYNE CATCHMENT**





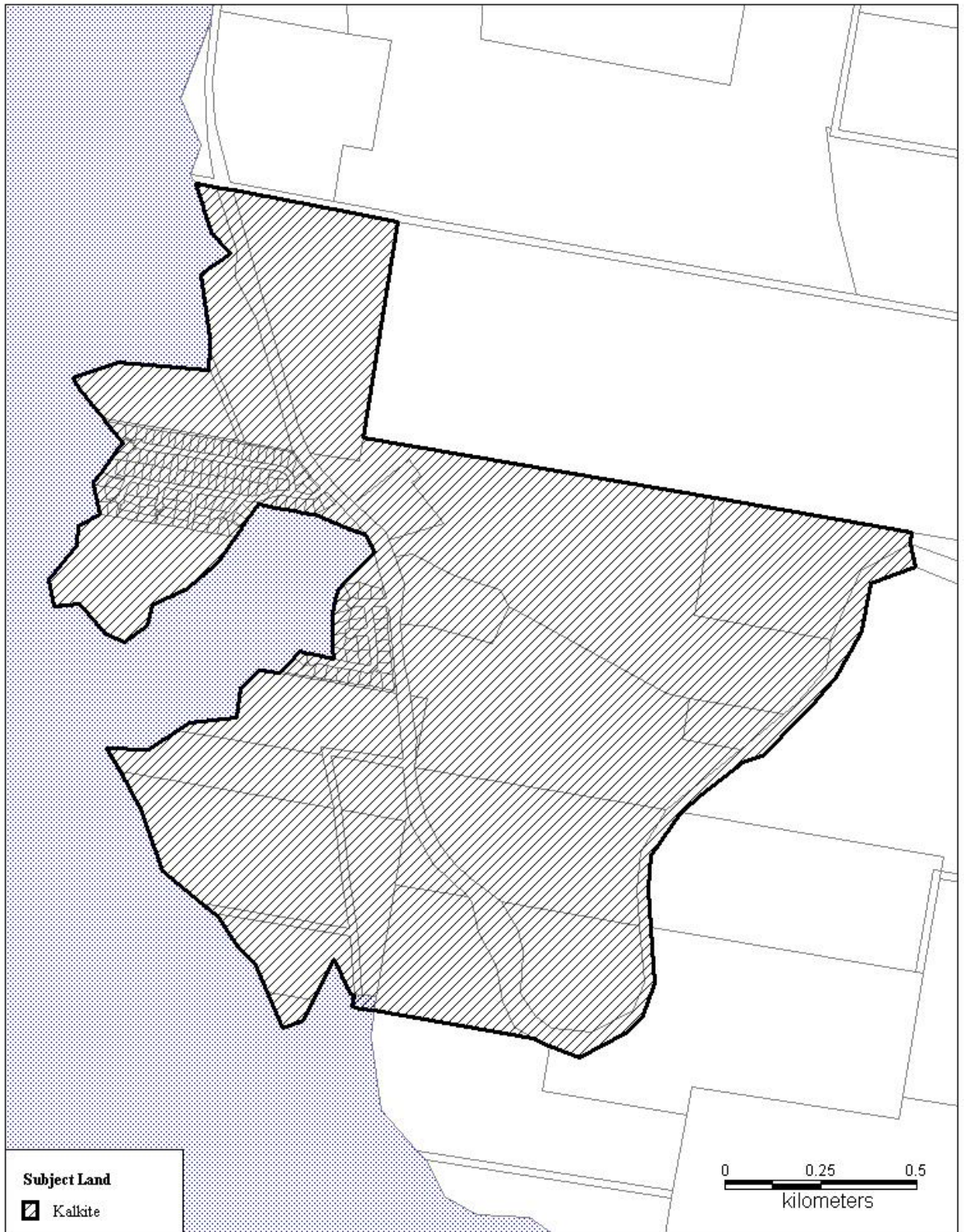
**SNOWY RIVER
DEVELOPMENT CONTRIBUTIONS PLAN 2008
WILLOW BAY CATCHMENT**





**SNOWY RIVER
DEVELOPMENT CONTRIBUTIONS PLAN 2008
TYROLEAN VILLAGE CATCHMENT**







**SNOWY RIVER
DEVELOPMENT CONTRIBUTIONS PLAN 2005
KALKITE CATCHMENT**





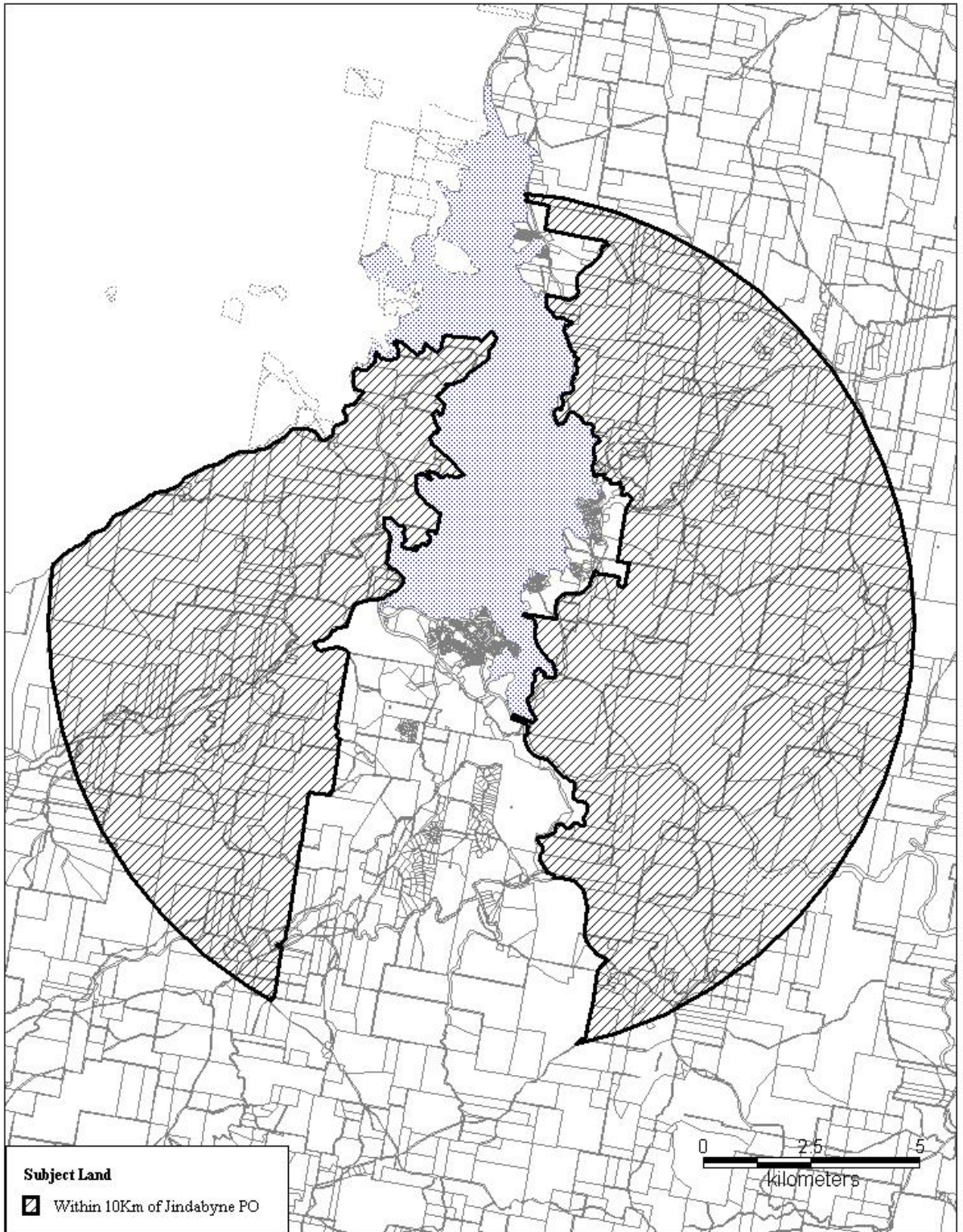
	<p>SNOWY RIVER DEVELOPMENT CONTRIBUTIONS PLAN 2008 BERRIDALE CATCHMENT</p>	
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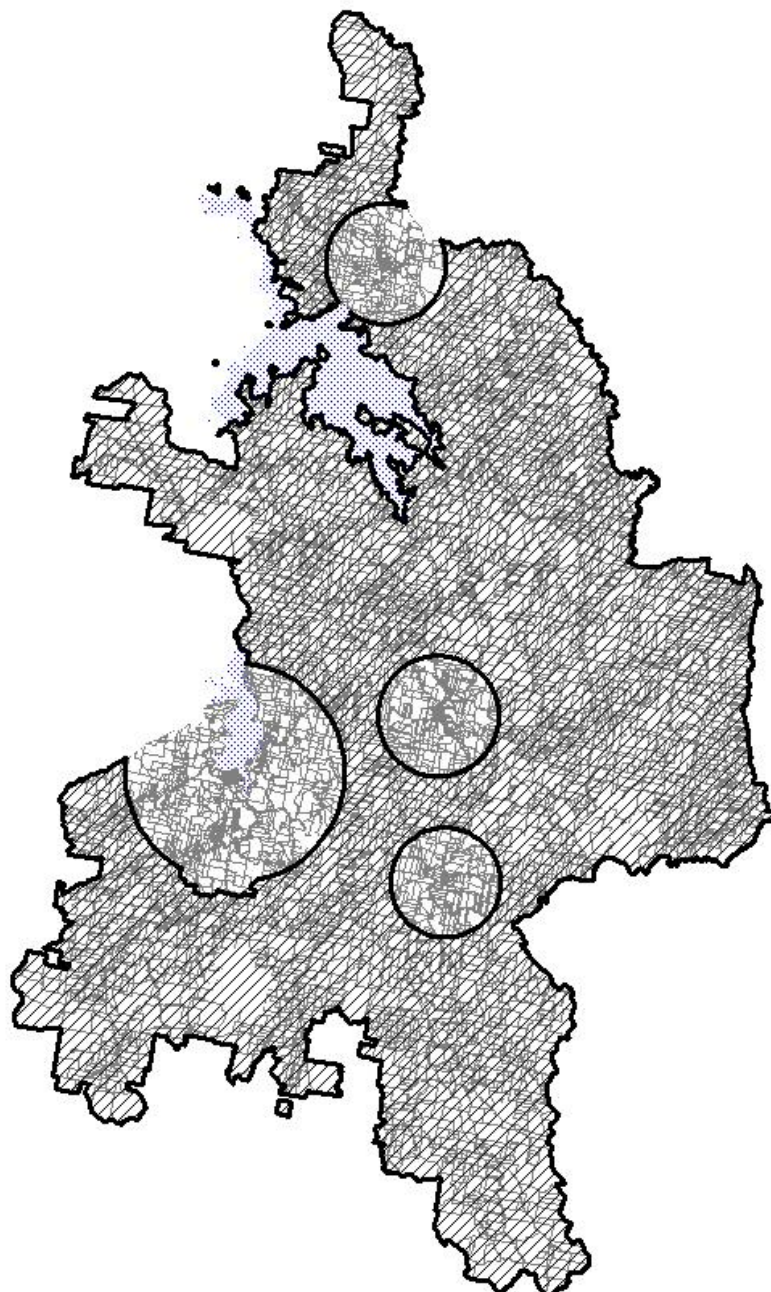
	<p>SNOWY RIVER DEVELOPMENT CONTRIBUTIONS PLAN 2008 ADAMINABY CATCHMENT</p>	
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	<p>SNOWY RIVER DEVELOPMENT CONTRIBUTIONS PLAN 2008 DALGETY CATCHMENT</p>	
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	<p>SNOWY RIVER DEVELOPMENT CONTRIBUTIONS PLAN 2008 SHIRE WITHIN 10KM OF JINDABYNE PO CATCHMENT</p>	
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Subject Land
 Outside 10Km of Jindabyne PO



**SNOWY RIVER
 DEVELOPMENT CONTRIBUTIONS PLAN 2008
 SHIRE OUTSIDE 10KM OF
 JINDABYNE PO CATCHMENT**





**SNOWY RIVER
DEVELOPMENT CONTRIBUTIONS PLAN 2008
JINDABYNE 1A AND 1B CATCHMENT**



4 DEFINITION OF TERMS

ADWF Average Dry Weather Flow

Annual Demand Total annual water consumption

AWWF Average Wet Weather Flow

BOD Biochemical oxygen demand. Used as a measure of the 'strength' of sewage

Capital Cost The Present Value (MEERA basis) of assets used to service the development.

Capital Charge Capital cost of assets per ET x Return on Investment (ROI) Factor.

CPI Consumer Price Index – assumed to be the Canberra All Goods Index

Developer Charge A charge levied on developers to recover part of the capital cost

(DC) incurred in providing infrastructure to new development.

Discount Rate The rate used to calculate the present value of money arising in the future.

DSP Development Servicing Plan

DCP Development Control Plan

DLWC Department of Land and Water Conservation

EP Equivalent Person – a theoretical value, generally used in the design of infrastructure. An EP refers to the generation of a demand for services, equivalent to the demand generated by a 'standard' dwelling. The use of EPs allows differing rates of demand generated by differing forms of development to be conveniently converted to a common value.

ET Equivalent Tenement – a theoretical value, generally used in the design of infrastructure. An ET refers to the generation of a demand for services, equivalent to the demand generated by a 'standard' dwelling. The use of ETs allows differing rates of demand generated by differing forms of development to be conveniently converted to a common value.

IPART Independent Pricing and Regulatory Tribunal

kL/d Kilitres per day

LEP Local Environmental Plan

MEERA Modern Equivalent Engineering Replacement Asset

ML/d Megalitres per day

NHMRC National Health and Medical Research Council

NPV Net Present Value

OMA Operation, maintenance and administration (costs)

Peak Day Demand Highest water consumption on one day in a year

Post 1996 Asset An Asset that was commissioned by a water utility before 1 January 1996

PV Present value. The value now of money, or ETs in the future.

Real Terms The value of a variable adjusted for inflation by a CPI adjustment.

Reduction Amount The amount which the capital charge is reduced to arrive at the developer charge. This amount reflects the present value of the capital contribution that will be paid by the occupier of a development as part of future annual charges.

ROI Return on investment. Represents the income that is, or could be, generated by investing money.

PWWF Peak Wet Weather Flow

PS Pumping Station

Service Area An area served by a separate water supply system, an area served by a separate sewage treatment works, a separate small town or village, or a new development of over 500 lots.

SR Service Reservoir

SS Suspended solids, or the concentration of particles in sewage. Used as measure of the 'strength' of sewage.

STW Sewage Treatment Works

TRB Typical residential bill

WTW Water Treatment Works

5 PART E – REFERENCES

This plan was based on the following documents and inputs:

- Snowy River Development Contributions Plan 1993
- Snowy River Development Contributions Plan 1998
- Snowy River Shire Council Management Plan 2002 – 2005
- Snowy River Shire Social Plan 2003 – 2004
- Snowy River Shire Residential Planning Project – Final Report October 2005 – SGS Economics & Planning
- Direct input on status of development proposals and assets by SRSC staff
- SRSC Asset Accounting System registers for Water & Sewer Assets
- NSW Reference Rates Manual for Valuation of Water Supply, Sewerage and Stormwater Assets (NSW Government Ministry of Energy and Utilities June 2003)
- NSW Government Land & Water Conservation Guidelines: Developer Charges for Water Supply, Sewerage and Stormwater (December 2002)
- Spreadsheets developed to conduct calculations in this study (held by SRSC)
- Snowy River Open Space & Recreational Strategy (2006)
- Snowy River Rural Local Environmental Plan 2007