

CONTRIBUTIONS PLAN NO. 23B

ROADWORKS AND TRAFFIC MANAGEMENT

SPRINGFIELD



This Page Intentionally Left Blank

**CONTRIBUTIONS PLAN NO. 23B
ROADWORKS AND TRAFFIC MANAGEMENT
SPRINGFIELD**

LIST OF CONTENTS

1 INTRODUCTION

- 1.1 History of Contributions Plan Area
- 1.2 Name of Contributions Plan
- 1.3 Abbreviations within Contributions Plan
- 1.4 Land to which Contributions Plan applies
- 1.5 Relationship to other Plans/Instruments
- 1.6 Purpose of Contributions Plan
- 1.7 Operation of Contributions Plan
- 1.8 Application of Contributions Plan
- 1.9 Review Process for Contributions Plan
- 1.10 Complying Development and the obligation of Accredited Certifiers
- 1.11 Construction Certificates and the obligation of Accredited Certifiers

2 OBJECTIVES

3 CONTRIBUTIONS

- 3.1 Introduction
- 3.2 Nexus
- 3.3 Apportionment
- 3.4 Drainage - Background
- 3.5 Timing of payment of contributions
- 3.6 Medium Density Residential Development

4 FORMULA

APPENDICES

- i Works Schedule
- ii Indexation Figures
- iii Accounts
- iv Current Valuations
- v Contribution Rates
- vi Adopted Standards for Road Construction

1 INTRODUCTION

1.1 History of Development Control Plan Area

Most of the Springfield Urban Release Area (URA) was rezoned to residential under Sydney Regional Environmental Plan No. 6 on 13 May 1983. SREP 6 was a broad brush approach to rezoning and the finer details of drainage, roads, servicing, open space, lot layouts, etc, were left to Council to determine. Council adopted on 28 June 1989 a Development Control Plan (DCP) for this area, which was known as Springfield – Precinct 1. This DCP and related Contributions Plans have been formulated to supersede Springfield – Precinct 1 DCP.

The Contributions Plan came into effect on 28 December 1992.

Subsequent amendment came into effect on 19 April 2006.

1.2 Name of Contributions Plan

The Contributions Plan (CP) is called contributions Plan No. 23B - Works and Traffic Management - Springfield and consists of this document and accompanying map marked Contributions Plan 23B Road Works and Traffic Management - Springfield.

1.3 Abbreviations within Contributions Plan

“DCP” means Development Control Plan No. 23 - Springfield, the document, prepared under the Environmental Planning and Assessment Act, 1979, as amended.

“DCP Map” means the map marked Development Control Plan No. 23 - Springfield, a copy of which may be obtained from Council.

“LEP” means the deemed Environmental Planning Instrument, the Gosford Planning Scheme Ordinance, as amended by subsequent Local Environmental Plans.

“EPA Act” means the Environmental Planning and Assessment Act, 1979, as amended.

“CP” means Contributions Plan No. 23B - Roadworks and Traffic Management - Springfield, the document, prepared under the EPA Act, as amended.

“CP Map” means the map marked Contributions Plan 23B - Roadworks and Traffic Management - Springfield, a copy of which may be obtained from Council.

1.4 Land to which Contributions Plan Applies

The CP applies to land to which Gosford Planning Scheme Ordinance (as subsequently amended) and DCP 23 apply, as outlined by a bold black line on the adopted CP Map.

1.5 Relationship to Environmental Planning Instrument & Other Plans

The CP is made under, and generally conforms to the provisions of the deemed Environmental Planning Instrument, the Gosford Planning Scheme Ordinance (as subsequently amended), which contains the legal planning controls for the development of the area to which the CP applies.

The CP should be read in conjunction with:

- Development Control Plan No. 23 – Springfield
- Contributions Plan No. 23A – Drainage - Springfield
- Contributions Plan No. 23C - Open Space - Springfield

1.6 Purpose of Contributions Plan

The purpose of the CP is to enable the levying of developer contributions for the provision and upgrading of public services and amenities which will be required as a result of the increased demand generated by development in the CP area.

Council has already acquired some land for drainage and open space uses within this CP area.

1.7 Operation of Contributions 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.

1.8 Application of Contributions Plan

When a development application is lodged which relates to land to which the CP applies, Council shall take the provisions of the CP into consideration in determining that application.

Compliance with the provisions of the CP does not necessarily imply that council will consent to any application.

In special circumstances, Council may consent to an application which departs from the provisions of the CP.

1.9 Review Process for Contributions Plans

The Contributions Plan will be reviewed when considered appropriate having regard to the rate of subsequent development of the area since the last review and the degree of outstanding development potential.

Areas are, for practical reasons, generally considered to be fully developed in respect of their subdivisional potential, when approximately 90 – 95% of the potential lots are registered and existing.

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 OF CONTRIBUTIONS PLAN

- 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 services and facilities already provided in the URA whilst planning for future needs.
- 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.

**CONTRIBUTIONS PLAN NO. 23B
ROADWORKS AND TRAFFIC MANAGEMENT
SPRINGFIELD**

- 2.7 To enable the early provision of services.
- 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 a proposed service/facility will provide for population outside the CP area, to apportion costs accordingly.
- 2.12 To identify locations and costs of services/facilities to be provided.
- 2.13 To outline a schedule/priority list identifying when services/facilities are to be provided in consideration of development rates.

3 CONTRIBUTIONS

3.1 Introduction

The Section 94 contributions were derived using the information and formulae outlined in this document. The contributions per lot were derived from the relevant formulae.

Subsequently, all the components of the formulae are considered to be constant in respect of future indexation adjustments, except those contributions relating to land acquisition/purchase. Every three months the derived "per lot contribution" will be indexed. The land valuations will be reviewed at regular intervals as considered necessary having regard to the land market. Currently, the values are being reviewed every six months. Council engages a private consulting valuer to review the land values.

Council has determined that the total theoretical potential of this CP area is now about 226 lots. Certain existing properties have current development consents which can be acted upon or have development applications before Council which will be subject to existing contributions. The Section 94 contributions on these current development consents are indexed in accordance with the quarterly adjusted consumer Price Index figures, however, they cannot legally be subject to increased Section 94 contributions resulting from reviews such as this current review. This forms part of Council's consideration of "reasonableness", when reviewing DCPs/CPs and their needs and subsequent facilities and services based upon past decisions and circumstances.

3.2 Nexus

Section 94 of the Environmental Planning and Assessment Act, 1979 (as amended) grants Councils the power to levy contributions from developers for facilities and works/services required as a consequence of development.

This power relies upon there being a clear link or nexus between the development being levied and the need for the facility or service for which the levy is being required.

This nexus has been determined for the works/services proposed in the Works Schedule in this document.

**CONTRIBUTIONS PLAN NO. 23B
ROADWORKS AND TRAFFIC MANAGEMENT
SPRINGFIELD**

In terms of the works/services proposed to be provided, it has been established that:

- the contribution must be for, or relate to, a planning purpose;
- the contribution must fairly and reasonably relate to the subject development; and
- the contribution must be such as a reasonable planning authority, duly appreciating its statutory duties, could have properly imposed.

Additionally, it has generally been accepted that Section 94 contributions may be sought only for services/works, which Council has a responsibility to provide; and that Section 94 contributions can be levied only for capital, not recurrent or operating costs.

The drainage works for which Council will levy in the Springfield Contributions Plan area are contained in the appended Works Schedule.

3.3 Apportionment

Where the works/services to be provided (or which have already been provided), will also partially cater for development or population outside the CP area, Council has apportioned the costs so that the residents/developers of land within the CP area, will pay only for the portion of the works/service that is attributable to their needs. The remainder will be funded by other means available to Council. The important consideration is the need for the facility as a result of the scale of the new development.

3.4 Road Works and Traffic Management – Background

Contributions for roads will be applied to upgrading key collector roads within the CP area. These upgrading works are required to cater for the traffic generated by the development of the CP area. The cost of intersection treatment work at the intersections of Meadow Road and Noorumba Road with Wells Street has been apportioned with part of the cost being borne by the CP.

3.5 Timing of Payment of Contributions

Contributions levied under this plan will be payable as follows:

- Development applications involving subdivision: payment prior to the release of the subdivision certificate by Council.
- Development applications involving building: payment prior to the release of the construction certificate.
- Development applications where no construction certificate is required: at the time of development or as determined by Council under the development consent.
- Complying Development Certificates prior to the release of the complying development certificate.

**CONTRIBUTIONS PLAN NO. 23B
ROADWORKS AND TRAFFIC MANAGEMENT
SPRINGFIELD**

3.6 Medium Density Residential Development

Special conditions will apply for any development consent granted for medium density residential development. Medium density residential development includes units, villas, dual occupancies, town-houses, residential flat buildings, apartments, secondary dwellings and the like.

In respect of Section 94 development contributions and this Contributions Plan, Council's policy for medium density development is to apply 67% of the contribution for a single lot/dwelling-house to each medium density dwelling in respect of drainage contributions.

4 FORMULA

The outstanding funds required for the road works, beyond those held within trust funds and those contributions to be paid through existing development consent conditions, are sought under the proposed contributions rates from 28/12/92.

The formula adopted to determine contributions per lot for the required facilities and services is as follows:

$$\text{Drainage} \quad \frac{(C - (E+D))}{F} = \text{Per lot}$$

The contribution per lot is adjusted quarterly by multiplying it by (I1/I2) indexation figures.

- C = The total estimated cost of constructing the identified roadworks within the control plan = 433,100
- E = Existing funds available for roadworks = \$920
- F = Forecast remaining lot potential of plan less approved developments and those before Council = 97 Ets/lots.
- D = Estimation of contributions payable for sites with development consents or applications before Council = \$222,783
- 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.

Contributions will be required as a condition of consent at the initial stage of development.

Credit is given for existing lots except in relation to where the development is for a secondary dwelling.

**CONTRIBUTIONS PLAN NO. 23B
ROADWORKS AND TRAFFIC MANAGEMENT
SPRINGFIELD**

APPENDICES

I WORKS SCHEDULE/PRIORITIES FOR PROVISION – CURRENT FROM 28/12/92

In descending priority order as funds are received and available:

Roadworks

Item 1	Construction western half Meadow Road – 8 m by 420m Clarence Road and Wells Street	\$ 155,400
Item 2	Intersection treatment Wells Street and Meadow Road	\$ 100,000
Item 3	Construction eastern half Noorumba Road – 8m by 210m	\$ 77,700
Item 4	Intersection treatment Wells Street and Noorumba Road	\$ 100,000

II INDEXATION FIGURES

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

III ACCOUNTS

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

- Funds held as at 27/12/92, along with interest accrued.
- Funds received from 28/12/92 onwards, under the new regulations pertaining to Section 94 contributions.
- Funds will be accounted for separately in keeping with the individual contributions plans, ie each Contribution Plan will have a separate account.
- Source of all funds received from 28/12/92 onwards.
- Expenditure of all funds.

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 made available for public perusal along with the register of accounts.

The existing balances held in trust by Council as at 12/8/92 are as follows:

- \$920 \$(accounts not separate for land and capital)

The following fund total is an estimation of the current contributions (indexed) payable by existing development consents and those that would be attributable to development applications which are currently before Council (therefore not subject to the new rate):

- \$222,783

CONTRIBUTIONS PLAN NO. 23B ROADWORKS AND TRAFFIC MANAGEMENT SPRINGFIELD
--

IV CURRENT VALUATIONS APPLYING TO LAND –CURRENT FROM 17/12/91

Contribution	Englobo \$/m²	Developed \$/m²
Road Works	22	140

V CONTRIBUTIONS RATE - CURRENT FROM 4/10/05

	Original Rate \$/lot	Current Rate \$/lot
Roadworks/Capital (Account No D9023.831)	2159	3025

VI ADOPTED STANDARDS FOR ROAD CONSTRUCTION INCLUDING DRAINAGE 11M WIDE ROAD PAVEMENT – COST PER LINEAL METRE

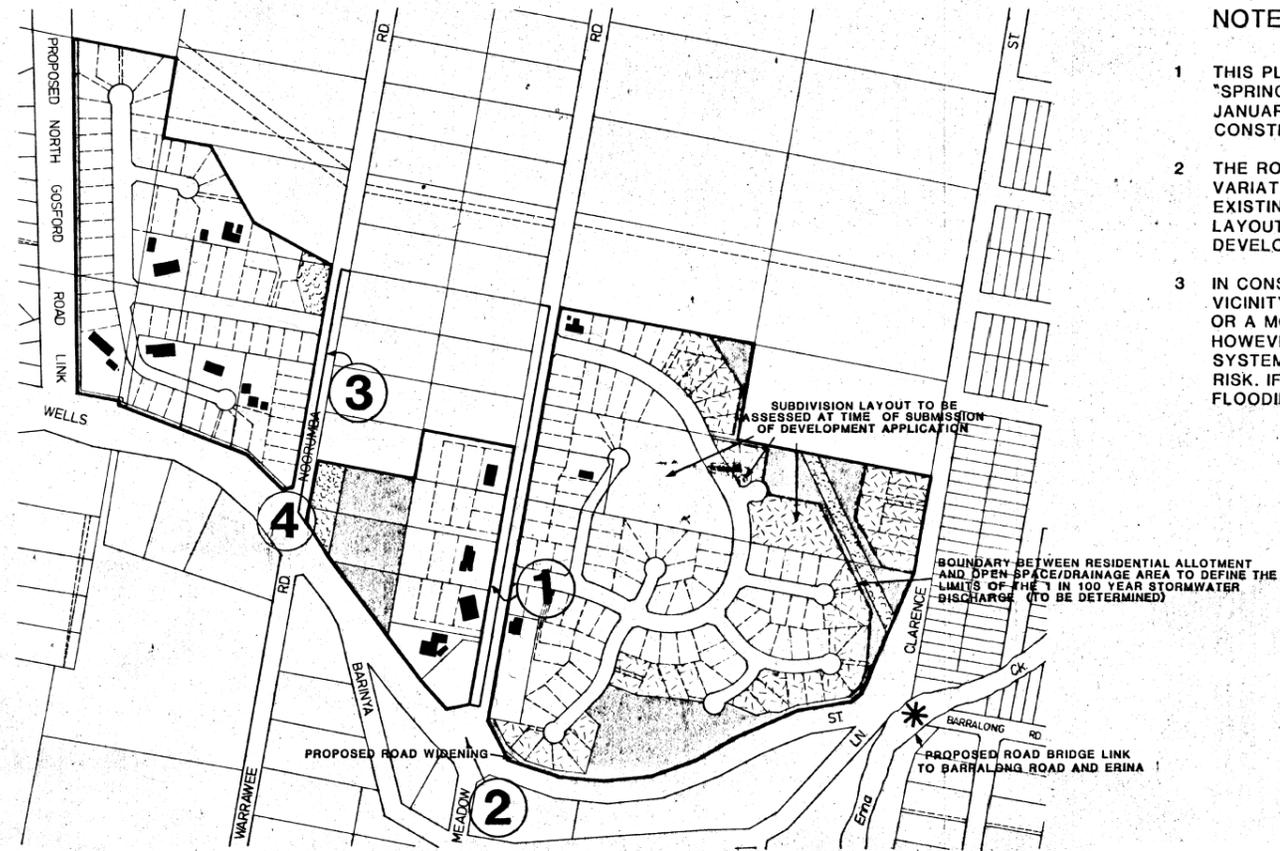
No	ITEM	AMOUNT
1	Provision for traffic say \$5000/100m	\$50.00
2	Set up camp say \$1000/100m	\$10.00
3	Excavation and boxing for pavement and kerb and gutter = 0.25 x 11.6 = 2.9m ² @ \$19cu m	\$55.10
4	Excavate and/or fill for footpath @ average 0.1m deep = 9 x 0.1 = 0.9m ² @ \$19cu m	\$17.10
5	Excavation of bad subgrade say 30% poor subgrade @ 0.3m deep = 11.6 x 0.3 x 0.3 = 0.81m ² @ \$19cu m	\$19.95
6	Excavate and backfill stormwater drainage trench	\$38.88
7	Supply and lay road drainage average 375mm dia RCP Supply \$49.98/m + Lay \$39.70/m	\$89.68
8	Allow one DGG Pit every 80m @ \$1100 each = \$2200/80	\$27.50
9	Supply and lay 0.3m ripped sandstone to 30% of pavement in areas of poor subgrade = 11.6 x 0.3 x 0.3 = 1.05m ² @ \$27.60 cu m	\$28.98
10	Supply and lay 0.2m crushed rock (DGB) = 11m @ \$22m ²	\$242.00

CONTRIBUTIONS PLAN NO. 23B ROADWORKS AND TRAFFIC MANAGEMENT SPRINGFIELD
--

No	ITEM	AMOUNT
11	Surface 25mm AC @ \$7.80/m ² x 11	\$85.80
12	Topsoil footpath 100mm @ \$4.40/m ² x 9	\$39.60
13	Turf footpath @ \$7.20/m ² x 9	\$64.80
14	Kerb and gutter @ \$53.20/lin m	\$106.40
	SUB TOTAL	\$846.81
	CONTINGENCIES 15%	\$1007.16
	PER m ²	\$91.56
	SAY	\$92.00
	At \$92.00 per m²	

Pavement Width	Cost per lineal metre
13.0m	\$1196
11.0m	\$1012
9.0m	\$828
6.5m	\$598
5.5m	\$506
4.5m	\$414

**CONTRIBUTIONS PLAN NO. 23B
ROADWORKS AND TRAFFIC MANAGEMENT
SPRINGFIELD**



NOTES

- 1 THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE REPORT TITLED "SPRINGFIELD ERINA CREEK DEVELOPMENT CONTROL PLAN." SUPPLEMENTARY REPORT JANUARY 1988 AND DRAWINGS TITLED "SUPPORTING INFORMATION - OPPORTUNITIES AND CONSTRAINTS." "SUPPORTING INFORMATION - EXISTING VEGETATION."
- 2 THE ROAD LAYOUTS AND SUBDIVISION PATTERNS SHOWN ON THIS PLAN MAY REQUIRE VARIATION DEPENDING ON STAGING OF THE DEVELOPMENT AND DETAILED SURVEY OF EXISTING ALLOTMENTS. THE SUPPLEMENTARY REPORT PROVIDES A NUMBER OF ALTERNATIVE LAYOUTS FOR VARIOUS PARTS OF THIS PLAN. MAJOR VARIATIONS TO THE PREFERRED DEVELOPMENT PATTERN ARE SUBJECT TO THE APPROVAL OF COUNCIL.
- 3 IN CONSIDERING DEVELOPMENT INVOLVING THE EXISTING DAMS IN THE DCP OR LAND IN THE VICINITY, CONSIDERATION MUST BE GIVEN TO RETAINING THE DAMS IN THEIR PRESENT OR OR A MODIFIED FORM TO RETAIN THE ENVIRONMENTAL CHARACTER OF THESE LOCALITIES. HOWEVER WHERE SUCH RETENTION IS PROPOSED, PROVISION MUST BE MADE FOR A DRAINAGE SYSTEM WHICH ACCOMMODATES AT LEAST A 1% AEP FLOW AND CONSIDERATION OF PUBLIC RISK. IF NECESSARY THE LAYOUT OF ADJOINING LOTS ARE TO BE VARIED TO PREVENT FLOODING OF RESIDENTIAL PROPERTIES.

LEGEND

- INDICATIVE LOT LAYOUT
- PREFERRED AREAS FOR INTEGRATED AND/OR CLUSTER HOUSING
- PROPOSED DRAINAGE RESERVE
- PROPOSED PUBLIC OPEN SPACE
- APPROXIMATE LOCATION OF EXISTING DWELLING
- CONTRIBUTIONS PLAN BOUNDARY

PRIORITY NO.	WORKS SCHEDULE	TOTAL COSTS
1	HALF ROAD CONSTRUCTION	\$155,400
2	● INTERSECTION TREATMENT	\$100,000
3	HALF ROAD CONSTRUCTION	\$77,700
4	● INTERSECTION TREATMENT	\$100,000
	● (D.C.P. APPORTIONMENT)	

BASE INFORMATION AS OF 1/8/92

TOWN PLANNER

 SUPERVISING DRAFTSPERSON

 2/12/92

No.	DETAILS OF AMENDMENT	DATE

CONTRIBUTIONS PLAN 23B
 SPRINGFIELD
 ROADWORKS AND TRAFFIC MANAGEMENT

THIS PLAN COMES INTO FORCE FROM 28/12/92 TO THE EXTENT TO WHICH IT IS CONSISTENT WITH THE SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 6 (GOSFORD COASTAL AREAS), GOSFORD PLANNING SCHEME ORDINANCE OR ANY OTHER SUBSEQUENT LOCAL ENVIRONMENTAL PLAN WITHIN THE AREA

COUNCIL FILE NO. 377.70.02
 CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AND REGULATIONS.
 TOWN CLERK DATE

SCALE
 1:4000
 COUNCIL REGISTERED PLAN No.
 35/92