

# CP19

**Section 7.11 Plan**  
(formerly Section 94)

## No. 19 – Casuarina Beach/ Kings Forest

**Version 6.0.1**

**February 2022**

**Indexed July 2023**

CERTIFIED IN ACCORDANCE WITH  
 THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
 AND REGULATIONS

GENERAL MANAGER

DATE: 24 August 2022

SECTION 7.11 PLAN No 19  
 CASUARINA BEACH/KINGS FOREST  
 Version 6  
 In Force 24 August 2022

Version	Adopted	Description	Effective
1			16/12/1998
2 (Amendment 1)		Additional 15 ha Richtech land, amendment to population and levy	3/10/2000
3 (Amendment 2)	19/10/2005	Revised population, works program and land valuation, deletion of cycleways	9/11/2005
4 (Amendment 3)	15/12/2009	Inclusion of Depot Road land, land valuation update, indexation applied to works program, admin levy reduced to 5%; occupancy rates updated	23/12/2009
5 (Amendment 4)	15/3/2011	Revises Works Program for Community Facilities	23/3/2011
5.0.7		Indexation applied in accordance with Section 2.13 of this Plan and Regulation 32 of the EP&A Regulations and reference to S7.11	1/7/2018
5.0.1; 5.0.2; 5.0.3; 5.0.4; 5.0.5; 5.0.6; 5.0.8		Indexation applied in accordance with Section 2.13 of this Plan and Regulation 32 of the EP&A Regulations.	July 2012-July 2019
6	18/8/2022	Updates of estimates, land valuations, contribution rates, population growth and update review of document	24/8/2022
6.0.1		Indexation applied in accordance with Section 2.13 of this Plan and Regulation 32 of the EP&A Regulations.	July 2023

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## 1.0 PART A – SUMMARY SCHEDULES

### 1.1 Summary Schedule – Contribution Rates

		Base Rate		Indexed July 2023	
	Persons	Community Facilities	Active Open Space	Community Facilities	Active Open Space
Per person	1	\$1,308	\$913	\$1,350.82	\$953.05
Detached dwelling/Lot (1 ET)	2.4	\$3,139	\$2,191	\$3,241.96	\$2,287.33
1 bedroom unit	1.3	\$1,700	\$1,187	\$1,756.06	\$1,238.97
2 bedroom unit	1.7	\$2,223	\$1,552	\$2,296.39	\$1,620.19
3 bedroom unit	2.1	\$2,746	\$1,917	\$2,836.71	\$2,001.41
4+ bedroom unit	2.4	\$3,139	\$2,191	\$3,241.96	\$2,287.33

Notes:

For active open space only, the rate for tourist development that provides accommodation to be applied per bedroom as above.

### 1.2 Summary Works Schedule

Amenity or Facility	Staging*	Land Area (m <sup>2</sup> )	Land Cost (\$)	Facility gross floor area (m <sup>2</sup> )	Facility / Amenity costs** (\$)	Total project cost (\$)
Multi-purpose community centre (Kings Forest)	S	10,000	3,275,000	1,500	8,662,000	11,937,000,
General use community space (Casuarina)	S-M	1,500	2,000,000	500	2,295,000	4,295,000
Active Open Space	M	15,000	2,623,380	15,000	2,267,250	4,890,630
Passive Open Space	At each stage of approved subdivision	As per TSC Open Space Strategy	NA	NA	NA	NA

Notes:

- (2) Passive Open Space is to be provided in each stage of the Kings Forest and Casuarina Beach Developments at the rates specified in the Plan

allows for a contribution to be calculated in exceptional circumstances that must be demonstrated and accepted by Council.

### 1.3 Published indices at time of adoption

Index	Rate	Index Date	Published
<b>IPD (Engineering Construction)</b>	106.53	December 2019	Temporarily suspended due to Covid uncertainty
<b>IPD source rates:</b>			
Annual seasonally adjusted estimate of increase in Engineering Construction Work Done (IPD base)	-0.3%	Dec 2020	February 2021
Annual seasonally adjusted estimate of increase in Engineering Construction Work Done (IPD base)	4.2%	Dec 21	February 2022
<b>TSC Land Index</b>	307.32	March 2021	2021 Tweed Shire Council Revenue Policy

## 2.0 PART B – ADMINISTRATION

### 2.1 Name of this development contributions plan

The name of this Plan is *Tweed Shire Council Section 7:11 Contributions Plan No. 19 – Casuarina Beach/Kings Forest (Version 6)*.

### 2.2 Land to which this plan applies

This Section 7:11 Contributions Plan applies to the land area as shown in Figure 1 below:

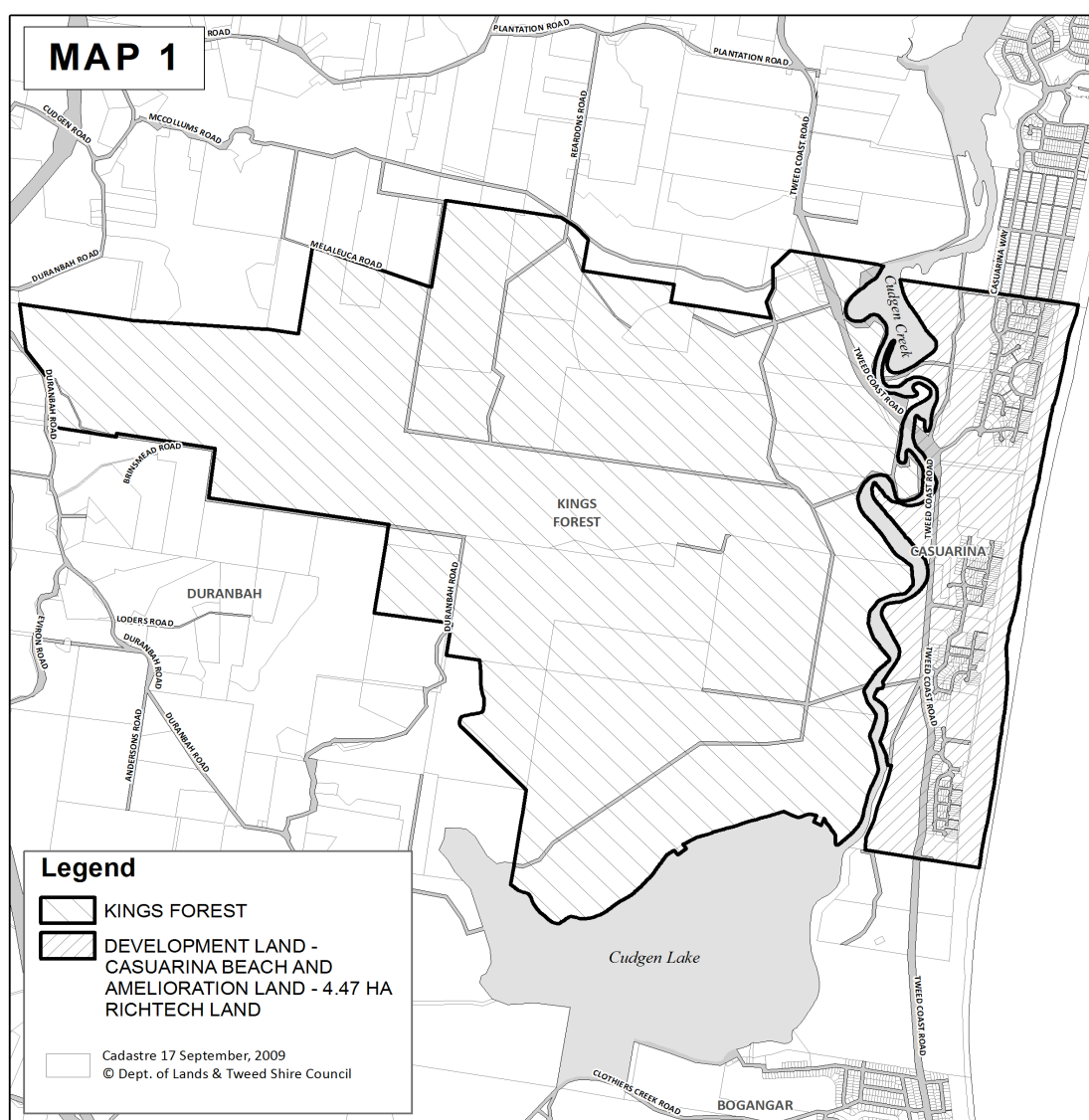


Figure 1

## **2.3 The purpose of the Plan**

The purposes of this Plan are to authorise:

- The consent authority, when granting consent to an application to carry out development to which this plan applies; or
- The Council or an accredited certifier, when issuing a Complying Development Certificate (CDC) for development to which this Plan applies,

to require a contribution (under Section 7.11 of the Environmental Planning and Assessment Act (EP&A)) to be made towards the provision of Local Infrastructure required as a consequence of development within the Plan area, to fund the cost of providing community facilities and open space as defined in this Plan.

Other purposes of this Plan are as follows:

- To provide a comprehensive strategy for the administration of this Plan including the assessment, collection, expenditure accounting and review of development contributions on an equitable basis.
- To ensure that the existing community is not burdened by the provision of Local Infrastructure required as a result of future development.
- To establish the relationship between the expected development and proposed Local Infrastructure (Nexus) to demonstrate that the contributions required under this Plan are reasonable.
- To allow the opportunity for Local Infrastructure (including dedication of land) to be provided by land developers as works in kind in lieu of paying a monetary contribution when it accords with Council objectives or outcomes.
- To require the dedication of land by landowners at no cost to Council when proposed within Council strategies, plans, objectives or outcomes.
- To require payment of monetary contributions from developers toward the provision of Local Infrastructure that the development requires or benefits from when Local Infrastructure is planned by Council for outside the development site.

## **2.4 Commencement of the Plan**

This development contributions plan has been prepared pursuant to the provisions of S7.11 of the *Environmental Planning & Assessment Act* and Part 4 of the *Environmental Planning & Assessment Regulations* (EP&A Regulations) and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the EP&A Regulations .

## **2.5 Relationship to other Council Plans and Strategies**

This contribution Plan should be read in conjunction with the Tweed Local Environmental Plan (TLEP) 2014, (and the TLEP 2000 for land shown as “deferred matters”) and Shire-wide sections of Council’s Development Control Plan, and other applicable Shire wide Section 7:11 Contribution Plans.

Specific documents that apply to this Plan are:



- Tweed Shire Council (TSC) Open Space Strategy 2019–2029 (OSS)
- TSC Community Facilities Plan 2019–2036 (CFP)
- TSC Development Control Plan Section B5 – Casuarina (DCP-B5)

## 2.6 Definitions and standards

<b>Definitions</b>	
Accredited Certifier	For the purposes of the certification of Construction Certificates (CC) and Complying Development Certificates (CDC) as referenced in this Plan, the Accredited Certifier is the principal certifying authority.
EP&A Act	Environmental Planning and Assessment Act, as amended
EP&A Regulations	Environmental Planning and Assessment Act Regulations 2000 (EP&A) as amended.
IPD (Implicit Price Deflator)	Index used for adjustment of construction component – refers to the value of work done (implicit price deflator); Chain Volume Measures; Engineering Construction; ABS Reference A405071T, ABS Product Number 8782.0.65.001
TSC Land Index	Index used for adjustment of land acquisition costs – Tweed Shire Council Land Index, as published online annually in Council's Revenue Policy.
Active (Structured) Public Open Space	<p>Land set aside for sports fields or sporting activities for the purpose of active recreation which includes cricket, football, hockey, netball etc. These areas do not include environmental lands, encumbered lands, open trunk drains and lakes.</p> <p>Cycleways, exercise equipment, walking or bike trails will not, by themselves, be included as active open space, however, may be provided ancillary to the provision of sports fields.</p>
Passive (Casual) Public Open Space	<p>Land set aside for passive recreation activities including unstructured physical activity, socializing, and play, and which supports the casual enjoyment by the community. These areas do not include environmental lands, encumbered lands, open trunk drains and lakes.</p> <p>Cycleways, walking or bike trails will not, by themselves, be included as passive open space, however, may be provided ancillary to the provision of parks</p>

Definitions	
Community Infrastructure	<p>Refers to community infrastructure, services and networks which help individuals, families, groups and communities meet their social needs, maximise their potential for development and enhance community wellbeing. Council owned and/or managed community infrastructure consists of:</p> <ul style="list-style-type: none"> <li>• Libraries</li> <li>• Community Centres</li> <li>• Community Halls/General community use meeting spaces</li> <li>• Art Gallery</li> <li>• Museum</li> <li>• Auditoria/Performing Arts</li> <li>• Tenanted facilities</li> </ul>
Nexus	<p>The relationship between the expected types of development in the area and the demand created by those developments for additional public facilities. The link between the proposed development and the increased demand for public facilities may be demonstrated through causal nexus (what), spatial nexus (where) and temporal nexus (when). <b>Causal nexus</b> requires that the need for the service or facility being levied must be a result of the development being levied. <b>Physical nexus</b> requires that the service or facility be near enough in physical terms to provide benefit to that development. <b>Temporal nexus</b> requires that the service or facility must be provided within a reasonable time.</p>

<b>Standards used in this contributions Plan</b>	
Dwelling house/lot	Equivalent to 2.4 persons (one Equivalent Tenement) Source: Tweed Shire Urban Land Release Strategy 2009
1 bedroom unit	Equivalent to 1.3 persons Source: Tweed Shire Urban Land Release Strategy 2009
2 bedroom unit	Equivalent to 1.7 persons Source: Tweed Shire Urban Land Release Strategy 2009
3 bedroom unit	Equivalent to 2.1 persons Source: Tweed Shire Urban Land Release Strategy 2009
4+ bedroom unit	Equivalent to 2.4 persons Source: Tweed Shire Urban Land Release Strategy 2009
Tourist related development that provides accommodation	Equivalent to the above residential standards with reference to the number of bedrooms
Open space standard	2.83 hectares per 1000 persons Source: as adopted by Land and Environment Court for developing areas (Department of Planning 1992)
Local active open space standard	1.7ha per 1,000 population Source: Tweed Shire Open Space Strategy 2009 – 2029
Local passive open space standard	1.13ha per 1,000 population Source: Tweed Shire Open Space Strategy 2009 – 2029

## 2.7 Timing of Contributions

Contributions will be required as a condition of development consent for subdivision and medium density developments, including dual occupancy and tourist developments.

A contribution must be paid to the council at the time specified in the condition that imposes the contribution. If no such time is specified, the contribution must be paid prior to the issue of a construction certificate.

Contributions are required to be paid as follows:

- for development applications involving subdivision prior to release of linen plan of subdivision or subdivision certificate.
- for applications including building work, prior to issuing building approval or construction certificate.

- for development applications not involving building work or subdivision prior to issuing development consent.

### 2.8 Deferred payments

Council will accept deferred payments only in special circumstances. Applicants for deferred payment of contributions must enclose a submission in writing to accompany any Development Application setting out the reasons for deferral of payment.

If the application for deferral is accepted, the following conditions will apply:

1. A bank guarantee will be required to be lodged for the full value of the contribution(s). The applicant will be responsible for any charges involved in servicing the guarantee.
2. The amount of contributions outstanding will be indexed in accordance with Section 2.11 – *Adjustment of contribution rates* so that the value of the contribution does not diminish over time. Indexing will be calculated from the date on which the contribution was due to the date of payment.
3. Council will call up the bank guarantee if full payment of the deferred contributions is not received within six (6) months of release of linen plan/occupation of the buildings.

An alternative to deferred payments is for an applicant to request that contributions be satisfied through periodic payments. The following conditions will apply if an application for differed payments is to be accepted:

1. The application is to be made in writing and will include details of instalments and interest calculations.
2. Periodic payments will be required with each stage of a development where staged development is nominated in a development application.
3. Periodic payments will be indexed in the same manner as deferred payments and similar bank guarantee requirements will apply.

The decision as to whether to accept periodic payments rests solely with Council.

### 2.9 Obligation of accredited certifiers

#### Construction Certificates:

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

The certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause

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142(2) of the EP&A Regulations. Failure to follow this procedure may render such a certificate invalid.

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

### **Complying Development Certificates:**

In accordance with Section 7.21 of the EP&A Act a certifying authority must impose a condition on a complying development certificate requiring the payment of a monetary contribution in accordance with this Plan. The condition must require payment prior to commencement of works or prior to commencement of use – whichever occurs first. The condition must be set out and be calculated in accordance with Appendix 4 of this Plan.

Payment for contributions cannot be accepted by Council before Council has registered the complying development certificate in its system, which will not occur until Council has received notification of the complying development certificate from the accredited certifier of the issuing of the certificate.

Failure to follow this procedure may render such a certificate invalid.

### **Recalculation of contributions:**

Council's search fee will apply in cases where the recalculation of contribution rates is required.

## **2.10 Dedication of land and material public benefits**

A decision as to whether to accept the dedication of land or the provision of a material public benefit/works "in kind" in lieu of a monetary contribution, will be at the discretion of Council. Factors Council will take into consideration include:

- the extent to which the land/material public benefit/works satisfies a community need.
- the extent to which the land/material public benefit/works satisfies the purpose for which the contribution was sought.
- the valuation of the material public benefit or works in kind.
- a consideration of locational and other factors which may affect useability.
- an assessment of recurrent maintenance costs to Council.
- consistency with the provisions of Tweed Development Control Plan.
- consistency with the Tweed Shire Open Space Strategy 2019–2029 or
- the Community Facilities Plan 2019–2036

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.

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.

### 2.11 Adjustment of contribution rates

To ensure that the value of contributions are not eroded over time by movements in the land value increases, the capital costs of administration of the Plan or through changes in the costs of studies used to support the Plan, the council will adjust the contribution rates.

The contribution rates will be adjusted by reference to the following specific indices:

- construction costs by the **IPD Chain Volume Measures: Engineering Construction** as published by the **Australian Bureau of Statistics (ABS)**;
- land acquisition costs by reference to average land valuation figures (**Tweed Land Index**) published by the Council in the Council's Revenue Policy.
- specific valuations for parcels of land that are identified in the S7.11 Plan.
- the costs of various studies and activities required to support the strategies in the Plan by reference to the actual costs incurred by the Council in obtaining these studies.

In accordance with clause 32(3)(b) of the *EP&A Regulations*, the following sets out the means that the council will make changes to the rates set out in this Plan.

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For changes to the **IPD** index, the contribution rates within the Plan will be adjusted on at least an annual basis in accordance with the following formula:

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

**$\$C_A$**  is the contribution at the time of adoption of the Plan expressed in dollars.

**Current Index IPD** is the **IPD** as published by the ABS available at the time of adjustment of the contribution rate.

**Base Index IPD** is the **IPD** as published by the **ABS** at the date of adoption of this Plan.

Note: In the event that the Current IPD is less than the previous IPD, the Current IPD shall be taken as not less than the previous IPD. Also note that the ABS adjusts the base year annually and therefore the actual IPD figures to be used are those applicable on the date on which indexation occurs. Please refer to paragraph 1.3 for the applicable figures at the time of adoption, however these may vary over time for the reasons stated.

For changes to land values, the council will publish at least on an annual basis the revised land index values that are to be used to change the base land values contained in the Plan which will be determined in accordance with the following formula:

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

Where

**$\$C_{LV}$**  is the land values within the Plan at the time of adoption of the Plan expressed in dollars.

**Current LV Index TSC Land Index** is the land value index as published by the council available at the time of adjustment of the contribution rate.

**Base LV Index TSC Land Index** is the land value index as published by the council at the date of adoption of this Plan.

Note: In the event that the Current LV Index is less than the previous LV Index, the Current LV Index shall be taken as not less than the previous LV Index. Also note that the council may adjust the base year for this index and therefore the actual LV Index figures to be used are those applicable on the date on which indexation occurs. Please refer to paragraph 1.3 for the indexation figures available at the time of adoption, however these may vary over time for the reasons stated

**Note:** This clause does not cover the adjustment of a contribution between the time of consent and the time payment is made. This is covered by clause 2.12.

Should either index not be published for a given year, ABS CPI (All Groups Sydney) is to be used.

## **2.12 Adjustments at the time of payment**

The contributions stated in a consent are calculated on the basis of the S7.11 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 time of payment in accordance with the consent condition.

The current contributions are published by council and are available from council offices. Should the council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

## **2.13 Pooling of contributions**

This Plan expressly authorises monetary S7.11 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.

## **2.14 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 applied at the date of determination of the application.

## **2.15 Contributions register and accounting**

Council has established an identifiable account for the management of S7.11 contributions, showing separate categories of contribution.

Contributions must be spent for the purpose for which they were levied in accordance with the Works Program. Interest will be calculated on funds held for each category and credited as appropriate.

Council will maintain a register of all contributions received in accordance with Clause 34 of the EP&A Regulations. The register will be available for public inspection, in accordance with the EP&A Regulations.

Council may permit the short-term transfer of funds on a priority basis. This will only be done on the basis that:

- full details of the transfer and subsequent reimbursement of funds are recorded.
- the transferred funds are returned to the relevant categories by future contributions.
- there is a reasonable expectation that future contributions will be obtained to enable reimbursement of the category from which monies have been transferred.



- the purpose for which the contributions are transferred is a purpose identified in the Works Program.

### **2.16 Annual statement**

In accordance with Clause 36 of the EP&A Regulations, Council will produce an annual statement of contributions received which summarises, by purpose and area, details relating to contributions. Councils Financial Statements are available online at [www.tsc.com.au](http://www.tsc.com.au).

### **2.17 Review of plan**

This Contribution Plan will be subject to regular review by Council, to:

- ensure that contribution levels reflect current land values and construction costs; and
- enable the amendment of work schedules if development and population levels differ from original expectations.

Any material changes in the Plan, except for the annual adjustment of contribution amounts, will require that the Plan be amended in accordance with Clause 32 of the EP&A Regulations. This will require public exhibition of the amended Plan and consideration of submissions received.



### **3.0 PART C – STRATEGY PLAN AND NEXUS**

#### **3.1 Introduction**

There are 5 key considerations for determining development contributions, being:

- (a) *Can the public infrastructure that is proposed to be funded by a development contribution be provided within a reasonable time?*
- (b) *What will be the impact of the proposed development contribution on the affordability of the proposed development?*
- € *Is the proposed development contribution based on a reasonable apportionment between existing demand and new demand for public infrastructure to be created by the proposed development to which the contribution relates?*
- (d) *Is the proposed development contribution based on a reasonable estimate of the cost of proposed public infrastructure?* (e) *Are the estimates of demand for each item of public infrastructure to which the proposed development contribution relates reasonable?*

These considerations are addressed in this section by demonstrating a clear nexus between the requirement for the amenities specified in this Plan required to meet the needs of the increased population as a result of new development, and the works program designed to provide it.

#### **3.2 Expected population**

Casuarina Beach and Kings Forest assumes progressive and/or sequential development within the development land, however market requirements will also influence the development process. Therefore, the Contribution Plan will require flexibility to allow for any changes, with regular reviews of the Plan undertaken. There is no definite timeframe for the completion of the development of the subject land.

With respect to the tourist population proposed in the Kings Beach area, it is difficult to predict the timing and number of units involved in the proposed tourist area. Allowance has been made for contributions from the tourist accommodation development towards the cost of open space facilities and the environmental open space. As it is assumed that most of the tourists will not be staying in the area for any great length of time, this Plan does not provide for contributions from this sector for community facilities.

The total population for Casuarina Beach is expected to be 5,629 persons. (As per the previous version of this Plan).

Kings Forest is expected to have a population of approximately 10,000 based on the approved Density Matrix Summary under MP06\_0318 (Mod 2) dated 11/08/2013 (see Appendix 2). The Yield Summary indicates an indicative yield of 4,503 dwellings for Kings Forest. This yield will be a combination of residential dwelling types with an estimated population of 10,000 persons (assuming 50%

being single dwellings, 25% being 3 bedroom units and 25% being 2 bedroom units).

Population Estimates will be revised during reviews of this Plan.

The occupancy rates used will be those for Kingscliff as stated in the Tweed Shire Urban Land Release Strategy 2009. The occupancy rates are summarised in Section - Definitions and standards.

### **3.3 Relationship between development and demand (Nexus)**

The delivery of new community facilities and public open space to support growth across Tweed Shire Council will include the acquisition of land and capital works funded by monetary contributions from development. The relationship between demand from population increases and facilities required is established in Council's Community Facilities Plan 2019–2036

(<https://www.tweed.nsw.gov.au/community/events-venues/community-facilities>) and Open Space Strategy 2019–2029

(<https://www.tweed.nsw.gov.au/files/assets/public/documents/council/strategies-and-plans/open-space-strategy-2019-2029.pdf>).

This Contribution Plan identifies community facilities and public open space to cater for expected growth at Kings Forest and Casuarina Beach. This Contribution Plan apportions the total cost of all identified community facilities and public open space for this locality to the total expected population in the locality which is the fairest method of ensuring that the contribution is reasonable, and where applicable, that existing residents are not burdened by the provision of the facilities and infrastructure.

Community facilities and public open space provide significant health and wellbeing, social, cultural and economic benefits to the community. Innovation in the delivery of community infrastructure provides multiple benefits to the providers and users of infrastructure. The focus for future planning for community infrastructure will be on developing shared or multipurpose community facilities that are universally designed, located in suitable areas, are activated, and provide flexible spaces that can respond to changing future community needs. Creating sustainable and healthy built environments is important to the ongoing wellbeing of regional communities.

### **3.4 Contribution rates for different densities of development**

Contributions will be levied on the assumption that a dwelling house will be erected on each lot created by subdivision. When subsequent development occurs which increases housing density, contributions will be based on the occupancy rates specified in this Plan.

Such development includes dual occupancy, residential flat buildings, duplexes, cluster housing, villas, terrace housing and integrated housing. Manufactured housing estates are also included.

The amount of contribution paid at subdivision stage will be subtracted from this amount.

### 3.5 Formulae for contributions

The formulae for calculating the amount of contribution will vary according to the type of facility/infrastructure. Each formula is based on consideration of:

- the demand for the facility or service generated by the development, based on the additional population expected.
- the current cost of acquiring the necessary land.
- the current capital cost of providing the facility or infrastructure.
- increases in land acquisition and building costs, based on the IPD and Tweed Shire Land Index, or if these indices are not available, the CPI (all groups, Sydney);
- valuation costs, being valuation and revaluation of lands; and
- a 5% levy applies to all S7:11 charges to cover the costs associated with administration, development and review of Plans.

### 3.6 Specific contribution plans

#### 3.6.1 Public Open ce

##### 2. 1. Principles for the Open Space Network

Key principles of the open space network can be found in the Council's Open Space Strategy 2019-2036 and Development Control Plan.

##### 2. Requirements

For the purposes of this Plan, Council has classified public open space into two (2) categories:

**Active Open Space** -Land set aside for sports fields or sporting activities for the purpose of active recreation which includes cricket, football, hockey, netball etc. These areas do not include environmental lands, encumbered lands, open trunk drains and lakes.

Cycleways, exercise equipment, walking or bike trails will not, by themselves, be included as active open space, however, may be provided ancillary to the provision of sports fields.

**Passive Open –pace** - Land set aside for passive recreation activities including unstructured physical acti17ocializinglising, and play, and which supports the casual enjoyment of the community. These areas do not include environmental lands, encumbered lands, open trunk drains and lakes.

Cycleways, walking or bike trails will not, by themselves, be included as passive open space, however, may be provided ancillary to the provision of parks.

### 3. Determining Area of Open Space required

In the Tweed Shire Open Space Strategy 2019–2029, Tweed Shire Council adopts the following quantity standards which apply to the provision of passive and active open space provided at a local, neighbourhood and district level.

Open space	Provision standard
Passive open space	1.13 hectares per 1,000 population
Active open space	1.7 hectares per 1,000 population
Total	2.83 per hectares per 1,000 population

Table 4: Quantity standards for passive and active open space

#### **Casuarina Beach Locality**

Therefore, for the Casuarina Beach locality, with a projected population of 5,629, 15.8 hectares (9.50 ha Active / 6.3 hectares Passive) is required. However, a proportion of the population in Casuarina Beach will be tourists who would not require as much active open space on a formal basis.

It is considered reasonable to allocate 7 hectares of Active open space (note: 5.5 ha is located in Casuarina Beach and a net additional 1.5 ha will be located at the former Waste Depot site in Depot Road, Lot 1 DP 397082) based on the assumed permanent population. It is proposed that a total at least 8.8 hectares of passive open space will be dedicated at Casuarina Beach.,

#### **Kings Forest Locality**

For the Kings Forest Locality/Development, open space is to be provided at the rates specified above within the development site including all appropriate embellishment at the time of subdivision of land construction.

### 4. Open Space Requirements

#### **(a) Active Open Space (Casuarina Locality Only)**

The developer has dedicated a total of 5.5 ha of structured open space at no cost to Council in conjunction with the Stage 1 of Casuarina Beach.

The additional active open space required for Casuarina Beach will be covered by contributions that will be levied for acquisition and embellishment of 1.5-hectare site at the former waste depot site, being Lot 1 DP 397082 Depot Road, Cudgen.

Where contributions are required, contributions are charged based on a single dwelling per lot at the subdivision stage, and in the case of medium density development remaining contributions will be levied upon consent for the additional dwelling units. Tourist developments are levied at the rate per

bedroom as specified in *Section 1.1- Summary Schedule – Contribution Rates* on page 2.

A cash contribution will be required based on the contribution formula below. If the applicant nominates to undertake works-in-kind in lieu of contributions and these works-in-kind are not completed prior to the release of the linen plan, then the applicant will have to provide Council with suitable financial guarantees (normally by way of Bank Guarantee) for works not completed. Upon completion of the works the financial guarantee will be discharged by Council.

### **For Active Open Space in the Casuarina Beach locality only**

#### **Contribution Formula**

Cost per person (active open space) =  $(C + B + K) * L / P$

#### **Where**

**C** = current value of required land to be acquired in serviced state (filled, with road access and water supplied)

**B** = Cost of Amenities - Buildings and associated infrastructure etc. and cost of embellishments such as landscaping and facilities as required by Council's DCP-A5 adjusted annually using indices described in Clause 3.5

**P** = population predicted to be generated by the new redevelopments

**K** = valuation costs, (including re-valuation costs)

**L** = 1.05 which is the Administration Levy of 5%

### **Active Open Space** (applies to Casuarina Beach area only)

Cost per person =  $(C + B + K) * L / P$

#### **Where**

**C** = Value of 1.5ha of land @ \$1,124,290 per hectare (valuation of Depot Road site April 2008) from the Depot Road site. *Indexation of 55.56% applied to 2008 figure - ref TSC Land Index 2008-2021* = \$2,623,380

**B** = Cost of Facilities - Buildings and associated infrastructure etc. and cost of embellishments such as landscaping and associated works Council also requires provision of a 150m<sup>2</sup> amenities block including (2 change rooms with showers and toilets, storeroom, and separate toilets for the public and carparking area at the 1.5ha playing field. **(See Cost Estimate at Appendix 2)**

**P** = Permanent residential (3,029) + tourist population (2600) = 5,629 (Casuarina Beach Only)

**K** = valuation costs, (including re-valuation costs)

**L** = 1.05 which is the Administration Levy of 5%

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$$\text{Cost per person} = \frac{(\$2,623,380 + \$2,267,250 + 2,000) * 1.05}{5,629}$$

$$= \frac{\$5,137,262 * 1.05}{5,629}$$

**Cost per person = \$913**

### ACTIVE SPACE CONTRIBUTION RATES

Development Type	Persons	Active Open Space Base Contribution Rates January 2022*
Per person	1	\$ 913
Detached dwelling/lot (1 ET)	2.4	\$ 2,191
1 bedroom unit	1.3	\$ 1,187
2 bedroom unit	1.7	\$ 1,552
3 bedroom unit	2.1	\$ 1,917
4+ bedroom unit	2.4	\$ 2,191

\* See section 1.1 for current indexed rates.

The rate for tourist development that provides accommodation to be applied per bedroom as above.

\* See Appen-ix 3 - Index Calculations for details of how these contributions were calculated.

### Passive open space

This will be provided by dedication to Council (at no cost), based on 11.3m<sup>2</sup> per person, using the occupancy rates in Section 2.6, plus embellishment costs. Passive open space will comprise areas of at least 2500m<sup>2</sup>, preferably greater, but this area can be made up by dedication from adjoining subdivision amalgamated to form a larger area. Dedication of "pocket" parks on one dwelling allotment will not be acceptable. Passive open space is to be dedicated at the time of subdivision.

When accepting dedication of passive open space, Council will apply the requirements of the TSC Development Control Plan Section A5 and the Open Space Strategy as they apply to passive open space.

Land containing significant vegetation may be accepted as a dedication but not at the expense of useable open space. If such land is proposed for dedication, it will be inspected by Council officers to determine the significance of its vegetation to the locality and the Shire, and potential maintenance costs to Council. Land with highly significant vegetation, low maintenance costs and which is contiguous with dedicated passive open space, will be acceptable but such land will be considered



## Contribution Plan No. 19

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proportionately at a rate of one-third of the required dedication, not the entire amount.

The location of passive open will be determined within each development application. Without prior knowledge of location, it is not possible to specify the exact embellishments required.

Embellishments of casual open space must meet the requirements of Council's DCP-A5. Depending on location of casual open space this embellishment may include filling, topsoiling, grading, seeding, planting or installation of seating or playground equipment. Developers are required to consult with Council's Parks and Active Communities Unit regarding appropriate embellishment requirements for casual open space prior to dedication and/or embellishment.

Subdivision developments are expected to dedicate compliant sites.

If however, a monetary contribution is considered more appropriate than dedication of land, or where the amount of land does not fully satisfy the standard of passive open space to be provided, the following formula shall apply:

### Contribution formula

Cost per person (passive open space) =  $(C + B + E + K) * 1.05 / P$

#### Where

- C = current value of required land to be acquired in serviced state (filled, with road access and water supplied)
- B = Cost of Amenities - Buildings and associated infrastructure etc.
- E = cost of embellishments such as landscaping and facilities as specified in Council's Open Space Strategy-2019 - 2029 adjusted annually by the use of indices described in Clause 3.5
- P = population predicted to be served by the passive open space
- K = valuation costs, (including re-valuation costs)
- L = 1.05 which is the Administration Levy of 5%

## 3.6.2 Community facilities

### Policies

This contribution determined by this Plan applies to all forms of residential development in the South Kingscliff area which encompasses the Casuarina Beach area and Kings Forest.

In 2019, The Council adopted a new *Community Facilities Plan 2019 – 2036* (CFP) which focused on the community infrastructure needs up to 2036. The CFP outlined the findings of a needs assessment which considered standards of service, demographics and social trends, audit and demand of existing infrastructure, and extensive consultation. This evidence informed the recommended network action planning activities by whole-of shire, and network action plans by district and local levels including the community infrastructure



requirements for the Kings Forest area. The CFP has resulted in changes to the works Schedule included in the previous version of the Plan but still provides approximately the same floor space area. The CFP details associated inventories of Council owned/managed community and cultural facilities; and non-Council owned/managed community facilities or social infrastructure as per adopted definitions. *Note:* this may differ to State or Federal definitions of community and social infrastructure when conducting comparison work. Consultation with relevant State Government bodies regarding social infrastructure may be required.

In determining community and cultural facilities, the following principles were adopted:

- Provide a network of accessible, welcoming, and activated places for the whole community – supporting people to build social connections and active lifestyles.
- Lead by example – promoting universal access and social inclusion for our diverse community through design, management, and activation of the Council's community infrastructure.
- Provide facilities in a timely manner at a level commensurate with need and in sequence with the distribution of our growing population – recognizing indicators of disadvantage and supporting social cohesion in communities.
- Maximise use of existing facilities that are well located for the current and growing population. Co-locate compatible activities in flexible, multi-purpose facilities and plan for longevity, including adaptability over time.
- Locate facilities with access to public and active transport – in functional activity centres where appropriate.
- Engage in partnerships with the private, community sector and other levels of government to deliver affordable, attractive, and accessible facilities.
- Deliver high quality urban design with safe and visible facilities that contribute and relate to the public domain and a sense of place.
- Recognise the need to support disadvantaged communities and isolated areas with declining or small populations.
- Design and manage the network to support sustainable facilities that are efficient, viable and affordable to run.
- Involve community members in identifying community infrastructure needs across the network and informing the function and design of individual facilities.
- Engagement in the planning process builds people's capacity to participate in their community.

Tweed Shire Council's CFP principles align with the seven objectives of the *NSW Government Better Placed (GANSW 2017)* to achieve improved design of the built environment for today's community and future generations:

- Better fit: contextual, local and of its place.
- Better performance: sustainable, adaptable, and durable.
- Better for community: inclusive, connected, and diverse.

- Better for people: safe, comfortable, and livable.
- Better working: functional, efficient, and fit for purpose.
- Better value: creating and adding value.
- Better look and feel engaging, inviting, and attractive.

Good neighbourhood design which provides community infrastructure that meets these principles, attracts new residents, and supports community connection and social cohesiveness.

### Facility Description

The proposed works are generally similar to works outlined in earlier versions of this Plan, yet align with more contemporary use of public facilities whilst differentiating between the construction of Council owned community and cultural facilities – as opposed to State and Federal operated and/or funded social infrastructure – and non-Council owned/managed community and cultural facilities. These community facilities contribute to a hierarchy of community facilities across the network as outlined and defined in the *Community Facilities Plan*. The council plans to meet future population needs and demand for floor space by acquiring land, carrying out works and recouping costs in terms of the following:

- Multipurpose Community C–ntre - Kings Forest: A flexible multi-purpose focal point for community activity and places for people to meet and connect. Community Centres are an important asset to the community and often provide meeting space for social interaction as well as a range of services and information pertaining to the local community.

Land size: 10,000m<sup>2</sup>, GFA: 1,5

- 00m<sup>2</sup>.

General use community facility – Casuarina: General use community facility providing meetings spaces; social, cultural, educational, and recreational activities; and/or health, support, and information. Land size: 1,500m<sup>2</sup>, GFA: 50

- 0m<sup>2</sup>.

The Table below from the Tweed Shire Council Community Facilities Plan 2019 – 2036 provides the standards adopted in determining the need for the two facilities.

This Plan should be read in conjunction with proposed works for a Coastal Library to meet future population needs as outlined in CP11- Tweed Shire Library Facilities. A co-located Multipurpose Community Centre and a Library at King's Forest is desirable to meet the needs of future population.

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Facility or service	Catchment level	Facilities within network	Identified population standards*	TSC standards of service for each sub network	Indicative gross floor area/site:
Community centres	Local	Community halls/general use community meeting space	1:6–10,000	1:6,000** (indicative)	500m <sup>2</sup> 1,500m <sup>2</sup>
	District	Multi-purpose community/civic centre	1:20–30,000	District community centre 1:15,000** (indicative)	Min. 1,500m <sup>2</sup> Min. 10,000m <sup>2</sup>
		Neighbourhood/Community services centre	1:20–30,000		
Cultural	Regional	Museum	1:30–150,000	Investigate need and opportunities for exhibition space at local and district level^	1,000–5,000m <sup>2</sup> 15,000m <sup>2</sup>
		Gallery	1:30–120,000		
Performance	Regional	Auditoria/performing arts/convention centre	1:50–200,000	Investigate local, district and regional needs and options	
Library	District	Branch Library	*As per State Library of NSW standards and guidelines (see Section 7.5.3). District library (35–39 m <sup>2</sup> per 1000 people + 20% circulation space)  Min. 10,000m <sup>2</sup>		
	Regional	Mobile library service			
		Regional library specialist services (genealogy; young adults librarian)			

**Table 1:** Tweed Shire Council Community Facility Plan standards of service

### Required Facilities Cost Estimate and Apportionment

The works program identifies proposed works; land and building costs; contribution apportioned calculations and total project costs. The cost estimates and land valuation for the required community facilities are in Schedule 2.

Proposed facility	Staging*	Land site area (m <sup>2</sup> )	Land site cost (m <sup>2</sup> )	Building gross floor area (m <sup>2</sup> )	Building costs** (\$)	Total project cost	Cost apportioned to CP %	Gap in project cost
Multi-purpose community centre	S	10,000	\$3,275,000	1,500	8,662,000	\$11,937,000	100	0
General use community meeting space	S-M	1,500	\$2,000,000#	500	2,295,000 (Casuarina)	\$4,295,000	100	0

Notes 1 Valuation undertaken dated 6 September 2021 for 1ha of land at Kings Forest being \$3,275,000

2.# Estimated by applying m<sup>2</sup> rate based on average of recent 2021 sales in the locality

The total cost of all the works is approximately \$16,232,000 The effective works cost apportionment rate applicable to new development is 100%.

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### Contribution formula

Cost per person (Community Facilities) =  $(C + B + K) * L / P$

#### Where

C = current value of required land to be acquired in serviced state (filled, with road access) (valuation dated October 2021)

B = Cost of Facilities - Buildings and associated infrastructure etc. and cost of embellishments such as landscaping and associated works (see Appendix 2)

P = population predicted to be served = 10,000 (Kings Forest) + 3,069 (Casuarina Beach excl tourists) = 13,029

K = valuation costs, (including re-valuation costs)

L = 1.05 which is the Administration Levy of 5%

Therefore

$$\begin{aligned}\text{Cost per person} &= \frac{(C + B + K) * L}{P} \\ &= \frac{\$16,232,000 * 1.05}{13,029}\end{aligned}$$

**Cost per person = \$1,308**

### COMMUNITY FACILITIES CONTRIBUTION RATES

	Persons	Community Facilities Contribution Rates at January 2022*
Per person	1	\$1,308
Detached dwelling/Lot (1 ET)	2.4	\$3,139
1 bedroom unit	1.3	\$1,700
2 bedroom unit	1.7	\$2,223
3 bedroom unit	2.1	\$2,746
4+ bedroom unit	2.4	\$3,139

*\* See section 1.1 for current indexed rates.*

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### Appendix 1 – Works Program

#### Public Open Space

Proposed Amenity	Timing	Area to be acquired/ dedicated	Land Cost (\$)	Capital Cost (\$)	Total Project Cost (\$)	Cost apportioned to CP (%)	Status
<b><u>Structured open space</u></b>							
1. 7 hectares of sports playing fields, including two amenities' blocks	Stage 1 of site development and development of Kings Forest	7 hectares total 5.5ha dedicated and 1.5ha at Depot Rd (Lot1 DP397082) for Casuarina Beach	2,623,380	2,267,250	4,890,630	100	
<b><u>Unstructured open space</u></b>							
2. Unstructured open space	Stage 1 of the development site	At least 8.8 hectares to be dedicated, and embellished where required in Casuarina Beach	NA	NA	NA	100	completed

**Community Facilities**

Proposed facility	Timing*	Area to be acquired/dedicated (m <sup>2</sup> )	Land cost (\$)	Building costs** (\$)	Total Project Cost (\$)	Cost apportioned to CP (%)	Status
3. Multi-purpose community centre	S	10,000	3,275,000	8,662,000	11,937,000	100	
4. General use community meeting space	S-M	1,500	2,000,000	2,295,000	4,295,000	100	



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### Appendix 2 – Facilities Estimates

#### Community Facilities

#### 3. KINGS FOREST MULTIPURPOSE CENTRE COST ESTIMATE - 15/11/2021

Description	Quantity	Rate	Estimate	Note
1. Building construction to a good standard of finish (m <sup>2</sup> )	1500	\$ 3,620.00	\$ 5,430,000	1 and 5
2. Car Parking (number of spaces)	45	\$4,660.00	\$ 209,700	2 and 5
3. Fitout (equipment, desks etc)	1500	\$500.00	\$ 750,000	4
4. Landscaping	3%	item	\$ 191,691	
5. Project Management	5%	item	\$ 329,070	
6. Design, Planning, Survey	5%	item	\$ 329,070	
7. Contingency	20%	item	\$ 1,316,278	
8. Development Contributions		item	\$ 105,390	6
<b>TOTAL ESTIMATE</b>			<b>\$ 8,661,198</b>	<b>3</b>
<b>Project Cost /m<sup>2</sup> of Building</b>		<b>\$5,774.13</b>		<b>3</b>

#### NOTES:

- (1) Building area required is 1500 m<sup>2</sup>
- (2) TSC DCP does not Specify a parking supply rate, but states based on merit. ACT rate is 3/100m<sup>2</sup> GFA.
- (3) Does not include land and assumed utilities available in adjoining street/s
- (4) Fitout rates range from \$500 to \$2000/m<sup>2</sup> dependant on standard, assume \$500/m<sup>2</sup> for MPC fitout
- (5) Unit rate is from Built Environment Economist Sept.-Nov. 2021
- (6) Estimates only based S64 charges, CP4 and CP18 (CP4 rate is \$1,395/trip @1/7/21)

#### 4. CASUARINA HALL/COMMUNITY SPACE COST ESTIMATE 15/11/2021

Description	Quantity	Rate	Estimate	Note
1. Building construction to good standard of finish (m <sup>2</sup> )	500	\$ 2,710.00	\$ 1,355,000	1+5
2. Car Parking (number of spaces)	15	\$ 4,660.00	\$ 69,900	2 + 5
3. Fitout (shelves, equipment, desks etc)	500	\$ 500.00	\$ 250,000	4
4. Landscaping	3%	item	\$ 50,247	
5. Project Management	5%	item	\$ 86,257	
6. Design, Planning, Survey	5%	item	\$ 86,257	
7. Contingency	20%	item	\$ 345,029	
8. Development Contributions		item	\$ 52,563	6
<b>TOTAL ESTIMATE</b>			<b>\$ 2,295,254</b>	<b>3</b>
<b>Project Cost /m<sup>2</sup> of Building</b>		<b>\$ 4,590.51</b>		<b>3</b>

#### NOTES

- (1) Building area required is 500 m<sup>2</sup>
- (2) TSC DCP does not Specify a parking supply rate, but states based on merit. ACT rate is 3/100m<sup>2</sup> GFA (See copy attached)
- (3) Does not include land and assumed utilities available in adjoining street/s
- (4) Fitout rates range from \$500 to \$2000/m<sup>2</sup> dependant on standard, assume \$500/m<sup>2</sup> for MPC fitout

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(5) Unit rate is from Built Environment Economist Sept.-Nov. 2021

(6) Estimates only based S64 charges, CP4 and CP18 (CP4 rate is \$1,600/trip @1/7/21)

### 1. DEPOT ROAD ACTIVE OPEN SPACE (1.5 HA)

#### KF Casuarina CP 19 Active Open Space Sports Fields Est. Costs 15/11/2021

##### Notes

*\*Costs are based on one, rectangular sized sports field (Rugby League/Soccer) at approx. 10,000m<sup>2</sup>. AFL and Cricket Fields are typically 20,000m<sup>2</sup>.*

*\*\*Sports fields to be provided as multi-field complexes with a minimum of 2-3 fields*

*\*\*\*Changeroom/Amenities Buildings are to cater for a minimum 2, up to 4 sports fields, depending on size and facilities provided within the building.*

*\*\*\*\*AFL Fields typically require 6-8 light poles for sports field lighting*

DESCRIPTION	UNIT	RATE (\$)	AMOUNTS
<b>PRELIMINARIES</b>			
Site Setup, Temporary Fencing, Service location (DBYD). Setout, Insurances	Item		\$55,000.00
<b>SITE PREPARATION AND EARTHWORKS</b>			
Clean-up site, remove existing debris, spray for weeds, Demolition	Item		\$20,000.00
<b>SUB SURFACE DRAINAGE / EARTHWORKS / SHAPING*</b>			
Bulk Earthworks (Playing Surface)	1,700m <sup>3</sup>	30/m <sup>3</sup>	\$51,000.00
Establishment and Silt Control	Item		\$18,000.00
Scarify and Shape	10,000	2/m <sup>2</sup>	\$20,000.00
Turf	10,000	6/m <sup>2</sup>	\$60,000.00
Sub Surface Drainage (Ag Pipe)	166/m	25/m	\$4,150.00
Goal Posts	2	2,000	\$4,000.00
Irrigation			\$30,000.00
Water costs during field construction			\$10,000.00
<b>Sub Total</b>			\$197,150.00
<b>Car Parking and Entry Ways (Min # of car parks per sports field)</b>			
Profiling, levelling, kerb and gutter, asphalt, (Seal), 30 car parks per sports field	30	4,660	\$139,800.00
<b>CLUBHOUSE / AMENITIES BUILDING***</b>			
New clubhouse building to relevant sporting code facility standards - Local - Regional Level facility. Minimum to include: 2 changerooms (including unisex shower and toilet facilities - 3 each per room), public toilets (3 male, 3 female and 2 PWD); first aid room, referees' room (including toilet, shower and change facilities, storage, multi-use space, canteen/kitchen, office space, verandah/spectator viewing).	250*	3,750	\$937,500.00



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DESCRIPTION	UNIT	RATE (\$)	AMOUNTS
<b>PAVEMENTS AND EDGING</b>			
Pavement Types including main connecting pathways (min 1.5m wide) and perimeter pathways, feature paving including coloured concretes and unit paver paving. Also includes concrete garden edging to all garden beds	item		\$100,000.00
<b>SPORTS FIELD LIGHTING****</b>			
Designs and Approvals			\$30,000.00
Power Connections/Transformer	item		\$100,000.00
4 Light Poles (23-30m) and LED Fittings to 100 Lux (min) with dimming capability, including all conduit, pits and connections			\$ 200,000.00
<b>Sub Total</b>			\$330,000.00
<b>ANCILLARY / OTHER</b>			
External and Field Fencing	450m	100/m	\$45,000.00
Signage	item		\$30,000.00
<b>PLANTINGS</b>			
Supply and installation of plants at assorted sizes from 140mm, 200mm, 45lt and mature trees and organic mulch to all garden beds and tree bases.	item		\$70,000.00
<b>MAINTENANCE AND ESTABLISHMENT</b>			
General maintenance and establishment for a minimum 12-month period of all hard and soft landscape areas.	item		\$52,000.00
Contingency 15%			\$290,800.00
<b>(GST inclusive) Total</b>			<b>\$2,267,250.00</b>



**Appendix 3 - Complying Development Certificates**

Contributions will be levied according to the estimated increase in demand. In assessing the contribution of proposed development, the following calculation shall be used:

**For commercial and industrial development:**

Rate x Unit or Lot = Total Charge

Total Charge – Credit = Contribution

**For dwellings:**

(Dwelling type persons x rate per person x number of dwellings of that type) = Total Charge

Total Charge – Credit = Contribution

**Notes:****Credit**

A credit amount equivalent to the contribution attributable to any continuing (or approved) development on the site of a proposed new development will be allowed for in the calculation of contributions. The credit is equal to the rate (number of lots or units x rate) already paid for as evidenced in a previous development consent. For dwellings and tourist development, the credit is 1 ET which is equivalent to **2.4** persons or any approved existing persons/bedrooms onsite. Where a development consent does not exist for a continuing development, or the total rate charged for cannot be determined, they shall be determined by calculating the current chargeable rate based on existing floor area or existing households / lot.

**Rate** - Is specified in *Section 1.1- Summary Schedule – Contribution Rates* on page 2.

**Lots, Units and Persons** – Are specified in *Section 1.1- Summary Schedule – Contribution Rates* on page 2.

**Concessions**

Concessions may be applied in accordance with this plan if applicable.

**Council Assistance**

Should a certifying authority choose not to calculate contributions, Council officers are able to undertake calculations at the cost of Council's Enquiry Fee.

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### Contribution Fee Sheet

The certifying authority shall attach to the complying development certificate, a fee sheet which details calculations (including persons, credits and total ETs) undertaken to determine the applicable contributions.

The contribution fee sheet should use a format showing all of the details in the table below:

S7.11 Plan	Sector	Persons	Credit (Persons)	ETs (minus credits)	Total \$
S7.11 Plan No 19	CP 19	Xxx	Xxx	Xxx	\$xxx

### Condition Template

The condition must be imposed in the following format:

#	<b><u>Section 7.11 Contributions</u></b>
	Payment of the following contributions pursuant to Section 7.11 of the Act and the relevant Section 7.11 Plan.
	The complying development shall NOT commence unless all Section 7.11 Contributions have been paid.
	<b>A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS COMPLYING DEVELOPMENT CERTIFICATE <u>MUST</u> BE PROVIDED AT THE TIME OF PAYMENT.</b>
	These charges include indexation provided for in the S7.11 Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 7.11 Plan current at the time of the payment.
	A copy of the Section 7.11 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.
«	<i>Contribution type:</i>
	XXX Persons @ \$xxxx per person <span style="float: right;">\$xxxx</span>
	S7.11 Plan No. XX
	Sector xxxx

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### Appendix 4 – Index Calculations

**Version 6.0.1 effective 1 July 2023 (this version):**

#### IPD 2023

Index Date	IPD*	% Increase
01/09/2022	112.21	
01/12/2022	113.86	1.47%

#### Land Index 2023

Index Date	TSC Land Index*	% Increase
2021/22	514.4116	
2022/2023	550.35	6.99%

\* IPD calculated from ABS Chain Volume Measures for Engineering Construction Activity using the following formula:

$$IPD = \frac{\text{Table 03 value of work done Column G}}{\text{Table 01 Value of work done Column G}} \times 100$$

#### Community Facilities:

Proposed facility	Land site cost (m <sup>2</sup> )	Version 6.0.1 – 1/7/2023	Building costs (\$)	Version 6.0.1 – 1/7/2023	Total for Version 6.0.1 – 1/7/2023
Multi-purpose community centre	\$3,275,000	\$3,503,832	8,662,000	8,789,371	\$12,293,203
General use community meeting space	\$2,000,000	\$2,139,744	2,295,000	2,328,747	\$4,468,491
					\$16,761,694

Revised contribution per person: \$1,350.82

#### Structured open space:

Proposed Amenity	Land Cost (\$)	Capital Cost (\$)	Total Project Cost (\$)
<b>Structured open space</b>	2,623,380	2,267,250	
Indexation %	6.99%	1.47%	
Add indexed amount	183,301	33,339	
Indexed amount	<b>2,806,681</b>	<b>2,300,589</b>	<b>5,107,270</b>
Valuation costs			<b>2,000</b>
			<b>5,109,270</b>

Revised contribution per person: \$953.05

## Contribution Plan No. 19

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### Version 6 in effect 24 August 2022

Reworked for revised Plan program December 2021			Land Index
Value of 1.5ha of land @ \$1,124,290 per hectare (valuation of Depot Road site April 2008) –from the Depot Road site.	2008	\$1,686,434	197.56
	2021		307.32
increased by		\$936,946	55.56%
Estimated value December 2021		<b>\$2,623,380</b>	



**Appendix 5 – History of the Plan**

The provisions of Section 7:11 Plan No. 19 came into force on 16/12/98 and were subsequently amended on 16 November 2005 and 23 December 2009. This version was adopted on 15 March 2011, effective 23 March 2011.

**Amendments**

Amendment No 1: Addition of the 15-hectare Richtech land along the coast

Minor amendment to the population level and contribution rate

Note: While the projected population of the Richtech land is 777, the revised population projection to be covered by this Plan means that there is a net increase of 29 persons from 5600 to 5629.

- Amendment No 2:
1. Increased costs for:
    - Construction of the community buildings, and amenities buildings for the open space areas.
    - Parking areas.
    - Revaluation costs.
  2. Revised land valuations for open space and community facilities.
  3. Deletion of the contribution levy for cycleways as works in kind are being undertaken.
  4. Revised population projections for Kings Forest.

**Amendment No 3 (Version 4):**

1. It was resolved at a Council meeting held on 30/10/2008 that 1.5ha of land to be acquired for structured open space in Casuarina would now be provided from the former Waste Depot site at Lot 1 DP 397082 Depot Road, Cudgen. This land, which is 8.094ha in total, has been rehabilitated, is currently in the ownership of Tweed Shire Council and various options had been investigated for its use or sale. A valuation completed by Valuers Australia in April 2008 valued the whole site at \$9.1 million.
2. Contribution rates have been recalculated using the following adjustments:
  - \* Indexation of costs in line with IPD
  - \* Indexation of land costs for land required for community services facilities in line with the Tweed Shire Land Index

## Contribution Plan No. 19

Casuarina Beach/Kings Forest

- \* Valuation of 1.5 ha of land required for structured open space derived from the valuation of the Depot Road site (ie \$1,124,290 x 1.5) or \$1,686,434.
  - \* Apportionment of full cost to total expected population in the locality.
3. Occupancy rates revised in accordance with the ABS Census 2006 and Tweed Shire Urban Land Release Strategy 2009
  4. Plan has been reformatted to coincide with latest Department of Planning template for a S94 Plan.
  5. This amendment adds the Attachment 4 for Complying Development Certificates.

### **Amendment No 5:**

Revises the works program for Community Facilities.

#### **Version 5.0.1:**

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000, resulting in a revised cost per person of \$918 for the community facilities contribution and \$513 for the structured open space contribution.

#### **Version 5.0.2:**

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the EP&A Regulations, resulting in a revised cost per person of \$943 for the community facilities contribution and \$524.06 for the structured open space contribution.

#### **Version 5.0.3:**

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000, resulting in a revised cost per person of \$953.15 for the community facilities contribution and \$526.38 for the structured open space contribution.

#### **Version 5.0.4:**

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the EP&A Regulations, resulting in a revised cost per person of \$957.60 for the community facilities contribution and \$527.33 for the structured open space contribution.

#### **Version 5.0.5:**

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the Environmental Planning and Assessment Regulations 2000, resulting in a revised cost per person of \$967 for the community facilities contribution and \$544.98 for the structured open space contribution.

## Contribution Plan No. 19

Casuarina Beach/Kings Forest

### Version 5.0.6:

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the EP&A Regulations, resulting in a revised cost per person of **\$978** for the community facilities contribution and **\$579.32** for the structured open space contribution.

### Version 5.0.7:

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the EP&A Regulations, resulting in a revised cost per person of **\$1,037** for the community facilities contribution and **\$636.36** for the structured open space contribution.

### Version 5.0.8:

Indexation applied in accordance with Section 2.12 of this Plan and Regulation 32 of the EP&A Regulations, resulting in a revised cost per person of **\$1,094** for the community facilities contribution and **\$695.50** for the structured open space contribution.

### Version 6.0 (this version):

New Base Rates: Updates of estimates, land valuations, contribution rates, population growth and update review of document, resulting in a revised cost per person of **\$1,308** for the community facilities contribution and **\$913** for the active (structured) open space contribution.







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