

S.94 CONTRIBUTIONS PLAN FOR
RURAL ZONES 1(a) & 1(b)

PART A- INTRODUCTION

1. Citation

This plan may be referred to as the "S.94 Contributions Plan for Rural Zones 1(a) and 1(b)". It has been prepared according to the requirements of Section 94 (9a) of the Environmental Planning and Assessment Act, 1979.

2. Purpose

The purpose of the plan is to enable the levying of developer contributions for the public amenities and services specified, which will be required as a consequence of increased demand generated by development in Rural Zones 1(a) and 1(b).

3. Aims and Objectives

The aims and objectives of the plan are:

- a) to provide a fair and even basis for levying developer contributions;
- b) to identify the nature of services and amenities to be provided by Council through developer contributions as a result of new development;
- c) to use future population demands and establish a nexus between anticipated development and contributions sought
- d) to maintain and enhance existing environmental and social amenity in accordance with current council policies;
- e) to provide developers with standards of service provision where applicable eg. road standards - width;
- f) to enable the provision of facilities and services prior to, or in the early stages of development;
- g) to encourage and ensure that the community is given every opportunity to participate in the formulation of the plan and in any subsequent changes to it;
- h) to provide early advice to the development industry as to the amount of contribution which will be required for individual developments;
- i) to facilitate appropriate financial management and accountability for expenditure of contributions received;
- j) to ensure appropriate charges are levied to protect the environment and to ensure the provision of adequate facilities and services within the area;
- k) to ensure that no additional burden is placed upon the existing rate payers within the Shire as a result of development;
- l) to enable apportionment of developer contributions where applicable;

- m) to provide advice as to the cost of studies which are to be met by the developer;
- n) to use developer contributions within a "reasonable amount of time".

4. Relationship to Environmental Planning Instruments

The plan enables the levying of developer contributions specified for land uses permissible under Uralla Local Environmental Plan, 1988, as amended.

5. Land to which Plan applies

The plan applies to all land within Uralla Shire, known as Rural Zone which includes 1(a) Rural and 1(b) Agricultural Protection , as identified on the map attached.

PART B - ASSESSMENT OF CONTRIBUTIONS

6. Assessment of Contribution

The amount of S.94 contributions to be levied for the specified amenities and services will be based on the increase in population generated by the proposed development and an assessment of the level of demand created for new amenities and services. This is referred to as the "nexus" between the development and the S.94 levy.

The provision of amenities and services will be staged prior to critical population thresholds being reached. S.94 contributions may either be obtained in advance of the provision of amenities and services or as a recouping of funds previously spent on such amenities and services. Recouping will only occur where amenities and services have been provided in anticipation of, and are of benefit to subsequent development, and subject to demonstration that there is a nexus between the development and the amenity and/or service.

7. Formula for Contribution

The formula for calculating the amount of contribution varies according to the type of amenity or service in question.

- * the additional demand generated by a development based on a rate for additional population, floor space or other factors;
- * the current capital cost of providing the amenity including, where appropriate, the current cost of acquiring land and maintenance of any such amenities or services as decided upon by Council;
- * the application of any apportionment and/or discount factor (refer to Clauses 8 and 9).

Contribution rates are contained in Schedule 1 and have been determined in accordance with Part C of this plan.

8. Apportionment

Where existing population will receive benefit from new amenities and services provided, the cost of providing those amenities and services will be apportioned between S.94 funds and other monies of Council.

Apportionment rates are included, where appropriate, in the formula for each category of contribution contained in Part C.

9. Discount Rates

In certain instances, as determined by Council, discount contribution rates may be applied by a specified factor. The purpose of this additional discount factor will vary, but may relate to factors such as Council's desire to encourage a particular type of development or to make a contribution rate less onerous. This decision to discount contribution rates rests solely with Council.

10. Annual Adjustment

The contribution rates contained in Schedule 1 will be indexed annually in line with the CPI and, where applicable, land acquisition costs.

PART C - CONTRIBUTION RATES**ROADS****11. Roads**

Any reference to roads includes all necessary works of construction, bridges, drainage, signs, tree planting, warning or protection measures.

Any new development within Uralla Shire which will impact on the condition of existing roads, or require construction of new roads, will be required to make a contribution to such works so as to improve or upgrade existing roads or construct new roads. In the case where existing population will benefit from these works, it is reasonable that the cost be apportioned between new development and existing development.

Where appropriate, designated development, new development or heavy traffic generating development will be required to contribute to the maintenance of roads. From these factors, the contribution formulae can be derived, based on present traffic volumes, axle loadings, maintenance cost, pavement life reduction costs and any other relevant factors.

12. Road Maintenance Royalties

Any development which contributes to the accelerated deterioration of existing road conditions will be required to contribute to the cost of maintaining such roads in the form of Road Maintenance Royalties. The amount of contribution will be apportioned according to the type of development and consequent pressures placed on existing road systems by such development.

12a. Road Maintenance Formula

Reference 1: Pavement Design, NAASRA, 1987.

Need Present Traffic Volume AADT

Proportion of heavy vehicles - %

Rural Roads Pavement Design - 20 years design life

Class of road (Reference 1, Appendix A, Table A1)

- i) Calculate Equivalent Axle loadings (Appendix E, Reference 1)
- ii) Calculation of Equivalent Standard Axles generated by the proposed development using Method 3, Appendix E, Reference 1.

- iii) Maintenance Cost

$$\text{Average cost} \times \frac{\text{extra standard axles}}{\text{present standard axles}}$$

- iv) Pavement Life Reduction

$$20 \text{ years} \times \frac{\text{present E.S.A.}}{\text{present E.S.A.} + \text{extra E.S.A.}}$$

This gives the reduced pavement life.

Annual Reconstruction Cost

$$\frac{\text{length of road affected} \times \text{average width} \times \$/\text{m}^2}{20 \text{ years}}$$

$$\text{Additional cost due to development} = \text{Annual Reconstruction Cost} \times \frac{20 \text{ years}}{\text{reduced pavement life}} - 1$$

13. Traffic Management Measures

Any development which is of such a magnitude as to require upgrading or new traffic management measures will be required to make a contribution towards the cost of providing these measures.

Depending on the location of individual developments, and consequent pressures on existing traffic management measures, Council will consider levying an apportionment contribution to upgrade current works or provide new works. Such works may include construction of median strips, shoulder widening and deceleration and overtaking lanes.

14. Bushfire Contributions

Any Development on land which is subject to bushfire hazard will be required to contribute to measures to reduce such bushfire risk, as per Section 3 - Bushfire Protection, Uralla Development Control Plan No. 1.

Any development which is to be undertaken in Medium or High risk bushfire hazard areas, as identified on Bushfire Hazard Map No. 11, Local Environmental Plan, 1988, shall contribute to the provision of services to enable control of any such hazards to be carried out. The monetary contribution to be levied has been based on the following:

- * The amount of \$480 per lot to be contributed, is based on the purchase price of a 650 Litre tanker trailer.
- * For every one dollar that is contributed to Council, a further seven dollars is contributed by the Bush Fire Council of New South Wales, so that the necessary fire fighting equipment may be purchased.
- * Any contributions levied by Council will be put towards providing the necessary equipment and resources required by local fire fighting agencies to carry out their responsibilities. Such equipment and resources may include tankers, trucks, four wheel drive vehicles, pumps, land, buildings for housing and storing equipment and the like.

PART D - PAYMENT OF CONTRIBUTIONS

15. Payment of Contributions

Depending on the type of amenity or service in question, contributions may be required to be settled by one or a combination of the following methods:

- * monetary contribution
- * dedication of land; and/or
- * provision of a material public benefit (MPB) ie works "in kind"

Monetary contributions received by Council are to be invested in accordance with the Local Government Act, 1993. Any interest received on such accounts will be used for the service or amenity for which the contributions were levied.

Any contribution currently held by Council, including interest from such holdings, will be clearly distinguished in Council's records.

16. Timing of Contribution

Contributions are required to be paid as follows:

- * development applications involving building work - at the time of building approval
- * development applications involving subdivision - prior to the signing of linen plans
- * development applications where no building approval is required - at the time of development consent

17. Dedication of Land and Material Public Benefit

A decision as to whether to accept the dedication of land or the provision of a material public benefit/ works "in kind" in lieu of a monetary contribution, will be at the discretion of Council. Factors Council will take into consideration include:

- * the extent to which the land/ MPB/works satisfies a community need;
- * the extent to which the land/MPB/works satisfies the purpose for which the contribution was sought;
- * a consideration of location and other factors which may affect usability;
- * an assessment of recurrent maintenance costs to Council.

PART E - ACCOUNTABILITY

18. S.94 Statutory Reserve

Council has established a statutory reserve for the management of S.94 contributions. This fund has separate internal ledgers for each category of contribution. The following separate ledgers have been established:

- * Public Open Space
- * Roads
- * Traffic Management Measures
- * Road Maintenance Royalties
- * Car Parking
- * Drainage
- * Lane Widening
- * Community Amenities
- * Bushfire

Contributions paid into these ledgers must be spent for the purpose for which they were levied in the time specified in the Works Program (Schedule 2). Interest will be calculated on funds held in each ledger and credited to each ledger as appropriate.

19. Priority Spending

Council may permit the short-term transfer of funds between ledgers in order to enable works to be undertaken on a priority basis, for example where drainage works are required to be in place prior to other aspects of a subdivision proceeding. This will only be done on the basis that:

- * full details of the transfer and subsequent reimbursement of funds are recorded in the respective ledgers;
- * the transferred funds are returned to the relevant ledger by future contributions;
- * there is a reasonable expectation that future contributions will be obtained to enable reimbursement of the ledger from which monies have been transferred;
- * the purpose for which the contribution was levied will not delay or threaten the provision of any amenity or service identified in the Works Program.

Council is not permitted to transfer funds between the S.94 reserve and other funds of Council, for example the General Fund.

20. Contributions Register

Council will maintain a register of all contributions received. The register will record:

- * the origin of each contribution by reference to the development consent to which it relates;
- * the date of receipt of the contribution;
- * the type of contribution received, eg. money, land, works "in kind";
- * the amount of the contribution and the purpose(s) for which it was levied;
- * the total of contributions expended each year by purpose;
- * expenditures from the fund according to date and purpose, including details of priority spending;
- * interest earned by purpose.

The register will be available for public inspection, free of charge, at any time during normal office hours.

21. Annual Statement

Council will produce an annual statement of contributions received which summarises, by purpose and area, details recorded in the contributions register. This information will be available for public inspection, free of charge at any time during normal office hours.

22. Review of Plan

Any material change in the plan with the exception of the annual adjustment of contribution amounts, will require that the plan be amended in accordance with the Environmental Planning and Assessment Act Regulation 1994. This will require full public exhibition of the amended plan and consideration of submissions received.

The plan will initially be subjected to a review after one (1) year and every three years thereafter.

23. Designated Development

Any development proposals for designated development and like land uses within the area will be given due consideration under the plan. Large and unusual developments may be subject to a separate contribution plan. These may include such matters as:

- * water supply
- * waste disposal/ management
- * monitoring of the environment eg air, water and soil pollution.
- * trade waste disposal to sewer and should be submitted as part of any development application.

SCHEDULE 1 Contribution Rates to be Levied

The following are S94 contribution rates to be levied for Rural Zones 1(a) and 1(b):-

- | | |
|---|--|
| i. Roads | To be calculated as per Cl 11. |
| ii. Road Maintenance royalties | To be calculated as per the formula in this schedule |
| iii. Traffic management issues | To be calculated as per Cl. 13 |
| iv. Bushfire contributions (Provision of fire fighting equipment) | \$480 per lot |

Contribution calculations -

♦ Road maintenance royalties

Road maintenance formula - Reference 1: Pavement Design NAASRA 1987

Need present traffic volume ADT

Proportion of heavy vehicles - %

Rural roads pavement design - 20 years design life

Class of road (Reference 1, Appendix A, Table A1)

- i. Calculate equivalent axle loadings (Appendix E, Reference !)
- ii. Calculation of equivalent standard axles (ESA) generated by the proposed development using Method 3, Appendix E, Reference 1.
- iii. Maintenance cost:

$$\frac{\text{Average cost} \times \text{extra standard axles}}{\text{present standard axles}}$$

- iv. Pavement life reduction:

$$\frac{20 \text{ years} \times \text{present ESA}}{\text{present ESA} + \text{extra ESA}}$$

This gives the reduced pavement life.

SCHEDULE 2 - WORKS PROGRAM**Services, Facilities and Amenities to be provided**

- * Bushfire fighting equipment
- * Other

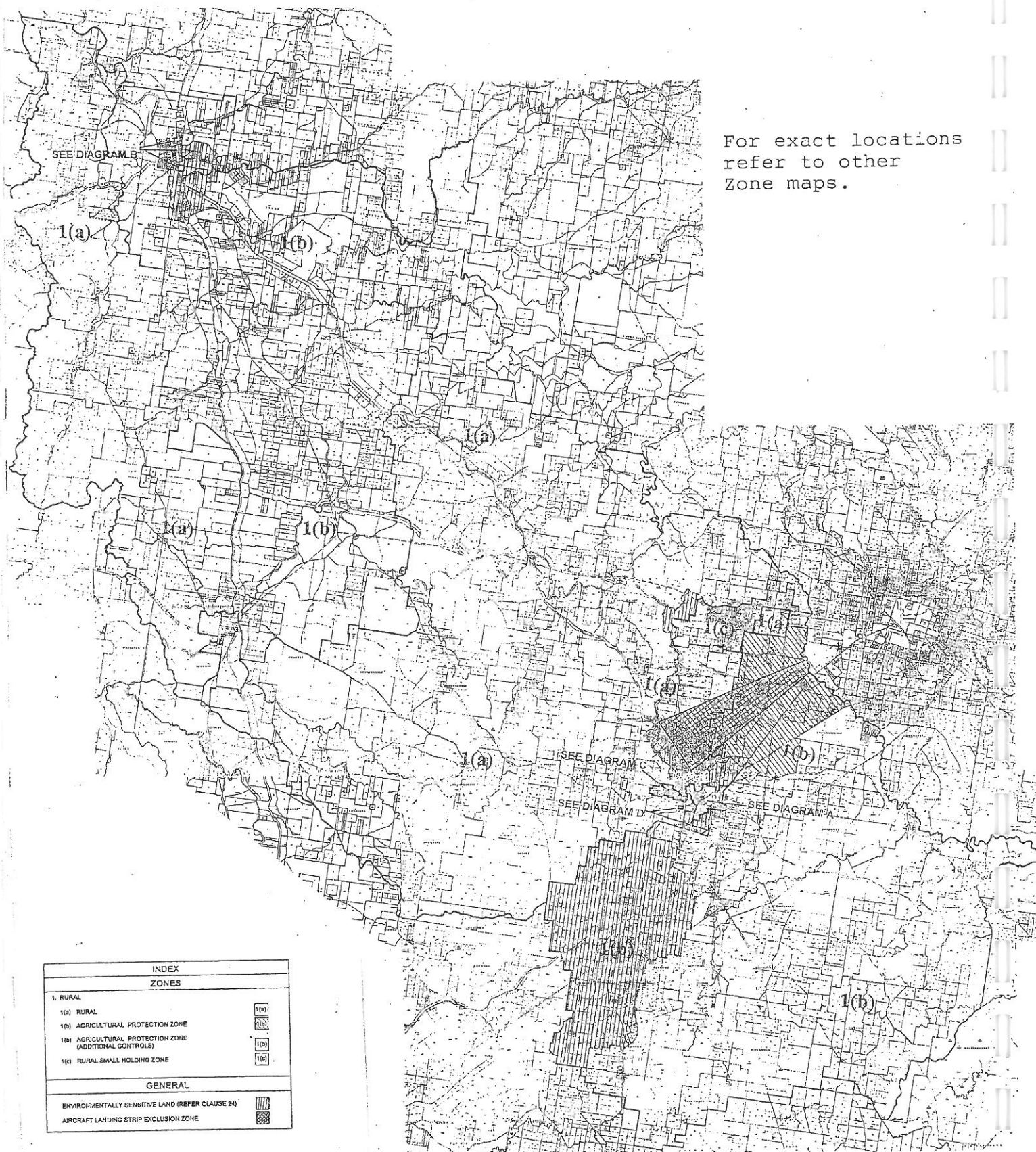
When they will be providedBushfire fighting equipment






Within two years

Other

Assessed when funds are made available

For exact locations
refer to other
Zone maps.



INDEX	
ZONES	
1. RURAL	
1(a) RURAL	
1(b) AGRICULTURAL PROTECTION ZONE	
1(b) AGRICULTURAL PROTECTION ZONE (ADDITIONAL CONTROLS)	
1(c) RURAL SMALL HOLDING ZONE	
GENERAL	
ENVIRONMENTALLY SENSITIVE LAND (REFER CLAUSE 24)	
AIRCRAFT LANDING STRIP EXCLUSION ZONE	