

**Section 7.11 Development
Contributions Plan**

**Roadworks –
New Residential Subdivisions**

AMENDMENT 6

Adopted: 21 November 2018

Effective Date: 20 September 2014

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PART A: ADMINISTRATION AND OPERATION OF THE PLAN

1 Administration

1.1 Name of the Plan

This development contributions plan is called the “Section 7.11 Development Contributions Plan, Roadworks – New Residential Subdivisions”.

The plan will be reviewed as required and any amendments will be recorded in the following table:

Plan Title	Amendments	Adoption Date	Amendment Number
Section 94 Development Contributions Plan, Roadworks – New Residential Subdivisions	New Plan	September 1997	0
Section 94 Development Contributions Plan, Roadworks – New Residential Subdivisions	<ul style="list-style-type: none"> • Additional allotments for Eglinton. • Revision of the schedule of works for roads and intersections • Revision of format. 	17 October 2012	1
Section 94 Development Contributions Plan, Roadworks – New Residential Subdivisions	<ul style="list-style-type: none"> • New Kelso catchment. • Additional allotments in Kelso. • Additional schedule of works based on the Kelso Traffic Access Study. • Revision of value of works for all catchments. • Revision of works completed for all catchments. • Update LEP & DCP references. 	20 September 2014	2
Section 94 Development Contributions Plan, Roadworks – New Residential Subdivisions	<ul style="list-style-type: none"> • Revision of estimated cost of works for intersections I15, I16 & I17 based on advice from the RMS. 	9 December 2015	3

Residential Subdivisions	<ul style="list-style-type: none"> • Revision of value of works for all catchments. • Revision of works completed for all catchments. 		
Section 94 Development Contributions Plan, Roadworks – New Residential Subdivisions	<ul style="list-style-type: none"> • Insertion of Section 1.15, 3.9 & 4.4 relating to the Plan Management and Administration. 	14 December 2016	4
Section 94 Development Contributions Plan, Roadworks – New Residential Subdivisions	<ul style="list-style-type: none"> • Revision of roadworks R13. • Revision of estimated cost of works for roadworks R13. 	21 November 2018	5
Section 7.11 Development Contributions Plan, Roadworks – New Residential Subdivisions (Amendment 6)	<p>Update legislative references.</p> <p>Allow for quarterly indexation.</p>	16 October 2024	6

1.2 Commencement of the Plan

This development contributions plan has been prepared pursuant to the provisions of Section 7.11 of the *Environment Planning and Assessment Act 1979* (EP&A Act) and Part 9 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation). The Plan was originally adopted by Council at its meeting held 18 September 1997 and took effect from the date on which public notice was published, pursuant to Clause 214(4) of the EP&A Regulation 2021.

1.3 Land to Which the Plan Applies

The Plan applies to land bounded by the heavy black line on the series of maps marked “Section 7.11 Development Contributions Plan, Roadworks – New Residential Subdivisions” attached to this Plan.

1.4 Purpose of the Plan

The primary purpose of this Plan is to satisfy the requirements of the Act and Regulations to enable the Council to require a contribution towards the provision or extension of roadworks and intersection treatments 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 this Plan are to:

- (i) Provide a comprehensive works schedule of the road and intersection works included in the Plan;
- (ii) Provide for the construction and upgrading of the road network within the new subdivision areas of Abercrombie, Eglinton, Kelso, Llanarth and Windradyne;
- (iii) Ensure that Council has sufficient funding to undertake the upgrading of existing roads in this area as a result of residential and other traffic generating development;
- (iv) Ensure that the future road infrastructure has sufficient capacity to cater for the expected road volumes as a result of development in the area;
- (v) Ensure that funding of roadworks identified under this plan is provided in a fair and equitable manner between future road users; and
- (vi) Ensure that the existing community is not burdened by the provision of road and intersection works required as a result of future development.

1.5 Relationship to Other Plans and Policies

The Plan should be read in conjunction with *Bathurst Regional Local Environmental Plan 2014* (as amended) and *Bathurst Regional Development Control Plan 2014* (as amended).

All contributions collected under previous version(s) of this Plan are to be pooled and used for the purposes outlined in this Plan.

1.6 When Contributions are to be Paid

Council will impose conditions of consent requiring payment of contributions in the following circumstances:

Development type	Payment required
a dual occupancy, secondary dwelling (granny flat) or medium density residential development	prior to the issue of a Construction Certificate from Council or an accredited certifier.
a subdivision	prior to the release of the final subdivision certificate, or a subdivision certificate for any stage.
a business or special use development	prior to the issue of a Construction Certificate from Council or an accredited certifier.

Note: Where a development contribution has already been made for a residential lot under a previous version of the Bathurst Roadworks – New Residential Subdivisions Development Contribution Plan (September 1997), a credit will be given equivalent to 1 x residential allotment.

1.7 Construction Certificates and Complying Development Certificates and the Obligations of Accredited Certifiers

Construction Certificates

A certifying authority must not issue a **construction certificate** for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with Clause 141(4) of the *Environmental Planning and Assessment Regulation 2021*. Failure to follow this procedure may render such a certificate invalid.

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

Complying Development Certificates

In accordance with Section 7.21 of the *Environmental Planning and Assessment Act 1979* accredited certifiers must impose a condition requiring monetary contributions in accordance with this Contributions Plan for applicable development types.

The condition imposed must be consistent with Council's standard Section 7.11 consent conditions and be strictly in accordance with this Contributions Plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the 7.11 condition correctly.

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

1.8 Council's Policy on Periodic Payments

The conditions under which the Council may accept payment by way of periodic payment for a staged development are that:

- The instalment be paid before the work commences on the relevant stage of the development;
- The amount to be paid at each stage is to be calculated on a pro-rata basis adjusted to the applicable rate, in accordance with Section 1.10 of this Plan.

1.9 Council's Policy on the Acceptance of Material Public Benefit (including works in kind)

Council may in certain circumstances accept an offer by the applicant to provide a works in-kind (WIK) contribution (i.e. the applicant completes part or all of works identified in the plan) in lieu of all or part of a cash contribution required under this plan.

An offer to provide WIK is to be made to Council in writing prior to the determination of the development application and should clearly state:

- What WIK are proposed;
- The value of the WIK proposed;
- The timing of the provision of the WIK;
- What cash contributions it is proposed to offset.

Council is under no obligation to accept the WIK, however, may consider doing so in the following circumstances:

- where the value of the works to be undertaken is at least equal to the value of the contribution that would otherwise be required under this plan; and
- where the standard of the works is to Council's full satisfaction.

In some circumstances, where the WIK exceeds the contribution due for the development, this excess value may (at the sole discretion of Council) be offset against other contributions. Written confirmation of this should be sought from Council and cannot be automatically assumed.

1.10 Review of Contribution Rates

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this Plan authorises that the published Section 7.11 Contribution Rates for a development will be adjusted at the time of consent, and again at the time of payment.

Council will make changes to the Section 7.11 Contribution Rates set out in this Plan to reflect quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics. The Section 7.11 Contribution imposed on a development will reflect the latest, indexed contribution rates authorised by this Plan. The latest Contribution Rates will be published on Council's website.

1.11 Exemptions

Exemptions from paying contributions under this Plan will not be given for any development outlined in the Contributions Plan without an express resolution of Council.

1.12 Planning Agreements

Council may seek to negotiate planning agreements for major developments in accordance with Section 7.4 of the EP&A Act.

1.13 Pooling of Contributions

This plan expressly authorises monetary Section 7.11 contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

The priorities for the expenditure of the levies are shown in the works schedule.

1.14 Savings and Transitional Arrangements

A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of lodgement of the application, except as this relates to the quarterly indexation of contribution rates.

1.15 Administration of the Plan

1.15.1 Management Costs of the Plan

Council considers that the costs involved with administering Section 7.11 are an integral and essential component of the efficient provision of facilities generated by the development in the LGA. Accordingly, costs associated with the ongoing administration and management of the contributions plan will be levied on all applications occasioning a development contribution. These costs will appear as a separate element in the contributions schedule and the method of calculation is described in Section 1.16 of this Plan. Fees collected will cover the implementation, review, monitoring and updating procedures set out in the Plan. In addition studies are undertaken to determine the design and costings of works as well as to review the development and demand assumptions of the contributions plan.

Where a WIK agreement is negotiated between a developer and the Council, the Plan Administration and Management Contribution levy will still apply. This amount will cover plan review costs and also Council's costs associated with negotiating the agreement and supervision work undertaken.

NSW Planning and Environment released a revised Local Development Contributions Practice Note – for the assessment of Local Contributions Plans by IPART, February 2014 (pp 9-10).

Section 3.4.2.3 of the Practice Note identifies that:

Plan administration costs may include:

- background studies, concept plans and cost estimates that are required to prepare the plan, and/or
- project management costs for preparing and implementing the plan (e.g., the employment of someone to co-ordinate the plan).

Note: Plan administration costs include only those costs that relate directly and solely to the preparation and implementation of the Section 7.11 Plan and do not include costs that would otherwise be considered part of Council's key responsibilities such as core strategic planning responsibilities.

PART B: URBAN CHARACTERISTICS AND POPULATION

2 Urban Characteristics

2.1 Area

Bathurst Regional Local Government Area covers an area of approximately 3,821 square kilometres and is located in the Central West region of New South Wales. The subject area represents some of the major growth areas of residential land.

2.2 Population

The table below outlines the estimated populations for each of the catchment areas and indicates the average people per household, based on the 2011 Census. (ABS, 2012)

	Existing population	Existing number of dwellings or approved lots	Estimated number of additional dwellings	Estimated population increase
Abercrombie – Llanarth	2,766	1,079	661	2,016
Eglinton	2,109	752	612	1,775
Kelso	7,725	2,930	4,436	11,977
Windradyne	2,831	1,132	535	1,391
TOTAL	15,431	5,893	6,244	17,159

Note 1: The estimated number of additional dwellings is based on 8 lots per hectare.

Note 2: The estimated population increase is the number of dwellings x the average people per household.

	Abercrombie	Llanarth	Eglinton	Kelso	Windradyne
Average persons per dwelling	3.1	3.0	2.9	2.7	2.6
Average for Abercrombie/Llanarth	3.05				

(ABS, 2014)

3 Plan Objectives

The roadworks and intersection treatments are required to meet the new population to full development of the subject area.

This Plan identifies:

- the demand for the facilities likely to be required as a result of the urban development and redevelopment in the subject area;
- the roadworks and intersection treatments which will be required to meet those demands (for which development contributions could reasonably be charged); and
- the reasonable contribution which should be levied on new development to meet those demands.

Contributions are rounded to the nearest dollar.

3.1 Nexus

Nexus is one of the key principles which underpin the development contributions system along with reasonableness, apportionment and accountability. Nexus refers to the relationship between the proposed development and the demand for public facilities and services created by the development. A contribution levied must be for an increased demand for a public facility or service that is caused by the development.

There are three aspects to nexus:

- Causal nexus – the proposed development creates a need or increases the demand for a particular public facility or service;
- Spatial or physical nexus – the proposed public facility or service will be located to serve the needs of those who created the demand for it;
- Temporal nexus – the proposed public facility or service will be provided within a reasonable time to benefit those who contributed towards it.

The suburbs of Abercrombie, Eglinton, Kelso, Llanarth and Windradyne represent the main residential growth areas for the western expansion of the City of Bathurst.

The traffic routes identified within this plan provide for both internal travel within the development area and also link the subject land to major commercial and industrial areas within the City of Bathurst.

The growth expected in these areas is going to result in a considerable increase in the amount of traffic using the existing roads, and also in the need to construct new roads to accommodate anticipated traffic volumes. The works identified in this Plan for Kelso have been identified in the *Kelso Traffic Access Study 2014*.

3.2 Apportionment

Apportionment is the “fairness” principle. It means that new development only pays the full cost of a service or facility if it can be shown that it exclusively causes the increased demand. Where the service or facility proposed will benefit both the existing and new population, the cost of provision of that service or facility is apportioned between the existing development being the Council’s contribution, and new development.

With respect to this Plan, the roadworks and intersection treatments identified within this Plan is apportioned to the additional population only. The additional population has created the demand for an improved road network and intersection treatments.

3.3 Reasonableness

The principle of reasonableness refers to whether the amount levied is a reasonable contribution from the point of view of the industry's ability to pay and any economic development policies Council may have from time to time. All contributions in this plan fully satisfy this principle.

3.4 Accountability

The Council needs to be able to demonstrate that it is accountable for all contributions made under the provisions of Section 7.11 and be transparent in the allocation of those funds in accordance with the Schedule of Works identified in the plan. Development and subsequent population growth rates will be monitored to ensure that the Plan remains relevant and delivery of services and facilities occurs in accordance with the Plan.

3.5 Population Increase

Council has identified substantial land within the subject area for residential expansion. The land identified to be available for residential development within this area includes:

- (a) That land zoned residential (i.e. R1 General Residential or R2 Low Density Residential) under *Bathurst Regional Local Environmental Plan 2014*; and
- (b) That land identified on the following maps under *Bathurst Regional Development Control Plan 2014* (DCP 2014):
 - “DCP Map No. 3 – Eglinton”.
 - “DCP Map No. 4 – Kelso”.
 - “DCP Map No. 5 – Windradyne, Llanarth & Abercrombie”.

Map Nos. 3, 4 & 5 of the *Bathurst Regional Development Control Plan 2014* identify sufficient land to accommodate a further 6,244 residential allotments on land zoned for residential subdivision. Details of the existing and proposed residential development are provided in Table 1 below. The boundaries of the catchment areas are shown on the series of maps to this plan.

It is important to note that in relation to calculating the contributions, the total number of residential allotments have been used for Abercrombie/Llanarth, Eglinton and Windradyne. For the Kelso catchment, the *Kelso Traffic Access Study* identified the works required as a result of the population increase. The *Kelso Traffic Access Study* identified some works which would be required if no further land were to be zoned and these works have been excluded from this Plan. Given that the *Kelso Traffic Access Study* identified the works required as a result of the additional allotments, it is justified that the contribution is applied to the proposed allotments rather than the total allotments.

Table 1 – Existing and Proposed Residential Development					
Residential Allotments	Area 1 (Windradyne)	Area 2 (Abercrombie / Llanarth)	Area 3 (Eglinton)	Area 4 (Kelso)	TOTAL
Existing	1,132	1,079	752	2,930	5,893
Proposed	535	661	612	4,436	6,244
TOTAL	1,667	1,740	1,364	7,366	12,137

3.6 Meeting Needs of the Population

The incoming population will be primarily distributed on the fringe of the suburbs of Abercrombie, Kelso, Llanarth and Windradyne and on the fringe of the village of Eglinton with some penetration into existing built up areas. This additional population will create increased demand for roads, intersections and administration of this Section 7.11 Plan.

3.7 Traffic Catchments and Movements

For the purposes of providing a more equitable distribution of funding between specific users of the road network individual catchment areas have been identified. Roadwork costs identified under this plan have been distributed amongst the various catchments in accordance with their propensity to gain benefit from each roadwork component identified by this plan.

The individual catchment areas are identified on the series of maps entitled "Section 7.11 Development Contributions Plan – New Residential Subdivisions" attached to this Plan.

3.8 Kelso Urban Release Area

Council, in developing this Section 7.11 Development Contributions Plan, has taken into consideration comments from the Roads and Maritime Service (RMS) in relation to the identified infrastructure upgrades for the Kelso catchment. It is acknowledged that the NSW Department of Planning and Environment (DP&E) have not requested a State Public Infrastructure contribution and as such, Council has amended its Section 7.11 Plan accordingly. Amendment 3 of this Plan, adopts the contribution rate advised by the RMS in their submission to DP&E dated 12 June 2015.

3.9 Plan Management and Administration

3.9.1 Nexus

Council employs staff to coordinate the implementation of the Plan and associated works, as well as the financial accounting of contributions received. In addition, consultant studies may be commissioned in order to determine design and costing of works and to review the development and demand assumptions of the contributions plan.

Council considers that the costs involved with administering this Section 7.11 Plan are an integral and essential component of the efficient provision of facilities demanded by development throughout the Bathurst Regional LGA. The new population should therefore pay a reasonable contribution towards the costs associated with the management and administration of the Plan.

At the time of the preparation of this Plan, it was determined that 1.0% of all development contributions payable over the life of the Plan is a reasonable contribution towards Plan Management and Administration functions.

3.9.2 Contribution Catchment

Plan administration and management is based upon the catchment of the Plan and contributions have therefore been applied on this basis.

3.9.3 Facilities Strategy

The Plan aims to provide funds to ensure the efficient management of the Section 7.11 planning and financial processes within Council. These processes will be ongoing throughout the life of the Plan.

Council staff accountable for facility/service planning and delivery will be involved in reviewing and updating the Plan. This may include review of the works schedules or the latest information on community needs to ensure that facility planning is current and appropriate. This may also include engaging specialist consultants (e.g. planning, engineering, traffic, legal and valuation specialists) to carry out studies or to assist with the preparation of the Plan.

4 Schedule of Works

4.1 Road Construction

Table 2 – Roadway Construction Works						
Identifier	Location	Description of Works	Distance	Rate (\$ / Metre)	Estimated Cost	Completion Rate
R1 (Map 1)	Durham Street Between Stewart and Esrom Street	Full width road construction to enable 4 lane carriageway.	1600m	\$1401	\$2,241,000	Not commenced
R2	Eglinton Road Between Esrom Street and Bradwardine Road	Full width road construction to enable 4 lane carriageway.	1300m	\$1401	\$1,820,813	Not commenced
R3	Eglinton Road Between Bradwardine road and Rankins Bridge	Full width road construction to enable 4 lane carriageway.	1600m	\$1401	\$2,241,000	Not commenced
R4	Bradwardine Road Between Eglinton Road and Suttor Street	Full width road construction to enable 4 lane carriageway.	1900m	\$1245	\$2,661,188	Not commenced
R5	Bradwardine Road Between Suttor Street and Mitchell Highway	Full width road construction to enable 4 lane carriageway.	700m	\$2101	\$1,470,656	Not commenced
R6	Ophir Road (Extension) Between Rankins Bridge and Ophir Road	Full width road construction to enable 4 lane carriageway.	1300m	\$1401	\$1,820,813	Commenced. 110m constructed as 2 lane carriageway.

R7	Alexander Street (Eglinton) Between Cottonwood Drive and Park Street	Half width road construction to enable 2 lane carriageway.	450m	\$1401	\$630,281	Not commenced
R8	Eleven Mile Drive Between Saltram Creek and Hamilton Street	Half width road construction to enable 2 lane carriageway.	200m	\$1401	\$280,125	Not commenced
R9 (Map 2)	Hereford Street. Between Gilmour Street and low level bridge.	Full width road construction to enable 4 lane carriageway.	1,560m	\$1319	\$2,056,429	Not commenced
R10	George Street (east). Between Durham Street and Stanley Street.	Widening carriageway by 5 metres. A 43m section on the southern side of George Street extending the kerbside lane to the eastern side of the access to the Elizabeth Street Carpark.	43m	\$1283	\$55,141	Not commenced.
R11	George Street (east). Between Durham Street and Stanley Street.	Widening carriageway by 8 metres. A 250m section on the southern side of George Street extending the kerbside lane from the eastern side of the access to the Elizabeth Street Carpark to Stanley Street.	250m	\$1283	\$320,530	Not commenced.
R12	Link road K Between Emerald Drive and Great Western Highway	Full width road construction to enable 2 lane carriageway.	970m	\$1834	\$1,779,271	Not commenced

R13	Link Road K Between western boundary of Lot 1 DP 176203 and southern side of the extension of Emerald Drive	Partial road construction to enable 2 lane collector carriageway.	1300m	\$551 (30% of full road construction)	\$716,300	Not commenced
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4.2 Intersection Construction

Table 3 – Intersection Construction Works

Identifier	Location	Description of Works	Estimated Cost	Completion Rate
I1 (Map 1)	Stewart Street / Durham Street intersection	Intersection Upgrade	\$525,234	Not commenced
I2	Eglinton Road / Bradwardine Road intersection	Seagull Intersection	\$525,234	Completed 2009
I3	Eglinton Road / Westborne Drive intersection	Roundabout	\$525,234	Not commenced
I4	Eglinton Road / Rankin Bridge onramp	Roundabout	\$525,234	Not commenced
I5	Evernden Road / Bradwardine Road intersection	Roundabout	\$525,234	Not commenced
I6	Suttor Street / Colville Street intersection	Roundabout	\$525,234	Not commenced
I7	Bradwardine Road / Suttor Street intersection	Roundabout	\$525,234	100% completed
I8	Lambert Street / Suttor Street / Mitre Street intersection	Roundabout	\$525,234	Not commenced
I9	Mitchell Highway / Bradwardine Road intersection	Roundabout	\$1,021,289	Completed December 2010
I10	Alexander Street / Loren Street (Eglinton) intersection	Roundabout	\$525,234	Not commenced
I11	Alexander Street / Duramana Road (Eglinton) intersection	Roundabout	\$525,434	Not commenced
I12 (Map 2)	Marsden Lane / Hughes Street intersection	Roundabout	\$466,875	Not commenced

I13	Marsden Lane / Road A intersection	Roundabout	\$466,875	Not commenced
I14	George Street / Stanley Street intersection	Upgrade to 2-lane roundabout	\$778,125	Not commenced
I15	Hereford Street / Gilmour Street intersection	Upgrade to multi lane signalised intersection	\$2,500,000	Not commenced
I16	Road K / Great Western Highway intersection	Roundabout	\$2,300,000	Not commenced
I17	Road I / Sofala Road intersection	Roundabout	\$850,000	Not commenced
I18	Road K / Limekilns Road intersection	Roundabout	\$466,875	Not commenced
I19	Road K / Marsden Lane intersection	Roundabout	\$466,875	Not commenced
I20	Road J / Marsden Lane intersection	Roundabout	\$466,875	Not commenced
I21	Road J / Laffing Waters Lane intersection	Roundabout	\$466,875	Not commenced
I22	Extension of Emerald Drive / Road K intersection	Roundabout	\$466,875	Not commenced

4.3 Bridge Construction / Upgrade Works

Table 4 – Bridge Construction / Upgrade Works

Identifier	Location	Description of Works	Estimated Cost	Completion Rate
B1 (Map 2)	Hereford Street low level bridge	Duplication of the existing low level bridge to accommodate 4 travel lanes, including approach works between Stanley Street and low level bridge on western side of Macquarie River	\$1,556,250	Not commenced

4.4 Plan administration and management

Studies undertaken to determine the design and costings of works as well as to review the development and demand assumptions of the contributions plan.

Estimate 1% of all development contributions payable.

At the commencement of the Plan, it is estimated that the maximum contribution from the Plan towards administration and management costs is \$352,126.80.

4.5 Estimated Construction Costs

For the purposes of this plan the costs of construction of the roadworks identified have been based on Council's recently constructed projects and "Rawlinsons Australian Construction Handbook 2014". The estimated costs for the Kelso catchment are outlined in the *Kelso Traffic Access Study*.

5 Distribution of Costs

5.1 Calculation of Contribution Rates

All rates are determined to the nearest dollar.

$$C_{proj} = \frac{TC}{Sum(T_{lots})}$$

$$C_{lot} = Sum(C_{proj} per _ catchment)$$

C_{proj} = the contribution rate per project

TC = the total cost to Bathurst Regional Council (less any grant or reserve funds)

T_{lot} = the total estimated existing and proposed residential lots within the benefiting contribution area(s)

C_{lot} = the contribution rate per lot

The costs identified in Part 4 of this Plan are distributed among the catchment areas as shown on the map to this Plan in Table 4 below:

Table 5 – Distribution of Costs by Area

Identifier	Cost	Area which Benefits	Contribution (\$ Per Lot)			
			Area 1 (Windradyne)	Area 2 (Abercrombie / Llanarth)	Area 3 (Eglington)	Area 4 (Kelso)
R1	\$2,241,000	1, 2 & 3	\$469.71	\$469.71	\$469.71	
R2	\$1,820,813	1, 2 & 3	\$381.64	\$381.64	\$381.64	
R3	\$2,241,000	2 & 3		\$721.97	\$721.97	
R4	\$2,661,188	1, 2 & 3	\$557.78	\$557.78	\$557.78	
R5	\$1,470,656	1, 2 & 3	\$308.25	\$308.25	\$308.25	
R6	\$1,820,813	2 & 3		\$586.60	\$586.60	
R7	\$630,281	3			\$462.08	
R8	\$280,125	3			\$205.37	
R9	\$2,056,429	4				\$463.58
R10	\$55,141	4				\$12.43
R11	\$320,530	4				\$72.26
R12	\$1,779,271	4				\$401.10
R13	\$716,300	4				\$161.47
I1	\$583,594	1, 2 & 3	\$122.32	\$122.32	\$122.32	
I2	\$525,234	1, 2 & 3	\$110.09	\$110.09	\$110.09	
I3	\$525,234	2 & 3		\$169.21	\$169.21	
I4	\$525,234	2 & 3		\$169.21	\$169.21	
I5	\$525,234	1 & 2	\$154.16	\$154.16		

I6	\$525,234	2		\$301.86		
I7	\$525,234	1, 2 & 3	\$110.09	\$110.09	\$110.09	
I8	\$525,234	1	\$315.08			
I9	\$1,021,289	1, 2 & 3	\$214.06	\$214.06	\$214.06	
I10	\$525,234	3			\$385.07	
I11	\$525,234	3			\$385.07	
I12	\$466,875	4				\$105.25
I13	\$466,875	4				\$105.25
I14	\$778,125	4				\$175.41
I15	\$2,500,000	4				\$563.57
I16	\$2,300,000	4				\$518.49
I17	\$850,000	4				\$191.61
I18	\$466,875	4				\$105.25
I19	\$466,875	4				\$105.25
I20	\$466,875	4				\$105.25
I21	\$466,875	4				\$105.25
I22	\$466,875	4				\$105.25
B1	\$1,556,250	4				\$350.82
TOTAL	\$36,300,358		\$2,743	\$4,377	\$5,359	\$3,788
	Lots/area		1,667	1,740	1,364	4,436

The rates in Table 4 will be adjusted on 1 July annually in accordance with Section 1.10 of this Plan.

Area	Cost Per Lot
Area 1 (Windradyne)	\$2,743
Area 2 (Abercrombie / Llanarth)	\$4,377
Area 3 (Eglington)	\$5,359
Area 4 (Kelso)	\$3,788

For granny flats/secondary dwellings, dual occupancies, residential units/multi dwelling housing, the apportioned rate applies in accordance with the table below.

	1 Bedroom	2 Bedroom	3 Bedroom	4 or more Bedroom
Apportionment of the Lot rate	40%	60%	80%	100%

5.2 Timing of Works

The rate of development of each particular area is dependent upon a number of factors and is therefore difficult to accurately depict. Council estimates that sufficient land stocks have been identified within the subject area to accommodate residential development for an additional 20 years.

Details of the anticipated staging of the works identified in this plan are available in Council's 4 year Delivery Plan.

6 Definitions

Capital Costs means all of the costs of a one-off nature designed to meet the cost of providing, extending or augmenting infrastructure.

Catchment means a geographic or other defined area to which a contributions plan applies.

Community Infrastructure means infrastructure of a communal, human or social nature, which caters for the various life-cycle needs of the public including but not limited to childcare facilities, community halls, youth centres, aged persons facilities.

Contributions Plan means a public document prepared by Council pursuant to Section 7.11 of the *Environmental Planning and Assessment Act 1979*.

Development means:

- The erection of a building on that land
- The carrying out of a work in, on, over or under that land
- The use of that land or of a building or work on that land
- The subdivision of that land.

Development contribution means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit.

Material Public Benefit does not include the payment of a monetary contribution or the dedication of land free of cost.

Nexus means the relationship between the expected types of development in the area and the demand for additional public facilities to meet that demand.

Planning agreement means a voluntary agreement referred to in Section 7.4 of the *Environmental Planning and Assessment Act 1979*.

Planning authority means:

- A council, or
- The Minister, or
- The corporation, or
- A development corporation (within the meaning of the Growth Centres (Development Corporations) Act 1974), or
- A public authority declared by the EP&A Regulations to be a planning authority for the purposes of this Division.

Planning benefit means a development contribution that confers a net public benefit, that is, a benefit that exceeds the benefit derived from measures that would address the impacts of particular development on surrounding land or the wider community.

Planning obligation means an obligation imposed by a planning agreement on a developer requiring the developer to make a development contribution.

Public includes a section of the public.

Public benefit is the benefit enjoyed by the public as a consequence of a development contribution.

Public facilities means public infrastructure, facilities, amenities and services.

Public purpose is defined in Section 7.4 of the Environmental Planning and Assessment Act 1979 to include the provision of, or the recoupment of the cost of providing public amenities and public services (as defined in Section 7.1), affordable housing, transport or other infrastructure. It also includes the funding of recurrent expenditure relating to such things, the monitoring of the planning impacts of development and the conservation or enhancement of the natural environment.

Recurrent costs mean any cost which is of a repeated nature that is required for the operation or maintenance of a public facility.

Region means the Bathurst Regional Council Local Government Area.

Thresholds means the level at which the capacity of an infrastructure item is reached or the event which triggers the requirement for provision of a facility.

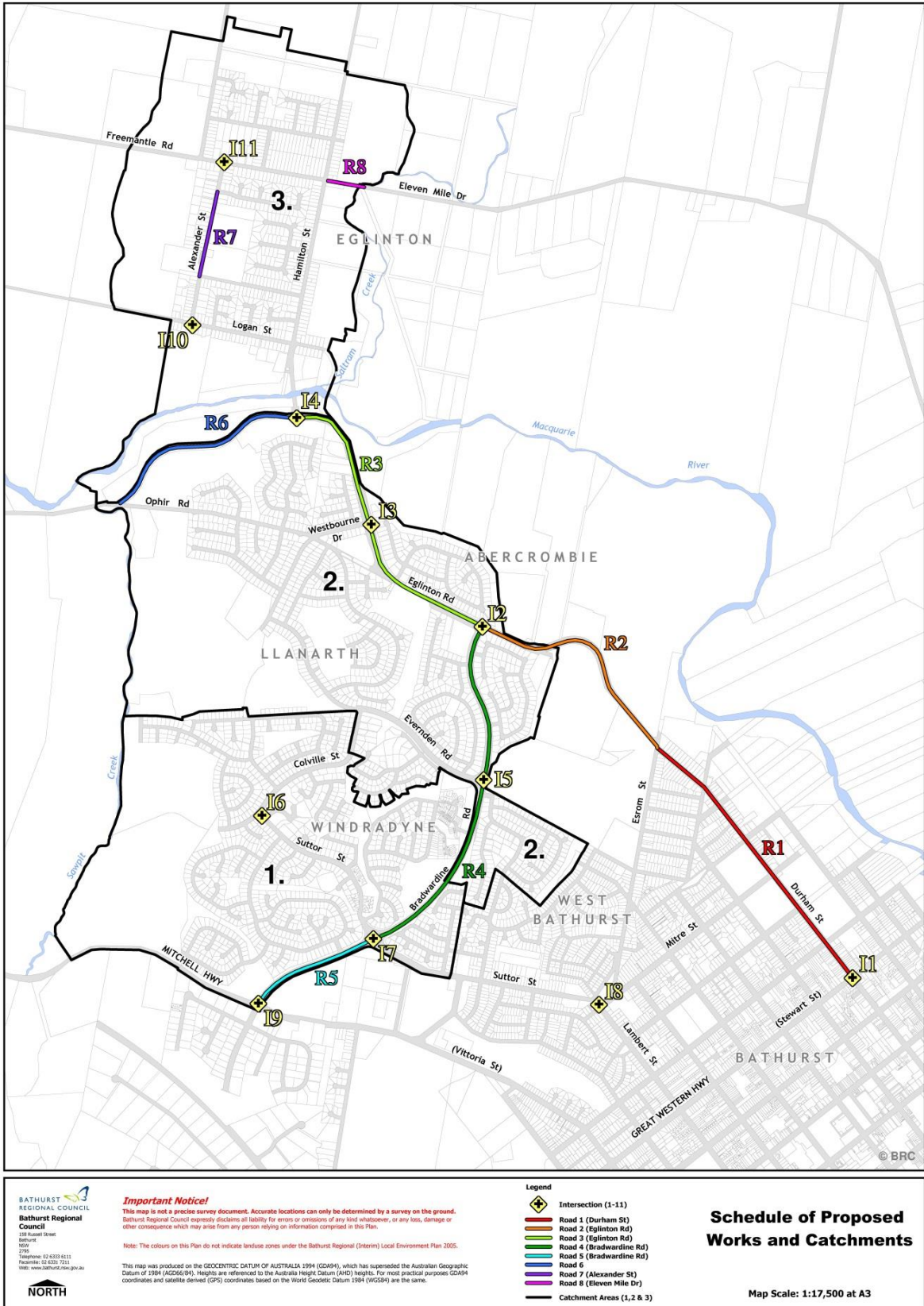
Utility service means basic engineering services such as power, water, sewerage and telecommunications.

Works-in-Kind means the construction or provision of the whole or part of a public facility that it identified in a works schedule in a contributions plan.

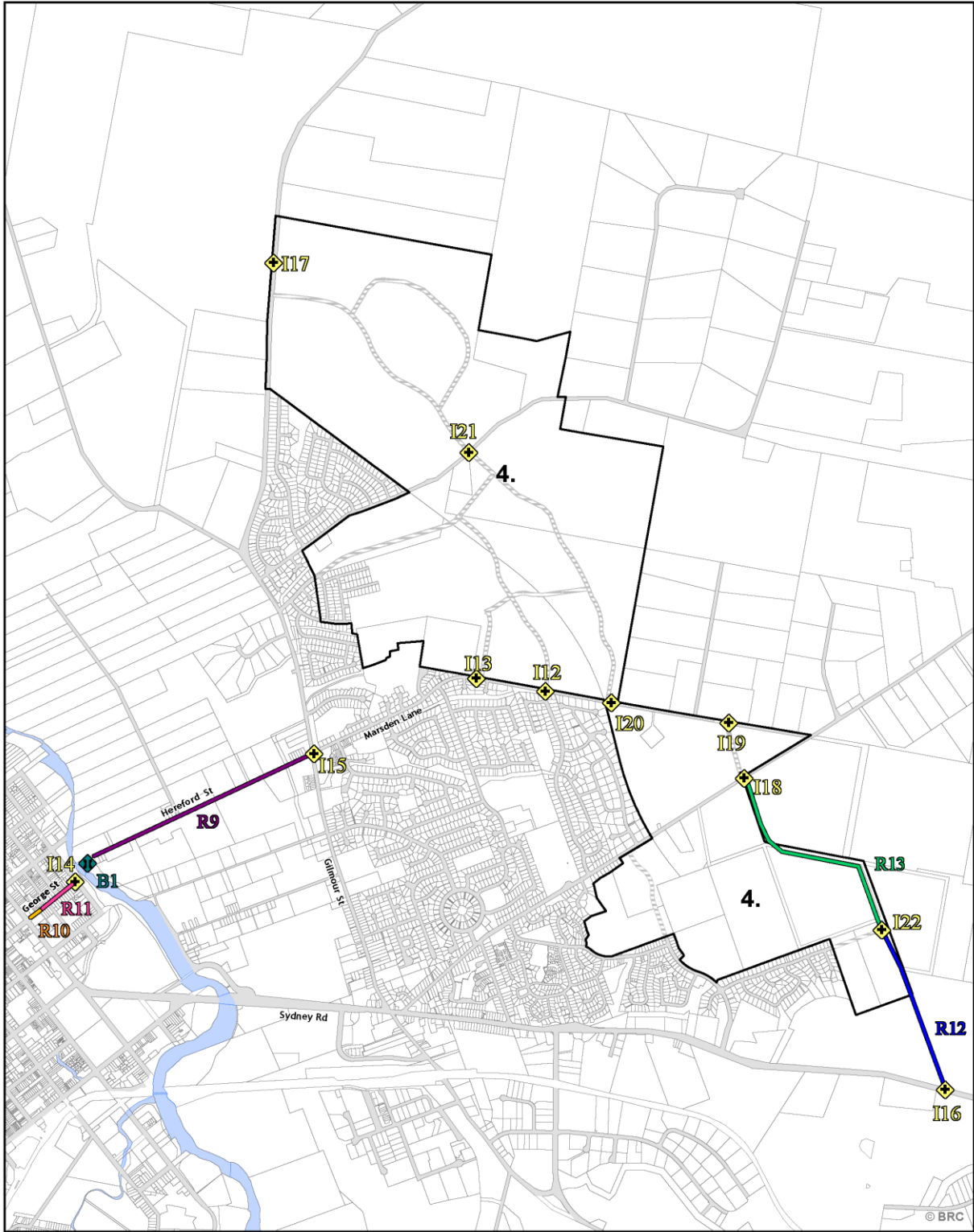
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8 Map



Map 1



BATHURST REGIONAL COUNCIL
 Bathurst Regional Council
 123 Howard Street
 Bathurst
 NSW
 2796
 Telephone: 02 4339 6111
 Facsimile: 02 4339 7211
 Web: www.bathurstregional.nsw.gov.au

NORTH

Important Notice!
 This map is not a precise surveying document. Accurate locations can only be determined by a survey on the ground. Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever, or any loss, damage or other consequence which may arise from any person relying on information comprised in this Plan.

Note: The colours on this Plan do not indicate land-use zones under the Bathurst Regional (Interim) Local Environment Plan 2005.

This map was produced on the GEODESIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD) heights. For most practical purposes GDA94 coordinates and satellite-derived GPS coordinates based on the World Geodetic Datum 1984 (WGS84) are the same.

- Legend**
- Intersection (I2-22)
 - Road 9 (Hereford St)
 - Road 10 (George St)
 - Road 11 (George St)
 - Road 12
 - Road 13
 - Bridge 1 (Low Level Bridge) (Hereford St)
 - Catchment Area 4

Schedule of Proposed Works and Catchments

Map Scale: 1:17,500 at A3