



# **COFFS HARBOUR MINES AND EXTRACTIVE INDUSTRIES**

**Developer Contributions  
Plan 2013**



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# PART 1 – SUMMARY SCHEDULES

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## EXECUTIVE SUMMARY

This contributions plan enables Coffs Harbour City Council to levy contributions under Section 94 of the Environmental Planning and Assessment Act 1979 where mines or extractive industries generate additional heavy vehicle movements on roads within the Coffs.

As a consequence of this anticipated expected increase in heavy vehicle movements increased road maintenance on haulage routes will be required.

## SUMMARY OF CONTRIBUTION RATES

The contribution rates for the funding of the identified works are summarised at Table2.

## DATE OF COMMENCEMENT OF THE PLAN

This plan came into operation on 23 February 2000. This Plan was amended on the 24 August 2005 and again on 18<sup>th</sup> December 2013.

## SUMMARY OF WORKS SCHEDULE

The additional road works required as a result of heavy vehicle movements from mines and extractive industries will depend on the scale and location of activity of those industries.

***Table No. 1 - Schedule of Works, Staging and Expenditures***

Description of Works	Cost of Works	Catchment Map Ref.	Staging
Mines and Extractive Industries	Dependent on activity level	N/A	As demand dictates

***Table No. 2 Roads and Trunk Drainage Contribution Rates***

Identified Works	
Mines and Extractive Industries	\$0.088/t/km

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# PART 2

## ADMINISTRATION AND ACCOUNTING

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### NAME OF THE PLAN

This contributions plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act 1979 and Part 4 of the Environmental Planning and Assessment Regulation 1994 and may be referred to as the Coffs Harbour Mines and Extractive Industries Developer Contributions Plan 2013.

### PURPOSE OF THE PLAN

The primary purpose of this plan is to satisfy the requirements of the EP and A Act and Regulation to enable Council to require a contribution towards the provision, extension or augmentation of public services that will, or are likely to be, required as a consequence of development in the area or that have been provided in anticipation of or to facilitate such development.

Other purposes of the plan are to:

1. ensure that the existing community is not burdened by the costs of road works caused by heavy haulage vehicles; and
2. provide a strategy for the assessment, collection, expenditure, accounting and review of developer contributions on an equitable basis.

### THE AREA TO WHICH THE PLAN APPLIES

This plan applies to the whole of the Coffs Harbour local Government Area

### RELATIONSHIP TO OTHER PLANS AND POLICIES

This contributions plan supersedes the previous Roads and Trunk Drainage and

Mines and Extractive Industries Contributions Plan which came into effect on 24 August 2005. This contributions plan provides a means for implementing some of the planning and community development strategies adopted by Council.

### HOW THE PLAN OPERATES

In determining a development application Council may impose a condition requiring the payment of a monetary contribution in accordance with the provisions of this plan.

### FORMULA FOR DETERMINING CONTRIBUTIONS

Contributions are applied at the rate of \$0.088 per tonne of material extracted for each kilometre of road on which the haulage occurs, dependant on the specific haulage route.

### TIMING OF PAYMENT OF CONTRIBUTIONS

Payment of financial contributions will generally occur on an annual basis calculated in accordance with the amount of material extracted during any 12 month period commencing from the date of determination of the relevant development application.

### DEFERRED OR PERIODIC PAYMENT

Where the applicant can demonstrate that the settlement of the contribution, in terms of the above, is unreasonable in the circumstances of the case, the Council may accept deferred or periodic settlement. In such a case, the applicant needs to make a written request and satisfy Council in accordance with the following:

- there are valid reasons for deferred or periodic payment

- no prejudice will be caused to the community deriving benefits from the public facilities required by the proposed development
- no prejudice will be caused to the operation of this plan
- the provision of the public facility or service in accordance with the adopted work schedule will not be adversely affected.

Applications for deferment of payments will be subject to the following conditions:

- The deferment will be for a fixed period not exceeding 6 months from the date the contribution becomes due;
- The applicant must agree to pay the Council interest on contributions or on so much thereof as shall remain outstanding from time to time computed from the date that the contribution becomes due at the appropriate rate of interest;
- Payment of the contributions and the interest must be secured by delivery to the Council of a guarantee in writing issued by an appropriate institution.

For the purposes of this provision, "*appropriate rate of interest*" means the seven year local government interest borrowing rate applicable from time to time, and "*appropriate institution*" means a licensed bank or other institution where securities comprise authorised investments under the Trustee Act 1912.

## WORKS IN KIND

Council may accept an applicant's offer to make a contribution by way of a works in kind contribution or a material public benefit as referred to in Section 94 (2C) of the Environmental Planning and Assessment Act.

Applicants should consult Councils current Works in Kind Policy prior to making an application for the undertaking of Works in Kind.

Council may accept the offer of a works in kind contribution if the applicant, or any other person entitled to act upon the relevant consent, satisfies the consent authority that:

- payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case;
- the in kind contribution will not prejudice the timing or the manner of the provision of the public facility for which the contribution was required;
- the value of the works to be undertaken are at least equal to the value of the contribution assessed in accordance with this plan.

## INDEXING OF CONTRIBUTION RATES

Council will review the contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the public facility.

The contribution rates will be reviewed on the basis of movements in the Consumer Price Index, All Groups Sydney, as published by the Australian Bureau of Statistics in accordance with the following formula:

$$RC = \frac{C \times \text{Current index}}{\text{Previous index}}$$

where

RC = Revised contribution rate applicable at the time of payment

C = Previous contribution rate

*Current index* is the Consumer Price Index at the date of review of the contribution

*Previous index* is the Consumer Price index as listed in Appendix "A" or applicable at the time of issue of the consent.

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## PART 3 - STRATEGY PLANS

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### RELATIONSHIP BETWEEN EXPECTED DEVELOPMENT AND DEMAND FOR ADDITIONAL PUBLIC FACILITIES

The following documents provide the basis for establishing the relationship (nexus) between the expected types of development in the area and the demand for additional public facilities to meet that development.

**The Coffs Harbour “Our Living City” Settlement Strategy** identifies the preferred location and expected type of future urban expansion within the City, and the associated requirements for public facilities.

**The Coffs Harbour Land Capacity Assessment 2004** establishes the level of existing development and estimates a population of 100,408 by the year 2030. The estimates are based on 1994 Department of Urban Affairs and Planning medium population projections, occupancy rates derived from the 2001 census and residential densities permitted under Coffs Harbour Local Environmental Plan.

**Coffs Harbour LEP 2013** makes provision for residential expansion in a number of areas in the City.

### CAUSAL NEXUS

Mines and extractive industries provide a significant role in meeting the resource needs of the community. Mines and extractive industries also have the potential to generate significant heavy vehicle movements with consequential impacts upon the local road network.

Heavy vehicles require a higher standard of road width, alignment and paving thickness to ensure safe and efficient movement and maintain reasonable amenity. The impact of

heavy vehicles (equivalent standard axles [ESA]) can reduce the pavement life for a set pavement thickness or require additional pavement width and thickness to maintain the design pavement life. The anticipated growth in population will create the need for additional roads which will in turn create additional extraction requirements from mines within the local government area.

### PHYSICAL NEXUS

#### Mines and Extractive Industries

The travel distance between the resource and the nearest main road used to transport materials will form the length of road upon which the contribution will be levied.

### TEMPORAL NEXUS

#### Mines and Extractive Industries

Contributions will be levied as mining and extractive industry development occurs.

### CALCULATION OF CONTRIBUTION RATE

The contribution is calculated on the basis of the average cost per kilometre to bring a road up to the required standard for the development. The impact is calculated on the ESA loading on the road per vehicle as a proportion of total loadings on the road. This is then converted to a total cost per tonne (1000 kilograms) per kilometre.

### ASSUMPTIONS

1. Design life of a rural road is 30 years. Design traffic volumes over this period is  $1.0 \times 10^6$  ESAs.
2. Assessment of the impact on road pavement is based on the AUSTRROADS "A *Guide to structural Design of Road*

*Pavements*”. The number of ESAs per commercial vehicle is determined by the Load Factor (f) equal to 1.9.

3. The standard commercial vehicle is assumed to be a three axle (single front, tandem rear axle) truck with gross vehicle mass of 20 t and net load of 13 t.
4. The construction cost for rural roads is \$600,000.00 per kilometre.

### **CALCULATIONS**

1 commercial vehicle	=	1.9 ESAs
13 t	=	1.9 ESAs
1 ESA	=	13 / 1.9
	=	6.84 t

$$\text{Levy} = \frac{\text{Cost 1 kilometre}}{\text{Design Traffic x Tonnes per ESA}}$$

$$= \frac{\$600,000}{1.0 \times 10^6 \times 6.84}$$

$$= \mathbf{\$0.088/t/km}$$

Income from contributions will be spent on the road network associated with the development subject to the contribution, within a reasonable time frame pertaining to the circumstances of the development.

## APPENDIX A - INDEXING FACTORS FOR LOCAL ROADS & TRUNK DRAINAGE

Contribution Type	Indexation Basis	Index	Date Applied
Mines & Extractive Industries	Consumer Price Index – (All Groups) for Sydney	102.7	March 2013

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