

URALLA SHIRE COUNCIL
SECTION 7.11
DEVELOPMENT
CONTRIBUTIONS PLAN 2021
Heavy Haulage

Prepared for Uralla Shire Council

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1.0 SUMMARY

Development contributions are made in association with development approved under the *Environmental Planning and Assessment Act 1979* (the EP&A Act). This plan relates to contributions made under Section 7.11 of the EP&A Act, which allows for contributions to be collected for the purposes of provision or improvement of amenities or services, including administrative costs and recouping of previously expended costs.

This plan authorises Uralla Shire Council (Council) to impose a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 7.11 of the EP&A Act.

Section 7.11 of the EP&A Act requires that levies raised be used for amenities, facilities and services that are required as a result of demand created by new development. A clear nexus is to be identified between proposed development and the demand for works. This plan authorises contributions to be collected where a nexus can be established. To that end, this Plan authorises the levying of contributions towards ensuring roads are maintained to relevant standards, counteracting damage resulting from development that generate heavy haulage movements.

Development contributions may be conditioned on development consents that are anticipated to result in increased heavy vehicle movements within the Uralla Shire Local Government Area (LGA). This may include developments outside of the Uralla Shire LGA that are anticipated to use roads within the Uralla Shire LGA. It also may include modifications to existing development consents where a consent requires a development contribution related to road maintenance under a previous development contribution plan, in order to bring the consent into alignment with this plan.

Development contributions may either be based on the equivalent standard axles (ESA) or tonnage of material generated and transported by Council's road network. These metrics reflect the additional wear and tear generated by heavy vehicles and Council funds required to repair damaged roads beyond typical road use.

The Section 7.11 levy payable under this Plan are as follows.

Tonnage contribution

$$\text{Contribution} = R_1 \times (L_1 \times T_1 + L_2 \times T_2 \dots L_n \times T_n) + R_2 \times (L_1 \times T_1 + L_2 \times T_2 \dots L_n \times T_n)$$

Where:

- R_1 : Per Tonne rate for sealed roads used by the development
- R_2 : Per Tonne rate for unsealed used by the development
- L_1 : Length of road route 1 used by the development (km)
- T_1 : Estimated material tonnage trucked along route 1
- L_2 : Length of road route 2 used by the development (km)
- T_2 : Estimated material tonnage trucked along route 2

Two principal contribution rates have been identified:

- **Regional or local sealed road: \$0.111 per tonne per km**
- **Unsealed road: \$0.058 per tonne per km**

The rates identified above are in June 2021 dollars and will be indexed annually.

Contributions related to road maintenance will be ongoing through the operational period of a development.

In addition, Council may determine that a proposed haulage route is not capable of accommodating additional heavy vehicles. In this instance, Council may require contributions to upgrade roads to meet the demand of development.

The plan also allows for a portion of contributions to be applied to costs associated with administration, management and review of the plan. This amount is set at 1.5 per cent of contributions by the Independent Pricing and Regulatory Tribunal (IPART). Where contributions are collected, this plan outlines the administration and financial management of income derived, in accordance with Section 7.11 of the EP&A Act.

For clarity, existing development consents which include conditions requiring the payment of development contributions levied under previous development contribution plans will continue to remain valid. Contributions will be payable in accordance with the word of the related consent conditions.

2.0 ADMINISTRATION AND OPERATION

This section describes the Plan's purpose, where it applies and the development it applies to. It also outlines how Uralla Shire Council (Council) will use contributions, be accountable and when it will review the Plan.

The Plan has been prepared in accordance with the EP&A Act, the Environmental Planning and Assessment Regulation 2000 (the Regulation), the relevant practice notes, circulars, guidelines and Ministerial Directions.

2.1 Name of the Plan

The Plan is called *Uralla Shire Council Section 7.11 Development Contributions Plan 2021 – Heavy Haulage*.

2.2 Commencement of this Plan

[The Plan will commence following public exhibition and adoption Council. The commencement date will be identified in this section after adoption eg The Plan was adopted on [Date TBC] and commences [Date TBC].]

For clarity, a development application that has been submitted, but not yet determined, shall be determined in accordance with the provisions of the Plan adopted at the time of determination.

2.3 Definitions used in the Plan

In the Plan, the following phrases have the following meanings:

- EP&A Act – means the Environmental Planning and Assessment Act 1979
- EP&A Regulation – means the Environmental Planning and Assessment Regulation 2000
- The Plan – Uralla Shire Council Section 7.11 Development Contributions Plan 2021 – Heavy Haulage
- Council – Uralla Shire Council.

2.4 Purpose of this plan

The purpose of this plan is to provide a framework for the determination and collection of developer contributions towards the maintenance, upgrade and construction of works in Uralla Shire Council.

The Plan authorises the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 7.11 of the EP&A Act. The contributions are intended to be levied upon developments that increase demand for Council facilities or assets. It ensures that development that increases demand contributes towards these works, including where traffic generating development increases demand for new or maintained roads.

Contributions will be sought where a nexus can be established between development demand and the need for additional or brought-forward development of Council facilities or assets (unless exemptions apply).

The Plan:

- Identifies public amenities and services that will be provided by Council
- Provides a schedule of contribution rates for development that is subject to the Plan
- Explains how the contribution rates have been calculated
- Documents administrative matters on how and when development proponents will meet contribution obligations.

2.5 Relationship with other contributions plans

Where a development application does not include works that would attract a development contribution under this plan, it may be subject to the *Uralla Shire Council 7.12 Development Contributions Plan*.

It is noted that the *Uralla Shire Council 7.12 Development Contributions Plan* repealed the following previous contribution plans:

- *S.94 Contributions Plan for Bundarra Town*
- *S.94 Contributions Plan for Invergowrie*
- *S.94 Contributions Plan for Rural Zones 1(a) and 1(b)*
- *S.94 Contributions Plan for Rural Zones 1(c)*
- *S.94 Contributions Plan for Uralla Town.*

With the exception of *S.94 Contributions Plan for Rural Zones 1(a) and 1(b)*, these plans allowed for contributions to be collected for the purposes of road maintenance. That function is now carried out by this Plan.

For clarity, development consents which include conditions requiring the payment of development contributions levied under repealed plans will continue to remain valid. Contributions will be payable in accordance with the wording of the related consent conditions.

2.6 Land to which this Plan applies

This Plan applies to all land in the Uralla Shire LGA.

2.7 Statutory basis of the Plan

Section 7.11 of the EP&A Act provides as follows:

7.11 Contribution towards provision or improvement of amenities or services

(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:

- (a) the dedication of land free of cost, or*
- (b) the payment of a monetary contribution,*
- or both.*

(2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.

(3) If:

- (a) a consent authority has, at any time, whether before or after the date of commencement of this Part, provided public amenities or public services within the area in preparation for or to facilitate the carrying out of development in the area, and*
- (b) development for which development consent is sought will, if carried out, benefit from the provision of those public amenities or public services,*

the consent authority may grant the development consent subject to a condition requiring the payment of a monetary contribution towards recoupment of the cost of providing the public amenities or public services (being the cost as indexed in accordance with the regulations).

(4) A condition referred to in subsection (3) may be imposed only to require a reasonable contribution towards recoupment of the cost concerned.

(5) The consent authority may accept:

(a) the dedication of land in part or full satisfaction of a condition imposed in accordance with subsection (3), or

(b) the provision of a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition imposed in accordance with subsection (1) or (3).

If a consent authority proposes to impose a condition in accordance with subsection (1) or (3) in respect of development, the consent authority must take into consideration any land, money or other material public benefit that the applicant has elsewhere dedicated or provided free of cost within the area (or any adjoining area) or previously paid to the consent authority, other than—

(a) a benefit provided as a condition of the grant of development consent under this Act, or

(b) a benefit excluded from consideration under section 7.4(6).

(7) If:

(a) a condition imposed under subsection (1) or (3) in relation to development has been complied with, and

(b) public authority would, but for this subsection, be entitled under any other Act to require, in relation to or in connection with that development, a dedication of land or payment of money in respect of the provision of public amenities or public services or both,

then, despite that other Act, compliance with the condition referred to in paragraph (a) is taken to have satisfied the requirement referred to in paragraph (b) to the extent of the value (determined, if the regulations so provide, in accordance with the regulations) of the land dedicated or the amount of money paid in compliance with the condition.¹

2.8 Development to which this plan applies

This Plan applies to all development consents or complying development certificates that generate heavy haulage vehicle movements. Developments that typically meet the criteria include, but are not limited to:

- Extractive industries (e.g. quarries)
- Concrete batching plants
- Waste services
- Warehousing and logistics.

This plan will apply to modifications to existing development consents where conditions require ongoing Section 94 contributions related to traffic movements under repealed plans, in order to align relevant conditions with this plan.

¹ Extract from Environmental Planning and Assessment Act (current version for 1 July 2021)

This plan also applies to development located outside of the Uralla Shire Council where it can be demonstrated that traffic generating development routes will impact on the road network within the Uralla Shire LGA on an ongoing basis (e.g. a haulage route from a development in a neighbouring LGA that extends through or terminates within the Uralla Shire LGA). In these cases, Council will consider the impact of the development and impose a condition of consent requiring payment of levies in accordance with this plan. Levies for development outside of the Uralla Shire LGA are currently limited to haulage.

2.9 Development exempt from this plan

This plan does not apply to development identified in any applicable Ministerial directions issued under Section 7.17 of the EP&A Act as exempt from levies. This includes:

- Development for the sole purpose of disabled access.
- Development for the sole purpose of reducing the consumption of mains-supplied potable water or reducing the energy consumption of a building.
- Development for the sole purpose of the adaptive re-use of an item of environmental heritage.

The Plan also does not apply to:

- Development of facilities by or on behalf of a public authority

Where an exemption is sought, the development application is to include a submission detailing the reasoning for exemption. Exemptions can only be given with a formal Council resolution.

2.10 Obligations of accredited certifiers

In accordance with 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 levies has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies 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 142(2) of the EP&A Regulation. 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.

2.11 Goods and services tax (GST)

Payment of development contributions made under the EP&A Act is exempt from the Goods and Services Tax (GST).

All costs quoted in the Plan exclude GST.

2.12 Timing of payments

Contributions for the maintenance and/or construction of roads utilised by development requiring heavy vehicle haulage are to be levied in accordance with the Plan. In the absence of specific direction in a plan, funds must be paid quarterly and calculated in the first instance by the haulage company

The amount of development contribution shall be calculated on the basis of the adopted rate at the time of payment of the contribution, and any consent issued requiring the application of the Plan shall contain appropriate conditions stating the timing, form and amount of payment to be made.

Generally, the timing of the payment of contributions will be as follows:

- Contribution for maintenance works: will be determined and collected on a quarterly or annual basis (i.e. 3 or 12 months) at the discretion of Council. Contributions will be based on the submission to Council of returns calculated from site dockets or other suitable records for the applicable period, from the time the consent becomes operational, and shall be collected for every period or part thereof that the development is operating.
- Construction and upgrade contributions: will be determined and collected (and works undertaken) prior to the issue of a Construction Certificate, except as otherwise determined by Council.

2.13 Deferred and periodic payment

Council will not accept the deferred or periodic payment of a levy imposed under this plan.

2.14 Contributions 'in-kind' and material public benefits

Developer contributions made in accordance with the Plan will usually be in the form of monetary payments, however alternative 'in kind' contributions may be accepted if they are deemed by Council to represent an 'equivalent material public benefit' (MPB). In the case of alternative payments being offered, a developer is required to make prior written representations to Council at which time the proposal may be considered or negotiated.

Any offer for the provision of an MPB should be made in writing prior to the works commencing and where possible at the time the application is being assessed.

The request should clearly state:

- What MPB or land dedication is proposed,
- The estimated value of the MPB or land dedication,
- The timing of provision of the MPB or land dedication,
- What cash contributions it is proposed to offset,
- If the work has not been identified under the Plan, why it is of an equivalent benefit to the community compared to what has been identified under the Plan.

An assessment of the proposed MPB is then to be undertaken by Council. This assessment will include such considerations as:

- The impact the proposal will have on the levels of amenities and services for the community, compared to what has been identified under the existing plan,
- The impact on provision of other essential services and amenities,
- The impact on work schedules and cash flows that will result.

2.15 Planning agreements

A planning agreement is an alternative to the imposition of conditions under Section 7.11. A planning agreement between the Council and applicant for works in kind, material public benefit, dedication of land and/or deferred payment arrangement can occur in lieu of the payment of Section 7.11 contributions.

A planning agreement cannot exclude the application of Section 7.11 contributions in respect of development unless the consent authority for the development is a party to the agreement.

The requirements for planning agreements are detailed in the EP&A Act under Section 7.4.

2.16 Review of contribution rates without public exhibition

Council may make certain amendments to this plan without the need to prepare a new contributions plan². These include minor typographic corrections, admission of details concerning works that have been completed and amending contribution rates to reflect indexing. Amendments to contribution rates will be undertaken to reflect annual variations to the Consumer Price Index (CPI) for Sydney as published by the Australian Statistician. The annual indexation will be undertaken on or about 1 July each year based on the March reference period.

The current standard contribution rates for this plan are published by Council on its webpage, and are located within the Fees & Charges Schedule, renewed each financial year.

2.17 Adjusting contribution rates at the time of payment

The contributions stated in consents are calculated on the basis of the 7.11 contribution rates determined in accordance with the Plan. If the contributions are not paid within the financial year 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.

Contributions required as a condition of consent under the provisions of the Plan will be indexed in accordance with quarterly updates to the Consumer Price Index, Australia, All Groups CPI; issued by the Australian Bureau of Statistics (ABS Series ID A2325806K). This includes contributions associated with heavy haulage, where Council will apply the CPI adjustment at the time of the invoice preparation.

The following formula for indexing contributions is to be used:

- Contribution at time of payment = $\$C \times (CP2/CP1)$

Where:

- $\$C$ is the original contribution as set out in the consent
- CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued
- CP2 is the Consumer Price Index; All Groups CPI; Sydney at the start of the year in which the payment is made.

2.18 Unspent Section 94 funds

This plan authorises unspent monetary contributions made under previous development contribution plans for the purposes of road maintenance be redirected to works authorised for payment under this plan, with the purpose of delivering the same or similar outcomes sought by previous plans.

2.19 Pooling of contributions

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

2.20 Access to information

Council is required to comply with public access to information requirements in relation to Section 7.11 contributions. These are addressed in Divisions 5 and 6 of Part 5 of the EP&A Regulation and include:

- Maintenance of and public access to a contributions register

² In accordance with clause 32(3) of the EP&A Regulation

- Maintenance of and public access to accounting records for contributions receipts and expenditure
- Annual financial reporting of contributions
- Public access to contribution plans and supporting documents.

The contribution register will record:

- The origin of each contribution referenced to the development consent to which it relates
- The date of receipt of the contribution
- The type of contribution received (e.g. money, lands or works in kind)
- The amount of the contribution and the purpose for which was levied

Council financial reporting will record:

- The total of contribution expended each year by purpose
- Expenditures from the fund according to the date and purpose, including details of priority spending
- Interest earned by purpose.

These records are available for inspection free of charge at Council's Administration building during normal office hours.

2.21 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of the Plan but not determined shall be determined in accordance with the provisions of the Plan which applied at the date of determination of the application.

2.22 Monitoring and review

The Plan will be subject to regular monitoring and review by Council.

This will occur at least every 5 years to ensure that anticipated costs, development expectations and contribution rates are generally accurate.

The Plan should be revised and updated when deemed necessary.

3.0 HEAVY HAULAGE

This section provides the framework for the efficient and equitable determination and collection of developer contributions towards the maintenance, upgrade and construction of roads utilised by heavy vehicles associated with developments which generate a significant amount of heavy vehicle movements.

These contributions are intended to be levied upon developments which generate heavy vehicle traffic, and will require road maintenance, upgrade or construction with associated works. Such works would be required to ensure adequate maintenance, safety, efficiency, amenity and environmental standards are achieved on existing roads, and to ensure that upgraded and new road networks, are constructed to a standard commensurate with the heavy vehicle usage generated by the development.

For the purpose of the Plan, the contributions for roads is deemed to include all necessary works of carriageway construction and maintenance, including pavement, associated culverts, bridges, drainage, signs, line-marking, noise attenuation measures, landscaping, safety and traffic management measures. It applies to Council owned roads and would not be collected for State owned roads, such as New England Highway.

3.1 Nexus between development and works

Developments that generate heavy vehicle movements on Council's road network lead to an increased burden on the road system, and can create the need for new or upgraded roadworks to be constructed.

An increase in heavy vehicle usage on existing roads results in a reduction of road life. This necessitates increased construction and maintenance work beyond typical standards. Road degradation associated with heavy vehicle traffic also has an impact on road safety and amenity and may require additional works to be undertaken to ensure that roads are constructed to an acceptable standard.

The combination of the additional axle loadings (i.e. number of wheels on the road surface) and the payloads (i.e. gross transport weight of loaded vehicle) generated by heavy vehicles have an impact on the rate of deterioration of the road. For the purposes of this plan, impact of heavy vehicles is calculated using equivalent standard axles (ESA), which reflect the likely damage to a road from a heavy vehicle. As such, the Plan considers these factors.

For the purposes of the Plan, the land over which contributions will be calculated is to be determined on a development specific basis, thereby making allowance for the location of developments and the actual roads utilised by developments and the estimated impact of developments.

Council has determined that developments that generate significant truck movements on Council roads will reduce the expected life of the subject roads and as such should make a monetary contribution towards the additional and/or brought-forward maintenance cost and any specific new construction and upgrade costs that relate to the development.

3.2 Schedule of works

The works that are covered by the Plan include repairing pavement damage to Council roads caused by mines, extractive industries and other 'heavy haulage' developments.

The works do not include private roads within the Council area or national highways or state roads within the Council area.

As heavy haulage developments can impact roads anywhere in the Council area, it is not possible to identify up-front all roads that are subject to the Plan. These will be assessed by Council at the time of development application.

Monies received under the Plan will be allocated to the haul roads that developments have contributed towards. Records will be maintained as described in Section 2.20.

Council, at its discretion, may accept the provision of land and/or works in lieu of monetary payments by development proponents to satisfy the required road works.

3.3 Calculation of the contribution rate

The contributions rates applied to developments that cause pavement damage to Council roads are based on the methodologies applied by other similar councils, including those identified in the following plans:

- *Armidale Regional Council Section 7.11 Contributions Plan 2018 – Heavy Vehicles* (Armidale Regional Council)
- *City Wide Infrastructure Contributions Plan 2020* (Cessnock City Council)
- *Narrabri Shire Section 7.11 – Fixed Contributions Plan 2016* (Narrabri Shire Council)
- *Contributions Plan for Heavy Haulage Generated by Extractive Industries 2017* (Dungog Shire Council)

The methodology allows for determination of a proportional cost to replace roads as informed by ESAs and tonnage. It includes the following steps:

1. Determine ESA contribution rate
 - a. Determine standard design ESA for Council roads
 - b. Estimate the cost to reconstruct and maintain one lane for one kilometre for the standard design
 - c. Express the contribution rate in dollars per ESA per kilometre.
2. Determine standard vehicle and tonnage
3. Calculate dollars per tonne per kilometre.

Calculations for contributions are shown in Table 3-1 and are based on standard design and cost assumptions for the region. While Council's roads may experience less daily traffic, lighter duty roads attract higher contribution rates (reduced ESA does not result in an equal reduction in cost).³

An ESA of 2.6 has been used for tonnage calculations, reflecting a Class 4 truck with a dog trailer.⁴

³ Construction costs and design life assumptions derived from *Armidale Regional Council Section 7.11 Contributions Plan 2018 – Heavy Vehicles* and Council's records.

⁴ Standard ESA rate derived from *Ballina Shire Heavy Haulage Contributions Plan 2019*.

Table 3-1: Heavy haulage contribution rates across New South Wales

Step	Calculation
1. Determine ESA contribution rate	
a. Determine standard design ESA for Council roads	<ul style="list-style-type: none"> ● Regional sealed road: 1,000,000 ESA over 60 years ● Local sealed road: 1,000,000 ESA over 70 years ● Unsealed roads: 200,000 ESA over 17 years
b. Determine maintenance requirements for Council roads	<ul style="list-style-type: none"> ● Regional sealed roads: <ul style="list-style-type: none"> – Rehabilitation: \$400,000 @ 60th year – Reseal: \$32,500 at 15th year – Maintenance: \$3,080 annually ● Local sealed roads: <ul style="list-style-type: none"> – Rehabilitation: \$270,000 @ 70th year – Reseal: \$32,500 at 15th year – Maintenance: \$3,080 annually ● Unsealed road: <ul style="list-style-type: none"> – Resheet: \$35,000 @ 17th year – Maintenance: \$2,174 annually
c. Estimate cost to reconstruct and maintain one lane for one kilometre	<ul style="list-style-type: none"> ● Regional sealed roads: <ul style="list-style-type: none"> – \$ maintenance x 58 yrs. + \$ reseal (@ 15th, 30th, 45th years) + \$ reconstruction (@ 60th year) – $(\\$3,080 \times 58) + (\\$32,500 \times 3) + \\$400,000 = \mathbf{\\$676,140 \text{ per km}}$ ● Local sealed roads: <ul style="list-style-type: none"> – \$ maintenance x 68 yrs. + \$ reseal (@ 15th, 30th, 45th, 60th years) + \$ reconstruction (@ 70th year) – $(\\$3,080 \times 68) + (\\$32,500 \times 4) + \\$270,000 = \mathbf{\\$609,440 \text{ per km}}$ ● Unsealed road: <ul style="list-style-type: none"> – \$ maintenance x 15 yrs. + \$ resheet (@ 17th year) – $(\\$2,174 \times 15) + \\$35,000 = \mathbf{\\$67,610 \text{ per km}}$
d. Express contribution rate in dollars per ESA per kilometre	<ul style="list-style-type: none"> ● Regional sealed roads: $\\$676,140/1,000,000 = \\$0.676 \text{ per ESA per km}$ ● Local sealed roads: $\\$609,440/1,000,000 = \\$0.609 \text{ per ESA per km}$ ● Unsealed roads: $\\$67,610/200,000 = \\$0.338 \text{ per ESA per km}$
2. Determine standard vehicle and tonnage hauled	
	<ul style="list-style-type: none"> ● Standard vehicle: Class 4 truck (12m) with dog trailer ● ESAs per standard vehicle: 2.6 ● Standard tonnage hauled: 15 tonnes
3. Calculate dollars per tonne per kilometre	<ul style="list-style-type: none"> ● Regional sealed roads: <ul style="list-style-type: none"> – Contribution per standard vehicle per km: $\\$0.676 \times 2.6 = \\1.757 – Contribution per tonne per km: $\\$1.757 / 15 = \\0.117 ● Local sealed roads: <ul style="list-style-type: none"> – Contribution per standard vehicle per km: $\\$0.609 \times 2.6 = \\1.583 – Contribution per tonne per km: $\\$1.583 / 15 = \\0.105 ● Unsealed roads: <ul style="list-style-type: none"> – Contribution per standard vehicle per km: $\\$0.338 \times 2.6 = \\0.878 – Contribution per tonne per km: $\\$0.878 / 15 = \\0.058

Given the similarity in costs between regional and local sealed road, a single contribution amount has been identified, being the average of the costs.

Two principal contribution rates have been identified:

- **Regional or local sealed road: \$0.111 per tonne per km**
- **Unsealed road: \$0.058 per tonne per km**

The Section 7.11 levy payable under this Plan are as follows. Contribution formulae have been provided for multi-trip routes in the interest of certainty.

Table 3-2: Contribution formulae

Tonnage contribution

$$\text{Contribution} = R_1 \times (L_1 \times T_1 + L_2 \times T_2 \dots L_n \times T_n) + R_2 \times (L_1 \times T_1 + L_2 \times T_2 \dots L_n \times T_n)$$

Where:

- R₁: Per Tonne rate for sealed road used by the development
- R₂: Per Tonne rate for unsealed used by the development
- L₁: Length of road route 1 used by the development (km)
- T₁: Estimated material tonnage trucked a long route 1
- L₂: Length of road route 2 used by the development (km)
- T₂: Estimated material tonnage trucked a long route 2

In most instances, tonnage contribution rates will be used. In some instances, ESA rates may be used, such as when lighter duty trucks are anticipated to be used. In those instances, the per vehicle per km rates would replace the per-tonne rate in the calculations above, and the number of trips per period would replace the tonnage trucked.

Alternate standard vehicle ESAs for tonnage contributions may be used where it can be demonstrated that an alternate vehicle class or combination more accurately reflects the operational expectations for the site (e.g. concrete agitator truck or B-double).

Council may also identify circumstances that would foreseeably increase or reduce costs associated with road construction and maintenance, which may require recalculation of contributions to reflect actual costs of the day. **The appropriate contribution rate will be determined by Council through the development assessment process based on the information provided by the applicant.**

3.4 Application of contribution rates to development

The process for calculating and collecting contributions will generally be as follows:

- Identify the length of Council roads that the development will use for heavy haulage purposes. This will be based on information provided with a development application and verified by the consent authority
- Calculate the required periodic payment using the contribution rates shown in the Plan; that is: at per ESA per kilometre or rate per tonne per kilometre
- Assess whether any additional road construction or upgrade works are required to meet the specific needs of the development; if so, include a condition that the development makes a contribution under this plan based on:
 - The rate per tonne per km or rate per ESA per km, as per this plan.
 - The total length of all haul routes
 - The actual amount of material hauled (in tonnes) or number of vehicles hauling (in ESAs) for each quarter

- No later than one month after the end of March, June, September and December over the life of the development, the operator of the development submits tonnage or ESA data for the development for the quarter (e.g. weighbridge records)
- Council confirms suitability of data and issues an invoice to the operator, reflecting the applicable rate and haul route as per the development consent
- The operator pays the required contribution, as per the standard terms of the invoice.

Due to the nature of heavy haulage related development and road maintenance impacts, Council does not allow deferred periodic payment of contributions under this plan.

3.5 Worked examples

Example 1: Development with no return load

- A development will utilise 10 kilometres of local sealed roads for heavy haulage purposes
- The development is estimated to generate 10,000 tonnes per quarter
 - Contribution rate: 10 kilometres x \$0.111 per tonne per kilometre for sealed road = \$1.11 per tonne of haulage material
- Upon operation, verified data on tonnes hauled on Council roads is compiled for the quarter to the satisfaction of Council (see method and timing of payments above)
- Council prepares an invoice using a payment calculation made as follows (substituting the 10,000 tonne figure with the verified quarterly figure if different):

\$1.11 per tonne x 10,000 tonnes of haulage material = contribution of \$11,100.

Example 2: Development with multi-trip load

- A development will result in multi-trip deliveries, utilising 5 kilometres for the first trip along a regional sealed road and 3 kilometres for the second trip along an unsealed road
- The development is estimated to generate 5,000 tonnes per quarter for the first trip and 2,000 tonnes per quarter for the second trip.
 - First trip contribution rate: 5 kilometres x \$0.111. per tonne per kilometre for regional sealed roads = \$0.555 cents per tonne of haulage material
 - Second trip contribution rate: 3 kilometres x \$0.058 cents per tonne per kilometre for local sealed roads = \$0.174 per tonne of haulage material
- After the development has assembled verified data on tonnes hauled on Council roads, to the satisfaction of Council (see method and timing of payments above), a final payment calculation is made as follows:

First trip: \$0.555 per tonne x 5,000 tonnes of haulage material = contribution of \$2,775.

Second trip: \$0.174 per tonne x 2,000 tonnes of haulage material = contribution of \$348.

3.6 Operational verification

Where a tonnage based contribution rate is imposed on the development, weighbridges will be the required verification instrument to be provided by operators. Records from weighbridges must identify the tonnage of material associated with each vehicle and the destination.

Where an ESA based contribution rate is imposed on the development, traffic classifiers, which classify the type and number of loaded heavy vehicles that enter or leave the development, will be the required verification

instrument to be provided by operators. Records from traffic classifiers must identify the number of ESAs that are subject to contributions.

Alternate verification instruments may be approved by Council, if deemed acceptable. Installation and maintenance of instruments will be the responsibility of operators. Council officers are to be provided access to weighbridges, traffic classifiers or other verification instruments as required. If Council does not deem records are suitable, Council will, at its discretion, determine the tonnage, route and contributions associated with the period.

3.7 Changes to operations

It is understood that operations relating to production and delivery of material for a relevant development may change over time. In order to support these changes, development consents will require proponents to prepare a statement of haulage routes every two years. The statement will identify:

- Mapped Council roads used by heavy vehicles travelling to and from the development
- Estimated number of trips per quarter associated with each route
- Estimated tonnage per quarter associated with each route.

3.8 Additional roadworks

Where a designated haul route is not able to accommodate additional heavy vehicle movements, Council may require upgrades to be made to accommodate development. Where Council has identified certain road or traffic management measures as being required to accommodate development, a condition will be imposed under Section 4.17(1)(f) of the EP&A Act. Road maintenance contributions will also be imposed under this plan.

3.9 Apportionment

The contribution rate has been developed to reflect costs associated with the demand attributed to proposed development. As such, no adjustments are required for the purposes of apportionment.

4.0 PLAN ADMINISTRATION COSTS

4.1 Nexus

Application and operation of this plan will require resources associated with calculating contributions, reviewing evidence provided by operators and financial accounting associated with contributions and works. Consultant and specialist advice may be required from time to time to assist with operating, managing and reviewing the plan. These costs are required for the efficient operation of the Plan and therefore a valid subject for contributions.

4.2 Calculation of contribution

Costs associated with administration, management and review of the plan are set at 1.5 per cent of contributions, as approved by the Independent Pricing and Regulatory Tribunal (IPART).

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