

**THE COUNCIL OF THE MUNICIPALITY OF KIAMA**

**SECTION 94 CONTRIBUTIONS  
MANAGEMENT PLAN NO. 7**

**WEST KIAMA URBAN  
RELEASE AREA  
&  
CEDAR RIDGE/SILVER HILL**

**COUNCIL OF THE MUNICIPALITY OF KIAMA**

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**Adopted by Council on 15 December 1998**

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## **EXECUTIVE SUMMARY**

This contributions plan enables Kiama Municipal Council to levy section 94 contributions from development within the West Kiama Urban Release Area, Cedar Ridge and Silver Hill where such development will or is likely to increase demand for public facilities and services.

### **West Kiama Urban Release Area**

The West Kiama Urban Release Area Development Control Plan and Kiama Local Environmental Plan 1996 makes provision for approximately 196 new dwellings, accommodating an expected 600 people within the West Kiama Release Area between 1998 and 2008. As a consequence of this development and having regard to the expected community profile of the new population, the following facilities and works will be provided:

- local open space, including the acquisition of land and embellishment;
- cycleway/pedestrian links;
- detention basin/water quality pond site/riparian corridor;
- traffic management facilities; and
- section 94 management.

Table 1 summarises the contribution rates levied for public amenities and services required as a consequence of and to serve the demand generated by the anticipated development with the Release Area.

### **Cedar Ridge and Silver Hill Benefit Area**

As certain facilities and infrastructure proposed within the West Kiama Release Area are likely to benefit existing and future residents outside the West Kiama Urban Release Area as well as new residents within the Release Area a purpose Benefit Area has been identified in order to equitably distribute the respective responsibility for the funding.

The Cedar Ridge/Silver Hill Development Control Plan provides for an additional 27 lots yet to be created within the estate. This will result in an estimated increase in the population from 264 to 347 people within the estate. The existing and future population of Cedar Ridge and Silver Hill will generate a demand for a number of facilities proposed within the West Kiama Urban Release Area. Table 2 summarises the contribution rates for the Cedar Ridge/Silver Hill Benefit Area.

**Table 1: SUMMARY OF CONTRIBUTION RATES - WEST KIAMA RELEASE AREA**

Table 1. SUMMARY OF CONTRIBUTION RATES - WEST RAMP RELEASE AREA						
Ref No.	Facilities	Cost Estimate (\$)	Contribution Rate (\$)			
			small unit	medium unit	large unit	conventional lot
Open Space Facilities						
1.1	Riparian Corridor Embellishment	113,530.00	389.99	584.98	665.15	665.15
1.2	Park - Figtree Reserve Land Embellishment	6,000.00 16,750.00	20.61 57.54	30.92 86.31	35.15 98.13	35.15 98.13
1.3	Park - Dam Reserve Land Embellishment	81,000.00 43,780.00	278.24 150.39	417.37 225.58	474.56 256.50	474.56 256.50
1.4	Park - Thomson Street Land Embellishment	107,000.00 37,510.00	367.56 128.85	551.34 193.28	626.89 219.76	626.89 219.76
1.5	Perimeter Planting Land	37,030.00	127.20	190.80	216.95	216.95
1.6	Cycleway/Pedestrian links	90,020.00	309.23	463.84	527.41	527.41
1.7 BA	Bland St Pedestrian Link	36,260.00	74.42	111.63	126.92	126.92
1.8 BA	Playground Res-Bland St Land Embellishment	4,000.00 36,520.00	8.21 74.95	12.31 112.43	14.00 127.83	14.00 127.83
	Sub-Total Land Embellishment	235,030.00 374,370.00	1,987.19	2,980.79	3,389.25	3,389.25
Detention Basin/Water Quality Pond Site/ Riparian Corridor						
2.1	Land	92,500.00	317.75	476.62	541.94	541.94
Traffic Facilities						
3.1 BA	Old Saddleback Mtn Rd/Bland St intersection.	75,000.00	153.93	230.89	262.53	262.53
3.2	Entrance treatment Old Saddleback Mtn Rd	32,910.00	113.05	169.57	192.81	192.81
	Sub-Total	107,910.00	266.98	400.46	455.34	455.34
Section 94 Management						
4.1	Section 94 management	25,000.00	85.88	128.82	146.47	146.47
	TOTAL LAND EMBELLISHMT.	327,530.00 507,280.00	2,657.80	3,986.69	4,533.00	4,533.00

Note: Figures calculated in 1998. BA: Benefit Area

**Table 2: SUMMARY OF CONTRIBUTION RATES - CEDAR RIDGE/SILVER HILL BENEFIT AREA**

Ref No.	Facilities	Cost Estimate (\$)	Contribution Rate (\$)			
			small unit	mediu m unit	large unit	conventional lot
Open Space Facilities						
1.7	Bland St Pedestrian link	36,260.00	74.42	111.63	126.92	126.92
1.8	Playground Res.-Bland St Land Embellishment	4,000.00 36,520.00	8.21 74.95	12.31 112.43	14.00 127.83	14.00 127.83
	Sub-Total Land Embellishment	4,000.00 72,780.00	157.58	236.37	268.75	268.75
Traffic Facilities						
3.1	Intersection Old Saddleback Mtn Rd/Bland St	75,000.00	153.93	230.89	262.53	262.53
	TOTAL	151,780.00	311.51	467.26	531.28	531.28

**Note:** In addition to the contributions required under this Section 94 Plan reference must also be made to the following documents as additional contributions or works will be required over and above the contributions levied in the West Kiama Section 94 Plan:

- i. Section 94 Contributions Plan No.1 of 1992 (Municipal Wide Plan) ; and
- ii. Section 94 Contributions Plan No.2 of 1993 (Northern Region Plan); and
- ii. West Kiama Deed which binds the original land owners and successors in title and Kiama Council to subdivide the West Kiama Urban Release Area in consistency with the West Kiama Development Control Plan (as amended) and which requires certain works and the dedication of certain land for public purposes.

### Balance Sheet

The resultant balance between costs and income (contributions) is summarised in Table 3. Several of the proposed facilities will benefit existing as well as new residents. Therefore Council will fund the existing residents share of these costs.

**Table 3: BALANCE SHEET**

<b>Ref. Nos</b>	<b>Facilities</b>	<b>Total Cost</b>	<b>West Kiama Release Area</b>	<b>Cedar Ridge/Silver Hill Benefit Area</b>	<b>Council</b>
1.1-1.6	Open Space	532,620.00	532,620.00	0.00	0.00
1.7 1.8	Open Space Benefit Areas	76,780.00	45,875.00	7,267.00	23,638.00
2.1	Water Quality Facility	92,500.00	92,500.00	0.00	0.00
3.1	Bland St/Old Saddleback Intersection	75,000.00	44,812.00	7,098.00	23,090.00
3.2	Old Saddleback Mtn Rd Entrance Treatment	32,910.00	32,910.00	0.00	0.00
4.1	Section 94 Management	25,000.00	25,000.00	0.00	0.00
	<b>Total</b>	<b>834,810.00</b>	<b>773,717.00</b>	<b>14,365.00</b>	<b>46,728.00</b>

**Indicative Works Schedule**

Table 4 provides the indicative works schedule for the facilities identified in the plan, summarising the estimated staging program for the provision of facilities.

**Table 4 WORKS SCHEDULE**

<b>Ref No.</b>	<b>Facility</b>	<b>Estimated Staging Program</b>
<b>Open Space Facilities</b>		
1.1	Riparian Corridor	<ul style="list-style-type: none"> <li>To coincide with the residential subdivision of the subject land.</li> </ul>
1.2	Park - Figtree Reserve	<ul style="list-style-type: none"> <li>To coincide with the residential subdivision of the subject land.</li> </ul>
1.3	Park - Dam Reserve	<ul style="list-style-type: none"> <li>To coincide with the residential subdivision of the subject land.</li> </ul>
1.4	Park - Thomson Street	<ul style="list-style-type: none"> <li>To coincide with the residential subdivision of the subject land.</li> </ul>
1.5	Perimeter Planting Land Acqn	<ul style="list-style-type: none"> <li>Provide in conjunction with respective road construction works at the residential subdivision stage.</li> </ul>
1.7	Cycleway/Pedestrian links	<ul style="list-style-type: none"> <li>To coincide with the residential subdivision of the affected/adjoining land.</li> </ul>
1.8	Bland St Pedestrian Link	<ul style="list-style-type: none"> <li>To coincide with the Sector 1 subdivision indicated in the West Kiama Deed of Agreement*.</li> </ul>
1.9	Playground Reserve	<ul style="list-style-type: none"> <li>To coincide with the subdivision of the estate when it is half completed.</li> </ul>
<b>Detention Basin/Water Quality Pond Site/Riparian Corridor</b>		
2.1	Detention Basin/Water Quality Pond Site/Riparian Corridor	<ul style="list-style-type: none"> <li>Provide prior to the construction phase of residential development (including subdivision of roads) within the Release Area for any residential subdivision or other residential development or works associated with the release of the land.</li> <li>1998/1999</li> </ul>
<b>Traffic Facilities</b>		
3.1	Intersection Old Saddleback Mtn Rd/Bland St	<ul style="list-style-type: none"> <li>To coincide with the development of Sector 2 residential subdivision identified in the West Kiama Deed of Agreement.*</li> </ul>
3.2	Entrance treatment Old Saddleback Mtn Rd	<ul style="list-style-type: none"> <li>To coincide with the development of Sector 2 residential subdivision identified in the West Kiama Deed of Agreement.*</li> </ul>
4.1	Section 94 Management	<ul style="list-style-type: none"> <li>Formulation and on-going management and review of the Plan</li> </ul>

The West Kiama Deed of Agreement has been prepared to facilitate the subdivision of the West Kiama Urban Release Area and binds the original and successive land owners within that area and Kiama Council.

## **Section One INTRODUCTION**

### **1.1 CITATION**

This plan may be cited as Kiama Council Section 94 Contributions Management Plan No.7 (West Kiama Urban Release Area and Cedar Ridge/Silver Hill).

This plan has been prepared in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act (EP&A Act) 1979 and Part 4 of EP&A Act Regulations 1994.

### **1.2 PURPOSE OF THIS PLAN**

The primary purpose of this plan is to satisfy the requirements of Section 94 of the EP&A Act 1979 and Regulation to enable Council to require a contribution and/or dedication of land towards the provision, extension or augmentation of public amenities and services that will, or are likely to be, required as a consequence of development in the area or that have been provided in anticipation of or to facilitate such development.

In determining a development application Council may, in accordance with the provisions of this plan, impose a condition requiring:

- a monetary contribution and/or dedication of land to fund works or facilities to be carried out in the future; and/or
- a contribution to fund works or facilities which have already been constructed (ie recoupment of funds already spent).

### **1.3 AIMS AND OBJECTIVES**

#### **Aim:**

The aim is to provide a comprehensive strategy, accountability and a degree of certainty in the provision of community facilities and amenities within the West Kiama Urban Release Area and Cedar Ridge/Silver Hill.

#### **Objectives:**

The achievement of these aims is qualified by the following objectives;

- ensure that an adequate level of public infrastructure is provided within the West Kiama Release Area and Cedar Ridge/Silver Hill;
- establish a nexus between the new development and the need for community services and amenities;
- clearly show Council's intentions regarding the type, location and timing of provision of services and amenities within the Release Area;
- identify where the provision of new facilities and infrastructure is likely to benefit existing residents outside the West Kiama Urban Release Area as well as the new residents within the Release Area.
- ensure that the section 94 contributions levied on development are reasonable; and
- show how monetary contributions were arrived at and how they will be spent.



#### **1.4 LAND TO WHICH THIS PLAN APPLIES**

This management plan applies to land as shown in Figures 1.1 and 1.2, known as the West Kiama Urban Release Area.

In addition the plan applies to Cedar Ridge and Silver Hill as shown in Figure 1.3. The Cedar Ridge/Silver Hill estate are identified in this Plan as the Cedar Ridge/Silver Hill Benefit Area.

#### **1.5 TIME SCALE**

This management plan provides for the provision of facilities and infrastructure that serve the needs of the West Kiama Urban Release Area and Cedar Ridge/Silver Hill population. To satisfy this requirement the period over which the plan is to operate is until the year 2008.

#### **1.6 RELATIONSHIP TO OTHER PLANS, POLICIES AND CODES**

This management plan relates to:

- Section 94 Contributions Plans No.1 of 1992 (Municipal Wide Plan);
- Section 94 Contributions Plans No.1 of 1992 (Southern Region Plan);;
- Kiama Local Environmental Plan 1996;
- all existing and future Development Control Plans as are relevant to particular types of development for which a contribution may be sought; and
- all existing and future Council Codes and Policies as are relevant to development for which a contribution may be sought.

In addition to the contributions required under this Section 94 Plan reference must also be made to the following documents as additional contributions or works will be required over and above the contributions levied in the West Kiama Section 94 Plan:

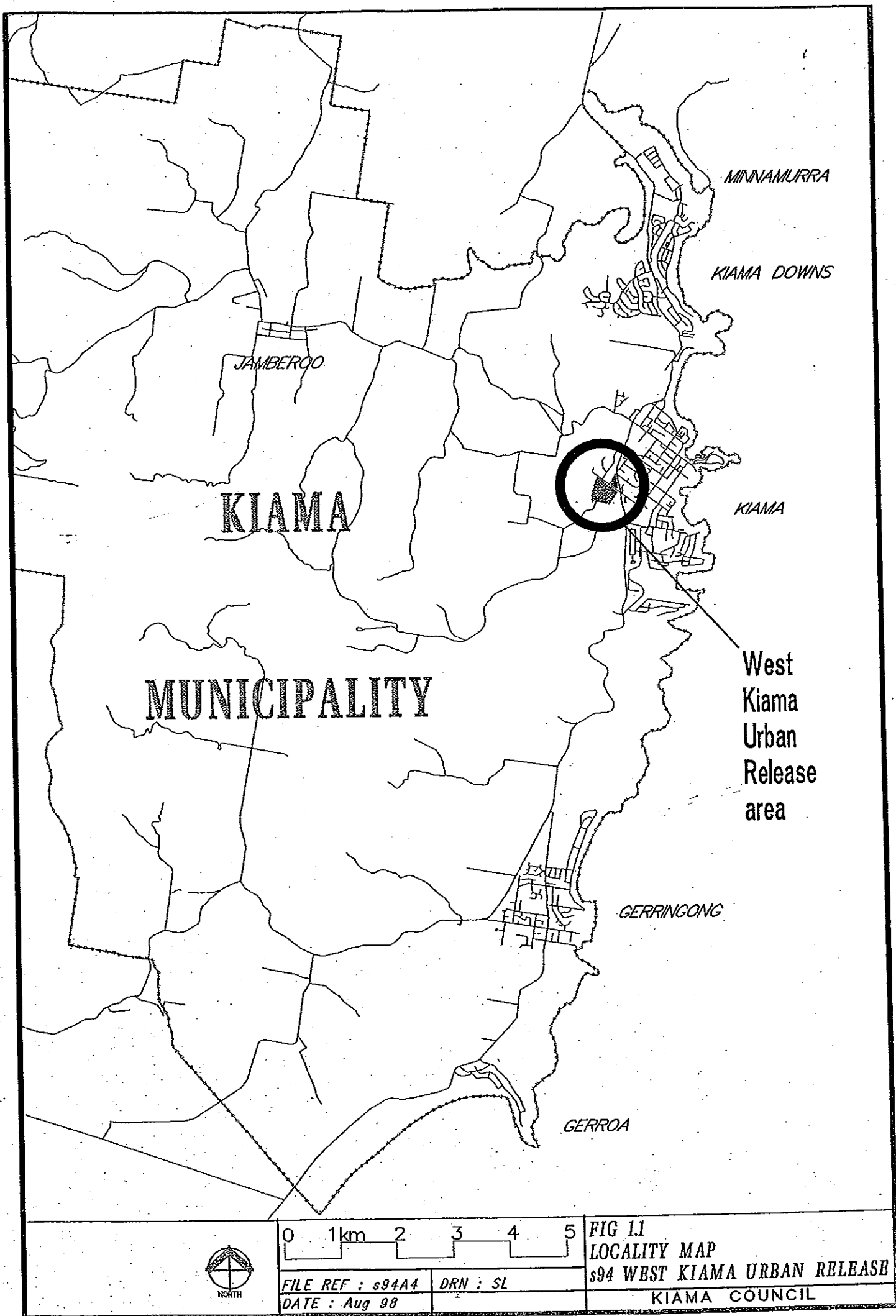
- i. Section 94 Contributions Plan No.1 of 1992 (Municipal Wide Plan) ; and
- ii. Section 94 Contributions Plan No.3 of 1993 (Southern Region Plan); and
- ii. West Kiama Deed which binds the original land owners and successors in title and Kiama Council to subdivide the West Kiama Urban Release Area in consistency with the West Kiama Development Control Plan (as amended) and which requires certain works and the dedication of certain land for public purposes.

#### **1.7 EXTENT AND APPLICATION OF THE PLAN**

##### **Scope of the Plan**


##### **i. West Kiama Urban Release Area**

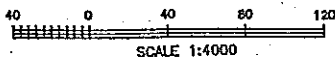
The majority of the facilities and works described in this plan are required as a direct consequence of new development within the West Kiama Urban Release Area. This link or 'nexus' between development and the subsequent demand for public amenities is outlined by this plan.





# LEGEND

 WEST KIAMA URBAN  
RELEASE AREA



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**FIG 1.2**  
**WEST KIAMA**  
**URBAN RELEASE AREA**  
**KIAMA COUNCIL**

KIAMA COUNCIL

## **ii. Benefit Area: Cedar Ridge/Silver Hill**

The plan acknowledges that the provision of certain new facilities and infrastructure is likely to benefit existing and future residents outside the West Kiama Urban Release Area as well as new residents within the Release Area. Thus in determining contribution levels, the intent is to equitably distribute the respective responsibility for the funding of such facilities between existing and new residents. In the majority of cases there will be a need for Council to fund the existing residents share of these costs.

Figure 1.3 identifies the Benefit Area which includes the existing and future residents within Cedar Ridge/Silver Hill who will benefit from the provision of the following facilities:

- playground - Bland Street;
- Bland Street cycleway pedestrian link; and
- intersection treatment Bland Street/Old Saddleback Mountain Road.

### **Development Forms**

The types of development liable for contributions under this plan are:

- any form of subdivision which involves the generation of additional persons;
- any form of residential development generating additional persons (other than single unit dwelling houses);
- dual occupancy development only where such development involves the creation of two new dwellings on a vacant lot of land or the demolition of existing buildings so as to create two new dwellings. In which case a contribution for only one dwelling will be sought;
- tourist related development which generates demand on services and facilities. In this case the contribution will be calculated at the rate of 65% of the normal contribution; For the purposes of this plan, it has been determined that tourist related development places a demand on services and facilities equivalent to 65% yearly occupancy rate;
- any other form of development which generates additional persons and creates a demand on services and facilities.

### **Variation to Project Scope**

Where contributions collected for a community project exceed its actual cost, Council will consider increasing the standard of the facility or amenity, or developing another facility or amenity within the same purpose category.

Where funding for a community project is not raised according to expectation, Council reserves the right to either: develop the facility or service to a lower standard; or reduce the scope of the project. However, where the financial scope of the project is varied, Council will honour its commitment by maintaining its pro-rata funding as indicated in this management plan.

## **Section 2**

### **PROJECTED POPULATION AND DWELLINGS**

#### **2.1 EXISTING POPULATION**

##### **2.1.1 West Kiama Urban Release Area**

Existing development within the West Kiama Urban Release Area comprises rural landuses with a collection of agricultural farms. The area contains 2 dwelling houses with a population in 1998 of approximately 6 people.

##### **2.1.2 Cedar Ridge/Silver Hill Benefit Area**

The number of existing dwellings within the within the Cedar Ridge/Silver Hill is in the order of 86 dwellings . As development within the Estate is characteristic of new urban release areas in the LGA an occupancy rate of 3.07 persons per household or lot has been applied to the area. The current estimated population of Cedar Ridge/Silver Hill is 264 people.

#### **2.2 FUTURE POPULATION**

##### **2.2.1 West Kiama Urban Release Area**

###### **Density Types**

The West Kiama Urban Release Area Development Control Plan identifies housing density targets based on a detailed analysis of opportunities and physical constraints within the release area. Kiama Local Environmental Plan 1996 also provides aims and objectives which relate to the development potential of the land.

The release area supports two residential zones: Residential "A" and Residential "B". The proposed neighbourhood structure for the area will concentrate the highest density housing on Residential 2(b) zoned land north of Bland Street and on Residential 2(a) zoned land south of Bland Street and east of Old Saddleback Mountain Road in the vicinity of Willow Gully Creek. Lower density regular subdivision for detached houses is proposed to be located on the western side of Old Saddleback Mountain Road.

The estimated number of new dwellings within the West Kiama Release area is 170 dwellings.

The Development Control Plan provides for a mix of housing types. Five residential development types identified within the release area include:

- detached housing
- dual occupancy
- integrated development
- residential flats buildings
- villa homes and courtyard house

## Occupancy Rates

The average occupancy assumptions for the release area were determined by examining occupancy rates within other local new urban release areas and similar developments throughout the Municipality.

The average occupancy rate within the Kiama Municipality at the time of the 1996 ABS census was 2.70 persons per dwelling. Development within new urban release areas within the LGA however recorded higher occupancy rates of 3.07 persons per dwelling.

As development within the West Kiama Release Area is anticipated to be characteristic of new urban release areas in the LGA an occupancy rate of 3.07 persons per household or lot is applied to the area. Contributions will then be levied on a per person basis.

For the purpose of calculating contributions for medium density developments the following table indicates the persons per medium density unit for small, medium and large units.

Dwelling Type	Occupancy Rate
Conventional Lots/Large units	3.07 persons per lot/unit
Medium Units	2.70 persons per unit
Small Units	1.80 persons per unit

## Anticipated Population

It is anticipated that the new population of the West Kiama Urban Release Area will be between 400 and 550 people. The increase in residential population has been based on:

- density types;
- occupancy assumptions;
- site constraints and opportunities;
- potential land availability; and
- Australian Bureau of Statistics 1996 Census of Population and Housing

Table 2.1 outlines the projected number of dwellings and population for the release area between 1998 to 2008

## Characteristics of Future Population

The population profile of the release area is expected to be similar to that which currently resides in other new urban areas in the Kiama LGA (eg Gainsborough Estate, Cedar Ridge Estate). It is anticipated that the resident population will have a relatively even distribution of people within all age groups and will include moderate to higher income households.

## 2.2 Cedar Ridge/Silver Hill Benefit Area

The Cedar Ridge/Silver Hill Development Control Plan provides for the creation of an additional 27 lots, increasing the potential number of dwellings from 86 to 113 dwellings. The predominant form of residential development within the estate is currently detached housing. It is anticipated that this form of development will prevail on the future 27 lots to be created.

As noted above development within new urban release area within the Kiama LGA have occupancy rates in the order of 3.07 persons per dwelling. Based on the current density types, occupancy rates, site constraints and current Census data, the population of Cedar Ridge/Silver Hill is therefore projected to increase from 264 people to 347 people

**Table 2.1: Dwelling and Population Projections, 1998 to 2008**

Area	1998	2003	2008
<b>Dwellings:</b>			
West Kiama Release Area	2	90	172
Cedar Ridge/Silver Hill Benefit Area	86	100	113
<b>Population:</b>			
West Kiama Release Area	6	275	530
Cedar Ridge/Silver Hill Benefit Area	264	306	347

Note: Projection figures rounded to nearest ten



## **Section Three PROPOSED FACILITIES**

### **3.1 CONTEXT**

The majority of the facilities and works described in this plan are required as a direct consequence of new development within West Kiama Urban Release Area. This link or 'nexus' between development and the subsequent demand for public amenities is outlined below. It is noted that the Deed of Agreement between the land owners and Kiama Council identifies facilities also required as a consequence of the development of the subject land.

### **3.2 OPEN SPACE FACILITIES**

#### **Proposed Facilities**

Public open space relates to areas of local open space that are needed to meet the general 'day-to-day' requirements of the local area population. The following open space facilities have been identified for the West Kiama Urban Release Area:

- riparian corridor
- local parks/playgrounds
- cycleway/pedestrian links

Figures 3.1 and 3.2 indicate the location of the proposed public reserves and open space facilities.

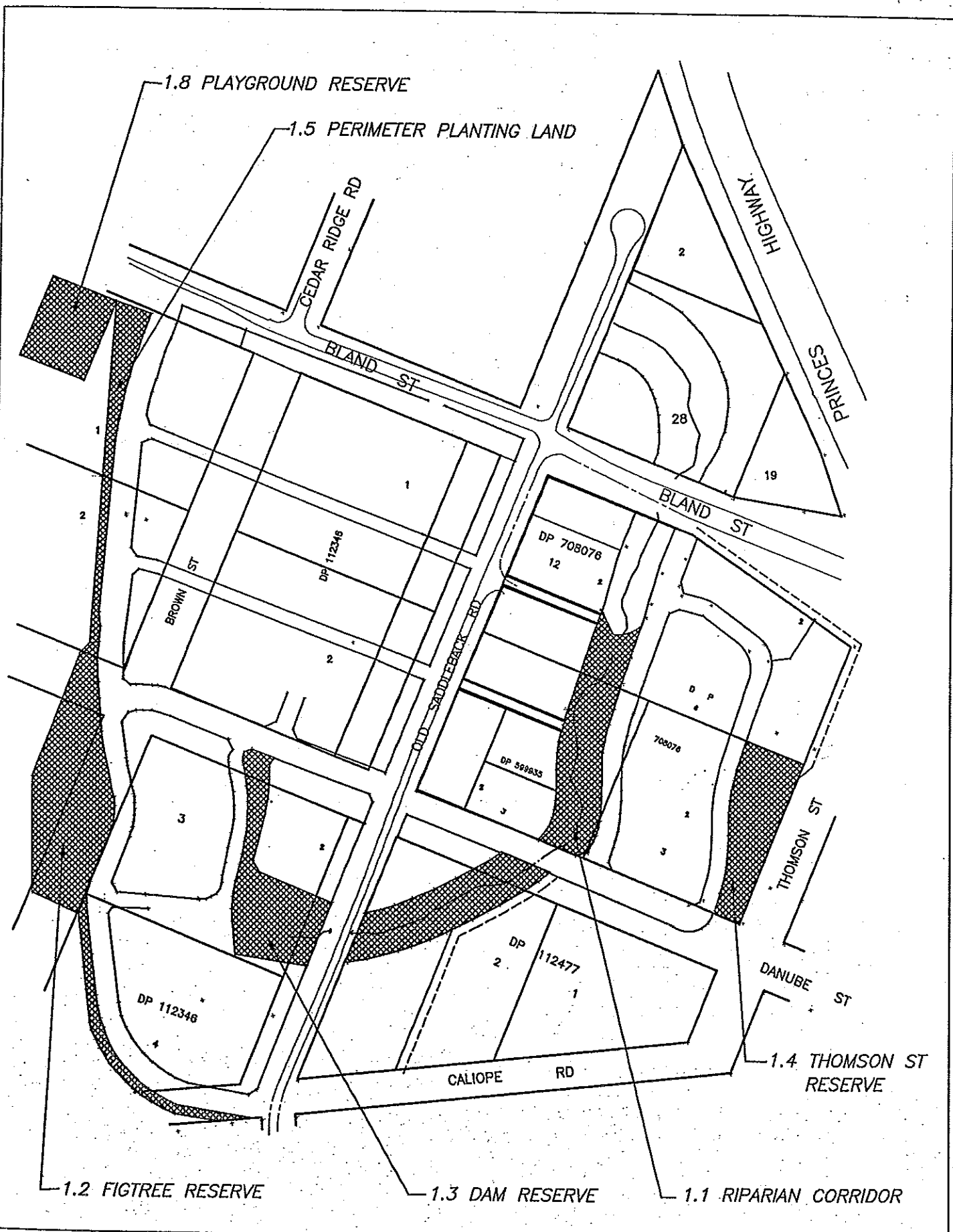
The Plan acknowledges that some of the proposed facilities will meet the demand of both existing and future development within Cedar Ridge and Silver Hill.

#### **Existing and Future Demand**


The West Kiama Release Area does not currently support any public open space areas, with the rural lands meeting existing requirements. To provide for the future recreation needs of the local population the West Kiama Urban Release Area Development Control Plan identifies a number of local parks and public reserves.

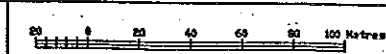
The key objectives of the Plan in relation to open space are to:

- conserve and protect natural remanent vegetation and provide new planting of endemic species of plants on public land;
- conserve and enhance the riparian corridor along the upper reaches of Willow Gully Creek  
The riparian corridor creates an central corridor within the estate which will cater for recreation needs as well as pedestrian and cyclist movements within the estate;
- provide tree planting along perimeter roads and major streets to protect and provide a visually attractive interface with rural land as viewed from rural and urban locations;
- provide a pedestrian and cycleway network



# **LEGEND**

 **PUBLIC RESERVES AND  
OPEN SPACE FACILITIES**

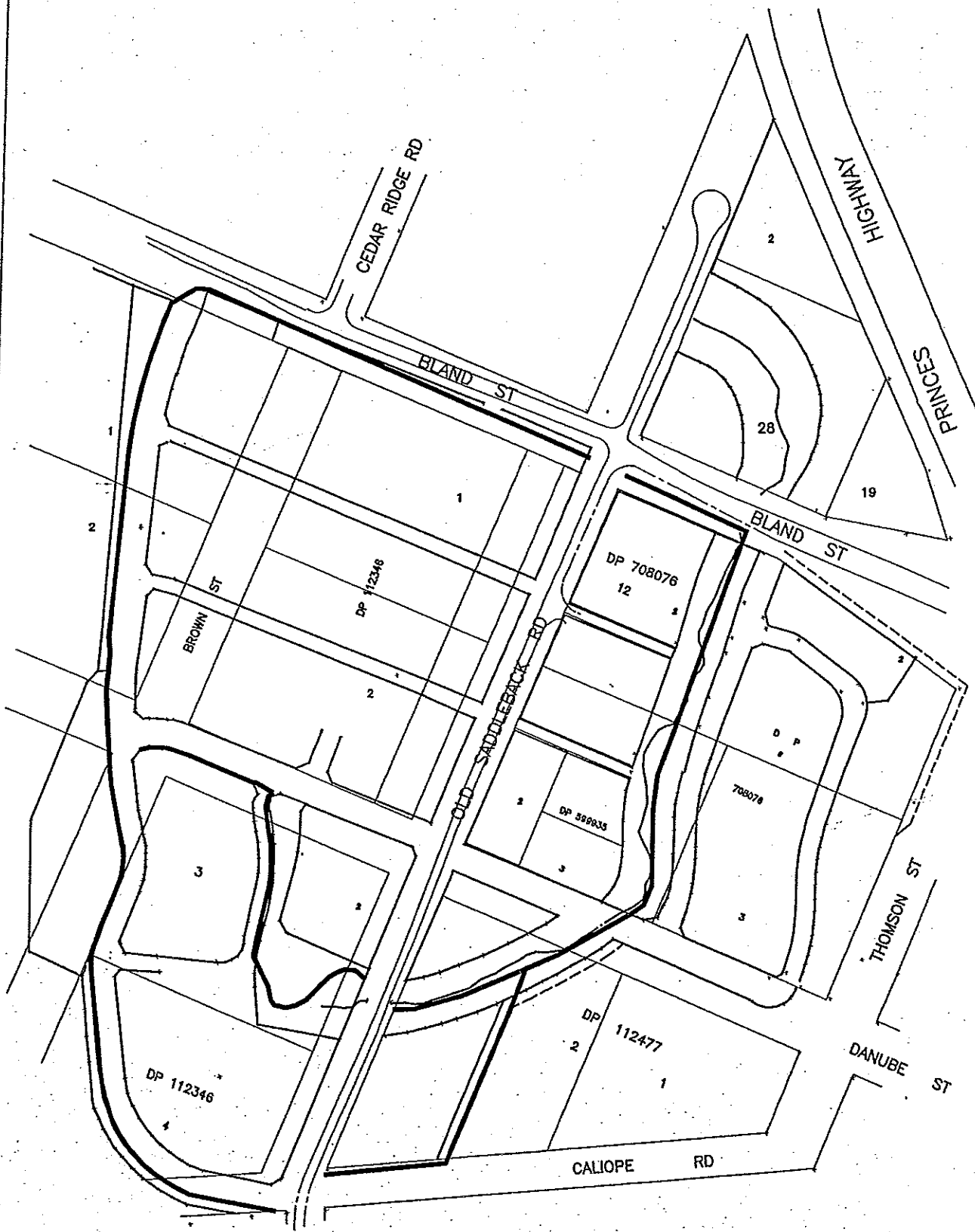


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**FIG 3.1  
PUBLIC RESERVES.  
OPEN SPACE FACILITIES**

**KIAMIA COUNCIL**



# **LEGEND**

**CYCLEWAY/PEDESTRIAN LINKS**

0 20 40 60 80 100 Metres  
SCALE 1 : 1000



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DATE 16-9-98

**FIG 3.2  
CYCLEWAY/PEDESTRIAN  
FACILITIES**

**KIAMA COUNCIL**

Cedar Ridge and Silver Hill do not currently contain playground facilities or a cycleway/ pedestrian network. In order to meet the demand of both the existing and future population for these facilities it is proposed to share the cost between development within Cedar Ridge/Silver Hill and the West Kiama Urban Release Area.

### **Nexus**

The following factors are considered relevant in establishing a nexus for open space within the West Kiama Release Urban Area and Cedar Ridge/Silver Hill Benefit Area:

- Local parks and the riparian corridor are required to provide residents within the West Kiama Urban Release Area opportunities for recreation;
- The conservation and enhancement of the riparian corridor will provide both a neighbourhood feature and passive recreation asset for the local community;
- The provision of a pedestrian/cycleway network is required to provide for the movement of local residents within the Release Area and to provide connectivity with future pedestrian links which will focus on the local High School;
- The playground reserve on Bland Street will provide future residents within the West Kiama Urban Release Area and existing and future residents within Cedar Ridge/Silver Hill with recreation space and facilities;
- The provision of the cycleway/pedestrian link along Bland Street is required to cater for safe pedestrian movements generated from households within the West Kiama Urban Release Area and Cedar Ridge/Silver Hill.

### **Apportionment / Contribution Formula**

#### ***i. West Kiama Urban Release Area***

##### ***Open Space Land Acquisition:***

The following formula is used to calculate the contribution rate for acquiring land for open space {except for the playground reserve on Bland Street, Bland Street pedestrian link, riparian corridor):

$$\text{Contribution rate} = \frac{L}{PP - P} \times O$$

Where:

- L: Value of land in per square metre;  
PP: Projected population (530 persons);  
P: Existing population (6 persons);  
O: Assumed occupancy rate for the development.

*Open Space Embellishment:*

The following formula is used to calculate the contribution rate for the embellishment of open space {except for the playground reserve - Bland Street and Bland Street pedestrian link}:

$$\text{Contribution rate} = \frac{C}{PP - P} \times O$$

Where:

- C: Total estimated cost of works;
- PP: Projected population (530 persons);
- P: Existing population (6 persons);
- O: Assumed occupancy rate for the development.

*ii. Benefit Area: Cedar Ridge/Silver Hill**Open Space Land Acquisition:*

The following formula is used to calculate the contribution rate for acquiring land for playground reserve - Bland Street:

$$\text{Contribution rate} = \frac{L}{PP - P} \times O \times AF$$

Where:

- L: Value of land in per square metre;
- PP: Projected population (530 + 347 persons);
- P: Existing population (6 + 264 persons);
- O: Assumed occupancy rate for the development.
- AF: Apportionment factor for existing population (270) to benefit from the works (607/877 = 0.6921)

*Open Space Embellishment:*

The contribution rate for the playground reserve on Bland Street and pedestrian link on Bland Street is based on the following formula:

$$\text{Contribution rate} = \frac{C}{PP - P} \times O \times AF$$

Where:

- C: Total estimated cost of works;
- PP: Projected population (530 + 347 persons);
- P: Existing population (6 + 264 persons);
- O: Assumed occupancy rate for the development;
- AF: Apportionment factor for existing population (270) to benefit from the works (607/877 = 0.6921)

**Table 3.1: OPEN SPACE FACILITIES**

Ref No.	Facilities	Cost Estimate (\$)	Contribution Rate (\$)			
			small unit	medium unit	large unit	conventional lot
1.1	Riparian Corridor Embellishment	113,530.00	389.99	584.98	665.15	665.15
1.2	Park - Figtree Reserve Land Embellishment	6,000.00 16,750.00	20.61 57.54	30.92 86.31	35.15 98.13	35.15 98.13
1.3	Park - Dam Reserve Land Embellishment	81,000.00 43,780.00	278.24 150.39	417.37 225.58	474.56 256.50	474.56 256.50
1.4	Park - Thomson Street Land Embellishment	107,000.00 37,510.00	367.56 128.85	551.34 193.28	626.89 219.76	626.89 219.76
1.5	Perimeter Planting Land	37,030.00	127.20	190.80	216.95	216.95
1.6	Cycleway/Pedestrian links	90,020.00	309.23	463.84	527.41	527.41
1.7 BA	Bland St Pedestrian Link	36,260.00	74.42	111.63	126.92	126.92
1.8 BA	Playground Res-Bland St Land Embellishment	4,000.00 36,520.00	8.21 74.95	12.31 112.43	14.00 127.83	14.00 127.83
	<b>Sub-Total Land Embellishment</b>	<b>235,030.00 374,370.00</b>	<b>1,987.1 9</b>	<b>2,980.79</b>	<b>3,389.25</b>	<b>3,389.25</b>

### 3.3 DETENTION BASIN/WATER QUALITY POND SITE/RIPARIAN CORRIDOR

#### Proposed Facilities

To service the anticipated residential development within the West Kiama Urban Release Area land will be required to provide for the following stormwater management facilities:

- i. water pollution control pond; and
- ii. detention basin.

The location of the water quality control pond and detention basin is shown in Figure 3.3. Both facilities are located within the southern end of the riparian corridor.

#### Existing and Future Demand

The West Kiama Urban Release Area is located in the upper reaches of the Willow Gully Creek catchment. The release area is currently a collection of agricultural farms which do not presently require stormwater management facilities.

The Broad Strategy Flood Study - Bland Street and Old Saddleback Mountain Road (1998) was undertaken to investigate the existing flooding conditions and to analyse several scenarios to ensure flooding and water quality remained at acceptable limits once the land was developed. The Study identified the need for a water pollution control pond and detention basin as a consequence of development within the catchment.

*These facilities will be required to be constructed prior to the construction phase of residential development (including subdivision of roads) within the Release Area.*

#### Nexus

The anticipated residential development of the West Kiama Urban Release Area will require land for a water quality control pond and detention basin for the purpose of stormwater management. These facilities are required to firstly ensure flood peaks remain below existing pre-residential development flood levels (ie to ensure downstream flooding does not increase) and secondly that acceptable water quality levels are achieved.

#### Apportionment / Contribution Formula

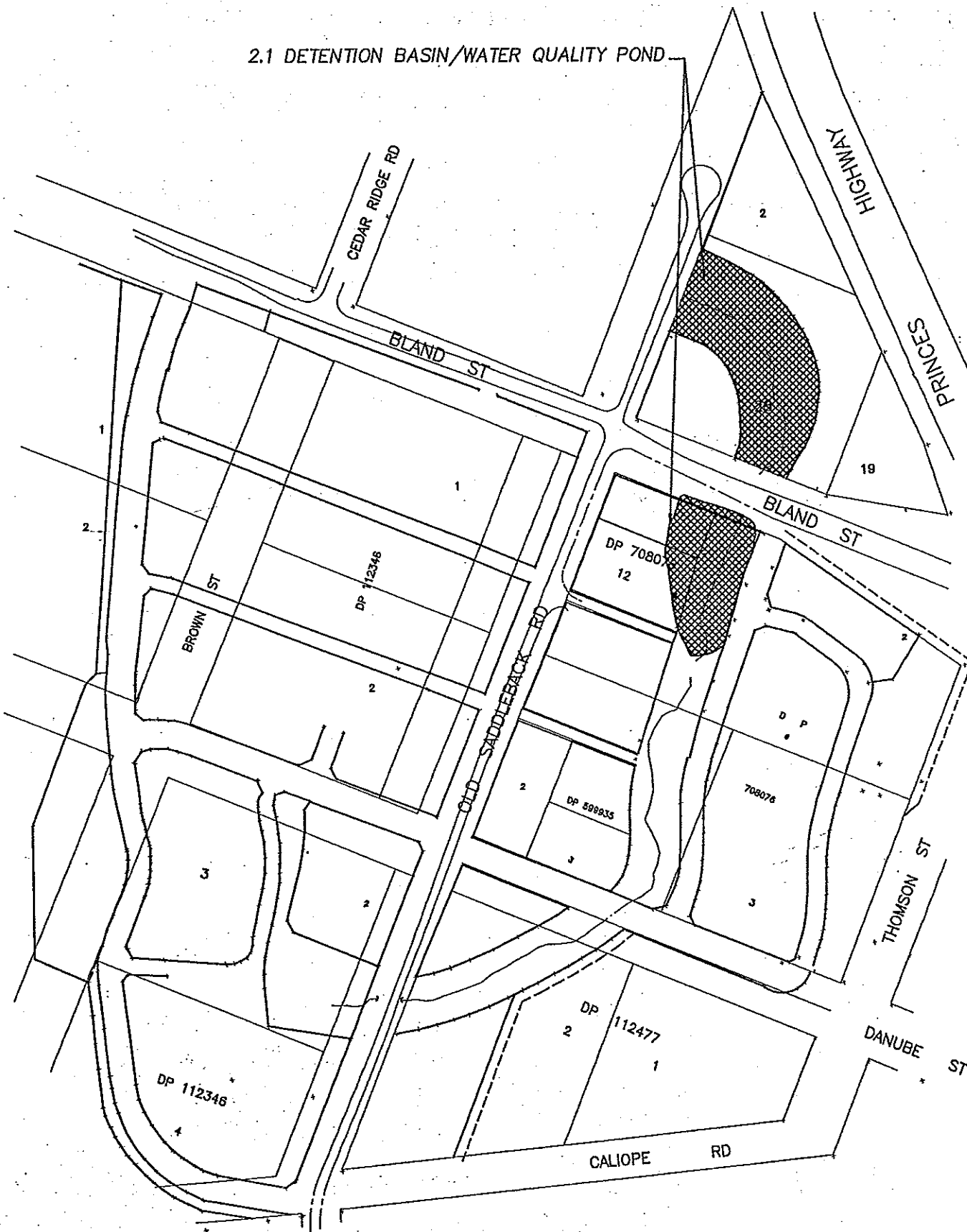
The following formula is used to calculate the contribution rate for acquiring land for the detention basin/water quality pond site/riparian corridor:

$$\text{Contribution rate} = \frac{L}{PP - P} \times O$$

Where:

- L: Value of land in per square metre;  
PP: Projected population (530 persons);  
P: Existing population (6 persons);  
O: Assumed occupancy rate for the development.

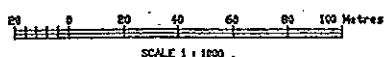
# 2.1 DETENTION BASIN/WATER QUALITY POND



## LEGEND



WATER QUALITY  
CONTROL FACILITIES



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DATE 21-9-98

FIG 3.3  
WATER QUALITY  
CONTROL FACILITIES

KIAMA COUNCIL



**Table 3.2: DETENTION BASIN/WATER QUALITY POND SITE/RIPARIAN CORRIDOR**

Ref No.	Facilities	Cost Estimate (\$)	Contribution Rate (\$)			
			small unit	medium unit	large unit	conventional lot
2.1	Detention Basin/Water Quality Pond Site/Riparian Corridor	92,500.00	317.75	476.62	541.94	541.94
	<b>Sub-Total for Water Quality</b>	<b>92,500.00</b>	<b>317.75</b>	<b>476.62</b>	<b>541.94</b>	<b>541.94</b>

### 3.4 TRAFFIC FACILITIES

#### Proposed Facilities

The following road works/traffic management facilities have been identified for the West Kiama Urban Release Area:

- Intersection treatment for Old Saddleback Mountain Road and Bland Street
- Entrance treatment for Old Saddleback Mountain Road southern perimeter

Figure 3.4 identifies the locations of each of the road works and traffic management facilities.

The intersection treatment for Old Saddleback Mountain Road and Bland Street will also benefit existing and future residents within the Cedar Ridge/Silver Hill Benefit Area.

The construction of all other road works including collector roads and access streets is the responsibility of the developer.

#### Existing and Future Demand

The existing road network adequately services the needs of the current population. Existing roads include Bland Street and Old Saddleback Mountain Road.

The West Kiama Urban Release Area Development Control Plan identifies the proposed roads, delineating the principle collector and access roads and provides the standards for each of the roads. The road network has been designed to:

- achieve maximum accessibility for vehicles, bicycles and pedestrians;
- provide connectivity of streets; and
- provide a safe, effective and convenient movement network.

Both Bland Street and Old Saddleback Mountain Road are major collector roads within the release area which provide a connection between the internal residential road system and the external road network. The intersection treatment for Old Saddleback Mountain Road and Bland Street is required to control traffic generated within the Release Area and the Cedar Ridge/Silver Hill Benefit Area. The entrance treatment for the southern perimeter of Old Saddleback Mountain Road is required to differentiate between the rural and urban fringe and will serve as a traffic calming device for traffic entering the area.

### **Nexus**

The following factors are considered relevant in establishing a nexus between the facilities and the future population:

- the provision of an intersection treatment for Old Saddleback Mountain Road and Bland Street is required to control future traffic movements within the Release Area and Cedar Ridge/Silver Hill Benefit Area;

- an entrance treatment for Old Saddleback Mountain Road is required to slow traffic entering the urban area and to provide for a safe road network within the estate.

### Apportionment / Contribution Formula

#### *i. West Kiama Urban Release Area*

The contribution rates for the entrance treatment to Old Saddleback Mountain Road is based on the following formula:

$$\text{Contribution rate} = \frac{C}{PP - P} \times O$$

Where:

- C: Total estimated cost of works;  
 PP: Projected population (530 persons);  
 P: Existing population (6 persons);  
 O: assumed occupancy rate for the development.

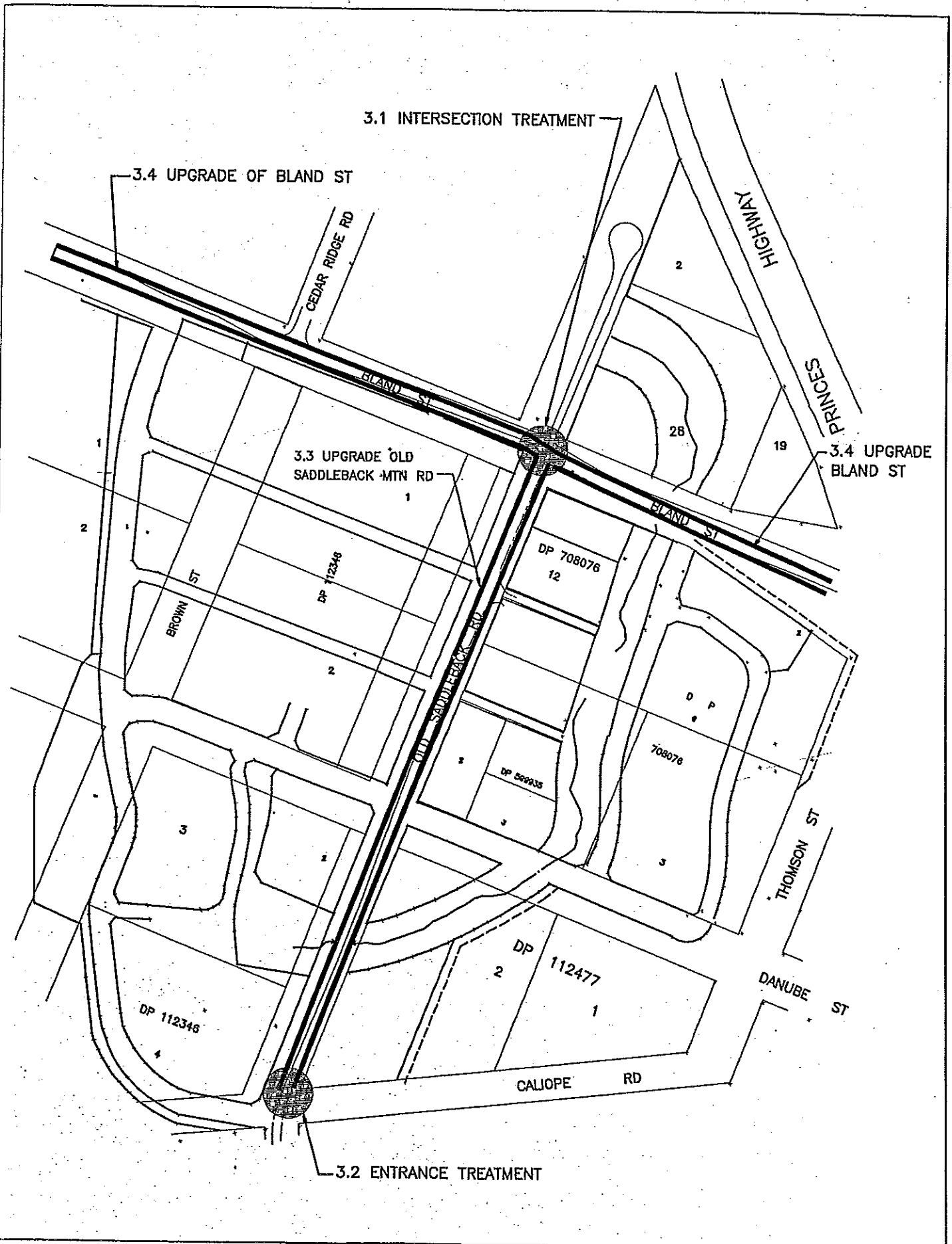
#### *ii. Benefit Area: Cedar Ridge/Silver Hill*





The contribution rates for the intersection treatment of Bland Street/Old Saddleback Mountain Road is based on the following formula:

$$\text{Contribution rate} = \frac{C}{PP - P} \times O \times AF$$

Where:

- C: Total estimated cost of works;  
 PP: Projected population (530 + 347 persons);  
 P: Existing population (6 + 264 persons);  
 O: Assumed occupancy rate for the development;  
 AF: Apportionment factor for existing population (270) to benefit from the works (607/877 = 0.6921)



<b>LEGEND</b>  ROADWORKS  TRAFFIC FACILITIES		 SCALE 1 : 1000 	<b>FIG 3.4</b> <b>ROAD WORKS</b> <b>AND TRAFFIC FACILITIES</b>  <b>KIAMA COUNCIL</b>
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**Table 3.4: TRAFFIC FACILITIES**

Ref No.	Facilities	Cost Estimate (\$)	Contribution Rate (\$)			
			small unit	medium unit	large unit	conventional lot
3.1 BA	Intersection Old Saddleback Mtn Rd/Bland St	75,000.00	153.93	230.89	262.53	262.53
3.2	Entrance treatment Old Saddleback Mtn Rd	32,910.00	113.05	169.57	192.81	192.81
	<b>Sub-Total</b>	<b>107,910.00</b>	<b>266.98</b>	<b>400.46</b>	<b>455.34</b>	<b>455.34</b>

**3.5 SECTION 94 MANAGEMENT****Proposed Facilities**

The cost of formulating and administering this Section 94 Plan will be incorporated into the Plan. The cost of formulating and on-going management of the Management Plan is directly attributable to the development of the West Kiama Urban Release Area.

**Existing and Future Demand**

The existing rural landuses within the West Kiama Urban Release Area do not require the implementation of a section 94 contributions plan. However, the future development of the area will result in an increase in the demand for public facilities and amenities. To ensure that an adequate level of public infrastructure is provided a section 94 plan has been prepared. The cost of developing and administering the plan is therefore costed to the future development in the Release Area.

**Nexus**

The formulation and administration of the West Kiama Urban Release Area Section 94 Contributions Management Plan is required as a consequence of future development within the area.

**Apportionment / Contribution Formula**

The apportionment of costs for section 94 management is based on the following formula:

$$\text{Contribution} = \frac{C}{PP - P} \times O$$

Where:

C: Total estimated cost of works

PP: Projected population (530 persons);

P: Existing population (6 persons);

O: Assumed occupancy rate for the development.

**Table 3.5: SECTION 94 MANAGEMENT**

Ref No.	Facilities	Cost Estimate (\$)	Contribution Rate (\$)			
			small unit	medium unit	large unit	conventional lot
4.1	Section 94 Management	25,000.00	85.88	128.82	146.47	146.47
	<b>Sub-Total for Section 94 Management</b>	<b>25,000.00</b>	<b>85.88</b>	<b>128.82</b>	<b>146.47</b>	<b>146.47</b>

## **Section Four ADMINISTRATION**

### **4.1 METHODS OF PAYMENT**

There are four methods of payment for section 94 contributions:

- monetary contribution;
- dedication of land;
- alternative to land dedication; and
- works in kind.

#### **4.1.1 Monetary Contribution**

This is the usual method of payment. When a development consent is issued that involves the payment of a Section 94 contribution, it contains a condition outlining the amount payable in monetary terms subject to indexation by the IPD. However this can be offset by either of the following two methods of payment.

#### **4.1.2 Dedication of Land**

Where appropriate Council will permit the dedication of land for open space and community facilities to offset the monetary contribution payable. The assessment of the suitability of land for dedication occurs at the Development Application stage.

If consent is issued for a development, the applicant needs to contact Council in order to receive a valuation of the land proposed to be dedicated. Upon agreement being reached as to the land's value, and exchange of contracts subsequently occurring, Council will offset the value of the land against the monetary contribution payable.

#### **4.1.3 Alternative to Land Dedication**

As an alternative to land dedication, Council may consider a cash payment in lieu of land dedication where land is not able to be physically provided or is unsuitable for open space or community facilities; or where Council considers that the parcel sizes are unreasonably small. The cash contribution in lieu of dedication shall be equal to the land value of land suited for the intended purpose in the local area. The value of the land area will be determined by a registered valuer for Council.

#### **4.1.4 Works-In-Kind Agreements**

Council may accept the construction of amenities or services by way of works-in-kind to offset the monetary contribution payable. The applicant will need to initiate this option by providing Council with full details of the works proposed. Council will then consider the request and advise the applicant accordingly.

## 4.2 TIMING OF PAYMENT

Council's policy regarding the timing of payment of Section 94 contributions is as follows:

- *Development involving subdivisions:*  
Prior to the release of the approved engineering (linen) plans
- *Development involving building work:*  
Prior to the release of the construction certificate
- *Other Development:*  
Before the development is commenced; prior to the endorsement of the final plan or prior to occupation as may be relevant in the particular circumstances.

## 4.3 DEFERRED OR PERIODIC PAYMENT OF CONTRIBUTIONS

Council may accept the deferred or periodic payment of a contribution if the applicant satisfies Council that either compliance with the provision relating to when contributions are payable are unreasonable or unnecessary in the circumstances of the case. All requests for deferred or periodic payments must be made in writing.

The decision to accept a deferred or periodic payment is at the sole discretion of Council. The period of time for deferred or periodic payment is flexible but will generally be limited to 12 months.

Council may, if it decides to accept the deferred or periodic payment of a contribution, require the applicant to provide a bank guarantee by an Australian bank for the contribution or the outstanding balance on condition that:

- i) the guarantee requires the bank to pay the guaranteed amount unconditionally to the consent authority where it so demands in writing from the provision of guarantee or completion of the development or stage of the development to which the contribution or part relates;
- ii) the guarantee prohibits the bank from:
  - having recourse to the applicant or other person entitled to act upon the consent;
  - having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount;
- iii) the banks obligations under the guarantee are discharged:
  - when payment is made to the consent authority according to the terms of the bank guarantee;
  - if the related consent lapses;
  - if the consent authority otherwise notifies the bank in writing that the bank guarantee is no longer required.
- iv) the applicant pays interest to Council on the contribution from the date when the contribution would have been otherwise payable.



#### 4.4 REFUNDS

In the event that Council is unable to provide a public amenity or service identified in the Section 94 Plan, or unable to provide an appropriate alternative, monies so levied will be refunded to the applicant in full together with all interest accrued.

#### 4.5 INDEXATION

The contribution rates in this plan are indexed annually using the Implicit Price Deflator (IPD) for Gross Fixed Capital Expenditure: Private Non-Dwelling Construction in order to maintain their relativity to current day values. The IPD figures are produced by the Australian Bureau of Statistics in its publication 'Australian National Accounts'.

Indexation of contribution rates will occur at the date of granting development consent and at the time of payment of the contribution levied.

The contribution rates will be indexed annually in accordance with the following formula:

$$\text{Indexed contribution} = Cc \times \frac{\text{Current IPD p}}{\text{Previous IPD c}}$$

Where:

Cc: Contribution rate at date of consent.

IPDp: Latest published Implicit Price Deflator for Gross Fixed Capital Expenditure - Private Dwelling Construction, at the date of payment.

IPDc: Latest published Implicit Price Deflator for Gross Fixed Capital Expenditure - Private Dwelling Construction, at the date of granting consent.

#### 4.6 REVIEW

It is Council's policy that the Plan will be subject to regular review by Council. The purpose of any review will be to ensure that:

- the levels of public amenity and service provision continue to meet the communities needs;
- contribution levels reflect the costs associated with the provision of the particular facilities and current land values;
- changes to catchment areas can be incorporated; and
- work schedules can be amended if development levels differ from projected figures.

Any amendment to the Plan, apart from the indexation of contribution rates, will involve public notice of the places, dates and times for inspection of the draft plan with a public exhibition period of at least 28 days. Any person may make a written submission to the Council on the draft plan during the period specified in the relevant public notice.

**Section Five**  
**ACCOUNTING AND MANAGEMENT OF FUNDS**

Contributions obtained under Section 94 will be accounted for in accordance with the requirements of the EPA & Act, the Regulations made thereunder, the requirements of Australian Accounting Standard (AAS) 27 "Financial Reporting by Local Governments" and the requirements of "Local Government Code of Accounting Practice and Finance Reporting". All contributions will be treated as revenue when received by Council. Land and other assets will be recorded as assets in Council's accounts.

Contributions under Section 94 together with any additional amount earned from its investments will be held as a restricted asset until expended in accordance with the contribution plan. Council will disclose all receipts and expenditure of contributions and the status of the restricted assets in its annual financial reports. In addition, separate financial reports will be established for each Section 94 Plan giving details of work performed, contributions held, funds expended and amounts of interest earned.

## Appendix I DEFINITIONS

**Contingencies:** Provision for unseen expenditure associated with items in cost schedules.

**Design/Project Management Fees:** Provision for costs associated with design, supervision, project management, planning and studies.

**In-Kind Contribution:** The provision of the actual facility instead of paying cash contribution to Council.

**Nexus:** The relationship between the expected types of development in the area and the demand for additional public facilities to meet that demand.

**Open Space Embellishment:** Includes improvements to open space areas not covered by the basic requirements of subdivision. May include landscaping, irrigation systems, seating, paved areas, and the like.

## Appendix II COST SCHEDULES

### OPEN SPACE FACILITIES

#### 1.1 RIPARIAN CORRIDOR - REHABILITATION AND EMBELLISHMENT

Component	Unit	Qty	Rate	Costs (\$)
<b>SECTION A: 2827m2</b>				
Supply/plant trees	200mm pot	160	32.00	5,120.00
Supply/plant shrubs		300	25.00	7,500.00
Site works:				
remove exotic trees				1,000.00
shape channel/place rck				5,000.00
Car Barrier	m	50	40.00	2,000.00
Cycleway/pedestrian path	m	100	120.00	12,000.00
Establishment/replacement for one year	period	9	500.00	4,950.00
Sub-Total				<b>37,570.00</b>
<b>SECTION B: 5193m2</b>				
Supply/plant trees	200mm pot	320	32	10,240.00
Site works:				
remove exotic trees				2,000.00
remove dam/reshape				2,500.00
Car Barrier	m	40	210	8,400.00
Signage				1,200.00
Cycleway/pedestrian path	m	120	200	24,000.00
Establishment/replacement for one year	period	9		7,920.00
Sub-Total				<b>56,260.00</b>
Design/Project Man. Fees			10.0%	9,380.00
Contingency			10.0%	10,320.00
<b>Total</b>				<b>113,530.00</b>

**1.2 PARK - FIGTREE RESERVE (PERIMETER COLLECTOR ROAD D)**

Component	Unit	Qty	Rate	Costs (\$)
Supply/plant trees			80.00	2,400.00
Supply/install park furniture	35ltr	30	500.00/3100.00	5,100.00
Car barrier	seat/shelter	4/1	40.00	6,000.00
Water service	m	150		1,000.00
Design/Project Man. Fees			10.0%	1,450.00
Contingency			5.0%	800.00
<b>Total</b>				<b>16,750.00</b>
<b>Land acquisition</b>	<b>m2</b>	<b>3068.3</b>	<b>2.00</b>	<b>6,000.00</b>

Note:

1. Supply/planting trees includes establishment for one year.
2. Land acquisition valuation includes both the Figtree Reserve and Section B of the perimeter Planting strip

**1.3 PARK - DAM RESERVE (OLD SADDLEBACK MOUNTAIN ROAD)**

Component	Unit	Qty	Rate	Costs (\$)
Repair dam/ spillway				4,000.00
Fencing	m	100	40.00	4,000.00
Supply/plant trees				5,600.00
Park furniture	seats	2	500.00	1,000.00
Signage				1,200.00
Cycleway/pedestrian path	m	200	120.00	24,000.00
Design/Project Man. Fees			10.0%	3,980.00
<b>Total</b>				<b>43,780.00</b>
<b>Land acquisition</b>	<b>m2</b>	<b>2685.6</b>	<b>30.00</b>	<b>81,000.00</b>

Note: Supply/planting trees includes establishment for one year.

**1.4 PARK - THOMSON STREET**

Component	Unit	Qty	Rate	Costs (\$)
Supply/plant trees		25	80.00	2,000.00
Supply/install park furniture	seats	3	500.00	1,500.00
Play equipment	m			15,000.00
Earth mound		50	250.00	12,500.00
Design/Project Man. Fees			10.0%	3,100.00
Contingency			10.0%	3,410.00
<b>Total</b>				<b>37,510.00</b>
<b>Land acquisition</b>	<b>m2</b>	<b>2677</b>	<b>40.00</b>	<b>107,000.00</b>

**1.5 PERIMETER PLANTING LAND ACQUISITION**

Component	Unit	Qty	Rate	Costs (\$)
Land acquisition Section A	m2	1058		37,030.00

Note: Land acquisition value for Section B incorporated in Figtree Reserve Valuation

**1.6 CYCLEWAYS/PEDESTRIAN LINKS**

Component	Unit	Qty	Rate	Costs (\$)
A. Internal Collector Rd (F) - Perimeter Road to Old Saddleback Mtn Rd	lin.m	70	120.00	8,400.00
B. West Perimeter Rd (D) - Bland St to Old Saddleback Mtn Rd	lin.m	550	120.00	66,000.00
Design/Project Man. Fees			10.0%	7,440.00
Contingency			10.0%	8,180.00
<b>Total</b>				<b>90,020.00</b>

**1.8 BLAND STREET CYCLEWAY/PEDESTRIAN**

Component	Unit	Qty	Rate	Costs (\$)
A. Bland St (Park to Cedar Ridge Rd) cycleway link	lin.m	40	120.00	4,800.00
B. Bland St (Cedar Ridge Rd to Hwy Bypass Bridge) pedestrian link	lin.m	387	65.00	25,160.00
Design/Project Man. Fees			10.0%	3,000.00
Contingency			10.0%	3,300.00
<b>Total</b>				<b>36,260.00</b>

**1.9 PLAYGROUND RESERVE - BLAND STREET**

Component	Unit	Qty	Rate	Costs (\$)
Supply/plant trees	seats item m	20	80.00	1,600.00
Supply/install park furniture		2	500.00	1,000.00
Play equipment				20,000.00
Earth mound for planting		30	250.00	7,500.00
Water service				1,500.00
Signage				600.00
Arboriculture to figs				1,000.00
Design/Project Man. Fees			10.0%	3,320.00
<b>Total</b>				<b>36,520.00</b>
<b>Land acquisition</b>	<b>m2</b>	<b>2000</b>	<b>2.00</b>	<b>4,000.00</b>

Note: Supply/planting trees includes establishment for one year.

**2.1 DETENTION BASIN/WATER QUALITY POND SITE/RIPARIAN CORRIDOR - LAND ACQUISITION**

Component	Unit	Qty	Rate	Costs (\$)
Land acquisition				
Section A	m2	1500	35.00	52,500.00
Section B	m2	1140	35.00	40,000.00
<b>Total</b>				<b>92,500.00</b>

Note: Valuations relate only to land within the riparian corridor which could be developable land.

**TRAFFIC FACILITIES****3.1 INTERSECTION OLD SADDLEBACK MOUNTAIN ROAD AND BLAND STREET**

Component	Unit	Qty	Rate	Costs (\$)
Intersection treatment				75,000.00
<b>Total</b>				<b>75,000.00</b>

**3.2 ENTRANCE TREATMENT OLD SADDLEBACK MOUNTAIN ROAD (SOUTHERN PERIMETER)**

Component	Unit	Qty	Rate	Costs (\$)
Road Construction	m2			15,370.00
Soil & Water management	item			400.00
Traffic Control	item			1,100.00
Landscaping	item			10,000.00
Design/Project Man. Fees				3,050.00
Contingency			10.0%	2,990.00
<b>Total</b>				<b>32,910.00</b>

**SECTION 94 MANAGEMENT****4.1 SECTION 94 MANAGEMENT**

Component	Unit	Qty	Rate	Costs (\$)
Town Planning	year			10,000.00
Engineer	year			3,000.00
Accounting				2,000.00
Studies				10,000.00
<b>Total</b>				<b>25,000.00</b>

Note: S94 Management includes cost of formulation of the plan and two subsequent reviews/on-going management.

**Notes:**

1. All costs in cost schedules estimated in 1998.
2. Valuations rounded to nearest thousand.
3. All cost estimates rounded to nearest ten.



**Appendix III**

**REFERENCES/SUPPORTING DOCUMENTATION**

Australian Bureau of Statistics (ABS), 1996 *Population and Housing Census Data*, Canberra.

K F Williams & Associates Pty Ltd, 1998, *Broad Strategy Flood Study at Bland Street and Old Saddleback Mountain Road*, Kiama.

Kiama Municipal Council, 1998, *Draft Development Control Plan - West Kiama Urban Release Area*.

Kiama Municipal Council, 1998, *Kiama Local Environmental Plan 1996*.

Kiama Municipal Council, 1998, *Kiama Local Environmental Plan 1996 (Amendment No.23) West Kiama*.

Kiama Municipal Council, 1992, *Section 94 Contributions Plan No.1 (Municipal Wide Plan)*.

Walsh & Monaghan, 1998, *Valuation - West Kiama Urban Release Area*, Nowra.

## **Appendix IV STANDARD OF WORKS**

### **Standard of Works**

1. Where the developer undertakes work or the provision of a facility identified in the Deed of Agreement between the West Kiama land owners and Kiama Council, the work shall be constructed to Council's specifications and comply with all statutory requirements and regulations relevant to the works.
2. The developer shall:
  - 2.1 where necessary consult with and comply with the requirements of all statutory authorities;
  - 2.2 make good any damage to persons or property as a result of the undertaking of the works caused by the developer or the developer's authorised agents, at the sole cost of the developer and to Council's satisfaction;
  - 2.3 indemnify Council against all and any claims, demands, suits, actions or claims for damages arising from the works where they are undertaken on land in Council's ownership or which are lands under the management, care and control of the Council.
  - 2.4 maintain a public risk insurance policy for a liability of not less than \$10,000,000.00 where works involve Council's land or land under Council's management or control. A copy of this policy shall be provided to Council upon request.
3. Routine inspection of the works will be made as circumstances warrant by Council officers. Upon completion of the works the developer must advise Council in writing of the practical completion of the works and request a final inspection of the works. Such final inspection will then be conducted by Council's officers.

(tplan\Section 94 Plans\West Kiama No 7)