

CONTRIBUTIONS PLAN NO. 31B

ROADWORKS

PENINSULA



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**CONTRIBUTIONS PLAN NO. 31B
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1 INTRODUCTION

1.1 Name of Plan

This Contributions Plan is called Contributions Plan No. 31B – Roadworks - Peninsula.

This plan consists of this document and accompanying map marked Contributions Plan No. 31B - Traffic Management - Peninsula.

The Contributions Plan came into effect on 28 December 1992.

Subsequent amendment came into effect on 19 April 2006.

1.2 Land to which Plan Applies

This Contributions Plan (CP) applies to land to which the Gosford Planning Scheme Ordinance (as amended) applies, as outlined by a bold black line on the accompanying map.

1.3 Purpose of Plan

The purpose of this Contributions Plan is to enable the levying of development contributions for the provision and upgrading of roadworks on the Peninsula that will be required as a result of the increased vehicular traffic requirements generated by new development.

1.4 Operation of Plan

This CP has been prepared in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and Part 4 of the Environmental Planning and Assessment Regulation, 2000.

This CP will come into force on the date of public notification pursuant to Clause 31 of the Environmental Planning and Assessment Regulation, 2000, being 18 April 2012.

1.5 Application of Plan

When a Development Application is lodged which relates to land to which this Contributions Plan applies, Council shall levy contributions on development in accordance with the provisions of this plan.

Compliance with this Contributions Plan does not necessarily imply that Council will consent to any application.

1.6 Relationship to Other Plans and Studies

This Contributions Plan is made under, and generally conforms with, the deemed environmental planning instrument, the Gosford Planning Scheme Ordinance (as amended), which contains the legal planning controls for the development of the area to which this Contributions Plan applies.

This plan must also be read in conjunction with any other Development Control Plans or Contributions Plans that may apply to the area affected by this plan.

1.7 Review Process

This Contributions Plan may be reviewed, amended or repealed in accordance with the provisions of the Environmental Planning & Assessment Regulation, 2000.

It is envisaged that the plan may be reviewed when determined appropriate, having regard to the rate of development and relationship to other contributions Plan or Development Control Plans.

1.10 Complying Development and the obligation of Accredited Certifiers

In accordance with section 94EC(1) of the Environmental Planning and Assessment Act 1979, accredited certifiers must impose a condition requiring monetary s94 contributions for any complying development which satisfies the requirements of this contributions plan. The amount of the contribution is to be determined in accordance with the formulae contained within the contributions plan and the current contributions' rate.

The conditions imposed must be consistent with Council's section 94 conditions relating to complying development in accordance with this development contributions plan. It is the professional responsibility of accredited certifiers to keep up to date with any amendments or changes to the plan (including changes to contributions' rate arising from indexation) accurately calculate the contributions and to apply the section 94 condition correctly.

1.11 Construction Certificates and the obligation of Accredited Certifiers

In accordance with section 94EC of the Environmental Planning and Assessment Act and Clause 146 of the Environmental Planning and Assessment Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the Environmental Planning and Regulation. The only exceptions to the requirement are where works in kind, material public benefit, dedication of land or a deferred payment arrangement has been agreed by the council. In such cases, council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2 OBJECTIVES

- 2.1 To ensure, that infrastructure and works associated with urban and environmental enhancement are funded under Section 94 of the Environmental Planning and Assessment Act, 1979, as amended.
- 2.2 To identify the additional services and facilities required to satisfy the needs of the future population.
- 2.3 Council to manage the Contributions Plan implementation and Section 94 funds to ensure provision of services and facilities to meet demand.
- 2.4 To take account of works already provided in the Contributions Plan's area whilst planning for future needs;

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- 2.5 To provide a basis for determining fair and reasonable developer contributions.
- 2.6 To establish a nexus between anticipated development and contributions sought.
- 2.7 To enable the early provision of works;
- 2.8 To encourage public participation in the formulation of the plan.
- 2.9 To provide the development industry with early advice as to the amount of contributions which will be required for a particular development.
- 2.10 To facilitate proper financial management and accountability for the expenditure of contributions received.
- 2.11 Where proposed roadworks will provide for population outside the Contributions Plan area, to apportion costs accordingly.
- 2.12 To identify locations and costs of roadworks to be carried out.
- 2.13 To outline a schedule/priority list identifying when roadworks are to be provided in consideration of development rates.

3 CONTRIBUTIONS

3.1 Nexus and Assessment of Contributions

The basis of all Section 94 Contributions paid to Council is that a nexus or connection exists between a development proposed and the need to either upgrade or provide additional services and facilities.

In this instance, the plan responds to the increased vehicle trips generated by an increase in the population. Increased traffic on existing roads leads to greater delays at intersections and an increase in vehicular and pedestrian conflicts. In order to ensure that the road system continues to operate in a safe and efficient manner the road system will require upgrading. This forms the nexus between proposed residential development and the need for additional roadworks.

3.2 Payments of Contributions

Contributions for roadworks levied under this plan will be payable as follows:

- 1 Development applications involving subdivision – payment prior to the release of the subdivision certificate.
- 2 Development applications involving building – payment prior to the release of the construction certificate.
- 3 Development applications where no building approval is required – payment prior to release of the development consent.
- 4 Complying Development Certificates prior to the release of the complying development certificate.

Deferred payment may be accepted (Bank Guarantee or similar) and the form of payment will be considered at the Development Application stage.

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4 ROADWORKS COST CALCULATIONS

A population forecast has been developed for the Peninsula area based upon continued medium density redevelopment together with some conventional subdivision. It is anticipated that approximately 14,600 additional persons will ultimately be living in the Peninsula area. (This figure takes into account people in existing houses to be displaced by medium density redevelopment). The additional works required to achieve an acceptable level of traffic service and safety have been determined and are set out in columns III and IV of the schedule included in Appendix 1. These works are to be partly funded by S94 Developer Contributions collected under this plan. The location of the works are indicated on the accompanying map.

The roadworks will be partially funded by anticipated grants of \$120,000 per annum @ 7% discount rate = \$1.24 million by year 2001). In addition, approximately 35% of anticipated additional traffic will come from outside the area affected by this contribution plan. The population increase expected as a result of development affected by this Contributions Plan will constitute approximately 33% of the ultimate population. Consequently, 33% of the residual cost of the proposed works is to be provided by contributions under this Contributions Plan. The final cost of roadworks has therefore been discounted as follows:

Actual Cost	\$11,623,000	
Government Grant	-\$1,240,000	
Less 35%	-\$3,634,050	
Residual	<u>\$6,748,950</u>	
33% of Residual	<u>\$2,227,153</u>	(say \$2,227,200)

5 FORMULA

The formula adopted to determine contributions for roadworks is as follows:

$$\frac{C}{F} = \text{per person contribution rate}$$

* Contribution per person is adjusted quarterly by multiplying indexation figures (I1 / I2)

Where:

C = Cost of constructing the identified roadworks within the control plan, less discounts = \$2,227,153

F = Forecast additional persons living within the control plan area = 14,659

I1 = Current quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician.

I2 = Original quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician.

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Average Occupancy rates for each dwelling type are assumed to be as follows:

Small Dwelling Unit

(Gross floor space not exceeding 70 sq metres) 1.5 persons

Medium Dwelling Unit

(Gross floor space not greater than 70 sq metres
but not exceeding 110 sq metres) 2.0 persons

Large Dwelling Unit

(Gross floor space greater than 110 sq metres) 3.0 persons

Detached House 3.5 persons

Contributions will be levied based on dwelling size and includes medium density residential development. Medium density residential development includes units, villas, dual occupancies, townhouses, residential flat buildings, apartments, secondary dwellings and the like.

The required contribution for roadworks shall be calculated by determining the number of additional persons living on the site as a result of the proposed developed (based upon the occupancy rates listed above), and by multiplying that number by the per person costs for roadworks calculated using the above formula.

A credit of 2.0 persons shall be given for an existing allotment for the purposes of road works contributions except in relation to where the development is for a secondary dwelling.

Although 1986 Census information for the Peninsula indicates an average occupancy of 2.55 persons for occupied separate houses, it has been assumed in the population forecast methodology that displaced houses will be distorted in favour of mature family households containing one or two persons. An occupancy of 2.0 persons per household is also considered reasonable because occupancy rates of collector districts where development is expected to occur is typically lower than the average.

Further preliminary data from the Australian Bureau of Statistics for the 1991 Census indicates an overall decline in occupancy rates.

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6 ACCOUNTS/FUND BALANCES

A register is kept by Council which outlines the following information:

- funds held as at 27 December 1992, along with interest accrued.
- funds received from 28 December 1992 onwards, under the new regulations pertaining to Section 94 contributions.
- funds will be accounted for separately in keeping with the individual contribution plans, ie each Contribution Plan will have a separate account.
- source of all funds received from 28 December 1992 onwards, ie identifying the specific development.
- expenditure of all funds, identifying the date of expenditure, together with a description of the type and location of roadworks that were carried out.

These records are kept in accordance with the Environmental Planning and Assessment Act, Regulation, 2000, as amended. These records are available for public perusal at the ground floor counter.

In accordance with the Regulations, an annual statement will be prepared and be available for public perusal, along with the register of accounts.

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APPENDICES

I SCHEDULE OF WORKS AND COSTINGS

Description of Works – including Land Acquisitions and Service Relocations

COLUMN I	COLUMN II	COLUMN III	COLUMN IV
PRIORITY RANKING	INTERSECTION TREATMENTS	TO MEET ULTIMATE NEEDS	ULTIMATE COST
4	Charlton/Railway St	1 Lane R/A + Slip Lanes (Round-about)	400,000
3	Victoria/Blackwall Rd	1 Lane R/A 1 Slip Lane	430,000
10	Blackwall/Allfield Rd	2 Lane R/A	450,000
13	Ocean Bch Rd/Rawson Rd	Traffic Signals	250,000
14	Ocean Bch Rd/Railway St	Change Priority	200,000
12	McMasters/Blackwall Rd	2 Lane R/A	450,000
11	McMasters/Ocean Bch Rd	2 Lane R/A	400,000
6	Dunban/Ocean Bch Rd	2 Lane R/A	400,000
17*	Hillview/Dunban Rd	33% of Cost 1 Lane R/A	150,000
19	Maitland Bay Dr/Barrenjoey Rd	2 Lane R/A	280,000
7	Bourke Rd/Ocean Bch Rd	2 Lane R/A	350,000
8	Bourke Rd/Barrenjoey Rd	2 Lane R/A	450,000
15	Ocean Bch Rd/Lone Pine Avenue	2 Lane R/A	400,000
9	Ocean Beach Rd/Veron	2 Lane R/A	400,000
21	Ocean Bch Rd/West St	2 Lane R/A	400,000
20	Barrenjoey/Beach Rd	1 Lane R/A	220,000
5	ROAD UPGRADES Brisbane Water Dr and	4 Travel Lanes and Central Island/Turn Bays	3,000,000
16*	Dunban Rd Bridge	33% of Cost Bal from Govt	1,333,000

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COLUMN I	COLUMN II	COLUMN III	COLUMN IV
PRIORITY RANKING	INTERSECTION TREATMENTS	TO MEET ULTIMATE NEEDS	ULTIMATE COST
18	PEDESTRIAN OVERBRIDGES Rawson Rd	Over Level Crossing	400,000
	ROAD WIDENING FOR PEDESTRIAN/ CYCLIST ACCESS Ocean Beach Road		
1	Rogers Park	Refuge	30,000
2	Woy Woy South Public School	Refuge	80,000
22	South of Melba To Railway St	Refuge and Right Turn into Victoria St	\$500,000 NET
23	Vicinity of Woy Woy Hospital	Refuge	\$100,000
24	Veron Road to Mackenzie Road	Refuge and Right Turn Bay into Gallipoli Ave	\$350,000
25	Between Gwendolen and McDonald Aves	Refuge	\$200,000
TOTAL			\$11,623,000

* Assumes 2/3 funding from Government sources

II CONSUMER PRICE INDICES

- I1 = Current Quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician.
- I2 = Original Quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician = 107.4 (December 1992)

III ROADWORKS

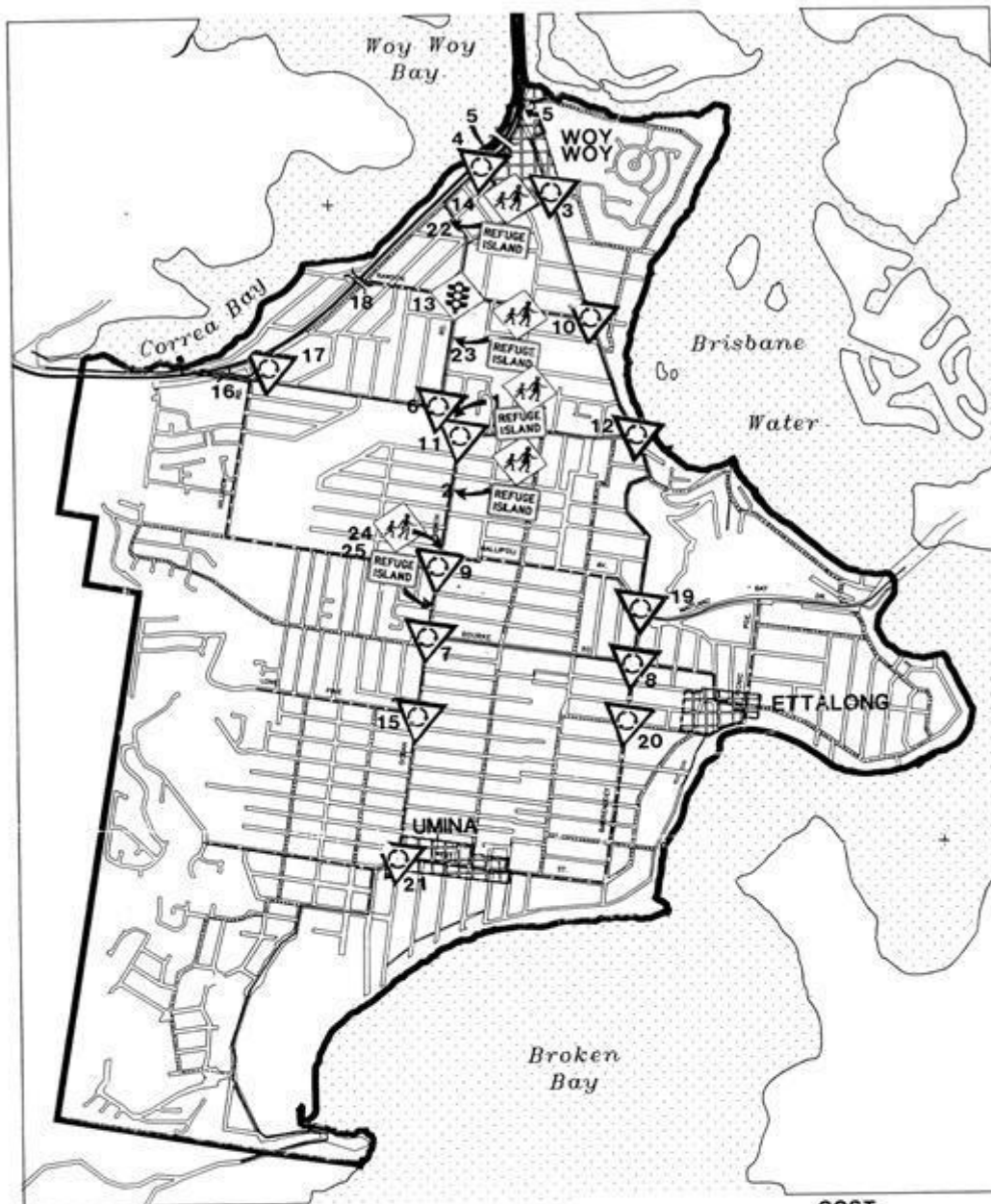
CURRENT CONTRIBUTIONS – FROM 28/12/92

At the current rate, the indexed contribution for roadworks per person is \$152.00

At this rate, the following contributions applicable for roadworks are as follows:

- | | | | |
|---|--|---|-------|
| 1 | Small unit (1.5 persons x \$152.00) | = | \$228 |
| 2 | Medium unit (2.0 persons x \$152.00) | = | \$304 |
| 3 | Large unit (3.0 persons x \$152.00) | = | \$465 |
| 4 | New allotment (3.5 persons x \$152.00) | = | \$532 |

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NB: THIS PLAN IS CONCEPTUAL ONLY. NO LAND HAS BEEN IDENTIFIED FOR PURCHASE AT THIS TIME. THE STATED WORKS NEED TO BE READ IN CONJUNCTION WITH THE SCHEDULE OF WORKS/EXPENDITURE CONTAINED IN THE ACCOMPANYING WRITTEN DOCUMENT.

- | | |
|-----------------------------|----------------------|
| CONTRIBUTIONS PLAN BOUNDARY | INTERSECTION UPGRADE |
| TOWN CENTRE AREA | TRAFFIC LIGHTS |
| ARTERIAL/SUB ARTERIAL ROADS | PEDESTRIAN REFUGE |
| TRUNK COLLECTOR ROADS | REFUGE ISLAND |
| COLLECTOR ROADS | |
| PEDESTRIAN OVERBRIDGES | |

PROPOSED WORKS	COST ESTIMATE	NO.	PROPOSED WORKS	COST ESTIMATE
1 REFUGE	\$30,000	15	2 LANE ROUNDABOUT	\$400,000
2 REFUGE	\$80,000	16	BRIDGE	\$1,333,000
3 1 LANE ROUNDABOUT	\$430,000	17	1 LANE ROUNDABOUT	\$150,000
4 1 LANE ROUNDABOUT	\$400,000	18	PEDESTRIAN O/BRIDGES	\$400,000
5 4 TRAVEL LANES	\$3,000,000	19	2 LANE ROUNDABOUT	\$280,000
6 2 LANE ROUNDABOUT	\$400,000	20	1 LANE ROUNDABOUT	\$220,000
7 2 LANE ROUNDABOUT	\$350,000	21	2 LANE ROUNDABOUT	\$400,000
8 2 LANE ROUNDABOUT	\$450,000	22	REFUGE R/H TURN INTO VICTORIA ST	\$500,000
9 2 LANE ROUNDABOUT	\$400,000	23	REFUGE	\$100,000
10 1 LANE ROUNDABOUT	\$450,000	24	REFUGE R/H TURN INTO GALLIPOLI AVE	\$350,000
11 2 LANE ROUNDABOUT	\$400,000	25	REFUGE	\$200,000
12 2 LANE ROUNDABOUT	\$450,000			
13 TRAFFIC SIGNALS	\$250,000			
14 CHANGE PRIORITY	\$200,000			

COUNCIL FILE NO. 337.85	SCALE 1:16 000	NO. DETAILS OF AMENDMENTS	DATE
CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AND REGULATION	COUNCIL REGISTERED PLAN NO. 36/92		
TOWN CLERK	DATE		

THIS PLAN COMES INTO FORCE FROM 28/12/92 TO THE EXTENT TO WHICH IT IS CONSISTENT WITH THE GOSFORD LOCAL ENVIRONMENTAL PLAN NO. OR ANY OTHER SUBSEQUENT LOCAL ENVIRONMENTAL PLAN WITHIN THE AREA.

TOWN PLANNER

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TRAFFIC MANAGEMENT

SUPERVISING DRAFTSPERSON