



Clarence Valley Council
West Yamba Urban Release Area
Road Infrastructure Developer Contributions Plan

August 2020

Executive summary

This developer contributions plan enables Clarence Valley Council to levy contributions under section 7.11 of the *Environmental Planning and Assessment Act 1979* for residential development within the West Yamba urban release area (URA) that will or is likely to increase the demand for upgraded road infrastructure.

The West Yamba URA first came into effect in 2010 with amendments to the Maclean LEP 2001. This provided for approximately 127.4 ha of urban zoned land including road reserves within the urban release area (URA). This later became zoned R1 General Residential with “Part 6 Urban Release Area” provisions when Clarence Valley LEP 2011 (CVLEP 2011) came into effect.

In 2015 Clarence Valley Council adopted amendments to the Residential Zones Development Control Plan 2011 to insert general urban release area provisions, as well as introducing specific controls for the West Yamba URA.

The DCP anticipates that the West Yamba URA is capable of yielding 1,144 dwelling/lots based on a notional average of 10 single dwelling equivalents per hectare. However, recent developments indicate that a development density of up to 12 dwellings/lots per hectare is possible and more likely.

As a consequence of this anticipated development and having regard to the level of service of existing road infrastructure, it will be necessary to provide road infrastructure upgrades.

Summary of works

A schedule of works and estimated commencement of works subject to this developer contributions plan is provided below in Table E-1. Refer also to section 4.1.7.

Table E-1 Summary of works

Road Infrastructure Works	Estimated Base Cost including #contingency	Contributions Plan Management and Administration	Approved Grant to Council for the Works	Total Estimated Net Cost to be Apportioned	Timing
Carrs Drive-Yamba Road intersection upgrade - roundabout	\$2,935,982	\$11,013	\$1,664,662	\$1,271,320	By 2025
#including contingency, survey, design, legal and management costs					

Summary of contribution rates

Table E-2 summarises the contribution rates applying to the West Yamba URA.

Table E-2 Summary of contribution rates

West Yamba URA lot/dwelling typology	West Yamba URA contribution rate per lot/dwelling
Residential lot/Dwelling house (2.5 persons per lot/dwelling)	\$857.70
Medium and High Density Residential Dwelling* (1.7 persons per lot/dwelling)	\$583.24
Self contained Seniors Housing development dwelling; workforce accommodation; Manufactured home in a manufactured home estate; moveable dwelling in a caravan park (1.5 persons per lot/dwelling, manufactured home, moveable dwelling)	\$514.62

**Including but not limited to Attached dwellings, Dual-occupancies, Boarding houses, Hostels, Semi-detached dwellings, Multi dwelling housing, Terraces, Townhouses, Residential flat buildings, Serviced apartments, Shop top housing.*

Date of commencement of the plan

This developer contributions plan was adopted by Clarence Valley Council on 25 August 2020 and came into effect on 11 September 2020.

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1. Introduction

1.1 Name of this plan

This Developer Contributions Plan is the Clarence Valley Council West Yamba Urban Release Area Road Infrastructure Developer Contributions Plan (the “Plan”).

1.2 Land to which the plan applies

This Plan applies to land within the West Yamba URA as shown on the Map (see Figure 1-1).

1.3 Commencement of this plan

This Plan has been prepared pursuant to the provisions of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation) and takes effect from the date on which public notice was published, pursuant to the Regulation.

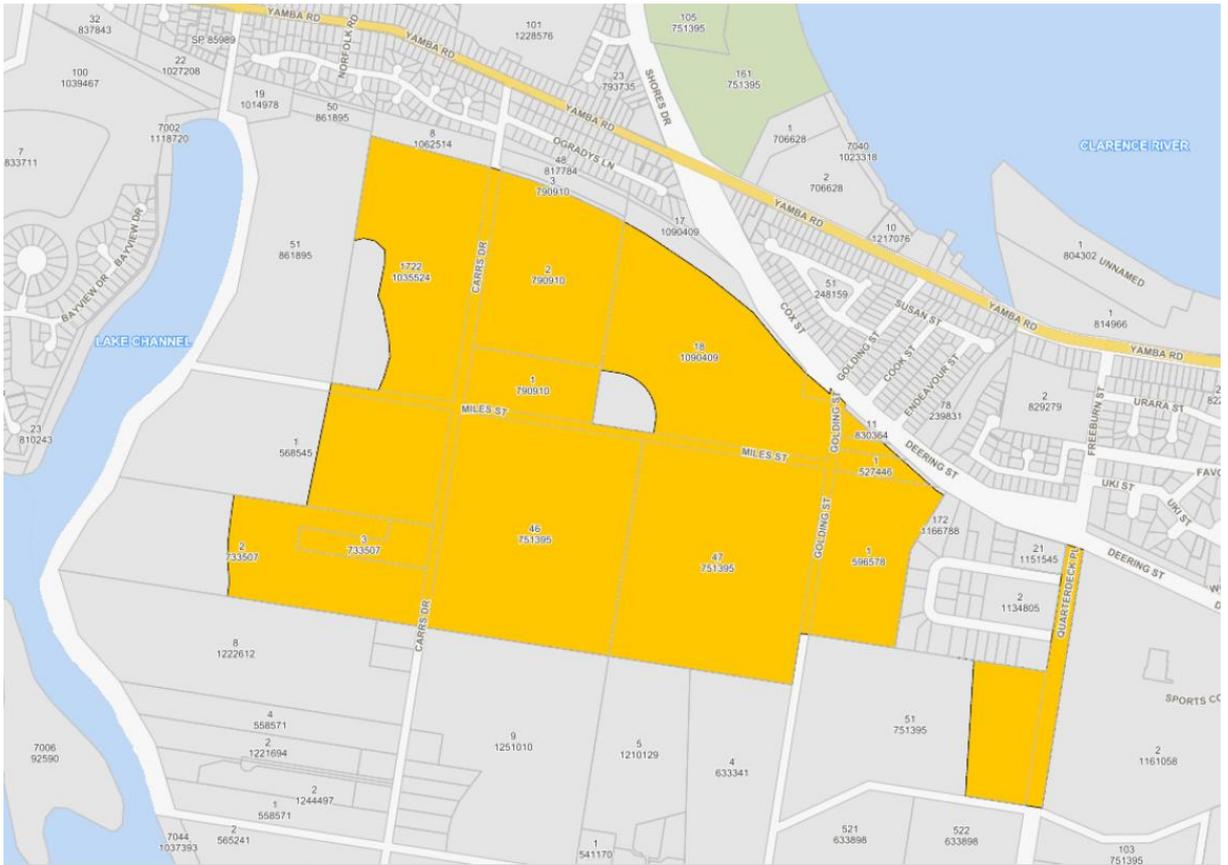
1.4 Purpose and objectives of this plan

This Plan has been prepared to satisfy the requirements of the Act, which enables Council or an accredited certifier to levy contributions from development for the provision of road infrastructure that is required to meet the demands of that development.

Contributions may be in the form of a monetary contribution, dedication of land to Council or the provision of a material public benefit, which may include a work commonly referred to as a ‘work-in-kind’.

In order to levy contributions under the Act, the Consent Authority must be satisfied that the proposed development will or is likely to require the provision of or increase the demand for the community infrastructure for which the levy is being required as detailed in the provisions of this Plan. Accordingly, the objectives of this Plan are to:

- Authorise Council or an accredited certifier to impose conditions under the Act when granting consent to development on land to which this Plan applies including Complying Development
- Ensure that adequate road infrastructure is provided to meet the demands generated by new development
- Provide an administrative framework under which road infrastructure may be implemented and coordinated
- Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- Ensure that the existing community is not burdened by the provision of road infrastructure required as a result of future development
- Enable Council to be both publicly and financially accountable in its assessment and administration of the Plan.



Source: maps.clarence.nsw.gov.au

Figure 1-1 Land to which this plan applies

1.5 Development forms to which this plan applies

This Plan applies to residential development, including development of a residential nature, which would result from the creation of additional private lots/dwellings or in the case of non-private residential development, additional dwellings, beds or people.

Where development is of a type not specifically stated in this Plan, but which would result in additional demands for upgraded road infrastructure, Council will determine an appropriate occupancy rate as specified in Table E-2 of this Plan.

1.6 Operation period of the plan

This Plan is intended to cater for a planning period of 2020 - 2031, which is the period during which the development of West Yamba URA is expected to occur.

The Plan will be monitored and if growth appears likely to occur earlier or later than forecast, the operation period of the Plan may be adjusted to suit.

1.7 Definitions

The definitions for types of development described in this plan correspond with those in *Clarence Valley Local Environmental Plan 2011* and *State Environmental Planning Policy No. 36 Manufactured Homes Estates* in the case of manufactured home estates.

1.8 Relationships to other plans and policies

The Developer Contributions Plan supplements the provisions of the *Clarence Valley Local Environmental Plan 2011* and any amendment or local environmental plan, which may supersede it.

Council has the following general Developer Contributions Plans in place:

- Clarence Valley Contributions Plan 2011
- Other old but still current contributions plans that are not indicated as being repealed in Clarence Valley Contributions Plan 2011

This Plan does not include contributions identified in the above plans. This Plan applies to residential development (including development of a residential nature) located in the West Yamba URA.

2. Administration and operation of plan

2.1 Scope of this plan

Between 2020 and 2031, there is expected to be an increase in West Yamba URA of approximately 1,144 dwelling/lots accommodating approximately 2,600 additional persons (see Section 3). This future development will create a demand for upgraded road infrastructure.

This Plan has been prepared in response to this anticipated growth, to ensure that Council can meet the demands from future development for road infrastructure.

2.2 Types of road infrastructure addressed by this plan

Under this Plan, Council will require developer contributions for public road intersection upgrades, including associated traffic management facilities. Refer also to section 4.1.7.

2.3 How will contributions be imposed?

In accordance with the Act, developer contributions under this Plan will be imposed as a condition of development consent or as a condition on a Complying Development Certificate.

2.4 Methods of payment

In accordance with the Act, an obligation to provide contributions toward community infrastructure can be satisfied by one or more of the following methods:

- Payment of a monetary contribution;
- The dedication of land; or
- Provision of a material public benefit.

Generally, the method of payment will be specified as a condition of the development consent although Council may consider any of the abovementioned alternative methods of payment at its sole discretion and in accordance with the provisions of this Plan (see below).

2.4.1 Monetary contributions

Payment of contributions can be made by cash, money order, bank cheque or means determined acceptable by Council from time to time.

2.4.2 Dedication of land

In accordance with the provisions of this Plan, Council may require that land be dedicated as a form of contribution toward the provision of community infrastructure. Where such dedication is required, it must be undertaken in accordance with the following:

- The process for dedication of land is to occur in conjunction with the payment of monetary contributions applicable to any development consent granted for the land
- The dedication of land is to be 'free of cost' – meaning that all costs associated with the dedication of the land and its transfer to Council's ownership (including but not limited to survey, legal and administration costs) are to be borne by the applicant/developer
- At the time of transfer, the land is to be in a condition which is suitable for its identified public purpose free from contamination and is to be cleared of all rubbish and debris and have a separate title

2.4.3 Material public benefits/'works-in-kind'

Council may accept an offer by the applicant to provide an 'in-kind' contribution (i.e. the applicant completes part or all of work/s identified in the Plan) or through provision of another material public benefit (other than the dedication of land) in lieu of the applicant satisfying its obligations under this Plan.

Council is under no obligation to accept works-in-kind or material public benefit offers and in considering any such offer, will assess the benefits to the Council and the Community and give due consideration to relevant matters including the following:

- (a) An assessment of the value of the material public benefit proposed, which must be provided by the applicant at the time of the request and must be independently certified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications
- (b) The value of the material public benefit proposed is at least equal to the value of the contribution that would otherwise be required under this Plan
- (c) An assessment that the design specification of the proposed material public benefit is equivalent to that intended by the Plan, which must be provided by the applicant at the time of the request and must be independently certified by a person who can demonstrate qualifications relevant to the design of the facility
- (d) The extent to which the material public benefit satisfies the purpose for which the contribution was sought
- (e) The material public benefit being facilities which are already included in the Plan
- (f) The extent to which the material public benefit satisfies a community need or may reduce the demand for levied items
- (g) The impending need to construct the material public benefit for which the contributions are to be offset
- (h) The provision of the material public benefit will not prejudice the timing, the manner or the orderly provision of public facilities included in the works program or the financial integrity of Council's Plan
- (i) The provision of the material public benefit must not result in piecemeal delivery of infrastructure or result in the need to reconstruct the works due to likely future nearby developments (i.e. normally the works will need to relate to a whole street block or a defined precinct)
- (j) Council will require the applicant to enter into a written agreement for the provision of the works. It is Council's preference that such an agreement should take the form of a Planning Agreement (see Section 2.4.4).

In accepting other material public benefits, Council must be satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan and that this benefit warrants Council accepting responsibility in fulfilling the intent of the Plan notwithstanding a reduction in expected cash contributions.

A work-in-kind relates to the undertaking of a specific or equivalent work specified in the Plan, and is therefore more readily capable, in comparison to other material public benefits of meeting the above criteria.

However, Council may not accept an offset to the cash otherwise required to be paid which exceeds the quantum of cash payable under the facility category that relates to the work-in-kind. For example, if a condition of development consent requires a certain cash payment towards roads, the provision of a work-in-kind for road works proposed by the Plan will meet only the cash payment required towards roads by that consent, even if the cost of the works exceeds that amount.

2.4.4 Planning agreements

An applicant may voluntarily offer to enter into a planning agreement with Council in connection with a development application. Under a planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. The applicant's provision under a planning agreement may be additional to or instead of making contributions provided for by the Act.

An applicant's offer to enter into a planning agreement, together with the draft agreement, will generally need to accompany the relevant development application or an application to modify the development consent. Council may also consider an offer to enter into a planning agreement where an applicant has sought a change to an environmental planning instrument (commonly referred to as a rezoning application).

Council will publicly notify the draft planning agreement and explanatory note relating to the draft agreement along with the relevant application and will consider the draft planning agreement as part of its assessment of the relevant application.

If Council agrees to enter into the planning agreement, it may impose a condition of development consent requiring the agreement to be entered into and performed.

2.4.5 Timing of payments

A contribution must be paid to Council at the time specified in the condition of development consent that imposes the contribution. If no such time is specified, the contribution must be paid:

- In the case of subdivisions - prior to the issue of the Subdivision Certificate for each stage; or
- In the case of development involving building work – prior to the issue of the first Construction Certificate; or
- In the case of development that involves both subdivision and building work – prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first; or
- In the case of development that does not involve subdivision or building work – prior to occupation or the issue of an interim occupation certificate or issue of a final occupation certificate, whichever occurs first; or
- In the case of Complying Development:
 - Where works are proposed - prior to any works commencing; or
 - Where no works are proposed - prior to occupation or issue of an interim occupation certificate or issue of a final occupation certificate, whichever occurs first.

It is the responsibility of the accredited certifier to ensure that a condition is imposed on a complying development certificate in accordance with this Plan and that any monetary contributions have been paid to Council prior to authorising works to commence.

2.4.6 Deferred or periodic payments

- The applicant or any other person entitled to act upon a Development Consent containing a monetary contribution condition imposed in accordance with this Plan may apply in writing to the Consent Authority, other than an Accredited Certifier, under section 4.55 of the Act to modify the condition to provide for the deferred or periodic payment of the contribution.
- In deciding whether to approve the request, the Consent Authority may take into consideration, in addition to any other relevant matters, whether:
 - Compliance with clause 2.4.5 is, in the opinion of the Consent Authority, unreasonable in the circumstances of the case; and
 - The person making the application has offered an appropriate form of security (being an unconditional bond, bank guarantee or the like) in respect of the deferred or periodic payment; and
 - The application, if approved, would be likely to prejudice the implementation of the works schedule to this Plan; and
 - The applicant is prepared to pay interest on the unpaid contribution to the Council at a rate equivalent to the 90-day Bank Bill Swap Reference Rate.

2.4.7 Construction certificates and the obligation of accredited certifiers

In accordance with the Act and the 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 the 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 Council in accordance with the Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to this requirement are where a material public benefit, dedication of land, deferred payment or payment by instalments has been agreed by Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.4.8 Complying development certificates and the obligation of accredited certifiers

In accordance with the Act, accredited certifiers must impose a condition on a Complying Development Certificate, requiring monetary contributions in accordance with this Plan for all types of development.

The conditions imposed must be consistent with Council's standard condition for Complying Development Certificates and be strictly in accordance with this Plan. It is the professional responsibility of an accredited certifier to inform themselves of any amendments to this Plan (including current indexed rates), to accurately calculate the contribution and to apply the development contributions condition correctly in accordance with Council current consent condition requirements.

It is also the professional responsibility of an accredited certifier to ensure that any applicable monetary contributions have been paid to Council prior to authorising works to commence.

2.5 Indexation of contributions

In accordance with clause 32(3)(b) of the Regulation, Council may, without the necessity of preparing a new or amending contributions plan, make changes to the section 7.11 contribution rates set out in this Plan to reflect annual variations to the Consumer Price Index (All Groups Index) for Sydney as provided by the Australian Bureau of Statistics.

A development consent or complying development certificate will show the contribution payable at the date the consent/certificate is issued. Contributions are subject to indexation from the date the consent/certificate is issued to the date of payment in accordance with the Consumer Price Index (All Groups Index) for Sydney as provided by the Australian Bureau of Statistics.

The current contributions rates are available from Council Administration Offices or Council's website.

2.6 Exemptions

Council will not provide exemption to development contributions made under this Plan other than exemptions or discounts afforded under direction of the Minister for Planning and Public Spaces. At the time of commencement, these Ministerial exemptions and discounts included:

- Development undertaken by a 'social housing provider' for the purposes of 'seniors housing' as defined in *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.
- Development within a greenfield urban release area specified by the Minister for the purpose of one or more dwellings or in the case of subdivision, the creation of one or more residential lots, is limited to \$30,000 for each dwelling or lot authorised by the development consent.
- Development within an established urban area for the purpose of one or more dwellings or in the case of subdivision, the creation of one or more residential lots, is limited to \$20,000 for each dwelling or lot authorised by the development consent.

Council does not apply discounts to the payment of development contributions unless otherwise stated in this Plan.

2.7 Allowances for existing development

All forecasts of future additional development within this Plan have been calculated allowing for existing development within the URA at the time of preparing the Plan.

Allowances or 'credits' for existing development are provided for when assessing the contributions to be levied for new development. An amount equivalent to the contribution attributable to any existing development on the site of a proposed new development will be allowed for in the calculation of contributions.

2.8 Credits

A credit may be provided by Council where the net contributions provided by a development exceeds that required by the Plan. This could arise where a developer proposes the provision of a material public benefit or dedication of land, at a value determined by Council to exceed the amount of cash otherwise payable in accordance with the Plan. However, credits will only be provided at Council's absolute discretion.

The amount and terms of the credit are to be negotiated prior to the dedication of land or commencement of works and will be for the additional value only as agreed by Council. If agreed, Council will advise the applicant of the credit which would be redeemable in lieu of contributions in the same facility category otherwise payable by the developer for future development in the area to which this Plan applies.

Council reserves the right to require payment of a monetary contribution or to terminate the 'credit agreement' should the applicant be unwilling or unable to meet its terms. No credit will be given for land or works which are not nominated in the works schedule in this Plan (Appendix A).

2.9 Monitoring and review of the plan

It is intended that this Plan be monitored and reviewed on a regular basis as it contains forecasts of future development including likely future population and the likely demands and costs of providing community infrastructure for that population.

Monitoring actual developments, population changes and community demands will allow appropriate updating and amendment as necessary.

The cost of works proposed by the Plan (including land values) may also need review over time if there is a concern that the indexation of costs may not be adequately reflecting actual current costs.

Council's aim is that all forecasts, costs and assumptions are reviewed and adjustments and/or amendments as appropriate will be made at five yearly intervals after the date of adoption of this Plan.

2.10 Accounting and management of funds

2.10.1 Accounting standards and contributions register

Separate accounting records are maintained for all development contributions made to Council under this Plan and a development contributions register will be maintained by Council in accordance with the Regulation.

Council is also required to publish details of development contributions accounts annually and this is undertaken as part of Council annual financial reporting cycle.

2.10.2 Investment of funds

To maintain the time-value of monetary contributions received under this Plan, Council will invest these funds until the time of expenditure for the purpose for which they were received.

Council will report all investment returns as part of its annual contributions accounts reporting and all investment returns will be retained within the development contributions accounts, to be used for the purpose for which the original contribution was made.

2.10.3 Pooling of contributions

This Plan expressly authorises monetary contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule.

2.10.4 Other funding sources

Council has secured a Restart NSW Grant for Improving Access to Yamba. The amount of the grant allocated to the proposed Carrs Drive/Yamba Road intersection/works outlined in this

plan is \$1,664,662. All other remaining costs identified in this Plan represent infrastructure to be funded pursuant to the development contributions provisions of the Act.

Should any additional funding become available in the future, the works schedule in this Plan will be reviewed and the contribution rates may be adjusted.

2.10.5 Goods and services tax

At the date of preparing this Plan, monetary development contributions were exempt from the Federal Government Goods and Services Tax (GST).

In addition, at the date of preparing this Plan, Council's advice was that non-monetary contributions by way of dedication of land, works-in-kind or material public benefit in lieu of contributions that would be exempt under Section 81-5 of the GST Act, do not constitute a taxable supply. Therefore, there are no GST implications for non-monetary contributions.

However, if legislative changes (including Australian Tax Office tax rulings) determine, contributions in this Plan will be adjusted to include GST.

3. Expected development and demand for infrastructure

3.1 Overview

The West Yamba URA first came into effect in 2010 with amendments to the Maclean LEP 2001. This provided for approximately 127.4 ha of urban zoned land including road reserves within the URA. This later became zoned R1 General Residential with “Part 6 Urban Release Area” provisions when Clarence Valley LEP 2011 (CVLEP 2011) came into effect.

In 2015 Council adopted amendments to Council’s Residential Zones Development Control Plan 2011 (DCP) to insert general urban release area provisions, as well as introducing specific controls for the West Yamba URA.

The DCP anticipates the West Yamba URA capable of yielding 1,144 dwelling/lots based on a notional average of 10 single dwelling equivalents per hectare. However recent developments indicate that a development density of up to 12 dwellings/lots per hectare is possible and more likely.

Future residential development is expected to be primarily single dwellings (75%), with 25% medium/high density residential accommodation and manufactured home estate development.

3.2 Existing dwelling and population characteristics

The West Yamba URA is currently undeveloped and according to the Australian Bureau of Statistics data from the 2016 census, the current population is approximately 34 persons.

In 2016 the Yamba locality had a total population of 6,043 persons accommodated within a total of 2,618 occupied private dwellings, with an average of 2.1 persons per household.

Of occupied private dwellings in Yamba, 74.7% were separate houses, 10.4% were semi-detached, row or terrace houses, townhouses etc, 10.3% were flat or apartments and 4.2% were other dwellings.

Household occupancy rates in Yamba are summarised in Table 3-1 below.

Table 3-1 Household occupancy rates

Household/dwelling typology	Household occupancy rate
Residential lot/dwelling house	2.5 persons
Medium and High Density Residential*	1.7 persons
Self contained Seniors Housing dwelling; workforce accommodation; Manufactured home in a manufactured home estate; moveable dwelling in a caravan park	1.5 persons

**Including but not limited to Attached dwellings, Dual-occupancies, Boarding houses, Hostels, Semi-detached dwellings, Multi dwelling housing, Terraces, Townhouses, Residential flat buildings, Serviced apartments, Shop top housing.*

3.3 Forecast development and population

The *North Coast Regional Plan 2036* (NSW Department of Planning & Environment, 2017) recognises that there is the potential for the West Yamba URA to provide additional housing choice to accommodate increased demand for housing within West Yamba.

It is expected that retirees enjoying or seeking a coastal lifestyle will continue to comprise a high proportion of the additional population in the Clarence Valley LGA over the next 10 to 20 years. Retirees will include self-funded retirees with a relatively high disposal income, and retirees that are dependent on the aged pension who have a lower disposable income.

It is also likely that younger people, including itinerant workers, low-income families, and young people on welfare, are likely to continue to be attracted to the area. The main factors influencing the decisions of younger people to move to coastal towns include a more laid-back lifestyle, better access to beaches and natural areas, and being part of a more close-knit community. Affordable housing is also a factor in young people moving to coastal areas in NSW.

The West Yamba URA is identified as having substantial potential for future growth, particularly if in the longer term, demand and supply warrant it. Based on a future household purchase rate of 90 dwellings per year, the West Yamba URA is expected to reach development capacity accommodating approximately 2,600 additional persons by approximately 2031.

Based on predicted development yield, current household composition and occupancy rates, the expected West Yamba URA residential development/population mix is summarised in Table 3-2 below.

Table 3-2 Residential development/population mix

West Yamba URA lot/dwelling typology	Percentage of dwellings	Number of dwellings	Population
Residential lot/Dwelling house (2.5 persons per lot/dwelling)	75%	780	1,950
Medium and High Density Residential* (1.7 persons per lot/dwelling)	20%	306	520
Self contained Seniors Housing dwelling; workforce accommodation; Manufactured home in a manufactured home estate; moveable dwelling in a caravan park (1.5 persons per lot/dwelling, manufactured home, moveable dwelling)	5%	86	130
		Total 1,172	Total 2,600

4. Infrastructure and contributions

4.1 Public roads intersection

4.1.1 Introduction

The projected development will generate additional demand for vehicular, bicycle and pedestrian traffic and this demand will require augmentation of existing road infrastructure due to the additional traffic likely to be generated on these roads. This section outlines the nature of the existing road environment and the rationale for the augmentation of those facilities.

4.1.2 Existing road environment

Carrs Drive/Yamba Road intersection

All roads existing within the West Yamba URA are under the jurisdiction of the Clarence Valley Council, which includes Golding Street, Miles Street and Carrs Drive.

Whilst a number of potential future access alternatives have been identified, the West Yamba URA relies on Carrs Drive as the main north - south access route with traffic being channelled through the Carrs Drive/Yamba Road intersection to provide connection with Yamba Road and the wider regional transport networks serviced by the Pacific Highway.

The Carrs Drive/Yamba Road intersection is a three-way priority controlled intersection with sufficient width for motorists to queue side-by-side for a short distance if a left turning motorist was bypassing a right turning motorist, or vice-versa.

4.1.3 Background traffic and traffic growth

Traffic surveys undertaken in May 2018 by Traffic Data and Control (TDC) for the Carrs Drive/Yamba Road intersection indicate daily peak hour vehicle trip (PVTs) rates of 166 from Carrs Drive. Using a 1% per annum compounding growth rate, forecast future background traffic volumes is expected to increase to 319 PVTs from Carrs Drive by the year 2031.

SIDRA Intersection modelling assessments in the *Carrs Drive West Yamba Traffic Impact Assessment* (Bitzios Consulting, 2018) indicate that with this increase together with future background traffic growth along Yamba Road (i.e. total projected traffic volume by the year 2030), the existing intersection would continue to operate within acceptable performance levels.

4.1.4 Nexus to development

Based on the peak hour vehicle trip (PVTs) rates specified in the *Guide to Traffic Generating Development* (RTA, 2002) and the expected residential development mix (see Section 3), this additional development is likely to generate over 872 PVTs in the road network by the year 2013 (i.e. net additional traffic). Refer Table 4-1 below.

Table 4-1 Additional traffic generation from West Yamba URA

West Yamba URA lot/dwelling typology	Number of lots/dwellings	Generation rate per dwelling	PVTs generated
Residential lot/Dwelling house	858	0.85	729
Medium and High Density Residential	286	0.5	143
		TOTAL	872

Additional traffic demand will dramatically increase the proportion of turn movements added to the Carrs Drive/Yamba Road intersection. This together with future increases in background through traffic volumes, will make it increasingly difficult for vehicles to exit onto the main road network from the West Yamba URA, causing the intersection to fail.

As it stands, this intersection would not fail without development at the West Yamba URA.

4.1.5 Existing intersection failure

Capacity assessments undertaken in the *Carrs Drive West Yamba Traffic Impact Assessment* (Bitzios Consulting, 2015) anticipates that the existing Carrs Drive/Yamba Road intersection will fail when development at the West Yamba URA reaches a maximum of 450 lots/dwellings. Therefore at a future household purchase rate of 90 dwellings per year (see Section 3.3), the Carrs Drive/Yamba Road intersection will fail by 2025.

The Carrs Drive/Yamba Road intersection will require upgrading to ensure that there is no corresponding reduction in flow capacity, Levels of Service (LoS) and safety, resulting from development at the West Yamba URA.

4.1.6 Strategy – proposed infrastructure

Carrs Drive/Yamba Road roundabout

The increased traffic generated by future development at the West Yamba URA will trigger the need to install right and left turn pockets at the Carrs Drive intersection. A proposed upgrade to a roundabout intersection is recommended.

Given the corridor width constraints, a single lane roundabout has been proposed as a suitable treatment to assist with calming traffic along Yamba Road.

Pedestrian/cycle movements towards Yamba town centre and Treelands Drive shops are expected to be retained on the southern side of Yamba Road.

4.1.7 Plan preparation and administration

The Dept. Planning & Environment’s Development Contributions Practice Notes (July 2005) permit development contributions plan to provide for the recoupment of plan preparation costs from contributions to development. The direct consultant cost of preparing this plan is \$11013.

This figure will be included into the total cost of works that will be apportioned to the development within the plan area. Refer to section 4.1.8 and 4.1.9 (below), and Appendix A for specific apportionment relating to plan preparation costs.

4.1.8 Cost apportionment

The West Yamba URA already benefits from the existing three-way priority controlled Carrs Drive/Yamba Road intersection.

The need to upgrade the intersection is mostly attributable to the additional traffic generation associated with new residential development in the West Yamba URA. It has been calculated that 71% (0.71) of the cost of the intersection upgrade in this plan (less allocated grant funding) should be apportioned to new development.

The calculation of the apportionment factor has been illustrated in the table at Appendix B. This has taken into account the following:

1. Existing dwellings on land zoned R1 (in West Yamba URA) and other land along Carrs Drive and Sullivans Lane;
2. Potential for new dwellings on vacant land along Carrs Drive and Sullivans Lane zoned R5 and E3;
3. Existing approvals for residential and residential related development, as specified in the table at Appendix B.

Council has received grant funding towards provision of the Carrs Drive/Yamba Road roundabout so the amount to be apportioned is proposed to be the net amount after deducting the grant funds from the total cost of the project.

Total cost estimates (excluding grants) of the roundabout construction has been determined as \$2,935,982. A breakdown of the applicable costs is shown in Appendix A.

Based on the grant of \$1,664,662 allocated to the proposed Carrs Drive/Yamba Road intersection/works outlined in this plan, the net cost to be apportioned is estimated to be \$1,271,320 plus contribution plan preparation/management costs.

It should be noted that the Carrs Drive intersection upgrade is not included in the Yamba Urban Bypass and Urban Intersections developer contributions plan.

For simplicity sake an apportionment factor of 71% (or 0.71) is also applied to the plan preparation costs.

4.1.9 Calculation of contribution rate

The formula and method for the calculation of the contribution rate for West Yamba URA road works (Carrs Drive/Yamba Road roundabout) is below.

Contribution Rate	=	$(Total\ Cost\ of\ Road\ Works^{\#} \times Apportionment\ Factor) \div Catchment\ (in\ persons)$
		$\$1,271,320 \times 0.71 \div 2,631$
	=	\$343.08
		= \$343.08 per person
[#] - less allocated grant funding (sections 2.10.4 & 4.1.8)		

Table 4-2 Contributions per lot/dwelling

West Yamba URA lot/dwelling typology	West Yamba URA contribution rate per lot/dwelling
Residential lot/dwelling house (2.5 persons per lot/dwelling)	\$857.70
Medium and High Density Residential Dwelling* (1.7 persons per lot/dwelling)	\$583.24
Self contained Seniors Housing dwelling; workforce accommodation; Manufactured home in a manufactured home estate; moveable dwelling in a caravan park (1.5 persons per lot/dwelling, manufactured home, moveable dwelling)	\$514.62

5. References

Clarence Valley Council, 2011, *Clarence Valley Contributions Plan 2011*

Clarence Valley Council, 2011, *Residential Zones Development Control Plan 2011*

NSW Department of Planning & Environment, 2017, *North Coast Regional Plan 2036*

Australian Bureau of Statistics, *2016 Census*

NSW Roads & Maritime Services, 2002, *Guide to Traffic Generating Development (RTA, 2002)*

Bitzios Consulting, 2015, *Carrs Drive West Yamba Traffic Impact Assessment*

Bitzios Consulting, 2018, *Carrs Drive West Yamba Traffic Impact Assessment*

Appendices

Appendix A - Works schedule

	Estimated Base Cost including # contingency	Contributions plan management and administration	Approved grant to Council for the works	Borrowing costs	Total estimated cost	Apportionment factor	Maximum cost met by development	Contribution catchment	Contribution Rate (per person)	Priority	Staging
Carrs Drive - Yamba Road Intersection Upgrade	\$2,935,982	\$11013	\$1,664,662	\$0	\$1,271,320	71%	\$902,637	2,631	\$343.08	A	Before 2025

#including contingency, survey, design, legal and management costs

Appendix B - Calculation of apportionment

The table below indicates how the apportionment of infrastructure construction costs for new residential development the subject of this contributions plan has been calculated.

Assumptions/background	Results/calculations
1. Total area at West Yamba URA zoned R1	119.8 ha
Area of West Yamba URA R1 zoned land discounted to existing development comprising: (a) St James School site (3.93ha) (b) Lot 1 DP 596578, Goulding St (8.09 ha) - subject of an approved 149 MHE development application. (c) Part Lot 1 DP 568545, Carrs Drive (7.8 ha) - subject of an approved 200 MHE development application. (d) Lot 1722 DP1035524, 22 Carrs Drive (12.68 ha) – approved 161 lot subdivision (SUB2014/0016)	32.5 ha
2. Area of West Yamba URA R1 zoned land subject to development contributions under this plan; that is area available for new residential development	87.3 ha
3. Existing dwellings and dwelling equivalents comprising: (a) 6 existing dwellings on land zoned R1 in the West Yamba URA (b) 25 existing dwellings on land not zoned R1 in Carrs Drive and Sullivan Lane (c) Potential for 35 dwellings on land not zoned R1 in Carrs Drive and Sullivan Lane (d) Approved 149 MHE development Goulding St at 0.6 dwelling/lot = 89 dwelling equivalents – see 1(b) above (e) Approved 200 MHE development Carrs Drive at 0.6 dwelling/lot = 120 dwelling equivalents – see 1 (c) above (f) Existing St James School (approx. 120 - 130 pupils) = 30 [#] dwelling equivalents – see 1(a) above 3 (f) derived as follows including underlying assumptions: <ul style="list-style-type: none"> Assumed primary school peak person per trip generation rate = 1.66 Assumed School enrolment – 130 students 1 dwelling = 7.4 daily vehicle trips No. dwellings/dwelling equivalents = $(130 \times 1.66)/7.4 = 30$	305 dwellings/dwelling equivalents
4. Projected number of new dwellings/lots in area available for new residential development (2 above), based on assumed dwelling yield of 12 dwellings lots per hectare (ha)	1048 dwellings/lots (87.3 ha x 12 dwellings/lots per ha)
5. Proportion of existing development (3 above) to new development (4 above)	$305/1048 = 0.29$
6. Apportionment of infrastructure construction costs to new development	0.71

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1/https://projects.ghd.com/oc/Newcastle3/cvcwestyambauracontr/Delivery/Documents/2220318_VC_WestYamba_ContributionsPlan_Report.docx

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Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
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