



**EXTRAORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 15 JULY 2008 AT 7.00PM
LEVEL 3, COUNCIL CHAMBERS**

A G E N D A

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NOTE: For Full Details, See Council's Website –
www.kmc.nsw.gov.au under the link to business papers

APOLOGIES

DECLARATIONS OF INTEREST

ADDRESS THE COUNCIL

NOTE: Persons who address the Council should be aware that their address will be tape recorded.

DOCUMENTS CIRCULATED TO COUNCILLORS

GENERAL BUSINESS

- GB.1 **Draft Ku-ring-gai Town Centres Development Contribution Plan, Draft Amendments to the Adopted 2004 to 2009 Section 94 Contributions Plan - Residential Development & the Draft Planning Agreement Policy**

1

File: S04495

To present the Draft Town Centres Development Contributions Plan, Draft Amendments to the adopted 2004-2009 Contributions Plan (to be known as Amendment Two) and the draft Planning Agreement Policy to Council for adoption following exhibition.

Recommendation:

The report recommends adoption of these documents subject to amendments resulting from the exhibition process detailed in this report.

CONFIDENTIAL BUSINESS TO BE DEALT WITH IN CLOSED MEETING - PRESS & PUBLIC EXCLUDED

The Item listed hereunder is recommended for consideration in Closed Meeting, Press & Public excluded for the reason stated below:

C.1 Open Space Acquisition Strategy - Identification of Potential Sites for Acquisition by Council - Final Report 1

File: S04601

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, this item contains information that is of a kind referred to in section 10(A) 2(c) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Section 10(A) 2(c) of the Act permits the meeting to be closed to the public for business relating to:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

It is not in the public interest to release this information as it would prejudice Council's ability to acquire property on appropriate terms and conditions.

Report by Director Strategy dated 3 July 2008

C.2 Turramurra - Proposal to Acquire Open Space 53

Files: P41342, S06191

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2)(c) of the Act, and was dealt with in a part of the meeting closed to the public.

Section 10A(2)(c) of the Act permits the meeting to be closed to the public in respect of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

This matter is classified confidential because it deals with the proposed acquisition of property.

It is not in the public interest to release this information as it would prejudice Council's ability to acquire the property on appropriate terms and conditions.

Report by Director Strategy dated 7 July 2008.

John McKee
GENERAL MANAGER

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DRAFT KU-RING-GAI TOWN CENTRES DEVELOPMENT CONTRIBUTION PLAN, DRAFT AMENDMENTS TO THE ADOPTED 2004 TO 2009 SECTION 94 CONTRIBUTIONS PLAN - RESIDENTIAL DEVELOPMENT & THE DRAFT PLANNING AGREEMENT POLICY

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To present the Draft Town Centres Development Contributions Plan, Draft Amendments to the adopted 2004-2009 Contributions Plan (to be known as Amendment Two) and the draft Planning Agreement Policy to Council for adoption following exhibition.

BACKGROUND:

On 8 May 2007 Council adopted the Town Centres Facilities Plan for public infrastructure. On 28 August 2007 Council adopted the Development Contributions Strategy. On 27 May 2008 Council adopted for exhibition a Draft Town Centres Development Contributions Plan, consequential amendments to the 2004-2009 Contributions Plan and a Draft Planning Agreement Policy. The exhibition ran from 6 June to 4 July 2008.

COMMENTS:

The draft Town Centres Development Contributions Plan is a vital component of the funding strategy to address the needs which will arise from the redevelopment of the town centres which will bring new dwellings and associated residents, as well as new businesses to Ku-ring-gai.

RECOMMENDATION:

The report recommends adoption of these documents subject to amendments resulting from the exhibition process detailed in this report.

PURPOSE OF REPORT

To present the Draft Town Centres Development Contributions Plan, Draft Amendments to the adopted 2004-2009 Contributions Plan (to be known as Amendment Two) and the draft Planning Agreement Policy to Council for adoption following exhibition.

BACKGROUND

The purpose of the draft Town Centres Development Contributions Plan is to provide essential funding for the works and facilities required as a result of extensive new development in and around the Town Centres. As a result of extensive research as part of the preparation of this document, amendments were required to the adopted 2004-2009 Contributions Plan currently in force across Ku-ring-gai Local Government Area to provide for a range of occupancy rates for different types of dwelling. The *Draft Planning Agreements Policy* is an essential and related policy.

The extensive background process leading to the finalisation of the Draft Development Contributions Plan for the Town Centres was detailed in the Exhibition Report which was considered by Council at its meeting of Tuesday 27 May 2008 which is **Attachment 1** to this report. In summary, this process commenced with the drafting of the Town Centres Draft LEP and DCP, through a Facilities Plan, then a Contributions Strategy, and culminating in a Draft Contributions Plan.

This report follows the exhibition period (Friday 6 June – Friday 4 July 2008) and details issues arising from the submissions received. The report recommends adoption of the documents with some amendments as detailed below.

COMMENTS

Following the statutory exhibition period and the submissions received (which are summarised as **Attachment 2**) there are a number of areas which require comment and, in some cases, are recommended to be addressed by amendments to the Draft Contributions Plan.

The *Environmental Planning and Assessment Regulation* gives considerable scope to Council to amend a Draft Contributions Plan in response to concerns that arise during the exhibition period. Clause 31 is quoted below:-

Approval of contributions plan by council

31 Approval of contributions plan by council

(1) *After considering any submissions about the draft contributions plan that have been duly made, the council;*

- (a) may approve the plan in the form in which it was publicly exhibited, or*
- (b) may approve the plan with such alterations as the council thinks fit, or*
- (c) may decide not to proceed with the plan.*

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- (2) *The council must give public notice of its decision in a local newspaper within 28 days after the decision is made.*
- (3) *Notice of a decision not to proceed with a contributions plan must include the council's reasons for the decision.*
- (4) *A contributions plan comes into effect on the date that public notice of its approval is given in a local newspaper, or on a later date specified in the notice.*

Draft Ku-ring-gai Town Centres Development Contributions Plan

The draft Town Centres Development Contributions Plan is a vital component of the funding strategy to address the needs which arise from the redevelopment of the town centres which will bring new dwellings and associated residents, as well as new businesses to Ku-ring-gai.

The exhibition of this document concurrent with the reclassification process resulted in a number of submissions raising concerns about both processes and development in Ku-ring-gai in general. Where these submissions relate to the draft contributions plan, they are summarised in **Attachment 2** and discussed in this section below. Some amendments are proposed to the draft contributions plan as a result.

Draft Amendments to the adopted 2004-2009 Section 94 Contributions Plan (Amendment One)

The draft amendments to the existing LGA wide contributions plan relate to occupancy rates used to calculate a contribution rate for different densities of development from single dwellings to townhouses and villas to units of various sizes (number of bedrooms), derived from the base per person contribution rate. This is the only change to this Contributions Plan as the per person contributions rate remains exactly the same.

Council has exhibited the consequential amendments to the 2004-2009 Contributions Plan which are intended to be incorporated as Amendment Two. The amendments were necessitated by the finalisation of research by *SGS Economics and Planning* into the development potential of the town centre catchment areas which incorporate the development potential of LEP194 and LEP200. This research demonstrated that there are differing occupancy rates which should be applied to different densities of development.

These amendments are intended to travel in tandem with the *Draft Town Centres Contributions Plan* as they arise from additional research into occupancy rates undertaken for that plan. Council has, in the past, successfully defended appeals against the *2004-2009 Contributions Plan* on the basis that the census was the appropriate and most reliable data on occupancy rates for the Ku-ring-gai area. This is no longer the case and Council has exhibited amended rates utilising different occupancy rates for different densities of development. Whether or not Council adopts the *Town Centres Contributions Plan*, if Council does not adopt the changes to the 2004-2009 Contributions Plan, then Council may be placed in a difficult position with respect to defending future appeals on this issue.

Draft Planning Agreement Policy

The draft *Planning Agreement Policy 2008* was also exhibited from 6 June to 4 July 2008.

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The purpose of the policy is to provide guidance for developers and for Council staff in respect of the process and legal requirements for negotiating of planning agreements as well as providing clarity for the community.

It is important to note that the legislation permitting planning agreements was part of an earlier amendment to the *Environmental Planning and Assessment Act 1979* and is already in force. As such Ku-ring-gai Council could receive a request to negotiate a planning agreement at any time. The draft *Planning Agreement Policy* does not authorise planning agreements, it simply sets out processes and procedures for dealing with a proposal for a planning agreement.

Issues Arising from the Exhibition Period**Draft Town Centres Development Contributions Plan Catchment Areas**

The *Draft Town Centres Development Contributions Plan* contains **Clause 2.6** which provides information on the land to which the plan applies. It is acknowledged that the wording of this clause has raised some concern. Accordingly a further explanation of the clause and clarification of its purpose is provided below

All contributions plans must include a statement and a map clearly defining the area to which the Contributions Plan will apply. In the *Draft Town Centres Development Contributions Plan*, that statement appears in **Clause 2.6**.

The catchment areas in the *Draft Town Centres Contributions Plan* incorporate the 2(d3), 2(c1) and 2(c2) zones of the currently operating LEP 194 and LEP 200. These are the Local Environmental Plans which surround the town centres and which constitute Council's currently endorsed Residential Development Strategy. The catchments also include the future Town Centres areas incorporated in Council's Draft Town Centres Local Environment Plan.

These are the areas where residents of new development will generate demands for additional facilities towards which they should contribute a fair share. Very minor adjustment to the mapping occurred around the heritage items omitted from the above LEPs to ensure that the mapping followed logical, easily definable, street boundaries. These catchment areas were provided to *SGS Economics and Planning* and comprehensive dwelling and population projections were undertaken and incorporated within the draft *Town Centres Development Contributions Plan*. These areas are considered to provide for a total of just over 10,000 new dwellings. It should be clearly understood that these figures include likely growth under LEP 194 and LEP 200 as well as growth in the town centres.

It should also be noted that the term 'higher intensity development' is an essential requirement for the basis of seeking a contribution and the term incorporates everything from subdivision and dual occupancy through to villas, townhouses and multi unit development. This new higher intensity development and the additional new population within the catchments places extra demand for certain facilities within the Ku-ring-gai town centres and accordingly the plan seeks a contribution from new residents and businesses on a fair and reasonable basis.

The fourth paragraph of Clause 2.6 makes reference to Ku-ring-gai Local Environmental Plan 2008 (Town Centres), however given the recent decision of the Ku-ring-gai Planning Panel to prepare a more comprehensive plan that incorporates the Ku-ring-gai Planning Panel boundaries rather

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than proceed with a Stage One LEP, it is proposed the wording be amended in clause 2.6 as outlined below:

This includes development of areas envisaged under the following in force and draft environmental planning instruments:

Ku-ring-gai Local Environmental Plan 194

Ku-ring-gai Local Environmental Plan 200; and

The development potential envisaged for the Town Centres under the current Draft Ku-ring-gai Local Environmental Plan for the Town Centres.

Note: In the event that additional development potential and demand is added to any subsequent planning instrument, there will be a consequential amendment to the Town Centres Contributions Plan to address both additional yield and additional demand arising as a result of that additional yield.

It is important to note that the contributions catchment map does not form part of an environmental planning instrument under the *Environmental Planning and Assessment Act 1979* and nor is it reasonably construed as a policy statement about future rezonings beyond those already able to be carried out by the Planning Panel.

Size of the co-contributions required by Council

Many of the eighteen (18) submissions summarised at **Attachment 2** raised the issue of the quantum of the co-contribution which would be required of the Council as a result of adopting this draft Contributions Plan.

The size of the co-contribution which would be required of Council is made up of a combination of contributions missed because the relevant development has already received consent prior to the plan coming into force and works which cannot be wholly attributed to the new development because of the demand arising from the existing population (apportionment).

Co-contributions for Community Facilities

As outlined below, under Financial Considerations, the community facilities co-contribution is considered essential to provide an important contribution towards works which Ku-ring-gai Council will need to undertake within the next 25 years regardless of new development (but which will be larger to cater for the new population). It is not considered necessary to review the community facilities list by removing any specific facilities or infrastructure items.

Co-contributions for Car Parking

The car parking works listed in the table below were included in the Contributions Plan to underline Council's commitment to car parking documented in its resolution of 13 November 2006, viz:-

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That Council adopt a policy position that commits Council to ensuring that there will be no net loss of numbers within each centre of existing publicly owned car parking as a result of town centre planning and redevelopment.

Council can maintain this commitment in principle without incorporating it in a Contributions Plan. The cost of providing replacement car parking on a no net loss basis is an “opportunity cost” that Council must take into account in the sale and/or development of individual Council owned sites which are the subject of the current reclassification process. Council’s policy position of no net loss of public parking on specific sites and across town centres generally can be made clear to developers in the draft *Town Centres Development Contributions Plan*, but does not generate a co-contribution *per-se*. Provision of “like for like” public parking is a matter for inclusion in sale or lease negotiations as they arise, and associated deeds of agreement and/or subsequent planning agreements.

Similarly, given Council’s parallel policy of requiring new development to provide all the required car parking on site, it is reasonable to remove reference to contributions in-lieu of on-site provision. It is expected that Council will receive few, if any, such contributions and where it does, they can be dealt with by way of a planning agreement on a full cost recovery basis only if Council is in a position to provide them at that time. Any contributions received in-lieu of on-site car parking would only be able to be used for providing additional spaces, not for replacing existing spaces.

In view of this policy position, the draft *Town Centres Development Contributions Plan* takes the conservative approach of assuming that no money will be received towards the cost of the car parking works. Thus, the only developments likely to be contributing towards additional car parking spaces under this plan are new businesses which are relocating to existing older-style buildings which are physically unable to provide additional car parking. These are small businesses and a merit consideration based on the circumstances of the case should be open to Council to facilitate fair and reasonable reuse of older style buildings in the centres.

Removing these works from the contributions plan removes only the possibility of receiving a contribution towards these works but it does provide Council with the flexibility to provide the spaces in other ways in the future – including on-street as part of upgrades to streets. It is also not inconceivable that within the next twenty-five years private vehicle transportation usage may be quite different from what it is today and parking and local transport requirements quite different.

It is reiterated that it is highly likely that few, if any, contributions will be received if Council adopts the policy position of requiring full car parking compliance for new development in principle. As such a contribution averaging \$20,000 per space would essentially commit Council to multi-million dollar works which may not be required or fully provided in 25 years time. On reflection, the intent of Council’s 13 November 2006 commitment to maintaining existing public car parking provision is more appropriately not included the Town Centres Contributions Plan.

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The separate (stand-alone) public car parking facilities listed under that heading within the draft contributions plan and which give rise to per space car parking contributions are as follows:

#	Location	Description	Value of Work
Gordon			
G26	Wade Lane Car Park	New 340 space public car park as above ground structure	\$7,883,920
G27	Moree Street	New 25 space public underground car park	\$1,077,000
G28	From Henry Street to Werona Avenue	Relocation of 50 surface commuter car parking to existing Railcorp commuter parking areas	\$192,500
Lindfield			
L24	Havilah Lane	New 25 space underground public car park	\$1,050,000
Pymble			
P17	Alma Street	Existing 14 space public car par relocated to P18 (see below)	\$0
P18	Grandview Lane	New 80 space surface car park	\$1,293,000
Roseville			
R11	Larkin Lane	Construction of 80 space double-decked public car park	\$1,820,000
R12	Lord Street	Construction of 62 space underground public car park	\$2,639,000
St Ives			
S17	Mona Vale Road opposite Stanley Street	Construction of 28 space public underground car park	\$1,264,400
S18	Village Green	Reorganisation of existing parking areas to create 44 space at-grade public car park adjacent to Shopping Centre	\$222,900
Turramurra			
T17	Turramurra Avenue car park	Construction of 100 space public underground car park	\$4,200,000
T18	Off Turramurra Avenue	Construction of new 40 space open grade car park	\$213,000
T20	Turramurra Plaza / Precinct C	Construction of 23 space public underground car park	\$966,000
T21	Ray Street (northern end)	Construction of 48 new surface car parks	\$234,600
Total:			\$23,056,320

It is emphasised that deleting the car parking works as listed above from the Contributions Plan has no effect on Council maintaining its position of intending to provide such spaces in the future, and has little, if any, effect on Council's financial capacity to provide the facilities because of the negligible contributions anticipated. It does, however, allow greater flexibility in the future in the event that currently car usage patterns alter over the next quarter century.

The deletion of these works would reduce the "shortfall" or co-contribution by \$23M from \$85M to \$62M (a 27% reduction) without in any way altering the overall package of facilities and

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infrastructure to be provided. This goes a considerable way to addressing some of the community concern evident in the submissions.

There will be consequential amendments to the contribution rate tables the text of the Contributions Plan, the works program tables and the works program maps to ensure that all relevant references are removed from the Contributions Plan. Further, a statement will be included alerting people to Council's policy of "like for like" replacement of public parking if and when any existing Council car park is developed.

Savings Provision

Two (2) submissions raised concerns about the wording of the savings provision clause (2.21) on Page 28.

Past contributions plans have contained a saving provision which provided that a new contributions plan or new amendments to an adopted contributions plan do not apply to development applications that are already lodged. The draft *Town Centres Development Contributions Plan* provides for the plan to be applied to all developments undetermined at the date it comes into force. The submissions argues that major developments have a long lead time, the development feasibility is assessed well before the DA is lodged and, therefore, the application of this provision is unreasonable.

It should be noted that the draft amendments to the currently in force *Ku-ring-gai Council Section 94 Development Contributions Plan 2004-2009 – Residential Development* would automatically be caught by this existing savings provision.

As such, it is essential that the cross-over between the existing 2004-2009 Contributions Plan and the amended version *plus* the *Town Centres Development Contributions Plan* occur on the same date for every development application. Accordingly, the savings provision in the *Town Centres Development Contributions Plan* must be amended to the same wording as in the current *2004-2009 Contributions Plan*. This would mean that currently lodged applications would be subject to the current contributions regime.

While it is lawful for Council to apply a contributions plan to all applications approved after the date of publication in the newspaper, past Ku-ring-gai Contributions Plans (and subsequent amendments) have contained such a savings provision. In this context, the request is not unreasonable. It would, however, increase the shortfall arising from applications currently lodged but not yet determined.

Minor modifications

Some minor typographical changes need to be made to the document following adoption for example deleting all references to the word 'draft' and 'Draft Version Rev F' and inserting the date of adoption at 2.5.

In the event that Council resolves to delete the car parking works from the Contributions Plan, there will be consequential modifications within the document to the contribution rate tables, the text, the works program and the associated maps to ensure all such references and cross-references are deleted.

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The *Draft Town Centres Contributions Plan* was exhibited with works program maps associated with an earlier version of the draft plan. No works have been added to the works program since it was adopted by Council as part of the Contributions Strategy and Facilities Plan in 2007. However, to eliminate confusion, it is important that these maps carry the date of adoption of the contributions plan and accurately reflect the exhibited works program as listed in the 17 pages works program following Page 68 and such additional changes as made by Council resolution and that these pages be numbered to follow sequence from Page 68 for ease of document navigation.

There are some minor typographical errors in the document that do not add or subtract from the meaning, the works program or the contribution rates but should be corrected for consistency and accuracy. In the event that Council resolves to delete the car parking works from the Contributions Plan, there will be consequential modifications within the document to delete all such references.

CONSULTATION

All three draft documents were placed on public exhibition for 28 days in accordance with Council's resolution of 27 May 2008. Exhibition commenced on Friday 6 June 2008 and concluded on Friday 4 July 2008. Copies of the exhibited documents and supporting documents were available from Customer Service at the Council Chambers in Gordon, on Council's website, and at each of Council's Libraries (Gordon, Turramurra, St Ives and Lindfield).

Eighteen (18) submissions were received including a number of submissions which commented collectively on the *Draft Town Centres Development Contributions Plan* as well as either the reclassification process, the *Draft Town Centres LEP* (and the resulting development) or both. The issues raised in the submissions are examined in detail and appear in **Attachment 2**. None of the submissions commented specifically on the draft amendments to the adopted 2004-2009 Contributions Plan or the draft *Planning Agreement Policy*.

There have been nine (9) councillor briefings on the developer contributions package over its development.

FINANCIAL CONSIDERATIONS

Ku-ring-gai Council 2008 is at a unique point in its history. Unit development under LEP 194 and LEP 200 has already commenced and will soon accelerate with the release of the six Town Centres for additional development. Collectively this development will result in at least 10,000 new dwellings and up to 20,000 new residents.

Many of Council's current community facilities, with the exception of the relatively recently constructed library at Gordon, are at, or reaching, the end of their economic life. Many are in buildings which cannot be comfortably converted to modern systems of community service delivery even if they are extended. Many are costing increasing amounts to maintain. These are facilities for which a fiscally responsible Council would need to budget replacement buildings within the next twenty-five years regardless of the development of the Town Centres.

The draft *Town Centres Development Contributions Plan*, with the anticipated increase in population, enables Council to seek a fair contribution towards the cost of the new facilities – to be

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designed to meet these future needs – from new development. This is duly apportioned and the co-contribution required from Council on behalf of the existing population, while significant, is an improvement on the 100% cost of the facilities that would need to be funded by Council alone without that important contribution.

It is important to note that the Draft Contributions Plan envisages a 23 year development horizon to 2031 for the town centres. Council will not be required to fund its co-contribution immediately. Works will be staged over approximately twenty-five years (two years after the last anticipated contribution is paid). The co-contribution over twenty-five years is estimated to be approximately \$3.6 million annually in today's dollars. The date, Council has not resolved how it will raise these funds and this will require decision making by the current and future Council's. Funding Council's cash contribution will necessitate that Council commit to reviewing its portfolio of landholdings and assets. Other means may include borrowings and public private partnerships (as a planning agreement) as previously outlined.

Further consideration will be required by Council on the funding sources for any shortfall in the contributions plan as well as the priorities for the investigation, design and commencement of any works. Several of the proposed facilities and associated works may involve voluntary planning agreements.

This commitment would fall to \$2.5M annually in the event the car parking works were removed from the works program. This figure needs to be considered in the context of Council's current \$40M annual capital works program.

In respect of the draft Town Centres Draft LEP, it should be noted that while the timing is uncertain, the fact that there will be such an LEP is not. While the immediate gazettal of the Stage One Town Centres LEP has been deferred, it should be noted that development under LEP194 and LEP200 continues. These developments are in the vicinity of the Town Centres, their new residents will benefit from the facilities to be provided as part of the Town Centres Contributions Plan and the population arising from these developments has been taken into account in the setting of the contribution rates. The more developments that occur without a Town Centres Contributions Plan in place, the greater the shortfall arising from the loss of anticipated contributions from these developments will be.

Amendments to the *Environmental Planning and Assessment Act 1979* that would place additional requirements and restrictions on the drafting of Contributions Plans have now passed through both Houses of Parliament and received assent. The amendments will be enacted over the coming months but no firm dates are as yet available however it would be prudent for Council to ensure its plans were in place prior to that enactment.

If Council adopts the recommendations of this report it will commit the organisation to providing the abovementioned Council contribution over the life of the plan

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

An integrated planning approach has been adopted for this report with the involvement of all Council Departments where appropriate.

SUMMARY

It is recommended that Ku-ring-gai Town Centres Development Contributions Plan be adopted with the amendments specified below and detailed within the report:

- Amendment to Clause 2.6 to clarify the catchment areas and contributing populations;
- Amendment to saving provision to refer to applications lodged after the in force date being the general wording of the savings provision in the *2004-2009 Contributions Plan* rather than applications determined after the in force date;
- Deletion of the separate car parking works which give rise to a separate car parking contribution rate; and
- Consequential changes eg. Addition of “in force” date, removal of “draft” etc.

It is recommended that the amendments to the adopted *Ku-ring-gai Council Section 94 Development Contributions Plan 2004-2009* – Residential Development and the draft *Planning Agreements Policy* be adopted unchanged from their exhibition versions.

RECOMMENDATION

- A. That Ku-ring-gai Town Centres Development Contributions Plan (2008) be adopted with the amendments as set out below and brought into force by way of publication in the local newspapers within 28 days:

- (i) Amend the draft Town Centres Development Contributions Plan by deleting the fourth paragraph only (including dot points) of clause 2.6 and insert the following:

This includes development of areas envisaged under the following in force and draft environmental planning instruments:

- *Ku-ring-gai Local Environmental Plan 194*
- *Ku-ring-gai Local Environmental Plan 200; and*
- *The development potential envisaged for the Town Centres under the current Draft Ku-ring-gai Local Environmental Plan for the Town Centres.*

Note: In the event that additional development potential and demand is added to any subsequent planning instrument, there will be a consequential amendment to the Town Centres Contributions Plan to address both additional yield and additional demand arising as a result of that additional yield.

- (ii) Amend the draft Town Centres Development Contributions Plan(2008) by amending the savings provision at Clause 2.21 to read as follows:

A development application that has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions

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of the plan or plans which applied at the date the development application was lodged.

- (iii) Amend the draft Ku-ring-gai Town Centres Development Contributions Plan(2008) to delete the car parking works which give rise to a car parking contribution and all consequential modifications (text, contribution rates, works program and works program maps) to effect that deletion be undertaken.
 - (iv) Undertake any other essential typographical modifications to the draft Contributions Plan e.g. inserting the date of adoption at 2.5, deleting references to 'draft', ensuring the works program maps reflect the works program as adopted by Council and that numbering is sequential, and the like.
- B. That amendments to the currently in force *Ku-ring-gai Council Section 94 Contributions Plan 2004-2009 Residential Development – Amendment One* be adopted as Amendment Two and brought into force by way of publication in the local newspapers within 28 days.
- C. That *Ku-ring-gai Planning Agreement Policy 2008* be adopted as a policy of the Council and added to the Policy Register.
- D. That Council reiterate its commitment to maintaining the current levels of public car parking provision in each of the Town Centres.

Kate Paterson
Infrastructure Co-ordinator

Antony Fabbro
Manager Urban Planning

Andrew Watson
Director Strategy

Attachments:

- 1. Exhibition Report submitted to Ordinary Council Meeting held 27 May 2008 - 963155**
- 2. Summary of submissions - 963256**
- 3. Draft Ku-ring-gai Town Centres Development Contributions Plan 2008 - 963432**
- 4. Draft amendments to Ku-ring-gai Council Section 94 Contributions Plan 2004-2009 Amendment One - 963433**
- 5. Draft Planning Agreement Policy 2008 - 963434**

DRAFT KU-RING-GAI TOWN CENTRES DEVELOPMENT CONTRIBUTIONS PLAN, DRAFT PLANNING AGREEMENTS POLICY & DRAFT AMENDMENTS TO THE ADOPTED 2004 TO 2009 CONTRIBUTIONS PLAN

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	For Council to consider and adopt for exhibition the draft Ku-ring-gai Town Centres Development Contributions Plan, the draft Planning Agreements Policy and consequential amendments to the 2004-2009 Contributions Plan (Amendment Two).
BACKGROUND:	On 8 May 2007 Council adopted the Town Centres Facilities Plan for new public infrastructure as the first stage in developing a Contributions Strategy. On 28 August 2007 Council adopted a Development Contributions Strategy that examines the various contributions mechanisms available to fund the infrastructure works identified in the Facilities Plan and recommends which facilities should be incorporated in a Contributions Plan.
COMMENTS:	The draft Ku-ring-gai Town Centres Development Contributions Plan lists the public facilities amenities and purposes likely to be required to meet the demand generated by expected development in the town centres, identifies the nexus between expected development and facilities, identifies the funding sources and contributions that will apply to each centre.
RECOMMENDATION:	That the draft Ku-ring-gai Town Centres Development Contributions Plan be placed on formal exhibition concurrently with the draft Planning Agreement Policy and amendments to the 2004-2009 Contributions Plan.

PURPOSE OF REPORT

For Council to consider and adopt for exhibition the draft Ku-ring-gai Town Centres Development Contributions Plan, the draft Planning Agreements Policy and consequential amendments to the 2004-2009 Contributions Plan (Amendment Two).

BACKGROUND

Local Environmental Plan, Development Control Plan and Contributions Plan

Council submitted six draft Town Centre LEPs to the Minister for Planning for Gazettal in December 2006. The Town Centres Development Control Plan was adopted between 8 November 2006 and 19 December 2006 and amended on 27 August 2007. As development approved under the plans will generate significant requirements for new public infrastructure, a proportion of the cost of the delivery of new works and facilities can be met through a development contributions plan for the town centres. Accordingly, work proceeded on the Contributions Strategy and Plan for the town centres following the process detailed below.

There have been three stages in the preparation of a formal Development Contributions Plan. This included the development of a Facility Plan, Development Contribution Strategy and finally the draft Ku-ring-gai Town Centres Development Contributions Plan (known as draft Development Contributions Plan). The process for the development of these plans was adopted by Council on 27 March 2007.

The stages involved in the process have been as follows:-

- **Stage 1:** involved the preparation of a Town Centres Facilities Plan which identifies a full list of public infrastructure items for each centre, where they are to be located, further consultation requirements and when they are to be delivered. The Town Centres Facilities Plan was approved by Council for further development and consultation at its meeting of 8 May 2007.
- **Stage 2:** was the preparation of a Development Contributions Strategy which identifies how much each item will cost, how each item will be funded, ie, through development contributions, planning agreements, by Council, or others. The Contributions Strategy was adopted by Council on 28 August 2007.
- **Stage 3:** involved the preparation of a draft Development Contributions Plan, which identifies development contributions to be collected towards the provision of specific infrastructure and facilities identified in the contributions strategy as suitable for inclusion in the contributions plan. The plan will be required to be publicly exhibited for 4 weeks and the review of public submissions reported to Council.

Since it is proposed that planning agreements will form part of the total funding strategy, Council has also prepared a policy and procedures document for use in the preparation of planning agreements. The draft Planning Agreement Policy is also being reported to Council for concurrent exhibition as part of this report.

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The draft Development Contributions Plan was first presented to Council at the meeting of 30 October 2007. Council resolved as follows:

- A. *That further consideration of the draft town Centres Section 94 Plan be deferred to December 2007.*
- B. *That staff continue to:*
 - i. *Fully integrate Section 94 projects identified within Council's Town Centre Facilities Plan into Council's Long Term Financial Model.*
 - ii. *Complete demographic analysis and incorporate outcomes from this work into the draft contributions plan.*
 - iii. *Complete land economic assessment of land for dedication under the Town Centres DCP and incorporate results into the draft contributions.*
- C. *That further reporting be accompanied by an updated Long Term Financial Plan.*
- D. *That further report is to consider progression of the Town Centres LEP towards gazettal.*

On 6 November 2007 the Department of Planning issued guidelines that foreshadowed significant changes to the development contributions system while providing little detail on the application of the changes and no certainty as to when detail would be forthcoming. At the Council Meeting of 11 December 2007, a progress report was submitted to Council outlining the then present situation in the context of the State Government's approach. Council resolved, among other things:

- A. *That Council receive and note the progress report on the Town Centres Section 94 Contributions Plan.*
- B. *That staff continue to progress the draft Town Centres Section 94 Contributions Plan in the context of:*
 - i. *The Council resolution of 30 October 2007.*
 - ii. *Outcomes from the Department of Planning in relation to Development Contributions under Section 94 of the Environmental Planning and Assessment Act 1979.*
- C. *That a further report be brought back to Council early in 2008.*

Planning Panel

Shortly after the Ordinary Meeting of Council on 11 December 2007 the Minister for Planning gazetted an Order approving a Planning Panel and provided it with jurisdiction inter alia, over the Ku-ring-gai Town Centres LEP. The first Planning Panel commenced on 21 January 2008. The Order appointing this first Planning Panel was subsequently repealed on 3 March 2008 and the current Planning Panel ("Ku-ring-gai Planning Panel") appointed. In the course of this process,

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two sets of maps have been produced with different geographic areas for the Ku-ring-gai town centres under the jurisdiction of the Panel; both increasing the area from the original draft LEP.

The approach proposed by the Planning Panel to the scope and development potential of the town centres embodied in the draft LEP has therefore always had the potential to have a material impact on the Contributions Plan, particularly its underlying population projections and, consequently, the nexus and apportionment of the proposed works program. The result of this uncertainty has meant that the draft Contributions Plan could not have been finalised prior to the indication of some direction from the Planning Panel. Notwithstanding this however, Council has not been advised it should be planning for more than the 10,000 new dwellings specified in the draft North Subregional Strategy.

Legislative Change

Parallel to the Panel's investigation and development of their approach to the town centres, the State Government progressed proposed changes to the development contributions system (among other major changes to the Environmental Planning and Assessment Act) by the release of a draft Exposure Bill on 3 April 2008. The bill, if enacted, will relocate the development contributions system to a new Part 9 of the Environmental Planning and Assessment Act and introduce a number of material changes to the current system.

The key issues are:

- defining key community infrastructure;
- detailed assessment of the potential impact of the contributions on housing affordability;
- Ministerial power to direct the content of contributions plans and to direct councils to prepare or repeal a contributions plan; and
- the saving of contributions plans in force, prior to the enactment of the amending legislation until 30 June 2009, unless preserved by the Minister to 30 June 2015.

It is understood that the legislation, if passed by both houses of Parliament, will be progressively enacted as Regulations and guidelines are finalised and gazetted. It is understood that this could happen as early as July-August 2008.

Summary of the Present Position

It is appropriate and timely for Council to progress the draft Contributions Plan concurrent with the Planning Panel's progression of the draft LEP to ensure that newly allowed development contributes its fair share towards the works to the town centres designed to facilitate both that development and liveability and functionality of the town centres. To achieve the proposed timing it is preferable for the contributions plan to be in force prior to the commencement of new legislative provisions and then be reviewed in accordance with that legislation in 2009.

COMMENTS

Role of the Development Contributions Plan

Section 94 of the Environmental Planning and Assessment Act 1979 as currently in force authorises Council to collect contributions from new development towards the provision of public infrastructure and amenities to meet the demands of new residents.

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The draft Town Centres Development Contributions Plan (**Attachment 1**) has been prepared to enable Council to levy development contributions towards the provision of the relevant infrastructure and facilities identified in the Development Contributions Strategy and Facilities Plan previously adopted by Council. Specifically, the plan:

- lists the public facilities, amenities and purposes likely to be required to meet the demand generated by expected development in the town centres;
- identifies the relationship (or nexus) between expected development and the facilities to be provided in the town centres and the appropriate apportionment attributable to that new development;
- identifies the level of public services and amenities to be funded via town centre development and the residual that will need to be funded from other sources; and
- identifies the contribution rates that will apply to different development types in each town centre.

Facilities for which contributions will be collected

The draft Ku-ring-gai Town Centres Development Contributions Plan focuses on the additional infrastructure required to support substantial new development within the town centres. The works were identified in consultation with Councillors in the adopted Ku-ring-gai Town Centres Development Control Plan and in the Town Centres Facilities Plan.

Much of the new work is focussed on accessibility, with additional streets and pedestrian linkages to facilitate movement by pedestrians and by vehicles, improved public transport interfaces as well as improvements to the public domain including the streetscape and new civic spaces to accommodate more on-street activity including pedestrian movement.

Other works include the apportioned augmentation of many of Council's community facilities and car parking infrastructure. Inevitably for an established area, Council will retain a significant proportion of the cost of these new facilities, which can potentially be funded by land and building assets in the town centres. These matters were considered as part of the reclassification process and the long term financial model report. It is relevant to note that the reclassification and optimisation of Council's assets in conjunction with any developer agreements, offers a one-off opportunity to facilitate desirable town centre re-development and achieve modern functional facilities with reduced future maintenance costs. As part of this process a due diligence review by an independent consultant of the draft Developer Contributions Plan and works program and its funding relationship to Council's existing assets is being prepared (see confidential **Attachment 5**).

Many sites offer potential for some of the new facilities or works to be provided as works-in-kind. This provides potential savings to Council in terms of project management costs for the delivery of the facilities while also minimising the monetary contributions necessary to be made by the developer. It may also facilitate the earlier delivery of the infrastructure.

The facilities contained in the draft Development Contributions Plan were initially identified in Council's adopted Town Centres Facilities Plan and recommended for inclusion by the Development Contributions Strategy. Councillors have been involved in a number of workshops where the works program has been discussed in detail and the final list further refined. The full works program is found in a schedule to the draft Contributions Plan in **Attachment 1**.

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In accordance with Council resolution of 30 October 2007 (previously quoted), work has been undertaken to incorporate dwelling and demographic projections undertaken by SGS Economics and Planning into the draft plan, to complete an economic assessment of land to be dedicated, to incorporate revised costings into the draft plan, and to integrate the draft works program with the Long Term Financial Plan (Case 4). The present estimated value of the assets which are subject to reclassification exceeds the shortfall attributable to Council in respect of the community, car parking and other apportioned facilities. Councillors were confidentially briefed on these matters at a forum and workshop held on Tuesday 22 April 2008. Though on a case by case basis, Council may utilise other funding methods such as borrowings.

Application of the draft Ku-ring-gai Town Centres Development Contributions Plan

The draft Ku-ring-gai Town Centres Development Contributions Plan will apply to land within a corridor surrounding the town centres of Gordon, Lindfield, Pymble, Roseville, St Ives and Turramurra. The area covered by the new Contributions Plan includes all land included in stages 1 and 2 of Council's residential strategy, (ie. land zoned under LEP 194 and 200, Minister's targeted sites and the draft Town Centres LEP). These are the areas which will accommodate the majority of the future growth in Ku-ring-gai and for which the new facilities in the town centres are needed.

Maps showing the area covered by the Plan and the works attributable to these areas are contained in part 2 of the attached draft Contributions Plan. The draft Development Contribution Plan does not apply to land in Wahroonga, as the Wahroonga Centre is not included in the Town Centres LEP. Similarly, there are no new facilities proposed for this centre. Residential development in Wahroonga will remain subject to the Residential 2004-2009 Plan.

Relationship to 2004-2009 (Amendment One) Contributions Plan

Ku-ring-gai Development Contributions Plan 2004-2009 applies to all residential development in the Ku-ring-gai local government area, including residential development within the town centres. In the town centres, the draft Ku-ring-gai Town Centres Development Contributions Plan, will apply in addition to the existing Contributions Plan. The two contributions plans levy for different works. Ku-ring-gai Development Contributions Plan 2004-2009 levies for the provision of additional open space, the embellishment of some existing parks, community facilities, traffic and transport facilities, and pedestrian and public domain improvements. The draft Town Centres Contributions Plan focuses on the infrastructure essential to allowing the centres to function well with the influx of additional population. These works include new link roads and changes to existing streets, public domain works such as streetscape improvements and new civic spaces, additional car parking and augmentation of community facilities. Where there could be perceived to be any potential cross-overs, these have been identified and eliminated by discounting within the draft Town Centres Development Contributions Plan.

There is one consequential change proposed to the adopted 2004-2009 Contributions Plan Amendment One being Amendment Two to that plan.

The SGS Economics and Planning research (**Attachment 4**) has identified varied occupancy rates for different densities of development which feature in the draft Town Centres Development Contributions Plan as differential contribution rates for dwelling houses and SEPP Seniors Living

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development, medium density (mainly villas and townhouses) and high density (typically unit development). The current 2004-2009 Plan differentiates only between standard dwellings and SEPP Seniors Living development. While the approach in this document was reasonable having been prepared in accordance with the best available information at the time (the census), there is now better information available which can be incorporated into the contribution rates featured in the plan (the SGS report).

If this change is not made, there would arrive the unusual situation of levying a single development under two plans which utilise different occupancy rates for the same units. It is proposed to provide additional contribution rate schedules as part of the existing table to accommodate the SGS research concerning occupancy rates for medium and high density development.

There is also a consequential change to Clause 36.3 which lists the occupancy rates used in the 2004-2009 Contributions Plan to calculate the contribution rates. These changes are **Attachment 3**. Apart from this proposed change, it is appropriate to defer the full review of this Contributions Plan until 2009 as originally proposed. Exhibition of the proposed change – additions to the existing Table 3 on Page 21 only – will occur concurrently with the exhibition of the Draft Ku-ring-gai Town Centres Development Contributions Plan.

Planning Agreement Policy

Planning agreements are a mechanism for planning authorities and developers to negotiate outcomes in respect of applications to modify an environmental planning instrument (such as a Local Environmental Plan) or applications for development consent – especially development consents which give rise to development contributions. Planning agreements may specify how non-monetary development contributions are to be implemented by a developer. At present planning agreements may also authorise development contributions for a variety of public purposes which may go beyond contributions that would be possible under a Section 94 Development Contributions Plan, however changes in the draft exposure bill suggest that future planning agreements may be limited to key community infrastructure unless the Minister specifically approve a variation. Planning agreements must be publicly advertised and Submissions from the public may be made and must be considered.

Consistent with the Contributions Strategy adopted by Council on 28 August 2007, planning agreements are one mechanism Ku-ring-gai Council intends to use to implement the facilities and public domain works associated with the Ku-ring-gai Town Centres Development Control Plan, to implement the draft Ku-ring-gai Town Centres Draft Development Contributions Plan and to assist in the orderly development of Council owned land.

The draft policy sets out the matters for consideration in the negotiation of a planning agreement and the process to be followed in negotiating, exhibiting and entering into an agreement. The draft Planning Agreement Policy was prepared and presented to the Council on 30 October 2007 as part of a report relating to the reclassification of Council land, but was deferred. This draft policy has now been reviewed and is attached at **Attachment 2**. It is also proposed for concurrent exhibition with the draft Ku-ring-gai Town Centres Development Contributions Plan. It should be noted that the legislation enabling planning agreements presently exists and that Council could receive a proposal for a planning agreement at any time. The purpose of this draft policy is to guide that process.

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Review and implementation of the Contributions Plan

The draft Ku-ring-gai Town Centres Development Contributions Plan will come into effect when a notice is published in the newspaper in the event of Council's formal adoption of the plan.

The draft Contributions Plan has been prepared on the basis of the anticipated development outcomes of the draft Town Centres LEP as submitted to the Department of Planning in December 2006. In the event that there are additional changes resulting in increased yields within the centres, then the draft Contributions Plan may need to be subsequently reviewed to reflect any changes in anticipated growth. This could also provide an opportunity to further review the works schedules contained in the Plan. Regardless, given this current two staged process proposed by the Planning Panel for dealing with the Town Centres LEP, it is necessary to have more than a draft Contributions Plan adopted when the Stage 1 LEP is gazetted in the next few months.

CONSULTATION

An integrated planning approach has been adopted for this project. Councillors and key staff across Council have been involved in the Development Contributions Strategy and Plan throughout the process. The development of the Facilities Plan, Contributions Strategy and Contributions Plan was considered at the Councillors workshop in February 2007 and the process and timing of the development of these plans were adopted by Council on 27 March 2007.

Council has been kept informed of the progress work relating to the plans through staged reporting and numerous workshops throughout 2007, including the presentations and updates at Planning Forums on 15 May, 20 June, 13 August, 18 September, and 29 October 2007 and a pre-Council briefing on 4 December 2007. The draft Planning Agreements Policy was presented at the Planning Forum of 27 November 2007 following a Finance Forum on the Long Term Financial Plan on 26 November 2007. The Long Term Financial Plan was also reported to Council on 11 December 2007.

Councillor Forums and workshops on the draft Ku-ring-gai Town Centres Development Contributions Plan works programme were held on Thursday 27 September 2007, Monday 15 October 2007 and Tuesday 22 April 2008.

A formal 28 day public exhibition period is required for the draft Ku-ring-gai Town Centres Development Contributions Plan under the current legislation. A full copy of the draft Contributions Plan will be made available on Council's website and hard copies will be available in Council's customer service area and in the Libraries. Following the exhibition of the draft Ku-ring-gai Town Centres Development Contributions Plan, there will be a further report to Council to consider the submissions and any further amendments which might be required to the draft Plan.

The draft Planning Agreement Policy and the draft Amendment to the adopted 2004-2009 Contributions Plan will follow the same process.

FINANCIAL CONSIDERATIONS

The financial implications that may arise from works to undertake the revitalisation of public domain and community infrastructure are significant but have been thoroughly assessed as part of an integrated approach to the development of the town centres. A key outcome of the Town Centres Working Program is a financial strategy fully integrated into Council's overall Long Term Financial Model.

The draft Contributions Plan requires Council to contribute approximately \$82 million in cash over the life of the Plan to 2031 to fund associated facilities equating to an average annual contribution of \$3.6 million.

The date, Council has not resolved how it will raise these funds and this will require decision making by the current and future Council's.

Council has commissioned an independent confidential assessment of those assets which have the potential to contribute toward the required council contribution and the realisation of the Town Centres Works Program (confidential **Attachment 5**).

Funding Council's cash contribution will necessitate that Council commit to reviewing its portfolio of landholdings and assets. Other means may include borrowings and public private partnerships (as a planning agreement) as previously outlined.

If Council is to adopt the plan as outlined following public exhibition, it will commit the organisation to providing the abovementioned Council contribution over the life of the plan or it may be obliged to refund contributions in the event that facilities are not provided. Alternatively, Council could elect to refine the works program after exhibition and prior to adoption, as a way of reducing the Council contribution required.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

There has been ongoing consultation with all sections of Council in the development of the Town Centres Facilities Plan and Development Contributions Strategy and the development of the draft Ku-ring-gai Town Centres Development Contributions Plan.

SUMMARY

The draft Ku-ring-gai Town Centres Development Contributions Plan has been developed to facilitate the collection of development contributions for the provision of infrastructure and facilities in each of the town centres. The draft plan is based on the recommendations of the Development Contributions Strategy which examines the different development contributions mechanisms available to fund the infrastructure works identified in the Facilities Plan.

This report seeks the endorsement of Council to the exhibition of the draft Contributions Plan for the statutory period of 28 days. Following the exhibition of the draft Ku-ring-gai Town Centres Development Contributions Plan, there would be a further report to Council at which time Council could further consider the scope and content of the plan in the light of submissions made during the exhibition process.

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Concurrently, a draft amendment to the 2004-2009 Contributions Plan - Amendment One is to be exhibited as well as the Exhibition Draft: Planning Agreements Policy.

Due to the present Council meeting schedule and in view of the high desirability of having the plan in force prior to the enactment of changes that would entail additional research and further changes, an extraordinary meeting of Council is necessary to consider the draft Contribution Plan following exhibition.

RECOMMENDATION

- A. That the draft Ku-ring-gai Town Centres Development Contributions Plan be adopted for exhibition and placed on public exhibition as soon as practical.
- B. That the Exhibition Draft: Planning Agreement Policy be placed on concurrent public exhibition.
- C. That consequential amendments to Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Amendment 1 be placed on concurrent public exhibition.
- D. That a further report to Council be prepared at the close of the exhibition period.
- E. That an extraordinary meeting of Council on Tuesday 15 July 2008 be held following the exhibition period to consider the Draft Plan.

Kate Paterson
Infrastructure Co-ordinator

Craig Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban Planning

Andrew Watson
Director Strategy

Attachments:

1. Draft Town Centres Development Contributions Plan - Circulated separately.
2. Exhibition Draft: Planning Agreement Policy - Circulated Separately.
3. Draft Amendment to the Contributions Schedule of 2004-2009 Contributions Plan - Circulated Separately.
4. SGS Economics and Planning - Ku-ring-gai Development & Demographic Forecasts Report - 935253.
5. Confidential Due Diligence Report May 2008 - Circulated separately.

Attachment Two: Summary of Submissions

In view of the parallel process of the reclassification hearings it should be noted that the majority of resident submissions commented on all current issues. As these issues are inter-twined, in the interests of completeness the full submission is noted here. Comment relates chiefly to the Town Centres Contributions Plan though there are inevitable cross-overs.

#	Submitter	Suburb	Issues Raised	Comment
1	Resident	Turramurra	General submission about local government generally not supporting the people in particular relation to the grandiose plans for the town centres and resulting shortfalls.	The report addresses the key issues with respect to the proposed works program with particular reference to the community facilities and car parking works.
2	Resident	North Turramurra	Submission is primarily made in relation to the reclassification of the community land in the town centres but makes comment that as more people move to the area infrastructure such as community facilities and car parks must be maintained and enlarged to cater for future use.	The draft Town Centres Contributions Plan does provide for the future expansion or replacement of community facilities. Replacement is generally proposed where the current building will reach the end of its economic life within the life of the plan or cannot cost-effectively be extended.
3	Residents	Warrawee	Concerned that the shortfall will result in higher rates, borrowings, sale of public land, and development agreements. Expresses lack of understanding why Council is providing for 20,000 new dwellings to 2031 and concern that the village atmosphere will be lost.	Council is constrained from rate rises by the rate-pegging system which keeps rates rises pegged below the rate of inflation and therefore cannot raise rates to meet any co-contribution other than as approved by the Department of Local Government. The other items are part of the funding strategy for the shortfall but would be considered in precise detail prior the commencement of each item. Ku-ring-gai is required by the draft Sub-Regional Strategy to provide for 10,000 additional dwellings to 2031. This is what the Town Centres including the existing LEP 194 and LEP 200 areas proposes. There is no proposal for 20,000 new dwellings. The public

#	Submitter	Suburb	Issues Raised	Comment
			Opposes reclassification and sale, development on that land and the Open Space Acquisition Strategy as it relates to private homes.	domain works in the Town Centres are included within the Contributions Plan with the intent of maintaining and enhancing the village atmosphere despite the redevelopment to occur. These comments do not directly relate to the draft Town Centres Contributions Plan.
4	Resident	Not Stated / via e-mail	Opposes more debt, borrowings, increased rates and public land sales to fund the shortfall.	This matter is addressed in the report.
5	Resident	St Ives	Concern that Council will be bankrupted by the shortfall, that the proposals are reckless and that they are unnecessary.	This matter is addressed in the report specifically with regard to the community facilities under Financial Considerations .
6	Resident	Turramurra	Concern that shortfall is financially irresponsible and will lead to rate increases which will be unaffordable for residents on fixed incomes.	Council is constrained from rate rises by the rate-pegging system which keeps rates rises pegged below the rate of inflation and therefore cannot raise rates to meet any co-contribution other than as approved by the Department of Local Government.
7	Resident	Lindfield	<p>Opposed to rate increases (projects should be put on hold till they can be funded), borrowings (future costs to ratepayers), and sale of public land to fund shortfalls (resulting in a reduction of community facilities)</p> <p>Opposes the local community being turned into another soulless concrete jungle.</p>	<p>The Contributions Plan enables developers to make a contribution to these facilities. In the absence of such a contribution, then the whole of the cost would need to be funded by Council. Sites currently providing community facilities cannot be feasibly released until provision has been made for the replacement of that facility.</p> <p>It is precisely the facilities in the Contributions Plan works program which will address the impacts of the redevelopment that will occur. In the absence of the Contributions Plan, developers will not contribute towards providing the facilities required as a result of their development.</p>

#	Submitter	Suburb	Issues Raised	Comment
8	Resident	St Ives	Opposes further development in St Ives.	The Contributions Plan addresses the cumulative demand for additional facilities arising from redevelopment. It has no role in proposing additional development.
9	Developer	NA	Past Contributions Plans have contained a Savings Provision so that the changes do not apply to Development Applications that are already lodged. DAs have a long lead time, and this is unreasonable.	While it is lawful for Council to apply a Contributions Plan to all applications approved after the date of publication in the newspaper, past Contributions Plans have contained such a savings provision. This issue is discussed in more detail in the report.
10	Resident	Lindfield	Opposes the reclassification of public land in Lindfield in connection with raising money to fund the shortfall.	The Town Centres Contributions Plan and the reclassification process are parts of the overall funding strategy to provide the facilities to support new development. The expansion of new facilities in Lindfield will address needs generated by development (properly apportioned) and enable the release of the land occupied by other facilities to address the co-contribution required of Council of behalf of the existing population.
11	Resident	St Ives	<p>The Contributions Plan fails to address problems arising from increased population in town centres, in particular, to consider impact and potential for new streets and road modifications.</p> <p>The submission criticises the adequacy of the proposed traffic improvements and road modifications in the St Ives Town Centre, and suggests alternative treatments and new roads.</p>	The traffic improvement plans for St Ives were developed using network modelling, and attempted to strike a balance between growth, accessibility and network operation. Some of the measures proposed in the submission would be addressed in the plan (eg: new traffic signals at intersection Killeaton St and Cowan Rd). Other measures (eg closure of Rosedale Rd) would impact on access to the areas south of Mona Vale Rd. Additional changes to the road network as suggested may have been possible, but the extent of development would be unlikely to be able to fund those changes.

#	Submitter	Suburb	Issues Raised	Comment
				For the purposes of development contributions to road improvements, the proposed Contributions Plan would be able to deliver the traffic improvements to the St Ives Town Centre which were adopted by Council.
12	Resident	St Ives	Addressed to the Reclassification hearing but referencing the file for the Town Centres Contributions Plan. Queries why developers cannot fund the whole works, why Council is giving up land to developers, why discussions are confidential.	<p>The law limits local government to only seeking contributions for that part of the additional demand generated by new development being a fair proportion of the cost. Council must co-contribute on behalf of the existing population, viz, the apportionment test.</p> <p>Council is not 'giving up' land to developers. Reclassification enables more flexible uses or in some instances sale at market value to be individually and independently assessed at time of sale.</p> <p>Council has published meeting papers relating to all aspects of the draft Town Centres Contributions Plan with the exception of a report providing an overview of Council's land-holdings and discussing matters that enhance or constrain potential value. It is contrary to Council's (and hence the community's interests) that this information should be in the hands of developers as it could compromise future discussions on the value of that land.</p>
13	Resident	St Ives	Opposes use of public land for non-public purposes in St Ives especially for commercial, retail and residential development to fund projects that it cannot otherwise finance. Opposes the demolition of the YMCA to replace car parking, relocation of community facilities and reclassification.	The submission does not detail the reasons for the expressed opposition. The report addresses the purpose of the Town Centres Development Contributions Plan.

#	Submitter	Suburb	Issues Raised	Comment
14	Planning Consultant for a major Business Land Owner	Gordon	<p>Expresses concern that the increased business development potential is sufficient to offset the contributions required under the new Town Centres Contributions Plan (and the 2004-2009 Contributions Plan as amended in the event residential development was included) and the dedication of a new street at the rear of the premises as shown in the DCP.</p> <p>Through site link – Gordon Arcade – Pacific Highway to Wade Lane. Comment that redevelopment is marginal and that the through site link is not included in the Contributions Plan.</p> <p>The submission also notes numerous references to 'Section 94' in connection with the new legislation and whether all works proposed in the draft plan will meet the definition of community infrastructure under the new legislation.</p>	<p>An economic assessment was undertaken of this site for the draft LEP/DCP which gave this site an FSR of 3.4:1. This is also one of the sites listed for further economic review under the Stage 2 LEP/DCP which would take into consideration the impact of the proposed contribution on feasibility. It should be noted that, in the event the road were to be dedicated (which would require the long-term total reconstruction the development) then the FSR would be transferable resulting in no nett loss of floorspace from the dedication.</p> <p>The subject site already has a through-site link. The additional link envisaged by the DCP is expected to occur elsewhere in this block and be accommodated within the design of the development. It is logical for business owners to facilitate access for customers from car parking at the rear of the site.</p> <p>The new Part 5 of the Environmental Planning and Assessment Act has been assented but not yet enacted. The Regulations may yet be further amended and there are no updated Guidelines from the Department of Planning. Until enactment, Section 94 remains the only legal power to effect a contributions plan. If in force prior to the enactment date, then this Contributions Plan will become a preserved plan until at least March 2010. Any subsequent amendment would need to consider the new legislation. As presently drafted, there is no reason to conclude that the works proposed will not meet the</p>

#	Submitter	Suburb	Issues Raised	Comment
				<p>definition of community infrastructure since any new Guidelines will need to consider the realities of development in brownfield as well as greenfield areas.</p> <p>It is also noteworthy that the business in the town centres will benefit directly from works which enhance the attraction and hence the economic viability of the centres compared to larger shopping centres outside of the LGA such as Chatswood and Macquarie Centre.</p>
15	Developer	NA	Savings Clause inconsistent with the adopted 2004-2009 Contributions Plan and unreasonable due to the long lead time in preparing development applications.	See comment in respect of Submission 9 which raised essentially the same issue.
16	Resident	Gordon	Concerned about the cost of the works program in conjunction with the potential for rate rises from the viewpoint of self-funded retirees.	Council is constrained from rate rises by the rate-pegging system which keeps rates rises pegged below the rate of inflation and therefore cannot raise rates to meet any co-contribution other than as approved by the Department of Local Government.
17	Resident	Killara	<p>Concerned about the magnitude of the works program and the resultant burden on future councils in conjunction with council's other financial responsibilities such as maintenance of roads, ovals, parks and bushland. Notes some projects have merit (without specifying which) but makes suggestions for better use of existing facilities: such as advertising / encouraging people to use existing facilities and become involved in the community.</p> <p>Town Centre Civic Spaces – supports using the space</p>	<p>The preparation of the draft Contributions Plan is the last stage in a long examination of the feasibility of the works program. The issue of the on-going viability of the community facilities is addressed directly in the report.</p> <p>Council has a number of programs to encourage community involvement which will continue. The success of such programs is likely to increase demand for community meeting space.</p> <p>In many cases this is exactly what is proposed but as part of a larger redevelopment enabling Council to</p>

#	Submitter	Suburb	Issues Raised	Comment
			<p>proposed for reclassification for this purpose due to locational advantages.</p> <p>Opposes the c.\$25.5M for replacing car parking, in many cases underground on personal safety and cost grounds.</p> <p>Promotes unit developments catering for their residents by providing recreation rooms, meeting rooms, pools, gymnasiums etc.</p>	<p>derive the value of the otherwise lost floorspace potential of this land.</p> <p>The issue is particularly addressed in the report and it is recommended that these car parking stations be deleted from the Contributions Plan prior to adoption.</p> <p>The capacity to provide such facilities is limited to the largest of developments and incurs larger maintenance contributions from residents. Both the initial and on-going costs generate affordability concerns.</p>
18	Resident	North Turramurra	<p>Strongly objects to shortfall. Refers to reclassification process submission which includes concern about affordability of replacement facilities and argues residents do not want underground car parks and high density shopping centres. Expresses concern about rate rises and sale of land/facilities to fund the shortfall.</p> <p>Notes particularly that underground car parking is a safety issue – that this has particular impact on the elderly.</p>	<p>This submission was received after the close of the exhibition period.</p> <p>Affordability issues have been addressed in response to earlier submissions.</p> <p>The car parking matter has been addressed in response to submission 17 and in the body of the report. The car parking facilities listed are recommended for deletion from the contributions plan.</p>

Ku-ring-gai Town Centres Development Contributions Plan



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1. Part A – Introduction and Summary Schedules

1.1 Overview of this Plan

Section 94 of the *Environmental Planning and Assessment Act 1979* (EPA Act) authorises a consent authority responsible for determining a development application to grant consent to a proposed development subject to a condition requiring the payment of a monetary contribution or the dedication of land free of cost, or both, towards the provision of public amenities and public services.

Where the consent authority is a council, a contribution under section 94 of the EPA Act may only be imposed on a development if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan enables Ku-ring-gai Council (Council) to levy section 94 contributions for certain public amenities and services where new development will or is likely to increase the demand for these facilities.

Council, with the involvement of the Ku-ring-gai community, has in recent years undertaken a comprehensive master planning exercise for the following town centres:

- Gordon
- Lindfield
- Pymble
- Roseville
- St Ives
- Turramurra

The centres are referred to throughout this Plan as the ‘Ku-ring-gai town centres’.

The plans that have been prepared for the Ku-ring-gai town centres¹ envisage that much of the land located within each town centre will be redeveloped. Assuming that all development potential under the plans was to be achieved, there would be an additional:

- 10,000 dwellings;
- 17,500 residents; and
- 85,000 square metres of retail and commercial floor space,

in the town centres.

Development expected to be approved under the plans will generate requirements for new public amenities and services (or infrastructure) such as traffic management and car parking facilities, streetscape facilities, open space and community facilities. Indeed, the

¹ Draft Ku-ring-gai Local Environmental Plan 2008 (Town Centres) and Ku-ring-gai Town Centres Development Control Plan

planning vision for each centre cannot be achieved without investment in this infrastructure.

A list of required infrastructure is contained in Council's Town Centres Facilities Plan.

The total cost of infrastructure included in the Facilities Plan is significant. Council has determined that the cost cannot be met through ordinary rate income and that development approved in the centres should make a reasonable contribution toward the provision of the works.

The specific public amenities and services, their costs and program for delivery, and maps showing their location are contained in Section 4 of this Plan.

This Plan has been prepared having regard to the Practice Notes issued by NSW Department of Planning in accordance with clause 26(1) of the *Environmental Planning and Assessment Regulation 2000* (EPA Regulation).

This Plan sets out:

- the relationship between the expected future development in the Ku-ring-gai town centres and the public amenities and services required to meet the demands of that development;
- the formulas to be used for determining the contributions required for different categories of public amenities and services;
- the contribution rates for the anticipated types of development in the Ku-ring-gai town centres;
- maps showing the location of the public amenities and services proposed to be provided by the Council supported by a works schedule setting out an estimate of their cost; and
- the administrative and accounting arrangements applying to section 94 contributions that are required by this Plan.

Background information to this Plan is contained within the references included in Section 5 of this Plan.

1.2 Summary of works and contribution rates

Contributions Schedule for Houses, Seniors Living Dwellings, Business/Retail GFA and Off Site Car Parking

Contribution Area and Facility Type	Total cost of facilities in Plan apportioned to development (\$)	Contribution (\$)									
		Per person	Per bedsit or 1 bedroom dwelling house	Per 2 bedroom dwelling house	Per 3 bedroom dwelling house	Per 4 bedroom dwelling house	Per 5 bedroom dwelling house	Per seniors living dwelling	Per 100m ² of retail GFA	Per 100m ² of business GFA	Per car parking space
<i>Occupancy rate</i>		1.0	1.58	1.91	2.62	3.25	3.85	1.30			
Gordon											
Access and Transport Facilities*	\$ 5,974,125	\$ 639	\$ 1,010	\$ 1,221	\$ 1,675	\$ 2,078	\$ 2,462	\$ 831	\$ 11,709	\$ 3,969	\$ 22,056
Community Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
Streetscape and Public Domain Facilities	\$ 12,015,700	\$ 2,628	\$ 4,151	\$ 5,019	\$ 6,884	\$ 8,539	\$ 10,116	\$ 3,416			
Other	\$ 30,242	\$ 7	\$ 10	\$ 13	\$ 17	\$ 21	\$ 25	\$ 9			
Total	\$ 18,020,067	\$ 3,274	\$ 5,172	\$ 6,252	\$ 8,577	\$ 10,639	\$ 12,603	\$ 4,256	\$ 11,709	\$ 3,969	\$ 22,056
Lindfield											
Access and Transport Facilities*	\$ 2,434,315	\$ 330	\$ 522	\$ 631	\$ 866	\$ 1,074	\$ 1,272	\$ 429	\$ 5,745	\$ 1,947	\$ 42,000
Community Facilities	\$ 2,803,178	\$ 811	\$ 1,282	\$ 1,550	\$ 2,126	\$ 2,637	\$ 3,124	\$ 1,055			
Streetscape and Public Domain Facilities	\$ 9,036,714	\$ 2,616	\$ 4,133	\$ 4,996	\$ 6,853	\$ 8,501	\$ 10,070	\$ 3,400			
Other	\$ 25,839	\$ 7	\$ 12	\$ 14	\$ 20	\$ 24	\$ 29	\$ 10			
Total	\$ 14,300,046	\$ 3,765	\$ 5,948	\$ 7,191	\$ 9,864	\$ 12,235	\$ 14,494	\$ 4,894	\$ 5,745	\$ 1,947	\$ 42,000
Pymble											
Access and Transport Facilities*	\$ 2,055,690	\$ 637	\$ 1,006	\$ 1,217	\$ 1,669	\$ 2,070	\$ 2,452	\$ 828	\$ 11,343	\$ 3,845	\$ 16,163
Community Facilities	\$ 300,000	\$ 251	\$ 397	\$ 479	\$ 658	\$ 816	\$ 967	\$ 326			
Streetscape and Public Domain Facilities	\$ 4,315,062	\$ 3,611	\$ 5,705	\$ 6,897	\$ 9,461	\$ 11,736	\$ 13,902	\$ 4,694			
Other	\$ 23,929	\$ 20	\$ 32	\$ 38	\$ 52	\$ 65	\$ 77	\$ 26			
Total	\$ 6,694,681	\$ 4,519	\$ 7,140	\$ 8,631	\$ 11,840	\$ 14,687	\$ 17,398	\$ 5,875	\$ 11,343	\$ 3,845	\$ 16,163
Roseville											
Access and Transport Facilities*	\$ 2,406,550	\$ 1,611	\$ 2,545	\$ 3,077	\$ 4,221	\$ 5,236	\$ 6,202	\$ 2,094	\$ 13,230	\$ 4,485	\$ 31,401
Community Facilities	\$ 574,757	\$ 377	\$ 595	\$ 719	\$ 986	\$ 1,224	\$ 1,450	\$ 489			
Streetscape and Public Domain Facilities	\$ 4,897,809	\$ 4,453	\$ 7,035	\$ 8,504	\$ 11,666	\$ 14,471	\$ 17,142	\$ 5,788			
Other	\$ 24,679	\$ 22	\$ 35	\$ 43	\$ 59	\$ 73	\$ 86	\$ 29			
Total	\$ 7,903,795	\$ 6,463	\$ 10,211	\$ 12,343	\$ 16,932	\$ 21,003	\$ 24,881	\$ 8,401	\$ 13,230	\$ 4,485	\$ 31,401
St Ives											
Access and Transport Facilities*	\$ 2,384,230	\$ 413	\$ 653	\$ 789	\$ 1,083	\$ 1,343	\$ 1,591	\$ 537	\$ 2,954	\$ -	\$ 20,657
Community Facilities	\$ 1,839,891	\$ 525	\$ 830	\$ 1,003	\$ 1,377	\$ 1,707	\$ 2,023	\$ 683			
Streetscape and Public Domain Facilities	\$ 21,923,763	\$ 6,260	\$ 9,891	\$ 11,957	\$ 16,402	\$ 20,346	\$ 24,102	\$ 8,138			
Other	\$ 43,675	\$ 12	\$ 20	\$ 24	\$ 33	\$ 41	\$ 48	\$ 16			
Total	\$ 26,191,560	\$ 7,211	\$ 11,394	\$ 13,774	\$ 18,894	\$ 23,437	\$ 27,764	\$ 9,375	\$ 2,954	\$ -	\$ 20,657
Turramurra											
Access and Transport Facilities*	\$ 5,497,170	\$ 1,377	\$ 2,175	\$ 2,629	\$ 3,607	\$ 4,474	\$ 5,300	\$ 1,790	\$ 23,569	\$ 7,990	\$ 21,104
Community Facilities	\$ 1,469,196	\$ 487	\$ 770	\$ 931	\$ 1,277	\$ 1,584	\$ 1,877	\$ 634			
Streetscape and Public Domain Facilities	\$ 12,222,441	\$ 4,055	\$ 6,407	\$ 7,745	\$ 10,625	\$ 13,179	\$ 15,613	\$ 5,272			
Other	\$ 33,665	\$ 11	\$ 18	\$ 21	\$ 29	\$ 36	\$ 43	\$ 15			
Total	\$ 19,222,472	\$ 5,931	\$ 9,370	\$ 11,327	\$ 15,538	\$ 19,274	\$ 22,833	\$ 7,710	\$ 23,569	\$ 7,990	\$ 21,104

* Access and Transport Facilities net contribution including discount - refer to clause 2.8 of this Plan for details

Contributions Schedule for Medium Density Dwellings

Contribution Area and Facility Type	Total cost of facilities in Plan apportioned to development (\$)	Contribution (\$)					
		Per person	Per bedsit dwelling	Per 1 bedroom dwelling	Per 2 bedroom dwelling	Per 3 bedroom dwelling	Per 4+ bedroom dwelling
<i>Occupancy rate</i>		1.0	1.0	1.17	1.66	2.07	3.29
Gordon							
Access and Transport Facilities*	\$ 5,974,125	\$ 639	\$ 639	\$ 748	\$ 1,061	\$ 1,324	\$ 2,104
Community Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Streetscape and Public Domain Facilities	\$ 12,015,700	\$ 2,628	\$ 2,628	\$ 3,074	\$ 4,362	\$ 5,439	\$ 8,645
Other	\$ 30,242	\$ 7	\$ 7	\$ 8	\$ 11	\$ 14	\$ 22
Total	\$ 18,020,067	\$ 3,274	\$ 3,274	\$ 3,830	\$ 5,434	\$ 6,776	\$ 10,770
Lindfield							
Access and Transport Facilities*	\$ 2,434,315	\$ 330	\$ 330	\$ 387	\$ 548	\$ 684	\$ 1,087
Community Facilities	\$ 2,803,178	\$ 811	\$ 811	\$ 949	\$ 1,347	\$ 1,679	\$ 2,669
Streetscape and Public Domain Facilities	\$ 9,036,714	\$ 2,616	\$ 2,616	\$ 3,060	\$ 4,342	\$ 5,414	\$ 8,605
Other	\$ 25,839	\$ 7	\$ 7	\$ 9	\$ 12	\$ 15	\$ 25
Total	\$ 14,300,046	\$ 3,765	\$ 3,765	\$ 4,405	\$ 6,249	\$ 7,793	\$ 12,386
Pymble							
Access and Transport Facilities*	\$ 2,055,690	\$ 637	\$ 637	\$ 745	\$ 1,057	\$ 1,319	\$ 2,096
Community Facilities	\$ 300,000	\$ 251	\$ 251	\$ 294	\$ 417	\$ 520	\$ 826
Streetscape and Public Domain Facilities	\$ 4,315,062	\$ 3,611	\$ 3,611	\$ 4,225	\$ 5,994	\$ 7,475	\$ 11,880
Other	\$ 23,929	\$ 20	\$ 20	\$ 23	\$ 33	\$ 41	\$ 66
Total	\$ 6,694,681	\$ 4,519	\$ 4,519	\$ 5,287	\$ 7,502	\$ 9,354	\$ 14,867
Roseville							
Access and Transport Facilities*	\$ 2,406,550	\$ 1,611	\$ 1,611	\$ 1,885	\$ 2,674	\$ 3,335	\$ 5,300
Community Facilities	\$ 574,757	\$ 377	\$ 377	\$ 441	\$ 625	\$ 779	\$ 1,239
Streetscape and Public Domain Facilities	\$ 4,897,809	\$ 4,453	\$ 4,453	\$ 5,209	\$ 7,391	\$ 9,217	\$ 14,649
Other	\$ 24,679	\$ 22	\$ 22	\$ 26	\$ 37	\$ 46	\$ 74
Total	\$ 7,903,795	\$ 6,463	\$ 6,463	\$ 7,561	\$ 10,728	\$ 13,377	\$ 21,262
St Ives							
Access and Transport Facilities*	\$ 2,384,230	\$ 413	\$ 413	\$ 483	\$ 686	\$ 855	\$ 1,359
Community Facilities	\$ 1,839,891	\$ 525	\$ 525	\$ 615	\$ 872	\$ 1,088	\$ 1,729
Streetscape and Public Domain Facilities	\$ 21,923,763	\$ 6,260	\$ 6,260	\$ 7,325	\$ 10,392	\$ 12,959	\$ 20,597
Other	\$ 43,675	\$ 12	\$ 12	\$ 15	\$ 21	\$ 26	\$ 41
Total	\$ 26,191,560	\$ 7,211	\$ 7,211	\$ 8,437	\$ 11,971	\$ 14,928	\$ 23,725
Turramurra							
Access and Transport Facilities*	\$ 5,497,170	\$ 1,377	\$ 1,377	\$ 1,611	\$ 2,285	\$ 2,850	\$ 4,529
Community Facilities	\$ 1,469,196	\$ 487	\$ 487	\$ 570	\$ 809	\$ 1,009	\$ 1,604
Streetscape and Public Domain Facilities	\$ 12,222,441	\$ 4,055	\$ 4,055	\$ 4,745	\$ 6,732	\$ 8,394	\$ 13,342
Other	\$ 33,665	\$ 11	\$ 11	\$ 13	\$ 19	\$ 23	\$ 37
Total	\$ 19,222,472	\$ 5,931	\$ 5,931	\$ 6,939	\$ 9,845	\$ 12,276	\$ 19,511

* Access and Transport Facilities net contribution including discount - refer to clause 2.8 of this Plan for details

Contributions Schedule for High Density Dwellings

Contribution Area and Facility Type	Total cost of facilities in Plan apportioned to development (\$)	Contribution (\$)					
		Per person	Per bedsit dwelling	Per 1 bedroom dwelling	Per 2 bedroom dwelling	Per 3 bedroom dwelling	Per 4+ bedroom dwelling
<i>Occupancy rate</i>		1.0	1.04	1.22	1.72	2.06	2.88
Gordon							
Access and Transport Facilities*	\$ 5,974,125	\$ 639	\$ 665	\$ 780	\$ 1,100	\$ 1,317	\$ 1,841
Community Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Streetscape and Public Domain Facilities	\$ 12,015,700	\$ 2,628	\$ 2,733	\$ 3,206	\$ 4,519	\$ 5,413	\$ 7,567
Other	\$ 30,242	\$ 7	\$ 7	\$ 8	\$ 11	\$ 14	\$ 19
Total	\$ 18,020,067	\$ 3,274	\$ 3,404	\$ 3,994	\$ 5,631	\$ 6,744	\$ 9,428
Lindfield							
Access and Transport Facilities*	\$ 2,434,315	\$ 330	\$ 344	\$ 403	\$ 568	\$ 681	\$ 951
Community Facilities	\$ 2,803,178	\$ 811	\$ 844	\$ 990	\$ 1,396	\$ 1,671	\$ 2,337
Streetscape and Public Domain Facilities	\$ 9,036,714	\$ 2,616	\$ 2,720	\$ 3,191	\$ 4,499	\$ 5,388	\$ 7,533
Other	\$ 25,839	\$ 7	\$ 8	\$ 9	\$ 13	\$ 15	\$ 22
Total	\$ 14,300,046	\$ 3,765	\$ 3,915	\$ 4,593	\$ 6,475	\$ 7,755	\$ 10,842
Pymble							
Access and Transport Facilities*	\$ 2,055,690	\$ 637	\$ 662	\$ 777	\$ 1,096	\$ 1,312	\$ 1,835
Community Facilities	\$ 300,000	\$ 251	\$ 261	\$ 306	\$ 432	\$ 517	\$ 723
Streetscape and Public Domain Facilities	\$ 4,315,062	\$ 3,611	\$ 3,755	\$ 4,405	\$ 6,211	\$ 7,439	\$ 10,399
Other	\$ 23,929	\$ 20	\$ 21	\$ 24	\$ 34	\$ 41	\$ 58
Total	\$ 6,694,681	\$ 4,519	\$ 4,700	\$ 5,513	\$ 7,773	\$ 9,309	\$ 13,015
Roseville							
Access and Transport Facilities*	\$ 2,406,550	\$ 1,611	\$ 1,675	\$ 1,965	\$ 2,771	\$ 3,319	\$ 4,640
Community Facilities	\$ 574,757	\$ 377	\$ 392	\$ 459	\$ 648	\$ 776	\$ 1,084
Streetscape and Public Domain Facilities	\$ 4,897,809	\$ 4,453	\$ 4,631	\$ 5,432	\$ 7,658	\$ 9,172	\$ 12,823
Other	\$ 24,679	\$ 22	\$ 23	\$ 27	\$ 39	\$ 46	\$ 65
Total	\$ 7,903,795	\$ 6,463	\$ 6,721	\$ 7,884	\$ 11,116	\$ 13,313	\$ 18,612
St Ives							
Access and Transport Facilities*	\$ 2,384,230	\$ 413	\$ 430	\$ 504	\$ 711	\$ 851	\$ 1,190
Community Facilities	\$ 1,839,891	\$ 525	\$ 546	\$ 641	\$ 904	\$ 1,082	\$ 1,513
Streetscape and Public Domain Facilities	\$ 21,923,763	\$ 6,260	\$ 6,511	\$ 7,638	\$ 10,768	\$ 12,896	\$ 18,030
Other	\$ 43,675	\$ 12	\$ 13	\$ 15	\$ 21	\$ 26	\$ 36
Total	\$ 26,191,560	\$ 7,211	\$ 7,500	\$ 8,798	\$ 12,404	\$ 14,855	\$ 20,769
Turramurra							
Access and Transport Facilities*	\$ 5,497,170	\$ 1,377	\$ 1,432	\$ 1,680	\$ 2,368	\$ 2,836	\$ 3,965
Community Facilities	\$ 1,469,196	\$ 487	\$ 507	\$ 595	\$ 838	\$ 1,004	\$ 1,404
Streetscape and Public Domain Facilities	\$ 12,222,441	\$ 4,055	\$ 4,217	\$ 4,947	\$ 6,975	\$ 8,354	\$ 11,679
Other	\$ 33,665	\$ 11	\$ 12	\$ 14	\$ 19	\$ 23	\$ 32
Total	\$ 19,222,472	\$ 5,931	\$ 6,168	\$ 7,235	\$ 10,201	\$ 12,217	\$ 17,080

* Access and Transport Facilities net contribution including discount - refer to clause 2.8 of this Plan for details

2. Part B - Administration and operation of this Plan

2.1 What are development contributions?

Development contributions are contributions made by those undertaking development approved under the EPA Act.

Contributions may be in the form of money, dedication of land or some other material public benefit (or a combination of these) directed:

- in the case of contributions made under Section 94 of the EPA Act - toward the provision or improvement of public amenities or services (or the recouping of the cost of provision or improvement of public amenities or services); or
- in the case of contributions made under a planning agreement prepared in accordance with Sections 93F to 93L of the EPA Act – toward public purposes.

2.1.1 Section 94 contributions

Section 94 of the EPA Act enables councils to seek contributions from developers where development increases the demand for public facilities. Section 94 contributions are levied at the time of development consent.

The EPA Act establishes that a council can only require a section 94 contribution if:

- it is satisfied that a development, the subject of a development application, will or is likely to require the provision of, or increase the demand for, public amenities and public services within the area;
- it has adopted a contributions plan justifying the contribution; and
- the contribution is reasonable.

The power to levy a section 94 contribution relies on there being a clear relationship (or 'nexus') between the development being levied and the need for the public amenity or service for which the levy is required.

Generally, contributions can only be made towards:

- capital costs including land acquisition costs;
- public facilities which a council has a responsibility to provide; and
- public facilities which are needed as a consequence of new development.

2.1.2 Planning agreement contributions

The EPA Act allows for the negotiation of voluntary planning agreements between councils, developers, and/or other planning authorities for the provision of public purposes.

Public purposes are defined in the EPA Act as (without limitation):

- the provision of (or the recoupment of the cost of providing) public amenities or public services;
- the provision of (or the recoupment of the cost of providing) affordable housing;
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- the monitoring of the planning impacts of development; and
- the conservation or enhancement of the natural environment.

Ku-ring-gai Council (Council) may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the section 94 contributions required under this Plan.

A planning agreement negotiated and made under this Plan shall be subject to any provisions of or Ministerial directions made under the EPA Act or Regulation relating to planning agreements.

2.2 Development contributions strategy

Prior to preparing this Plan, Council considered the facility planning task for each of the Ku-ring-gai town centres and funding implications via the preparation of the *Ku-ring-gai Town Centres Development Contributions Strategy* (the **Strategy**).

The main purpose of the Strategy was to consider the range of issues related to infrastructure funding and delivery in the town centres through the prism of the contributions mechanisms available to Council, as shown in Figure 2.1.

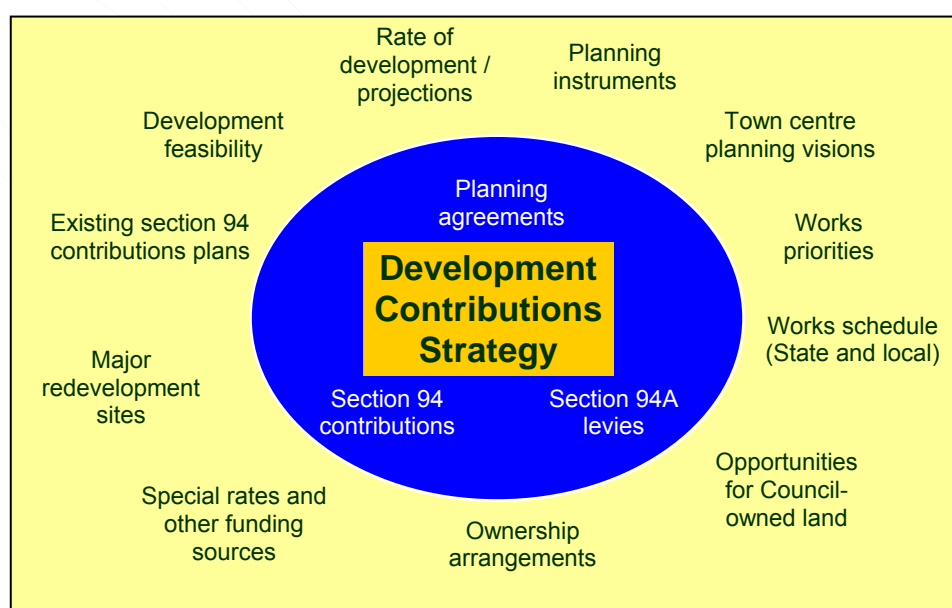


Figure 2.1 Ku-ring-gai town centres contributions issues

Public purposes are defined in the EPA Act as (without limitation):

- the provision of (or the recoupment of the cost of providing) public amenities or public services;
- the provision of (or the recoupment of the cost of providing) affordable housing;
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- the monitoring of the planning impacts of development; and
- the conservation or enhancement of the natural environment.

Ku-ring-gai Council (Council) may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the section 94 contributions required under this Plan.

A planning agreement negotiated and made under this Plan shall be subject to any provisions of or Ministerial directions made under the EPA Act or Regulation relating to planning agreements.

2.2 Development contributions strategy

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The main purpose of the Strategy was to consider the range of issues related to infrastructure funding and delivery in the town centres through the prism of the contributions mechanisms available to Council, as shown in Figure 2.1.

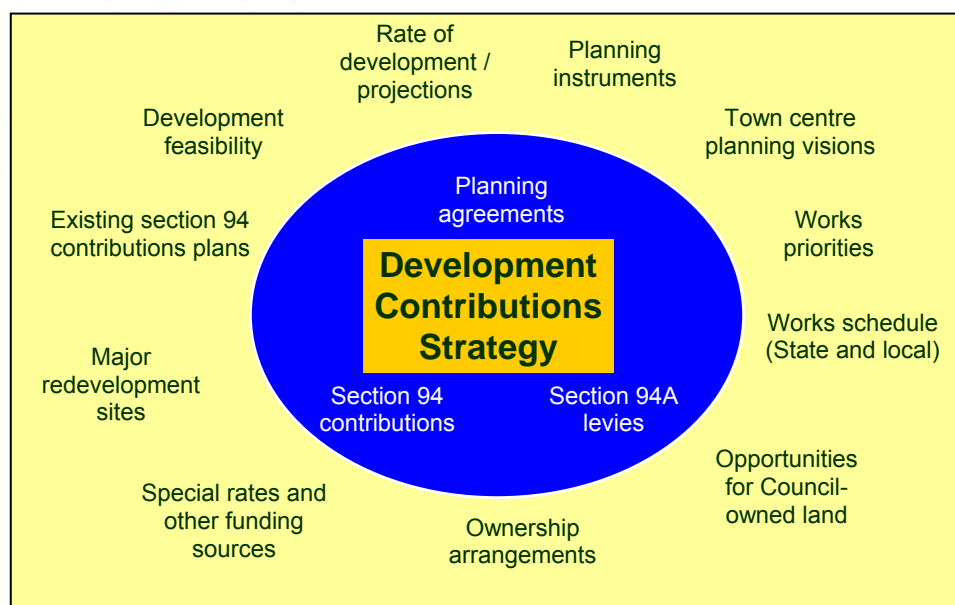


Figure 2.1 Ku-ring-gai town centres contributions issues

The Strategy recommended the following:

- That Council pursue a development contributions system underpinned by a Ku-ring-gai town centres section 94 contributions plans (this Plan), to be complemented by the use of other development conditions of consent and negotiated planning agreements to fund/deliver town centre facilities.
- Direct developer provision of infrastructure via section 80A(1)(f) conditions of consent will be appropriate where the particular work is entirely generated by an individual development.
- Voluntary planning agreements will be appropriate wherever a land owner/developer agrees to participate in an arrangement to provide works, dedicate land and/or make monetary contributions. In practice this will likely be confined to the larger single developments in the town centres and the developments which involve Council lands. The negotiation and administrative arrangements in relation to planning agreements will be contained in a policies and procedures document.

A diagram showing the Strategy framework is shown in Figure 2.2.

2.3 Name of this Plan

This Plan is called *Ku-ring-gai Town Centres Development Contributions Plan* (the **Plan**).

2.4 Purposes of this Plan

The purpose of this Plan is to enable Council to levy section 94 development contributions for the provision of public amenities and services (or public facilities) that are required as a consequence of development on land to which this Plan applies.

Other purposes of this Plan are:

- provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions for facilities required to meet the demands from Ku-ring-gai town centre development;
- provide an administrative framework under which public facilities strategies in the Ku-ring-gai town centres may be implemented and coordinated;
- ensure that adequate public facilities are provided for as part of any new development in the Ku-ring-gai town centres;
- to authorise Council to impose conditions under section 94 of the EPA Act when granting consent to development on land to which this Plan applies;
- ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development; and
- enable Council to be both publicly and financially accountable in its assessment and administration of this Plan.

**RECOMMENDED DEVELOPMENT CONTRIBUTIONS SYSTEM
KU-RING-GAI TOWN CENTRES**

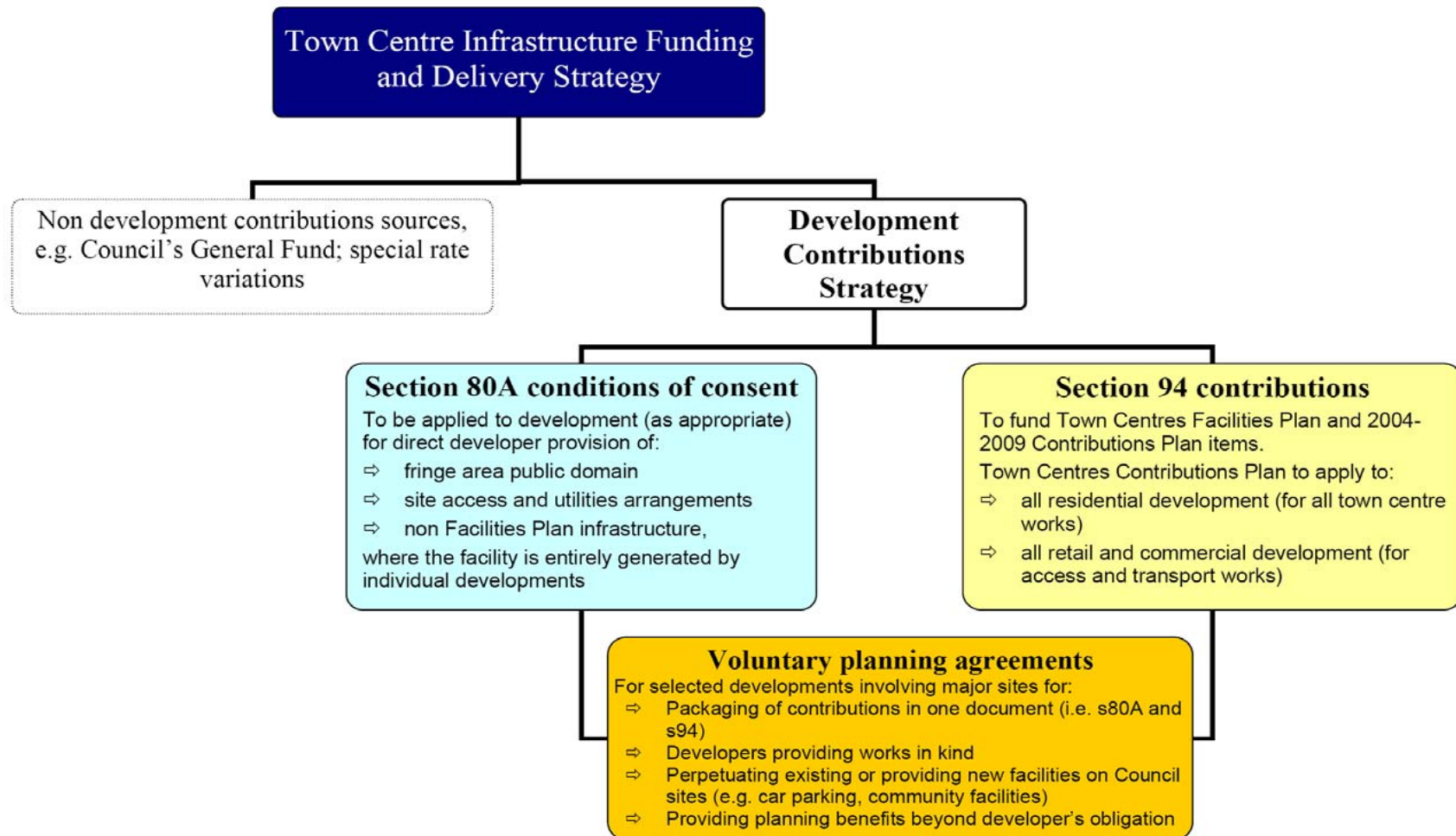


Figure 2.2 Ku-ring-gai Town Centres Infrastructure Funding and Delivery Framework

2.5 Commencement of this Plan

This Plan has been prepared:

- pursuant to the provisions of Division 6 of Part 4 of the EPA Act and Part 4 of the EPA Regulation; and
- having regard to the Practice Notes issued by NSW Department of Planning in accordance with clause 26(1) of the EPA Regulation.

The Plan came into effect on X.

This Plan will apply to all development applications determined on or after that date.

2.6 Land to which this Plan applies

This Plan applies to land within the respective Ku-ring-gai town centre precincts shown in Figures 2.3 to 2.8.

The planning for the facilities included in this Plan has largely been based on the anticipated demands generated by expected development in these precincts.

Precincts addressed by this Plan have been delineated on the basis of the potential for the land to be further developed for higher intensity land uses that, prima facie, will or are likely to require the provision of, or increase the demand for, public amenities and public services within the area.

This includes development of areas envisaged under the following environmental planning instruments:

- *Ku-ring-gai Local Environmental Plan 2008 (Town Centres)*
- *Ku-ring-gai Local Environmental Plan 194*
- *Ku-ring-gai Local Environmental Plan 200*

More information on facility demands and the areas of land affected by this Plan is contained in clause 3 of this Plan.



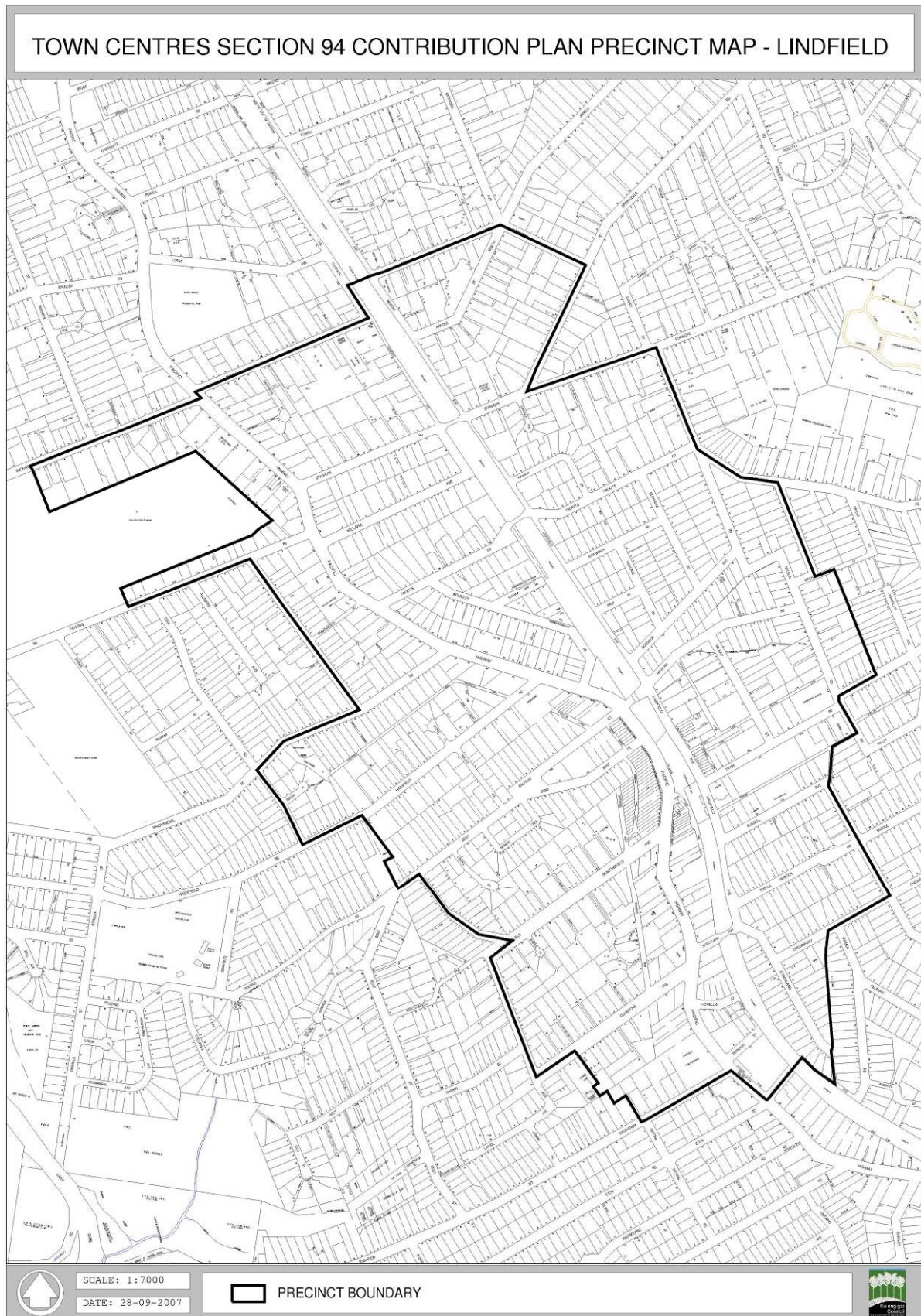


Figure 2.4 Lindfield town centre contributions plan precinct

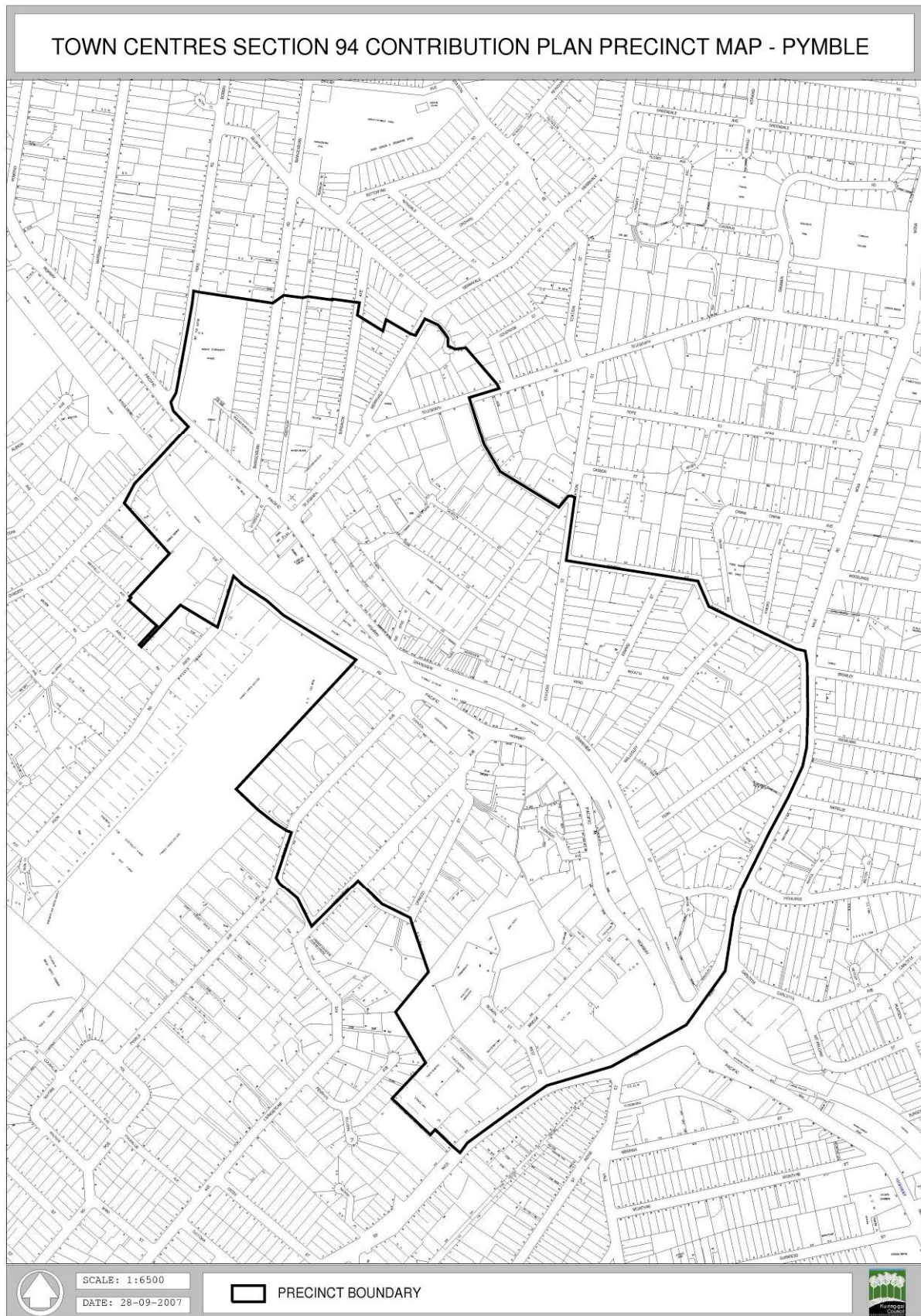


Figure 2.5 Pymble town centre contributions plan precinct



Figure 2.6 Roseville town centre contributions plan precinct

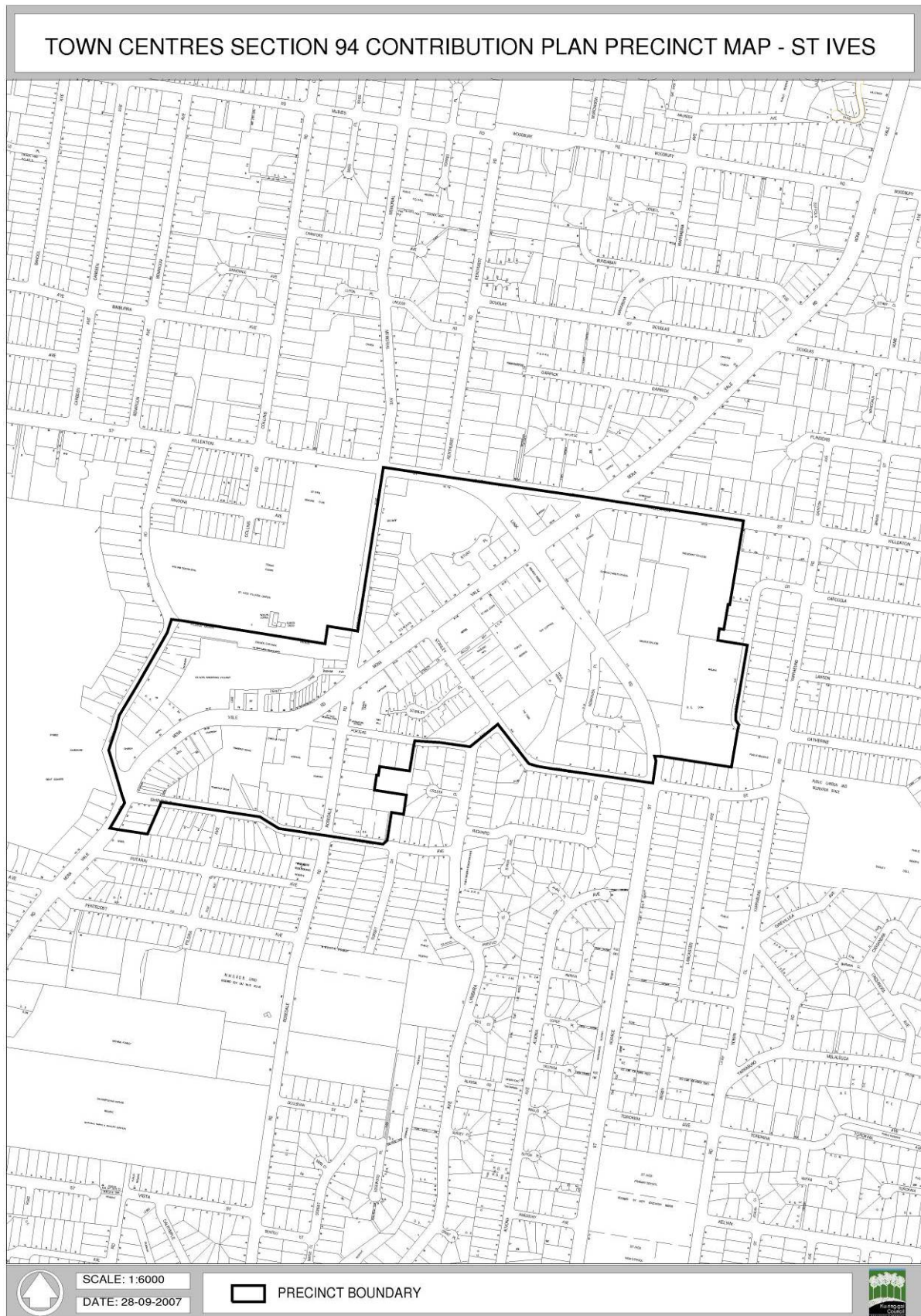


Figure 2.7 St Ives town centre contributions plan precinct

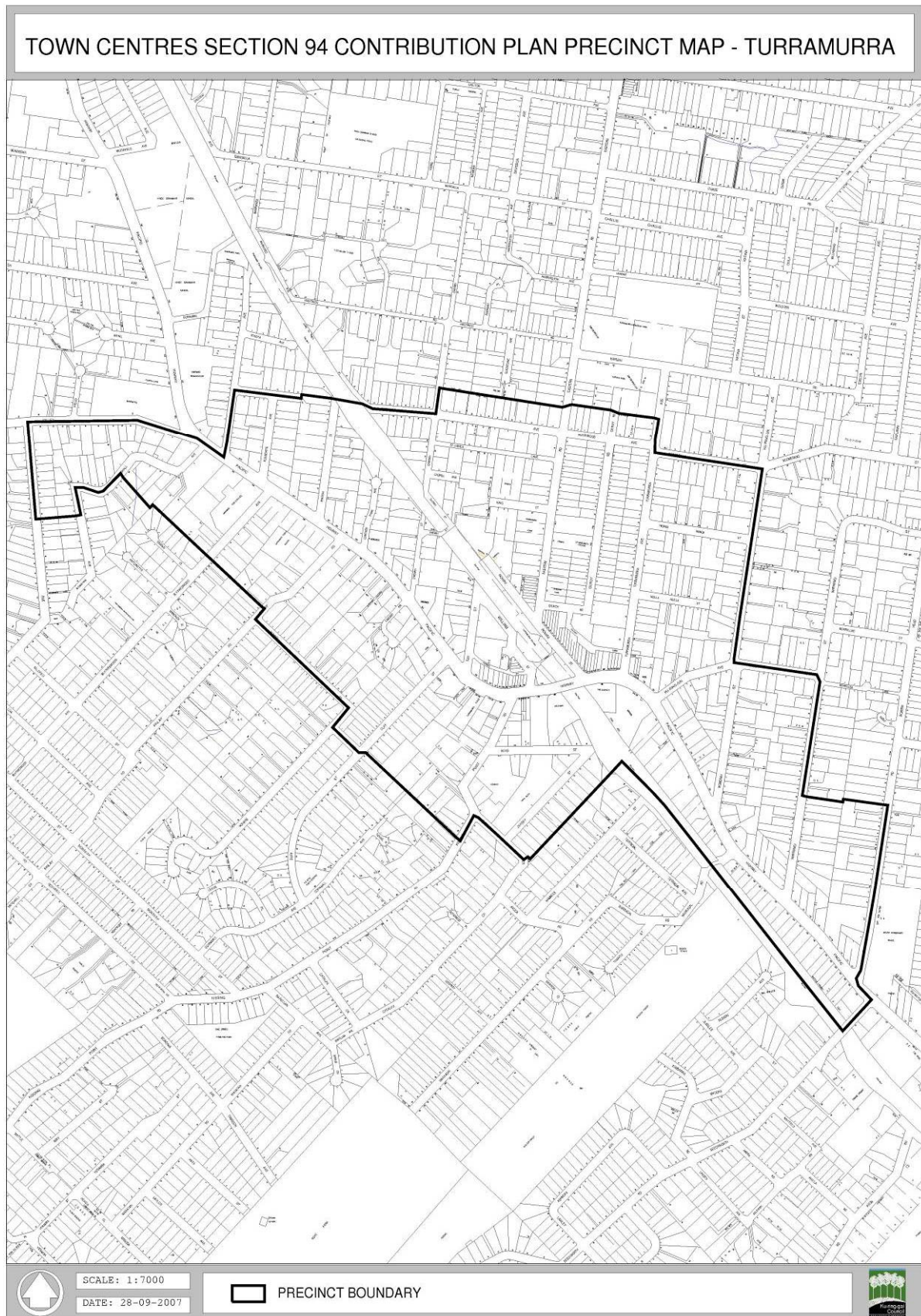


Figure 2.8 Turramurra town centre contributions plan precinct

2.7 Development to which this Plan applies

Council may impose a contribution under section 94 of the EPA Act on consents issued for different types of development approved under this Plan. The type and quantum of the contribution will relate to the form of the development proposed, that is:

- contributions for facilities identified in Sections 3.2 to 3.4 may be required from development for residential purposes; and
- contributions for facilities identified in Section 3.2 may be required from development for retail and business purposes.

Council may require contributions from other types of development where such development is assessed as being likely to require the provision of, or increase the demand for, public facilities identified in this Plan. The contribution to be imposed on such development will be determined having regard to the existing and projected future demands of the development on the facilities identified in this Plan.

However, this Plan shall not apply to development:

- for the sole purpose of affordable housing;
- for the sole purpose of the adaptive reuse of an item of environmental heritage;
- for the purposes of roads, public transport, drainage, utility, open space, recreation, education, health, emergency services or community facilities to be provided by or on behalf of State Government or the Council;
- for the purposes of infrastructure identified under this Plan or another contributions plan prepared under section 94 of the EPA Act;
- for facilities provided by Sydney Water, Integral Energy or equivalent water, sewer or energy provider; or
- that in the opinion of Council does not increase the demand for the categories of public facilities and services addressed by this Plan.

For the purpose of this clause, 'affordable housing' has the same meaning as the definition contained in the EPA Act.

2.8 Relationship to other contributions plans

Council's *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* addresses the facility needs associated with expected development throughout the Ku-ring-gai LGA, including the Ku-ring-gai town centres.

Council considers it reasonable to impose contributions under both *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* and this Plan to future town centre development as both contributions plans, to an overwhelming degree, address separate and distinct facility needs generated by expected development.

An exception is the transport and traffic contributions levied under each contributions plan. The access and transport facilities works schedule prepared for each town centre under this Plan potentially supersede the facilities identified under *Ku-ring-gai Section 94*

Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) insofar as they relate to demands generated by town centre development.

Therefore the monetary contributions for access and transport facilities under this Plan incorporate a contribution discount equivalent to the contribution for similar facilities levied under *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*. This contributions discount is reasonable as it avoids any perception of ‘double dipping’.

The contributions under *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* that are the subject of a contributions discount under this Plan are shown in Table 2.1.

Table 2.1 Contributions in *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* that are reflected in a contributions discount under this Plan

Facility category	Contribution type	Per person contribution amount in adopted plan (i.e. amount as at October 2007)
Traffic and Transport		
Traffic Management And Road Safety Improvements	Traffic management and road safety works	\$7.04
Pedestrian Network Improvements	Pedestrian works	\$17.57
Cycle Network Improvements	Cycle works	\$7.82
Public Domain Improvements	Shopping centre improvement program	\$9.04
	Roadway lighting at centres	\$19.54
	Street tree program	\$5.86
	Public domain study	\$53.47
Traffic Studies	Undertake traffic studies	\$1.88
Total		\$122.22

This Plan does not affect the operation of any other contributions plans adopted by Council.

2.9 Definitions

In this Plan, the following words and phrases have the following meanings:

Attributable cost means the estimated cost for each item in the works schedules set out in Section 4 of this Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

Consumer Price Index means the *Consumer Price Index (All Groups Index)* for Sydney as published by the Australian Statistician.

Contribution means the dedication of land or the making of a monetary contribution, as referred to in section 94 of the EPA Act.

Council means Ku-ring-gai Council.

DCP means the *Ku-ring-gai Town Centres Development Control Plan*.

EPA Act means the *Environmental Planning and Assessment Act 1979*.

EPA Regulation means the *Environmental Planning and Assessment Regulation 2000*.

GFA means gross floor area.

High density dwelling means a dwelling within a residential flat building.

Housing Price Index means the *Housing Price Index – Established House Prices (Sydney)* as published by the Australian Statistician.

LGA means local government area.

Medium density dwelling means a dwelling that is not a dwelling house or that is not within a residential flat building or senior housing development.

Planning agreement means a voluntary agreement referred to in section 93F of the EPA Act.

RTA means Roads and Traffic Authority of NSW.

State road means a classified road as defined in the *Roads Act 1993*.

Works in kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan.

Works schedule means the schedule of the specific public facilities for which contributions may be required, and the likely timing of provision of those public facilities based on projected development, the collection of development contributions and the availability of funds from supplementary sources, as set out in clause 4 of this Plan.

2.10 Facility costs

For the purposes of calculating the contribution rates in this Plan, the following facility cost components have been included:

- the capital costs of the proposed works;
- the costs of such master planning, detailed design and studies as are required for the proposed works; and
- the cost of acquiring land at current average market prices, discounted where appropriate to account for the transfer of development rights that is provided for under the DCP.

For the purposes of calculating the contribution rates in this Plan, the following components have been excluded:

- the capital and land acquisition costs associated with the share of any proposed facilities and services which are intended to serve the existing population or to make up for an existing deficiency of provision;
- any tied grants, subsidies or funding from other sources which may be available to Council in respect of any nominated work;
- any recoverable funding which has been provided for works which may have otherwise been provided under section 94;
- costs associated with ongoing or routine maintenance, staff resources or other recurrent expenses, other than where these are required as part of a contract to provide a program or service; and
- any facilities or services which may be required as a consequence of the expected development, which another organisation or government agency is responsible for providing.

2.11 Operation of this Plan

2.11.1 Plan authorises imposition of section 94 conditions on consents and certificates

This Plan authorises the Council or an accredited certifier, when determining a development application or an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 94 of the EPA Act requiring:

- the payment of a monetary contribution; and/or
- the dedication of land free of cost,

to the Council towards the provision of public facilities to meet the demands of the development as specified in the works schedule to this Plan.

Monetary contributions will be determined according to:

- in the case of access and transport facilities identified in this Plan – the net increase in PM peak hour vehicle trips attributable to a particular development;
- in the case of all other facilities identified in this Plan – the net increase in population attributable to a particular development.

Net increase in facility demand will be determined by the assumed development occupancy and peak hour trip rates contained in Tables 2.2 and 2.3. A credit equivalent to the contribution attributable to any existing development on the site of a proposed new development will be allowed for in the calculation of the contributions. Where the credit is attributable to a type of development not addressed in Tables 2.2 and 2.3 Council will determine the credit based on the circumstances of the case.

For the purposes of calculating the contribution rates in this Plan, the following components have been excluded:

- the capital and land acquisition costs associated with the share of any proposed facilities and services which are intended to serve the existing population or to make up for an existing deficiency of provision;
- any tied grants, subsidies or funding from other sources which may be available to Council in respect of any nominated work;
- any recoverable funding which has been provided for works which may have otherwise been provided under section 94;
- costs associated with ongoing or routine maintenance, staff resources or other recurrent expenses, other than where these are required as part of a contract to provide a program or service; and
- any facilities or services which may be required as a consequence of the expected development, which another organisation or government agency is responsible for providing.

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Table 2.2 Assumed population by development type

Development type	Occupancy rate (persons per dwelling)
Houses	
Bedsit or 1 bedroom dwelling	1.58
2 bedroom dwelling	1.91
3 bedroom dwelling	2.62
4 bedroom dwelling	3.25
5 bedroom dwelling	3.85
Seniors living dwellings	1.3
Medium density dwellings	
Bedsit dwelling	1.0
1 bedroom dwelling	1.17
2 bedroom dwelling	1.66
3 bedroom dwelling	2.07
4+ bedroom dwelling	3.29
High density dwellings	
Bedsit dwelling	1.04
1 bedroom dwelling	1.22
2 bedroom dwelling	1.72
3 bedroom dwelling	2.06
4+ bedroom dwelling	2.88

Table 2.3 Assumed peak hour vehicle trips by development type

Development type	Trip rate (peak hour vehicle trips per hour)
Bedsit or 1 bedroom dwelling	0.40
2 bedroom dwelling	0.50
3 bedroom dwelling	0.65
4 bedroom dwelling	0.85
5 bedroom dwelling	0.85
Seniors living dwelling	0.45
Retail development (per 100m ² GFA)	5.9
Business or commercial development (per 100m ² GFA)	2.0

2.11.2 Obligations of accredited certifiers

It is the responsibility of the principal certifying authority to accurately calculate and apply the section 94 contribution conditions to complying development certificates where applicable. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

Likewise, it is the responsibility of any person issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EPA Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the consent authority. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.11.3 Consent or planning agreement to address dedication of land free of cost

Council may, by imposition of a condition of development consent, require a developer of certain land to dedicate part of the development site free of cost to the Council for the provision of public amenities and services demanded by expected town centre development.

Alternatively, a developer may offer the dedication of land through a planning agreement prepared under section 93F of the EPA Act.

The land to be dedicated free of cost is specified in the report entitled *Valuation / Consultancy Report - Ku-ring-gai Commercial Centres – Provision of Estimated Acquisition Costs for Targeted Land within the Draft Contributions Plan* prepared by BEM Property Consultants Pty Ltd. A list of the required land is contained in clause 4.1 of this Plan.

The land to be dedicated is to be used for the provision of access and transport, and streetscape and public domain facilities identified in this Plan.

The dedication of such land free of cost is reasonable as the value of that land will be retained by the owner of the land through the transfer of development rights from the dedicated portion to residual (or development) portion of the site.

2.12 Indexation of contribution rates under this Plan

It is Council's policy to review contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the particular public facility.

The contribution rate will be reviewed on the following basis:

2.11.2 Obligations of accredited certifiers

It is the responsibility of the principal certifying authority to accurately calculate and apply the section 94 contribution conditions to complying development certificates where applicable. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

Likewise, it is the responsibility of any person issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EPA Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

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The dedication of such land free of cost is reasonable as the value of that land will be retained by the owner of the land through the transfer of development rights from the dedicated portion to residual (or development) portion of the site.

2.12 Indexation of contribution rates under this Plan

It is Council's policy to review contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the particular public facility.

The contribution rate will be reviewed on the following basis:

- for all costs other than land acquisition costs by reference to the *Consumer Price Index (All Groups) for Sydney* published by the ABS, reviewed at least quarterly; and
- for land acquisition costs by reference to the *Housing Price Index – Established House Prices (Sydney)* also published by the ABS, reviewed at least half-yearly.

In accordance with clause 32(3)(b) of the EPA Regulation, the contribution rates for works schedule items would be indexed in accordance with the following formulas:

Contribution rates for all works schedule items (other than land acquisition items)

$$\$C_A + \frac{\$C_A \times (\text{Current Index} - \text{Base Index})}{\text{Base Index}}$$

Where:

$\$C_A$ is the contribution rate for works schedule items (other than land to be acquired) at the time of adoption of the Plan expressed in dollars

Current Index is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the review of the contribution rate

Base Index is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the date of adoption of this Plan

Note: In the event that the current index is less than the previous index, the current index shall be taken as not less than the previous index in each case.

Contribution rates for land acquisition items

$$\$C_{LV} + \frac{\$C_{LV} \times (\text{Current Index} - \text{Base Index})}{\text{Base Index}}$$

Where:

$\$C_{LV}$ is the land values within the Plan at the time of adoption of the Plan expressed in dollars

Current Index is the *Housing Price Index – Established House Prices (Sydney)* as published by the Council at the time of the review of the contribution rate

Base Index is the *Housing Price Index – Established House Prices (Sydney)* as published by the Council at the date of adoption of this Plan

Note: The contribution rate for land acquisition will not be less than the contribution rate specified at the date of the adoption of this Plan.

2.13 Indexation of contributions required by a condition imposed under this Plan

The contributions stated in a consent are calculated on the basis of the section 94 contribution rates determined in accordance with this Plan, as adjusted under the terms of clause 2.12.

If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

$$\$C_P = \$C_{DC} + \frac{[\$C_{DC} \times (\$C_Q - \$C_C)]}{\$C_C}$$

Where:

$\$C_P$ is the amount of the contribution calculated at the time of payment

$\$C_{DC}$ is the amount of the original contribution as set out in the development consent

$\$C_Q$ is the contribution rate applicable at the time of payment

$\$C_C$ is the contribution rate applicable at the time of the original consent

The current contributions are published by Council and are available from Council offices. Should the Council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

2.14 Timing of payment of monetary contributions required under this Plan

A contribution is payable in full as follows:

- in the case of development applications involving subdivision - before the release of the construction certificate related to the subdivision works or the release of the linen plan/subdivision certificate, whichever occurs first;
- in the case of development applications involving building work – before the release of the construction certificate;
- in the case of development applications involving both subdivision and building work - before the release of the construction certificate or the release of the linen plan/subdivision certificate, whichever occurs first; and
- in the case of development applications where no construction certificate is required – at the time of issue of notification of consent or prior to commencement of the approved use, or prior to occupation of the premises, as may be determined by Council.

Where (as discussed above) payment is required prior to the release of a construction certificate, and the development is a staged development or otherwise involves the issue of

more than one construction certificate, payment in full is required prior to the issue of the first construction certificate for the development.

2.15 Policy on deferred or periodic payments

Deferred payment generally will not be accepted by Council. However Council may accept a deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies Council that:

- compliance with the provisions relating to when contributions are payable is unreasonable or unnecessary in the circumstances of the case; and
- non-compliance with the terms of clause 2.14 will not increase the cost or prejudice the timing or the manner of providing the facility or service for which the contribution was required as outlined in the works schedule.

The decision to accept a deferred or periodic payment is at the sole discretion of Council.

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:

- the guarantee requires the bank to pay the guaranteed amount unconditionally to the consent authority where it so demands in writing, not earlier than six months (or a term determined by Council) from the provision of the guarantee or completion of the development or stage of the development to which the contribution or part relates;
- the guarantee prohibits the bank from:
 - ⇒ having recourse to the applicant or other person entitled to act upon the consent before paying the guaranteed amount;
 - ⇒ 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;
- the bank's 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; and
- the applicant pays interest to Council on the contribution or the outstanding amount at the overdraft rate on and from the date when the contribution would have been otherwise payable in accordance with clause 2.14 of this Plan.

Where Council does not require the applicant to provide a bank guarantee, it may require a public positive covenant under Section 88E of the *Conveyancing Act 1919* to be registered on the title to the land to which the relevant development application relates.

2.16 Works in kind and other material public benefits offered in part or full satisfaction of contributions

A person may make an offer to the Council to carry out work or provide another kind of material public benefit in lieu of making a contribution in accordance with a section 94 condition imposed under this Plan, in the terms described below.

The Council may accept an offer by the applicant to make a contribution by way of works in kind (defined as an item in the works schedule to this Plan) or material public benefit for works or the dedication of land (defined as an item that is not included in the works schedule to this Plan).

The decision will be at the sole discretion of Council.

2.16.1 Matters to be considered by the Council in determining offers of material public benefits

Factors that Council will take into consideration in making its decision will include the following:

- The value of the works and/or dedication of land is at least equal to the value of the contribution that would otherwise be required under this Plan.
- The standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction.
- Whether the acceptance of the works and/or dedication of land will prejudice the timing or the manner of the provision of public facilities included in the works program of this Plan.
- The extent to which the works and/or dedication of land satisfies the purpose for which the contribution was sought.
- The conditions applying to the transfer of the asset to the Council are to Council's satisfaction.
- The financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer).
- The overall benefit of the proposal.

2.16.2 Works in kind and material public benefit agreements

Council will require the applicant to enter into a written agreement for the provision of works in kind or a material public benefit prior to the commencement of the development.

Works in kind and material public benefit agreements shall be made between the Council, any person entitled to act upon the consent and the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and the contribution plan, and the program for delivering the works.

Where an offer is made prior to the issue of development consent, the offer should be in the form of a planning agreement. If the offer is made by way of a draft planning agreement under section 93F of the EPA Act, Council will require the agreement to be entered into and performed via a condition in the development consent. Planning agreements shall address the matters included in the EPA Act and EPA Regulation.

2.16.3 Valuation of offers of works-in-kind and material public benefits

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared.

2.17 Pooling of contributions

To provide a strategy for the orderly delivery of the public services and amenities, this Plan authorises monetary section 94 contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary section 94 contributions under this Plan are the priorities for works as set out in the works schedule in Section 4, where possible. However changing rates of development in different areas may alter those priorities.

In any case of the Council deciding whether to pool and progressively apply contributions funds, the Council will have to first be satisfied that such action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

2.18 The Goods and Services Tax (GST)

At the time this Plan was made, the position of the Australian Taxation Office (ATO) was that the payment of development contributions made under the EPA Act is exempt from the Goods and Services Tax (GST).

Items in the works schedule of this Plan have been calculated without any GST component.

2.19 Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 94 contributions. These are addressed in Divisions 5 and 6 of Part 4 of the EPA Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council, on provision of reasonable notice.

2.20 Review of Plan

This Plan with supporting information will be subject to review by Council, so as to:

- monitor development trends and income received by the Plan;
- ensure that contributions rates reflect actual costs incurred by the Plan; and
- enable alteration to the works schedule if development rates differ from original expectations (refer Section 3.3.1).

Contribution rates may be revised by a review of the Plan and adjustment to the assumptions within the Plan. Any material change in the Plan, with the exception of limited adjustments permitted under clause 32(3) of the EPA Regulation, will require the Plan to be amended, including public exhibition of the amendments and consideration of any public submissions received.

Pursuant to clause 32(3) of the EPA Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections or amendments to rates resulting from changes in the Consumer Price Index or Housing Price Index (see Section 2.12).

2.21 Savings and transitional arrangements

A development that has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the contributions plans that apply at the date of determination of the application.

3. Part C - Facility demands and strategy plans

3.1 Facility needs associated with the expected development

3.1.1 Facility planning overview

The planning of each town centre was predicated on a planning vision statement, which was in turn prepared with the involvement of the Ku-ring-gai community. Each vision statement refers to opportunities and constraints upon developable land, supported by infrastructure strategies and measures required to sustain the planned growth.

Provision of new and augmented public facilities is integral to achieving the planning vision for each centre, for example:

St Ives centre will become more accessible particularly for pedestrians, pram walkers, people with disabilities, cyclists and public transport users. Vehicle access to the centre will be improved and more parking, with better access, will be provided (excerpt from St Ives town centre planning vision included in the DCP)

New public spaces will be located in centrally accessible locations together with a range of community facilities such as a library, seniors' resource centre and youth space, and leisure-based activities such as cafes and restaurants. New and upgraded public connections that are accessible for all users will be provided to encourage a walkable community (excerpt from Lindfield town centre planning vision included in the DCP)

Traffic improvements will be made to the Highway, streets and lanes in the centre which are currently facing traffic problems such as bottlenecks or conflicts with pedestrians. Improvements such as new pedestrian crossings, new streets, traffic signals and one way streets will be provided. Public parking areas will be retained and improved in terms of location, design, quantity and safety (excerpt from Gordon town centre planning vision included in the DCP)

The DCP, in addition to containing controls relating to the development of private land in each centre, translates each planning vision into an outline of upgraded or new infrastructure that will be required including:

- parks and open space facilities;
- streetscape and public domain facilities;
- water management facilities;
- community services and facilities;
- pedestrian/cycle access and circulation facilities;
- public transport facilities;
- vehicle access and circulation facilities; and

- car parking facilities

As part of the preparation of the DCP, Council commissioned studies and other work to provide greater specificity and justification for these facilities as well as other work to support the future provision of facilities. This work included preparation of the following:

- traffic and parking studies for each town centre;
- a riparian policy for the entire LGA;
- a open space acquisition strategy for the entire LGA;
- holding of public hearings into the reclassification of Council-owned land in several of the town centres; and
- a public domain strategy and manual (in progress at the time this Plan was prepared).

A list of references is included in Appendix A.

This research translated into the preparation of a Facilities Plan for the Ku-ring-gai town centres.

3.1.2 Current and expected future development and population

Town centre precincts

Figures 2.3 to 2.8 show the boundaries of each Ku-ring-gai town centre precinct for the purposes of contributions collected and applied under this Plan.

Precincts addressed by this Plan have been delineated on the basis of the potential for the land to be further developed for higher intensity land uses that, prima facie, will or are likely to require the provision of, or increase the demand for, public amenities and public services within the area.

Generally, the lands included in the precincts are those that have been rezoned under the following environmental planning instruments:

- *Ku-ring-gai Local Environmental Plan 2008 (Town Centres)*
- *Ku-ring-gai Local Environmental Plan 194*
- *Ku-ring-gai Local Environmental Plan 200*

Planning provisions relating to areas affected by LEPs 194 and 200 are described as Stage 1 of the Ku-ring-gai Residential Development Strategy. These are areas generally on the periphery of the town centres. Stage 2 of the Strategy addresses the core of the centres (that is, *Ku-ring-gai Local Environmental Plan 2006 (Town Centres)*).

This Plan, in conjunction with *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*, accounts for the consolidated demand for public services and public amenities attributable to the development envisaged under these three environmental planning instruments.

Current and approved development

The precincts exhibit a range of development types including:

- retail and commercial land uses associated with each centre;
- institutional and special uses including schools, churches and community facilities and services; and
- detached housing on relatively large allotments.

The environmental planning instruments listed above are designed to promote more significant residential and non residential redevelopment at the core of the precincts (such as apartments - or high density dwellings - and offices), and more limited opportunities for the construction of additional dwellings (such as dual occupancy dwellings and other forms of medium density dwellings) are available towards the periphery of the precincts.

Table 3.1 shows estimates of current (2007) and approved development and resident population in each of the Ku-ring-gai town centres.

Table 3.1 Estimates of current and approved development and population in the Ku-ring-gai town centre precincts

Town centre	EXISTING 2007				EXISTING + APPROVED 2007 + approved DAs			
	Dwellings	Population	Business GFA(m ²)	Retail GFA(m ²)	Dwellings	Population	Business GFA (m ²)	Retail GFA(m ²)
Gordon	1,840	4,652	66,543	32,524	2,566	5,904	66,543	32,524
Lindfield	1,608	4,051	23,302	14,328	1,991	4,711	23,302	14,328
Pymble	717	1,889	88,543	19,230	985	2,322	88,543	19,230
Roseville	1,352	3,171	10,377	7,151	1,400	3,252	10,377	7,151
St Ives	305	728	16,572	30,550	1,049	2,035	16,572	30,550
Turramurra	1,346	3,146	15,695	13,017	1,802	3,934	15,695	13,017
Totals	7,168	17,637	221,032	116,800	9,793	22,158	221,032	116,800

Table 3.1 shows that there is a significant amount of residential development (i.e. a total 2,625 dwellings) that, at the time this Plan was prepared, had been approved and was either under construction, or yet to be constructed in all of the Ku-ring-gai town centre precincts. Although these developments (if their consents are acted upon) are likely to increase the demand for the facilities identified in this Plan, they cannot retrospectively be levied a contribution under this Plan.

Generally, development consents for these residential developments would contain conditions requiring the payment of section 94 contributions under *Ku-ring-gai Section 94*

Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) and this will be the only opportunity for Council to mitigate the facility impacts of these developments.

This factor alone means that there will be a cash shortfall in providing all of the facilities identified in this Plan. For some facilities there was always going to be a cash shortfall because of the reasonable apportionment of costs of different facilities to the expected development (for example, proposed libraries have a nexus with a wider population than those residing in town centre precincts).

Council will therefore need to source funds from complementary sources to deliver the facilities included in this Plan and, to this end, will prepare a long term financial strategy to enable the full funding obligations identified in this Plan to be met.

Expected future development and population

A detailed analysis of the expected location and timing of development in the Ku-ring-gai town centre precincts is contained in the report entitled *Ku-ring-gai Development and Demographic Forecasts* prepared by SGS Economics and Planning Pty Ltd (the **SGS report**).

The results contained in the SGS report are integral to the assumptions used to calculate development contributions in this Plan. Copies of the SGS report can be obtained by Council's administration centre or by accessing Council's website.

The SGS report, inter alia:

- provided the development and demographic projections upon which this Plan is based;
- identified factors affecting existing and future housing supply in Ku-ring-gai and likely future development take-up rates particularly in relation to mixed use shop top housing types likely to be constructed in the town centres; and
- considered changing demographic characteristics of the occupants of the expected new dwellings that will affect type and size of future dwelling stock.

The SGS report went beyond published population projection data by understanding the town centre development context on a site-by-site, block-by-block basis. A site constraint sieving and development capability rating methodology was applied to determine:

- which sites in the town centre precincts would likely develop and those which would likely never develop;
- in what manner (i.e. land use mix) and at what density would those sites develop; and
- in approximately what year they would develop (according to nominated site 'attractiveness' criteria included in the model)

This approach has led to production of robust, centre-specific development projections out to 2031.

Key features of the output produced by the analysis contained in the SGS report are discussed below.

The current (i.e. 2006) population of Ku-ring-gai is characterised by the following:

- Large numbers of children and middle-aged adults and a relative dearth of adults in the early working-age brackets.
- Consistent with broader trends the population of Ku-ring-gai LGA has aged over the past 10 years, with greater numbers of elderly, and fewer numbers of younger working-age people being recorded between 2001 and 2006.
- Population age structure is reflected in the composition of household types - i.e. Ku-ring-gai LGA is dominated by couple families with children - they comprised close to half of all households in 2006.
- Consistent with the large share of families with children in Ku-ring-gai LGA, most households live in detached houses, which constitute 86 percent of the total dwelling stock in the area. Couple families with no children - dominated by persons in early retirement age - also tend to continue to live in separate dwellings after their children have left home.
- Medium and high density residential dwellings tend to be concentrated around the key transport nodes - along the train line and near the commercial precinct in St Ives. These areas tend to be occupied by persons in young working age groups (particularly around the commercial precinct in Gordon), by elderly persons and by people in lone person households.

The future development and population of Ku-ring-gai is characterised by the following:

- Utilising the additional development potential afforded through the town centres precincts' environmental planning instruments, unsurprisingly, a strong increase in apartments and medium-density dwellings is anticipated. The number of separate dwellings is expected to decline (as they are demolished to make room for higher density development).
- The Ku-ring-gai town centres are likely to accommodate a total of 17,229 dwellings when all of the 'development-capable' sites in all of the town centre precincts are developed. This is predicted to occur sometime in the 2030s. The estimated resident population of this development is predicted to be 35,144 persons. This represents a net increase of 17,507 persons over the existing (2007) population. This net increase in population includes persons residing in development already approved but not yet constructed and is the basis for determining contribution rates for residential development under this Plan.
- The composition of household types in Ku-ring-gai LGA is also expected to evolve in line with the changing nature of the dwelling stock. Lone person households and couple families without children are expected to increase markedly, reflecting a greater supply of high density dwellings. The number of group households is also projected to increase, albeit marginally. Only moderate growth in the number of couple families with children is anticipated.
- Reflecting both the changing nature of the dwellings stock and population aging more generally, the share of the population in the elderly age-groups is expected to increase most significantly, with a commensurate decline in the share of the population who are under 15 years of age and in the prime working-age groups.
- There will be different average occupancy rates associated with the expected future residential development, according to the type of dwelling and the number of bedrooms

it contains. Occupancy rates for the different dwelling types have been estimated for each Census year from 2006 to 2031. At the time this Plan commenced the SGS report's 2011 occupancy rates projections were applied in calculating contribution rates under this Plan. These rates are shown in Table 3.2.

Table 3.2 Occupancy rates by development type

Development type	Occupancy rate (persons per dwelling)
Houses	
Bedsit or 1 bedroom dwelling	1.58
2 bedroom dwelling	1.91
3 bedroom dwelling	2.62
4 bedroom dwelling	3.25
5 bedroom dwelling	3.85
Seniors living dwellings	1.3
Medium density dwellings	
Bedsit dwelling	1.0
1 bedroom dwelling	1.17
2 bedroom dwelling	1.66
3 bedroom dwelling	2.07
4+ bedroom dwelling	3.29
High density dwellings	
Bedsit dwelling	1.04
1 bedroom dwelling	1.22
2 bedroom dwelling	1.72
3 bedroom dwelling	2.06
4+ bedroom dwelling	2.88

Graphs and tables showing dwelling, employment floor space, population and resident age structure projections for each of the Ku-ring-gai town centres are shown in the SGS report.

Summary projections of expected future development and resident population in the area to which this Plan applies shown in Table 3.3.

Table 3.3 Projections of current and approved development and population in the Ku-ring-gai town centre precincts

Town centre	FULL DEVELOPMENT SCENARIO				NET ADDITIONAL			
	Full development under Town Centres LEP and LEP 194/200				Full development - existing development			
	Dwellings	Population	Business GFA(m ²)	Retail GFA(m ²)	Dwellings	Population	Business GFA (m ²)	Retail GFA(m ²)
Gordon	4,482	9,172	70,288	53,243	2,642	4,520	3,745	20,719
Lindfield	3,706	7,543	29,496	26,691	2,098	3,492	6,194	12,363
Pymble	1,445	3,102	89,162	29,283	728	1,213	619	10,053
Roseville	2,013	4,238	11,209	10,772	661	1,067	832	3,621
St Ives	2,524	4,923	27,132	40,218	2,219	4,195	10,560	9,668
Turramurra	3,059	6,166	19,598	16,094	1,713	3,020	3,903	3,077
Totals	17,229	35,144	246,885	176,301	10,061	17,507	25,853	59,501

3.1.3 Facility demands

Existing infrastructure has been essentially designed to accommodate the current population living and working in the Ku-ring-gai town centres. Expected future development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented public services and amenities.

Impacts of future development in the Ku-ring-gai town centres on public services and public amenities will include the following:

- increased demand for access and transport management facilities that will support safe and convenient access to, from and within the Ku-ring-gai town centres, such as new streets, upgraded intersections, and public transport, walking and cycling facilities;
- increased demand for spaces that will foster community life and the development of social capital in the town centres and LGA as a whole, such as community centres and libraries;
- increased demand for recreation facilities, such as local and district parks, playing fields and indoor and aquatic recreation facilities; and
- a new (in the Ku-ring-gai context) demand for 'urban' or civic public spaces and public domain, such as new and/or wider footpaths to meet the greater intensity of pedestrian activity, street tree planting, street furniture, and civic spaces and squares.

A range of public services and amenities have been identified as being required to address the anticipated demands of the expected development. More detail on:

- the demand for these services and amenities;

- the relationship between the services and amenities and the expected development; and
- the strategies for delivering the services and amenities,

is contained in Sections 4.1 to 4.3 of this Plan.

The costs and programs of works related to these facility categories are shown in Section 4 of this Plan.

A summary of the required facilities (by centre) is shown in Table 3.4.

Maps showing the location of the required facilities are shown following the works schedules in Section 4.

Table 3.4 Required public facilities

Facility category	Town centre precinct					
	Gordon	Lindfield	Pymble	Roseville	St Ives	Turramurra
Access and transport facilities						
Traffic signals and intersections						
- works	✓	✓	✓	✓	✓	✓
Road widening and/or modifications						
- land acquisition/dedication				✓	✓	✓
- works	✓		✓	✓	✓	✓
New streets and lanes						
- land acquisition/dedication	✓	✓	✓	✓		✓
- works	✓	✓	✓	✓	✓	✓
Transport	✓	✓	✓	✓	✓	✓
Car parking	✓	✓	✓	✓	✓	✓
Community facilities						
- works		✓	✓	✓	✓	✓
Streetscape, open space and public domain facilities						
Streetscape improvements	✓	✓	✓	✓	✓	✓
Urban / civic space						
- land acquisition/dedication	✓				✓	✓
- works	✓	✓	✓	✓	✓	✓
Through-block connections						
- land acquisition/dedication		✓	✓	✓		✓
- works	✓	✓	✓	✓		✓
Open space						
- works (embellishment)	✓	✓	✓	✓	✓	✓
Water cycle management	✓	✓	✓	✓	✓	✓

This Plan includes works in the facility categories shown in Table 3.3.

Additionally, there are other facility demands likely to be generated by expected Ku-ring-gai town centre development. These demands are addressed by *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*. Applicants for development of land in the town centre precincts should refer to both contributions plans to determine the total contributions that apply.

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3.2 Access and transport facilities

3.2.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Occupants of expected development in the Ku-ring-gai town centres will utilise a transport network comprising:

- facilities for private vehicles, including roads and intersections;
- facilities for public transport, including rail infrastructure and services, bus infrastructure services and other transport services; and
- facilities for walking and cycling.

The existing transport network has generally been planned and developed to serve existing and approved developments in the area, and not necessarily future development in the Ku-ring-gai town centres.

There are deficiencies in the performance or level of service of the road network serving the town centres. Expected development will create additional trips that will, in turn, have a cumulative adverse effect on the performance of components of the network, whether those components' are currently performing satisfactorily or unsatisfactorily.

This is particularly the case with intersections serving the town centres. With the exception of St Ives, all of the centres rely heavily on the Pacific Highway for access. In St Ives' case, access is heavily reliant on the performance of Mona Vale Road. Some of these intersections are currently performing poorly at peak use times.

Strategies to facilitate the extra trips arising from new development that have been formulated as part of the town centre master planning process include upgrading of intersections, providing new streets and alternative access routes around centres, and facilitating multiple occupancy of vehicles and non-private vehicle modes of travel.

The access and transport strategies for the Ku-ring-gai town centres² have identified a number of transport infrastructure upgrades that will be required to mitigate the impacts of the expected town centre development and maintain current levels of service. The classes of improvements include the following:

- Upgrading of existing intersections, including new or relocated traffic and pedestrian signals and new or augmented turning lanes.
- Widening and/or realignment of existing roads and streets.
- Local area traffic management facilities and strategies, such as redirection of traffic flows, roundabouts, kerb blisters and the like.
- New streets, primarily to facilitate intra-centre vehicle access as well providing a release valve to better distribute the additional vehicular traffic generated by town centre developments. New streets and extensions/widening of existing streets also have a

² Refer to Appendix A for a full list of studies and strategies used to determine the demand for access and transport facilities included in this Plan.

broader role in improving pedestrian permeability and streetscape amenity in the town centres.

- New cycleways (both on and off road) and cycle parking/storage facilities.
- New or upgraded public transport facilities, including kiss and ride, taxi and bus passenger facilities.
- New public car parking facilities, both as a response to the additional parking demands generated by centre development or required as a consequence of existing car parking facilities proposed to be displaced by centre development.

Details of the need for most of the access and transport facilities attributable to the expected development of the Ku-ring-gai town centres are contained in both the transport strategies and assessments for each centre³ and the DCP.

Intersection works have been planned and specified to achieve a performance goal for all turning movements at all intersections of Level of Service D or better.⁴

Where, because of excessive cost and/or State Government responsibility, this standard cannot be assured, facilities that allow existing conditions to be maintained at current performance levels (that is, at Level of Service E or F) have been specified and included in this Plan. Such facilities are warranted so that future development does not worsen existing conditions.

Improvements to town centre pedestrian facilities area are also proposed, including new streets, new through-block links and footpath widenings. These facilities however integrate with the quality of public spaces and the public domain of each centre. The demands for new streets – considered foremost an access and transport strategy - are addressed in this section (Section 3.2) while the demands for through-block links and footpath widenings – which are considered to relate more to streetscape and public domain strategies - are addressed in Section 3.3.

3.2.2 What is the strategy for delivering facilities?

The planning for the access and transport facilities to serve the Ku-ring-gai town centres was undertaken with the wider Ku-ring-gai community as part of the preparation of the town centres LEP and DCP.

Planning objectives and strategies for the various types of access and transport are contained in the DCP.

Table 3.5 lists the DCP references for the different access and transport objectives and strategies for the respective Ku-ring-gai town centres.

³ Refer Appendix A for list of strategies and assessments

⁴ Refer to Table 4.2 of Guide to Traffic Generating Developments, Roads and Traffic Authority of NSW, Version 2.2, October 2002 for more information on intersection performance and planning criteria

Table 3.5 Town Centre DCP facility strategy references

Facility category	Ku-ring-gai Town Centres Development Control Plan section references					
	Gordon	Lindfield	Pymble	Roseville	St Ives	Turramurra
Traffic signals and intersections	G2.2.9 Vehicle Access and Circulation	L2.2.14 Vehicle Access and Circulation	P2.2.13 Vehicle and Service Access and Carparking	R2.2.14 Vehicle Access and Circulation	S2.2.12 Vehicle Access and Circulation	T2.2.13 Vehicle and Service Access
Road widening and/or modifications	G2.2.9 Vehicle Access and Circulation	L2.2.14 Vehicle Access and Circulation	P2.2.13 Vehicle and Service Access and Carparking	R2.2.14 Vehicle Access and Circulation	S2.2.12 Vehicle Access and Circulation	T2.2.13 Vehicle and Service Access
New streets and lanes	G2.2.9 Vehicle Access and Circulation	L2.2.14 Vehicle Access and Circulation	P2.2.13 Vehicle and Service Access and Carparking	R2.2.14 Vehicle Access and Circulation	S2.2.12 Vehicle Access and Circulation	T2.2.13 Vehicle and Service Access
Public transport, pedestrian and cycle access	G2.2.7 Pedestrian / Cycle Access and Circulation; G2.2.8 Public Transport	L2.2.11 Pedestrian Access and Circulation; L2.2.12 Bicycle Access and Circulation; L2.2.13 Public Transport; L2.2.16 Permeability	P2.2.10 Pedestrian Access and Circulation; P2.2.11 Bicycle Access and Circulation; P2.2.12 Public Transport	R2.2.11 Pedestrian Access and Circulation; R2.2.12 Bicycle Access and Circulation; R2.2.13 Public Transport; R2.2.16 Permeability	S2.2.9 Pedestrian Access and Circulation; S2.2.10 Cycle Access and Circulation	T2.2.10 Pedestrian Access and Circulation; T2.2.11 Bicycle Access and Circulation; T2.2.12 Public Transport
Car parking	G2.2.10 Carparking and Access	L2.2.15 Car Parking and Servicing	P2.2.13 Vehicle and Service Access and Carparking	R2.2.15 Car Parking and Servicing	S2.2.13 Car Parking and Servicing	T2.2.13 Vehicle and Service Access

Source: Ku-ring-gai Town Centres Development Control Plan

Council will collect contributions from Ku-ring-gai town centre development and apply those contributions to the categories of facilities identified in Table 3.4.

The maximum development contribution to be applied to any individual work will be dependent on the total cost that is assumed to be apportioned to expected development in the town centres (refer Section 3.2.3). Contributions will be secured from a range of sources to ensure all works identified in this Plan are delivered.

The costs of, and program for the delivery of, individual works are included in the works schedule in Section 4. The costs include land acquisition and capital costs, together with the costs of studies and investigations that resulted in the preparation of this Plan.

The location of these works is shown on maps included in Section 4.

The proposed works will be staged to match the expected sequence of development over an anticipated development timeframe of up to 25 years. Works have been assigned the following timing descriptors:

- 'S' - short term or less than 5 years from the date on which this Plan commenced.
- 'M' - medium term or between 5 and 10 years from the date on which this Plan commenced.
- 'L' - long term or more than 10 years from the date on which this Plan commenced.

The timeframe will vary from centre to centre and the works schedule staging will be reviewed and adjusted as clearer information on the rate of development in each centre is gathered.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The scope of the access and transport facilities included in this Plan is based on strategic information. It is likely that, as the planning process for the different town centres proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

State and Local government responsibilities

Council will require contributions from developers under this Plan toward provision of certain access and transport facilities. However this Plan only addresses those facilities and services which are at least partly the responsibility of Council to provide.

Transport infrastructure is the responsibility of both State and Local government. For example, most roads are the responsibility of Local government to provide and maintain, others have a shared responsibility between State and Local government, while higher order roads ('classified' roads, arterial roads) are the sole responsibility of State government. Public transport facilities mainly fall within the province of State Government with Local government having some role in providing passenger amenities (bus shelters, taxi stands).

The level of contribution (that is, apportionment factor) for individual access and transport facilities included in this Plan has been determined with regard to both:

- whether Council or the State Government has a responsibility to provide the facility;
- the level of demand generated by the expected development in each town centre.

More information on the methodology for determining the level of contribution for individual works is included in Section 3.2.3.

Facilities required to be provided by the developer by conditions of consent

A range of access and transport facilities (not addressed by this Plan) may be required by Council to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EPA Act - the demand for which is considered to be generated entirely by individual developments in the Ku-ring-gai town centres.

Such facilities may include:

- access driveways, local roads, footpaths and street tree planting not addressed by this Plan and located within or in close proximity to proposed developments; and
- traffic management devices and treatments on local roads not addressed by this Plan (both temporary and permanent) required to provide safe and convenient access to the development.

3.2.3 How is cost apportionment determined?

The apportionment of costs of facilities to expected Ku-ring-gai town centres development is included in the works schedule (refer to 'apportionment factor' column in Section 4). These apportionment factors reflect the level of demand for those facilities anticipated to be generated by expected Ku-ring-gai town centres development.

Contributions for intersection upgrades and associated works

Cost apportionment for these types of access and transport facilities have been determined with regard to traffic modelling and assessment carried out for each of the Ku-ring-gai town centres. References used for this purpose are cited in Appendix A to this Plan.

The following apportionment approaches have been applied:

1. Where the traffic attributable to the expected Ku-ring-gai town centre development identified in Table 3.3 is likely (without further work) to result in a reduction in the performance of the intersection and the Level of Service of that intersection is currently satisfactory (that is, Level of Service D or better), then the cost of any work designed to restore or maintain the Level of Service of that intersection shall be fully apportioned to expected development.
2. Where there is an existing performance deficiency in the operation of an existing intersection (i.e. Level of Service E or F), and intersection or other road works are required to cater for the net additional traffic attributable to the expected Ku-ring-gai town centre development identified in Table 3.3, then the cost of such works shall be apportioned to the expected development in each town centre on the basis of the expected development's share of the projected AM or PM peak hour traffic flow

(whichever is the greater) on the critical movement(s) through the relevant intersection (in vehicles per peak hour).

A table showing traffic flows on the critical movements at intersections and Levels of Service with and without town centre development is shown in Appendix B to this Plan.

The application of these approaches to each proposed work results in an 'apportionment factor' of either 100 percent (in the case of apportionment type 1.), or of between 0 and 100 percent (in the case of apportionment type 2.) being applied to each work. Respective apportionment factors are shown in Section 4.

Contributions for new streets and road modifications

New streets and/or road modifications are proposed in each of the town centres to facilitate access to the centre by local traffic.

These works are principally required as a result of the performance limitations and limited affordable improvement opportunities associated with the current road network.

Several local road intersections with the main road serving each centre (that is, the Pacific Highway or Mona Vale Road) operate unsatisfactorily. Where intersections can be improved with little impact on surrounding properties, these works have been included in this Plan. In many cases, however, implementation of these works will only allow existing Levels of Service to not deteriorate further and will not improve the existing unsatisfactory performance. More expensive upgrade options (such as grade-separated intersections) are not considered feasible not only due to their cost but also that the physical impacts of these works would be incompatible with the village planning visions that have been prepared for each town centre (refer to Section 3.1.1).

Council will therefore apply the strategies of:

- converting streets to one way flow; and
- creating new or extending existing local road connections that connect to or run parallel with the main road network,

as measures to help address the traffic circulation impacts of town centre development.

The access objectives of these strategies are threefold:

- to provide multiple opportunities for development-generated vehicles to access to the main road network (that is, share traffic movements over a number of local road/main road intersections);
- to facilitate local trips for vehicles not needing to access the main road; and
- to provide a more permeable pedestrian and cycle network which will help promote non-car modes of travel within the town centres.

These works will also complement the streetscape and public domain network strategies for the town centres (refer Section 3.4) and so will address both access and amenity demands generated by town centres development.

A major issue highlighted by the Ku-ring-gai community in the master planning for the town centres was the existing unsatisfactory traffic conditions and the concern that extra development would exacerbate existing problems. The works derived from the above strategies were an outcome of the consultation process for the preparation of the town centre planning visions and the DCP. Both Council and the Ku-ring-gai community consider the works fundamental to the functioning of the future town centres.

Given the above, it is considered reasonable that the full cost of the works should be met by expected town centre development.

Contributions for public transport and cycling facilities

The need for these types of access and transport facilities was determined as part of the master planning process for each town centre.

The facilities are required to create a more balanced transport strategy for the occupants of expected development. The creation of compact higher density urban environments in the town centres creates the opportunity for residents to utilise non-car modes of access within and beyond the town centre precincts. The opportunity is to be fostered by provision of facilities to support public transport and cycling as a viable mode of transport for residents of town centre development.

As the facilities have been designed to create a more sustainable transport system for town centre residents the cost of these facilities has therefore been apportioned entirely to expected residential development in each town centre.

The facilities included in this Plan do not address any extra demand for rail passenger transport facilities arising from town centre development, as responsibility for these facilities lies with the State Government.

Contributions for car parking facilities

Council currently provides a level of publicly available off-street car parking in all of the Ku-ring-gai town centres. This parking is generally provided as both on-street car parking spaces and off-street, at-grade or decked public car parks. The latter spaces are provided as stand alone facilities or in conjunction with the provision of other Council-provided facilities such as libraries, community centres and parks.

Implementation of the town centre planning visions will result in a re-organisation, reconfiguration and some augmentation of existing car parking facilities. In some cases the proposals involve, due to the provision of other public facilities identified in this Plan, the displacement of existing facilities from one site to another nearby site.

Council will collect monetary contributions from development in the following circumstances:

- (a) Where a proposed car parking facility is part of the development of an integrated Council facility that will serve the residents of expected town centre development (such as a new urban/civic space or town square), Council will collect a contribution from all expected residential development. As the need for the works has been generated (in part) by the need to provide the integrated facility to serve the increased local

population, the total cost of these facilities will be apportioned to expected town centre residential development in the same manner as the integrated facility.

- (b) For proposed car parking facilities that do not fit into category (a) (that is, stand alone car parks) Council will collect a contribution from development that does not provide sufficient on-site car parking to meet its anticipated demands. The parking demand for any individual development is to be determined in accordance with the car parking rates in Section 5.14 of the DCP. The level of the contribution will be equivalent to the number of spaces that cannot be provided on-site multiplied by the average cost (as identified in this Plan) of providing the stand-alone public car parks in the town centre within which the proposed development is situated.

This Section only addresses contributions for category (b) facilities. Contributions for category (a) facilities are addressed in both Sections 3.3 and 3.4 of this Plan.

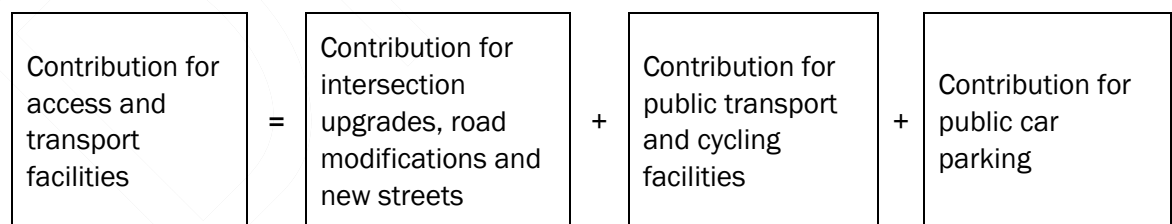
3.2.4 How are the contributions calculated?

Contributions for access and transport facilities are determined on:

- a peak hour vehicle trip basis (for intersection upgrades, road modifications and new streets); and
- a per person basis (for public transport and cycling facilities); and
- a per deficient on-site parking space basis (for car parking facilities).

The total contribution payable is the sum of all these contributions as they apply to the individual development.

Note that a contribution for public car parking required under this Section of the Plan will only apply where a development does not provide sufficient on-site spaces to meet its parking demand.



The components of this general formula are discussed below.

Contributions for intersection upgrades, road modifications and new streets

$$\begin{aligned} \text{Contribution (\$)} = & \sum \left(\frac{C \times AF \times T\%_{\text{Res}} \times P_{\text{Dev}}}{P_{\text{Total}}} \right) + \sum \left(\frac{C \times AF \times T\%_{\text{Retail}} \times \text{GFA}_{\text{Dev Retail}}}{\text{GFA}_{\text{Retail}}} \right) \\ & + \sum \left(\frac{C \times AF \times T\%_{\text{Business}} \times \text{GFA}_{\text{Dev Business}}}{\text{GFA}_{\text{Business}}} \right) \end{aligned}$$

Where:

C	=	the estimated cost (including land and capital cost) of providing each of the intersection upgrades, road modifications and new streets facilities in the relevant town centre, expressed in dollars
AF	=	the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development
T% Res	=	the proportion of total peak hour vehicle trips anticipated to be made by expected residential development in the relevant town centre; total peak hour trips are determined by using the assumptions used in Table 2.3
P Dev	=	the resident population that is anticipated will occupy the proposed development (refer Table 2.2)
P Total	=	the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.3)
T% Retail	=	the proportion of total peak hour vehicle trips anticipated to be made by expected retail development in the relevant town centre
T% Business	=	the proportion of total peak hour vehicle trips anticipated to be made by expected business development in the relevant town centre
GFA Dev Retail	=	the retail gross floor area of the proposed development
GFA Retail	=	the anticipated additional retail gross floor area associated with the expected development in the relevant town centre
GFA Dev Business	=	the business gross floor area of the proposed development
GFA Business	=	the anticipated additional business gross floor area associated with the expected development in the relevant town centre

Except where indicated, the values for each of the variables are shown in the respective town centre works schedules in Section 4.

Contributions for public transport and cycling facilities

$$\text{Contribution (\$)} = \sum \left(\frac{C \times AF \times P_{\text{Dev}}}{P_{\text{Total}}} \right)$$

Where:

- C** = the estimated cost (including land and capital cost) of providing each of the public transport and cycling facilities in the relevant town centre, expressed in dollars (refer to works schedules for each town centre – Section 4)
- AF** = the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development (refer to works schedules for each town centre – Section 4)
- P_{Dev}** = the resident population that is anticipated will occupy the proposed development (refer Table 2.2)
- P_{Total}** = the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.3)

Contributions for car parking facilities

$$\text{Contribution per space (\$)} = \left(\frac{C}{S} \right)$$

Where:

- C** = the estimated cost of providing all of the public parking facilities in the relevant town centre, expressed in dollars
- S** = the total number of public car parking spaces provided in the proposed parking facilities in the relevant town centre included in this Plan

3.3 Community facilities

3.3.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The planning visions for each of the Ku-ring-gai town centres acknowledge the need to foster community development and social capital as part of the redevelopment process.

Additionally, a theme of the planning visions for these new 'urban' communities is to create a 'village' feel for the incoming residents. The village feel will, in part, be fostered by the provision of new and augmented community facilities.

The community facilities objectives, strategies and concept plans for the Ku-ring-gai town centres are contained in the DCP. The classes of facilities include the following:

- New libraries at Turramurra, St Ives and Lindfield and expansion of the Gordon Library.
- New specific and multi-purpose community and neighbourhood centres, incorporating facilities such as meeting rooms and services for youth and for senior citizens.
- Reconfiguration, retro-fitting, relocation and consolidation of existing community facilities located in and near the town centres.

Libraries

The scope of the library facilities included in this Plan is based on a strategic review of library facilities prepared in 2004.⁵ While the review predated the planning of the Ku-ring-gai town centres, its results are still useful as it assessed need related to a projected growth in resident population of over 16,000 between 2004 and 2026 across the LGA. Population attributable to expected town centre development will contribute to the overall LGA projected growth.

The review of future space needs considered both library demands on a suburb catchment basis and contemporary standards in library space provision, as shown in Table 3.6.

Table 3.6 Library facilities catchments, planning populations and floor space standards

Catchment	Suburbs in catchment	Projected 2006 population	Relevant floor space standard (m ² GFA)
Northern	Wahroonga, part Turramurra	36,351	42.0m ² per 1,000 population ¹
St Ives	St Ives, part Turramurra	24,971	46.8m ² per 1,000 population ²
Central	Gordon, Killara, Pymble	39,633	42.0m ² per 1,000 population ¹
Southern	Roseville, Lindfield	25,227	46.8m ² per 1,000 population ²

Source: *Ku-ring-gai Library Facilities Study*, Building and Planning Advisory Service State Library of NSW, July 2004, pages 17, 18

¹ This floor space standard is a 'population-based benchmark' applying to a catchment comprising between 35,001 and 65,000 persons

² This floor space standard is a 'population-based benchmark' applying to a catchment comprising between 20,001 and 35,000 persons

⁵ *Ku-ring-gai Library Facilities Study*, Building and Planning Advisory Service State Library of NSW, July 2004

Key findings of the review (relevant to future demands for library facilities) were:

- A facility strategy involving larger branch libraries. This will provide more convenient access to library services for all residents of the LGA, and alleviating pressure on the central library at Gordon.
- Extension and remodelling the existing branch library at Turramurra.
- Construction of a new library preferably as part of a consolidated community facilities building in the St Ives town centre.
- Construction of a new library preferably as part of a consolidated community facilities building in the Lindfield town centre.

The recommended strategies are generally reflected in the community facilities strategies for each town centre contained in the DCP (refer Section 3.3.2 of this Plan) and in the scope of the works schedule included in this Plan. However, an outcome of the master planning for the Turramurra centre was that overall community facilities objectives are best achieved by provision of a new library (rather than expansion of the existing facility).

Contributions for library facilities are calculated using the relevant floor space standards shown in Table 3.6.

Multi-purpose community and neighbourhood centres

A place of some kind for the community to meet is considered a basic prerequisite for community development. A sense of identification with an area and seeing it as 'our community' is encouraged in a number of ways, an important one being shared activities carried out in the locality. A local community facility such as a community centre, hall or meeting room both provides a home for existing groups, encourages the formation of new groups and provides a place for both to meet and integrate. Locality based groups are some of the building blocks of community cohesion and often the focus of effective neighbourhoods.

Council manages and maintains various facilities designed to assist in community development. Many of these are located in the Ku-ring-gai town centre precincts and it is these facilities that are increasingly well utilised.

As part of planning of each of the town centres the following has been undertaken:

- Review of the adequacy of the existing facilities against their individual service goals.
- Consideration of whether it would be possible to achieve cost efficiencies by consolidating facilities into fewer buildings.
- Assessment of the need for meeting rooms and other community development facilities and services for the anticipated town centre populations.

This exercise found that, although well utilised, many of the facilities are old and do not currently meet contemporary standards (for example, no air conditioning or access for people with disabilities).

It is likely that in the future there will be an even greater demand for these types of facilities in the town centres. Most of the incoming resident population will be apartment dwellers

with little private open space. Although living close to each other, apartment dwellers may be more anonymous to their neighbours than say residents in detached dwelling house neighbourhoods. The need to meet others and integrate into the social life of the community however remains a basic need and it is envisaged that community centres in the town centres will play an important role in responding to this need.

The strategy will therefore be:

- to upgrade and consolidate facilities in centres where appropriate; and
- to provide consolidated and multi-purpose community buildings to respond to the social needs of the community, particularly youth and the elderly.

Specification of the new facilities will be based on the floor space standards that Council has traditionally applied for these types of facilities.⁶

Demands not addressed by this Plan

This Plan does not address all of the community facility needs anticipated to be generated by the expected development in the Ku-ring-gai town centres.

Ku-ring-gai town centre development will also contribute to the total population growth of the Ku-ring-gai LGA. LGA-wide community facility demands are addressed in *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*.

3.3.2 What is the strategy for delivering facilities?

Council's community facilities strategy will address facility demands arising from both the expected development in the town centres, expected development outside of the town centres and existing development (including existing facility shortfalls).

Council will require monetary contributions from developers under this Plan toward provision of the facilities and services identified in this Plan. The total amount of development contributions will be proportional to the overall need for the different categories of community facilities that is attributable to expected future development.

Table 3.7 summarises the strategy for the planning and delivery of the different categories of community facilities in the Ku-ring-gai town centres.

Table 3.7 Community facilities strategy summary

Town centre (DCP reference)	Community facilities objectives and strategies
Gordon (G2.2.6)	Objectives: <ul style="list-style-type: none">▪ To provide a range of facilities to serve the needs of the community.▪ To co-locate facilities within close proximity to rail station and Council Chambers.▪ Enhance the role and prominence of the civic precinct.

⁶ *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* uses a standard of one community centre of 750-1000 square metres on a site of 3500-4000 square metres for 10,000-20,000 people. This standard has been rounded to 50 square metres per 1,000 residents for multi-purpose community and neighbourhood centre works identified in this Plan.

Town centre (DCP reference)	Community facilities objectives and strategies
Lindfield (L2.2.10)	<p>Strategies include:</p> <ul style="list-style-type: none"> Relocate Life Line to multi-purpose community facilities building within the civic precinct. Potential for Old School building to accommodate increased community and civic facilities. Retain Council Chambers heritage building for community uses and provide new cultural centre at the rear. Encourage retention of Police Station in Gordon. Retain Gordon Pre-School in current location. Retain Council administration offices within the civic precinct.
	<p>Objectives:</p> <ul style="list-style-type: none"> To provide a range of community facilities to serve the needs of existing and future residents. <p>Strategies include:</p> <ul style="list-style-type: none"> Relocate and consolidate community services at new centrally accessible locations within the retail core and around new public spaces. Provide a larger, centrally located library adjoining the new town square in Tryon Road. Provide a visually appealing and functional multi-purpose community centre on Woodford Lane incorporating a youth space, seniors citizen centre and a residential component which could help to fund the project. Rebuild the existing Arunga units in their present location.
Pymble (P2.2.9)	<p>Objectives:</p> <ul style="list-style-type: none"> To provide a range of facilities to serve the needs of the community.
	<p>Strategies include:</p> <ul style="list-style-type: none"> Provide an additional community space in a new centrally accessible position, overlooking Robert Pymble Park and with optimum access to the Railway Station. To support the future use of the Ku-ring-gai Town Hall through the provision of additional car parking and open space.
Roseville (R2.2.10)	<p>Objectives:</p> <ul style="list-style-type: none"> To provide a range of community facilities to serve the needs of existing and future residents.
	<p>Strategies include:</p> <ul style="list-style-type: none"> Co-ordinate provision of Roseville's community facilities with other Centre strategies. Investigate the changing needs of the community and revise the provision of community facilities accordingly. Retain and upgrade the Ku-ring-gai Arts Centre in Victoria Street.
St Ives (S2.2.8)	<p>Objectives:</p> <ul style="list-style-type: none"> To provide a range of facilities to serve the needs of the community. <p>Strategies include:</p> <ul style="list-style-type: none"> Relocate and consolidate community services at new locations within close proximity to the retail core and the Village Green. Provide a new library of approximately 1500m². The library will be centrally located

Town centre (DCP reference)	Community facilities objectives and strategies
Turramurra (T2.2.9)	<ul style="list-style-type: none"> ▪ Provide a new Neighbourhood Centre co-located with the new library. ▪ Consolidate existing child care and Council's health facilities in the area into a new multi-purpose children's centre in or near the retail core in the vicinity of Cowan Road. ▪ Relocate the existing Scout Hall and Girl Guides building on the Village Green to more appropriate locations following consultation. ▪ Consolidate youth activities and other community facilities within a new multi-purpose Youth Centre on the Village Green near Memorial Avenue. ▪ Retain the existing Ku-ring-gai Community Groups Centre building and refit to meet current access standards. <p>Objectives:</p> <ul style="list-style-type: none"> ▪ To provide a range of facilities to serve the needs of the community. ▪ To consolidate facilities into a central location. ▪ To retain and expand existing services. <p>Strategies include:</p> <ul style="list-style-type: none"> ▪ Relocate and consolidate existing community services, to a new centrally accessible position, overlooking William Square and with optimum access to the Railway Station. ▪ Provide a larger library and relocate the following existing community services from Gilroy Lane, within new development on William Square: Home and Community Care Centre (HACC), Senior Citizens Centre, Meals on Wheels, and Lifestart. ▪ The new consolidated community facility is to be accessed and signified by a visually prominent entry off William Square. ▪ Provide a new library of area 1500sqm (net) integrated with other community services. New facility should orientate towards the square and have a visible 'shop front' presence. The architecture should integrate with the surrounding retail but provide a strong public presence.

Source: Ku-ring-gai Town Centres Development Control Plan

Council will collect contributions from Ku-ring-gai town centre development and apply those contributions to works that meet the objectives and that execute the strategies identified in Table 3.7.

Contributions to be collected under this Plan only address the demands anticipated to be generated by the expected development. Existing backlogs in service provision will be addressed using funds from non section 94 sources.

The costs of, and program for the delivery of, individual works are included in the works schedule in Section 4. The costs include land acquisition and capital costs, together with the costs of studies and investigations that resulted in the preparation of this Plan.

The location of these works is shown on maps included in Section 4.

The proposed works will be staged to match the expected sequence of development over an anticipated development timeframe of up to 25 years. Works have been assigned the following timing descriptors:

- 'S' - short term or less than 5 years from the date on which this Plan commenced.

- 'M' - medium term or between 5 and 10 years from the date on which this Plan commenced.
- 'L' - long term or more than 10 years from the date on which this Plan commenced.

The timeframe will vary from centre to centre and the works schedule staging will be reviewed and adjusted as clearer information on the rate of development in each centre is gathered.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The scope of the community facilities included in this Plan is based on strategic information. It is likely that, as the planning process for the different town centres proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

3.3.3 How is cost apportionment determined?

Contributions for libraries

The specification for the proposed library buildings has been based on the floor space standards in Table 3.6. These standards relate to the library needs of the expected residential population on a library catchment basis and consider expected development and population within and beyond the town centre precincts. It is therefore appropriate under this Plan to apportion the cost of the facilities based on the proportion of total demand generated by town centre residential development.

The total contribution is determined by calculating the per square metre cost of providing the facility on a catchment basis multiplied by the library floor space demanded by incoming population in the respective town centre.

This contribution for library facilities in each town centre, as a proportion of the total library works costs, is the apportionment factor identified in the works schedule in Section 4.

In the case of the proposed Lindfield library works, the total contribution from expected development assumes both Roseville and Lindfield incoming populations will contribute to the demand for the works (as both of these areas are located in the library service's Southern Catchment).

Contributions for community and neighbourhood centres

Council provides a range of these facilities, many of which are located in the town centre precincts. Although located in these areas, they generally serve a much wider population catchment. It will therefore be appropriate under this Plan to apportion the cost of the facilities based on the proportion of total demand generated by town centre residential development.

The specification for the proposed community and neighbourhood centre works has been based on Council's traditional standard of 50 square metres per 1,000 residents.⁷

In most cases, the total contribution is determined by calculating the per square metre cost of providing the facility multiplied by the community and neighbourhood centre floor space demanded by incoming population in the respective town centre.

In the case of Pymble town centre, the proposed meeting rooms are designed to meet the needs of the incoming population only. There is therefore full apportionment of these costs to the expected residential development in the Pymble town centre.

This contribution for community and neighbourhood centre floor space in each town centre, as a proportion of the total works costs, is the apportionment factor identified in the works schedule in Section 4.

In the case of the proposed Lindfield multi-purpose community centre works, the total contribution from expected development assumes both Roseville and Lindfield incoming populations will contribute to the demand for the works.

Contributions for other works

Implementation of the town centre planning visions for St Ives and Turramurra necessitates the relocation of existing small-scale community facilities in those centres. As the redevelopment of each centre generates the need for the work, it is considered that the full cost of these works be met by expected residential development in those centres.

It is also proposed to upgrade an existing community groups building in St Ives. The need for this facility is assumed to be attributable to the wider St Ives suburb or planning precinct.⁸ The development contribution for this facility is determined by calculating the proportion of expected St Ives town centre population to the projected population of the St Ives planning precinct in 2026 – that is, 20,939. This proportion, or the apportionment factor – is shown in the works schedule in Section 4.

3.3.4 How are the contributions calculated?

The development contribution for each of the facilities identified in this Plan is determined by dividing the total cost of the facility that can reasonably be apportioned to the expected development in each town centre by the contribution catchment (in persons) applicable to each facility. This process ensures that fair apportionment of facility costs is calculated for development expected to occur in the town centres.

The monetary contribution per person is calculated as follows:

⁷ The standard is at the lower end of the benchmark of one community centre of 750-1,000 square metres for 10,000-20,000 people contained in *Ku-ring-gai Section 94 Contributions Plan 2000 – Residential Development*. The standard was subsequently incorporated into *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*, page 43, and is considered reasonable to apply to the planning of the Ku-ring-gai town centres.

⁸ The *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* identifies a range of planning precincts applying to the determination of local open space and recreation needs in the Ku-ring-gai LGA, including a St Ives precinct. The precinct geographic unit is considered an appropriate geographic unit to apply in the calculation of contributions for this community facility.

$$\text{Contribution (\$)} = \sum \left(\frac{C \times AF \times P_{\text{Dev}}}{P_{\text{Total}}} \right)$$

Where:

- C** = the estimated cost (including land and capital cost) of providing each of the community facilities in the relevant town centre, expressed in dollars (refer to works schedules for each town centre – Section 4)
- AF** = the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development (refer to works schedules for each town centre – Section 4)
- P_{Dev}** = the resident population that is anticipated will occupy the proposed development (refer Table 2.2)
- P_{Total}** = the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.3)

3.4 Streetscape and public domain facilities

3.4.1 What is the relationship between the expected types of development and the demand for additional public facilities?

A key component of the planning vision for each of the Ku-ring-gai town centres is the development of housing and retail/business services at 'urban' densities.

Housing in the town centres will predominantly be in apartment form – either stand alone or shop top developments – up to 5 storeys in height.

Residential development of this intensity is a relatively recent phenomenon for the Ku-ring-gai LGA. Save for some areas of two and three storey development along the highway/railway corridor, living styles in Ku-ring-gai have hitherto been characterised by detached dwellings on relatively large and generously landscaped allotments of land.

The residents of the new developments will therefore not enjoy the same type or extent of private open space that most Ku-ring-gai residents enjoy. Council's strategy to counter this situation is to provide high quality public spaces and street environments for these residents.

Additionally, a theme of the planning visions for these new 'urban' communities is to create a 'village' feel for the incoming residents. The village feel will be fostered by the provision of outdoor meeting and activity spaces with an urban character, such as widened footpaths with street furniture and street trees, new squares and parks. The public pedestrian network will therefore perform a dual role of community gathering place and as the principal means for the community to conveniently access each centre's local services.

The creation of a seamless interface between the town centre precincts and the adjoining detached residential neighbourhoods will also be a priority. This will be done by sensitive design of built form on the fringe but also through provision of footpaths and street trees on streets that form the precinct boundary.

The streetscape and public domain objectives, strategies and concept plans for the Ku-ring-gai town centres are contained in the DCP. The classes of improvements include the following:

- New parks and town / civic squares in central locations that provide community focal points for informal gatherings and formal events.
- Enlarged existing parks with high quality embellishments that are well located to the residents of town centre developments.
- Public space that provide opportunities for passive recreation for those that have limited private open space, including children's playgrounds, dog walking, informal games, cycling etc.
- New and wider footpaths and through-block links, complemented by street furniture and lighting, that provide walking opportunities and outdoor dining space for apartment dwellers and that effectively link town centre facilities and services.

- Features in the design and operation of public spaces that protect and enhance biodiversity values and result in sustainable energy and water use.
- Pedestrian priority measures on local streets, such as pedestrian crossings, kerb blisters and pedestrian refuges.
- New and upgrade pedestrian linkages near transport nodes, such as railway stations, bus stops and taxi /kiss and ride stands.

Demands not addressed by this Plan or addressed by other plans

This Plan does not address all of the public domain (and recreation) facility needs anticipated to be generated by the expected development in the Ku-ring-gai town centres.

Ku-ring-gai town centre development will also contribute to the total population growth of the surrounding suburbs and Ku-ring-gai LGA as a whole. Suburban and LGA-wide recreation facility demands are addressed in *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*.

Similarly, there are facilities contained in *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)*, the town centre population demands for which are superseded by the facilities included in this Plan. A contributions discount in respect to such facilities (shown in Table 2.1 of this Plan) has been incorporated into the calculation of contributions under this Plan.

3.4.2 What is the strategy for delivering facilities?

The planning for the streetscape and public domain facilities to serve the Ku-ring-gai town centres was undertaken with the wider Ku-ring-gai community as part of the preparation of the town centres LEP and DCP.

Planning objectives, strategies and concept plans for the various types of access and transport are contained in the DCP.

Table 3.8 lists the DCP references for the different streetscape and public domain objectives, strategies and concept plans for the respective Ku-ring-gai town centres.

Table 3.8 Town Centre DCP facility strategy references

Facility category	Ku-ring-gai Town Centres Development Control Plan section references					
	Gordon	Lindfield	Pymble	Roseville	St Ives	Turramurra
Streetscape works	G3.1 Public Domain Master Plan; G3.2 Rail Station Precinct Concept Plan; G3.3 Civic Precinct Concept Plan; G3.4 Street and Public Access	L2.2.4 Street Character; L3.1.3 Tryon Place and Pacific Highway; L3.2 Streets and Public Access	P2.2.3 Street Character; P3.1 Public Domain Masterplan; P3.2.2 Post Office Street Precinct; P3.2.3 Grandview Lane; P3.3 Streets and Public Access	R2.2.4 Street Character; R3.1.1 Larkin Lane Car Park and Memorial Park; R3.2 Streets and Public Access	S2.2.3 Street Character; S3.2 Streets and Public Access	T2.2.4 Street Character; T3.1 Public Domain Masterplan; T3.3 Streets and Public Access
Urban/civic spaces	G2.2.4 Parks and Open Space; G3.1 Public Domain Master Plan; G3.2 Rails Station Precinct Concept Plan; G3.3 Civic Precinct Concept Plan; G3.4 Street and Public Access	L2.2.7 Parks and Open Space; L3.1.1 Tryon Road Town Square; L3.1.2 Woodford Lane Village Green; L3.1.4 Tryon Place and Lindfield Station	P2.2.6 Parks and Open Space; P3.1 Public Domain Masterplan	R2.2.7 Parks and Open Space; R3.1.2 Roseville Station Concourse and Lord Street Village Green; R3.1.3 Lord Street Village Green; R3.1.4 Roseville Station Entry and Concourse	S2.2.5 Parks and Open Space; S3.1 Public Open Space	T2.2.3 Parks and Open Space; T3.1 Public Domain Masterplan; T3.2 Public Open Space and Urban Spaces
Pedestrian through-block connections	G2.2.4 Parks and Open Space; G2.2.7 Pedestrian / Cycle Access and Circulation	L2.2.11 Pedestrian Access and Circulation; L2.2.16 Permeability	P2.2.10 Pedestrian Access and Circulation; P3.2.2 Post Office Street Precinct	R2.2.11 Pedestrian Access and Circulation; R2.2.16 Permeability; R3.1.1	S2.2.9 Pedestrian Access and Circulation	T2.2.10 Pedestrian Access and Circulation; T3.2.2 William Square; T3.2.6 Church Square
Embellishment of existing parks for local passive recreation	G2.2.4 Parks and Open Space	L2.2.7 Parks and Open Space	P2.2.6 Parks and Open Space; P3.2.1 Robert Pymble Park; P3.2.4 Ku-ring-gai Town Hall; P3.2.5 Creswell O'Reilly Lookout	R2.2.7; R3.1.1 Larkin Lane Car Park and Memorial Park	S2.2.5 Parks and Open Space; S3.1.3 Village Green, S3.1.4 Rotary Park	T2.2.3 Parks and Open Space; T3.2.1 Cameron Park; T3.2.5 Queens Park
Biodiversity and water management design in public domain	G2.2.5 Biodiversity and Water Management	L2.2.8 Biodiversity; L2.2.9 Water Management	P2.2.8 Biodiversity; P2.2.9 Water Management	R2.2.8 Biodiversity; R2.2.9 Water Management	S2.2.6 Biodiversity; S2.2.7 Water Management	T2.2.7 Biodiversity; T2.2.8 Water Management

Source: Ku-ring-gai Town Centres Development Control Plan

Council will collect contributions from Ku-ring-gai town centre development and apply those contributions to the types of facilities identified in Table 3.8.

The costs of, and program for the delivery of, individual works are included in the works schedule in Section 4. The costs include land acquisition and capital costs, together with the costs of studies and investigations that resulted in the preparation of this Plan.

The location of these works is shown on maps included in Section 4.

The proposed works will be staged to match the expected sequence of development over an anticipated development timeframe of up to 25 years. Works have been assigned the following timing descriptors:

- 'S' - short term or less than 5 years from the date on which this Plan commenced.
- 'M' - medium term or between 5 and 10 years from the date on which this Plan commenced.
- 'L' - long term or more than 10 years from the date on which this Plan commenced.

The timeframe will vary from centre to centre and the works schedule staging will be reviewed and adjusted as clearer information on the rate of development in each centre is gathered.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The scope of the streetscape and public domain facilities included in this Plan is based on strategic information. It is likely that, as the planning process for the different town centres proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

Facilities required to be provided by the developer by conditions of consent

A range of access and transport facilities (not addressed by this Plan) may be required by Council to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EPA Act - the demand for which is considered to be generated entirely by individual developments in the Ku-ring-gai town centres.

Such facilities may include:

- tree planting and footpath works not specified in the works schedule. These will generally be works situated within the relevant town centre precinct but located beyond the locations specified in the works schedule (Section 4).
- public art installation within the development site.

3.4.3 How is cost apportionment determined?

The specification of the streetscape and public domain facilities included in this Plan has been undertaken in response to the demand for those facilities likely to be generated by the occupants of expected residential development in each of the town centres.

Given that:

- the planning vision for each centre, which seeks to create a 'village' feel in what is a 'urban' living style that is new in Ku-ring-gai;
- the lack of private open space that will be available to apartment dwellers in the town centres and the need to meet passive recreation demands by providing equivalent facilities at ground level;
- the proposed facilities will be able to readily accessed by the town centre resident populations; and
- the reason for the works is to provide extra capacity for the additional population and to mitigate the impact of the new development and more people in the town centres,

it is reasonable that the full cost of the facilities will be met by expected residential development in each of the town centres.

While the town centres will accommodate some growth in non residential floor space, this development will largely be occasioned by the increased local resident population of each centre. Therefore the overwhelming majority of any demand for the streetscape and public domain facilities is likely to be generated originally by the additionally town centre residents. As a result, this Plan does not levy non residential development for streetscape and public domain facilities.

3.4.4 How are the contributions calculated?

The development contribution for each of the facilities identified in this Plan is calculated by dividing the total cost of the facility that can reasonably be apportioned to the expected development (in this case, the full cost) by the contribution catchment (in persons) applicable to each facility.

The monetary contribution per person is calculated as follows:

$$\text{Contribution (\$)} = \sum \left(\frac{C \times AF \times P_{\text{Dev}}}{P_{\text{Total}}} \right)$$

Where:

- | | | |
|------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| C | = | the estimated cost (including land and capital cost) of providing each of the streetscape and public domain facilities in the relevant town centre, expressed in dollars (refer to works schedules for each town centre – Section 4) |
| AF | = | the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development (refer to works schedules for each town centre – Section 4) |
| P _{Dev} | = | the resident population that is anticipated will occupy the proposed development (refer Table 2.2) |

P_{Total} = the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.3)

4. Schedules

4.1 Land to be acquired or dedicated under this Plan

Valuation Report Facility Item Reference	No	Street	Lot No	DP number	Total Site Area	Area to be dedicated
Gordon						
G9	28	Mc Intyre	1	348677		
	30	Mc Intyre	C	348677		
	32	Mc Intyre	D	348677		
	34	Mc Intyre	1	119608		
	36	Mc Intyre	1	518757		
	38	Mc Intyre	2	518757		
	35	Dumaresq	1	136683		
	37	Dumaresq	D	355865		
	39	Dumaresq	C	355865		
	41	Dumaresq	B	355865		
	43	Dumaresq	A	355865	11,953m ²	1,690m ²
G11	29	Moree	1	846768		
	29a	Moree	2	846768		
	31	Moree	2	212930		
	33	Moree	13	666504		
	35	Moree		304466		
	24	Dumaresq	A	364390		
	26	Dumaresq	B	364390		
	28	Dumaresq	1	961448		
	30	Dumaresq	1	103163		
	32	Dumaresq	1	949218		
	34	Dumaresq	1	940138	10,731m ²	1,950m ²
G12	2	Moree	4	3965		
	4	Moree	5	3965		
	4a		6	3965		
	6	Moree	7	3965		
	8	Moree	8	3965		
	10	Moree	9	3965		
	12	Moree	10	3965		
	21	St Johns Ave	8	17973		
	23	St Johns Ave	9	17973		
	25	St Johns Ave	8	1078945		
	27	St Johns Ave	44	1078996		
	29	St Johns Ave	43	6395	7,544m ²	960m ²
Gordon - Loss of FSR						
Q1b	28	Mc Intyre	1	348677		
	30	Mc Intyre	C	348677		
	32	Mc Intyre	D	348677		

Valuation Report Facility Item Reference	No	Street	Lot No	DP number	Total Site Area	Area to be dedicated
R1B	34	Mc Intyre	1	119608	5,129m ²	1,690m ²
	36	Mc Intyre	1	518757		
	38	Mc Intyre	2	518757		
	35	Dumaresq	35	136683		
	37	Dumaresq	D	358865		
	39	Dumaresq	C	358865		
	41	Dumaresq	B	358865		
	43	Dumaresq	A	358865		
	29	Moree	1	846768	4,705m ²	1,950m ²
	29a	Moree	2	846768		
	31	Moree	2	212930		
	33	Moree	13	666504		
	35	Moree		304466		
	26	Dumaresq	B	364390		
	28	Dumaresq	1	961448		
	30	Dumaresq	1	103163		
	32	Dumaresq	1	949218		
	34	Dumaresq	1	940138		
Lindfield						
L5	2	Bent	9	1090427	4,838m ²	632m ²
	4	Bent	10	1090427		
	6	Bent	3	1090427		
	8	Bent	1	724823		
	10	Bent	1	980108		
	12	Bent	5	666521		
L6	17-21	Bent	1	1019266	8,959m ²	750m ²
	9 to 15	Bent	1	1014100		
	1	Bent	10	305356		
	3	Bent	2	10126		
	5	Bent	3	10126		
	7	Bent	4	10126		
L8	259	Pacific Highway	1,2,3	212617		
	265-271	Pacific Highway	8	660564		
	283	Pacific Highway	1	446105		
		Pacific Highway	1	560036		
	295-303	Pacific Highway	1	630035		
	305	Pacific Highway	11	747009		
	307	Pacific Highway	12	747009		
	309	Pacific Highway	f	23974		
	313	Pacific Highway	e	23974		
	315	Pacific Highway	d	23974		
	317	Pacific Highway	c	23974		
	319	Pacific Highway	b	23974		
	321	Pacific Highway	a	23974		
	323	Pacific Highway	7,8,9	23974		
	329	Pacific Highway	5	117464		

Valuation Report Facility Item Reference	No	Street	Lot No	DP number	Total Site Area	Area to be dedicated
	1 to 5	Tryon	2,3,4	117464	13,550m ²	403m ²
L48	10	Milray	6	1099891		
	12	Milray	1	933328		
	14	Milray	1	101097	4,612m ²	420m ²
L49	2a	Drovers Way	2	1047542		
	2	Drovers Way	4	1047528		
	4	Drovers Way	3	1047528		
	6	Drovers Way	2	30563		
	8	Drovers Way	2	30563		
	8a	Drovers Way	7	226383		
	10	Drovers Way	8	226383		
	5	Gladestone	3	1047542		
	5a	Gladestone	11	1048182		
	7	Gladestone	10	1048182		
	4	Beaconsfield	B	342546		
	4a	Beaconsfield	A	342546		
	6	Beaconsfield	1	342546		
	6A	Beaconsfield	2	342546		
	8	Beaconsfield	3	221962		
	10	Beaconsfield	8	226383	20,373m ²	1,450m ²
L49A	10A	Beaconsfield	D	385269	1,720m ²	1,720m ²
Pymble						
P3	85	Grandview St	1	387741		
	87	Grandview St	2	387741		
	89	Grandview St	B	327220		
	91	Grandview St	1	784564		
	93	Grandview St		951860		
	95	Grandview St	1	210016		
	97	Grandview St	2	210016		
	99	Grandview St	b	334625		
	101	Grandview St	a	334625		
	103	Grandview St	1	582963		
	107	Grandview St	1	34572		
	2	Park Crescent	2	210016		
	4	Park Crescent	4	315780	3,788m ²	880m ²
P4	10	Park Crescent	26	7427		
	12	Park Crescent	272	850541		
	12a	Park Crescent	271	850541		
	14	Park Crescent	28	850541	3,297m ²	180m ²
P28	5	Telegraph	7,8,9	132850		
	7	Telegraph	A	407864	4,858m ²	425m ²
P29	85	Grandview St	1	387741		
	87	Grandview St	2	387741		

Valuation Report Facility Item Reference	No	Street	Lot No	DP number	Total Site Area	Area to be dedicated
	89	Grandview St	B	327220		
	91	Grandview St	1	784564		
	93	Grandview St		951860		
	95	Grandview St	1	210016		
	2	Park Crescent	2	210016		
	4	Park Crescent	4	315780	2,293m ²	280m ²
Roseville						
R3	118-122	Pacific Highway	1	1043056		
	124-134	Pacific Highway	2	206204		
	132	Pacific Highway	1	206204		
	134	Pacific Highway	b	408747		
	136	Pacific Highway		925818		
	142	Pacific Highway	1	952523		
	148	Pacific Highway	2	952523		
	154	Pacific Highway	3	952523		
	170	Pacific Highway	4	952523		
	172	Pacific Highway	5	522430		
	174	Pacific Highway	1	522430		
	1	Six Mile Lane	7	957307		
	3	Six Mile Lane	6	957307		
	5	Six Mile Lane	1	785223	8,505m ²	1,300m ²
R5	37	Hill Street	3	225030		
	39	Hill Street	7	593277		
	41	Hill Street	6	593277	3,400m ²	90m ²
R8	5	Hill Street	2	1046914		
	7	Hill Street	b	417870		
	9	Hill Street	a	417870		
	11 to 17	Hill Street	3	583308		
	19	Hill Street	1	565293		
	21	Hill Street	1	596571		
	23	Hill Street	3	584371		
	25	Hill Street	2	510682		
	27	Hill Street	1	510682		
	29	Hill Street	B	403639		
	31-35	Hill Street	a,b,c	411707	5,049m ²	440m ²
R29	4	Roseville Ave	4	1046734		
	5	Oliver Rd	4	11475	6,632m ²	800m ²
St Ives						
S7	213	Mona	1	444972		
	214	Mona	1	105355		
	231	Mona	E	396576		
	233	Mona	D	385084		
	235	Mona	B	385084		

Valuation Report Facility Item Reference	No	Street	Lot No	DP number	Total Site Area	Area to be dedicated
	237	Mona	1	810793	6,186m ²	864m ²
S39	166-172	Mona	100	838008	48,589m ²	800m ²
Turramurra						
T7	1293	Pacific Highway	6	666961		
	1295	Pacific Highway	5	1005690		
	1297-9	Pacific Highway	4	1005690		
	1301	Pacific Highway	3	455665		
	1305	Pacific Highway	2	455665		
	1307	Pacific Highway	12	590479		
	1311	Pacific Highway	c	397027		
	1315	Pacific Highway	1	115368		
	1319	Pacific Highway	5	668838		
	1323	Pacific Highway	1	1005725		
	1333	Pacific Highway	c	388773		
		Pacific Highway	b	435389	4,644m ²	490m ²
T5	15	Gilroy rd	1	983832		
	17	Gilroy rd	1	972069		
	19	Gilroy rd	1	901014		
	12	Turramurra Ave	2	983832		
	14	Turramurra Ave	2	1005214	3,793m ²	1,402m ²
T6	2	Duff Street	1	176913		
	1408	Pacific Highway	1	807765		
	1364	Pacific Highway	1	656233		
	1370-					
	1378	Pacific Highway	1	500077		
	1380-					
	1388	Pacific Highway	101	714988		
	1390	Pacific Highway	1	550866		
	1392	Pacific Highway	2	16463		
	1396	Pacific Highway	1	629520		
	1a	Rd	2	500761		
	1	Kissing Point	1	500761		
T9	3	Rd	b	435272	10,359m ²	465m ²
	1	Ray Street	1	221290	3,712m ²	1,200m ²
T42	2 to 4	Boyd	2	596228		
	6	Boyd	6	26828		
	12	Boyd	8	214733		
	16	Boyd	2	26828		
	18	Boyd	1	26828		
	2	Kissing Point				
	2	Rd	1	1045712		
	4 to 6	Kissing Point	1	1045712		

Valuation Report Facility Item Reference	No	Street	Lot No	DP number	Total Site Area	Area to be dedicated
T45		Rd				
		Kissing Point				
	8	Rd	1	743998		
	1362	Pacific Highway	1	84448		
	1360	Pacific Highway	2	937816		
	1358	Pacific Highway	4	132873		
	1356	Pacific Highway	5	132873		
	1334	Pacific Highway	7	214733		
	1340	Pacific Highway	6	26828	9,978m ²	160m ²
	2	Gilroy Rd	71	6494		
	4	Gilroy Rd	70	6494		
	6	Gilroy Rd	69	6494		
	8	Gilroy Rd	68	6494	2,620m ²	132m ²
	37	Gilroy Rd	2	33033		
	39	Gilroy Rd	1	33033		
T46	30	Turramurra Ave	5	11993		
	32	Turramurra Ave	6	11993	3,039m ²	425m ²
Turramurra - Loss of FSR						
T1	15	Gilroy Rd	1	983832		
	17	Gilroy Rd	1	972069		
	19	Gilroy Rd	1	901014		
	12	Turramurra Ave	2	983832		
	14	Turramurra Ave	2	1005214	2,937m ²	1,402m ²
T2	15	Gilroy Rd	1	983832		
	17	Gilroy Rd	1	972069		
	19	Gilroy Rd	1	901014		
	12	Turramurra Ave	2	983832		
	14	Turramurra Ave	2	1005214	2,464m ²	1,402m ²

4.2 Works schedules and maps

DRAFT

Gordon Centre Works

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									4,573 persons 1413.0 peak trips 53.0%	20,409 square metres 1204.1 peak trips 45.1%	2,558 square metres 51.2 peak trips 1.9%		3,321 persons	
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
G1	Modification to traffic signals to suit one way flow	Intersection of Pacific Highway and St Johns Avenue	\$0	\$230,000	\$230,000	57%	\$131,100	M	\$15	\$290	\$98		\$112,093	\$117,907
G2	New traffic signals	Intersection of Pacific Highway and Moree Street	\$0	\$386,000	\$386,000	57%	\$220,020	M	\$25	\$486	\$165		\$188,121	\$197,879
G3	Removal of traffic signals	Intersection of Pacific Highway and Dumaresq Street	\$0	\$100,000	\$100,000	100%	\$100,000	M	\$12	\$221	\$75		\$85,502	\$14,498
G4	New traffic signals	Intersection of Pacific Highway and Ravenswood Avenue	\$0	\$350,000	\$350,000	100%	\$350,000	S	\$41	\$774	\$262		\$299,256	\$50,744
G5	New pedestrian activated signals	Intersection of Pacific Highway and Park Avenue	\$0	\$375,000	\$375,000	100%	\$375,000	M	\$43	\$829	\$281		\$320,632	\$54,368
G6	New roundabout	Intersection of Vale Street and Dumaresq Street	\$0	\$45,000	\$45,000	100%	\$45,000	M	\$5	\$100	\$34		\$38,476	\$6,524
G7	New roundabout	Intersection of Park Avenue, Pearson Avenue and Werona Avenue	\$0	\$48,000	\$48,000	100%	\$48,000	M	\$6	\$106	\$36		\$41,041	\$6,959
G8	New roundabout	Intersection of Henry Street and railway underpass	\$0	\$45,000	\$45,000	100%	\$45,000	S	\$5	\$100	\$34		\$38,476	\$6,524
NEW STREETS														
G9	New 13m wide street, two way traffic, no on-street parking (land to be dedicated or to be negotiated as part of site redevelopment)	Between McIntyre and Dumaresq Streets	\$900,000	\$488,200	\$1,388,200	100%	\$1,388,200	M	\$161	\$3,070	\$1,041		\$1,186,937	\$201,263
G10	New 13m wide street, two way traffic, no on-street parking (land to be dedicated or to be negotiated as part of site redevelopment)	Dumaresq Street and Moree Street (behind Gordon Centre)	\$0	\$454,200	\$454,200	100%	\$454,200	L	\$53	\$1,004	\$340		\$388,349	\$65,851
G11	New 13m wide street, two way traffic, no on-street parking (land to be dedicated or to be negotiated as part of site redevelopment)	Between Dumaresq Street and Moree Street	\$540,000	\$361,110	\$901,110	100%	\$901,110	M	\$104	\$1,992	\$675		\$770,466	\$130,644
G12	New 16m wide street, two way traffic, with on-street parking (land to be dedicated or to be negotiated as part of site redevelopment)	Between Moree Street and St Johns Avenue	\$0	\$268,370	\$268,370	100%	\$268,370	M	\$31	\$593	\$201		\$229,461	\$38,909
ROAD MODIFICATIONS														
G17	One way traffic and road narrowing	Park Avenue	\$0	\$46,200	\$46,200	100%	\$46,200	M	\$5	\$102	\$35		\$39,502	\$6,698
G18	Widen laneway with footpaths	Wade Lane	\$0	\$576,500	\$576,500	100%	\$576,500	L	\$67	\$1,275	\$432		\$492,918	\$83,582
G19	Modifications for new bus route	Henry Street and Ravenswood Avenue	\$0	\$60,000	\$60,000	100%	\$60,000	S	\$7	\$133	\$45		\$51,301	\$8,699
G20	One way traffic and other modifications	St Johns Avenue (east and west)	\$0	\$286,750	\$286,750	100%	\$286,750	M	\$33	\$634	\$215		\$245,177	\$41,573
TRANSPORT														
G21	Construction of new bus interchange (on Rail Corp land)	Henry Street	\$0	\$542,275	\$542,275	100%	\$542,275	S	\$119				\$393,810	\$148,465
G22	Construction of new bicycle ways - on road	as per Town Centre DCP strategy	\$0	\$9,400	\$9,400	100%	\$9,400	S	\$2				\$6,826	\$2,574
G23	Construction of new bicycle ways - off road	as per Town Centre DCP strategy	\$0	\$25,000	\$25,000	100%	\$25,000	M	\$5				\$18,155	\$6,845
G24	Provision of bike parking	as per Town Centre DCP strategy	\$0	\$12,000	\$12,000	100%	\$12,000	S	\$3				\$8,715	\$3,285
G25	new bus stops	Pacific Highway	\$0	\$45,000	\$45,000	100%	\$45,000	S	\$10				\$32,680	\$12,320
	upgrade existing bus stops	Pacific Highway	\$0	\$45,000	\$45,000	100%	\$45,000		\$10				\$32,680	\$12,320
PUBLIC CAR PARKING														
G26	New 340-space public car park as above ground structure (part of site redevelopment)	Wade Lane car park	\$0	\$7,883,920	\$7,883,920			L				\$22,056		\$7,883,920

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
G27	New 25-space public underground car park (<i>part of site redevelopment</i>)	Moree Street	\$0	\$1,077,000	\$1,077,000			M	4,573 persons	20,409 square metres	2,558 square metres		3,321 persons	\$1,077,000
G28	Relocation of 50 surface commuter car parking to existing Rail Corp commuter parking areas	From Henry Street to Werona Avenue (as per Town Centre DCP Part 3)	\$0	\$192,500	\$192,500			S				\$22,056		\$192,500
TRANSPORT CONTRIBUTION CREDIT FROM 2004-2009 PLAN									-\$122				-\$405,893	
Sub Total			\$1,440,000	\$13,952,425	\$15,392,425		\$5,974,125		\$639	\$11,709	\$3,969		\$4,614,681	\$10,371,851

Public Domain and Streetscape Facilities

STREETSCAPE IMPROVEMENTS														
Commercial Streets														
G32	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Pacific Highway (Mona Vale Road to Ravenswood Avenue)	\$0	\$1,405,000	\$1,405,000	100%	\$1,405,000	L	\$307				\$1,020,338	\$384,662
G33	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Merriwa Street (part)	\$0	\$168,920	\$168,920	100%	\$168,920	M	\$37				\$122,673	\$46,247
G34	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	McIntyre Street (part)	\$0	\$226,000	\$226,000	100%	\$226,000	L	\$49				\$164,126	\$61,874
G35	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Dumaresq Street (part)	\$0	\$130,500	\$130,500	100%	\$130,500	S	\$29				\$94,772	\$35,728
G36	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Moree Street (part)	\$0	\$198,000	\$198,000	100%	\$198,000	M	\$43				\$143,791	\$54,209
G37	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	St Johns Avenue - east	\$0	\$135,320	\$135,320	100%	\$135,320	S	\$30				\$98,272	\$37,048
G38	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	St Johns Avenue - west (part)	\$0	\$122,820	\$122,820	100%	\$122,820	M	\$27				\$89,194	\$33,626
G39	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Park Avenue (part)	\$0	\$122,820	\$122,820	100%	\$122,820	S	\$27				\$89,194	\$33,626
G40	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Wade Lane and Henry Street	\$0	\$614,000	\$614,000	100%	\$614,000	M-L	\$134				\$445,899	\$168,101
G41	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Clipsham Lane	\$0	\$108,500	\$108,500	100%	\$108,500	L	\$24				\$78,795	\$29,705
G42	Streetscape works as per main retail/commercial streets (refer Town Centre DCP Part 3)	Churchill Lane	\$0	\$128,500	\$128,500	100%	\$128,500	L	\$28				\$93,319	\$35,181
Residential Streets														
G43	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Merriwa Street (part)	\$0	\$226,100	\$226,100	100%	\$226,100	L	\$49				\$164,198	\$61,902
G44	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Fitzsimons Lane	\$0	\$206,500	\$206,500	100%	\$206,500	M-L	\$45				\$149,964	\$56,536
G45	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	McIntyre Street (part)	\$0	\$186,900	\$186,900	100%	\$186,900	S	\$41				\$135,730	\$51,170
G46	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Dumaresq Street (part)	\$0	\$143,500	\$143,500	100%	\$143,500	S	\$31				\$104,212	\$39,288
G47	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Moree Street (part)	\$0	\$144,200	\$144,200	100%	\$144,200	S	\$32				\$104,721	\$39,479
G48	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Werona Avenue and Pearson Avenue	\$0	\$655,200	\$655,200	100%	\$655,200	L	\$143				\$475,819	\$179,381
G49	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Henry Street and Ravenswood Avenue	\$0	\$403,200	\$403,200	100%	\$403,200	M	\$88				\$292,812	\$110,388
G50	Streetscape works as per residential streets (refer Town Centre DCP Part 3)	Bushlands Avenue	\$0	\$77,000	\$77,000	100%	\$77,000	M	\$17				\$55,919	\$21,081
EMBELLISHMENT OF NEW URBAN/CIVIC SPACES														
G51	Embellishment of new town square (1200sqm)*	Location to be confirmed	\$2,808,000	\$634,695	\$3,442,695	100%	\$3,442,695	M	\$753				\$2,500,151	\$942,544
G52	Embellishment of new railway square* (900sqm)	corner St Johns Avenue and Wade Lane	\$1,202,400	\$243,284	\$1,445,684	100%	\$1,445,684	M	\$316				\$1,049,883	\$395,801

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									4,573 persons	20,409 square metres	2,558 square metres		3,321 persons	
G53	Improvements to existing Civic Square	Corner of Pacific Highway and Park Avenue (adjoining Gordon library)	\$0	\$382,041	\$382,041	100%	\$382,041	S	\$84				\$277,445	\$104,596
G54	Construction and embellishment of urban park (1000sqm) (Council owned land)	Corner Park Avenue and Werona Avenue	\$0	\$219,220	\$219,220	100%	\$219,220	L	\$48				\$159,202	\$60,018
THROUGH BLOCK CONNECTIONS														
G57	Modifications to existing rail bridge for wider footpaths	Park Avenue	\$0	\$186,000	\$186,000	100%	\$186,000	M	\$41				\$135,077	\$50,923
G58	Improvements to existing pedestrian way (Council owned land)	Between Dumaresq Street and MacIntyre Street behind Council Chambers	\$0	\$70,740	\$70,740	100%	\$70,740	S	\$15				\$51,373	\$19,367
OPEN SPACE IMPROVEMENTS														
G61	Embellishment works to existing park	Gordon Recreation Grounds, Werona Avenue	\$0	\$629,410	\$629,410	100%	\$629,410	S	\$138				\$457,090	\$172,320
G62	Embellishment works to existing park	Heritage Square, St Johns Avenue	\$0	\$66,930	\$66,930	100%	\$66,930	S	\$15				\$48,606	\$18,324
WATER CYCLE MANAGEMENT														
G66	Stormwater Harvesting - new interface streets (western side), open space (Bushlands Avenue)	western side	\$0	\$170,000	\$170,000	100%	\$170,000	M	\$37				\$123,457	\$46,543
Sub Total			\$4,010,400	\$8,005,300	\$12,015,700		\$12,015,700		\$2,628				\$8,726,031	\$3,289,669
Other														
STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$16,577	\$16,577	100%	\$16,577		\$4				\$12,039	\$4,538
	Contributions Plan		\$0	\$10,565	\$10,565	100%	\$10,565		\$2				\$7,673	\$2,892
	Quantity Surveyor		\$0	\$3,100	\$3,100	100%	\$3,100		\$1				\$2,251	\$849
Sub Total			\$0	\$30,242	\$30,242		\$30,242		\$7				\$21,962	\$8,280
Totals			\$5,450,400	\$21,987,967	\$27,438,367		\$18,020,067		\$3,274	\$11,709	\$3,969		\$13,362,675	\$13,669,800

Notes:

* Land acquisition and embellishment costs for these items are met by contributions imposed under both this plan and Ku-ring-gai Section 94 Contributions Plan 2004-2009 (Amendment No. 1). Under the 2004-2009 plan local open space contributions are imposed on all residential development for the acquisition of new local open space in residential areas; and the cost of this acquisition is assessed in that plan as \$1660 per square metre in Gordon. However, the cost of land acquisition for items G51 and G52, which essentially represent new local open space, ranges between \$4000 and \$5000 per square metre. Similarly, the 2004-2009 provides for \$140 per square metre of embellishment cost and so this allowance is taken off the assessed cost of embellishing these spaces. This plan therefore levies only the difference between the 2004-2009 plan acquisition and embellishment costs and the full acquisition and embellishment costs identified in this plan.

Lindfield Centre Works

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									3,455 persons 1067.6 peak trips 54.4%	13,850 square metres 817.2 peak trips 41.7%	3,851 square metres 77.0 peak trips 3.9%		2,795 persons	
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
L1	Remove existing pedestrian signals and install new traffic signals	Intersection of Tryon Road and Lindfield Avenue	\$0	\$400,000	\$400,000	44%	\$176,000	S	\$28	\$529	\$179		\$157,704	\$242,296
L2	Modifications to the intersection to suit one way flow east bound	Intersection of Lindfield Avenue and Havilah Road at railway underpass	\$0	\$70,000	\$70,000	100%	\$70,000	M	\$11	\$211	\$71		\$62,723	\$7,277
L3	Extend right turn bay	On Pacific Highway and Balfour Street/Havilah Road intersection	\$0	\$32,000	\$32,000	27%	\$8,640	S	\$1	\$26	\$9		\$7,742	\$24,258
L4	New Traffic Signals	Intersection of Strickland Avenue and Pacific Highway	\$0	\$350,000	\$350,000	48%	\$168,000	S	\$26	\$505	\$171		\$150,535	\$199,465
NEW STREETS														
L5	Construction of new civic street <i>(land to be dedicated or to be negotiated as part of site redevelopment)</i>	Between Beaconsfield Parade and Bent Street	\$0	\$548,800	\$548,800	100%	\$548,800	S	\$86	\$1,651	\$560		\$491,749	\$57,051
L6	Construction of new road <i>(land to be dedicated or to be negotiated as part of site redevelopment)</i>	Between Bent Street and Balfour Street	\$0	\$287,775	\$287,775	100%	\$287,775	L	\$45	\$865	\$293		\$257,859	\$29,916
L8	Construction of new road near Tryon Place <i>(land to be dedicated or to be negotiated as part of site redevelopment)</i>	Between the Pacific Highway, Tryon Place, and Strickland Avenue	\$0	\$211,800	\$211,800	100%	\$211,800	S-M	\$33	\$637	\$216		\$189,782	\$22,018
L12	Construction of new road <i>(land to be dedicated or to be negotiated as part of site redevelopment)</i>	From Treatts Road to Wolseley Road	\$0	\$439,200	\$439,200	100%	\$439,200	M	\$69	\$1,321	\$448		\$393,543	\$45,657
TRANSPORT														
L17	New kiss-and-ride zone and taxi ranks	Pacific Highway and Lindfield Avenue	\$0	\$47,600	\$47,600	100%	\$47,600	S	\$14				\$38,507	\$9,093
L18	New bicycle way (on road)	Beaconsfield Parade, Lindfield Avenue and Tryon Place	\$0	\$8,750	\$8,750	100%	\$8,750	S	\$3				\$7,079	\$1,671
L19	New bicycle way (off-road)	Beaconsfield Parade	\$0	\$371,750	\$371,750	100%	\$371,750	M	\$108				\$300,736	\$71,014
L20	Upgrade existing bus stops	Pacific Highway and Lindfield Avenue	\$0	\$90,000	\$90,000	100%	\$90,000	S	\$26				\$72,808	\$17,192
L21	Bicycle parking	Pacific Highway and Lindfield Avenue	\$0	\$6,000	\$6,000	100%	\$6,000	S	\$2				\$4,854	\$1,146
CAR PARKING														
L24	New 25-space underground public car park <i>(constructed as part of site redevelopment)</i>	Havilah Lane	\$0	\$1,050,000	\$1,050,000			M-L				\$42,000		\$1,050,000
TRANSPORT CONTRIBUTION CREDIT FROM 2004-2009 PLAN									-\$122				-\$341,605	
Sub Total			\$0	\$3,913,675	\$3,913,675		\$2,434,315		\$330	\$5,745	\$1,947		\$1,794,015	\$1,778,055

Community Facilities

COMMUNITY FACILITIES														
L25	New library (1200m2)	Adjoining new town square on Tryon Road	\$0	\$2,424,000	\$2,424,000	13%	\$326,622	M	\$95				\$264,228	\$2,063,440
L26	Library fit out	as above	\$0	\$1,560,000	\$1,560,000	13%	\$210,202	M	\$61				\$170,048	\$1,327,956

Item No.	Description of Work	Location of Work							DEVELOPMENT CONTRIBUTIONS					
			Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
L22	New 135-space underground public car park (constructed as part of site redevelopment)	Tryon Road car park area	\$0	\$5,670,000	\$5,670,000	13%	\$764,004	M	3,455 persons	13,850 square metres	3,851 square metres		2,795 persons	\$4,826,610
L23	New 72-space underground public car park (constructed as part of site redevelopment)	Woodford Lane	\$0	\$3,024,000	\$3,024,000	33%	\$997,920	L	\$289				\$807,290	\$2,216,710
L27	Multi purpose community centre (1500m2) incorporating a senior citizens centre and youth centre	Woodford Lane	\$0	\$4,380,000	\$4,380,000	12%	\$504,430	L	\$146				\$408,070	\$3,823,156
Sub Total			\$0	\$17,058,000	\$17,058,000		\$2,803,178		\$811				\$2,267,694	\$14,257,872

Streetscape and Public Domain Facilities

STREETSCAPE IMPROVEMENTS														
Main Retail/commercial streets														
L28	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Pacific Highway (between Strickland Avenue and Treatts Road)	\$0	\$1,517,000	\$1,517,000	100%	\$1,517,000	M-L	\$439				\$1,227,211	\$289,789
L29	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Lindfield Avenue (between Strickland Avenue and Havilah Road)	\$0	\$635,900	\$635,900	100%	\$635,900	S-M	\$184				\$514,426	\$121,474
L30	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Balfour Street (part)	\$0	\$86,100	\$86,100	100%	\$86,100	M	\$25				\$69,653	\$16,447
L31	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Chapman Lane and Kochia Lane	\$0	\$180,000	\$180,000	100%	\$180,000	S-M	\$52				\$145,615	\$34,385
L32	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Bent Street (part) and Bent Lane	\$0	\$204,650	\$204,650	100%	\$204,650	M-L	\$59				\$165,556	\$39,094
L33	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Tryon Road (part)	\$0	\$178,400	\$178,400	100%	\$178,400	S-M	\$52				\$144,321	\$34,079
L34	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Beaconsfield Parade (part)	\$0	\$132,500	\$132,500	100%	\$132,500	M	\$38				\$107,189	\$25,311
L35	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Woodford Lane and Drovers Way (part)	\$0	\$280,800	\$280,800	100%	\$280,800	M-L	\$81				\$227,159	\$53,641
Residential Streets														
L36	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Milray Street	\$0	\$264,000	\$264,000	100%	\$264,000	S-M	\$76				\$213,569	\$50,431
L37	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Tryon Road (part)	\$0	\$200,900	\$200,900	100%	\$200,900	S-M	\$58				\$162,523	\$38,377
L38	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Drovers Way (part)	\$0	\$306,900	\$306,900	100%	\$306,900	M-L	\$89				\$248,274	\$58,626
L39	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Gladstone Parade (part)	\$0	\$102,300	\$102,300	100%	\$102,300	M-L	\$30				\$82,758	\$19,542
L40	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Bent Street (part)	\$0	\$262,600	\$262,600	100%	\$262,600	M-L	\$76				\$212,436	\$50,164
L41	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Balfour Street (part)	\$0	\$262,600	\$262,600	100%	\$262,600	M-L	\$76				\$212,436	\$50,164
L42	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Nelson Road (part)	\$0	\$187,600	\$187,600	100%	\$187,600	M	\$54				\$151,763	\$35,837
L43	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Havilah Road	\$0	\$472,100	\$472,100	100%	\$472,100	M	\$137				\$381,916	\$90,184

Item No.	Description of Work	Location of Work						DEVELOPMENT CONTRIBUTIONS						
			Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
L44	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Havilah Lane	\$0	\$125,250	\$125,250	100%	\$125,250	M	3,455 persons	13,850 square metres	3,851 square metres		2,795 persons	\$23,926
URBAN/CIVIC SPACES														
L45	New town square (Council-owned land)	Tryon Road car park	\$0	\$1,097,230	\$1,097,230	100%	\$1,097,230	M	\$318				\$887,629	\$209,601
L46	New village green (Council-owned land)	Woodford Lane car park	\$0	\$1,018,582	\$1,018,582	100%	\$1,018,582	L	\$295				\$824,005	\$194,577
L47	New public space (road reserve and Rail Corp land)	Tryon Place	\$0	\$346,402	\$346,402	100%	\$346,402	M-L	\$100				\$280,230	\$66,172
THROUGH BLOCK CONNECTIONS														
L48	New pedestrian and cycleway - 6m wide corridor (land to be dedicated or to be negotiated as part of site redevelopment)	Havilah Lane to Milray Street	\$0	\$147,500	\$147,500	100%	\$147,500	M	\$43				\$119,323	\$28,177
L50	New pedestrian access way (land to be dedicated or to be negotiated as part of site redevelopment)	Beaconsfield Parade to Gladstone Parade	\$0	\$163,900	\$163,900	100%	\$163,900	S-M	\$47				\$132,591	\$31,309
OPEN SPACE IMPROVEMENTS														
L53	Upgrading and expansion of existing park (acquisition of land by Council)	Ibbotson Park	\$0	\$773,500	\$773,500	100%	\$773,500	M	\$224				\$625,740	\$147,760
WATER CYCLE MANAGEMENT														
L55	Stormwater Harvesting	Tryon Road Town Square, Woodford Lane	\$0	\$90,000	\$90,000	100%	\$90,000	S-M	\$26				\$72,808	\$17,192
Sub Total			\$0	\$9,036,714	\$9,036,714		\$9,036,714		\$2,616				\$7,310,453	\$1,726,261
Other														
STUDIES/CONSULTANTS FEES														
Traffic Study			\$0	\$12,174	\$12,174	100%	\$12,174		\$4				\$9,848	\$2,326
Contributions Plan			\$0	\$10,565	\$10,565	100%	\$10,565		\$3				\$8,547	\$2,018
Quantity Surveyor			\$0	\$3,100	\$3,100	100%	\$3,100		\$1				\$2,508	\$592
Sub Total			\$0	\$25,839	\$25,839		\$25,839		\$7				\$20,903	\$4,936
Totals			\$0	\$30,034,228	\$30,034,228		\$14,300,046		\$3,765	\$5,745	\$1,947		\$11,393,065	\$18,641,163

Pymble Centre Works

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									1,195 persons 369.2 peak trips 38.2%	9,986 square metres 589.2 peak trips 61.0%	408 square metres 8.2 peak trips 0.8%		762 persons	
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
P1	Left turn slip lane (<i>by negotiation with Sydney Water</i>)	intersection of Telegraph Road and Pacific Highway	\$0	\$290,000	\$290,000	100%	\$290,000	L	\$93	\$1,770	\$600		\$249,859	\$40,141
NEW STREETS														
P3	New lane way (8 metres wide) (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Post Office Street to Alma Street	\$0	\$308,945	\$308,945	100%	\$308,945	M	\$99	\$1,886	\$639		\$266,181	\$42,764
P4	Extension of existing lane (7 metres wide) (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Post Office Lane to Park Crescent	\$0	\$122,100	\$122,100	100%	\$122,100	M	\$39	\$745	\$253		\$105,199	\$16,901
ROAD MODIFICATIONS														
P7	Modifications to existing road for one-way traffic and increased on-street parking improve pedestrian conditions	Grandview Street between Pacific Highway and Alma Street	\$0	\$727,200	\$727,200	100%	\$727,200	S	\$232	\$4,439	\$1,505		\$626,542	\$100,658
P8	Modifications to existing road to reduce road width and improve streetscape	Post Office Street	\$0	\$217,095	\$217,095	100%	\$217,095	S	\$69	\$1,325	\$449		\$187,045	\$30,050
P9	Minor road works to improve access	Everton Street/Avon Street	\$0	\$173,000	\$173,000	100%	\$173,000	S	\$55	\$1,056	\$358		\$149,054	\$23,946
P10	Changes to traffic flow	Post Office Street, Park Crescent, Alma Street and Grandview Street	\$0	\$20,000	\$20,000	100%	\$20,000	M	\$6	\$122	\$41		\$17,232	\$2,768
TRANSPORT														
P11	New bicycle path (off-road) 3 metres wide	From Telegraph Road to Park Crescent	\$0	\$136,450	\$136,450	100%	\$136,450	M	\$114				\$87,008	\$49,442
P12	New bicycle way (on-road)	Along Park Crescent to Grandview Lane	\$0	\$7,000	\$7,000	100%	\$7,000	M	\$6				\$4,464	\$2,536
P13	New bicycle path (off-road) 3 metres wide	From Alma Street to Station Street	\$0	<i>included in New Streets</i>	\$0	100%	\$0	M	\$0				\$0	\$0
P14	Bike parking facilities	Grandview Street	\$0	\$3,000	\$3,000	100%	\$3,000	S	\$3				\$1,913	\$1,087
P15	New kiss and ride and taxi facilities	Grandview Street	\$0	\$20,900	\$20,900	100%	\$20,900	S	\$17				\$13,327	\$7,573
P16	New bus stop and facilities	Grandview Street	\$0	\$30,000	\$30,000	100%	\$30,000	S	\$25				\$19,130	\$10,870
CAR PARKING														
P17	Existing 14-space public car park relocated to P18	Alma Street	\$0	\$0	\$0			M				\$16,163		\$0
P18	new 80-space surface car park	Grandview Lane	\$900,000	\$393,000	\$1,293,000			M				\$16,163		\$1,293,000
TRANSPORT CONTRIBUTION CREDIT FROM 2004-2009 PLAN									-\$122				-\$93,132	
Sub Total			\$900,000	\$2,448,690	\$3,348,690		\$2,055,690		\$637	\$11,343	\$3,845		\$1,633,821	\$1,621,737

Community Facilities

COMMUNITY FACILITIES														
P20	New community meeting rooms (<i>constructed as part of mixed use development</i>)	corner of Alma Street and Park Crescent	\$0	\$300,000	\$300,000	100%	\$300,000	M	\$251				\$191,297	\$108,703
Sub Total			\$0	\$300,000	\$300,000		\$300,000		\$251				\$191,297	\$108,703

Streetscape and Public Domain Facilities

STREETSCAPE IMPROVEMENTS
Main Retail/Commercial Streets

Item No.	Description of Work	Location of Work							DEVELOPMENT CONTRIBUTIONS					
			Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									1,195 persons	9,986 square metres	408 square metres		762 persons	
P21	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3.3.1)	Grandview Street between Pacific Highway and Station Street	\$0	\$120,000	\$120,000	100%	\$120,000	S	\$100				\$76,519	\$43,481
P22	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3.3.2)	Post Office Street	\$0	\$30,400	\$30,400	100%	\$30,400	M	\$25				\$19,385	\$11,015
P23	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3.3.3)	Alma Street (part)	\$0	\$37,600	\$37,600	100%	\$37,600	M	\$31				\$23,976	\$13,624
P24	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3.3.4) Park side Streets	Pacific Highway (between Bloomsbury Avenue and Telegraph Road)	\$0	\$1,464,300	\$1,464,300	100%	\$1,464,300	M	\$1,225				\$933,721	\$530,579
P25	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3.3.5) Residential Streets	Park Crescent	\$0	\$337,390	\$337,390	100%	\$337,390	M	\$282				\$215,139	\$122,251
P26	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3.3.6)	Livingstone Avenue (part), Pymble Avenue (part), Everton Street and Avon Road (part)	\$0	\$473,900	\$473,900	100%	\$473,900	S-M	\$397				\$302,186	\$171,714
PEDESTRIAN THROUGH BLOCK CONNECTIONS														
P28	New 5-6 metre wide access corridor (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Telegraph Road to Park Crescent	\$0	\$47,500	\$47,500	100%	\$47,500	M	\$40				\$30,289	\$17,211
P29	New access way (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Park Crescent to Grandview Street	\$0	\$129,000	\$129,000	100%	\$129,000	M	\$108				\$82,258	\$46,742
P30	Improvements to existing pedestrian rail underpass	Under Pacific Highway to Everton Street	\$0	\$34,000	\$34,000	100%	\$34,000	S	\$28				\$21,680	\$12,320
P31	Upgrade existing Council-owned access way	From Grandview Lane to Grandview Street	\$0	\$55,000	\$55,000	100%	\$55,000	S	\$46				\$35,071	\$19,929
OPEN SPACE IMPROVEMENTS														
P33	Embellishment of existing park	Robert Pymble Park	\$0	\$1,182,737	\$1,182,737	100%	\$1,182,737	S-M	\$990				\$754,180	\$428,557
P34	Embellishment of existing park	Creswell O'Reilly Lookout	\$0	\$293,235	\$293,235	100%	\$293,235	S-M	\$245				\$186,983	\$106,252
WATER CYCLE MANAGEMENT														
P37	Stormwater harvesting		\$0	\$110,000	\$110,000	100%	\$110,000	S	\$92				\$70,142	\$39,858
Sub Total			\$0	\$4,315,062	\$4,315,062		\$4,315,062		\$3,611				\$2,751,529	\$1,563,533
Other														
STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$10,564	\$10,564	100%	\$10,564		\$9				\$6,736	\$3,828
	Contributions Plan		\$0	\$10,565	\$10,565	100%	\$10,565		\$9				\$6,737	\$3,828
	Quantity Surveyor		\$0	\$2,800	\$2,800	100%	\$2,800		\$2				\$1,785	\$1,015
Sub Total			\$0	\$23,929	\$23,929		\$23,929		\$20				\$15,258	\$8,671
Totals			\$900,000	\$7,087,681	\$7,987,681		\$6,694,681		\$4,519	\$11,343	\$3,845		\$4,591,906	\$3,395,775

Roseville Centre Works

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									1,100 persons 339.9 peak trips 60.4%	3,591 square metres 211.9 peak trips 37.6%	555 square metres 11.1 peak trips 2.0%		1,019 persons	
TRAFFIC SIGNALS AND INTERSECTIONS														
R1	Zoning change to permit realignment of road and for signal phasing changes	Intersection of Pacific Highway, Clanville Road and Shirley Road	\$0	\$0	\$0	100%	\$0	L	Section 80A	Section 80A	Section 80A		\$0	\$0
R2	Road widening to accommodate 3 northbound lanes and dedicated right turn lane into MacLaurin Parade	Intersection of Pacific Highway and MacLaurin Parade	\$0	\$240,000	\$240,000	100%	\$240,000	L	\$132	\$2,516	\$853		\$229,328	\$10,672
NEW STREETS & ROAD MODIFICATIONS														
R3	New laneway (land to be dedicated or to be negotiated as part of site redevelopment)	Larkin Street through to Shirley Road	\$0	\$507,600	\$507,600	100%	\$507,600	L	\$279	\$5,321	\$1,804		\$485,029	\$22,571
R4	Upgrading existing lane way	Sixth Mile Lane	\$0	\$164,400	\$164,400	100%	\$164,400	M	\$90	\$1,723	\$584		\$157,090	\$7,310
R5	Minor realignment of existing lane (land to be dedicated or to be negotiated as part of site redevelopment)	Roseville Lane from Roseville Ave to Lord Street	\$0	\$69,150	\$69,150	100%	\$69,150	L	\$38	\$725	\$246		\$66,075	\$3,075
R8	Extension and widening of existing lane (land to be dedicated or to be negotiated as part of site redevelopment)	Bancroft Lane between Lord Street and Bancroft Avenue	\$0	\$281,000	\$281,000	100%	\$281,000	M	\$154	\$2,946	\$998		\$268,505	\$12,495
CAR PARKING														
R11	Construction of 80-space double-decked public car park (on Council owned land)	Larkin Lane	\$0	\$1,820,000	\$1,820,000			L				\$31,401		\$1,820,000
R12	Construction of 62-space underground public car park (on Council owned land)	Lord Street	\$0	\$2,639,000	\$2,639,000			L				\$31,401		\$2,639,000
TRANSPORT														
R13	Provide new kiss and ride facilities and taxi ranks	Hill Street and Pacific Highway	\$0	\$83,600	\$83,600	100%	\$83,600	M	\$76				\$77,444	\$6,156
R14	Construction of new bicycle ways (on-road)	as per DCP strategy	\$0	\$33,000	\$33,000	100%	\$33,000	S-M	\$30				\$30,570	\$2,430
R15	Construction of new bicycle ways - off road	Hill Street and Pacific Highway	\$0	\$901,800	\$901,800	100%	\$901,800	S-M	\$820				\$835,395	\$66,405
R16	Provision of bike parking	Hill Street and Pacific Highway	\$0	\$6,000	\$6,000	100%	\$6,000	S	\$5				\$5,558	\$442
R17	Upgrade existing bus stops	Hill Street and Pacific Highway	\$0	\$120,000	\$120,000	100%	\$120,000	S	\$109				\$111,164	\$8,836
TRANSPORT CONTRIBUTION CREDIT FROM 2004-2009 PLAN									-122				-\$124,542	
Sub Total			\$0	\$6,865,550	\$6,865,550		\$2,406,550		\$1,611	\$13,230	\$4,485		\$2,141,615	\$4,599,392

Community Facilities

COMMUNITY FACILITIES (LINDFIELD)														
L25	New library (1200m2)	Adjoining new town square on Tryon Road	\$0	\$2,424,000	\$2,424,000	4.3%	\$103,990	M	\$95				\$96,332	See Lindfield
L26	Library fit out	as above	\$0	\$1,560,000	\$1,560,000	4.3%	\$66,924	M	\$61				\$61,996	See Lindfield

Item No.	Description of Work	Location of Work							DEVELOPMENT CONTRIBUTIONS					
			Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									1,100 persons	3,591 square metres	555 square metres		1,019 persons	
L22	New 135-space underground public car park (constructed as part of site redevelopment)	Tryon Road car park area	\$0	\$5,670,000	\$5,670,000	4.3%	\$243,243	M	\$221				\$225,331	See Lindfield
L27	Multi purpose community centre (1500m2) incorporating a senior citizens centre and youth centre	Woodford Lane	\$0	\$4,380,000	\$4,380,000	3.7%	\$160,600	L	\$146				\$148,774	See Lindfield
Sub Total*			\$0	\$14,034,000	\$14,034,000		\$574,757		\$377				\$532,434	\$0

Streetscape and Public Domain Facilities

STREETSCAPE IMPROVEMENTS														
Main Retail / Commercial Streets														
R18	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3)	Pacific Highway - Shirley Road to Corona Ave/Boundary Street	\$0	\$430,080	\$430,080	100%	\$430,080	M-L	\$391				\$398,410	\$31,670
R19	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3)	Hill Street - Clanville Road to Boundary Street (includes rail overpass at Clanville Road)	\$0	\$691,560	\$691,560	100%	\$691,560	M	\$629				\$640,636	\$50,924
R20	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3)	Lord Street (part)	\$0	\$103,500	\$103,500	100%	\$103,500	S	\$94				\$95,879	\$7,621
R21	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3)	Roseville Ave (part) and Roseville Lane	\$0	\$293,400	\$293,400	100%	\$293,400	L	\$267				\$271,795	\$21,605
R22	Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Centre DCP Part 3)	Bancroft Ave (part) and Bancroft Lane	\$0	\$244,000	\$244,000	100%	\$244,000	M-L	\$222				\$226,033	\$17,967
Residential Streets														
R23	Streetscape works including paths, grass verge, street trees, powerlines, and street lighting (as per Town Centre DCP Part 3)	Maclaurin Parade (part)	\$0	\$117,400	\$117,400	100%	\$0 \$117,400	L	\$107				\$108,755	\$8,645
R24	Streetscape works including paths, grass verge, street trees, powerlines, and street lighting (as per Town Centre DCP Part 3)	Larkin Street and Sixth Mile Lane	\$0	\$226,000	\$226,000	100%	\$226,000	M-L	\$205				\$209,358	\$16,642
R25	Streetscape works including paths, grass verge, street trees, powerlines, and street lighting (as per Town Centre DCP Part 3)	Victoria Street (part)	\$0	\$136,700	\$136,700	100%	\$136,700	M	\$124				\$126,634	\$10,066
URBAN/CIVIC SPACES														
R26	New linear park with deep soil landscaping (on Council owned land)	Larkin Lane	\$0	\$726,861	\$726,861	100%	\$726,861	L	\$661				\$673,338	\$53,523
R27	New urban square (on Council owned land)	Western station entry on Pacific Highway	\$0	\$142,922	\$142,922	100%	\$142,922	M-L	\$130				\$132,398	\$10,524
R28	New town park with playground facilities (on Council owned land)	Lord Street car park	\$0	\$909,560	\$909,560	100%	\$909,560	L	\$827				\$842,583	\$66,977
THROUGH BLOCK CONNECTIONS														
R29	New pedestrian access way (land to be dedicated or to be negotiated as part of site redevelopment)	Roseville Ave to Oliver Street	\$0	\$175,000	\$175,000	100%	\$175,000	L	\$159				\$162,114	\$12,886
R30	Upgrade existing pedestrian access way	From Pacific Highway to Larkin Lane and the Rifleway	\$0	\$117,600	\$117,600	100%	\$117,600	M	\$107				\$108,940	\$8,660
R31	Upgrade existing pedestrian access way	From Pacific Highway to Sixth Mile Lane	\$0	\$50,950	\$50,950	100%	\$50,950	S	\$46				\$47,198	\$3,752
OPEN SPACE IMPROVEMENTS														
R32	Embellishment of existing parks	Roseville Memorial Park	\$0	\$ 322,276.00	\$322,276	100%	\$322,276	M	\$293				\$298,545	\$23,731

Item No.	Description of Work	Location of Work						DEVELOPMENT CONTRIBUTIONS						
			Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
WATER CYCLE MANAGEMENT								1,100 persons	3,591 square metres	555 square metres		1,019 persons		
R34	Stormwater Harvesting	as per DCP strategy	\$0	\$210,000	\$210,000	100%	\$210,000	M	\$191				\$194,536	\$15,464
Sub Total			\$0	\$4,897,809	\$4,897,809		\$4,897,809		\$4,453				\$4,537,152	\$360,657
Other														
STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$11,714	\$11,714	100%	\$11,714		\$11				\$10,851	\$863
	Contributions Plan		\$0	\$10,565	\$10,565	100%	\$10,565		\$10				\$9,787	\$778
	Quantity Surveyor		\$0	\$2,400	\$2,400	100%	\$2,400		\$2				\$2,223	\$177
Sub Total			\$0	\$24,679	\$24,679		\$24,679		\$22				\$22,862	\$1,817
Totals			\$0	\$25,822,038	\$25,822,038		\$7,903,795		\$6,463	\$13,230	\$4,485		\$7,234,063	\$4,961,867

* Lindfield library facilities accounted for in Lindfield works schedule

St Ives Centre Works

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									3,502 persons	16,054 square metres	3,500 square metres		2,195 persons	
									1082.1 peak trips	947.2 peak trips	70.0 peak trips			
									51.5%	45.1%	3.3%			
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
S1	New signalised intersection and minor road widening	Mona Vale Road and entrance to new shopping centre	\$0	\$0	\$0	NA	\$0	M	s80A condition	s80A condition	s80A condition		\$0	\$0
S2	Additional right turn lane from Mona Vale Road (southwest bound) into Link Road (northwest bound), and associated widening	Intersection Mona Vale Road and Link Road	\$0	\$850,000	\$850,000	13.0%	\$110,500	L	\$16	\$311	\$105		\$89,242	\$760,758
S3	Alterations to traffic signals and intersection layout to accommodate partial closure of Rosedale Road	Intersection of Memorial Avenue and Rosedale Road	\$0	\$330,600	\$330,600	100.0%	\$330,600	M	\$49	\$929	\$315		\$267,000	\$63,600
S4	Install new traffic signals and remove existing pedestrian operated signals near Collins Road	Intersection Killeaton Street and Cowan Road	\$0	\$396,000	\$396,000	20.0%	\$79,200	M	\$12	\$223	\$75		\$63,964	\$332,036
S5	Extension of right turn bay	Intersection Mona Vale Road and Stanley Street	\$0	\$32,000	\$32,000	100.0%	\$32,000	S	\$5	\$90	\$30		\$25,844	\$6,156
NEW STREETS & ROAD MODIFICATIONS														
S6	Construction of new one way road with on street parking on one side (on Council land)	Village Green Parade from Cowan Road to Denley Lane	\$0	\$0	\$0	NA	\$0	M	s80A condition	s80A condition	s80A condition		\$0	\$0
S7	Widening of existing lane to accommodate indented parking bays, and turning circle at end (land to be dedicated or to be negotiated as part of site redevelopment)	Stanley Lane	\$0	\$321,530	\$321,530	100.0%	\$321,530	L	\$47	\$904	\$306		\$259,675	\$61,855
S8	Extension and upgrading of laneway	Denley Lane to Mona Vale Road	\$0	\$177,200	\$177,200	100.0%	\$177,200	M	\$26	\$498	\$169		\$143,111	\$34,089
TRANSPORT														
S12	New taxi rank	Denley Lane	\$0	\$30,000	\$30,000	100.0%	\$30,000	M	\$9				\$18,804	\$11,196
S13	New bus stops including shelters	various refer plan	\$0	\$450,000	\$450,000	100.0%	\$450,000	S	\$128				\$282,053	\$167,947
S14	New cycle ways (off-road)	Village Green Parade; Village Green/Collins Road; and Killeaton Street (east of Mona Vale Road)	\$0	\$815,900	\$815,900	100.0%	\$815,900	S-M	\$233				\$511,394	\$304,506
S15	New cycle ways (on-road)	Mona Vale Road, Link Road, Stanley Street, Collins Road (north)	\$0	\$37,300	\$37,300	100.0%	\$37,300	S-M	\$11				\$23,379	\$13,921
CAR PARKING														
S17	Construction of 28 space public underground car park (on Council land)	Mona Vale Road opposite Stanley Street	\$0	\$1,264,400	\$1,264,400			L				\$20,657		\$1,264,400
S18	Reorganisation of existing parking areas to create 44 space at-grade public car park adjacent to Shopping Centre (on Council land)	Village Green	\$0	\$222,900	\$222,900			M				\$20,657		\$222,900
TRANSPORT CONTRIBUTION CREDIT FROM 2004-2009 PLAN									-\$122			-\$268,273		
Sub Total			\$0	\$4,927,830	\$4,927,830		\$2,384,230		\$413	\$2,954	\$1,001		\$1,416,193	\$3,243,364

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									3,502 persons	16,054 square metres	3,500 square metres		2,195 persons	

Community Facilities

COMMUNITY FACILITIES														
S19	Construction of new library shell (1200 m2) and fit out <i>(as part of site redevelopment)</i>	Within St Ives Shopping Village adjoining Town Square	\$0	\$3,984,000	\$3,984,000	13.7%	\$544,127	M	\$155				\$341,050	\$3,642,950
S20	Construction of new Neighbourhood Centre (300 m2) <i>(as part of site redevelopment)</i>	Within St Ives Shopping Village adjoining Town Square and new library	\$0	\$996,000	\$996,000	58.4%	\$581,332	M	\$166				\$364,370	\$631,630
S21	Construction of new multi-purpose community centre (1500 m2) <i>(on Council land)</i>	Village Green	\$0	\$4,695,000	\$4,695,000	11.7%	\$548,063	M	\$157				\$343,518	\$4,351,483
S22	Upgrading of existing Community Groups building including lift	near Porters Lane in heritage precinct	\$0	\$636,000	\$636,000	16.7%	\$106,370	M	\$30				\$66,671	\$569,329
S23	Relocation of existing community facilities	on the Village Green	\$0	\$60,000	\$60,000	100.0%	\$60,000	S-M	\$17				\$37,607	\$22,393
Sub Total			\$0	\$10,371,000	\$10,371,000		\$1,839,891		\$525				\$1,153,216	\$9,217,784

Streetscape and Public Domain Facilities

STREETSCAPE IMPROVEMENTS														
Main commercial/retail streets														
S24	Streetscape works including paving, street trees, powerlines, furniture and lighting	Village Green Parade	\$0	\$485,000	\$485,000	100.0%	\$485,000	M	\$138				\$303,991	\$181,009
S25	Streetscape works including paving, street trees, powerlines, furniture and lighting	Mona Vale Road	\$0	\$1,804,260	\$1,804,260	100.0%	\$1,804,260	M-L	\$515				\$1,130,883	\$673,377
S26	Streetscape works including paving, street trees, powerlines, furniture and lighting	Stanley Street (part)	\$0	\$228,920	\$228,920	100.0%	\$228,920	L	\$65				\$143,484	\$85,436
S27	Streetscape works including paving, street trees, powerlines, furniture and lighting	Denley Lane	\$0	\$167,000	\$167,000	100.0%	\$167,000	M	\$48				\$104,673	\$62,327
Main residential streets														
S28	Streetscape works including paving, street trees, powerlines, furniture and lighting	Killeaton Road	\$0	\$777,640	\$777,640	100.0%	\$777,640	S	\$222				\$487,413	\$290,227
S29	Streetscape works including paving, street trees, powerlines, furniture and lighting	Cowan Road	\$0	\$1,109,408	\$1,109,408	100.0%	\$1,109,408	S-M	\$317				\$695,360	\$414,048
S30	Streetscape works including paving, street trees, powerlines, furniture and lighting	Porters Lane	\$0	\$385,344	\$385,344	100.0%	\$385,344	L	\$110				\$241,528	\$143,816
S31	Streetscape works including paving, street trees, powerlines, furniture and lighting	Link Road	\$0	\$1,053,360	\$1,053,360	100.0%	\$1,053,360	L	\$301				\$660,230	\$393,130
S32	Streetscape works including paving, street trees, powerlines, furniture and lighting	Collins Road and Kanoona Road	\$0	\$505,000	\$505,000	100.0%	\$505,000	L	\$144				\$316,526	\$188,474
S33	Streetscape works including paving, street trees, powerlines, furniture and lighting	Shinfield and Lynbarra	\$0	\$505,880	\$505,880	100.0%	\$505,880	S-M	\$144				\$317,078	\$188,802
S34	Streetscape works including paving, street trees, powerlines, furniture and lighting	Rosedale Road	\$0	\$239,800	\$239,800	100.0%	\$239,800	S-M	\$68				\$150,303	\$89,497
S35	Streetscape works including paving, street trees, powerlines, furniture and lighting	Stanley Street (part)	\$0	\$484,400	\$484,400	100.0%	\$484,400	L	\$138				\$303,615	\$180,785
S36	Streetscape works including paving, street trees, powerlines, furniture and lighting	Newhaven Place	\$0	\$237,800	\$237,800	100.0%	\$237,800	L	\$68				\$149,049	\$88,751
Main Civic Street														
S37	Streetscape works including paving, street trees, powerlines, furniture and lighting - special elements such as banner poles and public art/memorial	Memorial Avenue	\$0	\$649,280	\$649,280	100.0%	\$649,280	S-M	\$185				\$406,959	\$242,321

			DEVELOPMENT CONTRIBUTIONS											
Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									3,502 persons	16,054 square metres	3,500 square metres		2,195 persons	
URBAN/CIVIC SPACES														
S38	New urban public space - community activity space <i>(on Council owned land)</i>	Old School area, Porters Lane	\$0	\$510,760	\$510,760	100.0%	\$510,760	M	\$146				\$320,137	\$190,623
S39	New Town Square <i>(land to be dedicated or to be negotiated as part of site redevelopment)</i>	Durham Lane area	\$0	\$719,302	\$719,302	100.0%	\$719,302	M	\$205				\$450,847	\$268,454
S40	New Village Green Promenade <i>(on Council land)</i>	Village Green Parade	\$0	\$1,909,338	\$1,909,338	100.0%	\$1,909,338	M	\$545				\$1,196,744	\$712,594
S16	Construction of new 150 space public under ground car park <i>(constructed as part of site redevelopment)</i>	Village Green Parade	\$0	\$6,740,000	\$6,740,000	100.0%	\$6,740,000	M	\$1,925				\$4,224,529	\$2,515,471
OPEN SPACE IMPROVEMENTS														
S43	Embellishment of existing parks	Village Green & William Cowan Oval	\$0	\$2,546,297	\$2,546,297	100.0%	\$2,546,297	S	\$727				\$1,595,980	\$950,317
S44	Embellishment of existing parks	Rotary Park	\$0	\$242,809	\$242,809	100.0%	\$242,809	S	\$69				\$152,189	\$90,620
S45	Embellishment of existing parks	Bedes Forest	\$0	\$321,253	\$321,253	100.0%	\$321,253	S	\$92				\$201,357	\$119,897
S46	Embellishment of existing parks	Memorial Park	\$0	\$170,913	\$170,913	100.0%	\$170,913	S	\$49				\$107,125	\$63,787
WATER CYCLE MANAGEMENT														
S47	Stormwater detention and other works to address local flooding issues	Village Green and Killeaton Road Area	\$0	\$100,000	\$100,000	100.0%	\$100,000	S	\$29				\$62,678	\$37,322
S49	Stormwater Harvesting in parks	Village Green and William Cohen Oval	\$0	\$30,000	\$30,000	100.0%	\$30,000	M	\$9				\$18,804	\$11,196
Sub Total			\$0	\$21,923,763	\$21,923,763		\$21,923,763		\$6,260				\$13,741,479	\$8,182,284
Other														
STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$25,970	\$25,970	100.0%	\$25,970		\$7				\$16,278	\$9,692
	Contributions Plan		\$0	\$10,565	\$10,565	100.0%	\$10,565		\$3				\$6,622	\$3,943
	Quantity Surveyor		\$0	\$7,140	\$7,140	100.0%	\$7,140		\$2				\$4,475	\$2,665
Sub Total			\$0	\$43,675	\$43,675		\$43,675		\$12				\$27,375	\$16,300
Totals			\$0	\$37,266,268	\$37,266,268		\$26,191,560		\$7,211	\$2,954	\$1,001		\$16,338,263	\$20,659,732

Turramurra Centre Works

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
									3,014 persons 931.3 peak trips 79.2%	3,019 square metres 178.1 peak trips 15.1%	3,353 square metres 67.1 peak trips 5.7%		2,226 persons	
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
T1	New Traffic Signals	Intersection of Turramurra Avenue and Pacific Highway	\$0	\$386,000	\$386,000	100.0%	\$386,000	M	\$101	\$1,936	\$656		\$306,113	\$79,887
T2	Road widening and improvements to intersection	Intersection of Ray Street and the Pacific Highway	\$0	\$230,000	\$230,000	100.0%	\$230,000	M	\$60	\$1,153	\$391		\$182,399	\$47,601
T3	Removal of traffic signals and modifications to the intersection.	Intersection of Rohini Street and the Pacific Highway.	\$0	\$100,000	\$100,000	100.0%	\$100,000	M	\$26	\$501	\$170		\$79,304	\$20,696
T4	Modifications to intersection	Intersection of Kissing Point Road and Pacific Highway	\$0	\$255,000	\$255,000	100.0%	\$255,000	M	\$67	\$1,279	\$433		\$202,225	\$52,775
T7	Widening of Pacific Highway (south bound) to 3 lanes (land to be dedicated or to be negotiated as part of site redevelopment)	Between Ray Street and William Street (work associated with intersection works T1 to T4)	\$0	\$220,500	\$220,500	100.0%	\$220,500	L	\$58	\$1,106	\$375		\$174,865	\$45,635
NEW STREETS														
T5	Construction of new street (ROW 13 metres wide, two-way traffic) (land to acquired by Council)	Between Gilroy Road and Turramurra Avenue	\$2,325,000	\$392,500	\$2,717,500	100.0%	\$2,717,500	S	\$714	\$13,628	\$4,620		\$2,155,086	\$562,414
T6	Construction of new street - "Stonex Street" (ROW 15 metres wide, two way traffic) (land to be dedicated or to be negotiated as part of site redevelopment)	Between Duff Street and Kissing Point Road	\$0	\$716,000	\$716,000	100.0%	\$716,000	M	\$188	\$3,591	\$1,217		\$567,816	\$148,184
ROAD MODIFICATIONS														
T8	Modifications to roadway for one way traffic	Turramurra Avenue (northern section)	\$0	\$74,750	\$74,750	100.0%	\$74,750	M	\$20	\$375	\$127		\$59,280	\$15,470
TRANSPORT														
T9	Widening of existing lane way to improve pedestrian conditions and provide of parking bays, kiss and ride bay and taxi rank (land to be dedicated or to be negotiated as part of site redevelopment)	Forbes Lane between Ray Street and William Street	\$0	\$251,920	\$251,920	100.0%	\$251,920	L	\$84				\$186,056	\$65,864
T12	Works related to new bus route	Rohini Street via new Street to Turramurra Avenue and Pacific Highway	\$0	\$32,000	\$32,000	100.0%	\$32,000	M	\$11				\$23,634	\$8,366
T13	Improvements to existing bus interchange area	Rohini Street	\$0	\$186,500	\$186,500	100.0%	\$186,500	S	\$62				\$137,740	\$48,760
T14	Bicycle route (on-road)	Kissing Point Road, Boyd Street, Rohini Street, Eastern Road, Turramurra Avenue	\$0	\$24,000	\$24,000	100.0%	\$24,000	S	\$8				\$17,725	\$6,275
T15	Bicycle route (off-road) - 3 metre wide path	From Boyd Street to Karuah Park via Hillview Estate and Gilroy Road	\$0	\$288,000	\$288,000	100.0%	\$288,000	M	\$96				\$212,703	\$75,297
T16	Bicycle parking	At rail station and shopping nodes	\$0	\$15,000	\$15,000	100.0%	\$15,000	S	\$5				\$11,078	\$3,922
CAR PARKING														
T17	Construction of 100-space public underground car park (as part of site redevelopment)	Turramurra Avenue car park	\$0	\$4,200,000	\$4,200,000			L				\$21,104		\$4,200,000
T18	Construction of new 40 space open grade car park (on Council land)	Off Turramurra Avenue	\$0	\$213,000	\$213,000			L				\$21,104		\$213,000
T20	Construction of 23-space public underground car park (as part of site redevelopment)	Turramurra Plaza/Precinct C	\$0	\$966,000	\$966,000			M				\$21,104		\$966,000

Item No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	DEVELOPMENT CONTRIBUTIONS					
									Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
T21	Construction of 48 new surface car parks <i>(on Council land)</i>	Ray Street (northern end)	\$0	\$234,600	\$234,600			M	3,014 persons	3,019 square metres	3,353 square metres	\$21,104	2,226 persons	\$234,600
TRANSPORT CONTRIBUTION CREDIT FROM 2004-2009 PLAN									-\$122				-\$272,062	
Sub Total			\$2,325,000	\$8,785,770	\$11,110,770		\$5,497,170		\$1,377	\$23,569	\$7,990		\$4,043,964	\$6,794,744

Community Facilities

COMMUNITY FACILITIES														
T22	Construction of new library shell (1500 m2) and fit out <i>(on Council land as part of mixed use development)</i>	Ray Street	\$0	\$4,980,000	\$4,980,000	8.4%	\$420,272	M	\$139				\$310,393	\$4,669,607
T23	Construction of new multi-purpose community building including HACC and Senior's Centre, Lifestart and new Youth Centre (2000 m2) <i>(on Council land as part of mixed use development)</i>	Ray Street	\$0	\$5,840,000	\$5,840,000	7.5%	\$440,044	M	\$146				\$324,996	\$5,515,004
T19	Construction of 121-space public underground car park <i>(as part of site redevelopment)</i>	Between Ray and William Streets	\$0	\$5,082,000	\$5,082,000	8.4%	\$428,880	M	\$142				\$316,751	\$4,765,249
T24	Relocation of existing community facilities	from Gilroy Lane area to Ray Street	\$0	\$180,000	\$180,000	100.0%	\$180,000	M	\$60				\$132,940	\$47,060
Sub Total			\$0	\$16,082,000	\$16,082,000		\$1,469,196		\$487				\$1,085,080	\$14,996,920

Streetscape and Public Domain Facilities

STREETSCAPE IMPROVEMENTS														
Main/retail Commercial streets														
T25	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.1	Rohini Street	\$0	\$981,900	\$981,900	100.0%	\$981,900	L	\$326				\$725,186	\$256,714
T26	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.3	Pacific Highway	\$0	\$1,465,600	\$1,465,600	100.0%	\$1,465,600	M-L	\$486				\$1,082,424	\$383,176
T27	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	William Street/Forbes Lane	\$0	\$419,600	\$419,600	100.0%	\$419,600	M	\$139				\$309,897	\$109,703
T28	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Kissing Point Road (part)	\$0	\$212,600	\$212,600	100.0%	\$212,600	M	\$71				\$157,016	\$55,584
T29	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Turramurra Avenue (part)	\$0	\$269,600	\$269,600	100.0%	\$269,600		\$89				\$199,114	\$70,486
T30	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Stonex Street	\$0	\$487,600	\$487,600	100.0%	\$487,600		\$162				\$360,119	\$127,481
T31	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Gilroy Road (part) and Gilroy Lane (part)	\$0	\$313,000	\$313,000	100.0%	\$313,000		\$104				\$231,167	\$81,833
Residential Streets														
T32	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Duff Street (part)	\$0	\$555,400	\$555,400	100.0%	\$555,400	M	\$184				\$410,193	\$145,207
T33	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Turramurra Avenue Part)	\$0	\$527,700	\$527,700	100.0%	\$527,700	M	\$175				\$389,735	\$137,965
T34	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Kissing Point Road (part) and Boyd Street (part)	\$0	\$416,500	\$416,500	100.0%	\$416,500	S-M	\$138				\$307,607	\$108,893
T35	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Eastern Road (part)	\$0	\$459,900	\$459,900	100.0%	\$459,900	L	\$153				\$339,661	\$120,239



Item No.	Description of Work	Location of Work							DEVELOPMENT CONTRIBUTIONS					
			Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming full development take-up	Funds shortfall
T36	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4 Other Streets	Ray Street	\$0	\$249,900	\$249,900	100.0%	\$249,900	M	3,014 persons \$83	3,019 square metres	3,353 square metres		2,226 persons \$184,564	\$65,336
T37	Special treatment refer DCP 3.2.3	Gilroy Road	\$0	\$484,900	\$484,900	100.0%	\$484,900		\$161				\$358,125	\$126,775
URBAN/CIVIC SPACES														
T38	Construction and Embellishment of Church Square (as per Town Centre DCP Part 3.2.6). <i>On Council land</i>	Adjoining Turramurra Uniting Church	\$0	\$433,355	\$433,355	100.0%	\$433,355	M-L	\$144				\$320,056	\$113,299
T39	Construction and embellishment of William Square including partial closure of William Street and improvements to Railway Park (as per Town Centre DCP Part 3.2.2). <i>On Council land</i>	William Street area	\$0	\$2,070,499	\$2,070,499	100.0%	\$2,070,499	M	\$687				\$1,529,174	\$541,325
T40	Construction and Embellishment of Turramurra Village Green (as per Town Centre DCP Part 3). <i>On Council land</i>	Gilroy Road/Gilroy Lane	\$0	\$473,018	\$473,018	100.0%	\$473,018	M-L	\$157				\$349,349	\$123,669
THROUGH-BLOCK CONNECTIONS														
T41	Construction and embellishment of pedestrian way (refer DCP 3.2.6). <i>On Council land</i>	between Turramurra Avenue to Turramurra Green	\$0	\$131,350	\$131,350	100.0%	\$131,350	M-L	\$44				\$97,009	\$34,341
T42	Construction and embellishment of shared pedestrian and cycle way (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Boyd Street to Pacific Highway through Hill View Estate	\$0	\$161,200	\$161,200	100.0%	\$161,200	S	\$53				\$119,055	\$42,145
T44	Expansion of proposed Rail Corp pedestrian access bridge	Over railway line from Rohini Street to William Street	\$0	\$517,445	\$517,445	100.0%	\$517,445	S	\$172				\$382,161	\$135,284
T45	Construction of pedestrian way (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Gilroy Road to Cameron Park	\$0	\$130,000	\$130,000	100.0%	\$130,000	M	\$43				\$96,012	\$33,988
T46	Construction of pedestrian way (<i>land to be dedicated or to be negotiated as part of site redevelopment</i>)	From Gilroy Road to Turramurra Avenue	\$0	\$117,300	\$117,300	100.0%	\$117,300	M	\$39				\$86,632	\$30,668
OPEN SPACE IMPROVEMENTS														
T47	Upgrade existing park	Turramurra Village Park	\$0	\$188,427	\$188,427	100.0%	\$188,427	S-M	\$63				\$139,163	\$49,264
T48	Upgrade existing park	Queens Park	\$0	\$322,559	\$322,559	100.0%	\$322,559	S-M	\$107				\$238,227	\$84,332
T49	Upgrade existing park	Cameron Park	\$0	\$457,650	\$457,650	100.0%	\$457,650	S-M	\$152				\$337,999	\$119,651
T50	Embellishment of new urban park	Extension of Granny Springs off Stonex Street	\$0	\$285,438	\$285,438	100.0%	\$285,438	S-M	\$95				\$210,811	\$74,627
WATER CYCLE MANAGEMENT														
T52	Stormwater Harvesting	Gilroy Road streetscape works	\$0	\$90,000	\$90,000	100.0%	\$90,000	M-L	\$30				\$66,470	\$23,530
Sub Total			\$0	\$12,222,441	\$12,222,441		\$12,222,441		\$4,055				\$9,026,925	\$3,195,515
Other														
STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$20,000	\$20,000	100.0%	\$20,000		\$7				\$14,771	\$5,229
	Contributions Plan		\$0	\$10,565	\$10,565	100.0%	\$10,565		\$4				\$7,803	\$2,762
	Quantity Surveyor		\$0	\$3,100	\$3,100	100.0%	\$3,100		\$1				\$2,290	\$810
Sub Total			\$0	\$33,665	\$33,665		\$33,665		\$11				\$24,863	\$8,802
Totals			\$2,325,000	\$37,123,876	\$39,448,876		\$19,222,472		\$5,931	\$23,569	\$7,990		\$14,180,833	\$24,995,981

TOWN CENTRES FACILITIES PLAN - GORDON

draft issue - 20.08.07

OPEN SPACE

- ACQUISITION OF LAND FOR LOCAL OPEN SPACE
- IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE
- NEW PARK
- RIPARIAN REHABILITATION

PUBLIC DOMAIN

- STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDERGROUND POWERLINES, STREET FURNITURE, LIGHTING
- NEW CIVIC SPACES
- NEW TOWN SQUARE - AREA UNDER INVESTIGATION
- PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO EXISTING, OR NEW
- RAIL BRIDGE - IMPROVEMENTS
- STORMWATER TREATMENT - HARVESTING / DETENTION

COMMUNITY

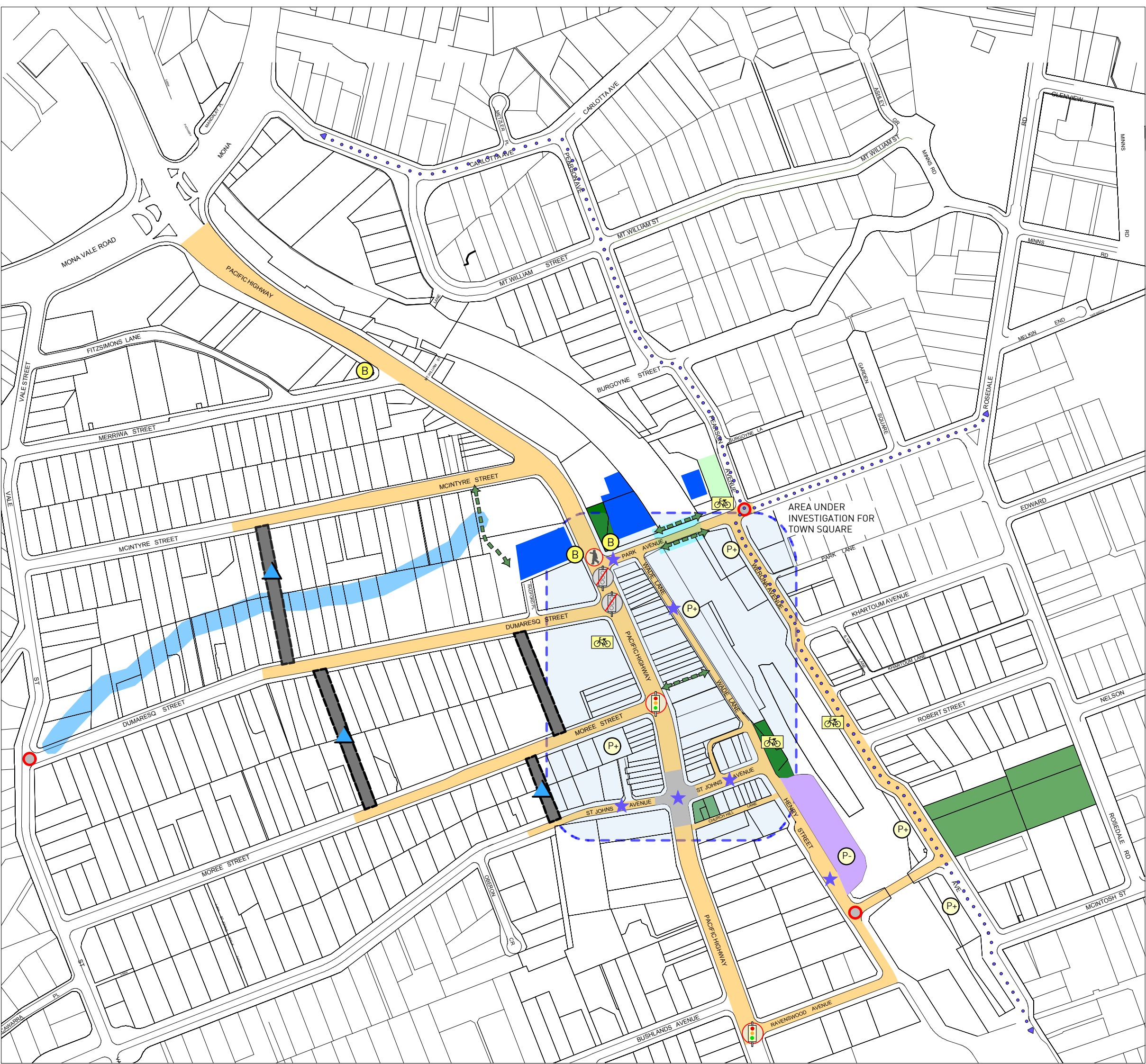
- COMMUNITY WORKS

TRAFFIC

- NEW SIGNALS
- REMOVAL OF SIGNALS
- NEW PEDESTRIAN ACTIVATED SIGNALS
- NEW ROUNDABOUT
- MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW
- NEW ACCESS ROADS

TRANSPORT

- PARKING ADDED
- PARKING RELOCATED
- NEW BUS INTERCHANGE
- NEW BUS STOPS
- BICYCLE PARKING AND CYCLEWAY



TOWN CENTRES FACILITIES PLAN - LINDFIELD

draft issue - 20.08.07

OPEN SPACE

- ACQUISITION OF LAND FOR LOCAL OPEN SPACE
- IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE
- NEW PARK
- RIPARIAN REHABILITATION

PUBLIC DOMAIN

- STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDERGROUND POWERLINES, FURNITURE, LIGHTING
- IMPROVEMENTS TO CIVIC SPACES
- PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO EXISTING, OR NEW
- NEW BRIDGE
- STORMWATER TREATMENT - HARVESTING / DETENTION

COMMUNITY

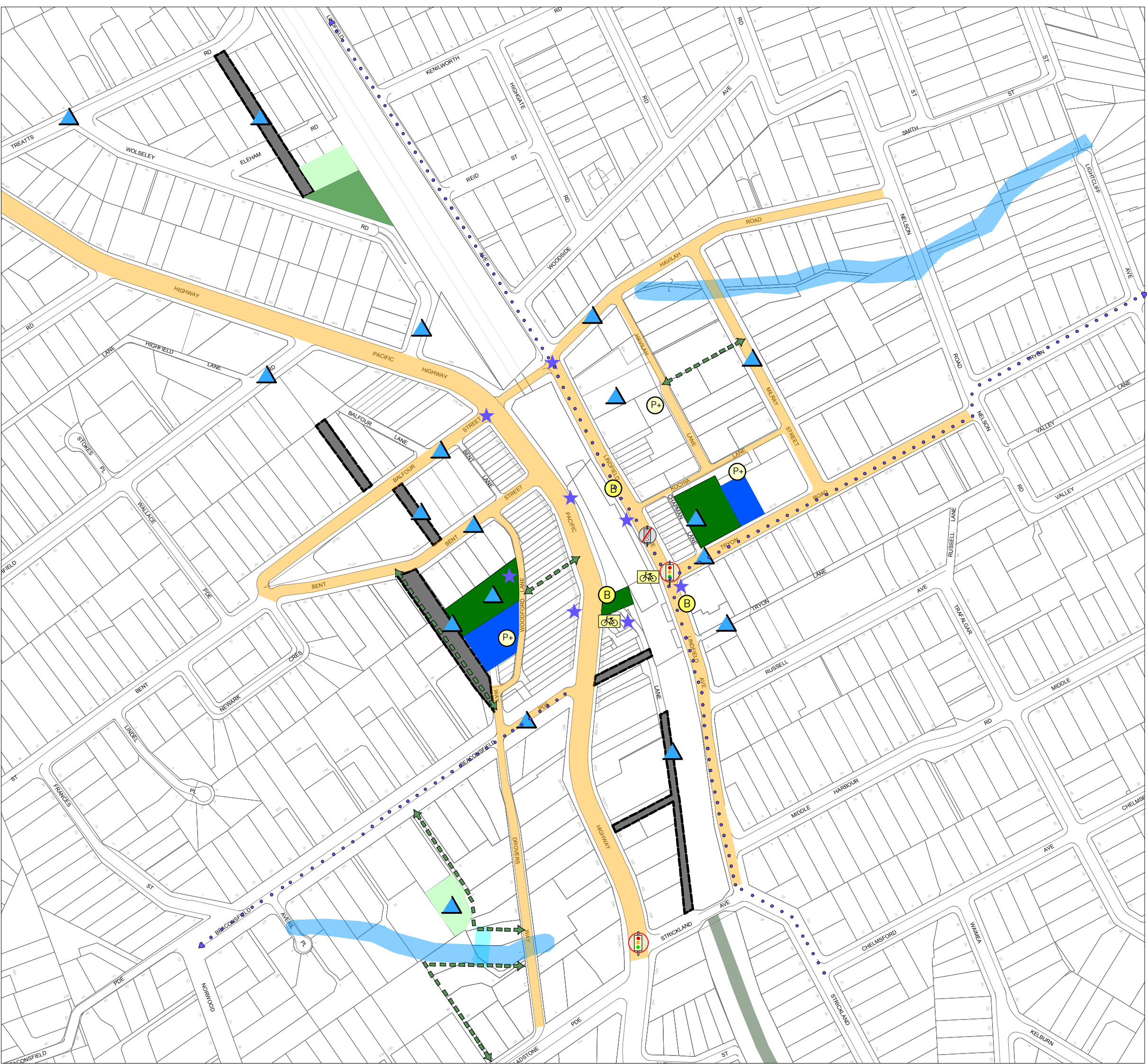
- NEW AND/OR IMPROVED COMMUNITY FACILITIES

TRAFFIC

- NEW SIGNALS
- REMOVAL OF SIGNALS
- MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW
- NEW ACCESS ROADS

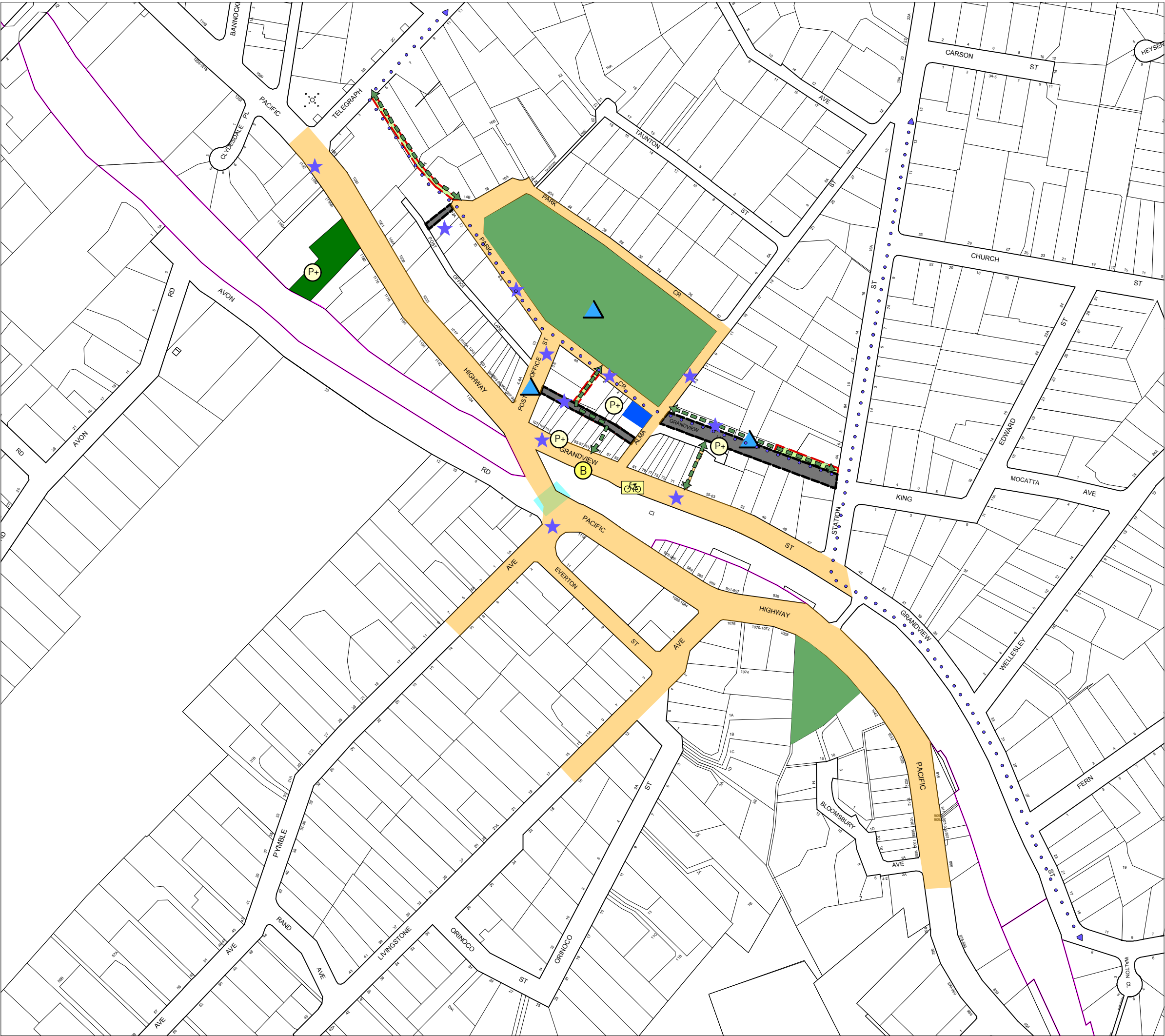
TRANSPORT

- PARKING ADDED
- PARKING RELOCATED
- NEW TAXI RANK
- NEW BUS STOPS
- BICYCLE PARKING AND CYCLEWAY



TOWN CENTRES FACILITIES PLAN - PYMBLE

draft issue - 20.08.07



OPEN SPACE

- ACQUISITION OF LAND FOR LOCAL OPEN SPACE
- IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE

PUBLIC DOMAIN

- STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDERGROUND POWERLINES, FURNITURE, LIGHTING
- NEW CIVIC SPACES
- PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO EXISTING, OR NEW
- RAIL BRIDGE - IMPROVEMENTS TO EXISTING PEDESTRIAN UNDERPASS
- STORMWATER TREATMENT - HARVESTING / DETENTION

COMMUNITY

- NEW AND/OR IMPROVED COMMUNITY FACILITIES

TRAFFIC

- MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW
- NEW ACCESS ROADS / LANES

TRANSPORT

- PARKING ADDED
- PARKING RELOCATED
- BICYCLE PARKING AND CYCLEWAY

TOWN CENTRES FACILITIES PLAN - ROSEVILLE

draft issue - 20.08.07



OPEN SPACE

- ACQUISITION OF LAND FOR LOCAL OPEN SPACE
- IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE

PUBLIC DOMAIN

- STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDERGROUND POWERLINES, FURNITURE, LIGHTING
- IMPROVEMENTS TO CIVIC SPACES
- PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO EXISTING, OR NEW
- STORMWATER TREATMENT - HARVESTING / DETENTION

TRAFFIC

- NEW SIGNALS
- REMOVAL OF SIGNALS
- NEW PEDESTRIAN ACTIVATED SIGNALS
- NEW ROUNDABOUT
- MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW
- NEW ACCESS ROADS

TRANSPORT

- PARKING ADDED
- PARKING RELOCATED
- NEW TAXI RANK
- NEW BUS STOPS
- BICYCLE PARKING AND CYCLEWAY

TOWN CENTRES FACILITIES PLAN - ST IVES

draft issue - 20.08.07

OPEN SPACE

- ACQUISITION OF LAND FOR LOCAL OPEN SPACE
- IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE

PUBLIC DOMAIN

- STREETSCAPE IMPROVEMENTS - PAVING, STREETSIDE FURNITURE, UNDERGROUND POWERLINES, FURNITURE, LIGHTING
- NEW CIVIC SPACES
- PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO EXISTING, OR NEW
- STORMWATER TREATMENT - HARVESTING AND DETENTION

COMMUNITY

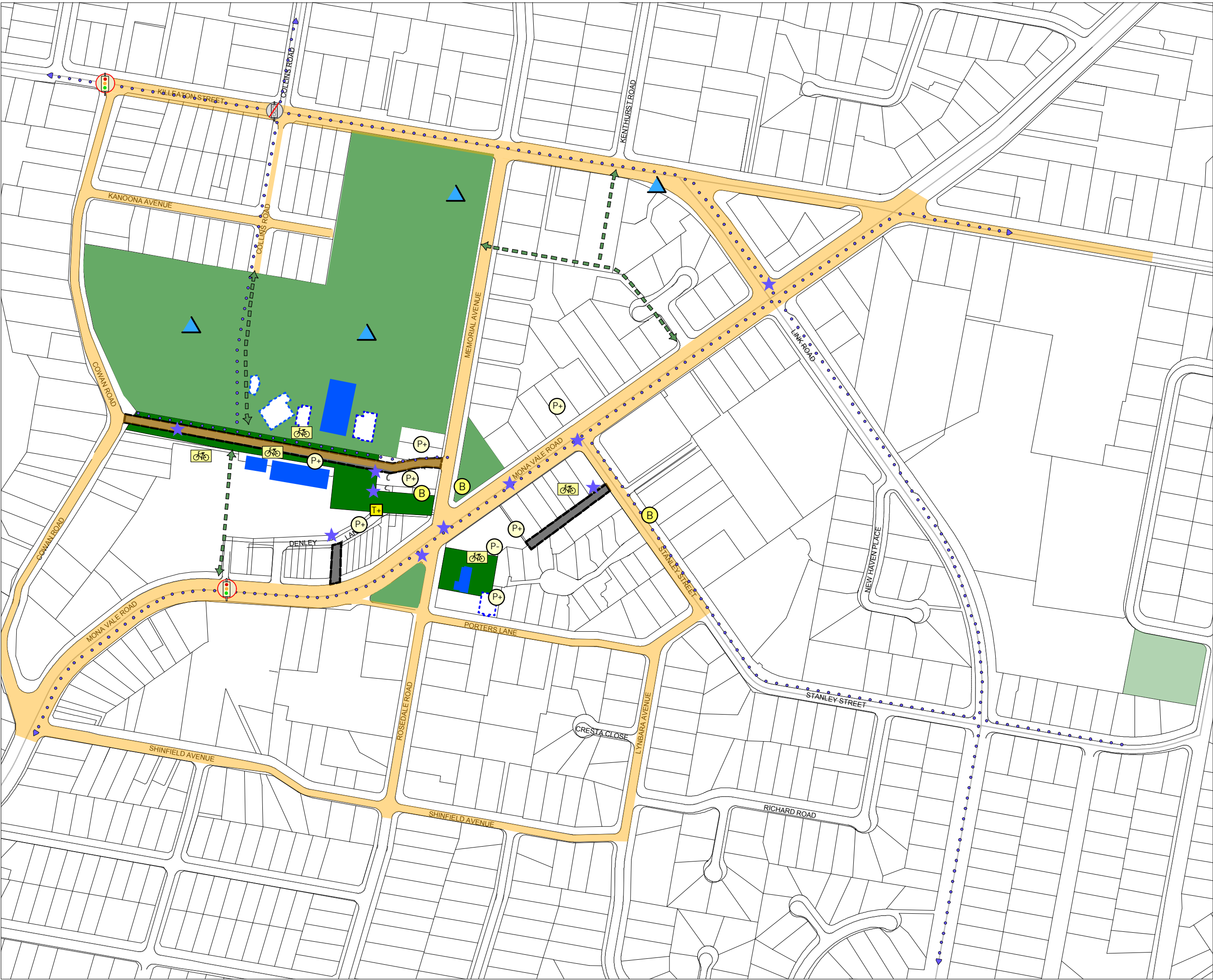
- NEW AND/OR IMPROVED COMMUNITY FACILITIES
- RELOCATION OF EXISTING COMMUNITY FACILITIES

TRAFFIC

- NEW SIGNALS
- REMOVAL OF SIGNALS
- NEW PEDESTRIAN ACTIVATED SIGNALS
- NEW ROUNDABOUT
- MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW
- NEW ACCESS ROADS

TRANSPORT





- PARKING ADDED
- PARKING RELOCATED
- NEW TAXI RANK
- NEW BUS STOPS
- BICYCLE PARKING AND CYCLEWAY



TOWN CENTRES FACILITIES PLAN - TURRAMURRA

draft issue - 20.08.07



OPEN SPACE

-  ACQUISITION OF LAND FOR LOCAL OPEN SPACE
-  IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE
-  NEW PARK
-  RIPARIAN REHABILITATION

PUBLIC DOMAIN

- | | |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
|  | STREETSCAPE IMPROVEMENTS.
PAVING, STREET TREES, POWERLINES, FURNITURE, LIGHTING |
|  | NEW CIVIC SPACES |
|  | PEDESTRIAN CONNECTIONS-IMPROVEMENTS
TO EXISTING, OR NEW |
|  | RAIL BRIDGE - IMPROVEMENTS |
|  | STORMWATER TREATMENT - HARVESTING /
DETENTION |






COMMUNITY

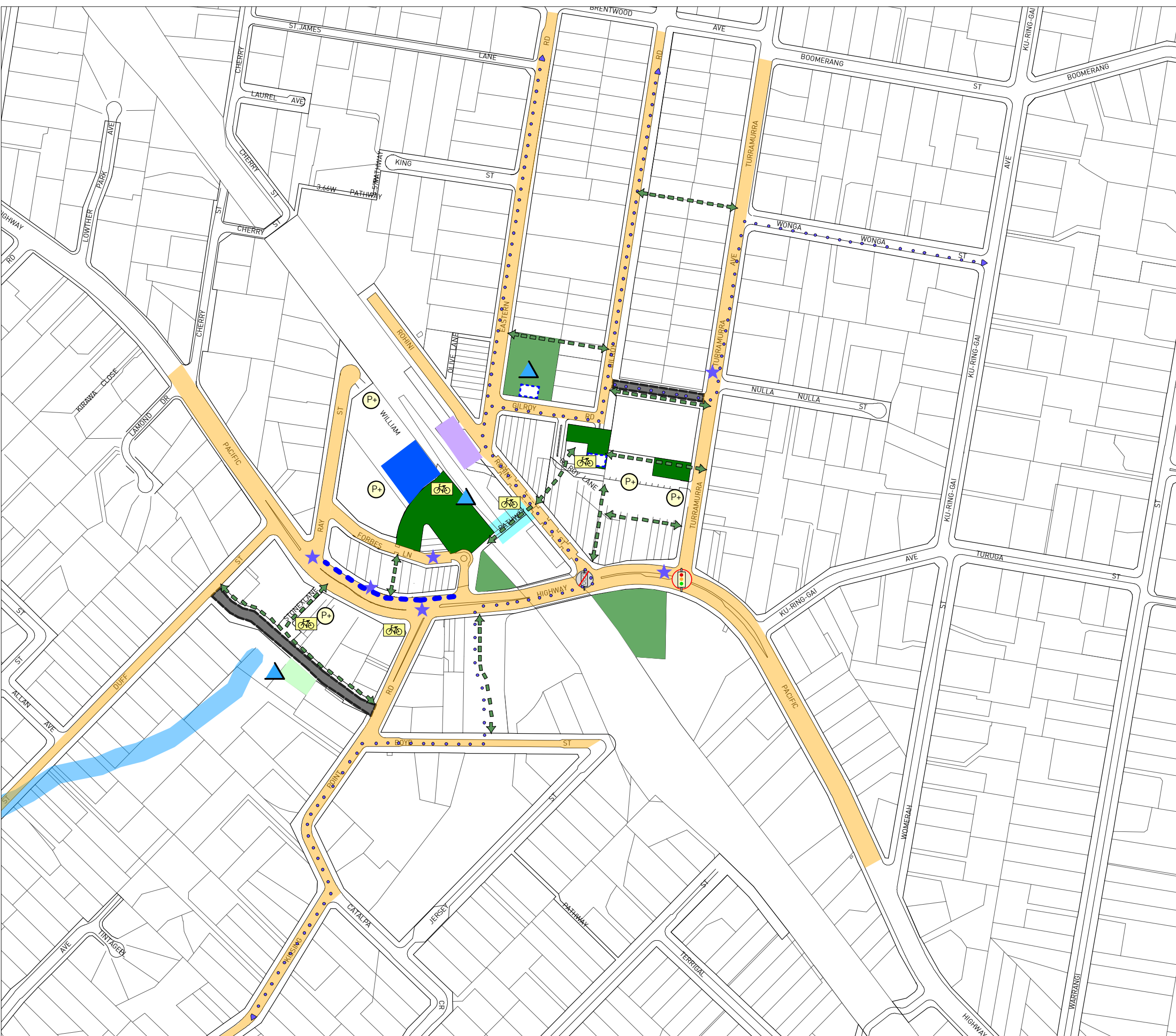
-  NEW AND/OR IMPROVED COMMUNITY FACILITIES
 RELOCATION OF EXISTING COMMUNITY FACILITIES

TRAFFIC

-  NEW SIGNALS
-  REMOVAL OF SIGNALS
-  NEW PEDESTRIAN ACTIVATED SIGNALS
-  NEW ROUNDABOUT
-  MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW
-  HIGHWAY WIDENING
-  NEW ACCESS ROADS

TRANSPORT

-  PARKING ADDED
-  PARKING RELOCATED
-  NEW BUS INTERCHANGE
-  NEW BUS STOPS
-  BICYCLE PARKING AND CYCLEWAY



Appendix A

Background information to this Plan

BEM Property Consultants Pty Ltd (2008), *Valuation / Consultancy Report - Ku-ring-gai Commercial Centres – Provision of Estimated Acquisition Costs for Targeted Land within the Draft Contributions Plan*, Valuation No. 08-1832, 14 March 2008

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Appendix B

**Apportionment worksheet for traffic
signals and intersections works**

Draft consequential changes to the 2004-2009 Contributions Plan to incorporate amended occupancy rates for a larger variety of dwellings to ensure both Contributions Plans utilise the same occupancy rates supported by recent research:

Table 3: SECTION 94 CONTRIBUTION RATES BY DWELLING SIZE , 2004-2009

Separate Houses	NO. PERSONS / DWELLING	ROSEVILLE	LINDFIELD	KILLARA	GORDON	ST IVES	PYMBLE	TURRAMURRA / WARRAWEE	WAHROONGA
Per Person		\$10,675.66	\$13,460.66	\$9,976.46	\$13,635.26	\$10,536.44	\$9,487.64	\$7,851.04	\$9,225.44
Bedsits and one bedroom dwellings	1.58	\$16,867.54	\$21,267.84	\$15,762.81	\$21,543.71	\$16,647.58	\$14,990.48	\$12,404.65	\$14,576.20
Two bedroom dwelling	1.91	\$20,390.51	\$25,709.86	\$19,055.04	\$26,043.35	\$20,124.61	\$18,121.40	\$14,995.49	\$17,620.60
Three bedroom dwelling	2.62	\$27,970.23	\$35,266.93	\$26,138.33	\$35,724.38	\$27,605.48	\$24,857.62	\$20,569.73	\$24,170.66
Four bedroom dwelling	3.25	\$34,695.90	\$43,747.15	\$32,423.50	\$44,314.60	\$34,243.44	\$30,834.84	\$25,515.89	\$29,982.69
Five+ bedroom dwelling	3.85	\$41,101.29	\$51,823.54	\$38,409.37	\$52,495.75	\$40,565.30	\$36,527.42	\$30,226.51	\$35,517.95
Seniors Living Dwellings	1.3	\$13,822.65	\$17,443.15	\$12,913.69	\$17,670.13	\$13,641.67	\$12,278.23	\$10,150.65	\$11,937.37
New Lot Subdivision	3.48	\$37,151.30	\$46,843.10	\$34,718.08	\$47,450.71	\$36,666.82	\$33,017.00	\$27,321.63	\$32,104.54

Medium Density Dwellings	NO. PERSONS / DWELLING	ROSEVILLE	LINDFIELD	KILLARA	GORDON	ST IVES	PYMBLE	TURRAMURRA / WARRAWEE	WAHROONGA
Per Person		\$10,675.66	\$13,460.66	\$9,976.46	\$13,635.26	\$10,536.44	\$9,487.64	\$7,851.04	\$9,225.44
Bedsit dwellings	1.0	\$10,675.66	\$13,460.66	\$9,976.46	\$13,635.26	\$10,536.44	\$9,487.64	\$7,851.04	\$9,225.44
One bedroom dwelling	1.17	\$12,490.52	\$15,748.97	\$11,672.46	\$15,953.25	\$12,327.64	\$11,100.54	\$9,185.72	\$10,793.77
Two bedroom dwelling	1.66	\$17,721.60	\$22,344.70	\$16,560.92	\$22,634.53	\$17,490.50	\$15,749.49	\$13,032.73	\$15,314.24
Three bedroom dwelling	2.07	\$22,098.62	\$27,863.57	\$20,651.27	\$28,224.99	\$21,810.44	\$19,639.42	\$16,251.66	\$19,096.67
Four+ bedroom dwelling	3.29	\$35,122.92	\$44,285.57	\$32,822.55	\$44,860.01	\$34,664.90	\$31,214.34	\$25,829.93	\$30,351.71

High Density Dwellings	NO. PERSONS / DWELLING	ROSEVILLE	LINDFIELD	KILLARA	GORDON	ST IVES	PYMBLE	TURRAMURRA / WARRAWEE	WAHROONGA
Per Person		\$10,675.66	\$13,460.66	\$9,976.46	\$13,635.26	\$10,536.44	\$9,487.64	\$7,851.04	\$9,225.44
Bedsit dwellings	1.04	\$11,102.69	\$13,999.09	\$10,375.52	\$14,180.67	\$10,957.90	\$9,867.15	\$8,165.08	\$9,594.46
One bedroom dwelling	1.22	\$13,024.31	\$16,422.01	\$12,171.28	\$16,635.02	\$12,854.46	\$11,574.92	\$9,578.27	\$11,255.04
Two bedroom dwelling	1.72	\$18,362.14	\$23,152.34	\$17,159.51	\$23,452.65	\$18,122.68	\$16,318.75	\$13,503.79	\$15,867.76
Three bedroom dwelling	2.06	\$21,991.86	\$27,728.96	\$20,551.51	\$28,088.64	\$21,705.07	\$19,544.54	\$16,173.15	\$19,004.41
Four+ bedroom dwelling	2.88	\$30,745.90	\$38,766.70	\$28,732.21	\$39,269.55	\$30,344.96	\$27,324.41	\$22,611.00	\$26,569.28

- 36.3 To convert these rates to a contribution per dwelling, the following bedroom occupancy rates have been derived from the SGS Economics and Planning Report: Ku-ring-gai Development and Demographic Forecasts.

Table 12: Average Occupancy Rates per Dwelling, Ku-ring-gai LGA

Dwelling Houses, Seniors Living and New Lot Subdivision	No persons/ dwelling⁶
Bedsit and 1 bedroom dwelling	1.58
2 bedroom dwelling	1.91
3 bedroom dwelling	2.62
4 bedroom dwelling	3.25
5 bedroom dwelling	3.85
SEPP (Seniors Living) Housing	1.3
New Lot Subdivision ⁷	3.48

Medium Density Dwelling Size	No persons/ dwelling⁸
Bedsit dwellings	1.00
1 bedroom dwelling	1.17
2 bedroom dwelling	1.66
3 bedroom dwelling	2.07
4+ bedroom dwelling	3.29

High Density Dwelling Size	No persons/ dwelling⁹
Bedsit dwellings	1.04
1 bedroom dwelling	1.22
2 bedroom dwelling	1.72
3 bedroom dwelling	2.06
4+ bedroom dwelling	2.88

⁶ Occupancy rates derived from the SGS Economics and Planning Report: Ku-ring-gai Development and Demographic Forecasts Final Report April 2008

⁷ Occupancy rates for new lot subdivisions based on average occupancy for 4 and 5 bedroom dwelling, being the typical size of dwellings constructed on new lots.

⁸ Occupancy rates derived from the SGS Economics and Planning Report: Ku-ring-gai Development and Demographic Forecasts Final Report April 2008

⁹ Occupancy rates derived from the SGS Economics and Planning Report: Ku-ring-gai Development and Demographic Forecasts Final Report April 2008

Ku-ring-gai Council

Exhibition Draft Planning Agreement Policy 2008

April 2008

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EXECUTIVE SUMMARY

Planning agreements are a mechanism for planning authorities and developers to negotiate outcomes in respect of applications to modify an environmental planning instrument (such as a Local Environmental Plan) or applications for development consent – especially development consents which give rise to development contributions. Planning agreements may specify how development contributions are to be implemented by a developer. Planning agreements may also authorise development contributions for a variety of public purposes which may go beyond contributions that would be possible under a Section 94 Development Contributions Plan. They must be publicly advertised and submissions from the public may be made and must be considered.

Importantly, planning agreements must be voluntary. No party can be compelled to enter into a planning agreement.

Planning agreements are one mechanism Ku-ring-gai Council intends to use to implement the public domain works and community infrastructure associated with the *Ku-ring-gai Town Centres Development Control Plan*, to implement the *Ku-ring-gai Town Centres Draft Development Contributions Plan* and to assist in the orderly development of Council owned land.

By way of example, a planning agreement would be appropriate where the *Ku-ring-gai Town Centres Development Control Plan* identifies a new road to be located on or through a development site, where that site has been purchased or optioned by a developer and is expected to be the subject of a formal development application in the foreseeable future. In such circumstances, the planning agreement would make provision for the negotiated value of the land (valued by a registered valuer taking into account the unique characteristics of the land) to be off set against the monetary contributions attributable to that development. The planning agreement may also make provision for the developer to construct the road and any associated intersection works or it may make provision for the council to complete the road at such time as further land comes into Council's ownership. If the planning agreement makes provision for the road construction to be undertaken by the developer then the planning agreement would include Council's specifications, reference to detailed designs, Council's requirements for formal inspections during the course of the work, defects liability periods, security by bond or bank guarantee and the like.

This document provides an overview of the legislative requirements for negotiating planning agreements¹ and the procedures which Council intends to follow in the negotiation of a planning agreement.

¹ Nothing in this policy is to be taken as superseding or obviating any legislative requirement whether made prior or subsequent to the adoption of this policy; the legislation shall always prevail to the extent of any discrepancy.

1 INTRODUCTION

1.1 Name of this Policy

This Policy is called the 'Ku-ring-gai Council Planning Agreement Policy 2008.'

It details Ku-ring-gai Council's policy and procedures relating to the preparation of planning agreements under s93F of the *Environmental Planning and Assessment Act 1979*.

1.2 Commencement Date

This policy came into effect on [INSERT DATE].

1.3 Purpose

The purpose of this policy is:

- 1) to guide the preparation and negotiation of planning agreements for the provision of public benefits as part of applications for development and/or rezoning in Ku-ring-gai;
- 2) to facilitate the achievement of public benefits such as public domain improvements and community facilities identified in Development Control Plans, Development Contributions Plans and other plans and policies of the Council as part of the development process in the Ku-ring-gai Local Government Area; and/or
- 3) to facilitate improvements to the street vitality, amenity and economic viability of commercial centres within the Ku-ring-gai Local Government Area.

1.4 Objectives

The objectives of this Policy are:

- a) the timely instigation of negotiations between a developer or prospective developer, Ku-ring-gai Council and, if required, any other relevant party;
- b) to ensure transparency in the process of negotiating a planning agreement;
- c) to safeguard the public interest with respect to the provision of public benefits; and
- d) the effective and efficient achievement of quality public benefits associated with development.

1.5 Circumstances in which this Policy applies

This Policy applies within the Ku-ring-gai Local Government Area:

- a) in circumstances where a developer proposes to provide a public benefit as part of the development process whether or not that benefit will be on public or private land and whether or not that benefit is valued by a Contributions Plan;

- b) in circumstances where council owned land is proposed to be incorporated as part of any development site other than the direct sale of a parcel of land in its entirety; and
- c) any other circumstances where Council considers it desirable to have a planning agreement.

1.6 Legislation

The following legislation applies to the negotiation of a planning agreement:

- *Environmental Planning and Assessment Act 1979* – Part 4 Development Assessment Division 6 Development Contributions Subdivision 2 Planning Agreements – Sections 93F-93L
- *Environmental Planning and Assessment Regulation 2000* – Division 1A Planning Agreements – Clauses 25B-25H
- *Local Government Act 1993*

1.7 Relationship to other Plans and Policies

The following documents also apply to the negotiation of a planning agreement:

- *Ku-ring-gai Section 94 Contributions Plan 2004-2009 (as amended)*
- *Ku-ring-gai Section 94 Contributions Plan for the Town Centres (draft)*
- *Ku-ring-gai Town Centres Development Control Plan*
- Any other plans and policies as determined in the circumstances of the request.

1.8 Development Contributions Practice Notes

This policy has been prepared having regard to the Development Contributions Practice Notes issued by the Department of Planning (then known as the Department of Infrastructure, Planning and Natural Resources).

1.9 Variations to the Policy

Variations to the recommendations of this Policy may be permissible if, in the opinion of the Council, the objectives of the Policy have been met. A written statement and any other supporting information that details how this has been achieved must be provided to Council.

2 DEFINITIONS

Act means the *Environmental Planning and Assessment Act 1979*.

Affordable Housing has the same meaning as in the Act.

Consent Authority means Ku-ring-gai Council, its heirs or successors, or any public body or panel which may be authorised to exercise the particular local government functions in respect of the land on which the planning agreement is proposed to be made.

Developer means a person who has sought a change to an environmental planning instrument or who has made, or proposes to make, an application for development consent.

Development Application has the same meaning as in the Act.

Development Contribution means the payment of a monetary contribution, the dedication of land, the carrying out of a work-in-kind, the provision of a material public benefit or any combination of the above in part or full satisfaction of a requirement occasioned by an application to develop land.

Explanatory Note means a written statement associated with a draft planning agreement in accordance with clause 35E of the Regulation.

Instrument change means a change to an environmental planning instrument to enable a development application to be made to carry out development the subject of a planning agreement.

Material Public Benefit means a work not identified in or valued by a Development Contributions Plan and proposed to be offset against any development contributions required as a consequence of the development of a site.

Planning Authority means Ku-ring-gai Council, its heirs or successors, or any public body which may be authorised to exercise the particular local government functions in respect of the land on which the planning agreement is proposed to be made.

Planning Agreement means an agreement negotiated and made in accordance with the *Environmental Planning and Assessment Act 1979* (Part 4 Development Assessment Division 6 Development Contributions Subdivision 2 Planning Agreements) and the *Environmental Planning and Assessment Regulation 2000* (Part 4 Development Contributions Division 1A Planning Agreements).

Planning benefit means a development contribution that confers a nett public benefit being a benefit that exceeds anything required to be done to address the impacts of a particular development on surrounding land or the wider community.

Public includes a section of the public.

Public benefit means a facility or work which provides a direct benefit to the public beyond the inhabitants of the proposed development.

Public facilities mean public infrastructure, facilities, amenities or services.

Public domain means any area outside the private domain.

Public purpose means the provision of, or recoupment of the cost of providing, public amenities and public services, affordable housing, transport or other infrastructure and may include recurrent expenditure, the costs of monitoring impacts of a development, the conservation or enhancement of the natural environment and any like purpose.

Regulations mean the *Environmental Planning and Assessment Regulation 2000*.

Works in Kind means a work identified in and valued by a Development Contributions Plan and proposed to be offset against monetary contributions.

3 WHAT MUST A PLANNING AGREEMENT CONTAIN?

3.1 Mandatory inclusions

A planning agreement must be in writing and signed by all of the parties to the agreement. A planning agreement is not entered into until it is signed. Ku-ring-gai Council must comply with Section 93F of the *Environmental Planning and Assessment Act* which requires planning agreements to include provisions specifying:

- a) a description of the land to which the agreement applies;
- b) a description of the change to the environmental planning agreement, or the development, to which the agreement applies;
- c) the nature and extent of the development contributions to be made by the developer under the agreement, and when and how the contributions are to be made;
- d) whether the agreement excludes (wholly or partly) the application of s94 or s94A to the subject development;
- e) if the development does not exclude the application of s94 to a development, whether benefits under the agreement may or may not be considered by the consent authority in determining a contribution in relation to that development under s94;
- f) a dispute resolution mechanism; and
- g) the enforcement of the agreement by a suitable means, such as the provision of a bond or bank guarantee, in the event of a breach by the developer.

Before a draft planning agreement may be exhibited, it must be accompanied by an Explanatory Note agreed upon by all the parties to the draft planning agreement.

3.2 General Inclusions

Ku-ring-gai Council may require a planning agreement to include additional clauses such as:

- the date or circumstances at which time a planning agreement may come into effect.²
- the application of the goods and services tax to the agreement;
- whether money contributed under a planning agreement may be pooled with other money from planning agreements and/or monetary development contributions and paid progressively towards for the purposes for which the money has been levied;
- the circumstances in which a developer's obligations may be modified which may include material changes to the planning controls applying to the land, material changes to the development consent applying to the land, the lapsing of a development consent, the revocation or modification of a relevant development consent by the Minister, or other material changes affecting the operation of the planning agreement;
- the circumstances in which a developer's obligations shall be considered to be discharged;
- the procedure for modifying a planning agreement;

² Clause 25C(2) permits a planning agreement to specify that the planning agreement does not come into effect until the happening of certain particular events.

- clauses related to the specific nature of the land dedication, monetary contributions, recurrent funding, material public benefits or works of the types listed in Part 6 of this Policy; and
- any other clauses as may be required in the circumstances of the negotiation.

3.3 Other inclusions

The *Environmental Planning and Assessment Act* does not preclude a planning agreement from including other provisions that may be necessary or desirable in the circumstances of the cases with the exception of the specified exclusions cited in 3.4 and 3.5 below. Planning agreements have the potential to be used in a wide variety of planning circumstances and achieve a variety of planning outcomes. Accordingly, it is not appropriate for Ku-ring-gai Council to seek to limit the potential scope of a planning agreement in this context.

More detail on the types of considerations which would be incorporated in planning agreements for different purposes are listed in Part 6 of this Policy. A generic planning agreement template can be found at Attachment A.

3.4 Exclusions – No Fetter

Section 93F(9) precludes a planning agreement from imposing an obligation on a planning authority to grant development consent or to exercise a function under the *Environmental Planning and Assessment Act* in relation to a change to an environmental planning instrument.

3.5 Exclusions – Breach of the Act

Section 93F(10) provides that a planning agreement is void to the extent, if any, to which it authorises anything to be done in breach of the Act or any environmental planning instrument or development consent applying to the land to which the agreement applies.

4 PLANNING AGREEMENTS AND OTHER PLANNING PROCESSES

4.1 Public Notice of Planning Agreements

Section 93G(1) of the Act precludes a planning agreement from being entered into, amended or revoked unless public notice is given of the proposed agreement, amendment or revocation. The accompanying exhibition must include the draft planning agreement and an explanatory note.

Clause 25D of the *Environmental Planning and Assessment Regulation* makes provision for public notice to be given of a proposal to enter into an agreement, amend or revoke a planning agreement. The practical application of this clause means that a draft planning agreement should be negotiated prior to the submission of a development application to allow for concurrent exhibition of the draft planning agreement and the development application.

The statutory exhibition period for a draft planning agreement is 28 days.

4.2 Planning Agreements and Development Assessment

Section 79C(1)(a) of the Act requires a consent authority to take into consideration any planning agreement entered into, or draft planning agreement proposed to be entered into, by a developer together with any submissions made in response to the exhibition of the planning agreement or draft planning agreement.

Section 93I(2) of the Act precludes a consent authority from refusing to grant consent on the grounds that a planning agreement has not been entered into in relation to the proposed development or that the developer has not offered to enter into a planning agreement.

4.3 Planning Agreements and Consent conditions

Section 93I(3) of the Act authorises a consent authority to require a planning agreement to be entered into as a condition of a development consent. However, a consent condition can only require a planning agreement if it is in the terms of an offer made by the developer as part of making the development application.

The practical import of this requirement means that the draft planning agreement must be exhibited concurrently with the public notification of the development application. The draft planning agreement must be ready for execution at the time of development consent in order to enable a condition of consent referring to the draft planning agreement to be part of that development consent.

The importance of incorporating the planning agreement within the development consent arises from the need to address potential GST liability otherwise attached to the planning agreement. In view of the complexity of the legislation, specific GST issues will be considered afresh with each and every planning agreement proposed to be negotiated.

4.4 Planning Agreements and Contributions Plans

Following the execution of a planning agreement, that planning agreement will then take precedence over any reference in a Contributions Plan, including a subsequent Contributions Plan, adopted by Ku-ring-gai Council, its heirs or successors.

5 ADMINISTRATION

5.1 Registration of Planning Agreements (Caveats)

Section 93H of the Act permits a planning agreement (or any amendment or revocation of a planning agreement) to be registered on the title of the land to which the planning agreement relates if each person with an interest in the land agrees to its registration. If a planning agreement has been so registered, it is binding on, and enforceable against, the owner of the land as if that owner had entered into the planning agreement.

It is the policy of Ku-ring-gai Council to have all planning agreements registered on the title of the land until the responsibilities listed therein have been discharged. The cost of the registration shall be borne by the developer.

Council may also make notation under s149(5) of the Act about a planning agreement on any certificate issued under s149(2) of the Act relating to the land which is the subject of a planning agreement whether or not the planning agreement has been registered on the title of the land.

5.2 Land and Environment Court

Section 93J(1) of the Act expressly precludes a person from appealing to the Land and Environment Court against the terms of a planning agreement or against the failure of a planning authority to enter into an agreement. There is a core principle that a planning agreement must be made voluntarily on both sides therefore, once voluntarily entered into, there are no appeal rights. This does not affect the jurisdiction of the Land and Environment Court under section 123 of the Act to remedy or restrain a breach of the Act.

5.3 Amendment and Revocation of Planning Agreements

Clause 25C(3) of the *Environmental Planning and Assessment Regulation* provides that a planning agreement can be amended or revoked by a further agreement or, with the agreement of all parties, by the advertising of an intent to revoke and the execution of a revocation.

5.4 Planning Agreement Register

Council is required to keep a register of planning agreements applying to land within the local government area, whether or not the Council is a party to the agreement. The register must record the date an agreement was entered into and a short description of the agreement, including any subsequent amendments.

Ku-ring-gai Council will make available for public inspection during ordinary office hours:

- the planning agreement register;
- copies of all planning agreements (and any amendments) that apply within the Ku-ring-gai Local Government Area; and
- copies of explanatory notes relating to those agreements (including any amendments).

6 PLANNING AGREEMENTS

6.1 Ku-ring-gai Council's Objectives for Planning Agreements

Ku-ring-gai Council's objectives with respect to the role of planning agreements include:

- a) to provide an innovative and flexible approach to the provision of infrastructure in compliance with the legislation in an open and transparent manner;
- b) to facilitate the payment of contributions in kind;
- c) to provide clarity in the process and delivery of works in kind or material public benefits;
- d) to give all stakeholders in the development involvement in determining the nature, standard and location of public facilities and public benefits;
- e) to allow the community, through the public exhibition process, to gain an understanding of the process of negotiating the provision of public benefits in kind; and

- f) to provide certainty for the community, developers and the council in respect to the provision of infrastructure and development outcomes.

6.2 Fundamental principles of Planning Agreements

Planning agreements provide a means for planning authorities and developers to negotiate the provision of public benefits in connection with a development application or application for a rezoning. There are fundamental principles relating to probity and best practice in the negotiation of planning agreements. These include, but are not limited to:

- the underlying principle that the public interest is paramount in the negotiation of a planning agreement;
- planning agreements must be voluntary on both sides;
- planning decisions cannot be bought or sold and therefore there can be no fetter on a local government authority in the exercise of their planning functions;
- for the reasons cited above, benefits that have no relationship to the development are not encouraged;
- the type of benefits that generally could be included in a planning agreement are works of the type that appear in the works schedules of Council's adopted Contributions Plans, public domain works in the Town Centres Development Control Plan, affordable housing, recurrent funding for a public purpose and bushland regeneration;
- that benefits offered by a developer will not render an otherwise unacceptable development in planning terms, anything other than unacceptable unless the purpose of the benefits is to directly mitigate an unacceptable impact e.g. traffic generation, emissions, etc;
- the recognition of the need for transparency including the opportunity for public comment on a draft planning agreement;
- planning authorities should not use planning agreements to engage in revenue raising or overcome particular spending limitations;
- planning authorities should not allow the interests of individuals or an interest group to outweigh the public interest when considering planning agreements;
- planning authorities should not improperly rely on their statutory position to exact unreasonable public benefits; and
- where Council has a commercial stake in land or the development the subject of an agreement, it will take all reasonable steps to ensure that it avoids a conflict of interest between its role as a planning authority and its interests in the development or land. In this respect Council shall have regard to its *Statement of Business Ethics* and the publication from the Independent Commission Against Corruption (ICAC) entitled: *Direct Negotiations – Guidelines for managing risks in direct negotiations*.

6.3 When is a planning agreement required?

The circumstances in which Ku-ring-gai Council would consider negotiating a planning agreement with a developer include:

- a) meeting the demands created by the development for new public infrastructure, amenities and services;

- b) compensating for the loss of or change to a public facility, amenity or service, resource or asset;
- c) securing planning benefits for the wider community so that the development delivers a nett benefit to the community;
- d) achieving benefits of a type that cannot be sought through formal contributions plans such as recurrent funding, affordable housing, or regeneration or rehabilitation of bushland or the like;
- e) achieving works which were excluded from contributions plans for the purpose of achieving a reasonable contribution rate;
- f) clarifying the relationship between development contributions under an adopted contributions plan and the works to be provided on any given development site; and
- g) specifying the standards to be met in the provision of works in kind or the provision of a material public benefit;

Note: Ku-ring-gai Council intends to request a developer to commence negotiation of a planning agreement where there is any proposal to dedicate land and/or carry out works-in-kind included in a Development Contributions Plan and/or provide a material public benefit whether or not it is of the kind identified in a Development Control Plan.

Clause 25D(1) of the *Regulations* requires a draft Planning Agreement to be exhibited concurrent with a Development Application or an application to modify an Environmental Planning Instrument. In order to satisfy these criteria, a prospective applicant needs to notify the Council of their intent to negotiate a planning agreement prior to the lodgement of any Development Application or concurrent with any application to modify an Environmental Planning Instrument.

6.4 Land Dedication and Planning Agreements

A planning agreement may make provision for the dedication of land. In the case of land identified within a Contributions Plan, the estimated value of land that is identified in that Contributions Plan will be given due consideration. This consideration is essential as the initial estimated value contributed to determining the contribution rates. However, there are other matters that may impact on the agreed value of land.

In all cases, the agreed value of the particular parcel of land will be negotiated as part of the planning agreement. Council will employ a registered valuer and will instruct that person to take into account the unique characteristics of the property and the circumstances of the dedication which may include:

- the extent, if any, to which any development potential attaching to that part of the land to be dedicated can be incorporated elsewhere within the development;
- whether the land proposed to be dedicated has been identified by Ku-ring-gai Council in any Development Control Plan, Development Contributions Plan or other policy of the Council;
- the location, configuration, size, accessibility, topography and existing use of the land proposed to be dedicated;
- whether the land is located in or adjacent to a riparian corridor or bushfire prone land;
- whether the land adjoins an existing area of open space and can be consolidated into that area;

- whether the land will create or improve accessibility within the area whether by pedestrians, cyclists, private vehicles, public transport or any combination of these;
- whether the land supports the habitat of threatened or endangered species of fauna or endangered ecological communities of flora;
- any factors which may affect the usability of the land such soil condition, flood liability, potential site contamination, public accessibility and safety, proximity to existing uses, the current use of the land, the cost of embellishment or construction of any proposed facility on the land;
- the potential to carry out works within a reasonable time and, as a consequence, any measures required to secure or maintain the land in the event that works cannot be carried out for some time;
- in the case of a material public benefit not anticipated by a Contributions Plan and proposed to be offset against monetary contributions, the impact on the achievement of works identified within any adopted Contributions Plan of the Council;
- the on-going costs to the Council of care, control and management both prior to and after any improvement works are carried out on the land; and
- any other relevant matter in the circumstances of the case.

Where a planning agreement relates to the acquisition, transfer or disposal of land valued in accordance with the criteria above, the planning agreement will include:

- particulars to identify the land to be dedicated or a plan of subdivision;
- the dimensions, location and characteristics of the land to be dedicated;
- either the agreed value of the dedication or the conditions and/or requirements that will be deemed to be satisfied by the dedication; and
- the date at which the transfer of ownership will take place or the threshold which will trigger the requirement to transfer ownership of the land.

Following execution of a Planning Agreement the agreed value will be as per the planning agreement regardless of any subsequent change in land value including a change in value between the execution of the planning agreement and the transfer of land ownership. If a planning agreement provides that a specified land dedication satisfies a required contribution or consent condition without specifying a land value that agreement will stand regardless of whether relative changes in land value or contribution rates alter the value of that agreement to either party unless the planning agreement is formally amended by mutual agreement.

6.5 Capital Works and Planning Agreements

A planning agreement may make provision for a developer to carry out work on land to be dedicated and/or in the public domain. Council will instruct a qualified quantity surveyor to verify all cost estimates submitted by the developer as part of the negotiation process. The planning agreement will specify the particulars of the work and the procedure for satisfying any requirements in carrying out of the work taking into account the unique characteristics of the property and the circumstances of the work which may include:

- requirements and specifications for detailed design plans for future approval or specific references to endorsed plans;
- public liability insurance during construction and during the defects liability period;

- requirements for inspections by council prior to and during the course of construction including the notice to be given in order to arrange such an inspection;
- requirements for the commencement of handover proceedings;
- details of the defects liability period;
- security such as bonds or bank guarantees to be held during the course of construction and during the defects liability period;
- access for council officers during the course of construction to ascertain progress or to assess asset value; and
- any other matter relevant to the securing the public interest in the achievement of a quality public benefit.

6.6 Monetary Contributions and Planning Agreements

A planning agreement may make provision for monetary contributions other than contributions required under an adopted and in force Section 94 or Sections 94A Development Contributions Plan. In such circumstances the planning agreement will include:

- the amount of the monetary contribution;
- the purpose and extent of the monetary contribution;
- when such contributions are to be paid;
- in the case of staged payments, the nature of the staging or the dates or thresholds at which times payments are to be made;
- any mechanisms for the inflation of the monetary contribution over time;
- details of any security that is to be provided in lieu of the monetary contribution until such time as it becomes due and payable;
- circumstances in which contribution would be renegotiated or revoked;
- the obligations of council to expend the monetary contributions;
- in the case of contributions that require additional funding from council and/or other sources in order to achieve the ultimate objective, the process for managing and accounting for the contributions until such time as they can be expended including the investment of the contributions and the treatment of interest; and
- any other matter relevant to the securing the public interest in the management and expenditure of additional monetary contributions.

Monetary contributions required by a standard condition of consent in accordance with an adopted contributions plan will not normally be specifically referenced in a planning agreement except to the extent that the planning agreement must clarify the relationship of the planning agreement to any contributions which may be required as a consequence of granting a consent on land to which a planning agreement will apply.

6.7 Recurrent Costs and Planning Agreements

A planning agreement may make provision for the funding of recurrent costs associated with a public benefit. In such circumstances the planning agreement will include:

- the specific purpose of the recurrent funding;
- the nature and extent of the recurrent funding;
- the time period over which the funding shall be provided;
- any mechanisms for the inflation of the recurrent funding;
- the heads of consideration for any endowment fund or trust that may be required to be established to manage the recurrent funding;
- circumstances in which funding would be renegotiated or revoked; and
- any other matter relevant to the securing the public interest in the achievement of an on-going public benefit.

6.8 Affordable Housing and Planning Agreements

A planning agreement may make provision for the development and future management of affordable housing. In such circumstances the planning agreement will include:

- a definition of affordable housing for the purposes of the planning agreement;
- if not in perpetuity or the life of the construction then the time period over which such housing is to meet the definition of affordable housing;
- provisions for the future management of the affordable housing; and
- criteria for assessment of future tenants or reference to another policy of the Council which specifies such criteria;
- the mechanism for ensuring the housing remains available as affordable housing;
- any other matter relevant to the securing the public interest in the achievement of affordable housing.

6.9 Other Matters for Planning Agreements – Bushland

A planning agreement may make provision the rehabilitation, restoration, regeneration and/or conservation of any natural area. In such circumstances the planning agreement will include:

- a description of the site including location, configuration, size, accessibility, topography and existing land use;
- the nature and extent of the works to be carried out;
- a map of the site identifying the area where the works are to be carried out;
- an assessment of the ecological value of the site in the context of the proposed works;

- reference to a plan of management for the proposed works (initial and on-going);
- reference to a Species Impact Statement if necessary in the circumstances of the matter;
- the mechanism by which the land will be protected in the future; and
- any other matter relevant to the securing the public interest in the achievement of natural area management.

6.10 Costs

A Planning Agreement will make provision for the legal and administrative costs of preparing that Planning Agreement. In the event of particularly complex matters requiring Council to employ external experts, Council may require formal agreement concerning the distributions of costs prior to the commencement of negotiations.

A planning agreement will specify that other costs related to the core purposes of the planning agreement such as detailed landscape and architectural designs will be borne by the developer. A planning agreement may make provision in respect of any other costs. A planning agreement may also make provision for Council's cost for the monitoring and enforcing of the planning agreement to be borne by the developer.

6.11 Goods and Services Tax (GST)

In view of the complexity of the legislation, specific GST issues will be considered afresh with each and every planning agreement proposed to be negotiated.

7 PROCEDURES

7.1 Process for Planning Agreements

In the case of a development application, a developer must approach Ku-ring-gai Council *before* lodging a development application. Council and the developer must consider whether there are other parties that should be involved. Such parties would normally include the owner of the land if the developer is not the owner. The planning agreement is then negotiated in accordance with the matters for consideration in this Policy.

The draft planning agreement will be documented and the parties will agree on the terms of the accompanying explanatory note required by the *Environmental Planning and Assessment Regulation*. The developer will then lodge an application with the council or other relevant authority accompanied by the draft planning agreement and explanatory note. The application must clearly record the offer to enter into a planning agreement. Assessment will follow the standard procedures of council including consultation with other public authorities.

The draft planning agreement and explanatory note will be advertised concurrent with the application in accordance with the Act and Regulation. Any person may make submissions and Council is bound to consider them.

The application will be determined and, as far as relevant, the draft planning agreement and any submissions in respect of the draft planning agreement will be given consideration during that process. If the application is a development consent, a condition may be included requiring the planning agreement to be entered into but only in the terms of the offer by the developer in the draft planning agreement. The Council, or other planning authority, would resolve to execute the planning agreement at the time approval of the application is also resolved.

The executed planning agreement would then be registered on the title of the land the subject of the planning agreement binding all heirs and successors until the discharge of the developer's obligations under the planning agreement. Note that the planning agreement may contain a clause indicating specific circumstances in which it would become active.

7.2 Negotiation Procedures

Ku-ring-gai Council will delegate the appropriate authority to a council officer, or group of officers, to negotiate a planning agreement on behalf of the Council. Councillors will not be involved in the negotiation of a planning agreement.

If Council has a commercial interest in the subject matter or site of a planning agreement as a landowner, developer or financier, the Council will ensure that the Council officer who assesses the application to which the planning agreement relates is not the same person, or a subordinate of the person, who negotiated the planning agreement on behalf of Council.

Council may, at its absolute discretion, involve an independent third party to facilitate or participate in the negotiations particularly in the following circumstances:

- where council has a commercial interest in the property the subject of a planning agreement;
- where the size or complexity of the project or the number of stakeholders is such that the negotiation would benefit from the presence of an independent facilitator;
- where sensitive financial or confidential information must be verified or established in the course of negotiations;
- for probity reasons; or
- as part of a dispute resolution;

A planning agreement may make provision for the costs of the independent party to be borne by the developer.

7.3 Probity Test

Ku-ring-gai Council will apply the following probity tests to all planning agreements:

Is the proposed planning agreement directed towards a proper or legitimate planning purpose ordinarily ascertainable from the statutory planning controls and other adopted planning policy applying to development and the circumstances of the case?

Does the proposed planning agreement provide for public benefits that bear a relationship with the development?

Will the proposed planning agreement produce outcomes that meet the general values and expectation of the public and protect the overall public interest?

Does the proposed planning agreement conform to the fundamental principles governing Council's use of planning agreements as expressed in this policy?

Are there any relevant circumstances that may operate to preclude the Council from entering into the proposed planning agreement?

If Council has a commercial interest in the land the subject of a planning agreement, was the process of negotiating the planning agreement undertaken in a separate Department to the Department responsible for the assessment of the development application or the amendment to the relevant environmental planning instrument?

8 GENERAL MATTERS

8.1 Council Contact

Persons making enquires regarding this Policy are advised to contact Ku-ring-gai Council's Customer Service Centre on 9424 0000.

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APPENDICES

Appendix A: Sample Draft Planning Agreement Template

Appendix B: Sample Explanatory Note

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Appendix A: Sample Draft Planning Agreement Template

Planning Agreement

Parties to the Agreement

1. **KU-RING-GAI COUNCIL** of 818 Pacific Highway, Gordon, New South Wales, 2072 (**Council**); and
2. **[INSERT THE NAME AND THE ADDRESS OF THE DEVELOPER]** (**Developer**)
3. **[INSERT NAME AND ADDRESS OF ANY THIRD PARTY TO THE AGREEMENT E.G. THE MINISTER OR DELETE AS APPLICABLE]** (**Identify a short title for use in this agreement**)

Background

[DEVELOPMENT APPLICATIONS/DELETE FOR A CHANGE TO AN EPI]

- A. On [INSERT DATE] the Developer [MADE/AUTHORISED TO BE LODGED] a Development Application [TO/WITH] the Council to carry out the Development on the Land.
- B. That Development Application was accompanied by an offer by the Developer to enter into this Agreement to make Development Contributions towards the Public Facilities identified in this agreement if that Development Consent was granted.
- C. The Developer is the owner of the Land / has entered into a Contract for Sale of Land dated [INSERT DATE] for the purchase of the land / has an option to purchase the land the subject of this agreement dated [INSERT DATE]. [DELETE AS APPLICABLE]

[CHANGES TO AN ENVIRONMENTAL PLANNING INSTRUMENT/DELETE FOR A DA]

- A. On [INSERT DATE] the Developer made an application to the Council for the Instrument Change specified in this Agreement for the purposes of making a Development Application to the Council for Development Consent to carry out the Development on the Land.
- B. That Instrument Change application was accompanied by an offer by the Developer to enter into this Agreement to make Development Contributions towards the Public Facilities identified in this agreement if that Development Consent was granted.
- C. The Instrument Change was published in the NSW Government Gazette No. [INSERT NUMBER] on [INSERT DATE] and took effect on [INSERT DATE].

- D. On [INSERT DATE] the Developer [MADE/AUTHORISED TO BE LODGED] a Development Application [TO/WITH] the Council to carry out the Development on the Land.
- E. The Developer is the owner of the Land / has entered into a Contract for Sale of Land dated [INSERT DATE] for the purchase of the land / has an option to purchase the land the subject of this agreement dated [INSERT DATE]. [DELETE AS APPLICABLE]

Operative Provisions

1 Planning Agreement Under The Act

The parties agree that this Agreement is a Planning Agreement governed by subdivision 2 of Division 6 of Part 4 of the Act.

2 Application of this Agreement

This Agreement binds the parties and applies to the Land [SPECIFY THE LAND TO WHICH THE PLANNING AGREEMENT RELATES] and [SPECIFY THE DEVELOPMENT TO WHICH THE PLANNING AGREEMENT RELATES].

3 Operation of this Agreement

This Agreement takes effect ON EXECUTION OF THIS AGREEMENT / ON THE OCCURRING OF A SPECIFIC EVENT [TO BE SPECIFIED EG THE GRANTING OF CONSENT]

4 Definitions and Interpretation

4.1 Definitions

In this Agreement, the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979* (NSW) (as amended).

Completion means the stage in the construction of the works the subject of this agreement when, in the opinion of Council, the works are substantially complete except for minor omissions and minor defects which do not preclude the works from being reasonably capable of being used for their intended purpose(s).

Construction Certificate has the same meaning as in the Act.

Construction Costs means the construction cost of the works the subject of this Planning Agreement determined by the Council.

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

Dedicated Land means the land specified this Planning Agreement [INSERT REFERENCE] to be dedicated to the Council free of cost in accordance with this Agreement.

Defects Liability Period means the period 12 months from the date on which the works the subject of this agreement reach Completion.

Development means [SPECIFY THE NATURE OF THE DEVELOPMENT ASSOCIATED WITH THIS PLANNING AGREEMENT]

Development Application means the development application identified in this Planning Agreement including all modifications made under section 96 of the Act and includes all plans, reports, models, and other supplementary information submitted to the consent authority and pertaining to the determination of that Development Application.

Development Consent means the consent granted by the Council to the Development Application for the Development identified in this Planning Agreement including all modifications made under section 96 of the Act.

Development Contribution means the sum of the Monetary Contribution, Dedicated Land or other Public Benefits (including, without limitation, the works the subject of this Agreement) including any combination of the above.

GST has the same meaning as in the GST Law.

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* and any other Act or regulation relating to the imposition or administration of the GST.

Guarantee means an unconditional bank guarantee, unlimited in time, issued by a bank licensed to carry on business in Australia that:

- (a) is in favour of the Council;
- (b) for the Guarantee Amount; and
- (c) on such other terms and conditions the Council may approve from time to time.

Guarantee Amount means the amount specified in this Planning Agreement as varied from time to time in accordance with this Agreement.

Instrument Change means [INSERT REFERENCE TO THE SPECIFIC CHANGE WHICH RELATES TO THIS PLANNING AGREEMENT]

Land means the land identified in this Planning Agreement by reference to Lot and DP, given address and any other identifying particulars being the land the subject of this Planning Agreement.

Monetary Contribution means the amount set out in this Planning Agreement [INSERT REFERENCE] (indexed in accordance with [INSERT REFERENCE TO THE CLAUSE IN THIS AGREEMENT] to be paid by the Developer to the Council in accordance with this Agreement.

Occupation Certificate has the same meaning as in the Act.

Party means a party to this agreement, and includes their successors and assigns.

Public Benefits means the public benefits identified in this Planning Agreement [INSERT REFERENCE] which are to be provided as a result of this Planning Agreement.

Quantity Surveyor means a duly qualified quantity surveyor of at least five (5) year's experience in the assessment of building material and construction costs.

Quantity Surveyor Assessment means an assessment by an independent Quantity Surveyor of the Construction Cost to the reasonable satisfaction of the Council.

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Works means the works identified in the sections 8, 9 and 10 of this agreement and any attachments referred to therein.

4.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement.
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (f) A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.

- (h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other gender.
- (k) References to the word 'include' or 'including' are to be construed without limitation.
- (l) A reference to this Agreement includes the agreement recorded in this Agreement.
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.
- (n) Any schedules and attachments form part of this Agreement.
- (o) Unless otherwise specified in this Planning Agreement, a word defined in the Act has the same meaning in this Agreement.

5 Development Contributions to be made under this Agreement

5.1 Payment of Monetary Development Contributions

- (a) The Developer agrees to pay to the Council [SPECIFY PAYMENT OPTIONS E.G. CASH, BANK CHEQUE] the monetary contribution under specified IN THIS AGREEMENT / THE CONSENT CONDITION SPECIFIED IN THE DEVELOPMENT CONSENT [DELETE AS APPLICABLE] prior to release of the first Construction Certificate issued in respect of the Development Consent.
- (b) The amount payable is to be indexed in accordance with the methodology stated IN THIS AGREEMENT / THE CONSENT CONDITION SPECIFIED IN THE DEVELOPMENT CONSENT [DELETE AS APPLICABLE].

6 Application of Development Contributions

6.1 Application of Development Contributions under Section 94 of the Act

The contributions are to be applied to the works specified in the relevant Development Contributions Plan(s) consistent with the priorities and estimated staging stated in that Development Contributions Plan(s).

6.2 Applications of Development Contributions under this agreement

[SPECIFY HOW AND WHEN MONETARY CONTRIBUTIONS ARISING AS A RESULT OF THIS AGREEMENT WILL BE EXPENDED BY THE COUNCIL]

7 Application of s94 and s94A of the Act to Development

- 7.1 [SPECIFY THE RELATIONSHIP BETWEEN THIS AGREEMENT AND SECTION 94 CONTRIBUTIONS DUE AND PAYABLE UNDER THIS CONSENT. I.E. IS THERE AN OFFSET? AGAINST HOW MANY CATEGORIES? OR DOES SECTION 94 APPLY UNCHANGED?]

8 Dedication of Land [DELETE IF NOT APPLICABLE]

- 8.1 [INSERT CLAUSES RELATING TO THE DEDICATION OF LAND GENERALLY GUIDED BY THE HEADS OF CONSIDERATION DOCUMENTED IN SECTION 6.4 OF THE PLANNING AGREEMENT POLICY]

9 Capital Works [DELETE IF NOT APPLICABLE]

- 9.1 [INSERT CLAUSES RELATING TO THE CARRYING OUT OF CAPITAL WORKS GENERALLY GUIDED BY THE HEADS OF CONSIDERATION DOCUMENTED IN SECTION 6.5 OF THE PLANNING AGREEMENT POLICY]

10 Other Contributions [DELETE IF NOT APPLICABLE]

- 10.1 [INSERT CLAUSES RELATING TO OTHER TYPES OF CONTRIBUTIONS GENERALLY GUIDED BY THE HEADS OF CONSIDERATION DOCUMENTED IN SECTIONS 6.6-69 OF THE PLANNING AGREEMENT POLICY]

11 Registration of this Agreement

- 11.1 [SPECIFY THAT THE AGREEMENT IS TO BE REGISTERED ON THE TITLE OF THE LAND]

12 Review of this Agreement

- 12.1 [SPECIFY WHETHER AND IN WHAT CIRCUMSTANCES THE AGREEMENT CAN OR WILL BE REVIEWED AND THE PROCESS AND IMPLEMENTATION OF THE REVIEW THAT IS TO OCCUR]

13 Dispute Resolution

- 13.1 [SPECIFY AN APPROPRIATE DISPUTE RESOLUTION PROCESS]

14 Enforcement

- 14.1 [SPECIFY THE MEANS OF ENFORCING THE AGREEMENT E.G. BANK GUARANTEE POLICY]

15 Notices

15.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- a) delivered or posted to that Party at its address set out below;
- b) faxed to that Party at its fax number set out below;
- c) sent by document exchange to the DX number set out below;
- d) e-mailed to that Party at its email address set out below.

Ku-ring-gai Council

Attention: [INSERT NAME OF CONTACT]

Address: 818 Pacific Highway, Gordon, NSW 2072

Locked Bag 1056, Pymble, NSW, 2073

Fax Number: 02 9424 0880

DX number: 8703, Gordon

Email: _____@kmc.nsw.gov.au [COMPLETE EMAIL ADDRESS]

Developer

Attention: [INSERT DETAILS]

Address: [INSERT DETAILS]

Fax Number: [INSERT DETAILS]

DX number: [INSERT DETAILS]

Email: [INSERT DETAILS]

15.2 If a Party gives the other Party three business days notice of a change of its address or other details, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.

15.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:

- a) If it is delivered, when it is left at the relevant address;
- b) If it is sent by post, two business days after it is posted;
- c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number;

d) If it is sent by DX, one business day after it is dispatched.

- 15.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

16 Approvals and consent

- 16.1 Except as otherwise set out in this Agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

17 Assignment and Dealings

- 17.1 [SPECIFY ANY RESTRICTIONS ON THE DEVELOPER'S DEALINGS IN THE LAND TO WHICH THE AGREEMENT APPLIES AND THE PERIOD DURING WHICH THOSE RESTRICTIONS APPLY]

18 Costs

- 18.1 [SPECIFY HOW THE COSTS OF NEGOTIATING, PREPARING, EXECUTING, STAMPING AND REGISTERING THE AGREEMENT ARE TO BE BORNE BETWEEN THE PARTIES]

19 Entire agreement

- 19.1 This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

20 Further acts

- 20.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

21 Governing law and jurisdiction

- 21.1 This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal. The parties will not object to the exercise of jurisdiction by those courts on any basis.

22 Joint and individual liability and benefits

- 22.1** Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by two or more persons binds them jointly and each of them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

23 No fetter

- 23.1** Nothing in this Agreement will be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

24 Representations and warranties

- 24.1** The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

25 Severability

- 25.1** If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

26 Modification

- 26.1** No modification of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.

27 Waiver

- 27.1** The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

28 GST

- 28.1** If any part reasonably decides that it is liable to pay GST on a supply made to the other Party under this Agreement and the supply was not priced to include GST, then a recipient of the supply must pay an additional amount equal to the GST on that supply.

EXECUTED as an Agreement:

PARTY

KU-RING-GAI COUNCIL by [INSERT NAME] in the presence of [INSERT NAME]:

Delegate:

Witness:

PARTY

[INSERT DEVELOPER & ACN] in accordance with section 127 of Corporations Law:

PARTY

[INSERT DETAILS OF ANY THIRD PARTY OR DELETE AS APPLICABLE]

Appendix B: Sample Explanatory Note

Environmental Planning and Assessment Regulation 2000 (Clause 25E)

Explanatory Note

Draft Planning Agreement

Under s93F of the Environmental Planning and Assessment Act 1979

1. Parties

(Planning Authority)

(Developer)

2. Description of Subject Land

3. Description of Proposed Change to Environmental Planning Instrument / Development Application

4. Summary of Objectives, Nature and Effect of the Draft Planning Agreement

5. Assessment of the Merits of the Draft Planning Agreement

The Planning Purposes Served by the Planning Agreement

How the Draft Planning Agreement Promotes the Objects of the Environmental Planning
and Assessment Act 1979

How the Draft Planning Agreement Promotes the Public Interest

For Planning Authorities:

- (a) Development Corporations – How the Draft Planning Agreement promotes its
Statutory Responsibilities
- (b) Other Public Authorities - How the Draft Planning Agreement promotes the Objects (if
any) of the Act under Which it is Constituted
- (c) Councils – How the Draft Planning Agreement Promotes the Elements of the
Council's Charter
- (d) All Planning Authorities – Whether the Draft Planning Agreement Conforms with the
Authority's Capital Works Programme

The Impact of the Draft Planning Agreement on the Public or Any Section of the Public

Other Matters

Signed and Dated by All Parties

NOTICE OF RESCISSION

DRAFT KU-RING-GAI TOWN CENTRES DEVELOPMENT CONTRIBUTION PLAN, DRAFT AMENDMENTS TO THE ADOPTED 2004 TO 2009 SECTION 94 CONTRIBUTIONS PLAN - RESIDENTIAL DEVELOPMENT & THE DRAFT PLANNING AGREEMENT POLICY

Notice of Rescission from Councillors T Hall, L Bennett & E Malicki dated 15 July 2008.

"We, the undersigned, move that the Council's decision of 15 July 2008 in respect of Part A of the Resolution on the Draft Ku-ring-gai Town Centres Development Contribution Plan, Draft Amendments to the Adopted 2004 to 2009 Section 94 Contributions Plan - Residential Development & the Draft Planning Agreement Policy be and is hereby rescinded."

RECOMMENDATION

That the above Notice of Rescission as printed be adopted.

Tony Hall
Councillor for St Ives Ward

Laura Bennett
Councillor for St Ives Ward

Elaine Malicki
Councillor for Comenarra Ward