

TUROSS STREET and LANE BERMAGUI



Section 94 Contributions Plan No. 5

This version of Section 94 Contributions Plan No. 5 – Tuross Street and Lane Bermagui was made pursuant to Section 94 B of the Environmental Planning and Assessment Act, 1979 and approved by Council at its meeting of 22 July 2003.

Record of Amendments

Name of Amendment	Date Approved by Council	Date Plan Came into Force
Original Contribution Plan		22 October 1996
Consumer Price Index – Financial Year Amendments	27 March 2001	10 April 2001
Reference LEP 2002	12 November 2002	15 November 2002
Administrative change to indexation Clause	22 July 2003	5 August 2003

BEGA VALLEY SHIRE COUNCIL

SECTION 94 CONTRIBUTIONS PLAN NO. 5

TUROSS STREET AND LANE, BERMAGUI

1. NAME OF THE PLAN

This plan may be referred to as **Section 94 Contributions Plan No. 5 - Tuross Street and Lane, Bermagui.**

2. AIM OF THE PLAN

- (a) To provide an efficient and safe road service to the Tuross Street multi-unit housing precinct;
- (b) To outline the methodology by which contributions towards the upgrading of these roads have been calculated;
- (c) To establish a nexus between the contributions sought for road upgrading works, and the future development of the benefiting land.

3. LAND TO WHICH THIS PLAN APPLIES

This plan applies to the land outlined in heavy black on the plan named Section 94 Contributions Plan 5 a copy of which is included in Schedule 2 of this plan.

4. RELATIONSHIP TO OTHER POLICIES AND PLANS

This plan should be read in conjunction with the Bega Valley Local Environmental Plan 2002, other Council Development Control Plans and Policies, in particular, Development Control Plan No. 14.

In the event of an inconsistency between this plan and another Council policy this plan prevails.

5. NEXUS

Redevelopment of Lots 3/15 as shown on the plan, for multi housing purposes, will require widening of the existing lane to create a road of sufficient standard to address the significant increase in vehicular and pedestrian traffic. (Preliminary estimate of unit capacity for this land equals in excess of 90 units).

Improvements to Tuross Street involving shoulder widening, kerb and gutter, drainage and intersection treatment will also be required to adequately address the traffic impacts of the redevelopment of this precinct.

Each of the allotments 3 to 15 is considered to have a similar potential for multi-unit housing development. It is therefore equitable that each lot contribute equally to the upgrading works required within Tuross Street.

With respect to upgrading of the lane, it is not considered equitable to levy full costs of upgrading works on Lots 10 and 11 as these lots have some potential for alternative access via Tuross Street. There is nexus to require the dedication of the proposed widening strips as mapped for Lots 10 and 11 given the general benefit these allotments will receive from the improved access, drainage and land value created by the works.

There is clear nexus that Allotments 3/9 and 12/15 should each contribute one eleventh of the cost of the construction works in the lane with Lots 6/10 and 11/15 to dedicate the required land for road widening works at no cost to Council.

SUMMARY OF CONTRIBUTIONS (See Schedule 1 for details).

(a) **Lots 3/6**

These lots are currently in one ownership and for the purposes of this plan are treated as one development site. (Separate disposal of any of these allotments without prior resolution of access and contributions with Council, will be at the owners risk).

The combined contribution for Lots 3 to 6 under this plan is:

- (i) Dedication at full cost of the required road widening strip through Lot 6 to Council as indicated in the map.
- (ii) Payment of the sum of \$40,188 - 1995, (being four lots at \$7,820 plus four lots at \$2,227).

(b) **Lots 7 and 9**

These lots comprise existing development and no further monetary contribution can be sought by Council. Dedication of the required lane widening at full cost is required.

(c) **Lots 8, 13/15**

These lots will contribute \$10,047 - 1995 per lot plus dedication at full cost the land for road widening as mapped.

(d) **Lot 10**

This lot will contribute \$2,227 - 1995 per lot plus dedication at full cost of the land for road widening as mapped.

(e) **Lots 11 and 12**

These lots have an existing consent for a motel development with vacant land at the south with further development potential. The overall contribution for these lots combined is \$12,274 - 1995. The motel consent requires a contribution of \$5,270 - 1995. The remaining \$7,004 - 1995 would be payable on development of the vacant area plus the required dedication of land.

6. PAYMENT OF CONTRIBUTIONS

Payment of the required contributions will be a condition of development approval and will be payable prior to release of building plans unless otherwise agreed to by Council and supported by appropriate bank guarantee or similar surety to the value of the contributions.

7. SCHEDULE OF WORKS

Council cannot undertake to provide a completion date for the works effected by this plan at this time given that Council has no control over the timing of the development proposed by the individual owners. However Council proposes to develop basic access to Lots 7/14 in 1996. Thereafter, contributions collected will be expended as soon as economically reasonable on completion of the outstanding works.

Refer to Council's adopted management plan for the indexed contributions applicable to development under the plan

8. CURRENT CONTRIBUTIONS AND UPDATING

Contributions will be adjusted as of 30 June each year in line with cost movements in the Consumer Price Index for the previous 12 months. The contribution amount will hold for a period of 12 months from the date of consent and thereafter the updated figure will be payable.

Refer to Councils adopted Management Plan for the indexed contributions applicable to development under this plan.

SCHEDULE 1

LANE WIDENING AND ROAD IMPROVEMENT, TUROSS STREET AND LANE, BERMAGUI

(Estimate of Costs)

Tuross Street

1.	Provision for Traffic	Item	\$ 500
2.	Earthworks - Cut and Spoil	300m ³ @ \$15.00	\$ 4,500
	200mm Base Course	150m ³ @ \$40.00	\$ 6,000
	Trim & Compaction	700m ² @ \$2.50	\$ 1,750
3.	Wearing Surface - Prime & Seal	800m ² @ \$7.00	\$ 5,600
4.	New Kerb and Gutter	200m @ \$50.00	\$10,000
5.	Revegetation Works	200m ² @ \$3.00	<u>\$ 600</u>
		Sub Total	<u>\$28,950</u>

Tuross Lane

1.	Provision for Traffic	Item	\$ 500
2.	Earthworks - Cut and Fill	130m ³ @ \$18.00	\$ 2,340
	Cut and Spoil	81m ³ @ \$24.00	\$ 1,944
	Sub-Base Fill (50mm thick) (sand) 59m ³ @ \$30.00		\$ 1,770
	Trim & Compact Sub-Base	1162m ² @ \$3.50	\$ 4,067
3.	Concrete Pavement (reinforced 150mm thick)	1162m ² @ \$50.00	\$58,100
4.	Relocate Power Poles	Item \$4,000	
5.	Driveway Adjustment	Item \$2,000	
6.	Lower S.M.H. Cover	Item \$ 500	
7.	Revegetation Works	400m ² @ \$3.00	<u>\$ 1,200</u>
		Sub Total	\$76,421
	Camp Transfer	Item \$ 2,000	
	Contingency 10%		<u>\$ 7,600</u>
			<u>\$86,021</u>

Calculation of Monetary Contributions

- (a) 11 internal lots to meet the full cost of lane upgrading works of \$86,021 = \$7,820 per lot (1995).
- (b) All 13 lots to contribute equally to the upgrading of Tuross Street equals total of \$28,950 which represents a per lot contribution of \$2,227 (1995).

(See Project File 582 for plans and costing details).

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