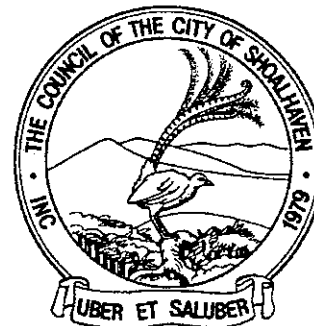


SHOALHAVEN CITY COUNCIL

CONTRIBUTIONS PLAN - AMENDMENT NO. 41



PROJECTS:

01 OREC 0002	:	Passive Open Space, Bomaderry
01 OREC 0003	:	Passive Open Space, Nowra
05 OREC 0001	:	Passive Open Space, Narrawallee/Mollymook
05 OREC 0002	:	Passive Open Space, Ulladulla

File Number	:	96/2070
Publicly exhibited		
from	:	3 October 1996
to	:	31 October 1996
Adopted	:	17 December 1996
Effective From	:	24 December 1996

1. INTRODUCTION/BACKGROUND

Council has identified anomalies which appear to exist between contribution rates and acquisition costs in relation to the provision of passive open space within the City. In this regard, Council has resolved to review the passive open space provisions contained in the Contributions Plan. This amendment deals with passive open space provision at Bomaderry, Nowra, Narrawallee/Mollymook and Ulladulla.

It was originally assumed that acquisition for passive open space (POS) would involve serviced land. Accordingly, land acquisition values were obtained. In practice, however, POS is now being acquired along creek systems, including some areas of flood prone land, with the view of linking ecologically sensitive lands within urban areas, protecting streams from the impact of development and for providing urban bushland setting.

Whilst such land may not be appropriate for active open space, they probably form the more desirable areas for passive activities, linked with natural area preservation management. The actual value of such lands are, subsequently, much lower than that originally envisaged.

With a view to obtaining more realistic figures, areas at Bomaderry, Nowra, Narrawallee/Mollymook and Ulladulla, identified for POS acquisition, have been re-valued and the implications for contribution rates have been assessed.

2. PURPOSE OF THE PLAN (Cl. 26(1)(a) EP&A Regs 1994)

The purpose (aim) of the plan is to fund the costs associated with the acquisition of land for POS by way of a levy on new (future) development of land within the benefit areas.

3. LAND TO WHICH THE PLAN APPLIES (Cl.26(1)(b) EP&A Regs. 1994)

The plan applies to land within the urban areas of Bomaderry, Nowra, Narrawallee/Mollymook and Ulladulla which are those hatched and bounded by a thick black line on the benefit area maps relating to projects 01 OREC 0002, 01 OREC 0003, 05 OREC 0001 and 05 OREC 0002 (see attachment Nos. 1, 2, 3 and 4).

The lands may be generally described as those zoned for residential purposes contained within the urban areas of the subject centres.

4. RELATIONSHIP BETWEEN EXPECTED DEVELOPMENT AND DEMAND JUSTIFICATION/NEXUS (Cl.26(1)(c)EP&A Regs.1994)

Whilst the City of Shoalhaven is well endowed with passive open space land, the majority of this land is rural bushland, land for environmental protection and inaccessible beach foreshore.

The Shoalhaven suffers two problems: abundant open space which is under-utilised due to poor access and lack of facilities; and the lack of open space inside some residential areas which are infilling etc - that is, accessible to the immediate residents.

Council has recognised the importance of the use of passive areas as a high priority in the Shoalhaven in the Shoalhaven for both existing residents and for those intending to move to the area. Council has estimated potential development in the subject areas and population characteristics to arrive at POS requirements. POS areas, including areas for urban bushland and local creek/stream protection, have been identified for acquisition in this plan.

Council considers that the current level of POS provision for existing development is adequate. The Contributions Plan, therefore, requires that only new (future) development is to be levied.

Prior to the adoption of Contributions Plan 1993, Council required developers to contribute for public open space at a rate of 2.48ha per 1,000 persons (or 24.8m² per person).

This figure was designed to provide for both active (sporting) and passive (local parkland) components of public open space. However, the current Contributions Plan separates the contribution into two components - passive and active. Based on Land and Environmental Court precedent, it was decided that a rate of twelve (12) square metres per person was reasonable for the passive open space contribution.

5. **FORMULA USED TO DETERMINE CONTRIBUTION**
(Cl.26(1)(d)EP&A Regs.1994)

The Plan provides that because the existing provision is adequate, only new (future) development will be required to contribute to the POS needed as a consequence of that development.

The future POS requirement may be calculated as follows:

Future POS requirement = No. Potential lots x occupancy rate x 12 m².

The contribution rate, therefore, is calculated by dividing the cost of POS by the number of new (future) lots generating the need for, and benefiting from, such passive open space.

That is:

Contribution Rate =
$$\frac{\text{cost of passive open space}}{\text{number of potential new (future) lots}}$$

6. **CONTRIBUTION RATE Cl.26(1)(e)EP&A Regs.1994)**

The respective contribution rates have been calculated for the subject areas in the following manner:

				1996/7	1997/8
01 OREC 0002 - Bomaderry	\$48,870 ÷ 435	=	\$112.34	\$ 113.92	
01 OREC 0003 - Nowra	\$412,605 ÷ 2,591	=	\$159.25	\$ 161.45	
05 OREC 0001 - Narrawallee/M'mook	\$85,390 ÷ 415	=	\$205.76	\$ 208.65	
05 OREC 0002 - Ulladulla	\$1,53,725 ÷ 407	=	\$377.70	\$ 383.01	

(see attachments 5, 6, 7 and 8)

7. **TIMING OF CONTRIBUTION PAYMENT AND CONDITIONS ALLOWING DEFERRED OR PERIODIC PAYMENT (Cl.26(1)(f)EP&A Regs.1994)**

The method of payment for residential development will be by way of a contribution per lot on release of the linen plan where subdivision is involved.

Where construction is involved, payment will be made prior to the release of the building permit.

Council may consider requests for deferment of conditions requiring monetary contributions made under section 94 of the Environmental Planning and Assessment Act 1979, provided the following criteria is met:

- (a) The section 94 contributions do not relate to the provision of facilities or services which, if not provided with the development, could threaten public safety and/or health.

- (b) The maximum deferral period would be two (2) years from the date of the issue of the building permit, release of linen plans or endorsement date of the development approval (whichever is applicable).
- (c) If such conditions are deferred, the applicant will be required to provide the following:
- bank guarantee for the amount of the section 94 contribution, plus a penalty interest rate apportioned over the period of the bank guarantee
 - minor administration fee

Deferred or periodic payment will be subject to the approval of the Assistant General Manager, after considering the circumstances of the case.

8. SCHEDULE OF FACILITIES TO BE PROVIDED (Cl.26(1)(g) EP&A Regs.1994)

The Contributions Plan has identified certain lands to be acquired for the provision of PDS within the subject urban areas and the cost to Council of these lands has been estimated by Valuation Consultants.

The lands identified in this Plan are described as follows:

01 OREC 0002 : BOMADERRY (urban only)

- Estimated new (future) lots (to capacity) 435
- Potential future population = 435 x 2.81 occupancy rate
(1991 Census) persons - 1,222
- New POS requirement = 1,222 x 12 m²/person 14,664
- Details of land identified for acquisition under this plan for Bomaderry as follows:

Land Description	Area to be Acquired	Estimated Cost to Council
Lot 6 DP 18366	305 m ²	\$2,300
Lot Z DP 367365	1,223 m ²	\$9,220
Lot 7 DP 28428	3,665 m ²	\$27,500
Lot 22 DP 834710	8,306 m ²	\$nil (dedicated)
Lot 4 Sec 29 DP 2866	<u>\$1,165 m²</u>	<u>\$8,850</u>
	14,664 m ²	\$47,870
Plus cost of land valuation (see attachment 9)		<u>1,000</u> <u>\$48,870</u>

01 OREC 0003 : NOWRA (urban only)

- Estimated new (future) lots (to capacity) = 2,591.

- Potential Future Population = $2,591 \times 2.81$ occupancy rate (1991 census) = 7,281 persons.
- New POS requirement = $7,281 \times 12 \text{ m}^2/\text{person} = 87,372 \text{ m}^2$
- Details of land identified for acquisition under this plan for Nowra as follows:

Land Description	Area to be Acquired	Estimated Cost to Council
Lots C, D & E, DP 39322	2,140 m ²	\$15,000
Public Reserve R52246	29,800 m ²	\$149,000
Por 323 Parish of Nowra	2,950 m ²	\$22,125
Lot A, DP 103430	10,160 m ²	\$20,000
Por 215 Parish of Nowra	3,255 m ²	\$5,000
Por 189 Parish of Nowra	8,392 m ²	\$20,980
Lot 2 DP 208921	12,365 m ²	\$86,500
Lot 11 DP 550630	14,060 m ²	\$71,000
Lot 4 DP 811792	<u>4,250 m²</u>	<u>\$21,500</u>
	87,372 m ²	\$411,105
Plus cost of land valuation (see attachments 10-15).		<u>\$1,500</u>
		<u>\$412,605</u>

05 OREC 0001 : NARRAWALLEE/MOLLYMOOK (urban only)

- Estimated new (future) lot (to capacity) = 415
- Potential future population = 415×2.38 occupancy rate (1991 Census) = 988 persons
- New POS requirement = $988 \times 12 \text{ m}^2/\text{person} = 11,856 \text{ m}^2$
- Details of land identified for acquisition under this plan for Narrawallee/Mollymook are as follows:

Land Description	Area to be Acquired	Estimated Cost to Council
Unnamed Road Reserve	1,500 m ²	\$45,000
Lot 4 DP 220678	3,052 m ²	\$18,390
Lot 122 DP 579640	1,620 m ²	\$13,000
Lot 5 DP 230931	2,030 m ²	\$8,000
Lot 168 DP 818685	<u>3,654 m²</u>	<u>Nil</u>
	11,856 m ²	\$84,390
Plus cost of land valuation (see attachments 16,17 & 18)		<u>\$1,000</u>
		<u>\$85,390</u>

05 OREC 0002 : Ulladulla (urban only)

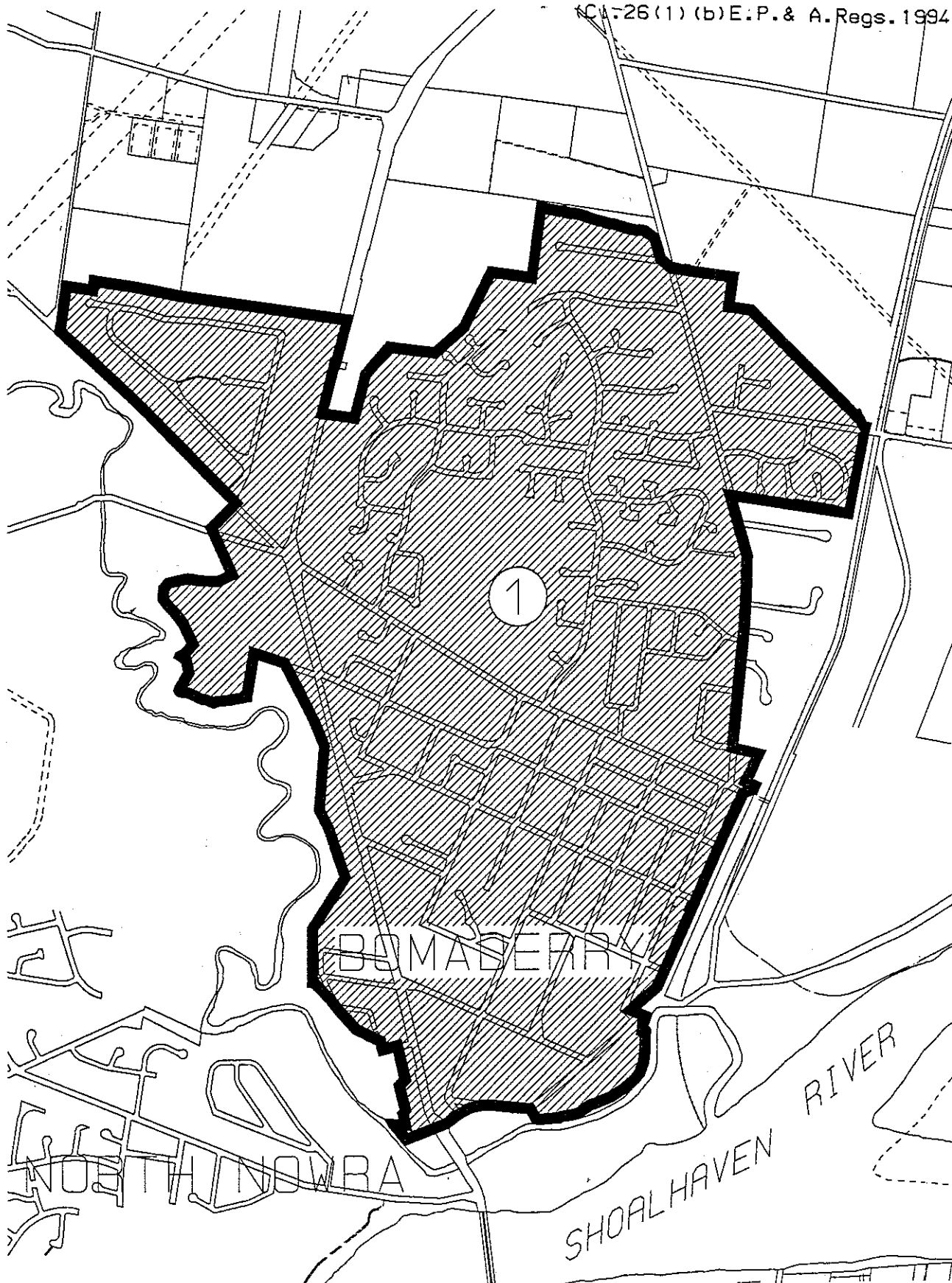
- Estimated new (future lots (to capacity) = 407.
- Potential future population = 407×2.57 occupancy rate (1991 Census) = 1,046 persons.
- New POS requirement = $1,046 \times 12 \text{ m}^2/\text{person} = 12,552 \text{ m}^2$.

- Details of land identified for acquisition under this plan for Ulladulla are as follows:

Land Description	Area to be Acquired	Estimated Cost to Council
Lot 1 DP 531711]		
Lot 2 DP 531711]		
Lot E, DP 162156]	115.26 m ²	\$10,000
Lot 52 DP 828221]		
Lot 53 DP 828221]	481.24 m ²	\$122,025
Lot 8 DP 812495	1,200.00 m ²	\$2,000
Lot 27 DP 235607	1,500.00 m ²	\$2,000
Lot 32 DP 235607	2,000.00 m ²	\$3,000
Lot 33 DP 235607	2,000.00 m ²	\$3,000
Por 27 Parish of Ulladulla	<u>5,255.50 m²</u>	<u>\$10,200</u>
	12,552.00 m ²	\$152,225
Plus cost of land valuation		<u>\$1,500</u>
(see attachments 19 & 20)		<u>\$153,725</u>

9. TIMING (Cl.26(1)(g)EP&A Regs.1994

It is not possible to set a program for dedication or for the acquisition/provision of passive open space at the subject urban areas based on accurate dates. However, it is intended to acquire the land at a time when substantial subdivision in these areas occurs. This is because this is the time when the major demand for passive open space occurs.



**SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO.41**

FILE NO: 96/2070

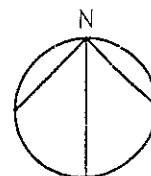
ADOPTED: 17/12/1996

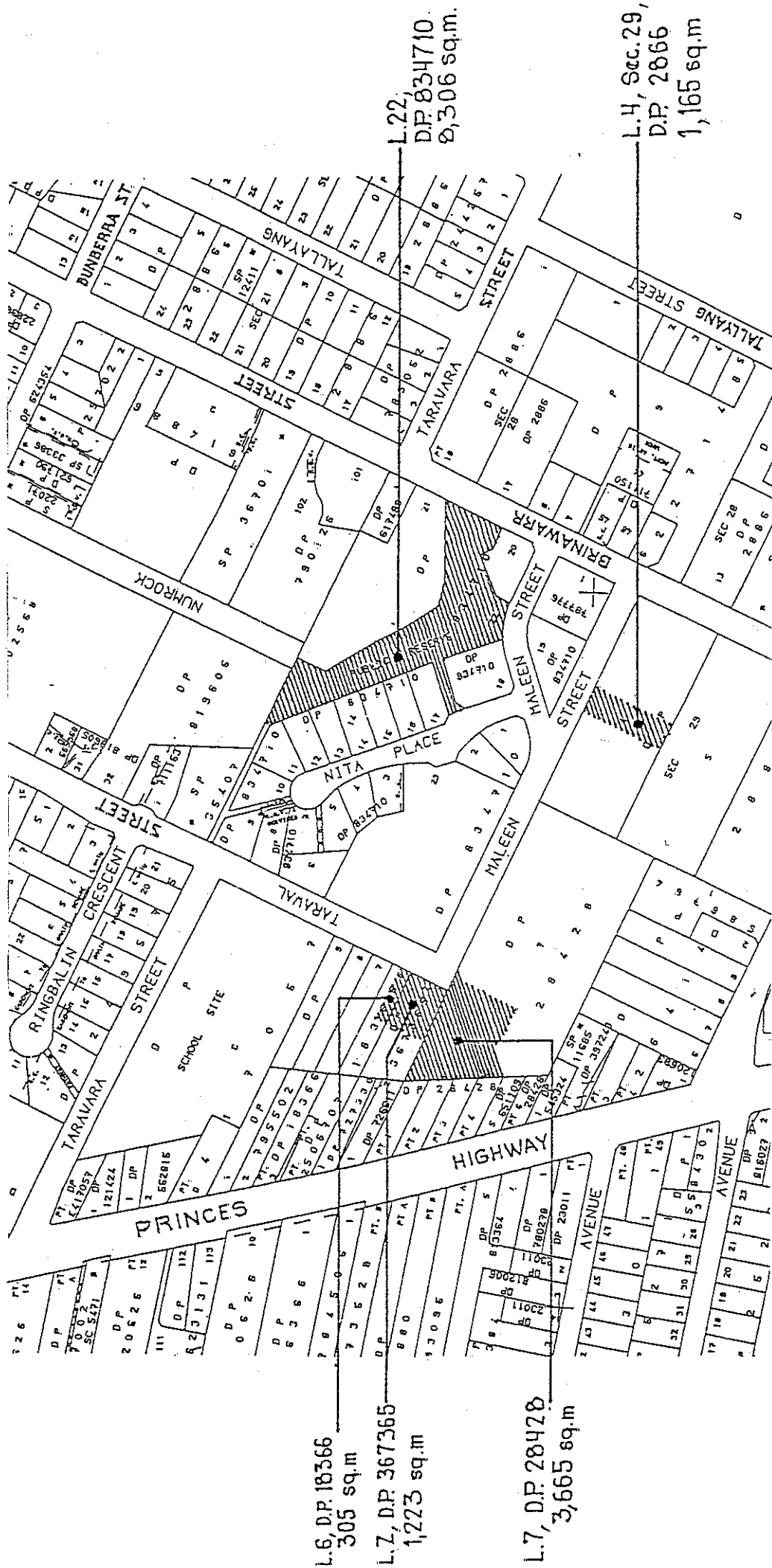
EFFECTIVE FROM: 24/12/1996

FACILITY: PASSIVE OPEN SPACE PROVISION &/OR EMBELLISHMENT

PROJECT: BENEFIT AREA - BOMADERRY URBAN

PROJECT No:
01 OREC 0002

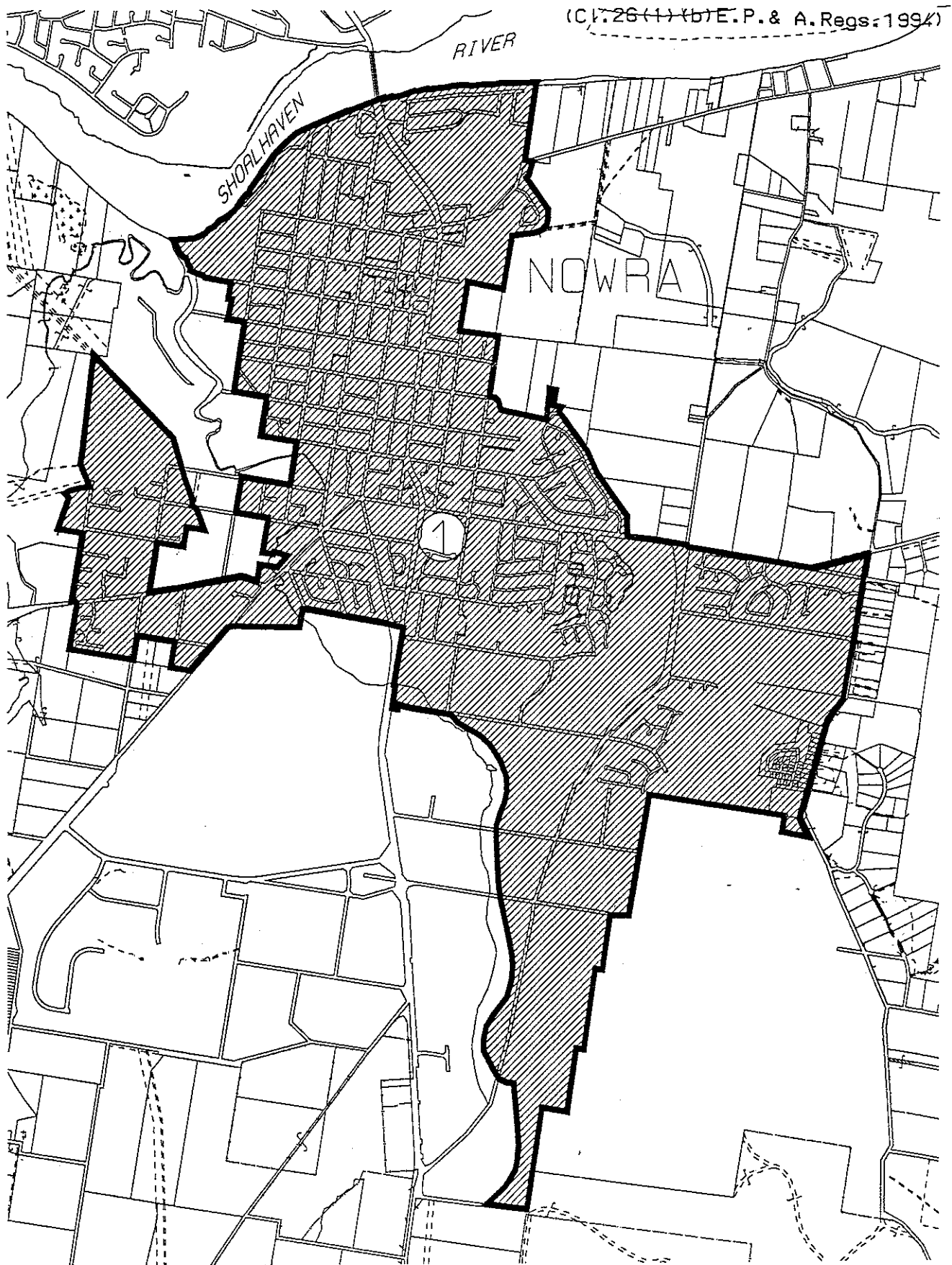




SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO.41

FILE NO: 96/2070
ADOPTED: 17/12/1996
EFFECTIVE FROM: 24/12/1996
FACILITY: PASSIVE OPEN SPACE RECREATION
PROJECT: LAND ACQUISITION : BOMADERRY URBAN
14,664 sq.m.

DRAWING FILE: SECT94:AREA1 (WINDOW FA41OR2A)



**SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO.41**

FILE NO: 96/2070

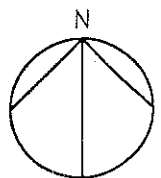
ADOPTED: 17/12/1996

EFFECTIVE FROM: 24/12/1996

FACILITY: PASSIVE OPEN SPACE - PROVISION &/OR EMBELLISHMENT

PROJECT: BENEFIT AREA - NOWRA URBAN

PROJECT No:
01 OREC 0003





SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO. 41

FILE NO: 96/2070

ADOPTED: 17/12/1996

EFFECTIVE FROM: 24/12/1996

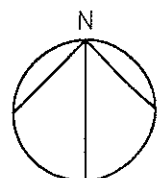
FACILITY: PASSIVE OPEN SPACE RECREATION

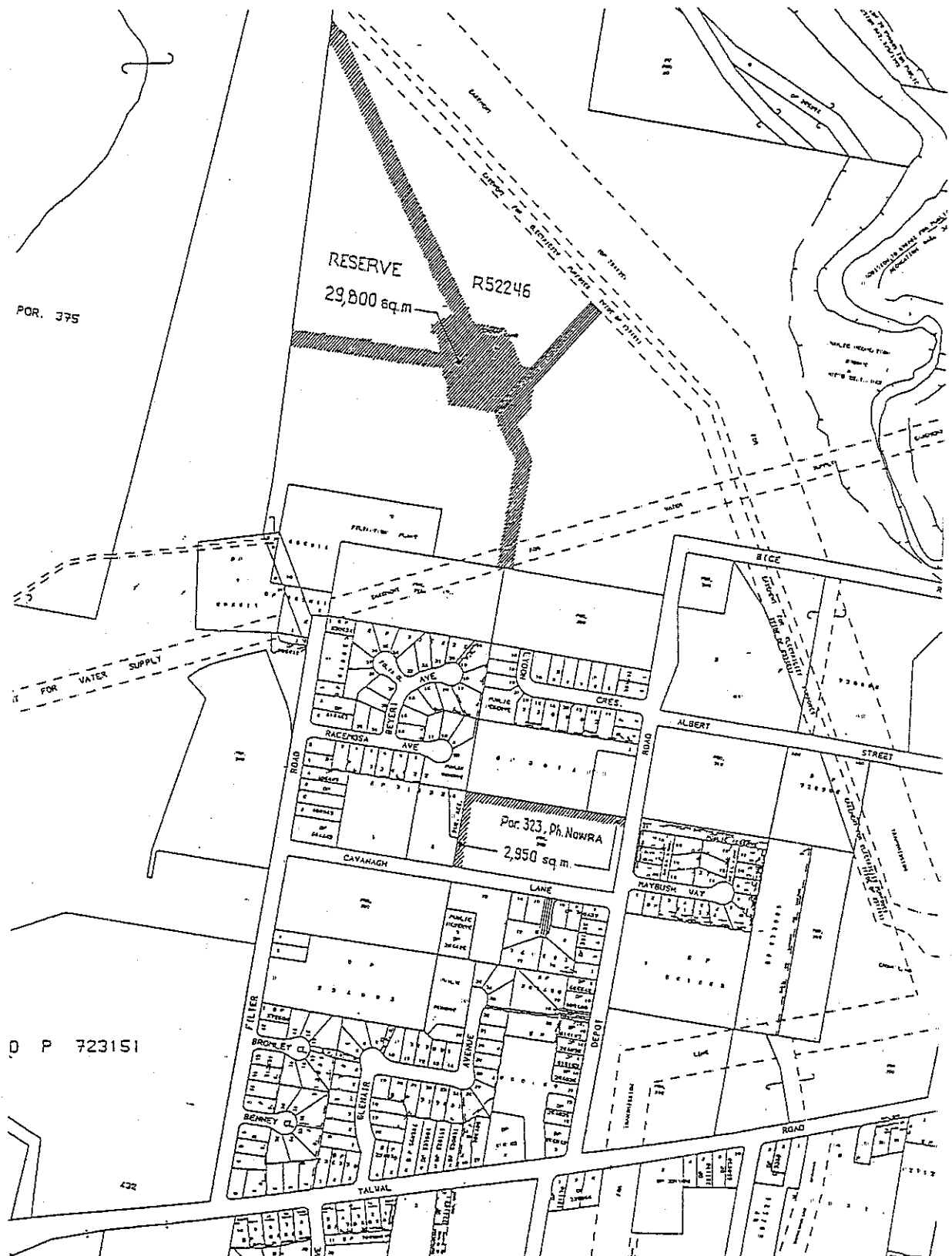
PROJECT: LAND ACQUISITION : NOWRA URBAN

2,140 sq.m.

DRAWING FILE: SECT94:AREA1 (WINDOWS FA41OR3A)

PROJECT No:
01 OREC 0003





SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO. 41

FILE NO: 96/2070

ADOPTED: 17/12/1996

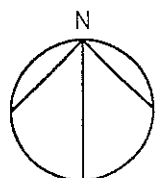
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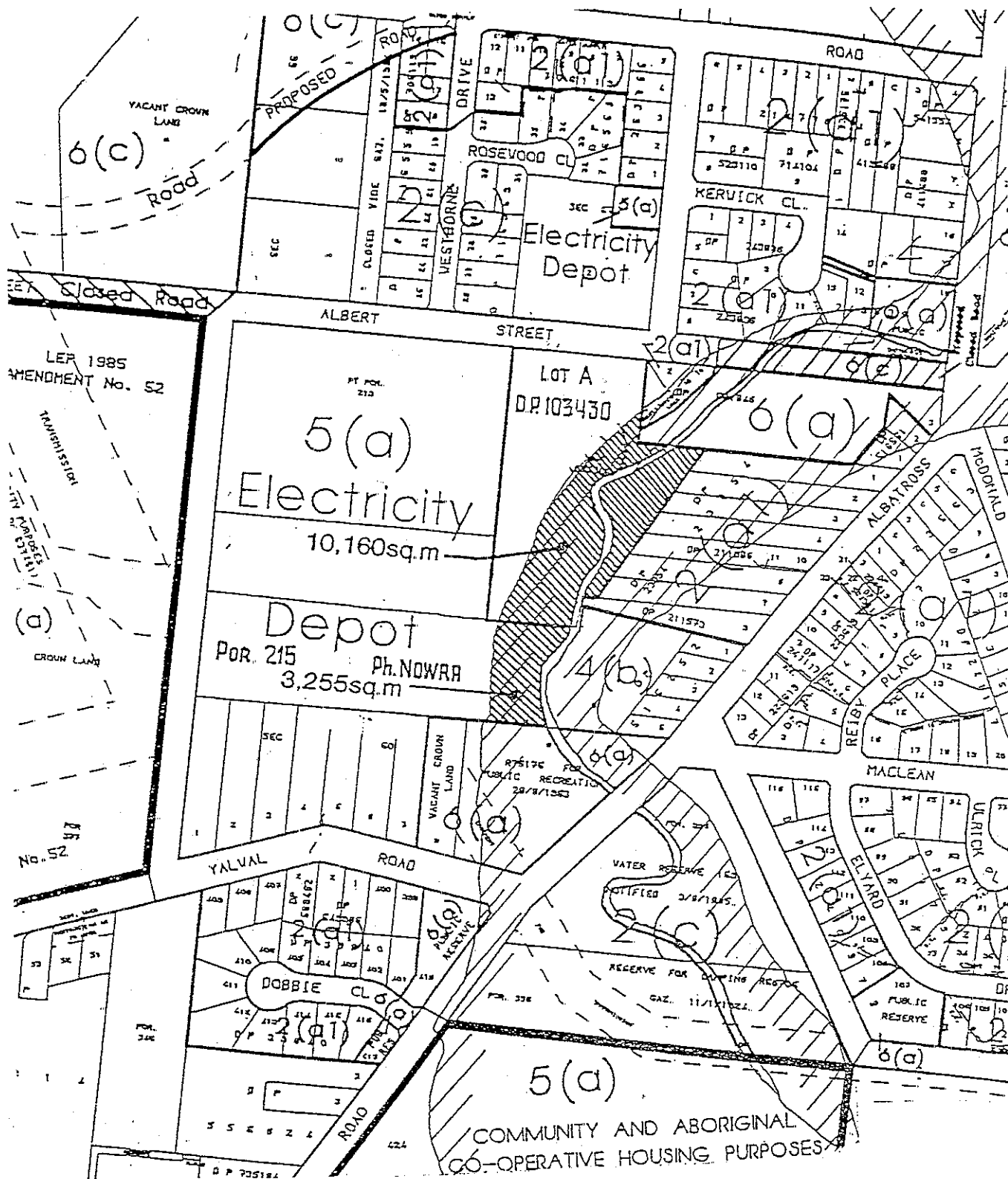
FACILITY: PASSIVE OPEN SPACE RECREATION

PROJECT: LAND ACQUISITION : NOWRA URBAN

32,750 sq.m.

PROJECT No:
01 OREC 0003





SHOALHAVEN CITY COUNCIL CONTRIBUTION PLAN AREA 1 AMENDMENT NO.41

FILE NO: 96/2070

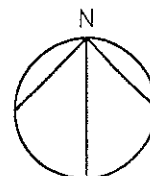
ADOPTED: 17/12/1996

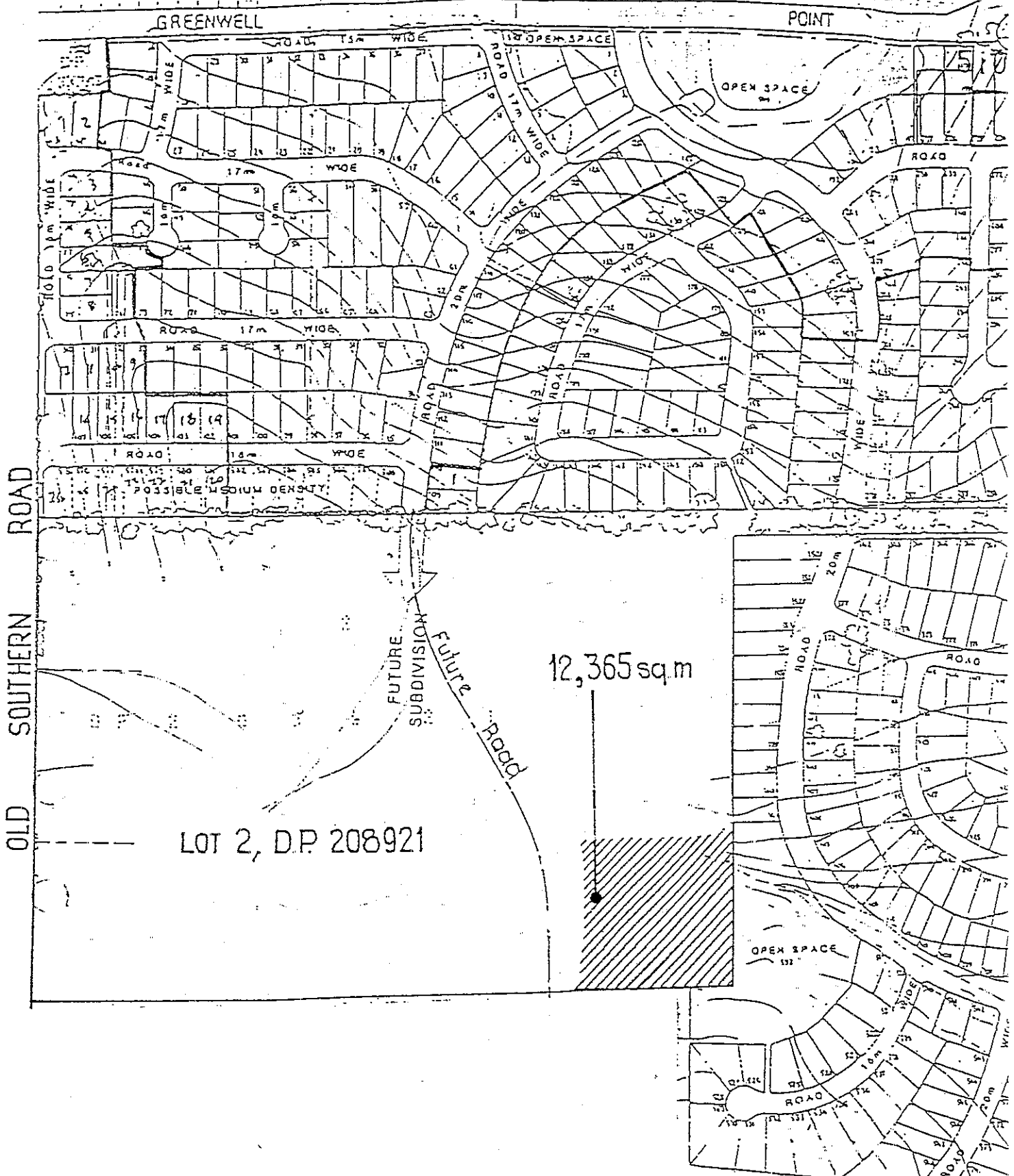
EFFECTIVE FROM: 24/12/1996

FACILITY: PASSIVE OPEN SPACE RECREATION
PROJECT: LAND ACQUISITION : NOWRA URBAN

13,415 sq.m.

PROJECT No:
01 OREC 0003





SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO.41

FILE NO: 96/2070

ADOPTED: 17/12/1996

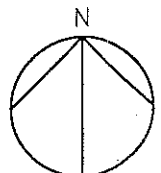
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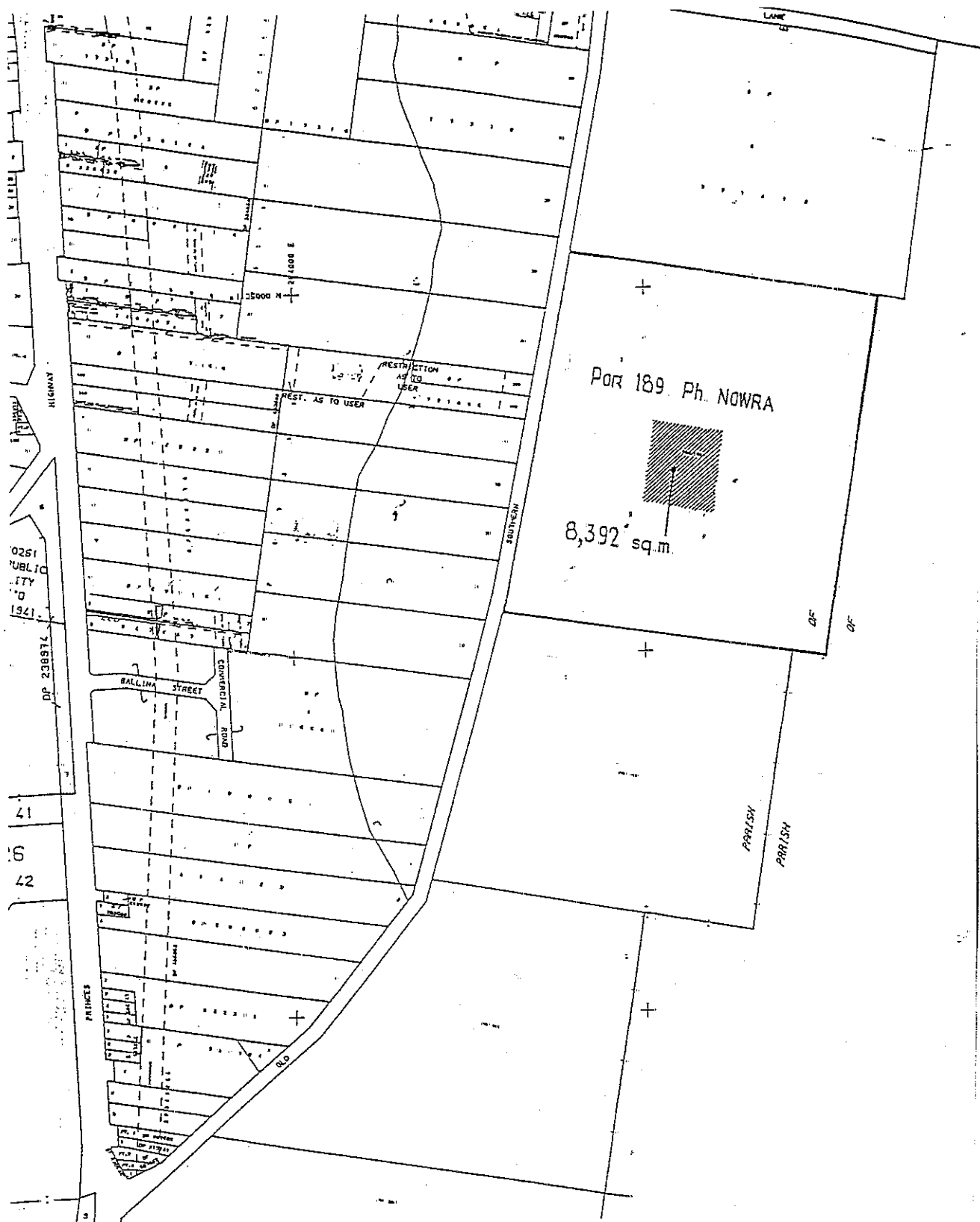
FACILITY: PASSIVE OPEN SPACE RECREATION

PROJECT: LAND ACQUISITION : NOWRA URBAN

12,365 sq.m.

PROJECT No:
01 OREC 0003





SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO. 41

FILE NO: 96/2070

ADOPTED: 17/12/1996

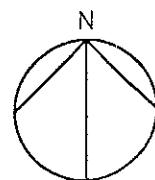
EFFECTIVE FROM: 24/12/1996

FACILITY: PASSIVE OPEN SPACE RECREATION

PROJECT: LAND ACQUISITION : NOWRA URBAN

8,392 sq.m.

PROJECT No:
01 OREC 0003





SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 1
AMENDMENT NO. 41

FILE NO: 96/2070

ADOPTED: 17/12/1996

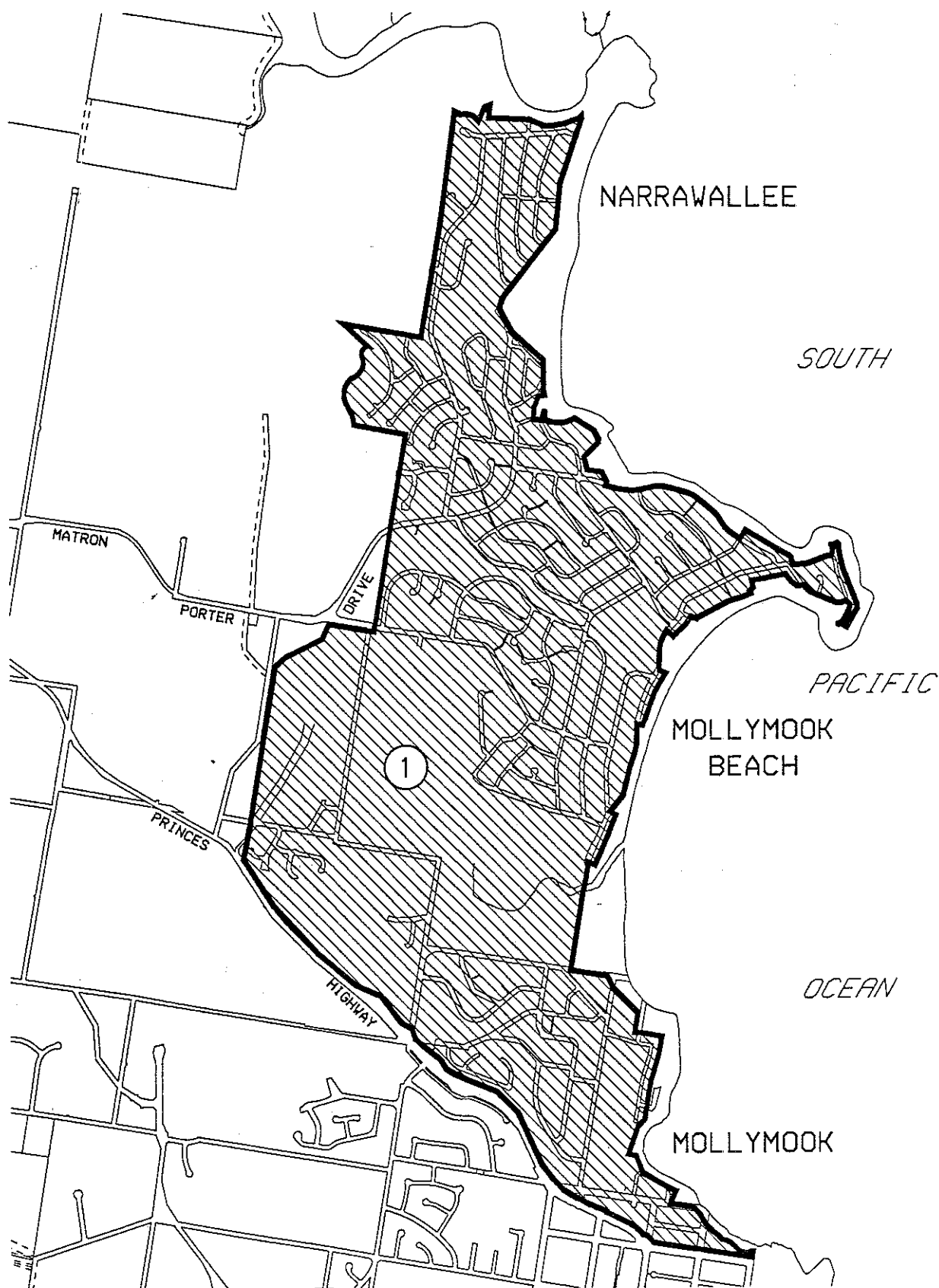
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FACILITY: PASSIVE OPEN SPACE RECREATION
PROJECT: LAND ACQUISITION : NOWRA URBAN

18,310 sq.m.

DRAWING FILE: SECT94:AREA (WINDOW FA41OR3E)

PROJECT No:
01 OREC 0003



SHOALHAVEN CITY COUNCIL

CONTRIBUTION PLAN AREA 5 AMENDMENT NO. 41

FILE NO: 96/2070

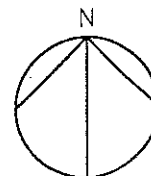
ADOPTED: 17/12/1996

EFFECTIVE FROM: 24/12/1996

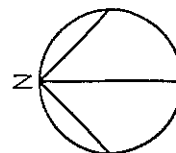
FACILITY: PASSIVE OPEN SPACE - NARRAWALLEE/MOLLYMOOK URBAN

PROJECT: BENEFIT AREA - LAND ACQUISITION

PROJECT No:
05 OREC 0001



DRAWING FILE: SECT94:AREA5 (WINDOWS AM4IORI & FA4IORIC)

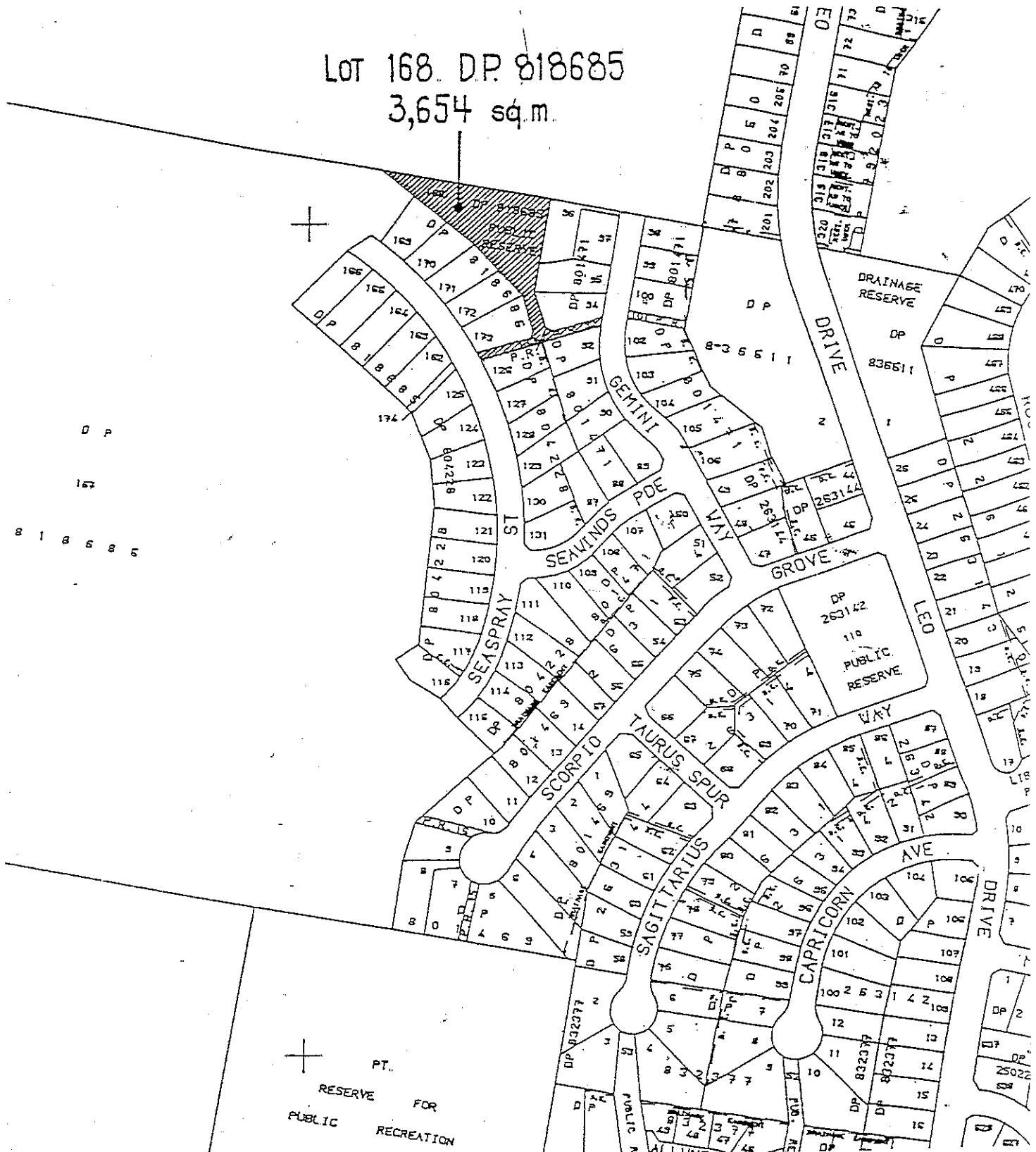


05 OREC 0001

FILE NO: 96/2070
ADOPTED: 17/12/1996
EFFECTIVE FROM: 24/12/1996
FACILITY: PASSIVE OPEN SPACE
PROJECT: LAND ACQUISITION
4,672 sqm.

DRAWING FILE: SECT94:AREA5 (WINDOW FA410RIA)

LOT 168. DP 818685
3,654 sq.m.

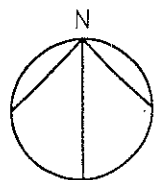


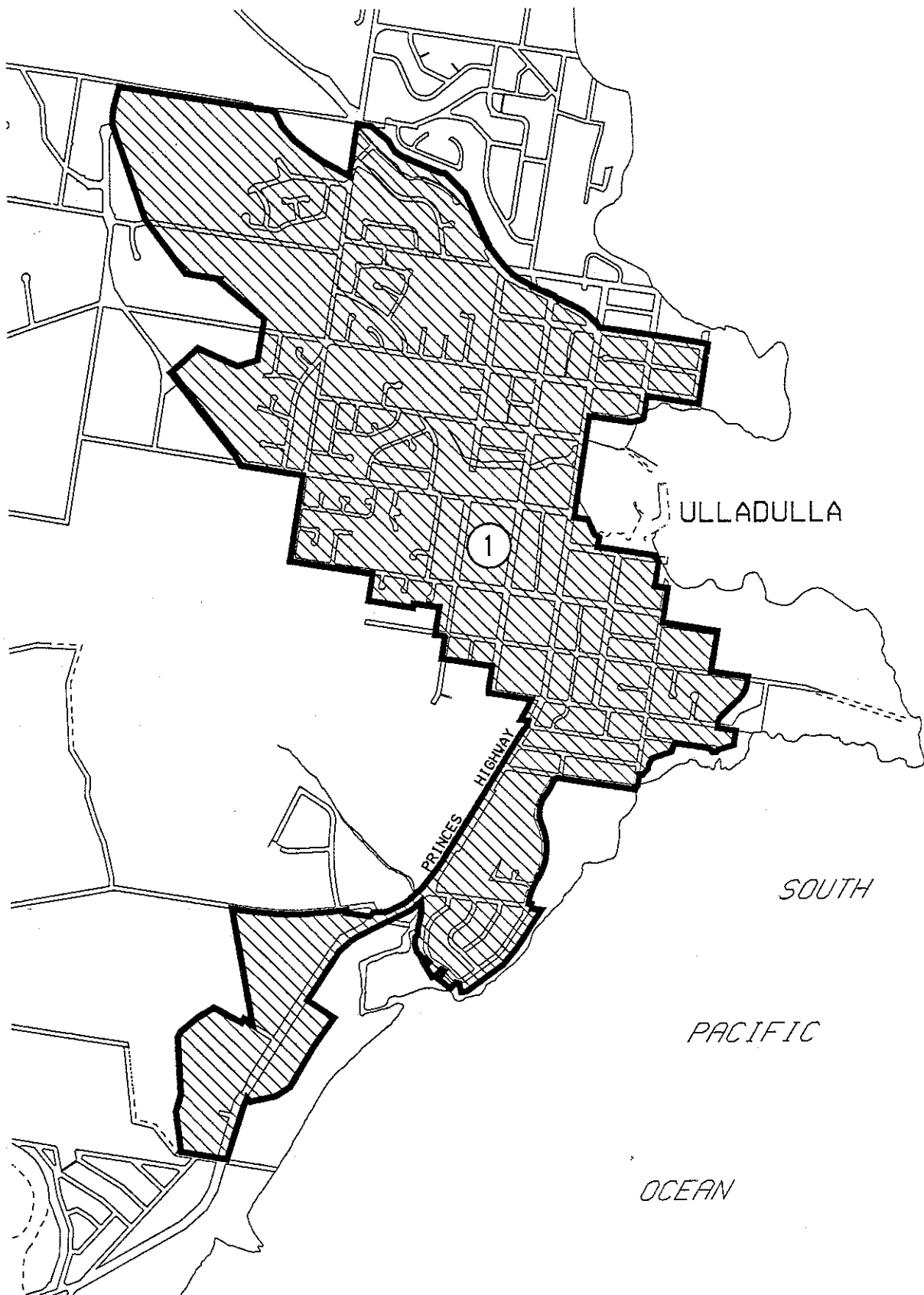
SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 5
AMENDMENT NO.41

FILE NO: 96/2070
ADOPTED: 17/12/1996
EFFECTIVE FROM: 24/12/1996
FACILITY: PASSIVE OPEN SPACE RECREATION
PROJECT: LAND ACQUISITION : NARRAWALLEE/MOLLYMOOK URBAN
3,654 sq.m.

DRAWING FILE: SECT94:AREA5 (WINDOW FA41OR1B)

PROJECT No:
05 OREC 0001

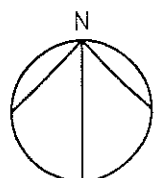


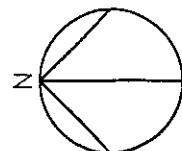


SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 5
AMENDMENT NO. 41

FILE NO: 96/2070
 ADOPTED: 17/12/1996
 EFFECTIVE FROM: 24/12/1996
 FACILITY: PASSIVE OPEN SPACE - ULLADULLA URBAN
 PROJECT: BENEFIT AREA - LAND ACQUISITION

PROJECT No:
05 OREC 0002

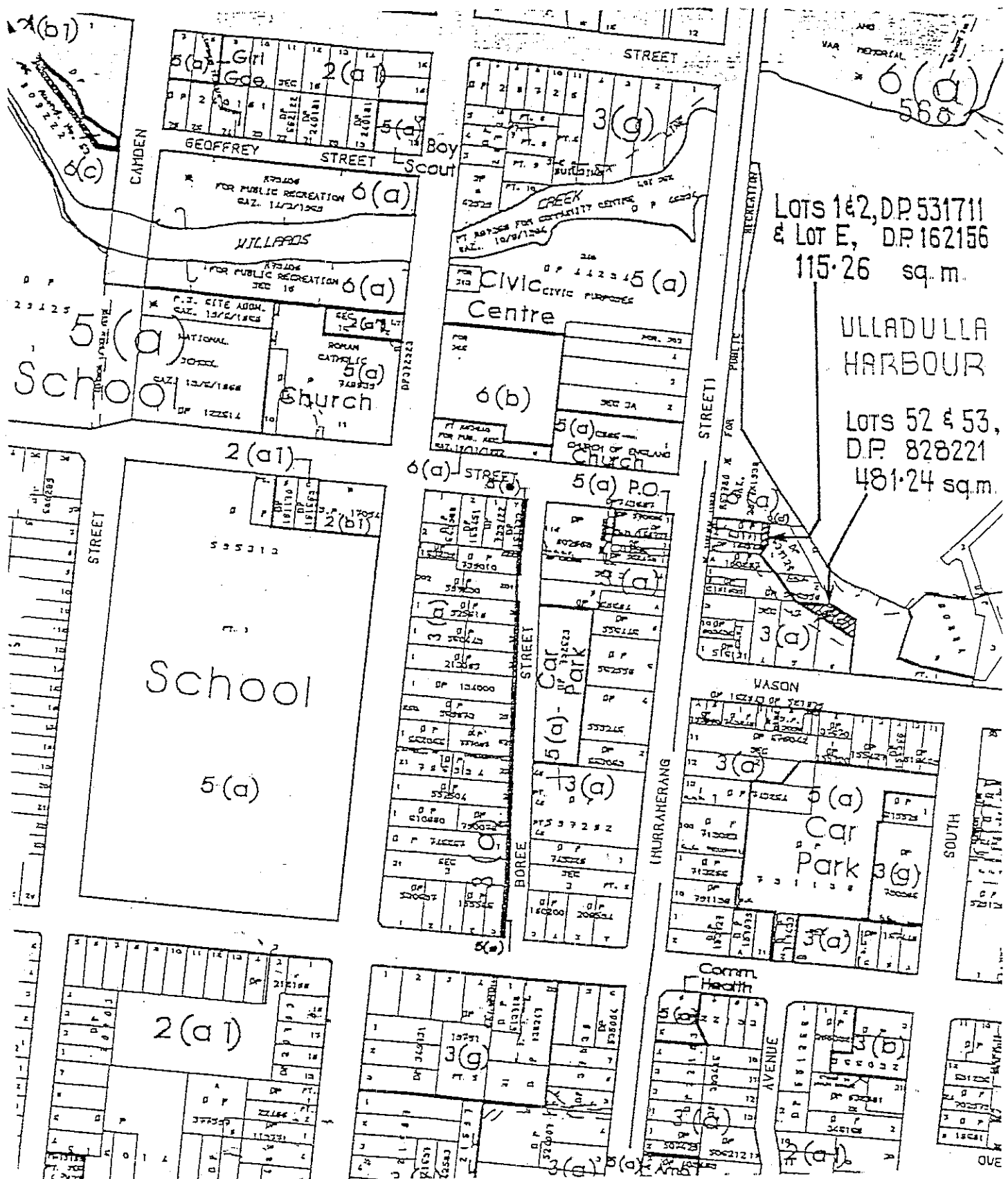




PROJECT No:
05 OREC 0002

SHOALHAVEN CITY COUNCIL CONTRIBUTION PLAN AREA 5 AMENDMENT NO.41

FILE NO: 96/2070
ADOPTED: 17/12/1996
EFFECTIVE FROM: 24/12/1996
FACILITY: PASSIVE OPEN SPACE RECREATION
PROJECT: LAND ACQUISITION : ULLADULLA URBAN
11,955.5 sqm.
DRAWING FILE: SECT94:AREA5 (WINDOW FA41OR2)

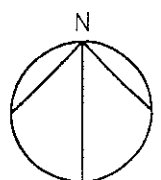


SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN AREA 5
AMENDMENT NO.41

FILE NO: 96/2070
ADOPTED: 17/12/1996
EFFECTIVE FROM: 24/12/1996
FACILITY: PASSIVE OPEN SPACE RECREATION
PROJECT: LAND ACQUISITION : ULLADULLA URBAN
596.5 sq.m.

DRAWING FILE: SECT94:AREA5 (WINDOW FA41OR2A)

PROJECT No:
05 OREC 0002



01OREC02.XLS

APPENDIX
SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN-AREA 1
FACILITY: PASSIVE OPEN SPACE

1. Locality : BOMADERRY URBAN AREA
2. Project : Passive Open Space
3. Project No. : 01 OREC 0002
4. Estimated Cost : \$ 48,870-00

5. Cost Apportionment Table

BOMADERRY URBAN BENEFIT AREA	ESTIMATED FUTURE LOTS	EST. POPULATION at 2.81 pers/dwel	AREA REQUIRED at 12sq. m/pers	ESTIMATED COST	CONTRIBUTION per lot
1	435	1,222 persons	14,664 sq. m	\$48,870-00	\$ 112-34

Cl.26(1)(e) E.P. & A. Regs.1994

Amendment No.41

File No.96/2070

Public Exhibition From 3 Oct. 1996

To 31 Oct.1996

Adopted 17 Dec. 1996

Effective : 24 Dec.1996

ATTACHMENT No. 5

01OREC03.XLS

APPENDIX
SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN-AREA 1
FACILITY: PASSIVE OPEN SPACE

1. Locality : NOWRA URBAN AREA
2. Project : Passive Open Space
3. Project No. : 01 OREC 0003
4. Estimated Cost : \$ 412,605-00

5. Cost Apportionment Table

NOWRA URBAN BENEFIT AREA	ESTIMATED FUTURE LOTS	EST. POPULATION at 2.81 pers/dwel	AREA REQUIRED at 12 sq. m/pers.	ESTIMATED COST	CONTRIBUTION per lot
1	2,591	7,281 persons	87,372 sq. m	\$412,605-00	\$159-25

Cl.26(1)(e)E.P.&A.Regis.1994

Amendment No. 41

File No. 96/2070

Public Exhibition From 3 Oct. 1996

To 31 Oct. 1996

Adopted 17 Dec.1996

Effective 24 Dec. 1996

ATTACHMENT No. 6

05OREC01.XLS

APPENDIX
SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN-AREA 5
FACILITY: PASSIVE OPEN SPACE

1. Locality : NARRAWALLEE / MOLLYMOOK URBAN AREA
2. Project : Passive Open Space
3. Project No. : 05 OREC 0001
4. Estimated Cost : \$ 85,390-00

5. Cost Apportionment Table

NARRAWALLEE/ MOLLYMOOK URBAN BENEFIT AREA	ESTIMATED FUTURE LOTS	ESTIMATED POPULATION at 2.38 pers/dwel.	AREA REQUIRED at 12 sq. m/pers	ESTIMATED COST	CONTRIBUTION PER LOT
1	415	988 persons	11,856 sq. m.	\$ 85,390-00	\$ 205-76

CI.26(1)(e) E.P.&A. Regs.1994

Amendment No. 41

File No. 96/2070

Public Exhibition From 3 Oct. 1996

To 31 Oct. 1996

Adopted 17 Dec. 1996

Effective 24 Dec. 1996

ATTACHMENT No. 7

APPENDIX

SHOALHAVEN CITY COUNCIL
CONTRIBUTION PLAN-AREA 5
FACILITY : PASSIVE OPEN SPACE

1. Locality ULLADULLA URBAN AREA
2. Project Passive Open Space
3. Project No. 05 OREC 0002
4. Estimated Cost \$ 153,725-00

5. Cost Apportionment Table

ULLADULLA URBAN BENEFIT AREA	ESTIMATED FUTURE LOTS	EST. POPULATION at 2.57 pers/dwelling	AREA REQUIRED at 12 sq. m/pers	ESTIMATED COST	CONTRIBUTION PER LOT
1	407	1,046 persons	12,552 sq. m.	\$ 153,725-00	\$-377-70

Ci.26(1)(e) E.P. & A. Regs. 1994

Amendment No. 41

File No. 96/2070

Public Exhibition From 3 Oct. 1996

To 31 Oct. 1996

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ATTACHMENT No. 8

*Amended**2001**18.1.99**\$381.22*