



BYRON SHIRE COUNCIL



# Byron Shire Developer Contribution Plan 2012

Including Amendment 3

Incorporating a Section 94 Contribution Plan  
and a Section 94A Plan

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## Executive Summary

This Plan is called the Byron Shire Developer Contributions Plan 2012 (amendment 3). This Plan applies to the area known as Byron Shire as shown on the map 2.1. The plan is split into two parts, Part A being the Byron Section 94 plan that applies to all residential development and Part B being the Byron Section 94A plan that applies to all non residential development.

For Part A contributions will be collected for facilities in each catchment and the incoming population in each catchment will contribute in greater or lesser amounts, to particular facilities. Some facilities will benefit only the residents of that part of the LGA and others will benefit residents in the LGA. Where a facility will service both the local catchment and the entire LGA, the cost of the facilities will be split proportionally across these catchments.

Both Parts of this plan were prepared in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*. Both Parts of this plan addresses the public facilities and amenities that will be required to meet the needs of the current population and the incoming population of Byron Shire up to 2026.

State Government and Council plans and policies have been prepared in order to sustain continued population and employment growth in the Byron Shire. The resident population of the LGA is forecast to grow by approximately 6,940 between 2011 and 2026. The growth in the resident population will generate an increase in the demand for public facilities and services provided by Byron Shire Council.

This Plan has been prepared taking into consideration the principles of nexus, apportionment and reasonableness. Using these principles, contributions are being utilised by Council to ensure that the service level to the existing population is not reduced, whilst ensuring a similar level of service for the incoming population. Unless this approach is followed, there will be inequities for the community – both to those who are long-term residents and for the incoming population. Incoming populations should make a reasonable contribution toward the provision of these new and/or augmented facilities. This Plan describes the future demands for services and facilities in Byron Shire and its planning catchments. It also sets out the programs of works (projects), which will be implemented to meet these demands, the anticipated costs of these programs, and the basis for determining a reasonable apportionment of the costs to the incoming resident population.

The incoming resident population emanating from new development in Byron Shire will result in the need for augmented and/or additional library, community services, open space and recreation facilities, traffic management, roads, pedestrian and bikeways improvements.

Part B contributions will be based on the increased demand for new facilities created by all non residential development. Part B takes the form of a section 94A plan.

## **Part A – Section 94 Developer Contributions Plan**

### **Section 1 – Summary schedules**

The following summary schedules are included in this plan:

- Contributions by area per Standard Dwelling Unit (1 SDU)
- Contribution by area per person (0.38 SDU)
- Contributions by area per 2 bedroom dwelling (0.75 SDU)
- Contributions by area per 1 bedroom dwelling (0.55 SDU)

It is stressed that these are provided as summary tables only and more details are contained in the individual strategies within the plan.



# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Cost per SDU							
	Byron Bay Suffolk Park	Bangalow	Mullumbimby	Ocean Shores	Rural North	Rural South	Brunswick Heads
Local Open Space & Recreation	3,889.05	3,592.19	11,842.05	1,617.17	0.00	0.00	2,382.35
LGA Wide Open Space & Recreation	699.99	699.99	699.99	699.99	699.99	699.99	699.99
LGA wide Community Facilities	1,025.21	1,025.21	1,025.21	1,025.21	1,025.21	1,025.21	1,025.21
Local Community Facilities	1,155.24	325.21	201.58	1,396.26	0.00	0.00	195.14
Bikeways & Footpaths	1,280.71	867.10	1,935.91	440.92	0.00	0.00	529.69
Shire Wide Bikeways & Footpaths	75.20	75.20	75.20	75.20	75.20	75.20	75.20
Urban Roads	2,901.21	1,491.55	1,004.83	0.00	0.00	0.00	2,587.60
LGA Wide Roads	211.82	211.82	211.82	211.82	211.82	211.82	211.82
Rural Roads	0.00	0.00	0.00	0.00	13,821.93	13,821.93	0.00
Admin Levy	1,058.79	1,058.79	1,058.79	1,058.79	1,058.79	1,058.79	1,058.79
<b>Total</b>	<b>12,297.22</b>	<b>9,347.07</b>	<b>18,055.39</b>	<b>6,525.36</b>	<b>16,892.94</b>	<b>16,892.94</b>	<b>8,906.92</b>

Cost per person							
	Byron Bay Suffolk Park	Bangalow	Mullumbimby	Ocean Shores	Rural North	Rural South	Brunswick Heads
Local Open Space & Recreation	1,620.44	1,496.75	4,934.19	673.82	0.00	0.00	992.65
LGA Wide Open Space & Recreation	291.66	291.66	291.66	291.66	291.66	291.66	291.66
LGA wide Community Facilities	427.17	427.17	427.17	427.17	427.17	427.17	427.17
Local Community Facilities	481.35	135.51	83.99	581.78	0.00	0.00	81.31
Bikeways & Footpaths	533.63	361.29	806.63	183.71	0.00	0.00	220.71
Shire Wide Bikeways & Footpaths	31.33	31.33	31.33	31.33	31.33	31.33	31.33
Urban Roads	1,208.84	621.48	418.68	0.00	0.00	0.00	1,078.17
LGA Wide Roads	88.26	88.26	88.26	88.26	88.26	88.26	88.26
Rural Roads	0.00	0.00	0.00	0.00	5,759.14	5,759.14	0.00
Admin Levy	441.16	441.16	441.16	407.23	441.16	441.16	441.16
<b>Total</b>	<b>5,123.84</b>	<b>3,894.61</b>	<b>7,523.07</b>	<b>2,684.96</b>	<b>7,038.72</b>	<b>7,038.72</b>	<b>3,652.42</b>

<b>Cost per 2 Bedroom unit (0.75 SDU)</b>							
	<b>Byron Bay Suffolk Park</b>	<b>Bangalow</b>	<b>Mullumbimby</b>	<b>Ocean Shores</b>	<b>Rural North</b>	<b>Rural South</b>	<b>Brunswick Heads</b>
Local Open Space & Recreation	2,916.78	2,694.14	8,881.54	1,212.88	0.00	0.00	1,786.77
LGA Wide Open Space & Recreation	524.99	524.99	524.99	524.99	524.99	524.99	524.99
LGA wide Community Facilities	768.91	768.91	768.91	768.91	768.91	768.91	768.91
Local Community Facilities	866.43	243.91	151.19	1,047.20	0.00	0.00	146.36
Bikeways & Footpaths	960.53	650.32	1,451.93	330.69	0.00	0.00	397.27
Shire Wide Bikeways & Footpaths	56.40	56.40	56.40	56.40	56.40	56.40	56.40
Urban Roads	2,175.90	1,118.66	753.62	0.00	0.00	0.00	1,940.70
LGA Wide Roads	158.86	158.86	158.86	158.86	158.86	158.86	158.86
Rural Roads	0.00	0.00	0.00	0.00	10,366.45	10,366.45	0.00
Admin Levy	794.10	794.10	794.10	794.10	794.10	794.10	794.10
	<b>9,222.90</b>	<b>7,010.29</b>	<b>13,541.54</b>	<b>4,894.03</b>	<b>12,669.71</b>	<b>12,669.71</b>	<b>6,574.36</b>

<b>Cost per 1 bedroom unit (0.55 SDU)</b>							
	<b>Byron Bay Suffolk Park</b>	<b>Bangalow</b>	<b>Mullumbimby</b>	<b>Ocean Shores</b>	<b>Rural North</b>	<b>Rural South</b>	<b>Brunswick Heads</b>
Local Open Space & Recreation	2,138.98	1,975.71	6,513.13	889.44	0.00	0.00	1,310.30
LGA Wide Open Space & Recreation	384.99	384.99	384.99	384.99	384.99	384.99	384.99
LGA wide Community Facilities	563.87	563.87	563.87	563.87	563.87	563.87	563.87
Local Community Facilities	635.38	178.87	110.87	767.94	0.00	0.00	107.33
Bikeways & Footpaths	704.39	476.90	1,064.75	242.50	0.00	0.00	291.33
Shire Wide Bikeways & Footpaths	41.36	41.36	41.36	41.36	41.36	41.36	41.36
Urban Roads	1,595.66	820.35	552.66	0.00	0.00	0.00	1,423.18
LGA Wide Roads	116.50	116.50	116.50	116.50	116.50	116.50	116.50
Rural Roads	0.00	0.00	0.00	0.00	7,602.06	7,602.06	0.00
Admin Levy	582.34	582.34	582.34	582.34	582.34	582.34	582.34
	<b>6,763.47</b>	<b>5,140.89</b>	<b>9,930.47</b>	<b>3,588.94</b>	<b>9,291.12</b>	<b>9,291.12</b>	<b>4,821.20</b>

## Section 2 – Administration and operation of the plan

### 2.1 What is the name of this development contributions plan?

This development contributions plan is called the **Section 94 Development Contributions Plan 2012 (Amendment 3)**.

### 2.2 Area the plan applies to

This plan applies to all land within the local government area(s) as shown on the Map 2.1 Contributions are to be collected either on a LGA wide basis or on a catchment basis and in some circumstances both. Catchments are mapped and are shown as maps 2.1 to 2.8.

### 2.3 What is the purpose of this development contributions plan?

The primary purpose of this Plan is to satisfy the requirements of the Environmental Planning and Assessment Act and the EP&A Regulation to enable Byron Shire Council to require payment of a monetary contribution, a dedication of land, or, in lieu thereof, to accept the provision of material public benefits (including the dedication of land) or the carrying out of works in kind, towards the provision, extension or augmentation of services and facilities that will, or are likely to be, required as a consequence of development in Byron Shire.

Other purposes of this Plan are to:

- (a) provide an administrative framework under which specific public facilities strategies may be implemented and coordinated
- (b) ensure that adequate public facilities are provided for as part of any new development
- (c) to authorise the council to impose conditions under section 94 (s94) of the *Environmental Planning and Assessment Act 1979* when granting consent to development on land to which this plan applies
- (d) provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- (e) ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development
- (f) enable the council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.
- (g) provide the framework for the efficient and equitable determination, collection and management of development contributions towards the provision of services and facilities;
- (h) ensure that community infrastructure is provided in a reasonable time;
- (i) ensure that all new development that benefits from community infrastructure contributes to its provision.
- (j) determine likely development patterns and needs of the population which will result from that development;
- (j) development;
- (k) ensure that the existing Byron Shire community is not unreasonably burdened by the provision of public infrastructure required (either partly or fully) as a result of the ongoing development and redevelopment of Byron Shire;

- (l) provide an overall strategy for the coordinated delivery of services and facilities consistent with Council's strategic intent and Management Plan;
- (m) provide a comprehensive and transparent strategy which is implemented for the assessment, accounting and review of development contributions made under Section 94 of the Environmental Planning and Assessment Act 1979 and EP&A Regulation for Byron Shire; and
- (n) indicate a program of works and expenditure for the provision of community infrastructure required as a result of development.

## 2.4 Commencement of the plan

This development contributions plan has been prepared pursuant to the provisions of s94 of *the EP&A Act* and Part 4 of the *EP&A Regulation* and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the *EP&A Regulation*.

## 2.5 Relationship with other plans and policies

This development contributions plan repeals the *Byron Shire Council Section 94 Development Contributions Plan 2005 (incorporating Amendment No. 1) September 2005* and the *Section 94 Development Contributions Plan 2012 (amendments 1 and 2)*. Contributions raised and paid under the auspices of the repealed plans will be directed towards the highest priority facility in the respective categories contained in this Plan. This Plan incorporates the outstanding fund balances of the repealed plans, as existing at the time of the plan's introduction.

Contributions levied under the repealed plans may be adjusted at the time of payment in accordance with movements in the quarterly Consumer Price Index. This Plan is consistent with Council's current Management Plan and provides a means of implementing priority facilities and strategies adopted by Council for the provision of public facilities and amenities in Byron Shire.

This Plan complements Council's various development control plans and policies. However, developers and owners should check other relevant plans and policies for further information and development standards that may relate to their site.

The development contributions plan supplements the provisions of the Byron Local Environmental Plan 1988 and any amendment or local environmental plan which it may supersede.

## 2.6 Definitions

The definitions relating to this Plan not stated in this chapter has the same definition as that contained in the Byron Shire LEP and Byron Shire DCP. Where a definition is not contained in this plan, the LEP or DCP then the following documents in order of preference shall be used to determine them meaning of the word:

1. The Environmental Planning and Assessment Act 1970;
2. The Environmental Planning and Assessment Regulation 2000;
3. Other acts and regulations of the NSW Parliament;
4. The latest edition of the Macquarie Dictionary.

**"ABS"** means the Australian Bureau of Statistics.

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

**"Bedroom"** means (for the purposes of this Section 94 Contributions Plan) any room, which is, in the opinion of Council, by its physical design, designated or capable of being used as a bedroom. This includes separately accessible rooms designated a bedroom, study, studio, den, attic, home office or the like.

**“Consumer Price Index”** means the Consumer Price Index (All Groups Index for Sydney) as published by the Australian Bureau of Statistics.

**“Contribution”** means the making of a monetary contribution, dedication of land or the provision of a material public benefit as works in kind, or any combination of the above, as referred to in Section 94 of the Environmental Planning and Assessment Amendment Act 2008 for the provision of services or facilities.

**“Section 94 Contributions Plan”** means a contributions plan referred to in Section 94 of the Environmental Planning and Assessment Amendment Act 2008.

**“Council”** means the Council of the Shire of Byron.

**“Development application”** has the meaning under Section 4 of the Environmental Planning and Assessment Act,

**“Development”** has the meaning under Section 4 of the Environmental Planning and Assessment Act,

**“Development Control Plan”** means the relevant Byron Shire Council Development Control Plan made according to the Environmental Assessment and Planning Act 1979.

**“Dwelling”** has the meaning under clause 5 of the Byron Local Environmental Plan

**“LEP”** means the Byron Local Environmental 1988 plan made by the Minister under Section 70 of the Environmental Assessment and Planning Act 1979.

**“LGA”** means the local government area.

**“Lot”** means an area of topographical space shown on an approved plan of subdivision and on which it is intended to carry out development.

**“Open space”** in the context of this plan, means publicly accessibly parkland or civic space that may exist or may be provided in accordance with this plan.

**“Catchment”** means a geographic or other defined area in which contributions will be collected for public facilities.

**“Planning agreement”** means a planning agreement referred to in Section 94 of the Environmental Planning and Assessment Act 1979.

**“Planning benefit”** means a development contribution that confers a net public benefit. That is a benefit that exceeds the benefit derived from measures that would address the impacts of particular development on surrounding land or the wider community. Benefit to the community greater than the steps taken to mitigate the impact of the development.

**“Planning obligation”** means an obligation imposed by a Planning Agreement on a developer requiring the developer to make a development contribution.

**“Residential development”** has the same meaning as the Standard Instrument.

**“Civic Improvements”** means a work carried out to improve the appearance or use of public



areas, such as streets, malls, seating, lighting, information boards, footpaths and the like.

**“Public benefit”** means the benefit enjoyed by the public as a consequence of a development contribution.

**“Works Schedule”** means the schedule of public facilities and infrastructure for which development contributions may be required. It also includes the likely timing of provision of those public facilities based on projected rates of development.

### 2.6.1 Mathematical Interpretation

This plan has been prepared using Microsoft Excel. The “round” function has been used throughout the spreadsheet. The following rules have been applied throughout the spreadsheet:

- Calculations using persons have been rounded to the nearest integer at the final stage of calculation.
- Calculations involving percentages have been rounded to four decimal places and displayed using the % format showing two decimal places i.e. 0.0476 is displayed as 4.76%.
- Calculations involving money have been rounded to the nearest cent at each step of the calculation.
- Conversions of number of persons to SDU have been rounded to the nearest integer for the purposes of showing the number of SDU.

The spreadsheet may yield minor variations to the results obtained with a hand held calculator. This is due to the spreadsheet using ISO/IEC/IEEE 60559:2011 for floating point numbers. The rounding used in the formula should mitigate against these errors. However with regard to rounding and discrepancies between the spreadsheet and a hand held calculator the output of the spreadsheet is to be preferred.

In the case where there is an obvious error in the formula / output then the spreadsheet should be updated and the contributions plan adjusted in accordance with the regulations.

## 2.7 For What Amenities and Services will Contributions be Levied?

This Plan establishes strategies (Part C) that allow section 94 contributions to be levied towards the provision of the following amenities and services insofar as these amenities and services relate to the needs generated by new development:

1. Local Open Space & Recreation
2. LGA Wide Open Space & Recreation
3. LGA wide Community Facilities
4. Local Community Facilities
5. Bikeways & Footpaths
6. Shire Wide Bikeways & Footpaths
7. Urban Roads
8. LGA Wide Roads
9. Rural Roads
10. Admin Levy

## **2.8 How is this Plan Structured?**

This Plan is arranged in four parts:

- Section 1 – contains the summary schedules for all contributions rates affecting each catchment
- Section 2 – provides a summary of the essential components of the Plan, including the basis for preparing a development contributions plan, describes the Plan's operation and administration, defines the area affected by the Plan and its relationship to other plans
- Section 3 – provides details of the need for the public facilities to be provided, including the expected development and population characteristics of Byron Shire.
- Section 4 – provides details on the strategies to deliver each of the categories of public facilities, including the causal, spatial and temporal link between expected development and the facilities required, and the philosophy, standards and manner of facility and service delivery. The works schedules and maps are found in this part

## **2.9 Operation of the Plan**

Section 94 of the Environmental Planning and Assessment Act 1979 permits Council to require developers to provide or assist in providing new facilities required as a consequence of new development. The mechanism to require the contribution is through the development assessment process. In determining a development application or issuing a complying development certificate, Council may impose a condition of consent requiring the payment of a monetary contribution, dedication of land and/or works in kind, in accordance with the provisions of this Plan.

This Plan identifies the quantum of contribution to be levied on an individual development, and what facilities the contribution may be directed towards. Such details are to be included in the respective development approval. The parameters and assumptions used to identify contributions and the works as a result of development occurring are dynamic. As a result, this Plan will be reviewed periodically. Information on the contributions received, and details of how these contributions have been applied toward the provision of the services and facilities described in this Plan, will be reported in Council's annual financial statements. A register of contributions received under this Plan will also be maintained and made publicly available by Council.

## **2.10 What is the Life of the Plan?**

This Plan seeks development contributions for services and facilities required as a result of population increases. The time frame of this plan is over 15 years from the date of adoption of the original plan. Where a facility has been completed Council shall amend the plan and move this facility into recoupment. Council will continue to recoup the cost of the facility from incoming population until such time as the facility reaches capacity. The intention of this plan is for it to be reviewed every five years with adjustments made to the population projections based on census data and costs of works updated at this time. Council will also conduct an annual review to amend priorities and to change completed works over to recoupment. It is proposed to collect funds under this plan for fifteen years or if a new plan is prepared then for facilities where the funds have not been fully collected those works should be rolled forward into a new plan.

## **2.11 When is the Contribution Payable?**

The amount of developer contributions will be determined as part of the assessment of a development application and will appear as a condition of approval on the respective development consent issued under Section 80 of the Environmental Planning and Assessment Act 1979. The notice will include a condition indicating the timing, amount of payment and the specific public amenity or service in respect of which the condition is imposed.

Generally a condition of consent shall be worded to the effect that a contribution is payable:

- (a) In the case of a development application involving subdivision - prior to the release of the Subdivision Certificate. Where the subdivision certificate is for a part of the development the contribution shall relate to the number of lots created by the Subdivision Certificate;
- (b) In the case of a development application involving building work - prior to the release of a Construction Certificate. Where the construction certificate is for part of a development the contribution shall relate to the number of dwellings ;
- (c) In the case of complying development – prior to the issue of a complying development certificate
- (d) In the case a development application for the use of building or the use of works – prior to the issue of an 149D certificate,
- (e) In the case of a development application where no building works are involved - prior to occupation or commencement of the approved use.
- (f) In the case of an extractive industry – at the end of each financial year based upon extraction rates indicated in the quarterly returns for that year.

These criteria are not exhaustive and circumstances may arise with a particular development application where alternative timing of payments is warranted. If a development does not relate to one of the above criteria then Council may consider an alternative timing of the payment. The alternative timing will be determined by Council and is to be set out in a condition of development consent. The discretion to alter the timing of payment is the sole discretion of the Council and does not extend to accredited certifiers.

Where a condition of consent requiring the payment of a monetary contribution is to be satisfied by way of provision of a material public benefit, works in kind or dedication of land then the provision of a material public benefit (MPB) , works in kind (WIK) or dedication of land shall be completed or dedicated prior to the release of the subdivision certificate, construction certificate, 149D certificate, occupation certificate complying development certificate, occupation certificate or commencement of the use as per the criteria (a) to (f) above.

The amount of any monetary contribution to be paid will be the contribution payable at the time of consent, and depending on when the development consent is acted upon, may be subject to reasonable adjustment due to movements in the financial indices and rates indicated in Section 2.

## **2.12 Construction certificates and the obligation of accredited certifiers**

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

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid. The only exceptions to the requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by the council. In such cases, council will issue a letter confirming that an alternative payment method has been agreed and that the condition has been satisfied.

## **2.13 Credits and Exemptions for Certain Types of Development**

This plan is based around the concept of the standard dwelling unit (SDU). One SDU is a three or more bedroom dwelling with an occupancy rate of 2.4 persons. The following rates will be adopted for dwellings of less than three bedrooms:

- 2 bedroom dwelling (0.75 SDU)
- 1 bedroom dwelling (0.55 SDU)

This plan assumes that all existing allotments have an underlying credit of one SDU except in the following circumstances:

- (a) Lots created without Council approval by way of departmental subdivision by the Crown; or
- (b) Lots created for the purposes of utility installations; or
- (c) [Deleted in amendment 2]; or
- (d) Lots created by way of the closure of a public or crown road; or
- (e) Lots to which clause 15 of the Byron LEP applies and that form part of an existing holding where a dwelling has already been erected upon another lot within that holding; or
- (f) Vacant lots within commercial or industrial zones.

Lots that meet the criteria listed in (a) to (f) do not have any credit and development upon this land that increases population will be required to pay a contribution.

This plan also assumes that existing dwellings (including multiple dwellings) will have a credit based upon the number of bedrooms.

Certain additional types of development have been exempted from the requirement to make a contribution towards provision or improvement of amenities or services. These types of development are listed below. Council acknowledges that these various types of development provided a planning benefit that outweighs the increase in demand for services generated by the new population that the development will accommodate.

Where Council does not levy for a particular type of development that generates additional population this will create a shortfall in the contributions collected i.e. the population has increased and no contribution has been paid. This would leave Council with a deficit in the plan and Council would be unable to fund all of the works in the works schedule. In past plans this deficit was not acknowledged or accounted for.

To ensure that Council can fund all of the works in the plan where an exemption is granted the value of the exemption shall be calculated at the time development consent is granted and accounted for. At the end of the financial year Council shall make a payment from the General Fund into the respective section 94 accounts equal to the value of the contributions exempted.

This requirement to account for a shortfall caused by exemptions does not apply where there are reductions in the rate of demand (SDU) or the exclusion of line items as discussed below.

## **2.14 Secondary Dwellings**

Development for the purposes of a secondary dwelling as defined in State Environmental Planning Policy will be exempted from the obligation to pay a contribution under this Contributions Plan where the secondary dwelling is integral and subordinate to the primary dwelling. Where the secondary dwelling is subject to the following requirements

- a. That the maximum size of the secondary dwelling does not exceed 60m<sup>2</sup>.
- b. That the floor space ratio for the whole development of the site does not extend beyond 0.5:1 and that 25% of the site must be covered by absorbent surfaces such as lawn or landscaping.
- c. That the secondary dwelling does not increase the overall number of bedrooms on the site to greater than 5.

- d. That the applicant has an approval for a secondary dwelling subject to a condition of consent that the development is not to be used for tourism purposes.

Note: There are strict criteria for secondary dwellings to distinguish them from dual occupancies

The primary reasons for these exemptions include:

- Maintaining the flexibility for local residents to extend their homes to accommodate their existing family without undue financial hardship; and
- Supporting the potential for the provision of small-scale local affordable housing for elderly relatives and older children in the form of secondary dwellings.

### **2.15 Exemptions for Private Boarding Houses, Group Homes and Affordable Housing**

Unless superseded by legislation or direction, in the case of private developments such as hostels, group homes and boarding houses, this type of development may be able to justify a case for an exemption so long as it meets State Government criteria for a tax exemption for low-cost residential accommodation.

An applicant may as part of their development application make application for the suspension of contributions. An applicant must comprehensively argue the case for suspension including the specific circumstances that would distinguish the subject proposal's merit case from others.

Applications for merit suspension will be referred to Council for formal determination and accompanying submissions will be made public as part of that process.

Applicants should liaise with Byron Shire Council in relation to Development Applications of this nature.

### **2.16 Other Public Benefit Exemptions from the Contributions Plan**

It is not always possible to identify in advance all developments which may be able to make a meritorious case for an exemption from the obligation to pay some or all of the applicable contributions. On the principle of ensuring public accountability, transparency and equity between all developers, this section specifies the limited opportunity for making a merit-based case for exemption.

Council may formally consider, on the individual merits, a case for exempting the following types of development from the levying of contributions:

- Developments which provide a distinct community benefit on a not-for-profit basis including but not necessarily limited to: accommodation associated with fire stations, police stations or police shop fronts, ambulance stations, rescue services, State Emergency Service (SES) and Rural Fire Services (RFS) operational bases and the like. This provision is not intended to include corporate headquarters of any type; and
- Development by or for non-profit or cooperative organisations which provide a distinct community benefit including but not limited to: the provision of childcare services (especially for under-2s and/or special needs children) including kindergartens and pre-schools; outreach services, community services or the like, on a cooperative or not-for-profit basis.

Full details of any case for exemption must be included as part of the Development Application to enable the Council to make a merit-based assessment of the unique circumstances of the specific case in question concurrent with the consideration of the Development Application as a whole.



If Council does not grant a full exemption to the payment then Council may allow a reduction in the rate of demand (SDU) for a particular development or Council may allow for the exclusion of individual line items in the works schedule to enable a contribution to be calculated.

### **2.17 Development under State Environmental Planning Policy (Seniors Living) 2004**

All new development, including housing for seniors and people with disabilities, intensifies the use of the existing infrastructure and adds incrementally to the demand for public amenities and services. Older people and people with disabilities enjoy the current provision of open space and are one of the major users of parkland areas.

Older people and people with a disability also use public libraries. Many attend senior citizens meetings in Council facilities. They also receive services, such as meals on wheels, community transport, and neighbour aid, organised from the offices of the Commonwealth and State funded Home and Community services located in Council's multipurpose facilities.

Further development of any sort within the planning catchments to which this Plan applies will lead to an increase in the demand for road upgrades and traffic management facilities. It is therefore reasonable for Council to levy contributions on all development within the area, including housing built under State Environmental Planning Policy (Seniors Living) 2004.

However, Council may consider an application to discount or exempt the development from certain contributions. Applicants seeking Council's acceptance of such an arrangement must be able to demonstrate to the satisfaction of Council that sufficient on site facilities are provided.

Council will consider the merits of the application, including the potential social and financial implications, and the ability of the proposed facilities to meet the demand of the incoming residents. The applicant will need to initiate action by applying to Council in writing, including full details and plans for the facilities to be provided. The acceptance of an application will be at Council's absolute discretion.

The reduction in the contribution rate for seniors living will in the case of open space and community facilities and be calculated by excluding individual items from the works schedule where it can be demonstrated by the applicant that the development does not create a demand for a particular facility. In the case of roads the number of SDU may be reduced to reflect a reduction in trip generation per person. A traffic study to justify the reduction in trips per person will be required.

The occupancy rates used for the purpose of determining contributions will be 1.5 persons per dwelling.

The exclusion of line items from the works schedule and a reduction in the number of SDU for seniors living developments is at the sole discretion of Council.

### **2.18 Review of Plan and Contribution Rates**

Byron Shire Council acknowledges the need to periodically monitor and review this Contributions Plan.

For this reason, the contributions will be subject to a number of reviews to take account of such matters as community needs, costs of amenities and services, rate and extent of development, affordability of contributions and progress in providing scheduled works.

In the event of the Council identifying changes as a result of the review process, amendments to this Plan, (apart from the periodic adjustment of contributions that is provided for in Part C of this plan, based on published indices), will be publicly exhibited in accordance with the requirements of the

Environmental Planning and Assessment Regulation 2000. Pursuant to Clause 32(3) of the Environmental Planning and Assessment Regulation 2000, Council may make certain minor adjustments or amendments to this Plan without prior public exhibition and adoption by Council.

It is intended to review this plan upon adoption of a new LGA wide LEP and /or every five (5) years upon release of the census data from the ABS.

## 2.19 Adjustment of Contributions

To ensure that the values of the contributions are not eroded over time by movements of the consumer price index, the Council will amend the contribution rates. The contribution rates listed in each of the strategy plans will be amended and increased according to consumer price index to allow for increases in the cost of provision of facilities. Contributions will also be adjusted at the time of payment in accordance with the quarterly consumer price index.

Contributions required as a condition of development consent will be adjusted at the time of payment in accordance with the latest Consumer Price Index (All Groups – Sydney) as published quarterly by the Australian Bureau of Statistics, using the following formula:

$$\text{Contribution at time of payment} = C \times \left\{ \frac{\text{Ind}^1}{\text{Ind}^2} \right\}$$

- C = The original contribution amount as shown on the consent  
 Ind<sup>1</sup> = The Consumer Price Index Number (Sydney - All Groups) currently available from the Australian Bureau of Statistics at the time of payment.  
 Ind<sup>2</sup> = The Consumer Price Index Number (Sydney - All Groups) last published by the Australian Bureau of Statistics at the time of the grant of development consent.

## 2.20 Accountability

Financial management and accountability are important components of Developer Contributions planning and is in accordance with Section 94 of the *Environmental Planning and Assessment Act 1979*. Council is responsible for the maintenance of an accurate and up to date register of all Section 94 Contributions.

Monetary contributions received under this Plan are kept in a separate account specifically for this Plan. Accounting records show the contributions received and expended, including any interest earned on invested funds for each account.

Separate accounting records are maintained for Council's Section 94 Contributions Plan. Information on Contributions accounts and funds relating to this Plan will be provided in a condensed format within Byron Shire Council's Annual Reports in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. Information is also available in Council's contribution register relating to this Plan, which can be inspected at Council's Customer officers during Council's ordinary office hours.

## 2.21 Can Deferred or Periodic Payments be Made?

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

- Where the applicant can demonstrate to the Council that the payment of contributions in accordance with this plan is unreasonable and Council accepts deferred or periodic payment; or

- Where the applicant intends to make a contribution by way of works-in-kind or land dedication in lieu of a cash contribution in a future stage of the development being levied and Council and the applicant have a legally binding agreement for the provision of the works or dedication; or
- In other circumstances considered reasonable by Council.

All requests for deferred or periodic payment of contributions are required to be made in writing and may only be accepted where:

- There are valid reasons for the deferral or periodic payment (as outlined above);
- The granting of the request will not adversely impact on the administration, operation or cash reserves;
- The granting of the request will not jeopardise the timely provision of works or land identified.

Where Council allows a deferral of contributions an appropriate bank guarantee shall be secured for the amount of contributions to be deferred. The conditions under which the Council may accept deferred settlement by way of a bank guarantee are that:

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

The conditions under which the Council may accept payment by way of periodic payment for a staged development are that:

- the instalment be paid before the work commences on the relevant stage of the development;
- the amount to be paid at each stage is to be calculated on a pro-rata basis in proportion to the demand for the relevant facility being levied by the overall development, plus CPI and any interest that may be due.

Any outstanding component of the contribution shall be indexed, at the date of payment, in accordance with the Indicative Borrowing Rate for NSW Local Government Authorities, as published weekly.

## **2.22 Pooling of Contributions and Staging of works**

This Plan expressly authorises monetary Section 94 Contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes or different purposes. The priorities for the expenditure of the levies are shown in the works schedule. Monetary contributions collected under previous issues of this contribution plan, or under equivalent contribution plans to be repealed on adoption of this contribution plan, are authorised to be pooled and used for purposes outlined in this plan where those uses are consistent with the purpose for which the contributions

were originally collected, and the intended original purpose has been either completed, abandoned or provided for by other means and/or the contributions are surplus.

Where funds from a previous contributions plan have been allocated to a new work (reconciliation column in the works schedules) Council may access all or part of these funds to conduct the works in stages.

The works programme under this Contributions Plan has, from draft stage, commenced the process of full integration into Byron Shire's Council's Long Term Financial Plan looking forward over the next ten years. This process facilitates the assessment of all consequential financial effects of pooling contributions to bring forward any given work allowing those effects to be recognised and managed.

### **2.23 Savings and Transitional Arrangements**

A development application or a modification to a development application, which has been lodged prior to the commencement of this Plan but not determined, shall be determined in accordance with the provisions of the previously adopted plan, which applied at the date of lodgement. A development application lodged after the commencement of this plan shall be determined in accordance with the provisions of the previously adopted plan. A modification to development consent that was determined under the previously adopted plan shall be assessed by reviewing the application in accordance with the 2005 plan.

Contributions levied on development consents under the previous contributions plans remain payable and are indexed in accordance with that plan. Contributions levied under a previous plan will be allocated to the highest priority uncompleted project in the new works schedules for the pooling of funds.

### **2.24 Policy for the Recoupment of Past Works**

Byron Shire Council entered the present development phase effectively from 2011. This Contributions Plan covers development growth from the period of 2011 to 2026 for some projects. Long term works which support the full anticipated extent of population growth commencing from the Byron Shire Contributions Plan 2005 and previous iterations of the 2012 plan, are rolled into this Contributions Plan. Where works that were commenced before 2010 are recouped in this Contributions Plan it is because such works have spare capacity to meet the demands of the new population. Works that will meet demand arising from the total end population at 2026 and which are, therefore, proportionally funded over that period of time by that total population, will be provided on a rolling works programme through to 2026. These works will roll over to recoupment works on completion. They cannot be deleted from the Contributions Plan until the technical payback of internal borrowings from within the Contributions Plan as a whole, in order to bring that work forward from 2026, is achieved. To do so prematurely would compromise the proportional funding of the remaining works programme.

### **2.25 Works in Kind and Material Public Benefit**

The Council may accept an offer by the applicant to provide an "in-kind" contribution (i.e. the applicant completes part of all of a work identified in the Plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this Plan by way of payment of a monetary contribution. A material public benefit is defined in the EP&A Act as not comprising the dedication of land or the payment of monetary contribution.

Council will only accept such alternatives provided 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 the standard of the works is to Council's full satisfaction. The value of the works 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.

Acceptance of works in kind is at the sole discretion of the Council. Council may review the valuation of works and may seek the services of an independent person to verify the costs. In these cases, all costs will be at the expense of the applicant.

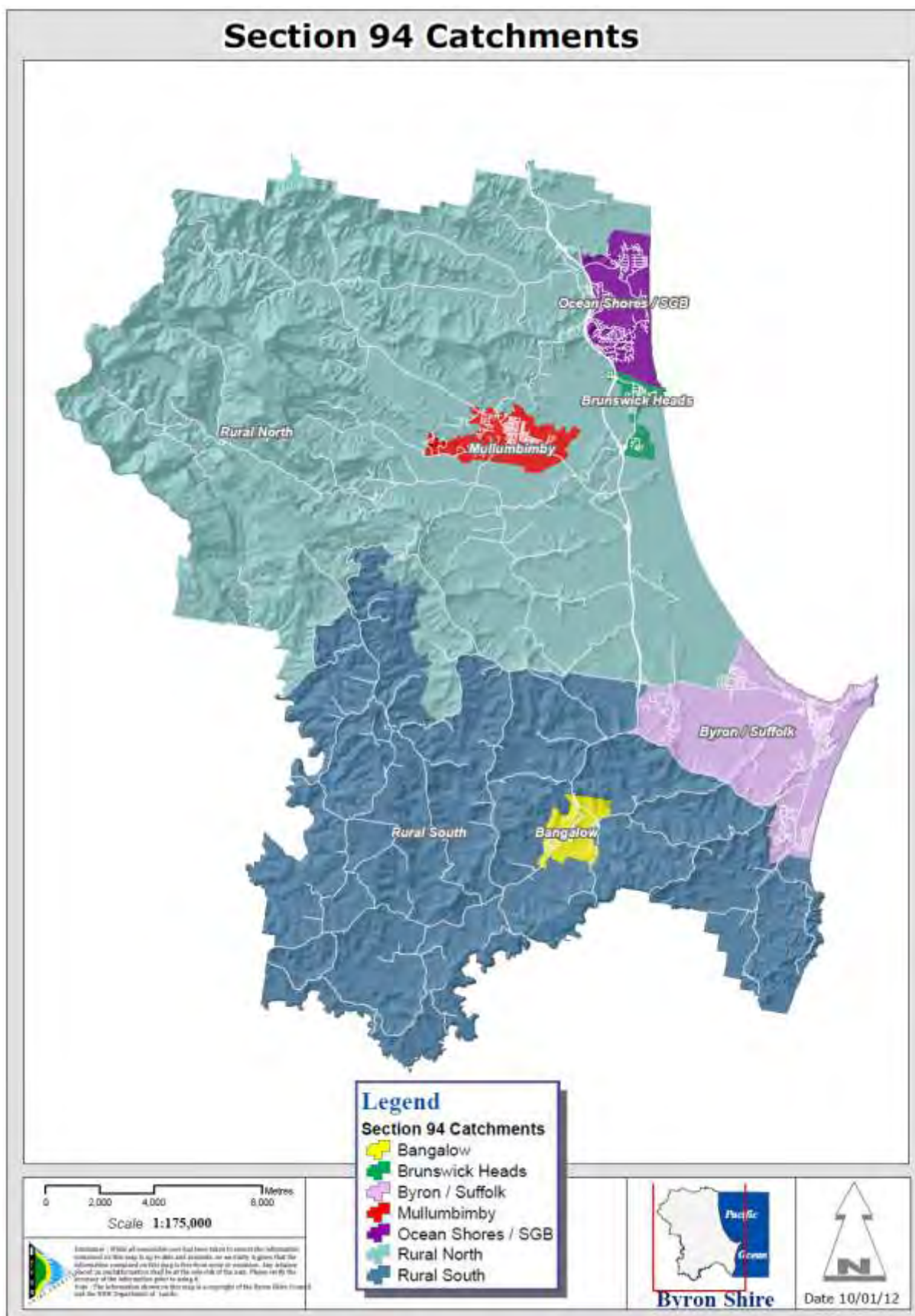
## **2.26 Context and Catchments**

Byron Shire is a coastal area located in north-eastern New South Wales and is a popular national and international tourist destination. Byron Shire is located on the Far North Coast of NSW. The Shire is 556 square kilometres in size and extends 30 kilometres along the coast from Broken Head in the south to South Golden Beach in the North and 20 kilometres inland. The main streets and precincts in the Shire reflect a myriad of cultural influences, which have developed largely as a result of its strong tourist trade and its population, which over the last 20 years has diversified. Rolling green hills and rainforest remnants characterise the hinterlands whilst extensive clean white beaches flank the coast. Historically the main urban development has centred around Byron Bay and Suffolk Park. However, other coastal and inland towns have also experienced significant urban development these include Mullumbimby, Bangalow, Brunswick Heads, Ocean Shores, New Brighton, and South Golden Beach. The Shire contains many smaller rural villages dispersed throughout the hinterland including Federal, Main Arm, Wilsons Creek, Eureka, Billinudgel and Goonengerry.

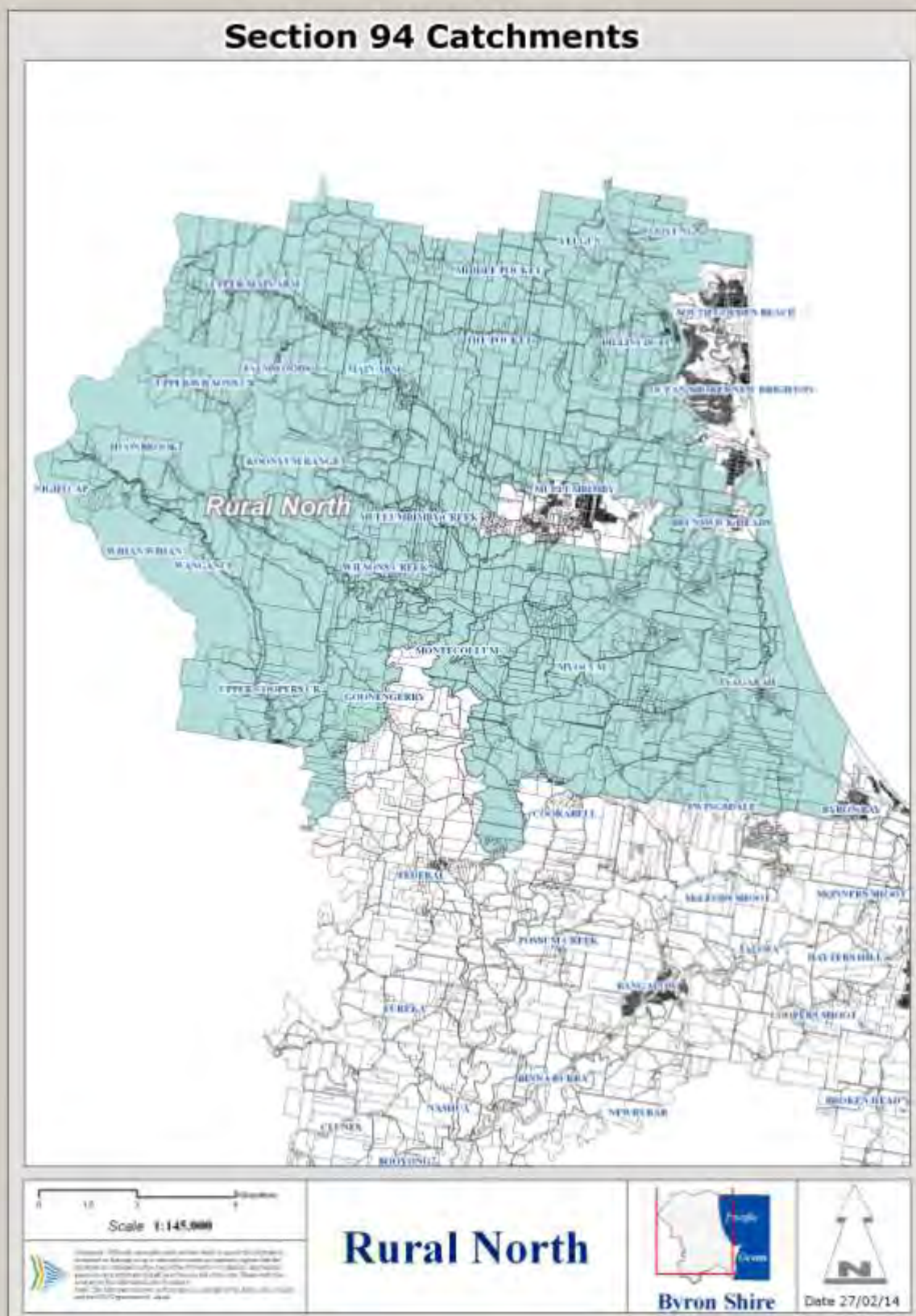
The Strategy Plans contain a number of different 'planning catchments'. Maps of these catchments can be found on Pages 14-20. For the purpose of this Plan certain contributions are levied on development within these planning catchments or as whole of LGA or a combination of both an LGA wide and a catchment contribution for certain types of development. Development in each contribution catchments will be subject to contributions for some or all of the public facilities and public amenities described in this plan, depending on the nexus between development and facilities. The contribution catchments include:

- Byron Bay/ Suffolk Park.
- Mullumbimby.
- Brunswick Heads.
- Bangalow.
- Ocean Shores
- Rural North.
- Rural South.



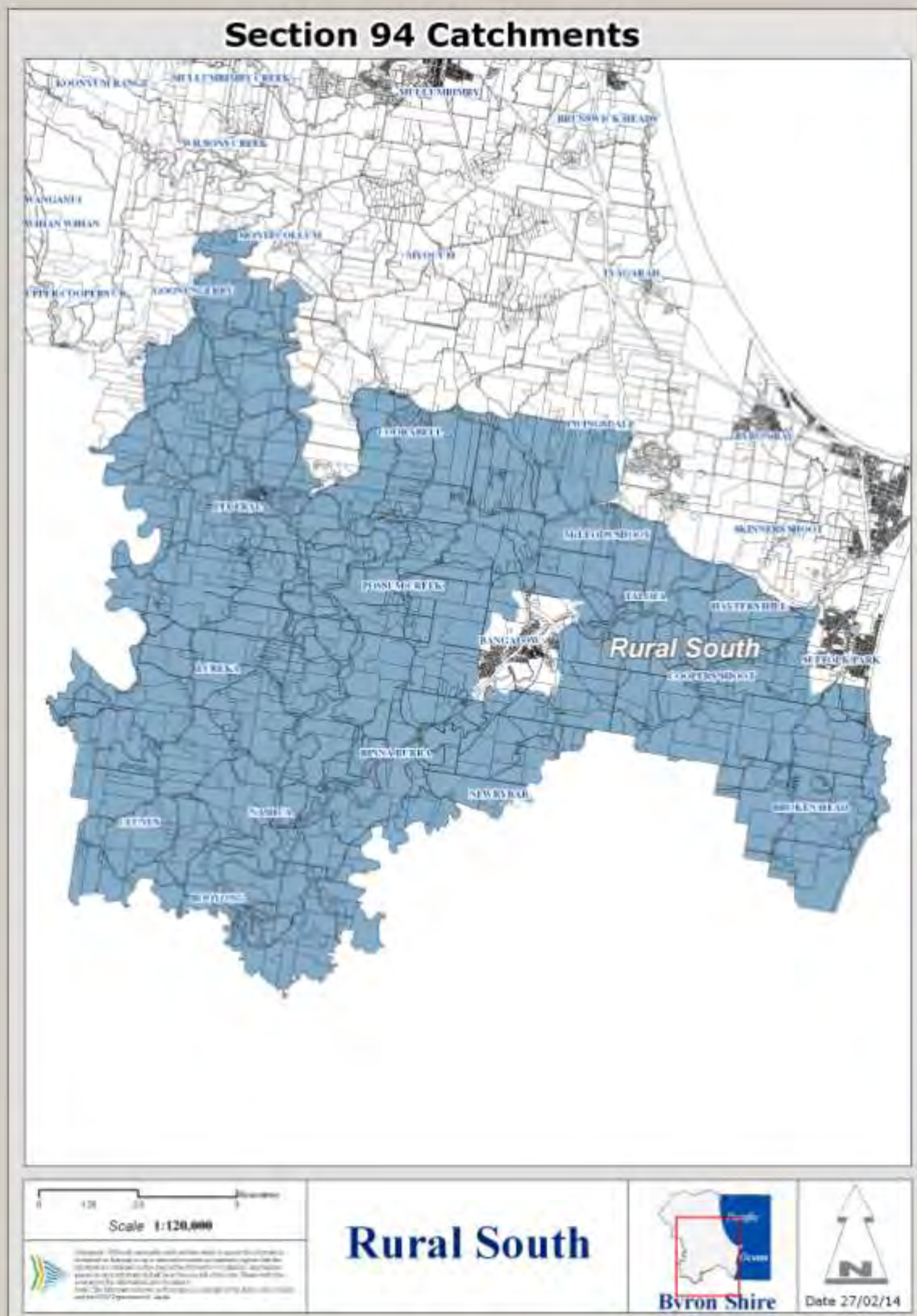


Map 2.1 Section 94 Catchments - Shirewide

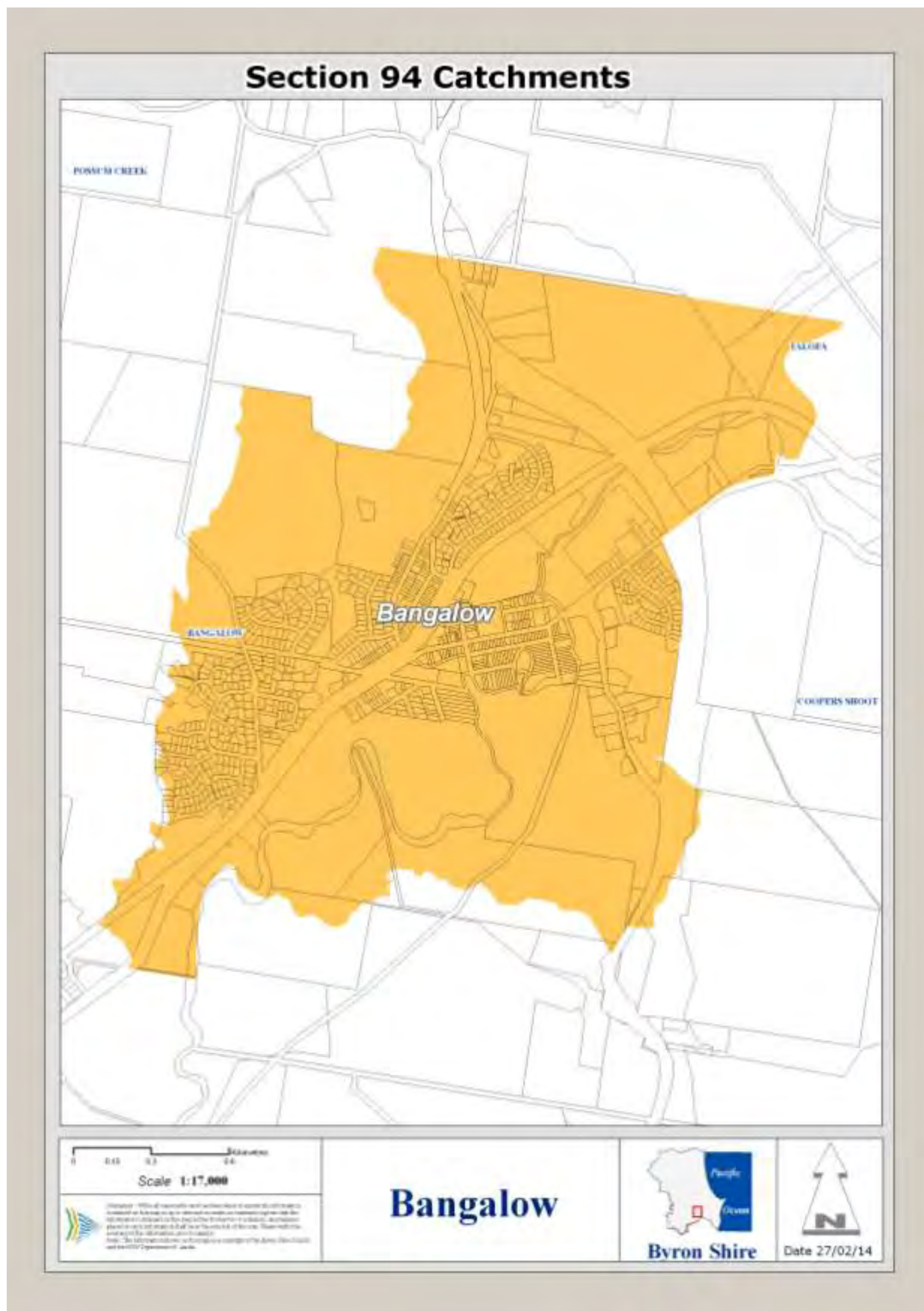


Map 2.2 Section 94 Catchments – Rural north



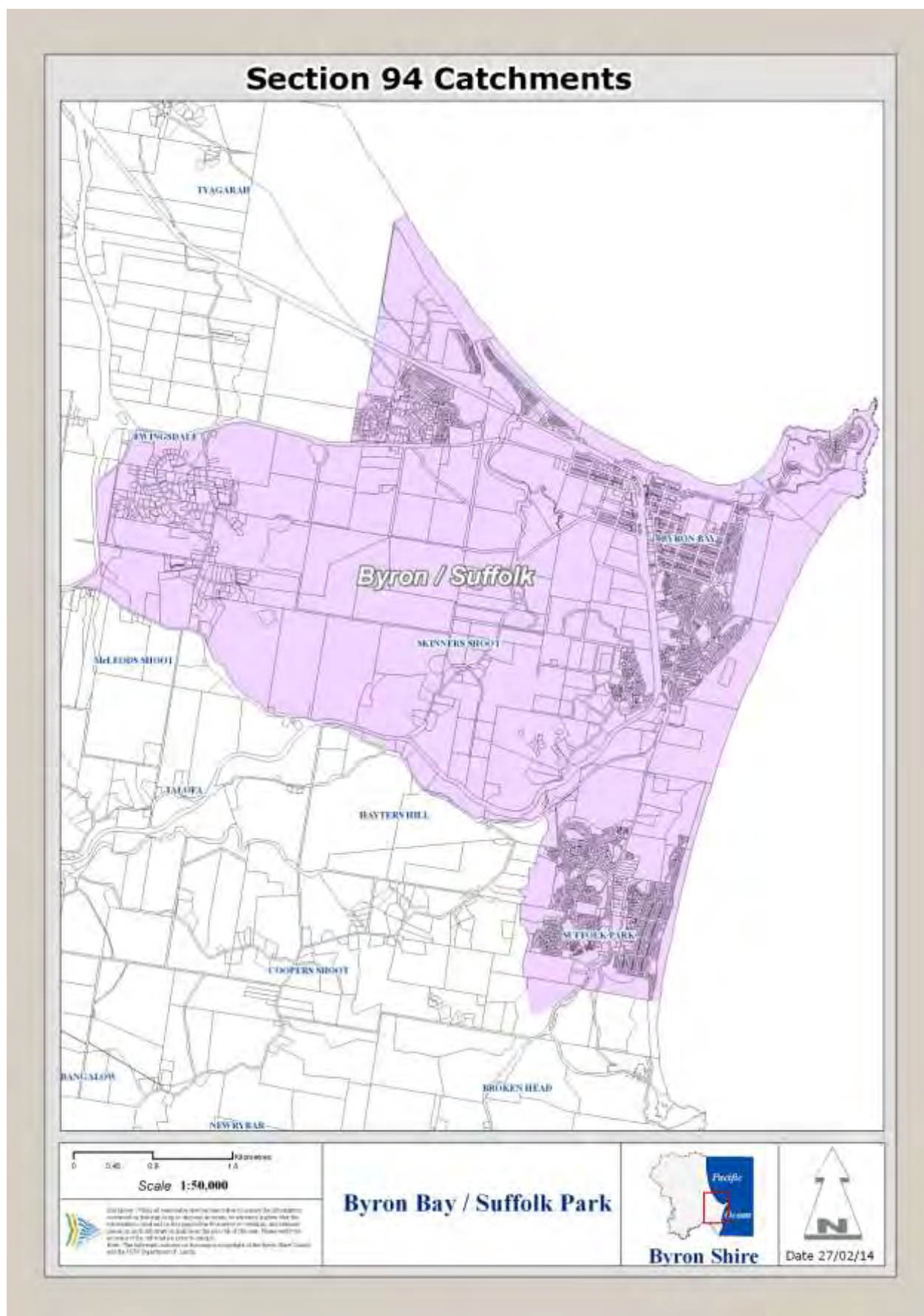


### Map 2.3 Section 94 Catchments – Rural South



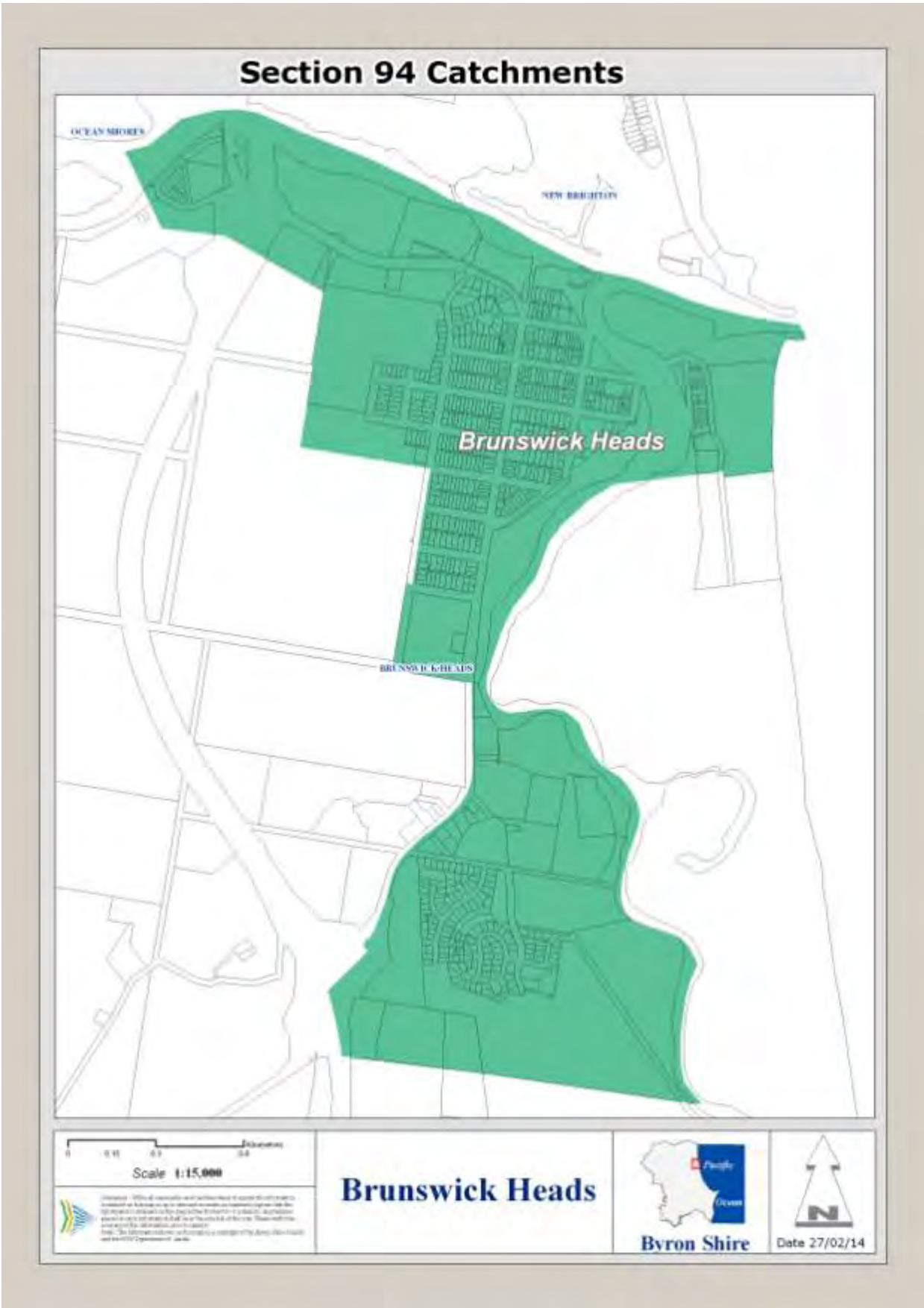
Map 2.4 Section 94 Catchments - Bangalow



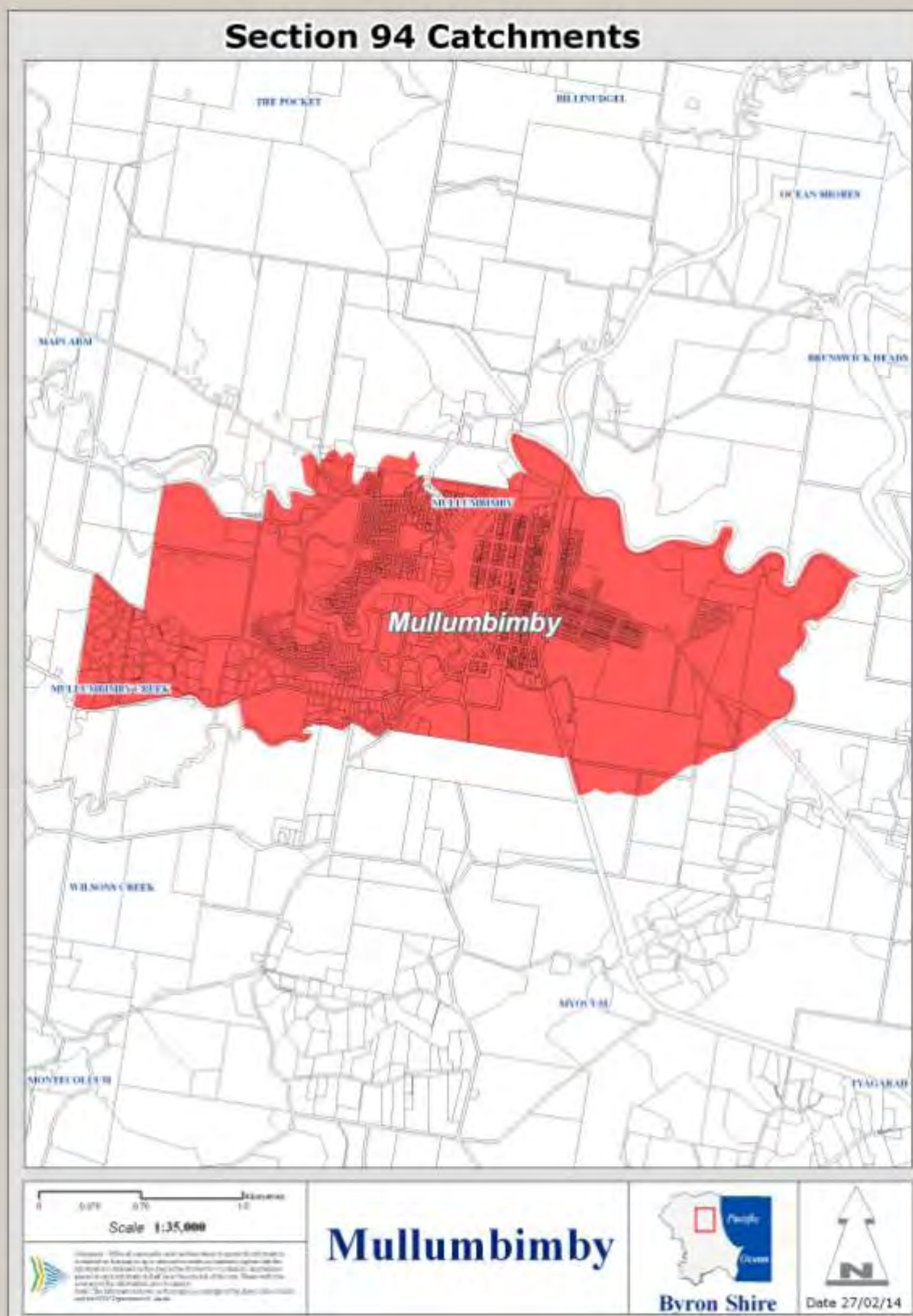


Map 2.5 – Section 94 Catchments – Byron Bay / Suffolk Park



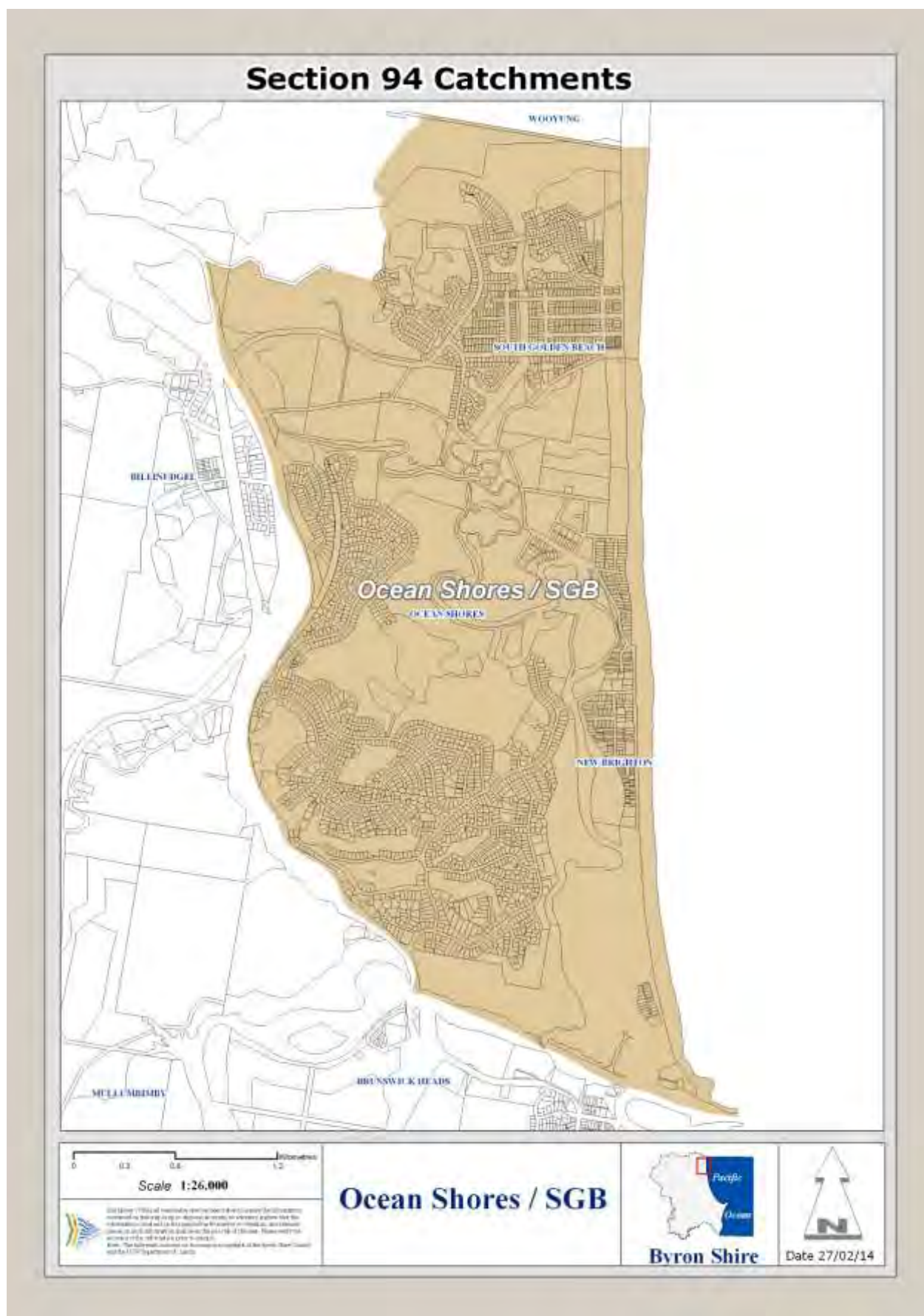


### Map 2.6 Section 94 Catchments – Brunswick Heads



Map 2.7 Section 94 Catchments - Mullumbimby





Map 2.8 Section 94 Catchments – Ocean Shores / South Golden Beach

## Section 3 Population Growth and Increased Demand

### 3.1 Population and Housing Profile

The population and housing profile has been prepared to provide a clear understanding of the characteristics of the resident population in Byron Shire (the Shire) and to identify trends. The profile assists in projecting residential population growth and determining what facilities will be required to meet the needs of the population resulting from future development. Data has been drawn from the ABS census data held in 1991, 1996, 2001 and 2006.

### 3.2 Growth in Byron Shire LGA

Historically, the population of Byron Shire has been experiencing rapid growth since 1976. Over the last 30 years (from 1976 to 2006) the population of the Byron Shire has grown by 177 percent. This is significantly more than the NSW growth rate during the same period of 39.6 percent. In the Byron Shire average annual growth rates prior to the 2001 census (from 1976 to 1996) averaged 4.74% per annum. However, these growth rates have slowed, with average annual growth rates of 1.87% per annum in 2001 and 0.42% per annum in 2006. During the 2006 census only 30,329 persons were counted (includes non-residents and visitors).

However, over the last two decades rapid development growth has occurred in the hinterlands of the Byron Shire, particularly in the urban areas of Mullumbimby and Bangalow. One of the more striking characteristics of the Byron Shire is the large proportion of the population that live in the hinterlands (Rural North, Rural South, Mullumbimby and Bangalow accommodate around 43 percent of the population). This spatial distribution of population creates unique challenges for the provision of community facilities and services throughout the local government area.

During the mid to late 1990's, it became evident that a number of existing sewage treatment works (STP's) were at or over capacity and there was a concern by the Council that future development would exacerbate inherent problems with these plants. These STP's included Byron Bay, Bangalow, Mullumbimby and Brunswick Heads. Consequently, Council adopted a policy of restricting urban releases and development of land until the capacity constraints associated with the STP's could be addressed (Council refers to this as the sewerage moratorium). This sewerage moratorium has been lifted for Byron Bay, Bangalow, Brunswick Heads and Mullumbimby to allow development in these areas. The sewerage moratorium is one of the primary reasons for the lower than expected growth up to 2011.

Prior to the sewerage moratorium, the Byron Shire experienced a boom in development activity associated with improved property yields and strong residential and tourism demand at this location. These factors have led to most urban release development being focused around the coastal urban centres.

The average annual growth rates in the Byron Shire during the 2001 to 2006 census period were significantly less than neighbouring local government areas with the Tweed Shire LGA average annual growth rate of 1.9 percent over this period which was among the fastest in the state (May 2007, DoP).

The Mid North Coast region has had a similar increase over the same period of 1.2 per cent per annum, again this is well above growth rates for the state as a whole and one of the fastest growing regions in New South Wales (Dec 200, DoP).

### 3.3 Demographic Characteristics

Byron Shire has a high proportion of older people. In 2006, 17 percent of Byron Shire's population was aged 65 years or over, compared with 14 percent in NSW as a whole (see Table 10). In 2006, of those persons over 55 years old approximately 18 percent were not engaged in the work force. Meanwhile, there are low numbers of person's aged 25 to 35 in Byron Shire, especially when compared to NSW. The number of persons under 25 years old is comparable to NSW.

It is interesting to note that those persons aged 0 to 24 years declined from 31 percent in 2001 to 29 percent in 2006 and persons aged 55 and above increased from 21 percent in 2001 to 24 percent in 2006.

The Byron Shire population has large numbers of people aged in their teens and from ages 40 to 60 years. This is a result of in-migration of older families and people in pre-retirement years. However Byron Shire has very high out-migration of young adults, resulting in a relatively small number of people in the 20 to 40 years age range. The proportion of older people in the population is expected to increase rapidly as a result of ageing of the existing population and retirement migration this is shown in table 3.1 from the *Department of Planning's NSW SLA Population Projections, 2006-2036*.

**Table 3.1**

<b>Historical and projected age distribution - Byron (A)</b>									
Age	Persons								
	1996	2001	2006	2011	2016	2021	2026	2031	2036
0-4	1,740	1,740	1,710	2,000	2,090	2,210	2,330	2,430	2,540
5-9	2,200	2,120	1,990	1,990	2,260	2,370	2,480	2,600	2,700
10-14	2,180	2,400	2,180	2,140	2,160	2,400	2,510	2,630	2,750
15-19	1,720	2,010	2,100	2,180	2,140	2,160	2,370	2,480	2,600
20-24	1,380	1,370	1,520	1,690	1,720	1,690	1,700	1,810	1,870
25-29	1,390	1,680	1,450	1,600	1,690	1,720	1,700	1,710	1,800
30-34	1,960	1,860	1,960	1,820	1,970	2,040	2,090	2,090	2,110
35-39	2,620	2,350	2,160	2,300	2,220	2,380	2,460	2,530	2,540
40-44	2,690	2,920	2,520	2,490	2,630	2,580	2,760	2,860	2,950
45-49	2,060	2,840	2,960	2,670	2,680	2,810	2,780	2,980	3,090
50-54	1,320	2,250	2,840	2,940	2,750	2,780	2,910	2,900	3,120
55-59	1,010	1,530	2,260	2,770	2,910	2,790	2,840	2,970	2,990
60-64	970	1,080	1,470	2,180	2,630	2,800	2,740	2,800	2,950
65-69	1,060	920	980	1,380	2,020	2,420	2,600	2,580	2,660
70-74	1,000	940	780	890	1,240	1,800	2,160	2,360	2,360
75-79	670	810	760	670	780	1,080	1,570	1,900	2,100
80-84	420	510	600	600	550	650	910	1,330	1,620
85+	260	380	450	600	690	730	840	1,100	1,580
<b>Total</b>	<b>26,600</b>	<b>29,700</b>	<b>30,700</b>	<b>32,900</b>	<b>35,100</b>	<b>37,400</b>	<b>39,800</b>	<b>42,100</b>	<b>44,300</b>

NSW SLA Population Projections, 2006-2036 produced by the Department of Planning  
Department of Planning 2010

It is to be noted that the *Department of Planning's NSW SLA Population Projections, 2006-2036* are based upon the Estimated Residential Population ERP from the ABS. The ERP has not been used as the basis for this contributions plan as the smallest unit that the ERP is available at is the LGA. Place of usual resident was available at the collection district level. This enables council to determine the starting population if individual catchments as at 2006.



### 3.4 Predicted Growth in the LGA

The growth model used for the LGA uses the 5 year average annual growth rate calculated from the Department of Planning's 2010 release of the New South Wales Statistical Local Area Population Projections (April 2010) Detailed Summary. These projections translate the 2008 State and regional projections to the local level, along with projecting demographic changes in areas covered by regional or subregional strategies.

The ABS census data for place of usual residence 2006 was used as the start point for the population of the LGA. The growth rates calculated from the Department of Planning's 2010 release of the New South Wales Statistical Local Area Population Projections (April 2010) Detailed Summary were then applied to the place of usual residence population figures to project and estimate the usual resident population of the LGA in five year increments.

Each catchment was then designated as either a growth area or a non-growth area. A growth area would have available zoned land for significant urban development or proposals for new development with Council or the State Government. Non-growth areas would have little or no available land for further urban development. The growth in each catchment had to be estimated based upon existing proposed developments or on available zoned land. The potential population was predicted by lot layouts for proposals such as Bayside Brunswick Heads, and West Byron or used lot yields for existing zoned land. These known amounts of growth were allocated to their respective catchments. The remaining non-growth catchments then had the remaining growth allocated to them. This enabled differing growth rates to each catchment rather than use a shire wide average that would produce misleading outcomes.

The tables on pages 29 to 38 shows the outcomes from the growth model for the LGA and the various catchments.

The growth model adopts slightly higher growth rates for some catchments than the department of planning in the short to medium term (2021) and then the model predicts that growth rates will then decrease over time. It has been assumed that the higher growth rate over the next period will be mainly due to the release of some development areas and the sewerage moratorium being lifted. As the projections make the assumption that the 2006 occupancy rates will be maintained, these estimates are therefore generally consistent with the Far North Coast Region Residential Submarket Analysis (Macro Plan, 2008) and with the NSW SLA Population Projections, 2006-2036 produced by the Department of Planning 2010.

### 3.5 Growth in Individual Planning Catchments

Over the last 30 years, from 1976 to 2006, each planning precinct has been experiencing a rapid population growth, with the largest population growth occurring in Ocean Shores. Other planning precincts such as Byron Bay/ Suffolk Park, Bangalow and Rural South have also had rapid population growth during this period. However, the recent population history (from 2001 to 2006) in some planning precincts is quite different to the growth prior to 2001. Over this period the population declined slightly in Byron Bay/ Suffolk Park, Rural South and Rural North and within Mullumbimby and Brunswick Heads the population increased only slightly. Ocean Shores continued to slow experience population growth.

Growth in each of the catchments has been based upon the ABS place of usual resident count and then an average annual growth rate has been applied in five yearly increments. The catchments have been divided into two broad categories based on different growth scenarios:

1. High growth (variable and dependant on lot yield); and
2. Low growth (remainder of growth allocated to achieve the shire wide growth predicted by the Department of Planning).

Catchments with high growth have known areas of new development with defined lot yields. These lots yields coupled with a growth factor to cover redevelopment and dual occupancies will have a growth rate that is higher than the Department of Planning's LGA wide average. Low growth areas have no new release areas and are reliant on dual occupancies and a limited number new dwellings. Low growth areas will have a growth rate less than the average growth rate provided by the Department of Planning.

High Growth Catchments are:

- Byron Bay / Suffolk Park
- Mullumbimby
- Brunswick Heads
- Bangalow

Low Growth Catchments are:

- Rural North
- Rural South
- Ocean Shores / South Golden Beach

High growth catchments will have a growth rate that varies in each catchment based upon known lot yields. This is will be higher than the Department of Planning's shire wide average but tapers off to be equal to the Departments predictions by then end of the 25 year period. The justification for this demand is the desirability of certain of the growth areas as places to live and the pent up demand as a result of the sewer moratorium.

Table 3.2.1 Population Projections for the whole of the Local Government Area

Population Projections for the whole of the Local Government Area											
Year	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Average annual growth percentage	ABS 1379.0.55.001 National Regional Profile, Byron (A), 2005-2009 (ERP)	Average annual growth percentage	New South Wales Statistical Local Area Population Projections, 2006-2036 Department of Planning	NSW SLA Population Projections Average Annual growth Percentage (calculated from Department of Planning)	Macroplan Data prepared for Department of Planning	S94 Plan Predictions for Population count place of usual residence	Section 94 Plan Predictions Average Annual Growth Percentage
1976	10,914										
1981	15,322	7.02%									
1986	18,359	3.68%									
1991	22,823	4.45%									
1996	27,565	3.85%							26,620		
2001	30,245	1.87%	28,175						29,689	28,175	
2005					30,614						
2006	30,326	0.05%	28,765	0.42%	30,700	0.28%	30,700		31,692	28,765	0.42%
2007					31,007	1.00%					
2008					31,642	2.05%					
2009					32,126	1.53%					
2010					32,378	0.78%					
2011	30,964	0.42%	29,209	0.31%			32,900	1.39%	33,916	29,209	0.31%
2016							35,100	1.30%	36,130	31,641	1.61%
2021							37,400	1.28%	38,332	33,851	1.36%
2026							39,800	1.25%	40,465	36,149	1.32%

Growth in LGA 2011-2026		
2011	29,209	
2026	36,149	
Change	6,940	19.20%
Number of SDU	2,892	

**Table 3.2.2 Shire Wide Growth**

### 3.6 Byron Bay / Suffolk Park Population Growth

Byron Bay/ Suffolk Park is Byron Shire's largest population centre (30 percent in 2006). In 2006, the population in this precinct experienced continued growth. The lifting of the sewerage moratorium will allow this precinct will see continued substantial growth, as the demand to live in this locality, as shown in the property market, is relatively strong. The proposed release area at West Byron and brownfield redevelopment at higher densities will drive growth in this catchment. A growth rate of 2.14% has been adopted for this catchment over the 15 year period. Table 3.3.1 shows the predicted population growth in this catchment.

**Table 3.3.1**

<b>Population Projections for Byron Bay/ Suffolk Park Catchment, 2011 to 2026</b>					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth factoring in West Byron Release area	Average annual growth percentage
1976	2,764				
1981	3,868	6.95%			
1986	4,472	2.94%			
1991	6,213	6.80%			
1996	8,657	6.86%			
2001	10,322	3.58%			
2006	10174	-0.29%	9,027	9,027	
2011				9,167	0.31%
2016				10,484	2.72%
2021				11,530	1.92%
2026				12,591	1.78%

**Table 3.3.2**

Growth in Byron Bay / Suffolk Park 2011-2026		
2011	9167	
2026	12591	
Change	3424	27.19%
Number of SDU	1,427	



### 3.7 Bangalow Population Growth

Bangalow is likely to have continued strong growth. The basis for growth in the Bangalow catchment is the new release areas as identified in Chapter 22 of Bryon Council DCP 2010. These greenfield sites have the potential to yield 140-170 new dwellings. A lot yield of 150 lots has been adopted for the purposes of this plan. Additional growth to account for dual occupancies and other brownfield redevelopment has been factored into the growth model. This results in Bangalow growing at a rate significantly higher than the LGA wide average.

Population Projections for Bangalow Catchment, 2011 to 2026					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth factoring in New Land release Areas	Average annual growth percentage
1976	564				
1981	617	1.81%			
1986	656	1.23%			
1991	815	4.44%			
1996	896	1.91%			
2001	1218	6.33%			
2006	1325	1.70%	1,328	1,328	
2011				1,348	0.30%
2016				1,538	2.67%
2021				1,874	4.03%
2026				2,361	4.73%

**Table 3.4.1**

Growth in Bangalow 2011 - 2026		
2011	1348	
2026	2361	
Change	1013	42.91%
Number of SDU	422	

**Table 3.4.2**

### 3.8 Mullumbimby Population Growth

Mullumbimby historically, has had moderate growth and during the 2006 census the precinct experienced a positive growth rate. This growth rate has been restricted by the sewer moratorium. Since the moratorium has been lifted there is likely to be growth in the new release areas known as precinct 5 in Chapter 11 of Byron Shire DCP 2010. The remaining zoned land in this precinct is likely to yield an additional 200 lots. Additional growth to account for dual occupancies and other 'brownfield' redevelopment has been factored into the growth model. This results in Mullumbimby growing at a rate higher than the LGA wide average.

Population Projections for Mullumbimby Catchment, 2006 to 2026					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth factoring in New Land release Areas	Average annual growth percentage
1976	2,029				
1981	2,234	1.94%			
1986	2,434	1.73%			
1991	2,592	1.27%			
1996	2,871	2.07%			
2001	3,047	1.20%			
2006	3,104	0.37%	3,125	3,125	
2011				3172	0.30%
2016				3434	1.60%
2021				3701	1.51%
2026				3971	1.42%

**Table 3.5.1**

Growth in Mullumbimby 2011 - 2026		
2011	3172	
2021	3971	
Change	799	20.12%
Number of SDU	333	

**Table 3.5.2**

### 3.9 Brunswick Heads Population Growth

Brunswick Heads due to its limited land availability has wide historically had variations in its growth rates. The lifting of the sewerage moratorium in March 2011 will result in continued substantial growth. There is a new land release area at Bayside that will yield up to 193 lots. This combined with redevelopment of existing lots will drive growth in this catchment to above the LGA wide average.

Population Projections for Brunswick Heads Catchment, 2006 to 2026					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth using Bayside Land Release	Average annual growth percentage
1976	1,401				
1981	1,790	5.02%			
1986	1,585	-2.40%			
1991	1,654	0.86%			
1996	1,837	2.12%			
2001	1,836	-0.01%			
2006	1,839	0.03%	1,613	1,613	
2011				1639	0.32%
2016				2180	5.87%
2021				2413	2.05%
2026				2647	1.87%

**Table 3.6.1**

Growth in Brunswick Heads 2011 - 2026		
2011	1639	
2026	2647	
Change	1008	38.08%
Number of SDU	420	

**Table 3.6.2**

### 3.10 Ocean Shores / South Golden Beach Population Growth

Ocean Shores and South Golden Beach historically has had large growth rates due to the large release of land in the area. However, given the limited land availability in this precinct it is unlikely these rates will continue. Most of the vacant residential land in this precinct are subject to existing consents for subdivision and will not be affected by this Section 94 Contributions Plan. The projected growth rates have been based on the amount of land available for residential capacity, demand to reside in the area and historical take up rates of these lands. Therefore, the population of the Ocean Shores and South Golden Beach is not expected to grow significantly. Growth will be less than the LGA wide average.

Population Projections for Ocean Shores / South Golden Beach Planning Precinct, 2006 to 2026					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth using low growth rate scenario	Average annual growth percentage
1976	411				
1981	1,007	19.63%			
1986	2,200	16.92%			
1991	3,577	10.21%			
1996	4,688	5.56%			
2001	4,985	1.24%			
2006	5,527	2.09%	5,581	5,581	
2011				5667	0.31%
2016				5717	0.18%
2021				5,851	0.46%
2026				5951	0.34%

**Table 3.7.1**

Growth in Ocean Shores / SGB 2011 - 2026		
2011	5667	
2026	5951	
Change	284	4.77%
Number of SDU	118	

**Table 3.7.2**

### 3.11 Rural North Population Growth

Between the 2001 and 2006 census, the Rural North catchment experienced a decrease in population of over 1 percent. However, given historical (prior to the 2001 census) population growth rates and land capacity the population is likely to slightly increase. This assumption is based on Council's recent approval of rural residential development at Main Arm and the potential for attached dual occupancy development. There is further potential for Rural Residential and Multiple Occupancy development in this catchment but even with this development this catchment will grow more slowly than the LGA wide average.

Population Projections for Rural North Catchment, 2006 to 2026					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth using low growth rate scenario	Average annual growth percentage
1976	2,330				
1981	3,734	9.89%			
1986	3,771	0.20%			
1991	4,468	3.45%			
1996	4,897	1.85%			
2001	5,006	0.44%			
2006	4,541	-1.93%	4,698	4,698	
2011				4771	0.31%
2016				4813	0.18%
2021				4,926	0.47%
2026				5011	0.34%

**Table 3.8.1**

Growth in Rural North 2011 - 2026		
2011	4771	
2026	5011	
Change	240	4.79%
Number of SDU	100	

**Table 3.8.2**



### 3.12 Rural South Population Growth

The Rural South catchment, during the 2006 census, experienced a decrease in population of 1 percent. Given historical (prior to the 2001 census) population growth rates and the limited land availability and significant constraints in this precinct it is estimated to increase only slightly. Growth in this catchment will be due to the remaining zoned rural residential land and dual occupancy development. Growth in this catchment will be below the LGA wide average

Population Projections for Rural South Catchment, 2006 to 2026					
	ABS Census Population Count (Place of enumeration)	Annual growth rate	ABS Census Population count (usual resident)	Predicted growth using low growth rate scenario	Average annual growth percentage
1976	1,415				
1981	2,072	7.93%			
1986	3,241	9.36%			
1991	3,457	1.30%			
1996	3,721	1.48%			
2001	3,890	0.89%			
2006	3,725	-0.86%	3,393	3,393	
2011				3445	0.30%
2016				3475	0.17%
2021				3,556	0.46%
2026				3617	0.34%

**Table 3.9.1**

Growth in Rural South 2011- 2026		
2011	3445	
2026	3617	
Change	172	4.76%
Number of SDU	72	

**Table 3.9.2**

## Section 4 Bikeways and Pedestrian Facilities Strategy Plan

### 4.1 Bikeways and Pedestrian Facilities

Transport is a major issue for many within the Byron Shire. With limited public transport most people rely on a vehicle or are restricted in their access to essential services and educational facilities (GHD, 2007). The integration of suitable pedestrian and bike facilities into a council's planning activities provides improvements to equity, health and the environment within the community and can demonstrate Council's commitment to ecological sustainable development. Byron Shire Council remains committed to the development of a safe and practical pedestrian and cycleway network for the LGA. Council recognises that additional residential developments, will increase the demand for cycleways to be constructed.

Council's objectives are to provide a consistent standard of facilities for pedestrians and cyclists within the LGA. The *Byron Pedestrian Access and Mobility Plan and Bike Plan (PAMP)* (GHD, 2007) identifies:

- the demand for multi-use accessways, including off-road pedestrian and cycleway facilities, walk ways likely to be required as a result of the future urban development; and
- the cycleway and path related public amenities and services that will be required to meet those demands.

In addition, Byron Shire Council's *Byron Shire Bike Strategy and Action Plan 2008* identifies:

- the retention, increase and improvement of cycling facilities;
- consistent review of cyclist needs; and
- the need to provide a consistent standard of facilities for cyclists within the area.

The Bike Strategy and Action Plan will be used as a means to ensure that bike facilities are provided in a consistent and appropriate manner throughout the Shire and that they meet the needs of the different user groups.

### 4.2 Bikeways and Pedestrian Facilities Existing Provision

Council has for many years been establishing a cycleway and pedestrian network including acquiring and embellishing linkages that connect large recreation areas and commercial areas. The cycleway and pedestrian network offer a flexible and low impact alternative to the use of private motor vehicles and need to be considered in a whole of network approach with regard to transport planning.

The *Byron Shire Bike Strategy and Action Plan 2008* reviews the pedestrian and cyclist needs of the different user groups in Byron Shire. The *Byron Shire Bike Strategy and Action Plan 2008* provides an assessment of existing conditions in each town and between towns for the LGA. Byron Shire currently accommodates bike and pedestrian paths combined with the road system and offers good opportunities for residents, workers and visitors to use bicycles and pedestrian paths for recreation access. The *Byron Shire Bike Strategy and Action Plan 2008* facilitates the expansion of the existing network of bicycle facilities in Byron Shire. This plan analyses the existing bike needs and demands which is necessary to assess the appropriateness of existing facilities and any additional requirements for the future population. The plan recognises the needs of different cyclists (commuter, recreational, child, utility or tourist) and the often competing demands they and other road users generate, including on and for limited road space, land use and funding.

### 4.3 Bikeways and Pedestrian Facilities Nexus and Future Demand

Residential development in Byron Shire is which will create a demand for travel and recreation by residents. Sustainable transport management involves the provision of non-motorised transport modes as well as roads for motorised transport needs. Provision of multi-use accessways can be effective in providing a sustainable and balanced transport regime, particularly for trips in the immediate locality as well as providing an extremely attractive form of recreation and access to recreation facilities within the Byron Shire.

The *PAMP* (GHD, 2007) and the *Byron Shire Bike Strategy and Action Plan 2008* identify the need to provide a well-planned access way network in order to promote alternative transport use and to cater for the recreational needs of incoming residents. These plans identify the opportunities for and constraints on developing bicycle and pedestrian facilities and recommendations for actions required in establishing a safe, functional and integrated bicycle network throughout the Shire. The provision of the cycle way and pedestrian network is a reasonable expectation of incoming residents to the Byron Shire. The cycle way and pedestrian paths identified are expected to be used for commuters to travel to school or work, or to link to other transport networks.

There are also new Bikeways identified in the various chapters of the Byron Shire DCP 2010 and in planning proposals such as the West Byron Part 3A application. Works identified in these plans have been included in the works schedules.

### 4.4 Bikeways and Pedestrian Facilities Reconciliation of Section 94 Contributions Plan 2005

Council held funds for bikeways that were not under a contributions plan, pre 1993 funds, and contributions under the 1993 CP and 2001 CP. Some of the works in these plans were carried forward into the *Section 94 Contributions Plan 2005*. This plan replaces all works within the previous plans with a new works schedule. All funds held in each catchment have been allocated to the highest priority works in the works schedule within that catchment to ensure that funds collected in that catchment are expended in the same catchment. The funds held under the previous plans have been used to reduce the cost of the works program and thereby reduce the cost to the incoming population.

### 4.5 Bikeways and Pedestrian Facilities Apportionment

The pedestrian and cycleway works to be provided to meet the demands of the incoming population of Byron Shire are identified in the works schedule. The pedestrian and cycleway facilities have been developed and located to service the industrial, commercial, tourist and residential land development areas alike. This plan assumes that there is a proportion of demand created by the new residential population.

Provision of pedestrian and bicycle facilities such as signage, bicycle storage racks, special kerb crossings, etc will be undertaken as part of the public domain improvements. The purpose of the proposed pedestrian and cycle links and the associated facilities will be for commuter access (whether just to the villages and railway station etc or beyond) as well as for recreational purposes. Accordingly, it is reasonable for all of the incoming population to contribute towards the cost of these facilities.

The *Byron Shire Bike Strategy and Action Plan 2008* will be provided public facilities that also benefit the existing population. In this regard there is an existing demand for all of these facilities. The split in demand was recognised in the *Section 94 Contributions Plan 2005*. For each catchment the apportionment rate will be the percentage increase in new population

from 2011 through to 2026. These changes are shown in the tables on pages A29-A35 for each catchment.

The new bikeways shown in the chapters of the Byron DCP 2010 and in the West Byron Draft DCP prepared by Land Partners are 100% attributable to new development in these localities.

#### 4.6 Collection and Expenditure

Certain elements of the cycleway network are located within different planning precincts, the cycleway system that contributions are being sought for under this Plan effectively lead to the creation of a shire wide trunk route system. As there are different growth rates in each catchment and therefore different apportionment rates the contributions will be collected on a catchment basis. The contributions will then be pooled and as funds become available in the plan they are expended in priority order. Expenditure will occur when Council's share of the apportioned cost is available. The timeframe for collection and expenditure is based on the priority order in the works schedule. As works are completed the plan will be reviewed annually and these works moved over to recoupment. New priorities will be added at each annual review.

#### 4.7 Works schedule

The details of the public facilities to be built with the contributions are set out in the schedule on pages 41 to 50. Maps 1 to 11 from the *Byron Shire Bike Strategy and Action Plan 2008* are adopted in this plan to satisfy the requirements of clause 27 (h) of the Environmental Planning and Assessment Regulation 2000. These are shown on Pages 51-60. These maps are numbered as maps 4.1 to 4.11 for the purposes of this plan.

#### 4.8 Formula for the Calculation of Contributions

The formula used to calculate the contribution for each line item in a Catchment is:

$$\text{Contribution (per line item)} = \frac{[W - R] \times P}{N}$$

Where:

- W = Total cost of works
- R = Reconciliation amount
- P = Percentage attributable to new development
- N = Number of SDU in the catchment

The formula to calculate the total contribution (TC) per SDU in a catchment at the time of consent the grant of consent is the sum of all the line items multiplied by the increase in the consumer price index:

$$\text{TC (per SDU)} = \text{CPI} \times \sum_{n=1}^n C$$

Where:

- CPI =  $\text{Ind}^1$  at date of consent /  $\text{Ind}^2$  at date of adoption of plan
- n = number of line items to be summed in a catchment
- C = Contribution<sub>(per line item)</sub>

Note: Where the consumer price index is negative or remains the same then value adopted for the purposes of calculation of the contribution plan shall be the previous quarterly index value.



### Bikeways and Footpaths Works Schedule

Facility (Refer to Bikeways plan for detailed description of works and maps #790722)	Priority	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
					N	W		R	W-R	P			C
<b>Mullumbimby</b>													
1 Shared path Pine Avenue from Riverside Drive to Main Arm Road 571.2m	26			15	333	114,240.00	118,040.55	-	118,040.55	20.12%	23,750.79	94,289.76	71.32
10 Shared path Main Arm Road from Pine Avenue to primary school 570.6m	7			15	333	114,120.00	117,916.56	-	117,916.56	20.12%	23,725.85	94,190.71	71.25
2 Shared path Station Street from Argyle Street to Fern Street 423.3m	8			15	333	84,660.00	87,476.48	-	87,476.48	20.12%	17,601.03	69,875.45	52.86
3 On-road advisory Fern Street from Station Street to Jubilee Street 200.4m	6			15	333	802.00	828.68	-	828.68	20.12%	166.74	661.94	0.50
4 Shared path Left Bank Road from Jubilee Avenue to Tuckeroo Avenue 770.7m	3			15	333	206,900.00	213,783.17	27,089.91	186,693.26	20.12%	37,564.32	149,128.94	112.81
5 Shared path (see map inset) Left Bank Road from Tuckeroo Avenue to Steiner School 2,439.8m	28			15	333	487,960.00	504,193.50	-	504,193.50	20.12%	101,448.15	402,745.35	304.65
6 Shared path Azalea Street from western end of existing path to the intersection of Coolamon Drive 173.1	29			15	333	34,620.00	35,771.74	-	35,771.74	20.12%	7,197.59	28,574.15	21.61
7 Shared path Riverside Drive, from Pine Avenue, with bridge across river to Burringbar Street 606.4m	53			15	333	2,000,000.00	2,066,536.20	-	2,066,536.20	20.12%	415,805.19	1,650,731.01	1,248.66
8 On-road bike lane Burringbar Street from Dalley Street to Gordon Street 97.4m	19			15	333	389.60	402.56	-	402.56	20.12%	81.00	321.56	0.24
9 Shared path From Riverside Terrace along existing road reserve with	24			15	333	34,180.00	35,317.10	-	35,317.10	20.12%	7,106.11	28,210.99	21.34

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

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					N	W		R	W-R	P			C
bridge across Saltwater Creek to Memorial Swimming Pool car park 170.9m													
<b>Mullumbimby Total</b>						<b>3,077,871.60</b>	<b>3,180,266.54</b>	<b>27,089.91</b>	<b>3,153,176.63</b>		<b>634,446.77</b>	<b>2,518,729.86</b>	<b>1,905.24</b>
<b>Ocean Shores / South Golden Beach</b>													
11 On-road bike lanes Kolora Way from Shara Boulevard to Old New Brighton Road 532.1m	5			15	118	2,128.40	2,199.21	-	2,199.21	4.77%	104.95	2,094.26	0.89
12 Shared path New Brighton Road from Kolora Way to Redgate Road 222.2m	12			15	118	51,106.00	52,806.20	-	51,106.00	4.77%	2,438.94	48,667.06	20.67
14 Shared path Kallaroo Circuit from Public School to existing path at the Bund 185.3m	4			15	118	42,619.00	44,036.85	-	42,619.00	4.77%	2,033.91	40,585.09	17.24
15 Shared path Balemo Drive from Orana Road to Brunswick Valley Way 2,373.80m	71			15	118	545,974.00	564,137.52	104,624.34	441,349.66	4.77%	21,062.56	420,287.10	178.50
16 On-road advisory Pacific Esplanade from Helen Street to Gloria Street 332.1m	78			15	118	1,328.40	1,372.59	-	1,328.40	4.77%	63.40	1,265.00	0.54
17 Shared path Rangal Road from end of existing to intersection of Gloria Street and Beach Avenue 92.1m	44			15	118	21,183.00	21,887.72	-	21,183.00	4.77%	1,010.92	20,172.08	8.57
18 On-road advisory Gloria Street from Beach Avenue to Pacific Esplanade 105.6m	83			15	118	24,288.00	25,096.02	-	24,288.00	4.77%	1,159.10	23,128.90	9.82
19 Shared path Helen Street from Pacific Esplanade to canal	45			15	118	124,407.00	128,545.78	-	124,407.00	4.77%	5,937.08	118,469.92	50.31

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					N	W		R	W-R	P			C
540.9m													
20 Shared path Helen Street from canal to Kolora Way251.3m	41			15	118	57,799.00	59,721.86	-	57,799.00	4.77%	2,758.35	55,040.65	23.38
21 On-road advisory Brunswick Valley Way – Orana Road to Bonanza Drive, Billinudgel 979.5m	56			15	118	3,918.00	4,048.34	-	3,918.00	4.77%	186.98	3,731.02	1.58
22 On-road advisory Brunswick Valley Way – Shara Boulevard to Yelgun Interchange 1,105.60m	57			15	118	4,422.40	4,569.52	-	4,422.40	4.77%	211.05	4,211.35	1.79
23 On-road advisory Wilfred Street to The Pocket school 5929m	65			15	118	23,716.00	24,504.99	-	23,716.00	4.77%	1,131.80	22,584.20	9.59
24 On-road advisory Brunswick Valley Way - Yelgun Interchange to Shire boundary with Tweed Shire 3,366.90m	58			15	118	13,467.60	13,915.64	-	13,467.60	4.77%	642.72	12,824.88	5.45
25 On-road advisory Rajah Road 1,741.20m	54			15	118	6,964.80	7,196.51	-	6,964.80	4.77%	332.38	6,632.42	2.82
26 On-road advisory Orana Road, from intersection of The Strand & Wirree Dve to Yengarie Way 426.4m	51			15	118	1,705.60	1,762.34	-	1,705.60	4.77%	81.40	1,624.20	0.69
27 Shared path Water Lilly Park 1017.6m	74			15	118	234,048.00	241,834.33	-	234,048.00	4.77%	11,169.49	222,878.51	94.66
28 On-road advisory Orana Road from Balemo Drive to Warrambool Rd 1,422.50m	61			15	118	5,690.00	5,879.30	-	5,690.00	4.77%	271.54	5,418.46	2.30
29 On-road advisory Warrambool Road from Rajah Road to Orana Road 773.7m	59			15	118	3,094.80	3,197.76	-	3,094.80	4.77%	147.69	2,947.11	1.25
30 On-road advisory	69			15	118					4.77%			

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					N	W		R	W-R	P			C
Orana Road from Warrambool Rd to Yengarie Way 480.7m						1,922.80	1,986.77	-	1,922.80		91.76	1,831.04	0.78
31 On-road advisory North Head Road from The Strand to Nature Reserve road 541.5m	42			15	118	2,166.00	2,238.06	-	2,166.00	4.77%	103.37	2,062.63	0.88
32 On-road advisory Brunswick Valley Way – Ocean Shores STP Access Road to Orana Road 1,371.40m	60			15	118	5,485.60	5,668.10	-	5,485.60	4.77%	261.79	5,223.81	2.22
<b>Ocean Shores / SGB Total</b>						<b>1,177,434.40</b>	<b>1,216,605.41</b>	<b>104,624.34</b>	<b>1,072,880.87</b>		<b>51,201.18</b>	<b>1,021,679.69</b>	<b>433.93</b>
<b>Byron Bay Suffolk Park</b>													
Pedestrian improvements Jonson Street (refer to Community Infrastructure 10 year works program)				15	1427	200,000.00	206,653.62	-	206,653.62	27.19%	56,197.44	150,456.18	39.38
Marine Parade Boardwalk		1	2013	15	1427	150,000.00	154,990.22	60,000.00	94,990.22	27.19%	25,831.67	69,158.55	18.10
Upgrade lighting from McGettigans Lane to Sunrise Blvd 3200m				15	1427	320,000.00	330,645.79	-	330,645.79	27.19%	89,915.91	240,729.88	63.01
47 Shared path McGettigans Lane from Ewingsdale Road to Balraith Lane 1,801.9m	63			15	1427	360,380.00	372,369.16	-	372,369.16	27.19%	101,262.17	271,106.99	70.96
48 Shared path Balraith Lane from McGettigans Lane to Steiner School 337.2m	43			15	1427	67,440.00	69,683.60	-	69,683.60	27.19%	18,949.78	50,733.82	13.28
Recoupment for project 49 Shared path Ewingsdale Road from McGettigans Lane to	11			15	1427	180,800.00	186,814.87	-	186,814.87	27.19%	50,802.49	-	35.60



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					N	W		R	W-R	P			C
Bayshore Drive 2106.8m (excludes grants)													
50 Shared path Ewingsdale Road from McGettigans Lane to Pacific Highway 806.5m	30			15	1427	161,300.00	166,666.14	-	166,666.14	27.19%	45,323.24	121,342.90	31.76
51 Shared path William Flick Lane from Ewingsdale Road to Hall. 160.6m	55			15	1427	32,120.00	33,188.57	-	33,188.57	27.19%	9,025.31	24,163.26	6.32
52 On-road advisory Internal Ewingsdale access from Hall along William Flick Lane to Plantation Drive. 919.1m	81			15	1427	3,676.40	3,798.71	-	3,798.71	27.19%	1,033.02	2,765.69	0.72
53 Shared path From William Flick Lane to Avocado Crescent 202.4m	79			15	1427	40,480.00	41,826.69	-	41,826.69	27.19%	11,374.36	30,452.33	7.97
54 On-road advisory Woodford Lane from Ewingsdale Road to Kennedy's Lane 1,919m	72			15	1427	7,676.00	7,931.37	-	7,931.37	27.19%	2,156.86	5,774.51	1.51
55 Shared path Butler Street from Somerset Street to "emergency" rail level crossing. 223.1m	33			15	1427	892.40	922.09	-	922.09	27.19%	250.75	671.34	0.18
56 Crossing facility Rail level crossing connecting Butler Street to Jonson Street. 71.9m	52			15	1427	10,000.00	10,332.68	-	10,332.68	27.19%	2,809.87	7,522.81	1.97
57 Shared path Arts Factory to Butler Street via Gordon, Wordsworth & Burns Streets 679.5m	38			15	1427	135,900.00	140,421.14	-	140,421.14	27.19%	38,186.16	102,234.98	26.76
58 Shared path Bayshore Drive from Ewingsdale Road to rail	21	12	2015	15	1427	183,540.00	189,646.03	28,751.72	160,894.31	27.19%	43,753.64	117,140.67	30.66

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					N	W		R	W-R	P			C
corridor 917.7m													
59 Shared path Sunrise Boulevard and Julian Rocks Drive to existing path 246.2m	18	3	2014	15	1427	49,240.00	50,878.12	24,620.00	26,258.12	27.19%	7,140.64	19,117.48	5.00
60 On-road advisory Kendall Street from Shirley Street to the end of The Esplanade 1,168.8m	66			15	1427	4,675.20	4,830.74	-	4,830.74	27.19%	1,313.67	3,517.07	0.92
61 Road Crossing facility Shirley Street / Ewingsdale Road near Kendall Street 19.3m	35			15	1427	10,000.00	10,332.68	-	10,332.68	27.19%	2,809.87	7,522.81	1.97
62 On-road advisory Along Cowper Street through to Browning Street 523.6m	9	8	2016	15	1427	2,094.40	2,164.08	1,047.20	1,116.88	27.19%	303.72	813.16	0.21
63 On-road advisory Bay Street from Council Car park to Apex Park 49.8m	25			15	1427	199.20	205.83	-	205.83	27.19%	55.97	149.86	0.04
64 On-road advisory Along Lighthouse Road from Brooke Drive (The Pass) to Lighthouse. 1018m	17	5	2015	15	1427	4,072.00	4,207.47	2,036.00	2,171.47	27.19%	590.51	1,580.96	0.41
65 Shared path Browning Street from Bangalow Road to Jonson Street and to RSL 161.3m	13	6	2015	15	1427	32,260.00	33,333.23	16,130.00	17,203.23	27.19%	4,678.25	12,524.98	3.28
66 Shared path Through reserve, from existing path to Lawson St 286.9m	64			15	1427	57,380.00	59,288.92	-	59,288.92	27.19%	16,123.05	43,165.87	11.30
67 On-road advisory Browning Street from Cowper Street to Bangalow Road 203.8m	40			15	1427	815.20	842.32	-	842.32	27.19%	229.06	613.26	0.16
69 On-road advisory Lilli	76			15	1427					27.19%			

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					N	W		R	W-R	P			C
Pilli Drive, from Cemetery Road to end 689m						2,756.00	2,847.69	-	2,847.69		774.40	2,073.29	0.54
70 On-road advisory Cemetery Road from Old Bangalow Road to Lilli Pilli Drive 293.6m	73			15	1427	1,174.40	1,213.47	-	1,213.47	27.19%	329.99	883.48	0.23
71 On-road advisory Old Bangalow Road, from Cemetery Road to Bangalow Road 1,929.6m	67			15	1427	7,718.40	7,975.18	-	7,975.18	27.19%	2,168.77	5,806.41	1.52
72 Shared path Broken Head Road (western side) between Beech Drive (north) to "Byron at Byron Resort" 398.6m	34	12	2016	15	1427	79,720.00	82,372.13	39,860.00	42,512.13	27.19%	11,560.76	30,951.37	8.10
73 Shared path Broken Head Road (western side) between Beech Drive north and south roundabouts 654.9m	22	13	2016	15	1427	130,980.00	135,337.46	87,301.59	48,035.87	27.19%	13,062.89	34,972.98	9.15
74 On-road advisory Beech Drive - full length 1,266.0m	50			15	1427	5,064.00	5,232.47	-	5,232.47	27.19%	1,422.92	3,809.55	1.00
75 On-road advisory To Broken Head, from Clifford Street, via Broken Head Road and Beach Road 6,843.2m	31			15	1427	27,372.80	28,283.44	-	28,283.44	27.19%	7,691.41	20,592.03	5.39
76 Shared path From Broken Head Rd to Alcorn Street 683.9m	70	14	2016	15	1427	136,780.00	141,330.41	75,000.00	66,330.41	27.19%	18,037.91	48,292.50	12.64
77 Crossing facilities (not mapped) Broken Head Road between Beech Drive (north) and Clifford Street.	23			15	1427	10,000.00	10,332.68	-	10,332.68	27.19%	2,809.87	7,522.81	1.97
New footpath from Broken Head Road to				15	1427	79,800.00	82,454.79	-	82,454.79	27.19%	22,422.78	60,032.01	15.71

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					N	W		R	W-R	P			C
Kalemajere Drive 420m													
Internal Shared path to West Byron Development. Refer Draft West Byron DCP Prepared by Land Partners Approximately 5000m		NA	Progressive completion. Prior to release of subdivision certificate for each stage of the West Byron development	15	1427	1,150,000.00	1,188,258.32	-	1,188,258.32	100.00%	1,188,258.32	-	832.70
<b>Byron Bay Suffolk Park Total</b>						<b>3,646,306.40</b>	<b>3,767,612.11</b>	<b>334,746.51</b>	<b>3,432,865.60</b>		<b>1,798,657.43</b>	<b>1,498,195.79</b>	<b>1,260.42</b>
<b>Bangalow</b>													
38 Shared path From 7 Byron Street to Bowling Club & extension on southern side to Ferros Village entry 168.4m	2	7	2014	15	422	38,732.00	40,020.54	19,366.00	20,654.54	42.91%	8,861.94	11,792.60	21.00
39 Shared path Across Railway land from Station Street to Leslie Street / Rankin Drive 69.3m	62			15	422	15,939.00	16,469.26	-	16,469.26	42.91%	7,066.23	9,403.03	16.74
40 Shared path Lismore Road from Reading Bridge to Rifle Range Road 735m				15	422	139,650.00	144,295.89	-	144,295.89	42.91%	61,910.94	82,384.95	146.71
40 Shared path Lismore Road from Rifle Range Road to Dudgeons Lane, Industrial Estate 1078m	27	4	2041	15	422	277,547.00	286,780.46	37,375.39	249,405.07	42.91%	107,008.61	142,396.46	253.57
41 Shared path Rankin Drive to Sports Ground	47			15	422	101,338.00	104,709.32	-	104,709.32	42.91%	44,926.11	59,783.21	106.46



# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

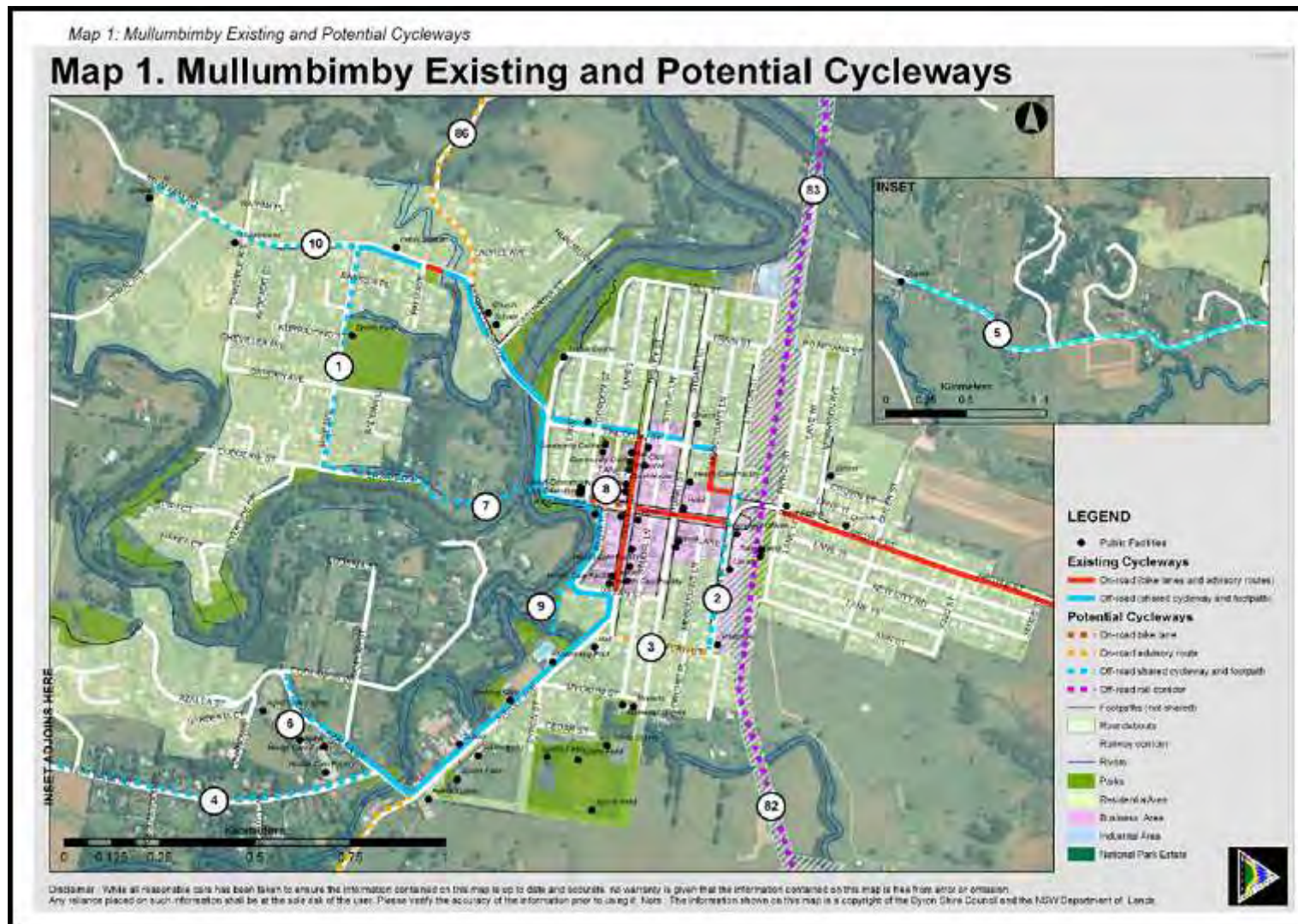
Facility (Refer to Bikeways plan for detailed description of works and maps #790722)	Priority	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
					N	W		R	W-R	P			C
via Showground 440.6m													
42 Shared path Rifle Range Road from viaduct on Lismore Road to existing at Samson Street 376.1m	39	15	2017	15	422	86,503.00	89,380.79	43,251.50	46,129.29	42.91%	19,792.02	26,337.27	46.90
43 Shared path Raftons Road from Samson Street to Lismore Road via Leslie Street 649.4m	75	9	2014	15	422	149,362.00	154,330.99	74,681.00	79,649.99	42.91%	34,174.27	45,475.72	80.98
44 Shared path Byron Street from Snows Bridge to Ashton Street 56m	10			15	422	12,880.00	13,308.49	-	13,308.49	42.91%	5,710.08	7,598.41	13.53
45 On-road advisory From Byron & Ashton Streets to Lismore Rd at Readings Bridge via Deacon St 613.1m (or in another location as determined by Council)	48			15	422	141,013.00	145,704.23	-	145,704.23	42.91%	62,515.20	83,189.03	148.14
46 Shared path Tristania Street from Rifle Range Road to Sansom Street 168.6m	49			15	422	30,134.00	31,136.50	12,125.89	19,010.61	42.91%	8,156.61	10,854.00	19.33
<b>Bangalow Total</b>						<b>993,098.00</b>	<b>1,026,136.47</b>	<b>186,799.78</b>	<b>839,336.69</b>		<b>360,122.01</b>	<b>479,214.68</b>	<b>853.36</b>
<b>Brunswick Heads</b>													
Tweed Street Masterplan Footpath and Bikeway Upgrades		10	2015	15	420	250,000.00	258,317.03	1,456.54	256,860.49	38.08%	97,814.65	159,045.84	232.89
33 Shared path Through Venture Park from Torakina car park to Surf Club.316.8m	36			15	420	72,864.00	75,288.05	-	75,288.05	38.08%	28,670.33	46,617.72	68.26
34 On-road advisory From Tweed Street via The Terrace to Park	32			15	420	118,013.00	121,939.07	-	121,939.07	38.08%	46,435.43	75,503.64	110.56

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					N	W		R	W-R	P			C
Street and to the southern side of Fingal Street to Banner Park 513.1m													
35 Shared path From Bayside Way through Crown Reserve to Sports Fields linking to facilities at Coastline Cycleway 273.9m	15			15	420	62,997.00	65,092.79	-	65,092.79	38.08%	24,787.89	40,304.90	59.02
36 Shared path From Kingsford Drive to Excelsior Circuit 192.1m	46			15	420	44,183.00	45,652.88	-	45,652.88	38.08%	17,385.00	28,267.88	41.39
37 On-road advisory Gulgan Road, from Mullumbimby Rd (at Uncle Toms) to east side of Pacific Highway (Brunswick South) interchange 2,451m	37			15	420	9,804.00	10,130.16	-	10,130.16	38.08%	3,857.65	6,272.51	9.18
Brunswick Heads Total						557,861.00	576,419.98	1,456.54	574,963.44		218,950.95	356,012.49	521.30
<b>Shire Wide</b>													
Inspection Program for compliance with Disability access		2	2014	15	2,892	50,000.00	51,663.41	39,803.61	11,859.80	19.20%	2,276.88	9,582.92	0.79
Disability access ramps and footpaths upgrades (Refer Community Infrastructure 10 year works program)		3	Progressive expenditure from 2014	15	2,892	837,000.00	864,845.40	-	864,845.40	19.20%	166,035.77	698,809.63	57.41
79 On-road advisory Mullumbimby Road from Kings Creek Bridge to Gulgan Road 1,839m	14			15	2,892	7,356.00	7,600.72	-	7,600.72	19.20%	1,459.21	6,141.51	0.50
80 On-road advisory Gulgan Road from Mullumbimby Road	20			15	2,892	8,813.60	9,106.81	-	9,106.81	19.20%	1,748.35	7,358.46	0.60

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					N	W		R	W-R	P			C
(Uncle Toms) to Pacific Highway (south) to Tyagarah 2,203.40m													
81 On-road advisory Myocum Road from Ewingsdale Road to Coolamon Scenic Drive 12,137.90m	84			15	2,892	48,551.60	50,166.82	-	50,166.82	19.20%	9,631.19	40,535.63	3.33
86 Cyclist warning signs Coolamon Scenic Drive from Mullumbimby to Pacific Highway (north) 7,298.50m	16			15	2,892	5,000.00	5,166.34	-	5,166.34	19.20%	991.85	4,174.49	0.34
89 Shared path Federal Park - Pre-school to Roses Road (400m) 400m	82			15	2,892	92,000.00	95,060.67	-	95,060.67	19.20%	18,250.05	76,810.62	6.31
90 Shared path Federal Park - Roses Road, Cul de sac to Park Gateway 300m	77			15	2,892	69,000.00	71,295.50	-	71,295.50	19.20%	13,687.54	57,607.96	4.73
91 Village Centres	68			15	2,892	100,000.00	103,326.81	-	103,326.81	19.20%	19,837.01	83,489.80	6.86
Shire Wide Total						1,117,721.20	1,154,905.67	39,803.61	1,115,102.06		214,080.84	901,021.22	74.01

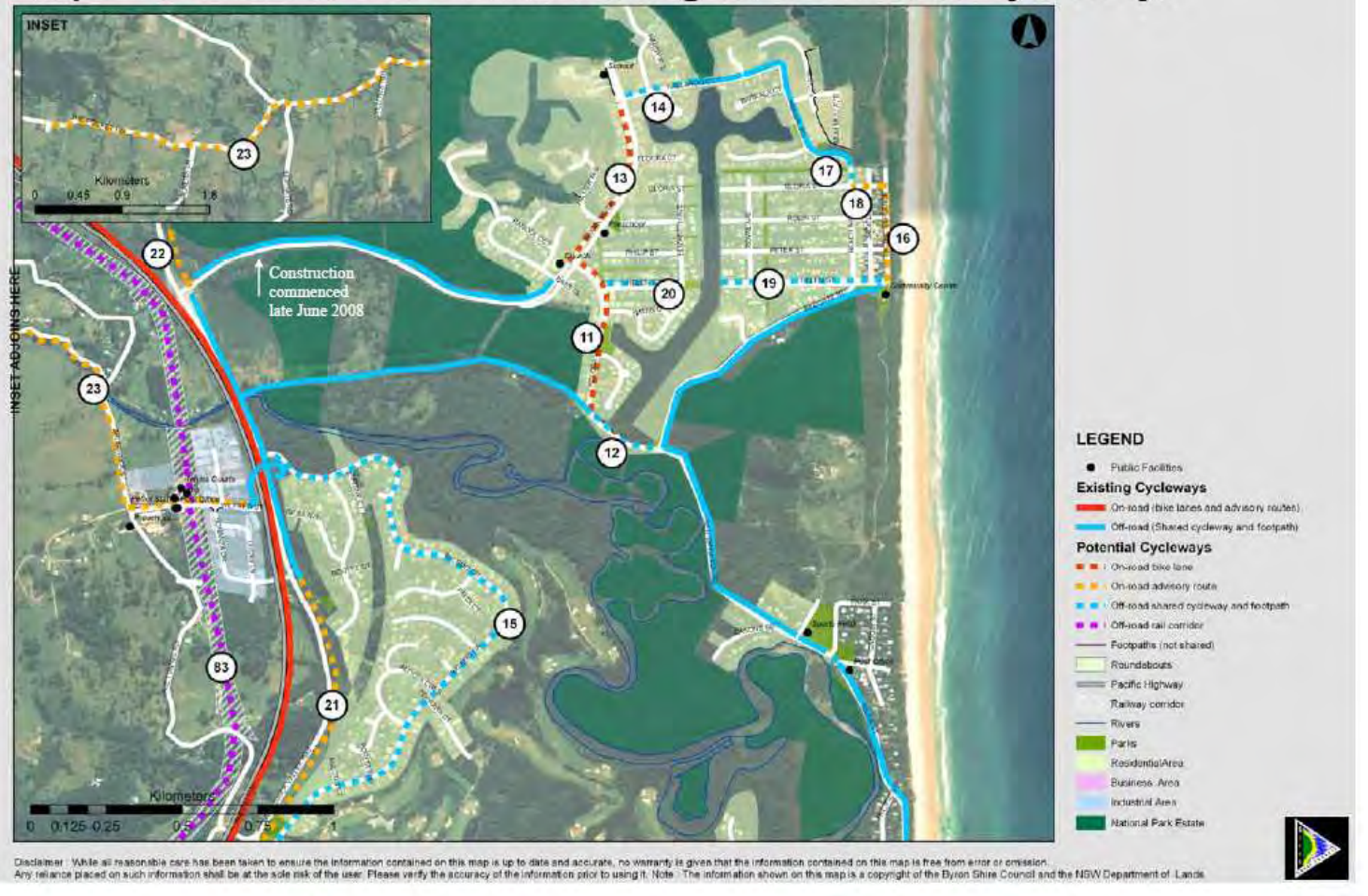


Map 4.1 – Mullumbimby existing and potential cycleways



Map 2: Ocean Shores North Existing and Potential Cycleways

## Map 2. Ocean Shores North Existing and Potential Cycleways



Map 4.2 – Ocean Shores North existing and potential cycleways

Map 3: Ocean Shores South Existing and Potential Cycleways

### Map 3. Ocean Shores South Existing and Potential Cycleways



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it. Note: The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

Map 4.3 – Ocean Shores South existing and potential cycleways



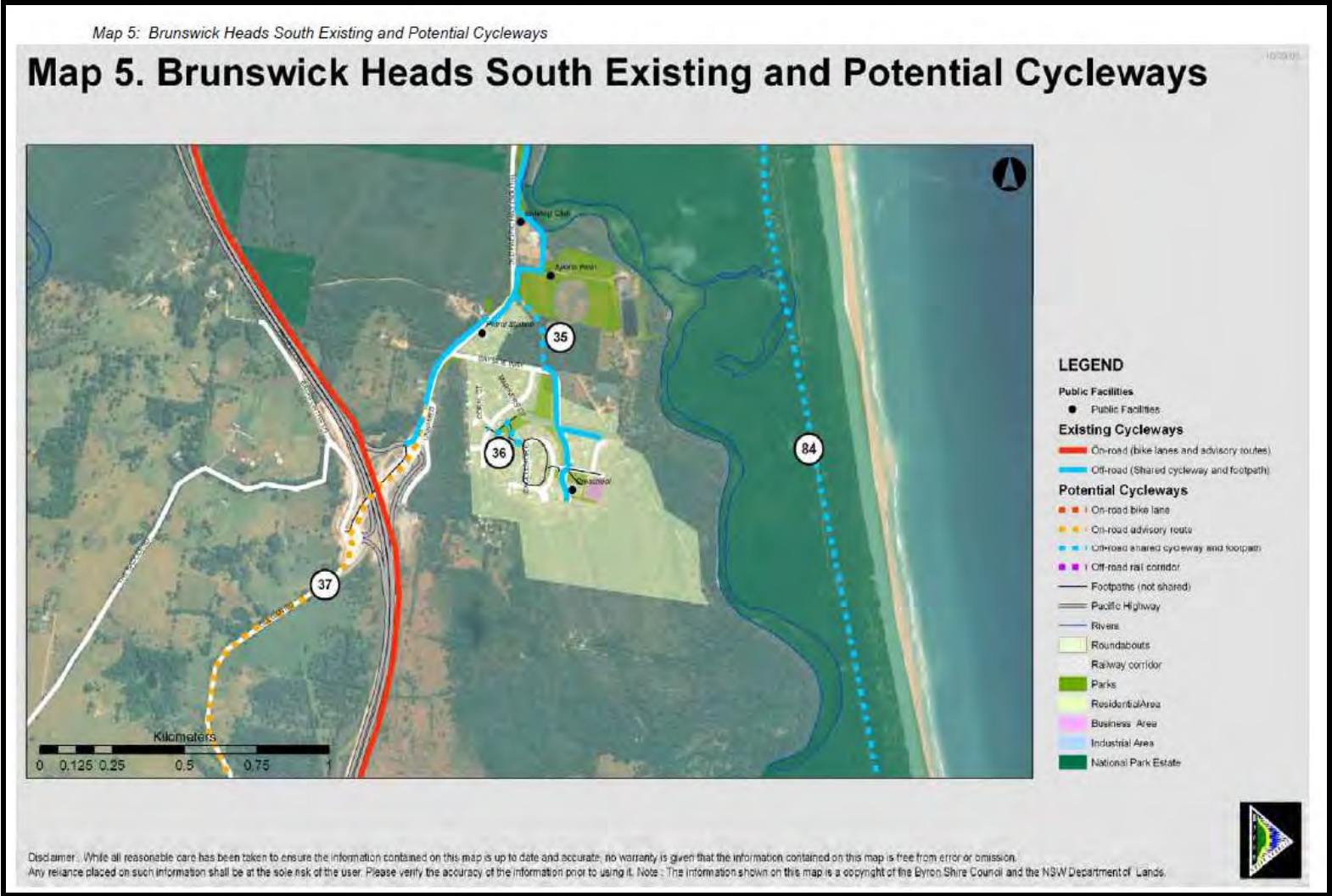
Map 4: Brunswick Heads North Existing and Potential Cycleways

## Map 4. Brunswick Heads North Existing and Potential Cycleways



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it. Note: The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

Map 4.4 – Brunswick Heads existing and potential cycleways

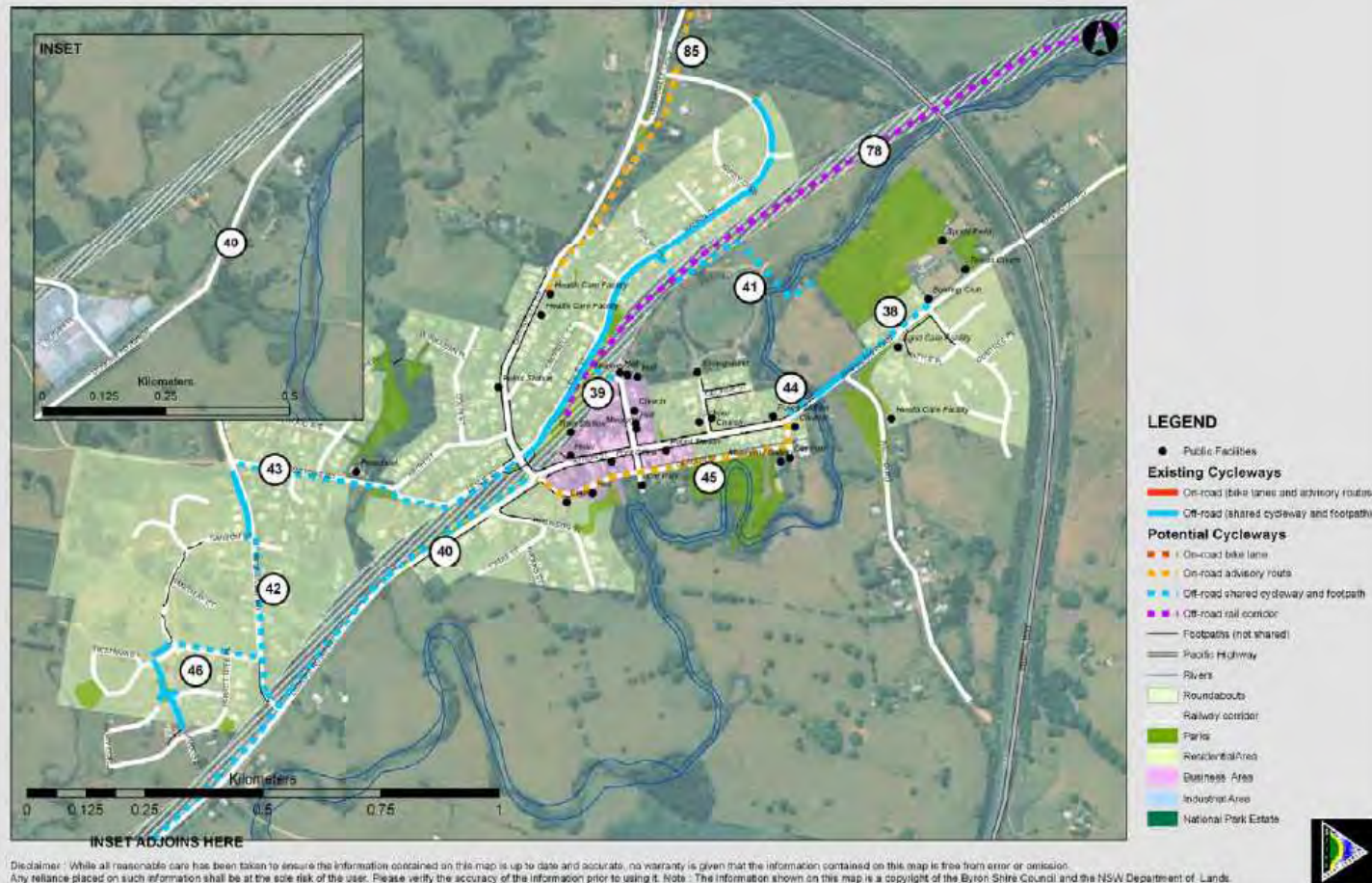


Map 4.5 – Brunswick Heads South existing and potential cycleways



Map 6: Bangalow Existing and Potential Cycleways

## Map 6. Bangalow Existing and Potential Cycleways



Map 4.6 – Bangalow existing and potential cycleways



Map 7: Ewingsdale Existing and Potential Cycleways

## Map 7. Ewingsdale Existing and Potential Cycleways



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it. Note: The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

Map 4.7 – Ewingsdale existing and potential cycleways

Map 8: Byron Bay West Existing and Potential Cycleways

## Map 8. Byron Bay West Existing and Potential Cycleways



Map 4.8 – Byron Bay West existing and potential cycleways



Map 9: Byron Bay East Existing and Potential Cycleways

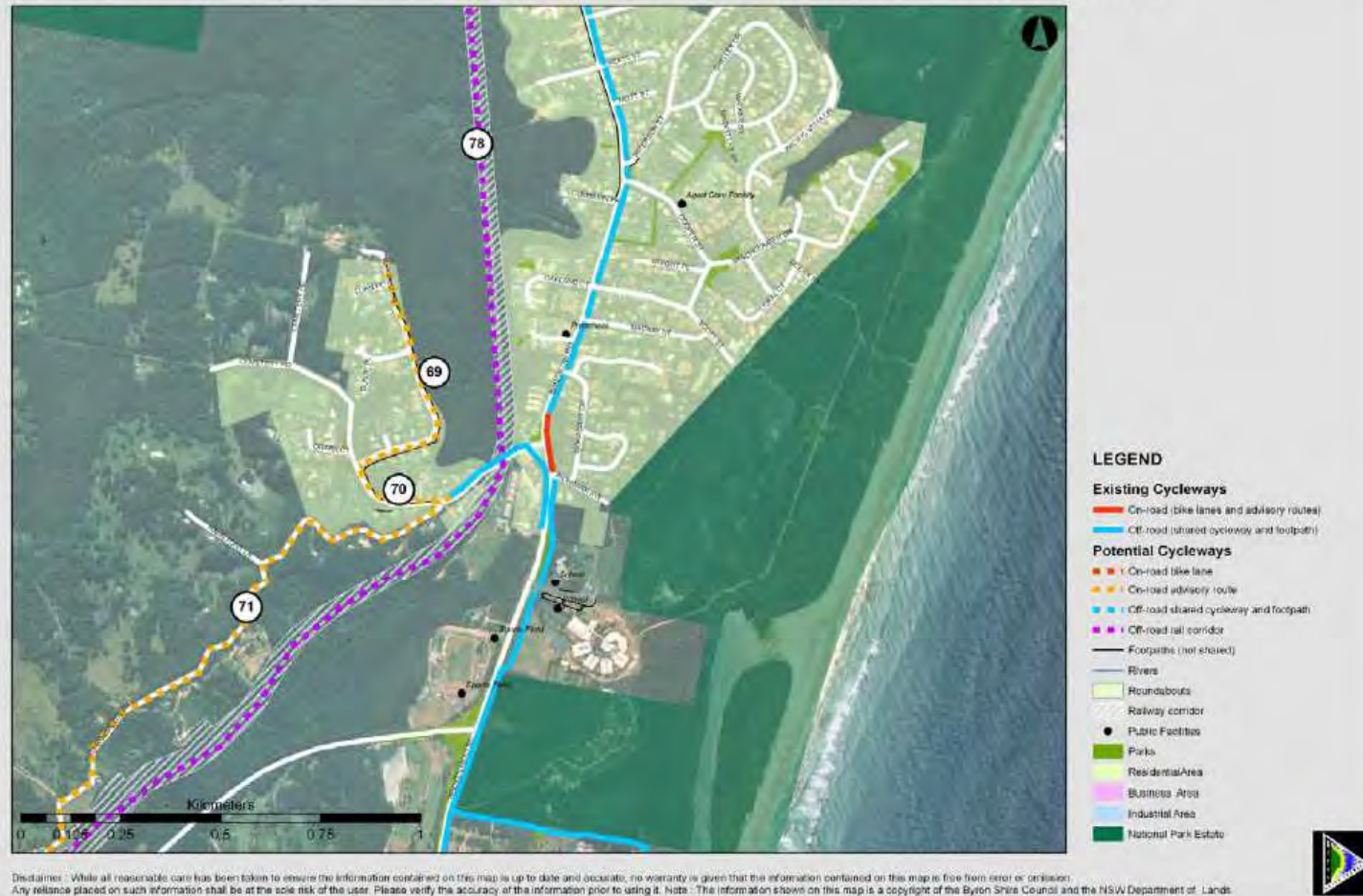
## Map 9. Byron Bay East Existing and Potential Cycleways



Map 4.9 – Byron Bay East existing and potential cycleways

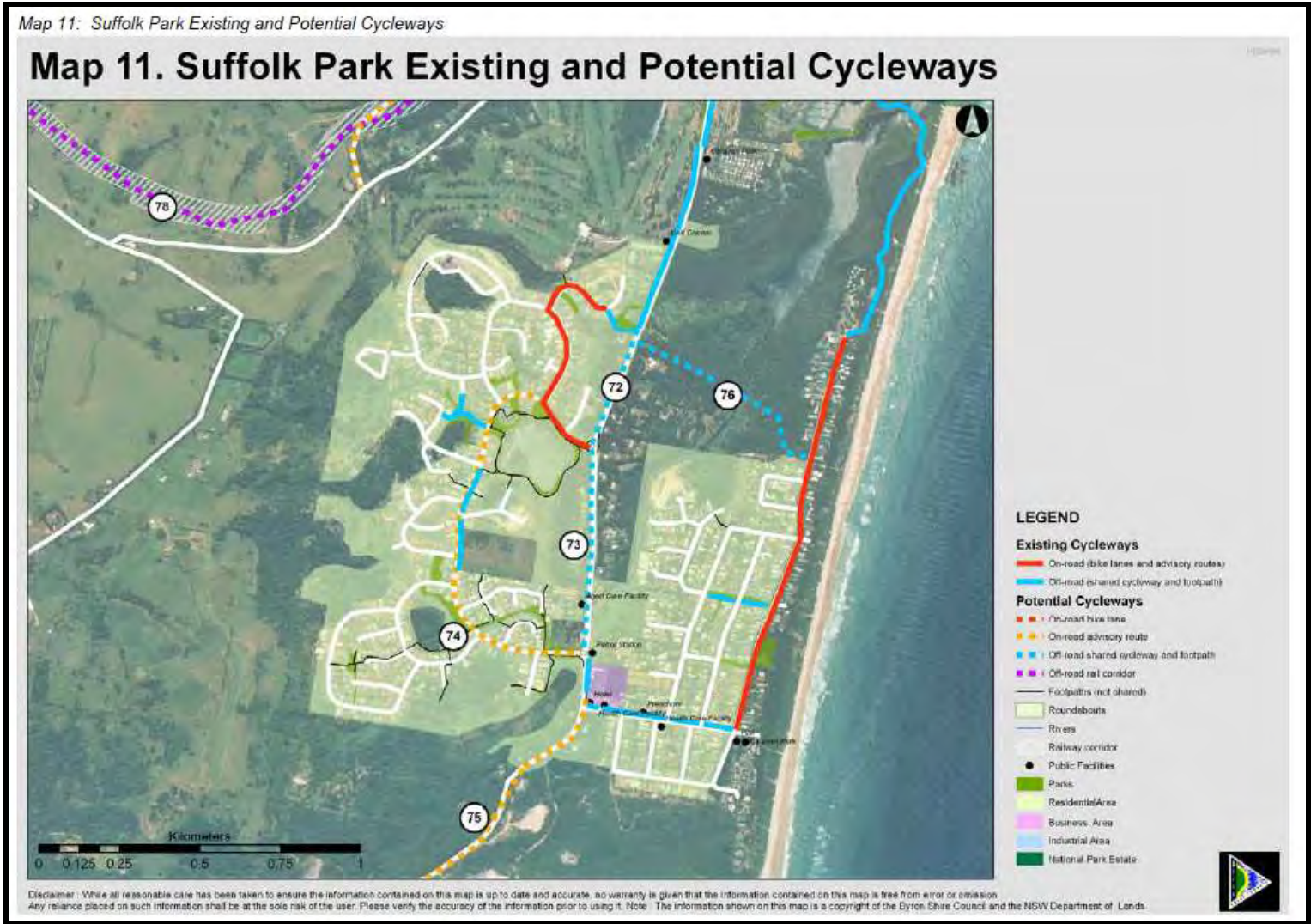
Map 10: Byron Bay South Existing and Potential Cycleways

## Map 10. Byron Bay South Existing and Potential Cycleways



Map 4.10 – Byron Bay South existing and potential cycleways





Map 4.11 – Suffolk Park existing and potential cycleways



## 5 Strategy Plan Community Facilities and Libraries

### 5.1 Introduction

This section identifies the existing provision of community services and facilities, their distribution throughout Byron Shire and within each planning precinct, the manner in which they are used by the existing population and other issues associated with their provision.

This section presents an assessment of existing community facilities, drawn from Council studies. Benchmarks have been derived for existing levels of provision. The relationship between the additional population and the need for increased provision of community facilities is also examined. A number of studies have been undertaken to assess the adequacy of existing community facilities and identify needs of people living, working and visiting Byron Shire. These studies provide a good basis for the assessment of existing facilities having been based on resident, worker and visitor surveys and consultations with key service providers and community groups. An assessment of the level of provision of community services and facilities and the specific needs of residents was initially documented in the *Byron Shire Section 94 Development Contributions Plan 2001 – 2006* and accompanying report, *Byron Shire Council Social Plan 2004 – 2009* (2004), and *Byron Shire Cultural Plan* (2006). These studies recognised the high priority for the provision of larger community facilities and library services. As a consequence, new community facilities that will be required, have been included in this Plan and incorporated into the works schedule.

Services provided in Byron Shire include health, education, counselling, other family support, ageing and disability, youth, employment, children's services, culture, arts and recreation and community information. Specific facilities offered in Byron Shire (for which contributions have been collected), include a number of community centres, childcare, pre school facilities, library and youth and sport facilities.

This Plan identifies both individual facility concepts and the unit cost of certain types of library and community facilities, which Council intends to provide for its residents in the future. Some facilities described below perform both a shire wide function a local function and the cost of these facilities has been split between the two differing population groups. Further detail on design concepts for facilities will be determined as part of the annual Management Plan process during this Plan's period. New residents will only be levied a proportion of these facilities commensurate with the demand generated by new residents and the established standard of provision for the facility type.

### 5.2 Byron Bay Library and Library Services

Council places a high priority on library services, as do members of the community. Public libraries are one of the most well used educational, cultural and social facilities available within our community. The relevance of libraries to today's community is evident in their high levels of use and attraction to a broad range of users from all ages and backgrounds (State Library of NSW, 2005).

The physical constraints of existing library building at Byron Bay means that it would be difficult to expand current facilities to provide additional floor space without major capital works being undertaken. Extending the current library to provide more appropriate standards of provision for existing residents and for the population of new development would not be a suitable course of action.

Council proposes as part of its program to achieve better utilisation of its assets to close the current library and relocate facilities and additional books and facilities to provide a central library within a new building. This will include additional library space to meet State Library of NSW guidelines as well as car parking spaces for members. The additional library area proposed would provide an improved standard of library facilities and services for the additional population that will live in the Shire.

### **5.3 Nexus for Library**

Population growth and new residential development give rise to the need for additional library services. Council currently provides library services in three locations Brunswick Heads, Mullumbimby and Byron Bay. The current Byron Bay Library is too small to meet the current demand. It is proposed to close this library and to construct a new library. This new library will service the local catchment as well as fulfilling a function as a central library for the entire local government area. The Library Council of New South Wales' guideline "*People Places A Guide For Public Library Buildings In New South Wales*" (guideline) identifies that a library can perform the functions of a local library and central library. The guideline sets a central area factor to allocate additional floor space to the library to facilitate the additional functions. The guideline identify that 15% of the floor space of a library should be allocated to this central function. This central area factor will be utilised to split the cost of the facility between the local catchment and shire wide.

### **5.4 Apportionment for Library**

Due to the closure of the exiting library there will be a significant short fall of library facilities in the local catchment. The library will be catering for an extensive existing need. The library will also have capacity to cater for the a population somewhat greater than predicted population growth over the life of this plan. The cost of the library will be apportioned to the percentage of new population growth as set out in tables 1 and 2. Accordingly 15% of the cost of the facility will be attributable to the whole of the local government area and 85% of the cost will be attributable to the local catchment. Because the population local catchment will also benefit from this centralised administrative function it is reasonable to apply the LGA wide charge to the local catchment as well.

### **5.5 Other Community Facilities**

A place for the community to meet is considered a basic prerequisite for community development. A sense of identity in a locality can be created through shared activities. A local community facility such as a community centre provides a home for existing groups, encourages the formation of new groups and provides a place for both to meet and integrate. Locality based groups are some of the building blocks of community cohesion and often the focus of effective neighbourhoods. Community centres provide flexible space that can cater for the needs of a diverse population of various age groups, community groups and ethnic, cultural, linguistic, educational and socio-economic backgrounds. Activities and programs can be adapted to accommodate the changing needs and characteristics of the population. In recognition of these benefits, Byron Shire Council seeks to provide community centres for the residents of the Byron Shire.

Activities accommodated and needed in community centres for the Byron Shire include:

- Social activities for all age groups.
- Adult education.
- Playgroups and pre-schools.
- Toy libraries.
- Youth activities.

- Child care centres.
- Art and craft activities.
- Community markets.
- Support services for older residents.
- Support services for those with a disability.
- Catering and function rooms for events.

## 5.6 Nexus and Future Demand for other Community Facilities

The demand for new community facilities within the Byron Shire will be influenced by a number of factors including the anticipated demographic composition of the new population, the availability and type of facilities currently available, and whether there is any spare capacity within existing infrastructure. It should be noted there would continue to be existing facilities to which the incoming population will have access and the current population will also have access to new facilities. Where practical, under the Plan, public facilities will be provided in locations best suited to meet the demands of the new population and in areas from which the contributions were made.

Byron Shire Section 94 Development Contributions Plan 2001 –2006 and accompanying report, Byron Shire Council Social Plan 2004 – 2009 (2004), included a detailed examination of the current and projected demand for community facilities for children, youth, and ageing and disability services, as well as for general family activities and functions, to develop a standard for the provision for community facilities and services. The existing facilities generally satisfy the needs of the existing population with limited, if any, capacity available to serve the additional demand created by the incoming population. Further, the existing demand for facilities is evidenced by the requests for provision of additional services and facilities from community groups that cannot be accommodated in existing facilities. It is apparent, through previous research, that there is no capacity in the existing community facilities to cater for the demand likely to arise from expected population growth over the next 10 years.

All sectors of the community share the need for some type of facility or community service at some time. Some types of community services are age specific (such as child care, youth centres or senior citizens centres) while others are generic and used by people of all ages (such as exhibition space). Council's works schedule seeks to provide community facilities and services that are able to provide for the demands of the whole population. Therefore, based on a review of Council's strategic community facilities and services priorities and its desire/ability to deliver local services, it is considered that the needs of the incoming population will be best met by provision of the following:

- Community centres and meeting spaces.
- Youth facilities.
- Family centres.

The community centres and the range of services and amenities that the works schedule provides will satisfy the anticipated demands of the expected population increase. It is proposed that the community services and facilities will be capable of providing services for and catering to the needs of all ages, socio economic groups and diverse ethnic groups.

## 5.7 Reconciliation of Section 94 Contributions Plan 2005

Council held funds for Community Facilities that were not under a contributions plan, pre 1993 funds, and contributions under the 1993 CP and 2001 CP. Some of the works in these plans were carried forward into the *Section 94 Contributions Plan 2005* and the *Section 94 Development Contributions Plan 2012 (amendment 1)*. This plan replaces all works within the

previous plans with a new works schedule. All funds held in each catchment have been allocated to the highest priority works in the works schedule within that catchment to ensure that funds collected in that catchment are expended in the same catchment. The funds held under the previous plans have been used to reduce the cost of the works program and thereby reduce the cost to the incoming population.

### **5.8 Community Facilities Collection and Expenditure**

As there are different growth rates in each catchment and therefore different apportionment rates the contributions will be collected on a catchment basis. The contributions will then be pooled and as funds become available in the plan they are expended in priority order. Expenditure will occur when Council's share of the apportioned cost is available. The timeframe for collection and expenditure is based on the priority order in the works schedule. As works are completed the plan will be reviewed annually and these works moved over to recoupment. New priorities will be added at each annual review.

### **5.9 Timeframe for Provision Library and other Community Facilities**

The works schedules provide a priority order for the completion of works in the schedule. Council will utilise this priority order to determine the pooling of funds as provided by clause 27 (g) of the Environmental Planning and Assessment Regulation 2000. Certain items have already commenced construction, such as the library and Council will be recouping the cost of these facilities.

### **5.10 Apportionment for other Community Facilities**

Some of the facilities required for the community are also designed to provide for the needs of existing residents in the vicinity of new development. Where a facility is partially meeting the needs of the existing population then the apportionment rate will be based on the percentage change in population over the time period before which the facility will reach capacity. Where a facility is only servicing the needs of new population then the apportionment rate will be 100%. The purpose of this approach is to reflect the nexus between the expected population and the demand for these facilities, and to ensure that only new development pays for their share.

### **5.11 Calculation of Rate of Contribution**

Contributions for community facilities are based on two components – Local Facilities and LGA wide Facilities. The contribution rate is calculated on the following basis:

- a) The estimated proportion of LGA wide and local "use".
- b) The proportion of costs which are considered to be directly attributable to the requirements of new residential development.

A catchment may be the local catchment or the whole of the local government area.

### **5.12 Formula for the Calculation of Contributions**

The formula used to calculate the contribution for each line item in a catchment is:

$$\text{Contribution (per line item)} = \frac{[(W \times L) - R] \times P}{N}$$

Where:

- W = Total cost of works  
L = Proportion of local or shire wide catchment use

- R = Reconciliation amount  
 P = Percentage attributable to new development  
 N = Number of SDU in the catchment

The formula to calculate the total contribution (TC) per SDU in a catchment at the time of consent the grant of consent is the sum of all the line items multiplied by the increase in the consumer price index:

$$TC_{\text{(per SDU)}} = CPI \times \sum_{n=1}^n C$$

Where:

- CPI =  $\text{Ind}^1$  at date of consent /  $\text{Ind}^2$  at date of adoption of plan  
 n = number of line items to be summed in a catchment  
 C = Contribution<sub>(per line item)</sub>

Note: Where the consumer price index is negative or remains the same then value adopted for the purposes of calculation of the contribution plan shall be the previous quarterly index value.

These calculations are set out in the works schedule.



### Community Facilities Works Schedule

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N	W	R	L	(W x L) - R	P			C
<b>Byron Bay / Suffolk Park</b>											
<b>Recoupment</b> for Land acquisition for Byron Library PN: 239677	1	Completed	1,427	3,874,755.38	0.00	85%	3,293,542.07	27.19%	895,646.74	0.00	627.64
<b>Recoupment</b> for Construction & Approval of Byron Library (For costing refer doc #1121738) PN 239677. Excluding grants and special rate variation loans.	2	Completed	1,427	2,829,104.41	0.00	85%	2,404,738.75	27.19%	653,945.32	0.00	458.27
Ewingsdale Hall BBQ, tables and shelter adjacent to hall. PN 214900	3	2013	1,427	25,831.70		100%	25,831.70	100.00%	25,831.70	0.00	18.10
Ewingsdale Hall Kitchen expansion & upgraded to commercial standard PN 214900	6	2013	1,427	41,330.72	20,000.00	100%	21,330.72	100.00%	21,330.72	0.00	14.95
Suffolk Park Community Hall. Kitchen upgrade and hall expansion. PN 237911	4	2016	1,427	361,643.84	305,150.01	100%	56,493.83	27.19%	15,362.95	41,130.88	10.77
Suffolk Park Community Hall. New access ramp and accessible toilets. PN 237911	5	2013	1,427	87,827.79	50,000.00	100%	37,827.79	27.19%	10,286.90	27,540.89	7.21
<b>Byron Bay / Suffolk Park Totals</b>				<b>7,220,493.84</b>	<b>375,150.01</b>		<b>5,839,764.86</b>		<b>1,622,404.33</b>	<b>68,671.77</b>	<b>1,136.94</b>
<b>Mullumbimby</b>											
Fit out of Youth Hub (refer Community Economic Development Strategy also Youth Strategy and Action Plan actions - various) Site to be determined.	6		333	100,000.00	0.00	100%	100,000.00	20.12%	20,120.88	79,879.12	60.42
Mullumbimby Drill Hall Tiered	4		333	25,200.00	0.00	100%	25,200.00	100.00%	25,200.00	0.00	75.68

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (W x L) - R	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N	W	R	L	(W x L) - R	P			C
Seating PN: 35480											
Mullumbimby Drill Hall Airconditioning and power upgrade PN: 35480	3		333	25,586.00	0.00	100%	25,586.00	20.12%	5,148.13	20,437.87	15.46
Sound Shell at Skate Park (refer Cultural Plan 1.2.e and Youth Strategy and Action Plan ) PN:238167	5		333	51,663.41	0.00	100%	51,663.41	20.12%	10,395.13	41,268.28	31.22
Mullumbimby CWA Hall (refer to Community Infrastructure 10 Year Plan)	2		333	25,831.70	0.00	100%	25,831.70	20.12%	5,197.56	20,634.14	15.61
Expenditure of existing funds on Civic Hall precinct. Works to include landscaping and Crime Prevention Through Environmental Design (CPTED) upgrades.	1		333	114,125.69	114,125.69	100%	0.00	20.12%	0.00	0.00	0.00
<b>Mullumbimby Totals</b>				<b>342,406.80</b>	<b>114,125.69</b>		<b>228,281.11</b>		<b>66,061.70</b>	<b>162,219.41</b>	<b>198.39</b>
<b>Brunswick Heads</b>											
Sound Shell (refer Cultural Plan 1.2.e and Youth Strategy and Action Plan ) Location to be determined	3		420	51,663.41	0.00	100%	51,663.41	38.08%	19,673.86	31,989.55	46.84
Pilgrim Park Public toilets. Upgrade to toilet block utilising Crime Prevention through Environmental design (refer #1160588)	2		420	82,661.45	0.00	100%	82,661.45	38.08%	31,478.18	51,183.27	74.95
Brunswick Heads Memorial Hall. New Car Park and Accessibility Ramp. PN 24270	1		420	77,495.11	0.00	100%	77,495.11	38.08%	29,510.79	47,984.32	70.26
<b>Brunswick Heads Totals</b>				<b>211,819.97</b>	<b>0.00</b>		<b>211,819.97</b>		<b>80,662.83</b>	<b>131,157.14</b>	<b>192.05</b>

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (W x L) - R	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N	W	R	L	(W x L) - R	P			C
<b>Bangalow</b>											
Bangalow A&I Hall Improvement Program PN:85440	1		422	346,558.12	31,764.50	100%	314,793.62	42.91%	135,063.93	179,729.69	320.06
<b>Bangalow Totals</b>				<b>346,558.12</b>	<b>31,764.50</b>		<b>314,793.62</b>		<b>135,063.93</b>	<b>179,729.69</b>	<b>320.06</b>
<b>Ocean Shores / South Golden Beach</b>											
Ocean Shores Community Centre Improvements. PN: 121280	4		118	154,990.22	0.00	100%	154,990.22	100.00%	154,990.22	0.00	1,313.48
Waterlily Park Construct public toilets.	3	2016	118	150,000.00	0.00	100%	150,000.00	4.77%	7,158.46	142,841.54	60.66
Tom Kendall Oval Change Facilities. PN: 207250	2	2015	118	130,890.50	130,890.50	100%	0.00	4.77%	0.00	0.00	0.00
New covered decks at SGB Community Hall. Expenditure of funds collected from the old plan.	1	2014	118	134,458.29	134,458.29	100%	0.00	4.77%	0.00	0.00	0.00
<b>Ocean Shores SGB Totals</b>				<b>570,339.01</b>	<b>265,348.78</b>		<b>304,990.22</b>		<b>162,148.68</b>	<b>142,841.54</b>	<b>1,374.14</b>
<b>Rural North</b>											
Future Community Facilities works to be identified. These funds are to be held in trust pending a further needs analysis and community consultation to identify new projects		Community Consultation and project scoping to occur in 2015	100	8,841.34	8,841.34	100%	0.00	4.77%	0.00	0.00	0.00
<b>Rural North Totals</b>				<b>8,841.34</b>	<b>8,841.34</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Rural South</b>											
Broken Head Hall Improvement Program.			72	113,446.16	113,446.16	0%	0.05	0.00%	0.00	0.00	

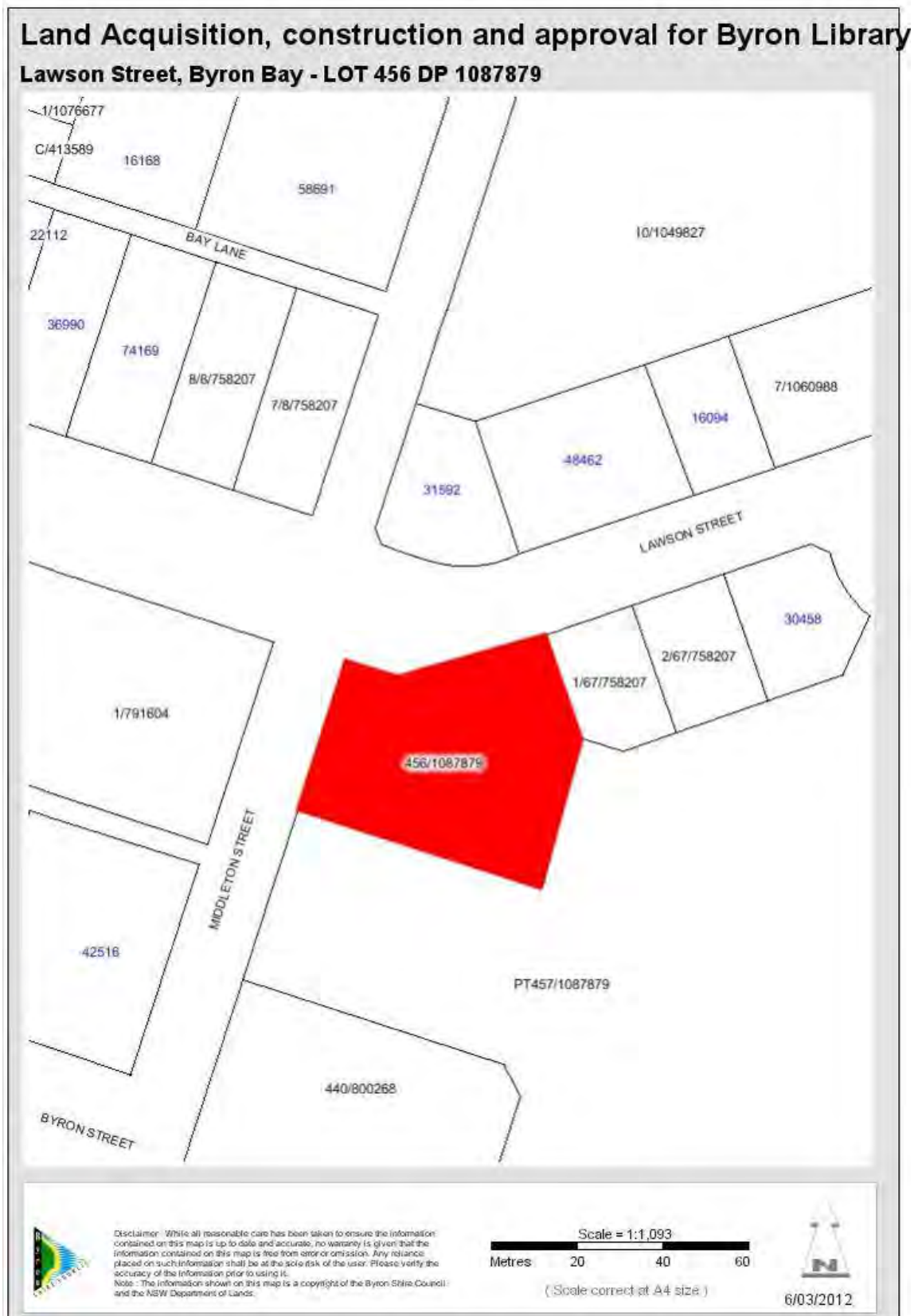
# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N	W	R	L	(W x L) - R	P			C
Upgrade external doors, disabled access ramp, disabled access toilet, storeroom, concrete path, covered deck & steps, new timber deck & steps at front entry, new awning over doors - eastern side, 22,000L tank, electrical upgrade and upgrade kitchen facilities. Expenditure from Old Plan.											
<b>Rural South Totals</b>				<b>113,446.16</b>		<b>\$</b>		<b>\$ -</b>	<b>0.00</b>	<b>0.00</b>	
<b>Shire Wide</b>											
<b>Recoupment</b> for Land acquisition for Byron Library PN: 239677	3	Under construction	2,892	3,874,755.38	0.00	15%	581,213.31	19.20%	111,583.18	0.00	38.58
Library resources.	5	Paid annually to RTRL	2,892	31,193.33	0.00	100%	31,193.33	100.00%	31,193.33	0.00	10.79
Landfill Expansion. Refer #890668 Byron Waste Disposal Strategy for detailed description. PN 238899 & PN 91960 & PN 238898		Staged expansion in 5 year increments	2,892	13,432,485.32	0.00	100%	13,432,485.32	19.20%	2,578,811.26	10,853,674.06	891.71
Energy efficiency improvements at Cavanbah Sports Centre including but not limited to installation of a Solar Photo-Voltaic generation system, hot water and lighting improvements. (Expenditure of Existing Funds)	1		2,892	150,000.00	150,000.00	100%	0.00	19.20%	0.00	0.00	0.00
Implementation of works identified in the Mullumbimby Town Centre Master Plan. Being community Facilities	6	Works to commence upon completion	2,892	200,000.00	200,000.00	100%	0.00	100.00%	0.00	0.00	0.00

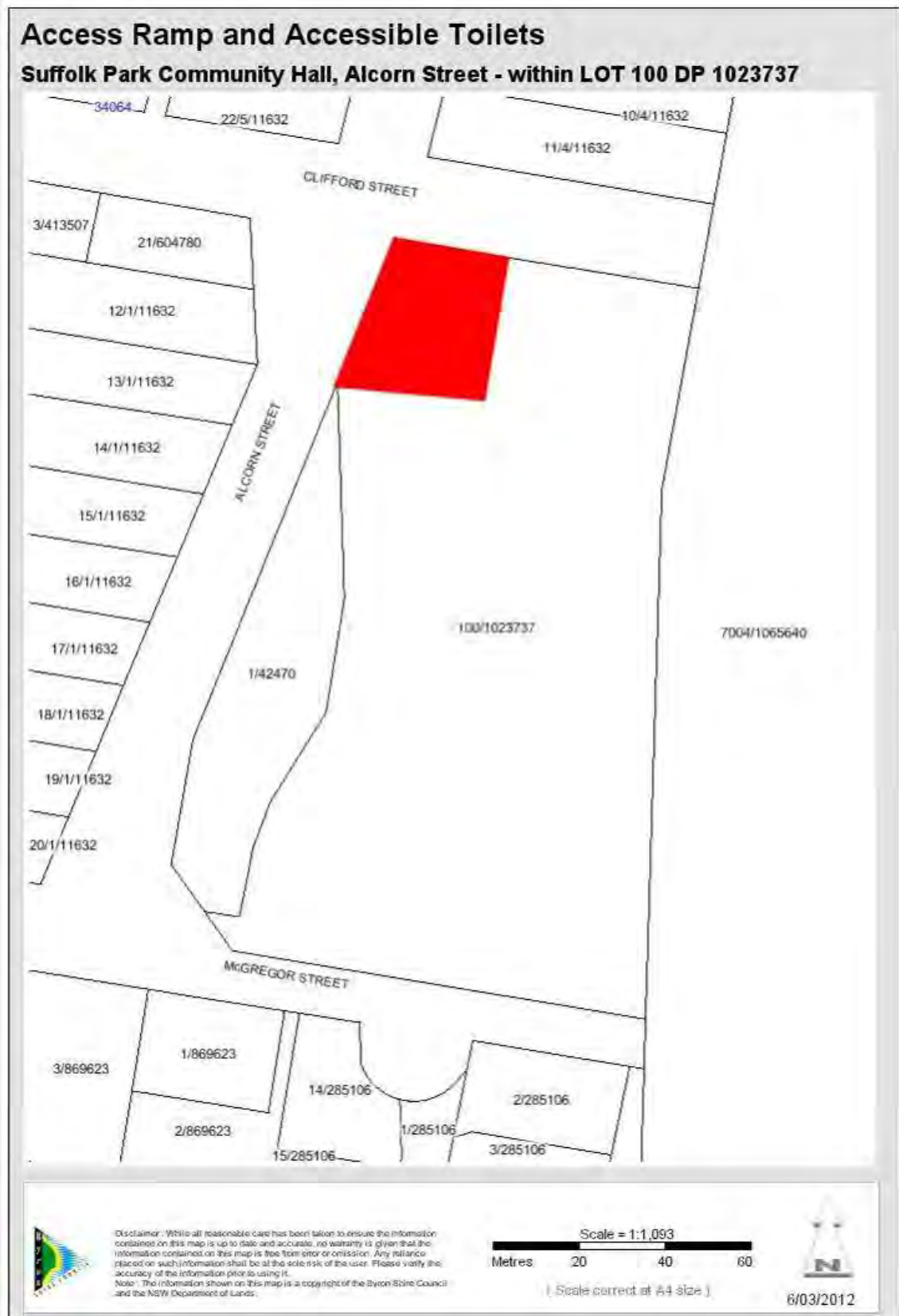
# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (W x L) - R	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N	W	R	L	(W x L) - R	P			C
works such as tourist information kiosks, art installations and public toilet upgrades.		of the Mullumbimby Town Centre Master plan and after other priorities are completed.									
Implementation of works identified in the Byron Bay Town Centre Master Plan. Being community Facilities works such as tourist information centres, art galleries, art installations and public toilets,	2	Progressive construction from 2015	2,892	1,100,000.00	501,662.11	100%	598,337.89	19.20%	114,870.81	483,467.08	39.72
<b>Recoupment</b> for Construction & Approval of Byron Library (For costing refer doc #1121738) PN 239677. Excluding grants and special rate variation loans.	4	Under construction	2,892	2,829,104.41	0.00	15%	424,365.66	19.20%	81,471.07	0.00	28.17
<b>Shire Wide Total</b>				<b>21,617,538.44</b>	<b>851,662.11</b>		<b>15,067,595.51</b>		<b>2,917,929.65</b>	<b>11,337,141.14</b>	<b>1,008.97</b>

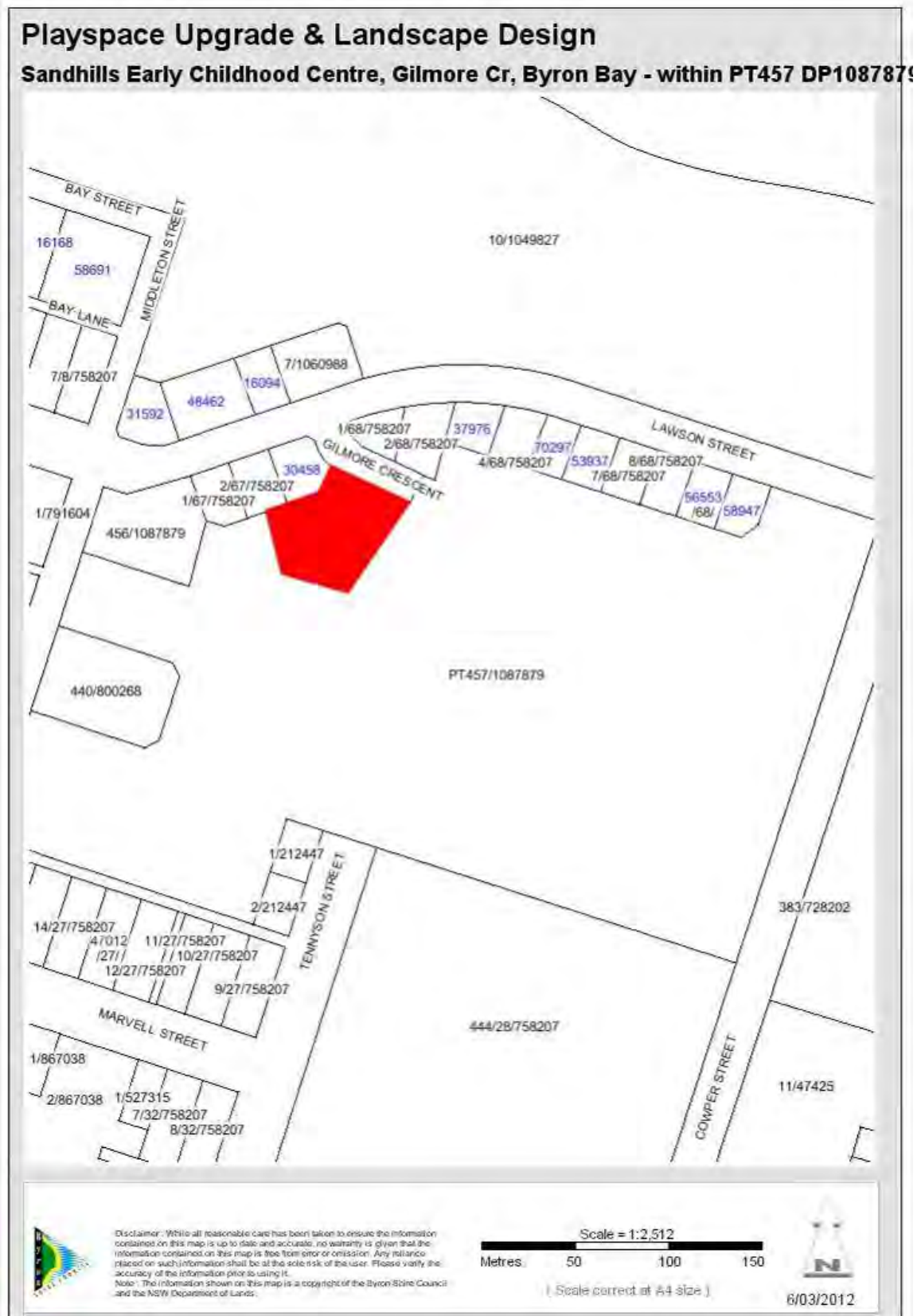




**Map 5.1 - Byron Bay Library**



**Map 5.2 Suffolk Park Community Hall. New access ramp and accessible toilets**

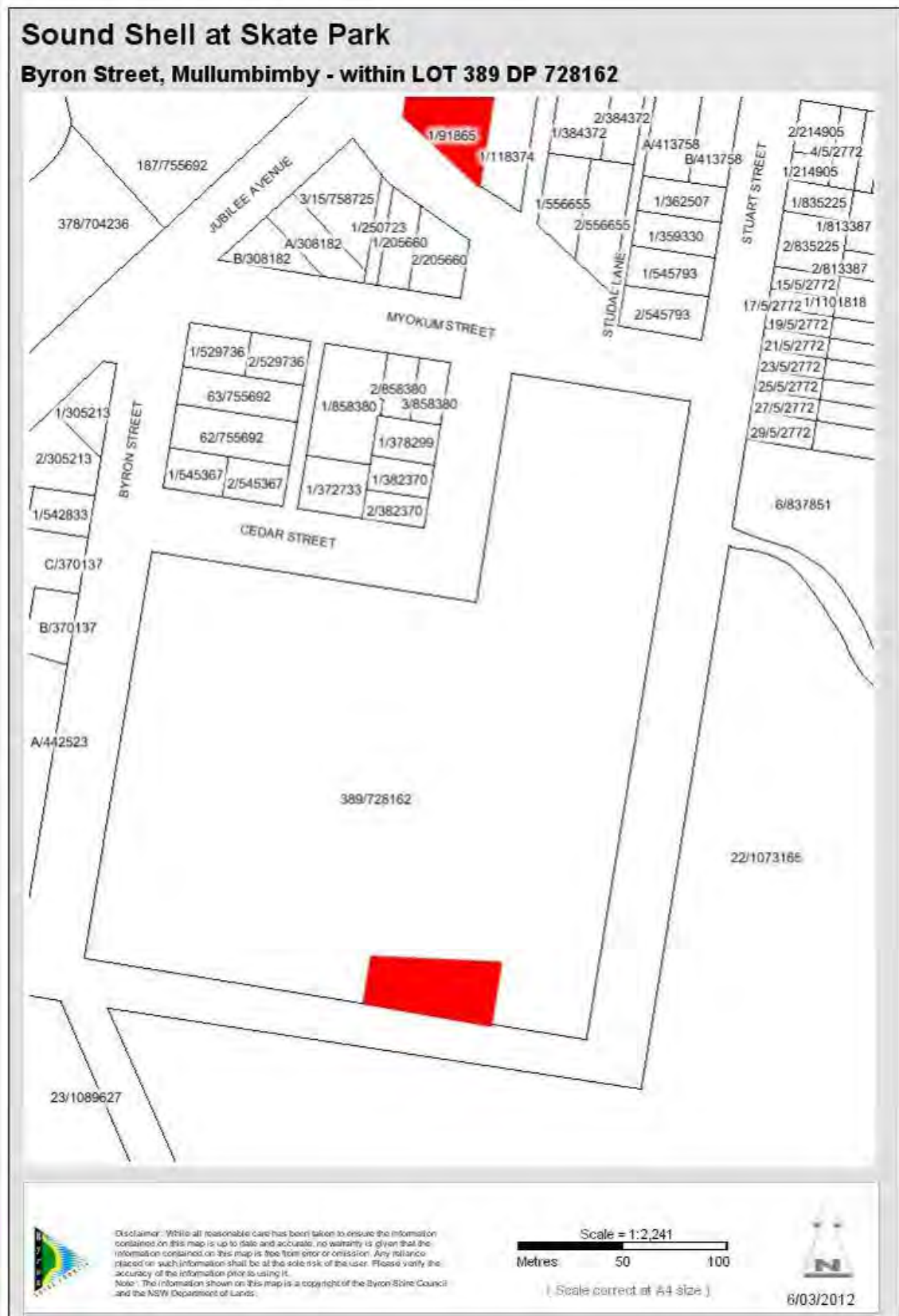


**Map 5.3 Sandhills Early Childhood Centre Playspace Upgrade and Landscape Design**



**Map 5.4 Mullumbimby Drill Hall (refer to Community Infrastructure 10 Year Plan)**





**Map 5.5 Sound Shell at Skate Park (refer Cultural Plan 1.2.e and Youth Strategy and Action Plan)**

## Mullumbimby CWA

15 Tincogan Street, Mullumbimby - LOT 1 SEC 8 DP 758725



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.  
Note: The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

Scale = 1:1,256  
Metres 20 40 60  
(Scale correct at A4 size)



6/03/2012

Map 5.6 Mullumbimby CWA (refer to Community Infrastructure 10 Year Plan)

## Acoustics Upgrade - Civic Hall

55 Dalley Street, Mullumbimby - LOT 8 SEC 8 DP 758725



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.  
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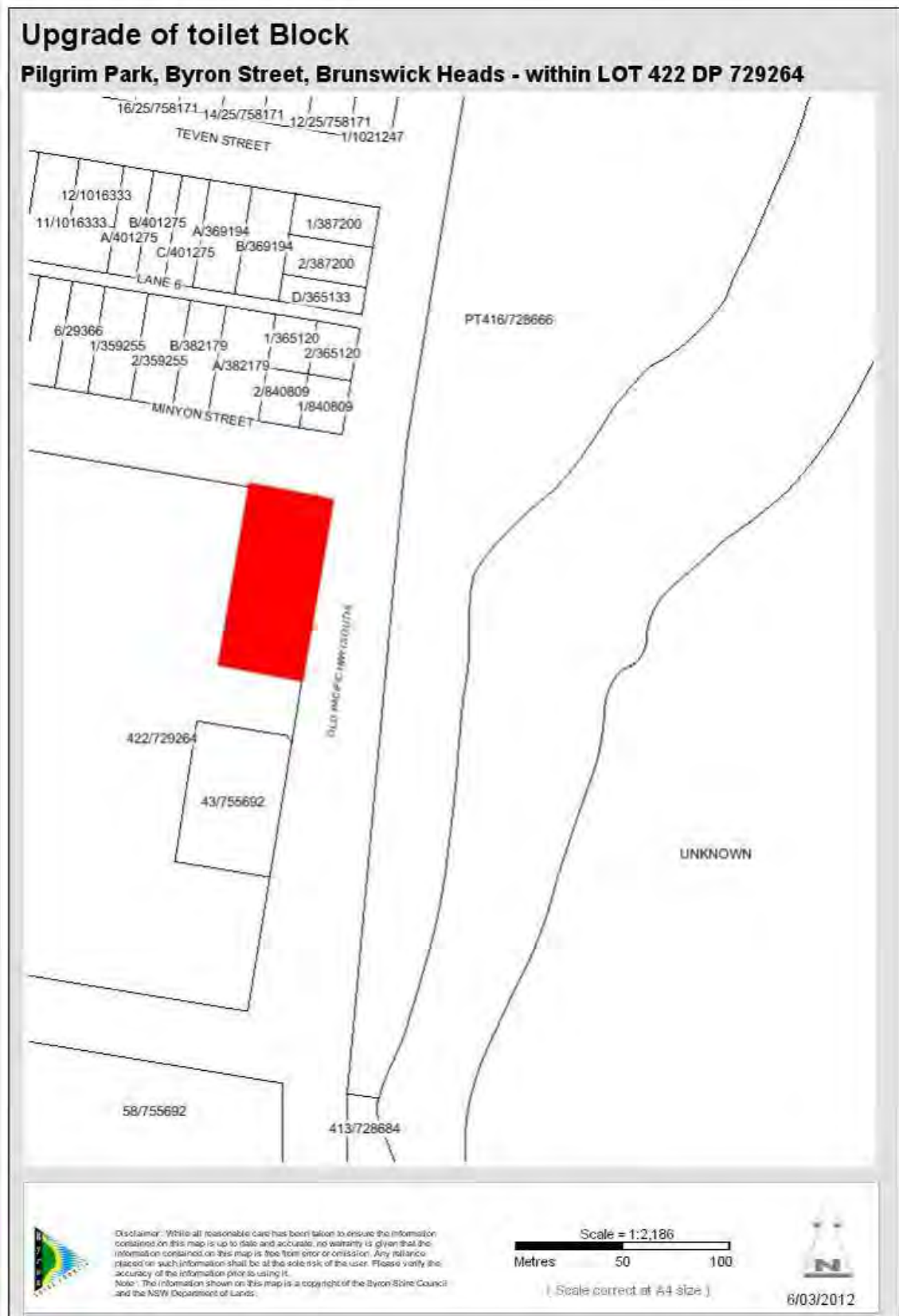
Scale = 1:1,256  
Metres 20 40 60  
(Scale correct at A4 size)



6/03/2012

Map 5.7 Civic Hall Acoustics Upgrade



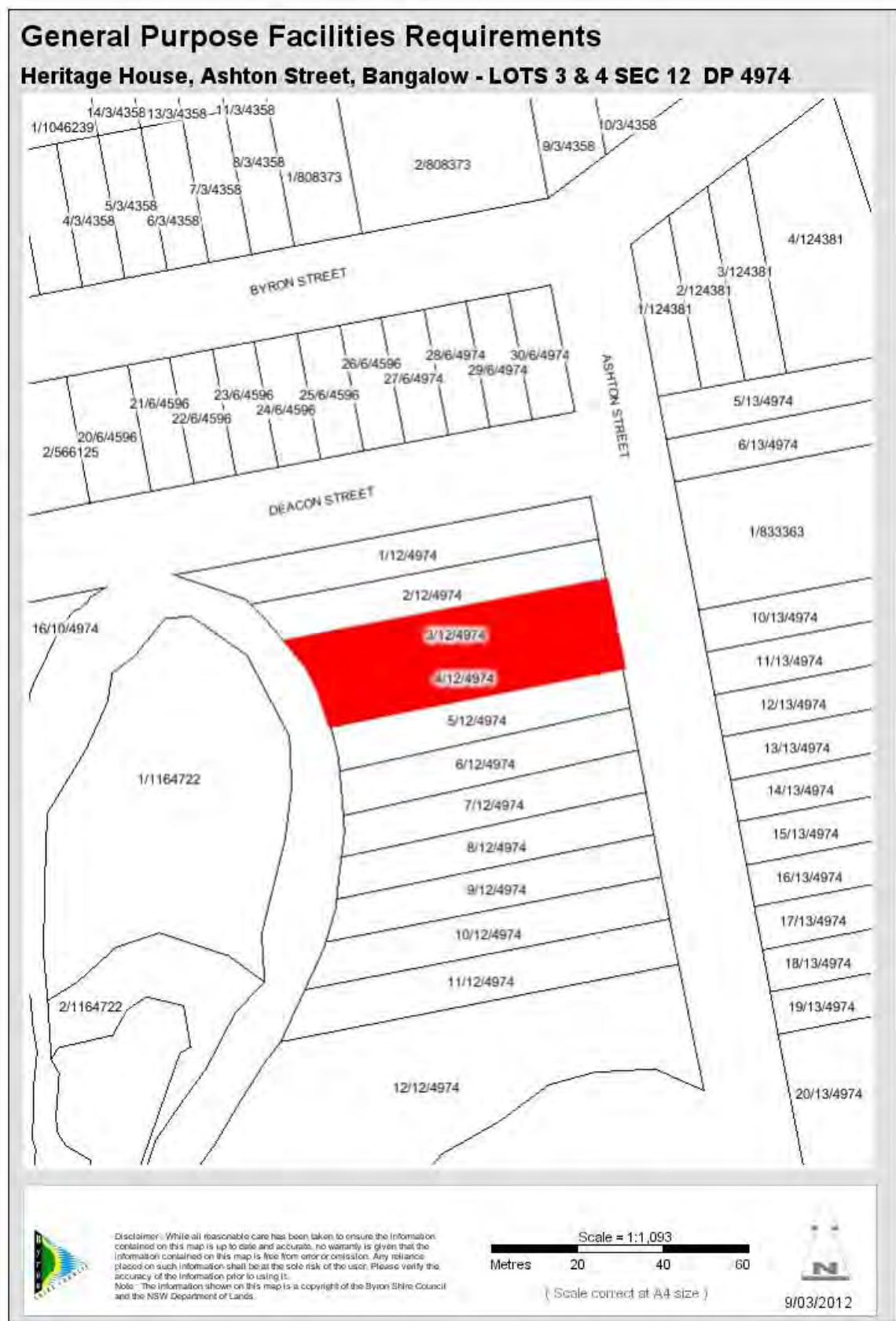


**Map 5.8 Pilgrim Park Public toilets. Upgrade to toilet block utilising crime prevention through environmental design (refer #1160588)**

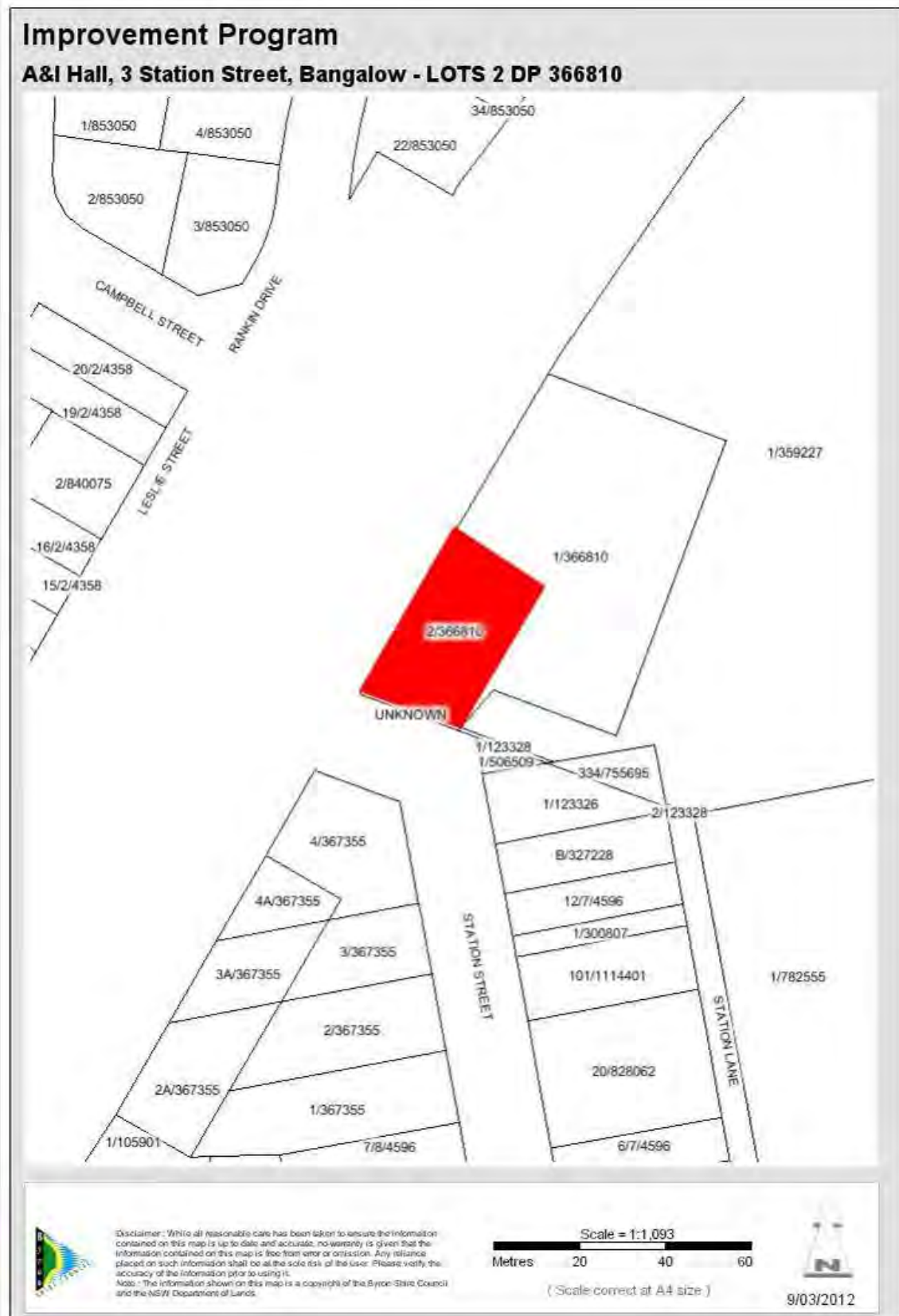




**Map 5.9 Brunswick Heads Memorial Hall. New Car Park and Accessibility Ramp**

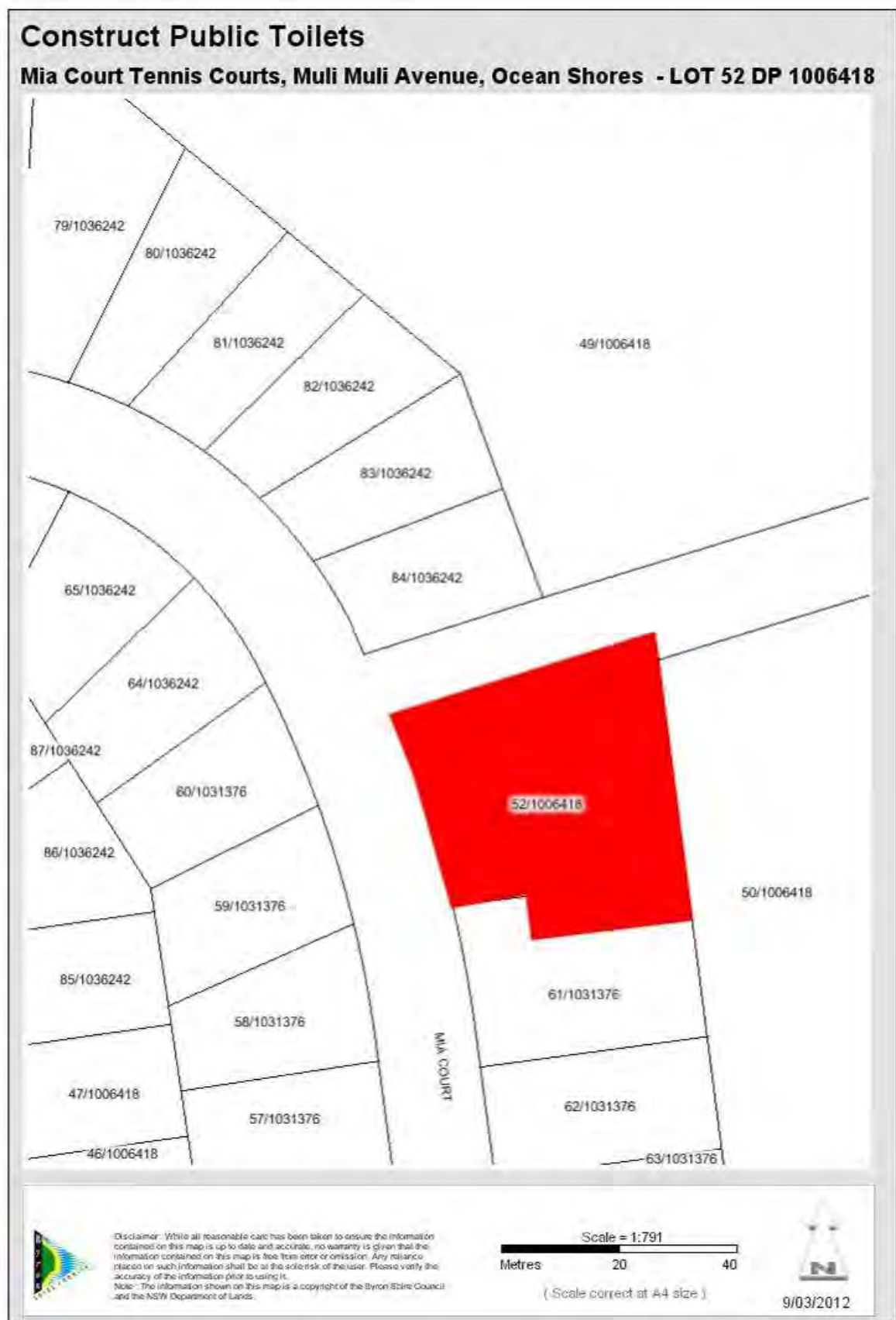


Map 5.10 Heritage House - General Purpose Facilities Requirements



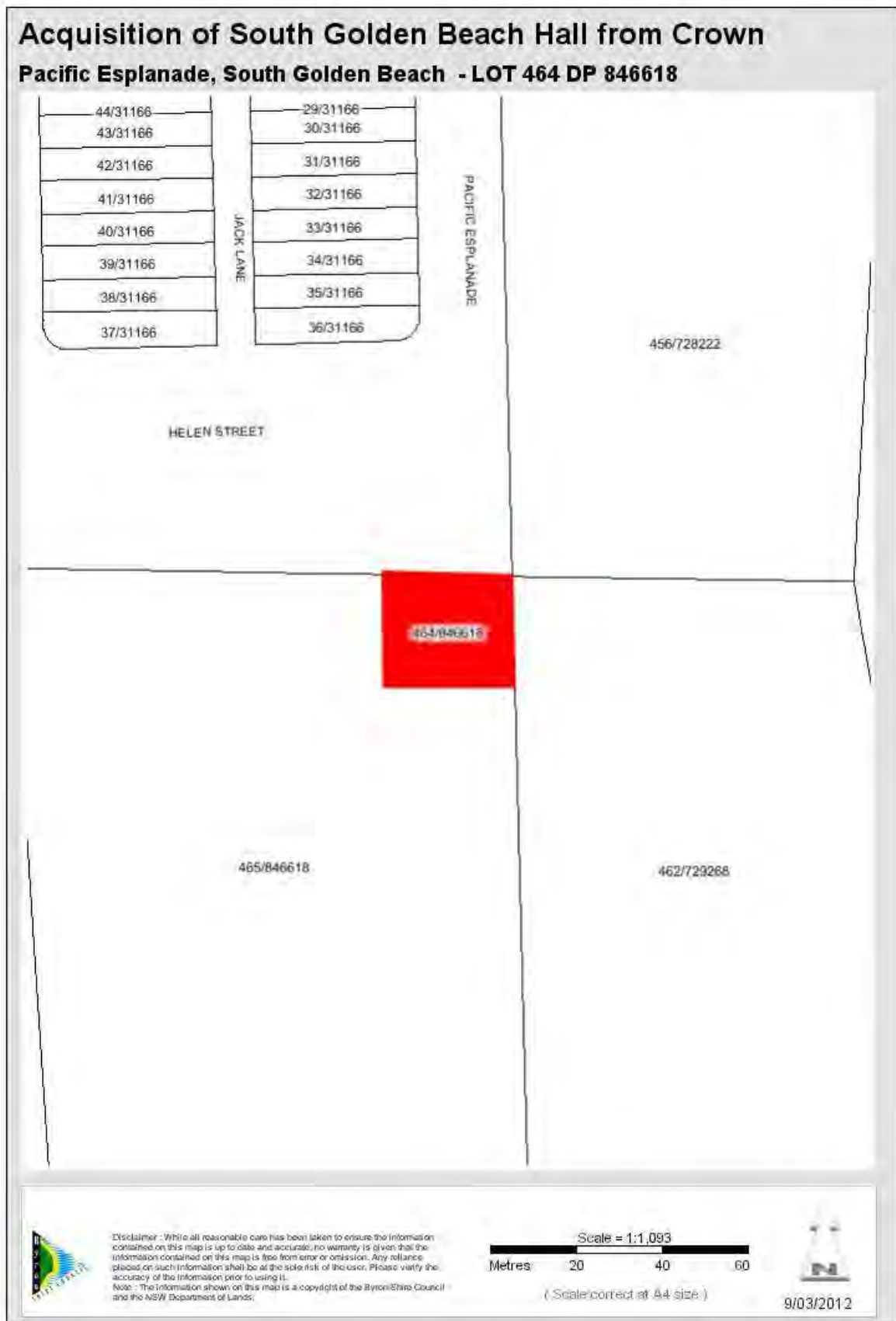
Map 5.11 Bangalow A&I Hall Improvement Program



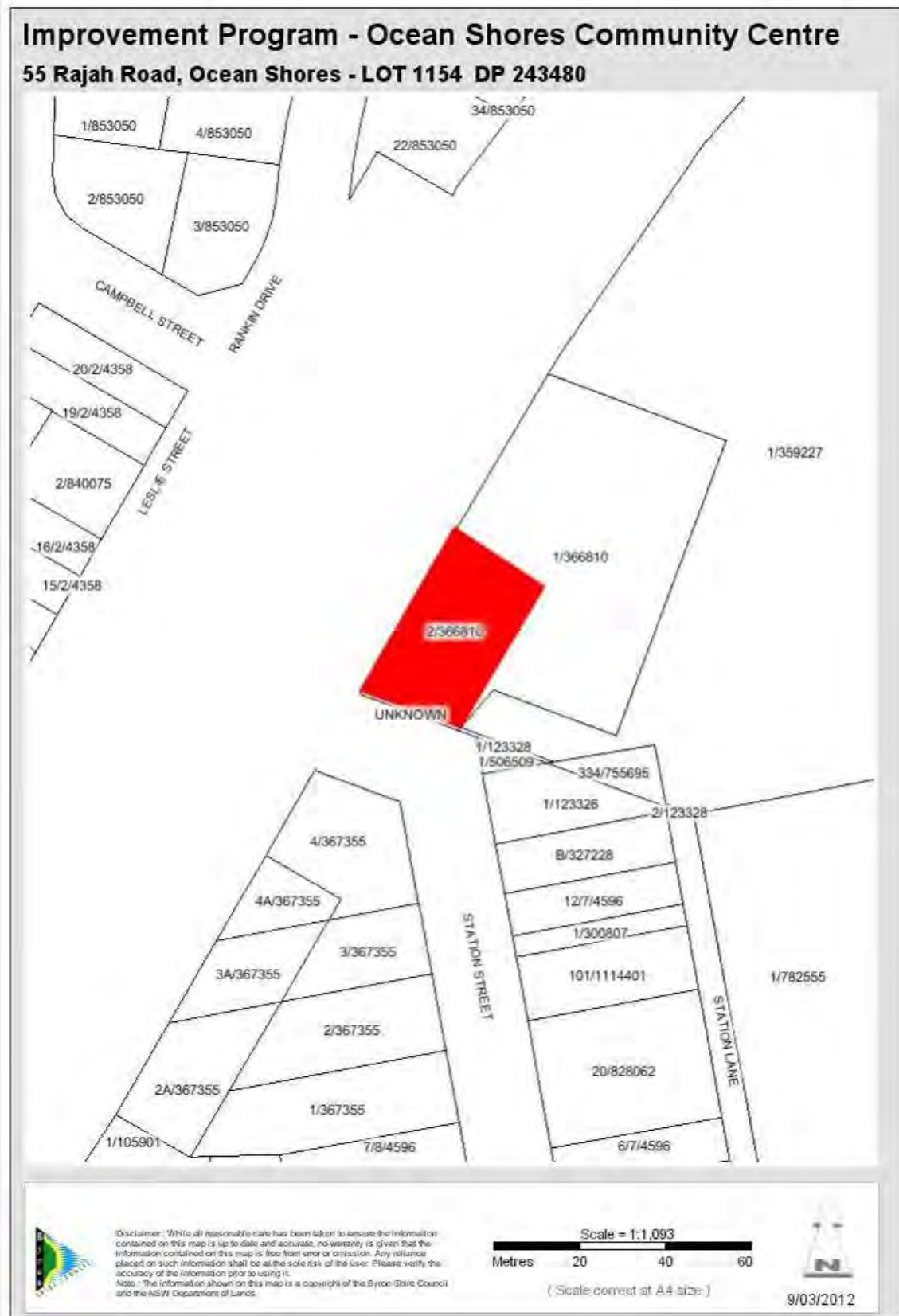


**Map 5.1 Mia Court Tennis Courts/Basketball Construct public toilets**





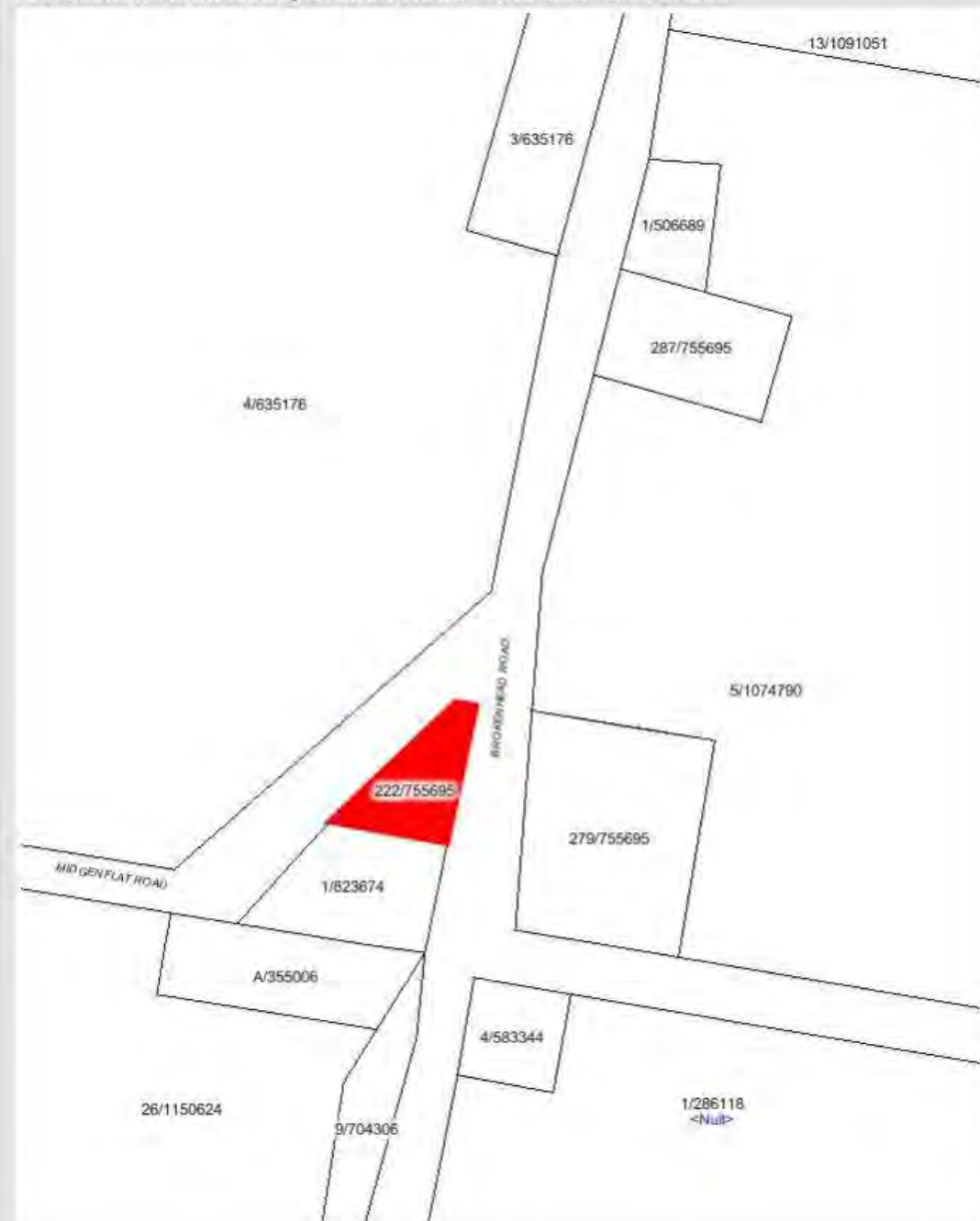
Map 5.13 Acquisition of SGB Community Hall from the Crown



**Map 5.13 Ocean Shores Community Centre Improvements**

## Improvement Program - Broken Head Hall

536 Broken Head Road, Broken Head - LOT 222 DP 755695



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.  
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Scale = 1:2,430  
Metres 50 100  
(Scale correct at A4 size)



9/03/2012

Map 5.15 Broken Head Hall Improvement Program



Map 5.16 Aboriginal Cultural Centre





Map 5.17 Landfill expansion

## 6 Open Space and Recreational Facilities

The purpose of this chapter is to ensure that an adequate level and quality of open space is provided throughout the Byron Shire to meet the needs of an increased population resulting from development.

### 6.1 Existing Provision of Open Space and Recreation Facilities

The Byron Shire community strongly supports the conservation and enhancement of the unique environmental qualities of the Byron Shire LGA, as highlighted in numerous studies and community consultation surveys. This Plan seeks to support these community values and strategic goals by ensuring that the contributions provided by new development maintains and enhances this unique environment for the benefit of all residents. Byron Shire Council already provides a range of open space and recreation facilities including a range of facilities for unstructured play and recreation (including picnic areas, playgrounds and walking paths). Parks and open spaces are key components of the environmental, recreation and social infrastructure in all communities. They are used and/or valued by a wide cross section of residents, from all age groups and socio-economic backgrounds. Byron Shire is well served, in terms of the everyday needs of its residents, through the provision of local and district parks.

Open space can be considered to include those areas, which are in public ownership (Council-owned or Crown land), which have been (or are to be) set aside for use for recreation purposes. The amount and type of open space and recreation facilities required to be provided and embellished under the Plan has been based on the specific identified needs of the incoming residential population of the Byron Shire LGA. Byron Shire currently has approximately 91 open space areas covering 2,220,113m<sup>2</sup> or 222 hectares. The open space areas in Byron Shire vary in size from 225 m<sup>2</sup> to 354,000 m<sup>2</sup>.

Bay Street, Byron Bay (354,000 m<sup>2</sup>) and South Beach Road, Brunswick Heads (115,000 m<sup>2</sup>) are some the larger parks controlled by Council that draw people from all over Byron Shire and provide diverse activities. Byron Shire is also well served, in terms of the everyday needs of its residents, through the provision of local parks.

In recent years, there has been a move away from the traditional standards-based approach (2.83 Ha. per thousand persons), towards a “needs based approach”. In the past, open space areas were designated on a “per thousand persons” basis, ignoring the socio-economic, cultural and developmental attributes of the population being catered for. The emphasis was on quantitative measures of provision, rather than on the provision of a diverse range of high-quality recreation opportunities. Despite the official nature of the standards and their professional endorsement, they have never been qualified, tested or evaluated in human terms. Considerable uncertainty exists as to whether the standards developed reflect minimum, maximum, desirable or optimum levels of provision. In general, the standards approach fails to assess the needs of the community being planned for, and because it is concerned with the area of land, rather than the opportunity for provision of recreational resources, it often fails to meet the needs of the community.

### 6.2 Nexus and Future Demand Open Space and Recreation Facilities

In order to prevent the level of service in the provision of open space decreasing there is a need to acquire more space (in some locations). There is also a need to provide improvements to existing spaces to increase capacity and therefore provide for the increased population resulting from development. The existing level of provision of open space will be maintained through the acquisition of additional open space and the embellishment of existing open spaces to increase capacity. Current general standards of provision, and a review of expressed contemporary

aspirations for the provision of facilities, have been used, as a basis for developing the Works Schedule to address cumulative future needs.

### **6.3 Increased Capacity Open Space and Recreation Facilities**

To create additional parks, throughout Byron Shire, which offer a reasonable level of residential, worker and visitor amenity would be financially prohibitive and would require channelling a substantial proportion (if not all) of Section 94 contribution funds into an acquisition programme for new parks/open space areas. The acquisition of land in Byron Shire is becoming increasingly constrained due to the high cost of land and the finite amount of land available for acquisition. Given these constraints the amount of open space to be acquired for the increased population is not realistic. To ensure that the additional population does not result in a decrease in the level of service provision, it is recognised in this Plan that the remainder of the total amount of open space required will be achieved through increasing the capacity of existing open spaces. It is recommended, therefore, that open space contributions be sought for embellishment purposes and provision of recreational facilities in existing Council owned space.

The *Byron Shire Council Social Plan 2004 – 2009* (2004) has also established that many existing open space areas are currently in an underdeveloped state, delivering reduced recreation opportunity. An inventory of parks identified in the study indicated that many parks were not embellished with facilities.

Many parks have also been assessed as having the necessary size and ease of access to enable them to function within a designated open space category, subject to appropriate augmentation/ embellishment. This further enhances their potential to satisfy the open space and outdoor recreation demands of the new population. Therefore, it is anticipated that some of the demand for additional open space can be met by increasing the capacity of the existing underdeveloped local and district parks.

### **6.4 Reconciliation of Section 94 Contributions Plan 2005**

Council held funds for Open Space and Recreation facilities that were not under a contributions plan, pre 1993 funds, and contributions under the 1993 CP and 2001 CP. Some of the works in these plans were carried forward into the *Section 94 Contributions Plan 2005* and the *Section 94 Development Contributions Plan 2012* (amendment 1). This plan replaces all works within the previous plans with a new works schedule. All funds held in each catchment have been allocated to the highest priority works in the works schedule within that catchment to ensure that funds collected in that catchment are expended in the same catchment. The funds held under the previous plans have been used to reduce the cost of the works program and thereby reduce the cost to the incoming population.

### **6.5 Timeframe for collection for Open Space and Recreation Facilities**

As some facilities will not reach capacity within a 25 year time frame the contributions have been calculated over that time frame as it is unreasonable to extend the timeframe for collection beyond this based on the increasing uncertainty in the population model. Where a facility is 100% attributable to new development and the demand for that facility is likely to arise in the near future due to growth then the timeframe for collection may be limited to a 10 year period. The timeframes for collection directly impact on the size of the population for which a given facility will pay for. Both of these figures are to be found in the works schedule.

### **6.6 Timeframe for Provision of Open Space and Recreation Facilities**

The works schedules provide a priority order for the completion of works in the schedule. Council will utilise this priority order to determine the pooling of funds as provided by clause 27 (g) of the Environmental Planning and Assessment Regulation 2000.

### 6.7 Apportionment for Open Space and Recreation Facilities

Some of the facilities required for the community are also designed to provide for the needs of existing residents in the vicinity of new development. Where a facility is partially meeting the needs of the existing population then the apportionment rate will be based on the percentage change in population over the time period before which the facility will reach capacity. Where a facility is only servicing the needs of new population then the apportionment rate will be 100%. The purpose of this approach is to reflect the nexus between the expected population and the demand for these facilities, and to ensure that only new development pays for their share.

### 6.8 Calculation of Rate of Contribution for Open Space and Recreation Facilities

Contributions for community facilities are based on two components – Local Facilities and LGA wide Facilities. The contribution rate is calculated on the following basis:

- The estimated proportion of LGA wide and local "use".
- The proportion of the cost of works which are considered to be directly attributable to the requirements of new residential development.

### 6.9 Formula for the Calculation of Contributions

The formula used to calculate the contribution (C) for each line item in a catchment is:

$$C_{\text{(per line item)}} = \frac{[(W \times L) - R] \times P}{N}$$

Where:

- W = Total cost of works
- L = Proportion of local or shire wide catchment use
- R = Reconciliation amount
- P = Percentage attributable to new development.
- N = Number of SDU in the catchment (from table X.1.2)

The formula to calculate the total contribution (TC) per SDU in a catchment at the time of consent the grant of consent is the sum of all the line items multiplied by the increase in the consumer price index:

$$TC_{\text{(per SDU)}} = CPI \times \sum_{n=1}^n C$$

Where:

- CPI =  $\text{Ind}^1$  at date of consent /  $\text{Ind}^2$  at date of adoption of plan
- n = number of line items to be summed in a catchment
- C = Contribution <sub>(per line item)</sub>

Note: Where the consumer price index is negative or remains the same then value adopted for the purposes of calculation of the contribution plan shall be the previous quarterly index value. These calculations inclusive of intermediate steps in the calculations are set out in the works schedule.



## Open Space and Recreation Works Schedule

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
<b>Byron Bay/ Suffolk Park Catchment</b>											
Byron Regional Sport and Cultural Complex Stage 2 Skate Park. PN: 132490	4	2013	1427	185,988.26	-	100%	185,988.26	27.19%	50,577.70	135,410.56	35.44
All-abilities Playground (Cultural Plan 7.1.d Accessible playground facilities) Location to be determined pending further community consultation.	3	2013	1427	671,624.27	-	50%	335,812.14	27.19%	91,320.85	244,491.29	63.99
Byron Regional Sport and Cultural Complex Stage 2 Southern field lighting. PN: 132490	1		1427	154,990.22	-	75%	116,242.67	100.00%	116,242.67	-	81.46
Byron Regional Sport and Cultural Complex Stage 2 Grandstands. PN: 132490			1427	516,634.05	-	75%	387,475.54	100.00%	387,475.54	-	271.53
Byron Regional Sport and Cultural Complex Stage 2 MPF (2 additional courts) PN: 132490			1427	1,033,268.10	-	75%	774,951.08	100.00%	774,951.08	-	543.06
Byron Regional Sport and Cultural Complex Stage 2 Netball court			1427	464,970.65	-	75%	348,727.99	100.00%	348,727.99	-	244.38

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	( W x L) - R	P	[( W x L) - R] x P		C
lighting. PN: 132490											
Byron Regional Sport and Cultural Complex Stage 2 Southern Carpark. PN: 132490			1427	206,653.62	-	75%	154,990.22	100.00%	154,990.22	-	108.61
Byron Bay Gateway project in inclusive of tree plantings. Ewingsdale Road to Byron Bay No specific parcel numbers			1427	154,990.22	-	100%	154,990.22	27.19%	42,148.08	112,842.14	29.54
Enlarged public toilet facilities at Byron Bay Surf Club. PN: 238790			1427	103,326.81	12,480.69	50%	39,182.71	100.00%	39,182.71	-	27.46
West Byron Local Parks Acquisition (refer maps) various parcel numbers	-	Upon Lot release in stages	1427	1,115,929.55	-	100%	1,115,929.55	100.00%	1,115,929.55	-	782.01
West Byron Local Parks embellishment (refer maps) various parcel numbers	-	Upon Lot release in stages	1427	309,980.43	-	100%	309,980.43	100.00%	309,980.43	-	217.23
Clarkes Beach P/N 238790 play equipment & shade sail			1427	72,328.77	-	100%	72,328.77	100.00%	72,328.77	-	50.69
Apex Park Byron Bay P/N 238790 Infants play unit & shade sail			1427	36,164.38	-	100%	36,164.38	100.00%	36,164.38	-	25.34
Railway Park Byron Bay P/N 187200 Additional Play			1427	22,731.90	-	100%	22,731.90	100.00%	22,731.90	-	15.93

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	( W x L) - R	P	[( W x L) - R] x P		C
ground equipment/Sail											
Recreation Ground Byron Bay P/N177670 Additional Playground equipment/sail			1427	46,497.06	-	100%	46,497.06	100.00%	46,497.06	-	32.58
Gordon St Park P/N (classed road reserve at present) Play unit & sail			1427	30,998.04	-	100%	30,998.04	100.00%	30,998.04	-	21.72
Sunrise Beach Park P/N 112460 Play unit and Sail		2016	1427	41,330.72	-	100%	41,330.72	27.19%	11,239.49	30,091.23	7.88
Makellar St park P/N 122160 Play unit and sail		2016	1427	41,330.72	-	100%	41,330.72	27.19%	11,239.49	30,091.23	7.88
Pepperbush park P/N 103760 Play unit Expenditure from old Plan		2016	1427	22,731.90	-	100%	22,731.90	0.00%	-	22,731.90	-
Gaggin Park P/N 41330 Play Unit		2016	1427	43,397.26	-	100%	43,397.26	27.19%	11,801.46	31,595.80	8.27
Byron Bay Pool - Improvements (refer Community Infrastructure 10 Year Plan) PN: 187220			1427	131,225.05	-	100%	131,225.05	100.00%	131,225.05	-	91.96
Byron Bay Town centre upgrade Landscape Precinct Plan (refer to Community Infrastructure 10 year works plan) Refer map. Works	2	2013	1427	2,583,170.25	963,360.96	100%	1,619,809.29	100.00%	1,619,809.29	-	1,135.12

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	( W x L) - R	P	[( W x L) - R] x P		C
to be carried out within mapped area. Works include: Footpath upgrades, landscaping, bicycle facilities, kerb and gutter works, drainage, benches, and street tree planting.											
Railway Park exercise equipment. PN 187200		2016	1427	30,998.04	-	100%	30,998.04	27.19%	8,429.62	22,568.42	5.91
Playground equipment for Ewingsdale Park. PN 2320			1427	30,998.04	-	100%	30,998.04	27.19%	8,429.62	22,568.42	5.91
Exercise equipment. Apex Park. PN 238790		2016	1427	30,998.04	-	100%	30,998.04	27.19%	8,429.62	22,568.42	5.91
Design Costs for works at Suffolk Park PN 186840 Expenditure from Old Plan		2016	1427	30,000.00	30,000.00	100%	-	27.19%	-	-	-
Skate Park Upgrade at Suffolk Park PN 186840 Expenditure from Old Plan		2014	1427	50,000.00	50,000.00	100%	-	0.00%	-	-	-
Shade Structures and seating at Suffolk Park skate park. PN 186840 Expenditure from Old Plan		2014	1427	40,000.00	40,000.00	100%	-	0.00%	-	-	-
Upgrade		2013 Works	1427	200,000.00	200,000.00	100%	-	0.00%	-	-	-



# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	( W x L) - R	P	[( W x L) - R] x P		C
Playground Equipment at Suffolk Park PN 186840		completed									
Upgrade to toilet block, change rooms and canteen PN 186840 Expenditure from Old Plan		2014	1427	300,000.00	300,000.00	100%	-	0.00%	-	-	-
Extend Footpath and fix drainage PN 186840 Expenditure from Old Plan		2013 Works Completed	1427	20,000.00	20,000.00	100%	-	0.00%	-	-	-
Community Garden Suffolk Park (Location to be determined)		2015	1427	50,000.00	20,000.00	100%	30,000.00	0.00%	-	30,000.00	-
Additional seating and shade sails adjacent to sports field PN 186840 Expenditure from Old Plan		2015	1427	40,000.00	40,000.00	100%	-	0.00%	-	-	-
New Mini Sports Field at Suffolk Park (Expenditure from old Plan)		2015	1427	25,000.00	25,000.00	100%	-	0.00%	-	-	-
Bike Park (road rules instructional) at Suffolk Park (Location to be determined) Expenditure from Old Plan		2016	1427	350,000.00	350,000.00	100%	-	0.00%	-	-	-
Open Space Embellishment		2015	1427	515,166.39	515,166.39	100%	-	0.00%	-	-	-

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
Works in Suffolk Park Further works to be determined after community consultation. Expenditure from old plan.											
Improved Beach Access (One at Suffolk park and Byron Bay) Location to be determined. (refer 1998 Heads of Agreement between Council and the Arakwal People)			1427	40,000.00	-	100%	40,000.00	27.19%	10,877.61	29,122.39	7.62
<b>Totals</b>				<b>9,743,422.74</b>	<b>2,566,008.04</b>		<b>6,195,810.02</b>		<b>5,461,728.22</b>	<b>734,081.80</b>	<b>3,827.43</b>
<b>Bangalow</b>											
Acquisition of 0.25ha of park for area 6 as mapped in Chapter 22 of DCP 2010. PN: 213520	-	Upon Lot release in stages	422	371,976.52	-	100%	371,976.52	100.00%	371,976.52	-	881.46
Embellishment of park in Area 6 as set out in Element 3.12 of Chapter 22 of DCP 2010. PN: 213520	-	Upon Lot release in stages	422	51,663.41	-	100%	51,663.41	100.00%	51,663.41	-	122.43
Acquisition of 0.25ha of park for area 7 as mapped in Chapter 22 of	-	Upon Lot release in stages	422	371,976.52	-	100%	371,976.52	100.00%	371,976.52	-	881.46

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
DCP 2010. PN 237920											
Embellishment of park in Area 7 as set out in Element 3.12 of Chapter 22 of DCP 2010. PN 237920	-	Upon Lot release in stages	422	51,663.41	-	100%	51,663.41	100.00%	51,663.41	-	122.43
Embellishment of existing park in Area 2 as set out in Element 3.12 of Chapter 22 of DCP 2010. PN:241499	-	Upon Lot release in stages	422	51,663.41	-	100%	51,663.41	100.00%	51,663.41	-	122.43
Embellishment of existing park in Area 3 as set out in Element 3.12 of Chapter 22 of DCP 2010. PN: 241499	-	Upon Lot release in stages	422	51,663.41	-	100%	51,663.41	100.00%	51,663.41	-	122.43
Landscaping for Bangalow Pool	6		422	41,330.72	-	80%	33,064.58	42.91%	14,186.54	18,878.04	33.62
Car parking for Bangalow pool	7		422	154,990.22	-	80%	123,992.18	42.91%	53,199.52	70,792.66	126.07
Pool Park Bangalow P/N 241425 Play Unit & sail			422	56,829.75	-	100%	56,829.75	100.00%	56,829.75	-	134.67
Palm estate Bangalow P/N 121740 Play equipment			422	36,164.38	-	100%	36,164.38	100.00%	36,164.38	-	85.70
Leopardwood Park P/N 230510 needs 2 shade sails			422	15,499.02	-	100%	15,499.02	100.00%	15,499.02	-	36.73
Bangalow Rec ground P/N 67730 Play equipment &			422	67,162.43	-	100%	67,162.43	100.00%	67,162.43	-	159.15

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (W x L) - R	Apportionment (% attributable to new development) P	Cost of works attributable to new development [(W x L) - R] x P	Cost of Works Attributable to Council	Cost per SDU C
shade sail			N		R	L					
Park and landscaping upgrades on Parklands South of Deacon Street Bangalow (Multiple Parcel Numbers refer map)	8		422	60,000.00	-	100%	60,000.00	100.00%	60,000.00	-	142.18
Change Rooms / Amenities at Sports Fields. PN: 238382			422	258,317.03	-	75%	193,737.77	42.91%	83,124.25	110,613.52	196.98
Solar lighting around walking track PN 238382	3	2015	422	41,330.72	20,000.00	100%	21,330.72	42.91%	9,152.06	12,178.66	21.69
Construct new car park and access to sports fields to rectify encroachment on Bangalow Bowling Club Land.	4	2015	422	200,000.00	47,327.74	100%	152,672.26	42.91%	65,504.87	87,167.39	155.22
Skate Park at Bangalow Sports Fields. Expenditure from old plan.	2	Works to be completed 2014	422	164,200.00	164,200.00	100%	-	42.91%	-	-	-
Hard surface netball courts. (Land unknown) To be located somewhere within the Bangalow Catchment	5		422	250,000.00	-	75%	187,500.00	42.91%	80,447.90	107,052.10	190.63
Additional Sports Field lighting. PN: 238382 No further collection	1	Works Completed with Grant of 55,800	422	111,600.00	55,800.00	75%	-	42.91%	-	-	-
<b>Totals</b>				<b>2,408,030.95</b>	<b>287,327.74</b>		<b>1,898,559.77</b>		<b>1,491,877.40</b>	<b>406,682.37</b>	<b>3,535.28</b>



# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (W x L) - R	Apportionment (% attributable to new development) P	Cost of works attributable to new development [(W x L) - R] x P	Cost of Works Attributable to Council	Cost per SDU C
<b>Mullumbimby</b>											
Mullumbimby Civic Centre precinct. Exercise Equipment. PN 18210	6	2016	333	41,330.72	20,000.00	100%	21,330.72	20.12%	4,291.93	17,038.79	12.89
Pine Ave sports ground P/N128960 Play equipment and shade sail			333	46,497.06	-	100%	46,497.06	100.00%	46,497.06	-	139.63
Heritage park Play equipment			333	56,829.75	-	100%	56,829.75	100.00%	56,829.75	-	170.66
Pool park P/N 35350 Play equipment and shade sail			333	46,497.06	-	100%	46,497.06	100.00%	46,497.06	-	139.63
Stuart Street Mullumbimby Road reserve Cultural/recreational precinct upgrade. Involves replacing a culvert, regrading the road and construction of a car park.	1	2013	333	309,980.43	260,918.08	100%	49,062.35	20.12%	9,871.77	39,190.58	29.64
Mullumbimby Pool Improvements (refer to Community Infrastructure 10 Year Plan) PN:35350	3	Progressive from 2013	333	161,189.82	112,433.05	100%	48,756.77	100.00%	48,756.77	-	146.42
Mullumbimby town Centre Master plan. (Existing budgeted staff wages cost to be used to fund	4	To be commenced upon completion of the Byron Bay Town	333	60,000.00	0.00	100%	60,000.00	20.12%	12,072.53	47,927.47	36.25

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
Council share of the apportionment)		Centre Master plan (2016-2017)									
Implementation of Mullumbimby Town Centre Masterplan. Works include: Footpath upgrades, landscaping, bicycle facilities, kerb and gutter works, drainage, benches, street tree planting and landscaping.	5	Works to commence upon completion of the Mullumbimby Town Centre Master plan and after other priorities are completed.	333	100,000.00	0.00	80%	80,000.00	100.00%	80,000.00	0.00	240.24
Acquisition of Park in area 5 as identified in Chapter 11 of DCP 2010		Upon Lot release in stages	333	516,634.05	-	100%	516,634.05	100.00%	516,634.05	-	1,551.45
Embellishment of a Park as identified in Chapter 11 of DCP 2010	-	Upon Lot release in stages	333	51,663.41	-	100%	51,663.41	100.00%	51,663.41	-	155.15
Acquisition of sports fields as identified in Chapter 11 of DCP 2010	-	Upon Lot release in stages	333	3,099,804.31	-	75%	2,324,853.23	100.00%	2,324,853.23	-	6,981.54
Embellishment of sports fields as identified in Chapter 11 of DCP 2010	-	Upon Lot release in stages	333	867,945.21	-	75%	650,958.91	100.00%	650,958.91	-	1,954.83
Shade Structures at Lot 33 DP 1169053 Tallwood Estate	2	2014	333	32,000.00	-	100%	32,000.00	100.00%	32,000.00	-	96.10
<b>Totals</b>				<b>5,390,371.82</b>	<b>393,351.13</b>		<b>3,985,083.31</b>		<b>3,880,926.47</b>	<b>104,156.84</b>	<b>11,654.43</b>

Ocean Shores / South Golden Beach

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
Tom Kendal Park P/N 207250 Play equipment			118	36,164.38	-	100%	36,164.38	100.00%	36,164.38	-	306.48
SGB community centre P/N 201300 Play equipment & shade sail			118	41,330.72	-	100%	41,330.72	100.00%	41,330.72	-	350.26
Waterlily park P/N 63020 Play unit and Shade sail			118	30,998.04	-	100%	30,998.04	100.00%	30,998.04	-	262.70
Fern Beach P/N 227610 Play unit & sail			118	41,330.72	-	100%	41,330.72	100.00%	41,330.72	-	350.26
Sports fields Acquisition. Land unknown. To be located within Ocean Shores SGB catchment or in Rural North	1	2013	118	500,000.00	250,000.00	50%	-	4.77%	-	-	-
Sports fields Embellishment. Land unknown. To be located within Ocean Shores SGB catchment or in Rural North	2	2013	118	3,197,964.77	803,178.13	50%	795,804.26	4.77%	37,978.22	757,826.04	321.85
<b>Total</b>				<b>3,847,788.63</b>	<b>1,053,178.13</b>		<b>945,628.12</b>		<b>187,802.08</b>	<b>757,826.04</b>	<b>1,591.55</b>
<b>Brunswick Heads</b>											
Acquisition of 4000 square meter park in Bayside. Lots not yet identified.	-	Upon Lot release in stages	420	371,976.52	-	100%	371,976.52	100.00%	371,976.52	-	885.66
Embellishment of new park in Bayside. Lots not	-	Upon Lot release in stages	420	51,663.41	-	100%	51,663.41	100.00%	51,663.41	-	123.01

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	( W x L) - R	P	[( W x L) - R] x P		C
yet identified.											
Terrace Park exercise equipment	2	2014	420	30,998.04	-	100%	30,998.04	38.08%	11,804.32	19,193.72	28.11
Tweed Street Masterplan Landscaping Upgrades. Multiple parcels refer map.	1	2016 or sooner if funds become available	420	774,951.08	60,585.66	100%	714,365.42	38.08%	272,036.40	442,329.02	647.71
Improved boat and kayak launching facilities. Riverfront Brunswick Heads			420	103,326.81	-	100%	103,326.81	38.08%	39,347.72	63,979.09	93.69
Upgrade Surf Club. PN:181600			420	258,317.03	5,429.76	75%	188,308.01	100.00%	188,308.01	-	448.35
Brunswick Rec ground P/N 238575 play equipment & shade sail			420	18,598.83	-	100%	18,598.83	100.00%	18,598.83	-	44.28
Bayside park P/N 203080 play equipment & shade sail			420	30,998.04	-	100%	30,998.04	100.00%	30,998.04	-	73.80
<b>Totals</b>				<b>1,640,829.76</b>	<b>66,015.43</b>		<b>1,510,235.08</b>		<b>984,733.25</b>	<b>525,501.83</b>	<b>2,344.61</b>
<b>Rural South</b>											
Eureka Sport Field lighting PN 157230 (expenditure from Old plan)	1	2014	72	125,000.00	125,000.00	100%	-	4.76%	-	-	-
<b>Totals</b>				<b>125,000.00</b>	<b>125,000.00</b>		<b>-</b>		<b>-</b>	<b>-</b>	<b>-</b>
<b>LGA Wide Facilities</b>											
Recoupment for Byron Regional Sport and Cultural Complex Loan	Refer local Priority	Complete	2,892	1,300,000.00	-	25%	325,000.00	19.20%	62,394.53		21.57



# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

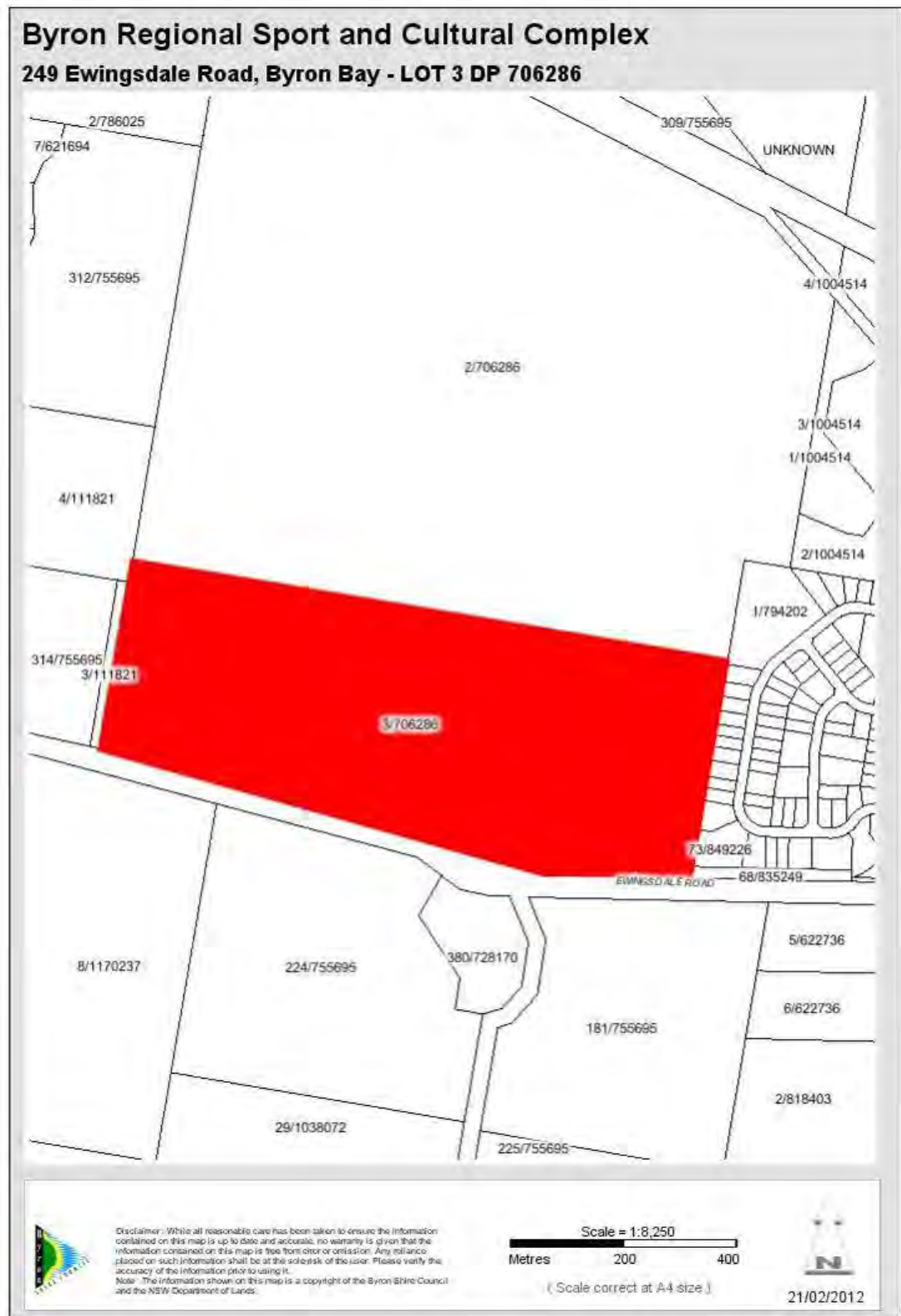
Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
Funds. (Total cost is \$17,205,020 refer to #1187988 for full budget) PN: 132490											
Byron Regional Sport and Cultural Complex Stage 2 All-abilities Playground (Cultural Plan 7.1.d Accessible playground facilities) PN: 132490	Refer local Priority		2,892	671,624.27	-	50%	335,812.14	19.20%	64,470.28	271,341.86	22.29
Byron Regional Sport and Cultural Complex Stage 2 Southern field lighting. PN: 132490	Refer local Priority		2,892	154,990.22	-	25%	38,747.56	100.00%	38,747.56	-	13.40
Byron Regional Sport and Cultural Complex Stage 2 Grandstands. PN: 132490	Refer local Priority		2,892	516,634.05	-	25%	129,158.51	100.00%	129,158.51	-	44.66
Byron Regional Sport and Cultural Complex Stage 2 MPF (2 additional courts) PN: 132490	Refer local Priority		2,892	1,033,268.10	-	25%	258,317.03	100.00%	258,317.03	-	89.32
Byron Regional Sport and Cultural Complex Stage 2 Netball court lighting. PN: 132490	Refer local Priority		2,892	464,970.65	-	25%	116,242.66	100.00%	116,242.66	-	40.19
Byron Regional	Refer		2,892	206,653.62	-	25%	51,663.41	100.00%	51,663.41	-	17.86

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
Sport and Cultural Complex Stage 2 Southern Carpark. PN: 132490	local Priority										
Enlarged public toilet facilities at Byron Bay Surf Club. PN: 238790	Refer local Priority		2,892	103,326.81	-	50%	51,663.41	100.00%	51,663.41	-	17.86
Ocean Shores Sports fields Embellishment Land unknown. To be located within Ocean Shores SGB catchment or in Rural North	Refer local Priority		2,892	3,197,964.77	1,021,715.90	50%	577,266.49	19.20%	110,825.46	466,441.03	38.32
Sports fields Acquisition for Ocean Shores Catchment. Land unknown. To be located within Ocean Shores SGB catchment or in Rural North Expenditure from Old Plan	Refer local Priority		2,892	500,000.00	250,000.00	50%	-	19.20%	-	-	-
Upgrade Brunswick Heads Surf Club PN:181600	Refer local Priority		2,892	258,317.03	-	25%	64,579.26	100.00%	64,579.26	-	22.33
Bangalow Hard surface netball courts. Land unknown. To be located somewhere within the Bangalow Catchment	Refer local Priority		2,892	258,317.03	-	25%	64,579.26	19.20%	12,398.13	52,181.13	4.29
Bangalow Change	Refer		2,892	258,317.03	-	25%	64,579.26	19.20%	12,398.13	52,181.13	4.29

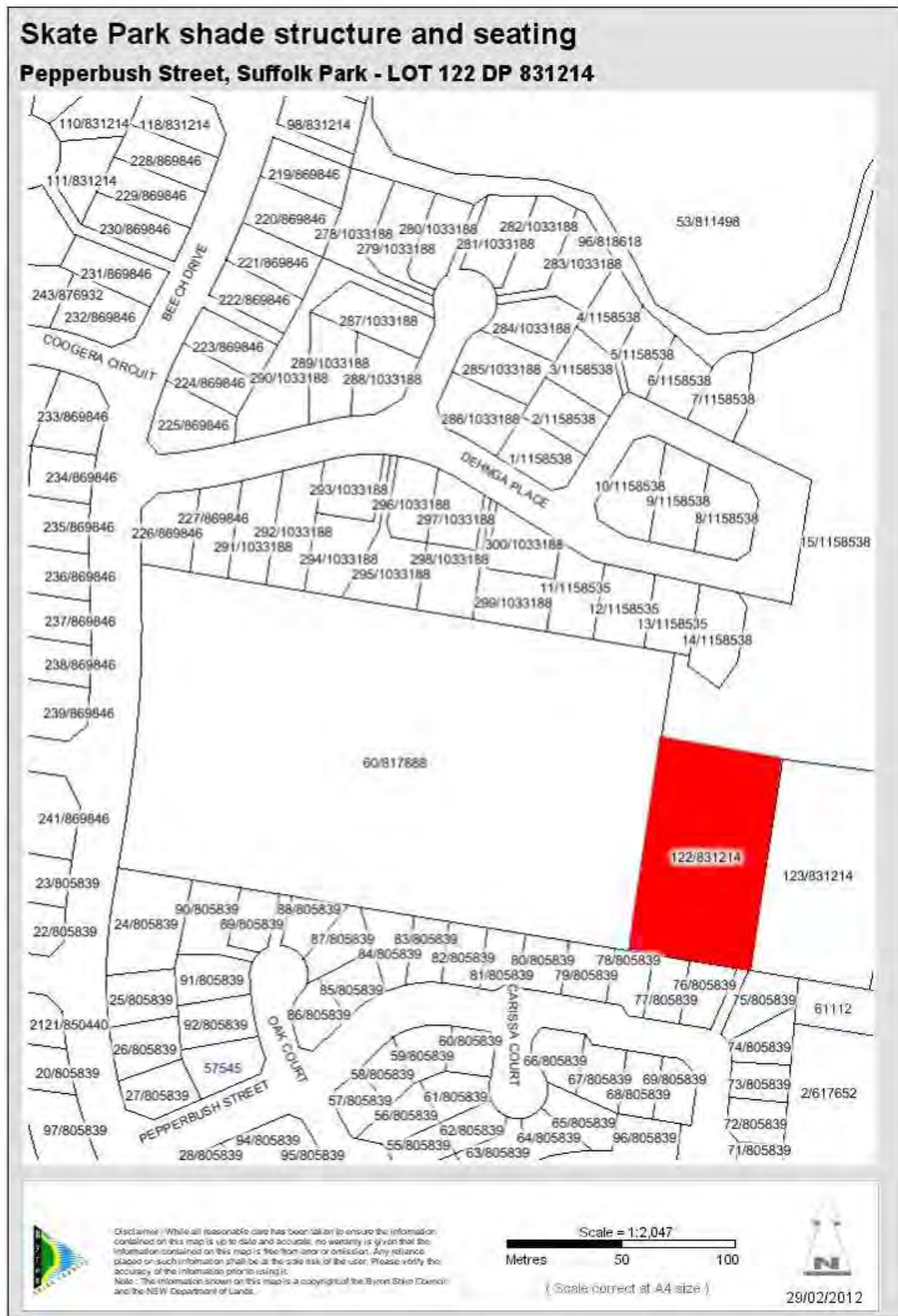
# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for completion of works	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
			N		R	L	(W x L) - R	P	[(W x L) - R] x P		C
Rooms / Amenities at Sports Fields. PN: 238382	local Priority										
Bangalow Additional Sports Field lighting	Refer local Priority	Works Completed with Grant of 55,800	2,892	111,600.00	-	25%	-	19.20%	-	-	-
Mullumbimby Acquisition of sports fields as identified in Chapter 11 of DCP 2010	Refer local Priority	Upon Lot release in stages	2,892	3,099,804.31	-	25%	774,951.08	100.00%	774,951.08	-	267.96
Landscaping for Bangalow Pool			2,892	41,330.72	-	20%	8,266.14	19.20%	1,586.96	6,679.18	0.55
Implementation of Mullumbimby Town Centre Masterplan. Works include: Footpath upgrades, landscaping, bicycle facilities, kerb and gutter works, drainage, benches, street tree planting and landscaping.	Refer local Priority	Works to commence upon completion of the Mullumbimby Town Centre Master plan and after other priorities are completed.	2,892	100,000.00	-	20%	20,000.00	100.00%	20,000.00	-	6.92
Car parking for Bangalow pool			2,892	154,990.22	-	20%	30,998.04	19.20%	5,951.10	25,046.94	2.06
Mullumbimby Embellishment of sports fields as identified in Chapter 11 of DCP 2010	Refer local Priority	Upon Lot release in stages	2,892	867,945.21	-	25%	216,986.30	100.00%	216,986.30	-	75.03
<b>Totals</b>				<b>13,300,054</b>	<b>1,271,715.90</b>		<b>3,128,810.55</b>		<b>1,992,333.81</b>	<b>873,871.27</b>	<b>688.90</b>

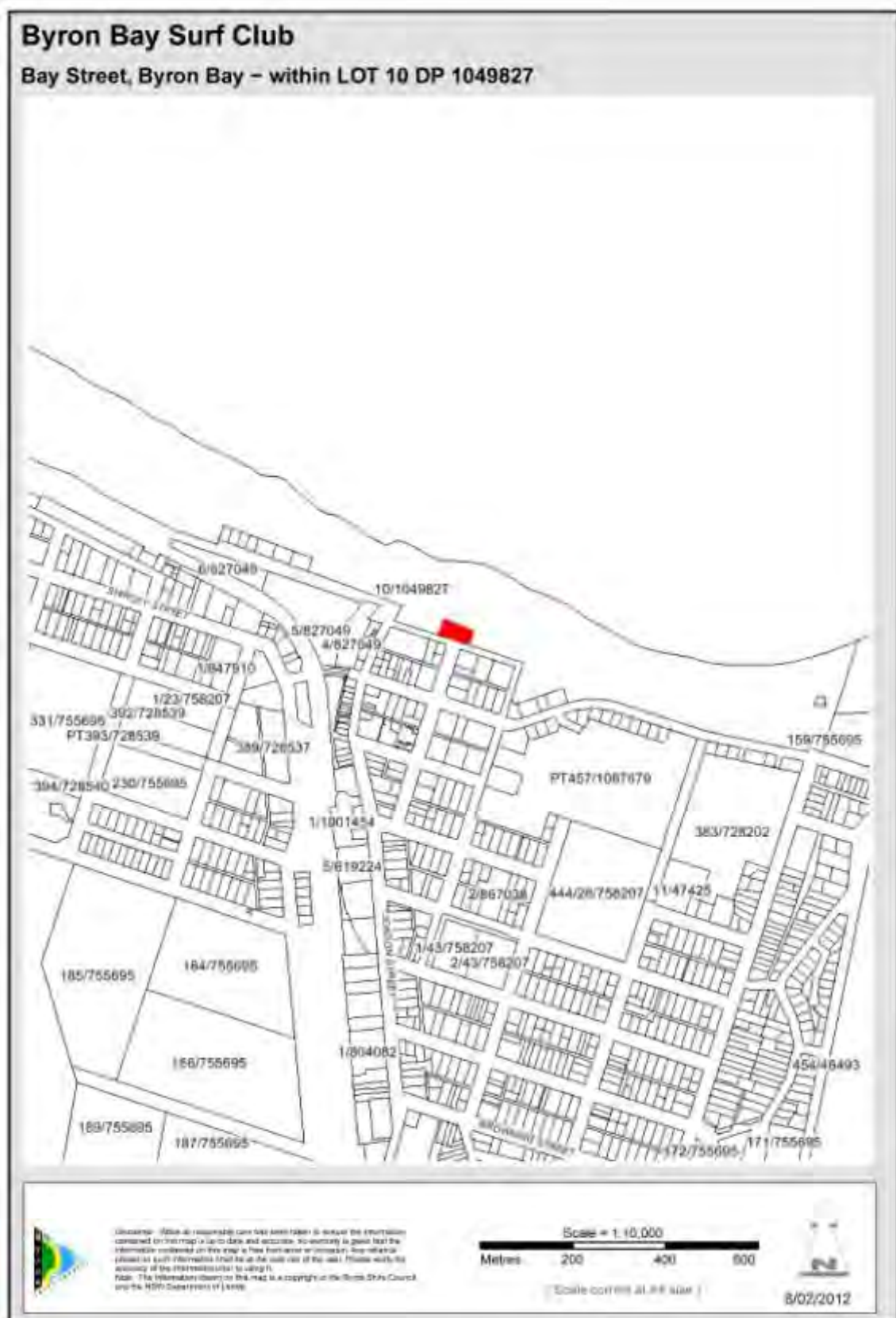


**Map 6.1 Byron Regional Sport and Cultural Complex Multiple Facilities**

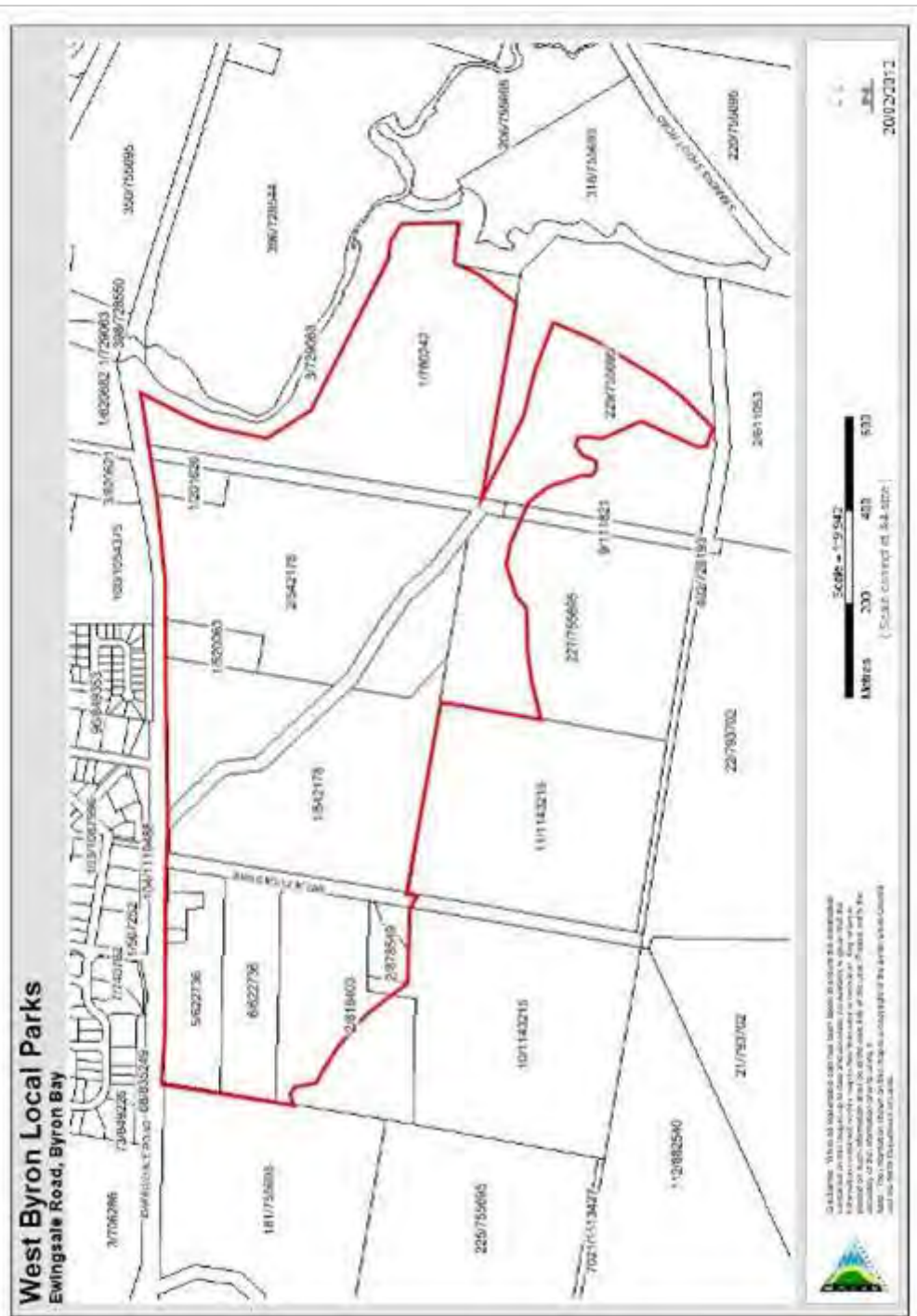




Map 6.2 Shade Structures and seating at Suffolk Park skate park



Map 6.3 Enlarged public toilet facilities at Byron Bay Surf Club



Map 6.4 West Byron Local Parks Acquisition and Embellishment



## Clarks Beach Play Equipment & Shade Sail

Clarks Beach - Within LOT 10 DP 1049827



Disclaimer: While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.  
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Scale = 1:4,305  
Metres 100 200



(Scale correct at A4 size)

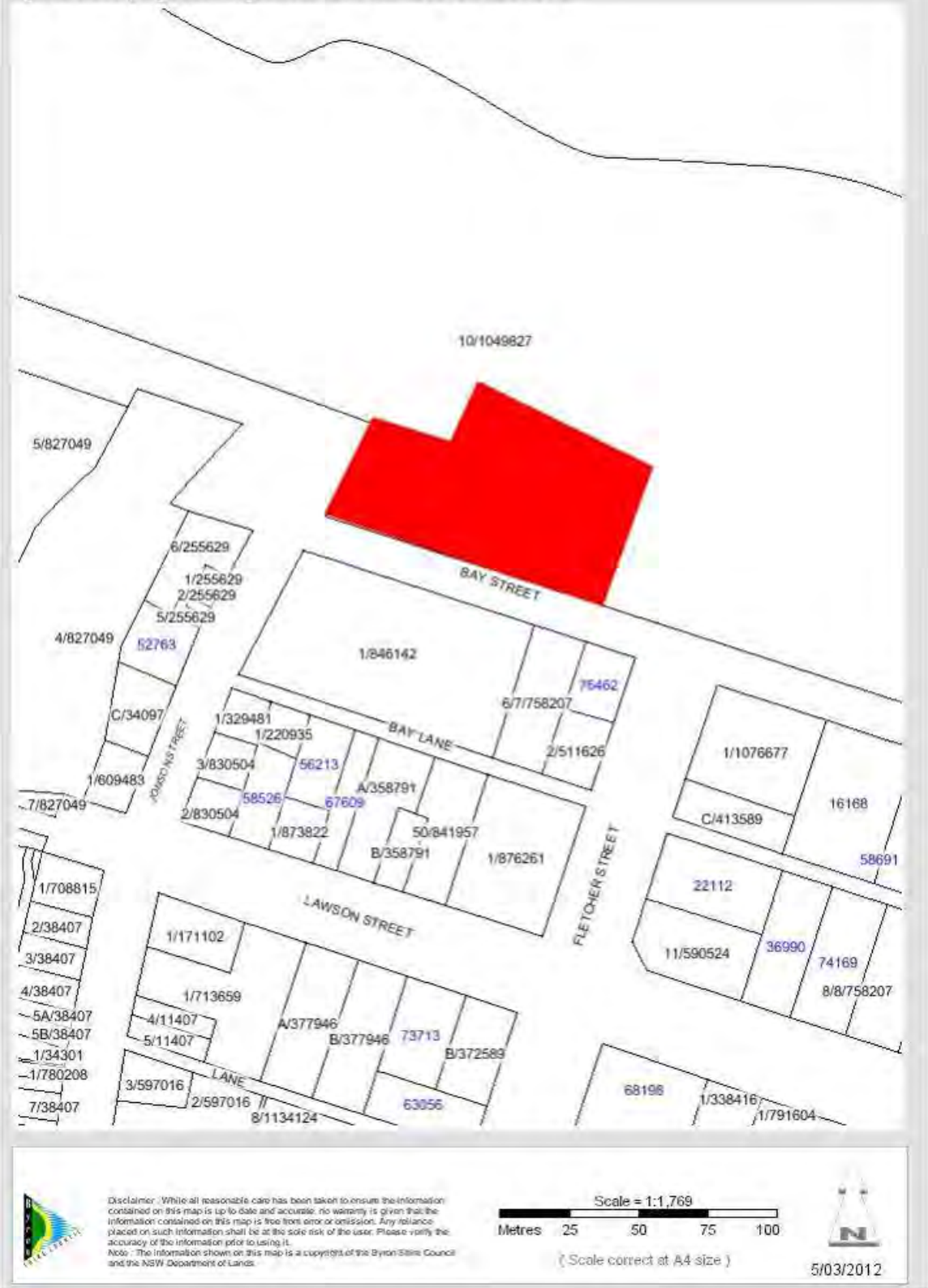
29/02/2012

Map 6.5 Clarks Beach play equipment & shade sail



## Infants play unit & shade sail

Apex Park, Byron Bay - within LOT 10 DP 1049827



Map 6.6 Apex Park Infants play unit & shade sail, exercise equipment

## Additional Playground Equipment & Sail

Railway Park, Byron Bay - LOT 2 DP 827049



Map 6.7 Railway Park Byron Bay Additional Play ground equipment/Sail and exercise equipment

## Additional Playground Equipment & Sail

Recreation Ground, Byron Bay - LOT 444 SEC 28 DP 758207



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Metres 100 200 300  
(Scale correct at A4 size)



29/02/2012

Map 6.8 Recreation Ground Byron Bay Additional Playground equipment/sail



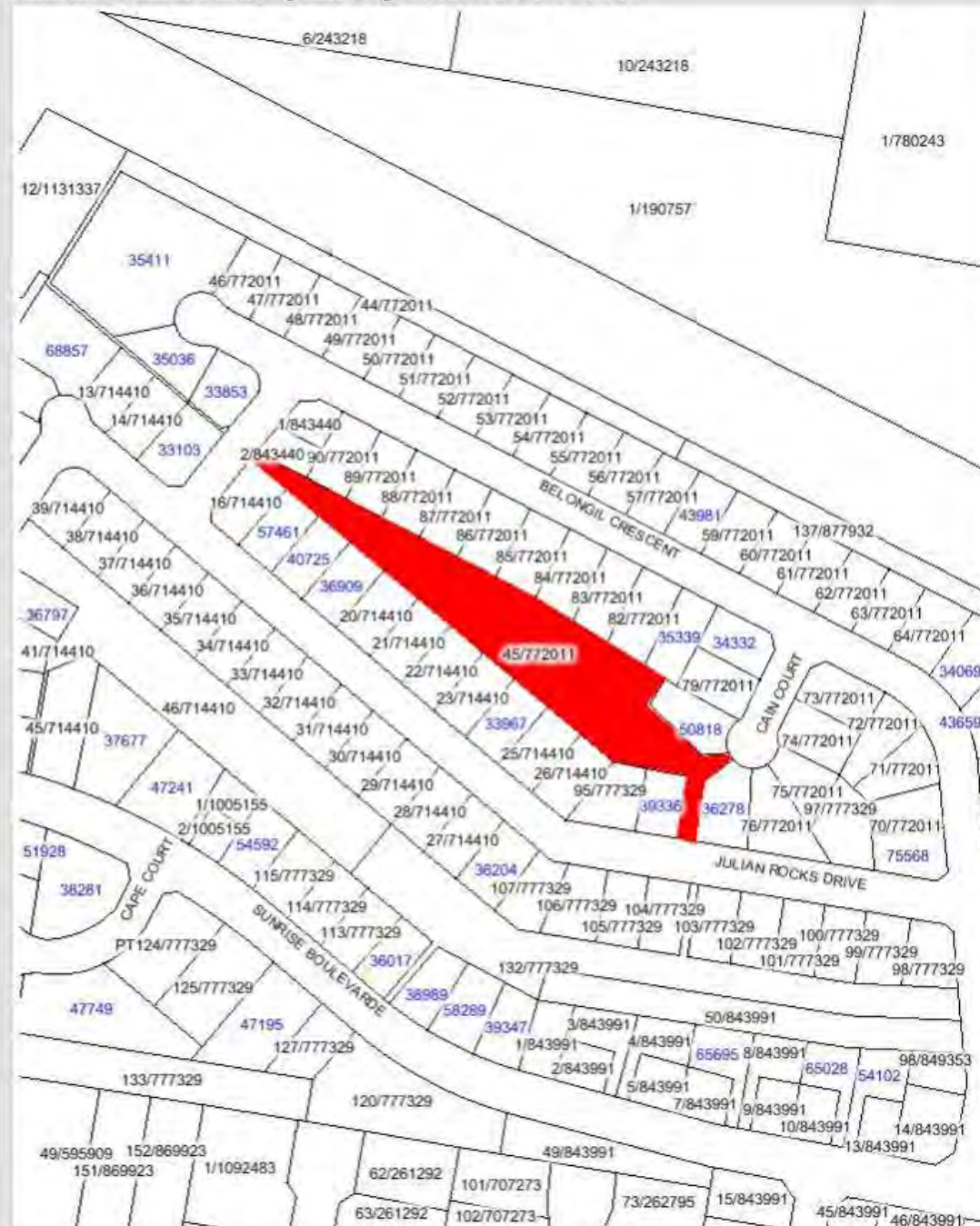


Map 6.9 Gordon Street Park. Enlarged Play unit and shade sail



## Play Unit & Sail

Sunrise Beach Park, Byron Bay - LOT 45 DP 772011



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Scale = 1:2,516  
Metres 50 100 150  
(Scale correct at A4 size)



29/02/2012

Map 6.10 Sunrise Beach Park Play unit and Sail

**Mackellar Court Park, Byron Bay - LOT 86 DP 708473**



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Metres 20 40 60

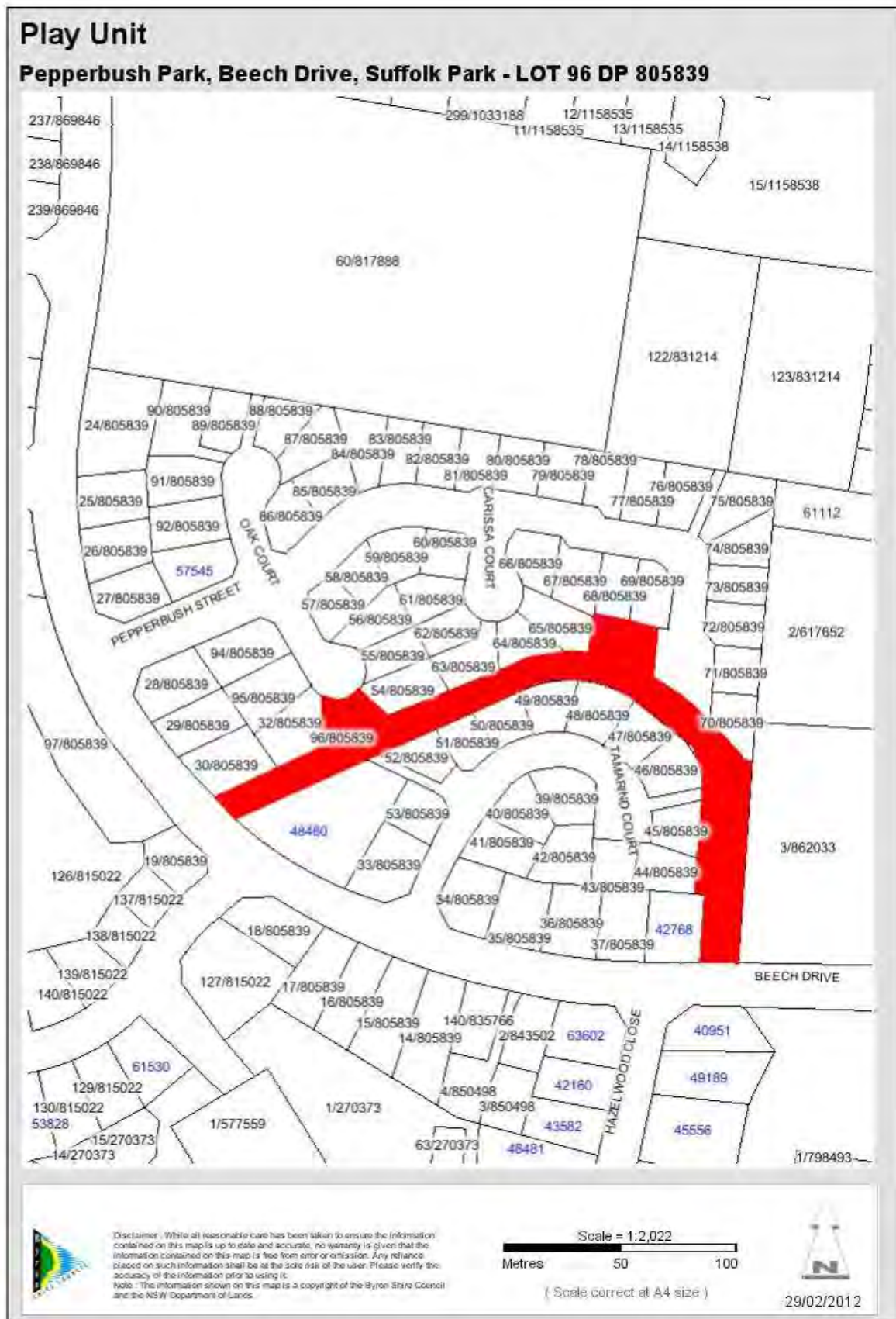
( Scale correct at A4 size )



29/02/2012

**Map 6.11 Makellar St Play unit and sail**





Map 6.12 Pepperbush park play unit

**Hayters Drive, Suffolk Park - LOT 218 DP 846399**

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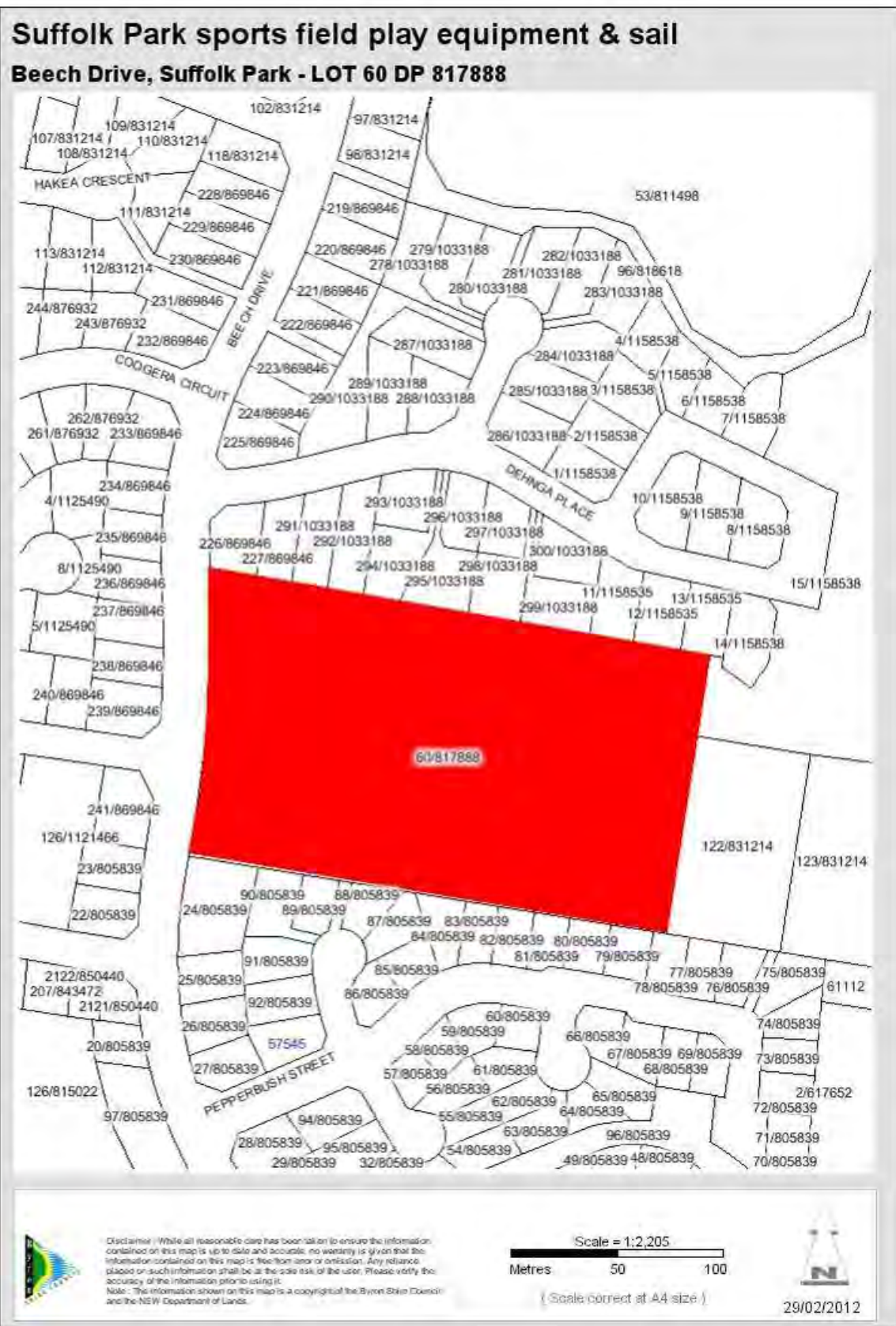
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29/02/2012

### Map 6.13 Baywood Chase Park Play Equipment





Map 6.14 Suffolk Sports field Play equipment and sail





## Byron Bay Pool

Lawson Street, Byron Bay - LOT 4 DP 827049



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Scale = 1:1,343  
Metres 20 40 60 80  
(Scale correct at A4 size)



16/02/2012

Map 6.16 Byron Bay Pool - Improvements (refer Community Infrastructure 10 Year Plan)

## Byron Bay Town Centre Landscape/Precinct Plan



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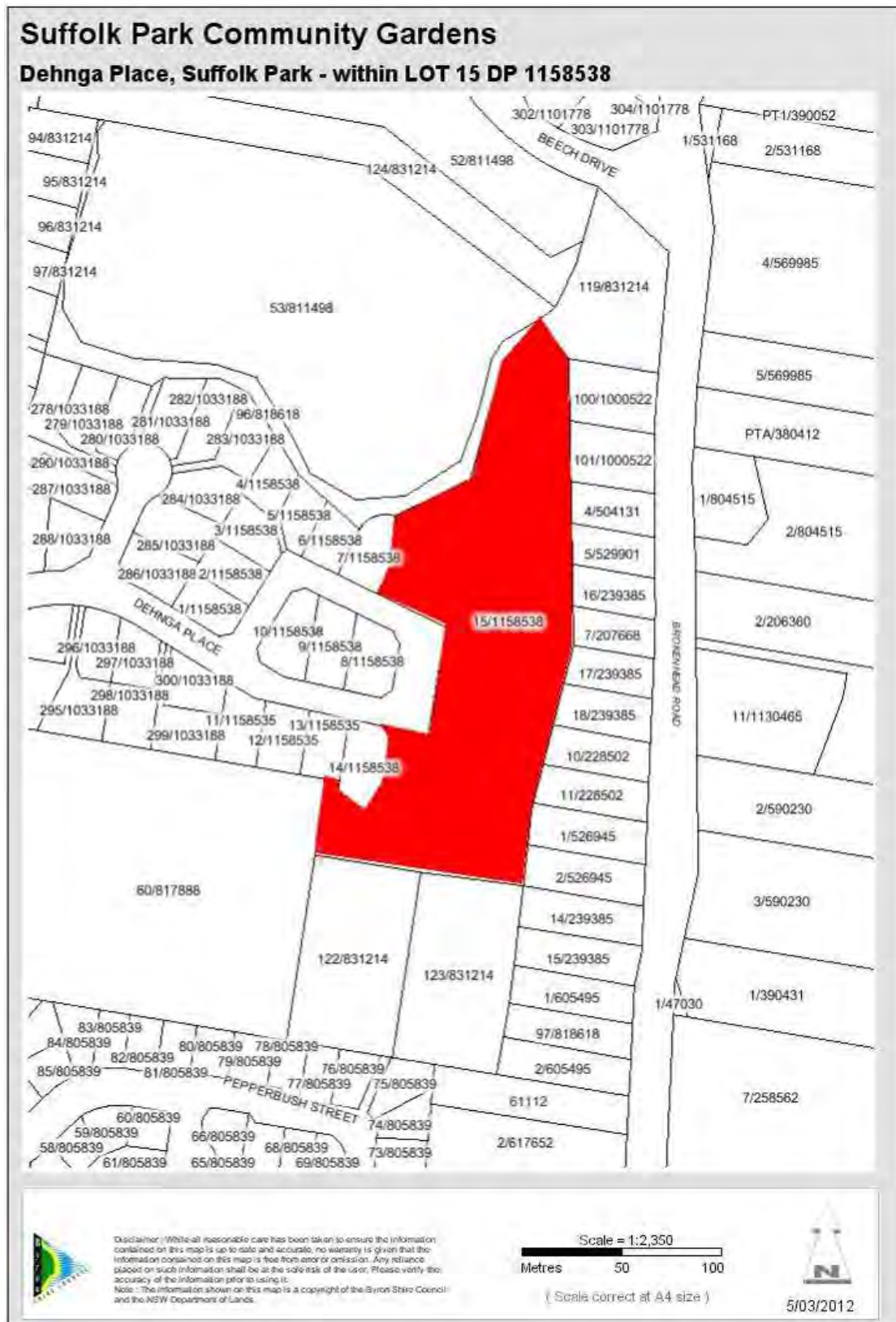
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21/02/2012

**Map 6.17 Byron Bay Town centre upgrade Landscape Precinct Plan** (refer to Community Infrastructure 10 year works plan)





Map 6.18 Community Gardens

## Bangalow Park Land - Area 6, Chapter 22 of DCP

Lismore Road, Bangalow - Part of LOT 1 DP 127485



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Metres 50 100 150 200

(Scale correct at A4 size)



17/02/2012

Map 6.19 Acquisition and embellishment of 0.25ha park.

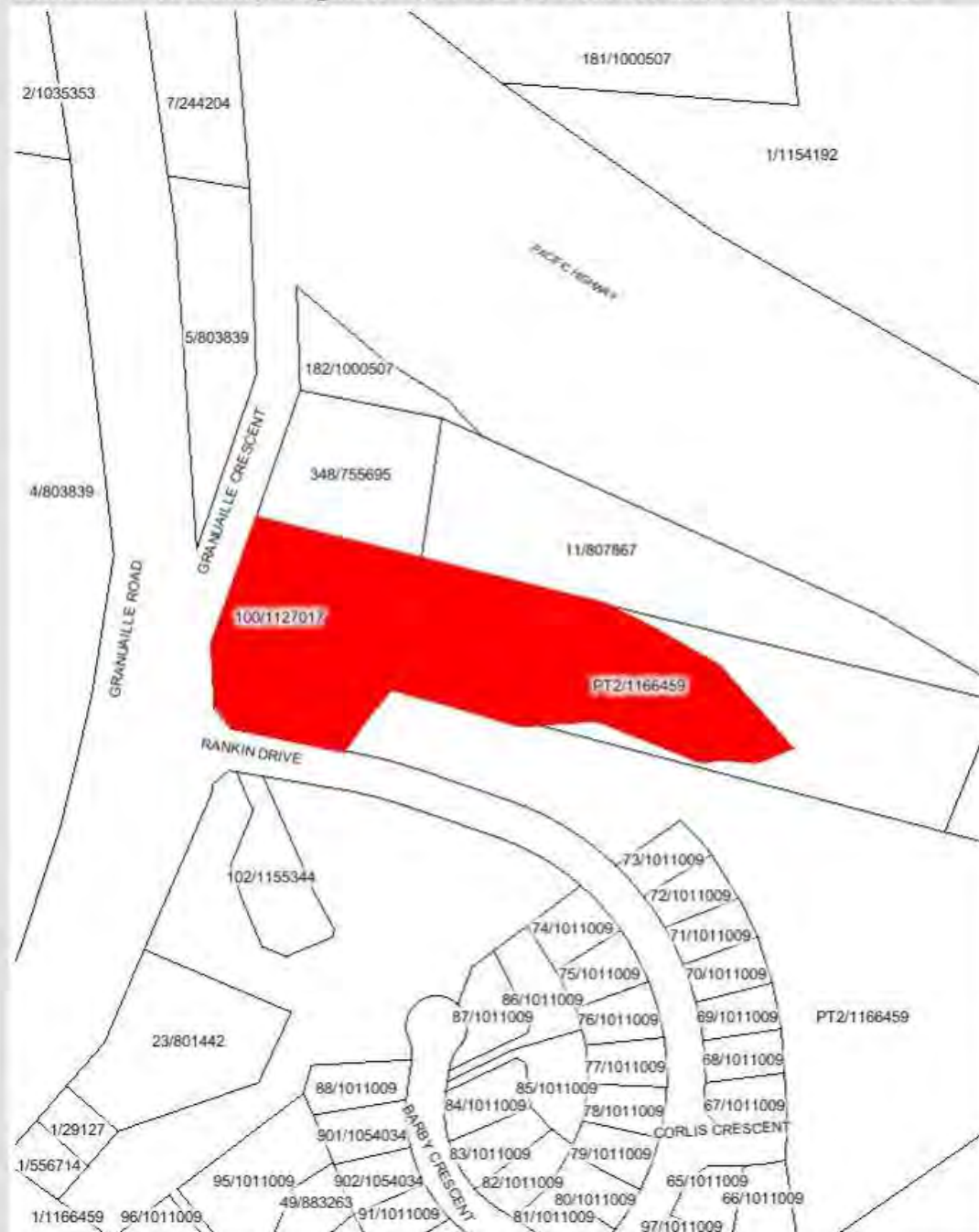




Map 6.20 Acquisition and embellishment of 0.25ha park.

## Bangalow Park Land - Area 2, Chapter 22 of DCP

Granuaile Crescent, Bangalow - LOT 100 DP 1127017 and PT 2 DP 1166459



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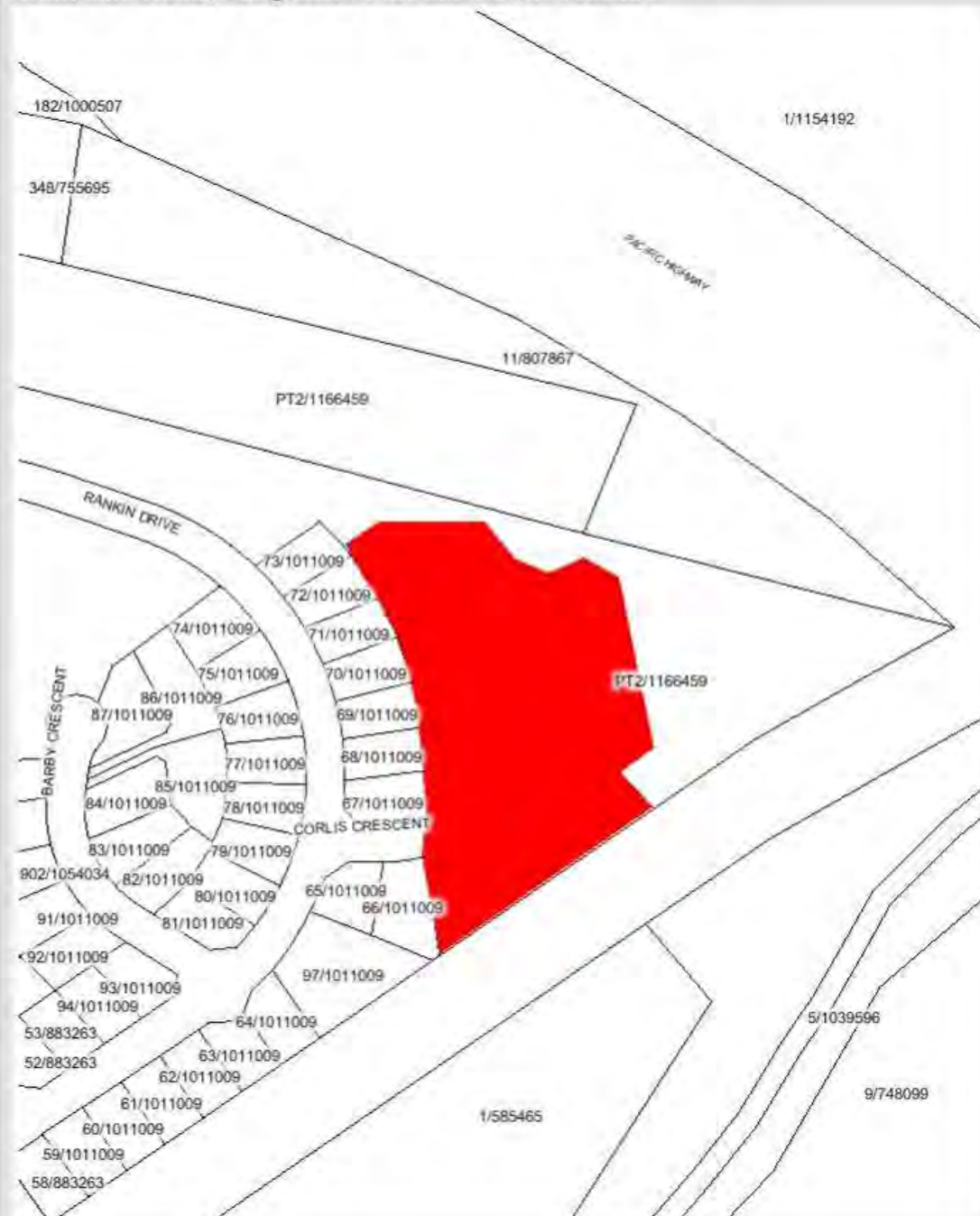


17/02/2012

Map 6.21 Embellishment of existing park in Area 2



# **Bangalow Park Land - Area 3, Chapter 22 of DCP** **Granuaille Road, Bangalow - Part of PT 2 DP 1166459**



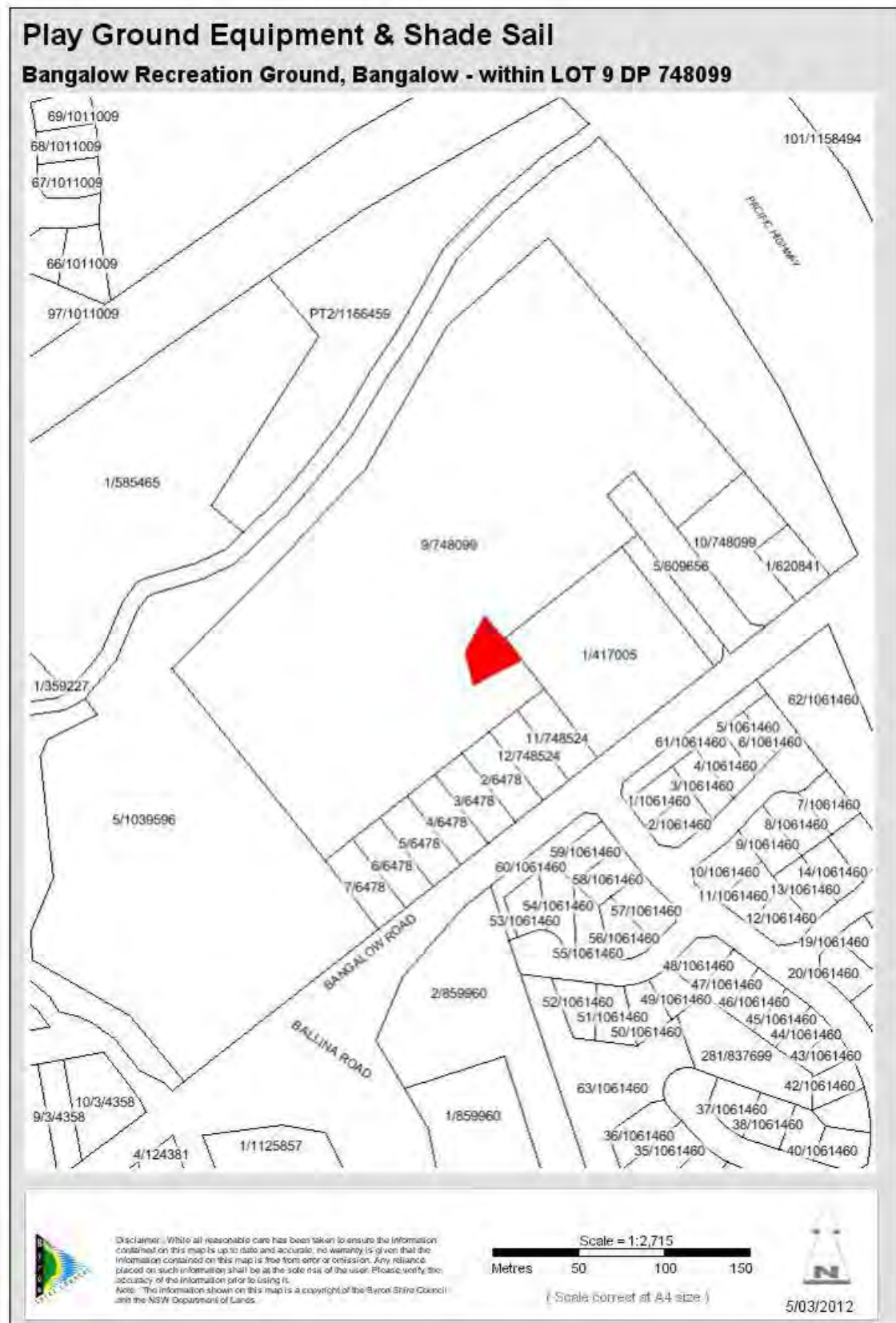
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17/02/2012

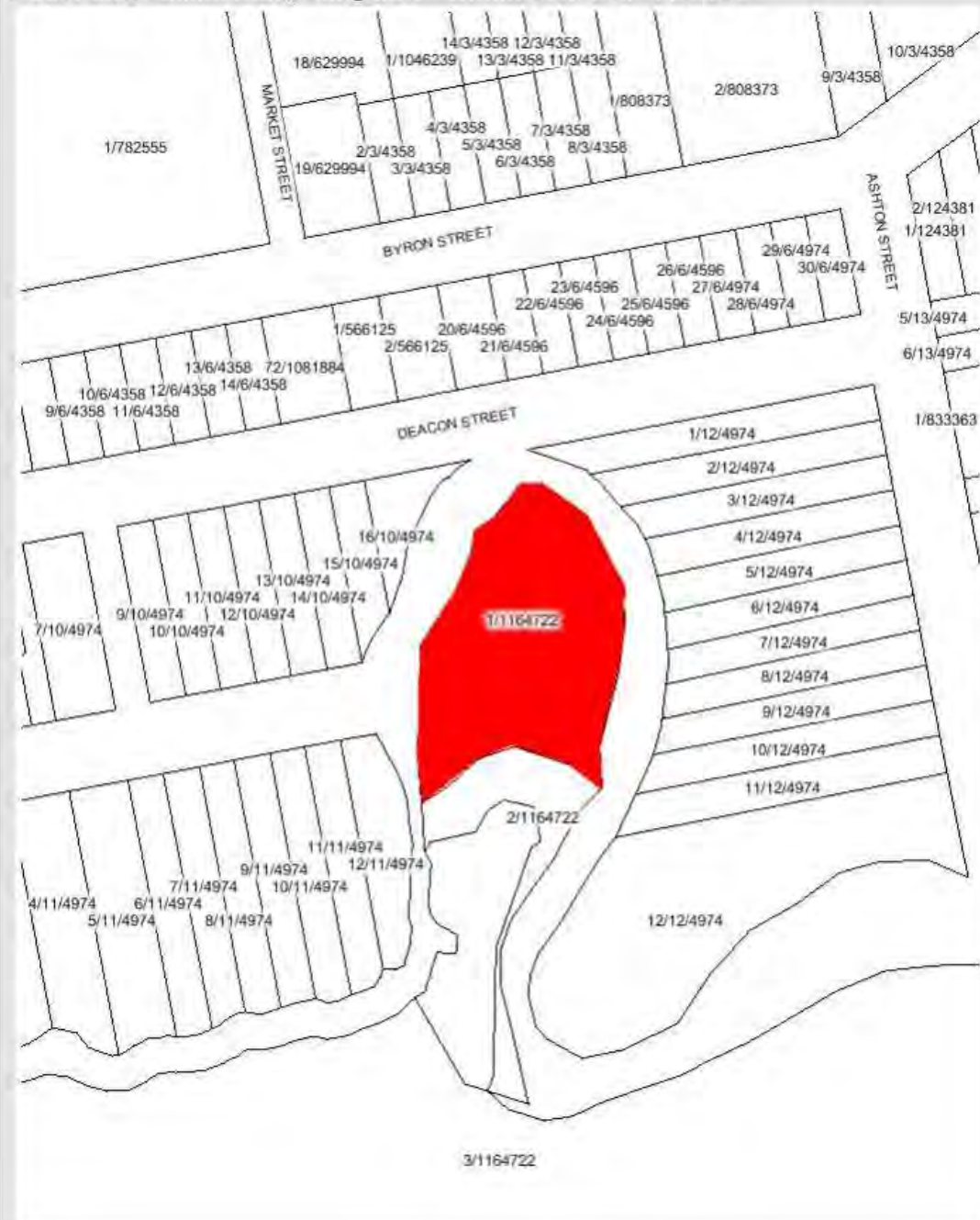
**Map 6.22 Embellishment of existing park in Area 3**



**Map 6.23 Bangalow Play equipment shade sail, Sports Fields Change Rooms / Amenities at Sports Fields**

## Play Unit & Shade Sail

Pool Park, Ballina road, Bangalow - within LOT 1 DP 1164722



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(Scale correct at A4 size)



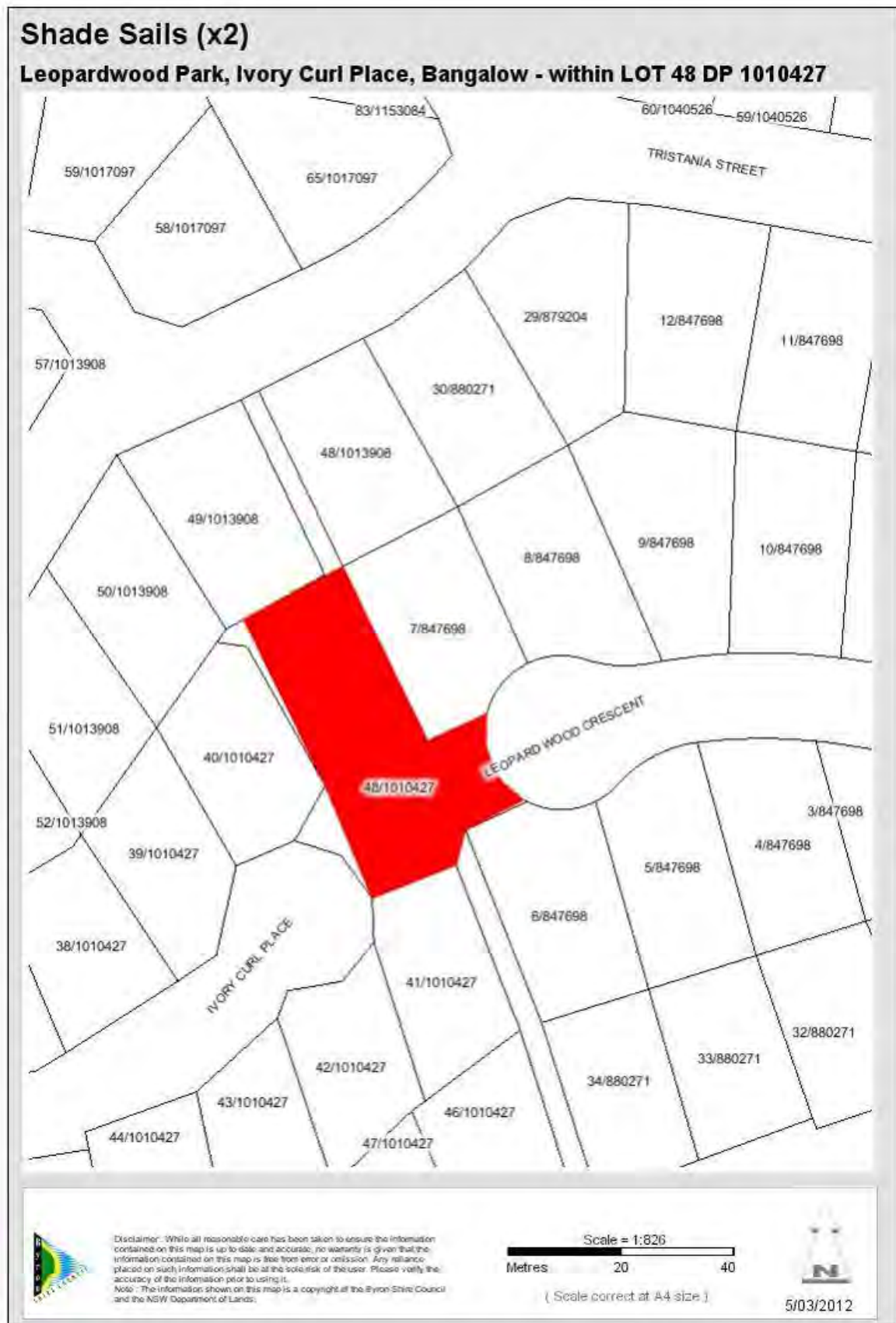
5/03/2012

Map 6.24 Bangalow Pool Park Bangalow Play Unit & sail









Map 6.26 Leopardwood Park 2 shade sails

## Play Equipment & Shade Sail Riverside Park, Mullumbimby - No LOT/DP



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[Scale correct at A4 size]

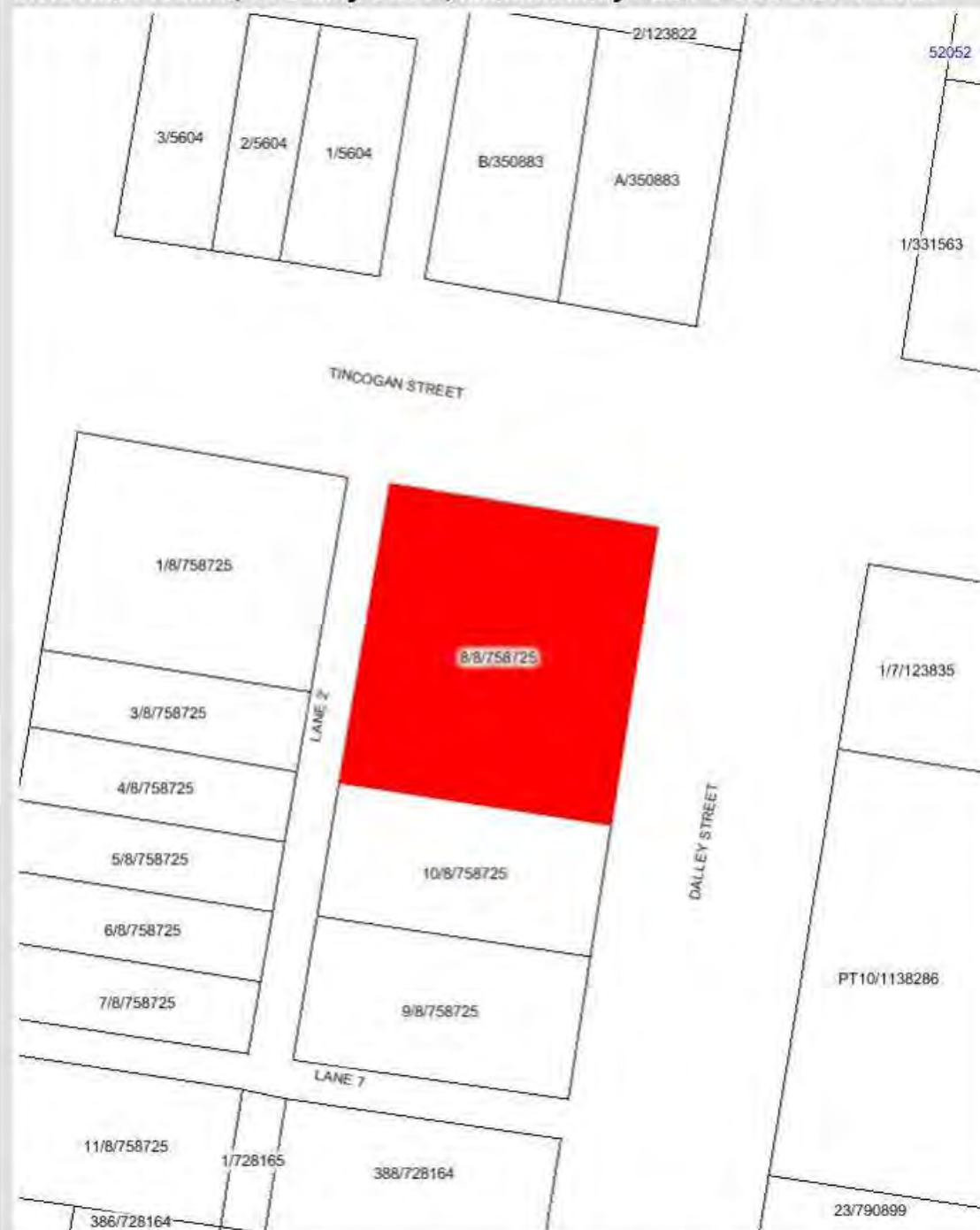


5/03/2012

Map 6.27 Riverside park Shade sail and park play equipment

## Exercise Equipment

**Civic Hall Precinct, 55 Dalley Street, Mullumbimby - LOT 8 SEC 8 DP 758725**



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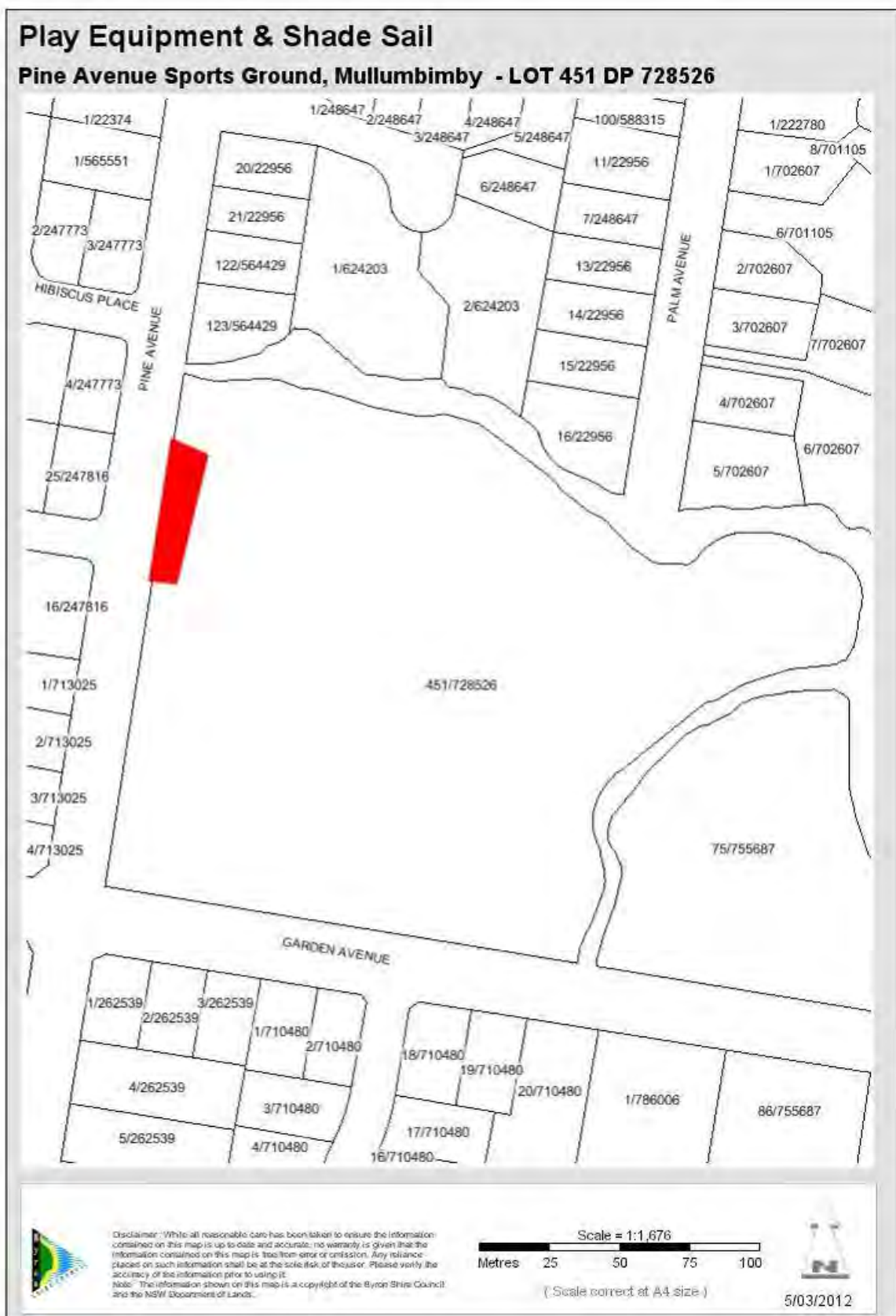
(Scale correct at A4 size)



5/03/2012

**Map 6.28 Mullumbimby Civic Centre precinct. Exercise Equipment**





Map 6.29 Pine Avenue sports ground. Play equipment and shade sail



## Play Equipment

Heritage Park, Gordon Street, Mullumbimby - LOT 1 DP 47449



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Scale = 1:2,696  
Metres 50 100 150  
(Scale correct at A4 size)



9/03/2012

Map 6.30 Heritage park Play equipment



**Map 6.31 Pool park. Play equipment and shade sail**



## Mullumbimby Pool

Jubilee Avenue, Mullumbimby - LOT 187 DP 755692



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Scale = 1:2,493  
Metres 50 100 150  
(Scale correct at A4 size)



20/02/2012

Map 6.32 Mullumbimby Pool Improvements and Heating



Map 6.33 Acquisition and embellishment of Parks in area 5 as identified in Chapter 11 of DCP



## Acquisition and Embellishment of Sports Fields

Mullumbimby - Precinct 5, Chapter 11 of DCP 2010



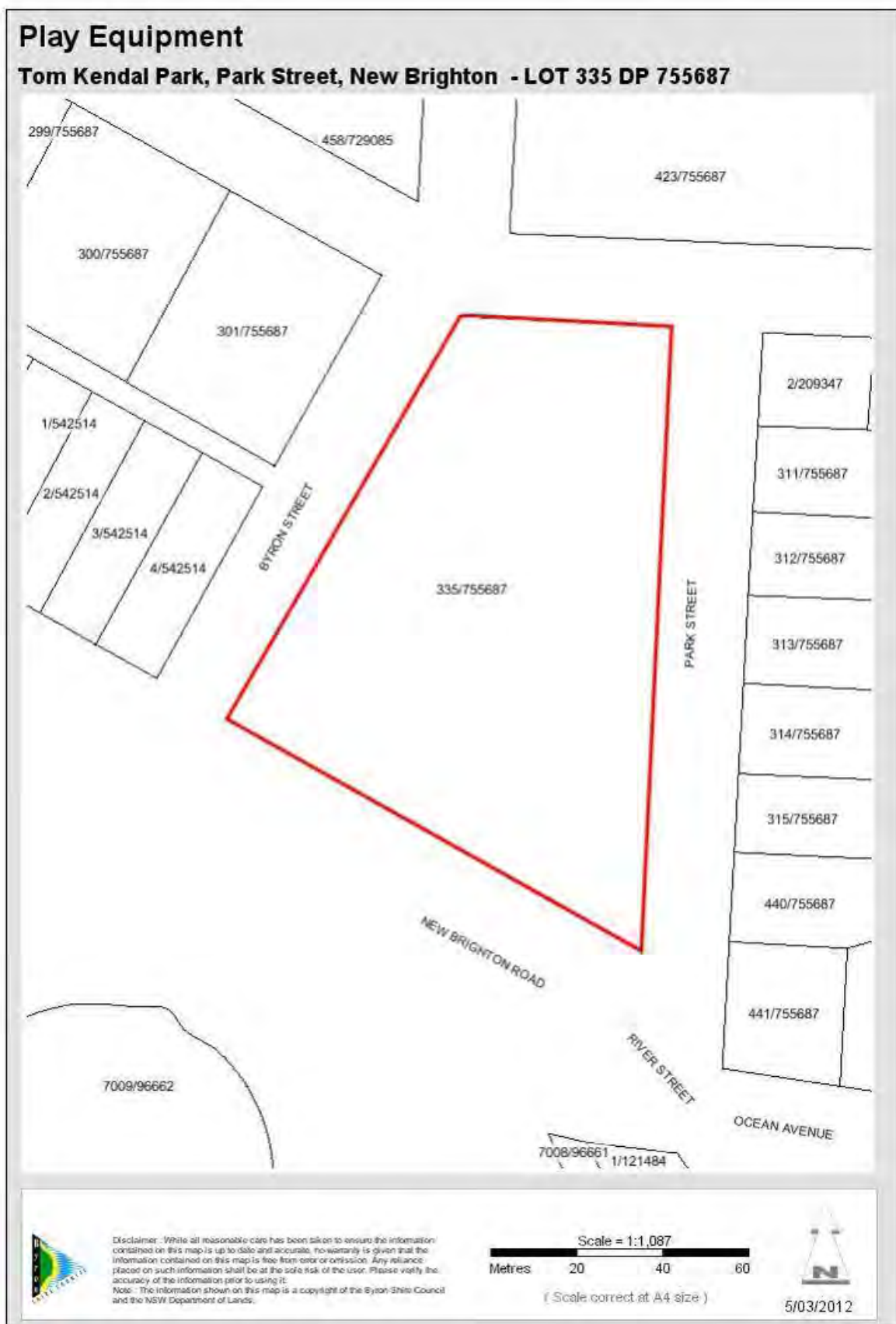
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Metres 100 200 300  
(Scale correct at A4 size.)



21/02/2012

Map 6.34 Acquisition and embellishment of sports fields as identified in Chapter 11 of DCP

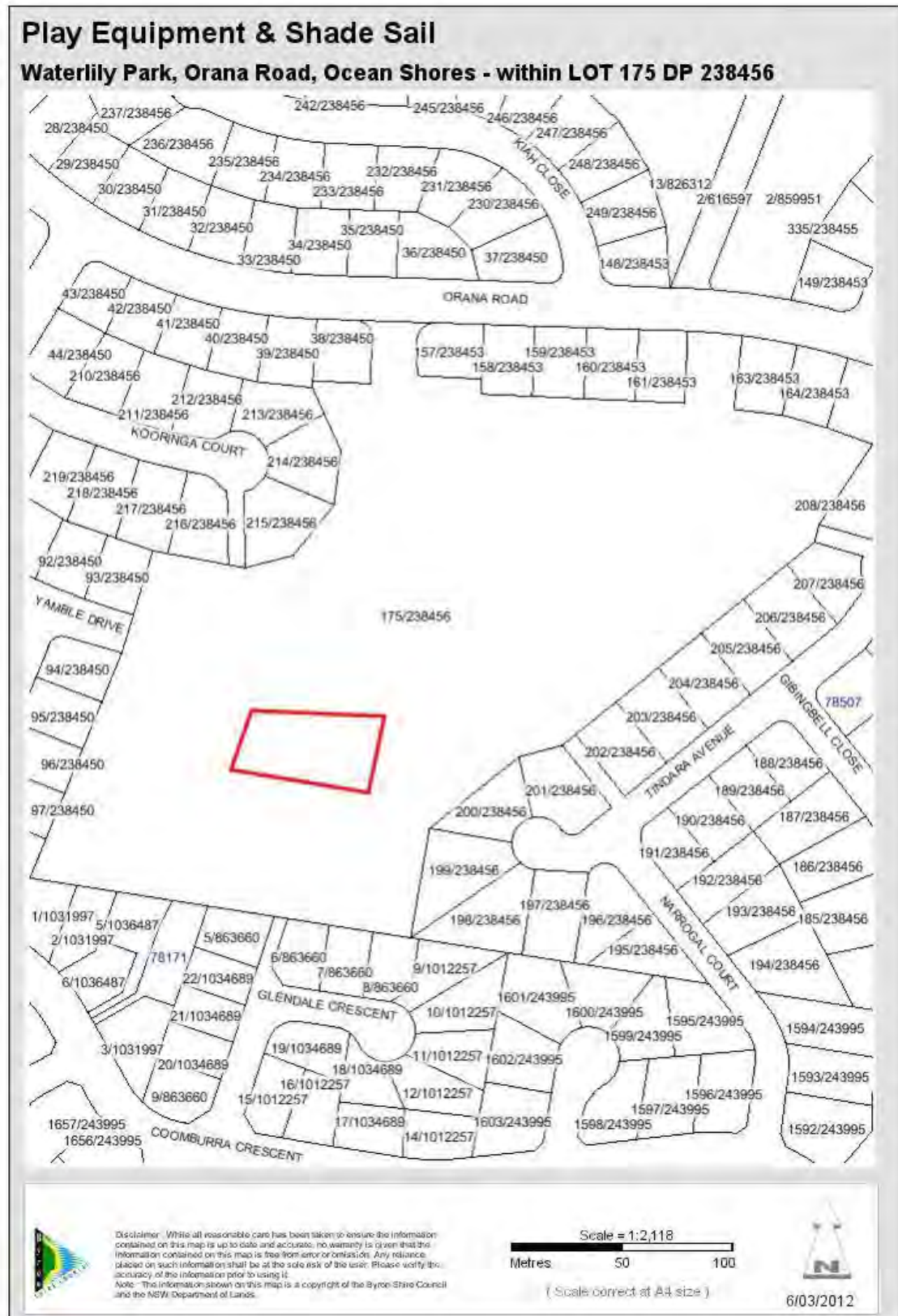


Map 6.35 Tom Kendal Park Play equipment



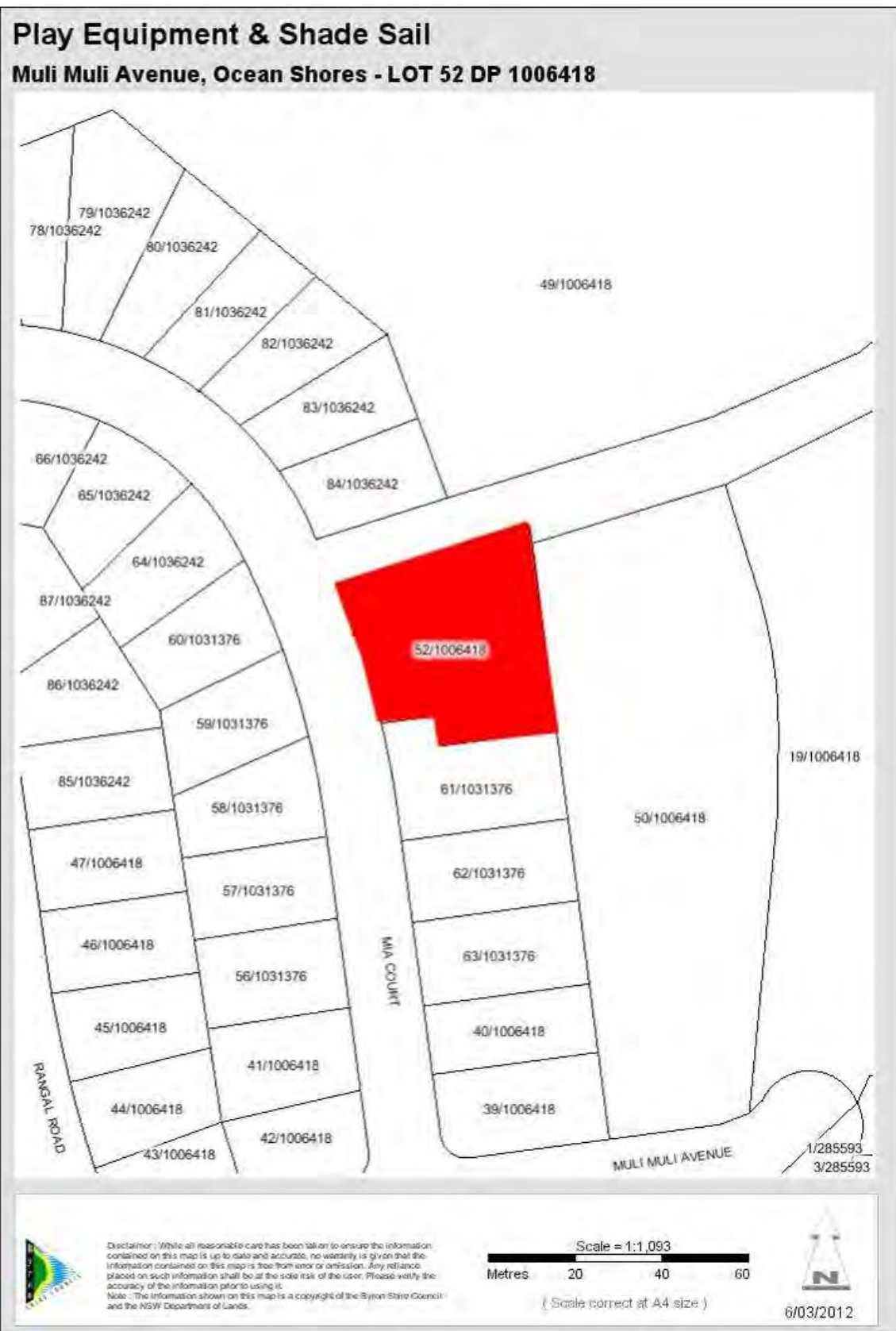
Map 6.36 SGB community centre Play equipment & shade sail





**Map 6.37 Waterlily park. Play unit and Shade sail**





Map 6.38 Fern Beach. Play unit & sail

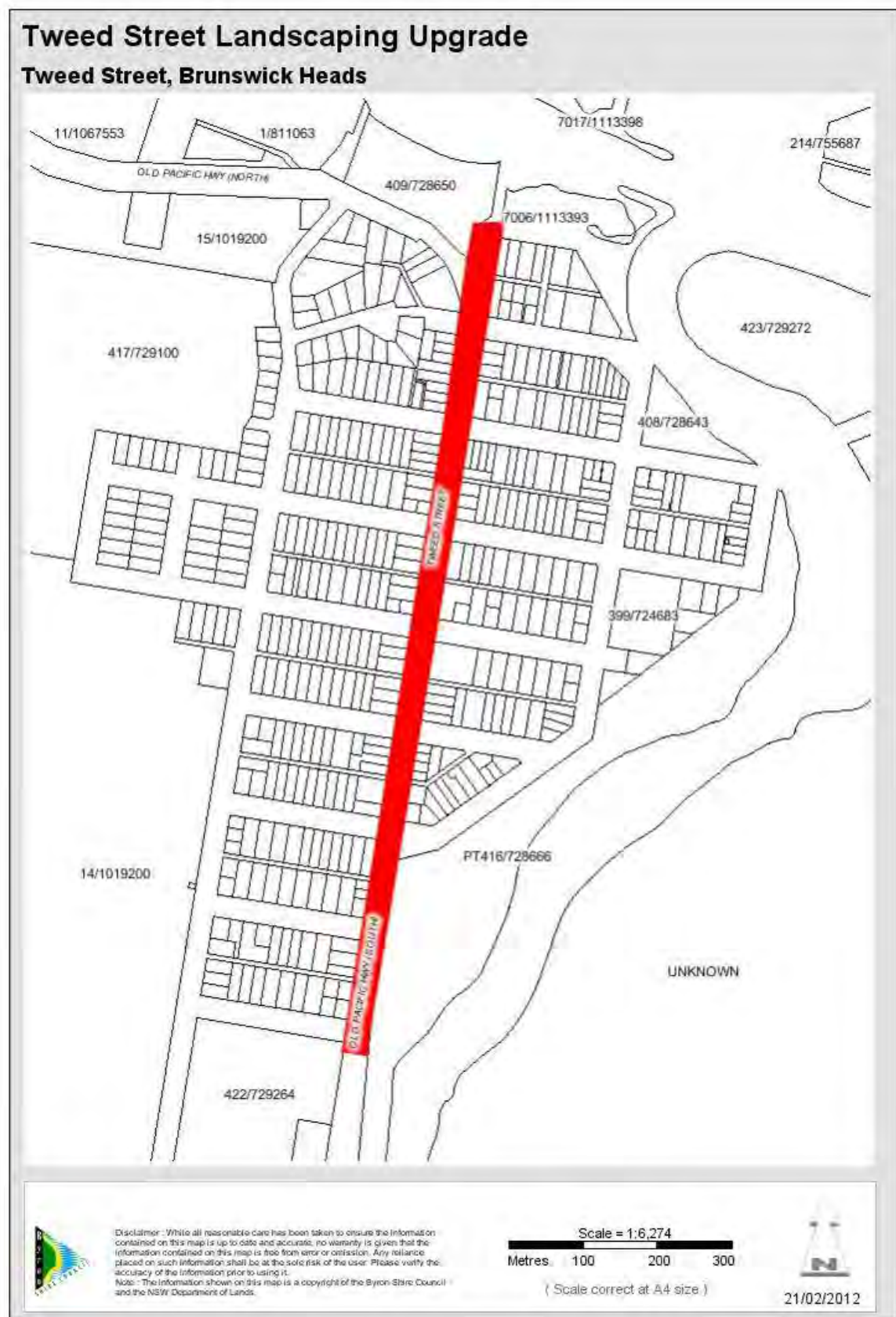


Map 6.39 Surf Club for South Golden Beach



**Map 6.40 Acquisition and embellishment of 4000 square meter park in Bayside  
(Lots not yet identified)**





**Map 6.41 Tweed Street Masterplan Landscaping Upgrades**



## Brunswick Heads Surf Club

South Beach Road, Brunswick Heads - PT 427 DP 729272



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(Scale correct at A4 size)

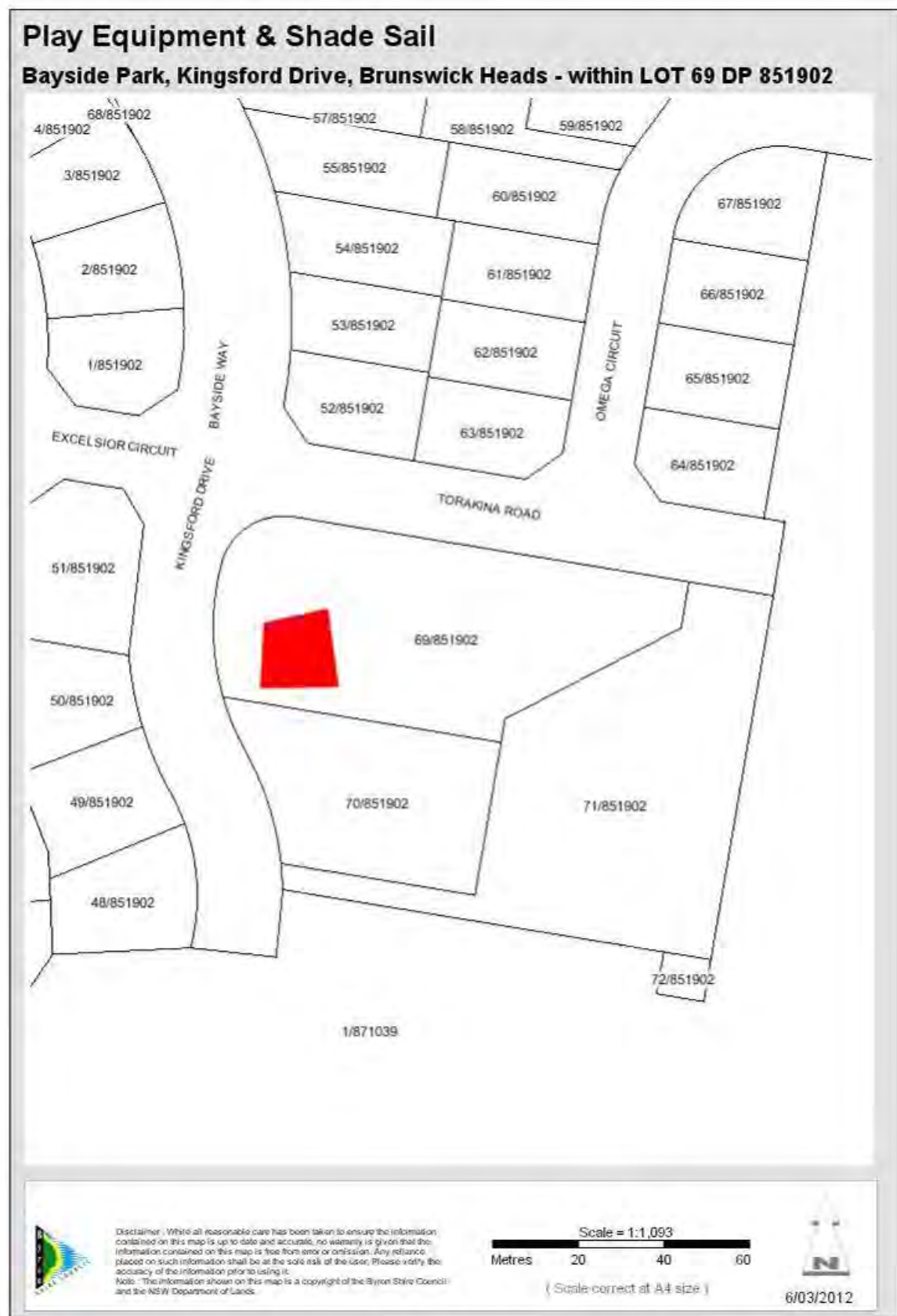


16/02/2012

Map 6.42 Upgrade Surf Club



**Map 6.43 Brunswick Recreation Ground play equipment & shade sail**



Map 6.44 Bayside Park. Play equipment and shade sail

## **7 Urban and Rural Roads**

This chapter examines future demand for traffic facilities within Byron Shire, primarily traffic control, intersection upgrades and road widening and associated drainage works.

The Byron Shire contains a road network comprising state, regional, collector and local roads. This Strategy involves only roads that are the responsibility of and that are funded by Byron Shire Council. It therefore does not include roads funded only by the RTA (state roads). In certain areas the current level of service provided by the roads and intersections in the Byron Shire is not adequate to accommodate existing demand generated by residents, workers and visitors. In other areas of the road network the capacity is adequate for the needs of the existing population. Byron Shire Council has carried out traffic counts on the majority of its major roads since 1992. These figures on average daily traffic volumes on the existing road network are illustrated in Byron Shire Section 94 Development Contributions Plan 2001 –2006. The average growth over the period 1992 to 2001 across all roads surveyed was 33 percent, which correlates with the increased population during this period. As there is a strong correlation between traffic growth and population increase this plan moves away from utilising trip generation as the unit of measure for calculation of contributions and will use population either expressed in persons or in SDU.

### **7.1 Nexus and Future Demand**

Council's aim should be to make adequate capacity available on approach roads and at major intersections due to demand generated by new developments. The costs for improvements can be allocated to those new developments generating the additional traffic expected to use the roads and major intersections. These costs are in addition to the on-site and immediate access requirements specifically attributed to new development.

### **7.2 Timeframe for collection**

As some facilities will reach capacity within a 10 or 15 year time frame the contributions have been calculated over that time frame as it is unreasonable to extend the timeframe for collection beyond this. Where a facility is 100% attributable to new development and the demand for that facility is likely to arise in the near future due to growth then the timeframe for collection may be limited to a 10 year period. The timeframes for collection directly impact on the size of the population for which a given facility will pay for. Both of these figures are to be found in the works schedule.

### **7.3 Timeframe for Provision**

The works schedules provide a priority order for the completion of works in the schedule. Council will utilise this priority order to determine the pooling of funds as provided by clause 27 (g) of the Environmental Planning and Assessment Regulation 2000.

### **7.4 Apportionment**

In calculating the contributions rate for traffic improvements, consideration is given to the location of the incoming population and the Council's current capital works program relating to traffic improvements. Apportionment of costs for traffic facilities is determined on the basis of those who will benefit from the works.

The Byron Bay bypass as identified in the Opus Traffic Reports of 27 August 2010 and 13 October 2010 has a split in demand of 80% for the local catchment and 20% for shire wide. Accordingly the cost of this facility will be split between these two catchments. The Byron Bay bypass will reach capacity in 2028. Contributions will be collected for this facility over a 15 year timeframe (medium term).

Some of the works required for the road network are also designed to provide for the needs of existing residents in the vicinity of new development. Where work is partially meeting the needs



of the existing population then the apportionment rate will be based on the percentage change in population over the time period before which the facility will reach capacity. Where a facility is only servicing the needs of new population then the apportionment rate will be 100%. The purpose of this approach is to reflect the nexus between the expected population and the demand for these facilities, and to ensure that only new development pays for their share.

### 7.5 Calculation of Rate of Contribution

Contributions for urban and rural roads are based on two components – Local Facilities and LGA wide Facilities. The contribution rate is calculated on the following basis:

- a) The estimated proportion of LGA wide and local "use".
- b) The proportion of the cost of works which are considered to be directly attributable to the requirements of new residential development.

### 7.6 Formula for the Calculation of Contributions

The formula used to calculate the contribution (C) for each line item in a catchment is:

$$C_{\text{(per line item)}} = \frac{[(W \times L) - R] \times P}{N}$$

Where:

- W = Total cost of works
- L = Proportion of local or shire wide catchment use
- R = Reconciliation amount
- P = Percentage attributable to new development.
- N = Number of SDU in the catchment (from table X.1.2)

The formula to calculate the total contribution (TC) per SDU in a catchment at the time of consent the grant of consent is the sum of all the line items multiplied by the increase in the consumer price index:

$$TC_{\text{(per SDU)}} = CPI \times \sum_{n=1}^n C$$

Where:

- CPI =  $\text{Ind}^1$  at date of consent /  $\text{Ind}^2$  at date of adoption of plan
- n = number of line items to be summed in a catchment
- C = Contribution<sub>(per line item)</sub>

Note: Where the consumer price index is negative or remains the same then value adopted for the purposes of calculation of the contribution plan shall be the previous quarterly index value.

These calculations inclusive of intermediate steps in the calculations are set out in the works schedule.

## Urban and Rural Roads Works Schedule

Urban Roads												
Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
				N		R	L	(W x L) - R	P			C
Byron Bay / Suffolk Park												
Byron Bay bypass to Browning Street	1	2016	15	1427	8,467,270.45	2,500,000.00	80%	4,273,816.36	27.19%	1,162,222.80	3,111,593.56	814.45
Roundabout Ewingsdale Rd and Sunrise Blvd. To service West Byron	3	Completed based on scheduling of land release at West Byron	Completed based on scheduling of land release at West Byron	1427	2,066,536.20	-	80%	1,653,228.96	27.19%	449,579.54	1,203,649.42	315.05
Ewingsdale Road/ Bayshore Dr Roundabout	2	Completed based on scheduling of land release at West Byron	15	1427	3,099,804.31	450,000.00	80%	2,029,843.45	27.19%	551,996.19	1,477,847.26	386.82
Roundabout Ewingsdale Rd and McGettigans Lane	4		15	1427	2,066,536.20	-	80%	1,653,228.96	27.19%	449,579.54	1,203,649.42	315.05
Widen Middleton Street, between Marvel Street and Byron Street for two way traffic (Line item for		Works Completed 2013	15	1427	125,000.00	125,000.00	100%	-	0.00%	-	-	-

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
				N		R	L	(W x L) - R	P			C
expenditure)												
Shirley Street Roundabout	10	2022	15	1427	1,120,821.39	-	100%	1,120,821.39	27.19%	304,796.48	816,024.91	213.59
Tennyson Street (extension through to Lawson)			15	1427	1,055,942.84	-	100%	1,055,942.84	27.19%	287,153.39	768,789.45	201.23
Jonson Street			15	1427	730,105.88	-	100%	730,105.88	27.19%	198,545.19	531,560.69	139.13
Town Centre Traffic Mgmt			15	1427	206,653.62	-	100%	206,653.62	100.00%	206,653.62	-	144.82
Traffic management strategy Byron Bay			15	1427	206,653.62	-	100%	206,653.62	100.00%	206,653.62	-	144.82
Intersection Upgrade on Broken Head Rd (Clifford Street). Type to be determined.	6	2013	15	1427	1,239,921.72	650,000.00	100%	589,921.72	27.19%	160,423.47	429,498.25	112.42
Broken Head Rd Improvements	5	2015	15	1427	981,604.70	625,536.62	100%	356,068.08	27.19%	96,829.25	259,238.83	67.86
Expenditure of Heavy Vehicle (Quarry) haulage funds on road reconstruction and maintenance		As Required		1427	691,217.88	691,217.88	100%	-	27.19%	-	-	-
<b>Total</b>					<b>21,366,850.93</b>	<b>4,350,536.62</b>		<b>13,876,284.88</b>		<b>4,074,433.09</b>	<b>9,801,851.79</b>	<b>2,855.24</b>
<b>Mullumbimby</b>												

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
				N		R	L	(W x L) - R	P			C
Left Bank/Jubilee intersection			15	333	30,661.78	20,000.00	100%	10,661.78	20.12%	2,145.24	8,516.54	6.44
Left Bank/Azalea St intersection	2	2015	15	333	51,663.41	25,000.00	100%	26,663.41	20.12%	5,364.91	21,298.50	16.11
Pine/Main Arm intersection	3	2015	15	333	63,101.05	30,000.00	100%	33,101.05	20.12%	6,660.22	26,440.83	20.00
Main Arm Road	1	2015	15	333	1,120,821.39	548,595.70	100%	572,225.69	20.12%	115,136.82	457,088.87	345.76
Additional car parking in Mullumbimby town centre (expenditure of s94 car parking funds)	NA	Works to be integrated with Town Centre Traffic Management			135,254.06	135,254.06	100%	-	20.12%	-	-	-
Town Centre Traffic Management inclusive of a traffic study. Implementation of Mullumbimby Town Centre Master Plan	4	Works to commence upon completion of the Mullumbimby Town Centre Master plan and after other priorities are completed.	15	333	200,000.00	-	100%	200,000.00	100.00%	200,000.00	-	600.60
<b>Total</b>					<b>1,601,501.69</b>	<b>758,849.76</b>		<b>842,651.93</b>		<b>329,307.19</b>	<b>513,344.74</b>	<b>988.91</b>
<b>Brunswick Heads</b>												
Town Centre Traffic Mgmt	2		15	420	103,326.81		100%	103,326.81	100.00%	103,326.81	-	246.02



# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
				N		R	L	(W x L) - R	P			C
Tweed Street Masterplan Roadworks Upgrades	1	2020	15	420	2,066,536.20	78,471.38	100%	2,066,536.20	38.08%	786,954.47	1,279,581.73	1,873.70
South Beach Road	3		15	420	470,813.78		100%	470,813.78	38.08%	179,289.87	291,523.91	426.88
<b>Total</b>					<b>2,640,676.79</b>	<b>78,471.38</b>		<b>2,640,676.79</b>		<b>1,069,571.15</b>	<b>1,571,105.64</b>	<b>2,546.60</b>
<b>Bangalow</b>												
Deacon Street on street carparking expansion (Expenditure of car parking funds)	1	2015		422	196,000.00	196,000.00	100%	-	0.00%	-	-	-
Town Centre Traffic Mgmt	6		15	422	103,326.81	-	100%	103,326.81	100.00%	103,326.81	-	244.85
Leslie St	4		15	422	78,209.57	50,000.00	100%	28,209.57	42.91%	12,103.47	16,106.10	28.68
Bangalow Road	3		15	422	394,937.07	250,000.00	100%	144,937.07	42.91%	62,186.04	82,751.03	147.36
Rifle Range Road Intersection	2	2015	15	422	495,968.69	400,000.00	100%	95,968.69	42.91%	41,175.89	54,792.80	97.57
Rifle Range Rd Railway Viaduct	5		15	422	1,151,705.35	217,857.38	100%	933,847.97	42.91%	400,672.59	533,175.38	949.46
<b>Total</b>					<b>2,224,147.49</b>	<b>1,113,857.38</b>		<b>1,306,290.11</b>		<b>619,464.80</b>	<b>686,825.31</b>	<b>1,467.92</b>
<b>Shire Wide</b>												
Byron Bay bypass to Browning Street	Refer local Priority		15	2892	8,467,270.45	-	20%	1,693,454.09	19.20%	325,114.70	1,368,339.39	112.42

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
				N		R	L	(W x L) - R	P			C
Roundabout Ewingsdale Rd and Sunrise Blvd. To service West Byron	Refer local Priority		15	2892	2,066,536.20	-	20%	413,307.24	19.20%	79,348.04	333,959.20	27.44
Ewingsdale Road/Bayshore Dr Roundabout	Refer local Priority		15	2892	3,099,804.31	-	20%	619,960.86	19.20%	119,022.06	500,938.80	41.16
Roundabout Ewingsdale Rd and McGettigans Lane	Refer local Priority		15	2892	2,066,536.20	-	20%	413,307.24	19.20%	79,348.04	333,959.20	27.44
<b>Total</b>					<b>15,700,147.16</b>	<b>-</b>		<b>3,140,029.43</b>		<b>602,832.84</b>	<b>2,537,196.59</b>	<b>208.46</b>
<b>Rural Roads</b>												
Blind Mouth Creek Causeway (refer Council report # 1160407)	1	2013	15	172	981,604.70	379,694.01	100%	601,910.69	4.78%	28,742.14	573,168.55	167.11
Main Arm Road Upper Main Arm	2	2013	15	172	206,653.62	-	100%	206,653.62	4.78%	9,868.02	196,785.60	57.37
Federal Rd Federal			15	172	584,397.62	-	100%	584,397.62	4.78%	27,905.87	556,491.75	162.24
Federal Dr Eureka Expenditure form old plan		2013 Works Completed	15	172	100,000.00	100,000.00	100%	-	0.00%	-	-	-
Binna Burra Rd		2013 Works Completed	15	172	200,000.00	200,000.00	100%	-	0.00%	-	-	-

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
				N		R	L	(W x L) - R	P			C
Expenditure from Old Plan												
Intersection Wilfred Street and Brunswick Street Billinudgel	4	2017	15	172	258,317.03	-	100%	258,317.03	100.00%	258,317.03	-	1,501.84
Left Bank Road Mullumbimby (Upgrade)	3	2016	15	172	516,634.05	-	100%	516,634.05	100.00%	516,634.05	-	3,003.69
The Pocket Road upgrade from Skyline Road West	5	2018	15	172	774,951.08	-	100%	774,951.08	100.00%	774,951.08	-	4,505.53
Upgrade of Skinners Shoot Road south of Yagers Lane.	NA	2015	NA	172	16,000.00	16,000.00	100%	-	100.00%	-	-	-
Greys Lane, Tyagarah. Concrete upgrade across flood zone	6	2020	15	172	361,643.84	-	100%	361,643.84	100.00%	361,643.84	-	2,102.58
Mudges Quarry. Road Maintenance expenditure from old plan		Maintenance expenditure as required		172	11,591.11	11,591.11	100%	-	100.00%	-	-	-
Leela Quarry Road		Maintenance expenditure		172	3,308.78	3,308.78	100%	-	100.00%	-	-	-

# BYRON SHIRE COUNCIL - Byron Section 94 Contributions Plan

Facility	Priority for Pooling of Funds	Estimated Timing for works	Time Frame for collection (Years)	SDU in time frame	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Proportion of local Catchment use	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
		as required		N		R	L	(W x L) - R	P			C
Maintenance Expenditure from old plan		as required										
Myocum Quarry (Council) Road maintenance Expenditure from old plan		Maintenance expenditure as required		172	42,546.08	42,546.08	100%	-	100.00%	-	-	-
Myocum Road, Myocum / Ewingsdale	7	2022	15	172	361,643.84	-	100%	361,643.84	100.00%	361,643.84	-	2,102.58
<b>Total</b>					<b>4,419,291.75</b>	<b>753,139.98</b>		<b>3,666,151.77</b>		<b>2,339,705.87</b>	<b>1,326,445.90</b>	<b>13,602.94</b>



## 8 Administration

The purpose of this chapter is to ensure that the cost associated with preparation and administration of this plan are paid by new development.

The management of Section 94 contributions imposes costs on Council in the preparation, implementation, monitoring and review of this Plan. With the increase in population and workforce there is a necessity to ensure there is a continuous process of managing, monitoring, revising and implementing this Plan. The earlier parts of this Plan have demonstrated that the new incoming population of the Byron Shire will need improvements and additions to facilities and services of a variety of types, which are not currently available. Section 94 provides the mechanism by which contributions can be collected to provide these. However, the administration of a Section 94 Plan requires resources which otherwise would not be devoted to this purpose. Since these would not be required if a Section 94 Plan was not to be put in place, they are directly attributable to new development.

### 8.1 Nexus and Future Demand

Section 94 plans and management systems exist because the nature of new development justifies and requires it. The costs to prepare, review and implement the plan, including for background studies, is to be funded solely by new development.

The administration of Section 94 is an expensive task. Council employs staff on both a part time and full time basis that coordinate the implementation of contributions plans and works. In addition, consultant studies are often commissioned in order to determine design and costings of works, as well as to review the development and demand assumptions of the Section 94 Plan. Council considers that the costs involved with administering Section 94 are an integral and essential component of the efficient provision of facilities demanded by development throughout the Byron Shire. The new resident populations of Byron Shire should pay a reasonable contribution towards costs associated with the management and administration of this Plan.

The schedule of works, which includes the management, and administration of this Plan will be ongoing throughout the life of the Plan. Resources will be required to undertake an annual review of key assumptions as well as to commission facility planning and demand studies from time to time. Council staff accountable for facility/service planning and delivery, or their delegates, will be involved in reviewing/updating the Plan. This may include the annual review of assumptions or review of the Works Schedule or latest information on community attitudes to ensure that facility planning best reflects contemporary community needs. From time to time, this may extend to engaging specialist consultants (such as planning and valuation specialists) to carry out studies in order to either research changes in the plan's assumptions or better understand the changing community profile of the Byron Shire.

### 8.2 Reconciliation of Section 94 Contributions Plan 2005

Council held funds for Administration that were under the *Section 94 Contributions Plan 2005*. This plan replaces all works within the previous plans with a new works schedule. All funds held have been allocated against the staffing costs to reduce the demand on the new population and to represent the payment made by the existing community to the administration of this plan.

### 8.3 Apportionment

The ongoing administration of this plan is directly related to new population and the full cost of the administration will be apportioned to new development.

#### 8.4 Formula for the Calculation of Contributions

The formula used to calculate the contribution (C) for each line item in a catchment is:

$$C_{\text{(per line item)}} = \frac{[W - R] \times P}{N}$$

Where:

- W = Total cost of administration
- R = Reconciliation amount
- P = Percentage attributable to new development.
- N = Number of SDU in the catchment

The formula to calculate the total contribution (TC) per SDU in a catchment at the time of consent the grant of consent is the sum of all the line items multiplied by the increase in the consumer price index:

$$TC_{\text{(per SDU)}} = CPI \times \sum_{n=1}^n C$$

Where:

- CPI = Ind<sup>1</sup> at date of consent / Ind<sup>2</sup> at date of adoption of plan
- n = number of line items to be summed in a catchment
- C = Contribution <sub>(per line item)</sub>

Note: Where the consumer price index is negative or remains the same then value adopted for the purposes of calculation of the contribution plan shall be the previous quarterly index value.

These calculations inclusive of intermediate steps in the calculations are set out in the works schedule.

## Administration Schedule

Facility	Number of SDU	Cost of Works Indexed to 24 April 2014	S94 Funds bought forward (reconciliation from old plan)	Net cost of works (less from old plan reconciliation amount)	Apportionment (% attributable to new development)	Cost of works attributable to new development	Cost of Works Attributable to Council	Cost per SDU
	N	W	R	L	P			C
Staff Costs (Planner, Admin & Accountant)	2,892	3,099,804.31	311,277.53	2,788,526.78	100%	2,788,526.78	0.00	964.22
Consultants	2,892	232,485.32	0.00	225,000.00	100%	225,000.00	0.00	77.80
		3,332,289.63	311,277.53	3,013,526.78		3,013,526.78	0.00	1,042.02

## **Part B – Section 94A Developer Contributions Plan**

### **Section 1 – Summary schedules**

The works schedule identifies the public facilities for which section 94A levies will be required. Schedule 1 identifies the works schedule adopted in [year to be inserted] and a summary of the expenditure on the respective items.

Levies paid to council will be applied towards meeting the cost of provision or augmentation of new public facilities. Schedule 1 provides a summary of new public facilities, which will be provided by council over the next 10 years, as well as the estimated cost of provision and timing.



Schedule 1 Section 94A Works			
Facility	Cost of Works	Priority	Expenditure
Improvements to Tourist Information centre Station masters Cottage Byron Bay	200,000	1	
Redevelop public toilets in Byron Bay (Including Public Art incorporated into the design)	40,000	2	
Redevelop public toilets in Ocean Shores (Including Public Art incorporated into the design)	40,000	11	
Redevelop public toilets in Suffolk Park (Including Public Art incorporated into the design)	40,000	12	
Redevelop public toilets in Brunswick Heads (Including Public Art incorporated into the design)	40,000	3	
Redevelop public toilets in Bangalow (Including Public Art incorporated into the design)	40,000	4	
Additional Beach showers throughout the shire (Including Public Art incorporated into the design)	50,000	13	
Improved Beach accesses shire wide.	100,000	15	
Public Art in town centres \$30,000 PA for 10 Years	300,000	5	
Civic Improvements in Brunswick Heads town centre. Benches, footpaths, landscaping, signage over 10 years	50,000	6	
Civic Improvements in Ocean Shores town centre. Benches, footpaths, landscaping, signage over 10 years	50,000	7	
Civic Improvements in Byron town centre. Benches, footpaths, landscaping, signage over 10 years	100,000	8	
Civic Improvements in Mullumbimby town centre. Benches, footpaths, landscaping, signage. Over 10 years.	500,000	9	
Civic Improvements in Bangalow town centre. Benches, footpaths, landscaping, signage. Over 10 Years	50,000	10	
Footpath improvements shire wide. Including disabled access facilities	500,000	14	
Administration	150,000	10% of annual income to be allocated to admin	
<b>Total</b>	<b>2,250,000</b>		

## **Section 2 – Expected development and demand for public facilities**

The relationship between expected development and the demand is established through the increase in demand for public facilities created by:

- Commercial development
- Industrial development
- Increasing tourist numbers including day trip visitors
- Other non residential development

### **Administration and operation of the plan**

This development contributions plan is called the Byron Shire Section 94A Development Contributions Plan 2012.

### **Application of this plan**

This plan applies to all land within the local government area as shown on the Map 2.1 of the section 94 plan.

This development contributions plan applies to all non residential development consent and applications for complying development certificates under Part 4 of the Environmental Planning and Assessment Act 1979 for Commercial, Retail and other Employment based Development, or non residential development or subdivision, including mixed use that would create a demand for public amenities and services where the proposed cost of carrying out the development is greater than \$100,000.

The rates for different types of development are set out below:

### **When does this development contributions plan commence?**

This contributions plan commences on [insert date].

### **What is the purpose of this contributions plan?**

The primary purposes of this contributions plan are:

- to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 94A of the Environmental Planning and Assessment Act 1979;
- to assist the council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area;
- to publicly identify the purposes for which the levies are required.

### **Are there any exemptions to the levy?**

The levy will not be imposed in respect of development:

(a) Where the proposed cost of carrying out the development is \$100,000 or less;

- for the purpose of disabled access; or
- for the sole purpose of providing affordable housing; or
- for the purpose of reducing a building's use of potable water (where supplied from water mains) or energy; or

- for the sole purpose of the adaptive reuse of an item of
- environmental heritage; or
- for residential development; or
- that has been the subject of a condition under section 94 under a previous development consent relating to the subdivision of the land on which the development is to be carried out.

(b) Where a development proposal contains both a residential component and a non-residential component, then Council will calculate the levy for the residential component under the adopted section 94 plan and the levy for the non-residential component under this section 94A plan. The levy finally imposed on the development consent will be which ever the greater amount is.

### **Pooling of levies**

This plan expressly authorises section 94A levies 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.

### **Construction certificates and the obligation of accredited certifiers**

In accordance with clause 146 of the EP&A Regulation 2000, 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 levies has been satisfied.

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

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

## How will the levy be calculated?

The levy will be determined on the basis of the rate as set out in summary schedule. The levy will be calculated as follows:

$$\text{Levy payable} = \%C \times \$C$$

Where:    %*C*    is the levy rate applicable as set out in the latest Ministerial Direction issues under section 94E.

          \$*C*    is the proposed cost of carrying out the development.

The rate of %*C* at the date of adoption is:

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

The proposed cost of carrying out the development will be determined in accordance with clause 25J of the EP&A Regulation. The procedures set out in Schedule 1 to this plan must be followed to enable Council to determine the amount of the levy to be paid.

The value of the works must be provided by the Applicant at the time of the request and where the value exceeds \$500,000 must be independently certified by a Quantity Surveyor who is registered as an Associate member or above with the Australian Institute of Quantity Surveyors.

Without limitation to the above, Council may review the valuation of works and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the Applicant and no Construction Certificate will be issued until such time that the levy has been paid.

## How will the levy be adjusted?

Pursuant to clause 25J(4) of the Regulation, the proposed cost of carrying out development is to be indexed before payment to reflect quarterly variations in the Consumer Price Index All Group Index Number for the weighted average of eight capital cities between the date the proposed cost was determined by the Council and the date the levy is paid.

Contributions requested, as a condition of consent under the provisions of this Plan will be adjusted at the time of payment of the contribution in accordance with the following formula:

$$\text{Contribution at time of payment} = 1\% \times \text{IDC}$$

$$\begin{aligned} \text{Where IDC} &= \text{the indexed development cost} \\ &= \text{ODC} \times (\text{CP2} - \text{CP1}) / \text{CP1} \end{aligned}$$

Where:   ODC =   the original development cost estimated by the Council  
          CP2 =   the current CPI at the date the levy is paid  
          CP1 =   the previous CPI at the date the original development cost was estimated by the Council.  
          CPI =   Consumer Price Index All Group Index Number for weighted average of eight capital cities as published by the Australian Bureau of Statistics



Note: In the event that the Current index CP2 is less than the previous index CP1, then the previous development cost and levy shall apply.

### **When is the levy payable?**

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

### **Can deferred or periodic payments be made?**

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

- deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program,
- in other circumstances considered reasonable by council.

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

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

### **Savings and Transitional Agreements**

A development application or a modification to a development application, which has been lodged prior to the commencement of this Plan but not determined, shall be determined in accordance with the provisions of the previously adopted plan, which applied at the date of lodgement. A development application lodged after the commencement of this plan shall be determined in accordance with the provisions of the previously adopted plan. A modification to development consent that was determined under the previously adopted plan shall be assessed by reviewing the application in accordance with the 2005 plan.

Contributions levied on development consents under the previous contributions plans remain payable and are indexed in accordance with that plan. Contributions levied under a previous plan will be allocated to the highest priority uncompleted project in the new works schedules for the pooling of funds.

## **Part D – Schedule 2 and Schedule 3 - Cost Summary Reports**

### **Procedure**

An Application for a Construction Certificate or an application for a complying development certificate must be accompanied by a report setting out an estimate of the proposed cost of carrying out development prepared as follows:

- Where the estimated cost of carrying out the whole of the development as approved by the consent is \$500,000 or less - a cost summary report in accordance with Schedule 1;
- Where the estimated cost of carrying out the whole of the development as approved by the consent is more than \$500,000 - A Quantity Surveyor's Detailed Cost Report, completed by a Quantity Surveyor who is a registered Associate member or above of the Australian Institute of Quantity Surveyors, in accordance with Schedule 2.

Section 25J of the Environmental Planning and Assessment Act 1979 sets out the things that are included in the estimation of the construction costs by adding up all the costs and expenses that have been or are to be incurred by the Applicant in carrying out the development, including but not limited to the following:

- (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation;
- (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed.

## SCHEDULE 1

### Cost Summary Report

[Development Cost no greater than \$500,000]

DA /CC/CDC No.....

DATE: .....

APPLICANT'S NAME: .....

APPLICANT'S ADDRESS: .....

DEVELOPMENT DETAILS: .....

DEVELOPMENT ADDRESS: .....

#### ANALYSIS OF DEVELOPMENT COSTS:

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

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

I certify that I have:

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

Signed: .....

Date: .....

Name: .....

Phone: .....

Position and Qualifications: .....

Address: .....

## SCHEDULE 2

### Cost Summary Report

[Development Cost greater than \$500,000]

DA /CC/CDC No.....

DATE: .....

APPLICANT'S NAME: .....

APPLICANT'S ADDRESS: .....

DEVELOPMENT DETAILS: .....

DEVELOPMENT ADDRESS: .....

ANALYSIS OF DEVELOPMENT COSTS:

Gross Floor Area – Commercial	m <sup>2</sup>	Gross Floor Area – Other	m <sup>2</sup>
Gross Floor Area – Retail	m <sup>2</sup>	Total Gross Floor Area	m <sup>2</sup>
Gross Floor Area – Car Parking	m <sup>2</sup>	Total Site Area	m <sup>2</sup>
<b>Total Development Cost</b>	<b>\$</b>	Total Car Parking - Spaces	
<b>Total Construction Cost</b>	<b>\$</b>		
<b>Total GST</b>	<b>\$</b>		

I certify that I have:

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

Signed: .....

Date: .....

Name: .....

Phone: .....

Position and Qualifications: .....

Address: .....