



Kempsey Town Centre Public Domain Section 94 Developer Contribution Plan

2010

Commences from 2 August 2010

Kempsey Shire Council
Administration Centre

22 Tozer Street
West Kempsey

Certification

This document titled **Kempsey Town Centre Public Domain Section 94 Developer Contribution Plan 2010** is authorised under s.94 of the Environmental Planning and Assessment Act (1979) and was adopted by Kempsey Shire Council on 13 July 2010, and commenced on the 2 August 2010.

General Manager
Kempsey Shire Council

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Notes and Corrections to this Issue.

Please note the following and corrections:

Part A

Introduction, Administration and Operation of the Contribution Plan

1 Introduction

1.1 Name of this Plan

This s.94 Developer Contribution Plan is prepared in accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act (1979) (EP&A Act)* and Part 4 of the *Planning and Assessment Regulation (2000) (Regulation)*.

The Plan is named the “**Kempsey Town Centre Public Domain Developer Contribution Plan 2009**”.

1.2 Commencement of Contribution Plan

This contribution plan is prepared pursuant to the provisions of s.94 of the *EP&A Act* and Part 4 of the *Regulation* and is effective from 2 August 2010.

1.3 What area does this Plan apply to?

This Plan applies to all land within the Kempsey Shire as described in Section D

This development contribution plan applies to applications for development consent and applications for complying development certificates under Part 4 of the Act.

1.4 What is a s.94 contribution plan?

s.94 of the Act authorises Council to levy contributions from developers as a condition of consent for the provision of public infrastructure, facilities and services that are required as a result of increased development. The s.94 plan remains a public document and describes Council’s policy on developer contributions.

A s.94 contribution plan details the expected increase in demand as a result of new development and links this to an increased demand for local public services, facilities and infrastructure to be provided through developer contributions. This ‘nexus’ is one of the underlying core principles of s.94 and is the key factor in deciding if a contribution can be sought.

A contribution plan must contain a description of how the contribution rate has been determined, and the formulae for determining the rate; the contribution rates; the works schedule; and, timeframe for expenditure and project delivery.

The Plan should be flexible, it should be able to respond to the changing needs of an area, and it should allow for the planned, efficient provision of facilities and infrastructure expected to be required as a result of, or to assist, new development.

The plan should operate over a specific period of time, which in this case is 10 years, for determining both the rate of development and the infrastructure, facilities and services to be provided within that period. The plan should be reviewed and amended if necessary at the programs mid point (5 years), however the plan may be reviewed at any time during the period.

Council can only demand a contribution if it is satisfied the development, the subject of the development application, will or is likely to require the provision of or increase the demand for, public facilities within the area. Contributions may be in the form of monetary payments, dedication of land at no cost to council, the provision of a material public benefit, or a combination of these.

The ability to fund new works facilities and the embellishment of existing infrastructure in the community through the use of s.94 contributions is highly important for Kempsey Shire Council. Through the use of developer contributions Council reduce the cost and impact of existing residents in the LGA for the provision of additional services and infrastructure generated by new development. The utilisation of s.94 contributions guarantees the service level for the existing population is maintained while ensuring an equivalent level is provided for the incoming population.

1.5 Purpose of this contribution plan

This plan satisfies the requirements of the EP&A Act and Regulation. This Plan authorises Kempsey Shire Council to require payment of a monetary contribution, a dedication of land or in lieu of, to accept the provision of material public benefit, including the dedication of land, or the carrying out of a works in kind agreement, towards provision, extension or augmentation of public domain infrastructure that will, or is likely to be, required or have an increased demand, as a consequence of development in the Kempsey Shire.

The purpose of this Plan is to:

- Provide the framework for the efficient and equitable determination, collection and management of development contributions towards the provision of public amenities and services
- Ensure that all new development that benefits from these public facilities and infrastructure contribute towards their provision
- Determine the likely development patterns and needs of the population which will result from that development
- Ensure that the existing Kempsey Shire community is not unreasonably burdened by the provision of public facilities and infrastructure required as a result of the ongoing development and redevelopment undertaken within the Kempsey LGA.
- Provide an overall strategy for the coordinated delivery of public facilities and infrastructure consistent with Councils strategic plan and management plan.
- Provide a comprehensive and transparent strategy which is implemented for the assessment, accounting and review of development contributions made under s.94 of the Act and regulation for the Kempsey LGA; and
- Indicate a program of works and capital expenditure for the provision of public works required as a result of development within the LGA.

1.6 Relationship to other Plans

Contributions raised and paid under the authority of this Plan will be directed towards the respective facility and infrastructure described in the Work Schedule of this Plan.

This Plan supersedes:

- *Kempsey Shire Council (1993) Section 94 Contribution Plan Kempsey Car Parking*

Contributions raised and paid under the authority of this Plan will be directed towards the respective facility and infrastructure described in the Work Schedule of this Plan.

This Plan incorporates the outstanding fund balance of the superseded plan current at the time of this plan's introduction.

Contributions levied under the previous plan may be adjusted according to movements in the Consumer Price Index (CPI). This would arise where the timing of the payment of the contribution is at least one (1) year from the date of development consent, which contains the condition imposing the section 94 contribution/s.

1.7 For what amenities, facilities and / or infrastructure will contributions be levied?

This contribution plan establishes strategies that allow section 94 contributions to be levied towards the provision of the following categories of infrastructure or service provided these relate to the need generated through increased development demands:

- *Clyde Street Mall Refurbishment*
- *Riverside Park*
- *Belgrave Street Park*
- *Smith Street Improvements*
- *Elbow Street Park*
- *Town Centre Street Tree Planting Program*
- *Kempsey Town Centre Footpath Pavements*

1.8 Contribution plan structure

The contribution plan is structured in four (4) parts:

Part A: details essential components of the Plan, including the basis for preparing a development contribution plan, describes the Plans operation and administration, defines the area affected by the Plan and its relationship to other plans.

Part B: provides details of the need for public facilities planned, including the expected development and population characteristics of the Kempsey Shire and the plan for the delivery of required facilities and infrastructure.

Part C: provides details on the strategies to deliver each of the categories of facilities and infrastructure, including the causal, spatial and temporal link between the expected development and the facilities required, and the philosophy, standards and manner of facility and service delivery.

Part D: details work schedules, catchment maps, contribution summaries and references.

2 Administration and Operation of the Plan

2.1 Operation of the Plan

Section 94 permits Council to require developers to provide or assist in the provision of new facilities and infrastructure required as a result 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 the plan.

This plan identifies the quantum of contribution to be levied on an individual development, and what facilities and infrastructure 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 towards the provision of the public amenities and services 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.

2.2 What is the life of this Plan?

This Plan seeks development contributions for facilities and infrastructure required as a result of population increases occurring over the next ten (10) year period. The time frame selected accords with the estimated rates of development and population projections completed to identify growth from 2008.

2.3 What is the contribution formula?

The formula used to determine the contributions regarding each type of facility and service are set out in Part C of this Plan. The formulas have been based on a generic contribution formula that applies to each facility or infrastructure item.

The contribution rate will be indexed according to the CPI set out in section 2.10. A summary of the contribution rate is provided. The contribution rates for residential development are calculated per person, and then converted to a per dwelling bedroom occupancy or where applicable per new lot.

2.4 When are contributions payable?

The amount of developer contributions will be determined as a 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 EP&A Act. The notice will include a condition indicating the timing, amount of payment and the specific public amenity or service in respect of which a condition is imposed.

Dedication of land, provision of material public benefits or works in kind, or payment of a monetary contribution is to be made prior to the issue of a construction certificate. In the case of subdivision, the contribution is to be made prior to the issue of the subdivision certificate. Where a developer negotiates a material public benefit, works in kind or dedication of land in lieu of paying a monetary contribution required under this Plan, the developer must also pay Council's reasonable costs for the management of this contribution plan.

The amount of 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 in section 2.10

2.5 Are contributions payable for complying development?

In accordance with s.94EC it is the responsibility of the accredited certifier to accurately calculate and apply the section 94 contribution conditions, where applicable. It is the responsibility of any person issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. Deferred payments of contributions required by a condition of complying development certificate will not be accepted.

Payment of a monetary contribution is to be made prior to the issue of the Complying Development. In the case of subdivision, the contribution is to be made prior to the issue of a subdivision certificate.

S.94EC authorises the accredited certifier to impose a monetary contribution only. Material public benefit, works in kind or the dedication of land in lieu of paying the monetary contribution can not be imposed as a condition of complying development.

2.6 Offer to enter into a voluntary planning agreement

If an applicant does not wish to pay a levy in connection with the carrying out of a development, the applicant may offer to enter into a voluntary planning agreement with Council under s.93F of the EP&A Act in connection with making a development application.

Under the planning agreement, the applicant may offer to pay money, dedicate land, carry out works or provide other material benefits for public purposes.

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

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

Council will publicly notify the planning agreement and an explanatory note relating to the agreement along with the development application and will consider the agreement as part of its assessment of that application.

If council agrees to enter into the planning agreement, it may impose a condition of development consent under s.93I(3) of the EP&A Act requiring the agreement to be entered into and performed. If Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this Plan requiring the payment of a contribution.

2.7 Works in Kind and Material Public Benefits

Council may allow applicants to make a contribution by way of a material public benefit, (for items NOT included in the Works Schedule) or by works in kind (for items included in the Works Schedule) as referred to in s.94(5) of the Environmental Planning and Assessment Act 1979.

Council may, but is not obliged to, accept material public benefits or works in kind when:

- Agreement is reached between the developer and Council as to the proposed material public benefit or works in kind
- A monetary contribution in accordance with the Section 94 plan is unnecessary or unreasonable in the circumstances
- The value of the material public benefit or works in kind is at least equal to the value of the monetary contribution assessed in accordance with the plan, and
- The material public benefit of all works in kind will not prejudice the timing or the manner of the provision of the public facility for which the contribution was required.

It may also accept a material public benefit for an item not included on the contribution plan work schedule where it considers the acceptance of that material public benefit will not create an

unacceptable shortfall in contributions collected which may lead to difficulty in providing other items on the work schedule.

The offer from an applicant or any other entitled to that consent must be made in writing as part of the development application and include details of the extent and nature of the works proposed to be undertaken.

Council will require the applicant to enter into a written agreement for the provision of the works.

Acceptance of any such alternative is at the sole discretion of Council. Valuation of any land to be dedicated will be obtained by Council at the applicant's expense. The cost of the dedications are to be borne by the applicant. The terms of the offer as accepted by Council will be included in the development consent.

2.8 Dedication of Land

Dedication of land in lieu of monetary contributions for infrastructure described in this plan will only be considered where the land has been previously identified as being required for that purpose and identified for acquisition by Council.

Dedication of land will be required on an area basis in accordance with the rates in the plan at the date of dedication. All costs of dedication are to be borne by the applicant, including but not limited to, survey, legal and administration costs.

The land is to be in a condition suitable for its intended purpose cleared of all debris, weeds and waste materials. The land is to have a compliance certificate from a registered testing authority stating that the land is free from contaminated and hazardous materials and substances. Council will not accept dedication of any lands otherwise.

Land to be dedicated is to be shown on the Final Plan of Subdivision that accompanies the Subdivision Certificate application, and come under Council care and control upon registration of the subdivision.

2.9 Monitoring and Review of Contributions

Kempsey Shire Council acknowledges the need to continually monitor and review this Contribution Plan. The contribution plan will be subject to review that will account for such matters as community need, provision costs, development rates, contribution affordability and performance of provision of works.

In the event of Council identifying changes as a result of the review process, amendments to the contribution plan, (apart from the periodic adjustment of contributions that is provided for in s.2.10 of this Plan, based on published indices), will be publicly exhibited in accordance with the requirements of the EP&A Regulation 2000.

Pursuant to Cl 32(3) of the Regulation 2000, Council may make certain minor adjustments or amendments to the Plan without prior and adoption by Council.

2.10 Adjustment of Contributions.

To ensure that the values of the contributions are not eroded over time by movements in the Consumer Price Index (CPI), Council will amend the contribution rates. The contribution rates listed in Part C will be amended annually and increased according to the CPI to allow for increases in the cost of provision for facilities. Contributions will also be adjusted at the time of payment in accordance with the quarterly CPI.

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

$$\text{Contribution at the time of payment} = C \times \frac{\text{CPI 2}}{\text{CPI 1}}$$

Where:

- C = The original contribution amount as shown on the consent
 CPI 2 = The CPI Number (All Groups – Sydney) currently available from the ABS at the time of payment
 CPI 1 = The CPI Number (All Groups – Sydney) last published by the ABS at the time of coming into effect of the Plan, or subsequent amendment of the Plan.

2.11 Accountability

Financial management and accountability are important components of section 94, and Council is obliged to maintain an accurate and up to date register of all section 94 contributions.

Monetary contributions received under the authority of this Plan must be recorded and kept through a separate account specifically established for this Plan. The records must indicate the contributions received, contributions expended and must include the interest, if any, earned on invested funds for each account.

These records are updated on a monthly basis.

Separate accounting records are maintained for all Council's section 94 contribution plans. Information on section 94 accounts and funds relating to this plan will be provided in a condensed format within Kempsey Shire Council's Annual Report/s in accordance with requirements of the EP&A Regulation 2000. Information is also available in Council's contribution register relating to this plan, which can be inspected at Council during normal business hours.

2.12 Deferral of Payments

If Council's policy at any given time is to allow deferred or periodic payment options for monetary section 94 contributions it will be subject to consideration of a written application forwarded to Council prior to the due payment date for the contribution as occurs under this plan.

In deciding whether to allow deferred or periodic payment of a monetary section 94 contribution, Council will take into consideration the following:

- the reasons provided by the applicant requesting a deferred or periodic payment
- no prejudice will be caused to the community deriving benefit from the services being provided under this Plan
- whether the deferral or periodic payment of the contribution is likely to prevent the facility or infrastructure being provided to meet the demands of development in a timely manner
- whether the applicant has provided the Council with adequate security in relation to the deferred or periodic payment
- any other relevant circumstances of the case.

If Council determines to allow the application, the arrangements relating to the deferred or periodic payment will not take effect until the applicant has entered into a written agreement with the Council reflecting the terms of the Council's approval.

The decision to agree to such a request will be at the complete discretion of 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 the condition that:

- indexing will be calculated from the date the contribution was due until the date of payment

- the bank guarantee be by a bank for the amount of the total contribution, or the amount of any 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 twelve (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 banks 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 has been paid.

2.13 Pooling of Contributions

This plan authorises monetary s.94 contributions paid for different purposes to be pooled and used progressively or otherwise for those purposes, and are described in the works schedule.

Monetary contributions collected under previous issues of this contribution plan, or under equivalent contribution plans to be extinguished or 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.

2.14 Savings and Transitional Arrangements

A development application submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the Plan, which applied at the date of determination of the application.

Part B

Community Profile and Population Estimates

3 Community Profile

The community profile is prepared to provide a clear understanding of the characteristics of the resident population of the Kempsey Shire and to identify trends. The profile assists in projecting residential population growth and determining what infrastructure will be required to meet the needs of the population resulting from future development. Data is drawn from the ABS Census data held for 2001 and 2006 using the Kempsey LGA

3.1 Context and Catchments

Kempsey Shire is located on the mid north coast of New South Wales and covers a total area of 3,377 square kilometres..

The major population centres include South West Rocks, Kempsey, South Kempsey and Frederickton provide commercial and residential opportunities. The village of Crescent Head retains potential for limited future residential and rural residential growth.

Land use in the Shire has been primarily rural, however proximity to the coast has provided leverage for expanded residential and rural residential development, particularly in South West Rocks and adjacent areas. Residential development within the established town centres is generally restricted to infill within existing residential precincts.

3.2 Population

Census data from 1996, 2001 and 2006 indicates the Shire has increased by 955 persons over the decade between the 1996 and 2006 census. The official 2006 population is 27,385 persons. On analysis of data from the three previous Census there is a slower rate of population growth occurring between 2001 and 2006, (444 persons) than between 1996 and 2001 (511 persons). Annual population growth over the decade between 1996 and 2006 was 0.36%

Population Growth – Kempsey Shire 1996-2006

2006 Population by Age

Age Group	Males	Females	Total	% population
0-4years	864	738	1,602	6%
5-14 years	2,103	1,991	4,094	15%
15 – 24 years	1,500	1,377	2,877	11%
25 – 44 years	2,940	3,036	5,976	22%
45 – 54 years	2,114	2,099	4,213	15%
55 – 64 years	1,929	1,872	3,801	14%
65 – 74 years	1,368	1,257	2,625	10%
75 – 84 years	794	943	1,737	6%
85+ years	172	288	460	2%
Total	13,784	13,601	27,385	100%

2001 Population by Age

Age Group	Males	Females	Total	% population
0-14years	3,104	2,978	6,082	23%
15-14 years	1,423	1,374	2,797	10%
25 – 34 years	1,219	1,349	2,568	10%
35 – 44 years	1,819	2,009	3,828	14%
45 – 54 years	2,000	1,939	3,939	15%
55 – 64 years	1,605	1,625	3,230	12%
65 – 74 years	1,319	1,256	2,575	10%
75+ years	843	1,079	1,922	7%
Total	13,332	13,609	26,941	100%

3.3 Household Type

Reflecting the age structure of the population, couple only households (43.4%) and lone person households (25.2%) in 2006 comprised a large proportion of the households in the Kempsey LGA. This is higher than the New South Wales average where couple only households account for 22.9%. Lone person households are marginally higher than the State average of 23.0%.

Single parent families comprise 19% of families, (State av 15.8%). In the 2006 Census Kempsey LGA recorded that family households accounted for 67.3% (State 67.3%) of occupied private dwellings and group households 2.8% (State 3.7%).

3.4 Dwelling and Household Characteristics

3.4.1 Overview

Future housing development in Kempsey LGA is likely to be of a type that is focused on urban and near urban locations, with significant growth in coastal and near coastal locations. It is anticipated that the choice of housing types are likely to broaden in the coming years and allowance has been made in this plan to consider a wider range of options for urban residential development including medium density.

Near urban or rural residential housing development is expected to remain a significant component of the housing mix, as will a likely trend towards multi unit housing. However the demand for separate housing on urban residential lots is expected to remain the key housing choice.

3.4.2 Dwelling Growth

Table 3 Dwelling Growth (2001-2006)

Dwelling Type	2001	2006	% change 01-06
Detached House	8,731	9,156	4.68%
Semi, row, terrace, etc	313	295	-5.8%
Flat, unit, apartment.	494	561	11.95%
Other Dwelling			
Caravan, cabin, houseboat	199	198	NA
Improvised home, tent, sleep out	14	44	
House or flat attached to shop, office,	58	38	
<i>Total Other Dwelling</i>	<i>271</i>	<i>280</i>	
Dwelling structure not stated	28	0	
Total Occupied Private Dwellings	9,837	10,292	4.43%

The key trends over the period 2001 – 2006 as indicated in Table 3 are:

- Over the 5 years 2001 – 2006 the total number of occupied dwellings in the Kempsey LGA increased by 4.4% or 455 dwellings.
- Development of flats, units and apartments has grown significantly in the period 2001-2006

3.4.3 Dwelling Type

In 2006 detached housing comprised 89% of the Kempsey LGA private occupied housing stock. Medium density type housing, semi detached, units and apartments, made up 8.3% of the stock.

From the data available the ratio of dwelling types across the LGA has remained stable over the period 01-06.

3.4.4 Tenure

In 2006 45.75% of dwellings were fully owned, with a further 26.28% being purchased. This compared with figures for New South Wales where overall 34.82% of dwellings were fully owned and a further 31.88% were being purchased.

In 2006 in the Kempsey LGA 24.52% of dwellings were subject to rental agreements compared to the State figure of 29.53% for the same period.

3.4.5 Occupancy Rates

Table 4 Occupancy Rates (No Bedrooms per dwelling type: 2006 Census)

Number of bedrooms	1	2	3
Detached housing	1.6	1.9	2.5
Semi detached, row or townhouse	1.1	1.5	2.1
Flat Unit or apartment	1.1	1.4	2.0

The household occupancy rate for the Kempsey LGA in 2006 was 2.5 persons compared with a State and national average of 2.6 persons. The average for persons per dwelling, based on the number of bedrooms, is detailed in Table 4 above.

3.4.7 Summary of Key Trends

From analysis of available data provided through the Australian Bureau of Statistics (ABS) and other sources emerging trends in the demographics of the Kempsey LGA can be revealed which will assist in the planning and delivery of new community facilities and infrastructure to meet increased population demand.

Key characteristics of the Kempsey LGA are:

- A low population density of 7.7 persons per sq.km
- A higher than average unemployment rate coupled with a lower labour force participation rate
- A net decline in the age groups 0 – 44 years. The two age groups with the highest growth in the LGA are those in the 50 –54 age group, and those aged over 85.
- A low income population
- Low dwelling densities
- Lower than average occupancy rates for dwellings
- A high proportion of fully owned dwellings

In common with other coastal LGA's Kempsey LGA is experiencing an ageing population however unlike other equivalent areas it is coupled with a declining birth rate and outward migration of persons aged 20-44 years.

This trend is likely to continue over the longer term due to land supply factors and the LGA's proximity to the regional city of Port Macquarie

The ageing population has effects on the planning and provision of future open space and community facilities.

4 Population Projections

This Section provides detail on the future resident population of the Kempsey LGA across new residential release areas, established urban and villages and rural

Table 6 Population Projections Kempsey Shire 2006 - 2028

Year	Population	Av Annual Growth (%)	Population Projection (2008)	Av Annual Growth (%)
	ABS Census	ABS Census	S.94 Plan	S.94 Plan
1996	26 430			
2001	26 941	0.4%		
2006	27 385	0.33%		
2008	27 604	0.4%	27 604	0.4%
2012			28 045	
2016			28 494	
2020			28 949	
2024			29 412	
2028			29 882	
2031			30,171	

4.2 Population Projections and Expected Development Trends

Based on data available from the ABS (census 2006) and on historical Census figures (1991, 1996, 2001) it is expected that the population of the Kempsey LGA will increase from 27 385 persons (2006) to 29 882 persons by 2028, indicating a net growth of 2 278 persons, and to 30,171 persons in 2031.

It is expected that most of this growth will occur in or near established urban centres and is more likely to be greater towards the coast. Generally the population growth is not expected to be evenly distributed.

The freestanding detached dwelling is expected to remain the preferred choice of housing stock, however medium density housing such as apartments and villa type development may become more popular as the community ages.

Part C

Principles and Strategy

5 Principles

The underlying principle of s.94 legislation requires a contribution plan to meet the tests of reasonableness and accountability. It is the responsibility of Council to determine what is reasonable, however the concepts of fairness, equity, sound judgement and moderation are seen to underpin the definition.

Reasonableness is demonstrated in terms of *nexus* between the contributing development and the infrastructure being provided through that contribution, and *apportionment* of costs

5.1 Nexus

Legislation requires that in order to demand a contribution for the projects detailed in this plan, the plan must meet the three separate conditions of connectivity:

- Causal nexus
- Physical nexus, and
- Temporal nexus

Causal Nexus

Anticipated new residential development in, or close to, existing urban centres will place new demands on the established town centre infrastructure. Redevelopment of the public domain in key business precincts and replacement of and upgrading of street infrastructure to meet expected demand will be required. The proposed improvements will provide new residents and business with an improved commercial and residential environment and facilitate a safer pedestrian / traffic interface through sound urban design.

Physical Nexus

Contribution catchments have been identified and determined with regard to the collective nexus between the projects and the community being served by the works. The Kempsey town centre is the main commercial and community focus of the Shire and provide the major activity nodes. The town centre improvements proposed will ensure the provision of high quality urban amenities for all user groups and will meet the demands expected through new development across the Shire.

Temporal Nexus

The schedule of works identifies projects being planned to be provided to satisfy the future demands on the town centre public domain. The work schedule details the type, cost and timing of projects to be provided within a specified time frame related to expected contributions.

5.2 Apportionment

The approach and rate of apportionment will vary in each circumstance, however the critical tests of apportionment are that it is:

- practical
- equitable
- based on best available information at the time
- reasonable in the circumstance, and
- publicly accountable

The rate of apportionment for each project is clearly detailed in Part D Catchment Work Schedules. The rate of apportionment is in part calculated on predicted rates of growth across the catchment, measured against existing infrastructure capacity.

Works funding from developer contributions is apportioned as follows:

- Residential contributions 12.5%
- Commercial contributions 12.5%
- Council 75%

5.3 Developer Contribution Schedule of Works 2009 – 2028

The public domain projects detailed at Summary Table 7 will attract a contribution from development occurring within the Kempsey town catchment. The projects fall into the following categories and attract an apportioned contribution dependent on scale and type of works and level of need.

The public domain of the town centre is a shared series of public spaces focused within the commercial business and civic administration precincts.

Local infrastructure projects attracting a contribution under this plan provide for improvements to town infrastructure in the Kempsey town centre includes

- Public infrastructure improvements to the Clyde Street Mall precinct to include upgrading of pavements, drainage, shade and street furniture
- Improvements to pavements along the commercial Belgrave Street spine
- Upgraded infrastructure and facilities in Riverside Park to include lighting, furniture and signage

The catchment contribution schedules provided in Part D of this plan detail the contribution apportionment percentage for each project

On data available it is expected that the population of the town and surrounding district of Kempsey will increase 2,786 persons by 2028. The major proportion of development types is likely to comprise single freestanding buildings on new urban and rural residential lots on the fringes of centres, however an increase across infill and dual occupancy sectors on existing lots in the established town will increase.

5.4 New and Existing Development

The contribution may be payable on developments affecting existing residential and commercial properties within the contribution catchment. Where a development of an existing property will intensify the use, either through increasing the occupancy of the residential property through the construction of additional bedrooms or rooms that could be converted to bedrooms, or in the case of commercial properties an increase in the floor area of an existing business, or conversion from one commercial use to another where the commercially usable floor space will be increased, or in the case of restaurants, cafes or other commercial food, or licensed premises where the patronage is increased through provision of additional seating and or tables.

5.5 Town Centre Public Domain Improvements

The Kempsey Town centre Master plan was prepared in 1997, setting out a series of fundamental urban design guidelines to assist Council in the development of new and upgraded streetscape infrastructure and open space within the town. The master Plan was subject to review in 2005, and most recently in 2009, where it was resolved to prepare a developer contribution plan under s.94 of the EP&A Act, to assist in the implementation of new works.

Kempsey town centre is the commercial and civic hub of the Shire and as such fulfils an important role in the continuing social and economic well being of the Shire. The importance of developing vital and creative public open spaces within the town centre and of providing resilient and well designed street furniture, trees and pavements should not be underestimated in the role of establishing safe and attractive commercial and business precincts within the town centre.

Car Parking Contribution Plan

On adoption of the Kempsey Town Centre Public Domain Contribution Plan 2010 the Kempsey Town Centre Car Parking Contribution Plan 1993 is repealed. Contributions collected under the Car Parking Contribution Plan are authorised to be used for public domain improvements described in the Public Domain Contribution Plan 2010.

The contribution account balance as at 31/01/10 stood at \$140,171.94

Clyde Street Mall Refurbishment
Estimate of Project Cost
Stage 1 - Belgrave St to Savage Lane

Date: 21st September 2009

Item	Description	Unit	Qty	Rate	Amount	% Cost	Notes
1	Site Establishment						
	Supply and install temporary site fence [allow 12 weeks @ \$850.wk]	lin.m	170	\$	850.00 \$	10,200.00	
1.1							
1.2	Signage	item	1	\$	150.00 \$	150.00	
1.3	Sheds	item	1	\$	2,500.00 \$	2,500.00	
1.4	Temporary power connection	item	1	\$	1,000.00 \$	1,000.00	
1.5	Traffic control [allowance]	item	1	\$	2,000.00 \$	2,000.00	
	Sub Total				\$ 15,850.00		3%
2	Demolition						
2.1	Remove existing trees	ea	15	\$	275.00 \$	4,125.00	
2.2	Demolish and remove existing brick unit paving	m2	1200	\$	7.50 \$	9,000.00	
2.3	Demolish and remove existing brick planters	m3	20	\$	75.00 \$	1,500.00	
2.4	Demolish and remove existing street furniture	item	1	\$	1,750.00 \$	1,750.00	
2.5	Protection of, and relocation of services [1]	m2	1200	\$	50.00 \$	60,000.00	
2.6	Sub Total				\$ 76,375.00		12%
3	Drainage						
3.1	Supply and install Stormtech drainage system to existing lines	lin.m	155	\$	150.00 \$	23,250.00	
3.2	Sub Total				\$ 23,250.00		4%
4	Pavements						
4.1	Excavate and dispose of existing sub base material	m3	360	\$	30.00 \$	10,800.00	
4.2	Supply and install new sub base material	m3	360	\$	45.00 \$	16,200.00	
4.3	Supply and install new paving to Specification	m2	1200	\$	220.00 \$	264,000.00	
4.4	Sub Total				\$ 291,000.00		47%
5	Planting						
	Supply and install 100 litre trees to Specification - includes allowance for 2m3 imported soil, construction of tree pits.	ea	8	\$	560.00 \$	4,480.00	
5.1							
5.2	Supply and install 200mm plant material in container planters	ea	500	\$	7.50 \$	3,750.00	
	Supply and install low pressure dripper irrigation system to trees and planters	item	1	\$	10,000.00 \$	10,000.00	
5.3							
5.4	Sub Total				\$ 18,230.00		3%
6	Furniture						
6.1	Supply and install seating	ea	8	\$	1,500.00 \$	12,000.00	
6.2	Supply and install litterbins	ea	4	\$	1,200.00 \$	4,800.00	
6.3	Supply and install bicycle rack	ea	1	\$	1,800.00 \$	1,800.00	
6.4	Supply and install planting containers	ea	12	\$	850.00 \$	10,200.00	
6.5	Sub Total				\$ 28,800.00		5%
7	Power Supply						
7.1	Upgrade supply for lighting and water installation	item	1	\$	15,000.00 \$	15,000.00	
7.2	Sub Total				\$ 15,000.00		2%
8	Lighting						
8.1	Supply and install - Uplighting	ea	16	\$	1,050.00 \$	16,800.00	
8.2	Supply and install - Down lighting [post]	ea	8	\$	3,500.00 \$	28,000.00	
8.3	Supply and install - Paving LED	ea	30	\$	500.00 \$	15,000.00	
8.4	Sub Total				\$ 59,800.00		10%
9	Art Installation						
9.1	Allowance for purchase and installation of art	item	1	\$	40,000.00 \$	40,000.00	
9.2	Sub Total				\$ 40,000.00		7%
10	Water Installation						
10.1	Allowance for small scale low pressure jet water installation	ea	1	\$	25,000.00 \$	25,000.00	
10.2	Sub Total				\$ 25,000.00		4%
11	Data Comms						
11.1	Allowance for provision of data/comms and controls	ea	1	\$	15,000.00 \$	15,000.00	
11.2	Sub Total				\$ 15,000.00		2%
12	Plant Establishment						
12.1	Sub Total	weeks	26	\$	250.00 \$	6,500.00	
					\$ 6,500.00		1%
13	CONSTRUCTION SUB TOTAL Stage 1				\$ 614,805.00		100%
14	Contingency Factor 0.125				\$ 76,850.63		
15	CONSTRUCTION ESTIMATE TOTAL Stage 1				\$ 691,655.63		
16	RATE PER SQ.M				\$ 576.38		
17	Estimate of Total Project Cost Stage 1						
17.1	Design [4% of cost]				\$ 24,592.20		
17.2	Documentation [6% of cost]				\$ 36,888.30		
17.3	Administration of Contract [2% of cost]				\$ 12,296.10		
	Sub Total DDA				\$ 73,776.60		
17.4	Project Construction				\$ 691,655.63		
18	TOTAL PROJECT COST STAGE 1				\$ 765,432.23		
19	RATE PER SQ.M				\$ 637.86		

The projects included in the Works Schedule are described in the following tables.

Clyde Street Mall Refurbishment							
Estimate of Project Cost							
Stage 2 - Savage Lane to Car Park Entry (not including carriageway)							
Date: 21st September 2009							
Item	Description	Unit	Qty	Rate	Amount	% Cost	Notes
1	Site Establishment						
	Supply and install temporary site fence [allow 12 weeks @						
1.1	\$850.wk]	lin.m	170	\$ 850.00	\$ 10,200.00		
1.2	Signage	item	1	\$ 150.00	\$ 150.00		
1.3	Sheds	item	1	\$ 2,500.00	\$ 2,500.00		
1.4	Temporary power connection	item	1	\$ 1,000.00	\$ 1,000.00		
1.5	Traffic control [allowance]	item	1	\$ 2,000.00	\$ 2,000.00		
	Sub Total				\$ 15,850.00		2%
2	Demolition						
2.1	Remove existing trees	ea	12	\$ 275.00	\$ 3,300.00		
2.2	Demolish and remove existing brick unit paving	m2	2666	\$ 5.00	\$ 13,330.00		
2.4	Demolish and remove existing street furniture	item	1	\$ 1,750.00	\$ 1,750.00		
2.5	Protection of, and relocation of services [1]	m2	2666	\$ -	\$ -		
	Sub Total				\$ 18,380.00		2%
3	Drainage						
3.1	Supply and install Stormtech drainage system to existing lines	lin.m	164	\$ 150.00	\$ 24,600.00		
3.2	Sub Total				\$ 24,600.00		3%
4	Pavements						
4.1	Excavate and dispose of existing sub base material	m3	799.8	\$ 30.00	\$ 23,994.00		
4.2	Supply and install new sub base material	m3	799.8	\$ 45.00	\$ 35,991.00		
4.3	Supply and install new paving to Specification	m2	2666	\$ 220.00	\$ 586,520.00		
4.4	Sub Total				\$ 646,505.00		79%
5	Planting						
	Supply and install 100 litre trees to Specification - includes						
5.1	allowance for 2m3 imported soil, construction of tree pits.	ea	8	\$ 560.00	\$ 4,480.00		
5.2	Supply and install 200mm plant material in container planters	ea	500	\$ 7.50	\$ 3,750.00		
5.3	Supply and install low pressure dripper irrigation system to trees and planters	item	1	\$ 10,000.00	\$ 10,000.00		
5.4	Sub Total				\$ 18,230.00		2%
6	Furniture						
6.1	Supply and install seating	ea	8	\$ 1,500.00	\$ 12,000.00		
6.2	Supply and install litterbins	ea	4	\$ 1,200.00	\$ 4,800.00		
6.3	Supply and install bicycle rack	ea	1	\$ 1,800.00	\$ 1,800.00		
6.4	Supply and install planting containers	ea	12	\$ 850.00	\$ 10,200.00		
6.5	Sub Total				\$ 28,800.00		4%
7	Power Supply						
7.1	Upgrade supply for lighting	item	1	\$ -	\$ -		
7.2	Sub Total				\$ -		0%
8	Lighting						
8.1	Supply and install - Uplighting	ea	16	\$ 1,050.00	\$ 16,800.00		
8.2	Supply and install - Down lighting [post]	ea	8	\$ 3,500.00	\$ 28,000.00		
8.3	Supply and install - Paving LED	ea	30	\$ 500.00	\$ 15,000.00		
8.4	Sub Total				\$ 59,800.00		7%
10	Water Installation						
10.1	Allowance for small scale low pressure jet water installation	ea	1	\$ -	\$ -		
10.2	Sub Total				\$ -		0%
11	Data Comms						
11.1	Allowance for provision of data/comms and controls	ea	1	\$ -	\$ -		
11.2	Sub Total				\$ -		0%
12	Plant Establishment	weeks	26	\$ 250.00	\$ 6,500.00		
12.1	Sub Total				\$ 6,500.00		1%
13	CONSTRUCTION SUB TOTAL Stage 1				\$ 818,665.00		100%
14	Contingency Factor 0.125				\$ 102,333.13		
15	CONSTRUCTION ESTIMATE TOTAL Stage 1				\$ 920,998.13		
16	RATE PER SQ.M				\$ 345.46		
17	Estimate of Total Project Cost Stage 1						
17.1	Design [4% of cost]				\$ 32,746.60		
17.2	Documentation [6% of cost]				\$ 49,119.90		
17.3	Administration of Contract [2% of cost]				\$ 16,373.30		
	Sub Total DDA				\$ 98,239.80		
17.4	Project Construction				\$ 920,998.13		
18	TOTAL PROJECT COST STAGE 1				\$ 1,019,237.93		
19	RATE PER SQ.M				\$ 382.31		

Elbow Street Park
Estimate of Project Cost - General
Total Parkland Area 1,140 sq.m

Date: 21st September 2009

Item	Description	Unit	Qty	Rate	Amount	% Cost	Notes
1	Site Establishment						
1.1	Site establishment allowance	item	1	\$	5,000.00	\$ 5,000.00	
1.2							
	Sub Total					\$ 5,000.00	8%
2	Demolition						
	Allowance for any specified demolition and disposal of structures, vegetation, and preparation of site	item	1	\$	7,500.00	\$ 7,500.00	
2.2							
	Sub Total					\$ 7,500.00	12%
3	Civil						
	Minor earthworks, regrading and shaping of site allowing max of 100cu.m	m3	50	\$	75.00	\$ 3,750.00	
3.2							
	Sub Total					\$ 3,750.00	6%
4	Pavements						
	Supply and install concrete pavements to specification including excavation, reinforcement and formwork	m2	150	\$	90.00	\$ 13,500.00	
4.4							
	Sub Total					\$ 13,500.00	21%
5	Tree Planting						
	Supply and install 100 litre trees to Specification - includes allowance for 2m3 imported soil, construction of tree pits.	ea	0	\$	560.00	\$ -	
5.1							
5.2	Supply and install 25 litre trees to specification	ea	5	\$	195.00	\$ 975.00	
5.3							
5.3	Supply and install low pressure dripper irrigation system to trees.	item	0	\$	-	\$ -	
5.4							
	Sub Total					\$ 975.00	2%
6	Mass Planting Areas						
	Strip road seal, rip and cultivate to 300mm add slow release fertiliser						
6.1	Patons Native Plant Blend or equivalent at 100gms/m2	m2	375	\$	7.50	\$ 2,812.50	
6.2	Supply and plant 25mm tubestock as specified	ea	1500	\$	4.50	\$ 6,750.00	
6.3	Supply and install mulch as specified	m2	375	\$	5.00	\$ 1,875.00	
6.4							
	Sub Total					\$ 11,437.50	18%
6	Turf						
6.1	Supply and install turf to specification	m2	485	\$	15.00	\$ 7,275.00	
6.2							
	Sub Total					\$ 7,275.00	11%
6	Furniture						
6.1	Supply and install seating	ea	2	\$	1,500.00	\$ 3,000.00	
6.2	Supply and install litterbins	ea		\$	900.00	\$ -	
6.3	Supply and install bicycle rack	ea	1	\$	1,800.00	\$ 1,800.00	
6.4	Supply and install water bubbler	ea	1	\$	850.00	\$ 850.00	
6.5	Supply and install park signage	ea	1	\$	1,500.00	\$ 1,500.00	
6.6	Supply and install picnic tables	ea		\$	1,900.00	\$ -	
6.7							
	Sub Total					\$ 7,150.00	11%
7	Barrier Fencing						
	Supply and install vehicle proof barrier fencing along park boundary with (2) secure access gates	lin.m	60	\$	60.00	\$ 3,600.00	
	Sub Total					\$ 3,600.00	6%
8	Lighting						
8.2	Supply and install lighting [post]	ea	0	\$	-	\$ -	
8.4							
	Sub Total					\$ -	0%
12	Plant Establishment						
12.1		weeks	26	\$	150.00	\$ 3,900.00	
	Sub Total					\$ 3,900.00	6%
13	CONSTRUCTION SUB TOTAL Stage 1					\$ 64,087.50	100%
14	Contingency Factor 0.125					\$ 8,010.94	
15	CONSTRUCTION ESTIMATE TOTAL Stage 1					\$ 72,098.44	
16	RATE PER SQ.M					\$ 63.24	
17	Estimate of Total Project Cost Stage 1						
17.1	Design [4% of cost]					\$ 2,563.50	
17.2	Documentation [6% of cost]					\$ 3,845.25	
17.3	Administration of Contract [2% of cost]					\$ 1,281.75	
	Sub Total DDA					\$ 7,690.50	
17.4	Project Construction					\$ 72,098.44	
18	TOTAL PROJECT COST					\$ 79,788.94	
19	RATE PER SQ.M					\$ 69.99	
	Provisional Cost Items						
	Playground - supply and install					\$ 70,000.00	
	Sun and rain protection structures - design/doc	item	1	\$	2,850.00	\$ 2,850.00	
	Sun and rain protection structures - construction and installation	m2	25	\$	650.00	\$ 16,250.00	
	Art purchase and installation	item	1	\$	15,000.00	\$ 15,000.00	
20	SUB TOTAL OTHER ITEMS					\$ 104,100.00	
21	Contingency Factor 0.125					\$ 13,012.50	
22	PC ITEMS TOTAL					\$ 117,112.50	
23	TOTAL PROJECT COST					\$ 196,901.44	
24	RATE PER SQ.M					\$ 172.72	

Riverside Park
Estimate of Project Cost - General
Total Parkland Area 26,120 sq.m

Date: 21st September 2009

Item	Description	Unit	Qty	Rate	Amount	% Cost	Notes
1	Site Establishment						
1.1	Site establishment allowance	item	1	\$ 5,000.00	\$ 5,000.00		
1.2	Sub Total				\$ 5,000.00		2%
2	Demolition						
2.1	Allowance for any specified demolition and disposal of structures, vegetation, and preparation of site	item	1	\$ 10,000.00	\$ 10,000.00		
2.2	Sub Total				\$ 10,000.00		4%
3	Civil						
3.1	Minor earthworks, regrading and shaping of site allowing max of 100cu.m	m3	100	\$ 75.00	\$ 7,500.00		
3.2	Sub Total				\$ 7,500.00		3%
4	Pavements						
4.1	Supply and install concrete pavements to specification including excavation, reinforcement and formwork	m2	1125	\$ 90.00	\$ 101,250.00		
4.4	Sub Total				\$ 101,250.00		37%
5	Tree Planting						
5.1	Supply and install 100 litre trees to Specification - includes allowance for 2m3 imported soil, construction of tree pits.	ea	25	\$ 560.00	\$ 14,000.00		
5.2	Supply and install 25 litre trees to specification	ea	50	\$ 195.00	\$ 9,750.00		
5.3	Supply and install low pressure dripper irrigation system to trees.	item	1	\$ 10,000.00	\$ 10,000.00		
5.4	Sub Total				\$ 33,750.00		12%
6	Turf						
6.1	Supply and install turf to specification allowing for 5% coverage of site	m2	1300	\$ 15.00	\$ 19,500.00		
6.2	Sub Total				\$ 19,500.00		
6	Furniture						
6.1	Supply and install seating	ea	8	\$ 1,500.00	\$ 12,000.00		
6.2	Supply and install litterbins	ea	4	\$ 900.00	\$ 3,600.00		
6.3	Supply and install bicycle rack	ea	1	\$ 1,800.00	\$ 1,800.00		
6.5	Supply and install picnic tables	ea	8	\$ 1,900.00	\$ 15,200.00		
6.5	Sub Total				\$ 32,600.00		12%
7	Barrier Fencing						
	Supply and install vehicle proof barrier fencing along park boundary with (2) secure access gates	lin.m	500	\$ 60.00	\$ 30,000.00		
	Sub Total				\$ 30,000.00		
8	Lighting						
8.2	Supply and install lighting [post]	ea	8	\$ 3,500.00	\$ 28,000.00		
8.4	Sub Total				\$ 28,000.00		10%
12	Plant Establishment						
12.1		weeks	26	\$ 250.00	\$ 6,500.00		
12.1	Sub Total				\$ 6,500.00		2%
13	CONSTRUCTION SUB TOTAL Stage 1				\$ 274,100.00		82%
14	Contingency Factor 0.125				\$ 34,262.50		
15	CONSTRUCTION ESTIMATE TOTAL Stage 1				\$ 308,362.50		
16	RATE PER SQ.M				\$ 11.81		
17	Estimate of Total Project Cost Stage 1						
17.1	Design [4% of cost]				\$ 10,964.00		
17.2	Documentation [6% of cost]				\$ 16,446.00		
17.3	Administration of Contract [2% of cost]				\$ 5,482.00		
	Sub Total DDA				\$ 32,892.00		
17.4	Project Construction				\$ 308,362.50		
18	TOTAL PROJECT COST				\$ 341,254.50		
19	RATE PER SQ.M				\$ 13.06		
	Provisional Cost Items						
	Playground - supply and install				\$ 150,000.00		
	Sun and rain protection structures - design/doc	item			\$ 21,000.00		
	Sun and rain protection structures - construction and installation	m2	80	\$ 2,190.00	\$ 175,200.00		
	Foreshore Esplanade - platform, promenade, belvedere, landmark element , artwork- Design/doc	item			\$ 135,000.00		
	Foreshore Esplanade - platform, promenade, belvedere, landmark element- Construction	m2	750	\$ 1,500.00	\$ 1,125,000.00		
	Art purchase and installation	item	1	\$ 50,000.00	\$ 50,000.00		
20	SUB TOTAL PC ITEMS				\$ 1,656,200.00		
21	Contingency Factor 0.125				\$ 207,025.00		
22	PC ITEMS TOTAL				\$ 1,863,225.00		
23	TOTAL PROJECT COST				\$ 2,204,479.50		
24	RATE PER SQ.M				\$ 84.40		

Belgrave Street Park
Estimate of Project Cost - General
Total Parkland Area 1,140 sq.m

Date: 21st September 2009

Item	Description	Unit	Qty	Rate	Amount	% Cost	Notes
1	Site Establishment						
1.1	Site establishment allowance	item	1	\$ 1,000.00	\$ 1,000.00	1%	
1.2	Sub Total				\$ 1,000.00		
2	Demolition						
2.1	Allowance for any specified demolition and disposal of structures, vegetation, and preparation of site	item	1	\$ 1,000.00	\$ 1,000.00	1%	
2.2	Sub Total				\$ 1,000.00		
3	Civil						
3.1	Minor earthworks, regrading and shaping of site allowing max of 100cu.m	m3	100	\$ 75.00	\$ 7,500.00	9%	
3.2	Sub Total				\$ 7,500.00		
4	Pavements						
4.1	Supply and install concrete pavements to specification including excavation, reinforcement and formwork. [250m path1500mm wide]	m2	375	\$ 90.00	\$ 33,750.00	38%	
4.4	Sub Total				\$ 33,750.00		
5	Tree Planting						
5.1	Supply and install 100 litre trees to Specification - includes allowance for 2m3 imported soil, construction of tree pits.	ea	15	\$ 560.00	\$ 8,400.00		
5.2	Supply and install 25 litre trees to specification	ea	10	\$ 195.00	\$ 1,950.00		
5.3	Supply and install low pressure dripper irrigation system to trees.	item	0	\$ -	\$ -		
5.4	Sub Total				\$ 10,350.00	12%	
6	Turf						
6.1	Supply and install turf to specification allowing for 5% coverage of site	m2	450	\$ 15.00	\$ 6,750.00	8%	
6.2	Sub Total				\$ 6,750.00		
6	Furniture						
6.1	Supply and install seating	ea	4	\$ 1,500.00	\$ 6,000.00		
6.2	Supply and install litterbins	ea	1	\$ 900.00	\$ 900.00		
6.3	Supply and install bicycle rack	ea	1	\$ 1,800.00	\$ 1,800.00		
6.4	Supply and install water bubbler	ea	1	\$ 850.00	\$ 850.00		
6.5	Supply and install park signage	ea	1	\$ 1,500.00	\$ 1,500.00		
6.6	Supply and install picnic tables	ea	2	\$ 1,900.00	\$ 3,800.00		
6.7	Sub Total				\$ 14,850.00	17%	
7	Barrier Fencing						
	Supply and install vehicle proof barrier fencing along park boundary with (2) secure access gates	lin.m	150	\$ 60.00	\$ 9,000.00	10%	
	Sub Total				\$ 9,000.00		
8	Lighting						
8.2	Supply and install lighting [post]	ea	0	\$ -	\$ -	0%	
8.4	Sub Total				\$ -		
12	Plant Establishment	weeks	26	\$ 150.00	\$ 3,900.00	4%	
12.1	Sub Total				\$ 3,900.00		
13	CONSTRUCTION SUB TOTAL Stage 1				\$ 88,100.00	100%	
14	Contingency Factor 0.125				\$ 11,012.50		
15	CONSTRUCTION ESTIMATE TOTAL Stage 1				\$ 99,112.50		
16	RATE PER SQ.M				\$ 86.94		
17	Estimate of Total Project Cost Stage 1						
17.1	Design [4% of cost]				\$ 3,524.00		
17.2	Documentation [6% of cost]				\$ 5,286.00		
17.3	Administration of Contract [2% of cost]				\$ 1,762.00		
	Sub Total DDA				\$ 10,572.00		
17.4	Project Construction				\$ 99,112.50		
18	TOTAL PROJECT COST				\$ 109,684.50		
19	RATE PER SQ.M				\$ 96.21		
	Provisional Cost Items						
	Playground - supply and install	item			\$ 70,000.00		
	Creekline restoration program	item			\$ 75,000.00		
	Sun and rain protection structures - design/doc	item	0	\$ -	\$ -		
	Sun and rain protection structures - construction and installation	m2	0	\$ -	\$ -		
	Art purchase and installation	item	1	\$ 25,000.00	\$ 25,000.00		
20	SUB TOTAL OTHER ITEMS				\$ 170,000.00		
21	Contingency Factor 0.125				\$ 21,250.00		
22	PC ITEMS TOTAL				\$ 191,250.00		
23	TOTAL PROJECT COST				\$ 300,934.50		
24	RATE PER SQ.M				\$ 263.98		

Town Centre Street Tree Planting Program - Supply and Installation

Estimate of Project Cost

Base Rate Date: 24th September 2009

No	Location	Avenue Length [mtrs]	Avenue Width	Species (as per template)	Container Size [litres]	Nominal Spacing [lin.m]	Qty	Rate/tree	Cost[1000]	Cost [25ft]	Notes
1	Belgrave Street [between Smith and Rail]	900			100	15	120	\$ 560.00	\$ 67,200.00		Robust semi mature tree stock less likely to be vandalised or stolen. Initial higher cost for installation offset by lower long term replacement costs
2	Forth Street	830			25	12	150	\$ 195.00	\$ 29,250.00	\$	Less robust advanced tree stock more prone to vandalism. Lower initial cost but more likely to incur frequent replacement until established.
3	John Street	220			100	15	29	\$ 560.00	\$ 16,428.67	\$	
4	Intersection Belgrave/Smith/Bridge Street	100			100	15	37	\$ 195.00	\$ 7,150.00		
5	Smith Street [Belgrave to Hills Lane]	350			100	18	39	\$ 560.00	\$ 21,777.78		Landmark planting to reinforce town centre entry
6	Stuart Street	235			100	15	47	\$ 560.00	\$ 26,320.00		
7	Tozer Street [Elbow to Shop]	750			25	15	100	\$ 195.00	\$ 19,500.00		
8	Elbow Street [west of Tozer]	220			100	15	29	\$ 560.00	\$ 16,428.67		
Sub Total Supply and Install 100 lt trees									\$	155,617.78	
Sub Total Supply and Install 25 lt trees									\$	82,875.00	

Total cost per tree includes tree delivered to site, supply of 0.4cu.m plantingsoil, 3x50x60 hw stakes and ties, 0.1cu.m wood mulch, backhoe hire and labour to install and 26 weeks establishment watering

Total cost per tree includes tree delivered to site, supply of 0.05cu.m planting soil, 3x50x60 hw stakes and ties, 0.07cu.m wood mulch, labour to install and 26 weeks establishment watering

Kempsey Town Centre Footpath Pavements - Business Precinct

Estimate of Project Cost

Base Rate Date: 24th September 2009

Item	Description	Scope of Works	Unit	Rate	Quantity	Cost	Notes
1	Belgrave Street	Install new unit pavement along both sides of Belgrave, to specification, between Smith and Sydney Streets	sq.m	\$ 290.00	2520	\$ 730,800.00	Supply and install granite unit paving including excavation and provision of new sub base material
2	Smith Street	Install new unit pavement along both sides of Belgrave, to specification, between Smith and Sydney Streets	sq.m	\$ 290.00	1400	\$ 406,000.00	Supply and install granite unit paving including excavation and provision of new sub base material
3	Forth Street	Install new unit pavement along both sides of Belgrave, to specification, between Stuart and Sydney Streets	sq.m	\$ 290.00	1600	\$ 464,000.00	Supply and install granite unit paving including excavation and provision of new sub base material
4	Stuart Street	Install new unit pavement along both sides of Belgrave, to specification, between Forth and Belgrave Streets	sq.m	\$ 290.00	1435	\$ 416,150.00	Supply and install granite unit paving including excavation and provision of new sub base material

SubTotal Footpaths-Business

\$ 2,016,950.00

5.6 Calculation of Contribution Rate - Residential

Contributions in this plan are calculated using the following formula across all contribution catchments.

$$\text{Contribution Base Rate [CBR]} = \frac{\text{(Total Project Cost [TPC])}}{\text{Expected Catchment Population Change [ECPC]}} \times \% \text{ TPC}$$

AppORTIONED TO ECPC

Where the:

Contribution Base Rate [CBR]: The contribution base rate is the amount deemed to be payable on development on a per person basis. The rate is derived from the assumed occupancy of particular development types as determined by data provided by the Australian Bureau of Statistics Census 2006 for the Kempsey LGA Statistical Division.

Total Project Cost [TPC]: The TPC is the estimated total cost of the project inclusive of all fees, charges, materials and labour costs based on commercial market rates referenced against projects of equivalent type and scale.

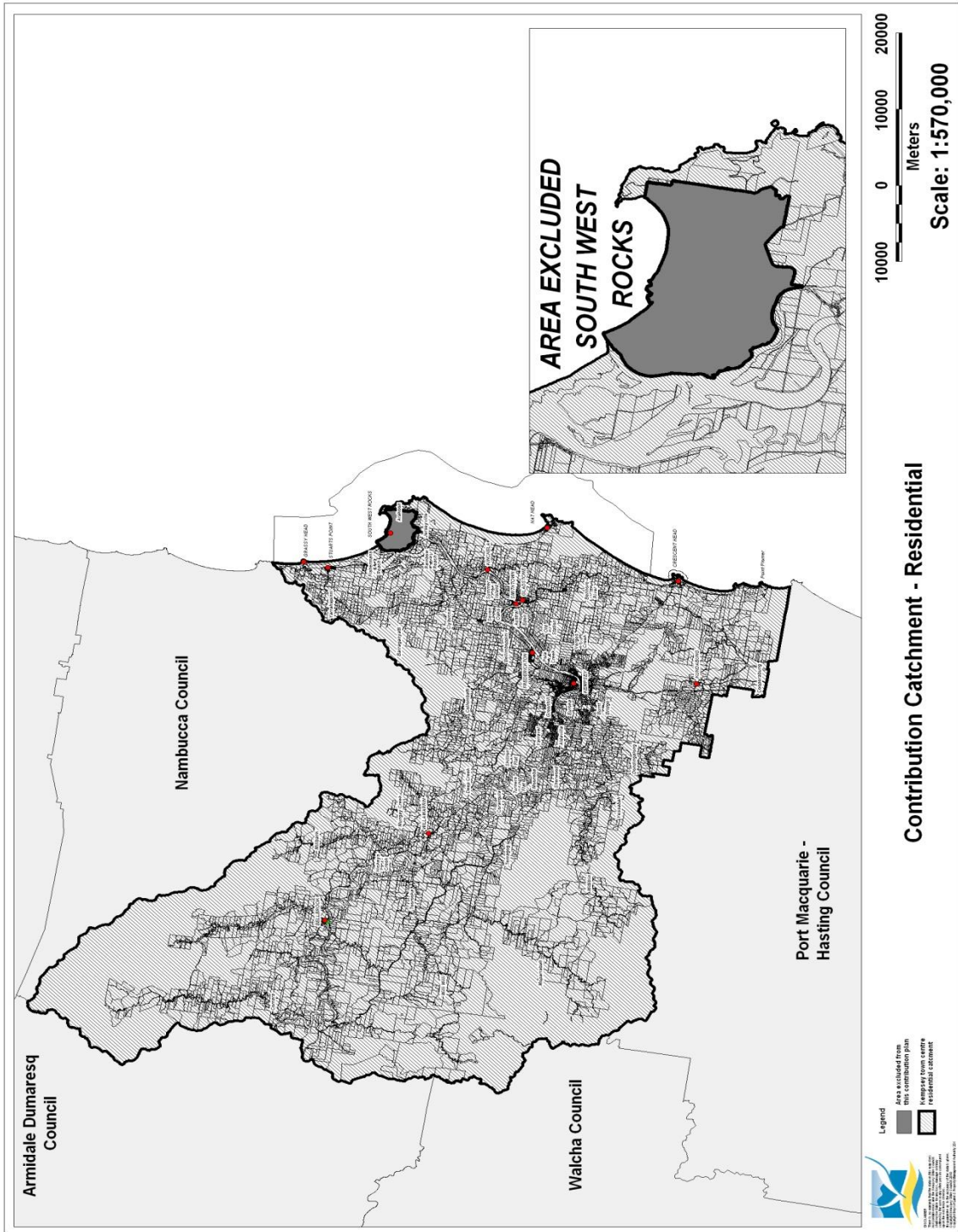
Project Contributions Held: Contributions collected from the previous contribution plan for road and traffic infrastructure projects within the same or equivalent catchment. These contributions are subtracted from the TPC to provide an adjusted project cost.

Expected Catchment Population Change [ECPC]: Defines the expected change in population within the specific contribution catchments over the life of the plan providing a means of determining the per person base contribution rates for the works projects required to meet the predicted demand.

% AppORTIONED TO ECPC: Portion of TPC to be paid for through developer contributions.

Part D

- **Project Works Schedules,**
- **Contribution Catchment Maps and**
- **Contribution Rates**





Contribution Catchment - Commercial

250 0 250 500

Meters
Scale: 1:12,000

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**KempseyTown Centre Public Domain Work Schedule
Residential Contributions**

Item Description	Unit	Qty	Rate	Sub Total	Cost Contingency	Total Project Cost	App/Cost	App' Total	Adjusted Total [3]	Rate/ Person	Rate/ NewLot	Delivery Threshold					
1 Clyde Street Mall Stage 1	sq.m	1,200	\$	637.86	\$	95,679.00	\$	107,638.88	\$	107,638.88	\$	43.06	\$	107.64	2010		
2 Clyde Street Mall Stage 2	sq.m	2,666	\$	382.31	\$	1,019,238.46	\$	127,404.81	\$	1,146,643.27	\$	143,330.41	\$	57.33	\$	143.33	2010
3 Riverside Park	sq.m	26,120	\$	84.40	\$	2,204,528.00	\$	275,566.00	\$	2,480,094.00	\$	310,011.75	\$	124.00	\$	310.01	2014
4 Belgrave Street Park	sq.m	1,150	\$	263.98	\$	303,577.00	\$	37,947.13	\$	341,524.13	\$	42,690.52	\$	17.08	\$	42.69	Post 2014
5 Elbow Street Park	sq.m	1,140	\$	172.72	\$	196,900.80	\$	24,612.60	\$	221,513.40	\$	27,689.18	\$	11.08	\$	27.69	Post 2010
6 Street Trees - 100 Litre	ea	277	\$	560.00	\$	155,120.00	\$	19,390.00	\$	174,510.00	\$	21,813.75	\$	8.73	\$	21.81	Post 2010
7 Street Trees - 25 Litre	ea	425	\$	195.00	\$	82,875.00	\$	10,359.38	\$	93,234.38	\$	11,654.30	\$	4.66	\$	11.65	Post 2010
8 Street Upgrades																	
Belgrave Street	sq.m	2,520	\$	325.00	\$	819,000.00	\$	102,375.00	\$	921,375.00	\$	115,171.88	\$	46.07	\$	115.17	Post 2010
Smith Street	sq.m	1,400	\$	325.00	\$	455,000.00	\$	56,875.00	\$	511,875.00	\$	63,984.38	\$	25.59	\$	63.98	Post 2010
Forth Street	sq.m	1,600	\$	325.00	\$	520,000.00	\$	65,000.00	\$	585,000.00	\$	73,125.00	\$	29.25	\$	73.13	Post 2010
Stuart Street	sq.m	1,435	\$	325.00	\$	466,375.00	\$	58,296.88	\$	524,671.88	\$	65,583.98	\$	26.23	\$	65.58	Post 2010
TOTAL				\$	\$	6,988,046.26		\$	\$	7,861,552.04		\$	\$	982,694.01		\$	982.69

Commercial Contributions

Item Description	Unit	Qty	Rate	Sub Total	Cost Contingency	Total Project Cost	App/Cost	App' Total	Adjusted Total [3]	Rate Sq.m GFLA	Per Table	Delivery Threshold					
1 Clyde Street Mall Stage 1	sq.m	1,200	\$	637.86	\$	95,679.00	\$	107,638.88	\$	107,638.88	\$	14.35	\$	34.44	2010		
2 Clyde Street Mall Stage 2	sq.m	2,666	\$	382.31	\$	1,019,238.46	\$	127,404.81	\$	1,146,643.27	\$	143,330.41	\$	19.11	\$	45.87	2012
3 Riverside Park	sq.m	26,120	\$	84.40	\$	2,204,528.00	\$	275,566.00	\$	2,480,094.00	\$	310,011.75	\$	41.33	\$	95.20	2014
4 Belgrave Street Park	sq.m	1,150	\$	263.98	\$	303,577.00	\$	37,947.13	\$	341,524.13	\$	42,690.52	\$	5.69	\$	13.66	Post 2014
5 Elbow Street Park	sq.m	1,140	\$	172.72	\$	196,900.80	\$	24,612.60	\$	221,513.40	\$	27,689.18	\$	3.69	\$	8.86	Post 2010
6 Street Trees - 100 Litre	ea	277	\$	560.00	\$	155,120.00	\$	19,390.00	\$	174,510.00	\$	21,813.75	\$	2.91	\$	6.98	Post 2010
7 Street Trees - 25 Litre	ea	425	\$	195.00	\$	82,875.00	\$	10,359.38	\$	93,234.38	\$	11,654.30	\$	1.55	\$	3.73	Post 2010
8 Street Upgrades																	
Belgrave Street	sq.m	2,520	\$	325.00	\$	819,000.00	\$	102,375.00	\$	921,375.00	\$	115,171.88	\$	15.36	\$	36.86	Post 2010
Smith Street	sq.m	1,400	\$	325.00	\$	455,000.00	\$	56,875.00	\$	511,875.00	\$	63,984.38	\$	8.53	\$	20.48	Post 2010
Forth Street	sq.m	1,600	\$	325.00	\$	520,000.00	\$	65,000.00	\$	585,000.00	\$	73,125.00	\$	9.75	\$	23.40	Post 2010
Stuart Street	sq.m	1,435	\$	325.00	\$	466,375.00	\$	58,296.88	\$	524,671.88	\$	65,583.98	\$	8.74	\$	20.99	Post 2010
TOTAL				\$	\$	6,988,046.26		\$	\$	7,861,552.04		\$	\$	131.03		\$	314.46

NOTES

The Table Rate is assumed as table and four chairs, or 5.29 sq.m. Alternatively a per chair rate may be appropriate calculated as 25% of the table rate

**Kempsey Public Domain Contribution
Plan 2010**

Applies to all determinations from: [xxx]

Application Type	Local Contribution	Shire Contributor	Total Plan Contribution
Base Rate [per person]	\$ 393.08	\$ -	
Residential			
Subdivision/New Lot: [eqv 2.5 persons]ea	\$ 982.69	\$ -	\$ 982.69
Detached [Dual Occupancy]			
1 BR [1.6]	\$ 628.92	\$ -	\$ 628.92
2BR [1.9]	\$ 746.85	\$ -	\$ 746.85
3BR [2.5]	\$ 982.69	\$ -	\$ 982.69
Semi/Row/Twnhouse/Unit			
1BR [1.2]	\$ 471.69	\$ -	\$ 471.69
2BR [2.3]	\$ 904.08	\$ -	\$ 904.08
3BR [2.3]	\$ 904.08	\$ -	\$ 904.08
Self Contained / Independent Seniors Living each			
1BR[0.6]	\$ 235.85	\$ -	\$ 235.85
2BR[0.8]	\$ 314.46	\$ -	\$ 314.46
3BR[1.0]	\$ 393.08	\$ -	\$ 393.08
Tourist per Bed [eqv 0.3 persons]	\$ 117.92	\$ -	\$ 117.92
Aged Care per Bed [eqv 0.3 persons]	N/A	N/A	N/A
Commercial			
GLFA per sq.m	\$ 131.03	\$ -	\$ 131.03
Per dining table	\$ 314.46	\$ -	\$ 314.46