



SECTION 94 CONTRIBUTION PLAN 2017

Upper Hunter Shire Council



Upper Hunter Shire Section 94 Contributions Plan 2017

Produced by:

Strategy Hunter Consultants

(www.strategyhunter.com.au)

for :

Upper Hunter Shire Council

PO Box 208 SCONE NSW 2337

email: council@upperhunter.nsw.gov.au

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Strategy Hunter consultants

email: solutions@strategyhunter.com.au

phone: 0413052137



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EXECUTIVE SUMMARY

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

Population projections produced by the Department of Planning and the Environment estimate that the population of Upper Hunter Local Government Area (LGA) will increase from 14,200 people in 2011 to 14,700 in 2016 and 15,450 in 2026. Residential growth in the LGA will focus on in and around the townships of Scone and Aberdeen, with their combined population estimated to increase by 750 people from 2016 to 2026. The increased population stemming from this new development will result in the need for new and/or augmented infrastructure and services.

This Plan levies contributions based on demand for facilities generated by new development on land zoned R1 General Residential, R5 Large Lot Residential, B2 Local Centre and B4 Mixed Use in the townships of Scone and Aberdeen and surrounds.

In addition to applying to new residential development, the Plan seeks contributions from:

- Development throughout the Local Government Area which generate frequent heavy haulage vehicle movements towards the additional costs of road maintenance, and
- All development in the B2 and B4 zones in Scone township where insufficient car parking is provided on site to meet the demand arising from new development.

Where the need for infrastructure only arises as a result of new development and the future residents of a development area, the cost of such infrastructure is apportioned to the new population in proportion to the demand created by the new development.

iii. Services and Amenities

The facilities for which Council will require development contributions under the provisions of this Plan include the following:

- Open space, recreational, and sporting facilities;
- Community facilities, and
- Transport infrastructure

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 a summary and 6 key sections as detailed below:

- Section 1** Introduction: outlines the purpose and area to which the Plan applies.
- Section 2** Operation of the Plan: describes the way in which the Plan applies and the timing of payments.
- Section 3** Administration of the Plan: describes the management and administration of the Plan.

Section 4-7 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.

Section 8 Plan administration and review

Appendices Supporting Documentation: Information which supports the contents of the Plan, including key demographic data and works schedules.

v. Summary of Contributions Rates

Residential Development

Contributions from residential development in the R1, R5, B2 and B4 zones within a 10 km radius of Scone and Aberdeen townships

Table 1: Residential Development Contribution Summary

Contribution Type	Per Person	One Bedroom Dwelling	Two Bedroom Dwelling	Three Bedroom (+) Dwelling / Lot
Recreation and Open Space Facilities	\$422.32	\$633.48	\$844.63	\$1,266.95
Community and Cultural Facilities	\$213.33	\$320.00	\$426.67	\$640.00
Transport Infrastructure	\$431.52	\$647.29	\$863.05	\$1,294.57
Plan Management and Administration	\$9.78	\$14.67	\$19.56	\$29.35
TOTAL	\$1,076.96	\$1,615.44	\$2,153.91	\$3,230.87

Car Parking

Contributions from development in the B2 and B5 zones where insufficient car parking is provided on site within the LGA.

Table 2: Commercial Development Car Parking Deficiency Contribution Summary

Contribution Type	Per car parking space deficiency
Car parking	\$9,058.69
Plan Management and Administration	2% of the above figure
TOTAL	\$9239.86

Extractive Industry

Contributions from Extractive Industry within the LGA

Table 3: Heavy Haulage Vehicle Movement Generating Development Contribution Summary

Contribution Type	Per annum rate per tonne per kilometre of road hauled material
Road maintenance	As determined- see methodology
Plan Management and Administration	2% of the above figure
TOTAL	As calculated, case by case

Note: these amounts are subject to indexation.

1. INTRODUCTION

1.1. Name of the Plan

This Plan is referred to as the Upper Hunter Shire Section 94 Contributions Plan 2017.

This Contributions Plan has been prepared in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979, as amended, the Environmental Planning and Assessment Regulation 2000, the Department of Planning and Infrastructure's Development Contributions Practice Notes, 2005 and relevant Ministerial Directions and Department of Planning and Environment Circulars and Guidelines.

1.2. Commencement of Plan

This Contributions Plan takes effect on 25 April 2017. Rezoning applications (for the purposes of Planning Agreements), development applications and applications for complying development certificates determined on or after this date will be subject to the provisions of this Plan.

1.2.1. Savings and transitional arrangements

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.

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 public services and amenities to:

- Meet the needs of incoming residents as a result of proposed development;
- Address deficiencies in the on-site supply of car parking to meet demand resulting from new commercial development, and
- Ensure roads are maintained in a reasonable condition for users as a result of damage caused by developments that generate frequent heavy haulage movements.

This 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 new development.

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

Other purposes of this Plan are to:

- Provide an overall strategy for the coordinated delivery of public facilities and infrastructure consistent with Council's strategic plans and management plan;
- Provide a comprehensive strategy and administrative framework for the assessment, collection, expenditure, accounting and review of developer contributions towards the equitable provision of public services and amenities;
- Identify the additional services and amenities required to meet the demands of the arising from new development;
- Provide an adequate level of public services and amenities to meet demand arising from development within a reasonable time, as development occurs, and at a reasonable cost, without unduly impacting on the affordability of the proposed development;
- Ensure that the development contributions are based on reasonable estimates of cost;
- Ensure that the existing community is not unduly burdened by the provision of public services and amenities which are needed (either partly or fully) as a result of ongoing development in the

Upper Hunter LGA, and that there is a reasonable apportionment of cost between existing demand and new demand for public infrastructure provided by Council, and

- Ensure that contributions are fair and reasonable.\

1.4. Area to Which the Plan Applies

This Contributions Plan applies to the following land:

- Land zoned R1 General Residential, R5 Large Lot Residential, B2 Local Centre and B4 Mixed Use under the provisions of the Upper Hunter Local Environmental Plan 2013 in the townships of Scone and Aberdeen and surrounds, as shown in the map at Appendix 3 and Appendix 4 (the boundaries of these zones may change following the making of this Plan);
- Land zoned B2 and B4 under the provisions of the Upper Hunter Local Environmental Plan 2013 within Scone township in relation to developments that provide less than the number of car parking spaces specified in Council's Development Control Plan, and
- The Upper Hunter Local Government Area (Appendix 2) in relation to developments that generate frequent heavy haulage vehicle movements.

1.5. Types of Development to which this Plan applies

This Plan applies to:

- New residential and rural residential development. This includes residential dwelling development as well as the subdivision of land into lots capable of accommodating new dwelling houses under Upper Hunter Shire Local Environmental Plan 2013;
- Commercial development in relation to car parking, and
- Developments that generate frequent heavy haulage vehicle movements towards road maintenance.

Note: "development" referred to in this clause has the same meaning as in the Environmental Planning and Assessment Act 1979.

Where a development contribution has been paid for the subdivision of land in accordance with the provisions of this Plan, unless subsequent construction works increase the intensity of use, further contributions will not be required.

1.6. Seniors Living and Housing for People with a Disability

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

Many older people and people with a disability also use public libraries or attend gatherings, functions and meetings in Council facilities.

Further development of any sort within the catchment areas to which the Plan applies will increase demand on transport infrastructure.

It is therefore reasonable for Council to levy contributions on all development within the area, including housing built under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004).

Council may consider an application to discount or exempt such development from contributions. Applicants seeking Council's acceptance of such an arrangement must be able to demonstrate to the satisfaction of Council there are onsite facilities sufficient to reduce the demand for offsite public services or amenities which would be funded through the provisions of this Plan. Council will consider the merits of the application, including the potential social and financial implications, and the ability of the proposed facilities to meet the

demand of the incoming residents. The applicant seeking such an arrangement must apply to Council in writing, including full details and plans for the facilities to be provided. The acceptance of an application will be at Council's absolute discretion.

1.7. Other development not specified in the Plan

This Plan levies contributions predominantly for residential development in the Upper Hunter Shire Contribution Areas. There may however be other types of development not specified in this Plan that generate 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 requirements. Council will work with the developer to have those requirements addressed to its satisfaction - for example, by way of amended DA plans or negotiation of a Planning Agreement.

1.8. Relationship to other Plans and Policies

This Plan complements the Upper Hunter Section 94A Contributions Plan. Development to which this Plan applies is not to be levied contributions under the Section 94A Plan 2008 and vice versa, except in the case of car parking deficiencies or heavy vehicle haulage.

This Plan supersedes the following

1. Merriwa Shire Council Section 94 Contributions Plan
2. Murrurundi Shire Council Section 94 Contributions Plan
3. Scone Contributions Plan No.1

Unspent contributions raised and paid under the authority of the previous Section 94 Contributions Plan will be continued to be directed towards the respective facilities and infrastructure described in the Work Schedule of that Plan.

Where items from the previous Section 94 Contributions Plans are continued in the Upper Hunter Section 94A Plan those funds have been transferred to that Plan.

2. OPERATION OF THE PLAN

2.1. Method of Operation - Authorisation

In determining a development application or issuing a Complying Development Certificate to which this Plan applies, this Plan authorises the Council to 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.

Prior to the issue of a Complying Development Certificate for development to which this Plan applies, the issuer of the certificate must impose a condition pursuant to this Plan if such condition may be imposed. In accordance with Section 94EC of the Environmental Planning and Assessment Act this Plan:

“(b) Can only authorise the imposition by an accredited certifier of a condition under Section 94 that requires the payment of a monetary contribution,”

Complying Development Certificates must be assessed and issued by Council if the developer wishes Council to consider land dedication, material public benefits or works-in-kind.

2.2. Types of Contributions

There are a number of alternative methods of settlement of Section 94 developer contributions. These are as follows:

- Monetary contribution;
- Dedication of land;
- Material Public Benefit, or
- Works in Kind.

Where a developer negotiates a material public benefit (for works not in the works schedule), works in kind (for items included in the works schedule), 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 the ability for the Council to consider entering into a Planning Agreement (PA) as part of a development application or when rezoning land. Public amenities and services delivered through a PA may be in addition to or instead of the payment of a monetary contribution under Section 94.

2.2.1. Monetary contribution

This Plan identifies the monetary contribution required for the provision of public services and amenities, calculated on a per person, per dwelling (variable depending on dwelling size), or per lot 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 Section 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 specified in the Works Schedule or reviewed Works Schedule accompanying this Plan, in order to meet the demand generated by development.

Dedication of land in lieu of monetary contributions for community facilities, open space or other infrastructure described in this Plan will only be considered when Council deems that the land is in a location and has physical and servicing characteristics that make it suitable for the designated purpose.

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

The land is to be in a condition suitable for its intended purpose cleared of all debris, weeds and waste materials. The land is to have a compliance certificate from a registered testing authority stating that the land is free from contaminated and hazardous materials and substances.

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

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 whether Council would agree to enter into such agreement and to establish 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 MPB 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 Section 94 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 a contribution or levy would otherwise 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 Section 94 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 Section 94 requiring payment of a monetary contribution towards the cost of public amenities and public services, the applicant may request in writing that they instead provide to the Council a material public benefit in part or full satisfaction of the requirements of the relevant condition. This application should be made in the form of a formal modification of development consent made under section 96 of the Act.

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 not required, in part or whole, as relevant, to comply with the conditions imposed under Section 94. If the Council declines the applicant's request, the applicant will be required to comply with the requirements of the conditions imposed under Section 94.

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 being sought by this Plan and the imposition of the condition;
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 the 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, and aside from any exceptional circumstances, no credits will be granted for in-kind works carried out by the developer that are in excess of the approved contribution amount. 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.

2.3. Planning Agreements

An applicant may offer to enter into a 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. Provision is made for Planning Agreements under Section 93F of the Environmental Planning and Assessment Act 1979, as amended.

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 Section 94 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.

Council encourages the use of Planning Agreements, particularly for development:

- having a development cost in excess of \$ 1,000,000; or
- for the purposes of a mine or extractive industry and associated infrastructure development, including extensions to existing approved developments; or
- subdivisions involving 20 or more lots in any one or more stages.

2.4. Payment of the Contribution

2.4.1. 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 (e.g. Integrated housing developments) – prior to the release of the Construction Certificate, or the release of the Subdivision Certificate, 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 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).

2.4.2. 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 must 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 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 applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a cash contribution and Council and the applicant have a legally binding agreement for the provision of the works or land dedication, and
- 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;
- indexing will be calculated from the date the contribution was due until the date of payment
- 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 12 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, and
- 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, and
- 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.

2.5. Complying Development

Accredited Certifiers must impose a condition requiring monetary contributions in accordance with this Plan, in accordance with Section 94 of the Environmental Planning and Assessment Act. 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 in accordance with this Plan. It is the responsibility of accredited certifiers to correctly calculate the contribution and apply the Section 94 contribution.

2.6. Construction Certificates

In accordance with Clause 146 of the Environmental Planning and Assessment Regulation, a certifying authority must not issue a construction certificate for building work or subdivision works 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 Environmental Planning and Assessment 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.

2.7. Goods and Services Tax

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

2.8. Adjusting Contribution Rates

To ensure that the value of contributions is 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 indicated in this Plan, on a quarterly basis, with reviewed rates to apply from the first working day of December, March, June and September. This Plan authorises Council to undertake these indexed based changes without the necessity of preparing a new or amending contributions plan.

The contribution rates will be reviewed and subsequently indexed by reference to the Construction costs by the Consumer Price Index (All Groups – Sydney) as published quarterly by the Australian Bureau of Statistics.

In accordance with Clause 32(3)(b) of the Environmental Planning and Assessment 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:

$$\text{New Contribution Rate} = \frac{C \times \text{CPI}_2}{\text{CPI}_1}$$

where:

- C 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

2.8.1. Adjusting Contributions at the Time of Payment

Contributions required as a condition of development consent will be adjusted at the time of payment using the following formula.

Contribution amounts will initially be calculated and regularly updated in accordance with the terms of Clause 2.7 at the time development consent is granted. The contributions amounts included in a development consent are to be adjusted at the date of payment 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 amount in a consent will be made in the following manner:

$$CP = \frac{CDC + (CDC \times (CRP - CRC))}{CRC}$$

Where:

- CP is the amount of the contribution calculated at the time of payment;
- CDC is the amount of the original contribution as set out in the development consent.
- CRP is the contribution rate at the time of payment
- CRC is the contribution rate at the time of the original consent

The current contribution rates are published by Council and are available from Council Offices.

2.9. Reassessment of Contributions

Council may consider an application for the reassessment of the development contributions payable. This may result in the contribution being reduced, 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 in accordance with Section 82A of the Environmental Planning and Assessment 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.

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.

A complete review of this Plan is anticipated every five (5) years from the date of commencement of the Plan.

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 reprioritised. 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 Contributions Areas will occur over the next 10 to 15 years. The scope and timeframe for the delivery of the infrastructure identified in 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 Section 94 Contributions paid for different 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.

2.13. Unspent Section 94 funds

This Plan also authorises that unspent monies collected through previous Section 94 Plans are to be expended on works identified in the works schedules included in the Appendices of this Plan, or the Works Schedule of the Section 94A Plan as appropriate.

2.14. Accountability

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

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

These records are updated on a monthly basis.

Separate accounting records are maintained for all Council's Section 94 and Section 94A Contribution Plans. Information on Section 94 accounts and funds relating to this Plan will be provided in a condensed format within Upper Hunter Shire Council's Annual Report/s in accordance with requirements of the Environmental Planning and Assessment Regulation

Information is also available in Council's contribution register relating to this Plan, which can be inspected at Council during normal business hours.

3. ADMINISTRATION OF THE PLAN

3.1. Management Costs of the Plan

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

Accordingly, costs associated with the preparation, administration and management of this Plan will be levied on all residential related applications in which result in a contribution payable under this Plan. These costs are shown as a separate element in the rates schedule and the method of calculation is described in Section 3 and covers the implementation review, monitoring and updating procedures set out in the Plan. In addition, studies are undertaken to determine the design and costing of works as well as to review the development and demand assumptions of the Plan. These costs apply to residential related contributions and not other types of contributions sought under this Plan because of the greater complexity of managing these contributions.

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 or PA and supervision of the 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 takes 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:

$$\text{Contribution (per capita / lot)} = \frac{\text{Cost}}{\text{Benefiting Population or Lots}}$$

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

3.3. Allowances for existing development

Because 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 by existing (or approved) urban development on the land to which this Plan applies.

Thus "credits" (or allowances) will be granted in relation to demand generated by existing development at the following rates:

Dwelling houses and single vacant allotments = 3.0 persons or 1 lot credit.

Other dwellings (e.g. medium density) = 1.5 or 2.0 persons per dwelling.

Example: An existing lot with a three (3) bedroom dwelling which is subdivided to create a second lot with a dwelling entitlement will only pay a contribution in respect of the newly created lot/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 Appendix 1 of this Plan and summarised below.

The occupancy rates for Aberdeen and Scone urban localities identified in the 2011 Census statistics for Upper Hunter Shire show an average dwelling occupancy rate of 2.5 and 2.4 people per dwelling respectively. However, urban fringe areas and rural residential areas with larger lots typically have a dwelling occupancy of 3.0 people per dwelling, and this figure has used in this Plan in recognition of the nature of the localities to which it applies.

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

The following schedule outlines occupancy rates utilised in this Plan.

Table 4: Dwelling occupancy assumptions

Occupancy Rates	Number of Persons
One Bedroom	1.5
Two Bedroom	2.0
Three Bedroom (+) Dwelling or Per Lot	3.0

3.5. Land Values

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 identified for acquisition in the Plan.

When land is to be acquired, the current market value of this land would be assessed at the time of acquisition or determination of compensation with regard to current market conditions, the availability of services, appropriate heads of compensation and the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991.

Costs associated with land acquisition are also included in the determination of contribution rates. The costs include administration, valuation, negotiations, survey, legal and conveyancing, and are included in Part 8 of this Plan, i.e. Plan Administration.

4. STRATEGY PLANS

This section of the Plan establishes the relationship (nexus) between the expected types of development in the Contribution Areas 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 the Plan’s Contributions Areas. In general, the need for and increased usage of public facilities 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 the Contributions Areas and the demand for additional public facilities to meet that development are set out in this part of the Plan under the headings of Recreation and Open Space, Community and Cultural, Transport, and Plan Management and Administration. The following types of facilities have been identified as being necessary to meet the needs of the new population:

Table 5: Facilities categories

Category	Types of Services/Facilities
Recreation and Open Space	Parks, Playgrounds, Sporting Grounds and Facilities
Community and cultural Services	Child Care Centre, Youth Centre, Library
Transport Facilities	Cycleways, Road Maintenance (Extractive industries), Car Parking (commercial Development)
Plan Management and Administration	Management of development contributions and works, and Review of the Plan.

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.

Facilities which will service both the Contribution Area as well as other residents of Scone and Aberdeen townships and their immediate surrounds will be funded from Section 94 on a proportionate population basis/ per lot based on the population benefiting from each facility.

Additional or upgraded facilities to be provided meet the needs of population growth will be funded from Section 94 on a proportionate population basis/ per lot based on the anticipated population growth of the towns and their immediate surrounds by 2026, i.e. within the life of this Plan.

5. RECREATION AND OPEN SPACE

5.1. Introduction

Upper Hunter Shire 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, development and wellbeing. In support of these benefits, Upper Hunter Shire Council will continue to maintain the role of facilitating the provision of recreational and sporting and open space for local residents in the Upper Hunter Shire Contributions Area.

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 outlined in such documents as the Council's Community Strategic Plan and the Open Space and Recreation Needs Study 2014, 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.

Works programmes will be regularly reviewed and revised depending upon development trends, updated traffic modelling, State Government planning policy and available funding.

The key documents supporting these works are identified below:

- Upper Hunter Shire Community Strategic Plan 2013-2023 Upper Hunter Shire Council (2013)
- Council Delivery Plan and Operational Plan 2015-2016 Upper Hunter Shire Council (2014)
- Council Long Term Financial Plan 2015-2025 Upper Hunter Shire Council (2015)
- Upper Hunter Shire Land Use Strategy.
- Open Space and Recreation Needs Study (Ross Consulting for Upper Hunter Shire Council 2014)

5.2. Nexus

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

Facilities provided for within this Plan are consistent with both Council's Community Strategic Plan and Operational Plan and will address the increase in population as a result of the proposed development.

The Community Strategic Plan includes objectives to provide educational, recreational, sporting and cultural opportunities for residents and visitors. A range of activity and strategies are provided in the Community Strategic Plan to achieve its objectives over the next 10 years.

Facilities provided for within this Plan are consistent with the Activity Objectives of the Council's Community Strategic Plan (CSP) including:

- CSP Activity Objective: Provide educational, recreational, sporting and cultural opportunities for residents and visitors
- CSP Activity Objective: Ensure that Upper Hunter Shire residents and visitors have the opportunities to participate in a diverse range of sporting and passive recreational pursuits and to provide landcare services for the rehabilitation and protection of the urban and rural environment and to promote biodiversity in a cost effective and efficient manner.

This Plans also aims to ensure that the capacity of neighbourhood park facilities and playgrounds are increased to ensure there is adequate provision to meet the anticipated increase in demand from the future population of the Scone and Aberdeen townships.

This Section 94 Plan has adopted a standard of 0.5 ha per 1000 residents for local/neighbourhood open space.

Accordingly, new residential related development that is located within the R1, R5, B2 and B4 land use zones in or within 10 kilometres radius of the Scone and Aberdeen townships will be required to contribute towards local/neighbourhood open space with the following characteristics:

- the land must have a size and shape to enable it to be safely and efficiently used as a local or neighbourhood park;
- have significant frontages to public roads or other public places;
- have an area not less than 5,000 square metres in area;
- have a minimum width of 50 metres;
- where appropriate, connect to or adjoin an existing or proposed open space network, and
- embellished with seating, pathways, playground, shade and landscaping to council's standards to ensure it is suitable for use by the local community.

Council aims to locate local open space within 500 m of each dwelling. In the case of large subdivisions, it may be appropriate to locate the local open space on site. For other developments, including rural residential development, a contribution towards land acquisition and development is likely to be more appropriate, including increasing the capacity of district level facilities within the townships.

The location of the parkland to serve the St Aubin's residential development has not yet been determined, and may involve a mixture of new facilities on-site or upgrading the capacity of nearby existing facilities if appropriate.

The Open Space and Recreation Needs Study was undertaken in 2014/5 and involved research, community consultation, as well as data gathering and analysis. A prioritised set of recommended works and initiatives was developed as part of the Plan. This open space and recreation items shown in this Section 94 Plan reflect the recommendations of this Study. Many of the recommendations of the Study are focussed on improving the capacity of existing infrastructure, and improving the links between areas of open space so they act as complementary co components of a network. An important part of this cost effective strategy is the development of safe walking and cycling links between the parks that comprise the open space network. In order to achieve this objective where relevant, several recommendations of the Upper Hunter Bike Plan 2015 have been included in this Section 94 Plan below and Appendix 7 under "Transport".

Land dedicated to open space in a development is not necessarily limited by the requirements of this Section 94 Plan. Land may be zoned open space for topographic, ecological, geotechnical, heritage, buffer or other reasons and not necessarily to meet local open space requirements. Such land should not be regarded as accruing a "credit" against other Section 94 contribution requirements.

5.3. Facilities Strategy

A summary of proposed transport works for which contributions are sought through this Plan, and their costs is provided below and in the attached Works Schedule.

5.4. Apportionment

The apportionment of costs is expressed on a per capita basis. Contributions have been determined by apportioning the per person cost of providing a specific facility relative to the catchment size of that facility.

For works that benefit the whole of Scone and Aberdeen townships (such as improved access to an area of open space) a contribution has been determined by apportioning the cost across the projected population of the Scone and Aberdeen townships in 2026.

For works that improve the capacity of a facility to cater for the incoming population a contribution has been determined by apportioning the cost on the basis of population growth between 2011 and 2026 land.

For neighbourhood parkland the cost is apportioned across a benchmark standard of 0.5 ha of local parkland per 1,000 residents. This is a generally accepted benchmark standard for the provision of neighbourhood open space facilities, such as playgrounds.

5.5. Calculation of Contribution

5.5.1. 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. In the case of local parkland, a land component is included. Further details are supplied in Appendix 5.

For the expected growth in the townships and their immediate surrounds by 2026, the following facilities and capacity improvements will be required (see table over page)

Table 6: Recreation and Open Space Facilities and Apportionment

Facility	Total Cost including Section 94	Benefiting population	Applies to	Apportionment
Scone- Bill Rose sports Complex formalise car park/ upgrade drainage to increase capacity (Rec Plan 1.12)	\$70,000	Growth, i.e. 750 people	New residential dwellings/lots	$\$70,000/750 = \93.33 per person
Scone Park Upgrade the skate park and outdoor basketball court (Rec Plan 1.18)	\$100,000	Growth, i.e. 750 people	New residential dwellings/lots	$\$100,000/750 = \133.33 per person
Scone- Bill Rose Sports Complex- informal recreation/fitness/walking loop (Rec Plan 1.14)	\$150,000	Townships, i.e. 7667 people	New residential dwellings/lots	$\$150,000/7667 = \19.56 per person
Jefferson Park Aberdeen Develop a section of the Park as a neighbourhood destination park. (Rec Plan 1.23)	\$200,000	Townships, i.e. 7667 people	New residential dwellings/lots	$\$200,000/7667 = \26.09 per person
Playgrounds/ Neighbourhood Park	\$150,000 embellishment	Growth per 1000 people	New residential dwellings/lots	$\$310000/1000 = \310 per person
Neighbourhood Parkland cost	Cost of land	Growth per 1000 people	St Aubins Estate as identified in Part 13a of the Upper Hunter Development Control Plan 2015.	5 sq m per person
Total	\$520,000 not including neighbourhood parkland			

Contributions per person for the Recreation and Open Space component are calculated as follows:

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

where:

$$\begin{aligned} C &= \text{the cost of recreation and open space facilities} \\ P &= \text{benefiting no. of people} \end{aligned}$$

Depending on the nature of the facility, the population benefiting from the facilities is either the projected increase in the population of Scone and Aberdeen townships and their immediate surrounds by 2026, namely 750 people, or the projected population of the townships in 2026, namely 7667 people.

The contribution per dwelling is determined by multiplying the contribution per person by the assumed average household occupancy rates identified in Appendix 1. Contribution per lot is determined by multiplying the contribution per person by the assumed average household occupancy rate of 3.0 persons.

5.6. Calculation of per lot contribution:

The contributions for Recreation and Open Space are calculated as follows.

Table 7: Recreation and Open Space Facilities and Contributions

Item	Cost	Benefiting population in 2026	Contribution per person	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
Scone- Bill Rose sports Complex formalise car park/ upgrade drainage to increase capacity (Rec Plan 1.12)	\$70,000	Growth, i.e. 750 people	\$93.33	\$140.00	\$186.67	\$280.00
Scone Park Upgrade the skate park and outdoor basketball court (Rec Plan 1.18)	\$100,000	Growth, i.e. 750 people	\$133.33	\$200.00	\$266.67	\$400.00
Scone- Bill Rose Sports Complex- informal recreation/fitness/walking loop (Rec Plan 1.14)	\$150,000	Townships, i.e. 7667 people	\$19.56	\$29.35	\$39.13	\$58.69
Jefferson Park Aberdeen Develop a section of the Park as a neighbourhood destination park. (Rec Plan 1.23)	\$200,000	Townships, i.e. 7667 people	\$26.09	\$39.13	\$52.17	\$78.26
Local parkland embellishment	\$150,000	Growth per 1000 people	\$150.00	\$225.00	\$300.00	\$450.00
Local parkland land cost	Land cost	Growth per 1000 people. Applies to St Aubins Estate as identified in Part 13a of the Upper Hunter DCP only	TBD	TBD	TBD	TBD
Recreation and Open Space subtotal			\$422.32	\$633.48	\$844.63	\$1,266.95

Table 8: Recreation and Open Space contributions summary

Contributions Area	Contribution per person	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
New residential related development in the R1, R5, B2 and B4 in the Scone and Aberdeen townships and surrounds (see maps at Appendix 3 and Appendix 4)	\$422.32	\$633.48	\$844.63	\$1,266.95

Note: additional neighbourhood park land contribution applies at St Aubins Estate as identified in Part 13a of the Upper Hunter Development Control Plan.

6. COMMUNITY AND CULTURAL FACILITIES

6.1. Introduction

Upper Hunter Shire Council supports community and cultural facilities in its local community because of the important role they play in encouraging community interaction, development and wellbeing.

Council has undertaken significant work in order to determine the requirements to cater of the future population of the Shire population. The findings of these investigations have been outlined in such documents as the Council's Community Strategic Plan, and translated into the community and cultural facilities works schedules of this Plan.

As the population increases, additional demand is placed on existing facilities and services as well as creating demand for new amenities.

Scone and Aberdeen are well established townships and have a range of reasonably well developed community and cultural facilities and services to which all residents have access.

Where possible, under this Plan Council will seek to maintain this level of service to the future population.

The key documents supporting these works are identified below:

- Upper Hunter Shire Community Strategic Plan 2013-2023 Upper Hunter Shire Council (2013)
- Council Delivery Plan and Operational Plan 2015-2016 Upper Hunter Shire Council (2014)
- Council Long Term Financial Plan 2015-2025 Upper Hunter Shire Council (2015)
- Upper Hunter Shire Land Use Strategy.

6.2. Nexus

Council provides a network of community facilities generally to meet the needs of the current population. Council is committed to providing additional capacity in community facilities to meet the needs of the incoming population as a result of growth of the townships.

Facilities provided for within this Plan are consistent with the Activity Objectives of the Council's Community Strategic Plan (CSP) including:

- CSP Activity Objective: To provide approved quality rated children's services that promote a healthy, fun, safe and caring environment and will achieve approved learning outcomes for children.
- CSP Activity Objective: Resource, mentor and support Youth Services and groups including; Merriwa Youth Centre, Murrurundi Youth Centre, Scone Youth Centre and Upper Hunter Youth Council. To provide and maintain youth facilities in the Shire encouraging youth input into planning.
- CSP Activity Objective: To provide an effective accessible library service for recreational and informational needs of the residents of the Upper Hunter Shire

6.3. Facilities Strategy

The town centres of Scone and Aberdeen are projected to be the growth areas of Upper Hunter Shire. Each township has a range of community facilities. Because Scone is a large centre it has a more comprehensive range of facilities than Aberdeen. The facilities strategy is based on expanding the capacity of existing facilities to meet the needs of growth wherever possible, rather than constructing new facilities. This ensures the most cost effective outcome and recognises the role of the existing facilities in the community.

A summary of proposed community and cultural facilities works for which contributions are sought through this Plan, and their costs is provided below, and in the attached Works Schedule.

6.4. Apportionment

This Plan adopts the approach of levying contributions based on demand for facilities generated by increased population of the townships in 2026. Contributions have been determined by apportioning the per person cost of improving the capacity of a specific facility to meet the need generated by population growth from new development.

By determining a per capita contribution based on the increased population of Upper Hunter Shire in 2026, it is possible to ensure that the demand generated by development contributes to the cost of the capacity improvements in facilities in proportion to its population.

Table 9: Community and Cultural Facilities and Apportionment

Facility	Cost	Benefiting population	Applies to	Apportionment
Early childhood centre Scone- increase capacity	\$60,000	Growth, i.e. 750 people	New residential dwellings/lots	\$60,000/750 = \$80.00 per person
Youth Centre Scone- increase capacity	\$30,000	Growth, i.e. 750 people	New residential dwellings/lots	\$30,000/750 = \$40.00 per person
Scone library - increase capacity	\$40,000	Growth, i.e. 750 people	New residential dwellings/lots	\$40,000/750 = \$53.33 per person
Aberdeen Library- increase capacity	\$30,000	Growth, i.e. 750 people	New residential dwellings/lots	\$30,000/750 = \$40.00 per person

6.5. Calculation of Contribution

The contribution formula for community and cultural facilities component is:

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

where:

$$\begin{aligned} C &= \text{the cost of cultural and community facilities} \\ P &= \text{benefiting no. of people} \end{aligned}$$

In this case the population benefiting from the facilities is the projected increase in the population of Scone and Aberdeen townships and their immediate surrounds by 2026, namely 750 people.

The contribution per dwelling is determined by multiplying the contribution per person by the assumed average household occupancy rates identified in Appendix 1. Contribution per lot is determined by multiplying the contribution per person by the assumed average household occupancy rate of 3.0 persons.

6.6. Calculation of per lot contribution:

The contributions for Community and Cultural Facilities are calculated as follows.

Table 10: Community and Cultural Facilities and Contributions

Item	Cost	Benefiting population in 2026	Contribution per person	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
Early childhood centre Scone- increase capacity	\$60,000	Growth, i.e. 750 people	\$80.00	\$120.00	\$160.00	\$240.00
Youth Centre Scone - increase capacity	\$30,000	Growth, i.e. 750 people	\$40.00	\$60.00	\$80.00	\$120.00
Scone library - increase capacity	\$40,000	Growth, i.e. 750 people	\$53.33	\$80.00	\$106.67	\$160.00
Aberdeen Library- upgrade to increase capacity	\$30,000	Growth, i.e. 750 people	\$40.00	\$60.00	\$80.00	\$120.00
Community and Cultural Subtotal	\$160,000		\$213.33	\$320.00	\$426.67	\$640.00

Table 11: Community and Cultural Facilities Contributions Summary

Contributions Area	Contribution per person	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
New residential related development in the R1, R5, B2 and B4 zones of Scone and Aberdeen townships and surrounds (see maps at Appendix 3 and Appendix 4)	\$213.33	\$320.00	\$426.67	\$640.00

7. TRANSPORT

7.1. Introduction

The transport facilities provided for in this Plan are required to meet the increase in transport needs from new development within the identified Contributions Areas.

The key documents supporting these works are identified below:

- Upper Hunter Shire Community Strategic Plan 2013-2023 Upper Hunter Shire Council (2013)
- Council Delivery Plan and Operational Plan 2015-2016 Upper Hunter Shire Council (2014)
- Council Long Term Financial Plan 2015-2025 Upper Hunter Shire Council (2015)
- Upper Hunter Shire Land Use Strategy.
- Upper Hunter Bike Plan 2015

7.2. Nexus

Facilities provided for within this Plan are consistent with the Activity Objectives of the Council's Community Strategic Plan (CSP) including:

- CSP Activity Objective: Provide and maintain a cycleway / footpath network that will contribute to the accessibility, safety and amenity of streets in Council's towns and villages.
- CSP Strategic Goal: Provide a cycleway / footpath network to all high traffic areas such as hospitals, nursing homes, schools.
- CSP Activity Objective: Provide for replacement and improvement of community infrastructure through best practice and risk management.
- CSP Activity Description: Determine pavement rehabilitation works on a priority basis using asset management principles.
- CSP Activity Description: Reduce reactive maintenance costs by utilising proactive preventative maintenance practices and timely road surface renewal.

The Upper Hunter Shire Bike Plan identified improvements to the network of pedestrian and cycle paths in Scone and Aberdeen townships in order to cater for the existing and future population of the towns and the immediate surrounding areas. Accordingly, the cost of this additional infrastructure has been apportioned across the projected population of the towns in 2026.

The Bike Plan was produced following background research, community consultation, site inspections, a network audit and analysis. The Bike Plan determined that the existing cycleway network in the towns needed to be upgraded to meet the need arising from growth. It focused on improving the existing network to better link to important destinations and to connect existing open space to improve access and to permit the complementary roles of various parks and sportsfields to be utilised more effectively.

To address these issues, the most important factors provided for within this Plan relate to

- Improving cyclist safety and connectivity of cycle paths;
- Upgrading existing footpaths to provide shared footpath/cycleways;
- Construct new shared footpath/cycleways where required, and
- Extend existing shared footpaths/cycleways where appropriate.

The beneficiaries of the improvements in bicycle infrastructure will be the existing and anticipated population of the Scone and Aberdeen townships and the immediate surrounding areas. Accordingly, the cost of the improvements to infrastructure that have been included in this Contribution Plan have been apportioned across the projected population of the townships in 2026, respectively.

A contribution is sought in circumstances where a new commercial development located within the B2 or B4 land use zone in Aberdeen or Scone does not provide sufficient on site car parking required under the provisions of Council's Development Control Plan. The standards in Council's Development Control Plan have been set following research of current practice and are reflective of industry standards.

A contribution is sought in the case of development that generates significant heavy haulage vehicle movements. It is well documented that heavy vehicles accelerate the deterioration of road surfaces, and lead to a requirement for more frequent and expensive remediation and maintenance works if road service standards are to be maintained. Accordingly, such developments may be required to contribute towards the costs of the resultant higher maintenance regime.

7.3. Facilities Strategy

A summary of proposed transport works for which contributions are sought through this Plan, and their costs is provided in the attached Works Schedule.

7.4. Apportionment

The transport works detailed in this plan have been designed to meet the demands of the future development of Scone and Aberdeen townships and the immediate surrounding areas.

In relation to residential development apportionment of costs is expressed on a per capita basis. Contributions have been determined by apportioning the per person cost of providing a specific facility relative to the catchment size of that facility.

In relation to car parking and heavy vehicle haulage contributions, the contribution rate has been calculated solely on the demand attributable to a proposed development, and as a result no apportionment has been applied.

7.5. Calculation of Contribution

7.5.1. Residential development

The estimated capital costs for the proposed works were prepared by Upper Hunter Shire Council on the basis of Council's standard rates for construction. The table below shows the transport works for which a Section 94 contribution is being levied.

The contribution formula for the transport component is:

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

where:

$$\begin{aligned} C &= \text{the cost of transport facilities} \\ P &= \text{benefiting no. of people} \end{aligned}$$

Table 12: Transport Facilities and Contributions

	Cost	Benefiting population in 2026	Contribution per person	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
Extend the existing footpath on Hill Street up to Susan Street Bike Plan 1.1	\$120,000	7667	\$15.65	\$23	\$31	\$47
Construct a new footpath along Susan Street from Aberdeen Street Bike Plan 1.2	\$157,500	7667	\$20.54	\$31	\$41	\$62
Extend the existing bike path down Wingen Street to Kingdon Street. The Bike Path will end at Bill Rose Sports Complex Bike Plan 1.3 and continue on as a footpath	\$150,000	7667	\$19.56	\$29	\$39	\$59
Develop a sealed shared-use path around Bill Rose Sports Complex Bike Plan 1.5	\$480,000	7667	\$62.61	\$94	\$125	\$188
Extend the existing footpath on Gundy Road to Bhima Drive Bike Plan 1.6	\$262,500	7667	\$34.24	\$51	\$68	\$103

	Cost	Benefiting population in 2026	Contribution per person	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
Extend the existing cycleways on Bunnan Rd and install relevant cyclist and road safety signage Bike Plan 1.8	\$450,000	7667	\$58.69	\$88	\$117	\$176
Extend the existing cycleways Moobi Road and install relevant cyclist and road safety signage Bike Plan 1.8	\$375,000	7667	\$48.91	\$73	\$98	\$147
Extend the existing footpath on the western side of MacQueen Street north to Jefferson Park and Riverside Park, this will also connect Dangar and Taylor Park Bike Plan 1.11	\$75,000	7667	\$9.78	\$15	\$20	\$29
Extend footpath on Segenhoe Street north towards MacQueen Street and south to St Andrew Street Bike Plan 1.12	\$226,000	7667	\$29.48	\$44	\$59	\$88
Construct a new footpath or bike path down Graeme Street, starting at Campbell Street and continuing across the railway line to Segenhoe Street Bike Plan 1.13	\$412,500	7667	\$53.80	\$81	\$108	\$161
Investigate the development of an off-road shared path around Jefferson Park, with the potential to link to St Andrew Reserve Bike Plan 1.14	\$600,000	7667	\$78.26	\$117	\$157	\$235
Total	\$3,308,500		\$432	\$647	\$863	\$1,295

Table 13: Residential related transport facilities contributions summary

Contribution Type	Per Person	One Bedroom Dwelling	Two Bedroom Dwelling	Three Bedroom (+) Dwelling / Lot
Transport Infrastructure	\$431.52	\$647.29	\$863.05	\$1,294.57

7.5.2. Car Parking

The purpose of this provision is to ensure that there is a continuing adequate supply of car parking spaces in the town centres of Scone and Aberdeen.

Council has a long standing policy of ensuring sufficient car parking is provided to serve the needs of the town centres of Scone and Aberdeen. Should a new development be unable to provide sufficient car parking to meet the calculated demand for car parking according Council's Development Control Plan, a financial contribution may be sought towards the cost of increasing the availability of car parking in the relevant town centre.

This contribution is calculated on the cost of providing sufficient land for one car parking space and the associated as well as the cost of constructing a sealed car parking space with relevant infrastructure such as drainage. The cost has been calculated by the Upper Hunter Shire Council on the basis of Council's standard rates for construction.

On the basis of a car park 2.6m x 5.5 m in dimension, a standard car park is 13 square metres in size. Using the rating value (which reflects the unimproved capital value of land as determined by the NSW Valuer General) of a representative sample of commercial properties in the Scone Town Centre, the Upper Hunter Shire Council has determined a value of \$143.95 per square metre or \$2,058.49 for a 13 square metre car space. The Council has also calculated that on the basis of typical works of a similar nature undertaken in the Scone Town Centre a car parking space would cost \$7,000 to construct, including related infrastructure such as drainage.

As a result, a contribution cost of \$9,058.49 per space has been determined to apply at a rate of one space per car parking space deficiency in a development as shown in Table 14.

Table 14: Car Parking Commercial Development Deficiency Contributions

Contribution Type	Per Space
Car parking	\$9,058.69

7.5.3. Heavy haulage vehicle dependent industries

The purpose of this provision is to provide for contributions towards undertaking works that are required as a result of the impact of heavy haulage vehicles on the local road system.

Council has an asset management program that aims to maintain the local road system at an adequate level of service.

Developments that involve the increase movement of heavy haulage vehicles have a significant negative impact on the condition of the road surface relative to their proportional levels of usage. Developments, such as extractive industries and concrete batching plants, can lead to high volumes of heavy vehicles traversing local roads which as a result require a higher level of maintenance than would otherwise be the case. If additional funds are not available to fund the higher level of maintenance, the community will be disadvantaged because of the diversion of these funds from other purposes, alternatively, the condition of the road could be allowed to deteriorate reducing community amenity and increasing Council's liability for events resulting from the road being in poor condition.

Accordingly, this Plan seeks to levy contributions from development with significant heavy haulage vehicle movements on Council roads to offset the costs to Council of the increased level of maintenance required on roads impacted by the heavy haulage vehicle movements.

The extent of this higher level of maintenance is proportional to the amount and nature of the heavy haulage vehicle traffic using the specific road. Accordingly, this Plan provides for new development that will generate

significant heavy haulage vehicle movements to provide a contribution based on the weight and distance travelled by the heavy haulage vehicles on Council's roads.

The Plan considers two costs associated with heavy haulage vehicle movements:

- Routine maintenance, such as patching, sign replacement, potholes and so on, and
- Asset rehabilitation, taking into account the shortened period of time between road rehabilitation works as a result of frequent heavy vehicle movements

Council has calculated the following costs of maintaining road surfaces over their assumed design life with reference to the type of road involved.

- Rehabilitation:
 - Regional sealed pavement rehabilitation;
 - Rural sealed pavement rehabilitation, and
 - Unsealed pavement rehabilitation;
- Reseals
 - Maintenance reseal (i.e. regional and local roads)
- Maintenance
 - Annual routine maintenance, and
 - Heavy patching or stabilisation of selected sections.

A traffic generating development will be required to contribute a proportion of all of the above costs based upon the heavy vehicle Equivalent Standard Axle (ESA) impact on the regional or local road used by the heavy vehicles in question, within a given period of time. Developments will be required to regularly report their haulage tonnages and the types of vehicles involved, in order for these costs to be accurately determined.

Appendix 9 provides details of the calculations and assumptions underlying the contribution to be paid by developments utilising heavy vehicle haulage.

The calculations will be done on a case by case basis in order to ensure a fair and equitable contribution amount for all relevant developments.

Table 15: Heavy Haulage Vehicle Movement Generating Development Contribution Summary

Contribution Type	Annual cost per tonne/kilometre/
Extractive Industry and other heavy vehicle dependent industries	Calculated on a case by case by as per Appendix 9

8. PLAN ADMINISTRATION

8.1. Nexus

The preparation and administration of a Section 94 plan requires resources. Council employs staff to undertake the financial accounting of contributions, and implement the Plan and its works. In addition, consultant studies and specialist advice (e.g. legal and valuation) are obtained to assist with Plan preparation, management and review.

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

8.2. 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 that are 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 (e.g. planning and engineering specialists) to carry out studies.

8.3. Calculation of Contribution

The estimated cost of Council staff and specialist consulting assistance in the preparation, implementation, management and administration of this Plan is:

Table 16: Plan Preparation and Management Details

Description	Cost
Development contributions study and plan establishment costs (consultant fees)	\$15,000
Plan establishment costs (Council staff)	\$10,000
Receipting of contributions, keeping of records, planning agreement negotiations, reporting on plan progress throughout Plan's life, making plan amendments (\$5,000 per annum)	\$50,000
Total plan management and administration costs	\$75,000

The contribution formula for Plan management and administration for residential (R1 and R5 zone) areas is:

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

Where:

$$\begin{aligned} C &= \text{the cost of plan management and administration} \\ P &= \text{benefiting no. of people} \end{aligned}$$

$$= \frac{\$75,000}{750}$$

$$= \$100.00 \text{ per person}$$

In the case of Car Parking and Heavy Vehicle Haulage Contributions an amount equivalent to 2% of the calculated contribution applies.

Contributions that apply for plan management and administration.

Table 17: Plan Preparation and Management Contributions

Contributions Area	Contribution	Contribution per 1 bedroom	Contribution per 2 bedroom	Contribution per 3 bedroom/ per lot
Plan Management Administration R1 and R5 zones	\$9.78 per person	\$14.67	\$19.56	\$29.35
Plan Management Administration- Car Parking and Heavy Vehicle Haulage	1% of the calculated contribution	-	-	-

Appendix 1: Population Characteristics

Upper Hunter Shire LGA had a population of 13,753 in 2011, an increase on its 2006 population of 12,976. Most residential growth occurred in Scone and Aberdeen townships, which had a population of 5,080 and 1,837 respectively in 2011 (ABS “urban centre” spatial definition)

Important characteristics of Upper Hunter Shire LGA (ABS census 2011) are

- Aberdeen has a higher proportion of children under 14 years of age (23.6%) and Scone the same proportion (20.6%) compared with NSW (20.6%) overall
- Aberdeen has a lower proportion of older people 65+ year old (12.5%), and Scone a higher proportion compared with NSW at 15.8% overall.
- Aberdeen has a higher mean personal, family and household income than NSW overall and Scone has a higher mean personal and family income but a lower median household income than NSW overall.
- It has a lower proportion of couples with children and one parent families, and higher proportions of couples without children and lone person households, than NSW overall or regional NSW.
- Aberdeen has a household size of 2.5 people per household and in Scone 2.4 people per household, although newer residential areas generally have an occupancy rate of 3.0 because they tend to be occupied by younger family groups.
- It is relatively culturally homogeneous and has a higher proportion of people born in Australia than NSW overall or regional NSW.
- A higher proportion of detached houses and a lower proportion of attached dwellings than NSW overall

Projections indicate that the proportion of the population aged over 65 years will continue to increase with a forecast reduction in the proportion of youth and children.

Notwithstanding the general population characteristics and projections for Upper Hunter Shire LGA, it is anticipated that new residential areas and rural residential areas will continue to attract family households that are younger than the general population.

As a result, these growth localities are likely to have a higher proportion of children, a lower average age, a higher portion of couples with children, larger household size (occupancy rate), and higher incomes than the LGA in general. The higher household income is a result of the likelihood of more households having two adults in the workforce compared with the overall LGA. Older cheaper housing in the existing urban area is also likely to attract those with lower incomes.

On the basis of past and projected figures, the following occupancy rates on a per bedroom basis for new dwellings have been used for the purposes of this Plan:

Dwelling Type	Number of Persons
One Bedroom	1.5
Two Bedroom	2.0
Three (+) Bedroom or Per Lot	3.0

Population Projections

Dwelling commencement and approvals data for the dwellings over 5 years from 2009 to 2015 indicates that the production of new dwellings has been volatile from year to year, although an upward trend is evident. However, in production of dwellings is heavily influenced by the growth of the coal mining industry as well as rural and agricultural production and associated facilities. Recent figures indicate a downturn in dwelling production due to a decline in the construction of coal mining infrastructure and production cutbacks in some

mines. It is considered that while dwelling production is likely to be at a lower level than pre 2014/5, the number of dwellings in Aberdeen and Scone will continue to increase as a result of underlying demand.

Population projections for the Upper Hunter LGA were produced by the Department of Planning and Environment in 2014, based on demographic and economic trends, local and regional conditions and the availability of development land.

These figures indicate that the population of the Upper Hunter LGA will increase by 1250 residents from 2011 to 2026, or during the life of this Section 94 Plan from 2016 to 2026 by 750 residents.

Projected residents in new dwellings to 2031

	2011	2016	2021	2026	2031
DoPE	14,200	14,700	15,100	15,450	15,750

These figures have been used as the basis for this Plan.

The draft Upper Hunter Land Use Situation Analysis and Land Use Strategy (City Plan 2015 for Upper Hunter Shire Council) used the Department of Planning and Environment 2014 projections and an analysis of dwelling approvals and completions to project the number of new dwellings in the Shire as around 50 per year with 30-40 expected in urban areas, mainly in Aberdeen and Scone to estimate the likely future production of dwellings in Aberdeen and Scone.

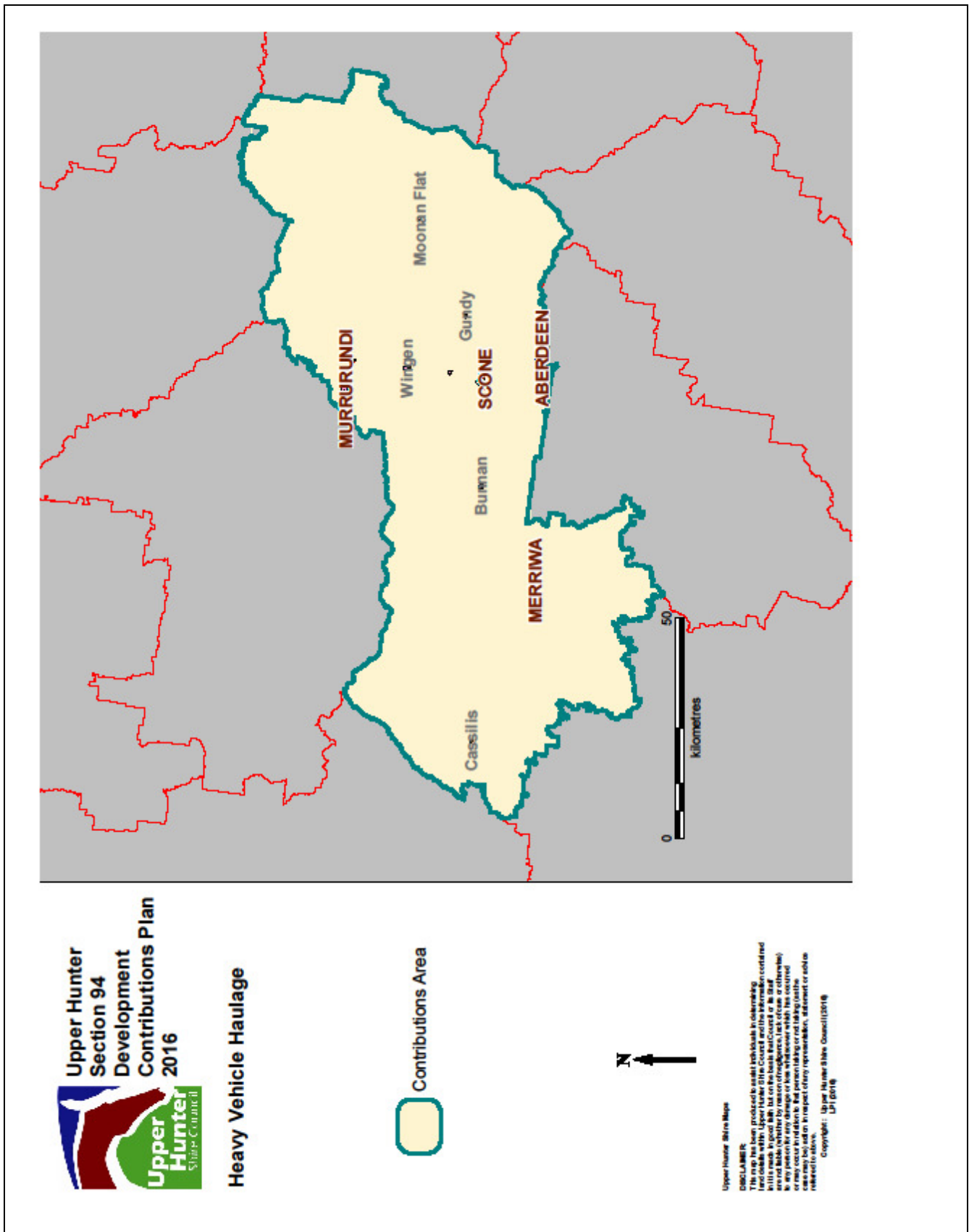
	Additional dwellings /year 2016-2021	Additional dwellings /year 2021-2026	Total additional dwellings 2016-2026
Scone Planning area	31	25	280
Aberdeen Planning Area	9	7	80

It should be noted that some of these dwellings will replace existing dwellings in the case of medium density redevelopment of sites, and that the actual number of residents of the towns will be less than that inferred by the number of additional dwellings because of a decline in the household occupancy (occupancy rate) of existing dwellings due to ageing of the population.

While dwelling production will occur in other centres in the Upper Hunter LGA, it is considered that population growth in these centres will be low, due to a decline in occupancy rates in existing housing (largely due to ageing of the population), economic pressure faced by the towns, and centralisation of government services. Furthermore, if population growth occurs in these centres it is likely to be offset by the continuing decline in population of the surrounding rural centres.

For the purposes of this Plan it has been assumed that all net population growth in Upper Hunter LGA between 2016 and 2026 will occur in Aberdeen and Scone. The population of the LGA is projected to grow by 750 people from a total of 14,700 in 2016 to 15,450 in 2026. Therefore, for the purposes of this Plan is assumed that the combined population of the urban localities of Aberdeen and Scone will grow by 750 people from 6917 in 2016 to 7667 in 2026.

Appendix 2: Map of Local Government Area

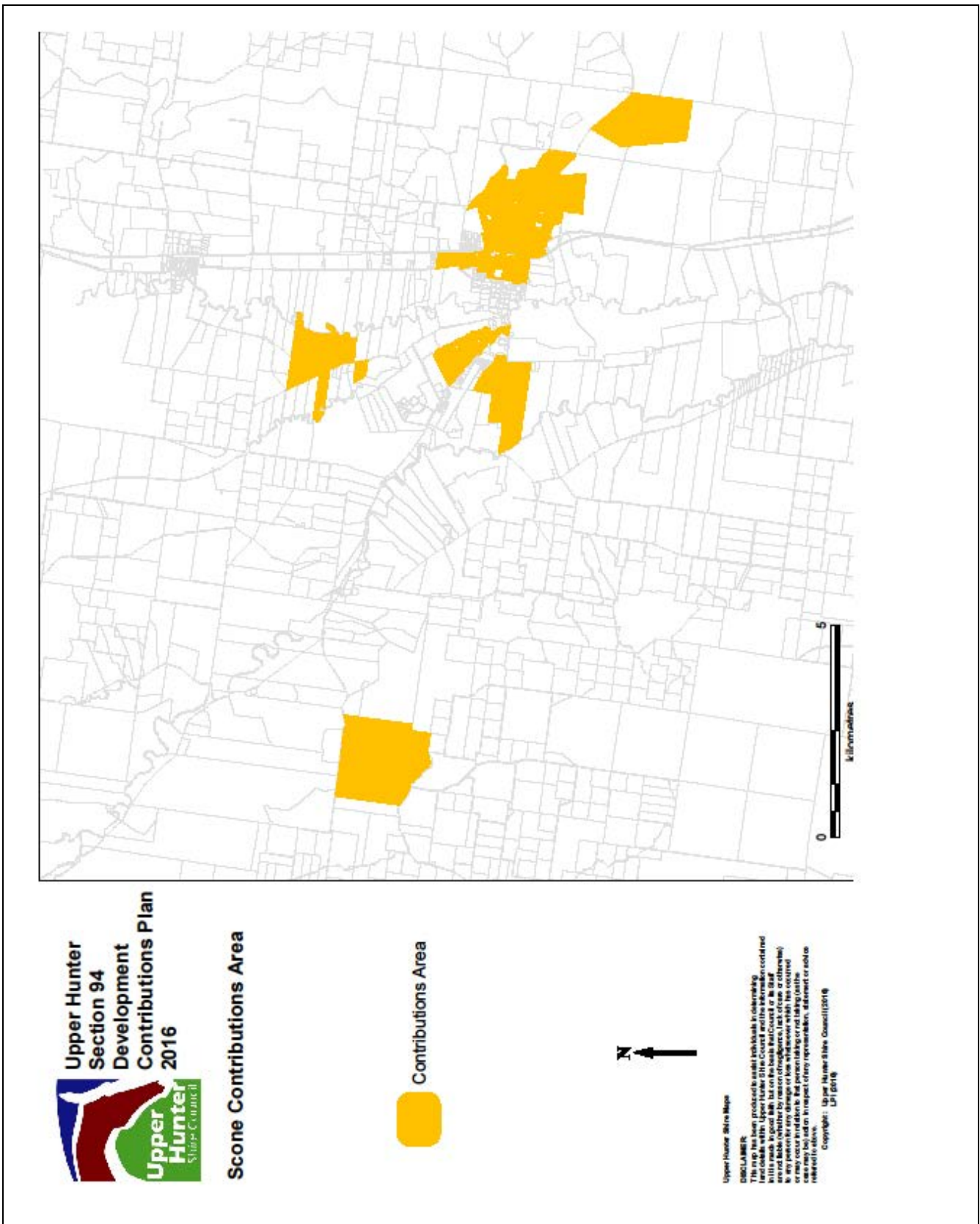


Heavy Vehicle Haulage

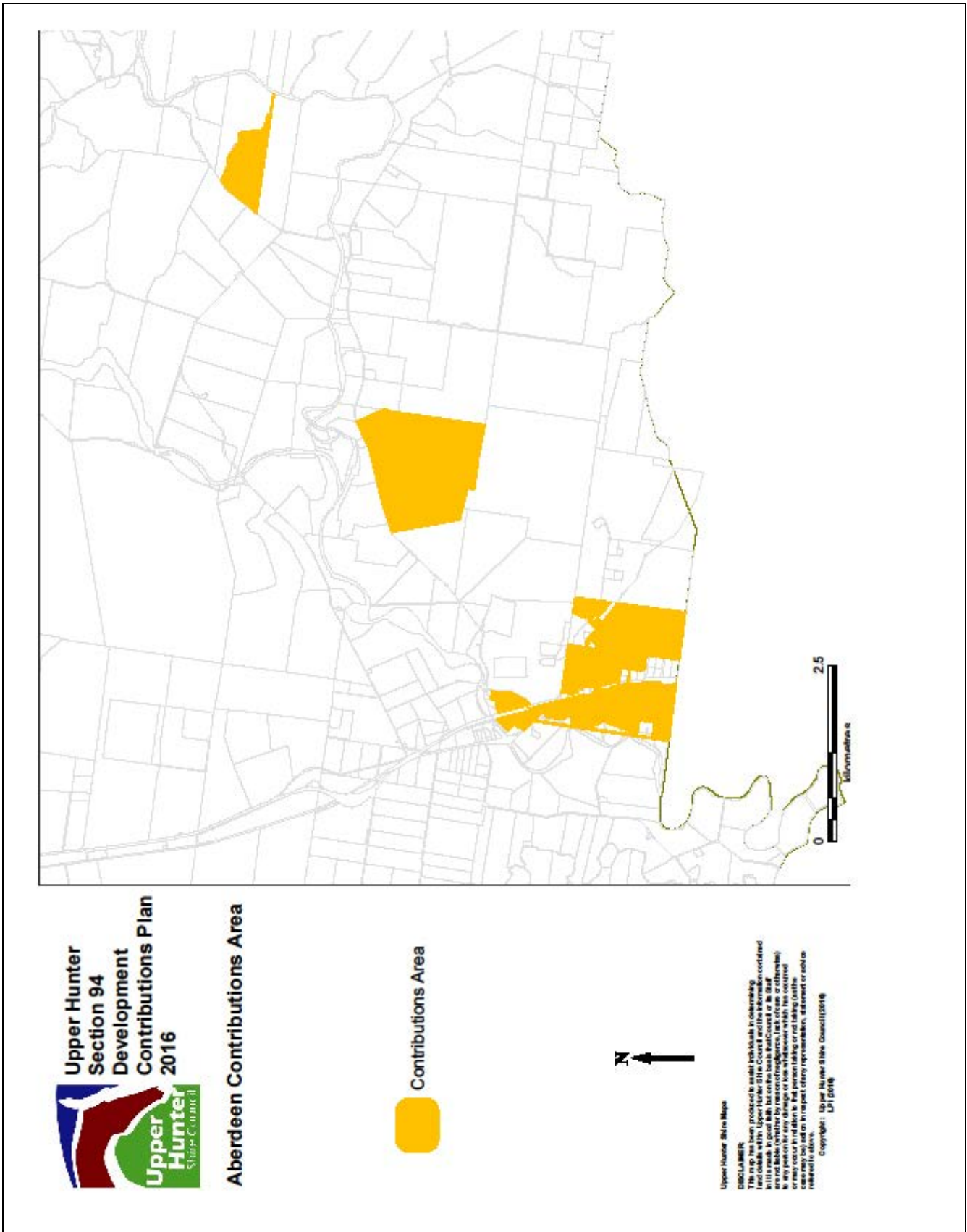


Upper Hunter Shire Maps
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Appendix 3: Map of Scone Contributions Area



Appendix 4: Map of Aberdeen Contributions Area



Appendix 5: Recreation and Open Space Facilities Work Schedule

Map	Project	Apportioned Capital Cost \$	Est. Land Cost \$	Council/ Other Cost	Total Cost	Timing Priority
1	Scone- Bill Rose sports Complex formalise car park/ upgrade drainage to increase capacity (Rec Plan 1.12)	\$70,000.00	Provided by Council	\$0.00	\$70,000.00	Medium
2	Scone Park Upgrade the skate park and outdoor basketball court (Rec Plan 1.18)	\$100,000.00	Provided by Council	\$0.00	\$100,000.00	High
3	Scone- Bill Rose Sports Complex- informal recreation/fitness/walking loop (Rec Plan 1.14)	\$14,673.28	Provided by Council	\$135,326.72	\$150,000.00	Medium
4	Jefferson Park Aberdeen Develop a section of the Park as a neighbourhood destination park. (Rec Plan 1.23)	\$19,564.37	Provided by Council	\$180,435.63	\$200,000.00	Low
5	Local parkland embellishment per park	\$150,000.00		\$0.00	\$150,000.00	High
6	Local parkland land cost per park (St Aubins only)	TBD		\$0.00	TBD	Low
	TOTAL	\$354,237.65		\$369,893.05	\$670,000.00	

Notes:

1. Based on a standard of 1 playground per 1,000 residents. Local park area 5,000 sq m.
2. Apportioned 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 cost of augmentation or provision of a complete facility to be funded by Council/Other contributors/grants etc., as each case determines.
4. Timing is the anticipated delivery date for the provision of the relevant infrastructure.

Appendix 6: Civic and Community Facilities Work Schedule

Map	Service/Facilities	Apportioned Capital Cost \$	Est. Land Cost \$	Council/ Other Cost	Total Cost	Timing priority
7	Early childhood centre Scone- increase capacity	\$60,000	Provided by Council	\$0.00	\$60,000	High
8	Youth Centre Scone- increase capacity	\$30,000	Provided by Council	\$0.00	\$30,000	High
9	Scone library outdoor reading area to increase capacity	\$40,000	Provided by Council	\$0.00	\$40,000	Medium
10	Aberdeen Library- upgrade to increase capacity	\$30,000	Provided by Council	\$0.00	\$30,000	Low
	TOTAL	\$160,000		\$0.00	\$160,000	

Notes:

1. Apportioned capital cost is the apportioned cost to be funded under this Plan by Section 94 Contributions.
2. Council/other cost is the proportion of the total cost of augmentation or provision of a complete facility to be funded by Council/Other contributors/grants etc., as each case determines.
3. Timing is the anticipated delivery date the threshold for the provision of the relevant infrastructure

Appendix 7: Transport Facilities Work Schedule

Residential development

Map	Service/Facilities	Apportioned Capital Cost \$	Est. Land Cost \$	Council/Other Cost	Total Cost	Timing
11	Extend the existing footpath on Hill Street up to Susan Street Bike Plan 1.1	\$11,738.62	Provided by Council	\$108,261.38	\$120,000	Low
12	Construct a new footpath along Susan Street from Aberdeen Street Bike Plan 1.2	\$15,406.94	Provided by Council	\$142,093.06	\$157,500	Low
13	Extend the existing bike path down Wingen Street to Kingdon Street. The Bike Path will end at Bill Rose Sports Complex Bike Plan 1.3 and continue on as a footpath	\$14,673.28	Provided by Council	\$135,326.72	\$150,000	Low
14	Develop a sealed shared-use path around Bill Rose Sports Complex Bike Plan 1.5	\$46,954.48	Provided by Council	\$433,045.52	\$480,000	Medium
15	Extend the existing footpath on Gundy Road to Bhima Drive Bike Plan 1.6	\$25,678.23	Provided by Council	\$236,821.77	\$262,500	High
16	Extend the existing cycleways on Bunnan Rd and install relevant cyclist and road safety signage Bike Plan 1.8	\$44,019.83	Provided by Council	\$405,980.17	\$450,000	High
17	Extend the existing cycleways Moobi Road and install relevant cyclist and road safety signage Bike Plan 1.8	\$36,683.19	Provided by Council	\$338,316.81	\$375,000	High
18	Extend the existing footpath on the western side of MacQueen Street north to Jefferson Park and Riverside Park, this will also connect Dangar and Taylor Park Bike Plan 1.11	\$7,336.64	Provided by Council	\$67,663.36	\$75,000	High
19	Extend footpath on Segenhoe Street north towards MacQueen Street and south to St Andrew Street Bike Plan 1.12	\$22,107.73	Provided by Council	\$203,892.27	\$226,000	Medium
20	Construct a new footpath or bike path down Graeme Street, starting at Campbell Street and continuing across the railway line to Segenhoe Street Bike Plan 1.13	\$40,351.51	Provided by Council	\$372,148.49	\$412,500	Medium
21	Investigate the development of an off-road shared path around Jefferson Park, with the potential to link to St Andrew Reserve Bike Plan 1.14	\$58,693.10	Provided by Council	\$541,306.90	\$600,000	Low
	TOTAL	\$323,643.54		\$2,984,856.46	\$3,308,500.00	

Commercial Development- car parking deficient

Car Parking

Service/Facilities	Apportioned Capital Cost \$	Est. Land Cost \$	Council/Other Cost	Total Cost	Timing
Additional car parking capacity in the town centre	TBA	TBA	NIL	Dependent on the number of parking spaces deficient	As required

Heavy Haulage Vehicle Movement Generating Development

Road maintenance

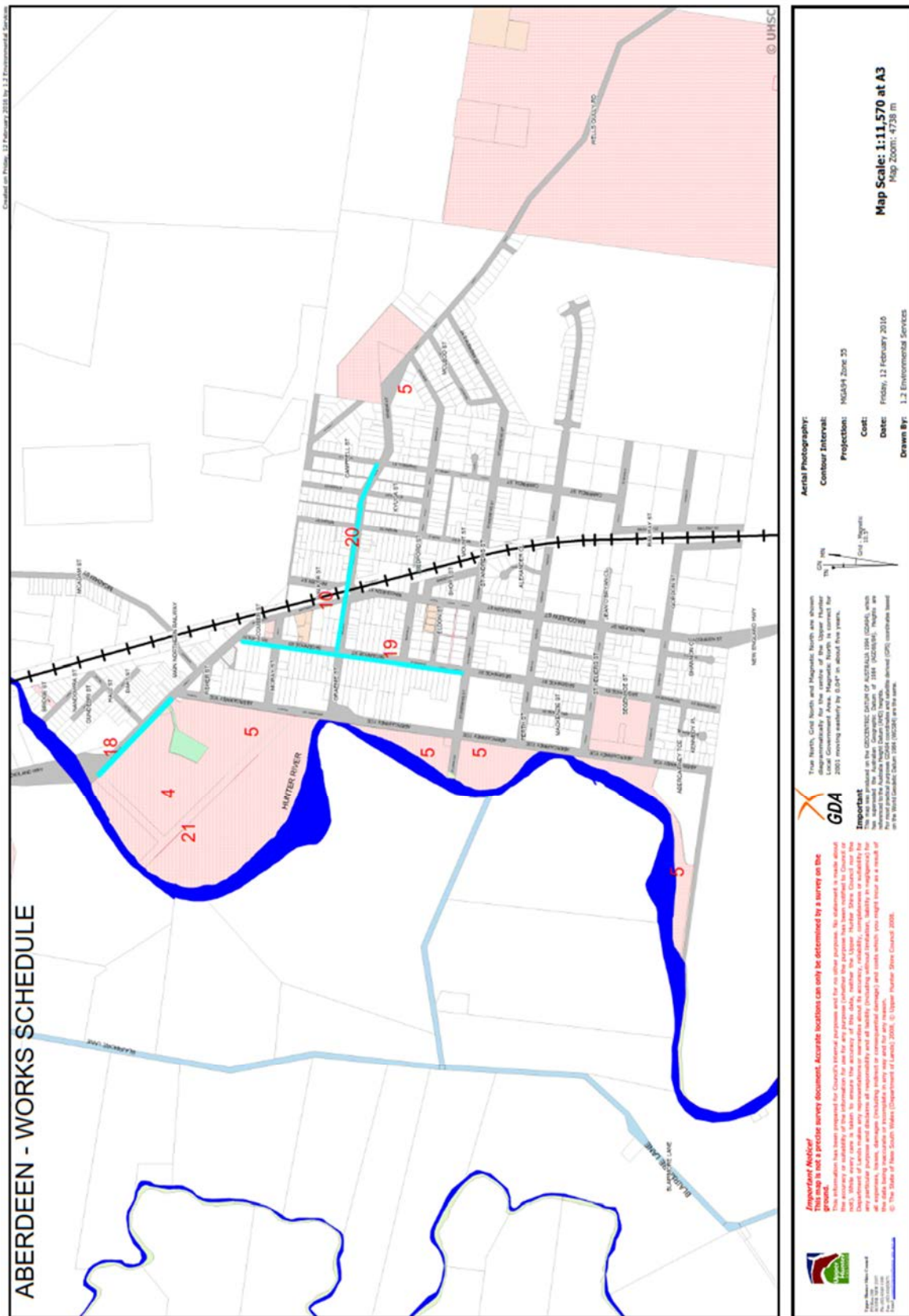
Service/Facilities	Apportioned Capital Cost \$	Est. Land Cost \$	Council/Other Cost	Total Cost	Timing
Road maintenance due to wear and tear by heavy haulage vehicles	Maintenance cost only determined on a case by case basis as per Appendix 9	Provided by Council	\$NIL	Dependent on the output of the extractive industry	As required

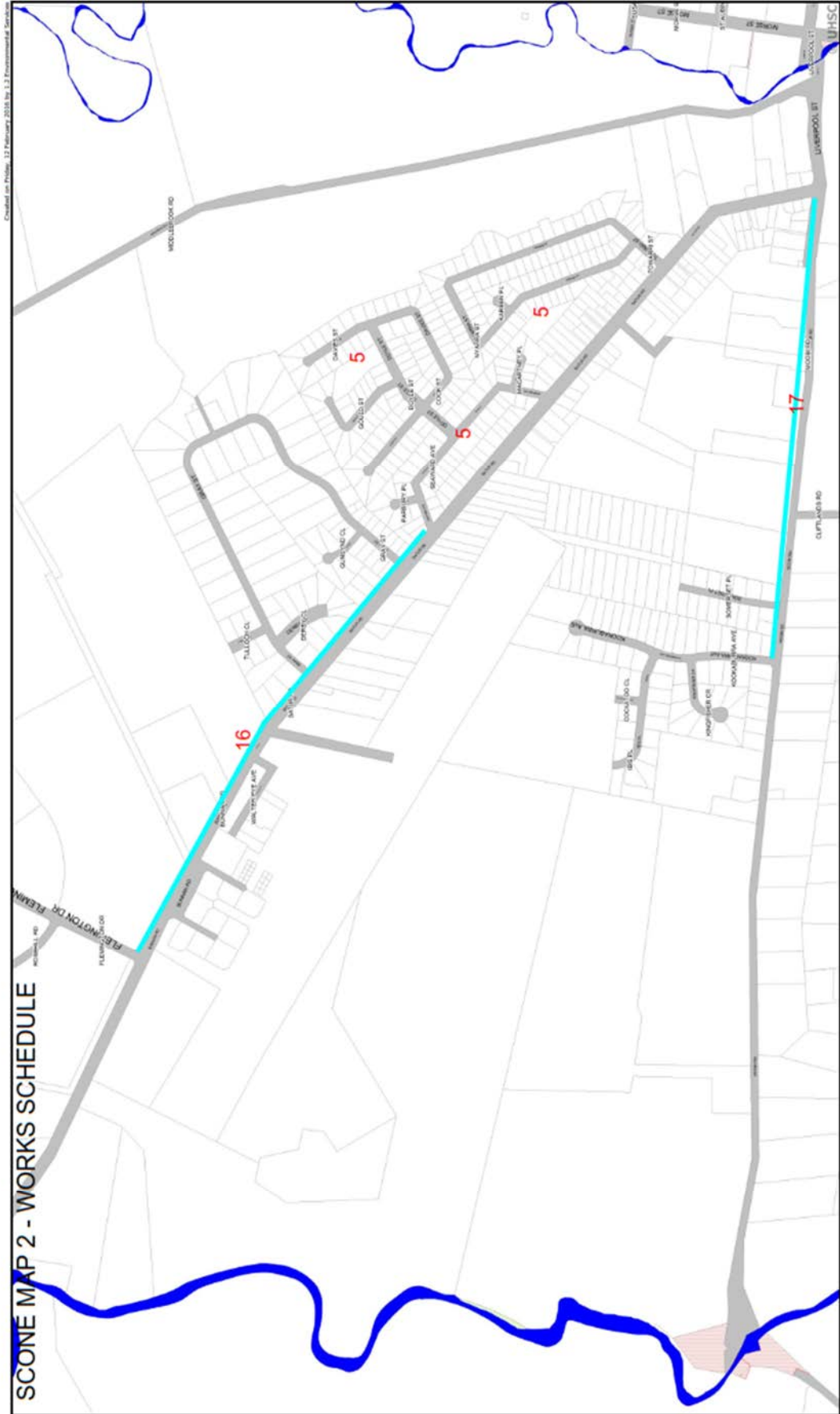
Notes:

1. Apportioned capital cost is the apportioned cost to be funded under this Plan by Section 94 Contributions.
2. Council/other cost is the proportion of the total cost of augmentation or provision of a complete facility to be funded by Council/Other contributors/grants etc., as each case determines.
3. Timing is the anticipated delivery date the threshold for the provision of the relevant infrastructure.

Appendix 8: Location of works

See previous tables for number references.





Created on Friday, 12 February 2016 by 1.1 Environmental Services

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Contour Interval: MGA84 Zone 25
Projection: MGA84 Zone 25
Coast:
Date: Friday, 12 February 2016
Drawn By: 1.1 Environmental Services

GDA
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Map Scale: 1:6,900 at A3
Map Zoom: 2645 m

Appendix 9: Heavy Haulage Vehicle Movement Generating Development Methodology

All heavy vehicles contribute to the deterioration of road pavements. An increase in the number of heavy vehicles using a road will accelerate the deterioration of a road, and lead to increased road maintenance costs being incurred by Council. The impact of heavy vehicles on the condition of road pavements has been well documented by Austroads and other authoritative sources.

Council maintains the Shire's roads at a certain level of service. As a result of a development using heavy haulage vehicles, Council will need to undertake increased maintenance work to maintain this level of service. The extent of the increased maintenance is dependent on the heavy vehicular traffic generated by the subject development.

Increased road maintenance results in an increased drain on Council's finances. These increased costs will burden the community with providing the increased funds required by Council in order to maintain the existing level of service for the road network as a result of the development, unless the subject development provides a contribution commensurate with the increased maintenance costs.

The purpose of this methodology is to ensure that heavy vehicle haulage associated with a specific development provides a fair contribution towards the additional costs incurred by Council as a result of any heavy haulage traffic associated with that development.

The costs of keeping roads in a satisfactory condition occur in three main areas:

- Rehabilitation:
 - Regional sealed pavement rehabilitation;
 - Rural sealed pavement rehabilitation, and
 - Unsealed pavement rehabilitation;
- Reseals
 - Maintenance reseal (i.e. regional and local roads)
- Maintenance
 - Annual routine maintenance, and
 - Heavy patching or stabilisation of selected sections.

A traffic generating development will be required to pay a proportion of all of the above costs based upon the heavy vehicle Equivalent Standard Axle (ESA) impact on the regional or local road used by the heavy vehicles in question. An Equivalent Standard Axle (ESA) is defined as a Dual Tyred Single Axle transmitting a load of 80kN (or 8.2 tonne) to the pavement (Austroads).

The contribution and its calculation do not apply to State roads that are the funding responsibility of the State Government, such as New England and Golden Highways.

Method of Measurement

The calculation of the contribution is based on a comparison of the pre and post development use by heavy vehicles of the roads affected by the development

The methodology considers the average annualised road maintenance costs, and the length and type of roads to be used by heavy vehicles associated with the subject development. Increased maintenance costs are calculated using the ESA loading on the road per vehicle as a proportion of the total loadings on the road. This is then converted to a total cost per tonne (1000 kilograms) per annum over the designated route travelled by the vehicles.

Predevelopment numbers of heavy vehicles on the roads will be based on the details provided in the documentation submitted with the Development Application (if considered satisfactory by Council), and verified by traffic count over a minimum period of 1 month, prior to the commencement of the development.

Where the designated travel route involves the use of more than one road, a separate count for each road may be necessary. This should be confirmed with Council.

The increased costs associated with each road will be calculated separately, and the total contribution payable for the development will be the sum of all the calculated contribution rates for all the individual roads on the designated travel route/s.

An assessment of vehicle movements generated by a development is required as part of the Statement of Environmental Effects (SEE) or Environmental Impact Statement (EIS) accompanying the proposed development application. Notwithstanding this, Council will require ongoing reporting of haulage movements and tonnages in order to ensure an accurate assessment of contributions towards maintaining the relevant roads.

An annual report will be required from the operator of the development. The annual report should include details of the number and type of vehicle movements over the past 12 months, including tonnages hauled. Details of the extracted volume of material will also be required, as is usually submitted annually in returns to the NSW Government Department with responsibility for mines and quarries (if relevant). The documents should be audited and certified by the operating company's auditor,

Council may require confirmation of the accuracy of the operator's records at the operator's expense, if Council feels there are discrepancies in the operator's records or no audited statement is provided by the development. If the confirmation process determines that the operator's records are accurate within a tolerance of 5 percent, Council will assume responsibility for the relevant expenses, such as traffic surveys, etc.

There is a relationship has been established between the volume of material extracted from the ground and the vehicle movements generated. For extractive industries, generally a 30% loose volume factor is used for conversion of solid volume to loose volume and therefore, it is assumed that an average haulage truck of loose fill volume 10 m³ represents 7.7m³ of solid volume extracted. Should an applicant be of the view that this volume factor is inappropriate an alternative factor may be applied provided it is justified to Council's satisfaction.

The impact of heavy vehicles on roads will be calculated using ESA (equivalent standard axle), which provides a widely accepted way of determining the likely damage to a road pavement from heavy vehicles. The ESA of the relevant heavy vehicles in the operator's annual return will be calculated using the prevailing AUSTROADS vehicle classification.

Only loaded truck movements will be included in the calculations.

The calculation of contributions will be expressed as a yearly cost, calculated annually and payable quarterly.

Contributions Methodology Formula

This Plan applies a consistent formula to determine the contribution of heavy vehicle haulage towards road maintenance.

This formula considers:

- Use of the roads in question expressed in ESA
- The design life of the roads
- The lifecycle costs of maintaining the roads

Different road vehicles have different axle configurations and different axle load configurations. In turn, vehicle class configurations are converted to equivalent standard axles (ESA).

The Austroads Guide to Pavement Technology Part 2: Pavement Structural Design (2012) provides a methodology for the identifying the ESAs for different vehicles. The table below shows the ESA applying to specific vehicle classes.

Table: Vehicle ESA per Vehicle Class

Vehicle class	Vehicle type (Austroads classification)	ES
1	Car	0
2	Light vehicle with towing/ commercial van	0
3	Two axle truck	1.2
4	Three axle truck	1.6
5	Four axle truck	2.2
6	Three axle articulated truck	1.8
7	Four axle articulated truck	2.2
8	Five axle articulated truck	2.8
9	Six axle articulated truck	2.8
10	Seven + axle articulated truck	3.4

Roads and Design Life

Council maintains a mix of sealed and unsealed roads.

These roads have been subdivided into three categories for the purposes of this Plan

- Regional sealed pavement;
- Local sealed pavement, and
- Unsealed pavement.

Each road type has a different design life and maintenance requirements.

Austroads Pavement Design Guides contain design tables where pavement design life can be expressed in accordance with design traffic loadings (ESA). Thus a standard life of pavement can be expressed as ESAs. This means that the life of a pavement can be expressed as the total number of equivalent axles that should pass over it prior to replacement.

The standard life (assumed design life) for the road categories above in expressed as ESA are:

- Regional sealed roads: approximately 1,000,000 ESA over 20 years
- Local sealed approximately 1,000,000 ESA over 30 years
- Unsealed roads approximately 200,000 ESA over 9 years

A sealed road incurs construction costs, maintenance costs and replacement of the wearing course over its design life. An unsealed road incurs ongoing costs for maintenance and gravel resheeting, with additional work required if there is significant damage for natural events, such as flood events.

The Table below indicates the costs of maintaining specific road types as determined by Council, at the time of preparation of this Plan. This information can be used to calculate the cost of regional and rural sealed roads, as well as unsealed roads, over their design life. The updated figures for these works will be used by Council in calculating a contribution, in order to ensure that the calculated contribution closely reflects actual costs.

Table: Cost of roads over their design life

Road type	Cost per km	How often
Regional sealed roads:		
Rehabilitation	\$350,000	at 20 th year
Reseals	\$37,000	at 15 th year
Maintenance	\$6,000	annually
Local sealed roads		
Rehabilitation	\$250,000	at 30 th year
Reseals	\$35,000	at 15 th year
Maintenance	\$4,500	annually
Unsealed roads		
Resheet	\$35,000	at 9 th year
Maintenance	\$1,500	annually

Applicants are advised to consult with Council in order to determine the current costs for the above maintenance activities, prior to assessing the likely contribution of a specific development.

Based on the Table above, the total cost per kilometre of a **regional sealed** road over its assumed design life is:

$$\begin{aligned}
 & \$\text{maintenance} \times 18 \text{ yrs.} + \$\text{reseal (@ 15th year)} + \$\text{reconstruction (@20th year)} \\
 & = (\$6,000 \times 18) + \$37,000 + \$350,000 \\
 & = \$495,000 \text{ per km}
 \end{aligned}$$

The total cost per kilometre of a **local sealed** road over its assumed design life is:

$$\begin{aligned}
 & \$\text{maintenance} \times 28 \text{ yrs.} + \$\text{reseal (@ 15th year)} + \$\text{reconstruction (@ 30th year)} \\
 & = (\$4,500 \times 28) + \$35,000 + \$250,000 \\
 & = \$411,000 \text{ per km}
 \end{aligned}$$

The total cost per kilometre of an **unsealed road** is over its assumed design life:

$$\begin{aligned}
 & \$\text{maintenance} \times 8 \text{ yrs.} + \$\text{resheet gravel (@ 9th year)} \\
 & = (\$1,500 \times 8) + \$35,000 \\
 & = \$47,000 \text{ per km}
 \end{aligned}$$

Total contribution amount

The calculation of the periodic contribution relating to any heavy haulage development is determined by calculating the aggregate impact of the subject heavy vehicle movements on each of the road type described above. The periodic contribution is determined by applying the following formula:

$$\begin{aligned}
\$C &= \frac{\$Reg \times ESA \times Reg \text{ Length}}{Reg. \text{ life}} + \frac{\$Local \text{ seal} \times ESA \times Local \text{ sealed Length}}{Local \text{ seal life}} \\
&+ \frac{\$Unseal \times ESA \times Unsealed \text{ Length}}{Unseal \text{ life}}
\end{aligned}$$

where:

- \$C is the monetary contribution payable by the development for the relevant period (e.g. preceding quarter) in dollars.
- \$Reg is the standard cost of regional road per kilometre over the design life in dollars, being \$495,000.
- \$Local sealed is the standard cost of local sealed road per kilometre over the design life in dollars, being \$411,000
- \$Unseal is the standard cost of local gravel road per kilometre over the design life in dollars, being \$47,000.
- ESA is the total number of ESAs generated by the development in the preceding period.
- Reg life is the standard life of a sealed regional road, which is 1,000,000 ESA.
- Local sealed life is the standard of a local sealed road, which is 1,000,000 ESA.
- Local unsealed life is the standard life of a local gravel road, which is 200,000 ESA.
- Reg Length is the total length of regional sealed road travelled by the development's laden heavy vehicles estimated at the time of the development application, in kilometres.
- Local seal Length is the total length of local sealed road travelled by the development's laden heavy vehicles.
- Unsealed Length is the total length of local unsealed road travelled by the development's laden heavy vehicles estimated at the time of the development application, in kilometres.

Worked examples

Example 1

A fictitious quarry is proposed. The distance travelled on Shire roads from the quarry to the nearest State road is approximately 33 km of local sealed roads.

The applicant states that the quarry will produce 100,000 tonnes of material each year.

The haulage of the excavated material will involve 4000 Class 8 vehicle movements.

Because only one type of road (local sealed) is involved, the formula is:

$$\begin{aligned}
\$C &= \frac{\$Local \text{ sealed} \times ESA \times Local \text{ sealed Length}}{Local \text{ sealed life}} \\
\$C &= \frac{\$411,000 \times 11,200 \times 33}{1,000,000} \\
&= \$151,905 \text{ per annum}
\end{aligned}$$

Example 2

A fictitious mine is proposed. The distance travelled on Shire roads from the mine to the nearest State road is approximately 5 km of regional sealed roads, 10 km of local sealed roads and 5 km of local unsealed roads.

The applicant states that the mine will produce 50,000 tonnes of material each year.

The haulage of the excavated material will involve 2000 Class 7 vehicle movements.

Because all three road types are involved, the formula is:

$$\begin{aligned} \$C &= \frac{\$Reg \times ESA \times Reg \text{ Length}}{Reg. \text{ life}} + \frac{\$Local \text{ sealed} \times ESA \times Local \text{ sealed Length}}{Local \text{ sealed life}} \\ &+ \frac{\$Unseal \times ESA \times Unsealed Length}{Unsealed life} \\ \$C &= \frac{\$495,000 \times 4,400 (2.2 \times 2000) \times 5}{1,000,000} + \frac{\$411,000 \times 4,400 \times 10}{1,000,000} \\ &+ \frac{\$47,000 \times 4,400 \times 5}{200,000} \\ &= \$10,890 + \$18,084 + \$5,170 \\ &= \$34,144 \text{ per annum} \end{aligned}$$