

Cessnock City Council

***RESIDENTIAL SECTION 94
CONTRIBUTIONS PLAN***

CONTRIBUTIONS HAVE BEEN INDEXED TO DECEMBER 2014

Residential Section 94 Contributions Plan
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PART A:

SUMMARY SCHEDULES

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Summary of Contribution Rates by Type (Indexed to 1 DECEMBER 2014)								
CONTRIBUTION TYPE	Per Person	One Bed Dwg	Two Bed Dwg	Three Bed Dwg	Four Bed Dwg	Five + Bed Dwg	Per Lot	Per Hectare
District Open Space	436.43	698.54	916.76	1353.19	1701.84	1920.05	1265.40	NA
Local Open Space (Land) – Vineyard Grove	NA	NA	NA	NA	NA	NA	299.00	NA
Local Open Space (Works) – Vineyard Grove	NA	NA	NA	NA	NA	NA	221.98	NA
District Community Facilities (Halls)	267.13	427.65	560.59	827.72	1042.17	1175.11	775.04	NA
District Community Facilities (Libraries)	71.48	114.12	150.49	221.98	278.41	314.78	206.93	NA
District Community Facilities (Bushfire)	20.07	32.61	42.64	62.71	77.76	87.79	57.69	NA
District Roads – Urban Areas	332.34	531.75	698.54	1030.88	1296.76	1462.30	964.42	NA
District Roads – Rural areas	332.34	531.75	698.54	1030.88	1296.76	1462.30	964.42	NA
Local Roads – Vineyard Grove	NA	NA	NA	NA	NA	NA	2751.53	NA
Local Roads – Abermain	NA	4955.02	4955.02	4955.02	4955.02	4955.02	4955.02	NA
Local Roads – Illalong	NA	778.81	778.81	778.81	778.81	778.81	778.81	NA
Local Roads – Kearsley	NA	1775.83	1775.83	1775.83	1775.83	1775.83	1775.83	NA
Local Roads – Mulbring Nth	NA	14016.02	14016.02	14016.02	14016.02	14016.02	14016.02	NA
Local Roads – Mulbring Sth	NA	3022.42	3022.42	3022.42	3022.42	3022.42	3022.42	NA
Local Roads – Nth Rothbury	NA	8018.83	8018.83	8018.83	8018.83	8018.83	8018.83	NA
Local Roads – Nulkaba	NA	5860.49	5860.49	5860.49	5860.49	5860.49	5860.49	NA
Local Drainage - Abermain	NA	1005.80	1005.80	1005.80	1005.80	1005.80	1005.80	NA
Local Drainage – Nulkaba	NA	2512.00	2512.00	2512.00	2512.00	2512.00	2512.00	NA
Flood Mitigation – Nulkaba	NA	NA	NA	NA	NA	NA	NA	7927.28
Studies (Plan Preparation)	25.08	40.13	52.67	77.76	97.82	110.36	72.74	NA
Studies (Flood Study) – Abermain South	NA	NA	NA	NA	NA	NA	173.07	NA
Plan Administration	95.31	153.00	200.66	295.97	371.22	418.88	275.91	NA
Unformed Roads	See separate summary							

Summary of Applicable Contributions by Area										
CONTRIBUTION AREA	<i>District Open Space</i>	<i>Local Open Space</i>	<i>District Community Facilities</i>	<i>District Roads</i>	<i>Local Roads</i>	<i>Local Drainage</i>	<i>Flood Mitigation</i>	<i>Studies for S94 Plan</i>	<i>Flood Studies</i>	<i>Plan Administration</i>
Urban Areas	YES	NO	YES	YES	NO	NO	NO	YES	NO	YES
Rural Areas	YES	NO	YES	YES	NO	NO	NO	YES	NO	YES
Vineyard Grove	YES	YES	YES	YES	YES	NO	NO	YES	NO	YES
Abermain North Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES
Abermain South Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	YES	YES
Illalong Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES
Kearsley Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES
Mulbring North Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES
Mulbring South Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES
North Rothbury Small Holdings	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES
Nulkaba Small Holdings	YES	NO	YES	YES	YES	YES	YES	YES	NO	YES
Nulkaba Village	YES	NO	YES	YES	NO	NO	YES	YES	NO	YES

Summary of Applicable Contribution Rates for Unformed Roads (1 DECEMBER 2014)		
Contribution District	Cost per Dwelling / Lot	
	Unformed Road (per linear metre)	Partially Formed Road (per linear metre)
Abermain Stanford Merthyr Neath Kitchener Kearsley Abernethy North Rothbury Bellbird Millfield Wollombi Ellalong East Branxton Greta	\$559.96	\$223.99

PART B:

ADMINISTRATION

AND

ACCOUNTING

Name of the Plan

1. This plan may be cited as “Cessnock Section 94 Contributions Plan: Residential Development”.

Purpose of the Plan

2. The purpose of this plan is to identify requirements for contributions by residential development, including rural-residential development, towards the cost of providing public facilities and services funded in whole or in part by Cessnock City Council and to provide a basis for the management and accounting of such contributions. The specific aims of the plan are to:
 - Apply Section 94 contributions in a manner that is fair, reasonable, publicly accountable and equitable;
 - Ensure that new residential development contributes to the provision of public facilities and public services the need for which is caused by the development;
 - Ensure that the contributing development benefits from the public facilities and services financed from those contributions; and
 - Ensure that public facilities and services are appropriate to the needs of those who contribute to their provision and are provided within a reasonable time.

The plan applies to all forms of development which generate actual or potential additional dwellings including: residential subdivision and residential development (other than single dwellings) within nominated urban precincts in the City of Cessnock; rural or rural-residential subdivisions which create additional allotments on which a dwelling may be erected with consent; and to single dwellings for rural residential development on an existing vacant allotment of land within nominated small holdings areas.

However, the plan is subject to any exclusions or special requirements that the Minister may specify under a Section 94A direction.

Area the Plan Applies To

3. The plan applies to the whole of the Local Government Area of Cessnock. Additional contributions are required within specified contributions districts.

Relationship to Other Plans and Policies – Commencement of Plan

4. The Residential Section 94 Contributions Plan came into effect on 1st October 2003 and repealed the “Cessnock Residential Contributions Plan No.1” dated 17th November, 1993 and the “Nulkaba Flood Mitigation Contributions Plan No.4” dated 21 December 1994.
5. This Plan represents a review of the 2003 Residential Section 94 Contributions Plan and was adopted by Council 2 August 2006 as a new plan for implementation from 10 August 2006.
6. The Plan should be read in conjunction with Cessnock Local Environmental Plan 2011 and applicable Development Control Plans.

Preparation

7. The Cessnock Residential Section 94 Contributions Plan 2003 was prepared by Andrews Neil Environmental Pty Ltd. Consulting Planners on behalf of Cessnock City Council during 2001/2002 on the basis of information relating to the 2001 to 2011 period.
8. The plan was subsequently reviewed by Cessnock City Council in 2006 in terms of the Developer Contributions Practice Notes issued by the Department of Infrastructure, Planning and Natural Resources and updated on the basis of further information at hand and with a focus on the 2006 to 2011 time span. The Plan has been formulated in terms of the requirements of the Environmental Planning and Assessment Act.

Formulas

9. The formulas used for calculation of contributions under this plan are detailed for the relevant contribution type in Part C Strategy Plans. All costs used in this plan have been indexed to DECEMBER, 2006 (CPI at 31/03/06)
10. Residential contributions are levied according to additional population created and are therefore based on an additional cost per person. Where a contribution is provided per additional person in the Summary Schedule on page 4, the relevant ratios for conversion for different dwelling types are:

Dwelling type	Number of persons
One bedroom	1.6
Two bedroom	2.1
Three bedroom	3.1
Four bedroom	3.9
Five or more bedrooms	4.4

11. Where a contribution is provided per additional person and is applicable to residential subdivision an allowance of 2.9 persons per allotment shall be used for the purpose of calculating contributions.

When Contributions Are Paid

12. Unless otherwise agreed by Council, contributions are to be paid as follows:
 - In the case of a development involving subdivision, prior to release of the subdivision certificate:
 - In the case of a development involving construction, prior to release of the construction certificate; and
 - In the case of all other development, prior to release of the development consent.

Deferred or Periodic Payments

13. Council may accept the deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies the Council that:

- a) Compliance with the provisions relating to when contributions are payable is considered unreasonable or unnecessary in the circumstances of the case; and
- b) The deferment of payment or allowing periodic payments does not prejudice the timing or the manner of the provision of the public facility or service for which the contribution was required as outlined in the Capital Works Program.

The decision to accept a deferred or periodic payment is at the sole discretion of Council.

14. All requests to Council for deferred or periodic payments should be formulated in writing based on consultation with Council and forwarded to Council prior to the determination of a development application by Council.

15. Council may, if it decides to accept a deferred or periodic payment of a contribution, require the applicant to provide a bank guarantee by an Australian Bank for the contribution or the outstanding balance on condition that:

- a) The bank guarantee –
 - I. Requires the bank to pay the guaranteed amount unconditionally to Council where it so demands in writing not earlier than 6 months (or a term otherwise determined by Council) from provision of the guarantee or completion of the development or stage of the development to which the contribution or part relates;
 - II. Prohibits the bank from having recourse to the applicant or other person entitled to act upon the consent or having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount;
 - III. Provides that the bank's obligations are discharged when either the payment is made to Council according to the terms of the bank guarantee, the related consent lapses or if Council otherwise notifies the bank in writing that the bank guarantee is no longer required; and
- b) The applicant pays interest to Council at the commercial interest rate on the total contribution required under this Plan on and from the date when the contribution would have been payable in accordance with this Plan.

Works in Kind and Dedication of Land

16. Council may accept an offer by an applicant to provide works in kind or the dedication of land as full or partial payment of a contribution or the provision of a material public benefit in lieu of payment of a contribution.

Adjusting Contributions

17. All contributions will be indexed. In the case of land, contributions will be indexed annually on a date determined by Council and in the case of works, quarterly on the first working day of March, June, September, and December.
18. Indexation adjustments to the contribution rates will apply in accordance with the following:
 - *For Land:* Adjustment will be by revaluation of land values using actual site valuation by a registered valuer or by use of the annual valuation review carried out by the Valuer General for the Land Tax Office.
 - *For Works:* The Consumer Price Index, All Groups Sydney will be used to adjust contribution rates.

$$\text{Current Rate} = \frac{\text{Initial Rate Under Plan}}{\text{Base CPI}} \times \text{Current CPI}$$

Where,

The Base CPI is the most recently published figure for the Consumer Price Index – All Groups – Sydney for the date prior to adoption of the revised Plan, i.e. the Base CPI is 152.2 (DECEMBER, 2006).

The current CPI is the most recently published quarterly index for the CPI – all Groups Sydney prior to the date of payment or agreed date/s for deferred/periodic payment under Clause 11.

Indexation of contributions (other than land) at the time of payment will be updated by utilizing the following formula.

$$\text{Current Contribution} = \frac{\text{Contribution at Date Of Development Consent}}{\text{CPI at date of Development Consent}} \times \text{Current CPI}$$

Current CPI is the most recently published quarterly CPI.

CPI figures applicable to this formula are:-

1/06/06	-	31/08/06	152.2	85.0	(Revised by ABS)
1/09/06	-	1/12/06	154.7	86.4	
1/12/06	-	1/03/07	156.1	87.2	
1/03/07	-	1/06/07	155.8	87.0	
1/06/07	-	1/09/07	155.6	86.9	
1/09/07	-	1/12/07	157.4	87.9	
1/12/07	-	1/03/08	158.1	88.3	
1/03/08	-	1/06/08	159.5	89.1	
1/06/08	-	1/09/08	161.7	90.3	
1/09/08	-	1/12/08	164.1	91.7	
1/12/08	-	1/03/09	165.9	92.7	
1/03/09	-	1/06/09	165.5	92.4	
1/06/09	-	1/09/09	165.6	92.5	
1/09/09	-	1/12/09	166.3	92.9	
1/12/09	-	1/03/10	168.1	93.9	

1/03/10	-	1/06/10	169.1	94.4
1/06/10	-	1/09/10	170.5	95.2
1/09/10	-	1/12/10	171.1	95.6
1/12/10	-	1/03/11	172.5	96.3
1/03/11	-	1/06/11	173.1	96.7
1/06/11	-	1/09/11	175.9	98.2
1/09/11	-	1/12/11	177.6	99.2
1/12/11	-	1/03/12	178.8	99.9
1/03/12	-	1/06/12	178.7	99.8
1/06/12	-	1/09/12	178.8	99.9
1/09/12	-	1/12/12	179.9	100.5
1/12/12	-	1/03/13	-	102.2
1/03/13	-	1/06/13	-	102.3
1/06/13	-	1/09/13	-	102.7
1/09/13	-	1/12/13	-	103.1
1/12/13	-	1/03/14	-	104.3
1/03/14	-	1/06/14	-	105.0
1/06/2014	-	1/09/14	-	106.0
1/09/14	-	30/11/14	-	106.0
1/12/14	-	28/02/15	-	106.6

18A. Goods and Services Tax

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

18B. 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 Part B of this Plan. 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.

19. Construction Certificates and the Obligation of Accredited Certifiers

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

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in

accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

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

20. Savings and Transition Arrangements

- a. A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.
- b. Where a development application was lodged and determined under the provisions of a previous contributions plan, but at the date this Contributions Plan came into effect the contribution had not been paid, the amount of that contribution is to be reviewed and adjusted (if necessary) in accordance with the provisions of the contributions plan in operation at the time the application was determined.

PART C:

STRATEGY PLANS

NEXUS

1. Nexus is one of the key principles which underpin the developer contributions system along with reasonableness, apportionment and accountability. Nexus refers to the relationship between the proposed development and the demand for public facilities and services created by the development. A contribution levied must be for an increased demand for a public facility or service that is caused by the development. There are three aspects to nexus:
 - Causal nexus – the proposed development creates a need or increases the demand for a particular public facility or service;
 - Spatial or physical nexus – the proposed public facility or service will be located to serve the needs of those who created the demand for it;
 - Temporal nexus – the proposed public facility or service will be provided within a reasonable time to benefit those who contributed towards it.

EXPECTED DEVELOPMENT

2. This plan relates to demand for services created by all forms of residential development in the City of Cessnock including:
 - Residential infill subdivision
 - Residential estate subdivision
 - Rural-residential subdivision
 - Rural subdivision which creates an additional lot or lots on which a dwelling may be erected
 - Rural-residential and residential dwellings (where contributions were not paid at subdivision stage)
 - Dual occupancy development
 - Villa, townhouse and other medium density development
 - Residential flat development

In respect of dual occupancy, residential flat and villas, townhouse and other medium density development, an allowance will be given in respect to existing dwellings and contributions paid at subdivisions stage (where development has not occurred).

3. The types of development to which the plan applies are subject to any exclusions or special requirements that the Minister may specify pursuant to a Section 94A Direction.

POPULATION INCREASE AND CHARACTERISTICS

4. The population increase anticipated in the City of Cessnock over the decade 2002 to 2011 is indicated in the following table:-

5.

Table: Cessnock LGA Population Estimates

Year	Population
2001	45,377 – Actual ABS Census
2006	47,110
2007	47,450
2008	47,800
2009	48,150
2010	48,500
2011	48,850

These estimated are based on:-

DIPNR Cessnock Local Area Population Protection, 2004 release. Average annual growth of .5%.

ABS dwelling approval statistics – Average increase 2001 to 2005.

It is also acknowledged that the Draft Lower Hunter Regional Strategy 2006 – 2031 provides for future housing growth within the Cessnock Local Government Area.

6. The anticipated population increase is therefore 1,740 over five years covered by this plan.

MEETING NEEDS OF THE POPULATION

7. The incoming population will be distributed across the LGA in the main urban centres and in rural-residential small holding developments. This additional population will create increased demand for a range of services including open space, sporting and recreation facilities, community halls, library services and bushfire fighting facilities. There will also be an increase in the amount of traffic generated within both urban and rural areas.

PROVISION OF PUBLIC FACILITIES

Open Space Recreational & Sporting Facilities (District - LGA)

8. District level open space, recreational, sporting facilities serve all residents of the City of Cessnock. However, new residents create a greater demand than existing residents by demanding a higher level of facilities. Therefore, new residents shall pay for the upgrading of district level facilities on a pro-rata

basis with allowance for the higher relative demand on facilities. This represents 5.0 % of the cost of the following district level facilities:

New Aquatic Centre at Kurri Kurri	\$4,025,242	(\$201,262)
Upgrade of recreational & sporting facilities	\$7,471,380	(\$373,569)
Cycleway construction	<u>\$600,000</u>	<u>(\$30,000)</u>
TOTAL	\$12,096,622.00	(\$604,831)

9. Contributions for district level open space are therefore \$348 per additional person.

Open Space (Local-Vineyard Grove)

10. Local open space serves a population within a local area only. The Vineyard Grove subdivision is a self-contained local area for which a local park is required. Ideally a local park would have an area of 5000 sq m. In Vineyard Grove an area of 3447 m² has been provided (equivalent to 4 residential lots) in recognition of the lower than planned level of development. The englobo value of this land at Vineyard Grove in 2005 is \$136,000 and the cost of works (including playground equipment and landscaping) is \$80,410. The estimated total development yield at Vineyard Grove is 455 lots.

11. Contributions for local open space at Vineyard Grove are therefore:

- a. For land \$299 per additional lot.
- b. For works \$177 per additional lot.

Community Facilities (District - LGA)

12. Community facilities generally consist of community centres, community halls, libraries, child care centres, bushfire fighting facilities and equipment and the like. In the City of Cessnock, library facilities and bushfire services are provided for the benefit of all residents and community centres and halls are provided in a number of localities accessible to all residents with upgrading of these facilities undertaken on a rolling program. All community facilities are therefore considered as district level facilities serving all residents of the City of Cessnock. However, new residents create a greater demand than existing residents by demanding a higher level or standard of facilities.

13. In the case of community halls/centres, new residents create a greater demand than existing residents by demanding a higher level of facilities. Therefore, new residents shall pay for the upgrading of district level facilities on a pro-rata basis with allowance for the higher relative demand on facilities. Therefore 5.0 % of the cost of upgrading community halls and the provision of multi-purpose centres is to satisfy the increased demand generated by additional population. Expenditure over the next 5 years is expected to be as follows:

Upgrading of community halls	\$651,500	(\$32,575)
Provision of Multi-Purpose Centres	<u>\$6,766,040</u>	<u>(\$338,302)</u>
TOTAL	\$7,417,540	(\$370,877)

Contributions for district level community halls/centres are \$213.

14. In the case library facilities, new residents create a greater demand than existing residents by demanding a higher level of facilities. Therefore, new residents shall pay for the upgrading of district level facilities on a pro-rata basis with allowance for the higher relative demand on facilities. Therefore 5.0 % of the cost of annual capital expenditure on new book stock, equipment and building upgrades is to satisfy the increased demand generated by additional population. Capital expenditure over the next 5 years is expected to be \$1,989,500 resulting in a contribution per additional person as follows:

Library stock upgrades	\$899,000	(\$44,950)
Premises / Equipment upgrades	<u>\$1,090,500</u>	<u>(\$54,525)</u>
\$99,475 / 1740 = \$57 per additional person	\$1,989,500	(\$99,475)

15. In the case of bushfire fighting facilities, the demand on services is generally the same for both existing and new residents and contributions are therefore calculated directly on a pro-rata basis of the 1,740 additional residents in relation to the existing population representing 3.7 % of expenditure as follows:

Upgrading of bushfire facilities over 5 years	\$770,000	(\$28,490)
\$28,490 / 1740 = \$16 per additional person		

16. Contributions for community facilities are therefore \$286 per additional person based on expenditure of \$498,842 over 5 years.

Roads, Bridges and Traffic Management (District – Urban & Rural Areas)

17. The projected urban population increase of 1,150 and rural population increase of 590 will generate increased traffic which will contribute to the need for road reconstruction. Contributions will be applicable for the upgrading and reconstruction of Council funded regional roads, distributor or collector and local roads. These roads are dispersed across the Council area and are key access routes likely to be used by the majority of the additional population which will also be distributed across the urban areas of the LGA. It is therefore appropriate for the additional population to contribute on a pro-rata basis to the upgrading of roads, bridges and traffic management facilities. The additional population generally can be assumed to have similar travel patterns to existing population and therefore a pro-rata share represents 3.7% of anticipated expenditure.

18. Council’s 2006-2011 Urban Construction, Infrastructure Improvement, Regional Roads Reconstruction & Traffic Facilities Construction Programs anticipate expenditure of \$8,248,311 on upgrading or reconstruction of roads within the urban road hierarchy, any associated bridge works and traffic management facilities. New development will be required to fund 3.7% of this expenditure, ie. \$305,187 over 5 years.

Contributions for district roads, bridges and traffic management facilities are therefore \$265 per additional person.

19. Council’s 2006 – 2011 Rural Construction, Infrastructure Improvement, Regional Roads Reconstruction & Traffic Facilities Construction Programs anticipate expenditure of \$4,237,400 on upgrading or reconstruction of roads within the rural road hierarchy, bridge works and traffic management facilities. New development will be required to fund 3.7% of this expenditure, ie.

\$156,784 over 5 years. Contributions for rural roads, bridges and traffic management facilities are therefore \$265 per additional person.

Unformed Roads

- 20. Since 1982 Council has required the applicant for a dwelling on a lot fronting an unformed road to pay an unformed road contribution. This policy originally related to all additional dwellings within seventeen (17) nominated villages or districts within the Cessnock City Local Government Area, however currently it relates to the thirteen (13) villages or districts as listed in the summary on page 6 of this Plan. The Contribution Area maps were originally adopted by Council on 25 August 1982 & were updated in 2006 for this plan. Maps of the nominated areas/contributable roads are held in Council's office and are also available on the Geographic Information System on Council's internet site.

The development of new dwellings creates a demand for new and up-graded roads to provide access to the respective properties for the traffic generated. The contribution required is calculated by multiplying the length of the required road work by the linear metre cost of \$432.15 as derived from the ACM Landmark Report 2005 and indexed to the current cost.

Existing residents have contributed toward the cost of establishing and upgrading roads as a result of new development. Where roads exist as partly formed, it is assumed that 60% of the costs have been previously covered. As such only 40% of the total costs of the road works are required.

Roads and Traffic Management (Local – Vineyard Grove)

- 21. Traffic and access works required for the Vineyard Grove release area include the upgrading of Mount View Road east of the estate, construction of a roundabout on Mount View Road at the entry to the estate and specific pedestrian and cycleway works adjoining the estate. These works have been undertaken by Cessnock City Council and the cost of those works will be recouped from the projected total development of 473 lots. The facilities are:

Mount View Road widening and upgrading	\$346,405
Mount View Road roundabout	\$448,936
Pedestrian pathways	<u>\$242,421</u>
TOTAL	\$1,037,762

- 22. Contributions for roadworks for Vineyard Grove are therefore \$2,194 per lot.

Roads, Bridges and Traffic Management (Local – Abermain North and South Small Holdings)

- 23. Cessnock Development Control Plan No. 15: Abermain South Small Holdings Area and Cessnock Development Control Plan No. 24: Abermain North Small Holdings Area provide for 333 new rural-residential allotments.

24. These additional lots will require improvements to five (5) intersections, two (2) bridges and upgrading of existing internal roads as follows:

•	Intersection improvements	\$1,531,192
•	Bridge upgrading	\$503,906
•	Internal road upgrading	<u>\$596,268</u>
		\$2,631,366

25. As these works also benefit existing development at Abermain, only 50% or \$1,315,683 will be recovered through development contributions from new small holdings development. The contribution per lot is therefore \$3,951.

Roads, Bridges and Traffic Management (Local – Illalong Small Holdings)

26. Cessnock Development Control Plan No. 13: Illalong Small Holdings Area provides for 43 new rural-residential allotments.

27. These additional lots will require improvements to two (2) intersections at a cost of \$133,515.

28. As these works will also benefit existing development at Illalong only 20% or \$26,703 will be recovered through development contributions from new small holdings development. The contribution rate per lot is therefore \$621.

Roads, Bridges and Traffic Management (Local – Kearsley Small Holdings)

29. Cessnock Development Control Plan No. 36: Kearsley Small Holdings Area provides for 140 new rural-residential allotments.

30. These additional lots will require improvements to three (3) intersections at a cost of \$440,533.

31. As these works will also benefit existing development at Kearsley only 45% or \$198,240 will be recovered through development contributions from new small holdings development. The contribution rate per lot is therefore \$1,416.

Roads, Bridges and Traffic Management (Local – Mulbring North Small Holdings)

32. Cessnock Development Control Plan No. 27: Mulbring North Small Holdings Area provides for 41 new rural-residential allotments. The DCP area is the applicable district for this contribution.

33. These additional lots will require improvements to three (3) intersections at a cost of \$501,173 and upgrading of internal roads at a cost of \$137,465.

34. Two of the intersections will only benefit new development and one will also benefit existing development at Mulbring and new development at Mulbring South. Therefore 100% of two intersections and 25% of one intersection or \$320,751 will be recovered through development contributions from new small holdings development and 100% of the internal roads. The contribution rate per lot is therefore \$11,176.

Roads, Bridges and Traffic Management (Local – Mulbring South Small Holdings)

- 35. Cessnock Development Control Plan No. 16: Mulbring North Small Holdings Area provides for 36 new rural-residential allotments.
- 36. These additional lots will require improvements to two (2) intersections at a cost of \$266,954.
- 37. One of these intersections will only benefit new development and one will also benefit existing development at Mulbring and new development at Mulbring North. Therefore 100% of one intersection and 25% of the other intersection or \$86,760 will be recovered through development contributions from new small holdings development. The contribution rate per lot is therefore \$2,410.

Roads, Bridges and Traffic Management (Local – North Rothbury Small Holdings)

- 38. Cessnock Development Control Plan No. 25: North Rothbury South Small Holdings Area provides for 52 new rural-residential allotments.
- 39. These additional lots will require improvements to two (2) intersections at a cost of \$440,673.
- 40. One of these intersections will only benefit new development and one will also benefit existing development at North Rothbury. Therefore 100% of one intersection and 55% of the other intersection or \$332,488 will be recovered through development contributions from new small holdings development. The contribution rate per lot is therefore \$6,394.

Roads, Bridges and Traffic Management (Local – Nulkaba Small Holdings)

- 41. Cessnock Development Control Plan No. 12: Nulkaba Small Holdings Area provides for 50 new rural-residential allotments.
- 42. These additional lots will require improvements to four (4) intersections at a cost of \$480,662.
- 43. As these works will also benefit existing development at Nulkaba only a proportion of this cost will be recovered through development contributions from new small holdings development. The proportions allocated to new development are 20% for two of the intersections and 40% and 50% for the other two or \$233,650. The contribution rate per lot is therefore \$4,673.

Drainage (Local – Abermain Small Holdings Area)

- 44. Cessnock Development Control Plan No. 15: Abermain South Small Holdings Area and Cessnock Development Control Plan No. 24: Abermain North Small Holdings Area provide for 333 new rural-residential allotments.
- 45. Upgrading of culverts in Frame Drive is required as a result of increased runoff from new development at a cost of \$267,066.

46. Contributions for drainage for Abermain small holdings are therefore \$802 per additional lot.

Drainage (Local – Nulkaba Small Holdings Area)

47. Cessnock Development Control Plan No. 12: Nulkaba Small Holdings Area provides for 50 new rural-residential allotments.
48. A detention basin on Portion 134 Austral Street is required as a result of increased runoff from new development at a cost of \$100,150.
49. Contributions for drainage for Nulkaba small holdings are therefore \$2,003 per additional lot.

Flood Mitigation (Local – Nulkaba Village and Small Holdings Area)

50. The area bounded by the thick black line in Figure 2 defines the Nulkaba Flood Mitigation area for which flood mitigation and major trunk drainage works are required for existing and proposed development as identified in the Nulkaba Drainage Strategy (*Willing and Partners, November 1993*). The area of the catchment is 113 hectares of which approximately 2 hectares are roads.
51. Contributions are applicable for any development on an existing allotment or for subdivision to create new allotments. Where contributions are paid in relation to a subdivision, no further contribution is payable in relation to development of the lots so created.
52. The cost of the works identified in the Nulkaba Drainage Study is \$714,273 for the catchment of 113 hectares.
53. The contribution for flood mitigation works at Nulkaba is therefore \$6,321 per hectare site area.

ENVIRONMENTAL STUDIES FOR CONTRIBUTIONS PLANS

Contribution Plan Preparation and Review (District – LGA)

54. Investigation and documentation of revised contributions plans in 2006 and a 5 year review in 2010/11 will cost \$35,000.
55. Contributions for studies associated with review and preparation of the contributions plan are therefore \$20 per additional person.

Flood Studies (Local – Abermain Small Holdings Area/Abermain South)

56. The area subject to Development Control Plan No. 15: Abermain South Small Holdings Area requires preparation of a specific flood study at an estimated cost of \$40,296. There is potential for 292 new rural-residential allotments under the Development Control Plan.
57. The contribution for flood studies at Abermain South is therefore \$138 per additional lot.

ADMINISTRATION OF CONTRIBUTIONS PLANS

58. The administration of the Residential Contribution Plan requires 25% of a full time equivalent staff officer as well as administrative support costs on an annual basis at an estimated cost of \$26,573 or \$132,865 over the 5 year life of the plan.
59. The contribution for plan administration is therefore \$76 per additional person.

PART D:

SUPPORTING DOCUMENTS

References

1. *Cessnock City Council* – DCP No. 24 - Abermain North Small Holdings
2. *Cessnock City Council* – DCP No. 15 - Abermain South Small Holdings
3. *Cessnock City Council* – DCP No. 13 - Illalong Small Holdings
4. *Cessnock City Council* – DCP No. ?? - Kearsley Small Holdings
5. *Cessnock City Council* – DCP No. 27 - Mulbring North Small Holdings
6. *Cessnock City Council* – DCP No. 16 - Mulbring South Small Holdings
7. *Cessnock City Council* – DCP No. 25 - North Rothbury Small Holdings
8. *Cessnock City Council* – DCP No. 12 - Nulkaba Small Holdings
9. *Cessnock City Council* – Contributions Plan for Residential Development Explanatory Report, 1993
10. *Department of Urban Affairs and Planning* – Section 94 Contributions Manual, 1997
11. *Department of Urban Affairs and Planning* – Review of the Developer Contributions System, 2000
12. Environmental Planning and Assessment Regulation, 2000
13. *ERM Mitchell McCotter* – Draft Contributions Plan for Residential and Tourist Development, Explanatory Report, 1999
14. *Department of Infrastructure, Planning, Natural Resources* – Development Contributions Practice Notes – July 2005