

$$V_2 = V_1(1+r)^2$$

ADOPTED 14/10/94

s.94 Contribution Plan for Rural Roads

1. Citation

This Plan has been prepared in accordance with the requirements of s.94AB of the Environmental Planning and Assessment Act, 1979.

2. Purpose of the Plan

The purpose of the Plan is to enable the levying of s.94 contributions for the construction and upgrading of rural roads, intersections and bridges which will be required as a result of the increased traffic flow generated by rural development in Maclean Shire.

3. Aims and objectives of the Plan

The aims and objectives of this Plan are to:

- (a) enable Council to comply with s.94(7) of the EPA Act,
- (b) provide guidance for both Council and developers,
- (c) provide fair and equitable formulae on which Council can levy contributions,
- (d) identify the land to which the Plan applies,
- (e) establish the nexus between the rural residential development in the Shire and the demand for the upgrading of, and the construction of new, rural roads and intersections/bridges, and
- (f) set out:
 - (i) the formulae to be used for determining the contributions required for upgrading and construction, and
 - (ii) a works schedule for the upgrading of, and the construction of new, rural roads and intersections/bridges together with an estimate of their cost and staging.

4. The land to which the Plan applies

The Plan applies to all land within the Shire of Maclean other than land zoned 2(a), subject to clause 11 of this Plan.

5. Nexus

- A. All rural residential development generates increased traffic flow on rural roads.
- B. This increased traffic flow is more pronounced on the particular collector, sub-arterial or arterial road or roads providing access between the development and the nearest large town, being

Maclean, Yamba or Iluka or the Pacific Highway, whichever is the closer ("the access road").

C. The development should contribute:

- (a) to the cost to Council of upgrading the, or constructing a new, access road(s) and intersections/bridges to cater for the increased traffic flow generated by the development (s.94(1b)), or
- (b) by reimbursing Council for the cost of work done by Council in upgrading, or constructing a new, access road(s) and intersections/bridges in preparation for, or to facilitate, the increased traffic flow generated by future development to which the road(s) is an access road (s.94(2A))

as the upgrading or construction required will benefit the development.

6. Assessment of contributions

Developers should contribute to the cost of upgrading, or constructing new, access roads and intersections/bridges in proportion to the increased use of that road that their development will generate.

For the purposes of calculating that contribution, Council has adopted the road standards set out in Schedule 2 of this Plan.

Council has also adopted the following traffic generation figures:

1. 6 vehicle movements per day per dwelling for rural developments.
2. For non-residential rural developments, the land use traffic generation volumes contained in the RTA manual "Guide to Traffic Generating Developments" (refer to Schedule 1) - this sets a standard of 1 vehicle per dwelling (6 vehicle movements per day).

The access road contribution is based on:

- (a) the average cost per metre to Council to upgrade, or construct, a sealed local road including survey, investigation, drainage and design costs, and
- (b) the traffic movements per day generated by the development as a proportion of total traffic movements per day on the access road(s),

the contribution being a percentage of the average cost referred to in (a) above and will be levied over that distance of the access road(s) from the development to the nearest large town or the Pacific Highway, whichever is the closer but will not include any part of a road which it may be anticipated will be constructed or upgraded as a result of s.91 conditions.

It is appropriate (and normal practice) for developers to construct the access road through or adjacent to their developments. This is a condition of development consent under s.91 of the EPA Act. Usually, where development has a frontage to both sides of a through road the developer is required to construct full width roadway and associated drainage along that length of the road between the boundaries of the development. Where development has a frontage to only one side of a through road, the developer usually provides half width construction along the same length. This plan proposes that this practice be continued.

For the purposes of assessing the contribution, Council:

- (a) has adopted a policy that all local roads, on which development occurs, should be sealed,
- (b) shall determine the potential daily traffic movements from the Maclean Shire s.94 Contributions Plan Background Study prepared by Mitchell McCotter & Assocs. P\I and set out in Schedule 2.

Should any access road not be included in Schedule 2, then the potential daily traffic movements shall be determined having regard to the average possible population levels set out in Appendix F of that Study for the region serviced by that particular road.

Where the access road(s) fall into more than one category the contribution payable shall be the sum of all contributions payable in relation to all such categories.

The intersection/bridge contribution will be calculated on the actual cost to Council of upgrading the intersection/bridge and apportioned according to the increased demand generated by the development.

7. Formulae

Contribution = A+B

where

A = the sum of the contributions assessed in relation to each individual road that makes up the access road(s).

B = the contribution required to upgrade intersections/ bridges

The contributions for A and B are assessed as follows:

A.

If the road is currently a sealed road:

Contribution = $\frac{Y}{D} \times M \times L$

where:

M = the cost/m to widen the carriageway to the recommended standard, as set out in Schedule 3.

Y = anticipated no. of dwellings (or equivalent in non-residential development) in the new development x 6 (being the trip generation rate/day/household)

D = maximum potential daily traffic movements for the access road as set out in Schedule 2.

L = the length of the individual road that forms part of the access road(s) (in metres)

Where the access road(s) is currently unformed:

$$\text{Contribution} = \frac{Y}{D} \times Z \times L$$

where:

Y = anticipated no. of dwellings (or equivalent in non-residential development) in the new development x 6 (being the trip generation rate/day/household)

D = maximum potential daily traffic movements for the access road as set out in Schedule 2.

Z = the cost of constructing the roadway to the recommended standard, as set out in Schedule 3.

L = the length of the individual road that forms part of the access road(s) (in metres)

B. Upgrading of intersection(s)/bridge(s)

$$\text{Contribution} = \frac{R}{S} \times T$$

where:

R = the cost of upgrading the intersection(s) or bridge(s).

S = maximum potential daily traffic movements for the access road as set out in Schedule 2.

T = anticipated no. of dwellings (or equivalent in non-residential development) in the new development x 6.

S.94(2a) contributions

If Council has already constructed or upgraded a road or intersection(s)/bridge(s) to prepare for or facilitate the carrying out of development then the following formulae shall apply:

$$\text{Contribution} = A+B$$

where

A = the share of contribution required to upgrade the road

B = the share of contribution required to upgrade an intersection(s) / bridge(s)

The contributions for A and B are assessed as follows:

A.

If the road is currently a sealed road

$$\text{Contribution} = \frac{Y}{D} \times M$$

where:

M = the actual cost of upgrading plus any interest paid by Council on moneys borrowed to finance the upgrading.

Y = anticipated no. of dwellings (or equivalent in non-residential development) in the new development x 6 (being the trip generation rate/day/household)

D = maximum potential daily traffic movements for the access road as set out in Schedule 2.

Where the access road(s) is currently unformed:

$$\text{Contribution} = \frac{Y}{D} \times Z$$

where:

Y = anticipated no. of dwellings (or equivalent in non-residential development) in the new development x 6 (being the trip generation rate/day/household)

D = maximum potential daily traffic movements for the access road as set out in Schedule 2.

Z = the actual cost of construction plus any interest paid by Council on moneys borrowed to finance the construction.

B. Construction or upgrading of intersection(s)/bridge(s)

$$\text{Contribution} = \frac{R}{S} \times T$$

where:

R = the actual cost of constructing or upgrading plus any interest paid by Council on moneys borrowed to finance the work.

S = maximum potential daily traffic movements for the access road as set out in Schedule 2.

T = anticipated no. of dwellings (or equivalent in non-residential development) in the new development x 6.

8. **Payment of contributions**

Contributions will be required to be settled by one or a combination of the following methods:

- (a) monetary contribution, and/or
- (b) provision of a material public benefit, ie. works "in kind".

Timing of contributions

Contributions are required to be paid as follows:

- (a) DAs involving subdivision - at release of Plan of Subdivision,
- (b) DAs involving building work - at the time of building approval, and
- (c) DAs where no building work - at the time of development consent.

Deferred and periodic payment

Council will consider deferral of the payment of contributions upon application in writing. The applicant will need to provide valid reasons for the deferral of contributions and a decision as to whether or not to grant approval will be entirely at the discretion of Council.

If the application for deferral is accepted, the following conditions will apply:

1. A Bank Guarantee will be required to be lodged for the full value of the contribution(s). The applicant will be responsible for all charges involved in servicing the guarantee. The Bank Guarantee must identify a date after which Council may convert the Guarantee to cash. It may be possible to extend this date subject to negotiation with Council and adjustments to the value of the Guarantee to reflect changes in the rates in the Plan.
2. The amount of contribution outstanding will be indexed by the Construction Cost Price Index so that the value of the contribution does not diminish over time. Indexing will be calculated from the date on which the contribution was due to the date of payment.

An alternative to deferred payments is for an applicant to request that contributions be satisfied through periodic payments. An application for periodic payments needs to be made in writing and should include details of proposed instalments, including interest calculations. Periodic payments will be indexed in the same manner as deferred payments and similar Bank Guarantee requirements will also apply. Again, the decision as to whether to accept periodic payments rests solely with Council.

Works "In Kind"

It is intended that certain developments will be required to provide partial works "in kind". A decision as to whether to accept the provision of works "in kind" in addition to this requirement in lieu of a monetary contribution, will be at the discretion of Council. Factors Council will take into consideration include:

- (a) the extent to which the works satisfy the community need,
- (b) the extent to which the works satisfy the purpose for which the contribution was sought,
- (c) the practical value of the contribution, and
- (d) an assessment of recurrent maintenance costs to Council.
- (e) the circumstances of the particular case.

9. Works' Schedule

All contributions raised will be fully expended within 24 months of the date on which they are paid to Council. They will be spent on the specific access roads or intersections to which they relate.

10. Indexing factors

All average costs referred to in the formulae shall be updated annually to reflect the actual costs to Council of undertaking the works to which they relate over the preceding 12 months.

11. Conflicting s.94 Plans

Where Council adopts a s.94 Plan which deals with contributions for local roads for a particular area of the Shire, then that Plan shall take priority over this Plan and the formulae in that Plan shall be applicable in preference to those contained in this Plan.

SCHEDULE I

LAND USE TRAFFIC GENERATION

- Dwelling houses**
daily vehicle trips = 6 per dwelling
- Medium density residential flat building**
Smaller units and flats
daily vehicle trips = 4 per dwelling
Larger units and townhouses
daily vehicle trips = 5 per dwelling
- Housing for aged and disabled persons**
daily vehicle trips = 1 per dwelling
- Motels**
daily vehicle trips = 3 per unit
- Commercial premises**
daily vehicle trips = 10 per 100m² gross floor area
- Shopping centres**
Total floor area 0-10,000m² gross lettable floor area
daily vehicle trips = 102
Total floor area 10,000-20,000m² gross lettable floor area
daily vehicle trips = 66
- Service stations**
daily vehicle trips = 12 x area of site (m²)
- Convenience stores**
daily vehicle trips = 12 x gross floor area (m²)
- Take away food outlets and restaurants**
daily vehicle trips = 60 per 100m² gross floor area
- Squash courts**
daily vehicle trips = 20 per court
- Tennis courts**
daily vehicle trips = 45 per court
- Gymnasiums**
daily vehicle trips = 45 per 100m² gross floor area
- Road transport terminals**
daily vehicle trips = 5 per 100m² gross floor area
- Factories**
daily vehicle trips = 5 per 100m² gross floor area
- Warehouses**
daily vehicle trips = 4 per 100m² gross floor area

SCHEDULE 2

DAILY TRAFFIC MOVEMENTS on KEY ROADS in MACLEAN SHIRE

Derived from the Maclean Shire s.94 Contributions Plan Background Study
prepared by Mitchell McCotter & Assocs. Pty

Angourie Rd

The future AADT is estimated at 5642.
Requirements: 7 metre carriageway.

Yamba Rd - Treelands Drive to Pacific Hwy.

The future AADT is estimated at 15788
Requirements: 14 metre carriageway

Yamba Rd - Pacific Hwy to Maclean

The future AADT is estimated at 13283
Requirements: 14 metre carriageway

Brooms Head Rd - rural section

The future AADT is estimated at 1648
Requirements: 6.5 metre carriageway

Brooms Head Rd - Southern boundary of Gulmarrad to Sheehans Lane

The future AADT is estimated at 4103
Requirements: 7 metre seal

Brooms Head Rd - Sheehans Lane to Jubilee St.

The future AADT is estimated at 5527
Requirements: 7 metre carriageway

Jubilee St

The future AADT is estimated at 8387
Requirements: 14 metre carriageway

Cameron St - Pacific Hwy to Jubilee St.

The future AADT is estimated at 3782
Requirements: 7 metre carriageway

Cameron St - Pacific Hwy to River St.

The future AADT is estimated at 10888
Requirements: 14 metre carriageway

Gardiniers Rd

The future AADT is estimated at 2472
Requirements: 7 metre carriageway

Sheehans Lane

The future AADT is estimated at 3057
Requirements: 7 metre carriageway

Farlows Lane

The future AADT is estimated at 2421
Requirements: 7 metre carriageway

Macintyres Lane

The future AADT is estimated at 1094
Requirements: 6.5 metre carriageway

Iluka Rd - east of Goodwood Island Rd

The future AADT is estimated at 1722
Requirements: 6.5 metre carriageway

Iluka Rd - west of Goodwood Island Rd

The future AADT is estimated at 5866
Requirements: 7 metre carriageway

Lawrence to Maclean Rd - Lawrence to Iilarwell

The future AADT is estimated at 5036
Requirements: 7 metre seal

Lawrence to Maclean Rd - Iilarwell to South Arm Rd

The future AADT is estimated at 7099
Requirements: 7 metre carriageway

Ashby-Tullymorgan Rd

The future AADT is estimated at 3129 north of Murrayville Rd and 627 south of Murrayville Rd.
Requirements: 7 metre carriageway

Murrayville Rd

The future AADT is estimated at 3101
Requirements: 7 metre carriageway

Martins Point Rd

The future AADT is estimated at 676 north of Back Channel Rd and 2965 south of Back Channel Rd.
Requirements: 6.2 metre seal

Watts Lane

The future AADT is estimated at 3805
Requirements: 7 metre carriageway

Chatsworth Rd

The future AADT is estimated at 582 north of Chatsworth and 328 south of Chatsworth.
Requirements: 6.2 metre seal

Morpeth St

The future AADT is estimated at 577
Requirements: 6.2 metre seal

Woodford Dale Rd

The future AADT is estimated at 1130
Requirements: 6.5 metre carriageway

Iluka Rd - 137

Goodwood Island Rd (west of) 227 (1974)

WEST ST, WOOMBAH - 249 = 449

South Arm Rd

The future AADT is estimated at 1392

Requirements: 6.5 metre carriageway

Roberts Creek Rd

The future AADT is estimated at 1335

Requirements: 6.5 metre carriageway

Golf Links Rd

The future AADT is estimated at 704

Requirements: 6.2 metre seal

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SCHEDULE 3

ROAD CONSTRUCTION COSTS

To upgrade an existing unsealed road to a

6.2 metre carriageway	\$203/m
6.5 metre carriageway	\$214/m
7 metre carriageway	\$224/m
14 metre carriageway	\$435/m

To upgrade an existing sealed road to a

6.2 metre carriageway	\$118/m
6.5 metre carriageway	\$124/m
7 metre carriageway	\$130/m
12 metre carriageway	\$362/m