Rights of Way Contributions - FAQs

LOCAL PLANNING SCHEME NO. 3 – SCHEDULE 11A
DEVELOPMENT CONTRIBUTION PLAN FOR RIGHTS OF WAY IMPROVEMENT WORKS

Q1. How do I know if my property is subject to development contributions for rights of way (ROW) or laneway upgrade?

If your property abuts a ROW (or laneway) shown delineated in red on the ROW maps in the Development Contribution Plan, you may be liable to pay a development contribution in accordance with the provisions of the Plan. The type of upgrade works applicable to each laneway subject of contribution funding (i.e. construction and/or lighting) are correspondingly marked with a tick on the Rights of Way Improvement Works Table contained in the Development Contribution Plan Report.

Q2. I own a property next to a ROW, when would I be liable to pay the development contribution?

If your property abuts a laneway that is identified in the Development Contribution Plan for upgrading, you will be liable to pay a cash contribution for its construction and/or lighting when you change the use of the land, commence a new development or subdivision or make modifications to an existing development unless the proposed modifications are valued at $124,000 or less and no new or modified access to the laneway is proposed.

Q3. I'm proposing to add a garage to my property which will be accessed via a laneway and the addition is valued at $20,000. Would I be exempt from paying a contribution?

No. All new developments accessed via a laneway in the Development Contribution Plan are liable to contribute.

Q4. If I have a lot that has not been subdivided and I'm building a single house on it with no access to the laneway, do I still have to contribute?

Yes.

Q5. The section of laneway abutting my property is already sealed even though the rest of it is still unmade. Would I be liable to pay development contribution when I redevelop?

If the section of laneway abutting your property was constructed by you or an adjacent property owner at your/their cost in accordance with the City's standards, you would only be liable to pay a development contribution towards the cost of lighting the laneway.

Q6. What happens if I want to develop my property with vehicle access from the laneway, but the laneway is not yet constructed?

Developments proposing to use a laneway for access will be required to construct the adjoining section of laneway at the cost of the developer (as a condition of planning approval) and to pay a cash contribution towards the cost of lighting the laneway.

Q7. My property abuts a laneway along the side and the rear boundaries. Would I have to pay contributions for both laneways?

No. Properties which abut more than one laneway in the Development Contribution Plan will only be liable to contribute towards the upgrade of one of the laneways. In these instances, the calculation of the contribution amount will be based on the rear portion of the lot abutting the laneway.

Q8. I'm not planning to redevelop my property for some time. Can I pay the contribution now anyway?

Yes. The contribution amount will be calculated at the time of your request to pay.

Q9. How do you calculate the applicable contribution payable for a property?

The contribution payable will firstly depend on whether an owner is liable to contribute to the cost of construction and lighting or just lighting only.

The calculation of construction and lighting cost contribution is undertaken separately based on the length of the lot abutting the laneway, multiplied by the estimated cost rate per linear metre for (i) construction and/or (ii) lighting.

For example:

Construction Cost = 15.09m lot abuttal to the ROW x $1,003.91 = $15,149.00
Lighting Cost = 15.09m lot abuttal to the ROW x $119.77plm (unsealed lane) = $1,807.33

Total Cost = $15,149.00 + $1,807.33 = *$16,956.33*

Q10. I own a lot in a strata scheme that abuts a laneway, but my strata lot does not share any common boundary with the laneway. Would I be liable pay a development contribution towards the upgrade of the laneway?

Yes, all owners within a strata scheme that abuts a laneway are liable to contribute an equal share of the development contribution levied on the strata property, unless the whole of the strata scheme common boundary with the laneway is contained within only one of the strata lots, in which case only that strata lot abutting the laneway would be liable to contribute.

Q11. Would the cost contribution increase over time?

Yes, the estimated cost of the infrastructure will be reviewed and, if necessary, adjusted every year to reflect changes in the cost of works. A copy of the current Cost Apportionment Schedule showing the applicable cost contribution rates is available on the *View plans, strategies and frameworks* page of the City's website www.stirling.wa.gov.au.

Q12. Once I've paid the cost contribution will I still be liable for any future increase in the cost of works?

No.

Q13. Is there an option to pay the cost contribution by instalments?

Yes, payment plan options for 6, 12, 18 or 24 months durations are available on request depending on the cost contribution amount payable. A payment plan administration fee is applicable which is payable with the first instalment. Requests for more information or payment plans can be made to the City's Finance Services Business Unit.

Q14. When will the laneway next to my property be upgraded by the City?

The City commenced the upgrade works program during the 2012-13 financial year. The program is being undertaken across a number of years. The order of works in the program will be determined by the City taking into account the status of each of the laneways, efficiency of grouping adjacent laneways and resource availability. The program will be reviewed by the City on a biennial basis. The indicative timing for the upgrade of a ROW can be found on the *View plans, strategies and frameworks* page of the City's website www.stirling.wa.gov.au or alternatively contact the City on 9205 8555.

Q15. Who will be responsible for maintaining a laneway once upgrading is completed?

A ROW will be dedicated into a public road prior to being upgraded. This will transfer responsibility for its management to the City who will be responsible for its maintenance thereafter.