

SECTION 94 CONTRIBUTIONS PLAN YAMBA URBAN BYPASS & URBAN INTERSECTIONS

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Map 1: Areas to Which This Plan Applies

- | | | | | |
|------------|---|---|---|---------------------|
| Key | 1 | Yamba Town Centre | 4 | West Yamba |
| | 2 | West Yamba (existing residential zones) | 5 | Angourie/Wooloweyah |
| | 3 | Yamba Industrial Areas | 6 | Palmers Island |
| | | | | |
| | | | | |
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Scale approx
1:60000

DISCLAIMER

The information contained within this sketch plan is for pictorial representation only. Do not scale. Accurate measurements should be undertaken by survey.

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1.0 SUMMARY SCHEDULES

1.1 Executive Summary

This Section 94 Contributions Plan sets out contributions that are to be levied by Maclean Shire Council on new development in the Yamba area for the construction of Stage 1 of the Yamba Urban Bypass Road and associated intersection upgrade. Those works to be undertaken as part of Stage 1 are shown in Figure 3 of this Plan and are identified in the Schedule of Works under Section 3.2

1.2 Summary of Works Schedule

Table 1 Proposed Schedule of Works (Stage 1)

Description	Quantity	Unit	Rate	Total
Claude to Angourie Road	600	m	2,200	\$ 1,320,000
Angourie to Golding Street	1100	m	2,200	\$ 2,420,000
Goldings to Shores Drive	700	m	2,200	\$ 1,540,000
Angourie/Bypass Roundabout	1	ea	200,000	\$ 200,000
Golding/Bypass Roundabout	1	ea	200,000	\$ 200,000
Shores/Bypass Roundabout	1	ea	200,000	\$ 200,000
Coldstream/River Street Roundabout	1	ea	200,000	\$ 200,000
Coldstream/Yamba Street Intersection	1	ea	50,000	\$ 50,000
Freeburn/Bypass Roundabout	1	ea	200,000	\$ 200,000
Coldstream/Clarence Street Roundabout	1	ea	200,000	\$ 200,000
			TOTAL	\$ 6,530,000

1.3 Summary of Contribution Rates

The following Contribution rates per subdivision lot are at 1999/2000 rates. Appendix I shows the rates for dual occupancy, density development and tourist facilities. The contribution rate will be reviewed annually at the end of each financial year and adjusted in accordance with CPI. Applicants should contact Council to determine the current rate at the time of payment.

Table 2 DISTRIBUTION OF COSTS OF PROPOSED WORKS

Location (refer to Map1)	Contribution per Subdivision lot
Yamba Town Centre	\$ 503
West Yamba, Existing Residential zones	\$ 937
Yamba Industrial Areas	\$ 1,886*
West Yamba	\$ 1,029
Angourie/Wooloweyah	\$ 1,203
Palmer's Island	\$ 1,588

* Industrial area contribution calculated per 500 m² building floor area (contribution rate includes a 50% discount)

2.0 GENERAL

2.1 What is the name of this plan

This contributions plan has been prepared in accordance with the provisions of Section 94 of the *Environmental Planning and Assessment Act 1979* (EPA & A Act) and Part 4 of the Environmental Planning and Assessment Regulations 1994 (Regulation) and may be referred to as the Yamba Urban Bypass and Urban Intersections Section 94 Contributions Plan 1999.

2.2 What is the purpose of this plan

The primary purpose of this plan is to satisfy the requirements of the EP & A Act and Regulation to enable Maclean Shire Council to require a contribution towards the cost of upgrading existing road intersections in the Yamba area as well as the construction of the proposed Yamba Urban Bypass including, earthworks, road construction, stormwater drainage and other miscellaneous works.

2.3 Land to which this plan applies

The proposed works are located within the Yamba urban area. The Contributions Plan applies to new development in the Yamba area as shown on Map 1 with contributions apportioned on the basis of the estimated demand that new development in each area will place on road upgrading works in the Yamba area.

2.4 Commencement date

This plan was adopted by Maclean Shire Council on 9th February 2000, and came into force on 11th February 2000.

2.5 What is its relationship to other plans and policies

This Contributions Plan provides the means for implementing some of the planning and community development strategies adopted by Council and forms part of a series of Section 94 Contributions Plan for various public works and facilities provided by Maclean Shire Council.

2.6 How does this plan operate

In determining a development application, Council may impose a condition requiring the payment of a monetary contribution and/or the dedication of land in accordance with the provisions of this Plan.

2.7 Timing of a Contribution Payment

A contribution is payable:

- (a) for development involving building work but not involving subdivision - before the construction certificate is issued.
- (b) for development involving subdivision, where no further approvals are required - before the release of the linen plan.
- (c) for development not involving building work - at the time of issue of notification of consent *or before occupation of the building.*

2.8 Deferred or Periodic Payments

Council may accept the deferred or periodic payment of a contribution if compliance with full payment as required by this plan is unreasonable or unnecessary in the circumstances of the case. The decision to accept a deferred or periodic payment is at the discretion of council. The applicant must make a request in writing to satisfy council that:

- there are valid reasons for deferred or periodic payment.
- the community deriving benefit from the public facilities required by the proposed development will not be disadvantaged.
- the operation of the contributions plan is not prejudiced.
- the timing or manner of providing the public facility is not adversely affected.

If an application for deferred or periodic payment of a contribution is accepted by council, the following conditions will apply:

- a bank guarantee by an Australian bank for the amount of the total contribution or the amount of the outstanding contribution.
- the guarantee requires the bank to unconditionally pay the guaranteed sum to Council if the Council so demands in writing, not earlier than 6 months from the provision of the guarantee or completion of the works, whichever occurs first, or a term determined by the council.
- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent.

- the bank's obligations under the guarantee are discharged when payment is made to Council in accordance with the terms of the bank guarantee or when council notifies the bank in writing that the guarantee is no longer required. The bank's obligations are also discharged if the related consent lapses.
- the applicant pays interest to Council on the contribution or the outstanding amount at the overdraft rate on and from the date when the contributions would have been otherwise payable in accordance with clause ? of this plan.

2.9 Works in Kind Contributions

Council may accept an applicants offer to make a contribution by way of a works in kind contribution for an item included on the works schedule.

Council may accept the offer of a works in kind contribution if the applicant satisfies the council that;

- payment of the contribution in accordance with the provisions of the plan is unreasonable or unnecessary in the circumstances of the case.
- the in kind contribution will not prejudice the timing or the manner of the provision of the public facility for which the contribution was required.
- the value of the works to be undertaken are at least equal to the value of the contribution assessed in accordance with the plan.

2.10 Adjustment of a Contribution Rate

The contribution rate will be reviewed annually at the end of each financial year, using the Australian Weighted Average CPI obtained from the HVRF Forecast as the basis for any adjustment.

2.11 Expected Type of Development

The expected type of development in Yamba will be largely determined by the Maclean Local Environmental Plan 1992. Future development in Yamba is likely to include redevelopment of older buildings in the Yamba hill area and replacement with medium density housing. Single dwellings and dual occupancies will be the major form of future development in Crystal Waters, south of Yamba Road and in Oyster Cove. This includes new land subdivision in the western parts of Crystal Waters. The housing in Beachside Estate will be a mix of single dwellings, dual occupancies and townhouse /unit development.

The most significant urban residential development in Maclean Shire will take place in Yamba. The future staged development of West Yamba requires separate rezoning based upon the findings of the west Yamba Local Environmental Study 1997 and will not occur until the Yamba Sewerage

Treatment Works has been upgraded to the required capacity. Population projections in this area have been based on the assumption that future development will be 70% single dwellings and 30% dual occupancy / unit development.

2.12 Expected Increase in Population

Population growth trends for Maclean Shire and the Yamba area have been reviewed from a number of recent reports (MSC 1998 & 1999)

Maclean Shire has experienced steady growth over the past fifteen years with the population increasing by 2023 persons during the last intercensal period between 1991 and 1996. This represents an annual compound growth rate of 2.74%. Figure 1 shows the population recorded from the 1976, 1981, 1986, 1991 and 1996 Census figures, and shows the projected population for the Shire to the year 2016 based upon Linear Regression Analysis of historical trends.

Figure :1

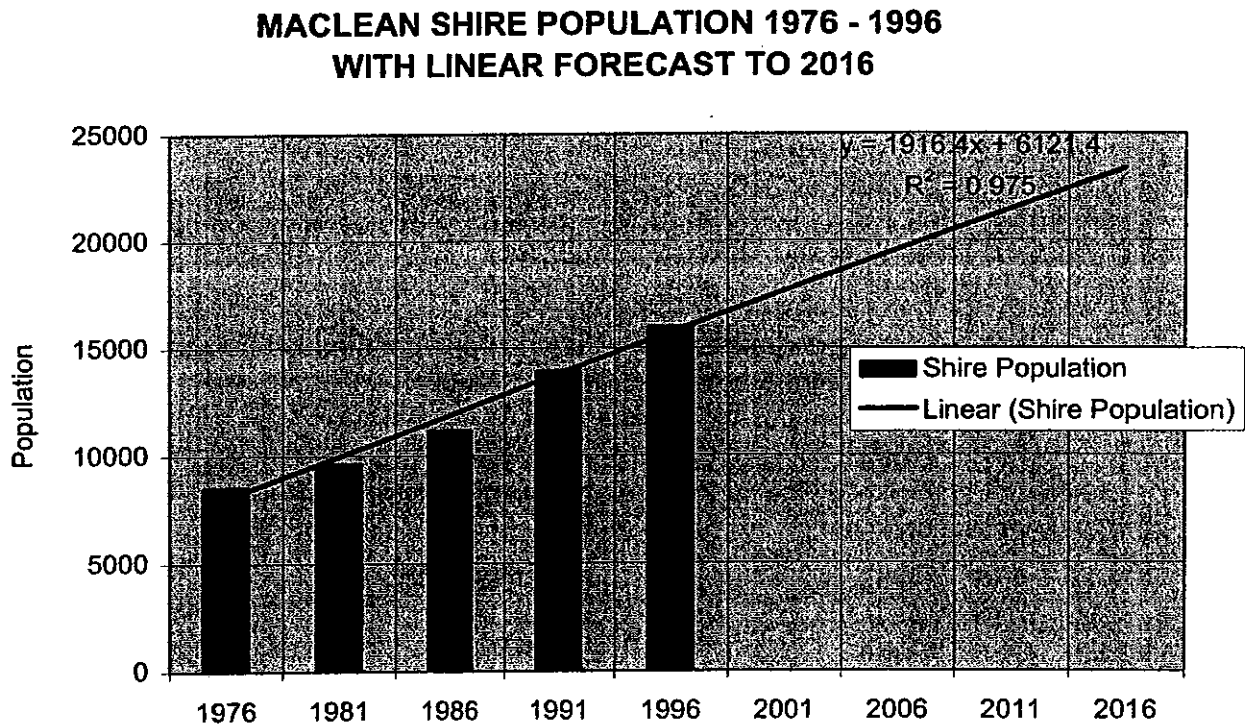
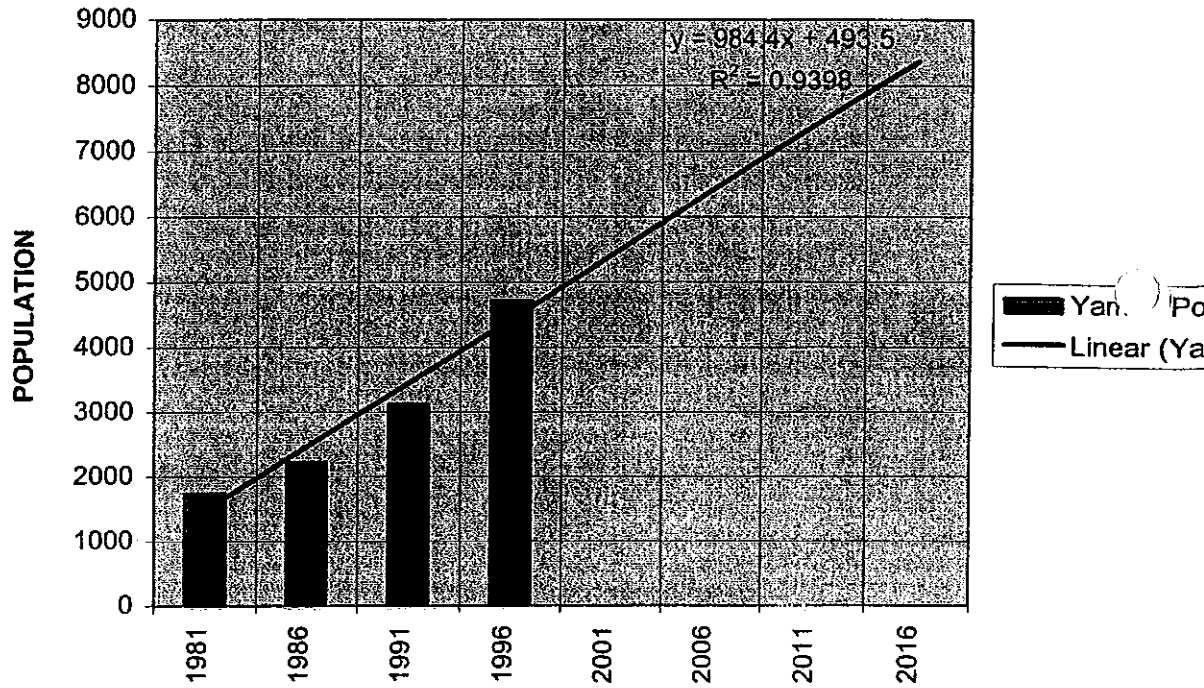


Figure 2 shows population growth in Yamba between 1981 and 1996 based on ABS Census figures, together with projected growth trends based upon Linear Regression Analysis of historic trends

Figure: 2

**YAMBA POPULATION 1981 - 1996
WITH LINEAR FORECAST TO 2016**



Historic growth trends and future population projections for both Yamba and Maclean Shire are summarised in Table 3.

**Table 3: POPULATION GROWTH TRENDS
(Estimated Resident Population)**

Year	Yamba/Angourie	Maclean Shire
1981	1,742	9,650
1986	2,382	11,200
1991	3,319	13,627
1996	4,431	15,703
1999 estimate	5,022	16,853
2019 estimate	8,959	24,519

The base population and corresponding traffic volumes in the Yamba Area will continue to be subject to relatively dramatic increases during the peak summer months each year as a large visiting population, significantly greater than the base resident population, temporarily resides in the area.

3.0 ROADWORKS STRATEGY

3.1 Overview

The urban section of Yamba Road is currently a two lane road which effectively extends over 3.6 kilometres from Witonga Drive to the Angourie Road intersection. The road has wide sealed shoulders over the majority of this section which are designated as cycleways.

There are additional right turning lanes provided in the centre of the road at most major intersections along this section at Orion Drive, Osprey Drive, Treelands Drive, Shores Drive and Marina Access Road. At other intersections at Carrs Drive, Golding Street and Angourie Road, there are no formally marked right turning lanes although the road width in Yamba Road is generally adequate for eastbound traffic to pass traffic waiting to turn right into these streets.

The existing major traffic route through Yamba Town Centre is circuitous and requires traffic to make right and left turns at a number of intersections, namely:

- Yamba Street and Wooli Street
- Yamba Street and Coldstream Street
- Coldstream Street and Clarence Street

In contrast, the future Yamba urban bypass would approach the Yamba Town Centre directly via Coldstream Street and will simplify the future traffic priorities at these intersections.

Yamba Street is the main shopping street in Yamba and significant numbers of pedestrians cross the road during peak periods at the two main intersections in Yamba Street and Wooli Street and Coldstream Street. These are also generally the two busiest intersections in Yamba Town Centre for traffic movements.

In 1996 the Yamba Traffic Study was undertaken to identify future roadworks for the Yamba area for a specific 20 year time frame to the year 2016. This study was updated in 1999 with the time frame extended to the year 2019.

In 1992, Maclean Shire Council reserved a future corridor for an urban bypass of Yamba Road in the Maclean LEP, 1992. This road is required to provide appropriate access to future residential growth areas in West Yamba and prevent excessive future traffic increases and consequent deteriorations in the level of service along existing urban sections of Yamba Road.

A large number of residential properties have direct driveway access to Yamba Road which will become an increasing road safety concern in the future. The proposed future bypass corridor will in contrast have no frontage access to

properties and will provide a buffer strip on each side of the road for control of noise and amenity impacts of the road on adjoining properties.

In January 1999, Maclean Shire Council adopted a proposal to stage the Yamba urban bypass roadworks such that the first stage involves the construction of that section from Cox Street to Coldstream Street (and including intersection upgrades) over the next 20 years. Council also resolved to continue to purchase land along the identified bypass corridor between Oyster Channel and Cox Street to enable the construction of this section of road in the longer term. Stage 1 of the urban bypass proposal, (as well as the corridor to allow the future development of Stage 2 of the proposal), is shown in Figure 3.

3.2 Schedule of Works

The schedule of proposed works as shown in Figure 3, together with cost estimates, are outlined in Table 4 below:

Table 4: Proposed Schedule of Works (Stage 1)

Description	Quantity	Unit	Rate	Total
Claude to Angourie Road	600	m	2,200	\$ 1,320,000
Angourie to Golding Street	1100	m	2,200	\$ 2,420,000
Goldings to Shores Drive	700	m	2,200	\$ 1,540,000
Angourie/Bypass Roundabout	1	ea	200,000	\$ 200,000
Golding/Bypass Roundabout	1	ea	200,000	\$ 200,000
Shores/Bypass Roundabout	1	ea	200,000	\$ 200,000
Coldstream/River Street Roundabout	1	ea	200,000	\$ 200,000
Coldstream/Yamba Street Intersection	1	ea	50,000	\$ 50,000
Freeburn/Bypass Roundabout	1	ea	200,000	\$ 200,000
Coldstream/Clarence Street Roundabout	1	ea	200,000	\$ 200,000
			TOTAL	\$ 6,530,000

3.3 Establishment of a Nexus

3.3.1 Causal Nexus

The proposed roadworks, including the urban bypass road and upgrade of intersections, will be required when the future predicted daily traffic volumes for most urban sections of Yamba Road exceed the maximum recommended threshold (14,500) for summer average level of service C to D. Traffic volumes are predicted to increase as population growth in Yamba and other areas of Maclean Shire also increases.

The presence of the cycleway along both sides of the urban section of Yamba Road effectively prevents any further major widening to improve the capacity of the road. There are also a

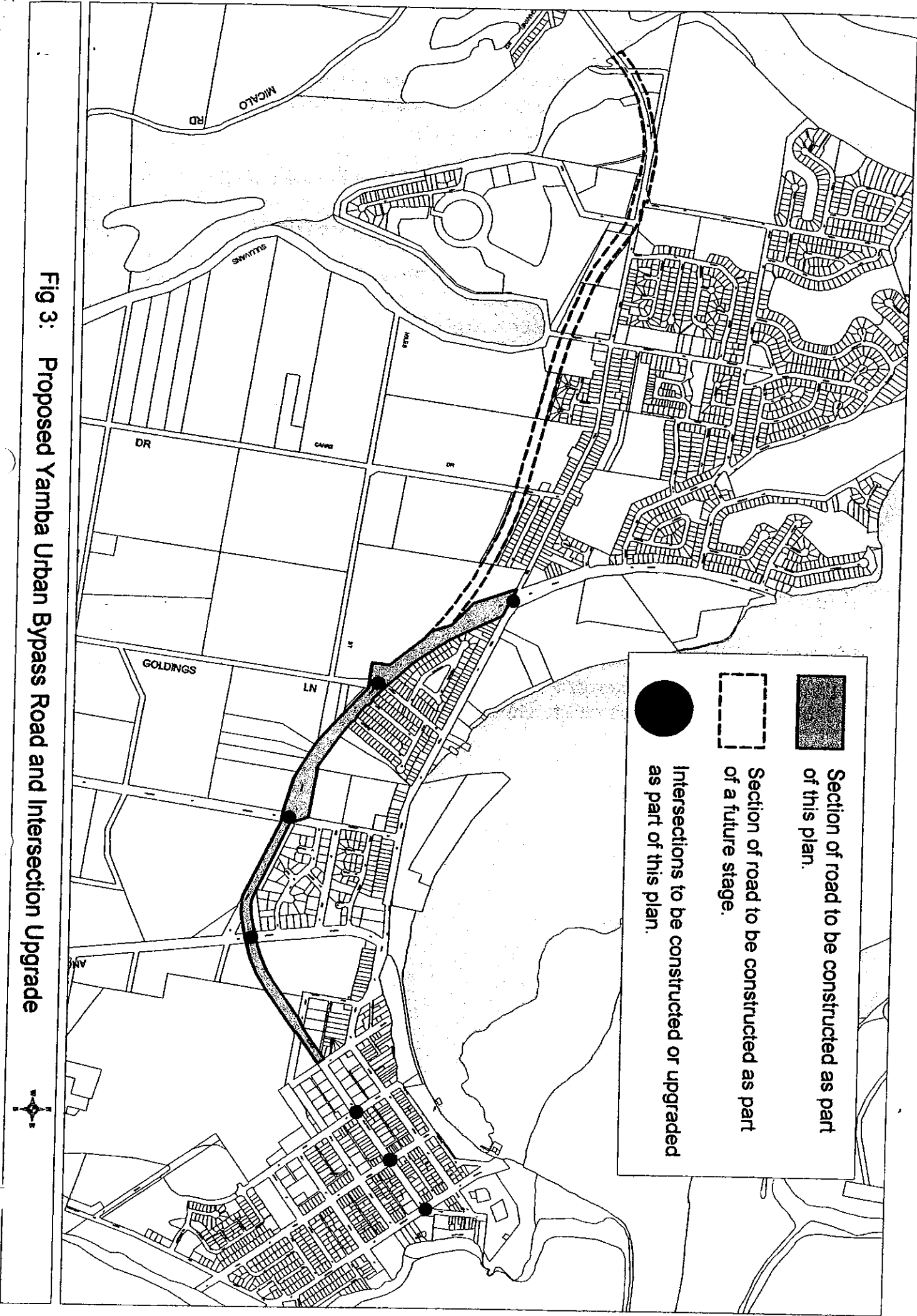





Fig 3: Proposed Yamba Urban Bypass Road and Intersection Upgrade

	Section of road to be constructed as part of this plan.
	Section of road to be constructed as part of a future stage.
	Intersections to be constructed or upgraded as part of this plan.



large number of residential properties with direct frontage access to Yamba Road and Wooli Street which will also make future widening undesirable, namely:

- 19 lots from Witonga Drive to Treelands Drive;
- 84 lots from Treelands Drive to Shores Drive;
- 66 lots from Shores Drive to Angourie Road;
- 67 lots from Angourie Road to Yamba Street.

The proposed Yamba urban bypass would provide a safe alternative route to Yamba Road which would reduce future frontage access traffic conflicts and the related traffic noise, air quality, cyclist, and pedestrian safety impacts of traffic on this road.

The proposed urban bypass will significantly improve traffic safety and reduce traffic volumes on the existing urban sections of Yamba Road. However, it will be necessary to provide different types of speed environment for both of these roads.

This plan includes a schedule of proposed road works which are required as a consequence of anticipated development. The cost of providing these works will in part be met and recouped from new development in Maclean Shire.

3.3.2 Physical Nexus

This plan identifies the location of the proposed road upgrading works including the Yamba urban bybass road. The origin of future traffic using the road network has been determined from traffic study results undertaken by ERM Mitchell McCotter and contained in the Yamba Traffic Study 1996, as well as additional analysis carried out by ERM Mitchell McCotter in 1999 based upon updated population figures and projections. Those proportions are shown in Table 5 below:

Table 5: Apportionment Factor based upon projected origin of future traffic using the Yamba Bypass

Location	% of Traffic
Existing traffic	59.2
Yamba Town Centre (Medium Density)	5.4
West Yamba Existing Residential Zones	7.1
1(i) Zones in West Yamba	17.2
Yamba Industrial Area	2.6
Angourie/Wooloweyah	1.4
Palmers Island Villages	0.9
Maclean and Townsend	1.8
Iluka and Rural North	1.7
Townsend/Gulmarrad	1.9
Lawrence and Rural South	0.8
TOTAL	100.0

3.3.3 Temporal Nexus

Predicted daily traffic volumes for most urban sections of Yamba Road are expected to exceed the maximum recommended threshold (14,500) for summer average level of service C to D shortly after the year 2006.

However, it would be desirable to implement Stage 1 of the bypass from Angourie Road to Claude Street prior to this date to reduce the adverse amenity, frontage access and pedestrian/cyclist safety impacts of increasing traffic volumes in the Yamba Town Centre.

3.4 What Formula is used to Determine the Contribution?

The formula used to determine the contribution rate is as follows:

$$\text{Contribution} = \frac{C \times AF}{P}$$

where:

C = Total cost of the proposed works

AF = apportionment factor based upon the estimated future proportions of traffic using the Yamba bypass

P = estimated increase in number of dwellings in each area over the next 20 years

3.5 What is the Contribution Rate?

Table 6 shows the contribution rate per dwelling at 1999 rates based upon the Schedule of Works shown in Table 4, the Apportionment Factor shown in Table 5, and using the formula outlined in Section 3.4 of this Plan.

Table 6: DISTRIBUTION OF COSTS OF PROPOSED WORKS

Location	Apportionment %	Proportion of Total Cost	Est. No of New Dwellings	Contribution per Dwelling/Lot
Existing Traffic	59.2	\$ 3,865,760	-	-
Yamba Town Centre	5.4	\$ 352,620	700	\$ 503
West Yamba, Existing residential zones	7.1	\$ 463,630	495	\$ 937
Yamba Industrial Area	2.6	\$ 169,780	45*	\$ 1,886**
West Yamba	17.2	\$ 1,123,160	1092	\$ 1,029
Angourie/Wooloweyah	1.4	\$ 91,420	76	\$ 1,203
Palmers Island	0.9	\$ 58,770	37	\$ 1,588
Maclean	1.8	\$ 117,540	298	
Huka and Rural North	1.7	\$ 111,010	401	
Townsend/Gulmarrad	1.9	\$ 124,070	528	
Lawrence and Rural South	0.8	\$ 52,240	210	
Total	100.0	\$ 6,530,000	3837	

* Industrial area contribution calculated per 500 m² building floor area

** Contribution rate discounted by 50%