

BEGA VALLEY SHIRE COUNCIL

GEORGE STREET AND LANE BERMAGUI



Section 94 Contributions Plan No. 11

This version of Section 94 Contributions Plan No. 11 – George 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
Contribution Plan creation and changes	22 July 2003	5 August 2003

BEGA VALLEY SHIRE COUNCIL

DRAFT SECTION 94 CONTRIBUTIONS PLAN NO. 11 GEORGE STREET AND LANE, BERMAGUI

1. NAME OF THE PLAN

This plan is **Section 94 Contributions Plan No. 11 – George Street and Lane, Bermagui.**

2. AIMS OF THE PLAN

- a) To provide lane widening for the George Street Laneway to facilitate a two-way bitumen sealed public road with kerb and gutter, so as to accommodate increased traffic flow;
- b) To indicate the 2.765 metres that will be made available to Council by lots on the southern side of the laneway, to facilitate the lane widening;
- c) To outline the methodology of requiring contributions from land owners to which this plan applies for the upgrading and construction of the laneway.

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 No 11 - George Street and Lane, Bermagui

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 the event of an inconsistency between this plan and other Council codes and policies this plan prevails.

5. BACKGROUND AND NEXUS

In the past lots on the northern side of the lane stood to benefit as a result of the lane being upgraded. The previous Development Control Plan did not address monetary contributions towards the sealing, kerb and guttering of the laneway. This plan addresses these issues and outlines a methodology for determining reasonable and equitable contributions.

6. METHODOLOGY

In order to set a contribution rate for the George Street Lane widening, the costing had to be assessed. Schedule 1 shows a costing assessment of this.

Formula

Cost of Laneway construction per lot

Total cost of laneway upgrading \$85,500 (excluding kerb/gutter).

Number of lots to which plan applies 19 (10 on southern side and 9 on northern side of the lane)

$$\text{Equal contribution} \quad \frac{\$85,500}{19} = \$4,500 \text{ per lot}$$

Equitable contribution – Monetary contributions required from lots on the southern side of the laneway shall be reduced to 50% of the construction cost as part of a total contribution which includes the dedication of land as outlined below.

Contributions

- a. Any person seeking to develop lots on the northern side of the lane will be required by a condition of development consent to contribute \$4,500 to Council.
- b. Any person seeking to develop lots on the southern side of the lane will be required by a condition of development consent to dedicate 2.765 metres of the lot fronting the lane and contribute \$2,250 to Council.
- c. The minimum setback for building development on lots to which this plan applies shall be 5m from George Street Laneway.

7. DEVELOPMENT REQUIREMENTS

- a. Any person seeking to develop lots to which this plan applies shall pay the relevant contribution, and if required shall dedicate land to Council as outlined above in accordance with the conditions of any development consent.
- b. It will be a requirement of any Development Consent issued that kerb and gutter be provided by the developer to the laneway frontage of the development lot at no cost to Council.
- c. Land dedications requirements shall not apply to Lots 6 & 7 DP 620695.

8. METHOD AND TIMING OF PAYMENTS

The following requirements apply for payment of contributions under this plan:

- Contributions associated with Development Consent applicable to the subdivision of land shall be paid prior to the release of endorsed Linen Plans.
- Contributions associated with development consent applicable to the erection of buildings shall be paid prior to release of building plans (at the construction certificate stage).
- Contributions associated with development consent in circumstances other than described above shall be paid as specified in the condition of such consent.
- Staged or deferred payments may be permitted subject to prior written application, formal agreement of Council and satisfaction of acceptable financial guarantees including bank and other financial institution guarantees provided in the requisite form.

9. SCHEDULE OF WORKS

- a. Council undertakes to complete construction of the laneway, on those sections of the laneway from which contributions have been received, by 31 December, 1996.
- b. In the event that construction of the laneway precedes development, then the contributions outlined in this plan will be levied retrospectively.

10. 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

COST ASSESSMENT GEORGE STREET LAND – BERMAGUI LANEWAY 6.0m wide (Length 260m)

	ITEM	QUANTITY	RATE	AMOUNT
1.	Provision for traffic			\$1,000
	Drainage:			
2.	a) 450 Ø Class 'X' CPC	120 m	\$ 130	\$15,600
	b) Gully Pit 1.8m EKI	1	\$1,800	\$ 1,800
	Earthworks:			
3.	Earth Excavation	420m ³	\$ 18	\$7,560
	Spread Trim & Compact	1,600m ²	\$ 3.50	\$5,600
	Cleaning	0.14ha	\$6,000	\$ 840
4.	Gravel Pavement(200 deep)	350m ³	\$ 40	\$14,000
	Wearing Surface:			
5.	a) Prime	1,300m ²	\$1.90	\$2,470
	b) Seal (2 Coat)	1,300m ²	\$5.40	\$7,020
	Miscellaneous			
	Landscaping & Revegetation	520m ²	\$3.50	\$ 1,820
6.	Survey Fees – Property adjustments			\$10,000
	Survey & Design			\$ 2,400
	Water Main Adjustments			\$ 2,000
7.	Contingency			<u>\$13,390</u>
		TOTAL COST		\$85,500

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