

1704. Application for Modification of Development Consent - Request to Vary Council's Car Parking Requirements and Waive Section 94 Contributions for Car Parking at Lot 120 DP 1129719, 5 Berry Street, Nowra. Applicant: BHI Architects. Owner: Society of St Vincent de Paul. File DA08/2127 (PDR)

Note: This item was brought forward for consideration.

RESOLVED on a MOTION of Cllr Ward, seconded Cllr Guile, that Council agree in part with the request by deferring the payment of the Section 94 Contribution charge until the property is sold by St Vincent de Paul or utilised by another commercial enterprise (providing it is a not for profit organisation) and provided a caveat is placed on the Certificate of Title of the subject land with the intent of protecting Council's interests.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Cllrs Green, Findley, Young, Proudfoot, Watson, Kearney, Ward, Brumerskyj, Miller, Guile, Bennett, Fergusson, Soames.

The following Councillors voted "No";

Nil.

1525. Request to Waive Section 94 Contributions for Car Parking in Relation to Stage Two Conversion of Former Squash Court Complex to Additional Office Accommodation for Care South - Lot 3 DP 591373 being 11 Haigh Avenue, Nowra. Applicant: Matt Tyler of Batmac Constructions Pty Ltd. Owner: NEWKEM Pty Limited. File DA08/1353 (PDR)
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RESOLVED on a MOTION of Cllr Ward, seconded Cllr Brumerskyj, that in respect of Development Application (DA08/1353) for the further Conversion/Alterations of part of the Old Squash Court Complex for use by Care South at 11 Haigh Avenue, Nowra, Council resolve that:

- a) Car parking contributions be maintained under Section 94 Contributions Plan 1993 in accordance with the requirements of DCP 18;
- b) Subject to Lot 3 DP 591373 being acquired by Care South, the Section 94 car parking contribution for 149 car spaces be deferred until such time as the property is sold by Care South or leased by Care South to another commercial operation;
- c) Subject to b) above, Council seek the placement of a caveat on the title of Lot 3 DP 591373 noting and protecting Council's interest in the land;
- d) Subject to all the above, the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution; and
- e) Subject to c) above, the Section 94 contributions paid by Care South be refunded

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Cllrs Green, Findley, Proudfoot, Watson, Kearney, Ward, Brumerskyj, Miller, Guile, Bennett, Fergusson.

The following Councillors voted "No";

Nil.

Note: Cllr Soames was absent from the meeting.

11 May 2009

Sally Barnes
Deputy Director of NSW Department of Environment & Climate Change
Department of Environment & Climate Change NSW
PO Box A290
SYDNEY SOUTH NSW 1232

Dear Sally

Heritage Estates, Worroving Heights - resolution of land tenure

Thank you for meeting me on 20 April 2009 to discuss this matter. As stated at the meeting, Council is requesting that the NSW Government and the Federal Government acquire the Heritage Estates for addition to the National Park system. This would ensure the protection of the land's biodiversity values and strengthen linkages between the Jervis Bay National Park and the Booderee National Park. The purpose of this letter is to seek your advice on the likelihood of the NSW Government providing assistance in this matter.

Further to our discussions, as a result of the Federal Environment Minister's refusal, Council resolved on 6 May 2009 to significantly reduce the level of rates levied on these properties to reduce Council's financial risk. As a result, the majority of the Heritage Estates landowners are likely to continue to pay their rates until such time that the land tenure issue is resolved. As discussed however, while ever the land remains in fragmented ownership, the land is not being managed to protect and enhance its environmental value. Therefore, it is imperative that the issue of land tenure be resolved as soon as possible.

You might recall from our discussions that the option of staged acquisition was suggested as a way of overcoming DECC's budgetary limitations. Has any further consideration been given to this option?

I look forward to receiving your response. If you would like to discuss anything further or to arrange another meeting please contact myself or Ernie Royston Director Strategic Planning on (02) 4429 3470.

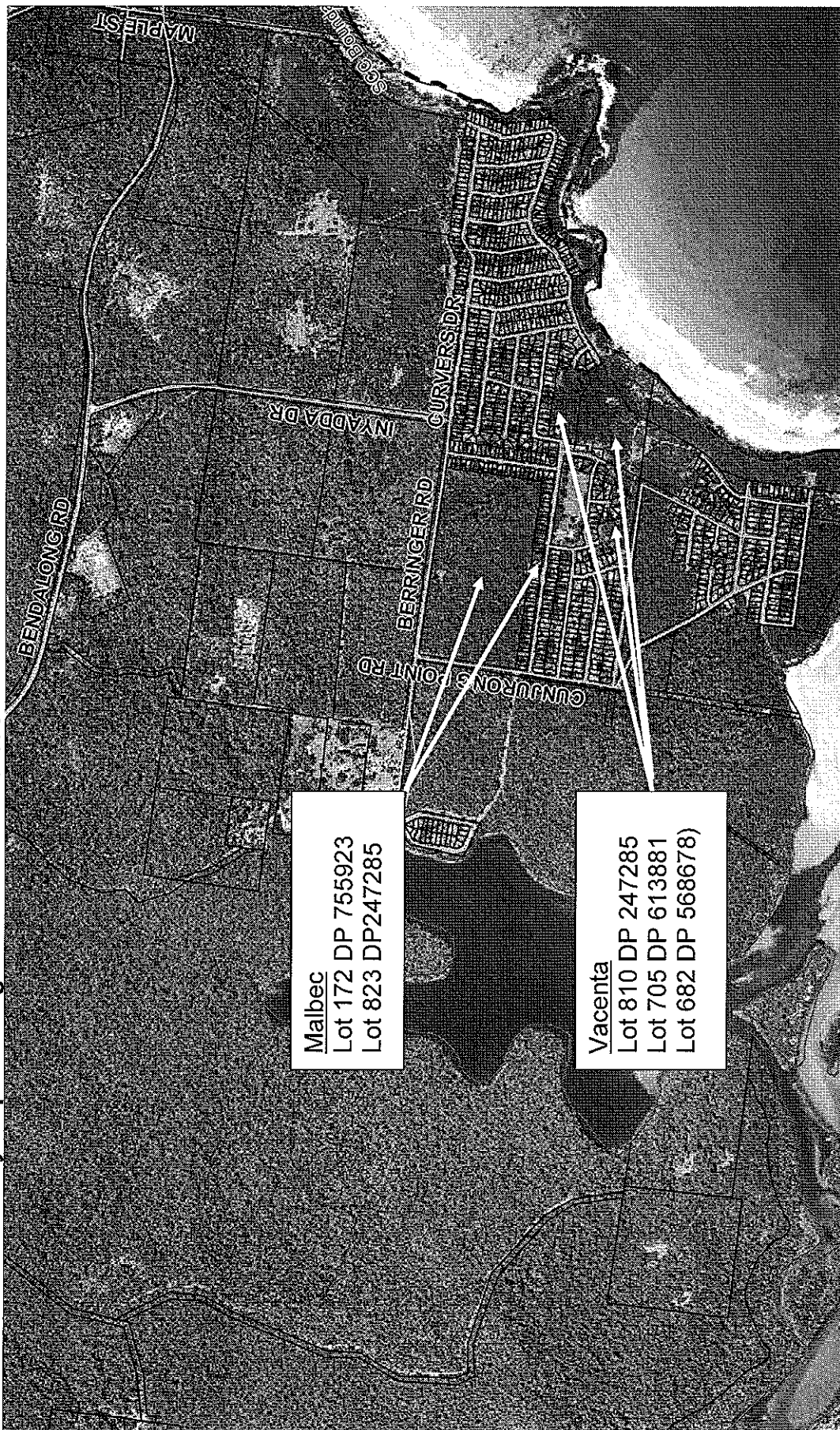
Kind regards

A handwritten signature in blue ink, appearing to read 'Paul Green', with a long horizontal flourish extending to the right.

Paul Green
Mayor

1446-10 D09/73666

Attachment A - Locality map showing the subdivision areas



ADDENDUM REPORT OF GENERAL MANAGER**POLICY AND PLANNING COMMITTEE****TUESDAY, 10 APRIL 2007****STRATEGIC PLANNING**

1. **Malbec Subdivision, Manyana – S94 Contributions imposed by Minister for Planning –
response from Department of Planning** **File SF9787**
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Purpose of Report

To inform Council of the Department of Planning response to Council's submission for additional s94 contributions to be imposed on SF9787 by the Minister for Planning.

Background

This matter applies to residential subdivisions at Manyana, with specific reference to SF9787 for a 175 lot subdivision application by Malbec Properties, which is with the Minister for Planning for determination. Council was invited by the Department of Planning to submit suggestions that the Minister might consider as section 94 contributions over and above those contained within Council's Contributions Plan.

Submissions to Department of Planning

Draft comments were considered by Council at the Council meeting of 27th February, 2007. These related to additional contributions for community facilities, foreshore works, road works, and active sporting facilities. The total value of these additional contributions was estimated to be \$2,532.57 per lot, in addition to the \$4,558.11 per lot for projects contained in the current Contributions Plan. Council also suggested that because the development will result in an unsatisfactory level of service at the intersection of Bendalong Road with the Princes Highway, that Malbec Properties should also make contribution to any upgrade, but Council did not quantify what that contribution might be. These contributions are considered reasonable in the context of the impact of the development on the local area and the relative value of contributions compared to those required by development in other areas.

At that meeting, Council resolved to negotiate with the applicant of SF9787 (Malbec Properties) prior to finalising Council's position. These negotiations took place by way of meetings between staff and consultants acting on behalf of Malbec Properties on 1st March. At these meetings, the position of Council was explained, including cost estimates and cost apportionment as required under section 94. Note that this process and Council's submission were required at short notice and were not part of Strategic Planning Group work plan, resulting in limited resources being available.

An offer on behalf of Malbec Properties was received by Council staff on about the 12th March. This offer amounted to \$198.21 per lot, a total of \$34,686 comprising a \$20,000 ex gratia payment to embellishment of the existing community hall, \$3,432 toward foreshore works and \$11,254 toward road works not required by other condition of consent.

These positions were considered sufficiently different that a consensus position could not be reached and both submissions were sent separately to the Department.

Department Response

The Department of Planning response was received at Council on 3rd April. The Department declined to accept Council's suggestions, given the weight of the Malbec submission against Council and the perceived risk of challenge to the Minister by the developer, on the basis that an identifiable nexus and the reasonableness of the contribution for each item had not been established. The Department has agreed to receive an amended submission if Council wishes to pursue the matter.

It remains uncertain if the Minister will apply conditions of consent that are consistent with the offer by Malbec Properties and whether the Minister will direct that Council's Contributions Plan be amended.

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning S94 Contributions for the Malbec subdivision be received for information.

E J Royston
DIRECTOR, STRATEGIC PLANNING

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

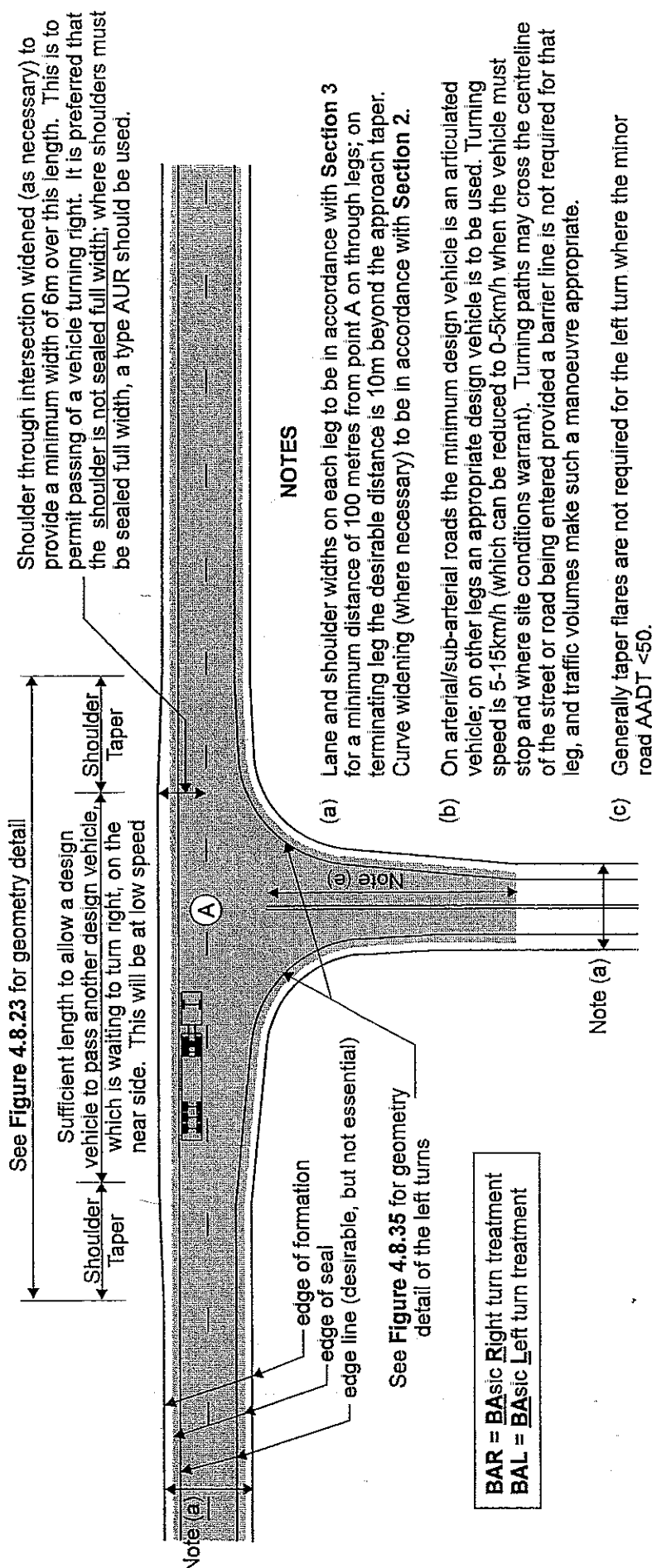
ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 24 APRIL 2007

520. Malbec Subdivision, Manyana - S94 Contributions imposed by Minister for Planning - response from Department of Planning File SF9787
-

RECOMMENDED that

- a) The report of the General Manager (Strategic Planning) concerning S94 Contributions for the Malbec subdivision be received for information.
- b) Council submit an amended submission to the Department of Planning qualified by a supporting infrastructure documentation.

This layout does not rely on pavement markings and can be used on an unsealed wearing surface.
This layout suits sites where the amount of turning traffic is small.



BAR = Basic Right turn treatment
BAL = Basic Left turn treatment

Section 4.8 provides details of geometry whilst "Signs and Markings" gives the location of signs and details of pavement marking.

Figure 4.5.2 - Type BAR and BAL Layout Combined to show a Basic Rural Intersection Treatment on both a Through and a Terminating Leg

Deleted Projects

PROJECT NUMBER	DESCRIPTION	REASON for DELETION	\$94 BALANCE	RECOMMENDATION
02ROAD0006	Coonamia Road Bridge Coonamia, Wollumboola	Project completed R2R funding	\$17,684.23	Allocate to improve Coonamia Road
02ROAD0008	Coonamia-Culburra Link Road Construct Wollumboola	Unlikely to be developed	\$57,570.31	Allocate to improve Culburra Road
02ROAD0009	Coonamia-Culburra Link Road Acquisition Wollumboola	Unlikely to be developed	\$0.00	
02ROAD0010	Wollumboola Subdivision Wollumboola	Unlikely to be developed	\$0.00	
		Total =	\$75,254.54	

Updated and Retained Project

PROJECT NUMBER	DESCRIPTION	Council share	%	Development share	%	ESTIMATED COST
02 ROAD 0007	DCP No.41 Area Roads Callala Bay	\$0	0.00%	\$1,194,316	100.00%	\$1,194,316

Recoupment Projects

PROJECT NUMBER	DESCRIPTION	Council Share	%	Council Spent	%	Amount to be RECOUPED
02 ROAD 0001	Culburra Rd/Prince Edward Ave, Culburra	\$476,347	64.29%	\$740,940	100.00%	\$264,593
02 ROAD 0002	Currarong Road, Currarong	\$209,574	91.46%	\$229,150	100.00%	\$19,576
02 ROAD 0005	Currarong Road Bridge, Currarong	\$166,093	82.79%	\$180,390	100.00%	\$14,297
					Total to be Recouped =	\$298,466

New Projects

PROJECT NUMBER	DESCRIPTION	Council Share	%	Developer share	%	ESTIMATED COST
02 ROAD 0011	East/ West Streets, Culburra	\$57,281	3.10%	\$1,790,034	96.90%	\$1,847,315

Updated and Retained Projects

PROJECT NUMBER	DESCRIPTION	Council share	%	Development share	%	ESTIMATED COST
04ROAD2002	Old Berrara Road, Sussex Inlet	\$10,348	4.9%	\$200,062	95.1%	\$210,410

Recoupment Projects

PROJECT NUMBER	DESCRIPTION	Council Share	%	Council Spent	%	to be RECOUPED
04ROAD2001	Sussex Inlet Road Network, Sussex Inlet	\$1,062,871	82.1%	\$1,293,925	100.00%	\$231,054
02ROAD2003	Medlyn Avenue, Sussex Inlet	\$91,509	73.8%	\$123,980	100.00%	\$32,471
02ROAD2004	Badgee Bridge, Sussex Inlet	\$748,755	68.3%	\$1,166,330	100.00%	\$417,575
					Total to be Recouped =	\$681,100

ATTACHMENT “A”

OBJECTIVES

1. Protect and expand the regional status of the town centre by ensuring appropriate growth on the coast.
2. Establishing performance targets to improve the sustainability of the centre.
3. Increase opportunities for town centre residential living and working.
4. Create a city centre heart through improved civic facilities, open space, entertainment and leisure facilities.
5. Strengthen the association of the town centre with the Shoalhaven River and develop strong pedestrian linkages to the river and tourist precincts.
6. Activate the river precinct and encourage tourism opportunities through improved vehicle and pedestrian access.
7. Minimise intensive development of high hazard flood prone land.
8. Develop a pedestrian orientated retail hub based around the two historic shopping streets– Kinghorne and Junction Streets
9. Promote visual linkages from the retail hub to Cambewarra Mountain and the rural hinterland.
10. Integrate the traditional shopping centre with the retail facilities approved east of the Princes Highway.
11. Protect character residential precincts and heritage conservation areas adjoining and within the study area and limit conflicting land use activities.
12. Reinforce Nowra’s future desired character through appropriate controls on height mass and bulk in the town centre.
13. Identify large site mixed use development opportunities within the CBD.
14. Promote alternative forms of transport and limit the development of additional surface car parking.
15. Ensure that the road network is adequate to service land use activities within the centre, and traffic volumes are designed to maintain the amenity of uses adjoining such roads.
16. Provide adequate infrastructure to service the needs of the town over the next 25 years.



22 April 2009

Shoalhaven City Council
Received

23 APR 2009

Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 32
NOWRA NSW 2541

File No. 2537 - 09

Referred to: EK

Dear Russ,

On 25 March 2009, the Shoalhaven City Council and Shoalhaven Business Chamber co-hosted a Community Forum to seek comments and views on how collectively we could improve the Nowra Central Business District (CBD).

From all reports the Forum went well and all who attended supported the concept of continual dialogue on this matter. But it is evident that this was only the first step in developing a comprehensive plan for the beautification and revitalization of the Nowra CBD; and that such a plan requires input from the SCC, business owners and operators, landlords of properties in the CBD and the Shoalhaven Business Chamber.

At the Forum a proposal was made for the establishment, by the Business Chamber, of a committee of relevant and interested persons to work with the SCC Strategic Planning Office in the development of future concepts for the Nowra CBD, which will subsequently become part of the SCC Master Plan for the area.

The Business Chamber welcomes this proposal and will call for nominations for this committee. However, before initiating the establishment of this consultative group the Business Chamber seeks acknowledgement from the SCC that such a group will form an integral part of the development process for the future of the Nowra CBD?

It was apparent from the attendance at the Forum that some groups who would or should be involved in this matter were underrepresented and that they will need to be specifically targeted to get their views and "buy in" to future developments and revitalization proposals. This will take some effort from the Business Chamber and before embarking on this "journey" we are keen to understand the role that the Council would see this group having in the development of future plans.

We look forward to continued involvement in this process and developing a high quality plan for the revitalization of the Nowra CBD.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Tony Entery", written over a horizontal line.

Tony Entery
President
Shoalhaven Business Chamber

Cc: Councilor Paul Green, Mayor Shoalhaven City Council

ORDINARY MEETING**TUESDAY, 10TH JUNE 2008****STRATEGIC PLANNING****1. Preparation and Exhibition of draft Contributions Plan for Ulladulla Town Centre****File 13767-05**

Purpose of Report: To seek Council concurrence with the key principles to be included in a draft Contributions Plan (CP) for Ulladulla Town Centre.

Background

- # Council is exhibiting draft Development Control Plan (DCP) 56 that applies to Ulladulla Town Centre. The provisions of the draft DCP will enable a greater development density within the Town Centre than currently applies, with special provisions in relation to Key Development Sites (KDS). Investigations into infrastructure requirements have been undertaken by consultants to support the DCP review, which has enabled consideration of a developer Contributions Plan to apply to the DCP area. A copy of the consultant's report is located in the Councillor's room. Progress on the draft CP had been delayed until the NSW Department of Planning provided greater certainty over proposed changes to the legislative framework for developer contributions.

Issues in regard to developer contributions for Ulladulla Town Centre*Impact of proposed changes to contributions legislation*

The Minister for Planning has tabled a Bill in the NSW Parliament which seeks to amend the EP&A Act in a number of ways but including provisions relating to developer contributions. Although not yet certain, it is expected that the proposed draft Contributions Plan will meet the requirements of the Minister. It is recommended that a draft plan be prepared and exhibited, with the Department of Planning invited to comment during the exhibition period.

The Bill also proposes that all existing Contribution Plans be repealed by March 2010. Consequently, it is further recommended that this plan be prepared as a stand alone CP for Ulladulla Town Centre in a form that is consistent with the proposals in the Bill (i.e. not as an amendment to the existing CP).

Projects in the existing SCC CP

The existing SCC CP contains works projects that apply to commercial development in the Ulladulla DCP area, specifically, car parking and stormwater drainage. It is recommended that these projects be retained under the existing CP and reviewed in due course.

In the case of drainage, the contribution areas are the stormwater catchment areas, which extend beyond the boundary of the DCP area. Contribution rates for these projects are variable depending on the specific catchment. In the case of car parking, a contribution to public parking spaces is usually made only where a development cannot provide all parking on site, or should not for reasons of pedestrian safety and streetscape amenity. The current contribution rate is \$19,155.56 per space.

For residential development in the DCP area, the existing SCC CP requires contributions for community and recreation facilities that are applied to works projects outside the DCP area. The

current contribution rate is \$3,646 per ET plus a contribution toward drainage depending on location and site area.

It is proposed that contributions to projects in the existing SCC CP be retained and applied in addition to those proposed in this report.

Key Development Sites

- # The draft DCP proposes an accelerated growth strategy that centres on development of five possible KDS (see Attachment A). The draft DCP recognises that such a strategy will generate demand for additional infrastructure than that proposed under the Town Centre CP, particularly the provision of additional car parking, service access and civic open space to compensate for increased development density, and that this be negotiated with developers via a Voluntary Planning Agreement (VPA). The Town Centre CP and the draft DCP will contain common reference to these provisions.

Pooling of developer contributions

The draft Town Centre CP will provide for the pooling of developer contributions and their progressive application to the highest priority works in the works schedule. This will provide an efficient means to deliver works and expend contributions in a reasonable time.

Nexus

The CP is to demonstrate a nexus between development and the demand for infrastructure. The draft DCP proposes a greater development density in the Town Centre than currently exists and under the existing DCP. Council's consultants have advised that this development density will require the provision of local infrastructure as per their report.

If Council is of the opinion that the existing infrastructure and amenity is satisfactory for the existing level of development, then future costs should be borne by future development provided the resulting contribution is reasonable. However, the development industry is likely to argue that the infrastructure will be used by, and be of benefit to, existing development. Whilst 'benefit' and 'demand' are separate considerations, with 'demand' being the primary consideration for contributions, Council may wish to apportion some cost share to Council on behalf of existing development.

The development industry may also argue that works such as streetscape improvements are not essential works, and should only be insisted upon for their particular street frontage. However, the context of this plan is the creation of a viable commercial and residential precinct for which commercial operators and CBD residents will generate demand. This in part applies to streetscape amenity, so it would be reasonable to expect developer contributions toward this goal. It is likely to be more efficient for Council to pool contributions to facilitate construction rather than accept piecemeal construction as individual developments occur, although there is provision for work in kind by negotiation. Furthermore, the draft DCP will permit greater development density than currently permitted, thereby supporting development interests in exchange for contributions toward public infrastructure.

Contributions Area

Given that the draft DCP provides for development within the DCP area and that a nexus applies between development and the demand for infrastructure, it is logical for the contributions area of the Town Centre CP (i.e. the properties where a development contribution is required when a new development proceeds) to be the same area as the DCP. Note that the existing SCC CP requires additional development contributions for both commercial and residential development for works projects beyond the Town Centre.

Reasonableness and cost apportionment

Irrespective of the nexus between development and infrastructure demand, a contribution is to be reasonable and should not be an excessive burden to development nor on existing ratepayers. In striking this balance, Council can consider:

- Reducing the scope of works proposed in the MacDonald report that would be the subject of developer contributions;
- Extend the timeframe of the CP to represent ultimate development (and therefore a larger amount of floor space); or
- Apply a discount or other reduction in developer contributions and make up the difference in the cost of works from other revenue sources.

Council funds not in current budget

Apportioning some cost to Council will require consideration in future budget reviews.

Need for detailed infrastructure planning

The draft DCP requires detailed infrastructure planning to occur progressively. For works that are included in this plan, an allowance of 5% of the estimated cost of works would be reasonable.

Developer contributions for service lanes

The draft DCP requires that development generally provide rear access service lanes to achieve the following benefits:

- Minimum disruption to traffic and pedestrians by servicing from major roads;
- Integration of small off-street car parks into larger and more efficient spaces;
- Integration of inter-allotment drainage and better access to utility services such as water and sewer;
- Double frontage development becomes possible; and
- Reduces insufficient use of land from multiple driveways/service bays to the rear and thus would allow full width of lots for development.

In the absence of integrated rear access, all infrastructure relating to a specific development must be provided on site, resulting in multiple access points that limit full floor space utilisation. In the case of Jubilee Avenue, which is targeted in the draft DCP for mixed use development north of Deering Street, there is limited road width and it would require widening to allow for service bays and on street car parking if a service lane is not provided.

There are difficulties in requiring developer contributions for the provision of these works. In some locations, service lanes can be incorporated into negotiations on KDS development. However, their provision in other locations is difficult to implement because it will depend on the rate, timing and scale of development. Although there is a secondary benefit to the wider community arising from improved amenity and safety on major roads, the direct benefit of service lanes is generally limited to those properties that gain such access. Some properties that already have service access may claim a disadvantage if part of their land is required to provide service access to others (although the extent of the disadvantage should be offset by the provision of suitable access to the affected property).

The following options are presented for consideration:

For each KDS:

1. Allow the DCP requirements for service access to be part of the general negotiations over infrastructure contributions and planning agreements.

For other locations:

2. Include an allowance in the Town Centre CP for acquisition of the necessary land from those properties suffering a disadvantage, and require dedication of the necessary land plus a contribution from those properties that benefit. This is the preferred option, but there would need to be a separate contributions area for each group of properties that utilise that service lane, with different contribution rates applying to individual properties, increasing complexity in the plan.
3. Require dedication of land and a requirement to construct from all affected properties. Under this option, failure to obtain dedication in a reasonable time will prevent completion of the service lane and possibly restrict development by others.
4. Not require contributions or dedication in the CP but rely on the objectives of the DCP, including site amalgamation, to enforce Council's requirements. Under this option, there is a higher risk of non-compliance and compensation would be required should acquisition be required.
5. Apply option 2 only to the core retail areas and option 4 to remaining areas south of South Street.

Other options

Under s 94A of the EP&A Act, Council can levy development up to 1% of development cost as a contribution toward public facilities (In the Bill before Parliament, reference to s 94A will be changed but the principles of an indirect contribution will be retained). This does not require the establishment of a nexus but is constrained to certain types and scale of development. Although previous analysis by Council staff has indicated such a levy would yield smaller contributions than under the existing CP, Council may prefer this option to be considered further.

Summary of Infrastructure Requirements and Cost Estimates

- # Attachment B contains a concept map of the recommended Ulladulla DCP infrastructure works compiled by Council staff but based on the report by MacDonald International. (A copy of the MacDonald report is located in the Councillor's room.) Table 1 summarises those elements of the proposed infrastructure plan that could be included in a Contributions Plan, together with preliminary cost estimates provided by MacDonald International. Table 1 does not include those items that would be negotiated through a Voluntary Planning Agreement (VPA) as part of a KDS development.

Table 1
Infrastructure requirements and preliminary cost estimates, Ulladulla Town Centre

Item	Preliminary cost estimate	Comment
Traffic facilities	\$3,740,000	
Streetscape improvements	\$2,220,000	

Service lanes not part of KDS or harbour master plan	\$2,615,000	Assume allowance for acquisition where disadvantage occurs
Civic open space	N/A	Part of KDS development
Car parking	N/A to this plan	Applied in existing SCC CP
Drainage	N/A to this plan	Applied in existing SCC CP
Allowance for infrastructure master planning	\$428,750	Assumed 5% of costs of works
Total	\$9,003,750	

Works still under consideration

A pavement upgrade of St. Vincent Street will be required in the future. The contribution area for this project will extend beyond the Ulladulla CBD, so it is recommended that this be included in a future amendment of the existing SCC CP and not be included in this plan. Preliminary work will now begin on this project for consideration by Council in the near future.

Expected Development Growth

An analysis of expected development growth for Ulladulla was conducted by Buchan Consulting, as part of the DCP Review by MacDonald International, their report available in the Councillors room. Over the life of the proposed Contributions Plan to 2026, Buchan estimate there will be an increase of some 9890 m² of retail floor space, 2111 m² of hospitality floor space, 873 m² of other commercial floor space and 435 residential apartments within the Ulladulla DCP area. This estimate does not take account of the accelerated growth strategy proposed in the draft DCP in relation to KDS, but represents a growth scenario that a draft Contributions Plan can be based upon.

In terms of Equivalent Tenements (ET), the Buchan growth estimate would represent 4616 ET in 2026, of which the existing floor space represents 3235 ET or 70.1% (i.e. a growth estimate of 1381 ET).

Cost Apportionment

On the basis of the Buchan analysis of existing and future development, the maximum share of cost borne by Council would be 70.1%, estimated to be \$6,309,972 (total \$9,003,750). Should Council acquire land (for example, to facilitate the creation of rear service lanes) this could be considered part of Council's cost share.

Proposed Contribution Rates

The contribution rate is calculated by dividing the total cost by the expected increase in ET's. For commercial development, 100 m² of floor space is equivalent to 1 ET. The following calculations are based on preliminary cost estimates and are therefore subject to minor adjustment.

If the total cost of works is fully funded by development, including an allowance for service lanes, the contribution rate would be \$6,519 per ET or \$65.19 per m² of commercial retail floor space. However, it is recommended that Council carry 70% of the total cost on behalf of existing development floor space to provide equity between existing and future development and a more reasonable contribution rate. Under this arrangement, the cost share for development is estimated

to be \$2,693,778 and the contribution rate for new development would be \$1,950 per ET or \$19.50 per m² of commercial retail floor space.

These contribution rates are in addition to developer contributions required under the existing SCC CP, any requirement for dedication of land for service access and, for the purpose of negotiation over KDS development, in addition to KDS infrastructure required under the draft DCP.

Conclusion

Council's guidance on cost apportionment and the inclusion of service lane contributions will permit a draft Ulladulla Town Centre Contributions Plan to be finalised and exhibited. A preliminary draft plan has been prepared by Don Fox Planning as part of the MacDonald report, which is available in the Councillor's room. The timing is appropriate given exhibition of the draft DCP, a forthcoming meeting of the DCP Working Party and greater clarity now available on proposed legislative changes to developer contributions.

RECOMMENDED that in relation to a draft Ulladulla Town Centre Contributions Plan that:

- a) **A draft Contributions Plan be prepared based on the principles described in this report with Council funding the cost share attributable to existing development;**
- b) **The principles of the Draft Plan be considered by the Ulladulla DCP Working Party; and**
- c) **The draft Plan be exhibited for 28 days.**

E Royston

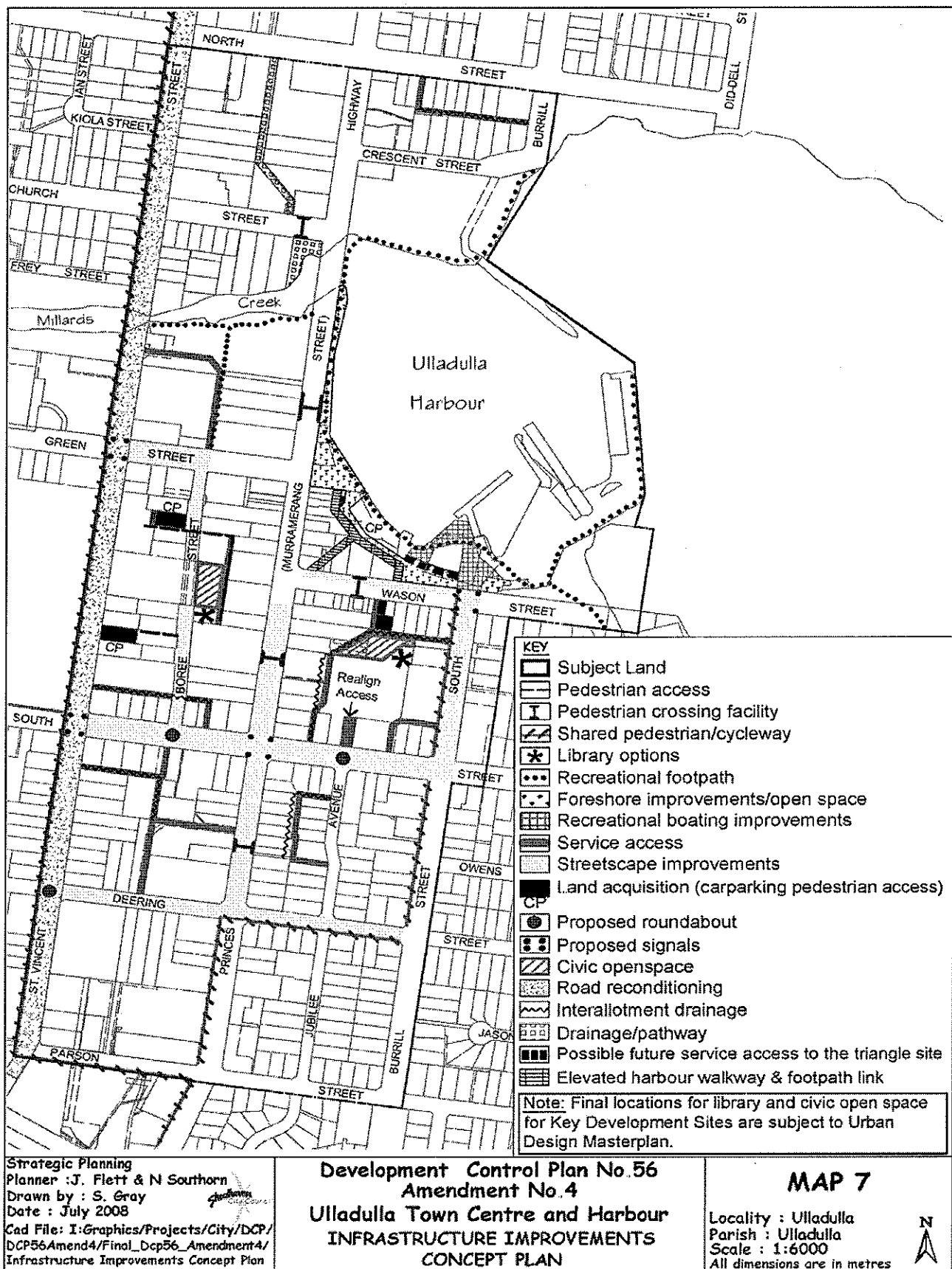
DIRECTOR STRATEGIC PLANNING

J Gould

ASSISTANT GENERAL MANAGER

R.D Pigg

GENERAL MANAGER



Ulladulla Town Centre
Contributions Plan
Exhibition Draft

5.1 Summary works program

The works to be provided by funds generated by this Plan are summarised in the following table. Council's Development Contributions Codes have been applied to the individual projects numbers referred to in the schedule of works at **Appendix B**.

PROJECT CODE	SCHEDULE OF WORKS	COST SUMMARY	PRIORITY / THRESHOLD
05 ROAD 0062	1. St Vincent Street and South Street Intersection: Traffic Lights	\$511,182	Medium
	2. Boree Street and South Street Intersection: Roundabout	\$213,983	Low
	3. Princes Hwy & South Street Intersection: Traffic Lights	\$511,182	High
	4. Jubilee Avenue & South Street Intersection: Roundabout	\$213,983	Low
	5. Burrill Street and Wason Street Intersection: Traffic Lights	\$511,182	Medium
	6. St Vincent Street and Green Street Intersection: Traffic Lights	\$677,614	Medium
05 ROAD 0063	7. Princes Hwy: South St - Deering St	\$951,037	Medium
	8. Princes Hwy: Wason St - South St	\$724,500	High
	9. South Street (North side): St Vincent Street - Princes Hwy	\$367,500	Low
	10. South St: Princes Hwy - Burrill St	\$399,000	Low
	11. Boree Street (East side): Car Park - South Street	\$168,000	Low
	12. Green Street: St Vincent Street - Princes Hwy	\$504,000	Medium
	13. Deering St: Princes Hwy - Burrill St	\$252,000	Low
	14. Wason Street (Northside): Princes Hwy - Burrill Street	\$367,500	High
	15. Deering Street: St Vincent Street - Princes Hwy	\$304,500	Low
	16. South Street/Wason Street Car Park Service Lane	\$2,542,191	Low
05 ROAD 0064	17. Jubilee Avenue Service Lane	\$1,492,418	Low
	18. St Vincent Street/Deering Street/South Street/Princes Highway Service Lane	\$3,735,111	Low
	19. St Vincent Street/Boree Street Service Lane	\$689,359	Low
	20. South Street Service Lane	\$691,207	Low
	05 ROAD 0065 1. Town Centre bus terminal	\$677,614	Low
05 MGMT 0001	1. Preparation of Contributions Plan	\$37,235	Complete
	2. Ulladulla CBD Development Control Plan Review (Part Costs)	\$93,101	Complete
TOTAL		\$16,635,400	

Table 1: Summary Works Program

Note: Priority Levels

- High - Facilities anticipated being required in the period 2009-2013
- Medium - Facilities anticipated being required in the period 2014-2019
- Low - Facilities anticipated being required in the period 2020-2026

Appendix A

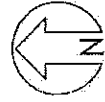
Location of proposed works



PROJECT NO.
05 ROAD 0062

SHOALHAVEN CITY COUNCIL
ULLADULLA TOWN CENTRE
CONTRIBUTIONS PLAN

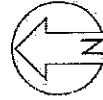
FILE NO: 38142
FACILITY: ROADS
PROJECT: 05 ROAD 0062



PROJECT NO.
05 ROAD 0063

SHOALHAVEN CITY COUNCIL
**ULLADULLA TOWN CENTRE
CONTRIBUTIONS PLAN**

FILE NO: 38142
FACILITY: ROADS
PROJECT: 05 ROAD 0063



PROJECT NO.
05 ROAD 0064

SHOALHAVEN CITY COUNCIL
**ULLADULLA TOWN CENTRE
CONTRIBUTIONS PLAN**

FILE NO: 38142
FACILITY: ROADS
PROJECT: 05 ROAD 0064

Service Lanes (05 ROAD 0064)

The formula for the calculation of the contribution rate for service lanes is as follows:

For properties which **are required** to dedicate land:

$$\begin{aligned} \text{Contribution Rate} &= \text{Dedication of Land as per Table 14 of the CP} \\ &\quad \text{plus} \\ &\quad 0.5W \times F \times C \\ &\quad \text{plus} \\ &\quad 0.5W \times F \times L \\ &\quad \text{less} \\ &\quad \text{Credit}_L \text{ (for land dedicated)} \end{aligned}$$

Where:

- W = Service lane width in metres (NB: DCP 56 Amendment 4 provides for 7 metre wide service lanes)
- F = Frontage width in metres
- C = Construction cost per m² (as per Table 15 of the CP)
- L = Land acquisition cost per m² (as per Table 15 of the CP)
- Credit_L = Total area of land dedicated x L

For properties which **are not required** to dedicate land:

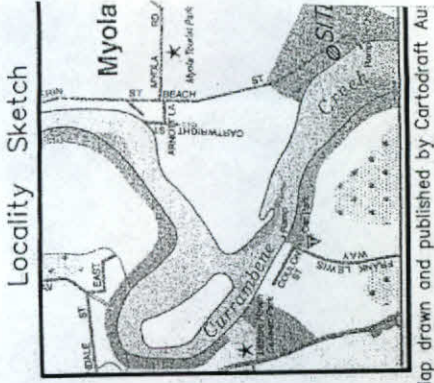
$$\begin{aligned} \text{Contribution Rate} &= 0.5W \times F \times C \\ &\quad \text{plus} \\ &\quad 0.5W \times F \times L \end{aligned}$$

Where:

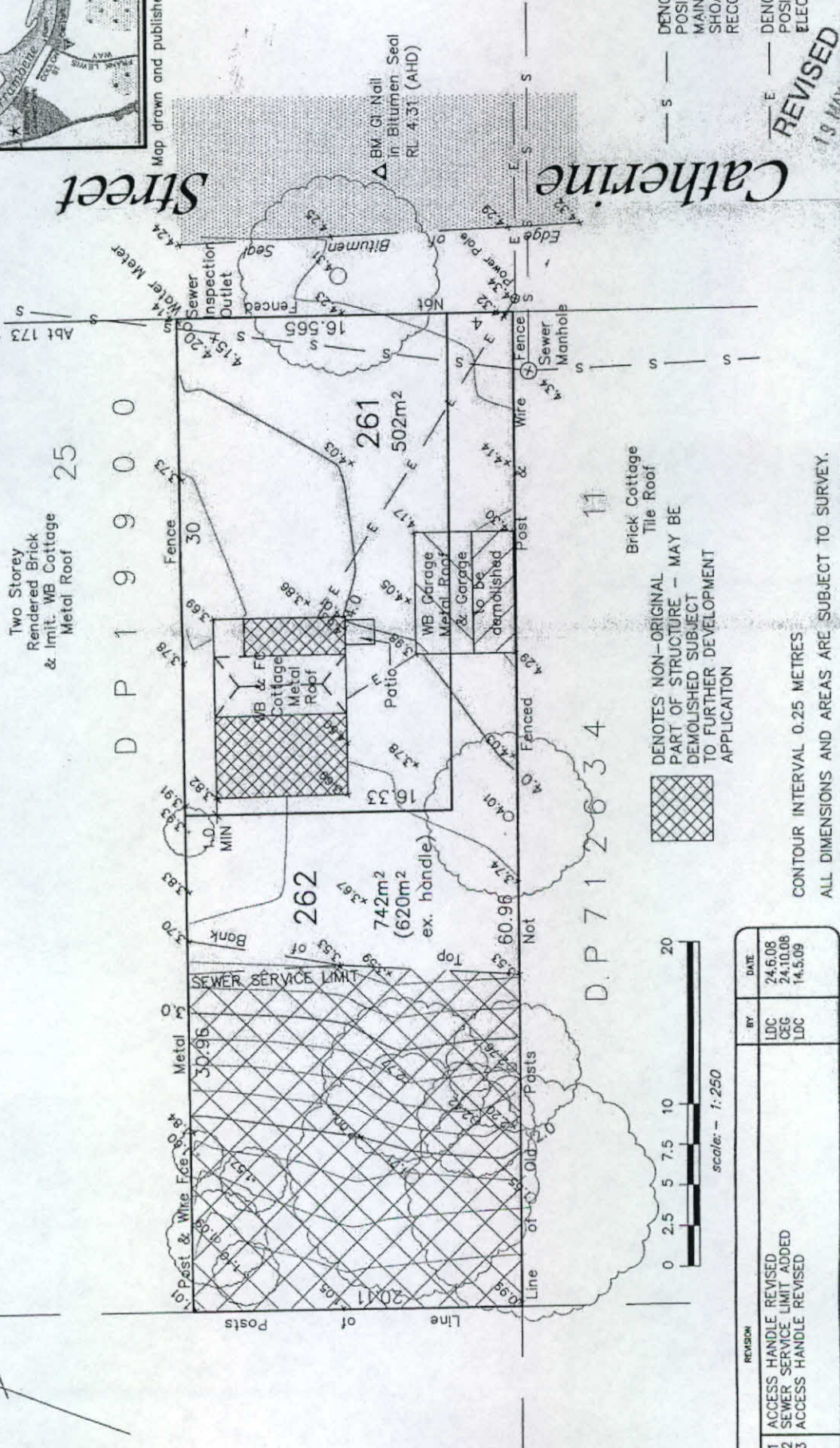
- W = Service lane width in metres (NB: DCP 56 Amendment 4 provides for 7 metre wide service lanes)
- F = Frontage width in metres
- C = Construction cost per m² (as per Table 15 of the CP)
- L = Land acquisition cost per m² (as per Table 15 of the CP)

PROPOSED RESIDENTIAL SUBDIVISION

ATTACHMENT A



Map drawn and published by Cartodraft Au:



REVISION		BY	DATE
01	ACCESS HANDLE REVISED	LDC	24.6.08
02	SEWER SERVICE LIMIT ADDED	CEG	24.10.08
03	ACCESS HANDLE REVISED	LDC	14.5.09

RAYD: 1:250	DATUM: AUSTRALIAN HEIGHT DATUM ORIGIN: SSM 42931 RL 4.441 DATE OF PLANK: 20 JUNE 2006
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CONTOUR INTERVAL 0.25 METRES
ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY.

PLAN OF PROPOSED RESIDENTIAL SUBDIVISION
OVER LOT 26 DP19900
AT CATHERINE STREET, MYOLA
FOR BEN DODWELL

REF. No. 24621-
ROOM 03

— S —
DENOTES APPROXIMATE
POSITION OF SEWER
MAIN PLOTTED FROM
SHOALHAVEN CITY CO
RECORDS

— E — DENOTES APPROXIMATE POSITION OF OVERHEAD ELECTRICITY LINE

