



Section 94 Developer Contributions Plan –  
The Resource Recovery Centre 2009



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Effective: 16 September 2009

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## 2 PART A – Summary Schedules

The following summary schedules are included in this Part:

- Works Program Summary; and
- Summary of Contribution Catchment and Contribution Rate.

### 2.1 Works Program Summary

Table 1 provides a summary of the cost to Council of establishing the Resource Recovery Centre (RRC) in 2001 and further expenses in 2006 and 2007.

**Table 1 - Costs of Establishing RRC Facility since 2001**

Year	RRC Facilities Established since 2001	Cost Per Item
2008	RRC Works, Plant & Vertical Composting Unit	\$2,000,000
2006	RRC Plant	\$471,000
2001	RRC Construction	\$2,800,000
	<b>SUB TOTAL</b>	<b>\$5,271,000</b>

Note it is stressed that this is a summary table only. Please refer to more detailed tables and calculations described in the body of this Plan.

### 2.2 Summary of Contribution Catchment and Contribution Rate

This Plan applies to all proposed residential development types in the Wingecarribee Shire that are able to utilise Councils' kerb side waste collection service. Refer to Figure 1 for the Wingecarribee LGA boundaries.

The Contribution Rates applicable under this Plan are summarised as follows:

**Table 2 - Summary of RRC Contribution Rates**

Type of Development	Rate per ET <sup>1</sup>
Per Lot (ET) and 4-Bedroom Dwelling	\$205.57
3 – Bedroom Dwelling (90% of an ET)	\$185.01
2 – Bedroom Dwelling (67% of an ET)	\$137.73
1 – Bedroom Dwelling (50% of an ET)	\$102.79

<sup>1</sup>ET = Equivalent Tenement or 1 residential allotment (refer to dictionary)

Note: It is stressed that this is a summary table 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 Plan is called the *Section 94 Development Contributions Plan – Resource Recovery Centre 2009*, for Wingecarribee Shire Council.

#### **3.2 Area the Plan Applies**

This Plan applies to the land within the Local Government Area (LGA) of Wingecarribee Shire Council shown on the map in Figure 1.

#### **3.3 What is the Purpose of this Development Contributions Plan**

The purpose of this Development Contributions Plan is to:

- a. Provide an administrative framework under which specific facilities 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 LGA;
- c. To 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;
- f. Enable Council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.
- g. To require an accredited certifier to impose a condition under this Plan in respect of complying development, and to specify the contribution rate, unit rates and contribution amount payable to Council.

Figure 1 – Wingecarribee Shire Council LGA

# Wingecarribee Shire

With surrounding Local Government Areas



<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="color: lightblue;">—</span> Rivers</li> <li><span style="color: black;">—</span> Main Roads</li> <li><span style="background-color: orange; width: 15px; height: 10px; display: inline-block;"></span> Urban Areas</li> </ul>		<p>WINGECARRIBEE SHIRE COUNCIL</p> <p><small>Any information (numerical or otherwise), representation, statement, opinion or advice expressed or implied in the publication is made in good faith but on the basis that the council of the shire of Wingecarribee, its agents and its employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any information, representation, statement or advice referred to above.</small></p>
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### 3.4 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 EPA Regulation.

Date from which Public Notice was Published: *16 September 2009*

### 3.5 Relationship with other Plans and Policies

This Development Contributions Plan **repeals** the following Contributions Plans:

**Table 3 – Plans repealed by this Contributions Plan**

<b>Name of Plan</b>	<b>Date of Original Adoption</b>	<b>Date of Repeal</b>
Wingecarribee Shire Council Developer Contributions Plan for Resource Recovery Centre and Animal Shelter	27 <sup>th</sup> March 2002	16 <sup>th</sup> September 2009

This Development Contributions Plan supplements the provisions of the Draft Wingecarribee Shire Local Environmental Plan 2009 and the following other Section 94 Development 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 4 – Other Plans related to this Contributions Plan**

<b>Name of Plan</b>	<b>Date of Adoption of Plan</b>
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Central Library Facility	9 July 1997
Wingecarribee Shire Council Developer Contributions Plan for Bundanoon	11 February 2004
Wingecarribee Shire Council Developer Contributions Plan – Stormwater Drainage	21 June 1993
Wingecarribee Shire Council Developer Contributions Plan for East Bowral	24 August 2005
Wingecarribee Shire Council Developer Contributions for Roads and Traffic Management	21 June 1993
Wingecarribee Shire Council Developer Contributions Plan for Open Space and Recreation Facilities	14 March 2007
Wingecarribee Shire Council Section 94 Developer Contributions Plan for Administration Resources	28 August 1996
Water Supply Development Servicing Plan for Wingecarribee Shire Council	1 January 2007
Sewerage Development Servicing Plan for Wingecarribee Shire Council	1 January 2007

### 3.6 Definitions

A list of definitions and list of abbreviations is contained in Section 6.2 of this Plan.

### 3.7 When is the 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 in accordance with Table 5:

**Table 5 – Timing of Payment of Contributions by Type of Development**

<b>Description of Development</b>	<b>Timing of Payment</b>
Subdivision	Prior to the Issue of the Subdivision Certificate.
Dual Occupancy, Secondary Dwelling, Attached Dwellings, Semi Detached Dwelling, Multi Dwelling Housing, Residential Flat Buildings, Serviced Apartments, Shop Top Housing, Tourist and Visitor Accommodation Units	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 and Seniors Housing by Not-for-Profit Organisations that are not exempt in accordance with Section 3.12 of this Plan.	Prior to the issue of the Occupation Certificate.
Residential Care Facilities, Hostels and Group Homes that are not exempt in accordance with Section 3.12 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.
Rural Dwellings (As described in Section 42A(2)(c) and 42A(3)(b) or the Draft WSC Local Environmental Plan 2009).	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 5 above.



### **3.8 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, 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.

### **3.9 Complying Development and the Obligation of Accredited Certifiers**

In accordance with Section 94EC(1) of the EPA Act, accredited certifiers must impose a condition requiring monetary contributions in accordance with this development contributions plan, which satisfies the following criteria:

- *Any residential development, except a single dwelling house on a Council approved allotment; and*
- *Rural Dwellings (As described in Section 42A(2)(c) and 42A(3)(b) or the Draft WSC Local Environmental Plan 2009).*

The conditions imposed must be consistent with Council's standard Section 94 consent conditions and be strictly in accordance with this development contributions plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the Section 94 condition correctly.

### **3.10 Deferred and Periodic Payments**

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

- a. the deferred or periodic 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.

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 condition that:

- 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 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 building work, or the date of the issuing of a 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, from the date on which payment was due until that date on which payment is made as secured by the guarantee.

### **3.11 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 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 Development Contributions and Developer Service Charges Assessment Policy, which outlines how to apply for a works-in-kind agreement and Council's Works-In-Kind Policy.

### **3.11.1 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, carryout 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 10.

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 Part 6 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 from time to time.

### **3.12 Exemptions**

Council may consider exempting development, or components of developments from the requirement for a contribution that include:

#### **3.12.1 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".

#### **3.12.2 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.

#### **3.12.3 State Environmental Planning Policy (Housing for Senior's or People with a Disability) 2004**

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.

#### **3.12.4 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 open space and recreational activities; roads and traffic facilities; and community and social facilities; or
- e. for *granny flats*, where the floor space is equal to or less than 60m<sup>2</sup>; 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.

### **3.12.5 Determination of Applications for Exemption**

For claims for exemption to be considered for development referred to Sections 3.13.1 to 3.13.4 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.
- Any other information Council request due to the particular circumstances of the case.

### **3.13 Review of Contribution Rates**

To ensure that the value of the contributions are not eroded over time by inflationary pressures, Council will review the contributions rates. The contributions rates of this Plan are for Previous Capital Expenditure Costs (recoupment).

These recoupment costs will be reviewed by reference to the following specific index:

- the Consumer Price Index (CPI), Tables 1 and 2. CPI: All Groups, Index Numbers and Percentage changes – Index Numbers; All Groups; Sydney (A2325806K), as published by the Australian Bureau of Statistics, [www.abs.gov.au](http://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:

#### **3.13.1 Recoupment (Previous Capital Expenditure)**

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

$$\$C_A + \frac{\$C_{LV} \times (I_C - I_B)}{I_B}$$

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), Tables 1 and 2. CPI: All Groups, Index Numbers and Percentage changes – Index Numbers; All Groups; Sydney (A2325806K), as published by the Australian Bureau of Statistics, [www.abs.gov.au](http://www.abs.gov.au), at the time of the review of the contributions rate.
- $I_B$  - is the Consumer Price Index (CPI), Tables 1 and 2. CPI: All Groups, Index Numbers and Percentage changes – Index Numbers; All Groups; Sydney (A2325806K), as published by the Australian Bureau of Statistics, [www.abs.gov.au](http://www.abs.gov.au), at the time of the adoption of this Plan.

### 3.14 How are Contributions 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:

- <http://www.wsc.nsw.gov.au/planning/1281/6781.html> on Council's website;
- Or contact Council's Contributions/Strategic Planner on (02) 4868 0888.

### 3.15 Are there Allowances for Existing Development? And Contribution Ratios for Residential Development

Contributions will be levied according to the estimated increase in demand as provided in Table 6. 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 6 – Residential Housing and Accommodation Ratios Per Equivalent Tenement**

Note: Refer to Section 6 of this Plan for Definitions of Development Descriptions, 'bedroom' and 'ET'.

Description of Development	Unit Rate Per ET
	Direct Contributions Plans
<b>Single Residential Lots (Dwelling House)</b>	
<b>A Standard Residential Lot</b> – a single density (one lot with one dwelling). Dwelling House in residential zones where lots are greater than 450m <sup>2</sup> and less than 2000 m <sup>2</sup>	1.00
<b>A Large Residential Lot</b> – a single density (one lot with one dwelling). Dwelling House in residential and rural zones where lots are greater than 2000 m <sup>2</sup>	1.00
<b>Dual Occupancy, Secondary Dwelling, Attached Dwellings, Semi Detached Dwelling, Multi Dwelling Housing</b> – generally for where each dwelling is to be situated on lots less than 450m <sup>2</sup> (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	0.90
Four (4) bedroom dwelling	1.00
<b>Residential Flat Buildings, Serviced Apartments, Shop Top Housing Tourist and Visitor Accommodation Units (self contained).</b>	
One (1) bedroom apartment	0.50
Two (2) bedroom apartment	0.67
Three (3) bedroom or more apartment	0.90
<b>Tourist and Visitor Accommodation Units (not self contained)</b>	
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
<b>Housing for Seniors or People with a Disability (Seniors Living SEPP 2004) or Seniors Housing.</b>	
One (1) bedroom self contained (ensuite & kitchen)	0.40
Two (2) bedroom self contained	0.55
Three (3) or more bedrooms self contained	0.75
<b>Residential Care Facilities, Hostels and Group Homes</b>	
High Dependency/Residential Care Facility (per bed)	Nil
Low Dependency/Hostel (per bed)	0.35
<b>Caravan Parks and/or Camping Sites</b>	
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 Dual Occupancy

Where a residential type development does not fall within any of the items noted above, Council will determine the ratios applicable on the basis of the likely demand that the existing or proposed development would create.

### 3.16 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 levies are shown in the works schedule.

### 3.17 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.

### 3.18 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.

### 3.19 Contributions Formula

The Development Contributions contained in this Plan are Shirewide, as the Resource Recovery Centre applies equally to all residential development that is serviced by Council's Garbage Collection.

The contributions are calculated using the following formula:

$$\text{Contribution Rate (Per ET)} = \left[ \frac{[(TC - S) \times P] + I}{N} \right] \times R$$

Where:

- TC* = Total Cost of Facilities (refer to Section 4.7)
- S* = Direct Subsidies and Grants; and current account balance (2009)
- P* = Proportion attributable to new development (refer to Section 4.7)
- N* = Population Increase (16,400 – Department of Planning)
- R* = Average occupancy rate for detached single house taken from 2006 Census (2.71 persons)
- I* = Interest on any monetary borrowing
- ET* = Equivalent Tenement (refer to dictionary)

### 3.20 Contributions Rate

Shirewide Contribution Rate Calculation:



$$\text{Contributions Rate Per ET} = \frac{\$4,433,655 \times 28\%}{16,400} \times 2.71$$

Thus,

$$\text{Contributions Rate Per ET} = \mathbf{\$205.57}$$

## 4 PART C – Strategy Plans

### 4.1 Current Population Statistics

The Wingecarribee Shire is located 75-kilometres from the south-western fringe of Sydney and covers an expanse of 2,700 square kilometres. The *Wingecarribee Shire Community Profile 2006* examines the 2006 Census Data produced by the Australian Bureau of Statistics. In summary, at the 2006 Census:

- The population of the Shire was 42,272;
- The Shire's urban growth was centred in the towns of Mittagong, Bowral and Moss Vale, (which comprised 61% of the population of the Shire);
- There were 16,218 households;
- The Shire had 11,561 families;
- Separate housing accounted for 90% of occupied private dwellings; and
- Common industries were retailing, health and community services, manufacturing, construction, hospitality, education and training.

The *Wingecarribee Shire Community Profile 2006* also compares the Shire's demography with national, State and regional contexts. Comparative data includes Australia, NSW and the Illawarra region. For further information the document is available from Council – Civic Centre, Elizabeth Street, Moss Vale; or as a down load from: <http://www.wsc.nsw.gov.au/planning/2706.html>

### 4.2 Past Population Statistics

The Community Profile, 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 2001 and 2006 census, from 40,840 residents to 42,272 residents.
- The population growth rate declined to 0.7% per annum between 2001 and 2006, compared to the growth rate 2001 (2.2% per annum) and 1991 to 1996 (2.1% per annum).
- The LGA has an aging population, with the LGA median age of 42-years. There is also a trend of outward movement of young people and immigration of persons aged 55 years or over.

### 4.3 Families

- In 2006, the Shire had 11,561 families, comprising 41% couple families with children, 43% couple only families and 14% one parent families.

- Over 5,000 families are caring for dependant off spring. The majority (70%) are young families rearing children younger than 15-years. Over one fifth of these are headed by a loan parent.

#### 4.4 Households and Housing

- In 2006, the LGA had 15,567 occupied private dwellings, an increase of 2.9% from 2001.
- Separate housing accounts for 90% of occupied dwellings.
- The housing stock in the Wingecarribee LGA has shifted with the proportion of medium and high density housing stock increasing from 7.4% in 2001 to 9.4% in 2006.
- Average household occupancy rate of 2.5 persons compared to 2.6 for NSW.
- Changes in population age distribution between 2001 and 2006 has led to a decrease in family households and an increasing proportion of lone person households which now represent 23% of all households. This is similar to NSW.
- The current stock of housing available for private rental of occupied private dwellings is also low at 21%, compared to 28% for NSW in 2006. Lack of housing choice is contributing to affordability problems for lone person, couple and low income households seeking rental accommodation.

#### 4.5 Future Growth Statistics

According to the Sydney-Canberra Corridor Regional Strategy 2006-2031, published by the NSW Department of Planning, 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**

- *Wingecaribees' 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 Wingecaribee 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."*

In order for Council to plan for the predicted growth discussed in the Sydney-Canberra Corridor Strategy, Council commissioned Parsons Brinkerhoff Australia Pty Limited (PB) to review the *Wingecaribee Open Space, Recreation, Cultural and Community Facilities Needs Study and Strategy 2004* and produce an updated 2009 Strategy. As part of that review PB broke down the projected population growth across the Shire, sourcing their information from the *Wingecaribee Shire Community Profile 2006* and Projected Population taken from *Population Modelling Study Wingecaribee Shire – Extended Population Projections by Census Application June 2004*. Table 7, using PBs' calculated percentage increases, comprehensively breaks down the projected population increase and associated housing increase across the LGA from 2006 to 2031.

**Table 7 – Population Projections for Wingecarribee LGA**

Shire Towns	Persons										
	Households 2006	2006 Persons per dwelling	2006	2031	Persons Increase from 2006 to 2031	2031 Persons Per Dwelling	Households 2031	% Increase Population	Housing Increase	% Increase in Households	Apportionment of New Persons from 2006 to 2031
Mittagong inc Welby, Braemar, Willow Vale	2,799	2.67	7,461	12,833	5,372	4.17	3,076	72.0%	277	9.9%	42%
Alymeron/Balaclava	78	3.13	244	334	90	2.65	126	36.8%	48	61.5%	27%
Bowral	2,852	2.44	6,970	6,998	28	2.15	3,251	0.4%	399	14.0%	0%
East Bowral	783	3.14	2,457	2,199	-258	2.81	783	-10.5%	0	0.0%	-12%
Burradoo	735	2.82	2,073	2,964	891	3.26	909	43.0%	174	23.7%	30%
Moss Vale	2,503	2.69	6,723	8,410	1,687	2.69	3,129	25.1%	626	25.0%	20%
Bundanoon	817	2.49	2,035	2,772	737	2.04	1,362	36.2%	545	66.7%	27%
<b>Town Dwellers</b>	<b>10,567</b>	<b>2.65</b>	<b>27,963</b>	<b>36,510</b>	<b>8,547</b>	<b>2.89</b>	<b>12,636</b>	<b>30.6%</b>	<b>2,069</b>	<b>19.6%</b>	<b>23%</b>
Release Areas (Design Populations)	Persons										
	Households 2006	2006 Persons per dwelling	2006	2031	Persons Increase from 2006 to 2031	2031 Persons Per Dwelling	Households 2031	% Increase Population	Housing Increase	% Increase in Households	Apportionment of New Persons from 2006 to 2031
Renwick (Mittagong)	0	0.00	0	1,590	1,590	2.65	600	100.0%	600	100.0%	100%
Chelsea Gardens/Coomungie (Moss Vale)	0	0.00	0	2,650	2,650	2.65	1,000	100.0%	1,000	100.0%	100%
Broughton Street (Moss Vale)	0	0.00	0	1,060	1,060	2.65	400	100.0%	400	100.0%	100%
Braemar	0	0.00	0	1,060	1,060	2.65	400	100.0%	400	100.0%	100%
<b>Release Areas Dwellers</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>6,360</b>	<b>6,360</b>	<b>2.65</b>	<b>2,400</b>	<b>100.0%</b>	<b>2,400</b>	<b>100.0%</b>	<b>100%</b>
Shire Villages	Persons										
	Households 2006	2006 Persons per dwelling	2006	2031	Persons Increase from 2006 to 2031	2031 Persons Per Dwelling	Households 2031	% Increase Population	Housing Increase	% Increase in Households	Apportionment of New Persons from 2006 to 2031
Yerrinbool	355	2.91	1,032	1,844	812	4.61	400	78.7%	45	12.7%	44%
Hill Top	591	3.05	1,803	2,059	256	2.92	706	14.2%	115	19.5%	12%
Colo Vale	408	2.98	1,214	1,259	45	2.17	580	3.7%	172	42.2%	4%
Berrima	94	2.93	275	294	19	2.77	106	6.9%	12	12.8%	6%
New Berrima	234	2.54	594	668	74	2.54	263	12.5%	29	12.4%	11%
Exeter	147	2.71	398	862	464	3.64	237	116.6%	90	61.2%	54%
Wingello	120	2.57	308	859	550	3.49	246	178.8%	126	105.0%	64%
Burrawang	70	1.09	76	117	41	1.09	108	54.3%	38	54.3%	35%
Robertson	420	2.87	1,205	1,493	288	3.00	497	23.9%	77	18.3%	19%
<b>Village Dwellers</b>	<b>2,439</b>	<b>2.83</b>	<b>6,905</b>	<b>9,455</b>	<b>2,550</b>	<b>3.01</b>	<b>3,143</b>	<b>36.9%</b>	<b>704</b>	<b>28.9%</b>	<b>27%</b>
Shire Rural Districts	Persons										
	Households 2006	2006 Persons per dwelling	2006	2031	Persons Increase from 2006 to 2031	2031 Persons Per Dwelling	Households 2031	% Increase Population	Housing Increase	% Increase in Households	Apportionment of New Persons from 2006 to 2031
Rural North	457	3.04	1,387	2,655	1,268	3.04	875	91.4%	418	91.4%	48%
Rural East	885	2.84	2,510	3,988	1,478	2.84	1,406	58.9%	521	58.9%	37%
Rural South	493	2.73	1,347	3,324	1,977	2.73	1,217	146.8%	724	146.8%	59%
Rural West	727	2.86	2,076	1,416	-660	2.86	496	-31.8%	-231	-31.8%	-47%
<b>Rural Dwellers</b>	<b>2,562</b>	<b>2.86</b>	<b>7,320</b>	<b>11,383</b>	<b>4,063</b>	<b>2.85</b>	<b>3,994</b>	<b>55.5%</b>	<b>1,432</b>	<b>55.9%</b>	<b>36%</b>
Shirewide	Persons										
	Households 2006	2006 Persons per dwelling	2006	2031	Persons Increase from 2006 to 2031	2031 Persons Per Dwelling	Households 2031	% Increase Population	Housing Increase	% Increase in Households	Apportionment of New Persons from 2006 to 2031
<b>Shirewide TOTALS</b>	<b>15,568</b>	<b>2.71</b>	<b>42,188</b>	<b>63,708</b>	<b>21,520</b>	<b>2.87</b>	<b>22,173</b>	<b>51.0%</b>	<b>6,605</b>	<b>42.4%</b>	<b>34%</b>
<b>Department of Planning Overall Projections</b>	<b>15,568</b>	<b>2.71</b>	<b>42,188</b>	<b>58,588</b>	<b>16,400</b>	<b>2.41</b>	<b>24,268</b>	<b>38.9%</b>	<b>8,700</b>	<b>55.9%</b>	<b>28%</b>

Table 7 predicts that towns classified as ‘shire towns’ or larger suburbs in the LGA, including Bowral, Mittagong and Moss Vale are projected to increase the population by an average of 30.6% and households by 19.6%. This represents an increase in population in fewer households, indicating a move toward higher density housing in the suburban areas of the Wingecarribee LGA.

Further new release areas will account for 10% of the total projected increase in population and 11% of household increases. Table 7 shows the new release areas and projected numbers of new dwellings and population (based on an occupancy rate of 2.65 persons per dwelling). Overall, these new suburbs will increase the total housing stock in the Wingecarribee LGA by 2,400 dwellings with a population increase of 6,360.

In summary, Table 7 shows that infill development within the Shire’s major towns will cater for 8,547 new residents; Releases Areas will provide for 6,360 new residents; Shire Villages 2,550 new residents; and Rural districts 4,063 new residents.

However, whilst the Table 7 shows a total increase in population of 21,520 the Department of Planning predicts an increase of 16,400 persons from 2006 to 2031.

The discrepancies occur as the population projections report by *Census Applications* (2004), would have been using higher predicted growth rates than the Department of Planning (2008). The Table will be revised when the Department of Planning releases more detailed information on the breakdown of population growth within the LGA. Therefore, due to recent slowing of growth, the Department of Planning's estimated total increase in persons for the Shire to 2031 is adopted for the purposes of this Plan.

## **4.6 Identifying Demand**

### **4.6.1 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. In the case of this Plan the public facility is the Resource Recovery Centre and the expected type of development is residential.

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.

### **4.6.2 Causal Nexus**

Prior to 2001, Council operated a waste management facility at Welby. The Welby Facility was not suitable as a long term site so Council relocated the facility to a more appropriate site, being the Berrima Road, Moss Vale site now occupied by the Resource Recovery Centre (RRC). The Moss Vale site commenced construction in July 2001 and was completed later that year.

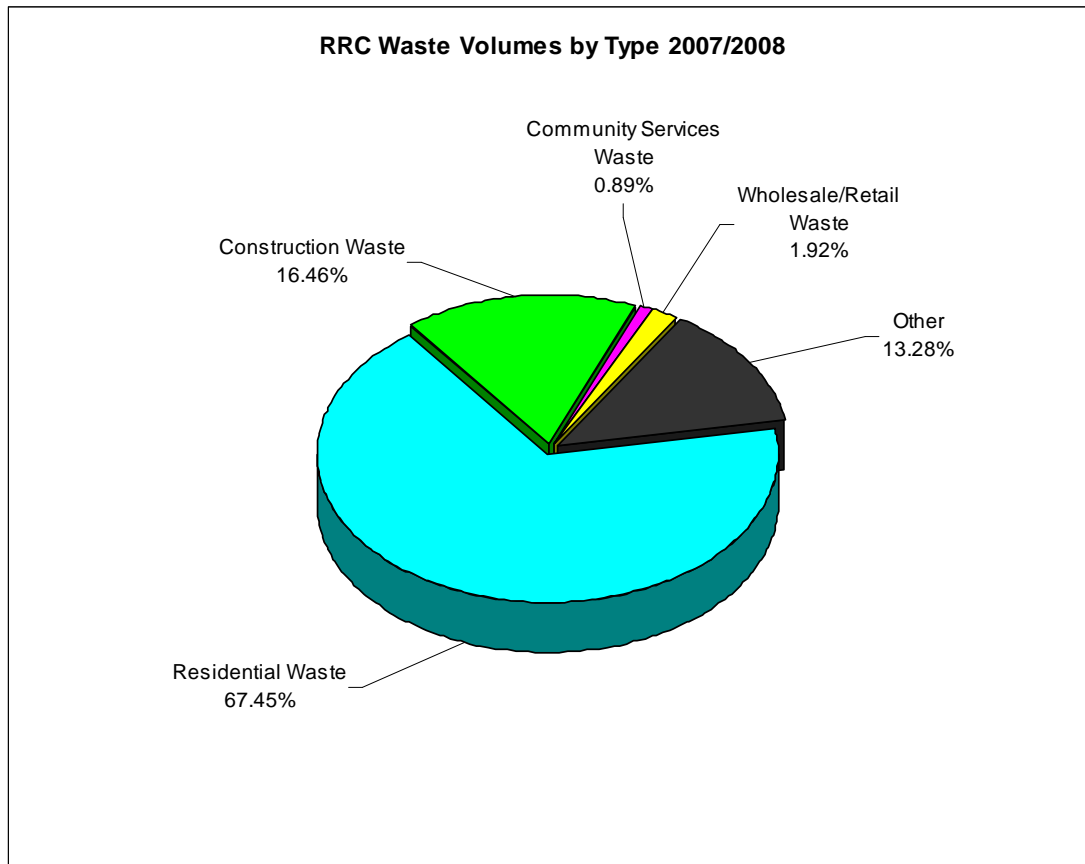
The RRC has a total capacity to accept up to approximately 150,000 cubic metres of waste per annum, of which 70% is re-used in various forms and around 30% is transported off-site as landfill. The total capacity of the Moss Vale site is approximately twice the level of that previously handled by the defunct Welby facility.

With the establishment of the new facility at Moss Vale, Council was able to progress from waste management to resource recovery. The centre receives domestic waste and commercial mixed waste which after pre-sorting is transferred to WSN Environmental Solutions 'Ecolibrium' Resource Recovery Park, Narellan, for mechanical processing. The RRC also receives a broad range of recyclable materials, which are processed on site or sent to other plants for recycling, and some hazardous waste, which is sent away to be safely disposed of and processed. Items destined for an extended life are also accepted and re-sold at the Reviva Centre, within the RRC.

Figure 2 – provides an illustration of the sources of waste directed to the RRC Facility for the 2007/08 year. Based on these figures 67.45% of waste volumes were sourced from residential users, with the other major contributor being the Construction

Industry at 16.46%. Essentially a significant proportion of the RRC’s operations are dedicated to the disposal and sorting of residential waste.

**Figure 2 - Waste Volumes by Development Types**



Further evidence of the demand generated by residential development on the RRC is shown in Table 8, which shows Wingecarribee Shire’s domestic kerbside waste collection performance.

**Table 8 - Domestic Waste Generation (Source: Resource Recovery Centre – Moss Vale, WSC 2008)**

Wingecarribee (2007/08)	Kerbside Garbage	Kerbside Recyclables	Garden Organics	TOTALS
Total Waste Generation (tonnes)	5,908	4,907	6,804	<b>17,619</b>
Population				<b>47,176</b>
Number of Domestic Kerbside Services				<b>16,916</b>
Average Residents per Service				<b>2.6</b>
Residents in Collection Area				<b>45,675</b>
Total Waste Generation Per Household	349	290	402	<b>1,042</b>
Total Generation p/head Population (kgs)	129	107	149	<b>386</b>

Total Recyclables Per Head (kgs)				<b>256</b>
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The correlation between population growth/development and demand for waste services is evident from figures shown above in Figure 2 and Table 8 above. As the Shire’s population expands, additional waste will be generated by an additional 8,700 houses, which will initially create building waste and in the long term generate domestic waste.

Thus the causal nexus is established between the cost of the waste management system, i.e. the provision of the RRC, and the increasing number of users who utilise the facility. Council is obliged to contribute for existing users.

#### **4.6.3 Spatial Nexus**

Whilst the RRC is located at Berrima Road, Moss Vale, which is toward the southern end of the main residential areas (Mittagong/Bowral/Moss Vale) of the Shire, all garbage collection within the Shire is transported to the RRC. In this respect, looking at the Shire in its’ entirety, the RRC is centrally located. The RRC services the villages of Robertson to the east; Bundanoon, Exeter and Wingello to the south; Berrima to the north-west; and a significant number of rural residential and rural areas throughout the LGA.

#### **4.6.4 Temporal Nexus**

The RRC facility at Moss Vale, as discussed previously, was established in 2001 and is expected to service the LGA for at least another 20-years (2031). Within that period further upgrades to the facility maybe required, which in turn may require this Plan to be reviewed and updated. As such the expected development within the LGA as discussed in Section 4.5 will be serviced by the RRC, hence reinforcing the correlation between the facility and new development.

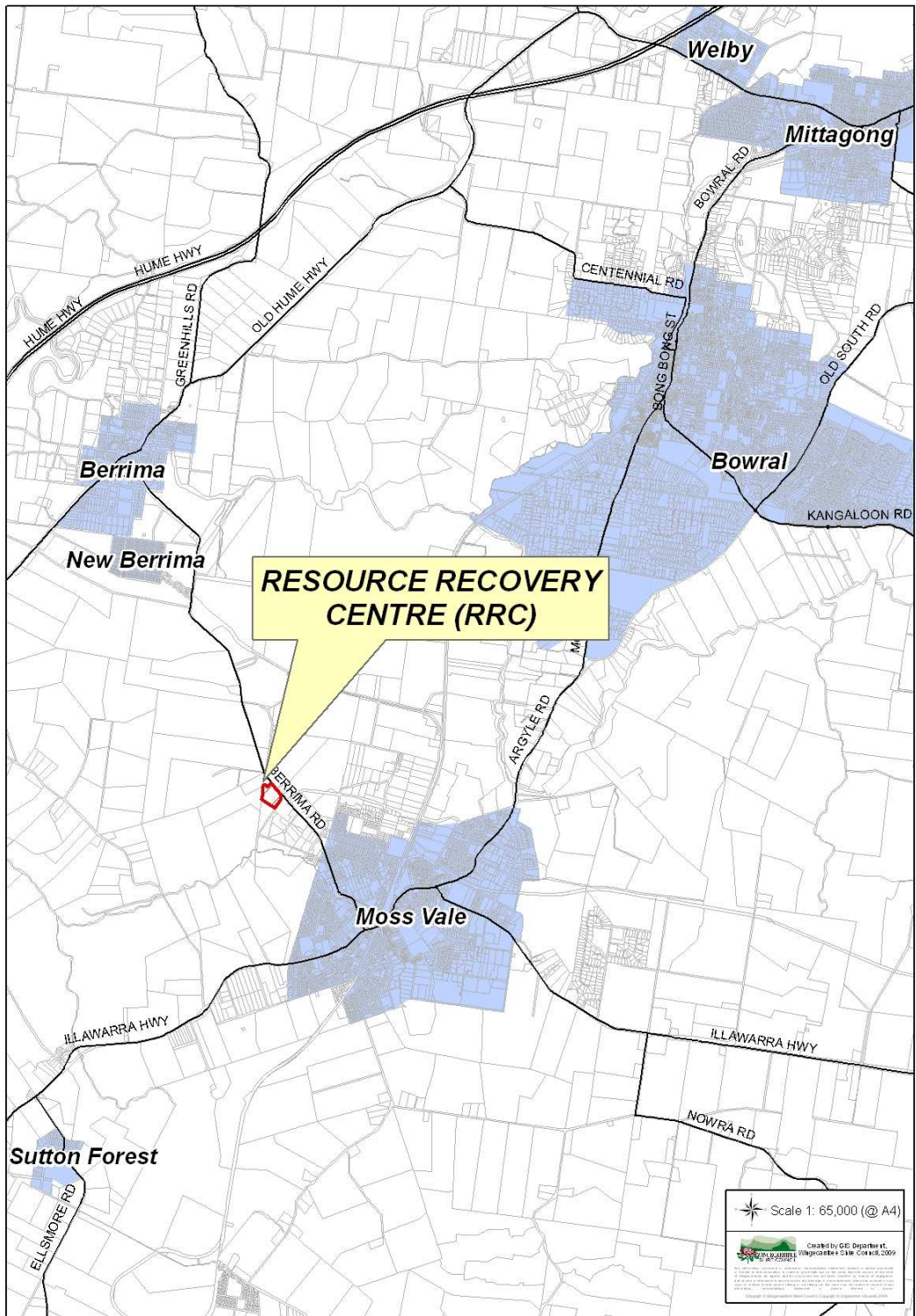
### **4.7 Identifying the relationship (Apportionment)**

Sections 4.1 to 4.5 above clearly highlight expected growth within the Wingecarribee LGA, whilst Section 4.6 clearly establishes the relationship between the RRC and future growth.

Table 7 shows, that in total, the apportionment of new persons to the Shire from 2006 to 2031 will be 28% of the predicted total population of approximately 58,588 persons. Whilst Figure 2 shows that 67.45% of waste collected in the LGA is attributable to residential users.



**Figure 3 - Location of RRC within the WSC LGA**



Therefore, 67.45% of the cost of establishing the RRC is attributable to Residential Development, of which 28% of that cost can be apportioned to New Development.

To establish the RRC, Council was required to take out loans for the facility in 2001, 2006 and 2008, of which Council is also able to recover the appropriate apportionment of interest repayable on the loan.

The cost of establishing the RRC is provided as follows:

**Table 9 – Summary Cost of Establishing RRC Facility Since 2001**

<b>RRC Facilities</b>	<b>Cost Per Item</b>
RRC Works, Plant & Vertical Composting Unit	\$2,000,000
RRC Plant	\$471,000
RRC Construction	\$2,800,000
<b>SUB TOTAL</b>	<b>\$5,271,000</b>
Amount repaid since 2001	\$883,163
<b>SUB TOTAL</b>	<b>\$4,387,837</b>
Interest on Loans (based on current principle owed)	\$2,185,410
<b>TOTAL</b>	<b>\$6,573,248</b>

The following formula calculates the amount apportionable to new residential development:

Cost of facility apportionable to Residential Users:

$$\$6,587,248 \times 67.45\% = \$4,443,099$$

Cost of facility apportionable to New Residential Development:

$$\$4,443,099 \times 28\% = \$1,244,067$$

Thus the amount apportionable to new residential development is \$1,244,067. The RRC must therefore raise revenue to repay the remaining \$5,329,181 owed (principle and interest). This contributions plan is only applicable to residential development, as industrial and commercial operations (including construction waste) usually commit to waste collection contracts with either the RRC or other commercial waste collection services. The cost of providing the RRC facility and its service should be factored into these commercial contracts. In closing, annual residential rates payable to Council for waste collection services only cover the costs to Council of providing that service, requiring Council to find other sources of funding to recover the cost of providing the RRC facility. This avoids the perception of double dipping, i.e. residential rates payable and contributions payable raising funds for the same expense.

## 5 Part D – References

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## 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)

**LEP** mean Local Environmental Plan

**LGA** means Local Government Area

**Plan** means this Direct Community Infrastructure Contributions Plan

**RRC** means Resource Recovery Centre, Berrima Road, Moss Vale.

**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** means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land (not being an individual lot in a strata plan or community title scheme), and
- (c) none of the dwellings is located above any part of another dwelling.

**attic** means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

**backpackers' accommodation** means tourist and visitor accommodation:

- (a) that has shared facilities, such as communal bathroom, kitchen or laundry, and
- (b) that will generally provide accommodation on a bed basis (rather than by room).

**bed and breakfast accommodation** means tourist and visitor accommodation comprising a dwelling (and any ancillary buildings and parking) where the accommodation is provided by the permanent residents of the dwelling and:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms and

- (c) dormitory-style accommodation is not provided.

**bedroom** means any enclosed habitable room 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** means a building:

- (a) that is wholly or partly let in lodgings
- (b) that provides lodgers with a principle place of residence for 3 months or more, and
- (c) that generally has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (d) that has rooms that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, a serviced apartment, seniors housing or hotel accommodation.

**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** mean land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

**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** means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
  - (b) used for the physical, social, cultural or intellectual development or welfare of the community,
- but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**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 Section 94EA of Environmental Planning and Assessment 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.

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

**domestic waste management services** has the same meaning as the Local Government Act 1993.

**dwelling** means a room or suite of rooms occupied or used so as constructed or adapted as to be capable of being occupied or used as a separate domicile.

**dwelling house** means a building containing only one dwelling.

**dual occupancy** means 2-dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme), but does not include a secondary dwelling.

**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 for the Wingecarribee Shire Council LGA.

**exhibition home** means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes and associated sales or home finance office or place used for displays.

**exhibition village** means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

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

**farm stay accommodation** means tourist and visitor accommodation provided to paying guests on a working farm as a secondary business to primary production.

**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 60m<sup>2</sup> 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** means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

- (a) the service is appropriately licensed within the meaning of the Children and Young Persons (Care and Protection) Act 1998),
- (b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12-years, including no more than 5 who do not ordinarily attend school.

**home business** means a business carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling that does not involve:

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the business carried on in the dwelling), or

- (e) the sale of items (whether goods or materials), or the exposure or offer for sale or items by retail, except for the goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

**home industry** means a light industry carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling that does not involve:

- (a) the employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the business carried on in the dwelling), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale or items by retail, except for the goods produced at the dwelling or building,

but does not include bed and breakfast accommodation or sex services premises.

**home occupation** means an occupation carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling to indicate the name of the resident and the business carried on in the dwelling), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale or items by retail, except for the goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, a brothel or home occupation (sex services).

**home occupation (sex services)** means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any notice, advertisement or sign, or



- (d) the sale of items (whether goods or materials), or the exposure or offer for sale or items, by retail,  
but does not include a home business or sex services premises.

**hostel means** premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

**hotel or motel accommodation means** tourist and visitor accommodation (whether or not licensed premises under the Liquor Act 2007):

- (a) comprising rooms or self-contained suites, and
- (b) that may provide meals to guests or the general public and facilities for parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

**manufactured home** has the same meaning as in the Local Government Act 1993.

**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** means 3 or more dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme) each with access at ground level, but does not include a residential flat building.

**nexus** means the relationship between expected types of development in the area and the demonstrated need for additional public facilities created by those developments.

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

**planning agreement** means a voluntary agreement referred to in Section 93F of the Environmental Planning and Assessment Act 1979.

**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.

**public utility** undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth Department or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Government Department, corporation, firm or authority carrying on the undertaking.

**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 facilities which satisfy the demands of a catchment greater than one local government area.

**residential accommodation** means a building or place use predominantly as a place of residence, but does not include tourist and visitor accommodation.

**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** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling house.

**residential waste** includes domestic waste, as defined under the Local Government Act 1993, and any other additional waste (such as garden waste) generated by residential development that cannot be collected by Councils' domestic waste management services, but does not include sewage.

**rural worker's dwelling** means a dwelling, ancillary to a dwelling house on the same landholding, used as the principle place of residence by persons employed for the purpose of agriculture or a rural industry on that land.

**secondary dwelling** means a self contained dwelling that:

- (a) is established in conjunction with another dwelling (the principle dwelling), and
- (b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

**semi detached dwelling** means dwelling that is on its own lot of land (not being an individual lot in a strata plan or community title scheme) and is attached to only one other dwelling.

**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** means a building or part of a building providing self contained tourist and visitor accommodation that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agent.

**sex services** means sexual acts or sexual services in exchange for payment.

**sex services premises** means a brothel, but does not include home occupation (sex services).

**shop top housing** means one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

**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.

**threshold** 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** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes hotel or motel accommodation, serviced apartments, bed and breakfast accommodation and backpackers' accommodation.

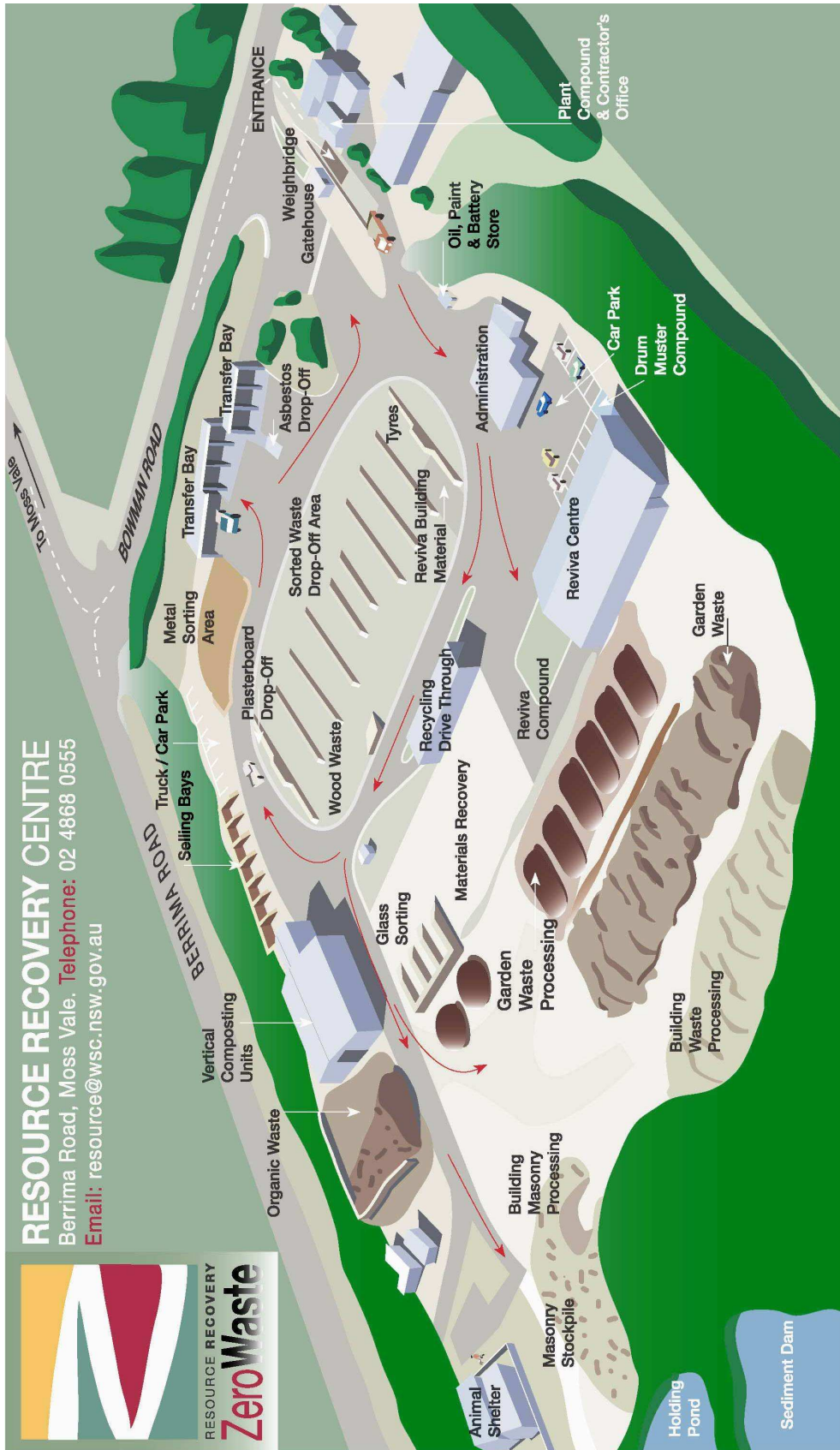
**urban release area** means an area of land shown hatched and lettered "Urban Release Area" on the Urban Release Area Map pertaining to the WSC LEP 2009.

**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 Map identifying Works Program Items

Figure 4 - Map of RRC Facilities



## 8 Works Program

**Table 10 - RRC Works Program Breakdown**

<b>Year</b>	<b>RRC Facilities Established since 2001</b>	<b>Cost Per Item</b>
2001	Three Bay Transfer Station	\$550,000
2001	Road System & Associated Drainage	\$400,000
2001	Upgrade Bowmans Lane & Intersection Berrima Road	\$450,000
2001	Site Infrastructure	\$619,200
2001	Building	\$420,000
2001	Site Preparation (Capping)	\$360,800
	<b>2001 SUB TOTAL</b>	<b>\$2,800,000</b>
2006	Volvo Loader CJD Equipment	\$175,000
2006	Loader CJD Equipment	\$296,000
	<b>2006 SUB TOTAL</b>	<b>\$471,000</b>
2008	Excavators	\$250,000
2008	C & D Slab	\$120,000
2008	Mezzanine Floor – Reviva Centre	\$130,000
2008	Vertical Composting Unit (VCU)	\$1,000,000
2008	Roof over Transfer Station	\$500,000
	<b>2008 SUB TOTAL</b>	<b>\$2,000,000</b>
	<b>TOTAL</b>	<b>\$5,271,000</b>