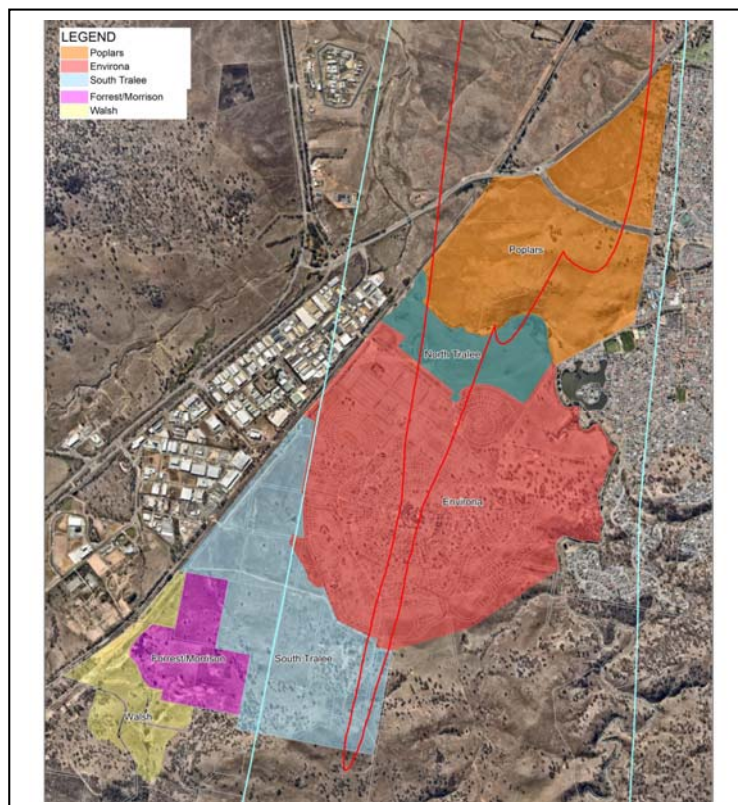


South Jerrabomberra Local Infrastructure Contributions Plan 2018



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Executive Summary

This plan has been prepared under section 7.11 the NSW *Environmental Planning and Assessment Act, 1979*, and provides for Queanbeyan-Palerang Regional Council ('Council') to collect contributions from development at South Jerrabomberra to fund local infrastructure that will service the urban release area into the future. These contributions can take the form of money, land (or both) depending on the circumstances.

The plan describes:

- where contributions are required,
- what development contributions apply to,
- how the contribution rates have been determined,
- what infrastructure the contributions will fund, and
- how to calculate and pay the relevant contributions where required.

The key steps applicants need to follow in using this plan are summarised both below and at Figure 1.

Demand for local infrastructure

The South Jerrabomberra urban release area is expected to have 1,500 new dwellings constructed to house 4,275 residents between 2018 and 2038. There will also be approximately 1,103 jobs created from the identified employment lands in the area.

Significant new infrastructure will be needed to support this anticipated population and it is appropriate that developers facilitating these new residents and workforce contribute to the costs associated with providing this new infrastructure.

If Council does not invest in new and upgraded local infrastructure to meet the needs of the people who live and work in the area, the infrastructure service levels for both the existing and future population will decline into the future.

Where this plan applies

This plan applies to certain land within the South Jerrabomberra urban release area, as shown at Figure 2 (page 11).

The total area comprises seven (7) precincts, reflecting the different ownership, development patterns and subsequent demands for infrastructure. However, the plan only applies to six of the precincts – Walsh, Forrest/Morrison, South Tralee, North Tralee, South Poplars and North Poplars.

At the time this plan was prepared, only South Tralee and Walsh precincts were zoned for urban purposes, but the plan will also apply to the other precincts, apart from Environa, once they are rezoned for urban development. The Environa precinct is not included because the land is not expected to be developed within the 20-year timeframe of the plan.

Development to which plan applies

This plan applies to new development that generates an increase in demand for local infrastructure:

- Residential accommodation development (including subdivision) that would result in a net increase in resident population on the site once the land is developed and occupied.

- Retail, commercial and other non-residential development (including subdivision of land), where that development would create a net increase in demand for the public amenities and services to be provided under this plan.

This plan applies to new development requiring consent from Council and complying development approved by accredited certifiers. Section 1.4 of this plan identifies development that is excluded from making contributions under this plan.

The contributions that have been determined in respect of residential development are set out below.

Residential Contribution Rates

	South Tralee	Forrest Morrison	Walsh
Dwelling Type 1 > 400m2 Larger Detached Housing	\$40,136.24	\$46,773.27	\$46,773.26
Dwelling Type 2 < 400m2 Smaller Detached Housing, Multi-Unit Developments and Residential Flat Buildings	\$30,480.27	\$35,520.57	\$35,520.56
Average All Dwellings	\$32,437.53	\$38,133.73	\$38,133.73

The contributions that have been determined in respect of non-residential development are set out below.

Non Residential Contribution Rates Per Hectare

South Tralee	North Poplars	South Poplars	North Tralee
\$24,595.50	\$150,311.46	\$52,430.40	\$123,304.62

Settlement of non-monetary contributions

Contributions may also be settled once council agrees to work in kind or a dedication of land to deliver work in the works schedule which either fully or partly satisfies a condition of consent to pay contributions.

Details on the conditions of non-monetary contribution arrangements are in section 2.4.

Calculating the contribution

Consent authorities, including Council and accredited certifiers, are responsible for determining any contribution in accordance with this plan. The consent authority will calculate the contribution using the following formula:

Residential development contribution equals:

The net population increase of residents multiplied by the contribution rate per resident

Where the net population increase equals:

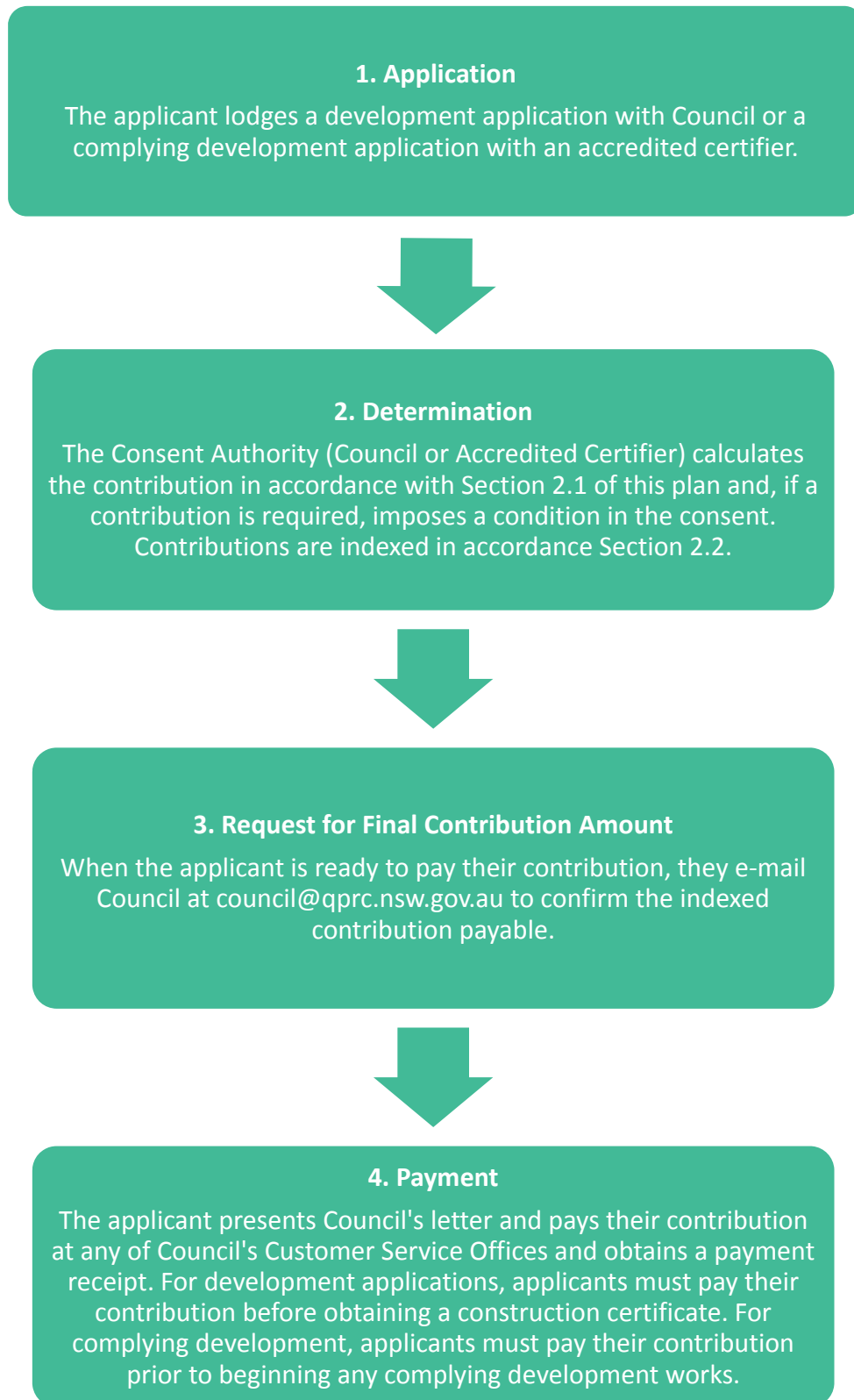
The proposed residential population minus the previous residential development population

Non-residential development contribution equals:

The contribution payable per hectare multiplied by the net developable area (NDA) of the proposed development.

For residential development contributions, the consent authority will determine the populations using the occupancy rates set out in Table 6 (see Section 2.1).

Figure 1: Key Steps in determining and paying the contribution



Requiring the contribution

If a contribution is payable, the consent authority will include a requirement to pay the contribution amount as a condition of consent in the approval for the development.

Contributions will generally be levied when the land is subdivided for its intended purpose.

Council will adjust the contribution rates in this plan to address the effects of inflation at the time of consent and again at the time of payment using quarterly updates to the Consumer Price Index (All Groups Index) for Sydney.

Paying the contribution

Further advice in respect of the procedures for paying any relevant contribution is set out in Section 2.4 of this plan.

Complying development

Accredited certifiers must ensure any relevant contribution is included as a condition of consent in any complying development certificate that is issued.

Accredited certifiers must notify Council of any determination within two (2) days of making that determination, in accordance with section 130(4) of the *Environmental Planning and Assessment Regulation 2000*. Applicants must then ensure they pay their contribution before commencing the complying development works.

1. Background

South Jerrabomberra contains a number of parcels of land in separate ownership that have recently been rezoned, or are in the process of being rezoned for urban purposes. The area consists of both North and South Poplars, North Tralee, South Tralee, Forrest/Morrison, Walsh and Environa (see Figure 2 over). The plan applies to all precincts except Environa, which will not be developed within the 20-year timeframe of the plan.

Ultimately, both the dwelling yield and the number of workers/jobs created by the employment lands are limited by the capacity of the proposed Northern Entry Road servicing the area. Traffic modelling undertaken by Council's engineers has indicated the capacity of this road (and therefore development at South Jerrabomberra) is limited to a **maximum of 1,500 dwellings and 1,103 workers/jobs**.

Table 1 below sets out the anticipated development yield for the site and forecast population over the life of this plan.

Table 1: Projected Development Yield and Population Growth

Year No.	Total Dwellings	Dwellings/year	Total Population
1	425	75	214
2		75	428
3		75	642
4		100	927
5		100	1,212
6	1,025	120	1,554
7		120	1,896
8		120	2,238
9		120	2,580
10		120	2,922
11	1,375	100	3,207
12		100	3,492
13		50	3,635
14		50	3,778
15		50	3,921
16	1,500	25	3,992
17		25	4,063
18		25	4,134
19		25	4,205
20		25	4,275
Total	1,500	1,500	4,275

It is unlikely that the full extent of the employment lands will be developed within the timeframe of this plan and therefore the anticipated employment development over the next 20 years has been used for the purposes of calculating reasonable contributions and providing facilities in a reasonable timeframe. It is assumed that the residential development

will take place well within this timeframe and the employment land take up will be 1.5ha per year.

This section describes the plan's purpose, where it applies, the development it applies to, how Council will use the contributions, how Council proposes to ensure accountability of the plan, and when the plan will be reviewed.

1.1 Name of Plan

This plan shall be referred to as the *Queanbeyan-Palerang Regional Council South Jerrabomberra Local Infrastructure Contributions Plan 2018* ('the plan'). The plan has been prepared by the Queanbeyan and Palerang Regional Council ('the Council') under section 7.11 of the *Environmental Planning and Assessment Act 1979* ('the Act') and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulations).

The Plan has been prepared having regard to relevant Ministerial directions, the Department of Planning and Environment's practice notes and planning circulars relating to the NSW development contributions system.

1.2 Purpose of this plan

The plan's primary purpose is to authorise the Council (or an accredited certifier) to require a contribution to be made towards the provision, extension or augmentation of local infrastructure required as a consequence of development at South Jerrabomberra.

The contributions that have been determined in respect of residential development are set out below in Table 2:

Table 2 – Residential Contribution Rates

	South Tralee	Forrest Morrison	Walsh
Dwelling Type 1 > 400m2 Larger Detached Housing	\$40,136.24	\$46,773.27	\$46,773.26
Dwelling Type 2 < 400m2 Smaller Detached Housing, Multi-Unit Developments and Residential Flat Buildings	\$30,480.27	\$35,520.57	\$35,520.56
Average All Dwellings	\$32,437.53	\$38,133.73	\$38,133.73

The contributions that have been determined in respect of non-residential development are set out below in Table 3:

Table 3 – Non Residential Contribution Rates Per Hectare

South Tralee	North Poplars	South Poplars	North Tralee
\$24,595.50	\$150,311.46	\$52,430.40	\$123,304.62

The plan provides the framework for the efficient and equitable determination, collection and management of development contributions for the area.

The development requires a range of local infrastructure to service the future population including open space and recreation facilities, community facilities and roads.

The plan authorises these bodies to require a contribution in the following circumstances:

- a) The Council, when granting consent to an application to carry out development to which this plan applies;
- b) An accredited certifier, when issuing a complying development certificate for development to which this plan applies.

The plan's other purposes are to:

- a) Provide a framework for the efficient and equitable determination, collection and management of contributions towards local infrastructure;
- b) Ensure developers make a reasonable contribution toward the provision of local infrastructure required for development anticipated to occur up to 2038;
- c) Ensure the existing community is not unreasonably burdened by the provision of local infrastructure required either partly or fully as a result of development in the area; and
- d) Ensure Council's management of local infrastructure contributions complies with relevant legislation and practice notes.

1.3 Where this plan applies

This plan applies to certain land at South Jerrabomberra within the Queanbeyan-Palerang Regional Council local government area.

The land forms the South Jerrabomberra Urban Release Area which covers seven precincts, as shown in Figure 2 over – North Poplars, South Poplars, North Tralee, South Tralee, Forrest Morrison, Walsh and Environa. The different precincts recognise the varying development types and infrastructure demands across the release area, which are reflected in the contributions specific to each precinct.

Only South Tralee and North and South Poplars precincts are currently zoned for urban purposes but the plan will also apply to the other precincts, apart from Environa, once they are rezoned for urban development.

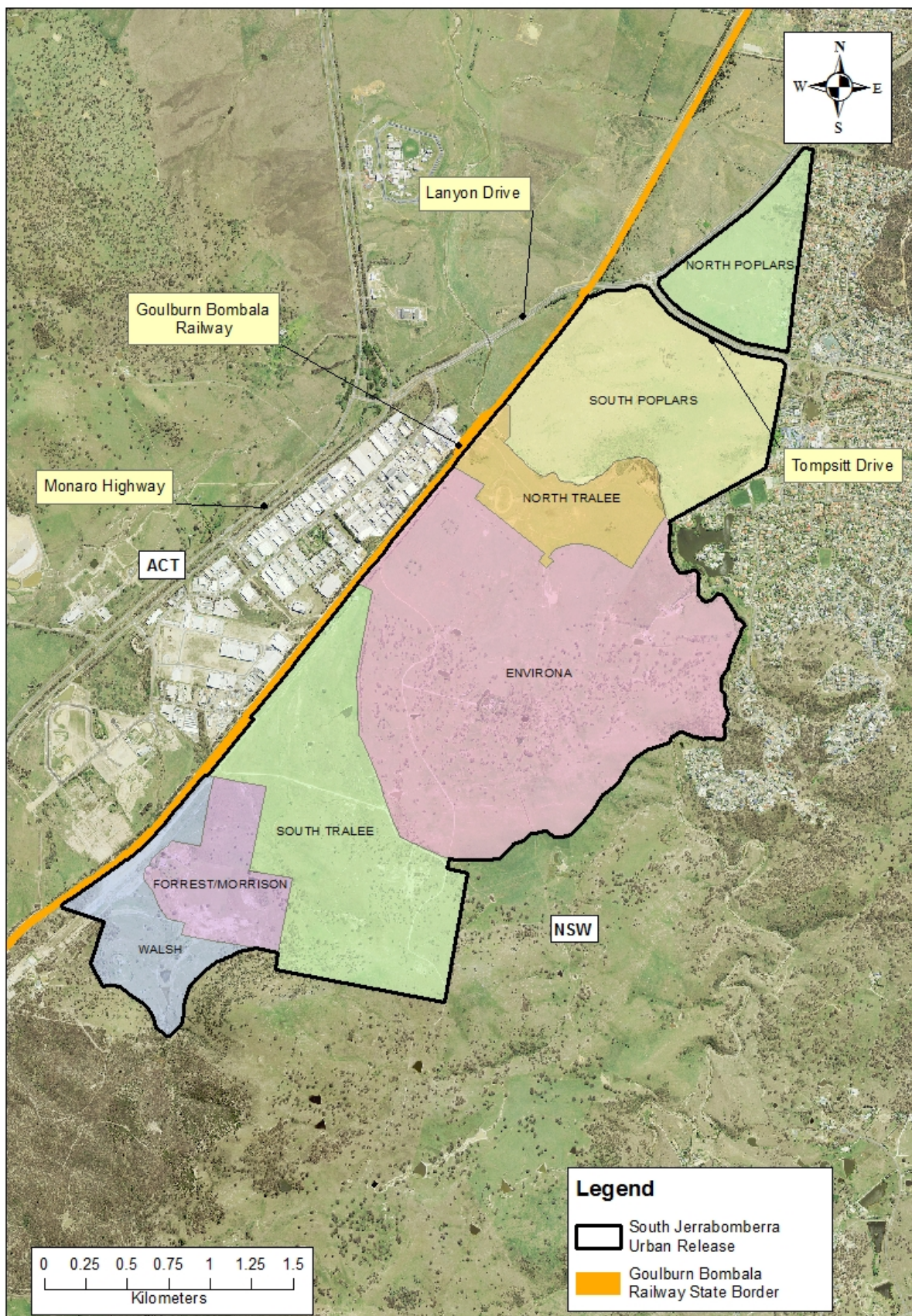
The precincts not yet rezoned (Forrest/Morrison and North Tralee) are still covered by this plan for the purpose of calculating contributions. Once these areas are rezoned, the plan will be amended if the development yields or infrastructure needs are materially different from the assumptions in this plan.

The development of proposed employment lands at Environa are considered unlikely to occur within the timeframe of this plan and the Environa land has been excluded from the Plan. Development of these lands will however trigger contributions under other contribution plans applying to Queanbeyan-Palerang in the future.

1.4 Development this plan applies to

Applicable development - This plan applies to development requiring consent including complying development and Crown development. All development that results in a net population increase in accordance with section 2.1 must pay a contribution (with the exception of exempt development).

Figure 2: South Jerrabomberra Urban Release Area



Development that is exempt - Development exempt from the need to pay a contribution is listed below in Table 4. Applicants must demonstrate how their development is consistent with the relevant exemption in their development application. If Council is satisfied the development is consistent with the relevant exemption, it will not levy a contribution as a condition of consent. In the case of complying development, Council must first verify any exemptions in writing to the accredited certifier.

Table 4: Development exempt from the need to pay a contribution¹

1. Subdivision of land that does not involve building work, including the creation of residue lots or super lots, where the final demand for public amenities or public services will be generated after a further subdivision of land.
2. Development where a contribution has previously been paid for the same development at the subdivision stage under a predecessor plan.
3. Alterations and additions to an existing attached dwelling, dual occupancy or dwelling house.
4. Places of public worship and child care centres by or on behalf of a charity or not-for-profit organisation².
5. Emergency services facilities.
6. Affordable housing or social housing by a social housing provider³.
7. Government schools⁴.
8. Development undertaken by or on behalf of Council, including works listed in the works program in Appendix C of this plan.
9. Development exempted from local contributions by a Ministerial direction made under the Environmental Planning and Assessment Act 1979⁵.
10. Any other development that in the opinion of Council does not increase the demand for the categories of public amenities or public service addressed by this plan.

1.5 Complying development

As noted, this plan applies to all development, including complying development. Accredited certifiers who issue complying development certificates are responsible for calculating the contribution in accordance with this plan and, if a contribution is required, imposing a condition requiring the contribution. Applicants must pay their contribution before commencing any complying development works approved by the certifier.

1.6 Establishment of a General Nexus

Under the *EP&A Regulation* the “relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet that development”, must be articulated in the plan. This is the establishment of “nexus” or relationship of the development to the demand for that infrastructure.

The establishment of “nexus” (or link/relationship) is a fundamental premise of local contribution plans and includes:

¹ All land use terms in this document have the same meanings as in the *Standard Instrument (Local Environmental Plans) Order 2006*.

² As registered with the Australian Charities and Not-for-profits Commission.

³ Affordable housing has the same meaning as the *Environmental Planning & Assessment Act 1979*. Social housing provider has the same meaning as in *State Environmental Planning Policy (Affordable Rental Housing) 2009*. If the development is mixed-use, only the affordable/social housing component will be excluded.

⁴ Established under the *Education Act 1990* by the Minister for Education.

⁵ Ministerial directions are available on the Department’s website.

- *Causal Nexus* – the development subject to a contribution must create an additional demand for the public amenity or service for which a contribution is being levied;
- *Physical Nexus* – the facility or service must be near enough in geographical terms to provide benefit to the development; and
- *Temporal Nexus* – the facility or service must be provided within a “reasonable” time.

Council has determined that there is a clear nexus between the proposed development of land at South Jerrabomberra and the proposed infrastructure set out in the works schedule shown at Appendix C. The proposed infrastructure is considered necessary to ensure the social, economic and environmental well-being of the future community. Further information in respect of the proposed development, and the infrastructure identified to support its future population, is set out in the appendices to this plan.

1.7 Cap on Monetary Local Infrastructure Contributions for Residential Development

On 28 July 2017, the Minister for Planning issued *The Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017* that re-established a cap on local infrastructure contributions for residential development, unless a council submits the contributions plan with higher rates to IPART for assessment.

Without a review of the plan by IPART, the maximum contribution amounts applying to residential development are \$20,000 per dwelling or lot for infill areas and \$30,000 for greenfield areas, once recognised as an eligible release area by the Minister for Planning.⁶ Until the Minister for Planning approves South Jerrabomberra to be eligible to levy \$30,000, the \$20,000 cap applies.

In the event a development application for residential subdivision on land to which this plan applies is approved by Council, and the Minister for Planning subsequently agrees to lift the cap to \$30,000, nothing in this plan prevents the Council and a developer agreeing to an increased contribution of \$30,000 per lot at that time the contribution is payable.

1.8 Administration

- a) Relationship to previous plans – As of this plan’s commencement date, all other local infrastructure contributions plans applying to the land (‘the predecessor plans’) are repealed to the extent they apply to the land covered by this plan. This plan does not affect any conditions of consent that were granted under a predecessor plan
- b) Transitional arrangements – If a development application has been made before the commencement of this plan in relation to land to which this plan applies and the application has not been finally determined before that commencement, that development application will be subject to the provisions of this plan. Applications to modify a development consent made before this plan’s commencement date, will be determined against the provisions of the plan that applied at the date the original application was submitted. Development applications made on or after this plan’s commencement date will be determined under the provisions of this plan.
- c) Use of contributions - Council will allocate contributions to local infrastructure in accordance with the works program in Appendix C. Contributions will generally be proportionately allocated and held against the various infrastructure items identified

⁶ Schedule 2 of the 2012 Ministerial Direction identified greenfield release areas where the \$30,000 per dwelling/lot cap would automatically apply but councils can also apply to the Minister to approve the \$30,000 cap in other greenfield release areas.

in Appendix C. Council may 'pool' contributions so it can deliver the works in an orderly and timely manner. Council will generally use development contributions received under repealed plans for the same infrastructure purpose for which they were collected.

- d) Accountability and public access to information - Council is required to comply with a range of financial accountability and public access requirements. These include:
 - i. maintenance of, and public access to, a contributions register,
 - ii. maintenance of, and public access to, accounting records for contributions receipts and expenditure, and
 - iii. annual financial reporting of contributions, and public access to contributions plans and supporting documents.
- e) The life of this plan - This plan is based on forecast population growth at South Jerrabomberra from 2018 until 2038. Council will operate this plan until either:
 - i. 30 June 2038,
 - ii. Council has collected contributions for all works items in the works program in Appendix C, or
 - iii. Council repeals the plan.
- f) Review of this plan - Council will generally review this plan every five years or as required to ensure it addresses community needs, Council priorities and relevant legislation.
- g) Plan Administration Costs - Costs borne by Council in administering this plan have been included as an item in the relevant works schedule. This has been determined at 1.5% of the total value of the works set out under the plan.

2. How contributions will be calculated and levied

This section describes how to calculate and pay any relevant contribution. This includes how to index the contribution (to allow for inflation) and when it needs to be paid. It also outlines Council's policy where developers offer 'works in kind' instead of a monetary contribution.

2.1 Calculating the residential development contribution

The consent authority (either the Council or an accredited certifier) will calculate the contribution by multiplying the per person contributions rate in Table 5 by the relevant occupancy rate in Table 6.

Where there is an existing dwelling or dwellings on the site, this contribution will be reduced to reflect the existing demand for local infrastructure. The contribution amount will be calculated by multiplying the net increase in each Type 1 and Type 2 dwelling by the respective contribution rate for these dwelling types in Table 5.

<i>Residential development contribution equals:</i>	<i>The net population increase of residents <u>multiplied by</u> the contribution rate per resident</i>
<i>Where the net population increase equals:</i>	<i>The proposed residential population <u>minus</u> the previous residential development population</i>

Table 5: Residential contribution rates, as at November 2017⁷

	South Tralee	Forrest Morrison	Walsh	North Poplars	South Poplars	North Tralee
Per person	\$11,633.69	\$13,557.47	\$13,557.47	n/a	n/a	n/a
Per dwelling Type 1 >400m ²	\$40,136.24	\$46,773.27	\$46,773.26	n/a	n/a	n/a
Per dwelling ⁸ Type 2 < 400m ²	\$30,480.27	\$35,520.57	\$35,520.56	n/a	n/a	n/a

* On 17 July 2017, the Minister for Planning issued an amending direction under the *Environmental Planning and Assessment Act 1979* that councils cannot impose local infrastructure contributions exceeding \$20,000 per dwelling. However a council may apply to increase this cap to \$30,000 for urban release areas such as South Jerrabomberra.

⁷ The consent authority will index the contribution rates and associated contribution at the time of the consent and again at the time of payment using quarterly updates to the Consumer Price Index (All Groups Index) for Sydney in accordance with Section 2.3.

⁸ Includes studio apartments and bedsits.

Table 6: Residential occupancy rates – residential accommodation ^{9 10 11}

This includes all dwellings, dual occupancy, secondary dwellings and shop top housing.	Type 1 - Dwelling on a lot > 400m ²	3.45 residents/dwelling
	Type 2 - Dwelling on a lot < 400m ² , multi- unit dwellings and residential flat buildings.	2.62 residents/dwelling

2.2 Calculating the non-residential development contribution

The consent authority (either the Council or an accredited certifier) will calculate the non-residential development contribution by multiplying the contributions rate in Table 7 by the Net Developable Area (NDA) of the development. (See definition in Appendix E).

<i>Non-residential development contribution equals:</i>	<i>The contribution payable per hectare multiplied by the net developable area (NDA) of the proposed development.</i>
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Table 7: Non-residential contribution rates per hectare, as at November 2017¹²

	South Tralee	North Poplars	South Poplars	North Tralee
Per ha of NDA for non-residential development	\$24,595.50	\$150,311.46	\$52,430.40	\$123,304.62

2.3 Imposing the contribution

If the consent authority determines a contribution is required, the consent authority will impose a condition in the consent or complying development certificate requiring the contribution. The condition must specify the contribution amount payable and how the contribution amount will be indexed.

Indexation - The consent authority will index the contribution rates in Table 3 and any contribution imposed under this plan for inflation at the time of consent and again at the time of payment using the following formulas:

$$C_{\text{consent}} = C_{\text{plan}} \times (CPI_{\text{consent}} \div xxx.x) \text{ (CPI period to be inserted at plan adoption)}$$

Where:

C_{consent} = Contribution at time of consent

C_{plan} = Contribution calculated using the rates in Table 3 of this Plan

⁹ Land use terms have the same meaning as in *Queanbeyan Local Environmental Plan 2012*.

¹⁰ Residential occupancy rates derived from recent developments in Gunghalin in the ACT

¹¹ Includes studios and bedsits.

¹² The consent authority will index the contribution rates and associated contribution at the time of the consent and again at the time of payment using quarterly updates to the Consumer Price Index (All Groups Index) for Sydney in accordance with Section 2.3.

<i>CPIconsent</i>	=	<i>Consumer Price Index (All Groups Index) for Sydney at the time of calculation</i>
<i>xxx.x</i>	=	<i>The xxxx 2018 value of the Consumer Price Index (All Groups Index) for Sydney</i>

And:

<i>Cpayment = Cconsent × (CPIpayment ÷ CPIconsent)</i>		
<i>Where:</i>		
<i>Cpayment</i>	=	<i>Contribution at time of payment</i>
<i>Cconsent</i>	=	<i>Contribution at time of consent, as calculated above</i>
<i>CPIpayment</i>	=	<i>Consumer Price Index (All Groups Index) for Sydney at the time of payment</i>
<i>CPIconsent</i>	=	<i>Consumer Price Index (All Groups Index) for Sydney at the time of calculation for the consent, as above.</i>

Modifying consents - if a consent authority grants consent to a modification application under section 96 of the Act and the applicant has already paid the original contribution, Council will only index the contribution required for the modified part of the development. If the original contribution has not been paid, Council will index the contribution for the whole development (including the modification)¹³.

2.4 Paying the contribution

When to pay - In the case of an approved development application for subdivision, applicants must pay their contribution on the release of the subdivision certificate for the residential lots.

In the case of other development where no subdivision is proposed, the contributions must be paid prior to obtaining a construction certificate. If a development requires multiple construction certificates, Council will require payment prior to the release of the first construction certificate that relates to the development consent on which the contributions were levied.

In the case of development that is complying development, applicants must pay their contribution before commencing the complying development works. Payments cannot be deferred.

How to pay - When applicants are required to pay their contribution, they should email Council at council@qprc.nsw.gov.au to confirm the indexed contribution. The confirmed indexed contribution will be valid until the next quarterly update to the Consumer Price Index.

¹³ Any application to amend a consent that will alter the contribution payable will be taken to authorise an amendment to the condition(s) relating to the development contribution.

If applicants don't pay their contribution by this date, they will need to again confirm the indexed contribution amount with Council.

The applicant can then pay their contribution at any of Council's Customer Service Offices, located at Queanbeyan, Bungendore and Braidwood. Acceptable payment methods are EFTPOS (debit card only), cash or a bank cheque made payable to Queanbeyan Palerang Regional Council. Personal or company cheques are not accepted.

Council will provide a receipt confirming receipt of payment. In the case of a development application, applicants can provide a copy of the receipt to their accredited certifier to assist with obtaining a construction certificate.

2.5 Alternatives to monetary contributions

Applicants can offer to provide an alternative to a monetary contribution under this plan.

Specifically, applicants can offer to dedicate land free of cost, provide works in kind or provide another material public benefit, or any combination of these, to be used for or applied towards a public purpose in full or partial satisfaction of a monetary contribution under this plan.

Council may choose to accept any such offer but is not obliged to do so. Applicants considering alternatives to monetary contributions should discuss this with Council as early as possible, and before lodging a development application.

Generally, the dedication of land will not be accepted as a means of fully or partially satisfying the need to pay a monetary contribution under this plan unless the land dedication is specifically identified in the works schedule (Appendix C) of this plan.

2.6 Offers and agreements generally

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a local infrastructure contribution required by a condition of consent imposed under this Plan.

Council will only accept offers of works or land included in the works schedule (Appendix C) of this Plan.

Each party to an agreement will be responsible for their own legal costs in the preparation and implementation of any formalised agreement.

Any offer for works in kind or other material public benefit shall be made in writing to the Council prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

In assessing any developer offer, Council will consider the following matters as a minimum:

- The standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction;
- The conditions applying to the transfer of the asset are to Council's satisfaction; and
- The provision of the material public benefit will not unduly prejudice the timing or the manner of the provision of the public facilities included in the infrastructure schedule and program.

2.7 Works in kind and other material public benefits

If a developer wishes to deliver infrastructure that is included in this Plan instead of the Council delivering that infrastructure, then the developer can approach this in either one of two ways.

The developer may offer to enter into a Planning Agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning Agreements are the most appropriate mechanism for offers made prior to the issue of a Development Consent for the development.

If the developer has already received a Development Consent containing a condition requiring a local infrastructure contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

The value of any land or works in kind offered by a developer will be determined by a process agreed to between the Council and the developer. This will be undertaken prior to the entering of any agreement or the commencement of any works included in the offer. Council will usually require the developer to provide evidence that a quantity surveyor supports the valuation of work.

Whilst Council is under no obligation to accept Works-in-Kind proposals, the benefits to the Council and to the community should be assessed. Due consideration will be given to:

- a) The Works-in-Kind being facilities which are already included in the contributions plan.
- b) The impending need to construct the works for which the contributions are to be offset.
- c) The value of the Works-in-Kind to be determined in accordance with the provisions of the contributions plan.
- d) The impact on provision of other facilities in a timely and orderly manner.
- e) The extent to which the works satisfies the purpose for which the contribution was sought.

If the proposal is accepted, the following conditions are to be satisfied:

- a) Proposed works must be in accordance with Council's designs, functional brief, specifications, standards or intentions for the works/facilities.
- b) Submission of relevant applications and plans prior to works commencing, for approval by Council.
- c) Submission of a suitable bank guarantee, the amount of which to be determined by Council. If the works are not completed to the satisfaction of Council, the Bank Guarantee will be called up by Council.
- d) The quality of the works to be of a standard acceptable to Council verified by regular inspection by Council Officers.
- e) Payment of a suitable supervision fee for inspections (note that Council accepts no supervisory construction role or responsibility in this regard).
- f) Dedication of the facility to Council after satisfactory completion and/or agreed handover period.
- g) Entry into a deed of agreement outlining the terms of acceptance of the proposed facility.

2.8 Provision of land and works in excess of contribution requirements

Variations between the estimated cost of any infrastructure item contained in the contributions plan and the actual construction cost of that infrastructure item are to be entirely the developer's responsibility.

Where the value of any works in kind is less than the value of the required contribution for that infrastructure item set out in this plan, the applicant will be required to settle the balance of the contribution by way of a monetary contribution to the Council.

Where the value of any works in kind is more than the value of the required contribution for that infrastructure item set out in this plan, the developer is required to wholly meet any difference in those costs.

Where a developer constructs an infrastructure item as a works in kind, and it can be demonstrated that infrastructure item provides a benefit to other land to which this plan applies in addition to the developer's land, Council may (but is not obliged to) enter into a Planning Agreement to reimburse the developer constructing the infrastructure item up to the value of that infrastructure item as set out in the works schedule (Appendix C).

As noted, applicants considering alternatives to monetary contributions should discuss this with Council as early as possible, and before lodging a development application.

APPENDICES

The following appendices describe how the contribution rates set out under this plan have been determined and what infrastructure Council will provide using the collected contributions. A summary of each appendix is provided below.

Appendix A: Anticipated development

Appendix A describes the forecast new population from anticipated development in South Jerrabomberra from 2018 until 2038¹⁴. This includes forecast changes to the population (residents and workers), age, household sizes and dwelling occupancy rates.

Appendix B: Infrastructure strategies

Appendix B describes the overarching approach to providing for the four key categories of local infrastructure set out in this plan. The categories are:

1. open space and recreation,
2. community facilities,
3. road network, and
4. community services.

For each category, the appendix sets out:

1. the new population's demand for the infrastructure
2. what infrastructure Council will provide to address the new population's demand, and
3. how much the infrastructure will cost and how much of the cost Council will fund using contributions.

The appendices also show how the contribution rates were calculated.

As noted, contribution rates are calculated using the following formula:

$\frac{\text{Contribution rates (\$/equivalent resident)}}{\text{New population from 2018 – 2038}} = \frac{\text{Cost of works attributed to new population}}{\text{New population from 2018 – 2038}}$
--

Appendix C: Works Schedule

Appendix C contains the relevant works program for South Jerrabomberra showing the identified works this plan partially or fully apportions to the new population, and, that Council will partially or fully fund using collected contributions.

This plan apportions approximately \$57 million of infrastructure works and land to the new population.

The cost apportioned in each infrastructure category is approximately:

- \$4.6 million for open space and recreation,
- \$2.5 million for community facilities,
- \$45.1 million for road network,
- \$4.0 million for community services, and
- \$0.7 million for plan administration.

Appendix D: Local Infrastructure Map

This map identifies the various on-site infrastructure identified under the plan.

¹⁴ In this plan, 'new population' refers to forecast residents from 2018 to 2038 as shown in Table 10 Appendix A.

Appendix E: Definitions Under This Plan

Sets out definitions for the various terms used in this document.

Appendix A – Anticipated Development

This appendix describes the forecast changes to population, age, household sizes and household occupancy rates expected at South Jerrabomberra into the future. These affect how much and what type of local infrastructure the new population will demand in the area.

Forecast population

Council has engaged demographer id Forecast to prepare population forecasts for the local government area. However, the id Forecast information was calculated using higher than anticipated dwelling yields for South Jerrabomberra area and doesn't accurately reflect the reduced **dwelling yield of 1,500 dwellings** that has now been determined.

Ultimately, both the dwelling yield and the number of workers/jobs created by the employment lands are limited by the capacity of the proposed Northern Entry Road servicing the area. Traffic modelling undertaken by Council's engineers has indicated the capacity of this road (and therefore development at South Jerrabomberra) is limited to a **maximum of 1,500 dwellings and 1,103 workers/jobs**.

In regards to the future demographics of the population at South Jerrabomberra, it is considered appropriate to apply an occupancy rate similar to that for similar developments in the ACT where smaller lot housing has been undertaken. Accordingly, the average occupancy rate in Gungahlin has been adopted, representing **2.85 persons per dwelling**. Given there are more separate dwellings and attached and terraced housing proposed at South Jerrabomberra (and some residential flat buildings) compared to Gungahlin, this occupancy rate is considered to be generally conservative.

Table 8 : Projected Population Growth

Year	Total Dwellings	Dwellings/year	Total Population
1	425	75	214
2		75	428
3		75	642
4		100	927
5		100	1212
6	1,025	120	1554
7		120	1896
8		120	2238
9		120	2580
10		120	2922
11	1,375	100	3207
12		100	3492
13		50	3635
14		50	3778
15		50	3921
16		25	3992
17		25	4063
18		25	4134

19	1,500	25	4205
20		25	4276
Total	1,500	1500	4275

Table 9 : Anticipated housing mix for South Jerrabomberra

Year	Number	Percent
Dwelling Type 1 – Detached Housing Conventional lot >400m ²	418	27.9
Dwelling Type 2 – Smaller detached housing including terrace townhouse/multi-unit /residential flat building<400m ²	1,082	72.1

As a result, the anticipated population in South Jerrabomberra will be (1,500 dwellings x 2.85 occupancy) which results in **4,275 new residents**. For modelling purposes, it has been assumed that 1,500 dwellings will be delivered at the average rate of 100-150 dwellings per year over approximately 10-12 years (subject to market conditions).

Population forecasts have been based on the indicative housing yield and mix discussed with the main developer for South Tralee, and although indicative, the following assumptions can be made:

- Larger lots over 400m² are more likely to be occupied by established families with children than by single people, while the opposite situation applies to studios, apartments and multi-unit dwellings (i.e., more single persons in the smaller dwellings).
- An area's age structure changes over time. Initial residents in South Jerrabomberra are likely to include single persons, couples and couples with young families who will grow older over time.

External factors affect the average number of people occupying each dwelling such as the cost of housing, the supply of housing demanded in a geographical area, and the age and household structure of the area.

With these assumptions it is likely that the residential population will increase mainly in the younger age groups reflecting that of a new greenfield development. As such household sizes and dwelling occupancy rates are likely to be relatively high as it is not unreasonable to anticipate that young people will share dwellings in response to the lack of affordable housing in the wider region.

Table 10 : Projected Number of Residents In South Jerrabomberra

	South Tralee	Forrest Morrison	Walsh	Total	Average Household size ¹⁵	Population
Dwelling Type 1 > 400m²	210	140	70	420	3.45	1447
Dwelling Type 2 <400m² and multi-unit and residential flat buildings	540	360	180	1080	2.62	2828
Total	750	500	250	1500	2.85 (4275 residents / 1500 dwellings)	4275

¹⁵ Residential occupancy rates derived from recent developments in Gungahlin in the ACT (ABS 2016).

Forecast number of workers

South Jerrabomberra urban release area includes the zoning of employment lands at the Poplars and North Tralee. There is currently 31 hectares (ha) of land at South Poplars that is zoned B7 Business Park and it is proposed to rezone another 9.62ha of B7 Business Park and 29.25ha of IN2 Light Industrial at North Tralee.

Environs will be rezoned in future years but has been discounted for the purposes of this contributions plan which has assumed a life of 20 years to 2038.

The take-up of employment lands has been calculated at 1.5ha per year which is consistent with the *Queanbeyan Residential and Economic Strategy 2031* which estimates that employment land take up rate will likely be between 1.5 and 3.5ha per year. The more conservative figure of 1.5ha per year has been used but Council will regularly review the plan based on the actual take up rate of employment land achieved.¹⁶

Out of the 70ha of employment lands included in South Poplars, North Tralee and North Poplars it is reasonable to estimate that at 1.5ha per year, or about 30ha of the land will be taken up.

As per Table 11 the number of jobs per hectare for the B7 Business Park land has been calculated at 32 jobs/hectare and 20 jobs per hectare for the IN2 Light Industrial land¹⁷.

Table 11 : Projected number of workers in South Jerrabomberra

Year	Expected jobs	Notes / comment
North Tralee		
2018 – 2038	12ha @ 20 jobs per ha = 240 jobs	IN2 Light Industrial zone
2018 – 2038	3ha @ 32 jobs per ha = 96 jobs	B7 Business Park zone
North Poplars		
2018 – 2038	7,000m ² @ 1 job / 100m ² = 70 jobs	B1 Neighbourhood Centre zone commercial floor space
2018 – 2038	6ha @ 32 jobs / ha = 192 jobs	B1 Neighbourhood Centre zone
South Poplars		
2018 – 2038	15ha @ 32 jobs per ha = 480 jobs	B7 Business Park zone
Total	1078 + (25) = 1103	25 jobs at South Tralee

¹⁶ This has been calculated from the number of jobs per hectare in the industrial land at West Queanbeyan

¹⁷ 'Indicative Land Release at South Jerrabomberra' @ 1.5ha of employment land / year (SD 2)

Appendix B - Infrastructure Strategies

This appendix describes how Council will use the contributions collected under this plan to address the new population's demand for community facilities, open space and recreation, roads and other infrastructure.

Both the open space/recreation and community facilities have been informed by the South Tralee Strategic Social Plan¹⁸ prepared by GHD/Heather Nesbitt in August 2013. This report was prepared at the time with dwelling yields at South Tralee of 1,348 and the southern area (Forrest Morrison and Walsh) of 1,400.

Since this time, the dwelling yields for the whole of South Jerrabomberra have been reduced largely as a result of both the capacity of the northern entry road into the urban release area, and to address advice from Roads and Maritime Services in respect of the design of the intersection of Tomsitt Drive and Lanyon Drive. Accordingly, the infrastructure set out in the works schedule has been amended to reflect the reduction in dwellings since that original study.

Using an average dwelling occupancy number of 2.85 persons per dwelling the resulting population of South Jerrabomberra will be approximately 4,275 persons.

Open Space and Recreation

As noted, the demand for open space and recreational facilities has still been determined having regard to both the GHD/Heather Nesbitt Study (subsequently adjusted to reflect the reduced dwellings yields), and Council's benchmark for open space and recreation provision which is based on the provision of other similar LGA's and good practice guidelines (NSW Department of Planning 2010). The costs of providing these parks have been calculated using actual Council costs for comparable parks (where possible) or, if actual costs are unavailable, the *Local Infrastructure Benchmark Costs* produced by the Independent Pricing and Regulatory Tribunal Report 2014 have been used.

The costs for open space and recreation facilities have only been apportioned to the proposed residential development set out under this plan. Proposed commercial and industrial development makes no contribution to these facilities as they are considered unlikely to use them on a regular basis.

Open space provides opportunities for physical activities and is desirable for the health and wellbeing of the community. An equitable distribution of appropriate and quality open space is required for South Jerrabomberra and it is appropriate that the new population who will use this open space, contribute to the demand for its use. There is a large elevated area totalling 79.07ha zoned E2 Environmental Conservation which can provide for passive recreation by way of walking tracks.

Council has established a benchmark of 2.83 hectares of active open space per 1,000 persons. Accordingly, a total of approximately 12 hectares of open space is required to service the South Jerrabomberra urban release area. The open space provision is slightly

¹⁸ South Tralee Strategic Social Plan August 2013 (SD 3)

less than this standard at 2.81ha per 1,000 residents but it is considered acceptable given the amount of passive open space provided in the higher conservation lands.

The key thresholds for facilities set out in the document are reproduced below:

- Playgrounds – Every dwelling within 400m walk or 1:1,500 persons.
- Neighbourhood Park (Local Parks 1, 2, 3 @ 1ha each) – 1:1,500 persons
- Local Parks – (Local Park 4 @ 2ha) – 1:3,625 persons.
- District Parks – N/A.
- Sports Fields – (2 Sports Fields Totalling 7ha) – 1 per 2,450 persons
- Courts – Multi- purpose courts (2 located in Local Park 4) 1:2,450 persons
- Courts – Tennis 1:2,450 persons (2 located in Local Park 4).

This Plan apportions approximately \$4.66 million of open space provision to the new population. Council will encourage the main developer to dedicate land to Council and embellish the acquired land to Councils standards. Council will acquire 12ha of land and its cost and embellishment will be apportioned 100% to the new population from 2018 – 2038.

Community Facilities

New facilities required

The key thresholds for facilities as set out in the South Tralee Strategic Social Plan document are reproduced below:

- Local Neighbourhood Centre – 1:3,500 – 6000 (0.3164m² – 2.25m² land per additional person.

To accommodate a 500m² local neighbourhood centre an area of 2500m² is required to house the centre and to provide appropriate landscaping and parking. The local neighbourhood centre will require to be located in or close to the neighbourhood centre in South Tralee.

- Multi-Purpose Centre – The reduction in population in the South Jerrabomberra land release area has meant that the multi- purpose centre identified in the Social Plan is no longer required.

Existing “Regional” facilities

In accordance with the City wide Local Infrastructure Contributions Plan for Queanbeyan there is a contribution levied on all new residential development across the former Queanbeyan City Council local government area for facilities that cater for more than ‘a local population’. Such facilities include the Queanbeyan City Cultural centre (The Q) and the Queanbeyan Library.

The Queanbeyan Cultural centre (The Q) requires the cost of the facility to be recouped to Council as it has already been constructed. This has been calculated by deducting grant monies and income which has already been received to date under previous contributions plans and the monies committed to the project under the Local Planning Agreement for Googong. The contribution has been calculated using the cost per person and calculated by sharing the cost between the new population at South Jerrabomberra and the forecast infill

population. The lot contribution amount is calculated by multiplying that by the average occupancy rate of 2.85¹⁹.

The new Queanbeyan library equally serves all residents in the Queanbeyan area. Again the contribution is calculated by using the actual cost of the building and fit-out, minus the monies already paid through contributions²⁰. It is then divided by the new population of South Jerrabomberra and the forecast infill population of the established suburbs as was done for the Q.

For both these regional items it could be argued that the benefit population spreads beyond the former Queanbeyan Local Government area into the former Palerang area but at present no contributions plans in Palerang collect for these items.

The costs for community facilities have only been apportioned to the proposed residential development set out under this plan. Proposed commercial and industrial development makes no contribution to these facilities as they are considered unlikely to use them on a regular basis.

Road and Traffic Facilities

Traffic and transport facilities include pedestrian, cycling and traffic calming (PCTC) works, intersection upgrades, traffic lights, and proposed new roads. The new population will walk, cycle, use public transport and drive, and therefore contribute to the demand for traffic and transport facilities that enable travel by these modes.

As more people walk, cycle, use public transport and drive, competition between the various modes of travel increases as road space is limited. This increases demand for infrastructure works to better manage transport needs including:

- Traffic lights and intersection upgrades – to reduce conflicts and improve reliability and safety; and
- New roads – to increase connectivity of the road network.

If Council does not adequately cater for the new population's transport needs, amenity and accessibility levels will decline for both the existing and new population.

Council needs developers to pay a reasonable share of the cost to provide new and upgraded Council traffic and transport facilities relevant to the proposed population and workforce at South Jerrabomberra. The costs for both on-site and off-site roads are to be apportioned to all development at South Jerrabomberra, including commercial and industrial.

Off-site Roads

The demand for off-site road and traffic facilities has been determined having regard to the *South Jerrabomberra and Queanbeyan Traffic Analysis 2014* prepared by TDG with particular regard to "Part 4 Selected Road Network Improvements Contributions Analysis Report" updated in June 2015²¹. This traffic analysis was based on the *Googong and Tralee Traffic Study 2031* carried out by Gabites Porter in 2010.

¹⁹ Calculation for the Q Cultural Centre (SD 5)

²⁰ Calculations for both the Q and Library with CPI adjustment (SD 6)

²¹ Part 4 Selected Road Network Improvements Contributions Analysis Report" June 2015 (SD 7)

Part 4 of the report details the tracking of modelled traffic on roads within the Queanbeyan and ACT system enabling Council to determine what percentage of traffic each South Jerrabomberra sub catchment contributes to each improvement project.

In March 2016 this was revised to reflect a smaller development in the South Jerrabomberra area, reduced to 2221 dwellings with 24ha of employment lands with a take up spread over 20 years. It also assumed a link to Sheppard Street as opposed to Isabella Drive. This formed the basis of a roads costing spreadsheet which lists each off-site road's total cost spread across all development fronts in the former Queanbeyan local government area. Some of the road infrastructure projects identified in the TDG's Selected Road Network Improvements Contributions Analysis Report have been reconsidered and subsequently redistributed to the Ellerton Drive Extension and Old Cooma Road projects.

More recently (March 2018) the dwelling numbers at South Jerrabomberra have been reduced again to 1,500 dwellings as a result of the capacity of the intersection upgrade required for this new release area at Tomsitt/Lanyon Drive. The consequences of this reduced dwelling number now mean that the apportionments for the off-site roads across this development have again changed.

Council has now updated the traffic model to take account of the reduced number of dwellings at South Jerrabomberra²². This has resulted in updated apportionments for the various road infrastructure across the commercial areas, South Tralee, Forrest Morrison and Walsh.

Council cannot use contributions to provide new and upgraded State roads provided by State authorities; therefore monies will not go towards the intersection upgrade of Lanyon and Tomsitt Drive.

On-site roads

The on-site roads are those located within the development area that are required to provide access to the proposed dwellings and employment lands. These include the main access road into the South Jerrabomberra area otherwise known as the Northern Entry Road (NER). It also includes the intersection of this road with Tomsitt Drive.

Contributions will be required from all development fronts in the urban release area with the exception of North Poplars which will only contribute to the cost of the intersection mentioned above. The road construction has been split into stages as follows and, as shown in Appendix D – Location Infrastructure Map:

- a) NER Stage 1 – The bridge over Jerrabomberra Creek,
- b) NER Stage 2 – Jerrabomberra Creek bridge through North Tralee to the start of South Tralee,
- c) NER Stage 3a – Tomsitt Drive to Jerrabomberra Creek bridge,
- d) NER Stage 4 – Through extent of South Tralee, and
- e) NER Stage 5 – South Tralee through the Forrest Morrison property to Walsh access

²² South Jerrabomberra and Queanbeyan Traffic Analysis 2018 (SD 9)

The on-site road costs have been apportioned on the basis of 'equivalent dwellings', assuming each residential dwelling will contribute 10 traffic movements per day, and that commercial/industrial development will contribute 2 movements per day per job.

The developer of South Tralee which is the first area to be subdivided for residential development will be building the road on behalf of Council. It will be necessary for all the developers at South Jerrabomberra to contribute their identified share of the road and land costs.

Each development front has been named as a precinct and six precincts exist as follows:

- Precinct 1 – South Tralee
- Precinct 2 – Forrest/Morrison
- Precinct 3 – Walsh
- Precinct 4 – North Tralee
- Precinct 5 – South Poplars
- Precinct 6 – North Poplars

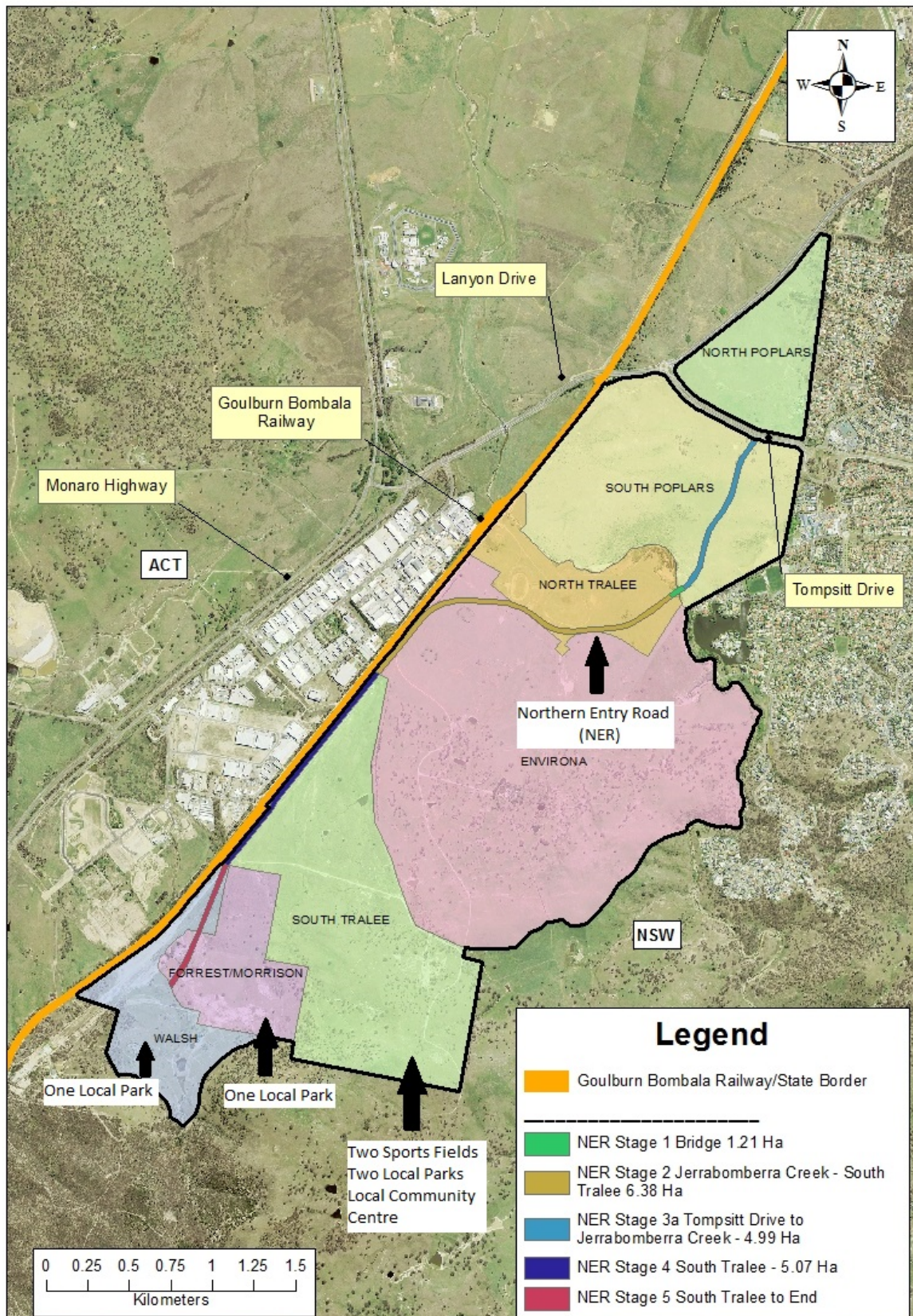
The contributions amounts for each precinct can be seen in Appendix C Works Schedule.

Council will collect the contribution from on-site roads from each developer and recoup the amount back to this lead developer.

Appendix C - Works Schedule

Located separately on the web.

Appendix D - Local Infrastructure Map



Appendix E – Definitions Under This Plan

"Applicant" means the person, company or organisation submitting a development application.

"Apportionment" means the adjustment of a contribution (usually a percentage) to ensure the contributing population only pays for its share of the total demand for the facility.

"Community facility" means a building or place owned or controlled by the Council or a body of persons which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but does not include a building or place elsewhere defined in this section.

"Complying development" means development that can be approved by an accredited certifier.

"Contribution" means the dedication of land, the making of a monetary contribution or the provision of a material public benefit, as referred to in the EP&A Act.

"Contributions Plan" means a contributions plan referred to in the EP&A Act.

"Council" means the Queanbeyan-Palerang Regional Council.

"Development contribution" means the payment of a monetary contribution or the dedication of land free of cost.

"DPE" means the NSW Department of Planning and Environment (or its predecessor or subsequent bodies).

"EP&A Act" means the *Environmental Planning & Assessment Act, 1979*, as amended.

"EP&A Regulations" means the *Environmental Planning & Assessment Regulation 2000*, as amended.

"Equivalent Dwelling" means a single allotment or equivalent demand being a 3-bedroom dwelling.

"LEP" means a local environmental plan made by the Minister under the EP&A Act.

"LGA" means the Queanbeyan-Palerang local government area.

"Net Developable Area" means the total area of any land the subject of a development consent (including any land the development consent authorises, or requires, to be used as a road, or reserved or dedicated as a public road) but excludes:

- (a) existing roads to be used as part of the proposed road network
- (b) any part of the land that is below the level of a 1:100 ARI flood event, if that part of the land is unsuitable for development by virtue of it being at or below that level
- (c) any land to be reserved, dedicated or otherwise set aside as, or for the purpose of, any of the following:
 - (i) a government school (within the meaning of the *Education Act 1990*)
 - (ii) a tertiary institution, including a university or TAFE establishment, that provides formal education and is constituted by or under an Act
 - (iii) an emergency services facility
 - (iv) a health services facility owned and operated by a public authority
 - (v) a golf course
 - (vi) a passenger transport facility
 - (vii) a public reserve or a drainage reserve (within the meaning of the *Local Government Act 1993*)

- (viii) an easement for an above-ground electricity transmission line
- (ix) a public transport corridor (other than a road corridor)
- (x) a public utility undertaking
- (xi) roads or other public amenities or public services, in connection with which development contributions have been imposed under the relevant contributions sections of the Act or may be imposed in accordance with a contributions plan approved under the EP&A Act roads or other infrastructure in connection with which SICs have been, or may be, imposed in accordance with those particular sections of the EP&A Act.

“Precinct” is the geographic or other defined area that the infrastructure is deemed to service as an apportioned cost.

"Public facilities" means any public amenity or public service, as referred to in the EP&A Act, including a "community facility" and a "recreation facility", the need for which has increased or been created by development.

"Works in kind" are a kind of "material public benefit" as referred to in the EP&A Act and means the undertaking of any work associated with the provision of a public facility included in this plan.

"Works schedule" means the schedule of the specific public facilities for which contributions may be required, and the likely timing of provision of those public facilities based on projected rates of development, the collection of development contributions and the availability of funds from supplementary sources.