



Development Servicing Plan No. 2 – Stormwater Infrastructure



ADOPTED BY COUNCIL:

21 NOVEMBER 2018

THIS PLAN CAME INTO EFFECT ON:

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1 Introduction

Section 64 of the *Local Government Act 1993* enables a local government council to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to Section 306 of the *Water Management Act 2000*.

A Development Servicing Plan (DSP) details the water supply, sewerage and stormwater developer charges to be levied on development in areas utilising water, sewerage and stormwater infrastructure.

This DSP document covers stormwater developer charges in regard to the development areas serviced by Wentworth Shire Council.

This DSP document has been prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to Section 306(3) of the *Water Management Act 2000*.

This DSP document supersedes any other requirements related to stormwater developer charges for the area covered by this DSP. This DSP document takes precedence over any of Council's codes or policies where there are any inconsistencies.

The water supply and sewerage developer charges for the areas covered by this DSP document have been determined as follows:

\$0.94 per m² of the area to be subdivided

Developer charges relating to this DSP document will be reviewed after a period of 3 years.

In the period between any reviews, developer charges will be adjusted annually on the basis of the movements in the CPI for Sydney, excluding the impact of GST.

The developer shall be responsible for the full cost of the design and construction of stormwater works within subdivisions.

This DSP document should be read in conjunction with the Wentworth Local Environmental Plan 2011 and the Wentworth Development Control Plan 2011, which apply to the Wentworth Shire Council area.

2 Name of this Plan

This servicing plan is called the "Section 64 Development Servicing Plan No 2 - Stormwater Infrastructure".

3 Purpose of this Plan

The purposes of this servicing plan are to:

- a) provide an administrative framework under which specific stormwater infrastructure is provided, land acquired and easements created to allow development within the defined area;
- b) to authorise the Council to impose conditions under Section 64 of the *Local Government Act 1993* when granting consent to development on land to which this plan applies;
- c) ensure that the pre-development community is not financially burdened by the provision of stormwater infrastructure, acquisition of land or creation of easements as a result of this development; and
- d) enable the Council to be both publicly and financially accountable in its assessment and administration of the servicing plan.

4 Commencement of this Plan

This plan commenced on the date on which public notice of its adoption by Council appeared in a local newspaper.

5 Land to which this Plan applies

This plan applies to the contribution area as shown in the maps in Attachment 1.

The total service area for Buronga and Gol Gol is 1.2 km².

6 Demographic and land use planning information

6.1 Population Projections

Population projections for the Wentworth local government area and the towns to which this plan is applied, are shown in Tables 1 and 2 and Figures 1 and 2 below. The projections are from the 2016 to 2036, which is the Council's current planning horizon for water supply and sewerage services.

The projections below have been formulated on the percentage of increase/decrease in population between the 2011 and 2016 Census data collection by the Australian Bureau of Statistics.

The methodology of calculating the percentage rate of growth/decline can be found below:

Growth or decline percentage rate was referenced from the World View – Population and Demography website. <https://www.reference.com/world-view/calculate-population-s-growth-rate-c323cc96e3deff99?aq=Population+Growth+Rate&qo=cdpArticles#>

The methodology of calculating population projections can be found below:

Population projections was referenced from the Sciencing, Calculate Population Projections by Michael Keenan. <https://sciencing.com/calculate-population-projections-8473012.html>

Table 1 Population projections for Wentworth Shire Council

	2011	2016	Growth p/a between 2011 & 2016	2021	2026	2031	2036
Wentworth LGA	6609	6794	0.6%	6984	7180	7381	7587

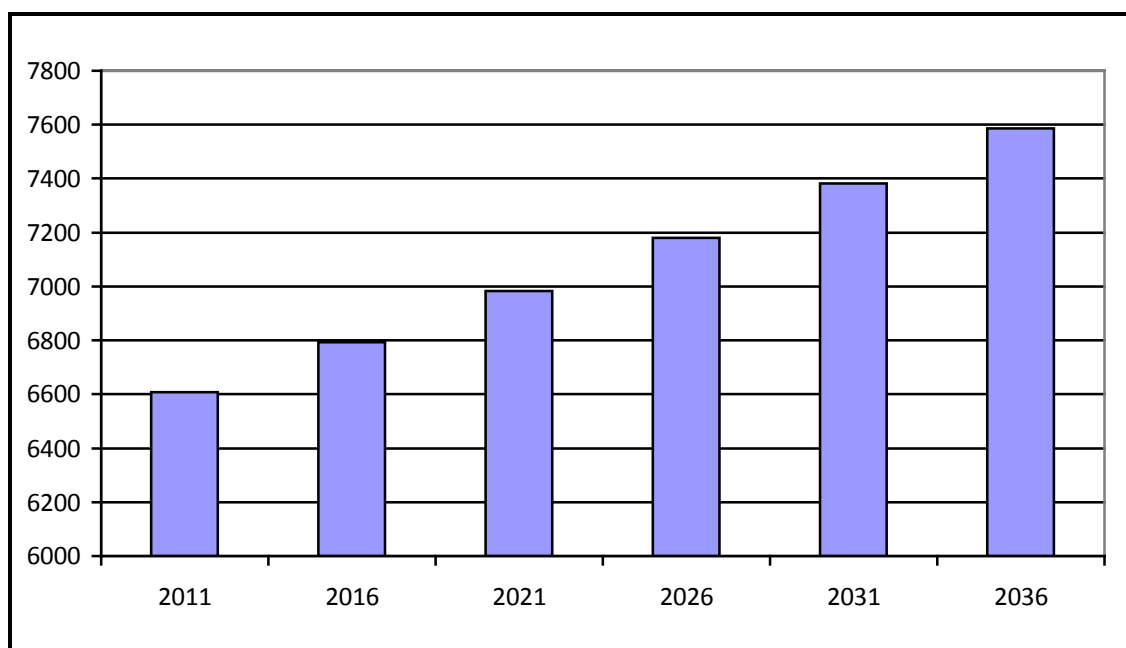


Figure 1 WSC Population Projection

Table 2 Population projections for townships in Wentworth Shire Council

Township	2011	2016	Growth/Decline p/a between 2011 & 2016	2021	2026	2031	2036
Wentworth	1248	1437	2.8%	1655	1905	2194	2526
Buronga	1053	1212	2.8%	1395	1607	1848	2127
Gol Gol	1478	1523	0.6%	1569	1617	1666	1717
Dareton	517	501	-0.6%	486	470	456	442

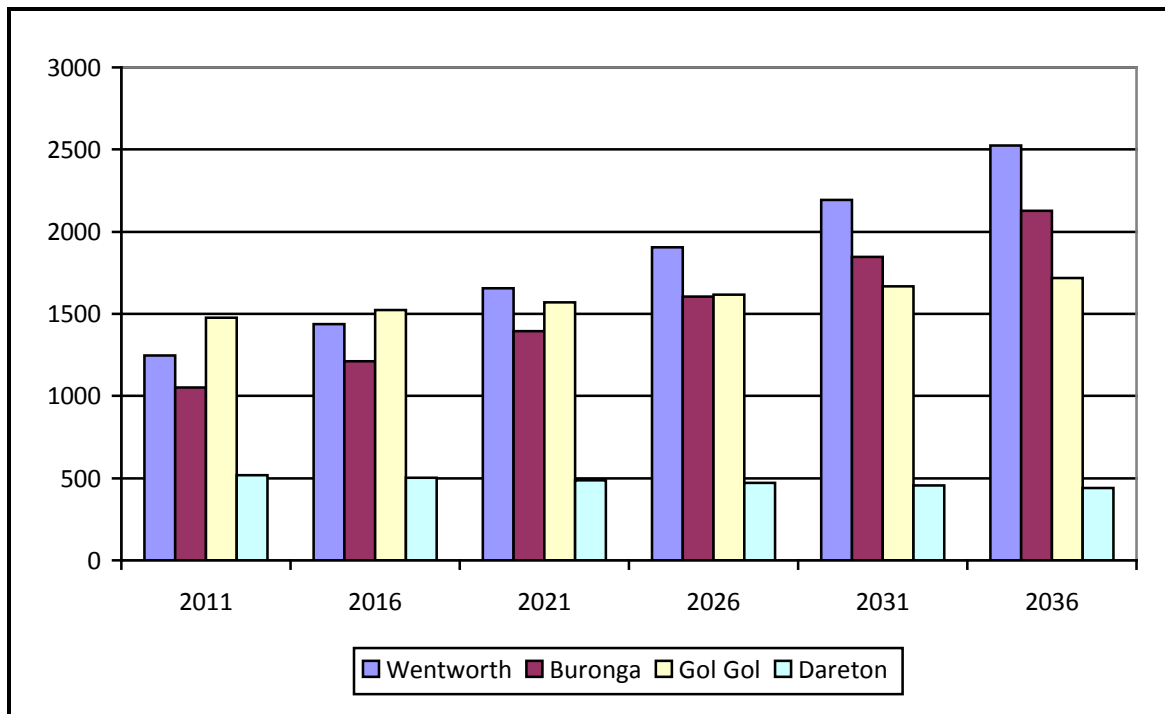


Figure 2 Projected population growth/decline

Note: The data for the Buronga and Gol Gol areas required minor manipulation due to a change in the data collection boundaries between 2011 and 2016 census period.

The 2011 boundary for Buronga included the Mourquong area and the 2011 boundary for Gol Gol included the Trentham Cliffs and Monak areas.

7 Development to which this Plan applies

This plan applies to the subdivision of all land into 2 or more lots.

8 Preliminary Investigations and Plans

In 2016/17 Council has incurred consultancy costs in investigating and preparing plans for the provision of stormwater infrastructure for the following projects.

Table 3 Projects in 2016/2017

Project	Location	Cost
Gol Gol Creek Drainage	Gol Gol	\$105,881
Buronga Gol Gol Stormwater Strategy	Buronga / Gol Gol	\$104,549
Buronga Land Fill Stormwater Drainage	Buronga	\$59,746
Darling Lane Stormwater	Wentworth	\$89,212
Wentworth Street Subdivision Contribution	Wentworth	\$48,340
Murray Street Drainage	Wentworth	\$80,000
Total		\$487,728

Table 4 Summary of expenditure of Buronga/Gol Gol Trunk Drainage System 2016/2017

Purchase Order	Description	Cost (ex. GST)	Consultant
6826	Consulting Services for Buronga/Gol Gol	\$6,030.00	Kustom Engineering
6827	Preliminary Trunk Drainage Strategy for Buronga/Gol Gol	\$2,880.00	Kustom Engineering
6284	Existing condition report for Buronga/Gol Gol drainage	\$15,000.00	Kustom Engineering
7111	Infill Strategy for priority developments	\$6,840.00	Kustom Engineering
7426	Buronga/Gol Gol Trunk Drainage Detailed Design	\$90,420.00	Tonkion Consulting
7629	Modelling and Conceptual Design of Potential Solution to existing constraints	\$18,000.00	Kustom Engineering
7630	Infill Strategy for non-priority developments	\$10,340.00	Kustom Engineering
7648	Trunk Drainage Design Variation	\$12,883.00	Tonkin Consulting
8334	Wood Street and Morrison DA Modelling for basin	\$6,220.00	Tonkin Consulting

Table 5 Proposed projects for 2017/2018

Project	Estimated Cost	Location	Approved annual budget
Buronga Gol Gol Drainage Constraints:		Buronga / Gol Gol	\$250,000
1. Wood Street Constraints	\$732,203.00		
2. Dawn Avenue Constraints	\$164,496.00		
3. Punt Road Constraints	\$100,000.00		

Breakdown cost estimates for the proposed projects are shown in Tables 6, 7 and 8. Please refer to the plan attached in Attachment 2.

Table 6 Wood Street Constraints

Section	Area	Construction Estimate
A-A	Nth side of Wood Street-Wadsworth Dr. to Gol Gol Creek	\$441,729.48
a-a	Sag pit in Pamela Ct.	\$2,000.00
B-C	Fiona Dr.	\$3,900.00
B-B	Sth side of Wood Street-Burn St. to mid-Wadsworth Dr	\$131,366.09
E-C	Burn St	\$5,731.35
Option C (D-D+H)	Top Gol Gol Nth Rd to Kingfisher Rd	\$147,477.09

Table 7 Dawn Avenue Constraints

Section	Area	Construction Estimate
E-E	Each side of Dawn Ave - Nth of Wood St	\$91,809.88
F-F+A	Pits at the intersection of Dawn Ave and Wood St	\$10,000.00
G-G	West side of Dawn Ave Sth from Wood St	\$148,243.28
H-H	Sth side of Dawn Ave South from Wood St – East Side	\$48,444.86

Table 8 Punt Road Constraints

Section	Area	Construction Estimate
I-I+E	Punt Rd to River	\$91,809.88 (Approximated to \$100,000.00)

Notes:

The above cost estimates do not include the cost of Project Management and Design cost. Total project cost includes an additional 10% of the estimated cost for the Project Management and an additional 10% for the design cost.

Council has an ongoing allocation of \$100,000 for Stormwater Renewals. This amount varies annually. In 2017/2018 the allocation is \$105,000, in 2018/19 the allocation will be \$100,000 and in the 2019/20 financial year, the allocation will be \$250,000.

The total estimated cost for the above Buronga Gol Gol Constraints Project is approximately \$1,200,000.00. This project will take approximately 4-5 years for completion.

As shown in Attachment 2, most of the Wood Street and Dawn Avenue constraints are due to the

recent subdivision development drainage systems. Background and other information is available in the report “P17017_R0-Concept Stormwater Design Report for Buronga and Gol Gol Stormwater Constraints” prepared by Kustom Engineering for Council.

A copy is available at Council’s H&P Department for information.

9 Contributions

Contributions are to be levied by Council on the subdivision of land in order to recoup the incurred and estimated costs for the following items:

- a) Preliminary investigations and plans
- b) Provision of stormwater infrastructure
- c) Acquisition of land and creation of easements.

The contribution formula for the recoupment of costs associated with these items

is: Contribution rate ($\$/\text{m}^2$) = C/A

Where:

- C the total incurred and estimated cost of preliminary investigations and plans, provision of stormwater infrastructure, acquisition of land and creation of easements.
- A the area of land within the respective contribution area exclusive of existing public roads as at December 2017.

The contribution rate is to be applied to all land that is proposed to be subdivided inclusive of any proposed road reserves, easements and temporary storm water works. The contribution rate is shown in Table 9 below.

Table 9 Contribution rate

Item	Cost	Area	Contribution rate ($\$/\text{m}^2$)
Preliminary investigations and plans	\$487,728		
Provision of stormwater infrastructure	\$1,200,000	1.8 km ² 1,800,000 m ²	\$0.94 per m ² of the area to be subdivided
Total Cost	\$1,687,728		

10 Indexation of contributions included in this plan

To ensure that the value of contributions are not eroded over time by inflation, Council will, without the necessity of preparing a new or amending servicing plan, make changes to the contribution rates set out in this plan to reflect quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics.

Note: This section does not cover the adjustment of a contribution between the time of consent and time payment is made.

11 Indexation of monetary contributions at the time of payment

A monetary contribution required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid, in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

12 Timing of payment of Contributions

Council requires contributions under this plan to be paid in full prior to release of the final plan of subdivision (i.e. Subdivision Certificate).

13 Policy on deferred payments

Council may allow payment of contributions to be deferred in the following cases only:

- a) Where deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of required stormwater infrastructure;
- b) where the applicant intends to make a contribution by way of a planning agreement, works in kind agreement or land dedication in lieu of a cash contribution and Council and the applicant have a legally binding agreement for the provision of the works and land dedication; or
- c) where there are circumstances justifying the deferred or periodic payment of the contribution.

If it agrees to a deferred or periodic payment request, Council will require the applicant to provide an unconditional bank guarantee by a bank or a financial institution for the full amount of the contribution or the outstanding balance.

Deferred payments as outlined above are acceptable only where an unconditional bank guarantee is provided for the amount deferred. Bank guarantees will be accepted on the following conditions:

- a) the guarantee must carry specific wording, for example "stormwater infrastructure contributions for Buronga/Gol Gol";
- b) the guarantee will be for the contribution amount plus the estimated amount of compound interest foregone by Council for the anticipated period of deferral, (refer to formula below);
- c) Council may call up the guarantee at any time without reference to the applicant, however the guarantee will generally be called up only when cash payment has not been received, land is not dedicated or material public benefit not provided by the end of the period of deferral;
- d) the period of deferral will be as agreed where land is to be dedicated or a material public benefit is to be provided. In merit cases, the period of deferral will be as approved by Council. The period of deferral may be extended subject to providing a renewed bank guarantee, which includes anticipated future interest; and
- e) Council will discharge the bank guarantee when payment is made in full by cash payment, land transfer or by completion of works in kind.

13.1 Formula for Bank Guarantee

The following formula will be applied to all bank guarantees for contributions:

$$\text{Guarantee Amount} = P + P(\text{CI} \times Y)$$

Where:

P is the contribution due;

CI is the compound interest rate comprised of Council's estimate over the period plus 3% (allowance for fluctuations); and

Y is the period of deferral (years).

14 Material public benefits and dedication of land offered in part or full satisfaction of contributions

A person may make an offer to the Council to carry out works or dedicate land, in part or full satisfaction of a contribution required by a condition of consent.

Council will only accept offers of works or land that are items identified in this plan.

Any offer shall be made in writing to the Council prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Each party to any agreement will be responsible for their own legal costs in the preparation and implementation of any formalised agreement.

If the offer is made prior to the issue of development consent then the offer must be made by way of a planning agreement, and Council will consider the request as part of its assessment of the development application. If Council approves the offer, it will require the agreement to be entered

into and performed via a condition in the development consent.

If the offer is made after the issue of development consent then the offer will be formalised in a works in kind or land dedication deed of agreement.

15 Valuation of offers and offsets

The value of any land or material public benefit will be determined by a process agreed to between the Council and the applicant. This will be done prior to entering into an agreement or commencement of any works included in the offer.

The value of any land or material public benefit offered by the applicant may, at Council's discretion, be used to offset monetary contributions applicable to the development under this plan. The value of works or land will be offset against the contribution required for the same facility category. Offsets against other facility categories will be by agreement only.

Where Council accepts an offer by an applicant to dedicate land or provide a material public benefit, and the value of that land or public benefit is in excess of the contribution required under the consent, the surplus land or value of works will be held by Council as credit for future development. The credit will be offset against contributions for the same facility category in any future development by that applicant in the area to which this plan applies. The offset will generally be made at the contribution rate at the time of the subsequent development.

If no future development is intended, the application will be reimbursed by Council for the surplus land or works credit, subject to agreement by Council as to the value of same. No credit will be given for land or works that are not included in this plan.

16 Accountability and access to information

Separate accounting records will be maintained for each contribution type in this plan. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided.

The records are held at Council's Administration Office and may be inspected upon request.

17 Transitional arrangements

This Plan applies to:

- a) a development application or application to modify a development consent submitted after the date on which this plan took effect; and
- b) a development application or application to modify a development consent submitted, but not yet determined, on or before the date on which this plan took effect.

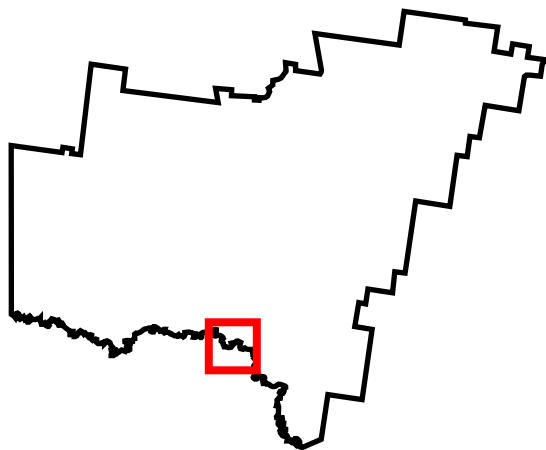
Attachments

Attachment 1 – DSP area applicable to this plan



The Shire on Two Rivers

WENTWORTH STORMWATER MAP Buronga/Gol Gol Location



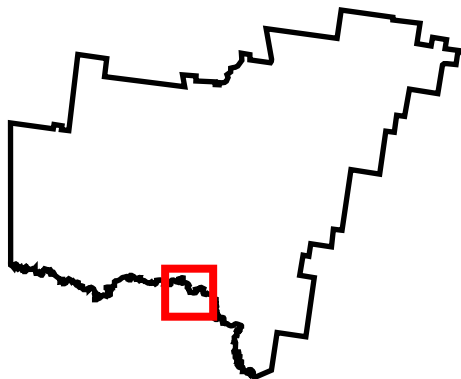


The Shire on Two Rivers

WENTWORTH SERVICES MAP Buronga/Gol Gol Section 1

LEGEND

— Storm Water Pipes



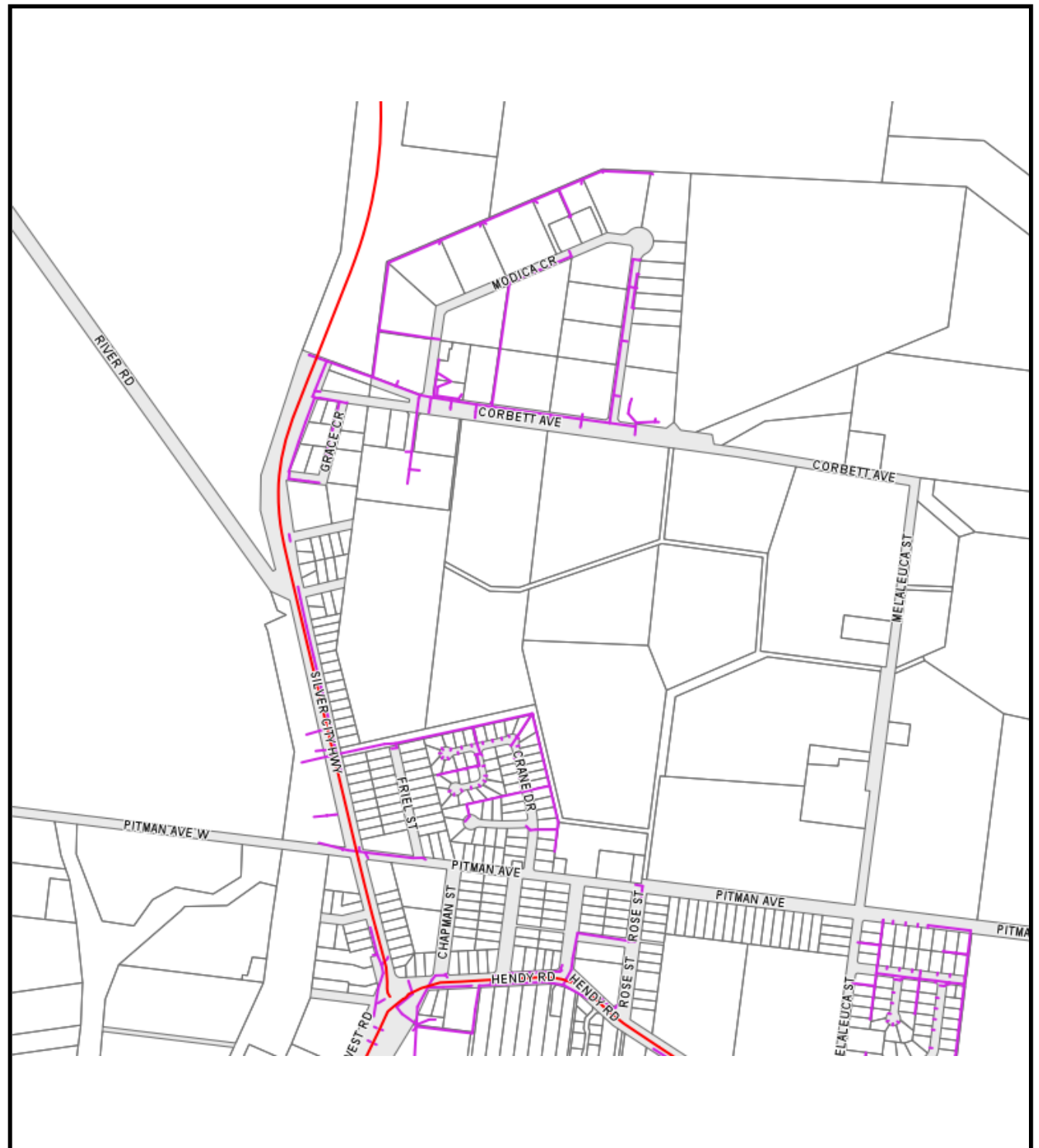
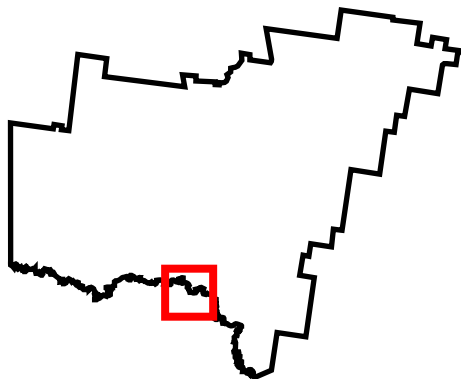


The Shire on Two Rivers

WENTWORTH SERVICES MAP Buronga/Gol Gol Section 2

LEGEND

— Storm Water Pipes



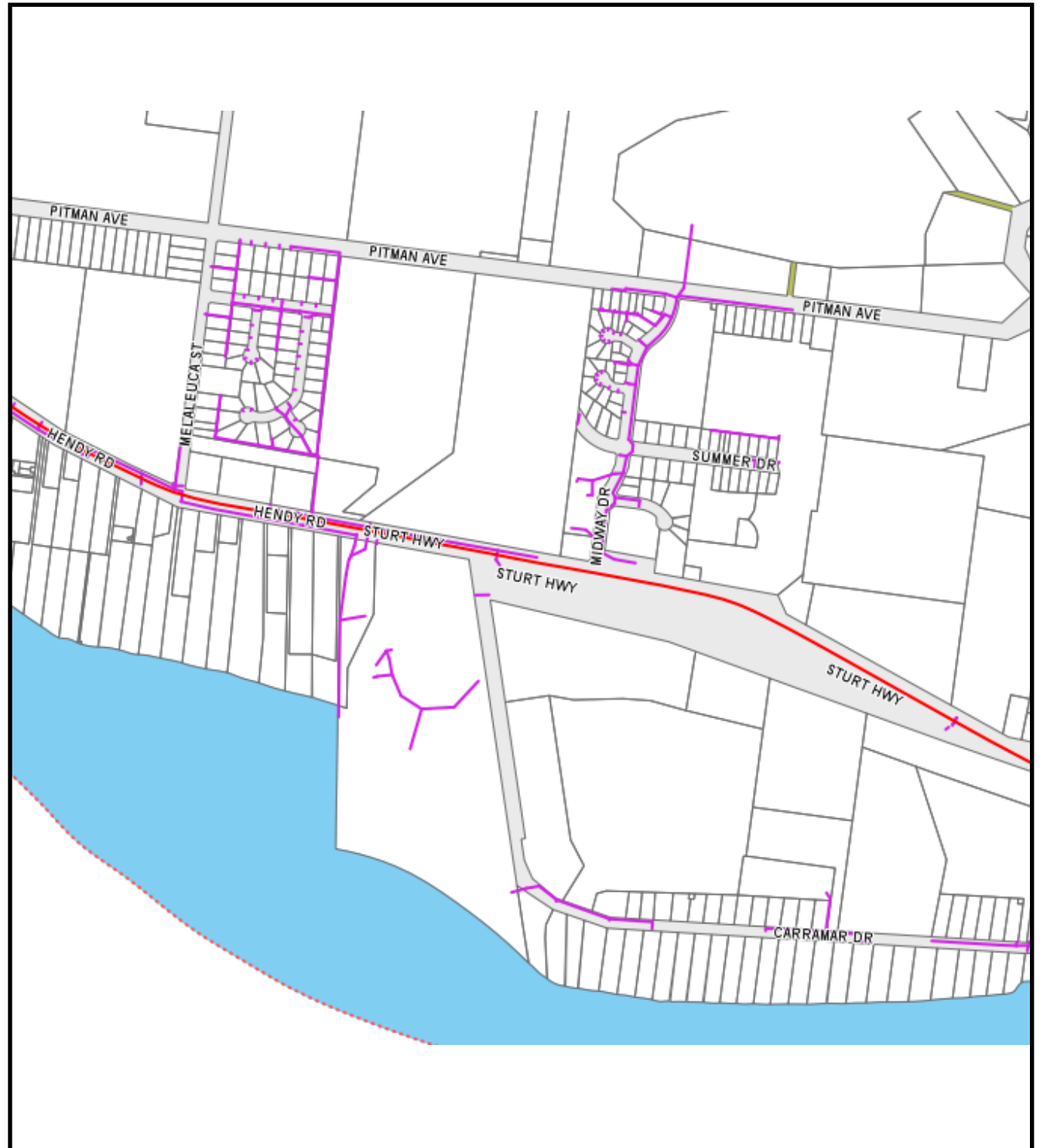
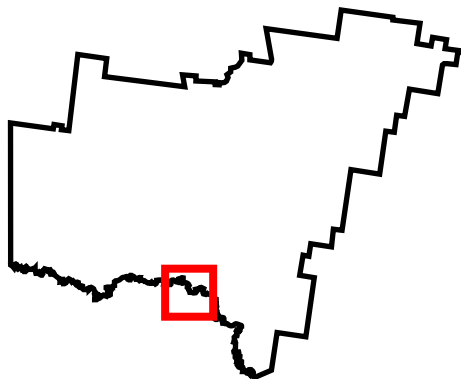


The Shire on Two Rivers

WENTWORTH SERVICES MAP Buronga/Gol Gol Section 3

LEGEND

— Storm Water Pipes



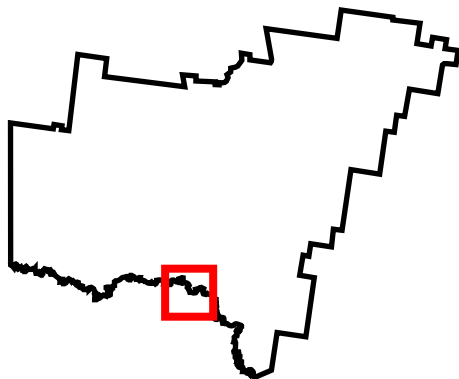


The Shire on Two Rivers

WENTWORTH SERVICES MAP Buronga/Gol Gol Section 4

LEGEND

— Storm Water Pipes



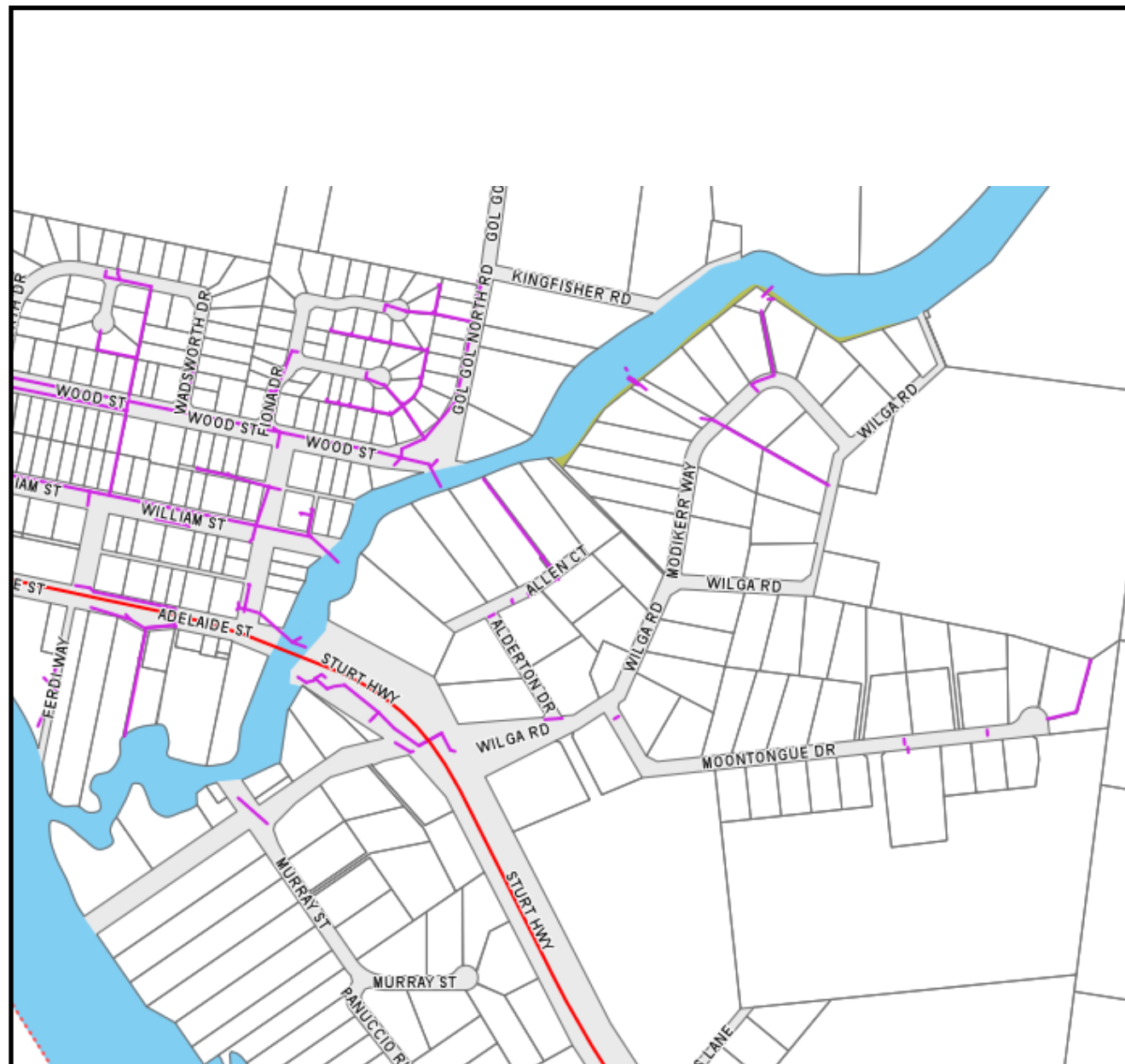
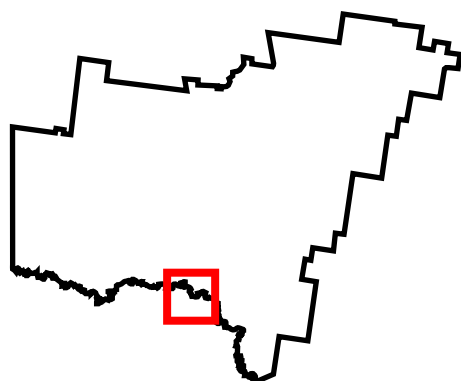
The Shire on Two Rivers

WENTWORTH SERVICES MAP

Buronga/Gol Gol Section 5

LEGEND

— Storm Water Pipes



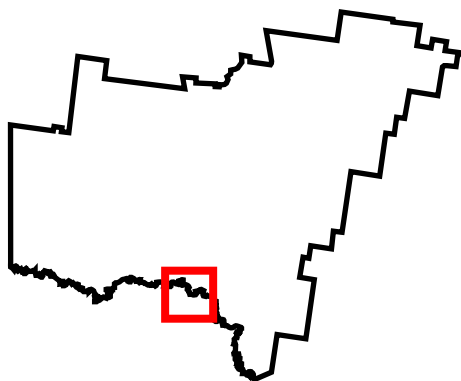


The Shire on Two Rivers

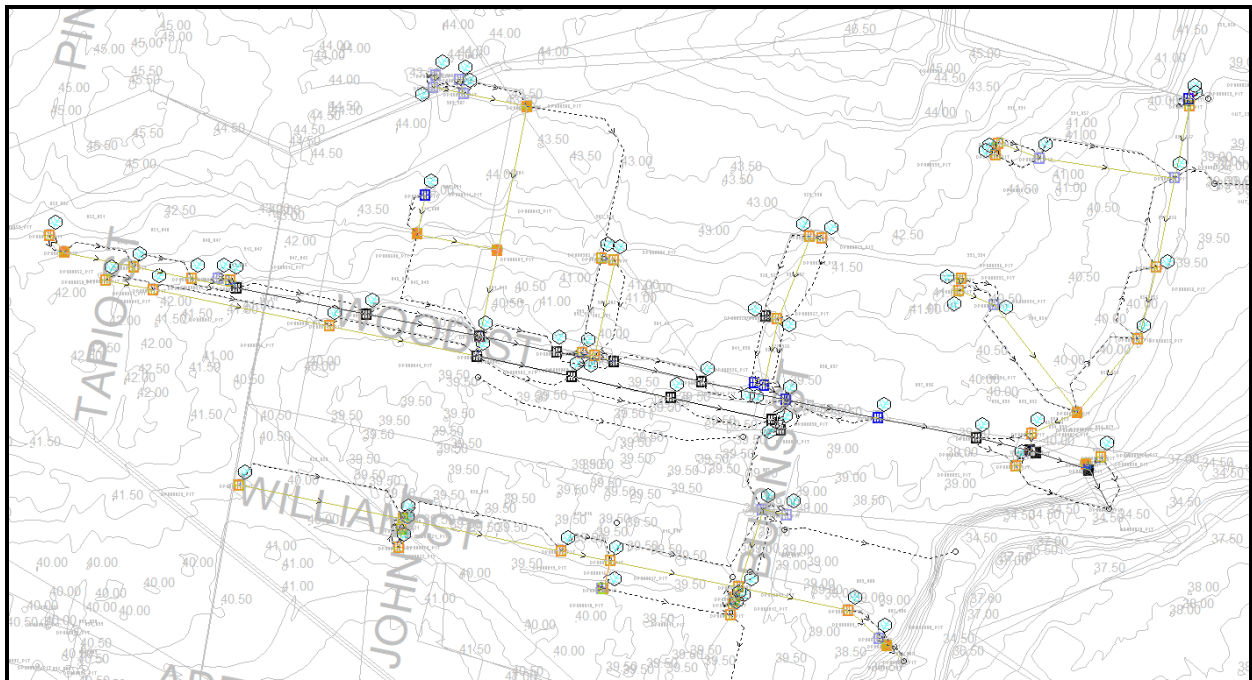
WENTWORTH SERVICES MAP Buronga/Gol Gol Section 6

LEGEND

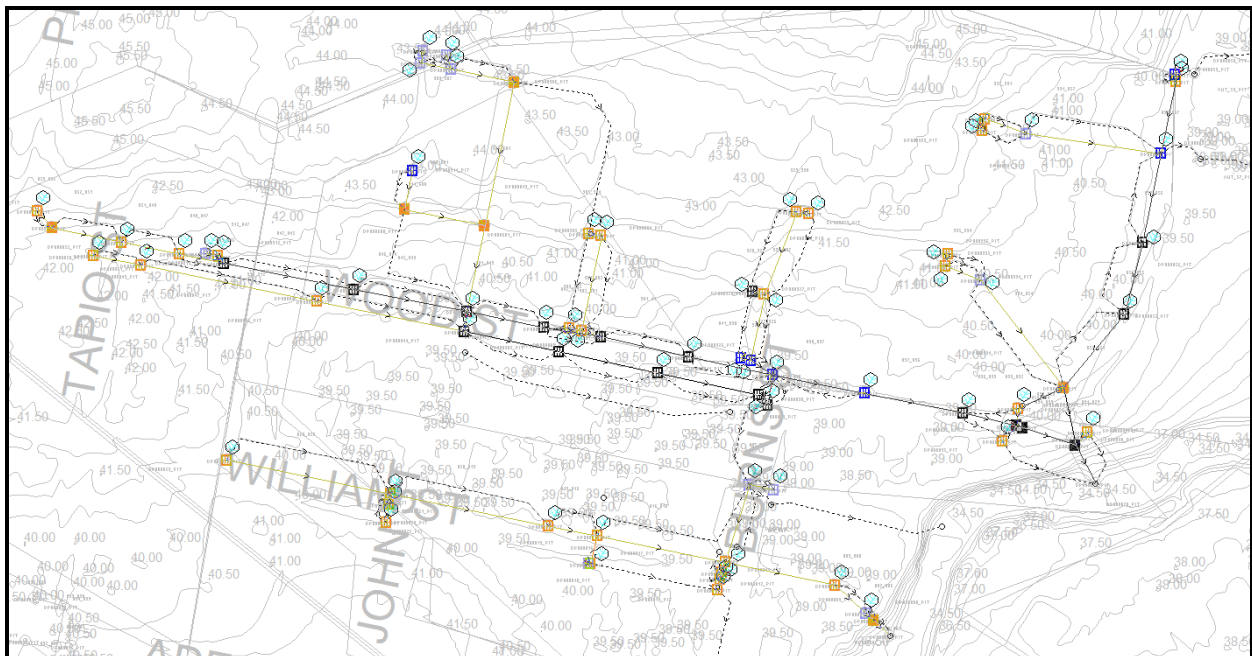
— Storm Water Pipes



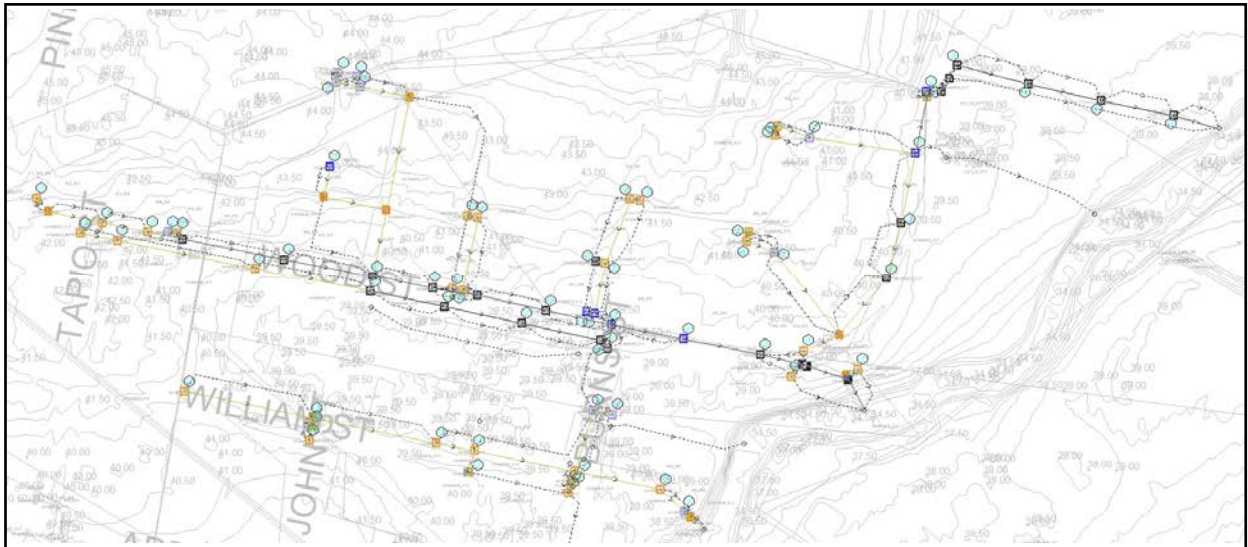
Attachment 2 – Plans of proposed drainage constraints



Proposed Upgrades – Option A – East Gol Gol – Wood Street & Gol Gol North Road – Stormwater Pipe and Overflow Route Map – WSC Current Constraints Report



Proposed Upgrades – Option B – East Gol Gol – Wood Street & Gol Gol North Road – Stormwater Pipe and Overflow Route Map – WSC Current Constraints Report



Proposed Upgrades – Option C – East Gol Gol – Wood Street & Gol Gol North Road – Stormwater Pipe and Overflow Route Map – WSC Current Constraints Report