

# **WEST DENMAN**

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## **Section 94 Contributions Plan 2012**

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## West Denman Section 94 Contributions Plan 2012

Produced by:  
Muswellbrook Shire Council  
PO Box 122, Muswellbrook NSW 2333

Phone: 02 6549 3700  
Fax: 02 6549 3701  
Email: [council@muswellbrook.nsw.gov.au](mailto:council@muswellbrook.nsw.gov.au)

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## Executive Summary

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### i. Background

Section 94 of the Environmental Planning and Assessment Act 1979 enables Council to levy contributions from development for the provision of public amenities, services and infrastructure, 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. West Denman

The West Denman Urban Release Area comprises approximately 133 hectares of land which is zoned RU5 – Village Zone under the Muswellbrook Local Environment Plan 2009 (MLEP2009). The Release Area land has been identified as an extension to the Denman urban area to provide additional serviced land for housing.

It is anticipated that the land has the capacity for up to 750 residential lots, which would be developed in stages. The West Denman urban release area is shown in **Figure 1**.

The Release Area is located to the northwest of the existing town of Denman, and is currently accessed from Almond Street.

West Denman is separated from Denman (to the east) by a rail line used by freight (coal) trains. Road crossings of the railway line are located at Kenilworth Street and Ogilvie Streets.

Most of the housing in Denman and the majority of urban services, including the school, hospital and town centre are located on the eastern side of the railway line. The town's leisure facilities, including swimming pool, playing fields and golf course, are located on the western side of the railway line.

The closest point of the Release Area is located approximately 1.2 kilometres from the school and the town centre.

The Release Area is in a number of ownerships. A co-ordinated approach to the development of the land is important to the sound and efficient development of the land. This Plan aims to assist in the co-ordinated provision of urban infrastructure.

**Schedule 1** identifies the catchments used in this Plan and summarises the population growth (by catchment) expected as a result of the development on both the subject land and elsewhere in the LGA.

Where the need for infrastructure only arises as a result of the development and the provision thereof essentially only services future residents of the development area, the provision of such infrastructure will be 100% apportioned to new population.

Technical / background studies have been undertaken to accurately determine the transport and water management infrastructure that will be needed to meet the demands of the incoming residents of West Denman.

The demand for public amenities, services and infrastructure, such as community, recreation, open space and sporting facilities have been determined on the basis of generally accepted standards of provision and existing Council standards and accepted practices.

### **iii. Public amenities, services and infrastructure**

Development of the West Denman Urban Release Area will result in the need for new and/or augmented public amenities, services and infrastructure to meet the needs of an anticipated 1875 residents. The public amenities, services and infrastructure for which Council will require development in the West Denman Urban Release Area to contribute include the following:

- Open space and recreation facilities
- Community facilities
- Transport
- Stormwater and drainage

### **iv. Structure of the Plan**

This Plan is arranged into a summary and 5 sections:

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

**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 – Strategy Plans** provides the details of each category of public amenities, services and infrastructure 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 5 – Supporting Documentation** supports the contents of the Plan, including key demographic data and works schedules.

**v. Summary of Contributions Rates**

The following is a summary of Development Contribution rates for the West Denman Contributions Area:

<b>Contribution Type</b>	<b>Per Person</b>	<b>One Bedroom Dwelling</b>	<b>Two Bedroom Dwelling</b>	<b>Three Bedroom (+) Dwelling or Per Lot</b>
<b>Open Space Recreational Sporting Facilities</b>	\$309	\$463	\$618	\$772
<b>Community Facilities</b>	\$389	\$584	\$778	\$973
<b>Stormwater Management</b>	\$1,376	\$2,064	\$2,752	\$3,440
<b>Transport Facilities</b>	\$2,675	\$4,013	\$5,351	\$6,689
<b>Dedication of Land (m<sup>2</sup>)*</b>	6.53 sq m	9.79 sq m	13.06 sq m	16.32 sq m
<b>Stormwater Easements (m<sup>2</sup>)</b>	57.62 sq m	86.43 sq m	115.2 sq m	144.05 sq m
<b>Plan Management Administration</b>	\$92	\$138	\$184	\$230
<b>TOTAL (not including land dedication and easements)</b>	<b>\$4,841</b>	<b>\$7,262</b>	<b>\$9,683</b>	<b>\$12,104</b>

\*Breakdown of land dedication areas

<b>Facility type</b>	<b>Area (sq m)</b>
Open Space	5,000
Community Facilities	1,740
Stormwater	
Roads	5,500
<b>Total</b>	<b>12,240</b>

## **SECTION 1 – INTRODUCTION**

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### **1.1 Name of the Plan**

This Plan is referred to as the West Denman Urban Release Area Section 94 Contributions Plan 2012

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 then Department of Planning's Development Contributions Practice Notes, 2005 and relevant Ministerial Directions and Department of Planning and Infrastructure Circulars and Guidelines.

### **1.2 Commencement of Plan**

This Contributions Plan takes effect on 13 August 2012. 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.

### **1.3 Purpose of the Plan**

The purpose of this Plan is to enable Council to require a contribution from development towards the provision, extension or augmentation of public amenities, services and infrastructure that will, or are likely to be, required as a consequence of the development of West Denman Urban Release Area.

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

### **1.4 Objectives**

This Plan has the following objectives

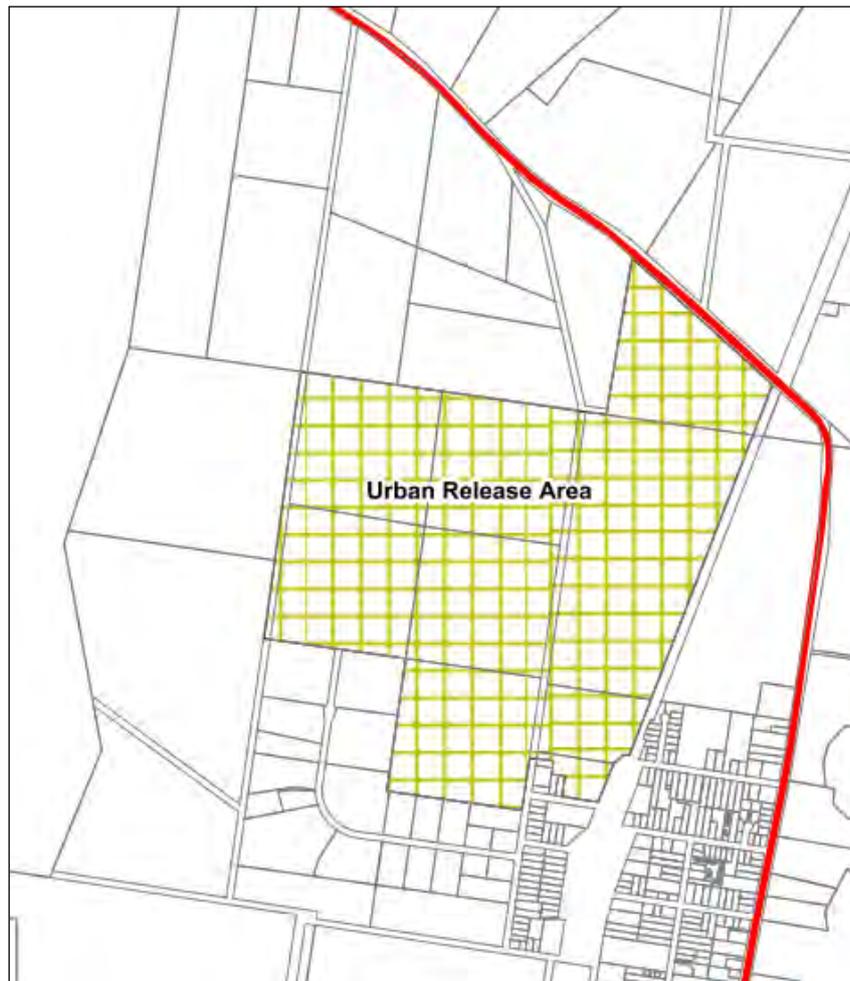
- To provide a framework for the assessment, collection, expenditure, accounting and review of developer contributions towards the provision of public amenities, services and infrastructure on an equitable basis;
- To identify the additional public amenities, services and infrastructure required to meet the demands of the incoming population of the West Denman Urban Release Area;
- To provide an adequate level of public amenities, services and infrastructure to meet development demands within a reasonable time as development occurs and at a reasonable cost, without unduly impacting on the affordability of the proposed development.
- To ensure that the development contributions are based on reasonable estimates of cost.

- To ensure that the existing community is not unduly burdened by the provision of public amenities, services and infrastructure which are needed (either partly or fully) as a result of the development of West Denman, and that there is a reasonable apportionment of cost between existing demand and new demand for public infrastructure provided by Council.
- To ensure that contributions are fair and reasonable.

### 1.5 Land to Which the Plan Applies

This Contributions Plan applies to all land within the West Denman Urban Release Area in the Muswellbrook Local Government Area as illustrated in Figure 1 below. The Contributions Area is the same as the West Denman Urban Release Area as defined under the Muswellbrook Local Environmental Plan 2009.

**Figure 1: West Denman Urban Release Area**



## **1.6 Types of Development to which this Plan applies**

This Plan applies to any development permissible with consent on the land to which the Plan applies that in the opinion of Council will result in an increase in demand for the public amenities, services and infrastructure included in this Plan.

Note: “development” referred to in this clause has the same meaning as shown in section 4 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.

## **1.7 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 resources and adds incrementally to the demand for public amenities, services and infrastructure. Older people and those with disabilities use open space, parkland and community facilities

Further development of any sort within the land to which the Plan applies will lead to an increase in stormwater runoff and will generate demand on the transport facilities.

As a result, the Plan applies to housing built under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

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

This Plan envisages predominantly residential development of the subject land. There may however be other types of development not specified in this Plan that generate a need for new or augmented public amenities, services and infrastructure. 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.

## **1.9 Variations**

Council may consider an application to discount or exempt a development from contributions. Applicants seeking variations in the contributions rate must be able to demonstrate to the satisfaction of Council that the nature of the proposed development results in a lesser demand on public amenities, services and infrastructure than that envisaged by this Plan. Council will consider the merits of such a request, including the potential social and financial implications, and the ability of the proposed facilities to meet the demand generated by the incoming residents.

The applicant will need to make a written application to Council, including full documentation and justification of the variation. The acceptance of an application will be at Council’s absolute discretion and will only be provided in exceptional circumstances.

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

Muswellbrook Shire Council has the following general Section 94 Plans in place:

- Muswellbrook Section 94 Plan 2001
- Section 94A- Developer Contributions Plan 2010

These Plans do not apply to the West Denman Urban Release Area.

This Plan should be read in conjunction with the Muswellbrook Local Environmental Plan 2009 and the Muswellbrook Development Control Plan 2009.

## **SECTION 2 – OPERATION OF THE PLAN**

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### **2.1 Application of the Plan**

In determining a development application 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 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 EP&A 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,”*

Certifying authorities should ensure compliance with Section 146 of the Environmental Planning and Assessment Regulation in relation to conditions requiring development contributions.

Should a developer request Council to consider land dedication, material public benefits or works-in-kind in lieu of a monetary contribution, the Complying Development Certificates must be assessed and issued by Council.

### **2.2 Types of Contributions**

A developer can meet their obligations for provide a Section 94 contribution, by providing:

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

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

The Act also provides for the Council to consider entering into a Voluntary Planning Agreement (VPA) at either a development application or when rezoning land. Public amenities, services and infrastructure delivered through a VPA 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 amenities, services and infrastructure, 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 a development approval.

### **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 identified in the works schedule or reviewed works schedule accompanying this Plan.

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

A Material Public Benefit (MPB), Works in Kind (WIK) or dedication of land may be offered as a means of partial or full settlement of a condition of consent requiring a monetary contribution.

Works in Kind (WIK) is undertaking a work that is specifically listed in the works schedule of 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 work that is not scheduled within the Plan. Council may accept the provision of a MPB that is not nominated in the works schedule, if it satisfied that 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 the development application a proposal to carry out the works towards which the contribution or levy would have been applied.

The Council will consider the alternative arrangement as part of its assessment of the development application. If the Council agrees to the arrangement and grants consent to the application, it will impose a condition of consent requiring the works to be carried out. If the Council does not agree to the alternative arrangement, it may grant consent subject to a condition imposed under 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, services and infrastructure, the applicant may request in writing that they instead provide to the Council a MPB in part or full satisfaction of the requirements of the relevant condition.

The MPB 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 will be required to comply with the alternative arrangement and is relieved of the obligation, to comply with the conditions imposed under Section 94, in part or whole, as the case requires. If the Council declines the applicant's request, the applicant will be required to comply with the conditions imposed under Section 94.

In either case the Council will have particular regard to the following matters deciding whether to accept a MPB:

:

- whether the proposed benefit involves a public benefit, or is merely of benefit to the subject development or the developer;
- whether the proposed benefit addresses the demand for public facilities which the monetary contribution was intended to address;
- the value of the benefit for the purposes of the contributions plan;
- the likely impact on the implementation of the contributions plan of the acceptance of the benefit, including on timing and the nature of public facilities to be provided;
- whether, in all of the circumstances, the benefit should be accepted instead of a direct community infrastructure contribution;
- the quantities, finishes and costings of the proposed works, and
- Recurrent maintenance costs to Council.

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

Only in exceptional circumstances will credits be granted for WIK carried out by the developer in excess of the required 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.

## **2.2.4 Planning Agreements**

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

Under a VPA, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. A VPA may include public amenities, services and infrastructure that are also the subject of this Plan. This Plan and individual planning agreements should work in harmony to the fullest extent possible. The VPA may be additional to, or instead of, making contributions under Section 94 of the Act. This Plan and contribution rates may need to be amended to reflect works provided through a VPA.

## **2.3 Payment of the Contribution**

### **2.3.1 Timing of Payments**

The time of payment of contributions is as follows:

- Development applications involving subdivision – prior to the release of the subdivision certificate.
- Development applications involving building work – prior to the release of the construction certificate.
- Development applications involving both subdivision and building work – prior to the release of the construction certificate, or the release of the subdivision plan, whichever occurs first.
- Development applications where no subdivision or building approval is required – prior to the issue of development consent or issue of the occupation certificate.
- Applications for Caravans, Mobile Homes and similar developments - prior to approval to operate under Section 68 of the Local Government Act, 1993.
- Complying development- prior to the issue of the complying development certificate. Certifying authorities should ensure compliance with Section 146 of the Environmental Planning and Assessment Regulation.

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 Sections 2.6 and 2.7).

### 2.3.2 Deferred or Periodic Payments

Written application may be made to Council for the deferred payment of contributions, or payments made by periodic instalments, stating the proposed length of deferral. The following matters will be considered by Council in determining whether to accept the application:

- The impact on the timing or the manner of the provision of the public amenities, services and infrastructure included in the Works Schedule;
- Cash flow impacts;
- Whether the periodic or deferred contributions are to be paid, including interest, at no cost to Council;
- The types of security required to ensure the contribution is paid in full within an agreed timeframe consistent with minimising the financial risk;
- Whether there are valid reasons for the deferral or periodic payment;
- Whether compliance with the standard timing of payment provisions in the contributions plan is unreasonable or unnecessary in the circumstances of the case; or
- Whether the applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a monetary contribution.

Council may accept **deferred payment** by way of a bank guarantee which:

- is by an Australian Bank;
- Is for a maximum period of twelve months;
- Is for the total contribution or the amount of the outstanding contribution at the time of deferring payment, plus an amount estimated to cover any likely adjustments in contribution rates calculated from the date a condition requiring the payment of a contribution was imposed on the development until the date of final payment;
- Is unconditionally guaranteed by the bank to be paid if Council so demands in writing, no earlier than 6 months from the provision of the guarantee or completion of the work, whichever occurs first;
- Is to be paid by the bank 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;
- Discharges the bank's obligations 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
- Meets Council's costs and any fees payable to Council.

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

- The instalments are paid before the work commences on each relevant stage of the development.
- The contribution amount payable is to be proportional to the demand generated by that stage and is to include any adjustments made to contribution rates from the date that the condition was imposed requiring a contribution.

## **2.4 Construction Certificates**

Certifying authorities must ensure that a receipt(s) confirming that contributions have been paid is to 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.

An exception to this requirement is where a WIK, MPB, dedication of land or deferred arrangement has been agreed and confirmed in writing by the Council.

## **2.5 Goods and Services Tax**

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

## **2.6 Adjustment and “indexing” of Contribution Rates**

The indexing of contributions is important to underpin the financial viability of the Contributions Plan. The indexing of contributions is important given the effects of inflation on construction costs, plan administration and other factors, and the adverse effects of land value escalation over time.

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.

The Clause 32 of the Environmental Planning and Assessment Regulation allows a development contributions plan to revise the rates of Section 94 monetary contributions set out in the plan to reflect quarterly or annual variations to:

- Readily accessible index figures adopted by the Plan (such as a Consumer Price Index), or
- Index figures prepared by or on behalf of the Council from time to time that are specifically adopted by the Plan,

This Plan adopts the Consumer Price Index (All Groups) for Sydney (Catalogue No.6401.0), which is published by the Australian Bureau of Statistics as the basis for indexation of the non land contribution rates in this Plan.

When land is to be acquired or an easement sought over land, 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.

Non land contributions will be reviewed quarterly in accordance with the following formula:

$$\text{Revised Contribution Rate (RC)} = \text{IC} \times \frac{\text{CPI 2}}{\text{CPI 1}}$$

where:

IC 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) available at the date of adoption of the Plan, or its subsequent amendment.

## **2.7 Adjustment and “indexing” of Contributions at the Time of Payment**

Contribution amounts will be calculated at the time development consent is granted. The contributions amounts imposed in a condition of development consent will be adjusted to reflect the applicable contribution rates at the time of the payment and not at the date of the approval of the development.

Adjustments to the non land contributions amount in a consent will be made as follows:

$$\text{Contribution payable (CP)} = \text{CD} \times \frac{\text{CPI 2}}{\text{CPI 1}}$$

where:

CP is the amount of the contribution calculated at the time of payment

CD is the amount of the original contribution imposed as a condition of the development consent

CPI 2 is the Consumer Price Index Number (Sydney All Groups) available at the date of payment

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

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

## **2.8 Reassessment of Contributions**

A written application may be made to Council for the reassessment of the development contribution payable. This may result in no change, or in the contribution being reduced or waived or modified.

Where a condition of development consent has already been imposed requiring the payment of a contribution, the applicant will need to lodge an application to review the consent in accordance with Section 82 or Section 96 of the Environmental Planning and Assessment Act 1979, as amended.

The application must provide sufficient information to satisfy Council of the inappropriate nature of the contribution and identify the implications to Council of reducing or waiving the contribution.

## **2.9 Review of the Plan**

Regular reviews of this Plan will be undertaken to ensure its appropriateness.

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

## **2.10 Funding and Timing of Works**

Public amenities, services and infrastructure 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 public amenities, services and infrastructure is 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 2.11 will be considered and used when necessary.

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

## **2.11 Pooling of Contributions**

This Plan authorises monetary Section 94 Contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

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

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

The costs associated with the preparation, administration, periodic review, and management of this Plan are included in the contribution rate. These costs are shown as a separately in the rates schedule and the method of calculation is described in Part D. Studies have been undertaken to determine the demand arising from the proposed development, and the design and costings of works included in the Plan are also shown and included in the contribution rate.

The Plan Administration and Management elements of the contribution rate still apply where a MPB or WIK agreement is negotiated between a developer and the Council, in order to cover Council's costs of Plan review and other costs associated with administering the MPB or WIK.

#### Explanation of Contribution Formulae

A formula is used in this Plan to calculate the contribution rate applicable to a specific service or facility. The contribution rate is a function of the total cost of the facility divided by the demand for that facility multiplied by the apportionment factor, as shown below:

$$\text{Contribution (\$)} = \frac{\text{Facility cost (\$)} \times \text{AF}}{\text{Demand}}$$

where:

Facility Cost = total cost of providing the facility including land and capital costs

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

AF = apportionment factor based on existing and projected demand

### **3.2 Allowances for existing development**

An allowance is to be made for demand generated by existing development at the following rates:

- Dwelling houses and single vacant allotments = 2.5 persons or 1 lot credit.

In the case of West Denman, this allowance generally take the form of a "credit" for each existing dwelling, or vacant allotment with an unused dwelling entitlement, on the land subject to a development application.

### **3.3 Occupancy rates**

Demand for public amenities, services and infrastructure has been generally calculated in this Plan on the basis of the number of residents. The projected residential population has been determined by applying an average number of people per dwelling or lot.

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

Rooms in dwellings 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 contributions.

<b>Occupancy Rates</b>	<b>Number of Persons</b>
One Bedroom	1.5
Two Bedroom	2.0
Three Bedroom (+) Dwelling or Per Lot	2.5

### **3.4 Land Values including easements**

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 and the creation of easements identified for acquisition in the Plan.

Costs associated with land acquisition and creation of easements are to be included in the determination of contribution rates.

When land is to be acquired or an easement is to be created, the current market value of this land or the value of the easement will be assessed at the time of acquisition or creation of the easement 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, and a contribution rate determined accordingly.

## SECTION 4 – STRATEGY PLANS

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This section of the Plan establishes the relationship (nexus) between the expected types of development in the West Denman Contributions Area and the demand for additional public amenities, services and infrastructure to meet the needs of that development.

There is a nexus between the public amenities, services and infrastructure for which contributions are sought in this Plan and the demand created by anticipated development in the West Denman urban release area. Nexus exists between the development and the contributions sought in the following ways:

- Causal nexus (what) – the expected types of development will or are likely to increase demand for community infrastructure;
- Spatial or physical nexus (where) – the proposed facility will be located so as to serve the identified demand for the community infrastructure created by the expected types of development;
- Temporal nexus (when) – the facility will be provided in a timely manner to benefit those who have contributed towards it.

New public amenities, services and infrastructure are needed to meet the demand arising from development at West Denman. Demand will exceed the capacity of certain existing infrastructure and will require new infrastructure such as stormwater management systems, in order to serve the new community. It is considered that the level of public amenities, services and infrastructure for which contributions are sought is reasonable and consistent with generally accepted standards of provision.

Further details of the relationship between the demand arising from new development and the need facilities is provided in Section 5 of this Plan.

<b>Category</b>	<b>Types of public amenities, services and infrastructure</b>
<b>Open Space and Recreation</b>	Park/playground, sporting facilities
<b>Community Facilities</b>	Multipurpose community space, child care facility.
<b>Transport Facilities and Stormwater Management</b>	Traffic facilities and road up-grading, provision of cycleways, drainage and stormwater management.
<b>Plan Management &amp; Administration</b>	Management of development contributions and works, and review of plan.

The West Denman Urban Release Area is at the concept planning stage. As a result the details of the proposed facilities have been developed to a concept planning and preliminary costing stage. They will be subject to more detailed planning and as further details are resolved and approved by Council; these will be incorporated into this Plan.

## **PART A - OPEN SPACE AND RECREATION**

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### **4.1 Introduction**

Muswellbrook Shire Council provides a range of open space, recreational and sporting activities to local communities. Council will continue to maintain the role of facilitating the provision of recreational and sporting and open space for local residents in West Denman 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 the Muswellbrook Recreation Needs and Management Strategy and the Parks and Recreation Asset Management Plan.

In addition, Council has reviewed a range of standards of provision used by other local government areas. This review included standards used by Ballina Shire Council, Greater Geelong City Council, Lake Macquarie City Council, Port Stephens Shire Council, and Sunshine Coast Council. Council's strategies and the review of standards were translated into the requirements for West Denman. It is considered that this approach blended Council's prevailing standards of provision with a perspective on contemporary practice in other local government areas.

### **4.2 Nexus**

New residential development in the West Denman Urban Release Area 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 Muswellbrook Recreation Needs and Management Strategy and accepted benchmark standards and will address a substantial increase in the population of Denman as a result of the proposed development.

The proposed development impacts on recreational and sporting facility needs in Denman.

It should be noted that development contributions are not permitted to fund the 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 after agreement by Council.

The timing for the provision of facilities included in the Plan is outlined by way of the thresholds provided in the **Schedule 2**.

### 4.3 Facilities Strategy

The Recreation and Open Space Strategic Plan refers to the Department of Planning's standard benchmark for the provision of open space, that is, 2.83 hectares per 1,000 people. On this basis, the population increase of 1,875 people in this precinct would require the dedication of 5.3 hectares for use as open space. Similar benchmarks have been included in the then Department of Planning's draft Development Contributions Guidelines (2009) for a broad range of infrastructure types.

Rather than requiring the dedication of 5.3 hectares of land for open space and other recreation infrastructure to meet the demand created by the new development simply on the basis of benchmarks, which Council would reasonably be entitled to do, this Plan proposes the provision of the following facilities to meet the requirements of future population within the West Denman:-

#### 1. Local Park / Playground

One local park is to be provided within the Urban Release Area with a minimum area of 0.5 hectares in size and which meets the requirements of Council's Recreation and Open Space Guidelines. Specifications for the local park would include a picnic shelter and seating, rubbish receptacle, shade cover, kick about area, concrete pathways, drinking fountain and a local playground catering for the 0 to teenage age bracket and incorporating a rubber safety surface and play unit.

**The aggregate cost of the facility is estimated at \$150,000 plus a land component of 0.5 ha (see Section 3.4 Land Value).**

The second playground is to be provided close to the Urban Release Area, possibly at the Denman Recreation Area.

Specifications for the playground and surrounding area would include a picnic shelter and seating, rubbish receptacle, shade cover, kick about area, concrete pathways, drinking fountain and a local playground catering for the 0 to teenage age bracket and incorporating a rubber safety surface and play unit.

The purpose of this playground would be to cater for families and groups from the Urban Release Area who would use the existing facilities in the Recreation Area for a wide variety of recreational uses, including kick around space for older children. The location of the additional playground at this location will obviate the need to additional land to be dedicated to a local park/playground within the Urban Release Area, this reducing the level of development contributions under this Plan and also reducing Council maintenance costs.

**The cost of this facility is estimated at \$150,000. No contribution towards a land component is required.** If this facility was provided in the Urban Release Area an additional land contribution would be required; because suitable existing open space exists nearby there is no need for a land contribution.

## 2. Upgraded Sporting Facilities

Provision has been made within the Plan for the provision and upgrading of facilities in accordance with the Denman Recreation Area Master Plan on the basis of:

- i. Principles contained in Council's Recreation Needs and Management Strategy, which provides benchmarks for open space provision and general direction for the upgrading of elements of the Denman Recreation Area and instigates a course of action.
- ii. A review of local government benchmarks for the provision of recreation and open space and provisions of the Recreation Needs and Management Study which identified the need for this facility as a result of anticipated demand development at West Denman.
- iii. Community Consultation undertaken as part of the formulation of the Recreation Needs and Management Strategy which endorsed the concept that Council build certain high quality sporting or recreational facilities in the Denman Recreation Area.
- iv. Upgrading this facility represents a significant Council commitment, for which Council is carefully planning well in advance of its delivery. It is necessary to collect Section 94 Contributions in the basis of the demand generated by new development within the Urban Release Area.

The capacity gaps that have been identified relative to the existing facilities and anticipated demand from the Urban Release Area are:

- Netball Courts
- Cricket Wicket
- Cricket practice nets
- Tennis Court

**The aggregate cost of these facilities is estimated at \$579,018. No land contribution is required. There is sufficient land available within the Denman Recreation Area to provide the needed facilities.** If this facility was provided in the Urban Release Area an additional land contribution would be required; because suitable existing open space exists nearby there is no need for a land contribution.

#### 4.4 Calculation of Contribution

##### 4.5.1 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 some instances Council will provide land for the various facilities. Further details are supplied in Works Schedule II – Table 1 of this Plan.

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

For the expected population increase of approximately 1,875 people the following facilities will be required:

Facility	Cost	Standard of provision	Apportionment	Contribution
2 x Local Playgrounds	\$300,000	One facility (per 1000 residents)	100%	\$300,000
1 x Local Park/Playground land content		0.5 ha per facility (per 1000 residents)	100%	0.5 ha land value
Netball courts	\$150,000	1 facility per 2000 residents	100%	\$140,625
Cricket practice nets	\$25,000	1 facility per 3500 residents	100%	\$13,393
Tennis Courts upgrade to improve usability and capacity	\$100,000	1 facility per 1500 residents	100%	\$125,000
<b>TOTAL</b>				<b>\$579,018 plus 0.5 ha land value</b>

The contribution formula for Open Space, Recreation & Sporting Facilities is:

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

Where:

C = Total Apportioned Capital Cost of Facilities

P = Benefiting No. of People (new population)

$$= \frac{\$579,018}{1,875}$$

**= \$309 contribution rate per person excluding land content**

On the basis of the \$309 contribution rate per person, the Contributions for Open Space, Recreational and Sporting Facilities are calculated as follows.

One Bedroom Dwelling	\$309 per person	X	Occupancy rate of 1.5 persons	<b>= \$463 contribution</b>
Two Bedroom Dwelling	\$309 per person	X	Occupancy rate of 2.0 persons	<b>= \$618 contribution</b>
Three Bedroom (+) Dwelling or Per Lot	\$309 per person	X	Occupancy rate of 2.5 persons	<b>= \$772 contribution</b>

**Note:** The above figures do not include a contribution for land. The amount should be updated to reflect prevailing land values at the time of contribution.

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

$$\frac{L}{P}$$

Where:

L = Total Recreational/Open Space/Sporting land requirements

P = the total projected resident population.

$$= \frac{5,000 \text{ sq m}}{1,875}$$

**= 2.7m<sup>2</sup>per person**

On the basis of 2.7 m<sup>2</sup> land dedication per person the Land Dedications for Open Space, Recreational and Sporting Facilities are calculated as follows:-

One bedroom dwelling	2.7 m <sup>2</sup> per person	X	Occupancy rate of 1.5 persons	<b>4.0 m<sup>2</sup> land dedication</b>
Two bedroom dwelling	2.7 m <sup>2</sup> per person	X	Occupancy rate of 2.0 persons	<b>5.3 m<sup>2</sup> land dedication</b>
Three bedroom (+) dwelling or per lot	2.7 m <sup>2</sup> per person	X	Occupancy rate of 2.5 persons	<b>6.7 m<sup>2</sup> land dedication</b>

## **PART B - COMMUNITY FACILITIES**

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### **5.1 Introduction**

The development of the West Denman Urban Release Area will lead to an estimated additional 1875 residents. These residents will create a demand for community amenities, services and infrastructure, placing an increased demand on existing facilities and services as well as creating demand for additional services and facilities.

While the development of West Denman will more than double Denman's 2006 population of 1385, it will not require additional dedicated community facilities. Instead, the capacity of existing facilities will be increased where possible to cater for the demand arising from the new development.

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

### **5.2 Nexus**

Council has provided comprehensive community facilities in Denman, which generally meet the needs of the current population. Council will need to provide additional capacity in community facilities, spaces and amenities, consistent with existing service levels of community facility provision to cater for the projected growth in the West Denman Urban Release Area.

Council has reviewed a range of standards of provision used by other local government areas. This review included standards used by Ballina Shire Council, Greater Geelong City Council, Lake Macquarie City Council, Port Stephens Shire Council, and Sunshine Coast Council. Council's strategies and the review of standards were translated into the requirements for West Denman. It is considered that this approach blends Council's prevailing standards of provision with a perspective on contemporary practice in other local government areas.

In particular, Council has identified a need for additional multipurpose community space capacity as well as additional children's services capacity. This increase in capacity is proposed to be consistent with generally accepted industry benchmarks of provision, which were identified in the review discussed above.

Provision has been made within the Plan for a new building that will have the capability of meeting the need for additional multi-purpose community space and/or the demand for new child care services.

The review of benchmark standards has led to the use of the following standards:

- (1). 750 square metres of multipurpose community space being required per 6,000 residents. It is proposed to apportion this standard to determine the floor space demand created by the 1,875 residents of West Denman; and
- (2). A 100 space child care centre being required per 5,000 residents.

The estimated cost of the building is \$1,947,250 which will be proportionally funded by the proposed development in relation to the demand level created by the development (please note: these are the benchmark standards used for the purposes of this Plan, not a proposal to establish or fund a facility of this size in Denman).

**The apportionment results in a non land cost of \$730,219 to the Plan for the multipurpose community space/child care centre. A land component will be required at the rate of 46.4 square metres per place. The apportionment results in a land cost to the Plan of 1,740 sq m for the child care centre.**

### 5.3 Calculation of Contribution

For the expected population increase of approximately 1875 people the following facilities will be provided:

Facility	Cost	Standard of provision	Apportionment	Contribution
Child Care centre/ Multipurpose Community Space	\$1,947,250	100 place facility per 5,000 residents (i.e. 34 places for West Denman)	1,875/5,000	\$730,219
land requirement	Land value	Requires 46.4 square metres per child or 4,640 square metres per 100 place centre	1,875/5,000	1,740 sq m
<b>TOTAL</b>				\$730,219, plus value of 1,740 sq m

Further details are provided in Works Schedule II – Table 3 of this Plan.

The contribution formula for community buildings component is:

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

Where: C = Total Apportioned Capital Costs of Facilities  
P= Benefiting Number of People

$$\frac{\$730,219}{1,875}$$

**= \$389 contribution rate per person**

On the basis of a \$389 contribution rate per person, the contributions for Community Facilities as follows:-

One Bedroom Dwelling	\$389 Per Person	X	Occupancy Rate of 1.5 persons	= \$584 contribution
Two Bedroom Dwelling	\$389 Per Person	X	Occupancy Rate of 2.0 persons	= \$778 contribution
Three Bedroom (+) Dwelling or Per Lot	\$389 Per Person	X	Occupancy Rate of 2.5 persons	= \$973 contribution

### Land Content

**Note:** The above figures do not include a contribution for land acquisition. The amount should be updated to reflect prevailing land values at the time of contribution.

The formula for the dedication of land for community facilities is:

$$\frac{L}{P}$$

Where:

L = Total community facilities land requirements (child care centre only)

P = The total projected resident population.

$$\frac{1,740 \text{ sq m}}{1,875}$$

**= 0.93 sq m person**

On the basis of 0.93 m<sup>2</sup> land dedication per person the land dedications for community facilities (Child Care Centre) are as follows:-

One bedroom dwelling	0.93 m <sup>2</sup> per person	X	Occupancy rate of 1.5 persons	<b>1.4 m<sup>2</sup> land dedication</b>
Two bedroom dwelling	0.93 m <sup>2</sup> per person	X	Occupancy rate of 2.0 persons	<b>1.9 m<sup>2</sup> land dedication</b>
Three bedroom (+) dwelling or per lot	0.93 m <sup>2</sup> per person	X	Occupancy rate of 2.5 persons	<b>2.3 m<sup>2</sup> land dedication</b>

## **PART C – TRANSPORT AND STORMWATER MANAGEMENT**

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### **6.1 Introduction**

The roadworks, traffic, drainage and stormwater management facilities provided for in this Plan are required to meet the increase in traffic and runoff as a result of the increase in impervious areas, from the intensified development within the West Denman Urban Release Area.

The proposed works have been determined by the *Report for West Denman Urban Release Area Concept Plans for Stormwater and Traffic Management* (SMEC 2012) which was undertaken specifically to inform this Plan.

### **6.2 Nexus**

The impact of the development of the West Denman Urban Release Area includes:

- Intensification of development.
- Increased traffic movements along Almond Street and a number of other streets that connect Almond Street to the Town Centre, the Golden Highway and a range of other important destinations within the town.
- Increase traffic and pedestrian movements across two existing crossings of the Ulan-Muswellbrook railway.
- Increased turning movements onto the Golden Highway at Kenilworth Street and Crinoline/Palace Streets.
- A need for emergency access to the Golden Highway to the north of the Urban Release Area.
- A need for cyclists and pedestrians to safely access the existing urban area, including the school, Recreation Area, and Town Centre.
- Increased runoff with the increase in impervious areas due to intensified development, with a consequent need for on-site and offsite works.

To address these impacts, this Plan includes:

- The provision of water management measures on site, to provide for runoff quantity and quality controls.
- Provision of offsite easements to enable runoff from the Urban Release Area to be conveyed to waterways in a managed fashion.
- Up-grading road infrastructure to cater for increased traffic and pedestrian volumes.
- Providing new road infrastructure to ensure that residents of the Urban Release Area have safe and convenient access to important destinations.
- Intersection up-grades to cater for increased traffic movements in a safe manner and to retain access to the existing road network.

- Provision of a pedestrian and cyclist network to ensure safe and convenient access to important destinations for non motor vehicle transport.
- Emergency access to the Golden Highway.
- Provision of a mechanism for developers to share the costs of common infrastructure.

A schedule of necessary works has been developed by SMEC on the basis of the anticipated level of development of the Urban Release Area. The development of this schedule has involved modelling of traffic flows and stormwater requirements using industry accepted models and standards. A copy of the SMEC report that details this information and provides the basis for the transport and stormwater components of this Plan is available from Council.

All works arise directly from demand resulting from the development of the West Denman Urban Release Area.

A summary of proposed Road, Traffic, Drainage & Stormwater Management infrastructure works and costs within the West Denman Contributions Area is provided in the works schedule attached.

### 6.3 Calculation of Contribution- Stormwater Management

The estimated capital costs of the proposed amount is \$2,580,000

Full details are provided in Works Schedule 2 – Table 4 of this Plan together with a Location Map.

The contribution formula for stormwater management is:

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

Where:

C= Apportioned Capital costs of facility

P= Benefiting No of People

$$\frac{\$2,580,000}{1,875}$$

**= \$1,376 per person**

On the basis of a \$ 1376 per person contribution rate per person the contributions for Stormwater Management are:

One bedroom dwelling	\$1376 per person	X	Occupancy rate of 1.5 persons	<b>= \$2064 contribution</b>
Two bedroom dwelling	\$1376 per person	X	Occupancy rate of 2.0 persons	<b>= \$2752 contribution</b>
Three bedroom (+) dwelling or per lot	\$1376 per person	X	Occupancy rate of 2.5 persons	<b>= \$3440 contribution</b>

## Land Content

**Note:** The above figures do not include a contribution for land. The amount should be updated to reflect prevailing valuation of an easement at the time of contribution or acquisition.

A number of easements will need to be created over private land in order to provide for the efficient management of stormwater from the Urban Release Areas.

These easements are:

- Outlet C: From the Railway to Sandy Creek approximately 790 m long and 52.2m wide or 41,238 square metres (4.124 ha)
- Outlet D: From the Railway to Sandy Creek approximately 700m long and 23.5m wide or 16,450 square metres (1.645 ha)
- Flooding easement immediately west of the railway approximately 950m long and 53m wide or 50,350 square metres (5.035 ha)

**Total:** 108,038 square metres (10.803 ha)

The value of these easements will be determined at the time of development consent and the level of contribution apportioned equally across development in the Urban Release Area.

The formula for the creation of easements for stormwater is:

$$= \frac{L}{P}$$

Where:

L = Total stormwater easement requirements

P = The total projected resident population.

$$\frac{108,038 \text{ sq m}}{1,875}$$

**= 57.62 sq m person**

## 6.4 Calculation of Contribution- Transport

The estimated capital costs of the proposed amount to \$ 5,016,376.

Full details are provided in Works Schedule 2 – Table 5 of this Plan together with a Location Map.

The contribution formula for transport facilities is therefore:

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

Where:

C= Apportioned Capital costs of facility

P= Benefiting No of People

$$\frac{\$ 5,016,376}{1,875}$$

**= \$2675 per person**

On the basis of a \$2675 contribution rate per person, the contributions for transport facilities are:

One bedroom dwelling	\$2675 per person	X	Occupancy rate of 1.5 persons	<b>= \$4013 contribution</b>
Two bedroom dwelling	\$2675 per person	X	Occupancy rate of 2.0 persons	<b>= \$5351 contribution</b>
Three bedroom (+) dwelling or per lot	\$2675 per person	X	Occupancy rate of 2.5 persons	<b>= \$6689 contribution</b>

### Land Content

**Note:** The above figures do not include a contribution for land. The amount should be updated to reflect prevailing land values at the time of contribution.

2500 sq m of land will be acquired on the northeastern side of the intersection of the Golden Highway, Crinoline and Palace Streets to enable to the intersection upgrades proposed in this Plan

3,000 sq m of land will be acquired to permit the extension of Kenilworth Street to Almond Street.

The formula for the dedication of land for transport facilities is:

$$= \frac{L}{P}$$

Where:

L = Total transport land requirements

P = The total projected resident population.

$$\frac{5,500 \text{ sq m}}{1,875}$$

**= 2.93 sq m person**

On the basis of 2.93 m<sup>2</sup> land dedication per person the land dedications for transport facilities are as follows:-

One bedroom dwelling	2.93 m <sup>2</sup> per person	X	Occupancy rate of 1.5 persons	<b>4.4 m<sup>2</sup> land dedication</b>
Two bedroom dwelling	2.93 m <sup>2</sup> per person	X	Occupancy rate of 2.0 persons	<b>5.9 m<sup>2</sup> land dedication</b>
Three bedroom (+) dwelling or per lot	2.93 m <sup>2</sup> per person	X	Occupancy rate of 2.5 persons	<b>7.3 m<sup>2</sup> land dedication</b>

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

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### **7.1 Nexus**

In order to prepare and administer of the Section 94 Plan Council employs staff to implement the Plan and works, as well as undertake financial management of the Plan. In addition specialist advice (e.g. planning and engineering specialists) has been obtained to assist with preparation of the Plan and will be engaged to assist in aspects of the management of the Plan and in its review. Council has kept these costs to a reasonable level.

These costs are an essential if Council is to ensure that public amenities, services and infrastructure are provided in West Denman to meet the demand arising from the development of the Urban Release Area within the West Denman Contributions Area. Accordingly, the Plan includes these costs, for which new development will pay a contribution.

### **7.2 Calculation of Contribution**

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

Preparation	\$66,819
Management/Review	<u>\$105,931</u>
<b>Total</b>	<b>\$172,750</b>

The cost of management/review of this Plan has been set at 1% of the total non administration plan cost.

The contribution formula for plan Management and Administration is:-

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

Where: C = the Cost of Plan Management and Administration  
P= Benefiting Number of People

$$\frac{\$172,750}{1,875}$$

**= \$92 contribution rate per person**

On the basis of a \$92 contribution rate per person, the contributions for Plan Management and Administration are calculated as follows:-

One bedroom dwelling	\$92 per person	X	Occupancy rate of 1.5 persons	<b>\$138 contribution</b>
Two bedroom dwelling	\$92 per person	X	Occupancy rate of 2.0 persons	<b>\$184 contribution</b>
Three bedroom (+) dwelling or per lot	\$92 per person	X	Occupancy rate of 2.5 persons	<b>\$230 contribution</b>

## **SECTION 5 – SUPPORTING DOCUMENTATION**

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SCHEDULE I : Demographics and Expected Types of Development

SCHEDULE II : Work Schedules and Map

## 5.1 SCHEDULE I – DEMOGRAPHICS & EXPECTED TYPES OF DEVELOPMENT

### Existing Population Characteristics

The key demographic characteristics of the Muswellbrook LGA have remained relatively unchanged over the last census period (2001-2006) and are considered to be applicable to future development sites in the Muswellbrook LGA.

The 2006 Census identified that population of the Denman differs from that of Australia overall in that it has a:

- Similar proportion of males and females.
- Slightly higher proportion of children and of older people 55+, and a slightly lower proportion of young adults and a low proportion of child bearing age groups.
- Higher proportion of couple families without children, and a slightly higher proportion of one parent family households, and a lower proportion of families with children.
- Higher proportion of lone person households.
- Low proportion of people from non English speaking backgrounds.
- Lower proportion of residents in the higher household income brackets, lower median household income.
- Significantly lower proportion of unemployed.
- High proportions of labourers, technicians and trade workers, machinery operators and drivers, and lower proportions of managers, clerical and administrative workers, sales workers and professionals.
- Slightly higher rates home ownership and a slightly lower rate of rented accommodation.
- High proportion of detached housing.

It is considered that the incoming population of the West Denman will exhibit a similar population profile albeit with a greater proportion of rented dwellings, an increase in the proportion of child bearing age groups and a higher income structure during to the growth of the mining industry. These changes will be dependent on the extent to which to Urban Release Area attracts younger age groups employed in the mining industry relative to older age groups attracted by Denman's rural ambience.

In 2006 Denman had an average household size of 2.5 people per dwelling, and an average number of 1.1 persons per bedroom.

On the basis of the above information the following occupancy rates are used in this Plan:

Dwelling Type	Number of Persons
One bedroom	1.5
Two bedroom	2.0
Three (+) bedroom or per lot	2.5

## Population Projections

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

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

The Muswellbrook LGA will experience population growth over the period of this Plan due to the growth of the mining industry and the migration of residents from surrounding rural areas.

A high population growth rate is expected in the West Denman Urban Release Area because the new development it will provide a level of supply and a diversity of housing opportunities previously unavailable in Denman. In addition, the growth of the Urban Release Area will provide a “critical mass” to support additional services and retail in the Denman town centre, which in turn will make the area more attractive for incoming residents.

The rate of growth of West Denman is difficult to determine because it is dependent on the growth of the mining industry and on the response of previously undersupplied market for housing in the town.

A number of the infrastructure items are common to several likely stages of development in West Denman, including lead in infrastructure such as certain roads and stormwater management infrastructure, making a simple staging plan problematic.

This Plan has been structured to maximum flexibility in the delivery of infrastructure and housing in response to this unpredictable demand and to equitably share the costs of common infrastructure equitably across developments.

An ultimate population of approximately 1875 additional residents is anticipated in West Denman.

Residential development will contain mainly separate dwellings, a limited quantity of medium density dwellings, and larger lot residential housing.

## **5.2 SCHEDULE 2– WORK SCHEDULES**

Table 1 : Land acquisition/dedication details

Table 2 : Open space/recreational /sporting facilities

Table 3 : Community facilities

Table 4 : Transport and stormwater facilities

**Table 1: LAND ACQUISITION/DEDICATION DETAILS**

<b>Service/ facility</b>	<b>Area (ha)</b>	<b>Estimated land cost</b>	<b>AF (%)</b>	<b>Apportioned land cost</b>	<b>Timing (lot %)</b>
Local Park	0.500	TBD	100%	Land cost of 0.5 ha	10%
Multipurpose Community Space/ Child Care Centre	0.174	TBD	100%	Land cost of 0.174 ha	50%
Roads	0.550	TBD	100%	Land cost of 0.55 ha	As required
Easements	50.350	TBD	100%	Cost of securing the 3 stormwater easements	As required
<b>TOTAL land acquisition (not including easements)</b>	<b>1.224</b>	<b>TBD</b>	<b>100%</b>	<b>Land cost of 1.224 ha plus easements</b>	
<b>Per lot</b>	<b>16.32</b>	<b>TBD</b>	<b>100%</b>	<b>Land cost of 16.32 sq m per lot plus easements</b>	

**Table 2 - OPEN SPACE AND RECREATION FACILITIES**

Service/facilities	Capital cost	AF%	Apportioned. capital cost \$	Timing (lot%)
Provide 2 x Local Parks and Playgrounds – West Denman/Denman Recreation Area	\$300,000	100%	\$300,000	10%,50%
Netball courts	\$140,625	100%	\$140,625	
Cricket practice nets	\$25,000	100%	\$13,393	25%
Tennis Courts capacity upgrade	\$100,000	100%	\$125,000	25%
<b>TOTAL</b>			<b>\$579,018</b>	
<b>Per lot</b>			<b>\$772</b>	

**Table 3- COMMUNITY FACILITIES**

Service/facility	Total cost	AF%	Apportioned. capital cost	Timing (lot%)
Child Care centre/ multipurpose community space (37.5 equivalent child care spaces)	\$730,219	100%	\$730,219	50%
<b>TOTAL</b>			<b>\$730,219</b>	
<b>Per lot</b>			<b>\$973</b>	

**Notes:**

AF% = Apportionment factor.

Apport. capital cost is the apportioned cost to be funded under this Plan by Section 94 Contributions.

Timing is the threshold for the provision of the relevant infrastructure and is based upon the developed number of lots expressed as a % of the 750 total lots.

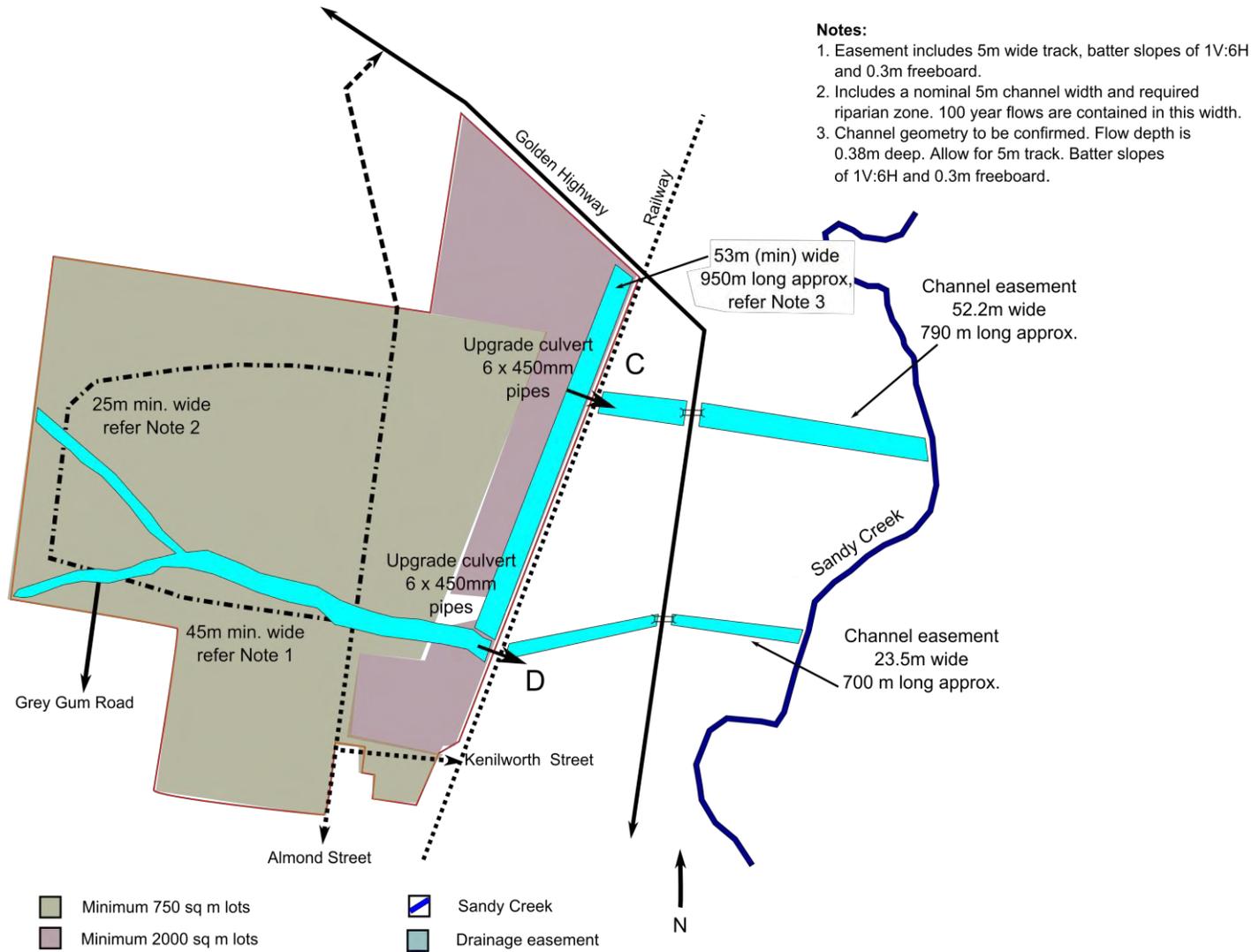
**Table 4 –STORMWATER MANAGEMENT FACILITIES**

<b>Channels between Rail Way and Sandy Creek</b>		
<b>Channel</b>	<b>Outlet C</b>	<b>Outlet D</b>
Length	790	700
Easement Width	52.2	23.5
Base Width	40	15
Top Width	44	22.2
Access Road	5	5
Channel Depth	0.6	0.6
<b>Cost</b>	<b>\$1,440,000</b>	<b>\$1,030,000</b>
Upgrade Outlet C under rail embankment to 6 x 450m pipe	\$110,000	
<b>Total Cost</b>	<b>\$1,550,000</b>	<b>\$1,030,000</b>

<b>Summary item</b>	<b>Cost</b>	<b>Per lot</b>
<b>TOTAL</b>	<b>\$2,580,000</b>	<b>\$3440</b>

**Figure 2: Stormwater Management**



**Table 5 - TRANSPORT FACILITIES**

Item No.	ITEM	GST exclusive cost
1	Almond Street/Golden Highway emergency access - closed by gate	\$60,975
2	Upgrade Almond Street north of the urban release area for emergency access - stage 11 north	\$374,776
3	Roundabout and traffic management within Almond Street - (x1)	\$530,581
4	Extend Kenilworth Street to Almond Street	\$768,018
5	Upgrade railway crossing at Kenilworth Street including pedestrian gates	\$354,448
6	Upgrade railway crossing at Ogilvie Street including vehicular and pedestrian gates	\$578,054
7	Upgrade Crinoline/Palace streets and Golden Highway intersection – Small roundabout option - CHR/AUL	\$1,050,722
8	Upgrade Kenilworth Street and Golden Highway intersection - CHR/AUL	\$339,941
9	Off-road shared pedestrian path/cycleway Almond Street to recreation area	\$225,581
10	Off-road shared pedestrian path/cycleway Almond Street to school	\$347,401
11	Upgrade Almond Street north from Bray Street	\$385,879
<b>TOTAL</b>		<b>\$5,016,376</b>

**Exclusions and Risks**

New utilities associated with subdivision development  
 Boom gates and associated works (install, relocate or upgrade) costing to be verified.  
 Subsoil drainage  
 Street lighting and associated electrical cables and conduits

**General Notes**

Areas and volumes are approximate only  
 Rates are approximate only  
 Not all items are necessarily identified (subject to detailed design phase)

Summary item	Cost	Per lot
Transport infrastructure	\$5,016,376	
<b>TOTAL</b>	<b>\$5,016,376</b>	<b>\$6,689</b>

**Figure 3: Section 94 Transportation Infrastructure**

