



Draft Redfern-Waterloo Authority Contributions Plan 2006

November 2006



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Made by the Minister for Redfern-Waterloo under section 32(1) of the *Redfern-Waterloo Authority Act 2004*.

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PART 1 Administration and operation of the Plan

1 What is the name of this Plan?

This Plan is called *Redfern-Waterloo Authority Contributions Plan 2006*

2 What definitions apply?

In this Plan unless the context or subject matter otherwise indicates or requires:

Authority means the Redfern-Waterloo Authority.

consent means a consent under Part 4 of the *EP&A Act* to the carrying out of development or an approval under Part 3A of the *EP&A Act* to the carrying out of a project.

development levy means the levy referred to in s.31(2) of the *Redfern-Waterloo Authority Act 2004*, as authorised by this Plan.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Fund means the Redfern-Waterloo Fund established by s.34 of the *Redfern-Waterloo Authority Act 2004*.

Operational Area has the same meaning as in the *Redfern-Waterloo Authority Act 2004*.

Minister means the Minister administering the *EP&A Act*.

Minister for Redfern-Waterloo means the Minister administering the *Redfern-Waterloo Act 2004*.

public facility means a public amenity or public service.

Works Map means the map in Schedule 2 to this Plan.

Works Schedule means the matter set out in Schedule 1 to this Plan, which supports the Works Map.

3 Purposes of this Plan

The purposes of this Plan are to:

- authorise the Minister, when granting consent to development to which this Plan applies, to impose a condition under s.31(2) of the *Redfern-Waterloo Authority Act 2004* requiring the payment of a development levy;
- set out the percentage of the development levy and how the amount payable is determined; and
- sets out the purpose or purposes for which a development levy is to be applied.

4 Commencement

This Plan commences on the date on which public notice of the Minister for Redfern-Waterloo's approval of this Plan is given in accordance with clause 31(4) of the *EP&A Regulation*.

5 Land to which this Plan applies

This Plan applies to the Operational Area.

6 Development to which this Plan applies

This Plan applies to development the subject of an application for consent relating to land to which this Plan applies:

- that is a project to which Part 3A of the *EP&A Act* applies; or
- for which the Minister is the consent authority under Part 4 of the *EP&A Act* by operation of clause 9A(1) of *State Environmental Planning Policy (Major Projects) 2005*.

However, this Plan does not apply to:

- development the subject of a planning agreement within the meaning of Subdivision 2A of Division 6 of Part 4 of the EP&A Act which agreement specifies that contributions to be provided by the developer under that agreement are intended to be in place of any development levy which might otherwise be imposed by condition of consent under s.31(2) of the *Redfern-Waterloo Authority Act 2004*; or
- development the subject of an offer to enter into such a planning agreement where it is proposed to impose a condition of consent or approval to that development (in accordance with s93I(3) of the EP&A Act) requiring the planning agreement to be entered into.

7 Replacement of other contributions plans

A contributions plan approved by the City of Sydney Council and in force under Division 6 of Part 4 of the *EP&A Act* does not apply to development that is subject to a requirement to pay a development levy under this Plan.

8 Minister may require development levy

The Minister may impose, as a condition of consent to the carrying out of development to which this Plan applies, a requirement that the applicant pay a development levy of 2% of the proposed cost of carrying out the development.

9 How is the proposed cost of carrying out development determined?

Clause 25J(1) of the *EP&A Regulation* applies to the determination of the proposed cost of carrying out development to which this Plan applies as if a reference in that clause to:

- *the consent authority* is a reference to the Minister, and
- *a section 94A levy* is a reference to a *development levy* within the meaning of this Plan.

Clause 25J of the *EP&A Regulation* sets out how the proposed cost of carrying out development is to be determined. That clause provides as follows:

25J Section 94A levy—determination of proposed cost of development

- (1) The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:
 - (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
 - (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
 - (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.
- (2) For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.

- (3) The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:
- (a) the cost of the land on which the development is to be carried out,
 - (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,
 - (c) the costs associated with marketing or financing the development (including interest on any loans),
 - (d) the costs associated with legal work carried out or to be carried out in connection with the development,
 - (e) project management costs associated with the development,
 - (f) the cost of building insurance in respect of the development,
 - (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),
 - (h) the costs of commercial stock inventory,
 - (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law.

10 How is the proposed cost of carrying out development indexed?

The proposed cost of carrying out development to which this Plan applies is to be indexed before payment to reflect quarterly variations in the *Consumer Price Index (All Groups Index) for Sydney* between the date the proposed cost is determined by the Minister and the date the development levy is required to be paid.

The formula governing indexation of the proposed cost of carrying out development to which this Plan applies is as follows:

$$\mathbf{IDC} = \mathbf{ODC} \times \mathbf{CP2/CP1}$$

Where:

IDC = the indexed development cost

ODC = the original development cost determined by the Minister

CP2 = the most recently published *Consumer Price Index (All Groups Index) for Sydney* at the time the development levy is paid

CP1 = the most recently published *Consumer Price Index (All Groups Index) for Sydney* at the date the original development cost is determined by the Minister

11 Cost estimate reports must accompany application for approval

An application for consent to the carrying out of development to which this Plan applies is to be accompanied by a detailed cost report, prepared at the applicant's cost in accordance with Schedule 3.

12 Who may provide a report for the purposes of clause 11 of this Plan?

For the purpose of clause 25J(2) of the *EP&A Regulation*, as adopted by clause 9 of this Plan, the following persons are approved by the Minister to provide a detailed cost report for the purposes of clause 11:

- a licensed builder,
- a practicing structural engineer,
- a quantity surveyor,
- an architect,
- a current building cost indicator (Example, Cordell or Rawson publication),

- a person appointed by agreement between the applicant and the Minister.

The Minister may, at the applicant's cost, engage a person referred to in this clause to review a report submitted by an applicant in accordance with clause 11.

13 How is a development levy to be applied?

Money paid in accordance with a condition authorised by this Plan is to be applied by the Minister towards meeting the cost of providing one or more of the public facilities set out in the Works Schedule within a reasonable time.

The locations of those public facilities are shown on the Works Map.

14 When must a development levy be paid?

A development levy is to be paid:

- in the case of development which includes subdivision of land, prior to the issue of the first subdivision certificate under Part 4A of the *EP&A Act* in relation to that development, or
- in the case of all other development, prior to the issue of the first construction certificate under Part 4A of the *EP&A Act* in relation to that development.

15 What is the policy on the deferred or periodic payment of a development levy?

The deferred or periodic payment of development levy is not allowed.

16 Are there alternatives to payment of the development levy?

If an applicant for consent seeks to make a contribution towards the provision of public facilities to meet development other than by payment of a development levy, the applicant may adopt one of the following procedures.

- ***Offer made to the Minister as part of an application for consent***

If an applicant does not wish to pay a development levy in connection with the carrying out of development, the applicant may include in the relevant application for consent an offer to carry out works or provide a material public benefit towards which the development levy is to be applied.

The Minister will consider the offer as part of the Minister's assessment of the application for consent. If the Minister agrees to the arrangement and grants consent to the application, the Minister will substitute a condition of consent requiring the works to be carried out or the material public benefit to be provided for a condition requiring payment of a development levy under s31(2) of the *Redfern-Waterloo Authority Act 2004*. If the Minister does not agree to the alternative arrangement, the Minister may grant consent subject to a condition authorised by this plan requiring payment of a development levy.

In assessing the applicant's offer, the Minister will have regard to any relevant requirements of the current Practice Note issued by the NSW Government in the *Revised Development Contributions Manual* (DIPNR 2005) and such other matters as the Minister considers relevant in the circumstances of the case.

- ***Offer made to the Minister following the grant of consent requiring payment of a development levy***

If consent has been granted to the carrying out of development subject to a condition authorised by this plan to pay a development levy, the applicant must comply with the condition unless it is modified under s.75W or s.96 of the *EP&A Act* (as applicable).

If the applicant does not wish to pay the development levy, the applicant may make an application to the Minister under s.75W or s.96 of the *EP&A Act* (as applicable) to modify the consent by substituting for the condition requiring payment of the development levy a condition requiring the carrying out of works or the provision of a

material public benefit towards the public purpose to which the development levy was to be applied.

If the Minister approves the application, the applicant will be bound by the substituted condition. If the Minister does not approve the application, the applicant will remain bound by the condition authorised by this plan requiring payment of the development levy.

- ***Offer to enter into a voluntary planning agreement***

As an alternative to payment of a development levy under the Plan, the applicant may offer to enter into a voluntary planning agreement with the Minister under s.93F of the *EP&A Act* in connection with the making of an application for consent.

Under the planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. Those purposes need not relate to the impacts of the applicant's development nor to the items listed in the Works Schedule.

The applicant's provision under a planning agreement may be additional to or instead of paying a development levy in accordance with a condition of consent authorised by this Plan. This will be a matter for negotiation with the Minister.

The offer to enter into the planning agreement together with a copy of the draft agreement should accompany the relevant application for consent.

The Minister will publicly notify the draft planning agreement and an explanatory note relating to the draft agreement along with the application for consent and will consider the agreement as part of its assessment of that application.

If the Minister agrees to enter into the planning agreement, the Minister may impose a condition of consent requiring the agreement to be entered into and performed. If the Minister does not agree to enter into the planning agreement, the Minister may grant consent subject to a condition authorised by this Plan requiring the payment of a development levy.

PART 2 Relationship between the expected development and the need for public facilities in the Operational Area

The Redfern-Waterloo Authority's (RWA) Operational Area includes the suburbs of Darlington, Redfern, Waterloo and Eveleigh. The RWA was established in 2004 to drive urban renewal and the revitalisation of the Operational Area through job creation and residential growth, as well as, improvements to the physical environment, infrastructure, community facilities and the provision of human services.

The RWA has developed the Redfern-Waterloo Built Environment Plan (Stage One) to provide a planning framework for the development of Redfern-Waterloo Authority Sites (as defined in Schedule 3 of *State Environmental Planning Policy (Major Projects) 2005*) identified on the Works Map, for which the Minister for Planning is the consent authority. The total area of these sites is approximately 35 hectares.

This Plan complements the Redfern-Waterloo Plan (Stage One) and the *State Environmental Planning Policy (Major Projects) 2005* for Redfern-Waterloo Authority Sites. Contributions raised through the imposition of development levies will be used to provide necessary public amenities and services to meet the needs generated by new development.

The Redfern-Waterloo Built Environment Plan (Stage One) outlines a land use and design strategy and has estimated potential development yields and indicative employment and residential projections for the Operational Area over the next 10 years. The following demonstrates the indicative development floor space, employment and residential growth that the Built Environment Plan seeks to achieve.

Total indicative development floor space	600,000 square metres
Indicative employment floor space	440,000 square metres
Indicative residential floor space	160,000 square metres
Current number of jobs in RWA's Operational Area	12,502
Estimated number of new jobs based on employment floor space area in RWA Sites	18,000
Current number of residents in the RWA's Operational Area	19,200
Estimated number of new residents in RWA Sites	3,200

The expected types of development are but not limited to:

- residential
- commercial - office
- retail
- service industries
- cultural and arts facilities
- health and educational facilities
- recreational and sport
- entertainment facilities
- light industries, including high technology
- restaurants
- film and television
- research and development.

Employment and residential growth on Redfern-Waterloo Authority Sites will generate increased demand for a number of public services and amenities, including:

- an improved railway station and public transport infrastructure to cater for the increase in workers and residents in the area,
- upgraded roads and bridges,
- embellishment of the public domain including parks, footpaths for workers and residents,
- community facilities,

- drainage and stormwater infrastructure, and
- the provision of public art.

The capacity of existing infrastructure to meet the new needs generated is limited. Furthermore, the likely population and employment growth will diminish the enjoyment and standard of existing public facilities for the existing residential and working population unless additional facilities are provided to meet additional demand.

Therefore the anticipated residential and worker population will generate new demands for infrastructure as indicated in the Works Schedule.

Schedule 1

(Clause 2)

Works Schedule

An estimated timeframe for works specified in this schedule has been determined based on short term (up to 5 years) and medium term (5 to 10 years).

Summary of Works

	Estimated Cost
Public Domain	\$15,500,000
Road, Public Transport and Access	\$19,900,000
Community Facilities	\$1,200,000
Drainage	\$100,000
TOTAL	\$36,700,000

Works Schedule

Works Map Reference Number	Project Name	Project Description	Estimated Cost	Estimated Timeframe
Public Domain				
1	New civic space including upgrade to Redfern Street thoroughfare	Creation of new civic space and upgrade to Redfern Street thoroughfare in the Redfern Railway Station, Gibbons and Regent Streets site. This includes, site preparation, planting (planting beds, tree pits and trees), irrigation, paving, street furniture, lighting, and public art.	\$2,900,000	Medium Term
2	Little Eveleigh park (North Eveleigh)	Creation of a new park on the eastern section of North Eveleigh. Works include site preparation, planting (planting beds, tree pits and trees), retaining walls, irrigation, paving, street furniture, and lighting.	\$3,060,000	Medium Term
3	Fan of Tracks park (North Eveleigh)	Creation of a new open space on a portion of the Fan of Tracks in North Eveleigh. Works include site preparation, planting (planting beds, tree pits and trees), paving, street furniture, play ground, lighting and public art.	\$2,850,000	Medium Term
4	Traverser 1 (North Eveleigh)	Creation of a new open space on Traverser 1 in North Eveleigh. Works include site preparation, new planting (planters, feature planting, tree pits and trees), irrigation, paving, street furniture, and lighting.	\$3,600,000	Short Term
5	The public garden open space (North Eveleigh)	Creation of a new open space on the western section of North Eveleigh. Works include site preparation, planting (tree pits and trees), turf, irrigation, paving, street furniture, lighting and public art.	\$2,110,000	Medium Term
6	New open space at the former Rachel Forster Hospital site	Creation of a new open space along Pitt Street. Works include site preparation, planting (planting beds, planting, trees), paving, street furniture, lighting and public art.	\$130,000	Short Term
7	Upgrade to Gibbons Street public domain	Upgrade to footpath, planting (tree pits and trees), lighting and street furniture along Gibbons Street.	\$550,000	Short Term
8	Minor public domain works to Wilson Street	Improvements to planting along Wilson Street and upgrade footpath where required.	\$200,000	Short Term
9	Improvements to public domain in Eveleigh Street site	Improvements to footpaths, planting, lighting and street furniture.	\$100,000	Short Term
		Total For Public Domain	\$15,500,000	

Works Map Reference Number	Project Name	Project Description	Estimated Cost	Estimated Timeframe
Road, Public Transport and Access Infrastructure				
10	Gibbons Street traffic management	Traffic management on Gibbons Street to improve pedestrian safety and amenity along street and improve traffic circulation.	\$15,000,000	Medium Term
11	Pedestrian and cycle bridge between North Eveleigh and Australian Technology Park	Design and construction of a new pedestrian and cycle bridge between North Eveleigh and ATP.	\$2,500,000	Short Term
12	New service road parallel with Wilson Street, North Eveleigh	Construction of new service road in North Eveleigh parallel to Wilson Street.	\$1,600,000	Short Term
13	Upgrade of intersection at North Eveleigh with Wilson Street (Iverys Lane end)	Upgrade works to intersection.	\$65,000	Short Term
14	New intersection at Wilson and Shepherd Streets to new service road in North Eveleigh	New intersection works.	\$80,000	Short Term
15	Local intersection upgrades at Cleveland & Shepherd Streets	Intersection upgrade.	\$40,000	Short Term
16	Upgrade of Boundary Street between Regent and Gibbons Streets	Upgrade of Boundary Street.	\$60,000	Medium Term
17	Full directional sign program for pedestrians, cyclists & motorists	Installation of signage.	\$55,000	Short Term
18	General contribution to improvements to bicycle paths	Improvement to street markings and signage	\$500,000	Medium Term
		Total for Road, Public Transport and Access Infrastructure	\$19,900,000	

Works Map Reference Number	Project Name	Project Description	Estimated Cost	Estimated Timeframe
Community Facilities				
19	New childcare facility	New childcare facility to service the new residents and workers. Multi purpose centre.	\$1,200,000	Medium Term
Total for Community Facilities			\$1,200,000	
Drainage				
20	Local flooding and drainage works	Stage 1 - Investigations and feasibility	\$100,000	Short Term
		Stage 2 - Design	Subject to outcome of Stage 1	Medium Term
		Stage 3 - Construction	Subject to outcome of Stage 1 and 2	Medium Term
Total for Drainage			\$100,000 Plus a further cost subject to outcome of Stage 1 and 2.	

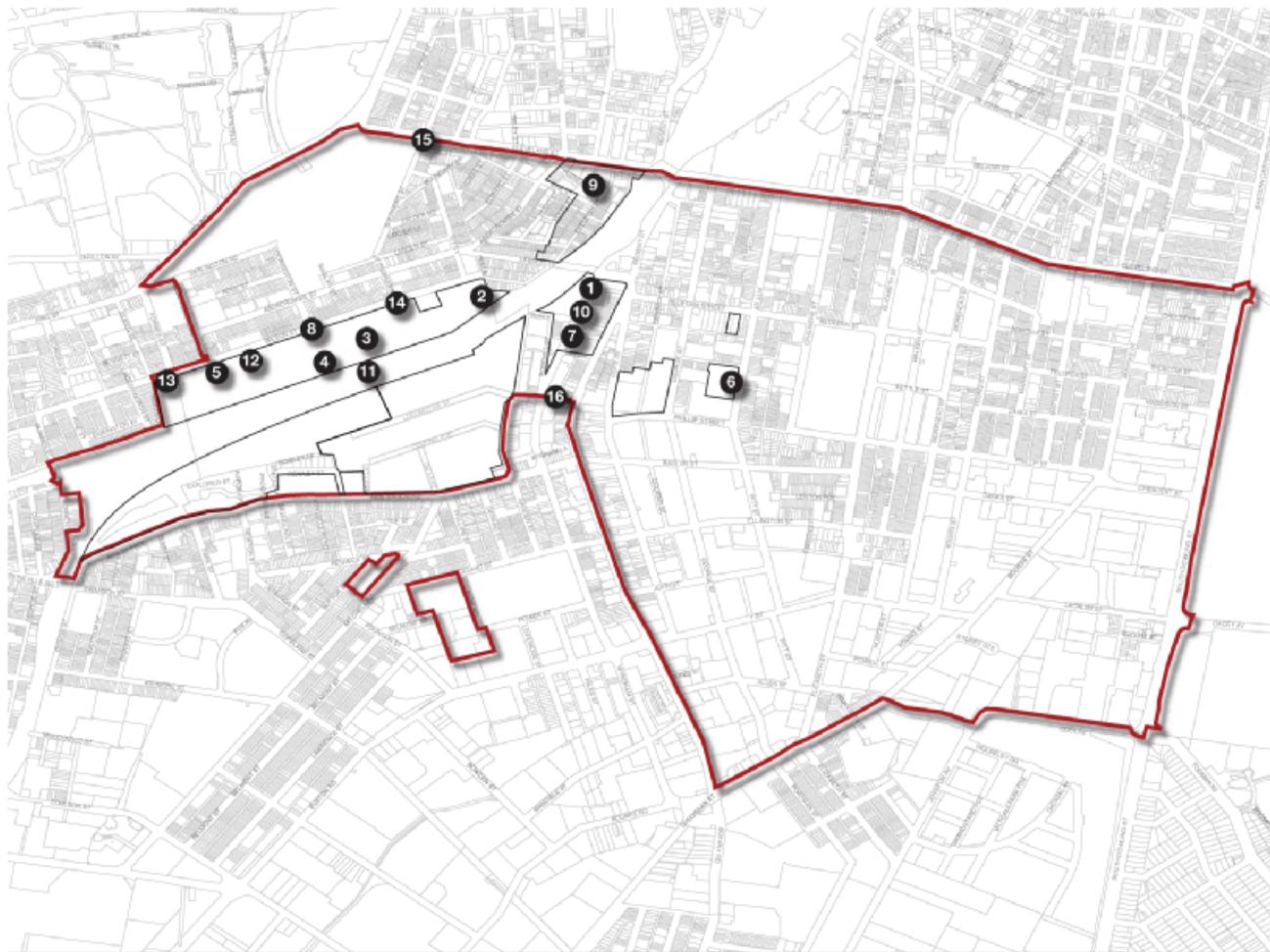
Schedule 2

(Clause 2)

Works Map

The Works Map provided in this schedule indicates the location of those works identified in Schedule 1. The location of certain works has not been determined and therefore they are not shown on the map. Precise locations will be identified when further investigations and studies confirm the exact location of proposed works.

Schedule 2 - Redfern-Waterloo Authority Sites: Works Map



RWA's OPERATIONAL AREA



RWA SITES

WORKS LIST

Map Reference Number	Project Name
Public Domain	
1	New civic space, including upgrade to Radfern Street thoroughfare
2	Little Eveleigh park (North Eveleigh)
3	Fan of Tracks park (North Eveleigh)
4	Traverser 1 (North Eveleigh)
5	The public garden open space (North Eveleigh)
6	New open space at the former Rachel Forster Hospital site
7	Upgrade to Gibbons Street public domain
8	Minor public domain works to Wilson Street
9	Improvements to public domain in Eveleigh Street site
Road, Public Transport and Access Infrastructure	
10	Gibbons St traffic management
11	Pedestrian and cycle bridge between North Eveleigh and Australian Technology Park
12	New service road parallel with Wilson Street, North Eveleigh
13	Upgrade of intersection at North Eveleigh with Wilson Street (Iverys Lane end)
14	New intersection at Wilson & Shepherd Streets to new service road in North Eveleigh
15	Local intersection upgrades at Cleveland & Shepherd Streets
16	Upgrade of Boundary Street between Regent and Gibbons Streets

NOTE:
THE FOLLOWING WORKS WILL BE UNDERTAKEN IN THE OPERATIONAL AREA. EXACT LOCATION TO TO BE DETERMINED.

- 17. Full directional sign program for pedestrians, passengers, cyclists and motorists
- 18. General contribution to improvements to bicycle paths
- 19. New childcare facility
- 20. Local flooding and drainage works

Schedule 3

(Clause 11)

Detailed Cost Report*

To be completed by a person specified in Clause 12.

DEVELOPMENT

APPLICATION NO.:

PART 3A APPROVAL

REFERENCE:

DATE:

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

PROJECT NAME:

PROJECT ADDRESS:

PROJECT DETAILS:

				Total Cost
Gross Floor Area – Commercial	m ²	Rate/m ²	\$	\$
Gross Floor Area – Residential	m ²	Rate/m ²	\$	\$
Gross Floor Area – Retail	m ²	Rate/m ²	\$	\$
Gross Floor Area – Car Parking	m ²	Rate/m ²	\$	\$
Number of Car Parking Spaces	No.	Rate/space	\$	\$
				Total Development Cost
				\$
				Total Construction Cost
				\$
				Total GST
				\$

ESTIMATE DETAILS:

Professional Fees				\$
Demolition Costs (/m ²)		Cost item		\$
Excavation Earthworks (/m ³)		Cost item		\$
Site Remediation		/m ²	Cost item	\$
Fire Safety Measures		/m ³	Cost item	\$
Other Costs (please list)		/m ³	Cost item	\$

Total Development Cost	\$
Total Construction Cost	\$
Total GST	\$

I certify that I have:

- Inspected the plans the subject of the application for Part 3A approval/development consent [*delete whichever is not applicable*].
- Calculated the development costs in accordance with the provisions governing development costs in the Redfern-Waterloo Authority Contributions Plan 2006 at current prices.
- Included GST in the calculation of development cost.
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed: _____

Name: _____

Position & Qualifications: _____

Date: _____