

Shoalhaven City Council

Section 94 Contributions Plan, 1993

Amendment No. 62

**ROADS and TRAFFIC CONTROL AREA 1**

**Boston Road, Worrigee**

File No. 23110

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Public Exhibition From : 7<sup>th</sup> March 2002

Public Exhibition To : 5<sup>th</sup> April 2002

Adopted : 30<sup>th</sup> April 2002

Effective From : 15<sup>th</sup> May 2002

**01 ROAD 0137 : Boston Road**

from Oaklands Place to western boundary of Lot 98, D.P.755953  
(Portion 98, Parish of Numbaa)

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## **1. INTRODUCTION / BACKGROUND**

At its meeting on Tuesday 24<sup>th</sup> April, 2001, Council resolved to amend the Contributions Plan to incorporate the contributions for upgrading the roads associated with servicing the rural lifestyle areas throughout the City to bitumen seal standard.

For some time, Council has been aware of a demand for rural lifestyle development within the Shoalhaven and, as a result of a review of the local environmental plan provisions, a rural amendment to SLEP was gazetted in July 1999.

The amendment (No.127), commonly referred to as "The Rural Plan", provided a strategy for rural lifestyle development within the City by zoning certain selected areas as Rural 1(c)(Rural Lifestyle) allowing for residents to enjoy a rural lifestyle as an alternative to urban living.

## **2. PURPOSE of the PLAN** (Cl.27(1)(a)E.P. & A. Regs.2000)

The purpose of the Plan is to fund a portion of the costs associated with upgrading and sealing 1,030 metres of Boston Road (from Oaklands Place to the western boundary of Lot 98, D.P.755953 (Portion 98, Parish of Numbaa) by way of a Section 94 contribution on the development of land (including the erection of new dwellings) within the benefit area associated with that project.  
(see Benefit Area map in APPENDICES)

## **3. LAND to which the PLAN APPLIES** (Cl.27(1)(b)E.P. & A. Regs.2000)

The Plan applies to the land situated within the Benefit Area associated with Section 94 road project 01 ROAD 0137 – Boston Road, Worrigea.  
(see Benefit Area maps in APPENDICES)

The subject area is shown hatched and bordered by a thick black line on the Benefit Area map associated with the project.

The subject land benefits from this particular road project is generally located adjoining and adjacent to, and gains vehicular access to Boston Road.

## **4. RELATIONSHIP between EXPECTED DEVELOPMENT and DEMAND** (Cl.27(1)(c)E.P. & A. Regs.2000)

### **4.1 General**

In order to adequately cater for the additional demand likely to be generated by future development within the Boston Road Benefit Area, it has become necessary to upgrade and seal the pavements of the road.

Roads have a limited life due to wear and damage to pavement because of traffic usage and climatic conditions. The rate of wear, and the standard of pavement required, is increased with higher volumes of traffic.

As a consequence, the pavement will require strengthening and/or sealing where further new development generates additional traffic onto the road.

#### **4.2 Upgrade Gravel Pavement to Sealed Road Standard**

Boston Road will require upgrading from a gravel standard to a sealed standard due to increasing traffic volumes.

This project has been selected using the following criteria as a guide :---

- (a) the anticipated traffic volumes;
- (b) the use of the road as a bus route;
- (c) the grade of the road where it affects the integrity of the pavement;
- (d) the proximity and number of dwellings close to the road, where dust problems may develop; and,
- (e) the distribution and density of development along the road.

The upgrading works may involve additional drainage and an improved road alignment.

#### **5. FORMULA USED to DETERMINE the CONTRIBUTION**

(Cl.27(1)(d)E.P. & A Regs.2000)

The contribution is based on the following formula :---

**CONTRIBUTION** = Estimated Project Cost

Divided by

Total Number of Lots (both existing and potential future)  
Within the Benefit Area

#### **6. CONTRIBUTION** (Cl.27(1)(e)E.P. & A Regs.2000)

**01 ROAD 0137** : Contribution = \$169,820.00 divided by 45 lots = **\$3,773.78/ET**

Boston Road (from Oaklands Place to western boundary of Lot 98, D.P.755953)  
100% of the estimated project cost of \$161,730.00 Council considers there is no through traffic

#### **7. TIMING of CONTRIBUTION PAYMENT and CONDITIONS ALLOWING for DEFERRED or PERIODIC PAYMENT**

(Cl.27(1)(f)E.P. & A Regs.2000)

##### **7.1 Method of Payment**

There are three possible methods of payment for Section 94 contributions :---

- cash;
- money order; or,
- bank cheque.

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

For other types of development, or where construction is involved, the cash payment is made prior to issuing the building permit(s).

## **7.2 Deferment**

Under exceptional circumstances only, and subject to suitable financial undertakings on the part of the applicant, Council may consider allowing a deferment of the condition(s) requiring the payment of monetary Section 94 contributions, provided the following criteria are satisfied :---

- (a) The contributions do not relate to facilities or services which, if not provided with the development, could threaten public safety and/or health;
- (b) The maximum deferral period would not exceed two (2) years from the date of the building permit issue, linen plan release or determination of the development approval (whichever is applicable); and
- (c) The applicant will be required to provide :
  - a bank guarantee for the required amount + interest over the period of the bank guarantee; and
  - a minor administration fee.

Deferral of contribution payments will be assessed on individual merit and applicants should not rely on precedent set by this or any other council.

The interest rate applying to authorised deferred payments will be in accordance with current rate charged on overdue rate arrears.

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

## **7.3 Land Dedication**

Where the Contributions Plan identifies certain land for Section 94 purposes, Council may permit the dedication of such land to offset the monetary contribution. Suitability assessment of the subject land occurs at the development or subdivision application stage.

Should the development be approved, the applicant should contact Council to arrange for a valuation of the subject land.

Upon agreement of the land's value, and the exchange of contracts, Council will offset the value of the land against the monetary contribution payable.

## **7.4 Works-in-Kind**

Where Council is satisfied that it is appropriate and in the public interest, Council may accept the construction of amenities or the provision of services to offset the monetary contribution.

The applicant will need to initiate this option by providing Council with full details the proposed works prior to construction.

Council will consider the request and advise the applicant accordingly.

## **8. WORKS SCHEDULE** (Cl 27(1)(g)E.P. & A. Regs. 2000)

Road projects selected for inclusion in this Contributions Plan fall into four main categories :---

- (a) Strengthen an existing sealed pavement;
- (b) Upgrade a gravel pavement to sealed road standard; or,
- (c) Other works such as :
  - widening an existing road;
  - a new bridge;
  - a new traffic facility; or,
  - an upgraded intersection and/or drainage.

## **9. Estimated Cost of Works** (Cl.27(1)(g)E.P. & A. Regs.2000)

### **01 ROAD 0137 : Boston Road**

Rehabilitate pavement, strengthen & seal = 1,030m x 6m wide = 6,180 @ \$22.62 = \$139,770.00

Survey, Design and Supervision = 6% = \$8,385.00

Administration and On-costs = 15.5% = \$21,665.00

**Total = \$169,820.00**

## **10. TIMING of WORKS** (Cl.27(1)(g)E.P. & A. Regs.2000)

### **10.1 Works Program**

The works program includes the timing and staging of all acquisition and construction. Details of the anticipated timing and staging of works is outlined below for each project.

The timings shown are approximate and have been determined assuming a steady rate of development in each of the benefit areas.

It has been assumed that 3% of the developer's contribution will be received each year.

Fluctuations in the rate of development and, therefore, the amount of contributions received may affect the program for some of the projects. In any event, the contributions received will be spent on the project for which they are received within a reasonable time.

In some isolated rural areas however, significant development is unlikely within a period of 15 to 20 years. The cost of upgrading long lengths of road is significant and in some areas the total project will not be required unless full development occurs.

Where only part of the full potential development occurs within the next 15 years (approximately), then the standard of the programmed work may need to be reduced as a consequence of the actual rate of development.

Council's contribution to such projects will be matched on a pro rata basis if the quality of work carried out is different to that shown in the Works Schedule.

### **10.2 Timing**

In some cases, it may not be cost-effective or appropriate to proceed with construction of a particular project until demand is generated by the development of at least 80% of the benefit area.

Subject to sufficient demand being generated by development, it is anticipated this project will be implemented in 2002/03.

## **APPENDICES**

Benefit Area Map ..... 01 ROAD 0136 : Boston Road

Cost Apportionment Table ..... 01 ROAD 0136 : Boston Road



**AUTOCAD DRAWING FILE: Graphics\Projects\City\Section94\Section94\Amendment62**