

Eurobodalla Shire Council

S94A Levy Contributions Plan 2007

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Prepared on behalf of Council by:

Lindsay Taylor Lawyers | ABN 15 695 894 345

Level 7, 1 O'Connell Street, Sydney NSW 2000

D 8235 9700 | F 8235 9799 | E mail@lindsaytaylorlawyers.com.au

Eurobodalla Shire Council S94A Levy Contributions Plan 2007

PART 1 Administration and Operation

1 What is the name of this plan?

This Plan is called *Eurobodalla Shire Council s94A Levy Contributions Plan 2007*.

2 When does this Plan commence?

This Plan commences on 1 July 2007.

3 Purposes of this Plan

The purposes of this Plan are:

- to authorise Council to impose, as a condition of development consent, a requirement that the applicant pay to Council a levy determined in accordance with this Plan;
- to require a certifying authority (Council or an accredited certifier) to impose, as a condition of issuing a complying development certificate, a requirement that the applicant pay to Council a levy determined in accordance with this Plan; and
- to govern the application of money paid to Council under conditions authorised by this Plan.

4 What does Section 94A of the Act provide?

Section 94A of the Act provides as follows:

94A Fixed development consent levies

- (1) *A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.*

- (2) *A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 94.*
- (2A) *A consent authority cannot impose a condition under this section in relation to development on land within a special contributions area without the approval of:*
- (a) *the Minister; or*
- (b) *a development corporation designated by the Minister to give approvals under this subsection.*
- (3) *Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.*
- (4) *A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.*

5 Land to which this Plan applies

This Plan applies to all land within the Eurobodalla local government area.

6 Development to which this Plan applies

This Plan applies to development on land to which this Plan applies that requires development consent or a complying development certificate under the Act except:

- development, where the proposed cost of carrying out such development is less than \$100,000 (such amount to be indexed on 1 July in each year following the commencement of this Plan, to reflect the variation in the Index, as published by the ABS in the quarter ending 30 June 2006 and the quarter ending immediately prior to the date on which indexing occurs);
- development which is proposed to be carried out by or on behalf of Council; and
- development which Council determines does not fall within any class of building specified in the Building Code of Australia (as defined in the Act).

7 Relationship to other contribution plan

Subject to the Act, this Plan does not affect any other contribution plan that has been adopted by Council and is in force. To summarise the differentiation between s94 and s94A, the s94 Development Contribution Plan (s94 Plan) will seek contributions towards the capital cost of new infrastructure and facilities. A nexus for growth is required and this Plan will be applied to new land and multi-occupancy subdivisions. It is expected those contributions will meet 40% of the amortised debt servicing cost for the new infrastructure and facilities outlined in the s94 Plan. The s94A Plan will be applied to residential, commercial, industrial, tourism and aged care building works, other than developments exempted in the legislation such as affordable housing, at the thresholds outlined by the Minister's direction. The building works indicate the land will be occupied and reflects the immediate demand for the upgraded services and facilities outlined in that Plan. The schedule of works and services in the s94A Plan are different to those that are outlined in the s94 Plan.

8 Council may require payment of the levy as a condition of development consent

Subject to the Act and to any direction of the Minister under Section 94E of the Act which is in force from time to time, this Plan authorises Council to grant consent to development to which this Plan applies subject to a condition requiring the applicant to pay to Council a levy of 1% of the proposed cost of carrying out the development.

If a Ministerial direction under Section 94E is in force, this Plan authorises Council to grant consent to development subject to a condition which is in accordance with that direction.

Any Ministerial direction under Section 94E of the Act which has been made and is in force from time to time is included in the Attachment to this Plan.

9 Certifying authority must require payment of the levy as a condition of issuing a complying development certificate

Subject to the Act and to any direction of the Minister under Section 94E of the Act which is in force from time to time, this Plan authorises a certifying authority (the Council or an accredited certifier) to issue a complying development certificate in respect of development to which this Plan applies subject to a condition requiring the applicant to pay to the Council a levy of 1% of the proposed cost of carrying out the development.

If a Ministerial direction under Section 94E is in force, this Plan authorises the certifying authority to issue a complying development certificate subject to a condition which is in accordance with that direction.

Any Ministerial direction under Section 94E of the Act which has been made and is in force from time to time is included in the Attachment to this Plan.

10 How is the proposed cost of carrying out development determined?

Clause 25J of the Regulation sets out how the proposed cost of carrying out development is to be determined. That clause provides as follows:

25J Section 94A levy—determination of proposed cost of development

- (1) *The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:*

 - (a) *If the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation.*
 - (b) *if the development involves a change of use of land - the costs of or incidental to doing anything necessary to enable the use of the land to be changed.*
 - (c) *If the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.*
- (2) *For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.*
- (3) *The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*

 - (a) *the cost of the land on which the development is to be carried out;*
 - (b) *the costs of any repairs to any building or works on the land that are to be retained in connection with the development;*

- (c) *the costs associated with marketing or financing the development (including interest on any loans);*
- (d) *the costs associated with legal work carried out or to be carried out in connection with the development;*
- (e) *project management costs associated with the development;*
- (f) *the cost of building insurance in respect of the development;*
- (g) *the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land);*
- (h) *the costs of commercial stock inventory;*
- (i) *any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law.*

11 How is the proposed cost of carrying out development indexed?

Pursuant to Clause 25J(4) of the Regulation, the proposed cost of carrying out development is to be indexed to reflect quarterly variations in the Index between the date the proposed cost was determined by Council and the date the levy is required to be paid.

The formula governing indexation of the proposed cost of carrying out development is as follows:

$$\text{IDC} = \text{ODC} \times \text{I2/I1}$$

where:

IDC = the indexed development cost

ODC = the original development cost estimate

I2 = the Index as published by the ABS in respect of the quarter ending immediately prior to the date of payment

I1 = the Index as published by the ABS in respect of the quarter ending immediately prior to the date of imposition of the condition requiring payment of the levy

12 Cost estimate reports must accompany a development application or application for a complying development certificate

A development application or an application for a complying development certificate is to be accompanied by a report, prepared at the applicant's cost in accordance with this clause, setting out an estimate of the proposed cost of carrying out the development for the purposes of Clause 25J of the Regulation.

The following type of report is required:

- where the estimate of the proposed cost of carrying out the development is less than \$500,000 - a cost summary report in the form set out in Schedule 2;
- where the estimate of the proposed cost of carrying out the development is \$500,000 or more - a detailed cost report in the form set out in Schedule 3.

13 Who may provide a report for the purposes of Clause 12 of this Plan?

For the purpose of Clause 25J(2) of the Regulation, the following persons are approved by Council to provide an estimate of the proposed cost of carrying out development in the following circumstances:

- where the proposed development cost is less than \$500,000 - a person who, in the opinion of Council, is suitably qualified to provide a cost summary report;
- where the proposed development cost is \$500,000 or more - a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Council may, at the applicant's cost, engage a person referred to in this clause to review a report submitted by an applicant in accordance with Clause 12.

14 How will Council apply money obtained from the levy?

Money paid to Council under a condition authorised by this Plan is to be applied by Council towards meeting the cost of the public facilities that will be or have been provided within the area as listed in Schedule 1. The locations of those facilities are shown on the map included in Schedule 1.

15 Are there priorities for the expenditure of money obtained from levies authorised by this Plan?

Subject to s93E(2) of the Act and Clause 16 of this Plan, the public facilities listed in Schedule 1 are to be provided in accordance with the staging set out in that Schedule.

16 Pooling of levies

This Plan authorises money paid in accordance with the conditions of development consents imposed under this Plan to be pooled with money paid in accordance with the conditions of development consents imposed under Division 6 of Part 4 of the Act (other than under Subdivision 4 of that Division) in respect of development within Council's area and applied by the Council progressively towards the various purposes for which such conditions were imposed.

17 Obligation of certifying authorities

Pursuant to Clause 146 of the Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it is satisfied of compliance with any condition requiring the payment of a levy before work is carried out in accordance with the consent.

The certifying authority must cause the applicant's receipt for payment of the levy to be provided to Council at the same time as the other documents required to be provided under Clause 142(2) of the Regulation.

18 When is the levy payable?

A levy required to be paid by a condition authorised by this Plan must be paid to Council at the time specified in the condition. If no time is specified, the levy must be paid:

- in the case of development other than development proposed to be carried out by or on behalf of the Crown, prior to the first certificate issued in respect of the development under Part 4A of the Act; or
- in the case of development proposed to be carried out by or on behalf of the Crown, prior to the carrying out of any building, engineering or construction work relating to the development.

19 What is the Council's policy on the deferred or periodic payment of levies?

Council does not allow deferred or periodic payment of levies authorised by this Plan.

20 Are there alternatives to payment of the levy?

If an applicant for development consent seeks to make a contribution towards the provision of public facilities other than by payment of a levy or development contributions, the applicant may adopt one of the following procedures.

- ***Offer made to Council as part of a development application***

If an applicant does not wish to pay a levy in connection with the carrying out of development, the applicant may include in the relevant development application an offer to carry out works or provide a material public benefit towards which the levy would otherwise have been applied.

Council will consider the offer as part of its assessment of the development application. If Council agrees to the arrangement and grants consent to the application, it will substitute, for a condition requiring payment of a levy, a condition of consent under s80A of the Act requiring the works to be carried out or the material public benefit to be provided. If Council does not agree to the alternative arrangement, it may grant consent subject to a condition authorised by this Plan requiring payment of a levy.

In assessing the applicant's offer, Council will have regard to the requirements of the current Practice Note issued by the NSW Government in the *Revised Development Contributions Manual* (DIPNR 2005) and such other matters as Council considers relevant in the circumstances of the case.

- ***Offer made to Council following the grant of development consent requiring payment of a levy***

If development consent has been granted to the carrying out of development subject to a condition authorised by this Plan to pay a levy, the applicant must comply with the condition unless it is modified under s96 of the Act.

If the applicant does not wish to pay the levy, the applicant may make an application to Council under s96 of the Act to modify the consent by substituting for the condition requiring payment of the levy a condition requiring the carrying out of works or the provision of a material public benefit towards the public purpose to which the levy was to be applied.

If Council approves the application, the applicant will be bound by the substituted condition. If Council does not approve the application, the applicant will remain bound by the condition authorised by this Plan requiring payment of the levy.

- ***Offer to enter into a voluntary planning agreement***

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

Under the planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. Those purposes need not relate to the impacts of the applicant's development nor to the items listed in Schedule 1.

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

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

Council will publicly notify the draft planning 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 that application.

If 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 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 a levy.

Applicants should refer to Council's *Policy on Planning Agreements*, which has been prepared having regard to the Practice Note on Planning Agreements contained in the *Revised Development Contributions Manual* (DIPNR 2005).

21 What definitions apply?

In this Plan unless the context or subject matter otherwise indicates or requires:

ABS means the Australian Bureau of Statistics;

Act means the *Environmental Planning and Assessment Act 1979*;

Council means Eurobodalla Shire Council;

development contributions means a development contribution required to be paid by a condition of development consent imposed pursuant to section 94 of the Act;

Index means the index published by the ABS and described as *Catalogue number 5206.0, series ID A2303837T, Private GFCF – Non-dwelling construction – Total*;

levy means a levy under s94A of the Act authorised by this Plan;

Minister means the Minister administering the Act;

public facility means a public amenity or public service;

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

PART 2 Expected types of development in Council's area and the demand for public facilities to be funded by the levy

The Eurobodalla Settlement Strategy (ESS) 2006 establishes the frameworks for settlement and infrastructure and service planning. The plans for infrastructure are based on those supported population profiles. Local government provided infrastructure, services and facilities will be sized, designed and placed to respect the land and water, natural capacity and the opportunity to employ the population to support the payment for infrastructure, facilities and services.

Infrastructure should be designed and constructed in such a way that it can be modified or augmented to accommodate future needs, thereby reducing energy, resource and financial costs.

The Eurobodalla Settlement Strategy complements a number of other Council plans and strategies. Together these documents map the future for Eurobodalla Shire through identifying physical and social infrastructure needs and capacities. The s94A Plan draws projects from these plans. These documents include but are not limited to:

- Social Plan
- Cultural Plan
- Disability Action Plan
- Estuary Management Plans
- Bike Plan
- Footpath Strategy
- Public Halls Strategy
- Wharves and Jetties Strategy
- Public Transport Strategy
- Narooma Plan
- Batemans Bay and Moruya Plans

The projects and services will be organised into 5-year time scales and be reviewed in conjunction with the strategic planning (LEP) reviews.

This part broadly discusses the relationship between the expected types of development in the Council's area and the demand for additional, upgraded or enhanced public amenities and services to meet that development. They will be capable of supporting life-cycle (20 year) costs of those enhanced facilities.

The relationship between expected development and the demand is established through:

- current demographic information. Based on projections of NSW Department of Planning and Council, the population of Eurobodalla Shire in 2006 is estimated to be 36,743 persons. This is expected to grow to 51,300 in 2031, a growth of 14,557 persons or 39.6% over the 25-year period. The demographic will alter over that period with one third of the resident population over 55 years of age;
- the likely development will require the provision of additional public facilities and services;
- the likely development will diminish the existing development's enjoyment and standards of public facilities for the existing population;
- the likely development will diminish the existing development's enjoyment and standards of public services for the existing population;
- the expected increase in traffic as a consequence of that development;
- the availability, status and capacity of the existing transport (road, bridge, path, ramps) network and transport service;
- the extent to which the proposed transport network will meet the needs of the public;
- The increasing pressures already being felt to upgrade or modify infrastructure which has not been built with consideration of ageing populations
- the increased pressures of peak volumes of visitors that are estimated to at least triple the resident population. Infrastructure must be adequate for periods of peak demand and to cater to high seasonal visitation.

Council has established a "Community Development Fund" (CDF) for improving amenities, and would anticipate s94A would contribute to the CDF projects. Similarly, s94A will contribute to the operation and maintenance of those and other facilities required for the population.

The s94A levy will not be imposed on a development application or complying development certificate if a s94 contribution is required. It is proposed the levy will contribute to the provision, extension or augmentation or recoupment of costs of public infrastructure and services drawn from the infrastructure and facility strategies and associated priority pointscore systems.

Structure plans will guide the sizing and siting of community infrastructure and facilities. Development servicing plans guide the sequence of land release and the sizing of infrastructure required by new developments.

The expected types of development are, but not limited to:

- single dwellings;
- alterations and additions;
- commercial development;
- industrial development;
- change of use;
- tourist development;
- aged care development.

Schedule 1
(Clause 14)
Works Schedule

The Works estimates and priorities are listed in the Schedule below. Priorities are established using condition, load and other demand assessments and considered in the Management Plan. The priorities are grouped (High – first five years, Medium – next five years, Low – more than ten years) to coincide with the Financial Strategy.

Symbols are used on maps to indicate the locality of those works. Where Council has not identified estimates for specific works in later years, broad estimates have been provided. The specific works will be listed in the Management Plan.

The Works Schedule is based on 2006 cost estimates and will be revised to reflect contemporary estimates, and the priorities and techniques adopted through asset management plans when the s94A Plan is reviewed. The estimates generally include provision for renewal of those assets using lifecycle asset management principles.

As new facilities are developed in accord with the s94 Plan, the s94A levy may also contribute to the operating and maintenance costs of those facilities (eg aquatic centre, performing arts centre etc). The levy may also contribute to the provision of public services envisaged in the Social, Cultural and Disability Plans.

Contributions may be pooled to enable the completion of projects across areas listed in the Works Schedule within the priority timeframes.

A. Completed works for which contributions will be recouped

Nil

B. Works in progress for which contributions will continue to be levied

Ref	Description	Estimated Cost (\$)	Timeframe
OPEN SPACE AND RECREATION			
RC055	Batemans Bay Skatepark – upgrade existing facility	30,876	2006/08
RC058	Broulee Headland – construction of viewing platform	15,000	
RC061	Gundary Oval – new hockey field	41,840	
RC062	Central Tilba – playing field development	19,750	
RC069	Broulee Skatepark – construction	60,000	
RC084	Riverside Park, Moruya – development	875,000	
RC085	One Tree Point Carpark- upgrade	40,000	
RC110	Surfside Beach – general improvements including fencing, planting, etc	6,000	
RC115	Sandy Point, Tuross – replace playground	60,000	
RC119	Gundary Oval, Moruya – provision of new lighting to fields	80,000	
RC120	Gundary Oval, Moruya – provision of underground irrigation	50,000	
RC121	Dalmeny Oval – provision of lighting to soccer fields	60,000	
RC122	Bill Smyth Oval, Narooma – lighting to netball court	10,000	
RC123	Hanging Rock Reserve – upgrading lighting to AFL oval	40,000	
RC410	Surfside Oval – provision of toilets/change rooms/canteen building	240,000	
RC411	Surfside Oval - upgrade of playing field	20,000	
RC481	Bodalla Oval - upgrade of playing field	28,000	
RC458	Moruya Showground – provision of security lighting- grandstand area	10,000	
RC460	Moruya Showground – upgrade and renewal of pavilion	90,000	
RC486	Bill Smyth Oval, Narooma – upgrade of existing amenities	220,000	
RC492	Narooma Sports & Leisure Centre - improvements	79,660	
RC723	Narooma Swimming Centre - renewals	178,436	
PO105	Narooma Shark Net - replacement	20,000	

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Ref	Description	Estimated Cost (\$)
CIVIL INFRASTRUCTURE		
Public Toilets		
Public Buildings		
BE010	Mogo Fire Shelter – re-roofing	50,000
BE017	Tilba Fire Shed - relocation	34,000
Footpaths		
TR666	Princes Hwy, Bodalla – Post Office to Hall	20,000
Wharves and Jetties		
BR928	Nelligen Boat Ramp (western shore) - upgrade	100,000
BR927	Moruya Town Wharf Boatramp – closure of upstream ramp & upgrade remaining ramp	137,969
Seawalls		
Tree Planting & Removals		
Park & Fields		
RC021	BBQ renewals as identified during routine inspections	15,340
RC022	Picnic Shelter renewal as identified during routine inspections	39,892
RC022-A	Malua Bay Reserve – replacement of picnic shelter	10,852
RC022-B	Rotary Park, Narooma – provision of new shelters	20,000
RC022-C	Durras – provision of new shelter in foreshore reserve	19,066
Drainage		
PA224	GPT – Moruya Industrial area – new oil separator	28,081
PA233	Yarragee Road – from end of industrial area to SES	91,084
PA236	Gundry Oval, Moruya – drainage adjacent to new field	50,000
PA237	Costin Street, Narooma – kerb and gutter to improve drainage	20,000
PA238	Myuna Street, Dalmeny – piping of drainage reserve	300,000
BR706	Dunns Creek – box culvert replacement	400,000
BR707	Araluen Road – Knowles Creek culvert replacement	160,000
BR708	Wagonga Scenic Drive – replacement of culvert at Cowdroys	215,000
BR709	Araluen Road – replacement of bridge at McGregors Creek	60,000
BR710	Eurobodalla Road – replacement of bridge at Wattlegrove	60,000
BR711	Eurobodalla Road – upgrading of underpass/culvert	43,000
Road Infrastructure		
TR448	Bavarde Avenue, Batemans Bay (South Street to Pacific Street) - upgrading	232,000
TR449	Bondi Street, Tuross – upgrading	297,000
TR450	Foam Street, Tuross Head (Bondi Street to Manly Street) - upgrading	110,000
TR451	South Head Road, Moruya Heads (start of residential to Miller Cres) – upgrading	155,000
TR462	McMillan Road, Narooma (highway to Barker Parade) - upgrading	135,000
TR463	Ford/Church Streets, Moruya – upgrading adjacent to Riverside Park	96,000
TR164	Hector McWilliam Drive – Allenby to Viewpoint - upgrading	175,000
TR166	South Head Road, Moruya Heads (Jennifer to Hazel) - upgrading	95,000
TR499	Urban road rehabilitation	400,000

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Ref	Description	Estimated Cost (\$)	Timeframe
TR509	Dunns Creek Road	1,225,000	2006/08
TR531	Burri Road-Old Malua Bay Road upgrading	11,445	
TR537	Tilba-Punkalla Road upgrading	250,000	2006/08
TR538	Congo Road (North) upgrading	415,000	2006/08
TR540	Dwyers Creek Road	410,000	2006/08
TR168	Broulee Road rehabilitation – 850m from George Bass Drive	250,000	
TR165	Broulee Road Rehabilitation (0.8-1.7 from Hwy) - rehabilitation	55,000	
Cycleways & Bicycle Facilities			
TR650	Grant Street/Heath Street – Clarke Street to Surf Club	150,000	2006/09
TR652	Narooma Dalmeny Cycleway	50,000	
TR637	Tuross Head Community Path	40,000	
TR638	South Head Cyclepath	50,000	
TR602	Footpath renewal – (APAC Ramps)	40,000	
TR671	Beach Rd – renewal – completion of link to bridge over Joes Creek	50,000	
TR611	Mort Avenue, Dalmeny – resurfacing	45,000	
TR612	Princes Hwy, Narooma – renewal near Cinema	15,000	
TR613	Beach Road, Batehaven	15,000	
TR-F-C	Tuross Headland, Tuross Head	40,000	
TR614	Montague St, Narooma – replacement	5,000	
TR615	Moruya Showground – renewal of gravel surface	5,000	
Bus Shelters			
TR899	Beach Road, Surf Beach – replace existing shelter west of shops	6,300	
TR899A	Surf Beach Avenue, Surf Beach – new shelter	7,000	
TR899B	Centenary Drive, North Narooma at Dalmeny Drive – replace existing shelter	7,000	
Car Parking			
TR785	Broulee Surf Club – improvements	39,840	
TR-C-A	Church St, Moruya – renewal	50,000	
TR793	Malua Bay Community Centre	50,000	
TR794	Gundry Oval – Evans Street - upgrade	50,000	
Community Centres/Halls			
RC412	Batemans Bay Community Centre – renewal	22,000	
RC470	Mechanics Institute – upgrade and conversion for arts and film	88,000	
Streetscaping/Main Street Programs			
PA599	Batemans Bay CBD improvements – various works throughout the CBD	70,000	
PA601	Apex Park, Moruya – paving and seating	100,000	
Estuary Management Programs			
	Rehabilitation of riparian zones	700,000	
	Catchment Controls	500,000	
	Estuary studies	50,000	

C. Upgraded public facilities for which contributions will be sought

Priority	Description
High (H)	Work prioritised and expected to be constructed between 2007 and 2012, ie the next 1-5 years
Medium (M)	Work prioritised and expected to be constructed between 2012 and 2017, ie the next 6-10 years
Low (L)	Work prioritised and expected to be constructed between 2017 and 2027, ie the next 11-20 years

Ref	Description	Estimated Cost (\$)	Priority
OPEN SPACE & RECREATION			
RC021	Renewals of BBQ's in reserves as per priority list based on annual condition surveys	55,000	H
RC022	Renewal of picnic shelters in reserves as per priority list based on annual condition surveys	80,000	H
RC082	Hanging Rock Reserve landscaping	20,000	H
RC088	Mossy Point Headland landscaping	60,000	H
RC103	Surfside Soccer Fields upgrade	40,000	H
RC118	Moruya Showground – tree planting	20,000	H
PO120	Replacement of Narooma Shark Net	20,000	H
RC123	Bodalla Oval – replacement of existing amenities building	250,000	H
RC125	Batemans Bay Tennis Courts – provision of grandstand and Championship Court	200,000	H
RC126	Hanging Rock Sports Complex – irrigation	80,000	H
RC127	Hanging Rock Sports Complex – lighting of soccer/rugby field	100,000	H
RC197	Regional Park Development as identified in Recreational Strategy under preparation	180,000	H
RC198	Sportsfield developments as identified in Recreational Strategy under preparation	450,000	H
RC433	Captain Oldrey Park – Upgrading of underground irrigation	70,000	H
RC723	Public Art - foreshores	95,000	H
CIVIL INFRASTRUCTURE			
Public Toilets			
PA422	Broulee (south) – upgrade existing facility at Surf Club	160,000	H
PA423	Sandy Point, Tuross – upgrade existing facility	160,000	H
PA420	Moruya Heads – upgrade existing facility at Surf Club	160,000	H
	Works as identified in Council adopted Toilet Strategy	450,000	M
	Works as identified in Council adopted Toilet Strategy	750,000	L
	Disabled access upgrades	200,000	M
Public Buildings			
RC965	Moruya Library – extensions	160,000	H
	Youth Café Extensions	500,000	M
Cemetery Improvements			
PA-C-A	Batemans Bay Cemetery – construct access roads and paths	100,000	M
Drainage			
PA-D	Drainage works as identified by annual inspection and in accordance with the stormwater management plan being developed	600,000	H
	Works as identified by annual inspection	5,500,000	M
	Works as identified by annual inspection	11,000,000	L

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Footpaths			
TR688	Mirrabooka Avenue westwards from Vulcan Street	20,000	H
TR-F-A	Vesper Street, Batemans Bay (north to Beach Road -west side)	39,000	H
TR-F-B	McMillan Road, Narooma (Hwy to Baker)	26,400	H
TR-F-C	Vesper Street, Batemans Bay (Clyde Street to North Street - eastern side)	27,600	H
TR-F-D	Princes Hwy, Bodalla (Post Office to Eurobodalla Road)	30,000	M
TR-F-E	Queen Street, Moruya (Carpark to Ford Street)	10,200	M
TR-F-F	Beach Road, Surf Beach (creek to Surf Beach Avenue)	13,800	M
TR-F-G	Mort Avenue, Dalmeny (Thompson to Shops)	32,400	M
TR-F-H	Garvan Street, Narooma (Bowen to Hwy)	24,000	M
TR-F-I	Sydney Street, Mogo (Bateman to John)	12,000	L
TR-F-J	Albert Street, Moruya (Vulcan Street to Evans Street)	50,400	L
TR-F-K	Princes Hwy, Bodalla (Post Office to Old Hwy)	18,000	L
TR-F-L	Glenella Road, Batehaven (Creek to Calga Crescent)	18,000	L
TR-F-M	Willcocks Avenue, Narooma (Loader Parade to Shops)	60,000	L
TR-F-N	Tomakin Road, Mogo (Hwy to Charles Street)	10,200	L
TR-F-O	Wharf Road, North Batemans Bay	34,800	L
Wharves and Jetties			
BR904	Batemans Bay Town Wharf upgrade	41,200	H
BR-W-A	Quarry Reserve Jetty construction	50,000	H
BR-W-B	Tuross boat ramp – provision of new ramp onto Broadwater	240,000	H
BR-W-C	Pacific Street Jetty, Mossy Point – replace	100,000	M
BR-W-D	Coalbunker Wharf, Batemans Bay – replacement	250,000	M
BR-W-E	Nelligen boat ramps (eastern shore) – upgrade	40,000	H
Road Infrastructure			
TR509	Dunns Creek Road, Batemans Bay – upgrade	1,225,000	H
TR598	Rural Road Rehabilitation – as determined each year in accordance with routine inspections and in accordance with asset management plan being developed	330,000	H
TR521	South Head Road, Moruya (Congo Road to Halyard Drive) – upgrade	1,040,000	H
TR-R-A	Wagonga Scenic Drive, Narooma (part near Nettlewood) – upgrade	360,000	M
TR-R-B	Berriman Drive, Congo – upgrade	550,000	M
TR-R-C	Larrys Mountain Road, North Moruya (end of 1977 seal + 600m) – upgrade	400,000	M
TR-R-D	Bergalia Link Road, Bergalia – upgrade	400,000	M
TR-R-E	Ridge Road, Tilba – upgrade	500,000	M
TR-R-F	Wamban Road, Moruya – upgrade	600,000	L
	Works identified in Council's adopted pointscore system	1,500,000	L
TR-R-H	Old Hwy near Tilba Winery – upgrade	500,000	L
TR-R-I	Wonga Road – upgrade	900,000	L
TR-R-J	Tilba-Punkalla Road – upgrade	650,000	L
TR452	South Head Road, Moruya Heads (west of Headland Grove to Crest Road) – upgrade	105,000	H
TR464	South Head Road, Moruya Heads (Crest Road to end of residential)	83,000	H
TR465	Ocean Avenue, Dalmeny (Noble Parade to boat ramp) – upgrade	158,000	H
TR455	Pyang Avenue, Malua Bay – upgrade	260,000	H
TR456	Coogee Avenue, Tuross Head (Foam to Brighton Streets) – upgrade	315,000	H
TR457	Foam Street, Tuross Head (Bondi Street to Hector McWilliam Drive) – upgrade	181,000	H
TR471	Vesper Street Service Road, Batemans Bay – construct	600,000	H
TR402	Reconstruction of urban roads – works to be determined following resurvey of asset condition	2,000,000	H
TR453	Hadrill Parade, Dalmeny – upgrade	148,000	H

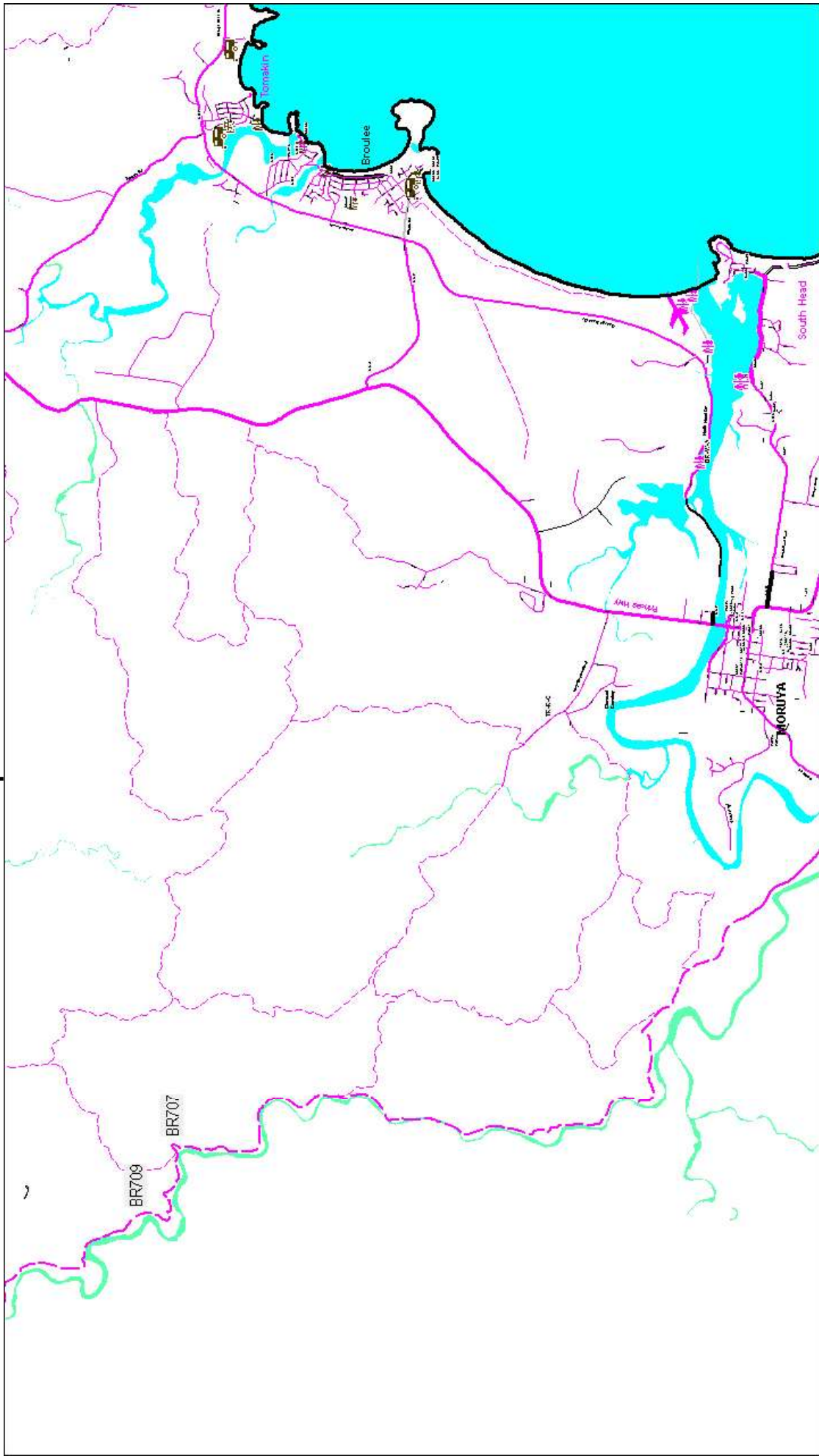
Eurobodalla Shire Council
S94A Levy Contributions Plan 2007

Ref	Description	Estimated Costs (\$)	Priority
TR458	William Street, Dalmeny (Ernest to Crest) – upgrade	158,000	H
TR459	Bergalia Street, Moruya (Moruya Street to Otton Street) – upgrade	105,000	H
TR460	Albert Street, Moruya - upgrade	83,000	H
TR466	Charles Moffit Drive, Moruya Heads – upgrade	307,000	H
TR467	Joseph Street, Batehaven – upgrade	274,000	H
TR468	Dorothy Drive, Narooma – upgrade	300,000	H
TR469	Jutland Avenue, Tuross Head – upgrade	378,000	H
TR470	Dominic Drive, Batehaven – upgrade	288,000	H
TR454	Cresswick Parade, Dalmeny – upgrade	148,000	H
TR-U-A	Murray Street, Moruya (Lagoon Street westwards) – upgrade	90,000	H
TR-U-B	George Bass Drive Service Road, Malua Bay (south of Sylvan Street) – upgrade	120,000	H
TR-U-C	Loader Parade, Dalmeny – Upgrade	250,000	H
TR-U-D	South Head Drive, Moruya Heads (Headland Grove to start of residential area) – upgrade	60,000	H
TR-U-E	Annetts Parade (E), Mossy Point (Pacific St to Hilmer Ave) – upgrade	60,000	H
TR-U-F	Pacific Street, Batemans Bay (South St to Bavarde Avenue) – upgrade	45,000	H
TR-U-G	George Bass Drive Service Road, Malua Bay (Sylvan Street to Reedy Creek) – upgrade	85,000	H
TR-U-H	Bayview Road, Surfside – upgrade	167,000	H
TR-U-I	Old Hwy, Bodalla (Hwy northwards) – upgrade	30,000	H
TR-U-J	Sunset Street, Surfside (Palana Street to Berrima Parade) – upgrade	100,000	H
TR-U-K	Wattle Crescent, Batehaven – upgrade	100,000	H
TR-U-L	Chauvel Crescent, Tuross Head – upgrade	30,000	H
TR-U-M	Lonsdale Parade, Dalmeny (Hadriill Pde to Dalmeny Circuit) – upgrade	100,000	H
TR-U-N	Connells Close, Mossy Point (Annetts to end of cul-de-sac) – upgrade	70,000	H
TR-U-O	Pacific Street, Mossy Point – upgrade	135,000	H
TR-U-P	Tomakin Place, Tomakin – upgrade	70,000	H
TR-U-Q	Beatty Crescent, Tuross Head – upgrade	260,000	H
TR499	Urban road rehabilitation as determined by annual inspection	2,400,000	H
	Works identified in adopted pointscores	5,000,000	M
	Works identified in adopted pointscores	10,000,000	L
Cycleways & Bicycle Facilities			
TR650	Grant Street/Heath Street – Clarke Street to Surf Club	100,000	H
TR-C-A	Beach Road cycle lanes – Batehaven to Sunshine Bay – provide on-road linemarkings and associated signposting	62,000	H
TR-C-B	North Head Drive Shared Path – construct path from Princes Hwy westwards	142,000	H
TR-C-C	Prince Hwy, North Batemans Bay – Peninsular Drive to Wharf Road – upgrade existing path to shared pathway	60,000	H
TR699	Provision of shared footpaths and cycleways as determined in Shared Path Strategy currently being developed	230,000	H
TR-C-D	Surf Beach Shared Path – Surf Beach Reserve to Wimbie Avenue – provide shared path adjacent to George Bass Drive	50,000	H
TR-C-E	Beach Road, Sunshine Bay – construct off-road path along Beach Road from Short Beach Creek to Sunshine Bay School	40,000	H
TR-C-F	Beach Road, Sunshine Bay – provide on-road facility from Sunshine Bay Road to Burrawang Crescent	65,000	H
TR-C-G	George Bass Drive, Malua Bay – provide on-road facility from The Ridge Road to Tallawang Avenue (on-road)	10,000	H
TR-C-H	South Head Road, Moruya – provide off-road path from Princes Hwy to Keightly Street	132,000	H
	Works identified in adopted strategy and pointscore	550,000	M
	Works adopted in adopted strategy and pointscore	1,100,000	L

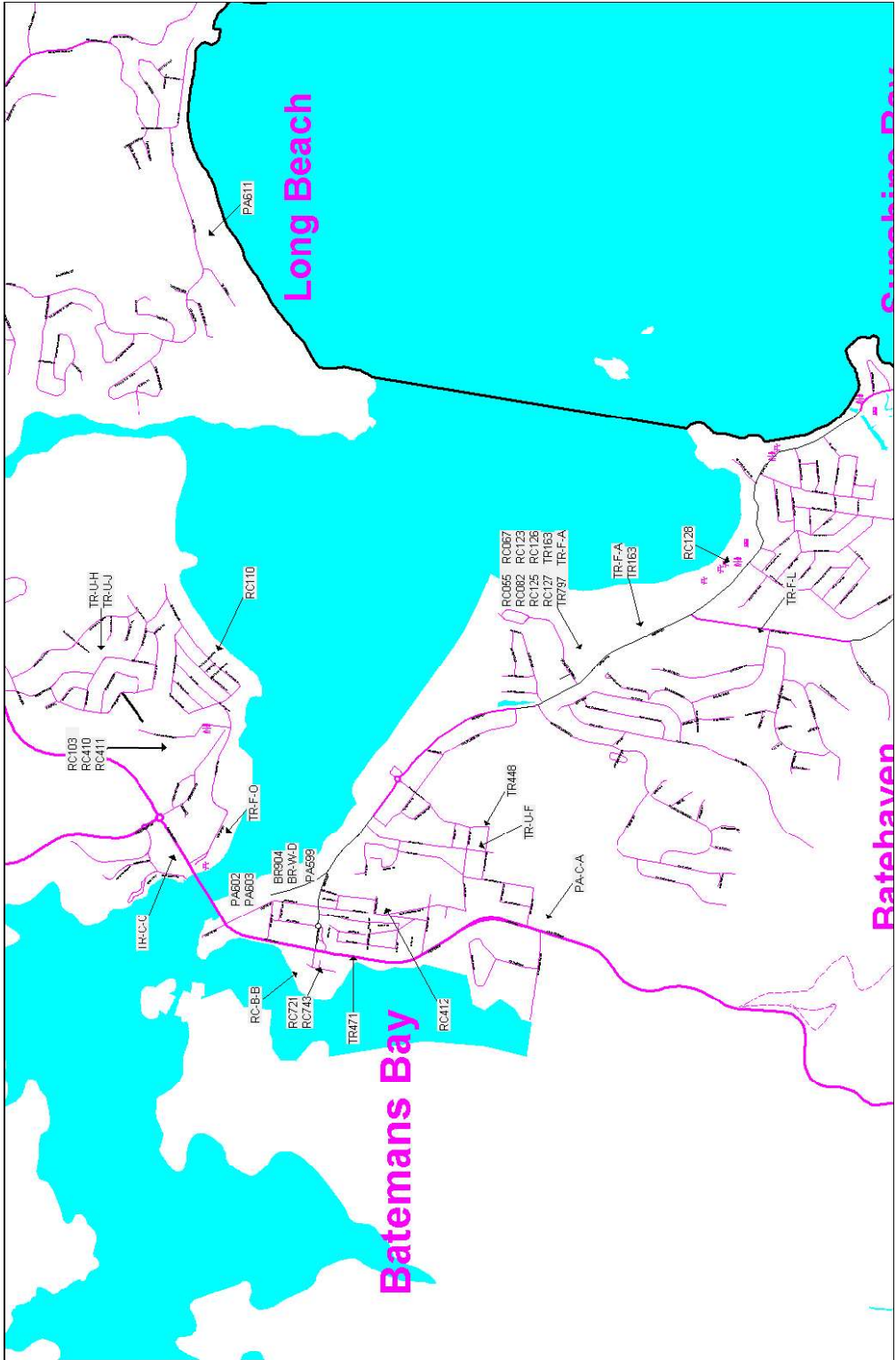
Eurobodalla Shire Council
S94A Levy Contributions Plan 2007

Ref	Description	Estimated Costs (\$)	Priority
Bus Shelters			
TR-BS-A	Beach Road, Surf Beach (opposite Newth Place) – new shelter	10,300	H
TR-BS-B	Beach Road, Denhams Beach – provide shelter at existing seat outside Edgewood Park Retirement Village	10,300	H
TR-BS-C	George Bass Drive, Lilli Pilli – replace existing	10,300	H
TR-BS-D	Lamont Young Drive, Mystery Bay – provide new facility	10,300	H
TR-BS-E	George Bass Drive, Malua Bay – replace existing	10,300	H
	Renewal of shelters as per priority list prepared as a result of annual condition inspection	51,500	M
	Renewal of shelters as per priority list prepared as a result of annual condition inspection	103,000	L
Car Parking			
TR795	Kianga/Dalmeny Foreshore –upgrade	56,000	H
TR797	Hanging Rock – new entrance and parking	200,000	H
TR798	Bill Smyth Oval – new parking area	110,000	H
TR796	Moruya Showground – upgrade	200,000	H
RC128	Corrigans Beach – upgrade	180,000	H
TR799	Renewal of carparks in accordance with priority list prepared as a result of annual inspections	31,000	H
	Works identified in adopted strategy and pointscore	77,500	M
	Works identified in adopted strategy and pointscore	155,000	L
Community Centres/Halls			
RC-B-A	Durras Hall – disabled access and facilities	20,000	M
RC-B-B	Mackay Park Function Rooms - disabled access and facilities	20,000	M
RC-B-C	Tuross Head Youth and Sports Hall – disabled access and facilities	20,000	M
RC-B-D	Tuross Progress Hall – disabled access and facilities	20,000	L
RC-C-E	Upgrade RSL Hall, Moruya	20,000	L
RC-B-F	Relocation of Batemans Bay Sailing Club	50,000	L
	Arts Precinct development	355,000	M
	Disabled Access upgrades – other buildings	200,000	H
Streetscaping/Main Street Programs			
PA599	Batemans Bay CBD improvements in accordance with list of works prepared annually	350,000	H
	Disabled Access upgrades	600,000	L
	CBD shuttle operations	200,000	M
PA611	Long Beach foreshore & wetlands upgrading and protection	79,000	H
Social and Cultural Programs			
PA	Youth Café operations	190,000	H
	Youth School holiday operations	150,000	M
	Aquatic Centre Operations	1,395,000	M
	Indoor Centre Operations	250,000	L

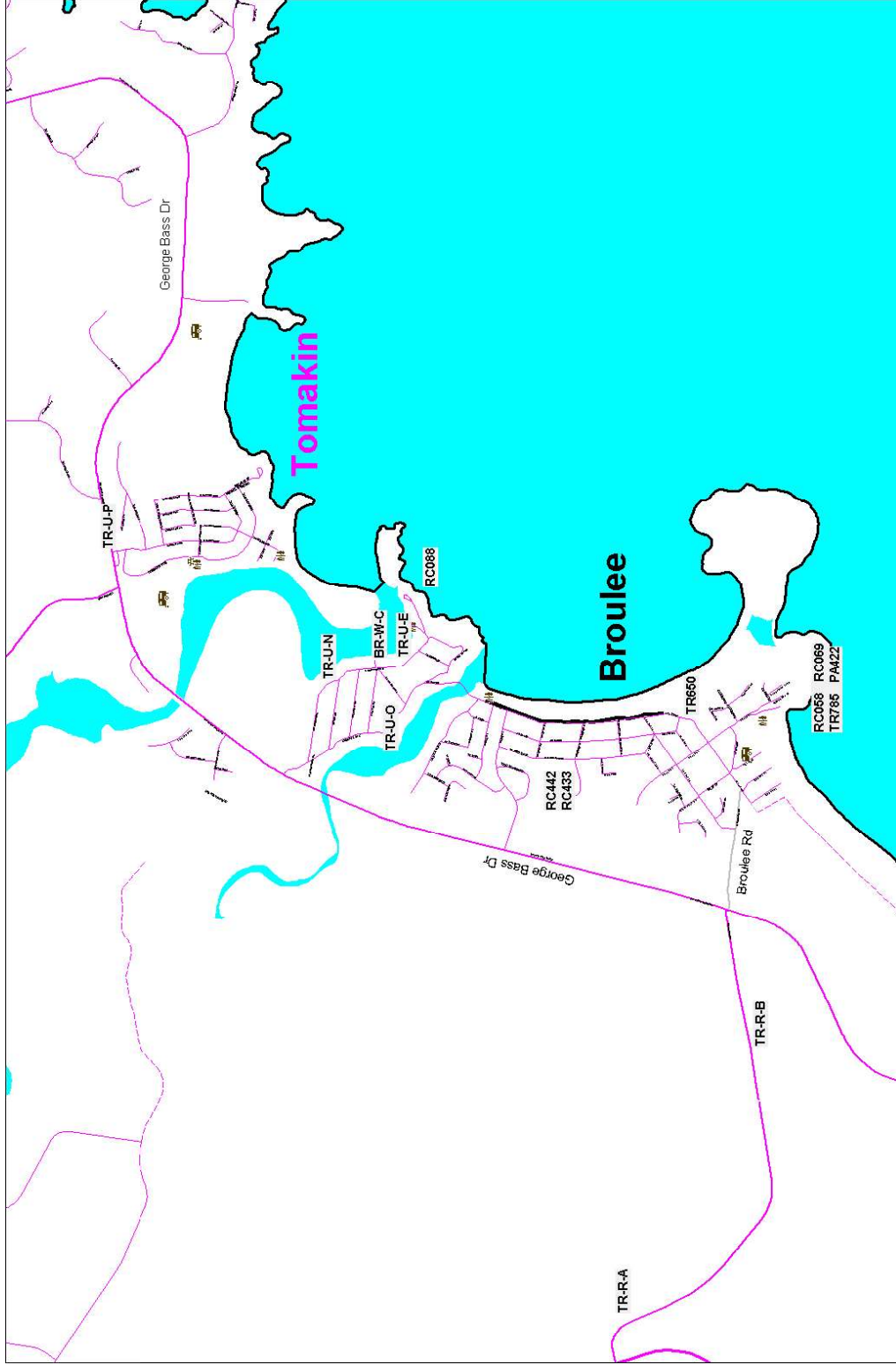
Works Maps – Araluen Road



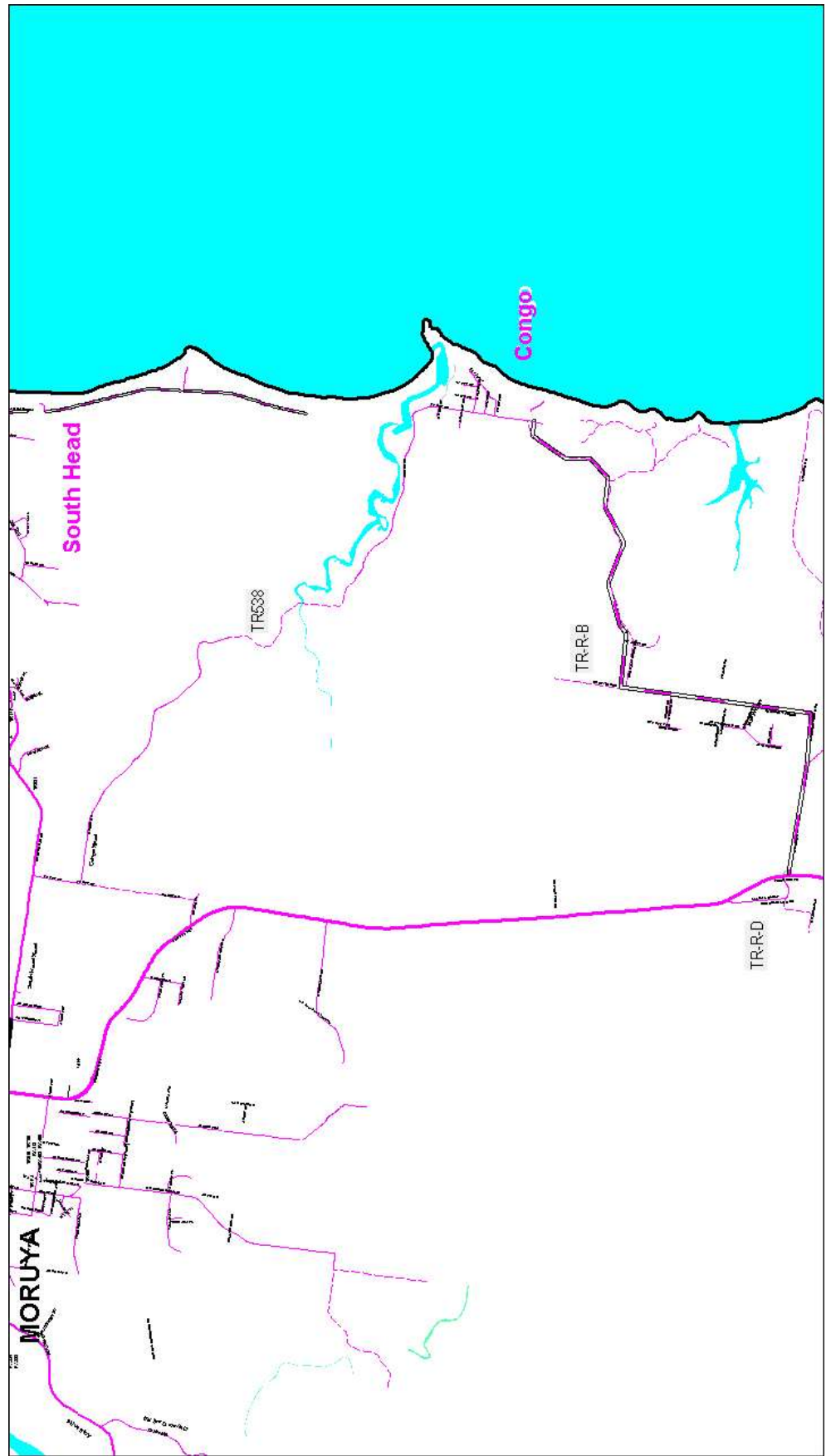
Batemans Bay Area



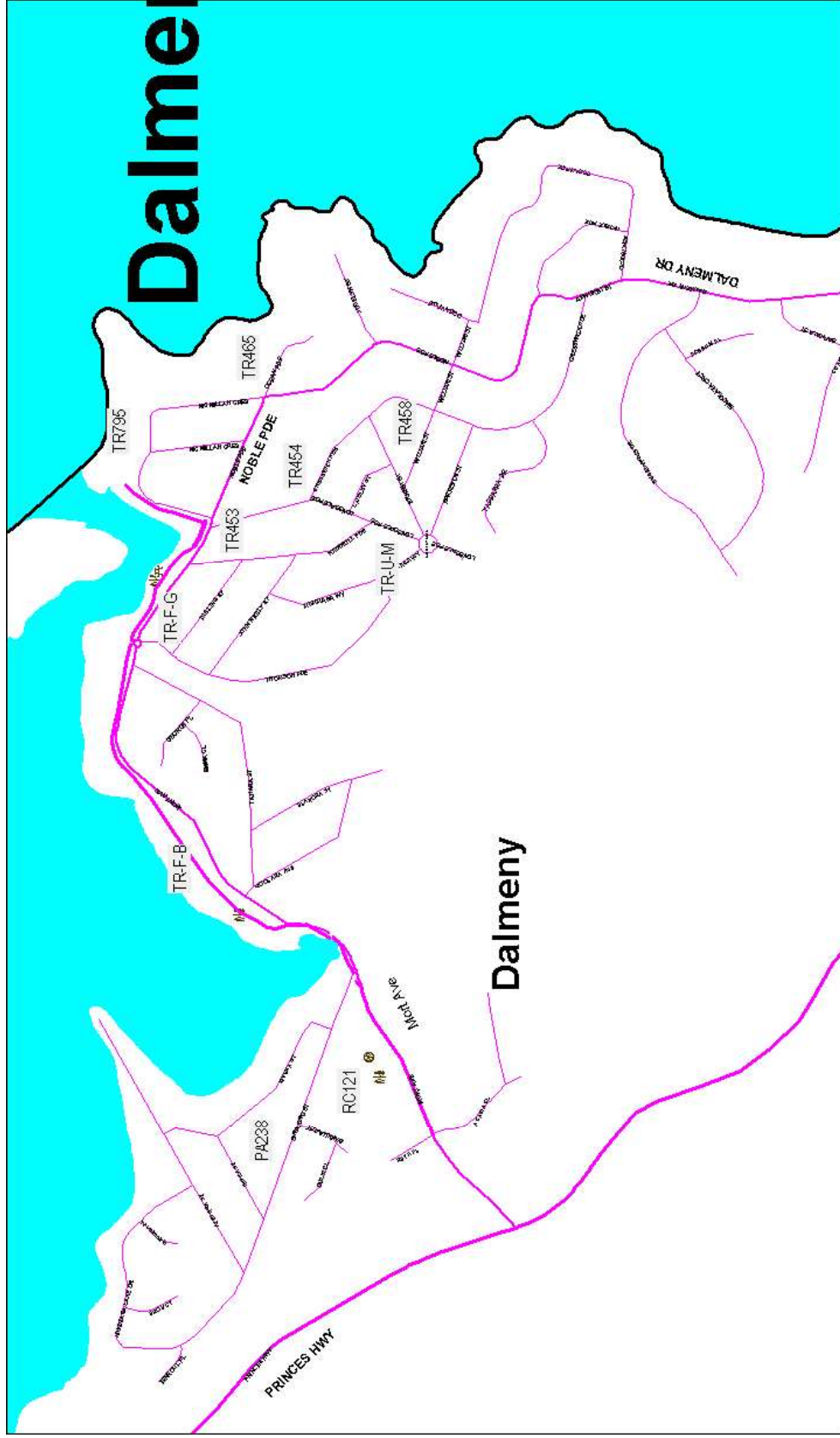
Broulee/Tomakin Area



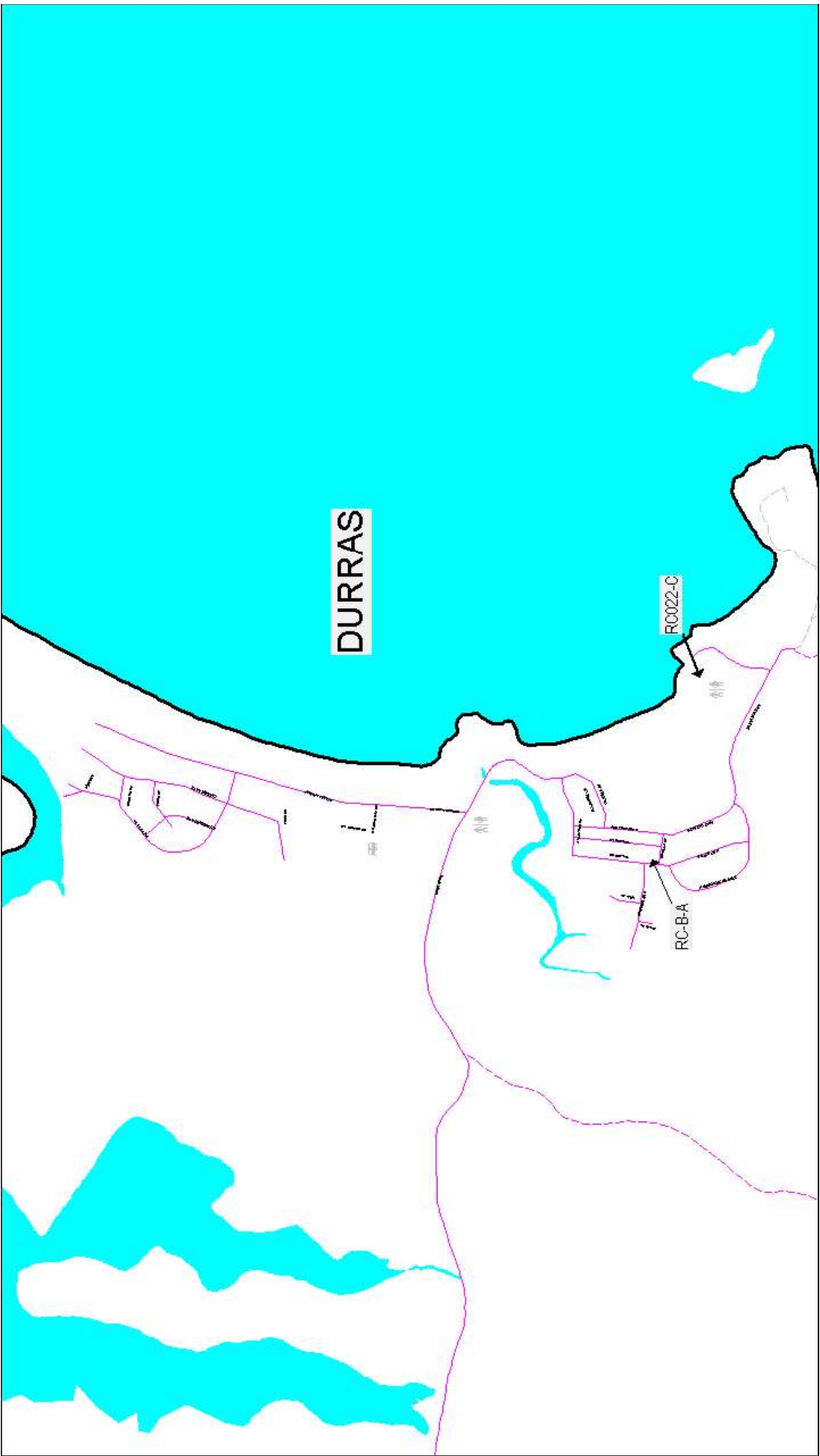
Congo-Bergalia Area



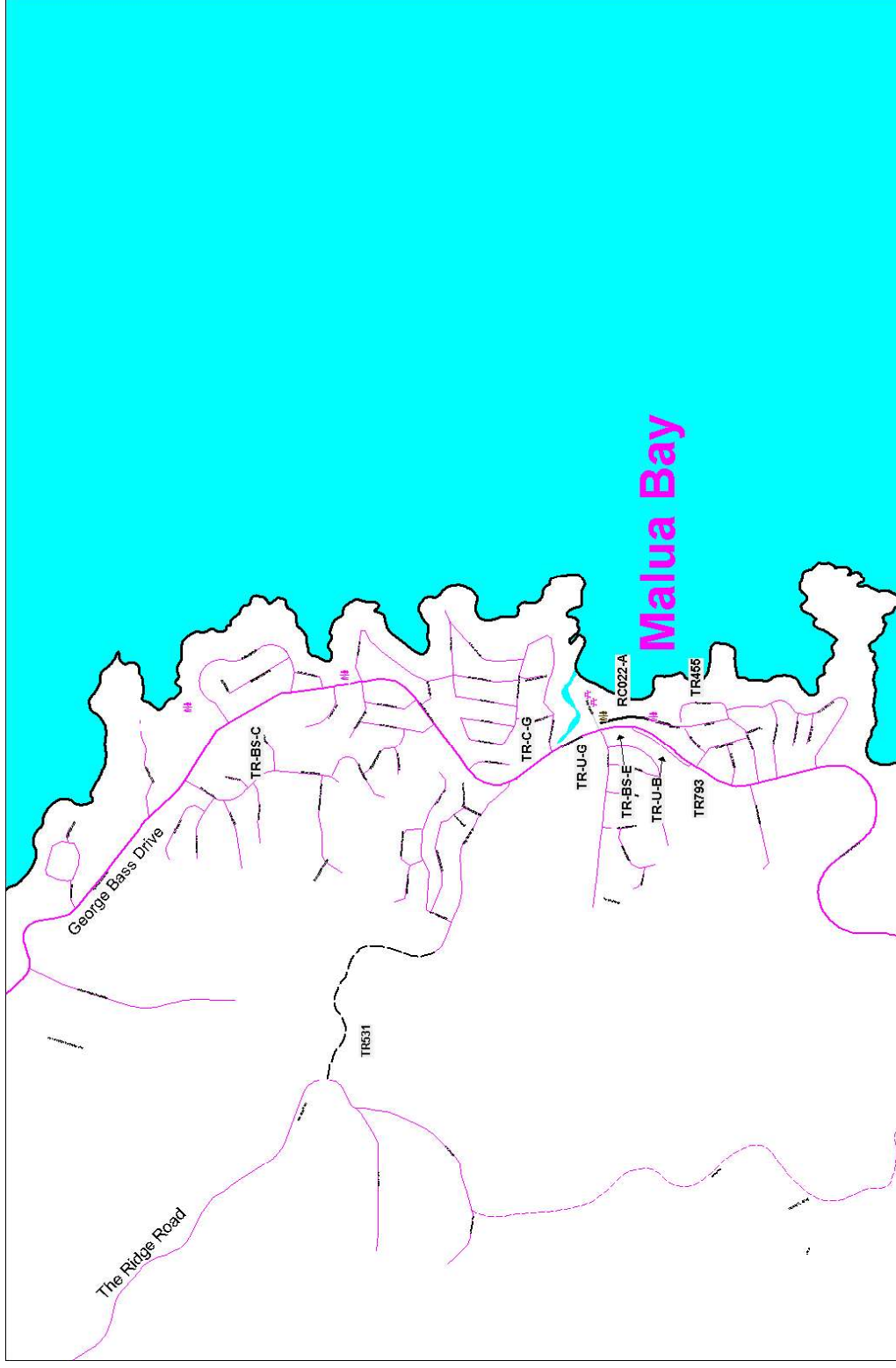
Dalmeny



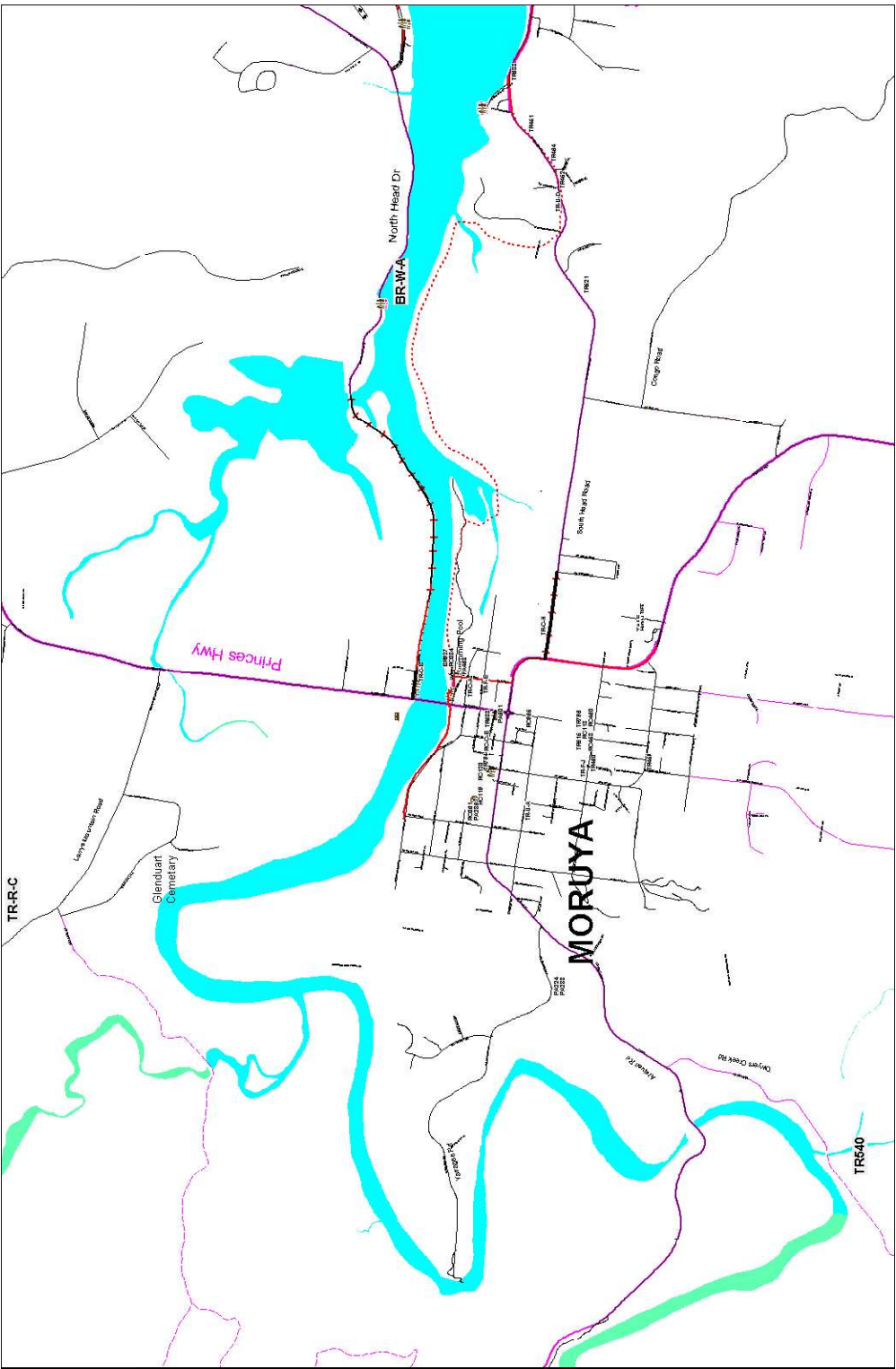
Durras



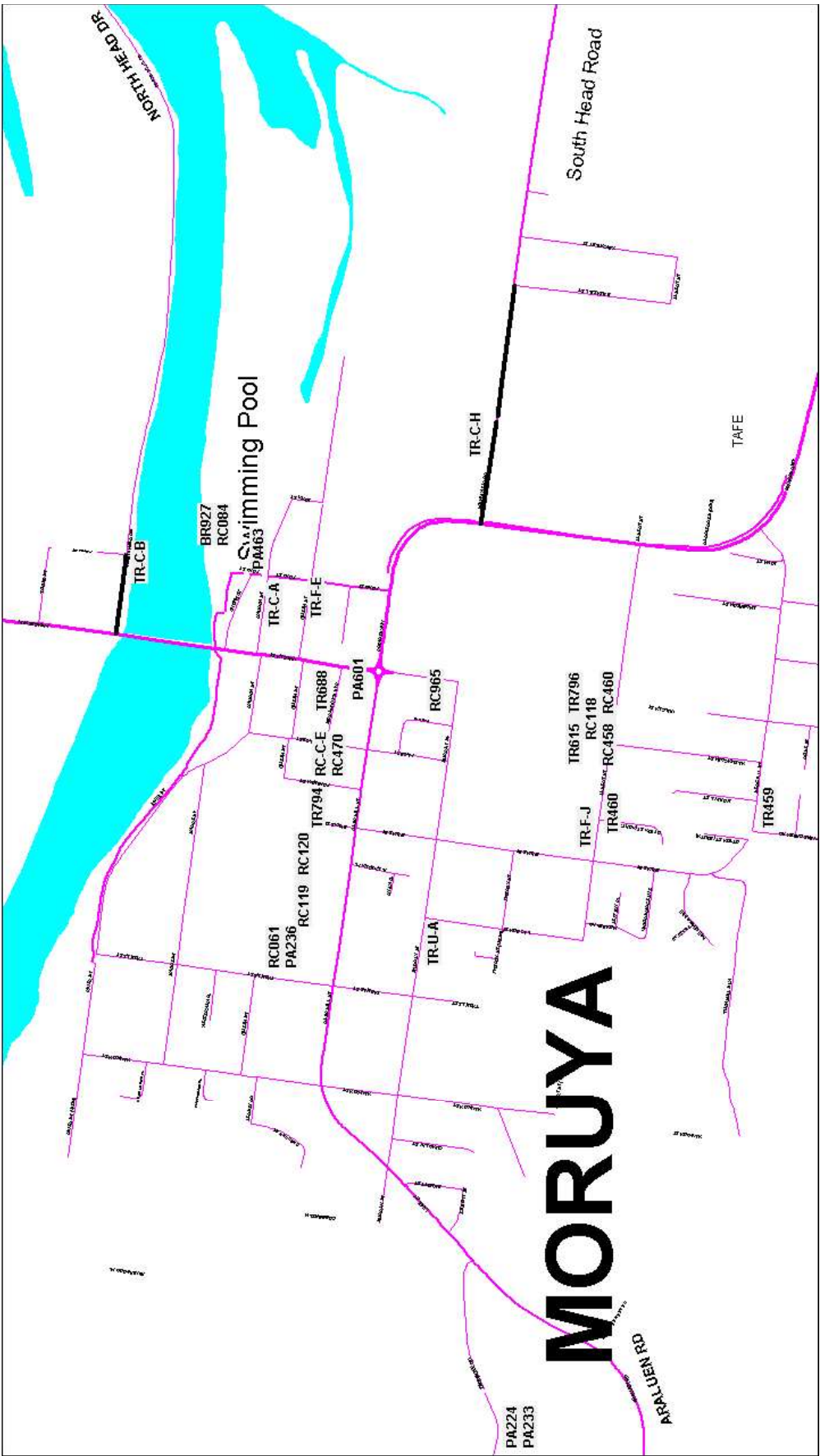
Malua Bay Area



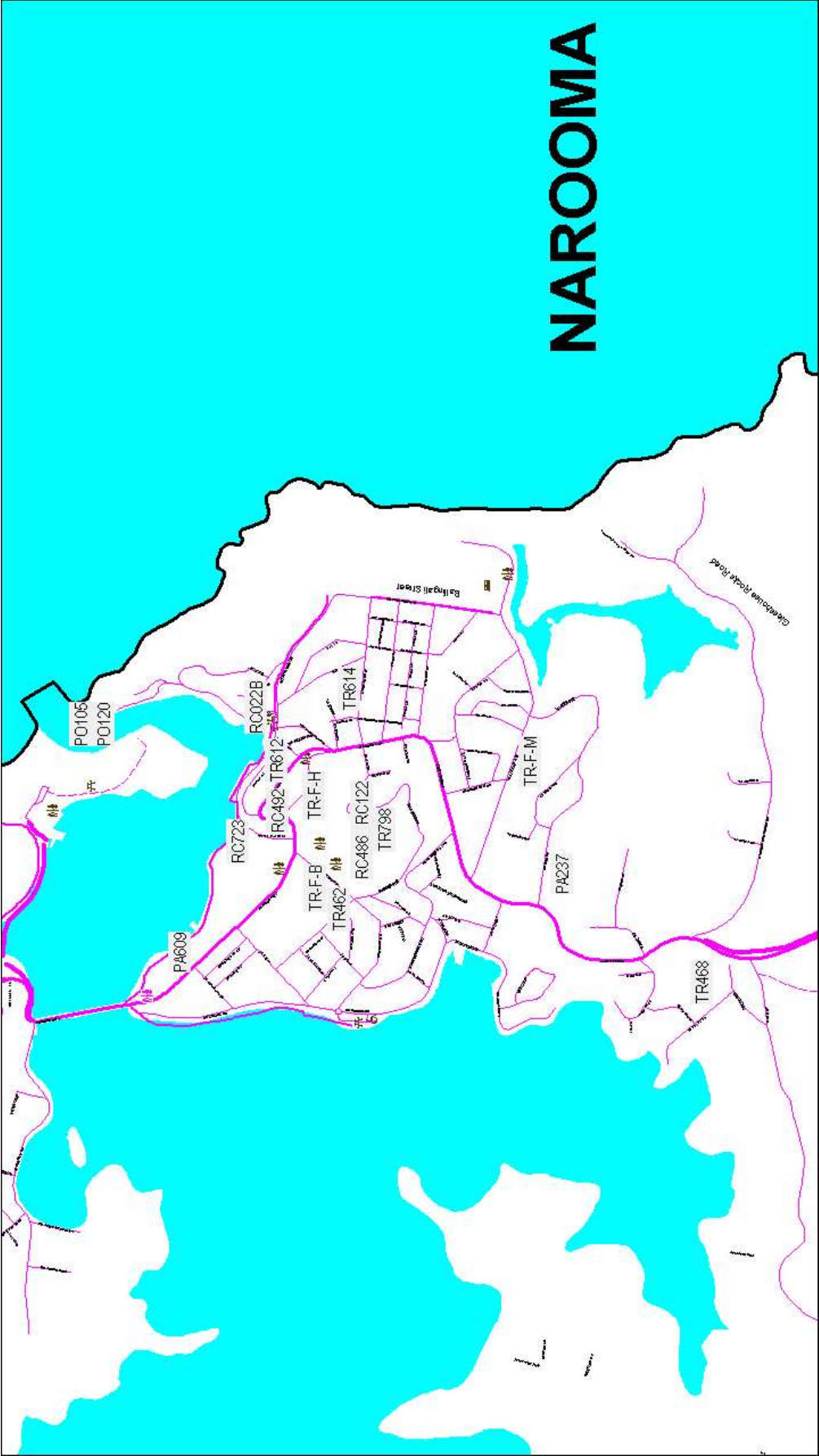
Moruya Area



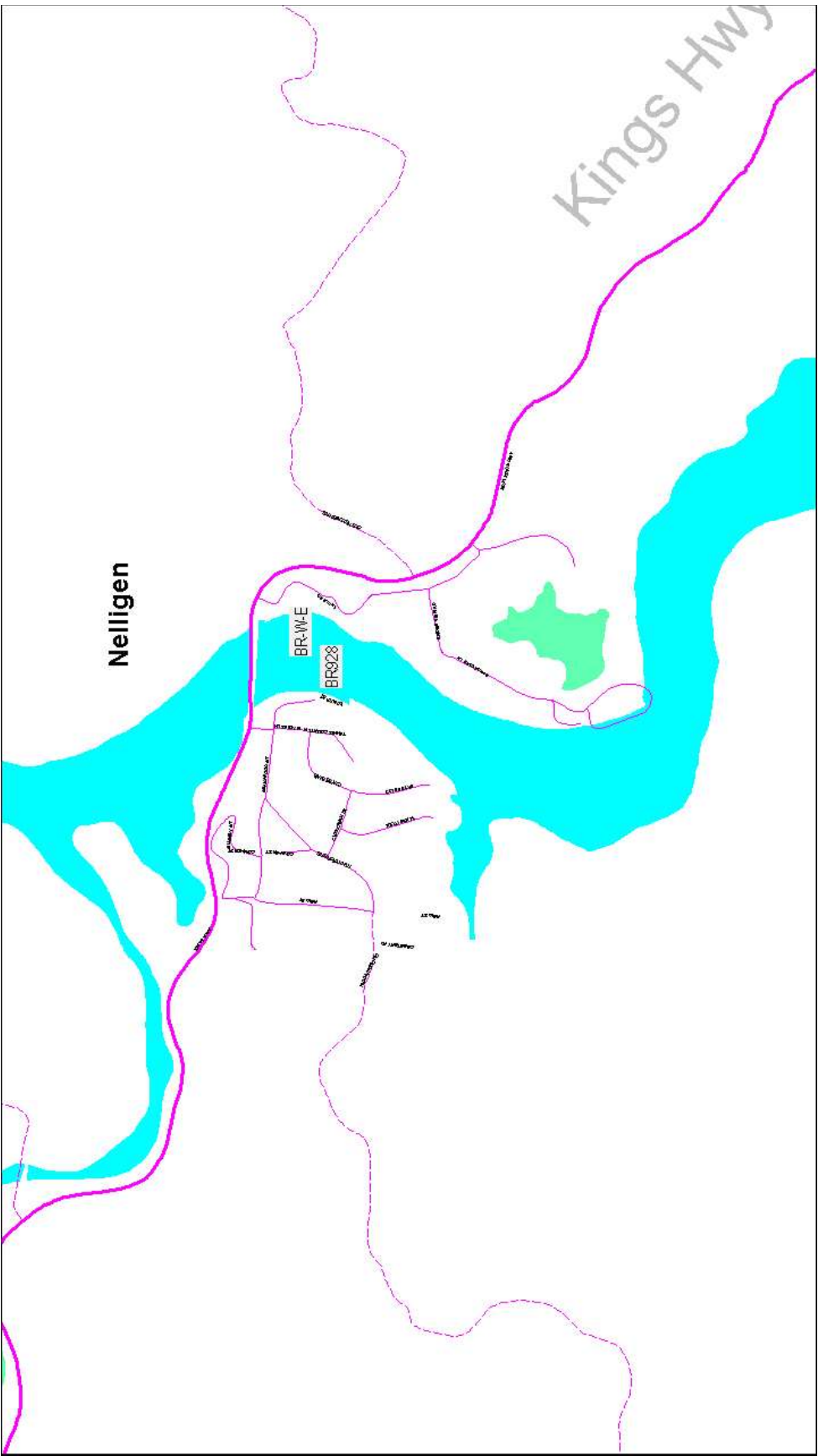
Moruya



Narooma



Nelligen



North Narooma Area

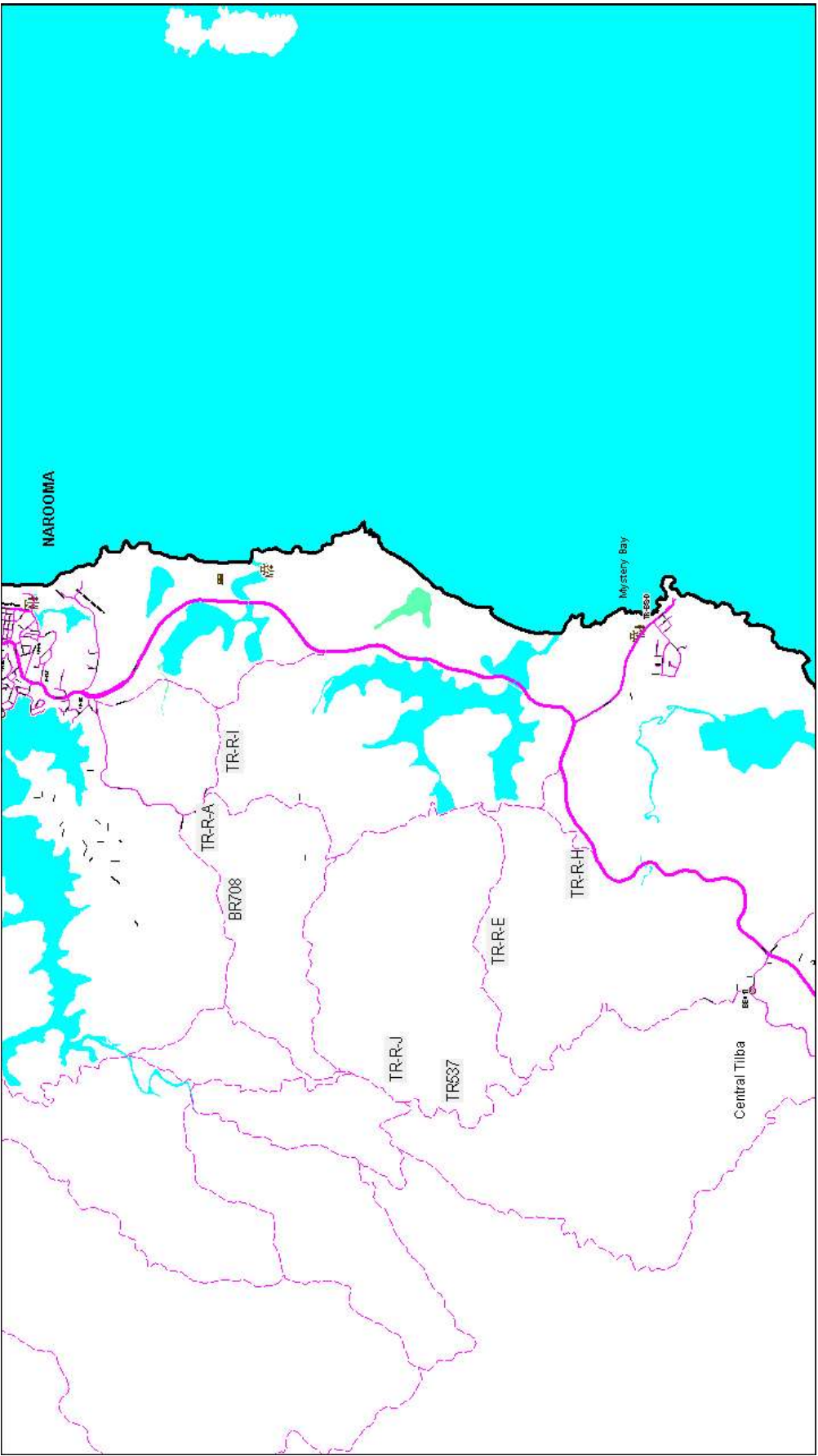


Kianga

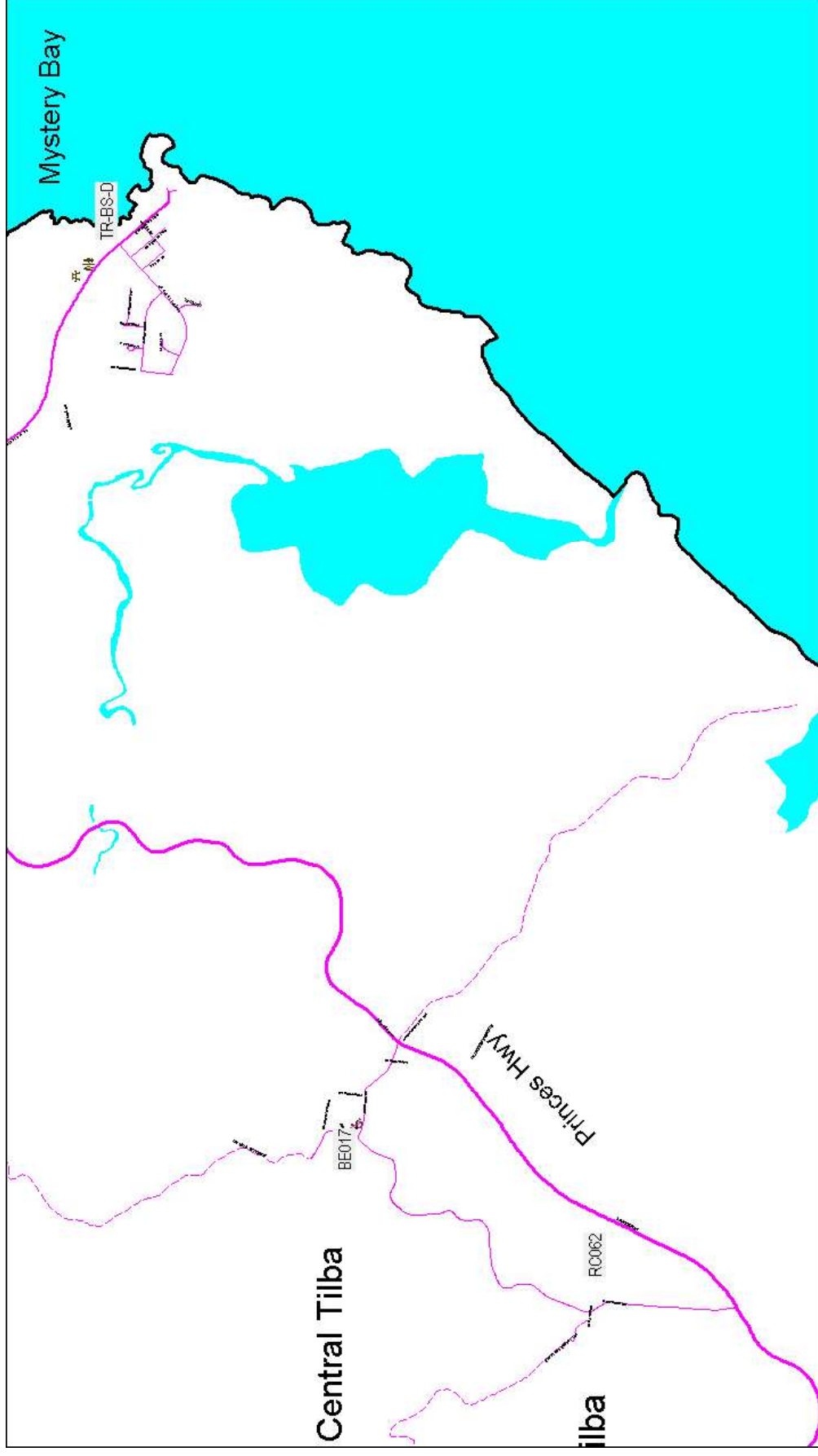
Surf Beach/Sunshine Bay Area



Tilba 1(c) Area



Tilba/Mystery Bay Area



Tuross Head



Schedule 2

(Clause 12)

Cost Summary Report*
(Development Cost no greater than \$500,000)

DEVELOPMENT

COMPLYING DEVELOPMENT

APPLICATION NO.

APPLICATION NO.

CONSTRUCTION

DATE

CERTIFICATE NO.

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT NAME:

DEVELOPMENT ADDRESS:

ANALYSIS OF DEVELOPMENT COSTS:

Demolition and alterations	\$	Hydraulic services	\$
Structure	\$	Mechanical services	\$
External walls, windows and doors	\$	Fire services	\$
Internal walls, screens and doors	\$	Lift services	\$
Wall finishes	\$	External works	\$
Floor finishes	\$	External services	\$
Ceiling finishes	\$	Other related work	\$
Fittings and equipment	\$	Sub-total	\$

Sub-total above carried forward	\$
Preliminaries and margin	\$
Sub-total	\$
Consultant Fees	\$
Other related development costs	\$
Sub-total	\$
Goods and Services Tax	\$
TOTAL DEVELOPMENT COST	\$

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- calculated the development costs in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000* at current prices;
- included GST in the calculation of development cost.

Signed: _____

Name: _____

Position & Qualifications: _____

Date: _____

*Acknowledgment to City of Sydney for use of the Cost Summary Report

Schedule 3

(Clause 12)

Detailed Cost Report*

**Registered* Quantity Surveyor's Detailed Cost Report
(development cost in excess of \$500,000)**

***A member of the Australian Institute of Quantity Surveyors**

DEVELOPMENT

COMPLYING DEVELOPMENT

APPLICATION NO.

APPLICATION NO.

CONSTRUCTION

DATE

CERTIFICATE NO.

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT NAME:

DEVELOPMENT ADDRESS:

DEVELOPMENT DETAILS:

Gross Floor Area – Commercial	m ²	Gross Floor Area – Other	m ²
Gross Floor Area – Residential	m ²	Total Gross Floor Area	m ²
Gross Floor Area – Retail	m ²	Total Site Area	m ²
Gross Floor Area – Carparking	m ²	Total Carparking Spaces	
Total Development Cost	\$		
Total Construction Cost	\$		
Total GST	\$		

ESTIMATE DETAILS:

Professional Fees	\$	Excavation	\$
% of Development Cost	%	Cost per square metre of site area	\$ /m ²
% of Construction Cost	%	Car Park	\$
Demolition and Site Preparation	\$	Cost per square metre of site area	\$ /m ²
Cost per square metre of site area	\$ /m ²	Cost per space	\$ /m ²
Construction – Commercial	\$	Fit-out – Commercial	\$
Cost per square metre of site area	\$ /m ²	Cost per square metre of commercial area	\$ /m ²
Construction – Residential	\$	Fit-out – Residential	\$
Cost per square metre of residential area	\$ /m ²	Cost per square metre of residential area	\$ /m ²
Construction – Retail	\$	Fit-out – retail	\$
Cost per square metre of retail area	\$ /m ²	Cost per square metre of retail area	\$ /m ²

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors;
- calculated the development costs in accordance with the definition of development costs in the *Eurobodalla Shire Council s94A Levy Contributions Plan 2006* at current prices;
- included GST in the calculation of development cost;
- measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed: _____
Name: _____
Position & Qualifications: _____
Date: _____

*Acknowledgment to City of Sydney for use of the Detailed Cost Report

Attachment

Environmental Planning and Assessment Act 1979

DIRECTION UNDER SECTION 94E

I, the Minister for Planning, under section 94E of the *Environmental Planning and Assessment Act 1979* ("the Act"), direct consent authorities that:

- (1) The maximum percentage of the levy for development under section 94A of the Act, having a proposed cost within the range specified in the Table to Schedule A, is to be calculated in accordance with that Table.
- (2) Despite subclause (1), a levy under section 94A of the Act cannot be imposed on development:
 - a) for the purpose of disabled access,
 - b) for the sole purpose of affordable housing,
 - c) for the purpose of reducing the consumption of mains-supplied potable water,
 - d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or
 - e) other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.

in this direction words and expressions used have the same meaning as they have in the Act. The term "item" and "environmental heritage" have the same meaning as in the *Heritage Act 1977*.

This direction does not apply to development applications and applications for complying development certificates finally determined before 1 December 2006.

FRANK SARTOR, M.P.,
Minister for Planning,
Sydney.

SCHEDULE A

Proposed cost of the development	Maximum percentage of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5 percent
More than \$200,000	1.0 percent