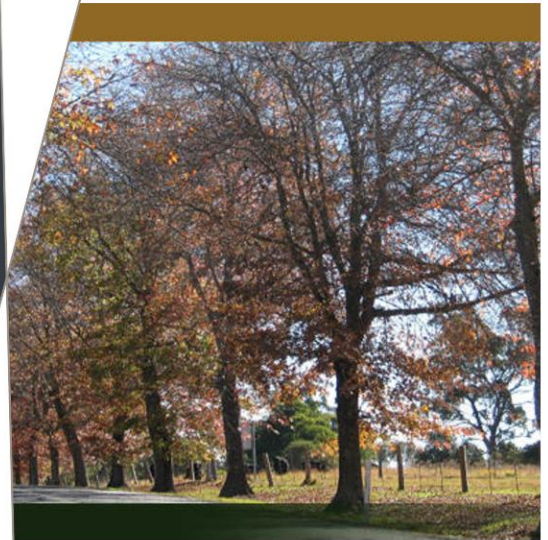


# Tenterfield Shire Council Section 7.11 Development Contributions Plan (Subdivisions)

Contributions Plan

Prepared for  
Tenterfield Shire Council

14 July 2020



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## Executive Summary

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This Plan is the Tenterfield Shire Council Section 7.11 Local Infrastructure Contributions Plan that operates in conjunction with the Tenterfield Shire Council Section 7.12 Local Infrastructure Contributions Plan and is applied only when a development includes a subdivision. The Plan has been prepared in accordance with the legislative requirements of Part 7 of the *Environmental Planning and Assessment Act 1979* and Part 4 of the accompanying Regulation, and NSW Department of Planning's Development Contributions Practice Notes. The Plan enables Council, or an Accredited Certifier, to impose, as a condition of development consent and complying development certificates, a requirement that the applicant pay to the Council a levy determined in accordance with the Plan.

In preparing the Plan, Council has duly considered the most recent (January 2018) practice notes issued by the NSW Department of Planning in accordance with Clause 26(1) of the *Environmental Planning & Assessment Regulations 2000*.

## Table of Contents

Executive Summary	iii
1 Summary Schedules	1
1.1 Works Schedule	1
1.2 Contributions by Subdivision Type	1
2 Introduction	2
3 Administration & Operation of the Plan	3
3.1 What are Section 7 Development Contributions?	3
3.2 What is the Name of the Plan?	3
3.3 What is the Purpose of this Plan?	3
3.4 To What Areas does this Plan Apply?	3
3.5 When does this Plan Commence?	3
3.6 To What Developments does this Plan Apply?	4
3.7 What is the Relationship with Other Plans and Policies?	4
3.8 Definitions	4
3.9 How are Contributions Imposed?	5
3.10 What are the Obligations of Accredited Certifiers?	6
3.11 When is the Contribution Payable?	6
3.12 Can Deferred or Periodic Payments Be Made?	6
3.13 How are Contribution Rates Reviewed over Time?	7
3.14 How are Contributions Adjusted at the Time of Payment?	8
3.15 Works in Kind, Material Public Benefit and Dedication of Land	8
3.16 Are there any Allowances for Existing Development?	8
3.17 Are there any Exemptions to the Contribution Fee?	9
3.18 Pooling of Contributions	9
3.19 Savings and Transitional Arrangements	9
3.20 Financial and Public Accountability	9
4 Demand for Public Facilities	10
4.1 Local Government Area	10
4.2 Population	10
4.3 Housing	12
4.4 Meeting the Needs of the Population	12
5 Strategy Plans	13
5.1 Plan Objectives	13
5.2 Reasonableness	13
5.3 Nexus	13
5.4 Apportionment	14
5.5 Accountability	14
6 Schedule of Rates Calculations	15
7 Reference Documents	24

## Appendices

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### Appendix A Schedule 1 – Works Schedule

#### Tables

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Table 1-1	Summary of contributions by development type and consent	1
Table 3-1	Table of Definitions	4
Table 4-1	Past population trends	10
Table 4-2	Estimated population growth	10
Table 4-3	Demand factors, projections and impact on community	11
Table 4-4	Historical dwelling numbers	12
Table 4-5	Estimated future dwelling numbers	12

# 1 Summary Schedules

The following summary schedules are included in this Plan:

- > Works Schedule
- > Contributions by subdivision type

## 1.1 Works Schedule

Refer to **Schedule 1** in Appendix A for the detailed Works Schedule.

## 1.2 Contributions by Subdivision Type

Table 1-1 Summary of contributions by development type and consent

Facility Type	Method	Calculated Contribution Rate <sup>1</sup>	New Rural Lot (subdivision)	Residential (Subdivision)	New Rural Lot (subdivision) in the RU1 zone identified on the LEP Rural Residential Subdivision Maps pursuant to Clause 4.c2.
Plan Preparation and Administration	Per approval	\$248	\$248	\$248	\$248
Roads	Per lot	\$6,953	\$4,438	\$6,953	\$6,953
Emergency Services	Per lot	\$468	\$468	\$468	\$468
Community and Civic Facilities	Per lot	\$218	\$218	\$218	\$218
Open Space, Sporting and Recreation	Per lot	\$82	\$82	\$82	\$82
Waste Management	Per lot	\$849	\$849	\$849	\$849
Drainage	Per lot	\$355	N/A	\$355	N/A

<sup>1</sup> Note: Council will review the rates annually in line with CPI rises. Applicants are advised to consult Council to determine accurate contributions payable prior to lodgement of Development Applications.

## 2 Introduction

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This plan is the Tenterfield Shire Council Section 7.11 Development Contributions Plan (the Plan).

The purpose of this Plan is to enable the consent authority to impose a condition of development consent requiring contributions for certain development that generates an increased demand for public facilities. All contributions received in accordance with this Plan will be used for the provision, extension or augmentation of public facilities. In some instances, the contributions will be used to recoup the costs of public facilities provided in anticipation of future development and increased needs.

The funds collected and the provision of public facilities in accordance with this Plan will be directed to the implementation of the Works Schedule which forms part of this Plan. The Works Schedule lists specific projects that will provide public facilities to meet the needs generated by new development. Implementation of the Plan will ensure the existing community does not unreasonably bear the costs of additional public facilities required by new development.

The Plan is based on the anticipated population growth for the period to 2036 and the development capacity facilitated by the Tenterfield Local Environmental Plan 2013. This Plan will be reviewed regularly to ensure it remains relevant and fit for purpose.

This Plan is complementary to the Tenterfield Shire Council Section 7.12 Development Contributions Plan 2019.

This plan repeals all pre-existing Contributions Plans being:

- > Tenterfield Shire Council Section 94 Contributions Plan
- > Tenterfield Shire Council Section 94A Contributions Plan

The combined strategic directions guiding delivery and maintenance of public facilities are:

- > Facilitate infill growth and diversity in housing stock in established towns and villages
- > Improve accessibility and connectivity to public facilities

The majority of population growth is anticipated within established towns and villages. Population growth will generate a demand for new, enhanced or augmented public facilities. A commitment to improved accessibility will also require public facilities that enhance the opportunities for people to use public facilities such as transport and movement options, operational management and capacity of facilities to match demand.

This Plan responds to demands for public facilities by enabling contributions to be levied and managed in the following categories:

- > Plan Preparation and Administration
- > Roads
- > Emergency services
- > Community and Civic Facilities
- > Open Space, Sporting and Recreation facilities
- > Waste Management
- > Drainage
- > Community Enhancement

This Plan identifies:

- > Demands for public facilities anticipated by future development
- > The specific public facility to be delivered to meet demands for which contributions can be levied
- > The reasonable contribution to be levied on development to meet the anticipated demand

## 3 Administration & Operation of the Plan

### 3.1 What are Section 7 Development Contributions?

The *Environmental Planning and Assessment Act 1979* legislates that contributions towards provision or improvement of amenities or services may be applied under “Section 7.11: Contribution towards provision or improvement of amenities or services.” The legislation authorises a consent authority to develop a contribution plan to impose, as a condition of development consent, a requirement that the applicant pay a monetary contribution or dedicate land free of cost if the development consent will likely require the provision of or increase the demand for public infrastructure. The consent authority cannot impose as a condition of the same development consent, a condition under Section 7.11 as well as a condition under Section 7.12. The money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan. A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent, and the object of expenditure of any money required to be paid by the condition.

### 3.2 What is the Name of the Plan?

This Development Contributions Plan is called the “Tenterfield Shire Council Section 7.11 Development Contributions Plan (Subdivisions)”. It will hereafter be referred to as “the Plan”.

### 3.3 What is the Purpose of this Plan?

The purpose of this Development Contributions Plan is to:

- > Provide an administrative framework under which specific public facilities strategies may be implemented and coordinated
- > Ensure that adequate public facilities are provided for as part of any new development
- > To authorise the Council to impose conditions under Section 7.11 of the *Environmental Planning and Assessment Act 1979* when granting consent to development on land to which this Plan applies
- > Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- > Ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development
- > Enable the Council to be both publicly and financially accountable in its assessment and administration of this Development Contribution Plan

### 3.4 To What Areas does this Plan Apply?

This Plan applies to all land within the Tenterfield Shire Council Local Government Area (LGA).

### 3.5 When does this Plan Commence?

This Development Contributions Plan has been prepared pursuant to the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979* (The EP&A Act) and Part 4, Division 6 of the *Environmental Planning and Assessment Regulation 2000* (the EP&A Regulations), and takes effect from the date when public notice was published, pursuant to Clause 26 of the EP&A Regulations.

Development applications and complying development certificates determined on or after this date will be subject to the provisions of the plan.



Date of Adoption: <Insert Date>

Date of Public Notice (Commencement): <Insert Date>

### 3.6 To What Developments does this Plan Apply?

This Plan applies to all subdivisions in the LGA that will enable the provision of an additional dwelling or dwellings.

### 3.7 What is the Relationship with Other Plans and Policies?

This Development Contributions Plan repeals:

- > Tenterfield Shire Council Section 94 Contributions Plan (2013)
- > Tenterfield Shire Council Section 94A Contributions Plan (2013)

This Development Contributions Plan supplements the provisions of the *Tenterfield Local Environmental Plan 2013* and any amendment or Local Environmental Plan which it may supersede.

It is complementary to the Tenterfield Shire Council Section 7.12 Contributions Plan (General Development) adopted on the <Insert Date> and commenced on <Insert Date>.

### 3.8 Definitions

Words and phrases used in this plan generally have the same meaning as the terms defined in Tenterfield Local Environmental Plan 2013, the EP&A Act and EP&A Regulation.

In this Plan, unless the context or subject matter otherwise indicates or requires, the following definitions apply:

Table 3-1 Table of Definitions

Term	Definition
<b>Capital Costs</b>	Means all of the costs of a one-off nature designed to meet the cost of providing, extending or augmenting infrastructure.
<b>Catchment</b>	Means a geographic or other defined area to which a contributions plan applies.
<b>Community Infrastructure</b>	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.
<b>Contributions Plan</b>	Means a public document prepared by Council pursuant to Section 7.18 of the EP&A Act.
<b>Council</b>	Means Tenterfield Shire Council.
<b>Development</b>	Means: (a) the use of land (b) the subdivision of land (c) the erection of a building (d) the carrying out of a work (e) the demolition of a building or work, (f) any other act, matter or thing referred to in Section 3.14 of the EP&A Act, that is controlled by an environmental planning instrument, but does not include any development of a class exempted by the regulations for the purposes of this definition.
<b>Developer contribution</b>	Means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit
<b>EP&amp;A Act</b>	Means the Environmental Planning and Assessment Act 1979.
<b>EP&amp;A Regulation</b>	Means the Environmental Planning and Assessment Regulation 2000.

Term	Definition
<b>Land value index</b>	Land value index is a measure (ratio) that describes change in a nominal value relative to its value in the base year the Plan was adopted.
<b>Material Public Benefit</b>	Does not include the payment of a monetary contribution or the dedication of land free of cost.
<b>Nexus</b>	Means the relationship between the expected types of development in the area and the demand for public facilities to meet that demand.
<b>Plan</b>	Refers to “Tenterfield Shire Council Section 7.11 Development Contributions Plan (Subdivisions)”, i.e. this document
<b>Planning Agreement</b>	Means a voluntary agreement referred to in Section 7.4 of the EP&A Act
<b>Planning Authority</b>	Means: <ul style="list-style-type: none"> <li>▪ Council, or</li> <li>▪ The Minister, or</li> <li>▪ The corporation, or</li> <li>▪ A development corporation (within the meaning of the Growth Centres (Development Corporations Act 1974)), or</li> <li>▪ A public authority declared by the Environmental Planning and Assessment Regulation 2000 to be a Planning Authority for the purposes of this Division.</li> </ul>
<b>Planning Benefit</b>	Means a development contribution that confers a net public benefit that is a benefit that excludes the benefit derived from measures that would address the impacts of particular development on surrounding land or wider community.
<b>Planning Obligation</b>	Means an obligation imposed by a planning agreement on a developer requiring the developer to make a development contribution.
<b>Public</b>	Means the people of the community and also Includes a section of the community.
<b>Public benefit</b>	Is the benefit enjoyed by the public as a consequence of a Development Contribution.
<b>Public services &amp; facilities</b>	Means public infrastructure, facilities, amenities and services. These do not include water supply or sewerage services which are covered under the Local Government Act.
<b>Public purpose</b>	Is defined in Section 7.4(2) of the EP&A Act to include the provision of, or the recoupment of the cost of providing public amenities and public services, affordable housing, transport or other infrastructure. It also includes 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.
<b>Recurrent costs</b>	Means any cost which is of a repeated nature that is required for the operation or maintenance of a public facility.
<b>Thresholds</b>	Means a level at which the capacity of the infrastructure item is reached or the event which triggers the requirement for provision of a facility.
<b>Utility service</b>	Means basic utility services such as power, water, sewerage and telecommunications.
<b>Works-in-Kind</b>	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.

### 3.9 How are Contributions Imposed?

In accordance with Section 7.11 of the EP&A Act, contributions will be imposed as conditions of development consent or as conditions on complying development certificates.

In accordance with Section 7.21 of the EP&A Act, accredited certifiers must impose a condition upon a Complying Development Certificate (CDC) for development which meets the criteria under this Plan. The condition imposed on a CDC must require the payment of a monetary contribution in accordance with the provisions of this Plan.

The only exceptions to the above requirement are cases where works in kind, material public benefit, dedication of land or deferred or periodic payment have been approved by Council. In these cases, Council will issue a letter confirming an alternative payment method or alternative method of contribution has been resolved as agreed between the consent authority and the applicant.

### 3.10 What are the Obligations of Accredited Certifiers?

#### 3.10.1 Construction Certificates

In accordance with Section 7.21 of the EP&A Act and Clause 146 of the EP&A Regulation, 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 146 of the Environmental Planning and Assessment Regulation 2000. 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 deferred payment arrangement has been agreed by Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

#### 3.10.2 Complying Development

In accordance with Section 7.21 of the EP&A Act, accredited certifiers must impose a condition requiring monetary contributions in accordance with this Development Contributions Plan.

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

### 3.11 When is the Contribution Payable?

A contribution must be paid to the Council at the time specified in the condition that imposes the contribution. If no such time is specified, the contribution must be paid prior to the issue of a construction certificate or complying development certificate or in the case of subdivision, prior to the issue of the subdivision certificate.

### 3.12 Can Deferred or Periodic Payments Be Made?

Council may by resolution accept the deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies the Council that:

- > Compliance with the provisions of Clause 1.7 is unreasonable or unnecessary in the circumstances of the case
- > The deferment of payment or allowing periodic payments of the contribution does not prejudice the timing or the manner of the provision of public facilities for which the contribution was required as outlined in the Works Program
- > The full amount of the contributions being deferred or periodically paid is paid within 2 years.

All requests to Council for deferred or periodic payments of contributions must be provided in writing prior to the determination of a development application.

If Council resolves to accept a deferred or periodic payment of contributions, an appropriate bank guarantee shall be secured for the full amount of the contributions or the outstanding balance on condition that:

- > The bank guarantee be by an Australian bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest, plus any charges associated with establishing or operating the bank security.
- > The bank unconditionally pays the guaranteed sum to Council if Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work.
- > The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development.
- > The bank's obligations are discharged when payment to Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

- > Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.
- > An administrative charge of 2% of the full contribution or outstanding balance is provided with the bank guarantee.

### 3.13 How are Contribution Rates Reviewed over Time?

To ensure that the value of contributions are not eroded over time by movements in the Australian Bureau of Statistics Consumer Price Index (CPI) weighted average of eight capital cities, land value increases, the capital costs of administration of the Plan or through changes in the costs of studies used to support the Plan, the council will review the contribution rates.

The contribution rates will be reviewed by reference to the following specific indices:

- > Construction costs by the Australian Construction Handbook as published by Rawlinson's
- > Land acquisition costs by reference to average land valuation figures published by council in Council's Management Plan
- > Specific valuations for particular parcels of land that are identified in the 7.11 Plan as published by the Council in Council's Management Plan
- > Changes in the capital costs associated with provision of administration and salary costs for staff involved in implementing Council's Section 7.11 Plan by reference to increases in salary rates under the Local Government State Award Plan as published by the council in Council's Management Plan
- > Changes in the capital costs of various studies and activities required to support the strategies in the Plan by reference to the actual costs incurred by council in obtaining these studies as published by the Council in Council's Management Plan

In accordance with Clause 32 of the EP&A Regulation, the following sets out the means that the council will make changes to the rates set out in this Plan.

For changes to the Australian Bureau of Statistics Consumer Price Index (CPI) weighted average of eight capital cities index, the contribution rates within the Plan will be reviewed on an annual basis in accordance with the following formula:

$$\text{Indexed Contribution} = \$CA + \$CA \times \frac{\text{Current Index} - \text{Base Index}}{\text{Base Index}}$$

Where:

- \$CA is the contribution at the time of adoption of the Plan expressed in dollars
- Current Index is the Australian Bureau of Statistics Consumer Price Index (All Groups Index) for Sydney, issued by the Australian Statistician.
- Base Index is the Australian Bureau of Statistics Consumer Price Index (All Groups Index) for Sydney, issued by the Australian Statistician at the commencement of this plan.

**Note:** In the event that the Current Australian Bureau of Statistics Consumer Price Index (CPI) weighted average of eight capital cities is less than the previous Australian Bureau of Statistics Consumer Price Index (CPI) weighted average of eight capital cities, the Current Australian Bureau of Statistics Consumer Price Index (CPI) weighted average of eight capital cities shall be taken as not less than the previous Australian Bureau of Statistics Consumer Price Index (CPI) weighted average of eight capital cities.

### 3.14 How are Contributions Adjusted at the Time of Payment?

The contributions stated in a consent are calculated on the basis of the Section 7.11 contribution rates determined in accordance with this Plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

$$\$CP = \$CDC + \frac{\$CDC \times (\$CQ - \$CC)}{\$CC}$$

Where:

\$CP	is the amount of the contribution calculated at the time of payment
\$CDC	is the amount of the original contribution as set out in the development consent
\$CQ	is the contribution rate applicable at the time of payment
\$CC	is the contribution rate applicable at the time of the original consent

Details of the current level of contributions at any time will be provided in a Schedule of Current Section 7.11 Contribution Rates available from Council.

Applicants should confirm the exact amount of the contribution prior to payment.

### 3.15 Works in Kind, Material Public Benefit and Dedication of Land

Council may accept an offer by the applicant to provide an “in-kind” contribution (i.e. the applicant completes part or all of the works identified in the Plan), provision of another material public benefit or the dedication of land to Council in lieu of the applicant satisfying its obligations under this Plan.

Council may accept such alternative in the following circumstances:

- > 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
- > The standard of the works is to Council's full satisfaction
- > The provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works schedule
- > The dedication of land subject to satisfactory soil contamination assessment

The value of the works to be substituted must be provided by the applicant at the time of the request and must be independently certified by a Quality Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Council will require the applicant to enter into a written agreement for the provision of the works.

Acceptance of any such alternative is at the sole discretion of Council. Council may review the valuation of works or land to be dedicated, and may seek the services of an independent person to verify their value. In these cases, all costs and expensed borne by Council in determining the value of the works or land will be paid for by the applicant.

### 3.16 Are there any Allowances for Existing Development?

Contributions will be levied according to the estimated increase in demand. An amount equivalent to the contribution attributable to any existing (or approved) development on the site of a proposed new lot will be allowed for in the calculation of contributions.

Where a development does not fall within any of the items noted above, Council would determine the credit on the basis of the likely demand that the existing development would create.

### **3.17 Are there any Exemptions to the Contribution Fee?**

There are nil exemptions at the time of the commencement of this Plan.

### **3.18 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 which may be from time to time reprioritised in accordance with Council's Management Plan.

### **3.19 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 submission of the application.

### **3.20 Financial and Public Accountability**

The Council is required to comply with a range of financial accountability and public access to information requirements in relation to Section 7.11 and Section 7.12 contributions. These are addressed in Division 5 and 6 of Part 4 of the EP&A Regulation and include:

- > Maintenance of, and public access to, a contributions register
- > Maintenance of, and public access to, accounting records for contributions received and spent

## 4 Demand for Public Facilities

This part of the plan broadly identifies the relationship between the expected types of development in the Shire and the demand for public facilities identified in the plan. This information is based on current demographic information, and an assessment of recent development application data, including residential, commercial, industrial and other employment generating development in the LGA.

Tenterfield Shire Council is committed to enhancing the wellbeing of the community through the provision of an efficient and effective range of local government works, services and facilities that fulfil the needs and expectations of the community. Any population growth and new retail, commercial and industrial development in the area will diminish the enjoyment and standard of public facilities for the existing population unless additional or upgraded facilities are provided to meet the additional demand. Thus the likely population growth and new development will require the provision of additional public facilities.

### 4.1 Local Government Area

The LGA covers approximately 7,332 square kilometres and is located in the Northern Tablelands of New South Wales.

In addition to the main urban area of Tenterfield town, the Shire includes the villages of Torrington, Bolivia, Mingoola, Legume, Liston, Drake, Jennings and Urbenville.

### 4.2 Population

#### 4.2.1 Past Population Trends

From the previous census periods, as illustrated in Table 4-1, the LGA has been experiencing slight declines in population. However, during the past two census periods, it has experienced a significant increase in population in recent years until the last census in 2016 when the population fell by 183 people.

Table 4-1 Past population trends

Year	Population	Change	%
2006	6,534	+140	+2.2%
2011	6,811	+277	+4.2%
2016	6,628	-183	-2.7%

#### 4.2.2 Future Population Trends

During the preparation of the Strategic Plan, community input was sought on setting a growth rate for the LGA and subsequently the strategy "planning for an annual growth rate of 1% to 2% for the LGA" has been adopted by Council. For the purposes of this Plan, Council has projected a growth rate of 1% per year which is slightly above the yearly average achieved during the period since the 2006 Census. Population growth forecasts are shown in Table 4-2.

Table 4-2 Estimated population growth

Year	1% Growth
2011 census	6,811
2016 census	6,628
2019	6,829
2020	6,897
2021	6,966
2022	7,036



Year	1% Growth
2023	7,106
2024	7,177
2025	7,249
2026	7,321
2027	7,395
2028	7,469
2029	7,543
2030	7,619
2031	7,695
2032	7,772
2033	7,850
2034	7,928
2035	8,007
2036	8,087

Note, for the purposes of calculations of the schedule of rates, the following growth in population has been used:

- > 2020 to 2030 is an increase of 722 people

#### 4.2.3 Comments on Future Growth

Factors affecting demand include population change, changes in demographics, seasonal factors, vehicle ownership, consumer preferences and expectations, economic factors, agricultural practices and environmental awareness. Overall we expect there to only be moderate population growth in Tenterfield over the next 5 years, but there will be significant changes to the distribution of the population. The Tenterfield Shire's population has increased from 6,394 to 6,811 in the last 5 years (ABS) census 2011 and 2016 period while the population of Tenterfield town slightly decreased from 2,997 to 2,914. Drake and Urbenville and other villages also exhibit decreasing or stable populations. This indicates a decentralisation of the population with the increased prevalence of lifestyle properties and small acreages in the rural areas of the Shire.

An aging demographic is also in evidence with an increase in persons aged over 54 from 33.7% at the 2006 census to 36.8 at the 2016 census and a decrease in persons aged 15 or under from 20.3% to 15.6%. The median age has increased from 44 to 53 years over the same period.

Demand factor trends and impacts on service delivery are summarised in Table 4-3.

Table 4-3 Demand factors, projections and impact on community

Demand factor	2016 Census <sup>2</sup>	Present position (2019 Est)	Projection (2025 Est)	Projection (2030 Est)	Impact on Community/ Services
Population	6,628	6,829	7,249	7,619	Focus on maintenance and renewal of existing services
Non-urban population	2,562	2,595	3,049	3,200	Increased demand on rural road infrastructure
55 or older	44%	44%	45%	45%	Increased demand on health services

<sup>2</sup> It is noted the 2016 Census may have impacted the magnitude of these values. However, the underlying demand impact on services remains based on future growth.



Demand factor	2016 Census <sup>2</sup>	Present position (2019 Est)	Projection (2025 Est)	Projection (2030 Est)	Impact on Community/ Services
19 or younger	20.7%	20%	18%	18%	Possible reduction in education service personnel
Median age	53	54	55	56	Increased emphasis on lifestyle and recreation

### 4.3 Housing

The following table shows that the number of dwellings in the LGA has been increasing over the census periods.

Table 4-4 Historical dwelling numbers

	1996	2001	2006	2011	2016 <sup>3</sup>
Total Dwellings	2,460	3,208	3,399	3,570	3,315

Based on growth factors (population growth anticipated to be 1% p.a.), development statistics, population trends (trend for lower household size), it is estimated that the total housing stock for the LGA in 2025 will be approximately 3,697.

Table 4-5 shows estimated housing statistics for the LGA to 2025 (tending towards 2 persons per household over time):

Table 4-5 Estimated future dwelling numbers

Year	No. of Dwellings
2019	3588
2020	3606
2021	3624
2022	3642
2023	3660
2024	3678
2025	3697
2030	3790

### 4.4 Meeting the Needs of the Population

This additional population will create increased demand for a range of facilities and services in the LGA including but not limited to, roads, open space and community facilities. This Plan provides a method for collecting contributions to satisfy the increased demand.

<sup>3</sup> It is noted the impact of the 2016 Census may have contributed to this lower number. Table 4-5 has been adjusted to compensate.

## 5 Strategy Plans

### 5.1 Plan Objectives

This Plan provides for Section 7.11 contributions in the following categories:

- A PLAN PREPARATION AND ADMINISTRATION
- B ROADS
- C EMERGENCY SERVICES
- D COMMUNITY AND CIVIC FACILITIES
- E OPEN SPACE, SPORTING AND RECREATION
- F WASTE MANAGEMENT
- G DRAINAGE
- H CAR PARKING
- I COMMUNITY ENHANCEMENT PROGRAM

The Plan identifies:

- > The demand for the facility likely to be required as a result of the urban development and re-development in certain areas of the LGA and in the LGA as a whole
- > The facility which will be required to meet those demands for which development contributions could be reasonably charged
- > The reasonable contribution which should be levied on development to meet those demands

Contributions are taken to the nearest dollar.

### 5.2 Reasonableness

The reasonable contributions in this Plan are the amounts to be levied based on the industry's ability to pay and economic development policies of Council. Reasonableness encompasses the consideration of:

- > Nexus
- > Equity/Apportionment
- > Accountability

### 5.3 Nexus

Nexus is one of the key principles which underpin the developer contributions system. It 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 and increase in population 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.

## **5.4 Apportionment**

Apportionment is the “fairness” principle. It means that new development only pays a contribution equal to the demand of the development. 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 and the proposed development.

## **5.5 Accountability**

Council will be accountable for all contributions made under the provisions of Section 7.11 and allocate those funds in accordance with the Schedule of Works identified in the Plan or as subsequently amended in this Plan or by Councils Management Plan. Development and subsequent population growth rates will be monitored to ensure that the Plan remains relevant and delivery of services and facilities occur in accordance with the Plan.

## 6 Schedule of Rates Calculations

### A Plan Preparation and Administration

#### NEXUS

Development increases the demand for public facilities and services and it is reasonable that development make contributions towards these facilities and services through Section 7.11 contributions plans.

To prepare Section 7.11 contribution plans and provide for the ongoing administration of the plans, Council must provide resources considered reasonable to cover the cost of preparing a Contributions Plan and a Developer Contributions Planner for one day per month funded through this Plan.

Contributions for plan preparation and administration are based on the Works Schedule in Appendix 1 and will be levied 100% on new development.

#### CALCULATION OF CONTRIBUTION

**CONTRIBUTION:** = Plan Preparation and Contributions Planner (annual cost)  
 Additional Annual Population (average 2020 - 2030)  
 = \$17,900 / 72  
 = \$248 per approval

#### SUMMARY OF CONTRIBUTIONS (PLAN PREPARATION AND ADMINISTRATION):

Per approval		\$248
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## B Roads

### NEXUS

#### Residential Development in Rural Areas

Additional traffic generation will result from new residential development in rural areas thus contributing to the wear and tear on roads and the need to upgrade the roads. Therefore, a proportion of the cost of upgrading rural roads is allocated to residential development.

Council has consistently applied a development contributions requirement for additional lots and/or residences in its rural area for a period of time.

### CALCULATION OF CONTRIBUTION RATES

#### General

**CONTRIBUTION:** = Estimated Cost of Work Attributable to Section 7.11  
 Additional Population in rural areas (2020-2030)  
 = \$1,051,671 / 605  
 = \$1,738 per person

### SUMMARY OF CONTRIBUTIONS (ROADS):

Per Subdivision Lot	4 persons	\$6,953
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## C Emergency Services

### NEXUS

The NSW Rural Fire Service is responsible for the provision of the Rural Fire Service with Council funding 13.3% of the annual operating fund plus a \$40,000 discretionary fund.

The Tenterfield LGA receives support services from emergency services such as bushfire brigades, State Emergency Service and the Volunteer Rescue Association. Additional development will result in the need to expand existing services.

### CALCULATION OF CONTRIBUTION

The LGA wide contribution rate for emergency facilities is calculated as follows:

$$\begin{aligned}
 \text{CONTRIBUTION} &= \frac{\text{Total Cost of Facilities (Councils Share) attributable to Section 7.11}}{\text{Additional Population (2020-2030)}} \\
 &= \$ 84,360 / 722 \\
 &= \$117 \text{ per person}
 \end{aligned}$$

### SUMMARY OF CONTRIBUTIONS (EMERGENCY SERVICES):

Per Subdivision Lot	4 persons	\$468
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## D Community and Civic Facilities

### NEXUS

During the consultations for the Social Plan 2006-2011 and the 2012-2013 Community Strategic Plans, the community identified a need for further opportunities to conduct and participate in a variety of cultural activities. In this regard, Council has adopted a series of strategies and actions which aim to fulfil these needs and are detailed in the Community Strategic Plan, Social Plan and the 2012 -2013 Management Plan.

Contributions levied in respect of Community Facilities will be relative to the expected increase in demand imposed on existing community facilities or the provision of new facilities to meet the development demand.

#### Library Resources

Council provides a range of services through its libraries including home services; vision impaired; review and updating collections; exchanges; internet and Wi Fi access; accessible technology; exhibitions; online training and resources; research and reference services; and the management of corporate art and memorabilia.

An increase in population creates a demand for additional library resources. This includes books, CDs, videos, audio, visual materials and electronic databases. A per capita provision of resources at the ratio of 1 person to 1.5 resources is based on the minimum standard recommended in the Australian Library and Information Associations Towards a Quality Service: Goals, Objectives and Standards for Public Libraries in Australia p 52. This provides a guide for the development of library resources based on the following ratios:

	Short Term	Medium Term	Long Term
Items per capita	1.5	1.75	2
Material additions per 1000 population	150	200	250

### CALCULATION OF CONTRIBUTION

Community and Civic Facilities:

The LGA wide contribution rate for community and civic facilities is calculated as follows:

#### General

$$\begin{aligned}
 \text{CONTRIBUTION:} &= \frac{\text{Estimated Cost of Work Attributable to Section 7.11}}{\text{Additional Population (2020-2030)}} \\
 &= \$11,581 / 722 \\
 &= \$16.05 \text{ per person}
 \end{aligned}$$

#### Library services:

The current budget in 2017/18 for library resources is \$40,516, Last year, 2,300 items were purchased, which indicates a value of \$18.00 per item. The cost of processing and cataloguing library resources is estimated at \$8.00 per item. This provides a total cost per item of \$26.00.

$$\begin{aligned}
 \text{CONTRIBUTION:} & \quad \text{The contribution per person for library resources is therefore} \\
 & \quad 1.5 \times \$26.00 = \$39.00
 \end{aligned}$$

#### **CUMULATIVE TOTAL:**

$$\begin{aligned}
 & \$16.05 \quad (\text{General}) \\
 + & \$39.00 \quad (\text{Library Contribution}) \\
 = & \$55.05 \quad (\text{Total Contribution Per Person}) \\
 = & \$218 \text{ per lot}
 \end{aligned}$$

**SUMMARY OF CONTRIBUTIONS (COMMUNITY AND CIVIC FACILITIES):**

Per Subdivision Lot	4 persons	\$218
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## E Open Space, Sporting and Recreation

### NEXUS

Council has adopted a series of strategies and actions to provide further opportunities to conduct and participate in recreational activities.

New development will result in additional demands for the provision of a range of Council provided open space and recreation facilities including local and district parks. Open space can be considered to include those areas which are in public ownership (Council owned or Crown Land) which have been (or is to be) set aside for passive or active recreation purposes.

It will be expected that to service the new population, parks and facilities will need to be delivered to a standard at least equal to or greater than the level currently provided. This expected level of facility/service has been used as a basis for the development of the Works Schedule in Appendix A.

In order to meet this expectation, it will be Councils preference that existing facilities be augmented at every opportunity. Most areas are adequately supplied with suitable open space areas; however, to meet the desired expectations of the community, continual improvement of these facilities is required. The acquiring of additional land will only be considered if the augmentation of existing facilities is not possible.

The improvement of facilities may include, but are not limited to, earthworks, turfing, drainage, planting, play equipment, sports equipment and installations, picnic facilities, amenities buildings, fencing, lighting, irrigation and bushland regeneration.

### CALCULATION OF CONTRIBUTION

The LGA wide contribution rate for open space, sporting and recreational facilities are calculated as follows:

**CONTRIBUTION:** = Estimated Cost of Work Attributable to Section 7.11  
 Additional Affected Population (2020-2030)  
 = \$ \$14,766 / 722  
 = \$20.46 per person

### SUMMARY OF CONTRIBUTIONS (OPEN SPACE, SPORTING & RECREATION):

Per Subdivision Lot	4 persons	\$82
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## F Waste Management

### NEXUS

Council provides waste management services and facilities in the LGA. The Capital Works Program includes provision for a new landfill and a range of resource recovery services over a period of 5 years. The waste facilities proposed will service existing and future residents of the LGA.

### CALCULATION OF CONTRIBUTION

The LGA wide contribution rate for waste management facilities are calculated as follows:

$$\begin{aligned}
 \text{CONTRIBUTION} &= \frac{\text{Estimated Cost of Work Attributable to Section 7.11}}{\text{Additional Population (2020-2030)}} \\
 &= \$153,161 / 722 \\
 &= \$212.20 \text{ per person}
 \end{aligned}$$

### SUMMARY OF CONTRIBUTIONS (WASTE MANAGEMENT):

Per Subdivision Lot	4 persons	\$849
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**NOTE:** Four (4) tonnes of waste per dwelling per annum will be assumed (which is a commonly accepted figure by the Commonwealth Department of Climate Change).

## G Drainage

### NEXUS

A nexus can be drawn between the increased residential development (through additional impervious surface area) anticipated expected in the LGA in the future and the need to alleviate the problem with the discharge of storm water. It is an expectation of Council to provide a storm water drainage system that is capable to disposing storm water appropriately whilst being environmentally friendly.

It will be an expected that these new facilities be delivered at a standard at least greater than or equal to the current service level now provided.

### CALCULATION OF CONTRIBUTION

The LGA wide contribution rate for drainage facilities are calculated as follows:

**CONTRIBUTION** = Estimated Cost of Work Attributable to Section 7.11  
 Additional Residential Population (2020-2030)  
 = \$64,120 / 722  
 = \$89 per person

Summary of Contributions	4 persons	\$355
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## H Community Enhancement Program

### BACKGROUND

Council proposes to implement a Community Enhancement Program, which will seek contributions from major developments for the provision of community facilities.

Council has identified some facilities within a Community Enhancement Program, which it proposes will be partially funded by future contributions by major developments. These developments usually have the Minister for Planning or Independent Planning Commission as the consent authority. In these cases, Council intends to advocate to the State Government to ensure that any approvals granted for major development make tangible contributions to local community development through contributions to the Community Enhancement Program.

Whether as a result of a Ministers consent or Council consent, these contributions will take the form of monetary contributions and be determined through negotiation between the applicant and the consent authority.

Council will also assist the implementation of the Community Enhancement Program by encouraging participation from other levels of government to deliver the facilities proposed.

### THE PROGRAM

The current Community Enhancement Program is as follows:

ITEM	ESTIMATED COST
Main Street Revitalisation (staged over 5 years)	\$2,300,000

## 7 Reference Documents

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The following reference documents were used in the preparation of this document:

- a. Tenterfield Local Environmental Plan 2013
- b. Management Plan 2012 / 2013
- c. Department of Infrastructure, Planning and Natural Resources – Development Contribution Practice Notes – July 2005
- d. Environmental Planning and Assessment Act 1979
- e. Environmental Planning and Assessment Regulation 2000
- f. Stormwater Asset Management Plan 2013
- g. Road Network Asset Management Plan 2013
- h. Parks, recreation & Public Facilities Asset Management Plan 2012
- i. Tenterfield Main Street Masterplan 2013

APPENDIX

A

SCHEDULE 1 – WORKS SCHEDULE

Some capital works in the following works schedule are to be undertaken utilising existing Section 94 monies from previous plans. Some of these works do not attract any additional Section 7.11 contributions on new development. However, the projects have been listed to advise the community on where these monies will be expended.

Priority has been determined as follows:

**HIGH** 0-24 months

**MEDIUM** 25-48 months

**LOW** > 48 months

## Part A – Plan Preparation and Administration

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
7.11 Plan Preparation & Administration	LGA	\$17,900 / year	\$17,900	High
<b>TOTAL</b>	<b>LGA</b>	<b>\$17,900</b>	<b>\$17,900</b>	

## Part B – Roads

Note that sections of road quoted are outlined in the Road Network Asset Management Plan.

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Widen & Resheet Beaury Creek Road	5	\$209,875	\$10,493	High
Widen & Resheet Silent Grove Road	5	\$62,469	\$3,121	High
Widen & Resheet Black Swamp Road	5	\$61,148	\$3,057	High
Widen & Resheet Summit Road	5	\$66,615	\$3,330	High
Widen & Resheet Undercliff Road	5	\$121,417	\$6,069	High
Widen & Resheet Tent Hill Road	5	\$58,485	\$2,925	High
Widen & Resheet Rivertree Road	5	\$85,655	\$4,279	High
Widen & Resheet Leeches Gully Road	5	\$30,227	\$1,511	High
Widen & Resheet Millers Lane	5	\$15,311	\$764	High
Widen & Resheet Wylie Creek Road	5	\$54,502	\$2,728	High
Widen & Resheet Tarban Loop Road	5	\$23,533	\$1,175	High
Widen & Resheet Tarban Road	5	\$59,551	\$2,976	High

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Widen & Resheet White Swamp Road	5	\$21,865	\$1,094	High
Seal Mt McKenzie Lookout Road	5	\$225,834	\$11,292	High
Reconstruct Bruxner Way near NE Hwy	5	\$1,389,743	\$69,487	High
Seal Gum Flat Road 0.153 – 1.214	5	\$173,718	\$8,686	High
Widen & Resheet Castlerag Road	5	\$19,387	\$967	Medium
Widen & Resheet White Swamp Road	5	\$234,866	\$11,743	Medium
Widen & Resheet Wylie Creek Road	5	\$318,228	\$15,913	Medium
Widen & Resheet Billirimba Road	5	\$110,971	\$5,547	Medium
Widen & Resheet Bryans Gap Road	5	\$90,611	\$4,528	Medium
Widen & Resheet McLeods Creek Road	5	\$126,211	\$6,312	Medium
Widen & Resheet Mole Station Road	5	\$28,675	\$1,436	Medium
Widen & Resheet Woodside Road	5	\$30,111	\$1,506	Medium
Widen & Resheet Mole River Road	5	\$266,529	\$13,324	Medium
Widen & Resheet Rivertree Road	5	\$241,444	\$12,067	Medium
Widen & Resheet Harrigans Lane	5	\$143,607	\$7,180	Medium
Widen & Resheet Kochs Road	5	\$112,408	\$5,623	Medium
Widen & Resheet Mt Speribo Road	5	\$64,230	\$3,214	Medium
Seal Cullendore Road 4.674 – 9.334	5	\$432,211	\$21,610	Medium
Rebuild Amosfield Road	5	\$1,968,803	\$98,441	Medium
Widen & Resheet Headgate Road	5	\$128,273	\$6,416	Low
Widen & Resheet Maryland Road	5	\$173,046	\$8,651	Low
Widen & Resheet Paddys Flat Road	5	\$124,243	\$6,213	Low
Seal remaining section of Mt Lindesay Road	5	\$3,937,605	\$196,880	Low
Upgrade 3 sections of Mt Lindesay Road Legume - Woodenbong	5	\$1,737,179	\$86,859	High, Medium, Low



Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Widen & reconstruct Tooloom Road 13.91 – 20.35	5	\$1,864,572	\$93,228	Medium
Widen & reconstruct Tooloom Road 20.35 – 23.55	5	\$416,923	\$20,846	Medium
Widen & reconstruct Tooloom Road 23.55 – 25.0	5	\$927,943	\$46,394	Medium
Widen & reconstruct Tooloom Road 25.0 – 28.28	5	\$949,658	\$47,483	Medium
Widen & Resheet remaining class B, C & D Roads	5	\$0	\$0	Low
Widen & Resheet selected class D Roads	5	\$486,410	\$24,321	Low
Reseal 84km of rural roads condition 3	5	\$440,085	\$22,005	Low
<b>TOTAL</b>		<b>\$21,033,703</b>	<b>\$1,051,671</b>	

### Part C – Emergency Services

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
SES Contribution	LGA	\$133,123	\$6,656	High
13.3% contribution to the Rural Fire Service	LGA	\$1,539,599	\$76,980	High
Radio Repeater Site	LGA	\$14,470	\$723	High
<b>TOTAL</b>		<b>\$1,687,192</b>	<b>\$84,360</b>	

### Part D – Community and Civic Facilities

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
New library at Liston	4	\$115,812	\$5,791	High
Expanded library at Urbenville	4	\$57,906	\$2,895	Medium
Expanded library at Torrington	4	\$57,906	\$2,895	Medium
<b>TOTAL</b>		<b>\$231,624</b>	<b>\$11,581</b>	

S

## Part E – Open Space, Sporting and Recreation

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Playground Saddlers estate	1	\$57,906	\$2,895	Medium
Shade over playground Rotary Park	1	\$34,744	\$1,737	Medium
Heating of swimming pool	1	\$173,718	\$8,686	Low
Update Sprinkler System – Federation Park	1	\$23,162	\$1,159	High
Replace kitchen splash back – Federation Park	1	\$5,791	\$289	Medium
<b>TOTAL</b>		<b>\$295,321</b>	<b>\$14,766</b>	

## Part F – Waste Management

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Urbenville cap cells / new cells – 5 years	4	\$173,718	\$8,686	High
Tenterfield stage 2 closure plan	2,3	\$1,042,307	\$52,116	Medium
Tenterfield cap cells / new cells – 5 years	2,3	\$1,100,213	\$55,011	Medium
Tenterfield bores	2,3	\$173,718	\$8,686	High
Tenterfield recycling infrastructure	2,3	\$225,834	\$11,292	High
<b>TOTAL</b>		<b>\$2,715,790</b>	<b>\$153,161</b>	

## Part G – Drainage

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Railway St detention Basin	1	\$23,162	\$1,159	High
High St to Whereat Lane	1	\$136,443	\$6,822	High
Buried pits raising	1	\$119,866	\$5,993	High
Rouse & manners St intersection	1	\$57,906	\$2,895	Medium
Logan – Miles to Douglas	1	\$23,162	\$1,159	Medium
Pelham – Molesworth St	1	\$32,427	\$16,677	Medium
Duncan to Link St	1	\$196,880	\$9,844	Medium

Project Description	Locality	Estimated Costs	Estimated Cost Attributable to Sections 7.11 & 7.12 Contributions	Priority
Duncan – Riley to Cowper	1	\$23,162	\$1,159	Medium
Pelham – Manners to Miles	1	\$3,475	\$174	Medium
Petrie St – Rouse to Logan	1	\$28,954	\$1,448	Medium
Western St – new cross pipe	1	\$2,895	\$145	Medium
Wherat Lane – trash screen	1	\$52,116	\$2,606	Low
Western St & Bismark	1	\$2,895	\$145	Low
Logan St – High to Petrie k&g	1	\$277,949	\$13,897	Low
<b>TOTAL</b>		<b>\$981,293</b>	<b>\$64,120</b>	