

BEGA VALLEY SHIRE COUNCIL

**ROAD
WATER
AND
SEWER
PROSPECT
ESTATE
SOUTH
PAMBULA**

**Section 94 Contributions Plan No.10 and
Interim Development Servicing Plan No.6**

The version of Section 94 Contributions Plan No. 10 – Roads Prospect Estate South Pambula component of this document was made pursuant to Section 94 B of the Environmental Planning and Assessment Act, 1979 and approved by Council at its meeting 22 July 2003.

The Development Servicing Plan component of this document details the upfront charges levied to recover part of the infrastructure costs incurred in servicing new development or additions/changes to existing development.

Council's water and sewer section in conjunction with a consultant are preparing new Development Servicing Plans (DSP) for the Shire. Each water and sewer DSP will have a calculated developer charge based on the capital charges for existing assets, cost of infrastructure for new development less income.

These plans and relevant charges need to be registered with the Department of Planning Infrastructure and Natural Resources by June 2004. It will be Council's decision to approve these charges and implement them.

This plan replaces Development Control Plan No 44 in name and references only. All calculations and worked project methodology remains the same as the original plan.

Record of Amendments

Name of Amendment	Date Approved by Council	Date Plan Came into Force
Original Plan		
Administrative changes to IDSP	22 July 2003	5 August 2003

**SECTION 94 CONTRIBUTIONS PLAN No.10
AND
INTERIM DEVELOPMENT SERVICING PLAN NO. 6**

**ROAD, WATER AND SEWER SUPPLY
PROSPECT ESTATE, SOUTH PAMBULA**

1. Name of the Plan

This plan is Section 94 Contributions Plan No.10 and Interim Development Servicing Plan No.6 Road, Water and Sewer Supply Prospect Estate, South Pambula.

2. Aims of the Plan

The aims of this plan are -

- a. to facilitate future residential development by implementation of a financing strategy fro the provision of services in South Pambula
- b. to outline the methodology of requiring contributions for the provision of services to future development on allotments to which this plan applies
- c. to outline the cost of providing services to allotments to which this plan applies
- d. to provide water, sewer and road services to South Pambula

3. Land To Which This Plan Applies

This plan applies to land edged heavy black on the map, and indicated as Prospect Estate, South Pambula.

4. Relationship To Other Policies

- a. This plan should read in conjunction with Bega Valley Local Environmental Plan 2002 and all other Codes and Policies adopted by Council relating to the development of land in the Shire of Bega Valley.
- b. Where this plan is inconsistent with a Council Code or Policy then this plan prevails to the extent of that inconsistency. Development must comply with other Codes and Policies in all other respects.

5. 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 specified in the notes attached to a development consent 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.

6. Background

In the past development of the Prospect Estate, South Pambula has been restricted to allotments which have dwelling-house rights as stipulated by the provisions of Bega Valley Local Environmental Plan 2002. A large number of surveyed lots in the Estate are undeveloped without provision of basic services. Council proposes to allow development on all existing lots in the Prospect Estate and to provide those services.

Council itself will meet the cost of servicing lots that have either an existing dwelling already erected or an allotment which has previously had dwelling-house rights pursuant to Bega Valley Local Environmental Plan 2002. Any person wishing to develop allotments which previously had no dwelling rights will have to pay a contribution to Council for the provision of services.

Therefore the servicing costs for South Pambula will be divided between Council and developers who wish to build on allotments which previously had no dwelling-house rights.

7. Development Requirements

- a. any person seeking approval to develop an allotment (being undeveloped land without pre-existing development rights) within the area to which this plan applies shall be required, as a condition of Development Consent, to make a cash contribution of \$3,200 (1990) per dwelling or (in the case of subdivision) per additional allotment for the provision of roads, water and sewer infrastructure necessary to facilitate such development. Contributions under Council's Water and Sewerage Capital Contributions Policy, subject to reductions in certain cases, will also be required.
- b. the contribution will hold for 12 months from the date of adoption of this plan and will thereafter be indexed quarterly according to the CPI All Groups Weighted Average Index for the eight capital

cities. A similar arrangement will apply in the case of Development Consents, wherein the contribution will hold for 12 months from the date of consent and will thereafter be indexed according to the CPI All Groups Weighted Average Index for the eight capital cities. A schedule of current adjustments is attached at the rear of the document. This schedule shall apply for current subdivision applications/development applications.

- c. In the event that a property has inadequate access or requires the immediate extension of water or sewer services in order to be developed then the Council may require the provision of such access or extension of water or sewer services in order to be developed then the Council may require the provision of such access or extension of services as appropriate for that development in addition to the contribution referred to in subclause (a).

8. Method Of Determining Contributions

Formula

<u>Cost of Service per Lot</u>	
Total cost of Services -	\$785,683
Total number of existing Lots to which Plan applies	158
<u>Total Cost of Services -</u>	<u>\$ 3,200</u>
<u>Amount Paid by Council</u>	
Number of Lots with Dwelling Rights or Existing Dwelling	= 72
72 X \$3,200 per Lot	\$ 230,400
Reduction for benefits to Council land	\$ 52,000
Additional offset	\$ 176,783
Reduction for kerb & gutter contributions	\$ 24,300
<u>Remainder to be Shared by Private Developers</u>	
86 x \$3,200 per Lot	\$ 275,200

Water and Sewer Capital Contributions

Most allotments are paying water rates and will therefore not be levied for water capital contributions.

Those who do pay water and sewer capital contributions will contribute on the following basis:

WATER CAPITAL CONTRIBUTIONS

Normal contribution	\$ 2,400/ET
Deduction for service reservoir Contribution (20%)	<u>\$480</u>
<u>Total contribution</u>	<u>\$ 1,920/ET</u>

Sewer Capital Contributions

<u>Total contribution</u>	<u>\$ 1,800/ET</u>
---------------------------	--------------------

THEREFORE

\$ 3,200 +
\$ 1,800
<u>\$ 1,920</u>

Total Contribution For Lots Currently Paying water rates	<u>\$ 6,920/lot</u>
--	---------------------

(Contribution levied is at date of adoption. See Schedule at rear of document for current CPI adjustments.)

9. Timing of provisions of services

- Water – 1992
- Sewer – 1992
- Roads – 1995 (progressive implementation from 1991)

10. Developers responsibility for effluent disposal

Any development carried out prior to 1992 must make adequate provision for the disposal of effluent (eg septic tank or other methods to the satisfaction of the NSW Department of Health). However, all developments must connect to the reticulated sewerage scheme when available.

11. Determination of allocation of development rights

In the event that there is a dispute as to whom is entitled to development rights of the purposes of Clause 5 those rights will be allocated either:

- a. In the favour of any existing landholder who owned the same land as at January 7, 1996.

Or

- b. In the event that application of sub clause (a) is inconclusive, the favour of the person presently owning the majority of land in the existing holding (as defined by Bega Valley Local Environmental Plan 2002).

