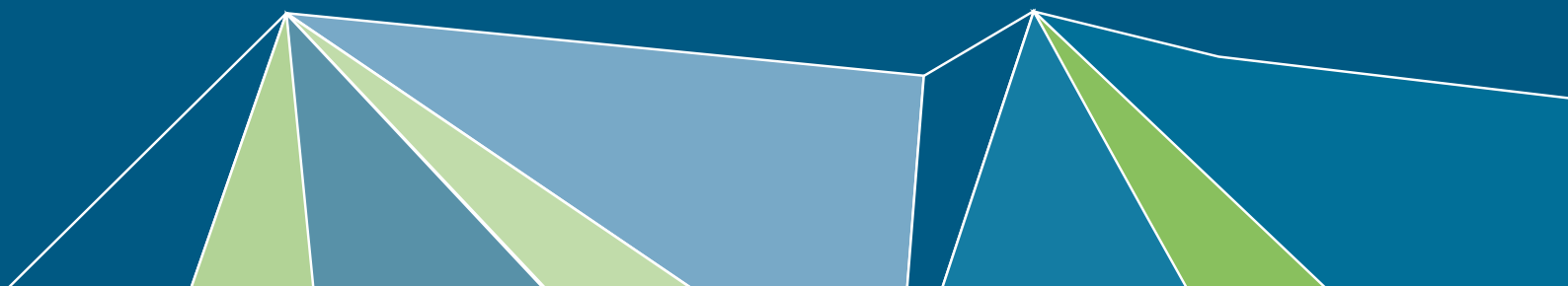




ballina
shire council

Ballina Shire *Open Space and Community Facilities Contributions Plan 2022*

Plan commencement date: 1 August 2022





Ballina Shire Open Space and Community Facilities Contributions Plan 2022

Ballina Shire Council

Prepared for



By



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Ballina Shire Open Space and Community Facilities Contributions Plan 2022

Ballina Shire will grow significantly to 2045



10,209
new equivalent
residents



4,971
new dwellings

To meet this growth, Council has developed an open space and recreation and community facilities infrastructure plan valued at

\$80M



Developers will contribute about
\$25M

Projected minimum allocations of development contributions



\$17M

Open space
& recreation



\$8M

Community
facilities

Contribution rates All areas except Cumbalum



\$3,795
per 1-bed
dwelling



\$4,963
per 2-bed
dwelling



\$7,882
per 3-bed
dwelling



\$963
per
single person
tourist bed

Cumbalum Contribution rates



\$1,138
per 1-bed
dwelling



\$1,488
per 2-bed
dwelling



\$2,363
per 3-bed
dwelling



\$289
per
single person
tourist bed



Executive summary

New residential and tourist developments in Ballina Shire local government area will increase the demand for parks, recreation and community facilities provided by Ballina Shire Council. These developments may be required to pay a contribution towards the cost of new and upgraded local infrastructure that will be used by the people that live in the development.

This plan describes what land it applies to, what development needs to pay a contribution, how to calculate the contribution and how to pay the contribution. It also describes what infrastructure Council will provide using contributions, and how the contribution rates have been determined.

In this section:

- Development demand for local infrastructure
- Applicable development
- Calculating the contribution
- Imposing the contribution
- Paying the contribution
- Obligations of registered certifiers
- Key steps in the process.

Development demand for local infrastructure

The Ballina Shire local government area (LGA) is forecast to grow by approximately 10,209 new equivalent residents¹ from 2022 until 2045. This new population will use local infrastructure and will therefore contribute to demand for its use.

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

This plan includes a schedule of community facilities and open space and recreation infrastructure works valued at approximately **\$80 million** to be delivered between 2022 and 2036. It includes local and regional open space, recreation and community facilities works including new and/or upgraded parks, playing fields, cycling facilities, skating facilities, playgrounds, foreshore areas, outdoor courts, new library and cultural hub, community spaces and halls.

Approximately **\$25 million** of the demand and cost is apportioned to development and will be funded from development contributions under this plan.

¹ Equivalent residents include residents in residential accommodation and overnight visitors in tourist and visitor accommodation converted to equivalent resident using a conversion factor. Details are provided in Appendix B.



Applicable development

This plan applies to the following types of development:

- Residential accommodation or manufactured home development that would, if approved, result in a net increase in dwellings.
- Tourist and visitor accommodation development that would, if approved, result in a net increase in the number of accommodation units or beds.

A development will need to pay a contribution under this plan if it:

- is on land within Ballina shire LGA, and
- needs consent, including complying development, and
- the development is not identified in this plan as excluded development, and
- it will result in a net population increase on the development site, determined in accordance with this plan.

Calculating the contribution

The consent authority is responsible for determining the contribution in accordance with this plan. Examples of consent authorities include Council (in the case of development requiring a development application), or a private registered certifier (in the case of development classified as complying development).

The contribution is calculated by:

1. determining the net increase in either dwellings (in the case of residential accommodation) or single person tourist beds (in the case of tourist and visitor accommodation), and then
2. multiplying this by the relevant per dwelling or per bed contribution rate, as specified in the contribution rates in the table overleaf.

When calculating the contribution, the consent authority will index the contribution rates for inflation in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics.

The contribution rates and amounts in this plan are subject to rounding. Minor discrepancies may occur due to differences between the calculated approximation of a number and its exact mathematical value. All end values have been calculated through the master spreadsheet.

**Table 1 Contribution rates²**

	Per person	Per 1-bed dwelling	Per 2-bed dwelling	Per 3 or more bed dwelling	Per lot or manufactured home	Per single person tourist bed
Occupancy (persons)	1.0	1.3	1.7	2.7	2.7	0.3
All areas except Cumbalum/Kinvara						
Community facilities	\$949	\$1,233	\$1,613	\$2,562	\$2,562	\$313
Open space & recreation	\$1,927	\$2,506	\$3,277	\$5,204	\$5,204	\$636
Plan administration	\$43	\$56	\$73	\$116	\$116	\$14
Total	\$2,919	\$3,795	\$4,963	\$7,882	\$7,882	\$963
Cumbalum/Kinvara						
Community facilities	\$383	\$498	\$651	\$1,035	\$1,035	\$126
Open space & recreation	\$479	\$623	\$814	\$1,293	\$1,293	\$158
Plan administration	\$13	\$17	\$22	\$35	\$35	\$4
Total	\$875	\$1,138	\$1,488	\$2,363	\$2,363	\$289



² All dollar amounts rounded to the nearest dollar. This may result in very small (less than 0.1 per cent) rounding errors when calculating contributions.



Imposing the contribution

If a contribution is required for a development under this plan, the consent authority (for example, Council or a registered certifier) will impose a condition in the consent or complying development certificate requiring the contribution. A proforma condition for complying development is shown at **Appendix A** to this plan.

The condition will specify, among other things, the contribution amount payable, how the contribution amount will be indexed for inflation, when the contribution needs to be paid, and how to pay the contribution.

Paying the contribution

The timing for when contributions need to be paid will be specified in the condition. For complying development, the contribution must be paid before the complying development works are commenced.

Council will index the contribution amount payable for inflation at the time of payment in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics. A payment receipt will also be provided.

Obligations of registered certifiers

Registered certifiers are responsible for issuing either a complying development certificate (in the case of development that is complying development) or construction certificates (in the case of development requiring a construction certificate).

In the case of complying development, registered certifiers are responsible for determining if a contribution is required under this plan and, if a contribution is required, calculating the contribution in accordance with this plan. Further, if a contribution is required, the registered certifier must include a condition in the complying development certificate requiring the contribution.

A proforma condition is included in **Appendix A** of this plan.

Applicants must pay the contribution before commencing the complying development works. This will be subject to compliance checking.

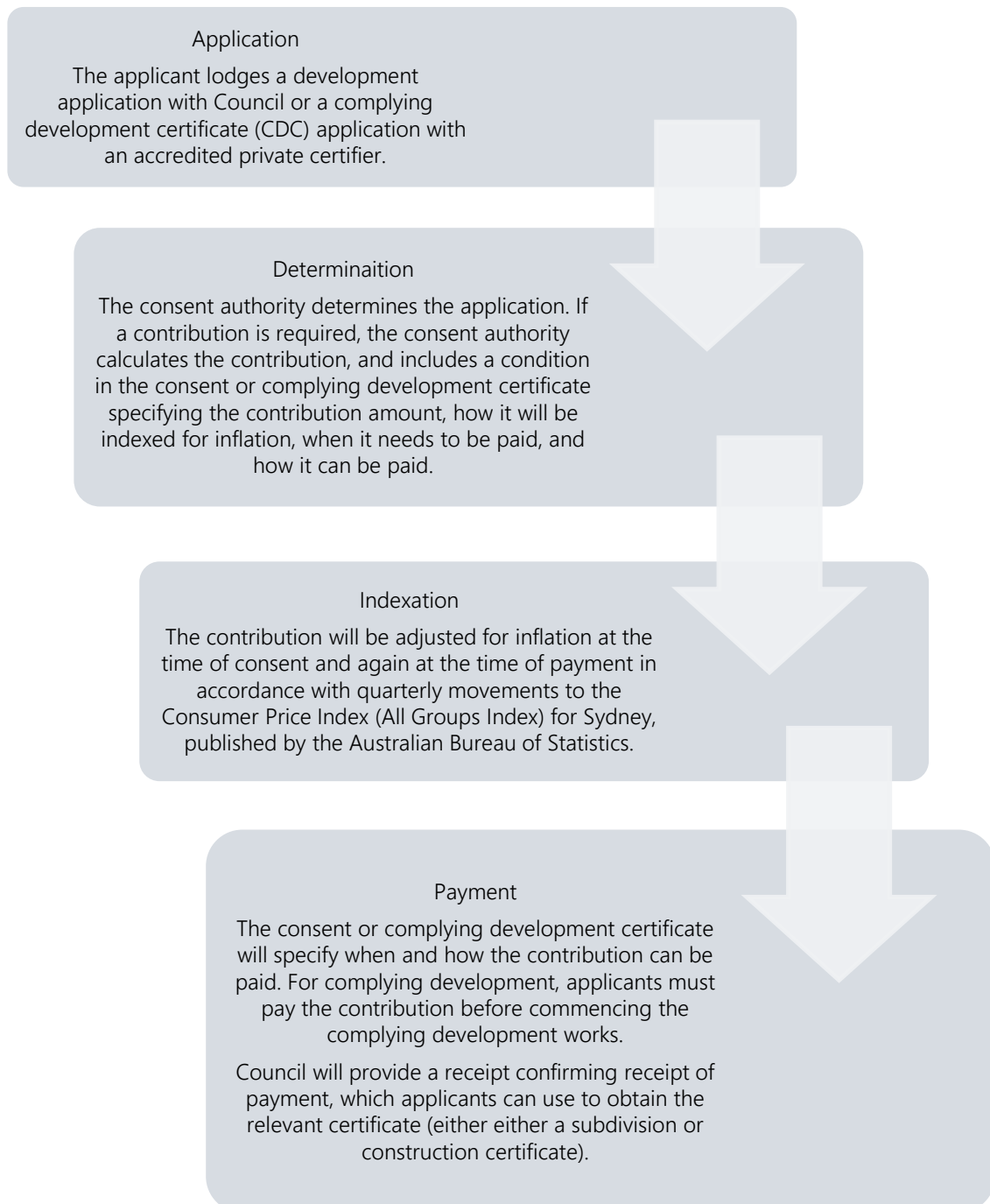
In the case of building development requiring a development application, registered certifiers must verify applicants have paid their contribution in accordance with the consent condition before issuing the construction certificate. To do this, certifiers must cite the payment receipt issued by Council when an applicant pays their contribution.



Key steps in the process

Key steps in the overall process are depicted in **Figure 1** below. Further details are provided in relevant subsections of this plan.

Figure 1 **Process flow chart**







1 Background

This section describes the plan's purpose, where it applies, and the development it applies to. It also outlines administration matters including how Council will use contributions, accountability measures, and when Council will review this plan.

1.1 Purpose of this plan

This plan commenced on 1 August 2022 and is called Ballina Shire Open Space and Community Facilities Contributions Plan 2022.

Its primary purpose is to authorise:

- the Council, when granting consent to an application to carry out development to which this plan applies; or
- a registered certifier, when issuing a complying development certificate for development to which this plan applies,

to require a section 7.11 contribution to be made towards the provision, extension or augmentation of open space, recreation and community facilities that are required because of development, or that were provided in anticipation of, or to facilitate, such development.



The plan's other purposes are:

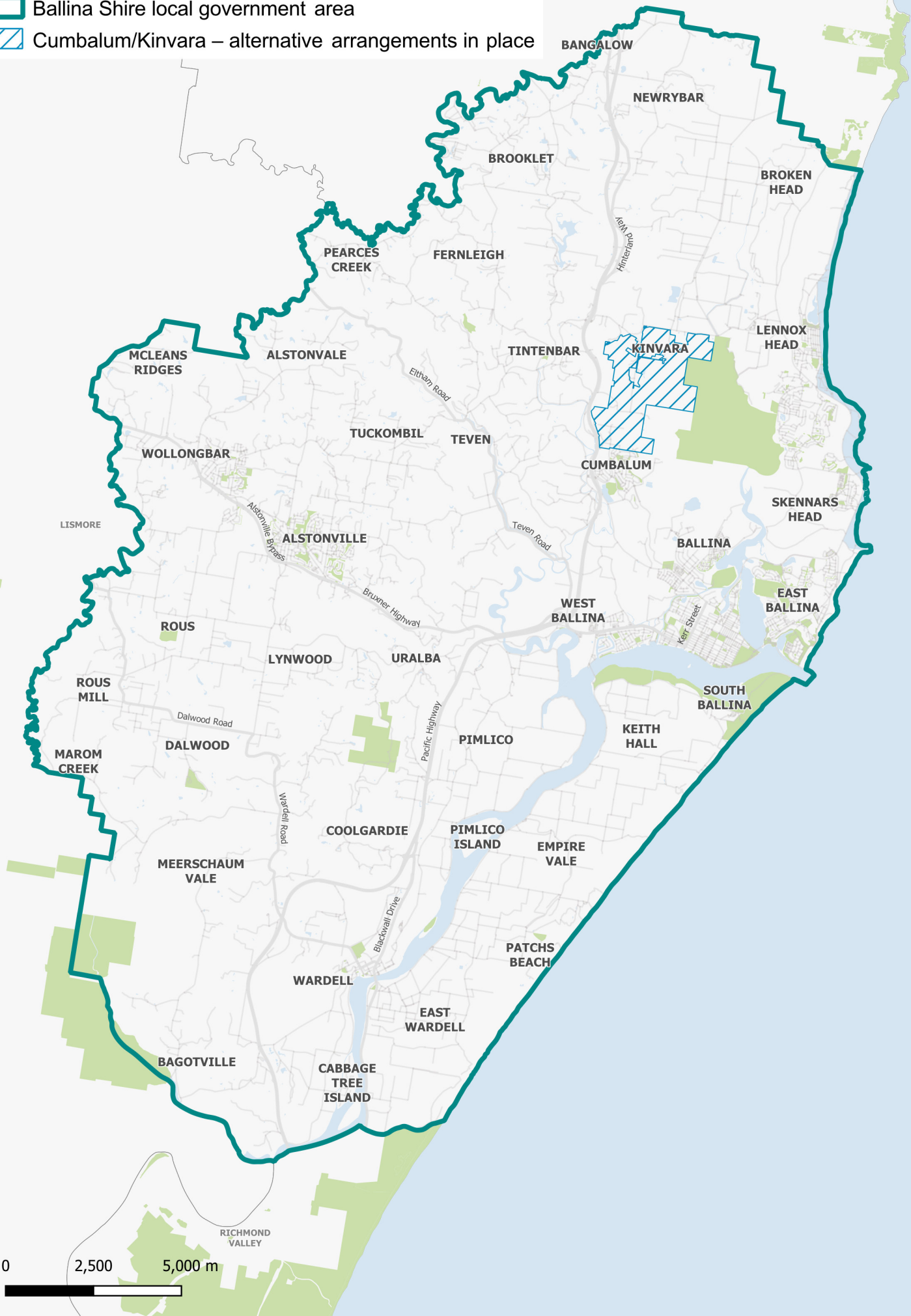
- To provide a clear and transparent basis for levying contributions under the provisions of section 7.11 of the *Environmental Planning and Assessment Act 1979*.
- To provide the framework for the efficient and equitable determination, collection and management of open space and community facilities development contributions.
- To establish the relationship between the expected development and proposed facilities to demonstrate the required contributions are reasonable.
- To update the assumptions underpinning the previous plan (*Ballina Shire Open Space and Community Facilities Contributions Plan 2016*).
- To allow for facilities in this plan to be provided by developers as works in kind in lieu of a monetary contribution.
- To provide for the dedication of land at no cost to Council in lieu of a monetary contribution.
- To ensure that the broader Ballina community is not unreasonably burdened by the provision of open space and community facilities that are required because of development in the Shire.

1.2 Where this plan applies

This plan applies to all land in Ballina Shire local government area, as shown in **Figure 2** overleaf.

Figure 2: Land to which this plan applies

-  Ballina Shire local government area
-  Cumbalum/Kinvara – alternative arrangements in place





1.3 Development this plan applies to

Applicable development

This plan applies to the following types of development:

- Residential accommodation or manufactured home development that would, if approved, result in a net increase in dwellings, lots or manufactured home sites.
- Tourist and visitor accommodation development that would, if approved, result in a net increase in the number of accommodation units or beds.

Where development is of a type not specifically identified in this plan, but which would result in additional demands for open space and community facilities infrastructure, Council officers will determine an appropriate residential or overnight visitor (equivalent resident) occupancy rate and apply the per person (residential) contribution and per single person bed (tourist) rates as specified in Table 2 of this Plan.

Excluded development

The following developments or components of developments are exempted from the need to make a contribution under this plan:

- Development for drainage, utility or other public purposes to be provided by State Government or the Council.
- Development exempted from contributions by a direction of the Minister pursuant to section 7.17 of the EP&A Act, current at the time of assessment of the Development Application (the direction will provide the terms of its applicability). Copies of current Directions are available from the NSW Department of Planning's website.





1.4 Administration

Relationship of this plan to other contributions plans

This plan repeals the *Ballina Shire Open Space and Community Facilities Contributions Plan 2016* (the 2016 plan).

However, this plan does not affect development consents containing requirements for developments to make contributions under the 2016 plan.

Contributions imposed on developments under the 2016 plan and paid to Council will be applied to the open space and community facilities in the works schedule in **Appendix F** of this plan.

Commencement and transitional arrangements

This plan applies to a development application or application for a complying development certificate (CDC) submitted on or after the date on which this plan took effect, being 1 August 2022.

A development application or application for a CDC that was submitted, but not yet determined, on or before the date on which this plan took effect, shall be assessed under the contributions plan or plans that applied at the date of submission of the application.

Pooling of contributions funds

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in the works schedule to this plan.

Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon reasonable request.

The register will be maintained at regular intervals and will include the following:

- Particulars sufficient to identify each development consent for which contributions have been sought
- Nature and extent of the contribution required by the relevant condition of consent
- Name of the contributions plan under which the condition of consent was imposed
- Date the contribution was received, for what purpose and the amount.

Separate accounting records will be maintained for each contribution type in this plan and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided. The records are held at Council's Administration Office and may be inspected upon request.



2 How to use this plan

This section describes how to use this plan including how to calculate the contribution, how the contribution will be imposed, and how to pay the contribution. It also describes obligations for registered certifiers, and alternatives to monetary contributions.

In this section:

- 2.1: Calculating the contribution
- 2.2: Imposing the contribution
- 2.3 Paying the contributions
- 2.4 Certification
- 2.5 Alternatives to monetary contributions.





2.1 Calculating the contribution

The contributions under this plan are based on the expected development, the anticipated population in or occupation of that development, the cost of the facilities needed by development, and the fair apportionment of those costs to the expected development.

This plan authorises different rates on development, depending on whether the development is located in the Cumbalum/Kinvara area, or outside this area. It applies to (1) Residential accommodation or manufactured home development that would, if approved, result in a net increase in dwellings, and (2) Tourist and visitor accommodation development that would, if approved, result in a net increase in the number of accommodation units or beds.

The contribution for these development types under this plan is calculated as follows:

$$\text{Contribution} = (\text{net increase in lots, dwellings, sites, units or beds}) \\ \times (\text{contribution rate per lot, dwelling, site, unit or bed})$$

Contribution rates are shown below.

Table 2 Contribution rates³

	Per person	Per 1-bed dwelling	Per 2-bed dwelling	Per 3 or more bed dwelling	Per lot or manufactured home	Per single person tourist bed
Occupancy (persons)	1.0	1.3	1.7	2.7	2.7	0.3
All areas except Cumbalum/Kinvara						
Community facilities	\$949	\$1,233	\$1,613	\$2,562	\$2,562	\$313
Open space & recreation	\$1,927	\$2,506	\$3,277	\$5,204	\$5,204	\$636
Plan administration	\$43	\$56	\$73	\$116	\$116	\$14
Total	\$2,919	\$3,795	\$4,963	\$7,882	\$7,882	\$963
Cumbalum/Kinvara						
Community facilities	\$383	\$498	\$651	\$1,035	\$1,035	\$126
Open space & recreation	\$479	\$623	\$814	\$1,293	\$1,293	\$158
Plan administration	\$13	\$17	\$22	\$35	\$35	\$4
Total	\$875	\$1,138	\$1,488	\$2,363	\$2,363	\$289

³ All dollar amounts rounded to the nearest dollar. This may result in very small (less than 0.1 per cent) rounding errors when calculating contributions.



Cap on monetary 7.11 contributions for residential development

On 21 August 2012 the Minister for Planning issued a Direction that caps section 7.11 contributions (previously section 94 contributions) for residential development.

The Direction requires, in terms of residential developments proposed on land in the Ballina Shire, that Council (or planning panel) must not grant development consent subject to a condition under section (1) or (3) of the EP&A Act requiring the payment of a monetary contribution that:

- in the case of a development consent that authorises one or more dwellings – exceeds \$20,000 for each dwelling authorised by the consent, or
- in the case of a development consent that authorises subdivision into residential lots – exceeds \$20,000 for each residential lot authorised to be created by the development consent.

On 19 June 2013 the Minister for Planning issued a further Direction to Council that caps section 7.11 contributions for residential development on land identified as Cumbalum Urban Release Area Precinct A (as shown in **Figure 2**) to \$30,000 for each dwelling or residential lot authorised by the consent.

This plan is consistent with both Directions in that it authorises section 7.11 contributions on residential development not to exceed the relevant cap.

However, the total contribution required under this and any other section 7.11 contributions plan may exceed the cap. Where the sum of the contributions for a particular development calculated under all contributions plans applying to the development exceeds \$20,000 per residential lot or dwelling, or in the case of Cumbalum Urban Release Area Precinct A, exceeds \$30,000 per residential lot or dwelling, the total amount included in the consent shall not exceed the relevant cap.

Indexing of contribution and levy amounts in consents

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation, this plan authorises that contribution rates and the contribution amounts included in consents will be adjusted over time.

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan.

Council will - without the necessity of preparing a new or amending contributions plan - make changes to the contribution rates set out in this plan to reflect quarterly movements in the value of land acquisition and works.

The Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics, will be used to update the contribution rates.

A monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.



Rounding differences

The contribution rates and amounts in this plan are subject to rounding. Minor discrepancies may occur due to differences between the calculated approximation of a number and its exact mathematical value. All end values have been calculated through the master spreadsheet.

Complying development and obligations of registered certifiers

This plan requires that, in relation to an application made to a registered certifier for a complying development certificate (CDC) the registered certifier must, if a complying development certificate is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan. Further, the amount of the monetary contribution that the registered certifier must so impose is the amount determined in accordance with this section.

The procedure for a registered certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a complying development certificate, the applicant has requested an exemption on part or the whole of the development under **section 1.3** of this plan, the registered certifier must:
 - a. make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
 - b. in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the complying development certificate refuse the applicant's request for an exemption.
2. Determine the unadjusted contributions in accordance with the rates included in this section, considering any exempted development specified in **section 1.3** and any advice issued by the Council under paragraph 1b. above.
3. Adjust the calculated contribution in accordance with this section to reflect the indexed cost of the provision of infrastructure.
4. Subtract any infrastructure demand credit advised by the Council under item 1(b) above for any assumed open space and community facilities demand relating to existing development.





2.2 Imposing the contribution

Monetary contributions

This plan authorises the Council or a registered certifier, when determining an application for development or an application for a complying development certificate (CDC) and subject to other provisions of this plan, to impose a condition requiring a contribution under section 7.11(1) of the EP&A Act on that approval for:

- the provision, extension or augmentation of open space and community facilities to be provided by Council, and / or
- the recoupment of the previous costs incurred by Council in providing existing open space and community facilities.

Land contributions

This plan authorises the consent authority, other than a registered certifier⁴, when granting consent to an application to carry out development to which this plan applies, to impose a condition under section 7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of open space and community facilities to be provided by Council.

Complying development & obligations of registered certifiers

As noted in **section 2.1**, this plan requires that, in relation to an application made to a registered certifier for a complying development certificate (CDC), the registered certifier must, if a complying development certificate is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan. Further, the amount of the monetary contribution that the registered certifier must so impose is the amount determined in accordance with **section 2.1**.

The proforma terms of the condition required for a complying development certificate are shown in **Appendix A**.

⁴ Note: the EP&A Act does not allow a registered certifier other than a Council to impose a condition requiring the dedication of land free of cost.



2.3 Paying the contribution

Indexation

As noted in section 2.1, A monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Timing

A monetary contribution required to be paid by a condition imposed on the development consent in accordance with this plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

- For development where no further approvals are required – before the development consent is issued.
- For development involving subdivision – before the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required – before the release of the construction certificate for any works above the floor level of the ground floor.
- For works authorised under a complying development certificate (CDC) – before any work authorised by the certificate commences, as required by clause 156(2) of the Environmental Planning and Assessment Regulation 2021.

Deferred or periodic payments

Council will not accept the deferred or periodic payment of a monetary contribution imposed under this plan.



2.4 Certification

In the case of development requiring a development application, the applicant will need to obtain a construction certificate prior to commencing the approved works. A separate construction certificate does not need to be obtained for complying development as this is included with the complying development certificate.

For development that needs a development application, the registered certifier must verify that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the development consent **before** issuing the construction certificate for building work or subdivision work.

Specifically, the registered certifier must ensure that the applicant provides a contribution payment receipt (or receipts) 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 section 142(2) of the Environmental Planning and Assessment Regulation 2021. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in-kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. This is discussed in **section 2.5** of this plan. In such cases, the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.





2.5 Alternatives to monetary contributions

Written offer to enter into an agreement

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a section 7.11 contribution required by a condition of consent imposed under this plan.

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

- The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- If the developer has already received a development consent containing a condition requiring a section 7.11 contribution, the developer may offer to undertake works in-kind through a works in-kind agreement (WIKA) or offer to dedicate land through a land dedication agreement.

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

Matters that will be considered by Council

The decision to accept settlement of a contribution by way of works in-kind or the dedication of land is at the sole discretion of Council.

Factors that Council will take into consideration in making its decision include:

- The value of the works and/or dedication of land is at least equal to the value of the contribution that would otherwise be required under this plan
- The standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction
- Whether the acceptance of the works and/or dedication of land will prejudice the timing or the manner of the provision of public facilities included in the works program of this plan
- The extent to which works and/or dedication of land satisfies a demonstrated community need
- The extent to which the works and/or dedication of land satisfies the purpose for which the contribution was sought
- The conditions applying to the transfer of the asset to the Council are to Council's satisfaction



- The financial implications for cash flow and the continued implementation of the works schedule included in this plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer)
- The overall benefit of the proposal.

Should an offer of works in-kind or land dedication be accepted, Council will establish with the applicant the following as relevant:

- The value of the offered land or works to be used in the calculation of any offset of monetary section 7.11 contributions
- An acceptable standard for workmanship and materials
- Timing of inspection of works in progress
- A program for completion of the works or dedication of the land
- An appropriate defects liability period.

Valuation of land and works for the purposes of offsetting monetary contributions

The value of any land or works offered by the applicant and accepted by the Council may be used by the Council to calculate the amount of offset of monetary contributions required under this plan.

If an offset is granted it will be because the applicant has agreed to provide land and / or works that are contained in the works schedule shown at **Appendix C**. Offsets will not be granted in exchange for developers providing material public benefits unrelated to the Council's section 7.11 program.

The value of works offered as works-in-kind is the attributable cost of the works listed in this plan (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this plan to the time the agreement is entered into.

Similarly, the value of land will be the attributable cost of the land under this plan indexed in accordance with this plan to the time the agreement is entered into.





Appendices summary

Appendices to this plan are shown on the following pages and summarised below.

Appendix A: Proforma complying development certificate condition

Contains a proforma condition to be used by accredited private certifiers when issuing complying development certificates for development that requires a contribution under this plan.

Appendix B: Anticipated development

Outlines anticipated development that is the key indicator of development-generated infrastructure demand and cost. This includes a description of the area, expected development, expected population and infrastructure demand.

Appendix C: Open space and recreation strategy

Outlines the development-generated for open space and recreation facilities, the open space and recreation works Council will provide under this plan to address this demand, the total cost of the works and the cost this plan apportions to development, and the contribution rates to meet the costs.

Appendix D: Community facilities strategy

Per Appendix C, but for community facilities.

Appendix E: Plan administration

Outlines plan administration costs apportioned to development and the contribution rates needed to meet these costs.

Appendix F: Works schedule

A detailed schedule listing the open space and recreation and community facilities works Council will provide under this plan. For each works item it includes a description, estimate cost, cost apportioned to development, the demand population, the contribution rate, and the staging/priority.

Appendix G: Works maps

Maps showing the works item locations.



APPENDIX A: PROFORMA COMPLYING DEVELOPMENT CONDITION



Appendix A: Proforma complying development condition

A registered certifier must, if a complying development certificate is proposed to be issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan. Further, the amount of the monetary contribution that the registered certifier must so impose is the amount determined in accordance with **section 2.1**.

The proforma terms of the condition required for a complying development certificate is shown below.

Contribution

The developer must make a monetary contribution to Ballina Shire Council in the amount of \$[insert amount] for the purposes of the open space and community facilities identified in the Ballina Open Space and Community Facilities Contributions Plan 2016.

<i>Local open space and recreation</i>	<i>\$[insert amount]</i>
<i>Regional open space and recreation</i>	<i>\$[insert amount]</i>
<i>Local community facilities</i>	<i>\$[insert amount]</i>
<i>Regional community facilities</i>	<i>\$[insert amount]</i>
<i>Plan administration</i>	<i>\$[insert amount]</i>

Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

\$C_C is the contribution amount shown in this certificate expressed in dollars

CPI_P is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution

CPI_C is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate

Note: The contribution payable will not be less than the contribution specified in this certificate.

Time for payment

The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by section 156(2) of the Environmental Planning and Assessment Regulation 2021.

Deferred payments of contributions may be accepted in certain circumstances and will need to be secured by bank guarantee. Refer to the contributions plan for Council's policy on deferred payments.

Works in kind agreement

This condition does not need to be complied with to the extent specified in any planning agreement of works in kind agreement entered into between the developer and the Council.



APPENDIX B: Expected development



Appendix B Expected development

This appendix outlines expected development, which is the key driver of development-generated infrastructure demand and cost. Demand and cost are addressed in subsequent appendices.

In this section:

- B1: Overview
- B2: Existing population
- B3: Expected development
- B4: Expected population
- B5: Infrastructure demand.

The contribution rates in this plan are based on the expected development, the anticipated population in or occupation of that development, the cost of the facilities, and the fair apportionment of those costs to the expected development. The following sections discuss these aspects further.

B.1: Overview

Ballina Shire is in the Northern Rivers region of NSW, and approximately 180 kilometres south of Brisbane. The Shire is well known for its beaches, creeks, waterfalls and nature reserves. The Shire's main town and commercial centre is Ballina, which is supported by other small towns and centres including Lennox Head, Alstonville, Wollongbar and Wardell. There are also a number of small villages and districts along the coast and in the hinterland.

The total area of the Ballina Shire is 485 square kilometres, and some 93 percent is zoned rural or environmental protection. A large proportion of the remaining native vegetation is on private land.





B.2: Existing population

In 2016, Ballina Shire had an estimated resident population (ERP) of 42,629 residents. Ballina Shire is forecast to grow from 42,629 residents to 51,238 residents by 2036 and 56,455 residents by 2045, an increase of 13,826 residents.

A high proportion of Ballina Shire's forecast population growth will be in the age group of 70 years and over with 3,923 new residents in this age group or around 45 per cent of the total forecast growth.

Existing population characteristics are described more fully in the *Ballina Shire Open Space and Community Facilities Needs Study* (Cred Consulting, 2022) commissioned by Council. It indicates that in 2016 the Ballina Shire LGA had:

- A population density of 0.86 persons per hectare
- A median age of 48
- An average household size of 2.33 persons
- A median household income of \$1,152 per week
- 5.9 per cent of residents were unemployed in 2016
- 3.3 per cent of the population of Aboriginal or Torres Strait Islander background
- 6 per cent of residents require assistance due to disability
- 24 per cent of households do not have Internet connection
- 21.9 per cent households are rented privately
- 9.9 per cent of youth (aged 15 to 24) are disengaged (not employed or in education).

Overall, Ballina Shire is characterised by an ageing population with a higher proportion of people aged 50+ years than Regional NSW, and NSW. The LGA also has a lower proportion of people aged under than 25 years compared to Regional NSW.



B.3: Expected development

This plan addresses the development-generated demand on open space, recreation and community facilities from 2022 until 2045.

Dwelling growth in the future is likely to be greatest in several strategic greenfield growth areas including Lennox Head, Wollongbar, Cumbalum and Skennars Head. The established areas of Ballina Island are likely to experience some new infill/minor site dwellings.⁵

The table below shows the anticipated dwelling growth across the different small areas in the Shire.

Table 3 Expected residential development (dwellings), 2022-2045

Small area	2022	2045	Change	Change
Lennox Head	3,084	4,489	+1,405	+46%
Wollongbar - McLeans Ridges	1,451	2,357	+906	+62%
Cumbalum - Tintenbar	993	1,876	+883	+89%
Skennars Head	606	1,394	+788	+130%
Ballina (North)	1,006	1,206	+200	+20%
Ballina (Island)	4,031	4,332	+301	+7%
West Ballina	1,527	1,643	+116	+8%
Alstonville	2,671	2,795	+124	+5%
East Ballina	2,833	2,897	+64	+2%
Teven - Newrybar - Rural North	959	1,051	+92	+10%
Wardell - Rural South	1,527	1,619	+92	+6%
Total	20,687	25,658	4,971	24%

Source: Population and household forecasts, 2016 to 2036, prepared by .id (informed decisions), December 2017.

⁵ Ballina Shire Population and Household Forecasts 2011 to 2036, page 8, available at <http://forecast.id.com.au/ballina>



Occupancy rates

Contribution rates for residential development in this plan are calculated by determining the contribution rate per resident and multiplying this by the occupancy rate (residents/dwelling) to calculate the contribution rate per dwelling. For the purposes of this plan, the occupancy rates shown in the table below are used to calculate the contribution rates for dwellings based on the number of bedrooms.

Table 4 Assumed development occupancy

Development type	Assumed occupancy
Dwelling house or dwelling house lot or manufactured home	2.7 persons per dwelling
3 or more bedroom dwelling	2.7 persons per dwelling
2-bedroom dwelling	1.7 persons per dwelling
0-1 bedroom dwelling	1.3 persons per dwelling
Tourism development	0.33 persons per bed or bedroom

B.4: Expected population

Expected residents

Understanding how the population will grow and where the growth areas are is essential to understand increasing demand for open space and community facilities. The table shows that the total population of the Ballina Shire Council is expected to grow from 46,162 equivalent residents in 2022 to 56,371 equivalent residents by 2045. This represents a total increase of 10,209 residents or 22 per cent.

The service age profile of the Ballina Shire LGA is based on .id (informed decisions) projected future population growth charts. There will be growth in the number of residents across all age groups, however, between 2016 and 2046 the highest growth by number will be in the service age groups of:

- Seniors 70 - 84 years +3,244 or 17.1%
- Parents and homebuilders aged 35 to 4 years +1,743 or 18.3%, and
- Elderly aged 85 years and over + 679, or 4.7%.
- Majority of growth will occur in the Cumbalum Urban Release Area, Ballina Heights, EPIC Estate, Skennars Head Expansion Area and Wollongbar.
- Demographics moving to the Shire will be mostly retirees, reflecting the trend of the Shire towards and older population.



Most population growth is planned to be accommodated through development of identified 'greenfield sites' including Cumbalum, land around Lennox Head and land adjacent to Wollongbar. Population growth at a lower rate is likely to occur because of infill development in established areas.

There are no published forecasts for the anticipated growth in tourists in tourist and visitor accommodation developments and caravan parks. Council's previous contributions plan assumed that the number of visitors expressed as equivalent residents would grow by 545 between 2007 and 2026. In line with the reduced resident population growth rate now anticipated, this plan assumes that the growth in visitors between 2022 and 2045 will be around 345 equivalent residents.

The table below shows expected population change across the small areas, as well as the anticipated growth in tourists expressed in terms of equivalent residents.

Table 5 Forecast resident population, 2022-2045

Area	2022	2045	Change	Change
Lennox Head	6,889	9,557	2,668	39%
Cumbalum - Tintenbar	2,853	5,065	2,213	78%
Wollongbar - Mcleans Ridges	3,581	5,559	1,977	55%
Skennars Head	1,388	2,910	1,522	110%
Ballina (North)	2,137	2,601	464	22%
Ballina (Island)	7,446	7,900	454	6%
Alstonville	5,963	6,393	430	7%
Teven - Newrybar - Rural North	2,447	2,640	193	8%
West Ballina	3,186	3,329	142	4%
Wardell - Rural South	3,651	3,664	13	0%
East Ballina	5,704	5,491	-213	-4%
Visitors in tourist establishments (equiv. residents)	915	1260	345	38%
Total	46,162	56,371	10,209	22%

Source: Population and household forecasts, 2016 to 2036, prepared by .id (informed decisions), December 2017.



Expected overnight visitors – in tourist and visitor accommodation

The previous table includes existing and forecast visitors in tourist establishments, expressed as equivalent residents.

This plan also applies to tourist and visitor accommodation development that would, if approved, result in a net increase in the number of accommodation units or beds. It includes contributions contribution rates per single person tourist bed.

Council has no recent published data on the level of occupation of tourist development in the Shire. Tourist development includes a range of uses including Retreats, Bed & breakfast establishments, serviced apartments, hotels, motels, backpackers' hostels, caravan parks and camping grounds.

Council's 2008 contributions plan⁶ however analysed the level of provision and level of occupancy of the Shire's tourist developments. This analysis is relied upon to determine reasonable contribution rates for tourism developments under this plan.

The following key points from that plan's analysis are relevant to this plan:

- Average tourist bed occupancy, representing the occupancy likely to occur between peak and non-peak times, was assumed across the Shire to be 50 per cent (or 0.5).
- The occupiers of Ballina Shire tourism developments generate demand for open space and community facilities, but not to the same extent as Ballina Shire residents. Tourists on the other hand may heavily use some facilities (such as larger parks and beaches/coastal reserves) and make little or no use of other facilities (such as community centres and administration offices). It was estimated that, on average, tourist demand for open space and community facilities was two-thirds (or 0.66) that of a permanent resident.
- The average number of occupied tourist beds in the Shire was 2,500. In terms of demand for open space and community facilities, this represented 825 equivalent residents (this is derived from the calculation 50 percent occupancy multiplied by 66 equivalent tourist demand (equals 0.33)).⁷

Expected equivalent residents

The table below shows the total anticipated equivalent resident (including tourist and visitor population expressed as equivalent residents) change including the Cumbalum/Kinvara area and excluding the Cumbalum/Kinvara area.

This difference is relevant because under this plan Cumbalum/Kinvara developments are levied contributions for regional but not local facilities. Council has separate arrangements in place for the provision of local infrastructure in these areas. It is therefore reasonable that Cumbalum/Kinvara developments are levied contributions under this plan for regional facilities but not local facilities.

⁶ Ballina Shire Contributions Plan 2008

⁷ Ballina Shire Contributions Plan 2008, pages 21-22

**Table 6 Forecast resident population change, incl. / excl. Cumbalum/Kinvara**

Area	2022	2045	Change	Change
All areas, including Cumbalum/Kinvara	46,162	56,371	10,209	22%
All areas, excluding Cumbalum/Kinvara	43,309	51,305	7,996	18%

Source: Population and household forecasts, 2016 to 2036, prepared by .id (informed decisions), December 2017.

B.5: Infrastructure demand

One of the fundamental principles of development contributions is the relationship, or 'nexus', between the expected types of development and the demonstrated demand for new, augmented or embellished local infrastructure created by that development.

Key aspects of determining nexus are:

- whether the anticipated development actually creates a demand or increases the demand local infrastructure
- whether the estimates of demand for infrastructure to which the proposed development contribution relates are reasonable
- what types of local infrastructure will be required to meet that demand
- whether the proposed development contribution is based on a reasonable apportionment between existing demand and new demand for transport and social infrastructure to be created by the proposed development to which the contribution relates
- whether the proposed development contribution is based on a reasonable estimate of the cost of proposed transport and social infrastructure
- when facilities will be provided to meet the demand of the development – often expressed as timing or thresholds.

It is also necessary to ensure that new development only contributes to its share of the total demand for public facilities and services, rather than any demand generated by the existing population, which may result out of a deficiency in existing facilities. This is known as 'apportionment'.

In some cases, the increased usage of and demand for new local infrastructure as a consequence of future development will exceed the capacity of existing public facilities in the LGA. Accordingly, it will be necessary for new and embellished infrastructure to be provided to cater for the anticipated demand of that development.

Appendix C and **Appendix D** of this plan establish the nexus between the anticipated development and the demand for additional or embellished open space and recreation facilities and community facilities. They also provide details how that nexus has been apportioned, to ensure that contributions reflect the demand of new development, rather than existing demand or past deficiencies.





APPENDIX C: OPEN SPACE AND RECREATION STRATEGY



Appendix C Open space and recreation strategy

This appendix describes the development-generated demand for open space and recreation facilities, the works Council will provide to address this demand, the apportionment of costs to development, and the development contribution rates to meet this cost.

In this section:

- C1: Introduction
- C2: Existing facilities
- C3: Nexus to development
- C4: Strategy – proposed infrastructure
- C4: Apportionment
- C4: Contribution rates.

C.1: Introduction

Open space and recreation works is all publicly owned land with unrestricted public access that is managed for leisure, recreation and amenity purposes. It can include parks, reserves, public foreshore areas, playgrounds and outdoor playing fields. It can also include civic spaces in commercial centres such as squares and plazas that are key community focal points for formal and informal gatherings.

Open space is essential to the healthy functioning of the community and its urban environment. It provides a range of benefits including exercise, recreation, relaxation, escape, exploration, contemplation, interaction, connection, celebration, biodiversity, cooling, ventilation, tourism, identity and community well-being.

The forecast development within the LGA will generate additional demand for local open space and recreation facilities and this demand will require additional open space and embellishment of existing facilities to cater for increased pressures on existing facilities.



C.2: Existing facilities

Existing facilities are identified in the Ballina Shire Open Space and Community Facilities Needs Study (Cred Consulting, 2022) commissioned by Council. Current provision is outlined below.

Public open space

There is more than 700 hectares of public open space across the LGA, including more than 389 hectares of parks, equating to 166 square metres per person. This is a relatively very high rate of provision of open space in a local government area.

In addition, there is one district park and four hectares of playing fields and amenities planned at Cumbalum Precinct A.

In Kinvara, there is planned to be approximately 2.9 hectares of district park space and 1.8 hectares of local parks distributed throughout the development to meet the standard of 400 metre walking distance to all residents. Kinvara also plans to deliver active open spaces including one playing field, one court, a clubhouse and amenities of up to 10 hectares in size.

Sports and recreation facilities

There are 29 sports parks for formal team sports; 6 lawn sports and golf courses; 3 bmx/skate parks; and 45 play spaces. Most residential areas are within 400 metres of a play space, with the exception of some parts of Ballina Island.

While there are 43 indoor or outdoor code-specific courts, there are no full-sized outdoor multipurpose courts located in any of the LGA's catchments. There is one planned upgrade of the existing basketball court at Swift Street/Webster Lane to a multi-use court.

Netball courts in Ballina are used for multiple sports and recreational activities and have requests for multiple line markings. There are 2 half courts.

There is 1 outdoor exercise facility in Ballina. There are two indoor recreation facilities and two inland pools. There are currently no ocean pools. The LGA has beautiful natural areas including 38 bushland and nature reserves and 8 beaches.



C.3: Nexus to development

As outlined in **Table 6** in **Appendix B**, future development will generate approximately 10,209 new equivalent residents from 2022 until 2036, an increase of 22 per cent. The new population will use open space and recreation facilities and contribute to the demand for its use.

Development-generated demand for open space and recreation is identified in Ballina Shire Open Space and Community Facilities Needs Study (Cred Consulting, 2021) and Ballina Shire Sport and Recreation Plan 2020 (Ross Planning, 2020). Key findings are summarised in Table 7 below.

Table 7 Summary of open space and recreation needs

Identified need	Location(s)	Rationale
New and upgraded playgrounds	All catchments	<ul style="list-style-type: none"> As per the Playground Upgrade and Management Plan. In addition, benchmarking indicates that planning for additional playgrounds through to 2045, particularly in catchments 3 & 4.
Ensure that the Kingsford Smith Reserve Master Plan delivers a major outdoor event space that can cater to regional-level events, festivals and celebrations	Catchment 1	<ul style="list-style-type: none"> As identified in the Place Strategy.
Park embellishments to local and district parks to become higher quality multipurpose open space areas with improved facilities and active transport connections	All catchments	<ul style="list-style-type: none"> Best practice indicates that local and district parks should provide a range of spaces and things to do for a range of ages and abilities. While Council has a high quantum of open space, there is a need to embellish some spaces.
1 new outdoor fitness equipment	All catchments, with priority for catchment 2	<ul style="list-style-type: none"> Participation trends indicate a high demand and seniors equipment is becoming increasingly popular. Benchmarking indicates demand for an additional one station.
1-2 new outdoor multipurpose courts	Catchments 1 and 2	<ul style="list-style-type: none"> Participation trends indicate a high and increasing demand for informal multipurpose courts. An additional 1.4 courts are needed based on benchmarking.



C.4: Strategy – proposed infrastructure

Open space and recreation works that Council will partly or fully fund under this plan to address the development-generated demand for open space and recreation works are summarised in the table below. A detailed works schedule is shown in **Appendix F**. Maps showing the works items' locations are shown in **Appendix G**.

Table 8 Works schedule summary – open space and recreation works

Item	Description	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)
Local works						
1	Ballina district park embellishment	\$2,500,000	\$2,500,000	100%	7,996	\$313
2	Lennox Head playing fields embellishment	\$1,794,000	\$1,794,000	100%	7,996	\$224
3	Plateau playing fields embellishment	\$1,300,000	\$1,300,000	100%	7,996	\$163
4	New and upgraded playgrounds	\$2,600,000	\$2,600,000	100%	7,996	\$325
5	Upgrade local and district parks and foreshore areas	\$2,500,000	\$2,500,000	100%	7,996	\$313
6	New multipurpose outdoor courts	\$600,000	\$390,000	65%	7,996	\$49
7	Fripp Oval amenities and facilities upgrade	\$1,200,000	\$187,028	16%	7,996	\$23
8	Saunders Oval amenities and facilities upgrade	\$1,000,000	\$155,856	16%	7,996	\$19
9	Skennars Head Fields amenities and facilities upgrade	\$1,000,000	\$155,856	16%	7,996	\$19



Item	Description	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)
Regional works						
10	New and upgraded cycling and skating facilities	\$2,000,000	\$362,210	18%	10,209	\$35
11	Upgrade local and district parks and foreshore areas - Kingsford Smith Reserve Master Plan - Kingsford Smith Reserve	\$15,000,000	\$2,716,576	18%	10,209	\$266
12	Upgrade local and district parks and foreshore areas - Kingsford Smith Reserve Master Plan - Commemoration Park	\$3,000,000	\$543,315	18%	10,209	\$53
13	Upgrade local and district parks and foreshore areas - Kingsford Smith Reserve Master Plan - Missingham Park	\$7,000,000	\$1,267,735	18%	10,209	\$124
		\$41,494,000	\$16,472,577			\$1,927

C.5: Apportionment

The previous table shows the estimated cost for each works item and the part of the cost that will be funded by development, that is, the apportionment rate. As shown, apportionment rates range from **16 per cent** to **100 per cent**.

The cost of most items will be apportioned to the total future population. The cost apportioned to the new development generated population is 16 to 18 per cent. This is the new population as a proportion of the total future population.

For all remaining items except item 6, 100 per cent of the cost will be apportioned to development. This includes park embellishments, playing field embellishments, new and upgraded playgrounds, and upgraded foreshore areas. This is reasonable as the works will not increase the provision rate and/or are provided in lieu of providing new facilities.

For item 6, comprising new multipurpose outdoor courts, 65 per cent of the cost will be apportioned to development. This is reasonable as benchmarks indicate the new population will generate demand for 65 per cent of new multipurpose outdoor courts.



The works schedule categorises open space and recreation works as either local works or regional works. For local open space and recreation works, this plan apportions costs to all areas, excluding Cumbalum/Kinvara. For regional works, it apportions costs to all areas, including Cumbalum/Kinvara. This is reasonable as Council has separate arrangements in place in for the provision of local infrastructure in Cumbalum/Kinvara, but not regional infrastructure.

C.6: Contribution rates

Contribution rates for open space and recreation works are calculated using the following formula:

$$\text{Contribution rate per person} = \frac{\text{Works cost apportioned to development}}{\text{Development generated population increase}}$$

This calculation is shown in the table below.

Table 9 Contributions rates – open space and recreation works

	Formula	Calculation
All areas except Cumbalum/Kinvara		
Local open space & rec - apportioned cost	A	\$11,582,740
Demand population	B	7,996
Local open space & rec - contribution rate	C = A ÷ B	\$1,449
Regional open space & rec - apportioned cost	D	\$4,889,836
Demand population	E	10,209
Local open space & rec - contribution rate	F = D ÷ E	\$479
Total contribution rate	G = C + F	\$1,927
Cumbalum/Kinvara		
Regional open space & rec - apportioned cost	H	\$4,889,836
Demand population	I	\$10,209
Total contribution rate	J = H ÷ I	\$479





APPENDIX D: COMMUNITY FACILITIES STRATEGY



Appendix D Community facilities strategy

This appendix describes the development-generated demand for community facilities, community facilities works Council will provide to address this demand, apportionment of costs to development, and the development contribution rates to meet this cost.

In this section:

- D1: Introduction
- D2: Existing facilities
- D3: Nexus to development
- D4: Strategy – proposed infrastructure
- D5: Apportionment
- D6: Contribution rates.

D.1: Introduction

Community facilities include libraries, local halls and cultural centres. They are vital to the fabric of community life and how people feel connected to each other. They provide spaces for the shire's diverse communities to enjoy entertainment, creative and recreational pursuits, education and training, and rest and respite.

D.2: Existing facilities

Existing facilities are identified in the Ballina Shire Open Space and Community Facilities Needs Study (Cred Consulting, 2022) commissioned by Council. Overall, the LGA is well serviced in terms of the quantum of community facilities. Current provision is outlined below.

Community facilities

Across Ballina LGA, there are 27 publicly accessible community spaces of which 21 are owned or managed by Ballina Shire Council or other government agencies (such as the State Government). This includes community halls, multipurpose surf clubs, seniors centres, youth spaces, meeting rooms, scout halls and other community spaces. Some of these spaces are ageing or single purpose with opportunities for improvements to modernise and make more efficient to manage and maintain.

Libraries

Three libraries are located in Ballina LGA's in the three largest population settlements. Some smaller villages, like Wardell in the south, and the new urban release areas of Cumbalum and Kinvara are the furthest residential areas from a library. These libraries have the opportunities for improvements to modernise, co-locate and increase access to technology.



Cultural facilities

There are nine government owned or managed cultural spaces located within the Ballina LGA, six of which are clustered around Ballina Town Centre. Of these, only two are local spaces, while the rest are district or regional level. There are also several privately owned and managed cultural spaces in the LGA, such as RSL clubs (live music & performance) and galleries. There are no cultural facilities in Catchment 3, and no local cultural facilities for participation in Catchments 2, 3, or 4.

D.3: Nexus to development

As outlined in **Appendix B**, future development will generate approximately 10,209 new equivalent residents from 2022 until 2036, an increase of 22 per cent. This new population will use community facilities and contribute to the demand for its use.

Development-generated demand for community facilities is addressed in the Ballina Shire Open Space and Community Facilities Needs Study (Cred Consulting, 2022). Key findings are summarised below.

Table 10 Summary of community facilities needs

Identified need	Location	Rationale
<p>A new multi-purpose library, community and cultural hub in Ballina Town Centre, incorporating:</p> <ul style="list-style-type: none"> • A new contemporary and flexible central library (approx 2,000m²) • Multi-purpose community hall (approx. 800m²) that can be used for a range of activities, including seniors groups and seniors day care • Gallery (400m²) • Town square • Council administration building (increased size from current) • Meeting rooms • Performance space • In association with the development of cafes, and compatible retail uses • Accessible car parking • Storage space • Community kitchen • Study/co-working space <p>Based on best practice precedents approx. 3200m² in size.</p>	Ballina, Catchment 1	<ul style="list-style-type: none"> • This action is stated in the Ballina major regional centre strategy • Population benchmarking indicates that by 2045, there will be a total demand for 1,992m² of library floorspace in catchment 1. • Council have identified a need for an Aboriginal Cultural Centre, which could form part of this community hub • Benchmarking indicates that there will be a need for an additional senior's space by 2045 and demographics show that Catchment 1 has a very high and increasing proportion of people aged over 70. • Best practice trends increasing demand for study spaces as part of community facilities and libraries, as well as access to co- working spaces



Identified need	Location	Rationale
Alstonville Cultural Centre	Catchment 4	<ul style="list-style-type: none"> • Ageing facility • Small library size • Need for larger, higher quality local halls • Concept design completed - recoupment needed
Aboriginal cultural centre	Catchment 1	<ul style="list-style-type: none"> • One of the Ballina Cultural Long Plan's 6 objectives is: With the term Shire's Aboriginal community, promote understanding of local Aboriginal identity, culture and heritage. Council staff as part of the engagement for this project have identified the creation of an Aboriginal Cultural Centre as a potential project that could be included in the Ballina 'civic precinct' / community and cultural hub.
Expanded library at the Lennox Head Community and Cultural centre	Catchment 2	<ul style="list-style-type: none"> • Explore options to provide an expanded library space at the Lennox Head Community and Cultural Centre, aiming to expand the library to a minimum size of 900m² - an additional 365m² (based on population benchmarking through to 2045)
Audio visual upgrades at Lennox Head Community and Cultural centre	Catchment 2	<ul style="list-style-type: none"> • Improved lighting, audio and Medium staging requirements to host term bigger events • Install automatic tiered seating
Library technology upgrades	All catchments	<ul style="list-style-type: none"> • The role of libraries and their services is changing, with access to technology a future role, and important particularly for older people and lower income residents.
Provide more dedicated youth spaces in libraries, especially those servicing growth areas such as Catchment 3 (using Catchment 1's library).	Catchment 1 & 4	<ul style="list-style-type: none"> • Urban release areas are likely to appeal to young families
Upgrades and repairs to Wigmore Hall (including accessibility upgrades as necessary)	Catchment 1	<ul style="list-style-type: none"> • Council staff have identified that Wigmore Hall requires paint stripped, building repairs and a repaint. It also needs a new roof.
Upgrades, including accessibility assessment and upgrades, to local community halls and spaces that are under Council management. Potential candidates for future upgrades and improvements include Ballina CWA Hall, Newrybar Hall, Wardell District	All catchments	<ul style="list-style-type: none"> • Community halls are focal points for local communities in Ballina LGA. While many of the halls are loved by the people who use them, they are also ageing and will need future upgrades to ensure they remain safe, useable and accessible to the local community. • The Active Ageing Plan, 2015 identified the need to provide equitable access to a range of community services and facilities (existing and future).



Identified need	Location	Rationale
War Memorial Hall, Wollongbar Hall and Northlakes Community Centre		
More spaces for creative community participation	Catchment 1 & 2	<ul style="list-style-type: none"> • There are limited creative spaces for the community to participate in arts and cultural activities at a local level across the LGA. • Catchment 3 (urban release areas) have no cultural facilities, and there are no provisions in the Contributions Plan or VPA. • Through renewal of community assets, ensure that facility design caters for a range of uses, including arts and craft (wet areas, loading docks, extraction etc).

D.4: Strategy – proposed infrastructure

Community facilities works that Council will part or fully fund under this plan to address the development-generated demand for community facilities are summarised in the table. A detailed works schedule is provided in **Appendix F**. Maps showing the works items' locations are shown in **Appendix G**.

Table 11 Works schedule – community facilities

Item	Description	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand pop'n	Contribution (\$/person)
Local works						
14	Alstonville Cultural Centre refurbishment and expansion	\$10,800,000	\$1,683,249	16%	7,996	\$211
15	Library space expanded	\$2,190,000	\$2,190,000	100%	7,996	\$274
16	Wigmore Hall upgrade	\$1,164,000	\$181,417	16%	7,996	\$23
17	Kentwell Centre Expansion	\$2,000,000	\$311,713	16%	7,996	\$39
18	Community halls / spaces upgrades	\$1,000,000	\$155,856	16%	7,996	\$19
Regional works						
19	New library and cultural hub at Ballina town centre	\$21,000,000	\$3,803,206	18%	10,209	\$373
20	New Aboriginal cultural centre in Ballina	\$600,000	\$108,663	18%	10,209	\$11
		\$38,754,000	\$8,434,104			\$949



D.5: Apportionment

The previous table also shows the estimated cost for each works item and the part of the cost that will be funded by development, that is, the apportionment rate.

The cost of all items except item 15 will be apportioned to the total future population. The cost apportioned to the new development generated population is 16 to 18 per cent for local and regional works respectively. This is the new population as a proportion of the total future population.

For item 15, comprising expanded library space, 100 per cent of the cost will be apportioned to the new development-generated population increase. This is reasonable as benchmarks indicate the new population will generate demand for increased library space.

The works schedule categorises open space and recreation works as either local works or regional works. For local works, this plan apportions costs to all areas, excluding Cumbalum/Kinvara. For regional works, it apportions costs to all areas, including Cumbalum/Kinvara. This is reasonable as Council has separate arrangements in place for the provision of local infrastructure in Cumbalum/Kinvara, but not regional infrastructure.





D.6: Contribution rates

Contribution rates for open space and recreation works are calculated using the following formula:

$$\text{Contribution rate per person} = \frac{\text{Works cost apportioned to development}}{\text{Development generated population increase}}$$

This calculation is shown in the table below. It is shown for (1) all areas except Cumbalum/Kinvara, and (2) Cumbalum/Kinvara.

Table 12 Contributions rates – community facilities

	Formula	Calculation
All areas except Cumbalum/Kinvara		
Local community facilities - apportioned cost	A	\$4,522,235
Demand population	B	7,996
Local community facilities - contribution rate	C = A ÷ B	\$566
Regional community facilities - apportioned cost	D	\$3,911,869
Demand population	E	10,209
Regional community facilities - contribution rate	F = D ÷ E	\$383
Total contribution rate	G = C + F	\$949
Cumbalum/Kinvara		
Regional community facilities - apportioned cost	H	\$3,911,869
Demand population	I	10,209
Regional community facilities - contribution rate	J = H ÷ I	\$383
Total contribution rate	K = J	\$383





APPENDIX E: PLAN ADMINISTRATION



Appendix E Plan administration

This appendix outlines how Council will collect and use contributions to fund costs associated with managing and administering this plan.

E.1: Strategy

Council has used its resources to draft this contributions plan. It is reasonable for the costs associated with drafting of the plan be recouped through contributions from development served by this plan. The costs that Council has incurred include staff time and the commissioning of consultants to prepare the plan. Additionally, Council is required to manage, monitor and maintain the contributions plan over its life. The effective coordination and administration of the plan will involve many tasks, some of which include:

Council is required to manage, monitor and maintain the contributions plan. This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions
- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules
- Monitoring and programming works identified in the works schedules
- Determining the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined
- Reviewing and determining the suitability of any works in-kind and material public benefits proposed by a developer
- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the public regarding the operation of the plan
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan
- Plan reviews.

These activities will be undertaken by both in-house staff and external consultants.



E.2: Nexus, apportionment and calculation of contribution rates

As these plan administration costs arise directly because of the expected development in the Ballina Shire, it is reasonable that the costs associated with preparing and administering this plan be recouped through development contributions. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark⁸ of an allowance equivalent to 1.5 per cent of the cost of construction works that are to be met by development approved under this plan. The calculation of contribution rates for plan administration costs is shown in the table below.

Table 13 Calculation of contributions rates for plan administration costs

	Formula	Calculation
All areas excluding Cumbalum/Kinvara		
Local open space & rec - apportioned cost	A	\$11,582,740
Local community facilities - apportioned cost	B	\$4,522,235
Local facilities - total cost	$C = A + B$	\$16,104,975
Demand population	D	7,996
Local facilities - contribution rate	$E = C \div D$	\$2,014
Regional open space & rec - apportioned cost	F	\$4,889,836
Regional community facilities - apportioned cost	G	\$3,911,869
Regional facilities - total cost	$H = F + G$	\$8,801,705
Demand population	I	10,209
Regional facilities - contribution rate	$J = H \div I$	\$862
Total contribution rate	$K = (E + J) \times 0.015$	\$43

⁸ Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs*, page 63



	Formula	Calculation
Cumbalum/Kinvara		
Regional open space & rec - apportioned cost	L	\$4,889,836
Regional community facilities - apportioned cost	M	\$3,911,869
Regional facilities - total cost	$N = L + M$	\$8,801,705
Demand population	O	\$10,209
Regional facilities - contribution rate	$P = N \div O$	\$862
Total contribution rate	$Q = P \times 0.015$	\$13







APPENDIX F: WORKS SCHEDULE



Appendix F Works schedule

Table 14 Works schedule

Item	Description 1	Description 2	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)	Staging / priority ⁹
Open space and recreation								
Local works								
1	Ballina district park embellishment	Ballina district park embellishment (Pop Denison Park) including seniors playground and associated infrastructure such as car parking, outdoor gym and connecting pathways, per Pop Denison Master Plan.	\$2,500,000	\$2,500,000	100%	7,996	\$313	Short term
2	Lennox Head playing fields embellishment	Lennox Head playing fields embellishment - Skennars Head playing field works	\$1,794,000	\$1,794,000	100%	7,996	\$224	Complete ¹⁰
3	Plateau playing fields embellishment	Plateau playing fields embellishment - for Wollongbar sports fields: 2 x rugby grounds and lighting; 1 x cricket oval; 6 x tennis courts and lighting; 4 x netball courts; club house facilities; vehicular and pedestrian access, car and bus parking	\$1,300,000	\$1,300,000	100%	7,996	\$163	Complete ¹⁰

⁹ Short = 2022-2026 (years 1-5); Medium = 2027-2031 (years 6-10); Long = 2032-2036 (years 11-15).

¹⁰ Costs to be recouped under this plan.



Item	Description 1	Description 2	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)	Staging / priority ⁹
4	New and upgraded playgrounds	New and upgraded playgrounds across all catchments, per Council's Playground Upgrade and Management Plan. Cost allows for approximately 13 playgrounds (e.g. 10 new playgrounds and upgrades to 3 existing playgrounds) at an average of approximately \$200,000 per playground.	\$2,600,000	\$2,600,000	100%	7,996	\$325	Ongoing
5	Upgrade local and district parks and foreshore areas	Upgrades to local parks, district parks and foreshore areas across all catchments to become higher quality multi-purpose open space areas with improved facilities and active transport connections based on adopted master plans for the Ballina Foreshore, Captain Cook Park, Elizabeth Ann Brown Park, Hampton Park, Lennox Foreshore, Ocean Breeze and Sharpes Beach. Cost allows for approximately 5,000 sqm of embellishments at approximately \$500/sqm, to be distributed among local park (e.g. 10 local parks) and district park embellishments.	\$2,500,000	\$2,500,000	100%	7,996	\$313	Ongoing
6	New multipurpose outdoor courts	Two new outdoor multipurpose courts in Catchment 1 (Ballina) and Catchment 2 (Lennox Head). Cost assumes an average cost of approximately \$300,000 each.	\$600,000	\$390,000	65%	7,996	\$49	Medium term
7	Fripp Oval amenities and facilities upgrade	Fripp Oval - upgrade to provide inclusive change room and officials' facilities, disabled access, consolidate onsite storage, additional and disabled car parking spaces	\$1,200,000	\$187,028	16%	7,996	\$23	Short to medium term
8	Saunders Oval amenities and facilities upgrade	Saunders Oval - upgrade and expansion of storage, canteen and provide inclusive change room facilities	\$1,000,000	\$155,856	16%	7,996	\$19	Short to medium term



Item	Description 1	Description 2	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)	Staging / priority ⁹
9	Skennars Head Fields amenities and facilities upgrade	Upgrade and expansion of storage, canteen and provide inclusive change room facilities	\$1,000,000	\$155,856	16%	7,996	\$19	Short to medium term
Regional works								
10	New and upgraded cycling and skating facilities	Enhanced or expanded facilities for skate park, pump track, BMX and mountain biking in Alstonville / Wollongbar / Lennox Head / Skennars Head and Wardell	\$2,000,000	\$362,210	18%	10,209	\$35	Ongoing
11	Upgrade local and district parks and foreshore areas - Kingsford Smith Reserve Master Plan - Kingsford Smith Reserve	Upgrade Kingsford Smith Reserve as per the Kingsford Smith Reserve Master Plan including new parking area, shared sports amenity building, formalised cricket oval and existing nets, new sports amenity building, new netball courts, shade shelter structure with seating, enhanced primary sport amenity building to standards, tiered seating (new) and change rooms (new), safe road crossing points, pump track, a market space, model boat group storage facilities and formalised pathway access to lake, new lakeside walk, lakeside nature play and pockets of formalised car parking along Kingsford Smith Drive.	\$15,000,000	\$2,716,576	18%	10,209	\$266	Medium to long term
12	Upgrade local and district parks and foreshore areas - Kingsford Smith Reserve Master Plan - Commemoration Park	Upgrade Commemoration Park as per the Kingsford Smith Reserve Master Plan including market lawn, breakout lawns, waterfront lawn with landscape pavilions, widened waterfront promenade with seating, upgraded amenities, safe road crossing point and improved parking and access.	\$3,000,000	\$543,315	18%	10,209	\$53	Medium term to long term



Item	Description 1	Description 2	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)	Staging / priority ⁹
13	Upgrade local and district parks and foreshore areas - Kingsford Smith Reserve Master Plan - Missingham Park	Upgrade Missingham Park as per the Kingsford Smith Reserve Master Plan including reconfigured parking area, half court basketball and additional hardstand for events and exercise groups, new stage and amenities block, toddler playground utilising existing shade structure, adventure playground, Interactive discovery playground, widened path with seating and expanded skate park to include street plaza and hardscape for events, scooter loop.	\$7,000,000	\$1,267,735	18%	10,209	\$124	Medium to long term
Subtotal – open space and recreation			\$41,494,000	\$16,472,577			\$1,927	
Community facilities								
Local works								
14	Alstonville Cultural Centre refurbishment and expansion	Significant refurbishment and expansion of the former Alstonville Leisure and Entertainment Centre. Includes (1) refurbished sports hall, (2) refurbished multi-purpose hall and (3) refurbished amenities (4) a new 2-storey library at the entrance of the site (including a variety of personal reading and study spaces, a central atrium with large tiered seating platforms, a dedicated children’s area and external courtyard, formal meeting rooms and flexible spaces for the community program delivery), and (5) single outdoor sports court	\$10,800,000	\$1,683,249	16%	7,996	\$211	Short to medium term
15	Library space expanded	Expanded library space at the Lennox Head Community and Cultural Centre - aim to expand the library to a minimum size of 900sqm, comprising an additional 365sqm of floor space.	\$2,190,000	\$2,190,000	100%	7,996	\$274	Long term



Item	Description 1	Description 2	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)	Staging / priority ⁹
16	Wigmore Hall upgrade	Upgrades and repairs to Wigmore Hall, including accessibility upgrades as necessary	\$1,164,000	\$181,417	16%	7,996	\$23	Medium term
17	Kentwell Centre Expansion	Expansion of Kentwell Centre for community services (including meeting rooms and community space) at Treelands Reserve, Ballina	\$2,000,000	\$311,713	16%	7,996	\$39	Medium to long term
18	Community halls / spaces upgrades	Upgrades of various local community halls and spaces that are under Council management across all catchments. Potential works include accessibility upgrades, new furniture, storage solutions, security, acoustic, lighting and technology upgrades. Potential candidates include (1) Ballina CWA Hall, (2) Newrybar Hall, (3) Wardell District War Memorial Hall, (4) Wollongbar Hall and (5) Northlakes Community Centre.	\$1,000,000	\$155,856	16%	7,996	\$19	Ongoing
Regional works								
19	New library and cultural hub at Ballina town centre	A new multi-purpose library, community and cultural hub (3,200sqm approx.) in Ballina town centre, incorporating (1) a contemporary and flexible central library (approx. 2,000sqm), (2) multi-purpose community hall (approx. 800sqm) that can be used for a range of activities, including seniors groups and seniors day care, (3) gallery (400sqm), (4) town square, (5) Council administration building (increased size from current), (6) meeting rooms, (7) performance space, (8) in association with the development of cafes, and compatible retail uses, (9) accessible car parking, (10) storage space, (11) community kitchen, (12) expanded history room as a tourist destination.	\$21,000,000	\$3,803,206	18%	10,209	\$373	Long term



Item	Description 1	Description 2	Estimated cost (\$)	Apportioned cost (\$)	Apportionment	Demand population	Contribution (\$/person)	Staging / priority ⁹
20	New Aboriginal cultural centre in Ballina	New Aboriginal cultural centre, potentially located in the Ballina civic precinct / community and cultural hub.	\$600,000	\$108,663	18%	10,209	\$11	Short to medium term
Subtotal – community facilities			\$38,754,000	\$8,434,104			\$949	
Total – all works			\$80,248,000	\$24,906,680			\$2,876	









APPENDIX G: WORKS MAPS



Figure 3: Works map, LGA-wide

-  Ballina Shire local government area
 -  Cumbalum/Kinvara – alternative arrangements in place
 -  Community facilities
 -  Open space and recreation
 - X** Numbering per works program
- Items not shown: 5a, 5e, 6, 10, 20

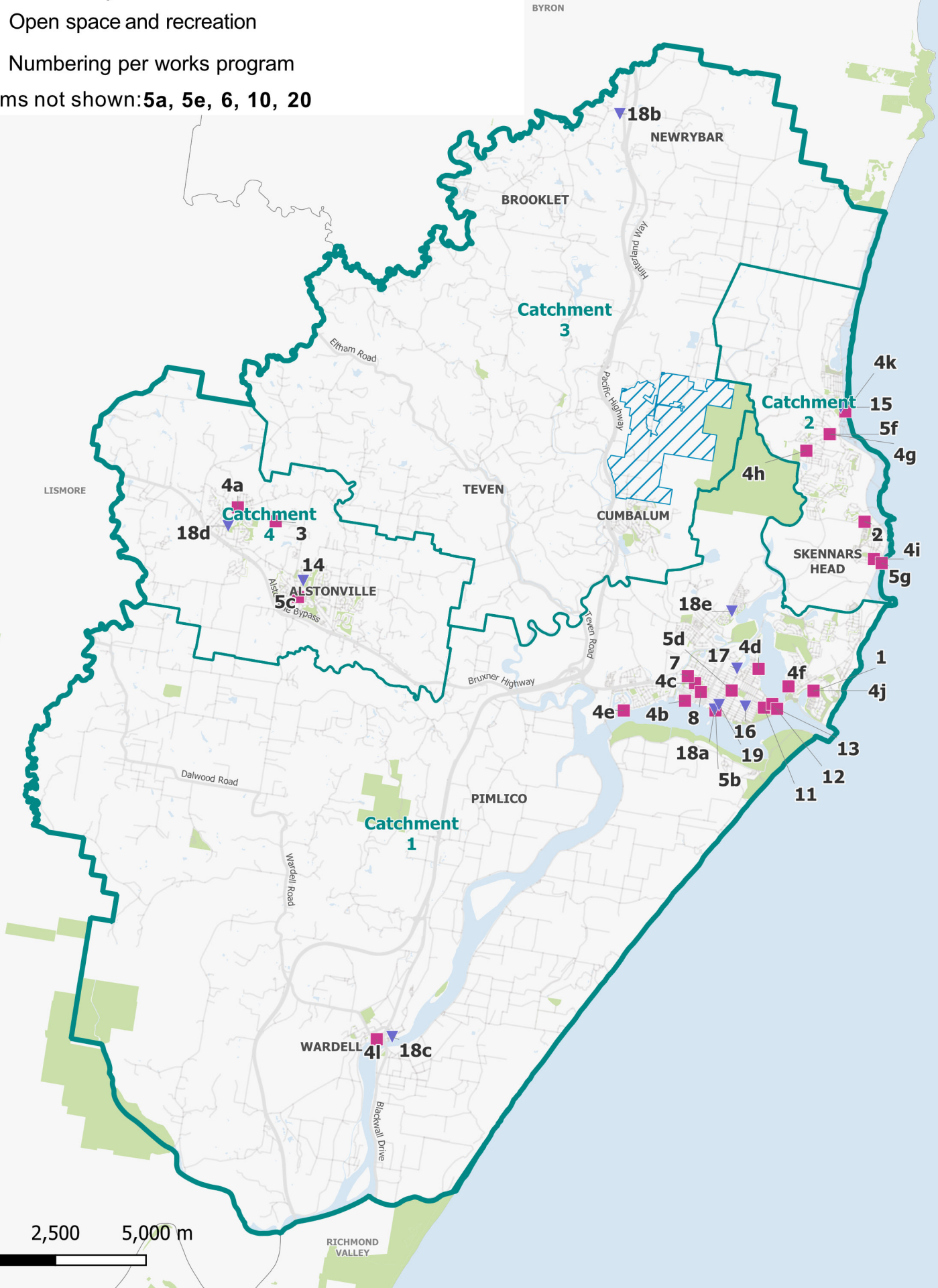


Figure 4: Works map, Catchment 1

- Ballina Shire local government area
 - Community facilities
 - Open space and recreation
 - X Numbering per works program
- Items not shown: 5a, 5e, 6, 10, 20

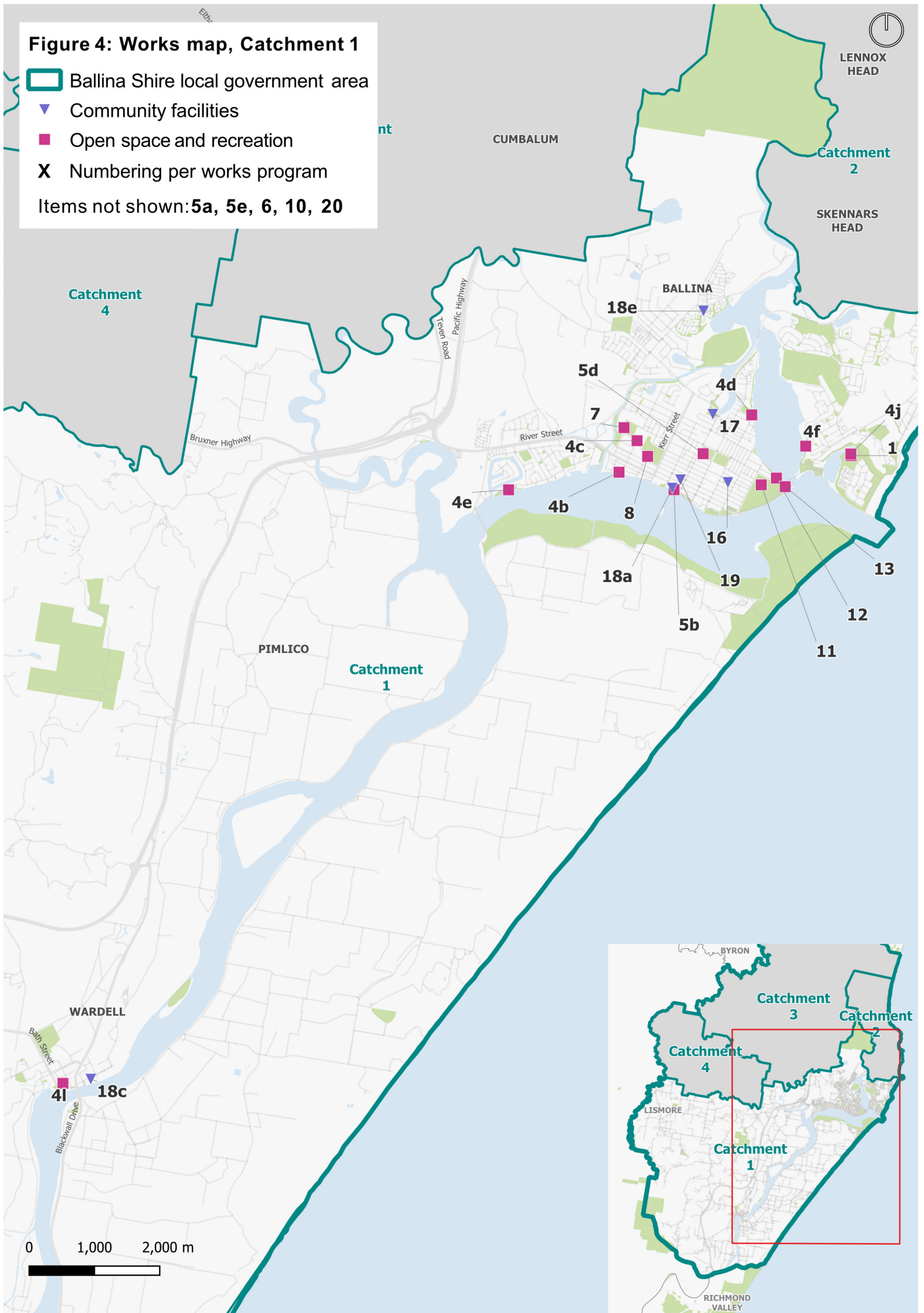




Figure 5: Works map, Catchment 2

- Ballina Shire local government area
 - Community facilities
 - Open space and recreation
- Numbering per works program
Items not shown **5a, 5e, 6, 10, 20**

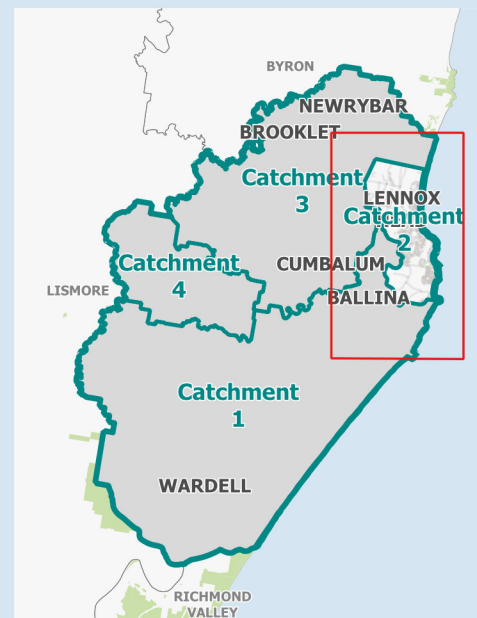
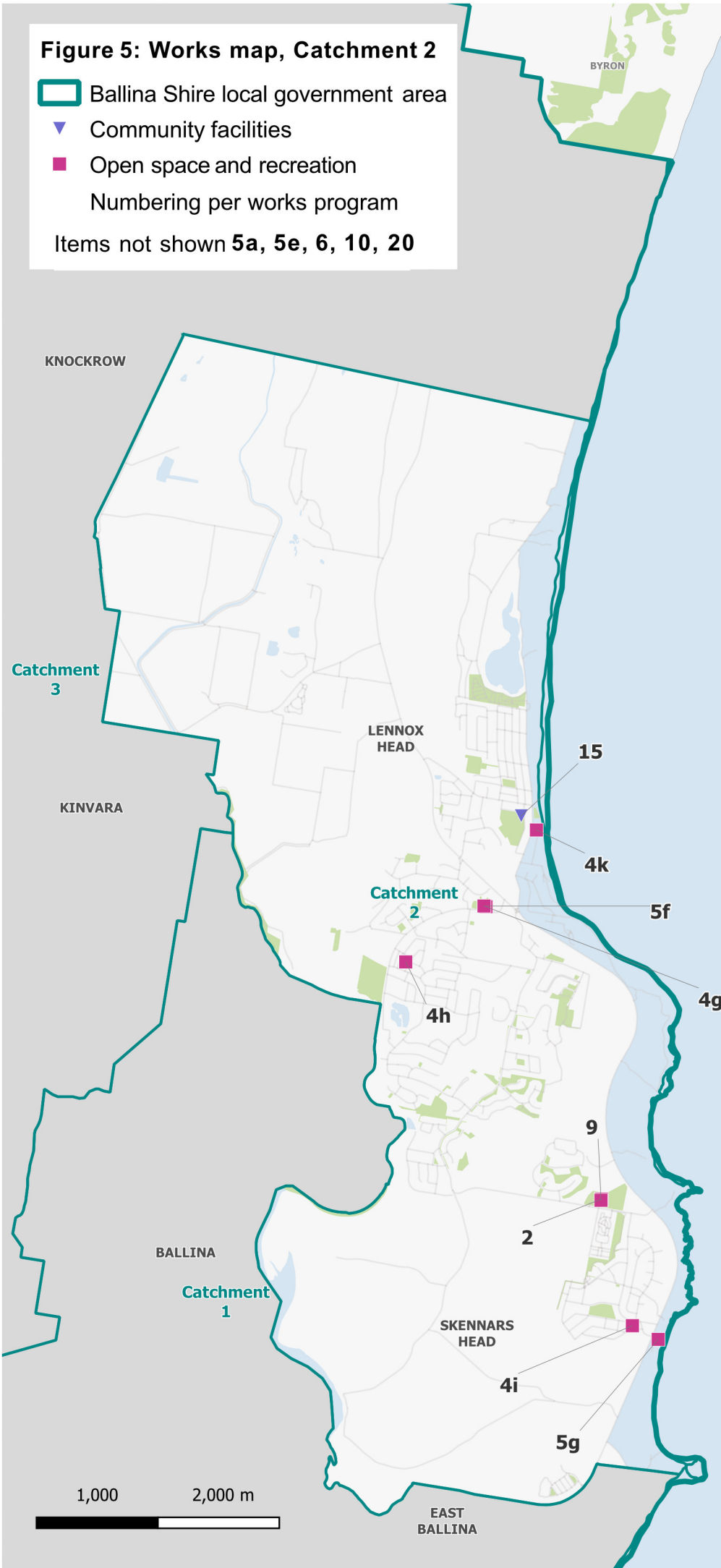








Figure 6: Works map, Catchment 3

-  Ballina Shire local government area
-  Cumbalum/Kinvara – alternative arrangements in place
-  Community facilities
-  Open space and recreation
- X** Numbering per works program
- Items not shown **5a, 5e, 6, 10, 20**

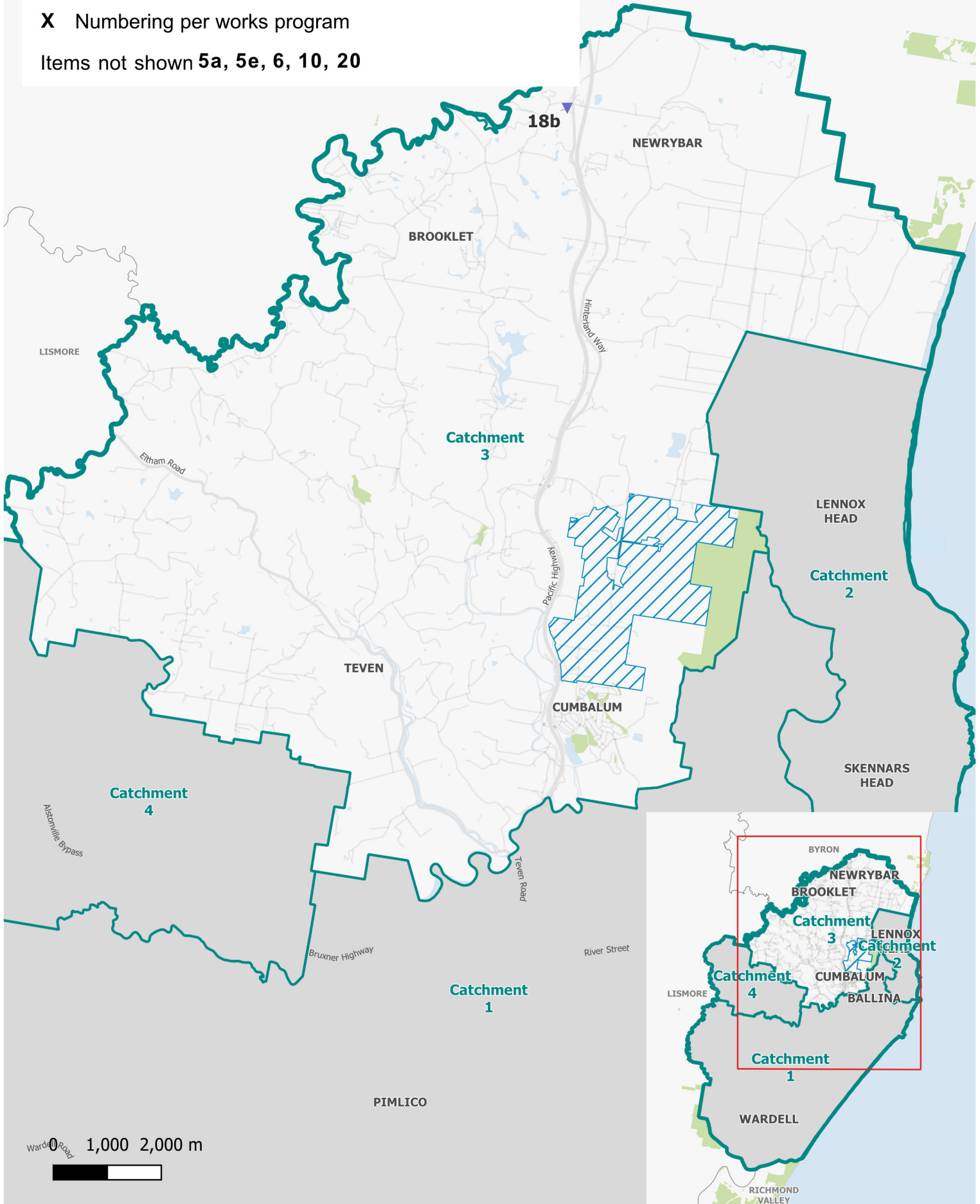



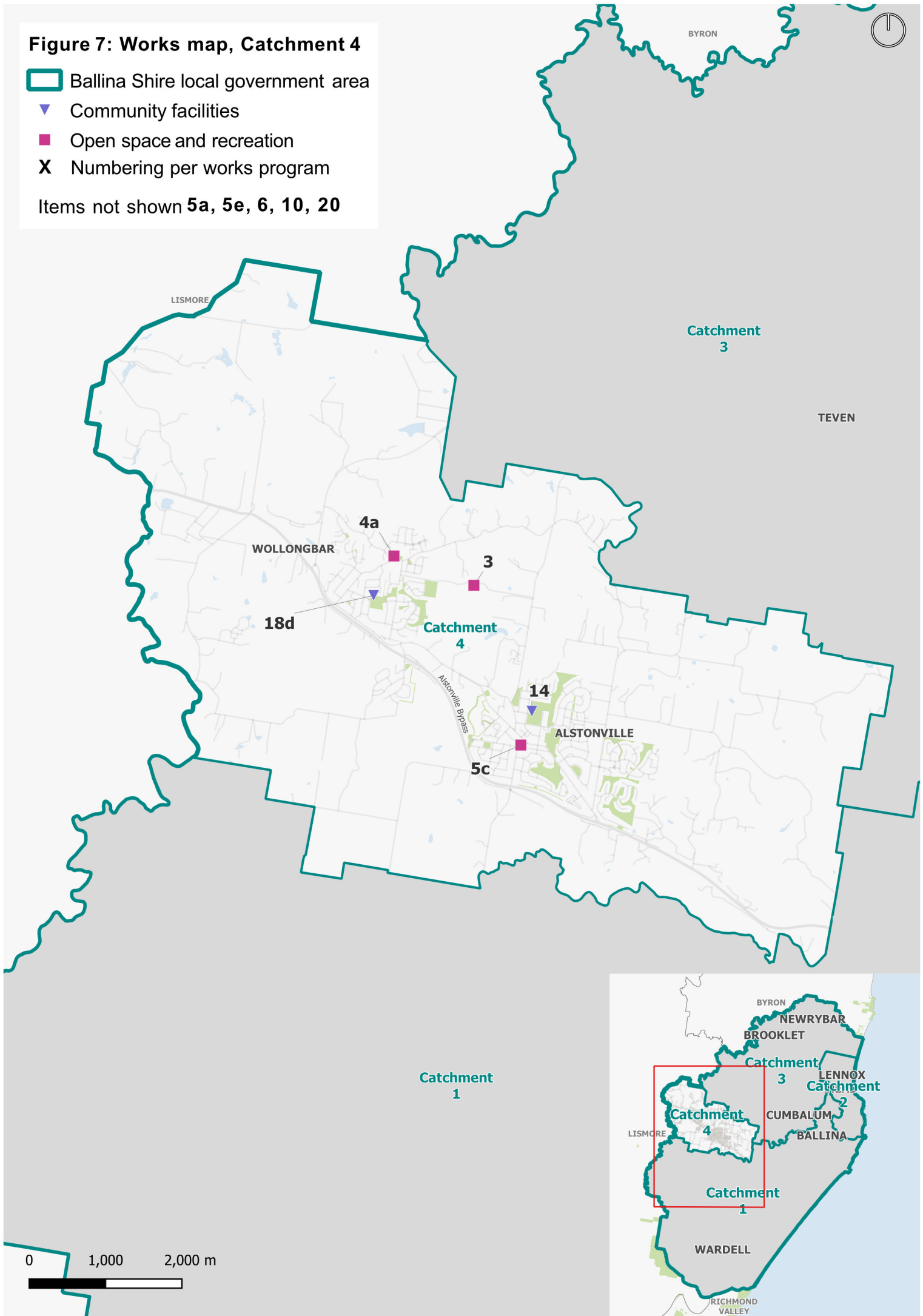


Figure 7: Works map, Catchment 4

-  Ballina Shire local government area
 -  Community facilities
 -  Open space and recreation
 - X** Numbering per works program
- Items not shown **5a, 5e, 6, 10, 20**



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