



**GOVERNMENT ROAD  
PRECINCT,  
CESSNOCK**

**SECTION 94**

**CONTRIBUTION PLAN 2011**

Government Road Precinct, Cessnock Section 94 Contributions Plan 2010  
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Document Details:

<b>Revision</b>	<b>Public exhibition dates</b>	<b>Adoption date</b>	<b>Effective Date</b>
Original	2/6/2010 to 30/6/2010	15/9/2010	23/12/2011

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# Summary

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## i. Background

Section 94 of the Environmental Planning and Assessment Act 1979 enables Council to levy contributions from development for the provision of public services and amenities, required as a consequence of that development. Contributions may be in the form of cash payments, transfer or dedication of land to Council, or the provision of a Material Public Benefit or Works in Kind.

For Council to levy contributions under Section 94, there must be a clear nexus between the proposed development and the need for the public service or amenity for which the levy is being required as detailed in the provisions of this Plan.

## ii. Future Development

Government Road Precinct, Cessnock is adjacent to existing residential development in North Cessnock and 2 kilometres from the Cessnock Central Business District. It has been identified as a Release Area in the City Wide Settlement Strategy.

The Government Road Precinct development area involves approximately 370 lots and approximately 1,073 people over a 10 to 15 year timeframe.

Technical / background studies have been undertaken to accurately determine the range of road and traffic infrastructure that will be needed to meet the demands of the new Precinct population over the life of this Plan. Demand for services such as community, recreation, open space and sporting facilities have been determined having regard to existing Council standards and accepted practices. This demand forms the basis of levying contributions on new development as specifically set out in the Plan.

## iii. Services and Amenities

The future population stemming from new development in the Government Road Precinct will result in the need for new and/or augmented infrastructure and services. In accordance with this Plan, the facilities for which Council will require specific Government Road Precinct, development contributions include the following:

- Road and Traffic Facilities;
- Community Facilities;
- Open Space, Recreational, Sporting Facilities

New development will also generate the need for planning, administration and management activities associated with this Contributions Plan, in order to regularly review and update the identified works and manage the future provision of infrastructure.

## iv. Structure of the Plan

This Plan is arranged into 6 parts:

**Summary:** a summary of the essential components of the Plan, including summaries of the actual contribution rates

**Part 1 – Introduction:** outlines the purpose and area to which the Plan applies

**Part 2 –Operation of the Plan:** describes the way in which the Plan applies and the timing of payments

**Part 3 – Administration of the Plan:** describes the management and administration of the Plan

**Part 4 – Strategy Plans:** provides the details of each category of public services and amenities in the Plan, including details of the nexus, catchments, standards of provision required, what will be provided and when, apportionment and calculation of contributions

**Part 5 – Supporting Documentation:** Information which supports the contents of the Plan, including key demographic data and works schedules.

v. **Summary of Contributions Rates (Indexed to 1 March 2014)**

The following is a summary of Development Contribution rates for the Government Road Precinct:-

<b>CONTRIBUTION TYPE</b>	<b>Per Person</b>	<b>One Bed Dwg</b>	<b>Two Bed Dwg</b>	<b>Three Bed Dwg</b>	<b>Per Lot</b>
Open Space Recreational Sporting Facilities	\$ 883.05	\$ 1,412.45	\$ 1,853.97	\$ 2,561.30	\$ 2,561.30
Dedication of Land (m2)	4.7	7.5	9.9	13.6	13.6
Community Facilities	\$ 617.26	\$ 987.40	\$ 1,296.03	\$ 1,790.27	\$ 1,790.27
Road and Traffic Facilities	\$ 1,427.82	\$ 2,284.52	\$ 2,998.43	\$ 4,140.69	\$ 4,140.69
<b>SUB - TOTAL</b>	<b>\$ 2,928.14</b>	<b>\$ 4,684.36</b>	<b>\$ 6,148.43</b>	<b>\$ 8,492.26</b>	<b>\$ 8,492.26</b>
Plan Management Administration	\$ 102.14	\$ 163.65	\$ 215.27	\$ 297.65	\$ 297.65
<b>TOTAL</b>	<b>\$ 3,030.28</b>	<b>\$ 4,848.01</b>	<b>\$ 6,363.70</b>	<b>\$ 8,789.91</b>	<b>\$ 8,789.91</b>

# SECTION 1 – INTRODUCTION

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## 1.1 Name of the Plan

This Plan is referred to as the **Government Road Precinct, Cessnock Section 94 Contributions Plan 2010**.

This Contributions Plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act 1979, as amended, the Environmental Planning and Assessment Amendment (Development Contributions) Act, 2005, the Environmental Planning and Assessment Amendment (Development Contributions) Regulation 2005, the Department of Planning's Development Contributions Practice Notes, 2005, the Environmental Planning & Assessment Amendment Act, 2008 and the Department of Planning Circulars PS08-017 and PS09-001.

## 1.2 Commencement of Plan

This Contributions Plan takes effect on 23 December 2011. Development Applications and applications for complying development certificates determined on or after this date will be subject to the provisions of this Plan as will rezoning applications for the purposes of Planning Agreements.

## 1.3 Purpose of the Plan

The primary purpose of this Plan is to authorise the levying of contributions that will assist Council to provide quality public services and amenities to meet the needs of incoming residents in the Government Road Precinct, Cessnock area as a result of proposed development. The Plan enables Council to require a contribution from development towards the provision, extension or augmentation of public services and public amenities that will, or are likely to be, required as a consequence of development in the Government Road Precinct, Cessnock area.

The contribution may involve the dedication of land free of cost, or the payment of a monetary contribution, or both.

Other purposes of this Plan are to:

- provide a comprehensive strategy and administrative framework for the assessment, collection, expenditure, accounting and review of developer contributions towards the provision of public services and amenities on an equitable basis.
- identify the additional services and amenities required to meet the demands of the incoming population at Government Road Precinct, Cessnock
- provide an adequate level of public facilities and services in the Government Road Precinct, Cessnock area, within a reasonable time, as development occurs and at a reasonable cost which does not unduly impact on the affordability of the proposed development.
- ensure that the contributing development benefits from the facilities and services financed from contributions and the development contributions are based on reasonable estimates of cost;
- ensure that the existing community is not burdened by the provision of public services and amenities which are needed (either partly or fully) as a result of ongoing development in the Government Road area of Cessnock, and that there is a reasonable apportionment of cost between existing demand and new demand for public infrastructure created by the development.
- ensure that contributions are fair and reasonable, and that amenities and services nominated under the Plan are provided in a timely and cost effective manner.

#### **1.4 Area to Which the Plan Applies**

This Contributions Plan applies to all land within the Government Road Precinct, Cessnock release area as illustrated in Figure 1.

#### **1.5 Types of Development this Plan applies to**

The expected types of development to which the Plan applies and to which contributions will be levied on, include the following:

- subdivision of land;
- medium density housing
- expansion or redevelopment of existing residential development; (infill development) that includes either subdivision or additional housing stock (eg dual occupancies)

#### **1.6 State Environmental Planning Policy (Housing for Seniors or People with a Disability)**

All new development intensifies the use of the existing resources and adds incrementally to the demand for public amenities and services.

In this regard, development for the purposes of housing for seniors or people with a disability, including residential care facilities, approved under the provisions of SEPP (Housing for Seniors or People with a Disability), with the exception of seniors living development by Dept of Housing, Local Government and community housing providers as defined by the SEPP, will be levied development contributions under this Plan.

#### **1.7 Other development not specified in the Plan**

There may be other types of development not specified in this Plan that generates a need for new or augmented public services and amenities. In such instances, the applicant may be requested to prepare a needs analysis for the development to determine the development contribution to be levied.

Alternatively Council may seek to negotiate with the developer to enter into a planning agreement or to provide a mutually agreeable facility(s) in lieu of a contribution to meet the additional needs as a result of the development.

#### **1.8 Development by the Crown**

Crown developments, where they provide an essential community service, in accordance with the Department of Planning's Circular No. D6, will not be charged a section 94 contribution. Any other activities by the Crown that will contribute to the demands upon public services or facilities will be levied a contribution under this Plan subject to standard Crown Consent provisions.

#### **1.9 Relationship to other Plans and Policies**

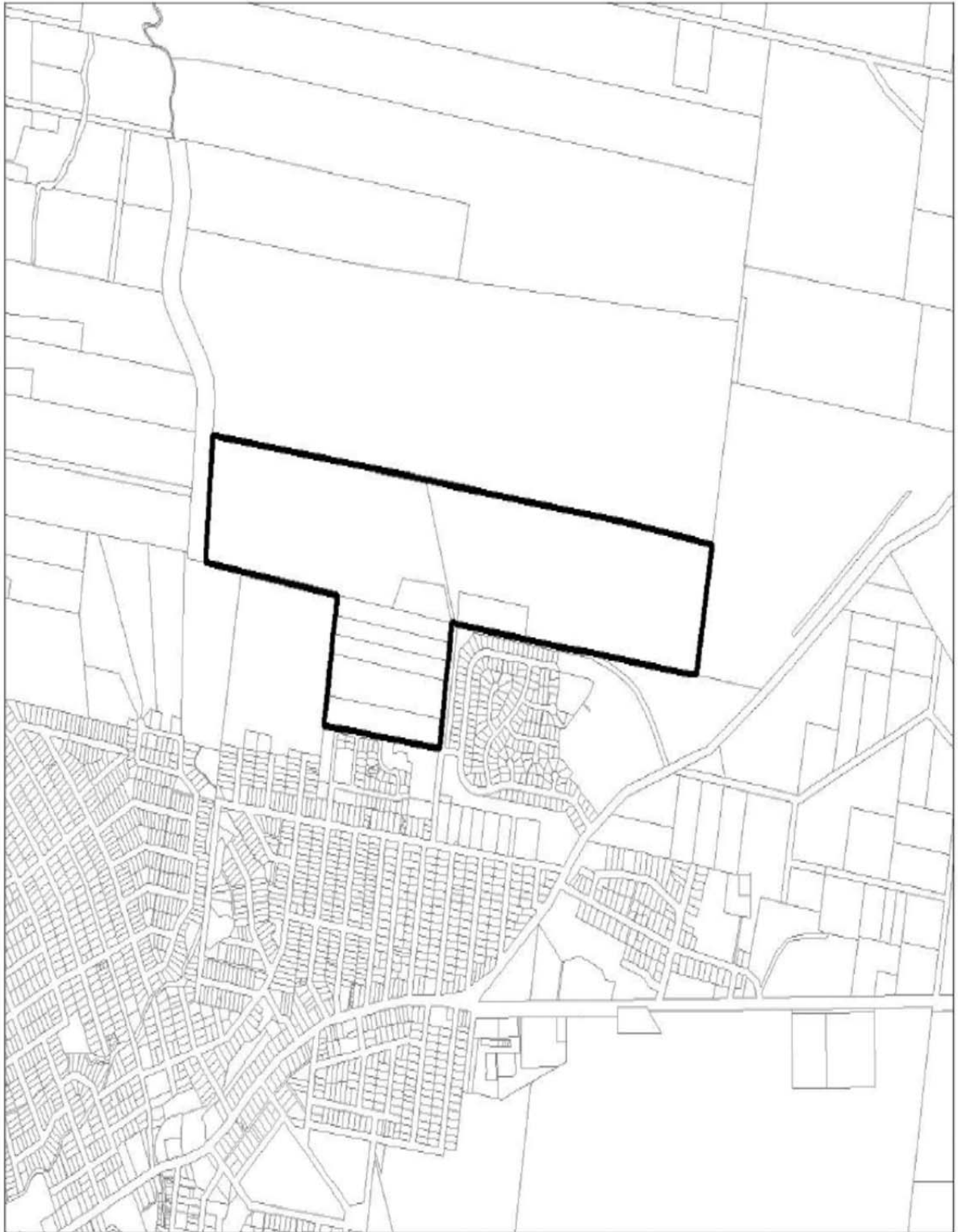
- (i) This Contributions Plan identifies requirements for the Government Road Precinct, Cessnock Release Area.
- (ii) Cessnock City Council has the following general section 94 plans in place:

- Residential Contributions Plan (August 2006).
- Tourism Contributions Plan (February 2007)
- Car Parking Contributions Plan (2001)

These plans do not apply to the Government Road Precinct, Cessnock Contribution area nor do other area specific individual plans implemented by Council.

- (iii) This plan should be read in conjunction with the Cessnock Local Environmental Plan 1989 and applicable Development Control Plans.





**Government Road Precinct Contribution District  
Figure 1**

## SECTION 2 – OPERATION OF THE PLAN

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### 2.1 Method of Operation

In determining a development application to which this Plan applies, Council may impose a condition of consent requiring the payment of a monetary contribution and/or the dedication of land free of charge in accordance with the provisions of this Plan, or in lieu thereof accept the provision of a material public benefit or works in kind.

Similarly, when in receipt of a notice of complying development certificate that relates to land to which this Contributions Plan applies, Council or an Accredited Certifier shall apply the provisions of the Contributions Plan when considering the application.

This plan authorises the Council to grant development consent to development subject to a condition requiring the dedication of land free of cost to the Council. Such a condition may be imposed towards the specific public amenities and services to meet the development particularised in the works schedule accompanying this Plan.

### 2.2 Types of Contributions

There are a number of alternate methods of payment of section 94 developer contributions as follows:

- Monetary contribution
- Dedication of land
- Material Public Benefit
- Works in Kind

Where a developer negotiates a material public benefit, works in kind or the dedication of land in lieu of paying any part of the monetary contribution required under this Plan, the applicant must still pay Council's reasonable costs for the management of the Plan (plan management and administration contributions).

The Act also provides for the Council to consider entering into a voluntary planning agreement at either a development application or rezoning process, which may be in lieu of, in addition to or instead of the payment of a monetary contribution under Section 94.

#### 2.2.1 *Monetary contribution*

This Plan identifies the cash contribution required for the provision of public services and amenities, usually calculated on a per bedroom, per lot, or area basis. The contribution amount payable will be included as a condition of consent on any development approval issued. Details of how and when the amount will be adjusted will be included in the consent as detailed in this Plan.

#### 2.2.2 *Dedication of land*

This Plan authorises the Council to consent to the carrying out of development subject to a condition imposed under S.94 of the Act, requiring the dedication of land free of cost to the Council.

Such a condition may be imposed where the land is reasonably required towards the provision, extension or augmentation of a public amenity or public service as particularised in the works schedule accompanying this plan, in order to meet the demands generated by development.

The amount of land that the Council may require to be dedicated free of cost under S.94 of the Act is based on an equivalence between the market value of the land determined in accordance with the Land Acquisition (Just Terms Compensation) Act, 1991 and the monetary S.94 contribution that could have been sought in relation to the same development in relation to the acquisition of the land. In other words, the Council will require the dedication free of cost of an area of land the value of which equals the monetary S.94 contribution that could have been sought in relation to the same development.

The need for the relevant public amenities or public services and hence the land required to be dedicated, are generally contained in the Government Road Precinct, Cessnock Structure Plan and Council's guidelines. In some cases, the area of land required to be dedicated may exceed the reasonable dedication that could be required from an Applicant under S.94 for example, where a development is staged. In such cases consent will usually not be granted to the development, giving rise to the need for the relevant public amenity or service unless prior arrangements, to the satisfaction of the Council, exist for the dedication of the land to the Council. The prior satisfactory arrangements may include an offer by the landowner to transfer the whole of the land to the Council on terms satisfactory to the Council or other satisfactory arrangements for the acquisition of the land by the Council. The satisfactory arrangements may be set out in a Planning Agreement under Section 93F of the Act or otherwise and may entail the use of any monetary S.94 contributions collected elsewhere towards the acquisition of the land for Recreational/Open Space/ Sporting or Community Facilities purposes.

The amount of land that the Council may require to be dedicated free of cost under this Plan is determined by the following formula:

Dedication of Land

$$\text{Dedication (m}^2 \text{ / person)} = \frac{L}{P}$$

Where:

L = Total Recreational/Open Space/Sporting or Community Facilities land requirements

P = The total projected resident population.

Council may accept the dedication of land in lieu of, or as an offset against, making a cash contribution towards the acquisition of land, provided such a proposal forms part of a development application to Council.

Where land identified for acquisition in the Plan falls within land the subject of a development application, the land will be required to be dedicated free of cost in accordance with Section 94(1)(a) of the Act, and detailed above. A monetary contribution will only be required where additional land above and beyond that available within the land the subject of the development application is required or if no land identified for acquisition falls within the land the subject of the development application.

All costs of dedication are to be borne by the applicant. The land must be dedicated in a condition approved by Council, held in separate title, cleared of all rubbish and debris, and suited for its intended public purpose.

In considering whether to accept the provision of land as a partial offset of contributions under this Plan, Council shall have regard to the following:

1. Purpose of the land - whether it forms an identified high quality bushland linkage, SEPP 14 wetland, drainage line, active or passive recreation, multiple use potential;
2. Needs of the community for the land, and whether or not the land is identified for open space or recreation purposes in an adopted Development Control Plan or Recreation Strategy;
3. Whether the land is to be provided in a location and in a manner which will serve the needs of the community who contribute towards it;
4. Cost to convert land to proposed use;

## 5. Future maintenance and management costs.

The estimated cost of the land to be acquired under this plan is the estimated average land value of the land identified for acquisition/dedication, assuming that the land concerned is available for development and services are available. Land values in the Plan have been determined in accordance with Council's Land Valuation Index, as described in Part 2.8 of this Plan, and will be subject to regular review and adjustment as necessary.

Council's objective is to ensure that the funds Council receives for land acquisition from Section 94 contributions are equivalent to the amount required to fund the purchase of all the land Council is seeking to acquire in the Government Road Precinct, Cessnock release area, including the costs incurred in acquiring the land.

### **2.2.3 Works in Kind / Material Public Benefits**

A works in kind (WIK) is the undertaking of a work or provision of a facility that is scheduled within a contributions plan, in lieu of the part or full payment of either a monetary contribution or the dedication of land that would normally apply. WIK are generally offered and assessed as part of the development application process. Applicants seeking Council's acceptance of a WIK arrangement should initially discuss such a proposal with Council officers to determine Council's requirements.

A material public benefit (MPB) may be offered by the developer in part or full satisfaction of a condition requiring the payment of a monetary contribution or the dedication of land. A MPB may include the provision of work that is not scheduled within a contributions plan. Council may accept the provision of a material public benefit that is not nominated in the works schedule, if it can be justified why it is of equivalent or greater benefit to the community compared to what has been identified under the Plan.

Such alternative development contributions arrangements may be negotiated with the Council in connection with the carrying out of development in the following circumstances:

#### a) Offer made to the Council as part of a development application

If an applicant does not wish to pay a monetary S94 contribution in connection with the carrying out of development, the applicant may include in a development application for the development a proposal to carry out the works towards which the contribution or levy would have been applied.

The Council will consider the alternative arrangement as part of its assessment of the development application. If the Council agrees to the arrangement and grants consent to the application, it will impose a condition of consent requiring the works to be carried out. If the Council does not agree to the alternative arrangement, it may grant consent subject to a condition imposed under S94 requiring payment of the monetary contribution.

#### b) Offer made to Council following the grant of development consent:

If development consent has been granted to the carrying out of development subject to a condition under S94 requiring payment of a monetary contribution towards the cost of public amenities and public services, the applicant may request in writing to the Council to provide to the Council a material public benefit in part or full satisfaction of the requirements of the relevant condition.

The material public benefit may be the carrying out of work or another public benefit but not the payment of money or the dedication of land free of cost.

If the Council agrees to the applicant's request, the applicant is required to comply with the alternative arrangement and is relieved of the obligation, in part or whole, as the case requires, to comply with the conditions imposed under S94. If the Council declines the applicant's request, the applicant will be required to comply with the requirements of the conditions imposed under S94.

In either case, in deciding whether to agree to the applicant's request, the Council will have regard to the requirements of the current Practice Notes issued by the NSW Government in the Revised Development Contributions Manual (DIPNR 2005) and may consider matters such as, but not limited to, the following:

1. the need for the facility and how it achieves the outcome of what the contribution was being sought for;
2. the purpose and objectives of this Plan and any relevant plans or strategies;
3. whether the alternative will prejudice the timing or the manner of the provision of public facility for which the contribution was required; and
4. full details of the quantities, finishes and costings of the proposed works.

The acceptance of a WIK agreement or a MPB will be at Council's absolute discretion.

Unless approved by Council, no credits will be recognised for in-kind works carried out by the developer that are in excess of the approved contribution. Where the value of the WIK, MPB or dedication of land is less than the value of the required contribution, the applicant will be required to settle the balance of the contribution by way of a monetary contribution and/or land dedication.

#### **2.2.4 Planning Agreements**

An applicant may offer to enter into a Voluntary Planning Agreement with the Council in connection with a development application or a rezoning application that is made for the purposes of being able to subsequently make a development application.

Under a planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. The applicant's provision under a planning agreement may be additional to or instead of making contributions under S94 of the Act.

The offer to enter into a planning agreement together with the draft agreement will generally need to accompany the relevant development or rezoning application. The Council will publicly notify the draft agreement and explanatory note relating to the draft agreement along with the relevant application and will consider the agreement as part of its assessment of the relevant application. If the Council agrees to enter into the agreement, it may impose a condition of development consent requiring the agreement to be entered into and performed.

### **2.3 Payment of the Contribution**

#### **2.3.1 Timing of Payments**

The time of payment of contributions shall be as follows:

- Development applications involving subdivision only – prior to the release of the subdivision certificate.
- Development applications involving building work only – prior to the release of the construction certificate.
- Development involving both subdivision and building work (eg. Integrated housing developments) – prior to the release of the construction certificate, or the release of the subdivision plan, whichever occurs first.
- Development applications where no construction certificate is required – prior to occupation of the premises.

Where an application is dealt with by an Accredited Certifier other than Council, the development consent shall not operate unless and until the amount required by the consent under this Contributions Plan is paid to Council.

The amount of any monetary contribution to be paid will be the contribution payable at the time of consent, and depending upon the time of payment will be subject to reasonable adjustment due to movements in the Consumer Price Index and/or changes to the rates indicated within this Plan (refer to Section 2.8).

### **2.3.2 Deferred or Periodic Payments**

Council may consider the deferred payment of contributions or payments made by periodic instalments.

A request for deferral or periodic payment shall be made in writing to Council, stating the proposed length of deferral, and may only be accepted where:

- there are valid reasons for the deferral or periodic payment;
- the deferral will not prejudice the efficiency and operation or cash flows of the Plan;
- the granting of the request for deferred payment will not prejudice the community needs or jeopardise the timely provision of works or land identified within the Plan;
- a suitable bank guarantee (or equivalent security) can be, and is, provided in the event that the request is accepted by Council;
- the periodic or deferred contributions are paid, including interest, at no cost to Council.

The conditions under which Council may accept **deferred payment** by way of a bank guarantee are that:

- the bank guarantee is by an Australian Bank.
- the bank guarantee is for a maximum period of twelve months.
- the amount of the bank guarantee is the sum of the total contribution or the amount of the outstanding contribution at the time of deferring payment, plus an amount equal to thirteen months interest.
- the bank unconditionally pays the guaranteed sum to Council if Council so demands in writing, no earlier than 6 months from the provision of the guarantee or completion of the work, whichever occurs first.
- 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 in accordance with the development consent.
- the bank's obligations are discharged when payment to the Council is made in accordance with the approved bank guarantee or when Council notifies the bank in writing that the guarantee is no longer required.
- Council's registration and release of bank guarantee fee is paid.

Any outstanding component of the contribution shall be indexed quarterly in accordance with the Consumer Price Index movements. Indexing will be calculated from the date the contribution was due until the date of payment.

The conditions under which Council may accept **periodic payment** for a staged development are:

- that the instalments are paid before the work commences on each relevant stage of the development.
- the amount to be paid at each stage is to be calculated on a pro-rata basis in proportion to the demand for the relevant facility being levied by the overall development, including CPI if required.

## **2.4 Complying Development**

In accordance with Section 94EC(1) of the EP&A Act, accredited certifiers must impose a condition requiring monetary contributions in accordance with this development contributions plan for any type of development listed within Section 1.5. The amount of the contribution is to be determined in accordance with the formulas contained in the Plan and the current contribution rates.

The conditions imposed must be consistent with Council's standard Section 94 consent conditions and be strictly in accordance with this development contributions plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the section 94 contribution correctly.

## **2.5 Construction Certificates**

In accordance with Section 94EC of the EP&A Act 1979, and Clause 146 of the EP&A Regulation, a certifying authority must not issue a construction certificate for building work or subdivision works under development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

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

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

## **2.6 Goods and Services Tax**

Monetary Section 94 development contributions are exempt from the Federal Government Goods and Services Tax (GST).

## **2.7 Adjusting Contribution Rates**

To ensure that the value of contributions are not eroded over time by movements in the Consumer Price Index, land value increases, the capital costs of construction of facilities and administration of the plan or through changes in the costs of studies to support the Plan, the Council will index the contribution rates, quarterly, with reviewed rates to apply from the first working day of December, March, June & September.

The contribution rates will be reviewed and subsequently indexed by reference to the following specific indices:

- Construction costs by the Consumer Price Index (All Groups – Sydney) as published quarterly by the Australian Bureau of Statistics.
- Land acquisition costs by reference to average land valuation figures or specific valuations for parcels of land that are identified in the Section 94 Plan, as published by the Council.
- Changes in the capital costs of various studies, activities and the provision of services to administer and support the plan, by reference to actual costs incurred by Council.

In accordance with Clause 32(3)(b) of the EP&A Regulations, the following sets out the means by which Council will index contribution rates that are set out in this Plan:

For changes to the Consumer Price Index (Sydney All Groups), the contributions will be reviewed quarterly in accordance with the following formula:

$$\text{New Contribution Rate} = \text{IR} \times \frac{\text{CPI 2}}{\text{CPI 1}}$$

Where:

IR is the initial contribution rate at the time of adoption of the Plan, expressed in dollars  
CPI 2 is the Consumer Price Index Number (Sydney All Groups) available at the time of the review  
CPI 1 is the Consumer Price Index Number (Sydney All Groups) at the date of adoption of the Plan, or its subsequent amendment (which is .....at the time of adoption of the Plan.)

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

$$\$CLV + \frac{CLV \times (Current\ LV - Base\ LV\ Index)}{Base\ LV\ Index}$$

Where:

$\$CLV$  is the land values within the plan at the time of its adoption  
Current LV is the land value index as published by the Council, available at the time of the review  
Based LV is the land value index as published by the Council at the date of adoption of this plan (which is.....)

## 2.8 Adjusting Contributions at the Time of Payment

Contribution rates will initially be calculated at the time development consent is granted. The contributions payable will be adjusted subsequently on the basis of the contribution rates that are applicable at the time of the payment and not at the date of the approval of the development.

Adjustments to the contributions payable will be made in the following manner:

$$CP = CD \times \frac{CPI2}{CPI1}$$

Where:

CP is the amount of the contribution calculated at the time of payment  
CD is the amount of the original contribution as set out in the development consent

CPI 2 is the Consumer Price Index Number (Sydney All Groups) applicable at the date of payment  
CPI 1 is the Consumer Price Index Number (Sydney All Groups) applicable at the date of development consent.

The current contribution rates are published by Council and are available from Council Offices. They are updated and available on Council's internet site as part of this plan.

## 2.9 Reassessment of Contributions

Council may consider an application for the reassessment of the development contribution payable. This may result in the contribution being reduced or waived or modified.

Where a condition of development consent has already been imposed requiring the payment of a contribution, the applicant will need to lodge an application to review the consent (Section 82(a)) in accordance with the EP&A Act 1979, as amended.

The request shall be in writing and provide sufficient information to satisfy Council of the inappropriate nature of the contribution and the implications to Council of reducing or waiving the contribution in the particular circumstances.

The instances in which Council may consider a reassessment may include the following:

- The applicant is a registered charity, church, hospital or community organisation;
- The development satisfies a broader planning objective and the achievement of which is considered by Council to be of greater importance or priority than making a contribution;



- Where it is considered that the contribution is unreasonable;
- The application involves the development of a heritage item; and

### **2.10 Review of the Plan**

This Plan may be reviewed in full, or in respect of particular parts when considered appropriate having regard to the rate and type of development, cost of facility provision, and community response to service and facility provision.

### **2.11 Funding and Timing of Works**

The contributions made to Council under the Plan may fully or partially fund the public amenities and services identified in this Plan. The contribution rates have been determined on the basis of apportionment between the expected development and other sources of demand. In circumstances where public amenities and services are not fully funded by contributions, the remaining funds will be supplied from other Council sources.

Public amenities and services are required at the time demand is created, which may be before completion of development and before sufficient contributions are received. Council's ability to forward fund these services and amenities is very limited, and consequently their provision is largely contingent upon the availability of contributions. Pooling of funds to assist with the provision of infrastructure, as detailed in Section 2.12 will be considered and used when necessary.

To provide a strategy for the implementation of the services and amenities levied for in this Plan, and to use contributions in the most effective manner, the individual work schedules may be re – prioritised. This will take into account development trends, population characteristics, existing funds, funds from other sources (where required) and anticipated revenue flows.

It is expected that the development of the Government Road Precinct, Cessnock will be achieved over the next 10 to 15 years. The scope and duration of this Plan is for the same duration. However, as the projections and timeframes for development are uncertain, the Work Schedules in the Plan include the staging of infrastructure provision and are expressed in terms of thresholds of development. Furthermore management of the Plan incorporates ongoing monitoring of development trends, actual population growth rates and regular review processes.

### **2.12 Pooling of Contributions**

This Plan expressly authorises monetary S.94 Contributions paid for differing purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the contributions are shown in the Works Schedules.

## **SECTION 3 – ADMINISTRATION OF THE PLAN**

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### **3.1 Management Costs of the Plan**

There is a substantial time and cost overhead associated with this Section 94 Plan and its successful implementation.

Accordingly costs associated with the ongoing administration and management of this contributions plan will be levied on all applications relating to the release area. These costs will appear as a separate element in the rates schedule and the method of calculation is described in Section 4: Part D and cover the implementation review, monitoring and updating procedures set out in the Plan. In addition studies are undertaken to determine the design and costings of works as well as to review the development and demand assumptions of the contributions plan.

Where a MPB or WIK agreement is negotiated between a developer and the Council, the Plan Administration and Management Contribution levy will still apply. This amount will cover plan review costs and also Council's costs associated with negotiating the MPB and supervision work undertaken.

### **3.2 Explanation of Contribution Formulae**

Council applies a contribution formula to each public amenity and service for the purpose of calculating the contribution rate applicable for that service or amenity. The formulae take into consideration the cost of the works to be undertaken, the cost to Council of acquiring land on which to undertake these works (if applicable) and the total projected population relevant to the facility:

$$\text{Contribution} = \frac{\text{TC} \times \text{AF}}{\text{P}}$$

Where:

TC = total cost of providing the facility including land and capital costs, including costs to be recouped (if applicable)

P = projected population increase or the anticipated increase in the number of lots over the life of the Plan

AF = apportionment factor

### **3.3 Allowances for existing development**

As Section 94 contributions can only be levied where development will result in an increased demand for public amenities and services, contributions will not be sought in relation to demand generated for existing (or approved) development. Thus "credits" will be granted in relation to demand generated by existing development at the following rates:

- Dwelling houses and single vacant allotments = 2.9 persons or 1 lot credit.
- Other dwellings (eg medium density ) = 2 persons per dwelling

### **3.4 Occupancy rates**

The contribution which may be levied for any development proposal will be calculated on the basis of the number of dwellings or lots or in the case of medium density development the dwelling density.

The dwelling density or number of residents will be calculated on the basis of the occupancy rates contained in Section 5 of this Plan and summarized below.

For the purposes of this Plan, applications for dwellings which refer to a 'study', 'office' or 'sewing room' will be considered as a bedroom for the basis of calculating the contributions required.

The following schedule outlines occupancy rates utilised in this plan

Occupancy Rates	Number of Persons
One Bedroom	1.6
Two Bedroom	2.1
Three Bedroom (+) Dwelling or Per Lot	2.9

### **3.5 Estimated Land Values**

Land values adopted in the contributions plan are based on englobo land values.

In considering a land value for a particular facility identified in the works schedules, the whole of the land has been considered and the Land Value Base Index as shown in the plan is reflective of value when considering influencing factors including location, topography, aspect, servicing and access.

Where a facility is to be located entirely on flood liable land, or land that could not otherwise be developed for residential purposes, a flood liable land rated has been applied.

## SECTION 4 – STRATEGY PLANS

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This section of the Plan establishes the relationship (nexus) between the expected types of development in the Government Road Precinct, Cessnock release area and the demand for additional public services and facilities to meet the needs of that development.

Nexus is the relationship between the expected types of development in the area and the demonstrated need for additional public facilities created by those developments. The concept of nexus is often referred to in the following terms:

**Causal Nexus – ‘what’.** This is a demonstration that the anticipated development actually creates a need or increases the demand for a particular public facility.

**Spatial or physical nexus – ‘where’.** Spatial nexus requires that the proposed public facility be located so as to serve the needs of those who created the demand for it.

**Temporal nexus – ‘when’.** Temporal nexus seeks to ensure that the public facility will be provided in a timely manner to benefit those who contributed towards it.

The proposed public facilities identified in this plan are considered reasonable and are required to satisfy the expected demands of the anticipated types of development in Government Road Precinct, Cessnock. In general, the needs and increased usage of public facilities likely as a consequence of new development will exceed the capacity of existing public facilities in the area. It will therefore be necessary for new and augmented public facilities to be provided to cater for the anticipated demand of likely development.

The details establishing the nexus between the expected types of development in Government Road Precinct, Cessnock and the demand for additional public facilities to meet that development, are set out in this part of the Plan under the headings of Open Space/Recreational Sporting/Facilities, Community Facilities, Road and Traffic Facilities, and Plan Management Administration. The following types of facilities have been identified as being necessary to meet the needs of the new population:

<b>Category</b>	<b>Types of Services/Facilities</b>
<b>Open Space/Recreational/Sporting Facilities</b>	Passive open space, park/playground, aquatic, indoor and sporting.
<b>Community Facilities</b>	Library, Cultural Centre & Community Hall
<b>Roads &amp; Traffic Facilities</b>	Traffic facilities, works and road up-grading, provision of cycleways.
<b>Plan Management &amp; Administration</b>	Management of development contributions

Details regarding the approximate location, timing and estimated costs for each of the facilities are set out in the Work Schedules and Map attached to this Plan. Many of these works will be subject to more detailed planning in conjunction with detailed subdivision planning and assessment.

# **PART A - OPEN SPACE/RECREATIONAL/SPORTING FACILITIES**

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## **4.1 Introduction**

Cessnock City Council supports the provision of open space, recreational and sporting activities to local communities recognising that they play an important role in encouraging community interaction and development and wellbeing. In support of these benefits, Cessnock Council will continue to maintain the role of facilitating the provision of recreational and sporting and open space for local residents in Government Road Precinct, Cessnock.

Council has undertaken significant work in order to determine the future recreation and open space requirements to cater for the incoming population. The findings of these investigations have been detailed in the document Cessnock Recreation Open Space Strategic Plan and translated into the open space and recreation works schedules.

Local contributions are not permitted to fund acquisition of land for riparian corridors. If land is intended to be dedicated to Council, it shall be dedicated free of cost by the developer at the time of subdivision and only following agreement by Council.

## **4.2 Nexus**

New residential development in the Government Road Precinct, Cessnock will result in a clear demand for the provision of a range of Council-provided open space, recreational and sporting facilities to meet the needs of the new population.

Council currently provides a high level of open space for passive and active purposes, which equates to a provision of 11.9 hectares per 1000 people. Included in this total are parks, sportsgrounds, natural areas etc. The dedication of the open space riparian corridors within this plan continues to maintain a good open space provision.

Facilities included in the plan have been determined based on benchmarks for open space, recreational areas and sporting grounds established in Councils Recreation and Open Space Guidelines and the Recreation and Open Space Strategic Plan, which set in place principles for ensuring sufficient open space in the future as well as retaining the existing identity of Cessnock with a relative abundance of recreation/natural areas. An assessment of the demand generated by future development in the Government Road Precinct, Cessnock Catchment has been applied to the benchmarks, so that the distribution of facilities is related to population growth and the function of the facilities.

## **4.3 Contribution Catchment**

Contributions for open space, recreational and sporting facilities are based on the requirements of sporting facilities of the Government Road Precinct, Cessnock Release Area Catchment, however in relation to centralised services/amenities contributions are based on the requirements of the overall Cessnock District Catchment.

#### 4.4 Facilities Strategy

In accordance with the guidelines within Council's Recreation and Open Space Strategic Plan, this plan has adopted the following standards for the provision of open space facilities:-

(i) Local Park/Playground

A local park will be a minimum of 0.5 hectares in size containing playground equipment, picnic shelter and seating as well other requirements as outlined in the Open Space and Recreation Strategic Plan. A local park to be provided and accessible within a 10 minute walk from residences.

(ii) Open Space

Passive open space has been identified along the Black Creek tributary to provide good opportunities for passive recreation within the Government Road Precinct.

These areas will be regenerated and embellished to provide picnic facilities including shelters benches and barbeques.

This Plan also provides for upgraded aquatic and indoor sporting facilities in accordance with Council guidelines.

#### 4.5 Apportionment

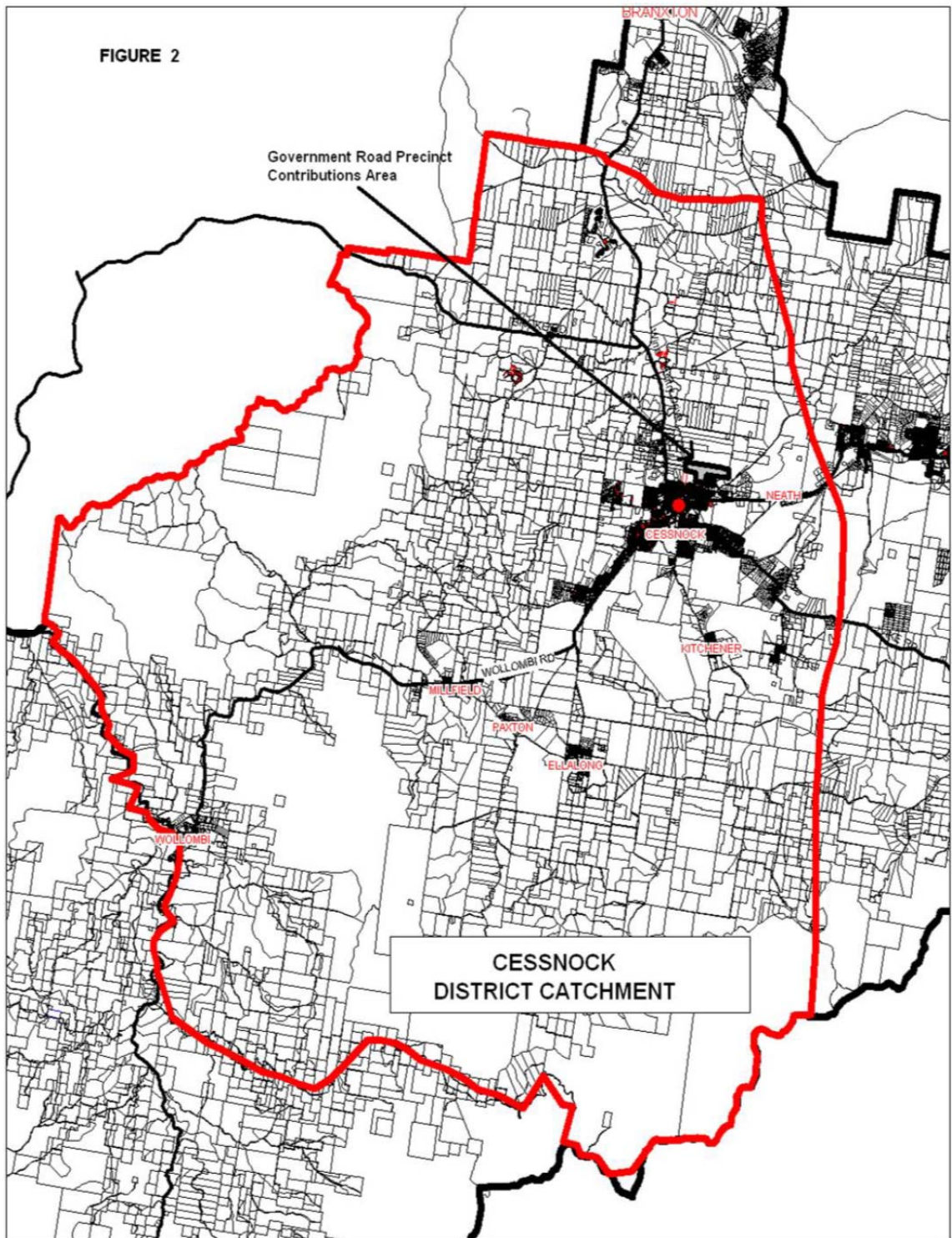
There is a direct relationship between the development of Government Road Precinct, Cessnock and the provision of the proposed open space, recreational and sporting amenities and services. Facilities which will service the Government Road Precinct, Cessnock Release Area and are not provided to benefit the existing communities in Cessnock will be fully funded from Section 94 (i.e. 100% apportionment to the development). Centralised facilities which will service both the Government Road Precinct, Cessnock Release Area and other communities within the Cessnock District will be funded from Section 94 on a proportionate population basis i.e. 2.6% from the Government Road Precinct, Cessnock Release Area and 97.4% from existing communities of the Cessnock District Catchment.

The Cessnock District Catchment is the area as illustrated in Figure 2.

The estimated population of the Cessnock District Catchment is a calculated as follows:-

Estimated population as per relevant ABS Census Collector Districts- 2006 Census	23,600
Add Estimated Population growth over development timeframe to 2025 as per Dept. of Planning predicted average annual growth rates	2,730
Add Estimated Population Growth through major rezonings/subdivision for land identified in Citywide Settlement Strategy over development timeframe i.e:-	
Estimated 6860 lots x 2.9 persons per lot x .75% occurrence rate over period of development	<u>14,920</u>
Estimated Total Population of Cessnock District Catchment in 2025.	<u>41,250</u>
Estimated increase in population of Government Road Precinct, Release Area. 370 lots x 2.9 persons per lot average	<u>1,073</u>
<u>Estimated Population of Government Road Precinct, Catchment</u>	<u>1,073</u>
Estimated Population of Cessnock District Catchment	41,250
Apportionment %	= <u>2.6%</u>

FIGURE 2



## 4.6 Calculation of Contribution

### 4.6.1 Background

The costs attributable for the provision of new open space, recreational and sporting facilities are comprised of capital costs for the construction and / or embellishment of the various types of recreation facilities as outlined above, plus the costs to acquire land. In some instances Council will provide land for the various facilities. Further details on the capital costs and land values adopted for this Plan are provided in Schedule II and the Works Schedule of this Plan.

### 4.6.2 Calculations for Open Space, Recreational and Sporting Facilities

For the expected population increase of approximately 1073 people the following facilities will be provided:

Local Park/Playground	(total cost =	\$387,500)
Open Space	(total cost =	\$ 85,000)
Aquatic Facilities	(total cost =	\$260,000)
Indoor Sports Facility	(total cost =	\$130,000)
	<b>TOTAL COST</b>	<b>\$862,500</b>

The contribution formula for Local Facilities is therefore:

$$\frac{C}{P}$$

Where: C = Capital and Land Costs of Facility

P = Benefiting No of People

$$\frac{\$ 862,500}{1,073}$$

**= \$804 per person**

**= \$2,332 per lot** (based on the assumed occupancy of 2.9 persons per lot)

The formula for the Dedication of Land for Local Open Space, Recreational and Sporting Facilities is:

$$\text{Dedication (m}_2\text{ / person)} = \frac{L}{P}$$

Where: L = Total Open Space and Recreation land requirements

P = The total projected resident population

$$\frac{5000}{1073}$$

**= 4.7m<sup>2</sup>per person**

**= 13.6 m<sup>2</sup> per lot** (based on the assumed occupancy rate of 2.9 persons per lot)



## **PART B - COMMUNITY FACILITIES**

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### **5.1 Introduction**

All forms of residential development, which result in additional population, require a range of community facilities and services to support the needs of that population. As the population increases therefore, additional demand is placed on existing facilities and services as well as creating demand for new amenities.

Cessnock is a well established City and has a range of reasonably well developed community facilities and services to which all residents have access. The range and type of new community facilities required for the future Government Road Precinct population will be influenced by the spatial and demographic composition of the new population.

Under this Plan, Council, where possible, will seek to provide community facilities that equate to the current level of service provided to the existing community and contributions under the plan are levied accordingly.

### **5.2 Nexus**

Council has provided a network of community facilities in areas throughout the city, which generally meet the needs of the current population. Existing community facilities are well utilised and are operating at capacity (ie no practical spare capacity). Council will therefore need to provide additional community facilities space, commensurate with the projected growth from the Government Road Precinct, Cessnock Release Area.

### **5.3 Contributions Catchment**

Contributions for community facilities are based on the requirements of the Government Road Precinct, Cessnock Release Area catchment, however in relation to centralised services and amenities, contributions are based on the requirements of the overall Cessnock District Catchment.

### **5.4 Facilities Strategy**

This plan proposes provision of the following community facilities to meet the requirements of future population within the Government Road Precinct Release Area:-

1. Expansion of facilities at the North End Cessnock Community Hall;
2. An up-graded and expanded Cessnock Library; and
3. A contribution is also sought for an expanded District Cultural Centre.

## 5.5 Apportionment

This plan adopts the approach of levying contributions based on demand for facilities generated by the development of the Government Road Precinct Release Area. Facilities which will benefit the Government Road Precinct, and are not provided to benefit the existing communities in Cessnock will be fully funded from Section 94 (ie 100% apportionment to the development). Facilities which will benefit both the Government Road Precinct, Release Area and other communities within the Cessnock District will be funded from Section 94 on a proportionate population basis (i.e. 2.6% from the Government Road Precinct Cessnock Release Area and 97.4% from existing communities of the Cessnock District Catchment). The method of calculation of the apportionment percentage of 2.6% is outlined on page 22.

## 5.6 Calculation of Contribution

The capital component for the provision of community buildings for the new population equates to \$603,400. Land for the various facilities is provided by Council.

The contribution formula for community buildings component is therefore:

$$\frac{C + L}{P}$$

Where: C = Capital Costs of Facility  
L = Land Acquisition Cost  
P = Benefiting Number of People

$$\frac{\$603,400}{1,073}$$

= **\$562 per person**

= **\$1,630 per lot** (based on the assumed occupancy of 2.9 persons per lot)

# PART C - ROAD & TRAFFIC FACILITIES

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## 6.1 Introduction

The roadworks and traffic management facilities in this Plan are required to meet the increase in traffic as a result of the Government Road Precinct development. The need for the facilities has been determined from and based upon the following background documents:

- Cessnock City Council S.94 Review
- Traffic Impact Assessment – Mark Waugh Pty Ltd
- RTA Guide to Traffic Generating Developments

## 6.2 Nexus

The traffic generation from the Government Road Precinct development will impact on the surrounding road network generating a need for new and/or upgraded traffic facilities, and roads intersections to:

- ensure safe and efficient traffic movement, and access
- address the potential for functional conflict
- maintain environmental amenity and level of service
- ensure continued road network connectivity and capacity.

The roads and traffic management works will be undertaken both at the interface of the new Development, to the existing road network and outside the boundaries of the new development area. The construction of cycleways also presents opportunities to link to existing cycleways and provide access to schools and other facilities. The linkages are to routes provided for as per Council's adopted Bike Plan. An assessment of the traffic demand generated from Government Road Precinct, Cessnock has been undertaken and a specific schedule of works for Road and Traffic Management infrastructure has been identified together with development thresholds. The timing of the provision of the works has been based on the projected demand for lots within the area and is therefore indicative only. Works programmes will be regularly reviewed and revised depending upon development trends, updated traffic modelling, State Government planning policy and available funding.

## 6.3 Contributions Catchment

The Section 94 contributions for the Road and Traffic Management infrastructure have been determined on the basis of requirements generated by the Government Road Precinct, Release Area or contributions catchment.

## 6.4 Facilities Strategy

Necessary road works and traffic management facilities have been identified in technical studies, and reviews undertaken by Council staff.

A summary of proposed Road and Traffic Management infrastructure works and costs within the Government Road Precinct, Cessnock development area is provided in the works schedule attached.

## 6.5 Apportionment

The Road and Traffic Management Infrastructure works detailed in this plan have been designed to meet the demands of the future development of the Government Road, Precinct.

The existing roads in the area have adequate capacity to service the existing demand for traffic and road uses, however the additional traffic created by full occupation of the proposed subdivision will impact the integrity of the existing road pavement of the surrounding road network, amenity for the surrounding residents and road safety at intersections.

Accordingly, the bulk of works required under this plan are considered to be a direct result of the planned rezoning and subdivision of the Government Road Precinct other than the traffic calming devices required in Ferguson Street which have been assigned on a proportional basis under the Plan.

## 6.6 Calculation of Contribution

Estimated capital costs for the proposed works were prepared by Cessnock City Council.

These estimates do not include any allowance for staging of the intersection works. Staging will only be considered where it presents no additional costs and impacts on the Section 94 Plan and the development of Government Road Precinct, Cessnock.

The contribution formula for Road and Traffic Management Facilities is therefore:

$$\frac{C}{P}$$

Where:

C= Capital costs of facility (total cost)

P= Benefiting No of People

$$\frac{\$1,395,000}{1,073}$$

= **\$1,300 per person**

= **\$3,770 per lot** (based on assumed occupancy of 2.9 persons per lot)

## **PART D - PLAN MANAGEMENT & ADMINISTRATION**

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### **7.1 Nexus**

The Administration of Section 94 is a time consuming and costly. Council employs staff that coordinate the implementation of the Plan and of works, as well as the financial accounting of contributions received. In addition consultant studies are often commissioned in order to determine design and costings of works, as well as to review the development and demand assumptions of the contributions plan.

Council considers that the costs involved with the administering Section 94 are an essential component of the efficient provision of facilities necessitated by development within the Government Road Precinct. The new population should therefore pay a reasonable contribution towards the costs associated with the management and administration of the Plan.

At the time of the preparation of this Plan, it was estimated that 3.5% of all development contributions payable over the life of the plan is a reasonable contribution towards Plan Management and Administration functions.

### **7.2 Contribution Catchment**

Plan administration and management is based upon a single release area catchment and contributions have therefore been applied on this basis.

### **7.3 Facilities Strategy**

The Plan aims to provide funds to ensure the efficient management of the Section 94 planning and financial processes within Council. These processes will be ongoing throughout the life of the Plan.

Council staff accountable for facility/service planning and delivery will be involved in reviewing and updating the Plan. This may include review of the works schedules or the latest information on community needs to ensure that facility planning is current and appropriate. This may also include engaging specialist consultants (eg planning and valuation specialists) to carry out studies.

### **7.4 Calculation of Contribution**

The estimated cost of Council staff and specialist consulting assistance in the areas of planning, engineering and valuation advice for the implementation, management and administration of this plan together with design and costing of associated works, accounting for contributions received, reviewing the Plan and works schedules is estimated to be in the vicinity of \$6,700 to \$10,000 annually throughout the life of the Section 94 Plan.

At the time of the preparation of this Plan, it was estimated that 3.5% of all development contributions payable over the life of the plan is reasonable contribution towards Plan Management and Administration functions to cover these costs.

## SECTION 5 – SUPPORTING DOCUMENTATION

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SCHEDULE I: Demographics and Expected Types of Development

SCHEDULE II: Work Schedules and Map

# SCHEDULE I – DEMOGRAPHICS & EXPECTED TYPES OF DEVELOPMENT

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## Existing Population Characteristics

Located on the northern fringe of the town of Cessnock the Government Road Development Area is comprised of low undulating hills and rises with many small creek flats. Former uses of the land have included agricultural pursuits, chicken sheds, piggery and slaughter house. It is currently home to a small rural population.

In order to determine the demographics of a new population at Government Road Precinct, it is possible to review similar urban areas in the Cessnock LGA to understand the type and amount of demand for new infrastructure and services.

The key demographic characteristics of the Cessnock LGA are considered to have remained relatively unchanged over the last census period (2001-2006) and are considered to be applicable to future development of the Government Road and Cessnock area in general:

While the population of the Cessnock LGA is similar to that of NSW as a whole in many ways, it also differs in some important ways:

- It has a slightly higher proportion of children and of older people 70+, and a slightly lower proportion of young adults;
- It has a slightly higher proportion of one parent family households, and low proportion of group households;
- It is relatively culturally homogeneous and has low proportions of both indigenous people and people from non English speaking backgrounds;
- It has relatively lower proportions of residents in the higher household income brackets, significantly lower average weekly household income, and higher rates of unemployment;
- It has lower proportions of people with university qualifications and employed in professional and managerial occupations, and higher rates with no qualifications working in lower skilled occupations;
- It has very high rates of home ownership and slightly higher rates of vehicle ownership;
- A very high proportion of its housing stock is separate houses, with very low proportions of medium density dwelling types.

Demographic projections for the Hunter Region suggest the population structure will begin to change over the next 25 years, with an ongoing trend towards an aging population (HVRP, 2003). The proportion of the population aged over 65 years will continue to increase with a forecast reduction in the proportion of youth and children.

The following table details household size in Cessnock from recent census data:-

<b>Cessnock LGA Population and Household Size.</b>			
<b>Year</b>	<b>Population</b>	<b>Dwelling</b>	<b>Average Household</b>
2001	45,071	16,516	2.72
2006	46,206	17,732	2.68

The 2006 Census data also indicated an average number of persons per bedroom within the Cessnock LGA of 1.1.

On the basis of these figures, similar occupancy rates to Councils Residential Section 94 Contribution Plan have been used for the purpose of this plan:

<b>Dwelling Type</b>	<b>Number of Persons</b>
One Bedroom	1.6
Two Bedroom	2.1
Three + Bedroom (+) Dwelling or per Lot	2.9

### **Population Projections**

Forecasting the size and characteristics of the future population is a complex matter, and predictions are more generally suitable for use in short-term planning compared with long-range predictions.

Population change is determined by two key factors (i.e. births/deaths and migration) and more accurately calculated at a large spatial scale. At the micro scale, population is more greatly influenced by local development and factors such as migration, which are difficult to control and record.

The Cessnock LGA continues to experience population growth. Predicted average annual rates by the NSW Dept of Planning for the period of this plan are 2008 to 2011 – .7%, 2011 to 2016 - .6%, 2016 to 2026 -.5% and 2026 to 2028 - .4%. However, these rates do not take into account planned major rezonings and subdivisions which are beginning to occur in various areas.

A higher population growth rate is expected in the Government Road Precinct because of the popularity of new urban areas, locational advantages of the area and the potential demand for housing. A population growth of between 70 and 110 new residents is predicted annually, or on average the release of 25 to 40 residential allotments each year. For the purpose of this plan, a linear of population growth is used, hence it is expected that an average of 25 to 40 dwellings will be released each year, although in some years plans may be exceeded or not achieved.

On the basis that the Government Road Precinct, Cessnock development area contains around 370 residential lots, it is estimated that development may occur over a 10-15 year timeframe. An ultimate population of approximately 1, 073 residents may call Government Road Precinct, Cessnock home.

This Residential development will contain a mix of separate dwellings, duplexes and townhouses. The target density per hectare proposed for the Government Road Precinct, is 12 lots per hectare.



## SCHEDULE II – WORK SCHEDULES

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Table 1 – Land Acquisition/Dedication Details

Table 2 – Open Space/Recreational /Sporting Facilities

Table 3 – Community Facilities

Table 4 – Roads and Traffic Facilities

**TABLE 1 - LAND ACQUISITION/DEDICATION DETAILS**

<b>Service/ Facilities</b>	<b>Land Acquired (Ha)</b>	<b>Valuation Basis</b>	<b>Land Value (\$/Ha)</b>	<b>Total Value</b>
<b>OPEN SPACE/RECREATIONAL/SPORTING FACILITIES</b>				
Local Park	.5	Englobo	\$475,000	\$237,500
<b>TOTAL</b>	<b>.5</b>			<b>\$237,500</b>

**TABLE 2 - OPEN SPACE/RECREATIONAL/SPORTING FACILITIES**

SERVICE/ FACILITIES	MAP REF.	AF %	APPORT. CAPITAL COST \$	EST. LAND COST \$	COUNCIL/ OTHER COST	TOTAL COST \$	TIMING (LOT %)
Local Park/Playground	5	100	150,000	237,500	-	387,500	50
Passive Open Space							
Riparian Areas Black Creek							
Regeneration/Revegetation/ weed removal/Re-establishment of manageable bushland & establishment of – Picnic Settings, Benches & Solar BBQ	6	100	85,000	DEDICATED	-	85,000	0-100
Indoor Sporting Facilities Cessnock - Expanded	4	2.6	130,000	Provided by Council	4,870,000	5,000,000	100
Up-graded Aquatic Facilities	3	2.6	260,000	Provided by Council	9,740,000	10,000,000	100
<b>TOTAL</b>			<b>\$625,000</b>	<b>\$237,500</b>	<b>\$14,610,000</b>	<b>\$15,472,500</b>	

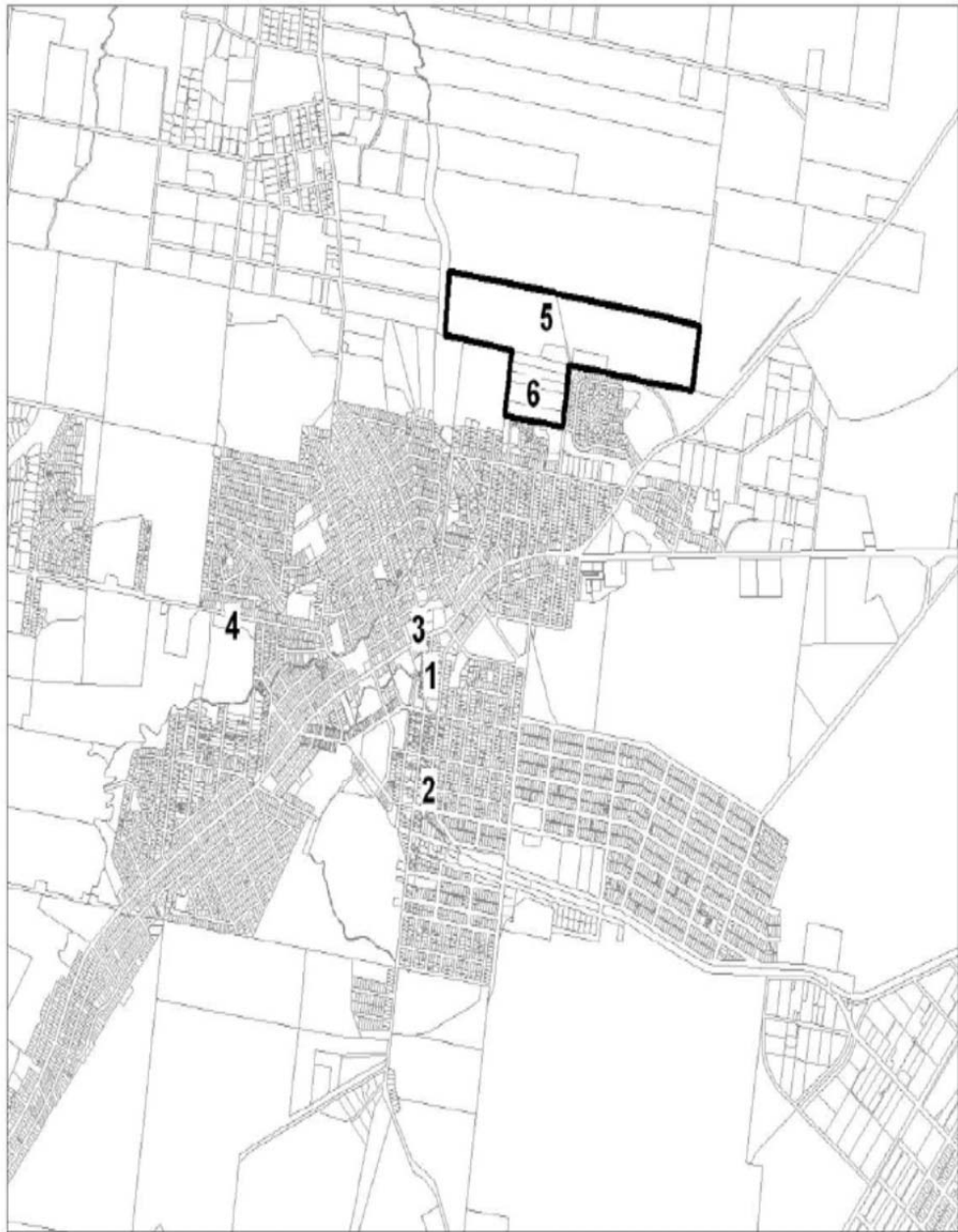
**TABLE 3 - COMMUNITY FACILITIES**

SERVICE/ FACILITIES	MAP REF	AF %	APPORT. CAPITAL COST \$	EST. LAND COST \$	COUNCIL/ OTHER COST	TOTAL COST \$	TIMING % LOT
Community Hall Up-grade – North End (Cessnock)	6	100	\$60,000	Provided by Council	-	\$60,000	25
Library – Cessnock	1	2.6	\$332,800	Provided by Council	12,467,200	\$12,800,000	100
Cultural Centre – Cessnock	2	2.6	\$210,600	Provided by Council	7,889,400	\$8,100,000	0
<b>TOTAL</b>			<b>\$603,400</b>	<b>Nil</b>	<b>\$20,356,600</b>	<b>\$20,960,000</b>	

**Notes:**

1. A  
F% =  
Apporti  
onmen  
t  
Factor.

2. APPORT. CAPITAL COST is the apportioned cost to be funded under this Plan by Section 94 Contributions.
3. COUNCIL/OTHER COST is the proportion of the total estimated cost to be funded by Council/Other Contributors/Grants etc.
4. TIMING is the threshold for the provision of the relevant infrastructure and is based upon the developed number of lots expressed as a %



**Figure 3**

**Government Road Precinct And Cessnock Catchments  
Open Space, Recreational, Sporting and Community Facilities**

**This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change and should be verified with Cessnock City Council**

**TABLE 4 - ROADS AND TRAFFIC FACILITIES**

ITEM	LOCATION	DESCRIPTION	AF %	APPORT. CAPITAL COST	COUNCIL/ OTHER COST	TOTAL COST	TIMING (LOT %)
1	Ferguson St	Traffic calming (approx 20 locations).	15	\$15,000	85,000	100,000	75
2	Government Rd	Reconstruct with drainage.	100	\$954,000	-	954,000	0
3	Anzac Ave, Subiaco St, Yilgarn Ave, Carroll Ave, Comfort Ave, Kanowa Ave. Approx 30 locations.	Traffic calming management, refuges line marking, stop signs, kerb blisters, etc.	100	\$150,000	-	150,000	100
4	Government Road	Pedestrian/cycle path	100	\$106,000	-	106,000	50
5	To Landcom Subdivision	Pedestrian/cycle path.	100	\$20,000	-	20,000	50
6	Government Road	Bus Shelters (2)	100	\$50,000	-	50,000	0
7	Surrounding Street Network	Reconstruction/remedial treatment on completion of construction/building works.	100	\$100,000	-	100,000	100
<b>TOTAL</b>				<b>\$1,395,000</b>	<b>85,000</b>	<b>1,480,000</b>	

**Notes:**

5. AF% = Apportionment Factor.
6. APPORT. CAPITAL COST is the apportioned cost to be funded under this Plan by Section 94 Contributions.
7. COUNCIL/OTHER COST is the proportion of the total estimated cost to be funded by Council/Other Contributors/Grants etc.
8. TIMING is the threshold for the provision of the relevant infrastructure and is based upon the developed number of lots expressed as a %.

## REFERENCES

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The References which have been used in the drafting of this Plan includes:

1. Census of Population and Housing (2006), Australian Bureau of Statistics
2. Residential Section 94 Contribution Plan (2006) Cessnock City Council
3. Cessnock Community Profile (2003), Cessnock City Council
4. Cessnock Bike Plan (2005), Cessnock City Council
5. Department of Planning – Development Contribution Practice Notes 2005
6. Department of Planning – Planning Circular PS07-018
7. Draft Social Impact Assessment Procedure and Guidelines, Development Application (2006), Cessnock City Council
8. Recreation & Open Space Strategic Plan (2008), Cessnock City Council
9. Draft (Revised) Cessnock Settlement Strategy (2007), Cessnock City Council
10. Environmental Planning and Assessment Act, 1979
11. Environmental Planning and Assessment Amendment (Development Contributions) Regulations, 2005
12. Environmental Planning and Assessment regulation, 2000
13. Traffic Impact Assessment – Proposed Residential Rezoning Government Road, Cessnock NSW – Mark Waugh Pty Lte.
14. People Places – A guide for Public Library Buildings in New South Wales, 2<sup>nd</sup> edition (2005) Heather Nesbit Planning
15. Public Library Building Guidelines State Libraries of NSW
16. Environmental Planning and Assessment Amendment Act, 2008