

DEVELOPMENT CONTROL PLAN NO. 44 PROSPECT ESTATE, SOUTH PAMBULA

Citation

This plan may be cited as Development Control Plan No. 44 Prospect Estate, South Pambula.

Aims

The aims of this plan are -

- (a) to facilitate future residential development by implementation of a financing strategy for 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.

Land to which Plan applies

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

Relationship to other Policies

- (a) this plan should be read in conjunction with Bega Valley Local Environmental Plan 1987 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 and Policy then this plan prevails to the extent of that inconsistency. Development must comply with other Codes and Policies in all other respects;
- (c) this plan is made cognisant of Council's responsibilities under Clause 31 of the Environmental Planning and Assessment Model Provision 1980.

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 1987. A large number of surveyed lots in the Estate are undevelopable 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 1987. 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.

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 \$3,200.00 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 Headworks 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 services as appropriate for that development in addition to the contribution referred to in subclause (a).

Method of determining contributions

Formula

Cost of Services Per Lot

Total Cost of Services - \$758,683
Total Number of existing Lots to which Plan applies - 158

Total Cost of Services - \$3,200 per Lot

Amount Paid by Council

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

Remainder to be Shared by Private Developers

86 x \$3,200 per Lot - \$275,200

Water and Sewer Headworks

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

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

WATER HEADWORKS

Normal contribution - \$2,400/ET

Deduction for service reservoir contribution (20%) - \$480

TOTAL CONTRIBUTION \$1,920/ET

SEWER HEADWORKS

TOTAL CONTRIBUTION \$1,800/ET

THEREFORE:

\$3,200 +
\$1,800

TOTAL CONTRIBUTION FOR LOTS
CURRENTLY PAYING WATER RATES

\$5,000/lot

\$3,200 +

\$1,800

\$1,920 +

TOTAL CONTRIBUTION FOR LOTS NOT
CURRENTLY PAYING WATER RATES

\$6,920/lot

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

Timing of provision of services

Water - 1992

Sewer - 1992

Roads - 1995 (progressive implementation from 1991)

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.

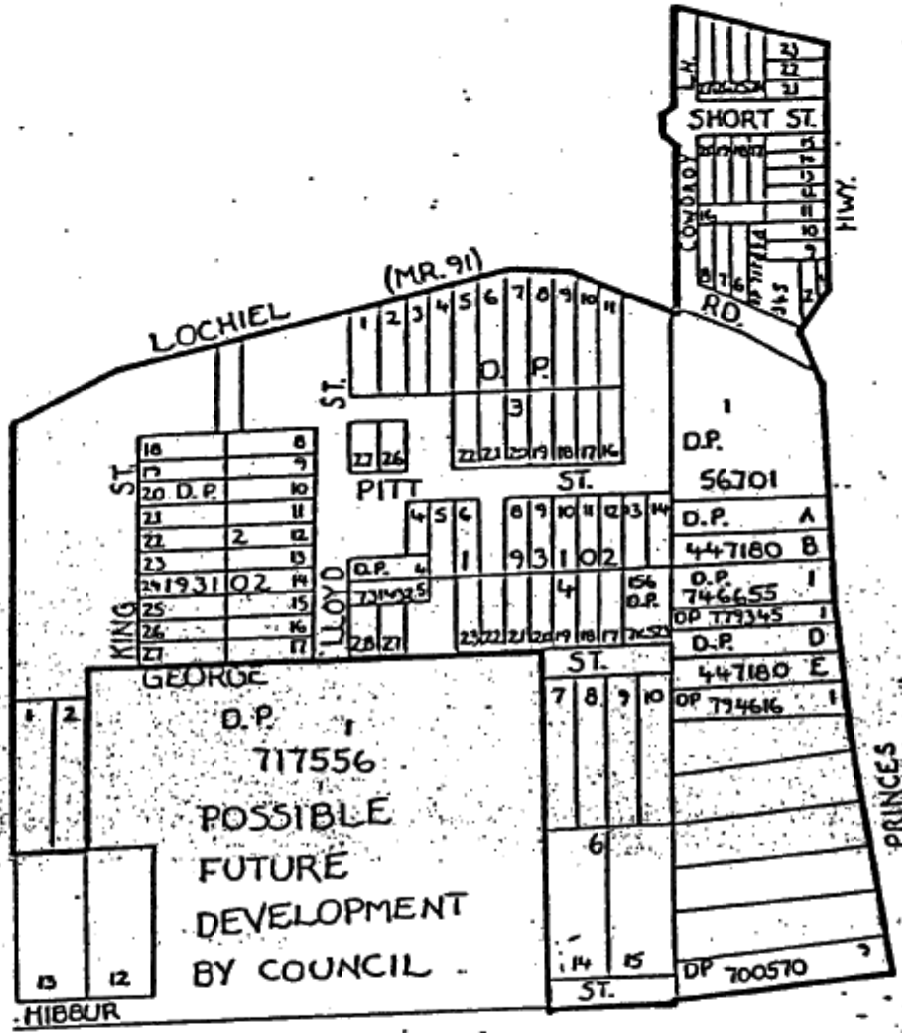
Determination of allocation of development rights

In the event that there is a dispute as to whom is entitled to development rights for 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, 1966.

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 1987).



LOCALITY: SOUTH PAMBULA

OWN: L. JACKSON

DATE: 5-4-90

FORCE FROM: 14-12-90

SCALE: 1:5000

PLANNER: M. SWIFT

DEVELOPMENT CONTROL

MAP NO 44

THIS IS THE MAP REFERRED TO IN BEGA VALLEY DEVELOPMENT CONTROL PLAN NO 44

**CONTRIBUTIONS SCHEDULE
FOR SPECIFIC AREAS (1994)**

NAME OF AREA	PLAN	AMOUNT
George St Lane, Bermagui	DCP No. 1 → CP No. 6	\$4,603
Old Wallagoot Rd, Kalaru	DCP No. 33 → CP No. 7	\$1,044
Tuross St Lane, Bermagui	DCP No. 37 → CP No. 9	\$5,431
Prospect Estate, Sth Pambula	DCP No. 44 → CP No. 10	\$5,116 (rated) 5202 \$7,080 (not rated) 7200
Bald Hills Road	DCP No. 47 → CP No. 11	\$5,116
Lochiel - Nethercote Road	DCP No. 51 → CP No. 12	\$4,737
Narrawa Place, Jellat	DCP No. 54 → CP No. 13	\$4,670
Water Supply Reservoir, Kalaru	DCP No. 34	\$909*
Sth Pambula Industrial Area - Water Supply	DCP No. 56	\$3,915*

Note: Above Contribution Plans are still in draft form. CP Nos. 11, 12 and 13 have been publicly exhibited and are likely to be adopted in early April. Amount of contribution under CP No. 12 is likely to rise to \$4,756 when adopted.

* Contributions levied under the Water Supply Authorities Act, 1987 and Local Government Act, 1993, DCP Nos. 34 and 56 remain.