

# WELLINGTON SHIRE COUNCIL



WELLINGTON  
SHIRE COUNCIL

*The Heart of Gippsland*

## COONGULLA TOWNSHIP (CENTRAL AREA)

PROPOSED DECLARATION

**SCHEME No. 2102**

**SPECIAL CHARGE STREET SCHEME**

## PROPOSED DECLARATION OF SPECIAL CHARGE

### 'Coongulla Township (Central Area)- Special Charge Street Construction Scheme Number 2102'

1. Wellington Shire Council (**Council**) proposes to declare a Special Charge (**Special Charge** or **Scheme**) under section 163(1) of the *Local Government Act 1989 (Act)* for the purpose of defraying any expenses or repaying (with interest) any advance made to or any debt incurred or loan to be raised by Council in relation to the preparation, forming and sealing of certain streets in the Coongulla Township (Central Area) – as those streets and roads set out in paragraph 2 of this Proposed Declaration and as they are otherwise shown on the plan which is attached and which forms a part of the Proposed Declaration of Special Charge Scheme Number 2102 (**Scheme Plan**) and for provision all and any necessary ancillary works associated with the construction of the Road, including table drainage, driveway crossover and culverts (from road edge to building line). The Scheme, if declared, is to be known as the 'Coongulla (Central Area)- Special Charge Street Construction Scheme Number 2102'.
2. The streets and the roads to be constructed are (under Council's Road Management Plan) all designated by Council as (or will become) 'Local Access B' roads and are set out as follows –
  - (a) Macalister Drive;
  - (b) Wellington Street;
  - (c) Tamboritha Terrace (CH910-1040);
  - (d) Gillum Drive (25m at intersection);
  - (e) Woolenook Way (30 at intersection)
3. The criteria which will form the basis of the proposed declaration of the Special Charge are the ownership of rateable properties in the area of the Scheme (being properties within the Township of Coongulla as shown on the Scheme Plan) and, based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to streets and roads to be formed and sealed (as the properties are set out in paragraphs 8 and 9 of the proposed declaration), the overall benefits which it is considered the properties in the Scheme (based on the physical and other benefits) will receive from the works to be provided under the Scheme.
4. In proposing the declaration of the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Shire of Wellington, in particular the provision of proper, safe and suitable roads and property services within the area for which the proposed Special Charge is to be declared (**Works**).
5. The total cost of the performance of the function and the exercise of the power by Council (in relation to the Works) is \$550,000 and this amount is the total estimated cost of the Works to be undertaken by the Scheme.

6. The total amount to be levied under the Scheme as the Special Charge is \$158,400
7. The Special Charge will commence on the date on which it is levied by Council and will remain in force for a period of 5 years.
8. The area for which the proposed Special Charge is to be declared is all of the land shown on the plan set out in the Schedule forming a part of this proposed declaration (being **Schedule 1**).
9. The land in relation to which the proposed Special Charge is to be declared is all that rateable land described in the listing of rateable properties set in the Schedule forming a part of this proposed declaration of Special Charge (being **Schedule 2**).
10. The proposed Special Charge will be assessed and levied in accordance with the amounts set out alongside each property in the Schedule forming a part of this proposed declaration (being **Schedule 2**), such amounts having been assessed and determined by Council as (and are based on) a fixed charge for each property having regard to access, including and in particular driveway access. Properties which have a shared driveway access to the street to be constructed via common property will have their access benefits calculated on the basis of 100% for the first property and 50% for each additional property (with access being apportioned to each of the properties so as to equal the sum of the percentages divided by the number of properties with common property access), and any other benefits.
11. Subject to any further resolution of Council, the Special Charge will be levied by Council sending a notice in the prescribed form to the owners of the properties in the Scheme by which the Special Charge is to be paid –
  - (a) In full amount within 45 days of the notice; or
  - (b) By way of quarterly instalments in the manner set out in paragraph 12.
12. Because the performance of the function and the exercise of the power in respect of which the proposed Special Charge is to be declared and levied relates substantially to the provision of capital works, special ratepayers will be given an instalment plan under which –
  - (a) Quarterly instalments are to be paid over a 5 year period, or other such period as negotiated; and
  - (b) Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Road by more than 1 per cent.
13. Council will consider cases of financial and other hardship, and may consider other payment options for the Special Charge.
14. No incentives will be given for the payment of the Special Charge before the due date for payment.

15. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Charge, and directly and indirectly as a result of the expenditure proposed by the Special Charge, the value and the use, occupation and enjoyment of the properties included in the Scheme will be maintained or enhanced through the provision of proper, safe and suitable roads and property services. Without limitation, Council considers that the Works will –
- (a) Reduce dust;
  - (b) Enhance the amenity and character of the land, and local area;
  - (c) Create improved riding surfaces for the roads;
  - (d) Improve access and egress from properties;
  - (e) Improve road drainage; and
  - (f) Improve road safety for motorists, cyclists.
16. For the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special and community benefits) that will accrue as special benefits to all persons who are liable to pay the Special Charge is in a ratio of 0.56 or 56%, noting however that, in the exercise of its discretions, Council has chosen to make a further contribution to the cost of the Works so as to arrive at a Revised Maximum Total Levy Amount of \$158,400.

## **SCHEDULES TO DECLARATION**

Schedule 1 - Scheme plan area

Schedule 2 - Listing of all properties with amount of special charges payable and showing manner of calculation of special charge apportionment;

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

Method 2 - Maximum Levy at 100% Access Benefit

Method 3 - Fixed Fee

Schedule 1

COONGULLA TOWNSHIP (CENTRAL AREA)  
PLAN OF SPECIAL CHARGE SCHEME AREA.

Scheme Boundary 



Schedule 2

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

WELLINGTON SHIRE COUNCIL

COONGULLA (CENTRAL) CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX. LEVY AMOUNT - 50% ACCESS & 50% FRONTAGE

ASSES NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS OF PROPERTY	ACCESS BENEFIT (AB)	FRONTAGE (F)	SIDEAGE & REARAGE (S&R)	TOTAL APPORTIONED LENGTH (AL=FX0.3S&R)	SCHEME AMOUNT DUE (=ABxR+ALxR)
1	37589	350835 LOT: 296 LP: 55070	MACLAISTER DRIVE	1	17.5		17.50	\$6,046.71
2	37590	350835 LOT: 297 LP: 55070	2 MacAlister DVE, COONGULLA	1	21		21.00	\$6,556.05
3	37591	350850 LOT: 1 PS: 204302	4 MacAlister DVE, COONGULLA	1	16		16.00	\$5,828.42
4	37592	350868 LOT: 2 PS: 204302	6 MacAlister DVE, COONGULLA	1	21.5	23	28.40	\$7,632.94
5	37594	350876 LOT: 342 LP: 55070	8 MacAlister DVE, COONGULLA	1	19.8		19.80	\$6,381.42
6	37595	350892 LOT: 343 LP: 55070	22 MacAlister DVE, COONGULLA	1	19.8		19.80	\$6,381.42
7	37596	350900 LOT: 344 LP: 55070	24 MacAlister DVE, COONGULLA	1	23	29	31.70	\$8,113.17
8	37597	350918 LOT: 265 LP: 55070	26 MacAlister DVE, COONGULLA	1	18	30	27.00	\$7,429.20
9	37598	350926 LOT: 264 LP: 55070	28 MacAlister DVE, COONGULLA	1	25.4		25.40	\$7,196.36
10	37599	350934 LOT: 263 LP: 55070	30 MacAlister DVE, COONGULLA	1	22.3	non-rateable		\$0.00
11	37600	350934 LOT: RES LP: 55070	32 MacAlister DVE, COONGULLA		8	non-rateable		\$0.00
12	37601	350934 LOT: 1 TP: 909203G	MacAlister DVE, COONGULLA		66	non-rateable		\$0.00
13	37602	350967 LOT: 91 LP: 54201	19 MacAlister DVE, COONGULLA	1	26.1		26.10	\$7,298.23
14	37603	350975 PC: 108633	17 MacAlister DVE, COONGULLA	1	30		30.00	\$7,865.78
15	37604	350983 LOT: 94 LP: 54201	13 MacAlister DVE, COONGULLA	1	15.5		15.50	\$5,755.65
16	37605	350991 LOT: 95 LP: 54201	11 MacAlister DVE, COONGULLA	1	15.5		15.50	\$5,755.65
17	37606	351007 LOT: 261 LP: 54201	3 MacAlister DVE, COONGULLA	1	14.5		14.50	\$5,610.13
18	37611	351015 PC: 360823G	1 MacAlister DVE, COONGULLA	1	22.6		22.60	\$6,788.89
19	37765	352476 LOT: RES LP: 54201	TAMBORITHA TERRACE		11	non-rateable		\$0.00
20	58386	381905 LOT: RES10 LP: 54201	Tamboritha TCE, COONGULLA		11	non-rateable		\$0.00
21	62336	352492 PC379245R	122-124 Tamboritha TCE, COONGULLA	1	25.7		25.70	\$7,240.02
22	37768	352518 LOT: 88 LP: 54201	126 Tamboritha TCE, COONGULLA	1	14		14.00	\$5,537.36
23	37769	352518 LOT: 87 LP: 54201	128 Tamboritha TCE, COONGULLA	1	39.6		39.60	\$9,262.83
24	37770	352526 LOT: 1 TP: 134344	130 Tamboritha TCE, COONGULLA	1	21.4		21.40	\$6,614.26
25	37771	352534 LOT: 85 LP: 54201	132 Tamboritha TCE, COONGULLA	1	24.1	27	32.20	\$8,185.94
26	59072	352542 PC: 373414C	129-133 Tamboritha TCE, COONGULLA	1	15.4	57	32.50	\$8,229.60
27	59027	352588 PC: 373438M	125-127 Tamboritha TCE, COONGULLA	1	31.5	33.1	41.43	\$9,529.14

WELLINGTON STREET					
28	37834 353136 LOT: 242 LP: 54201	1	15.2	15.20	\$5,712.00
29	37835 353136 LOT: 241 LP: 54201	1	15.2	15.20	\$5,712.00
30	37836 353144 LOT: 240 LP: 54201	1	15.2	15.20	\$5,712.00
31	37837 353151 LOT: 239 LP: 54201	1	15.2	15.20	\$5,712.00
32	37838 353169 LOT: 238 LP: 54201	1	15.2	15.20	\$5,712.00
33	37839 353185 LOT: 237 LP: 54201	1	15.2	15.20	\$5,712.00
34	37840 353185 PC: 109305	1	30.4	30.40	\$7,923.99
35	37841 353193 PC: 351302	1	45.6	45.60	\$10,135.99
36	37842 353201 LOT: 231 LP: 54201	1	15.2	15.20	\$5,712.00
37	37843 353219 LOT: 230 LP: 54201	1	15.2	15.20	\$5,712.00
38	37844 353227 PC: 350527S	1	40	52.45	\$11,132.84
39	37845 353235 PC: 171524K	1	22.5	34.95	\$8,586.13
40	37846 353243 LOT: 98 LP: 54201	1	15.2	15.20	\$5,712.00
41	10451 353268 PC: 356973K	1	30.4	30.40	\$7,923.99
42	61961 353276 PC: 377350F	1	30.4	30.40	\$7,923.99
43	37852 353292 LOT: 1 TP: 192296L	1	15.2	15.20	\$5,712.00
44	37853 353300 PC: 351838	1	30.4	30.40	\$7,923.99
45	37854 353326 LOT: 106 LP: 54201	1	19	19.00	\$6,264.99
46	37855 353326 LOT: 107 LP: 54201	1	39	39.00	\$9,175.51
47	37856 353334 LOT: 108 LP: 54201	1	20	20.00	\$6,410.52
48	37857 353342 LOT: 109 LP: 54201	1	20	20.00	\$6,410.52
49	37858 353359 LOT: 110 LP: 54201	1	16	16.00	\$5,828.42
<b>TOTALS</b>		<b>44</b>	<b>1091.9</b>	<b>282.1</b>	<b>\$308,000.00</b>

**TOTAL ESTIMATED COST OF SCHEME**  
**COUNCIL CONTRIBUTION**  
**APPORTIONED AMOUNT**

\$ 550,000  
\$ 242,000  
\$ 308,000

AMOUNT APPORTIONED TO ACCESS - 50%  
AMOUNT APPORTIONED TO FRONTAGE 50%

\$ 154,000  
\$ 154,000  
\$3,500.00 per ABU (R)  
\$ 145.53 per m (R)

## Method 2 - Maximum Levy at 100% Access Benefit

### WELLINGTON SHIRE COUNCIL

#### COONGULLA (CENTRAL) CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX. LEVY AMOUNT - ACCESS ONLY

PARCEL NO.	ASSES. NO.	TITLE DETAILS	STREET ADDRESS OF PROPERTY	ACCESS BENEFIT	ACCESS BENEFIT FACTOR APPLIED FOR COMM. PROP.	APPORTIONED ACCESS BENEFIT (AAB)	FIXED RATE CONTRIBUTION (FRC)	SCHEME AMOUNT DUE (= AAB x FRC)
			<b>MACLAISTER DRIVE</b>					
1	37589	350835 LOT: 296 LP: 55070	2 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
2	37590	350835 LOT: 297 LP: 55070	4 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
3	37591	350850 LOT: 1 PS: 204302	6 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
4	37592	350868 LOT: 2 PS: 204302	8 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
5	37594	350876 LOT: 342 LP: 55070	22 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
6	37595	350892 LOT: 343 LP: 55070	24 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
7	37596	350900 LOT: 344 LP: 55070	26 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
8	37597	350918 LOT: 265 LP: 55070	28 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
9	37598	350926 LOT: 264 LP: 55070	30 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
10	37599	350934 LOT: 263 LP: 55070	32 MacAlister DVE, COONGULLA	1	non-rateable	1	\$7,000.00	\$7,000.00
11	37600	350934 LOT: RES LP: 55070	MacAlister DVE, COONGULLA		non-rateable			
12	37601	350934 LOT: 1 TP: 909203G	MacAlister DVE, COONGULLA		non-rateable			
13	37602	350967 LOT: 91 LP: 54201	19 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
14	37603	350975 PC: 108633	17 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
15	37604	350983 LOT: 94 LP: 54201	13 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
16	37605	350991 LOT: 95 LP: 54201	11 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
17	37606	351007 LOT: 261 LP: 54201	3 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
18	37611	351015 PC: 360823G	1 MacAlister DVE, COONGULLA	1		1	\$7,000.00	\$7,000.00
			<b>TAMBORITHA TERRACE</b>					
19	37765	352476 LOT: RES LP: 54201	Tamboritha TCE, COONGULLA		non-rateable			
20	55836	381905 LOT: RES10 LP: 54201	Tamboritha TCE, COONGULLA		non-rateable			
21	62336	352492 PC379245R	122-124 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00
22	37768	352518 LOT: 88 LP: 54201	126 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00
23	37769	352518 LOT: 87 LP: 54201	128 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00
24	37770	352526 LOT: 1 TP: 134344	130 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00
25	37771	352534 LOT: 85 LP: 54201	132 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00
26	59072	352542 PC: 373414C	129-133 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00
27	59027	352583 PC: 373438M	125-127 Tamboritha TCE, COONGULLA	1		1	\$7,000.00	\$7,000.00



28	37834	353136 LOT: 242 LP: 54201	WELLINGTON STREET	1	1	\$7,000.00	\$7,000.00
29	37835	353136 LOT: 241 LP: 54201	4 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
30	37836	353144 LOT: 240 LP: 54201	6 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
31	37837	353151 LOT: 239 LP: 54201	8 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
32	37838	353169 LOT: 238 LP: 54201	10 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
33	37839	353185 LOT: 237 LP: 54201	12 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
34	37840	353185 PC: 109305	14 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
35	37841	353193 PC: 351302	16-18 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
36	37842	353201 LOT: 231 LP: 54201	24 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
37	37843	353219 LOT: 230 LP: 54201	26 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
38	37844	353227 PC: 350527S	28 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
39	37845	353235 PC: 171524K	32 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
40	37846	353243 LOT: 98 LP: 54201	31 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
41	10451	353268 PC: 356973K	27 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
42	61961	353276 PC: 377350F	23 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
43	37852	353292 LOT: 1 TP: 192296L	19-21 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
44	37853	353300 PC: 351838	17 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
45	37854	353326 LOT: 106 LP: 54201	15 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
46	37855	353326 LOT: 107 LP: 54201	11 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
47	37856	353334 LOT: 108 LP: 54201	9 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
48	37857	353342 LOT: 109 LP: 54201	5 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
49	37858	353359 LOT: 110 LP: 54201	3 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
			1 Wellington ST, COONGULLA	1	1	\$7,000.00	\$7,000.00
<b>TOTALS</b>				<b>44</b>	<b>44</b>		<b>\$308,000.00</b>
<b>TOTAL ESTIMATED COST OF SCHEME</b>						<b>\$550,000.00</b>	
<b>COUNCIL CONTRIBUTION</b>						<b>\$242,000.00</b>	
<b>APPORTIONED AMOUNT</b>						<b>\$308,000.00</b>	

ABU FACTOR CALCULATION FOR COMMON PROPERTY  
 Calculation - First property at .100% with 50% for each additional property divided by number of properties  
 Address  
 Nil  
 Factor

## Method 3 – Fixed Fee - Access Benefit (Revised Maximun Levy)

### WELLINGTON SHIRE COUNCIL COONGULLA (CENTRAL) CONSTRUCTION SCHEME - APPORTIONMENT OF COST - REVISED MAX. LEVY AMOUNT - ACCESS ONLY

PARCEL NO.	ASSES. NO.	TITLE DETAILS	STREET ADDRESS OF PROPERTY	ACCESS BENEFIT	ACCESS BENEFIT FACTOR APPLIED FOR COMM. PROP.	APPORTIONED ACCESS BENEFIT (AAB)	FIXED RATE CONTRIBUTION (FRC)	SCHEME AMOUNT DUE (= AAB x FRC)
			<b>MACLAISTER DRIVE</b>					
1	37589	350835 LOT: 296 LP: 55070	2 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
2	37590	350835 LOT: 297 LP: 55070	4 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
3	37591	350850 LOT: 1 PS: 204302	6 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
4	37592	350868 LOT: 2 PS: 204302	8 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
5	37594	350876 LOT: 342 LP: 55070	22 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
6	37595	350892 LOT: 343 LP: 55070	24 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
7	37596	350900 LOT: 344 LP: 55070	26 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
8	37597	350918 LOT: 265 LP: 55070	28 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
9	37598	350926 LOT: 264 LP: 55070	30 MacAlister DVE, COONGULLA	1	non-rateable	1	\$3,600.00	\$3,600.00
10	37599	350934 LOT: 263 LP: 55070	32 MacAlister DVE, COONGULLA		non-rateable			
11	37600	350934 LOT: RES LP: 55070	MacAlister DVE, COONGULLA		non-rateable			
12	37601	350934 LOT: 1 TP: 909203G	MacAlister DVE, COONGULLA		non-rateable			
13	37602	350967 LOT: 91 LP: 54201	19 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
14	37603	350975 PC: 108633	17 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
15	37604	350983 LOT: 94 LP: 54201	13 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
16	37605	350991 LOT: 95 LP: 54201	11 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
17	37606	351007 LOT: 261 LP: 54201	3 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
18	37611	351015 PC: 360823G	1 MacAlister DVE, COONGULLA	1		1	\$3,600.00	\$3,600.00
			<b>TAMBORITHA TERRACE</b>					
19	37765	352476 LOT: RES LP: 54201	Tamboritha TCE, COONGULLA		non-rateable			
20	55836	381905 LOT: RES10 LP: 54201	Tamboritha TCE, COONGULLA		non-rateable			
21	62336	352492 PC379245R	122-124 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00
22	37768	352518 LOT: 88 LP: 54201	126 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00
23	37769	352518 LOT: 87 LP: 54201	128 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00
24	37770	352526 LOT: 1 TP: 134344	130 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00
25	37771	352534 LOT: 85 LP: 54201	132 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00
26	59072	352542 PC: 373414C	129-133 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00
27	59027	352583 PC: 373438M	125-127 Tamboritha TCE, COONGULLA	1		1	\$3,600.00	\$3,600.00

28	37834	353136 LOT: 242 LP: 54201	WELLINGTON STREET	1	1	\$3,600.00	\$3,600.00
29	37835	353136 LOT: 241 LP: 54201	4 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
30	37836	353144 LOT: 240 LP: 54201	6 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
31	37837	353151 LOT: 239 LP: 54201	8 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
32	37838	353169 LOT: 238 LP: 54201	10 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
33	37839	353185 LOT: 237 LP: 54201	12 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
34	37840	353185 PC: 109305	14 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
35	37841	353193 PC: 351302	16-18 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
36	37842	353201 LOT: 231 LP: 54201	24 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
37	37843	353219 LOT: 230 LP: 54201	26 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
38	37844	353227 PC: 350527S	28 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
39	37845	353235 PC: I71524K	32 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
40	37846	353243 LOT: 98 LP: 54201	31 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
41	10451	353268 PC: 356973K	27 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
42	61961	353276 PC: 377350F	23 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
43	37852	353292 LOT: 1 TP: 192296L	19-21 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
44	37853	353300 PC: 351838	17 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
45	37854	353326 LOT: 106 LP: 54201	15 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
46	37855	353326 LOT: 107 LP: 54201	11 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
47	37856	353334 LOT: 108 LP: 54201	9 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
48	37857	353342 LOT: 109 LP: 54201	5 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
49	37858	353359 LOT: 110 LP: 54201	3 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
			1 Wellington ST, COONGULLA	1	1	\$3,600.00	\$3,600.00
			<b>TOTALS</b>	<b>44</b>	<b>44</b>		<b>\$158,400.00</b>
			<b>TOTAL ESTIMATED COST OF SCHEME</b>				<b>\$550,000.00</b>
			<b>COUNCIL CONTRIBUTION</b>				<b>\$391,600.00</b>
			<b>APPORTIONED AMOUNT</b>				<b>\$158,400.00</b>

ABU FACTOR CALCULATION FOR COMMON PROPERTY

Calculation - First property at 100% with 50% for each additional property divided by number of properties

Address

Factor

Nil

## COONGULLA (CENTRAL AREA) STREET CONSTRUCTION SCHEME SPECIAL CHARGE SCHEME NUMBER 2102

### Determination under Sections 163(2)(a), (2A) and (2B) of the *Local Government Act 1989* – Calculation of Total Amount of Special Charges to be Levied ('Maximum Total Levy')

#### Introduction

Wellington Shire Council (**Council**) has a legacy of being required to deal with a number of issues associated with sub-standard roads and streets throughout the Shire. A key objective of Council is to renew and improve roads and streets within residential environments with a view to providing proper community infrastructure and improved amenity and liveability, and overall resident satisfaction.

Council has (following a review of its 'Residential Road and Street Construction Plan 2014') adopted the 'Residential Road and Street Construction Plan 2019' (**Plan**). As a strategic policy document, the Plan seeks to provide a sustainable budgetary response to the renewal and improvement of sub-standard roads and streets within residential environments throughout the Shire.

The proposed special charge scheme for part of the Coongulla Township (to be known as the 'Coongulla (Central Area) Street Construction Scheme Number 2102') (**Special Charge** or **Scheme**) is consistent with, and otherwise supports, the Plan.

This determination is made by Council under and for the purposes of sections 163(2)(a), (2A) and (2B) of the *Local Government Act 1989* (**Act**). It addresses the calculation of the 'benefit ratio' in order to determine the total amount of the special charges that may be levied on those property owners who it is considered will receive a benefit from the proposed works through the imposition of the Special Charge (**Maximum Total Levy**).

The calculation of the Maximum Total Levy requires Council to –

- Calculate the total cost of the works; and
- Calculate the 'benefit ratio' based on reasonable estimates being made of –
  - i. The 'total special benefits' to the properties included in the Scheme (TSB (in));
  - ii. The 'total special benefits' to the properties not included in the Scheme (if any) (TSB (out)); and
  - iii. The 'total community benefits' (if any) to be provided by the Scheme (TCB).

## A. Define Purpose

The purpose of the Special Charge Scheme is to defray an expense or to repay (with interest) an advance made to or a debt or loan to be raised by Council in connection with the construction, improvement and surface drainage of specified streets and roads within parts of the Township of Coongulla (collectively, **Streets**).

The Streets are all located within the Township of Coongulla and are otherwise located in a residential area, and currently consist of partially formed (but unsealed) gravel pavements of approximately 850 metres in length (Macalister Ave 380m, Wellington St 300m, Tamboritha Tce 130m), with irregular table drains. The streets are primarily rural-type roads (servicing the Township of Coongulla), with unsealed sections extending for the full length of the streets. The streets are managed and maintained by Council.

A formal investigation of the proposed Special Charge Scheme was commenced following ongoing property owner concerns and complaints in relation to Council's maintenance grading regime, which had applied to the streets. The initial work undertaken by Council in response to these concerns included, the preparation of concept designs and an estimate of costs. Property owners were advised that, if implemented, the Scheme would provide for the construction and sealing of the streets to a 6.0m width, with kerbing being proposed at intersections of streets, and improved surface drainage and stormwater management, and other improvements.

The construction and sealing of the Streets will reduce Council's need for ongoing maintenance intervention, while providing, in the context and for the benefit of the of the Township overall, a higher level of service for property owners and occupiers, and the general public. Under Council's Road Management Plan, the Streets are designated as 'Local Access B Roads' and (as required by the Plan) 60% or more of property owners have expressed support for the construction and improvement of the Streets.

Consistent with the Plan, it is considered that the 44 rateable properties (being 49 total properties, less 5 non-rateable properties) which it is proposed will be included in the Scheme (and the general public) will benefit from the proposed works in the following ways

—

- Improved amenity and liveability for residents and the local community through quality infrastructure and streetscape;
- Removal of dust and health related issues currently experienced in unsealed streets;
- Improved safety for motorists and pedestrians with modern road and path infrastructure, that is less exposed to rapid degradation;
- Decreased maintenance costs incurred by Council, through reduced demand associated with upkeep of poorly constructed roads, streets, drains and paths;
- Increased community satisfaction via the provision of property infrastructure that meets expectations;
- Improved high density development opportunities in existing urban environments.

Following further investigation of potential methods to facilitate the construction works in the Scheme, a further consideration of survey results and further meetings with property owners (who continue to show support for the Scheme), it has been concluded that a Special Charge Scheme, generally in accordance with and supported by the Plan, is the preferred approach to facilitate the project outcomes.

**B. Ensure Coherence**

The proposed road and drainage improvement works to be located within the Scheme area will provide a special benefit to the rateable property owners located within the Scheme boundaries, and are otherwise physically connected to the purpose set out in A.

**C. Calculate Total Costs**

The implementation of the Special Charge is regulated by section 163 of Act. Ministerial Guidelines made pursuant to the Act require Councils to be transparent about how they calculate the 'Maximum Total Levy'.

For this project, the Maximum Total Levy has been calculated in accordance with the Act and the Guidelines. The Maximum Total Levy, and other relevant information, is summarised in the table below.

<b>Total Scheme Cost</b>	<b>\$550,000</b>
'Benefit Ratio' Determination	<b>0.56 or 56%</b>
<b>Maximum Total Levy Amount</b>	<b>\$308,000</b>
<b>Further Council Contribution</b>	<b>\$149,600</b>
<b>Revised Maximum Total Levy Amount</b>	<b>\$158,400</b>

**D. Identify Special Beneficiaries**

It is considered that all 44 rateable properties in the Scheme (as they are listed in the apportionment spreadsheet) will receive both road and surface drainage related special benefits from the proposed works.

The relevant special benefits which it is considered each property will receive are –

- Reduction in dust;
- Enhancement of the amenity and character of the land and local area;
- Creation of improved riding surfaces for the street;
- Improvement in access and egress from properties;

- Improved road drainage; and
- Improved road safety for motorists and cyclists.

The Scheme area (showing the 44 rateable and chargeable properties and the location of the Streets to be constructed) is shown on the plan below.



## E. Determine Properties to Include

For the purposes of calculating the Benefit Ratio, a notional benefit value – to be called a Benefit Unit (BU) – will be used. A BU is a deemed benefit equal to the *average* benefit for each and every property included in the Scheme. This average benefit is considered to comprise *both* access and amenity benefits.

It is considered that that all of the properties included within the Scheme will receive a benefit from the works to be provided under the Scheme (that is, and being 1 BU for each property), regardless (for the purposes of calculating the Benefit Ratio, but not for the purposes of the final distribution of the Special Charge amongst the Special Charge contributors) of whether or not particular properties have subdivision or other development potential (or, in some cases, further subdivision or development potential). The BU so chosen has been broken up equally into both access benefits and amenity benefits (viz., 0.5 BU for 'improved access' and 0.5 BU for 'improved amenity').

## F. Estimate Total Special Benefits

Total Special Benefit Units are defined as follows –

Total Special Benefits = Total Special Benefits <sub>(in)</sub> + Total Special Benefits <sub>(out)</sub>, that is –

$$(TSB = TSB_{(in)} + TSB_{(out)})$$

**TSB** <sub>(in)</sub> has been calculated as follows –

<b>Total Special Benefit Units In (TSB <sub>(in)</sub>)</b>	<b>Access (50%)</b>	<b>Amenity (50%)</b>
Total number of Rateable Properties in Scheme receiving Special Benefit and being required to pay the Special Charge (92)	0.5 x 44 = 22 BU	0.5 x 44 = 22BU
<b>TSB</b> <sub>(in)</sub> =	<b>44 BU</b>	

There are 5 non-rateable parcels of land in the Scheme (being Council land used for various municipal purposes). These properties are considered to be receiving a special benefit but are not required to pay the Special Charge.

These properties are referred to as **TSB** <sub>(out)</sub> properties.

**TSB** <sub>(out)</sub> has been calculated as follows –



<b>Total Special Benefit Units Out (TSB<sub>(out)</sub>)</b>	<b>Access (50%)</b>	<b>Amenity (50%)</b>
Total number of Non-rateable Properties in Scheme receiving Special Benefit and not being required to pay the Special Charge (4)	0.5 x 5 = 2.5 BU	0.5 x 5 = 2.5BU
<b>TSB<sub>(out)</sub> =</b>	<b>5 BU</b>	

### **G. Estimate Total Community Benefit**

In addition to establishing the Total Special Benefits for the Scheme, an assessment of any Community Benefit is also required to be undertaken in order to calculate the Maximum Total Levy.

It is considered that the Community Benefit attributable to the proposed Scheme works will be generated from the broader community receiving some benefits, which benefits (in the interest of fairness and equity) Council should be paying for (and not the Special Charge contributors).

The community benefits are considered to be –

- General improvement in township amenity and liveability;
- General improvement in trafficability of roads serving the Township;
- General improvement in drainage and water quality; and
- Reduced ongoing maintenance costs for Council.

#### *Improved township amenity*

The sealing of the roads and the other works to be provided will result in an overall improvement in the amenity and liveability of the Township of Coongulla. Whilst this benefit is very difficult to quantify, it is recommended that **10 BU** be allowed for this benefit, which is however considered to be a general benefit in circumstances where it is otherwise considered that most of the benefits of the works will be received by the abutting properties owners and occupiers, and their visitors.

$$TCB_{\text{township amenity}} = 10$$

#### *Improved trafficability of roads*

It is anticipated that there will be some wider community benefit attributable to persons who are not accessing or servicing the properties within the Scheme boundary (but who will nevertheless use the roads for wider access purposes) and in particular Macalister Drive, as the principal access to the Boat Ramp

Despite this, and on the basis that the roads to be improved only service the movement of local traffic within the Township (and do not in any real sense connect into the wider network of public (through) roads for which Council is responsible), the benefits attributable to any broader traffic use of the roads, (over the summer & Easter school holidays) is considered marginal and generally only occurs during these holiday periods.

For this reason, officers have carried out limited traffic studies. It is otherwise considered reasonable for Council to rely on, and be guided by, its own estimates based on Council's own local knowledge and experience. (The traffic volume in Macalister Drive in late November 2020 for a period of two weeks returned a result of 74 vpd).

On this basis, it is recommended that an allowance be made for what may be some increase in traffic movements during holiday periods, accordingly, any projected increase in external traffic will account for the Total Community Benefit, and this will result in the calculation of the following **10 BU's** for any such traffic by the broader community.

Total Community Benefit Units for any broader traffic use of the road is estimated as follows–

$$TCB_{\text{traffic}} = 10$$

*Improved drainage and water quality*

Sealing of the roads will result in improved surface drainage and better water quality: It is recommended therefore that **5 BU** be allowed for this benefit, which is however considered to be a marginal benefit.

$$TCB_{\text{drainage}} = 5$$

*Reduced ongoing maintenance costs*

There will be less ongoing maintenance costs for Council in having to care for and manage sealed roads, rather than unsealed roads: It is recommended therefore that **5 BU** be allowed for this benefit, which is considered to be a marginal benefit.

$$TCB_{\text{maintenance}} = 5$$

Therefore,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{township amenity}} + TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 10 + 10 + 5 + 5 \end{aligned}$$

$$TCB_{\text{total}} = 30$$

It is otherwise noted that the Township has a public hall & parks that supports various community activities, there is a boat ramp for boating access onto Lake Glenmaggie. The public hall is located within the main park/public reserve within the Township, which also includes a playground, tennis courts, barbeque facilities and public toilets.

**H. Calculating the ‘Benefit Ratio’**

The Benefit Ratio is calculated as follows –

$$\begin{aligned}
R &= \frac{\text{TSB}_{(in)}}{\text{TSB}_{(in)} + \text{TSB}_{(out)} + \text{TCB}} \\
&= 44 / (44 + 5 + 30) \\
&= 44 / 79
\end{aligned}$$

**Benefit Ratio = 0.56 or 56%**

**I. Calculating the Maximum Total Levy**

The following formula, as set out in the Act, is used to determine the Maximum Total Levy –

**R x C = S**

where –

- R is the Benefit Ratio determined by Council;
- C is the total Scheme cost; and
- S is the Maximum Total Levy

<b>Maximum Total Levy Amount (R x C = S)</b>
0.56 x \$550,000 = \$308,000

Council may levy up to 56% of total costs, or \$308,000

**J. Other relevant considerations**

Council notes that if it levies the Maximum Total Levy Amount of \$308,000 the special charge contributors would be required to pay by way of special charges amounts which exceed the amounts set out in Council’s Residential Road and Street Construction Plan 2019<sup>1</sup>.

In the exercise of its discretions, and otherwise in accordance with the Plan (and the objectives which the Plan seeks to achieve), Council chooses to allocate a further amount of \$149,600 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$158,400 (**Revised Maximum Total Levy Amount**).

The Revised Maximum Total Levy Amount is to be apportioned amongst the property owners within the scheme area in accordance with the method of distribution of the Special Charge to be determined by Council in the declaration of the Special Charge.

<sup>1</sup> Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$3,600 has been proposed and adopted by Council for Small and Coastal Towns where sealed roads are to be provided.