



Section 94 Contributions Plan

*Amendment No. 76
Amendment No.77 (Area 1) Amendment No.1*

Hillcrest Avenue, South Nowra
Roads & Drainage Works

01 ROAD 0144

Internal Access Road Adjoining Hillcrest
Avenue, South Nowra.

01 DRAI 0005

Hillcrest Avenue – Drainage Works, South
Nowra.

Reference: 28708 and 28709

November 2006

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1. Introduction

The Hillcrest Avenue area in South Nowra is zoned 2(c) Residential "C" (Living Area) Zone under the Shoalhaven LEP 1985. The objective of this zoning is to provide a range of housing types within new residential areas zoned 2(c) Residential.

There is potential for up to 220 new dwellings in the subject area. At present, the land in the Hillcrest Avenue area is either undeveloped or not developed to the potential of its zoning. In anticipation of new development, two part-funded Section 94 projects will be required; an internal access road adjoining Hillcrest Avenue and drainage works needed as a result of new development.

2. Background

This Plan makes provision for the funding of an internal access road adjoining Hillcrest Avenue, South Nowra, and the upgrade and provision of new drainage facilities in the area.

2.1 Internal Access Road Adjoining Hillcrest Avenue, South Nowra - 01ROAD0144

There is a need for a new access road adjoining Hillcrest Avenue to service the land zoned 2(c) Residential "C" Living Area.

The construction of a collector road to intersect with Hillcrest Avenue proposed in DCP 43 will provide the base for a coordinated street network when new residential development commences, with minimal impact of the existing road network.

The southern side of Hillcrest Avenue, South Nowra will be the focus of the scope of road works. There are 4 large-sized lots that are directly affected by the project.

Zoned 2(c) Residential, the majority of the area is not fully developed to the zoning potential at present.

2.2 Hillcrest Avenue, Drainage Works, South Nowra – 01 DRAI 0005

At present, existing runoff is drained into the bushland on the southern side of Hillcrest Ave. This runoff drains south-west for approximately 300 metres into Browns Creek, an environmentally sensitive tributary of the Shoalhaven River. Much of the land with development potential in the area is low-lying; a section of land is located within the flood hatch identified in Shoalhaven LEP 1985.

The development of land in the vicinity of Hillcrest Avenue will require the upgrade of existing drainage infrastructure and provision of new drainage systems.

3. Definitions

The definitions of terms used in this plan are listed in Appendix A.

4. Name of the Plan

This Contributions Plan is amendment number 76 and amendment number 77 (Hillcrest Avenue, South Nowra – Road & Drainage Works) of the Shoalhaven City Council Section 94 Contributions Plan 1993. This project is identified in the Contributions Plan as project number 01 DRAI 0005 and project number 01 ROAD 0144.

5. Legal Context

This Contributions Plan has been prepared by Shoalhaven City Council pursuant to Section 94 of the Environmental Planning and Assessment Act and in accordance with the Environmental Planning and Assessment Regulation.

6. Purpose of the Plan

The purpose of this Plan is to:

- a) ensure that the road and drainage needs of future residential development in the South Nowra area are met;
- b) ensure the timely provision of these facilities;
- c) provide a co-ordinated approach for the planning of new infrastructure in developing areas;
- d) fund the construction cost of the proposed road and drainage works, and to ensure equitable apportionment of costs between existing population and future population as a result of new development;
- e) provide a framework for administration and management of this plan.

7. Commencement of the Plan

This Plan will take effect from the date on which public notice is published, pursuant to clause 31(4) of the EP&A Regulation.

8. Relationship to Other Plans and Policies

This Contributions Plan is amendment number 76 and amendment number 77 of

the Shoalhaven City Council Section 94 Contributions Plan 1993. This Plan is a supplement to Council's *Cityplan*, Management Plan, and Local Environmental Plan.

9. Project Location

The location of the proposed drainage and road works is generally within the area of Hillcrest Avenue in South Nowra, as shown on the locality maps in Appendices B and C.

10. Area to which the Plan applies

The Contribution Areas for these projects are located in the vicinity of Hillcrest Avenue, being lands zoned 2(c) Residential Living Area. Three separate Contribution Areas have been designated for 01 DRAI 0005, because each area will generate different drainage impacts. 01 ROAD 0144 consists of a single Contribution Area. These areas are shown in the Contribution Area Maps in Appendices B and C to this Plan.

11. Development and Assessment of Demand

Fundamental to the levying of Section 94 contributions is the establishment of an assessment of demand between future development and the need for increased or new amenities and services generated by that development.

There are three aspects to the assessment of demand - causal, physical and temporal; that is, the services or facilities being levied for must be:

- needed as a direct result of the development being levied,

- located near enough, in physical terms, to provide benefit to the development being levied, and
- provided within a reasonable time.

11.1 Internal Access Road – 01 ROAD 0144

A new internal access from adjoining Hillcrest Avenue will be required to coordinate a new local road network that may eventuate through new development.

The internal access road will be aligned from west to east, commencing from the proposed DCP 43 collector road link and terminating at its eastern end with Hillcrest Avenue. The road is proposed to run along the north-east drainage easement, and then deviate east before bending north to meet with Hillcrest Avenue. Hillcrest Avenue is a collector road that feeds onto the Princes Highway.

Council's works program lists the road and drainage works in Hillcrest Avenue for construction in 2007 – 2012, consistent with the expected rate of development.

11.2 Drainage Project – 01 DRAI 0005

The potential for new development in the Hillcrest Avenue area has demonstrated the need for new drainage facilities and improvements to the existing drainage system; it is essential as the proposed drainage system will offset possible stormwater and flooding issues likely to occur within the subject area.

The drainage system will connect to the existing system and provide a standard of drainage able to cater for new development planned in Hillcrest Avenue.

12. Estimated Cost of Facility

Scope of works

This Plan provides for the following works:

01 ROAD 0144

- A. Construction of a new 480 metre internal access road on the southern side of Hillcrest Avenue.
- B. Acquisition of 8160 m² for the purposes of creating a 17 metre wide road reserve.

01 DRAI 0005

- C. 30 new pipes, 21 new pits, and the upgrade of existing drainage facilities.
- D. Installation of a Water Quality Device towards Browns Creek.
- E. Acquisition of land for the purposes of creating drainage easements for construction and maintenance access.

Land Costs

The value of land to be acquired for the drainage and road works required in Hillcrest Avenue has been determined by independent valuation, and is included in Tables 1 & 2 in the Land Costs row.

Estimated Costs

For each part of the road and drainage works, the estimated costs are summarised in Tables 1 & 2.

Table 1
01 ROAD 0144 – Estimated Cost Summary

ROAD PROJECT	ESTIMATED COST (\$)
Construction	\$714,911
Planning and Design	\$153,706
Land Costs	\$448,800
ESTIMATED TOTAL COST (\$)	\$1,317,417

Table 2
01 DRAI 0005 - Estimated Cost Summary

DRAINAGE PROJECT	ESTIMATED COST (\$)
Pipeline Costs	\$810,932
Land Costs	\$227,175
ESTIMATED TOTAL COST (\$)	\$1,038,107

For more detailed information relating to estimated costs, refer to the Estimated Cost Tables in Appendix D of this Plan.

13. Construction Schedule

Construction of the facility is anticipated for 2007- 2012. This is considered consistent with the expected rate of development. It is possible that the works will be constructed in stages, depending on the actual rate of development and competing priorities in Council's works program. Clause 18.6 of this Plan provides for construction of the works, or stages of the works, in advance of Council's works program under certain circumstances.

14. Apportionment of Costs

Method of apportioning costs to each Contribution Area

14.1 Internal Access Road Project – 01 ROAD 0144

The Contribution Rate for the proposed access road adjoining Hillcrest Avenue was calculated from a single Contribution Area, and determined on a dollars per linear

metre frontage basis. Because the proposed road will pass through mostly undeveloped lots, the full cost of the works will be borne by development. See Table 2 for the Estimated Cost Summary of 01 ROAD 0144

Cost apportionment to road works

For each part of the project works, the apportionment of project cost between Council and developer contributions from all Contribution Areas is shown in Table 3.

Table 3
Expected cost apportionment for road works

DESCRIPTION	TOTAL \$	COUNCIL SHARE		DEVELOPER CONTRIBUTIONS	
		\$	%	\$	%
Cost of Works	\$714,911	\$0	0.0%	\$714,911	100.0%
Planning & Design	\$153,706	\$0	0.0%	\$153,706	100.0%
Land Costs	\$448,800	\$0	0.0%	\$448,800	100.0%
TOTAL	\$1,317,417	\$0	0.0%	\$1,317,417	100.0%

14.2 Drainage Project - 01 DRAI 0005

The Contribution Rates for the proposed drainage works have been apportioned into three Contribution Areas. A definite pattern emerged where several catchments could be defined with similar drainage requirements, thus resulting in the creation of three Contribution Areas. Each Contribution Area has separate drainage requirements and costs; these are outlined below in the Contribution Area summaries. For each of the three Contribution Areas, a Contribution rate is determined using a methodology based on dollars per square metre of englobo land area.

Stormwater flow from upstream landholders also passes through downstream works, so in addition to works servicing the contribution area itself, the upstream contribution areas are also making a contribution to downstream facilities.

Contribution Area 1

Contribution Area 1 takes up almost half of the entire catchment of the Hillcrest Avenue drainage project. There are 11 lots in the Contribution Area; the majority of these are over 2000 m² in area with subdivision development potential. Much of the proposed drainage works will be within Contribution Area 1. Contribution Area 1 will bear the largest cost share of the project (\$330,777); this is a result of the contribution rates being based on englobed land area (m²) for drainage projects.

The cost share for Contribution Area 1 is summarised in Table 4.

Table 4
Cost share from Contribution Area 1

DRAINAGE WORKS	DEVELOPER SHARE (\$)
Cost of Works	\$214,555
Land Costs	\$116,222
TOTAL	\$330,777

Contribution Area 2

There are 42 lots that make up Contribution Area 2, which covers the northernmost half of the subject area. Many of the lots within the area are smaller in size and are already developed to their potential. The total cost of works in Contribution Area 2 is summarised in Table 5.

Table 5
Cost share from Contribution Area 2

DRAINAGE WORKS	DEVELOPER SHARE (\$)
Cost of Works	\$151,116
Land Costs	\$51,314
TOTAL	\$202,430

Contribution Area 3

Contribution Area 3 covers the eastern side of the Hillcrest Avenue drainage project and consists of 17 lots. Approximately half of the lots captured in Contribution Area 3 are developed (less than 800m²), the remainder are larger lots which have subdivision potential.

Geographically speaking, Contribution Area 3 is positioned on the highest point of the project and therefore most of the flow from this area will affect other areas downstream. As a result, Contribution Area 3 will bear a relatively high rate of Contributions, illustrated below in Table 6.

Table 6
Cost share from Contribution Area 3

DRAINAGE WORKS	DEVELOPER SHARE (\$)
Cost of Works	\$116,427
Land Costs	\$23,397
TOTAL	\$139,824

Other areas

There are 6 lots with approved DA's covering the subject area that become part of Council share in the Hillcrest Avenue drainage project. This is reflected in Table 7.

Table 7
Cost share to be funded by Council

DRAINAGE WORKS	COUNCIL SHARE (\$)
Cost of Works	\$124,858
Land Costs	\$36,242
TOTAL	\$161,100

Cost apportionment to drainage works

For each part of the project works, the apportionment of project cost between Council and developer contributions from all Contribution Areas is shown in Table 8.

Table 8
Expected cost apportionment for drainage works

For any development, an allowance for existing land use is permitted in calculating the number of ET.

DRAINAGE WORKS	TOTAL \$	COUNCIL SHARE		DEVELOPER CONTRIBUTIONS	
		\$	%	\$	%
Cost of Works	\$810,932	\$328,834	40.6%	\$482,098	59.4%
Land Costs	\$227,175	\$36,242	16.0%	\$190,933	84.0%
TOTAL	\$1,038,107	\$365,076	35.2%	\$673,031	64.8%

Available funds

This is a new project in Council's Contributions Plan. No developer contributions have been made at the time of commencement of this Plan.

Grant funding

At the time of commencement of this Plan, no funds were available from grants or other sources.

15. Contributions Formula

Equivalent Tenements

Council uses the term Equivalent Tenement (ET) when referring to residential development. For residential development, a single detached dwelling is rated as 1.0 ET. For medium density residential development, the number of ET is calculated as follows:

- 1 bedroom unit = 0.4 ET
- 2 bedroom unit = 0.6 ET
- 3 bedroom unit = 0.8 ET
- 4 bedroom unit = 1.0 ET

For minor commercial and industrial developments, the equivalent number of ET is estimated from the floor space of the proposed development and the number of vehicle trips generated by the development.

15.1 Contribution rate formula

15.1.1 01 ROAD 0144 – Internal Access Road

The contribution rate is specified on a '\$ per linear metre' basis, and is calculated by the following formula:

$$\text{Contribution Rate (\$/m)} = \frac{\text{Contribution Area total cost share (\$)}}{\text{Length of road frontage (m)}}$$

The Contribution Area total cost share is taken from Table 3 for Contribution Area 1 of the road project.

15.1.2 01 DRAI 0005 – Drainage Works, Hillcrest Avenue:

The contribution rate is specified on a '\$ per m²' basis, and is calculated by the following formula:

$$\text{Contribution Rate (\$/m}^2\text{)} = \frac{\text{Contribution Area total cost share (\$)}}{\text{Size of Catchment Area (m}^2\text{)}}$$

The Contribution Area total cost share is taken from Tables 4, 5 and 6 for Contribution Areas 1, 2 and 3 respectively.

16. Contribution Rates

16.1 Road Project – 01 ROAD 0144

A contribution rate for the Contribution Area has been calculated on dollars per linear metre of frontage. This is shown below in Table 9:

Table 9
Road Project Contribution Rates

CONTRIBUTION AREA	CONTRIBUTION AREA DEVELOPER COST SHARE	CONTRIBUTION RATE (\$ PER linear m)
1	\$1,317,417	\$1,372.41

16.2 Drainage Project – 01 DRAI 0005

A contribution rate for each Contribution Area has been calculated on dollars per square metre of englobo land area in each Contribution Area, and calculated as follows:

Table 10
Drainage Project Contribution Rates

CONTRIBUTION AREA	CONTRIBUTION AREA DEVELOPER COST SHARE	CONTRIBUTION RATE (\$ PER M ²)
1	\$330,777	\$3.59
2	\$202,430	\$4.28
3	\$139,824	\$6.55

17. Review of contribution rates

Annual review of contribution rates

The above contributions will be adjusted annually on 1st July in line with movements in the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics.

Review of project costs

Final construction costs will be reviewed and this Plan amended if the actual cost is significantly different from the estimates used in this Plan.

Receipt of grant funding

Should grant funding be made toward this project, such funds will be used to reduce the total cost of the relevant part of the project, and contribution rates will be adjusted accordingly.

18. Payment of Contributions

The contribution is expected for all subdivision, residential, industrial and commercial development in the designated Contribution Areas.

18.1 Method and timing of payment

Payment of contributions can be by cash, money order or bank cheque. Payment will be required prior to the issuing of the linen plan in the case of subdivisions, or before the issue of a construction certificate in the case of a building development.

18.2 Adjustment of contributions at the time of payment

If payment is not made in the financial year that consent is granted, the amount payable will be adjusted on 1st July in line with movements in the Implicit Price Deflator (New Engineering & Construction) published by the Australian Bureau of Statistics.

18.3 Deferral of payment

In exceptional circumstances, Council may permit deferred payment provided the following criteria are met:

- The maximum deferral is two years from the standard payment date; and
- The provision of a bank guarantee for the required amount, plus an interest charge equivalent to that charged on overdue rates for the period of the bank guarantee, plus an administration fee.
- Provision of the facility at the Applicant's expense, with Council recouping contributions from future development in the Contribution Area and reimbursing the Applicant for costs exceeding the Applicant's share.

An application for deferral will need to be submitted to Council and will be determined at Council's discretion.

18.4 Savings and transitional arrangements

A subdivision or 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 this Plan if this Plan is effective at the date the application is determined.

18.5 Exemptions and Discounts

Council does not allow standard exemptions or discounts for contributions in this Plan.

18.6 Works In Kind and other Material Public Benefits

Council will consider the construction or provision of facilities, services or infrastructure by an Applicant to offset a monetary contribution. If construction of a facility is requested by an Applicant in advance of its inclusion in Council's works schedule, Council will consider options including:

- Provision of the facility by the Applicant by way of Work In Kind or other Material Public Benefit.

The applicant will need to initiate an acceptable option by providing Council with the full details of the proposed works prior to construction. Council will then consider the request and advise the Applicant accordingly as part of a negotiated agreement. Works In Kind and other Material Public Benefits are subject to Council approval, and will be expected to comply with the requirements of the relevant Development Control Plan, this Contribution Plan amendment and relevant construction standards.

18.7 Land Dedication

Council may permit the dedication of land to offset a 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.

19. References

- Environmental Planning & Assessment Act
- Environmental Planning & Assessment Regulation
- Shoalhaven City Council Contributions Plan Manual
- NSW Department of Infrastructure, Planning & Natural Resources: Development Contributions Practice Notes, July 2005.

20. Appendices

- A Definitions
- B Road Project Locality & Contribution Area Maps
- C Drainage Project Locality & Contribution Area Maps
- D Estimated Cost Tables

Section 94 Contributions Plan Amendment No. 76 and Amendment No.77 (Area 1) Amendment No.1, *Hillcrest Avenue, South Nowra – Road & Drainage Works*, being this written Statement and accompanying maps, was

Adopted by Council: 26th September 2006

and

Became effective from: 10th November 2006



R D Pigg
General Manager
Date: 6 . 11 . 06

APPENDIX A: DEFINITIONS

The following definitions apply to terminology used in this Plan:

Anticipated Development

An estimate of the number of new dwellings to be built.

Apportionment

The % of the total cost of a project to be borne by existing residents compared to the % of the total cost to be borne by anticipated development.

Contributions Plan

A formal document prepared by Council as required under the EP&A Act, to explain how developer contributions are calculated and spent, and a number of administrative details.

Contribution rate

The amount to be paid as a development contribution, expressed per unit of development.

Deferral

Payment of Section 94 contributions may be deferred until after the standard date of payment, subject to exceptional circumstances and specific approval from Council.

Development Consent

Formal approval by Council before a development can proceed; s94 contributions are stated as one of the conditions of development consent.

Development Contribution

An amount of money Council is entitled to collect toward the cost of infrastructure arising from new development.

Dwelling

A building used as a separate domicile.

Equivalent Tenement (ET)

A unit of measure, based on the number of bedrooms for a residential development, to determine the relative impact of a development compared to a single detached dwelling.

Implicit Price Deflator (IPD)

A standard measure of price movements published by the Australian Bureau of Statistics. Council uses the IPD for New Engineering and Construction to best reflect changes in the cost of works.

Material Public Benefit

A contribution by a developer that is not in the form of a monetary contribution or land dedication.

Medium Density Development

Residential development consisting of flats, villa units, cluster housing, mobile housing estates or caravan parks.

Nexus

The specific relationship between expected development and the demand it creates for additional infrastructure or facilities.

Patronage Factor

An estimate of how much use of a facility will be generated from a particular area or group.

Residential Development

Development for the construction of dwellings.

Transitional Arrangements

A procedure that is applied whilst a contributions plan is in preparation.

Works In Kind

A type of material public benefit where construction of some or all of the works contained in a contributions plan is by the developer.

Works Program

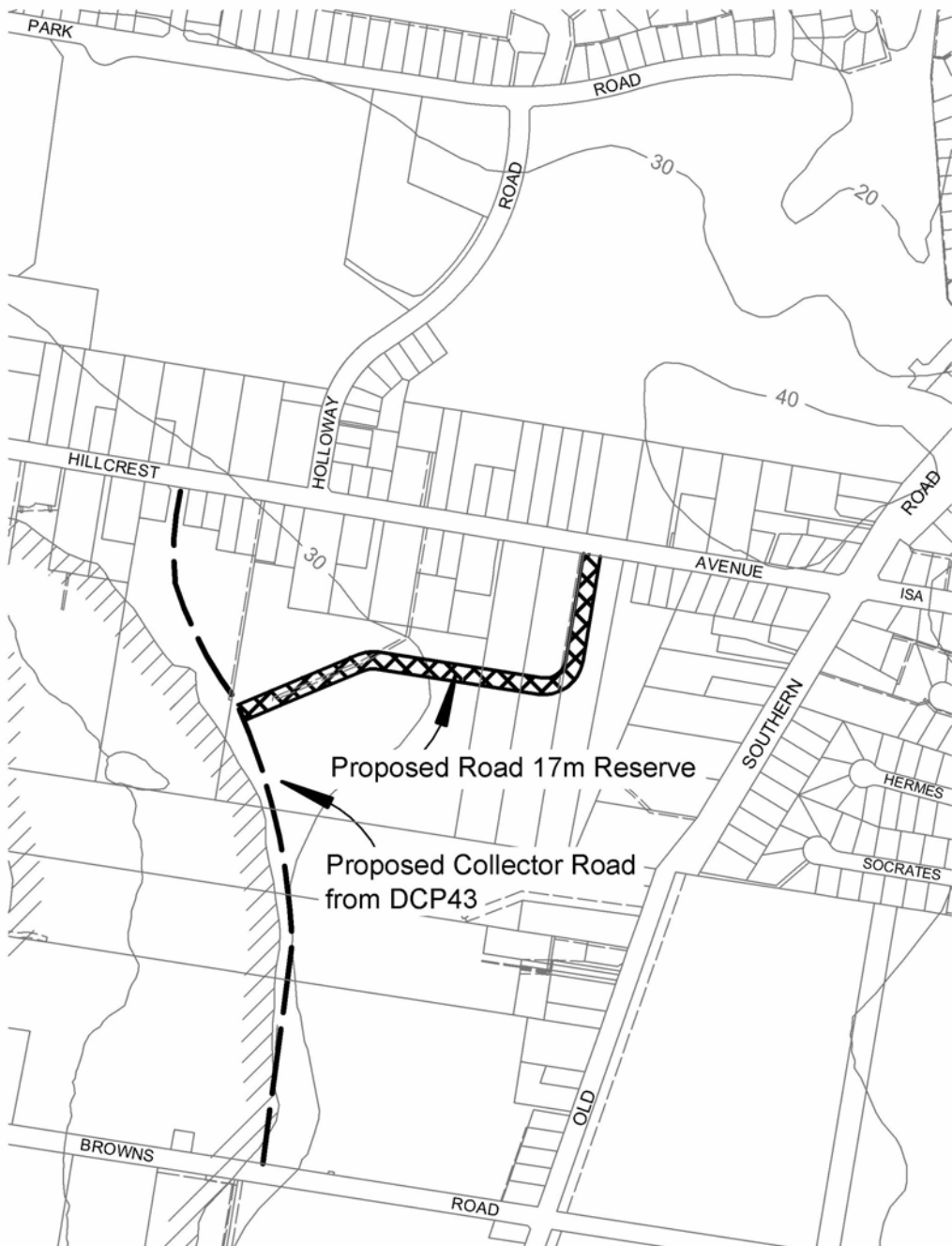
A list of the works to be undertaken by Council.

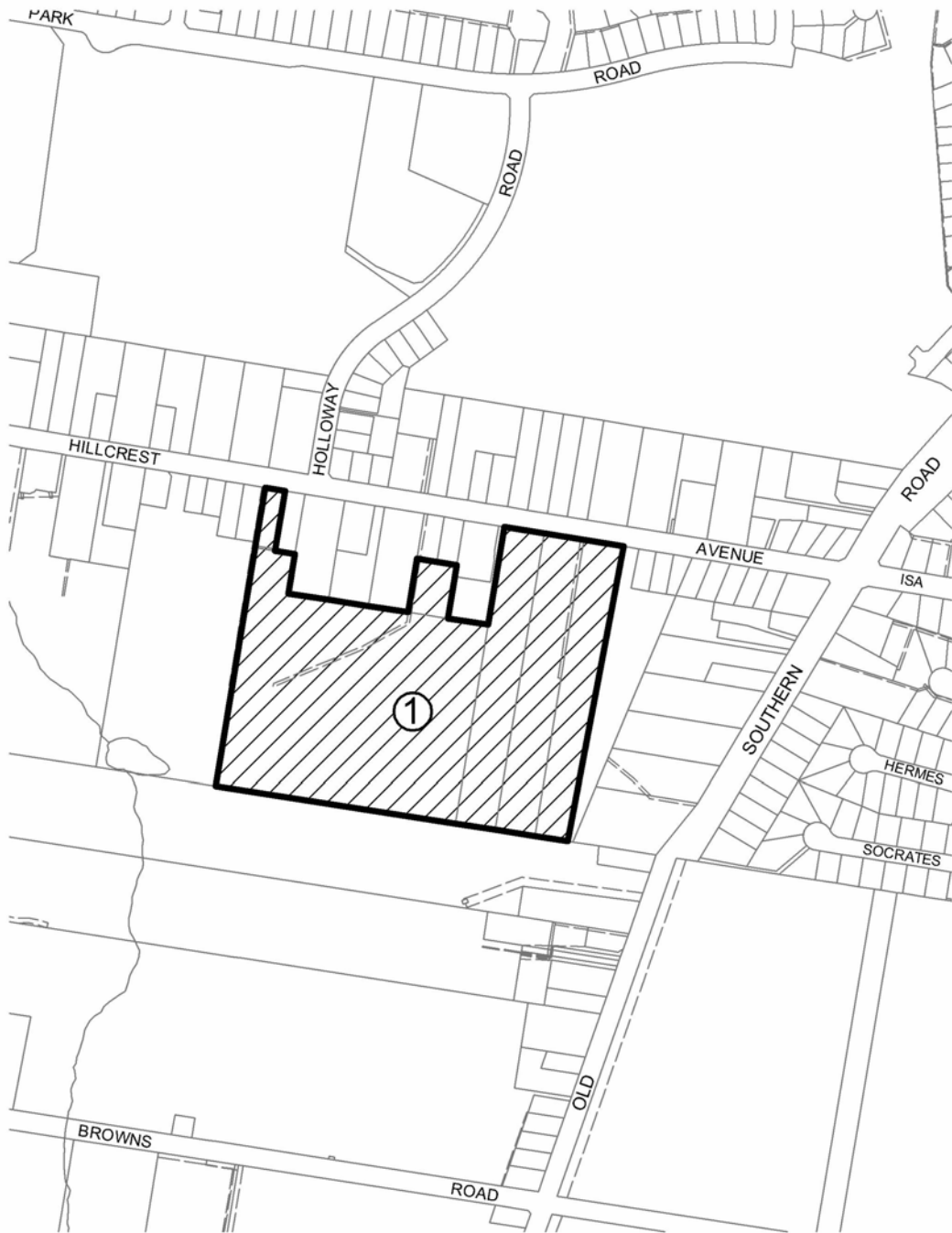
Works Schedule

A list stating when Council expects the works in the works program to be undertaken.

APPENDIX B

LOCALITY MAP : 01 ROAD 0144
ACCESS ROAD ADJOINING HILLCREST AVE, SOUTH NOWRA





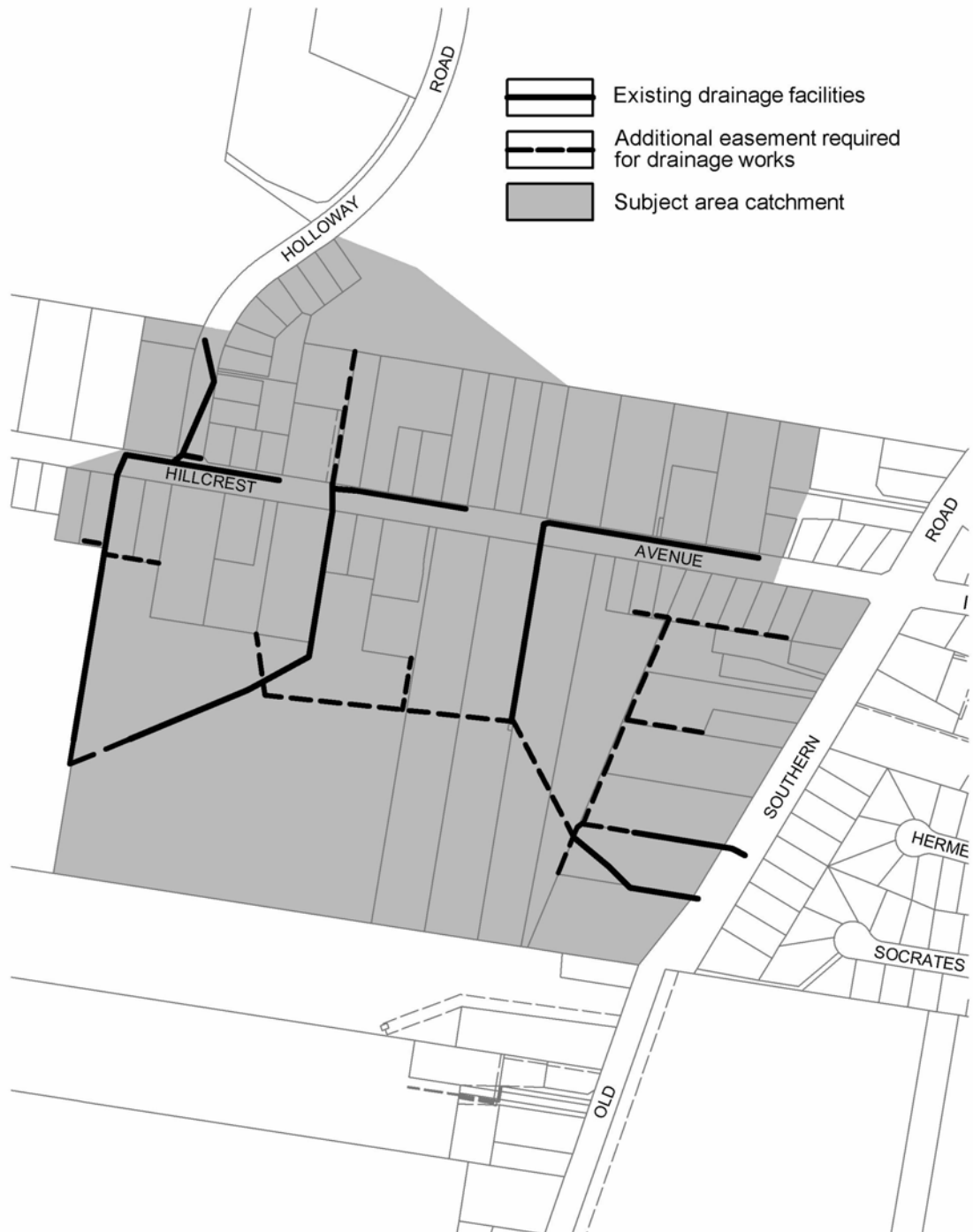
SHOALHAVEN CITY COUNCIL
S94 CP 1993
AMENDMENT NO.77 (Amendment 1)
ROADS (AREA 1)
CONTRIBUTION AREA MAP
FILE NO: 28709
FACILITY: ROADS
PROJECT: ACCESS ROAD ADJOINING HILLCREST AVE, SOUTH NOWRA

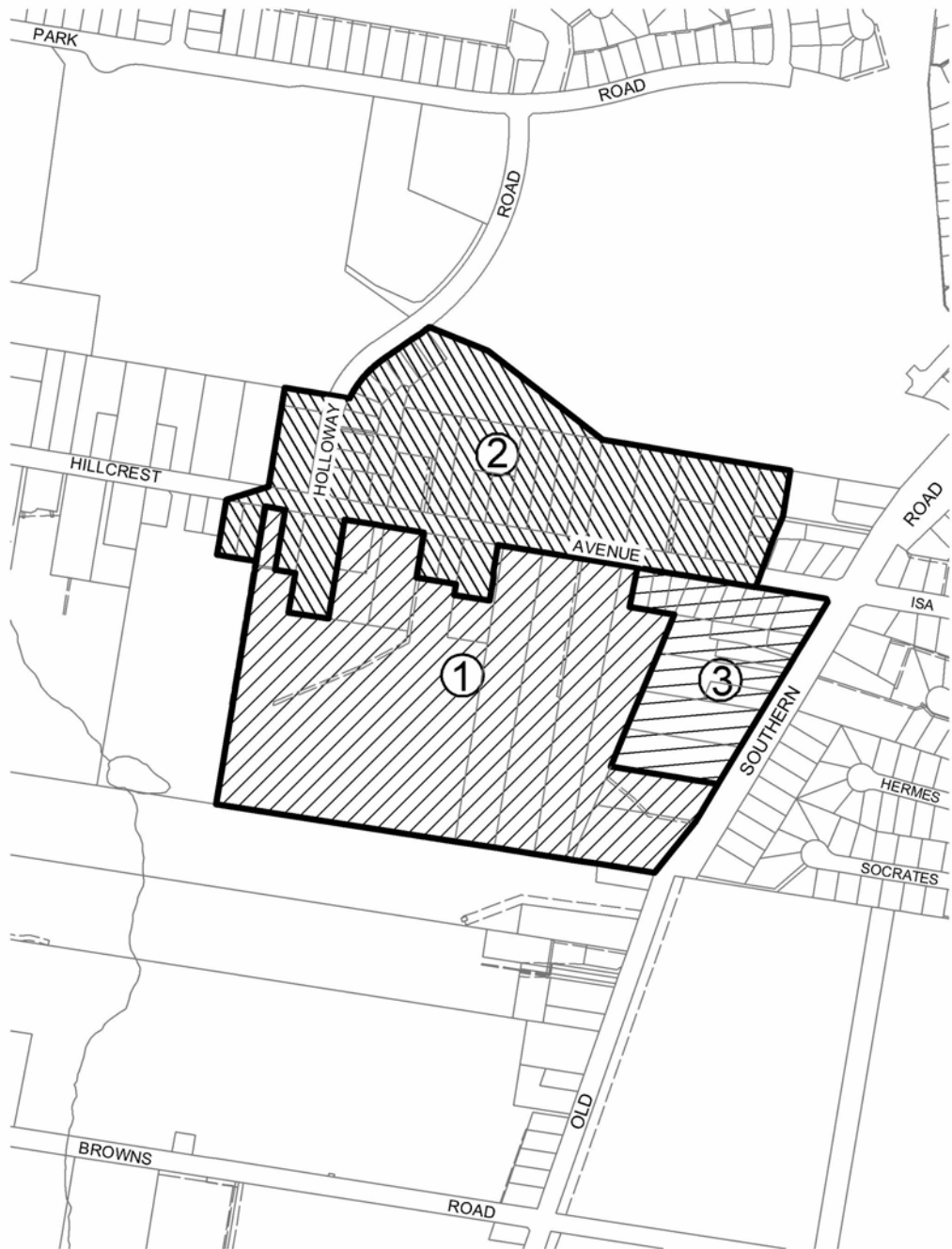
PROJECT NO.
01 ROAD 0144



APPENDIX C

LOCALITY MAP : 01 DRAI 0005
HILLCREST AVENUE, NOWRA





SHOALHAVEN CITY COUNCIL
S94 CP2006
AMENDMENT NO. 76
DRAINAGE
CONTRIBUTION AREA MAP
FILE NO: 20708
FACILITY: DRAINAGE
PROJECT: HILLCREST AVE, NOWRA

PROJECT NO.
01 DRAI 0005



APPENDIX D – COST TABLES

01 ROAD 0144 - Internal Access Road Adjoining Hillcrest Avenue

DESCRIPTION	LENGTH (m)	WIDTH (m)	QUANTITY	RATE	TOTAL
Works Site Establishment			1 item	\$7,812	\$7,812
Works Site De-establishment			1 item	\$914	\$914
Traffic Management Plan			1 item	\$6,437	\$6,437
Environmental Management Plan			1 item	\$5,513	\$5,513
Prepare Safety Plan			1 item	\$1,838	\$1,838
Prepare and Implement Quality Plan			1 item	\$1,838	\$1,838
Work as Executed Drawings			1 item	\$1,838	\$1,838
Clearing, Grubbing & Mulching	480	17	8160	\$6.05	\$49,368
Earthworks			1 item	\$22,754	\$22,754
Earthworks/Pipelines			1 item	\$29,432	\$29,432
Pipelines			1 item	\$29,432	\$29,432
Concrete Structures			1 item	\$29,432	\$29,432
Pipeline Testing			1 item	\$29,432	\$29,432
Scour Protection			1 item	\$29,432	\$29,432
Driveways			1 item	\$12,873	\$12,873
Restoration			1 item	\$12,873	\$12,873
Pavements	480	12	5760	\$39.03	\$224,813
Kerb & Gutter/Drainage			960	\$110.78	\$106,349
Street Lighting			580	\$155.02	\$89,912
Footpath			580	\$39.00	\$22,620
SUB TOTAL					\$714,911
Survey & Design			3.0%	\$714,911	\$21,447
Supervision			3.0%	\$714,911	\$21,447
Administration & On-costs			15.5%	\$714,911	\$110,811
ESTIMATED PROJECT COSTS					\$868,617
Land Costs	480	17	8160	\$55	\$448,800
ESTIMATED TOTAL PROJECT COST					\$1,317,417

COST SCHEDULE

01 DRAI 0005 - Drainage Works, Hillcrest Avenue

DESCRIPTION	LENGTH (m)	QUANTITY	RATE	TOTAL
Pipelines				
225 Class 2 RRJ	115		\$124	\$14,214
300 Class 2 RRJ	30		\$137	\$4,104
375 Class 2, RRJ	667		\$186	\$124,062
450 Class 2, RRJ	190		\$214	\$38,928
525 Class 2, RRJ	168		\$240	\$37,205
600 Class 2, RRJ	45		\$268	\$10,800
675 Class 2, RRJ	175		\$349	\$62,839
750 Class 2, RRJ	80		\$384	\$27,936
900 Class 2, RRJ	75		\$500	\$28,800
Twin 825 Class 2, RRJ	110		\$720	\$55,044
Twin 900 Class 2, RRJ	160		\$845	\$115,200
SUB TOTAL				\$519,132
Administration & On-costs		30.0%	\$519,132	\$155,740
SUB TOTAL				\$674,872
Pits		21	\$2,000	\$42,000
Restoration				\$24,060
Water Quality Device		1	\$70,000	\$70,000
ESTIMATED PROJECT COSTS				\$810,932
Land Costs		3495	\$65	\$227,175
ESTIMATED TOTAL PROJECT COST				\$1,038,107