



# **Marrickville Section 94/94A Contributions Plan 2014**

**(Amended November 2019)**

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# **PART 1 – SUMMARY SCHEDULES**

## **1.1 Layout of this Plan**

Parts 1 and 2 of this Plan provide the Summary Schedules for section 94 contribution rates and section 94A levies together with the administrative requirements for contributions and levies and thus provide the information required from this Plan for the majority of users.

The greater part of this document is necessary to address the many rigorous requirements for charging section 94 contributions set out in the Environmental Planning & Assessment Act 1979, the Environmental Planning & Assessment Regulation 2000, the Development Contributions Practice Note published by the former Department of Infrastructure Planning and Natural Resources in July 2005, case law and other guidelines such as the Section 94 Contributions Plan Manual (*Department of Urban Affairs and Planning, Second Edition, 1997*).

The majority of the users of this Plan are not likely to need to reference the many projections, calculations and assumptions that underlie this Plan such as the population and development projections, the sections on determining the future infrastructure needs for the LGA to address the needs of the additional population and the calculation of section 94 contribution rates that are set out in Parts 3 and 4 of this Plan.

## **1.2 What section 94 contributions or section 94A levies are applicable**

Section 94 contributions are applicable to all development where there would likely be an increase in demand for public facilities and services. Such development includes development of the types listed in the Summary Schedules of section 94 contribution rates below. However there may be other types of development not listed in the schedules to which section 94 contributions are applicable and in such cases Council may determine the contributions applicable based upon the demand estimated to be created and the provisions of this Plan. In such cases Council may also require appropriate traffic and other surveys in order to assess demand.

Section 94 contributions are only applicable to the increased demand created by a development. Section 94 contributions are not generally applicable to development such as:

- residential alterations and additions that do not result in an increased number of dwellings or change in the type of dwellings,
- commercial, retail or industrial alterations that do not involve an increase in any type of floor space, in the demand for parking or in the demand for any other type of public facility and service.

Similarly, building a dwelling house on a vacant residential lot for which section 94 contributions have been paid when the lot was subdivided will not require the payment of section 94 contributions, however section 94A levies will not be payable.

Section 94A levies are generally applicable to all development where section 94 contributions are not payable. However there are some development types excluded from the requirement to pay both section 94 contributions and section 94A levies. These are set out in Section 2.17 of this Plan.

The section 94 contribution rates and section 94A levies set out in this Plan are those applicable at the date of commencement of this Plan. Both section 94 contributions and the cost of development used in determining section 94A levies are adjusted at the time of payment in accordance with the indexing provisions set out in Section 2.15 of this Plan.

### **1.3 How contributions will be imposed**

Section 80A of the Act authorises the imposition (by Council or an accredited certifier) of conditions of development consent requiring the payment of contributions and levies authorised under section 94 and section 94A.

Section 2.13 of this Plan requires accredited certifiers to impose conditions on a complying development certificate requiring the payment of section 94 contributions and section 94A levies as set out in this Plan.

Section 2.13 of this Plan also requires that a certifying authority not issue a construction certificate until Council has received all section 94 contributions or section 94A levies required as a condition of development consent.

Conditions of a development consent that relate to section 94 contributions under this Plan will specify the amount of contributions required and indexation details.

### **1.4 Quick Summary**

This Plan is a development contributions plan prepared for the purpose of charging as appropriate, either section 94 contributions or section 94A levies. Section 94 contributions will be used to pay for the capital costs including administrative costs of the public facilities and services that are set out in the works programs in this Plan that, to the extent possible under the section 94 contributions cap, address the additional needs that will be created by the expected increase in population as a result of new development. S94A levies will be used to pay for public facilities and services within the Marrickville LGA.

This Plan sets out the reasons for the s94 contributions, the works and works programs proposed, the connection between development and the works proposed, how contributions are calculated and how Council will account for the monies held. The public facilities and services on which s94A funds will be expended will be part of Council's annual works program as determined by Council from year to year.

Consistent with government requirements for Council to have a housing strategy that allows for additional dwellings in the Marrickville LGA, the provisions of Marrickville LEP 2011 and DCP 2011 allow for significant additional development within the Marrickville LGA. The main areas of potential development are within in the village centres of Marrickville, South Marrickville, Petersham, Newtown, St Peters, Lewisham and Dulwich Hill and masterplans have been prepared to guide development in some of these Planning Precinct locations.

Council has assessed this potential new development and maps have been prepared showing the location of additional dwellings projected and the projected changes in the worker population as a result of the redevelopment of retail, industrial and commercial floor space. These maps are respectively titled LEP/DCP 2011 Projected Additional Dwellings and LEP 2011 Projected Change in Worker Population.

Advice from Council's population and demographic consultant Mr Colin Menzies of The Public Practice is that a prime determinant of the likely future population in the Marrickville LGA is the potential for additional development.

The Public Practise has provided for the purposes of this Plan population and demographic projections for the 2011 to 2031 period based upon Census, Department of Planning and other data and the projected additional development possible under the provisions of the Marrickville LEP 2011 and DCP 2011.

The Marrickville LGA is projected to undergo a population increase of 10,974 persons over the 20 year period from 2011 to 2031, a 13.9% increase in resident population with an estimated additional 4,988 dwellings. In addition there is projected to be an increase in the number of people employed in Marrickville LGA of 1770 workers.

Specialist infrastructure studies were commissioned by Council to expertly ascertain the extra facility and services works properly and appropriately required to meet the needs of the increase in population as a result of additional development in Marrickville LGA over the 20 year planning period from 2011 to 2031.

Despite the very significant increase in population projected in Marrickville LGA, the contributions cap restricts the amount of money that councils may receive in section 94 contributions to pay for the capital costs of the additional facilities and services that have been assessed as necessary for the additional population. The existing level of provision of open space in the built up area of Marrickville LGA is below traditionally accepted provision standards and lower than provided in many adjoining and nearby LGAs. The contributions cap restricts the funds that might be available to provide additional open space.

Funding the capital cost of the additional infrastructure needed for the additional population from section 94 contributions is in accordance with a user pays system of practise and principles that was established even before the commencement of the Environmental Planning and Assessment Act 1979.

The contributions cap means that Council cannot itself bring into force a new section 94 contributions plan where the section 94 contributions per dwelling or per subdivided residential lot exceed its \$20,000 per dwelling. Council can seek higher contributions through IPART, however contributions approved by IPART can only be for 'essential works' which are limited to land for open space with basic embellishment, land for community facilities and land and facilities for transport and stormwater and so exclude contributions towards the construction of facilities such as childcare centres, libraries, public domain areas and community halls.

Hence the capital works program set out in this Plan is for the works that may be afforded by the restricted contributions available.

## **1.5 Summary Schedules of section 94 contributions**

This Plan sets out Summary Schedules of section 94 contributions to pay towards the capital costs of the program of works that is set out in this Plan. The contributions cap limits the contribution funds that may be received by Council and therefore the works program that may be provided.

The overriding clause applicable to the Summary Schedules limits section 94 contributions to \$20,000 per dwelling or per new residential allotment. That is, where the total contributions are shown in the Summary Schedules as being greater than \$20,000 per dwelling, the contributions applicable and to be charged will be \$20,000 per dwelling.

The funding limitation provided by the contributions cap means that the provision level of public facilities and services will in some cases be less than has been recommended or

might be desired as the funds will simply not be available to provide such facilities. Thus in some cases the extra facilities and services that the extra population might desire or expect may not be available. However this Plan seeks to provide the most appropriate provision of additional facilities within the funding limitations.

Planning Precinct masterplans have been prepared for some of the village areas in Marrickville LGA in which a significant part of the expected development is anticipated to occur. Because the requirements for facilities and services vary according to the Planning Precinct area, the section 94 contributions applicable to these areas vary.

Consequently there are separate tables of section 94 contribution rates for these Planning Precinct areas and for the remainder of the Marrickville LGA.

Table 1.1 below sets out the total section 94 contribution per dwelling or per 100m<sup>2</sup> of gross floor area (GFA) payable for development within the LGA and outside the nominated Planning Precinct areas. The tables following that set out the total section 94 contribution rates applicable to the delineated Planning Precincts of St Peters Triangle, Marrickville Town Centre, Lewisham South and Petersham South. Appropriate contributions are determined from the table applicable to the location of the development site.

Section 94 contributions for a manager's residence in a boarding house are determined in accordance with the contributions for Attached dwellings, Semi-detached dwellings & Multi-dwelling housing. The room areas shown in the tables for boarding houses must exclude any area used for the purposes of a private kitchen or bathroom facilities.

There may be development types not listed in the tables below for which section 94 contributions are payable because such development would result in an increase in demand for public facilities and services. In these cases and where development may have different characteristics to those in the tables, Council may require additional information from an applicant and may determine the appropriate contributions payable in accordance with an estimation of the likely demand and the provisions of this Plan.

The section 94 contributions per person are not provided in the following summary tables because although contributions for all other facilities are calculated on a per person basis, contributions for Traffic Facilities are calculated on a per trip basis. Contributions per person may be found in the Recreation Facilities, Community Facilities and Land Dedication sections of this Plan.

**Note:** An additional summary schedule for the Victoria Road Precinct, Marrickville was added in November 2019.

Refer to Appendix B – Victoria Road Precinct, Marrickville Sub-plan.

## Marrickville LGA other than Planning Precinct areas

Table 1.1 below sets out the section 94 contribution rates applicable. Where the contribution amount shown in the right-hand 'Total' column exceeds \$20,000, the applicable contribution shall be \$20,000.

**Notes:** The contribution rates in Table 1.1 are the rates applicable at the date of commencement of this Plan (i.e. 1 January 2014).  
Rates under the Plan are indexed quarterly.  
For the current indexed contribution rates refer to Council's website.

**Table 1.1 - Table of Section 94 Contribution Rates for all areas of Marrickville LGA except for the Planning Precincts of St Peters Triangle, Marrickville Town Centre, Petersham South and Lewisham South as delineated in section 1.6 of this Plan.**

Use		Occupancy	Recreation Facilities	Community Facilities	Traffic Facilities	Road/ Access Dedication	Plan Admin	Total
Residential Units and Secondary Dwellings	1-Bedroom	1.31	\$ 9,780.21	\$ 1,456.73	\$ 212.05	\$ -	\$ 228.98	\$ 11,677.96
	2-Bedroom	2.02	\$ 15,080.93	\$ 2,246.26	\$ 241.29	\$ -	\$ 351.37	\$ 17,919.85
	3-Bedroom	2.88	\$ 21,501.52	\$ 3,202.58	\$ 277.85	\$ -	\$ 499.64	\$ 25,481.60
	4 + Bedroom	3.74	\$ 27,922.12	\$ 4,158.91	\$ 350.97	\$ -	\$ 648.64	\$ 33,080.64
Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1-Bedroom	1.51	\$ 11,273.37	\$ 1,679.13	\$ 365.60	\$ -	\$ 266.36	\$ 13,584.46
	2-Bedroom	2.08	\$ 15,528.88	\$ 2,312.98	\$ 467.96	\$ -	\$ 366.20	\$ 18,676.01
	3-Bedroom	2.79	\$ 20,829.60	\$ 3,102.50	\$ 497.21	\$ -	\$ 488.59	\$ 24,917.90
	4 + Bedroom	3.63	\$ 27,100.88	\$ 4,036.59	\$ 526.46	\$ -	\$ 633.28	\$ 32,297.20
Dwelling houses excluding above categories	All Sizes	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ -	\$ 501.62	\$ 25,582.56
Subdivision into single dwelling allotment	Single Dwelling House	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ -	\$ 501.62	\$ 25,582.56
Boarding Houses	1-Person rooms less than 16m <sup>2</sup>	1	\$ 7,465.81	\$ 1,112.01	\$ -	\$ -	\$ 171.56	\$ 8,749.37
	2-Person rooms 16m <sup>2</sup> or greater	2	\$ 14,931.61	\$ 2,224.02	\$ -	\$ -	\$ 343.11	\$ 17,498.74
Commercial	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 1,462.39	\$ -	\$ 184.81	\$ 9,425.54
Retail	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 2,611.40	\$ -	\$ 207.79	\$ 10,597.54
Industrial	Per 100m <sup>2</sup> GFA	1/100m <sup>2</sup>	\$ 1,493.16	\$ 62.51	\$ 731.19	\$ -	\$ 45.74	\$ 2,332.60

**Note:**

- (i) The room areas for boarding houses referred to in the above table exclude any area used for the purposes of a private kitchen or bathroom facilities.
- (ii) GFA means gross floor area.
- (iii) For residential land subdivision creating a lot or lots suitable for more than a single dwelling house contributions, appropriate to the proposed or potential dwellings are payable.



## St Peters Triangle Planning Precinct

Table 1.2 below sets out the section 94 contribution rates applicable. Where the contribution amount shown in the right-hand 'Total' column exceeds \$20,000, the applicable contribution shall be \$20,000.

**Notes:** The contribution rates in Table 1.2 are the rates applicable at the date of commencement of this Plan (i.e. 1 January 2014).  
Rates under the Plan are indexed quarterly.  
For the current indexed contribution rates refer to Council's website.

**Table 1.2 - Table of Section 94 Contribution Rates for the St Peters Triangle Planning Precinct delineated in section 1.6 of this Plan.**

Use		Occupancy	Recreation Facilities	Community Facilities	Traffic Facilities	Road/ Access Dedication	Plan Admin	Total
Residential Units and Secondary Dwellings	1-Bedroom	1.31	\$ 9,780.21	\$ 1,456.73	\$ 212.05	\$ 607.02	\$ 241.12	\$ 12,297.12
	2-Bedroom	2.02	\$ 15,080.93	\$ 2,246.26	\$ 241.29	\$ 936.01	\$ 370.09	\$ 18,874.58
	3-Bedroom	2.88	\$ 21,501.52	\$ 3,202.58	\$ 277.85	\$ 1,334.51	\$ 526.33	\$ 26,842.80
	4 + Bedroom	3.74	\$ 27,922.12	\$ 4,158.91	\$ 350.97	\$ 1,733.01	\$ 683.30	\$ 34,848.31
Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1-Bedroom	1.51	\$ 11,273.37	\$ 1,679.13	\$ 365.60	\$ 699.69	\$ 280.36	\$ 14,298.14
	2-Bedroom	2.08	\$ 15,528.88	\$ 2,312.98	\$ 467.96	\$ 963.81	\$ 385.47	\$ 19,659.10
	3-Bedroom	2.79	\$ 20,829.60	\$ 3,102.50	\$ 497.21	\$ 1,292.81	\$ 514.44	\$ 26,236.56
	4 + Bedroom	3.63	\$ 27,100.88	\$ 4,036.59	\$ 526.46	\$ 1,682.04	\$ 666.92	\$ 34,012.89
Dwelling houses excluding above categories	All Sizes	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 1,325.24	\$ 528.12	\$ 26,934.31
Subdivision into single dwelling allotment	Single Dwelling House	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 1,325.24	\$ 528.12	\$ 26,934.31
Boarding Houses	1-Person rooms less than 16m <sup>2</sup>	1	\$ 7,465.81	\$ 1,112.01	\$ -	\$ 463.37	\$ 180.82	\$ 9,222.01
	2-Person rooms 16m <sup>2</sup> or greater	2	\$ 14,931.61	\$ 2,224.02	\$ -	\$ 926.74	\$ 361.65	\$ 18,444.02
Commercial	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 1,462.39	\$ 2,316.86	\$ 231.15	\$ 11,788.74
Retail	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 2,611.40	\$ 2,316.86	\$ 254.13	\$ 12,960.74
Industrial	Per 100m <sup>2</sup> GFA	1/100m <sup>2</sup>	\$ 1,493.16	\$ 62.51	\$ 731.19	\$ 463.37	\$ 55.00	\$ 2,805.24

**Note:**

- (i) The room areas for boarding houses referred to in the above table exclude any area used for the purposes of a private kitchen or bathroom facilities.
- (ii) GFA means gross floor area.
- (iii) For residential land subdivision creating a lot or lots suitable for more than a single dwelling house contributions, appropriate to the proposed or potential dwellings are payable.

## Petersham South Planning Precinct

Table 1.3 below sets out the section 94 contribution rates applicable. Where the contribution amount shown in the right-hand 'Total' column exceeds \$20,000, the applicable contribution shall be \$20,000.

**Notes:** The contribution rates in Table 1.3 are the rates applicable at the date of commencement of this Plan (i.e. 1 January 2014).  
Rates under the Plan are indexed quarterly.  
For the current indexed contribution rates refer to Council's website.

**Table 1.3 - Table of Section 94 Contribution Rates for the Petersham South Planning Precinct delineated in section 1.6 of this Plan being the land bound by Trafalgar Street, Regent Street, Fisher Street and Audley Street.**

Use		Occupancy	Recreation Facilities	Community Facilities	Traffic Facilities	Road/ Access Dedication	Plan Admin	Total
Residential Units and Secondary Dwellings	1-Bedroom	1.31	\$ 9,780.21	\$ 1,456.73	\$ 212.05	\$ 813.31	\$ 245.25	\$ 12,507.54
	2-Bedroom	2.02	\$ 15,080.93	\$ 2,246.26	\$ 241.29	\$ 1,254.11	\$ 376.45	\$ 19,199.04
	3-Bedroom	2.88	\$ 21,501.52	\$ 3,202.58	\$ 277.85	\$ 1,788.04	\$ 535.40	\$ 27,305.40
	4 + Bedroom	3.74	\$ 27,922.12	\$ 4,158.91	\$ 350.97	\$ 2,321.97	\$ 695.08	\$ 35,449.05
Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1-Bedroom	1.51	\$ 11,273.37	\$ 1,679.13	\$ 365.60	\$ 937.48	\$ 285.11	\$ 14,540.69
	2-Bedroom	2.08	\$ 15,528.88	\$ 2,312.98	\$ 467.96	\$ 1,291.36	\$ 392.02	\$ 19,993.20
	3-Bedroom	2.79	\$ 20,829.60	\$ 3,102.50	\$ 497.21	\$ 1,732.17	\$ 523.23	\$ 26,684.71
	4 + Bedroom	3.63	\$ 27,100.88	\$ 4,036.59	\$ 526.46	\$ 2,253.68	\$ 678.35	\$ 34,595.95
Dwelling houses excluding above categories	All Sizes	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 1,775.63	\$ 537.13	\$ 27,393.70
Subdivision into single dwelling allotment	Single Dwelling House	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 1,775.63	\$ 537.13	\$ 27,393.70
Boarding Houses	1-Person rooms less than 16m <sup>2</sup>	1	\$ 7,465.81	\$ 1,112.01	\$ -	\$ 620.85	\$ 183.97	\$ 9,382.64
	2-Person rooms 16m <sup>2</sup> or greater	2	\$ 14,931.61	\$ 2,224.02	\$ -	\$ 1,241.70	\$ 367.95	\$ 18,765.27
Commercial	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 1,462.39	\$ 3,104.24	\$ 246.90	\$ 12,591.87
Retail	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 2,611.40	\$ 3,104.24	\$ 269.88	\$ 13,763.87
Industrial	Per 100m <sup>2</sup> GFA	1/100m <sup>2</sup>	\$ 1,493.16	\$ 62.51	\$ 731.19	\$ 620.85	\$ 58.15	\$ 2,965.86

**Note:**

- (i) The room areas for boarding houses referred to in the above table any area used for the purposes of a private kitchen or bathroom facilities.
- (ii) GFA means gross floor area.
- (iii) For residential land subdivision creating a lot or lots suitable for more than a single dwelling house contributions, appropriate to the proposed or potential dwellings are payable.

## Marrickville Town Centre Planning Precinct

Table 1.4 below sets out the section 94 contribution rates applicable. Where the contribution amount shown in the right-hand 'Total' column exceeds \$20,000, the applicable contribution shall be \$20,000.

**Notes:** The contribution rates in Table 1.4 are the rates applicable at the date of commencement of this Plan (i.e. 1 January 2014).  
Rates under the Plan are indexed quarterly.  
For the current indexed contribution rates refer to Council's website.

**Table 1.4 - Table of Section 94 Contribution Rates for the Marrickville Town Centre Planning Precinct delineated in section 1.6 of this Plan.**

Use		Occupancy	Recreation Facilities	Community Facilities	Traffic Facilities	Road/ Access Dedication	Plan Admin	Total
Residential Units and Secondary Dwellings	1-Bedroom	1.31	\$ 9,780.21	\$ 1,456.73	\$ 212.05	\$ 356.48	\$ 236.11	\$ 12,041.57
	2-Bedroom	2.02	\$ 15,080.93	\$ 2,246.26	\$ 241.29	\$ 549.69	\$ 362.36	\$ 18,480.53
	3-Bedroom	2.88	\$ 21,501.52	\$ 3,202.58	\$ 277.85	\$ 783.72	\$ 515.31	\$ 26,280.99
	4+ Bedroom	3.74	\$ 27,922.12	\$ 4,158.91	\$ 350.97	\$ 1,017.74	\$ 668.99	\$ 34,118.74
Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1-Bedroom	1.51	\$ 11,273.37	\$ 1,679.13	\$ 365.60	\$ 410.91	\$ 274.58	\$ 14,003.58
	2-Bedroom	2.08	\$ 15,528.88	\$ 2,312.98	\$ 467.96	\$ 566.02	\$ 377.52	\$ 19,253.35
	3-Bedroom	2.79	\$ 20,829.60	\$ 3,102.50	\$ 497.21	\$ 759.23	\$ 503.77	\$ 25,692.31
	4+ Bedroom	3.63	\$ 27,100.88	\$ 4,036.59	\$ 526.46	\$ 987.81	\$ 653.03	\$ 33,304.77
Dwelling houses excluding above categories	All Sizes	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 778.27	\$ 517.18	\$ 26,376.40
Subdivision into single dwelling allotment	Single Dwelling House	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 778.27	\$ 517.18	\$ 26,376.40
Boarding Houses	1-Person rooms less than 16m <sup>2</sup>	1	\$ 7,465.81	\$ 1,112.01	\$ -	\$ 272.12	\$ 177.00	\$ 9,026.94
	2-Person rooms 16m <sup>2</sup> or greater	2	\$ 14,931.61	\$ 2,224.02	\$ -	\$ 544.25	\$ 354.00	\$ 18,053.87
Commercial	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 1,462.39	\$ 1,360.62	\$ 212.03	\$ 10,813.38
Retail	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 2,611.40	\$ 1,360.62	\$ 235.01	\$ 11,985.38
Industrial	Per 100m <sup>2</sup> GFA	1/100m <sup>2</sup>	\$ 1,493.16	\$ 62.51	\$ 731.19	\$ 272.12	\$ 51.18	\$ 2,610.17

**Note:**

- (i) The room areas for boarding houses referred to in the above table exclude any area used for the purposes of a private kitchen or bathroom facilities.
- (ii) GFA means gross floor area.
- (iii) For residential land subdivision creating a lot or lots suitable for more than a single dwelling house contributions, appropriate to the proposed or potential dwellings are payable.

## Lewisham South Planning Precinct

Table 1.5 below sets out the section 94 contribution rates applicable. Where the contribution amount shown in the right-hand 'Total' column exceeds \$20,000, the applicable contribution shall be \$20,000.

**Notes:** The contribution rates in Table 1.5 are the rates applicable at the date of commencement of this Plan (i.e. 1 January 2014).  
Rates under the Plan are indexed quarterly.  
For the current indexed contribution rates refer to Council's website.

**Table 1.5 - Table of Section 94 Contribution Rates for the Lewisham South Planning Precinct delineated in section 1.6 of this Plan.**

Use		Occupancy	Recreation Facilities	Community Facilities	Traffic Facilities	Road/ Access Dedication	Plan Admin	Total
Residential Units and Secondary Dwellings	1-Bedroom	1.31	\$ 9,780.21	\$ 1,456.73	\$ 212.05	\$ 225.55	\$ 233.49	\$ 11,908.02
	2-Bedroom	2.02	\$ 15,080.93	\$ 2,246.26	\$ 241.29	\$ 347.79	\$ 358.33	\$ 18,274.59
	3-Bedroom	2.88	\$ 21,501.52	\$ 3,202.58	\$ 277.85	\$ 495.86	\$ 509.56	\$ 25,987.37
	4+ Bedroom	3.74	\$ 27,922.12	\$ 4,158.91	\$ 350.97	\$ 643.92	\$ 661.52	\$ 33,737.44
Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1-Bedroom	1.51	\$ 11,273.37	\$ 1,679.13	\$ 365.60	\$ 259.98	\$ 271.56	\$ 13,849.64
	2-Bedroom	2.08	\$ 15,528.88	\$ 2,312.98	\$ 467.96	\$ 358.12	\$ 373.36	\$ 19,041.29
	3-Bedroom	2.79	\$ 20,829.60	\$ 3,102.50	\$ 497.21	\$ 480.36	\$ 498.19	\$ 25,407.87
	4+ Bedroom	3.63	\$ 27,100.88	\$ 4,036.59	\$ 526.46	\$ 624.98	\$ 645.78	\$ 32,934.69
Dwelling houses excluding above categories	All Sizes	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 492.41	\$ 511.47	\$ 26,084.82
Subdivision into single dwelling allotment	Single Dwelling House	2.86	\$ 21,352.21	\$ 3,180.34	\$ 548.39	\$ 492.41	\$ 511.47	\$ 26,084.82
Boarding Houses	1-Person rooms less than 16m <sup>2</sup>	1	\$ 7,465.81	\$ 1,112.01	\$ -	\$ 172.17	\$ 175.00	\$ 8,924.99
	2-Person rooms 16m <sup>2</sup> or greater	2	\$ 14,931.61	\$ 2,224.02	\$ -	\$ 344.34	\$ 350.00	\$ 17,849.97
Commercial	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 1,462.39	\$ 860.86	\$ 202.03	\$ 10,303.62
Retail	Per 100m <sup>2</sup> GFA	1/20m <sup>2</sup>	\$ 7,465.81	\$ 312.54	\$ 2,611.40	\$ 860.86	\$ 225.01	\$ 11,475.62
Industrial	Per 100m <sup>2</sup> GFA	1/100m <sup>2</sup>	\$ 1,493.16	\$ 62.51	\$ 731.19	\$ 172.17	\$ 49.18	\$ 2,508.21

**Note:**

- (i) The room areas for boarding houses referred to in the above table exclude any area used for the purposes of a private kitchen or bathroom facilities.
- (ii) GFA means gross floor area.
- (iii) For residential land subdivision creating a lot or lots suitable for more than a single dwelling house contributions, appropriate to the proposed or potential dwellings are payable.

**Note:** An additional summary schedule for the Victoria Road Precinct, Marrickville was added in November 2019.

Refer to Appendix B – Victoria Road Precinct, Marrickville Sub-plan.

## 1.6 Summary Schedules of section 94A levies

Section 94A levies are applicable to all development where section 94 contributions are not payable except for development of a type that may be exempted from the requirement to pay section 94A levies as set out in section 2.17 of this Plan.

Section 94A levies are calculated as a percentage rate of the cost of development.

Clause 25j of the Regulation sets out how the cost of development must be determined and this is set out in section 1.61.

In accordance with clause 25K of the Environmental Planning and Assessment Regulation 2000 the applicable rates for calculating section 94A levies are as follows:

**Table 1.6 Rates for calculating s94A levies**

<b><i>Cost of Development</i></b>	<b><i>Levy as a Percentage of the Cost of Development</i></b>
Up to and including \$100,000	Nil
Over \$100,000 up to and including \$200,000	0.5%
Over \$200,000	1%

### **1.61 Determination of proposed cost of development for the purposes of calculating a section 94A levy**

The cost of development for the purpose of a calculating a section 94A levy is to be determined by Council and may be based upon information supplied by an applicant. In determining the proposed cost of carrying out development Council may have regard to an estimate prepared by an expert such as a quantity surveyor.

The Cost of development is determined 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.

The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:

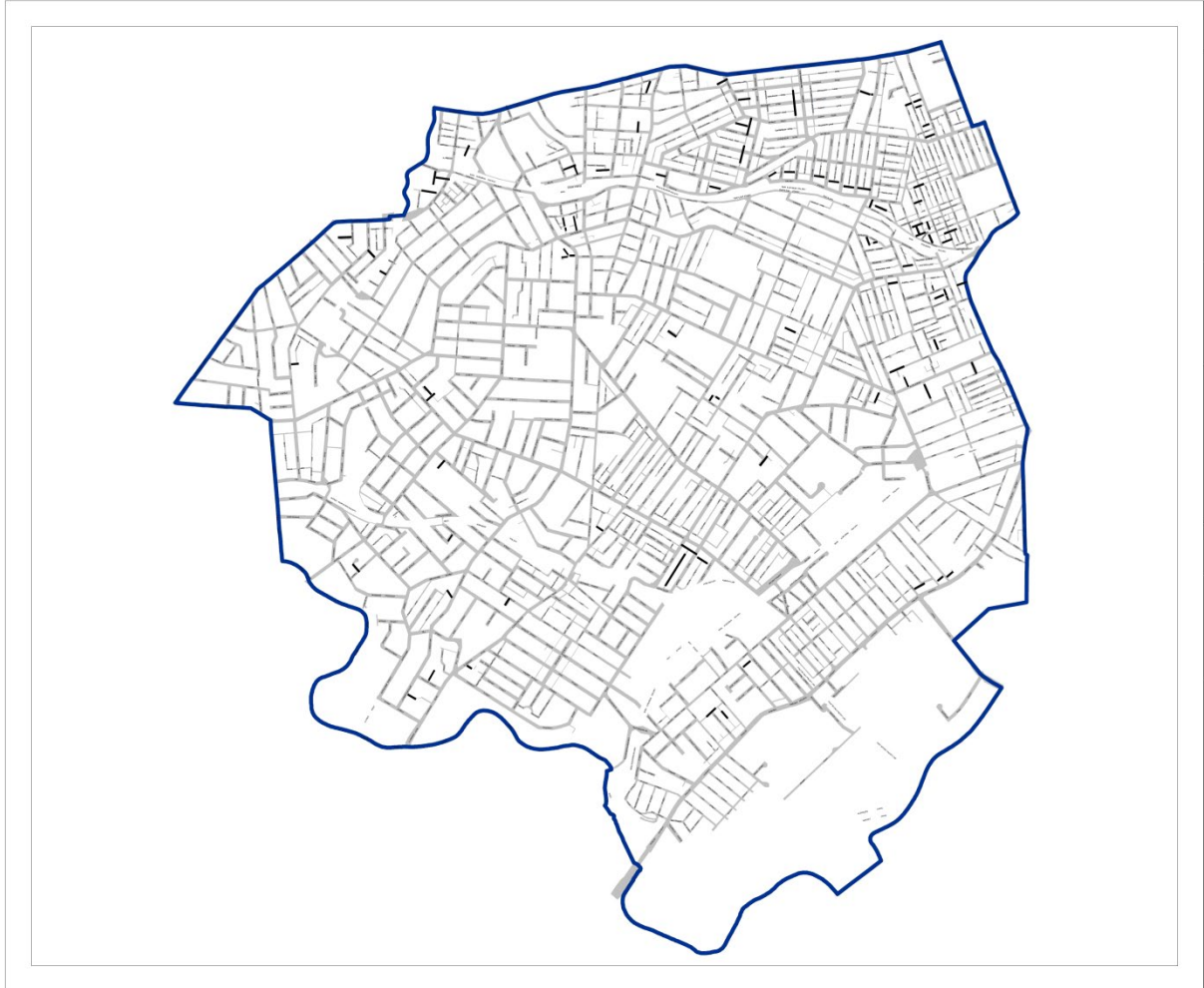
- (a) the cost of the land on which the development is to be carried out,
- (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,

- (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,
- (j) the costs of enabling access by disabled persons in respect of the development,
- (k) the costs of energy and water efficiency measures associated with the development,
- (l) the cost of any development that is provided as affordable housing,
- (m) the costs of any development that is the adaptive reuse of a heritage item.

The proposed cost of carrying out development is to be adjusted at the time of payment as set out in Section 2.15 of this Plan.

## 1.7 Maps of land to which contributions are applicable

### Map of the Marrickville LGA



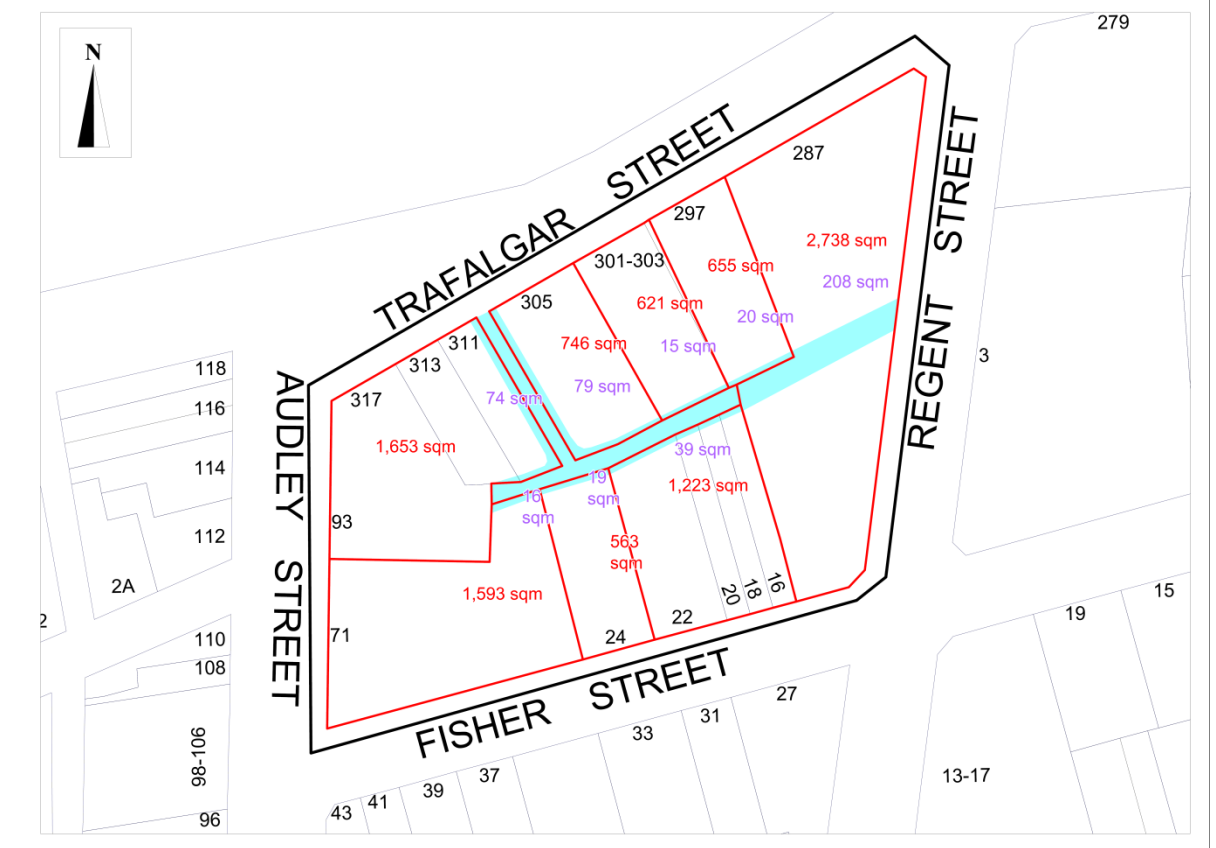


**Maps of St Peters Triangle Planning Precinct**



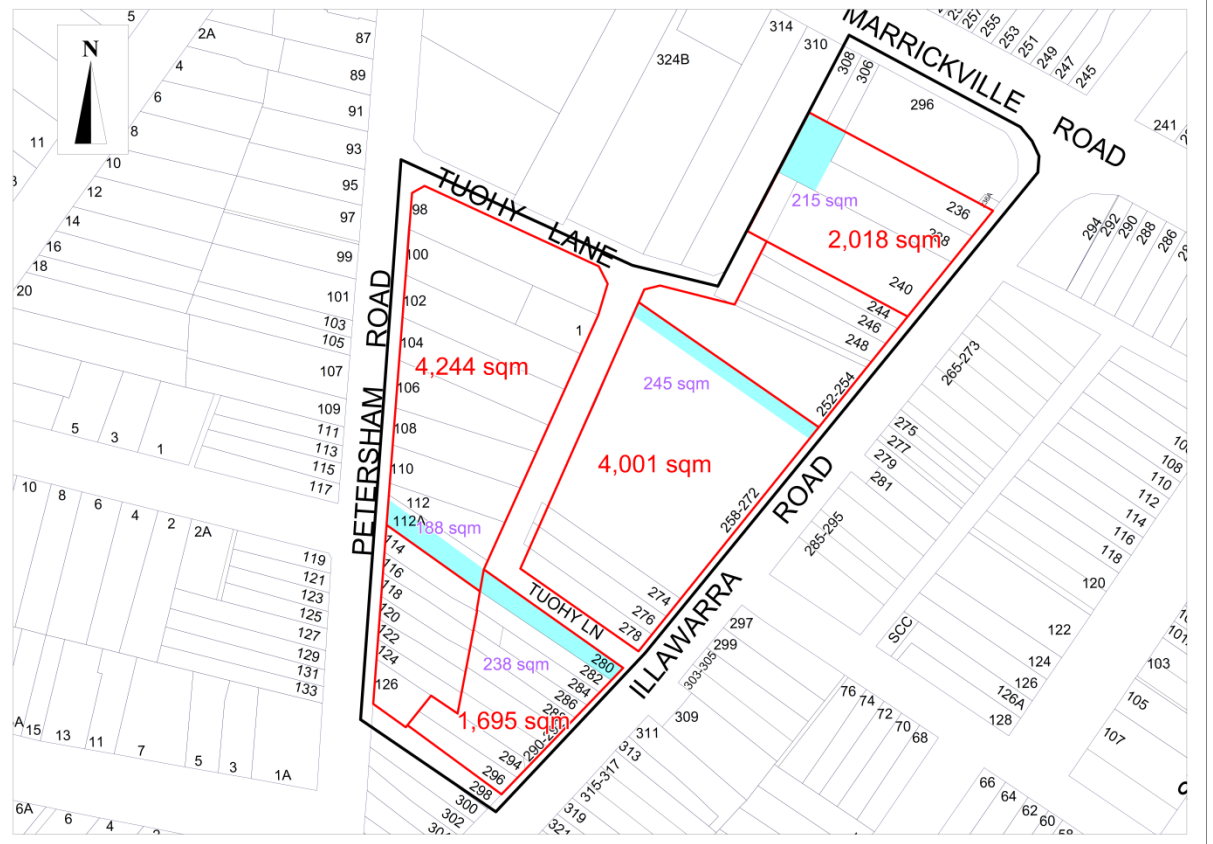
**Above: St Peters Triangle Planning Precinct outlined in black**

**Map of Petersham South Planning Precinct**



**Above: Petersham South Planning Precinct outlined in black**

**Map of Marrickville Town Centre Planning Precinct**



**Above: Marrickville Town Centre Planning Precinct outlined in black**

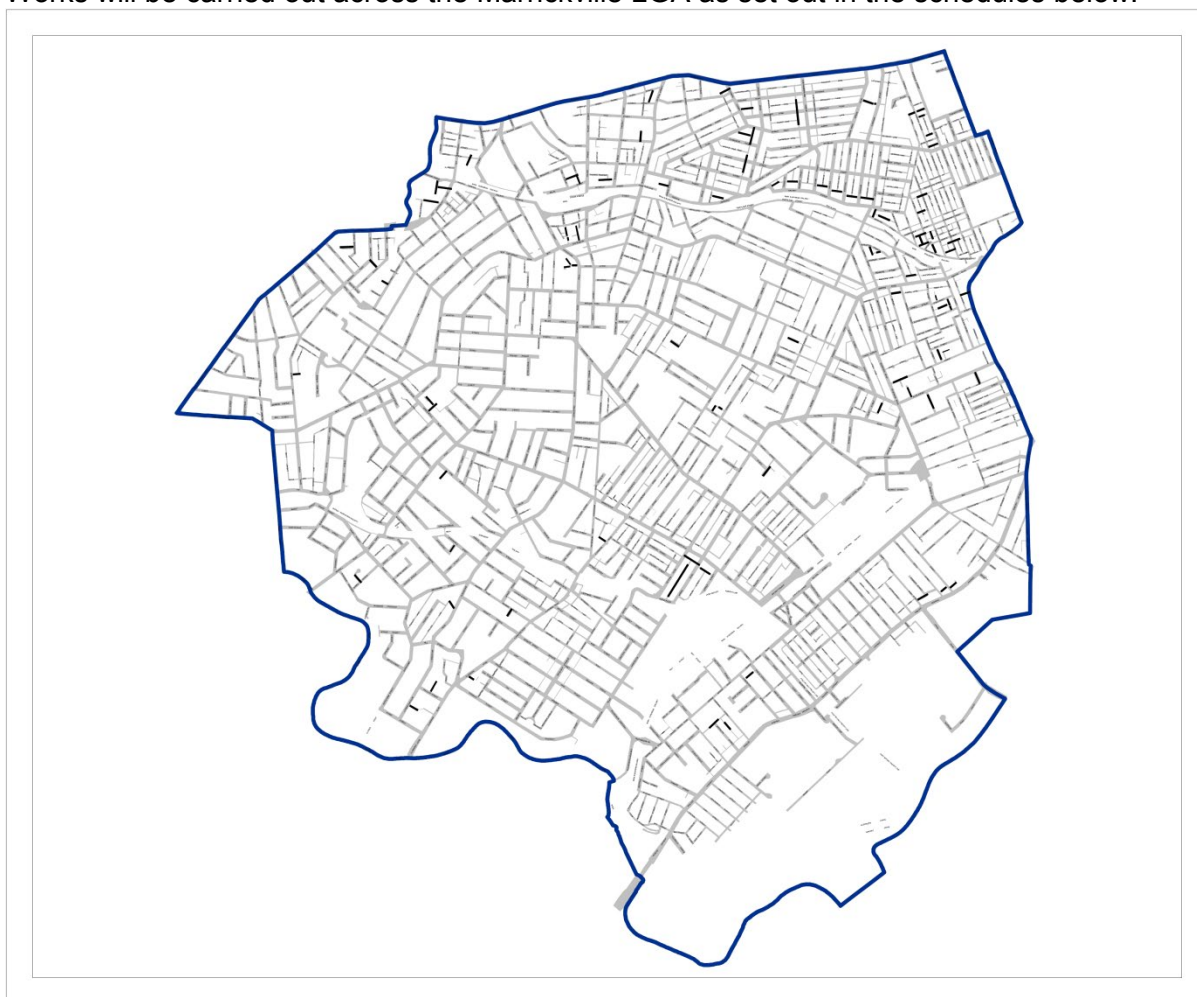
**Map of Lewisham South Planning Precinct**



**Above: Lewisham South Planning Precinct outlined in black**

## 1.8 Works Program

Works will be carried out across the Marrickville LGA as set out in the schedules below.



**Above: Map of Marrickville LGA**

**Schedule 1.8.1: Planning Precinct Land Dedication and Access Works**

<b>WORKS PROGRAM: PLANNING PRECINCT LAND DEDICATION and ACCESS WORKS</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
Petersham Masterplan Area	\$ 152,750	100%	\$ 152,750	\$ -	1
Lewisham Masterplan Area	\$ 43,550	100%	\$ 43,550	\$ -	1
Marrickville Masterplan Area	\$ 287,950	100%	\$ 287,950	\$ -	1
St Peters Masterplan Area	\$ 971,100	100%	\$ 971,100	\$ -	1
<b>Totals</b>	<b>\$ 1,455,350</b>		<b>\$ 1,455,350</b>	<b>\$ -</b>	

**Schedule 1.8.2: Traffic Facilities Works**

<b>WORKS PROGRAM: TRAFFIC FACILITIES</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
<b>LATM Schemes (Review and Implementation)</b>					
Dulwich Hill (North)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
East Marrickville	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
West Marrickville	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Riverside	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
St Peters	\$ 950,000	100.00%	\$ 950,000	\$ -	3
Newington	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Newtown	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Henson	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Stanmore (South)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Dulwich Hill (South)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	4
Enmore	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Marrickville	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Lewisham	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
Morton Park	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
Petersham (North)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
Camperdown	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Sydenham	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	4
Stanmore (North)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	5
Marrickville (South)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	5
<b>Local Roadworks &amp; Traffic Management &amp; Measures Adjacent to Regional Roads</b>					
Stanmore/Enmore Road	\$ 100,000	75%	\$ 75,000	\$ 25,000	3
Illawarra Road/Addison Road	\$ 100,000	75%	\$ 75,000	\$ 25,000	4
Old Canterbury Road/New Canterbury Road	\$ 100,000	80%	\$ 80,000	\$ 20,000	5
New Canterbury Road/Gordon/Livingston Sts	\$ 100,000	80%	\$ 80,000	\$ 20,000	1
New Canterbury Road/Crystal and Shaw Streets	\$ 100,000	80%	\$ 80,000	\$ 20,000	2
Railway Terrace/West Street	\$ 100,000	80%	\$ 80,000	\$ 20,000	2
<b>Intersection Upgrades</b>					
Enmore/Addison Road	\$ 200,000	75%	\$ 150,000	\$ 50,000	1
Gannon Street and Princes Highway	\$ 1,000,000	20.00%	\$ 200,000	\$ 800,000	2
<b>Totals</b>	<b>\$ 5,450,000</b>		<b>\$ 2,145,061</b>	<b>\$ 3,304,939</b>	

**Schedule 1.8.3: Recreation Facilities Works**

<b>WORKS PROGRAM RECREATION FACILITIES</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
Land acquisition passive parks	\$ 23,700,000	100%	\$ 23,700,000	\$ -	2
Land acquisition active parks	\$ 20,535,000	100%	\$ 20,535,000	\$ -	1
Embellishment to active parks	\$ 2,700,000	100%	\$ 2,700,000	\$ -	1
Embellishment to active parks synthetic surface	\$ 4,000,000	100%	\$ 4,000,000	\$ -	3
Embellishment to passive parks	\$ 10,000,000	100%	\$ 10,000,000	\$ -	2
Public domain village centre plazas	\$ 10,000,000	100%	\$ 10,000,000	\$ -	5
Public domain youth activity Plaza	\$ 1,000,000	100%	\$ 1,000,000	\$ -	3
Public domain Green Street program	\$ 4,500,000	100%	\$ 4,500,000	\$ -	2
Public domain accessible pathways extension	\$ 1,000,000	100%	\$ 1,000,000	\$ -	2
Indoor sport additional court	\$ 2,100,000	100%	\$ 2,100,000	\$ -	3
Aquatics Centres (cost recovery)	\$ 22,900,000	12.20%	\$ 2,793,080	\$ 22,900,000	1
<b>Totals</b>	<b>\$ 102,435,000</b>		<b>\$ 82,328,080</b>	<b>\$ 22,900,000</b>	

**Schedule 1.8.4: Community Facilities Works**

<b>WORKS PROGRAM: COMMUNITY FACILITIES</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
General community facilities - 2 halls	\$ 5,400,000	100%	\$ 5,400,000	\$ -	3
Library facilities	\$ 27,100,000	100%/12.2%	\$ 4,068,176	\$ 23,031,824	1
Childcare centre	\$ 2,500,000	100%	\$ 2,500,000	\$ -	2
<b>Totals</b>	<b>\$ 35,000,000</b>		<b>\$ 11,968,176</b>	<b>\$ 23,031,824</b>	

**Works Priority**

Entries in the Works Priority column represent the priorities with which infrastructure works will be undertaken using the numbers 1 to 5 where “1” represents the highest priority and “5” the lowest priority. These numbers are used to indicate how available funds might be channelled to carry out the most urgent works first before other less urgent works. All works will be carried out in order of works priority as soon as sufficient funds are available.

# **PART 2 - ADMINISTRATION**

## **2.1 Name of this Plan**

This Plan may be referred to as "Marrickville Section 94/94A Contributions Plan 2014".

This Plan authorises the consent authority to charge s94 contributions and section 94A levies in the manner set out in this Plan.

This Plan has been prepared in accordance with Division 6 of Part 4 of the Environment Planning & Assessment Act 1979, Part 4 of the Environment Planning & Assessment Regulation 2000 and Development Contributions Practice Note published by the former Department of Infrastructure Planning and Natural Resources in July 2005, case law and other guidelines such as the Section 94 Contributions Plan Manual (Department of Urban Affairs and Planning, Second Edition, 1997).

## **2.2 Land to which this Plan applies**

This section 94/94A contributions plan relates to the whole of the Marrickville Local Government Area (LGA).

Some sections of this Plan relate to specific Planning Precinct development areas within the Marrickville LGA that are the subject of masterplans. These specific areas are delineated in maps and are the St Peters Triangle Planning Precinct, the Petersham South Planning Precinct, the Marrickville Town Centre Planning Precinct and the Lewisham South Planning Precinct. Each of these Planning Precincts has particular section 94 contribution requirements different from the non-Planning Precinct areas of the Marrickville LGA.

## **2.3 Terminology used in this Plan**

This Plan uses the following definitions:

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

*Cap* means the limitation of \$20,000 per dwelling or per subdivided residential allotment provided in the section 94E Direction by the Minister of Planning and Infrastructure dated 21 August 2012 or such updated directions of similar intent issued by the Minister from time to time. Clause 26 (3) of the Regulation prohibits Council from approving a contributions plan that is inconsistent with a section 94E direction. The Practice Note issued by the Department of Planning dated 23 November 2010 requires all contribution plans seeking to charge section 94 contributions in excess of \$20,000 per dwelling or residential subdivided allotment to be referred to IPART before being advertised.

*Development Application* has the same meaning as in the Act.

*Development Contribution* includes in general usage contributions under both section 94 and section 94A of the Act, However in this Plan, in accordance with the terminology of the Act, they are generally referred to respectively as section 94 contributions and section 94A levies.



*Practice Note* means the Development Contributions Practice Notes published by the former Department of Infrastructure Planning and Natural Resources in July 2005 and on 23 November 2010.

*Public Facilities* means public infrastructure, facilities, amenities and services

*Public* includes a section of the public

*Public Benefit* is a benefit enjoyed by the public as a consequence of a development contribution.

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

## **2.4 Purpose of this Plan**

This Plan is a section 94/94A contributions plan that has been prepared for the following purposes:

- (a) To authorise the consent authority to impose conditions of consent under the provisions of section 94 of the Act requiring the payment of section 94 contributions,
- (b) to authorise the consent authority to impose conditions of consent under the provisions of section 94A of the Act requiring the payment of section 94A levies where section 94 contributions are not charged,
- (c) to require accredited certifiers to impose conditions on complying development certificates requiring the payment of section 94 contributions or section 94A levies as are appropriate in accordance with this Plan,
- (d) to seek to ensure that adequate public facilities and services are provided to meet the expected increase in demand resulting from new development to the extent permitted by the contributions cap,
- (e) to provide an administrative framework for the implementation and coordination of strategies for the provision of public facilities and services,
- (f) to meet the regulatory requirements of the Act and Regulation,
- (g) to provide transparency and a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions,
- (h) to ensure to the greatest extent possible within the limitation of the contributions cap that facilities and services are provided in an equitable way that do not unfairly burden the existing community with the cost of meeting the needs of future development, and
- (i) to enable Council to be both publicly and financially accountable in its assessment and administration of development contributions.

This Plan seeks to clearly document the following:

- The section 94 contribution amounts and section 94A levy rates,
- the nexus between the anticipated increased demand for public facilities and services from the projected additional development and

the infrastructure works proposed to address, to the extent that the contributions cap allows, that increased demand,

- the works programs on which the section 94 contributions will be spent, and
- how the costs of the works for which section 94 contributions are charged is to be apportioned between Council and developers.

The works programs on which section 94A levies will be spent are not shown in this Plan. The funds raised from s94A levies will be spent on public facilities and services other than the facilities and services for which section 94 contributions are charged and as decided by Council when determining its annual works programs.

This Plan is a public document for use by Council, private certifiers, ratepayers, developers and the general public and to the greatest extent possible is sought to be presented in plain English.

## **2.5 Period of operation of this Plan**

Pursuant to clause 31(4) of the Regulation this Section 94/94A Contributions Plan commenced in accordance with the publication of public notice on 1 January 2014.

It is expected to be in force for a period of between 5 and 10 years but will be reviewed and amended as required within this time.

In accordance with the provisions of clause 32(3) of the Regulation, this Plan may be amended at any time to address minor typographical corrections, change contribution rates to reflect quarterly or annual indexing variations or to omit details of completed works.

This Plan may be superseded by another contribution plan or by a modified or updated version of this Plan.

This Plan will cease with the first to occur of the following:

- (a) the elapsing of a period of 10 years from the date of commencement of this Plan, or
- (b) this Plan is superseded by another contribution plan or by a modified or updated version of this Plan, or
- (c) this Plan is repealed in accordance with the requirements of the Regulation or other legislative provision that allows such repeal.

## **2.6 Relationship to other plans and policies**

This section 94/94A contributions plan has been prepared in accordance with the requirements of the Act, the Regulation, the Practice Note, case law and guidelines such as the Section 94 Contributions Plan Manual (Department of Urban Affairs and Planning, Second Edition, 1997).

This Plan supersedes (but does not repeal) Marrickville Section 94/94A Contributions Plan 2004 ("CP 2004").

Monies levied pursuant to section 94A of the Act and held under CP 2004 will be transferred to this Plan.

Monies levied pursuant to section 94 of the Act and held under CP 2004 shall be administered in accordance with CP 2004.

This Plan applies to all development within the Marrickville LGA. Development that would result in an increased demand for facilities and services is subject to the payment of section 94 contributions under the provisions of this Plan and other development is subject to the payment of section 94A levies except where development is of a type that is given specific exemption (see Section 2.17) under this Plan.

This Plan relates to all development, particularly but not exclusively to development under the provisions of Marrickville LEP 2011 and Marrickville DCP 2011 and/or State and regional planning policies.

## **2.7 What are section 94 contributions and section 94A levies?**

### ***Section 94 Contributions***

Section 94 of the Act authorises the consent authority, to grant development consent (being consent to a development application or the issue of a complying development certificate), with a condition requiring the payment of reasonable section 94 contributions where it is satisfied that development will increase the demand for public amenities and services. Section 94 contributions may be in the form of either

- (a) The dedication of land free of cost, or
- (b) The payment of a monetary contribution, or both.

Council may accept a material public benefit in part or full satisfaction of section 94 contribution requirements. The material public benefit must be public facilities that are acceptable to Council. A section 94 contribution may be towards the provisions of new or amended public facilities and services or to recoup the cost of those Council has already provided in anticipation of the needs of new development.

Section 94 contributions are only applicable to any increase in demand and thus to the extent of any increase in development on a site for which section 94 contributions were paid.

Section 94EC of the Act authorises this Plan to require an accredited certifier that has received an application for a complying development certificate, to impose a condition requiring the payment of monetary section 94 contributions or section 94A levies in accordance with the requirements of this Plan. Section 2.13 of this Plan sets out the requirements for accredited certifiers.

### ***Section 94A Levies***

Section 94A of the Act authorises the consent authority, to grant development consent, with a condition requiring the payment of a section 94A levy which is payment of a percentage of the cost of development. Such levies may be applicable regardless of whether there is any increase in the extent of development and regardless of whether there is any demand change.

Clause 25K of the Regulation sets the maximum percentage rate that may be charged, however the Minister may give a direction under section 94E(1)(d) authorising a higher percentage rate.

The Act allows the charging of either a section 94 contribution or a section 94A levy as conditions of a development consent, but not both.

In this Plan section 94 contributions are required where there is an increase in demand for public facilities and services and section 94A levies are generally charged if a development does not attract section 94 contributions. There are some development types however that are charged neither section 94 contributions nor section 94A levies (see Section 2.17 Exemptions).

Clause 25J of the Regulation sets out how the cost of development to which the percentage rate for section 94A levies is applied is to be determined.

Table 1.6 in Part 1 of this Plan sets out the scale of section 94A rates that apply according to the cost of development. The maximum rate applicable is 1% of the cost of development.

### ***Provision of a Material Public Benefit***

Council may at its discretion consider accepting from an applicant the offer of a material public benefit for the full or partial satisfaction of section 94 contribution or section 94A levy requirements.

The material public benefit may constitute part of Council's public works program in which case it is termed works in kind. It may however be the provision of public facilities that are not part of Council's works program such as the construction of amenities, the provision of part of a building or the embellishment of open space.

Council may accept a land dedication or material public benefit in full or partial settlement of a requirement to pay section 94 contributions for section 94A levies in the following circumstances:

- (a) The value of the works undertaken as agreed by Council is at least equal to the value of the contribution or levy that would otherwise be required; and
- (b) The standard of works is to Council's full satisfaction; and
- (c) No detriment will be caused to the cost, timing or efficiency of implementation of the facilities and services proposed to be provided in this Plan; and
- (d) No detriment will be caused to the community, Council or other developers.

The applicant must provide to Council at the time of the request, the value of the land or works to be substituted as independently certified by respectively a registered valuer who is registered with the Australian Institute of Valuers and Land Economists or is a registered quantity surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

To accept an offer of a material public benefit, Council will require the offer to include that the applicant will enter into a legally binding written planning agreement for the dedication of land or the provision of the works. Security is required for the full amount or value of the contribution and may be required by way of a bank guarantee in the way that is set out for deferred payments in this Plan.

The security will be discharged when the provision of the full amount of the material public benefit or land dedication is completed. Where the provision of a material public benefit or

the land dedication comprise part of the total contribution due, the balance of the contribution must be paid when due.

In exceptional circumstances, where Council's valuation of a material public benefit exceeds the contribution due and where Council agrees to accept such a material public benefit, a credit for future section 94 contributions or section 94A levies for development within the Marrickville LGA may be provided by Council or at Council's discretion a refund may be paid for the excess of Council valuation over contribution due.

### ***Voluntary Planning Agreements***

Another option for providing the contributions necessary to deliver the additional public facilities and services necessary to meet the needs of development is a voluntary planning agreement. Voluntary planning agreements offer a very flexible approach to address a wider range of demands including demands that arise from particular developments and possibly previously unforeseen demand.

Voluntary planning agreements may be used in conjunction with this Plan to provide the community infrastructure necessary as a result of development.

## **2.8 Basic principles that apply to section 94 contributions and section 94A levies**

This section 94/94A contributions plan has been prepared in accordance with the requirements of the Act, the Regulation, the Practice Note, case law and other guidelines such as the Section 94 Contributions Plan Manual (Department of Urban Affairs and Planning, Second Edition, 1997).

These statutes, decisions and documents embody a number of principles that in particular apply to section 94 contributions and this Plan is prepared in accordance with those principles. While this Plan is also prepared in accordance with the requirements for charging section 94A levies, the requirements for charging section 94A levies are relatively simple compared to the more complex and stringent requirements for charging section 94 contributions.

Section 94 contributions are usually only imposed for the capital cost of public facilities and services that are likely to be required as a consequence of, or to facilitate new development rather than recurrent items such as maintenance.

The capital costs for which contributions are charged can include the following:

- (a) The cost of administration of this Plan, the detail design of required works and the supervision of works to provide infrastructure,
- (b) costs of planning studies involved in the preparation, review and revision of this Plan,
- (c) consultant costs and non-recurrent staff costs for the preparation, review and revision of this section 94/94A plan, and
- (d) road maintenance where excessive wear and tear will be caused by a development.

This Plan authorises contributions towards the capital cost of public infrastructure however there are no section 94 contributions required for road maintenance.

## **Apportionment**

Apportionment is appropriately dividing the cost of the infrastructure among the various users from whom the demand arises so that a development only pays its proportionate share.

Under the provisions of section 94(1), section 94 contributions can only be charged where a development *will or is likely to require the provision of or increase the demand* for infrastructure. In accordance with this, anticipated new development in this Plan is charged only that part of the cost of facilities and services that is in proportion to the relative demand estimated to be created from such development. It should be noted however that while the section 94 contributions cap is in force, Council will likely be prevented from receiving the full funds necessary to provide facilities and services that meet the need arising from the increase in demand from new development.

## **Nexus**

One aspect of demonstrating demand is showing the nexus or connection between a proposed development and facilities and services for which contributions are to be charged. Nexus is one of the core principles of section 94 contributions. There are three aspects of nexus:

- (a) *Causal* – the logical or causal connection between the new development and the need for the infrastructure.
- (b) *Spatial* – the locational connection between development and the location of the proposed infrastructure.
- (c) *Temporal* – the connection in time between the proposed infrastructure and anticipated development. The works programs set out in this Plan provide the proposed timing connection by the assignment of a works priority.

## **Reasonableness**

A requirement for imposing s94 contributions is reasonableness. Contributions and hence the justification and methods for imposing them have to be reasonable.

The *Newbury* case is often cited as the established case for the basic test of the validity of a development contribution. The contribution must:

- (a) be for a planning purpose,
- (b) fairly and reasonably relate to the subject development, and
- (c) be reasonable in that a reasonable planning authority, duly appreciating its statutory duties, might impose it.

A core consideration in the preparation of all aspects of this Plan and imposing section 94 contribution requirements is ensuring that the projections, assumptions, the proposed public facilities and services, the process of determining contributions and the contribution amounts themselves are reasonable.

The section 94 contributions imposed in this Plan are not to fill any existing lack or shortfall in the provision of public facilities and services for the existing population, but to provide infrastructure to an appropriate and reasonable standard of provision for the additional population in new development within the limitation of the contributions cap.

## **2.9 What can section 94 contributions and s94A levies be used for?**

The section 94 contributions received by Council under the provisions of this Plan are for the specified infrastructure works set out in this Plan. Such contributions will be held and accounted for by Council (as set out in sections 2.10 and 2.11 of this Plan) and put towards the works specified in this Plan.

The section 94A levies received by Council under the provisions of this Plan will be held and accounted for by Council (as set out in sections 2.10 and 2.11 of this Plan) and put towards works, other than the works for which section 94 contributions are received, on Council's public works program as decided from time to time by Council.

## **2.10 How is Council accountable for section 94 contributions and section 94A levies?**

Council will provide transparency and accountability in the levying and accounting for development contributions as set out in this section.

### ***Accounting***

Sections 93E(1) and 93E(4) of the Act require Council to hold any monetary section 94 contributions or section 94A levies that are paid in accordance with conditions of a development consent, a complying development certificate or planning agreement, together with any interest earned from their investment, for the purposes for which the payment was required, and apply the money towards those purposes within a reasonable time.

Section 93E(3) similarly requires land dedicated to be made available for the purpose for which it was dedicated within a reasonable time.

Clause 35(1) of the Regulation requires Council to maintain accounting records that allow monetary section 94 contributions, section 94A levies, and any additional amounts earned from their investment, to be distinguished from all other money held by the Council. In addition, clause 35(3) requires Council to disclose in its annual financial report amounts received as section 94 contributions and section 94A levies and amounts expended for each public facility and service, opening and closing balances and Council's outstanding obligations under this Plan.

Clause 35(2) of the Regulation requires Council to maintain accounting records that indicate the various public amenities and services for which expenditure is authorised under this Plan, the monetary section 94 contributions or section 94A levies received for each of the public amenities and services, any pooling of funds and the amount spent for the various public amenities and services in accordance with this Plan.

Council will maintain appropriate accounting records in accordance with those requirements.

Clause 37 of the Regulation requires Council to have publicly available for inspection free of charge the following:

- Each current section 94 contribution plan,
- Annual statements for each contribution plan,
- A contributions register.

The Contributions Register shows details of monies received in accordance with the provisions of this and previous contributions plans for each development consent for each public facility and service.

For this Plan, the Contributions Register will show the amount of section 94 contributions that is attributable to each public facility and service for each consent for which contributions are levied. For section 94A levies charged under this Plan, the amount levied for each development consent will be shown.

## **2.11 Pooling of contributions**

Section 93E(2) of the Act allows monetary contributions received from developers as section 94 contributions, section 94A levies and under the terms of a planning agreement to be pooled and applied progressively toward the provision of the public facilities and services set out in this Plan.

A planning agreement however may specify that the monies received under the terms of such agreement are not to be pooled. In such cases any amounts specified as not to be pooled will be excluded from any pooling.

Consistent with the requirements of section 93E(1) of the Act, where the money held for one particular facility or service is pooled in order to allow the provision of a another facility or service in a more timely way, the pooled money will be repaid so that it can be applied towards its original purpose within a reasonable time.

Council will maintain accounting records of the pooling of contributions.

## **2.12 Section 94 contributions and section 94A levies with voluntary planning agreements**

Planning agreements are negotiated between developers and Councils in the context of specific proposals by developers for changes to environmental planning instruments or for consent to carry out development.

Planning agreements have the potential to be used in a wide variety of circumstances to achieve many different planning outcomes. The provisions of this Plan seek to work in harmony with voluntary planning agreements.

A planning agreement may, or may not, partly or fully exclude the application of section 94 or section 94A to development the subject of a planning agreement.

Where a planning agreement partly or fully excludes the application of section 94 or section 94A, then section 93F(5) of the Act precludes Council from imposing a condition of development consent requiring the payment of section 94 or section 94A contributions except to the extent that a planning agreement provides for the payment of such contributions.

Section 79C of the Act requires the consent authority to take into consideration when determining a development application a number of matters including at 79C(1)(a)(iia) the following:

*Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.*



Where a planning agreement excludes the application in any part of section 94 or section 94A contributions, Council or the Minister must be a party to that agreement (S93F(3A)).

Section 94(6) of the Act requires the consent authority to take into account any land, monetary or material public benefit elsewhere contributed by the applicant within the area where an adjoining area other than:

- a) *A benefit provided as a condition of the grant of development consent under this Act, or*
- b) *A benefit excluded under the terms of a planning agreement (section 93F(6)).*

Council will consider an appropriate level of overall contribution and what measures are required to mitigate or compensate for the impact of development in making decisions as to what will be an acceptable level of contribution in the circumstance of each case.

Where the application of s94 or s94A of the Act to development is not excluded by a planning agreement, contributions under the provisions of this Plan will be applicable in the usual way.

Council's policy on voluntary planning agreements sets out the requirements in regard to such agreements.

## **2.13 Requirements and obligations for accredited certifiers**

### ***complying development certificates***

In accordance with section 94EC(1) of the Act, this Plan requires that an accredited certifier must, when issuing a complying development certificate, impose as a condition of that certificate a requirement that the section 94 contributions or section 94A levies as set out in this Plan are paid in full in accordance with the requirements of this Plan (section 2.14 of this Plan requires that all section 94 contributions or section 94A levies payable are, unless otherwise agreed in writing by Council, paid in full before the first to occur of the commencement of any works or the issue of a construction certificate).

The section 94 contributions or section 94A levies payable at the date of this Plan are set out in the Summary Schedules in Part 1 of this Plan. Contributions imposed must be indexed to the date of payment as set out in this Plan.

In accordance with section 94(1)(b) of the Act, an accredited certifier can impose a condition only for the payment of monetary section 94 contributions or section 94A levies. Where other forms of contribution are required under the provisions of this Plan, an accredited certifier must not issue a complying development certificate until arrangements have been made with Council and confirmed in writing by Council to the effect that all non-monetary contribution requirements have been met.

For example, where application is made to an accredited certifier for a complying development certificate for development on a site nominated in this Plan as requiring the dedication of land such as for a road or pathway widening or acquisition, then an accredited certifier must not issue a complying development certificate until arrangements have been made with Council and confirmed in writing by Council for the dedication of such land. Where land dedication is required, monetary contributions and levies as set out in this Plan will still be required as a condition of any complying development certificate issued unless otherwise advised by Council.

It is the professional responsibility of accredited certifiers to accurately calculate the section 94 contribution or section 94A levy amount and to apply the contribution or levy condition correctly. Where an accredited certifier is uncertain as to what total contributions or levies are applicable to development, application must be made to Council for confirmation in writing of the contributions or levies applicable.

A complying development certificate issued by an accredited certifier must also comply with the following requirements:

- (a) The conditions imposed must be consistent with Council's standard section 94 consent conditions in the case of section 94 contributions and Council's standard section 94A levy conditions in the case of section 94A levies, and
- (b) any condition imposed requiring the payment of monetary contributions or levies must also require that such contributions and levies are indexed in accordance with this Plan to the date of payment, and
- (c) there are no deferred or periodic payments authorised unless agreement with Council for such deferred or periodic payments for the particular case is first obtained in writing, and
- (d) the complying development certificate requires payments to be made at times set out in section 2.14 of this Plan, and
- (e) there are no bank guarantees involved unless contributions other than monetary contributions are required under the provisions of this Plan and Council has agreed in writing to a bank guarantee and Council has advised in writing that the bank guarantee is in place, and
- (f) any condition of consent required by Council in relation to non-monetary contributions are included as consent conditions in any complying development certificate issued, and
- (g) contributions have been calculated in accordance with the Summary Tables in Part 1 of this Plan following all projections and assumptions provided in this Plan about residential and other occupancy rates, populations, areas, standards and methods of calculating contributions or Council has advised in writing of the appropriate contributions for the development.

### ***Construction Certificates***

In accordance with the provisions of section 94EC of the Act and clause 146 of the Regulation, a certifying authority must not issue a construction certificate for building or subdivision work under a development consent unless it has verified that each condition of the development consent including the payment of monetary contributions or levies has been satisfied.

The certifier must ensure that the applicant provides a receipt or receipts confirming that contributions and levies have been fully paid. Copies of such receipt or receipts must, in accordance with clause 142 (2) of the Regulation, be included in copies of the certified plans provided to Council.

Where the provision of works comprising a material public benefit such as works in kind has been agreed by Council or the dedication of land is required then a certifier must not issue a construction certificate until Council has confirmed in writing that the provision of such requirements has been satisfied in full.

If alternative payment methods such as deferred or periodic payments has been agreed by Council, then the certifier must ensure that such an alternative arrangement is provided in

writing and Council has certified in writing that all requirements in this regard had been met before issuing a construction certificate. Copies of all such advice and certification must be included with the copies of certified plans provided to Council.

## **2.14 Timing and methods of payments Monetary**

The payment of monetary section 94 contributions and section 94A levies, unless otherwise agreed with Council in writing, is to be made at the following stages:

- **For works requiring a construction certificate:**  
Before the issue of the construction certificate.
- **For works requiring a complying development certificate:**  
Before the commencement of any works.
- **For development that involves subdivision only:**  
Before whichever is the first to occur of the issue of any construction certificate related to the site works or the issue of a subdivision certificate.
- **For development that involves both construction and subdivision:**  
Before whichever is the first to occur of the issue of any construction certificate or the issue of a subdivision certificate.
- **For all other development:**  
Before whichever is the first to occur of the issue of an occupation certificate or the commencement of the use.

### ***Methods of payment of monetary contributions***

Payment of monetary section 94 contributions or 94A levies will only be accepted by the following methods:

- o Cash;
- o Bank cheque from a major Australian bank;
- o EFPTOS;
- o Credit Card

*Note: Personal cheques will not be accepted.*

### ***Land dedication***

The dedication of land free of cost to Council from specific development sites is a requirement in this Plan for the sites as set out in the maps to this Plan and for the reasons as set out in Part 4 of this Plan.

The dedication of land, unless otherwise agreed in writing by Council, is to take place at the following stages:

- **For works requiring a construction certificate:**  
Before the issue of the construction certificate
- **For works requiring a complying development certificate:**  
Before the commencement of any works
- **For development that involves subdivision only:**  
Before whichever is the first to occur of the issue of any construction certificate related to the site works or the issue of a subdivision certificate

- **For development that involves both construction and subdivision:**  
Before whichever is the first to occur of the issue of any construction certificate or the issue of a subdivision certificate
- **For all other development:**  
Before whichever is the first to occur of the issue of an occupation certificate or the commencement of the use.

Council may also at its discretion consider accepting from an applicant land dedication for the full or partial satisfaction of section 94 contribution requirements.

### ***Provision of a material public benefit***

Where Council at its discretion decides to accept from an applicant the offer of a material public benefit (including the dedication of land) the timing of provision shall be in accordance with the agreement entered into with Council for the provision of that material public benefit.

Where a material public benefit only partially satisfies a requirement for the payment of section 94 contributions or section 94A levies, then unless it is otherwise set out in the agreement, the balance of the amount of the section 94 contribution or section 94A levy shall be paid in full as required in this Plan.

Security is required for the full amount or value of the material public benefit and may be required by way of a bank guarantee in the way that is set out below in this section of this Plan for deferred payments. The security will be discharged when the provision of the full amount of the material public benefit is complete.

In exceptional circumstances, where Council's valuation of a material public benefit exceeds the contribution due and where Council agrees to accept such a material public benefit, a credit for future section 94 contributions or section 94A levies for development within the Marrickville LGA may be provided by Council or at Council's discretion a refund may be paid for the excess of Council valuation over contribution due.

### ***Deferred payments***

Council may at its discretion where the circumstances of a particular case are considered to warrant it (where in the opinion of Council the payment of contributions as elsewhere set out in this Plan would be unreasonable, unnecessary or unjustified in the circumstances), permit the payment of contributions under this Plan by deferred or periodic payments.

Circumstances where this may be acceptable are:

1. You have entered into a legally binding voluntary planning agreement with Council for the dedication of land or to provide a material public benefit or works in kind in full or partial satisfaction of a section 94 contribution or section 94A levy requirement, and
2. you have applied in writing to Council requesting deferred or periodic payments and Council is satisfied that:
  - (a) There are valid reasons for permitting deferred or periodic payments, and
  - (b) No detriment will be caused to the cost, timing or efficiency of implementation of the facilities and services proposed to be provided in this Plan, and
  - (c) No detriment will be caused to the community, Council or other developers.

Council will consider other circumstances where deferred or periodic payments may be acceptable on a case-by-case basis.

Where deferred or periodic payments are agreed to by Council for a particular case the following conditions shall apply:

1. The full contribution amount due or outstanding at any time under deferred or periodic payment arrangements plus interest and charges associated with establishing or operating a bank guarantee shall be supported by a bank guarantee from a major Australian bank,
2. the bank guarantee must comply with the following:
  - (a) It is unconditional without an expiry date and includes an amount calculated by Council for loss of interest for a period as agreed by Council but not less than a minimum period of thirteen (13) months together with the cost of implementing, maintaining and administering the deferred or periodic payment arrangement in addition to the full amount of contributions due or outstanding, and
  - (b) it must be able to be drawn on by Council at any time that monetary contributions, land dedications or the provision of a material public benefit are not completed as agreed with Council, and
  - (c) it must be able to be drawn on by Council unconditionally at any time without recourse to the applicant or land owner or regardless of any dispute, controversy, issue or a matter relating to the development consent however Council may agree to a minimum period before drawing on a bank guarantee.
3. the amount of the bank guarantee may at Council's discretion be amended to adjust for reduced or increased contributions and charges or to reduce interest charges for early payment,
4. the bank guarantee will be discharged when payment to the Council is made in accordance with the guarantee or all commitments to Council by the applicant or land owner have been met or when Council notifies the bank in writing that the guarantee is no longer required,
5. the bank guarantee must be such that all bank charges and other costs of setting up and maintaining it are met by the applicant,
6. the amount of any contribution that remains outstanding shall be charged interest in accordance with the formula provided below. Interest shall be calculated from the date a contribution was due until the date of payment,
7. the period of deferral of contributions or over which periodic contributions are made shall be as agreed by Council and the applicant and may be altered or amended with Council agreement.

### ***Interest calculation***

The total amount of payment due for deferred payments is calculated according to the formula:

$$T = C (1+I)^N + A$$

Where:

- |   |   |
|---|---|
| T | is the total amount of payment due and therefore the amount of the bank guarantee   |
| C | is the section 94 contribution or section 94A levy due under this Plan or the value of the land dedication, material public benefit or works in kind to be provided and covered by the bank guarantee |
| I | is the current overdraft interest rate expressed as a percentage  |

- A is the cost to Council of administering the particular case of deferred or periodic payments
- N is the period of deferral in years.

The total amount due for periodic payments is also calculated using the above formula except that the total amount of contribution due is calculated by adding the separate amounts calculated for all the reduced balances that occur as payments are made.

## 2.15 Indexing of payments

The works program proposed under this Plan requires works to be carried out at some time in the future. The estimates of cost that have been provided in this Plan for works to be carried out are the costs as at the date this Plan commenced. The actual cost to carry out the works program will be subject to factors such as inflation, cost variations due to scarce resources, changing technology and other factors.

This Plan will be subject to review at which time cost variations can be re-assessed. however in accordance with clause 32(3)(b) of the Regulation in order to account for the general increases in cost due to inflation, the section 94 contributions levied under this Plan for works to be carried out and the cost of works used for calculating section 94A levies will be subject to indexation from a base date which is the date of commencement of this Plan to the time of payment of a contribution or levy.

Where Council charges section 94 contributions for the recoupment of costs for public facilities and services already provided in preparation for or to facilitate new development, such contributions will be indexed in accordance with clause 25i of the Regulation on a quarterly basis in accordance with the Consumer Price Index (All Groups Index) for Sydney provided by the Australian Statistician. The recoupment cost will be indexed from the date of commencement of this Plan to the date of payment of contribution. Where a public facility or service is provided some time (up to 5 years) before the commencement of this Plan, the cost of the public facility or service used in this Plan to calculate a recoupment contribution will be the actual cost indexed in accordance with the Consumer Price Index (All Groups Index) for Sydney provided by the Australian Statistician to the date of commencement of this Plan.

Both section 94 contributions for works to be carried out and the cost of development on which section 94A levies are based will be indexed on a quarterly basis to the time of payment. The cost of development on which section 94A levies are based and all but 2 items in the section 94 works program will be indexed in accordance with the Consumer Price Index (All Groups Index) for Sydney provided by the Australian Statistician.

Section 94 contributions for the acquisition of land will be indexed in accordance with the Australian Bureau of Statistics Established House Price Index for Sydney (HPI). Only 2 items in the section 94 works program will be indexed in accordance with the HPI. They are *land acquisition passive parks* and *land acquisition active parks* in the Recreation Facilities works program.

In indexing the cost of development to calculate indexed section 94A levies, Council will not change the percentage of the levy that is applicable. That is, if the applicable rate at the time the certificate or approval is issued is 0.5% for development costing up to and including \$200,000, then the rate used for calculating the section 94A levy will remain at 0.5% even if the indexed cost of development increases to over \$200,000 where a 1% levy is applicable. Development costing \$100,000 or less to which a nil rate of section 94A levy is applicable

will still not be charged a section 94A levy even though the indexed cost of development may exceed \$100,000.

Council will index section 94 contributions on a quarterly basis and publish section 94 contribution rates updated to the latest quarter on its website. It should be noted however that such published information will provide section 94 contributions only to the current quarter and contribution amounts will be further indexed on a quarterly basis to the time of payment if not paid in that quarter.

The formula for indexing section 94 contributions for works to be carried out and the cost of works used in calculating section 94A levies is as follows:

$$\text{Contribution amount} = C \times \left( 1 + \frac{I_2 - I_1}{I_1} \right)$$

where:

C is the contribution amount shown in this Plan

$I_1$  is the Consumer Price Index (All Groups Index) for Sydney as at the date of commencement of this Plan

$I_2$  is the Consumer Price Index (All Groups Index) for Sydney as at the date of payment of the contribution

Indexing for land acquisition uses the same formula (above) but with the index instead being the Australian Bureau of Statistics Established House Price Index for Sydney.

The formula for indexing section 94 contributions for recouping the cost of facilities and services already provided by Council is as provided above.

## **2.16 Monitoring and reviewing this Plan**

In accordance with clause 33a(1) of the Regulation, Council will keep this Plan under review. In order to maintain the financial viability of this Plan, the many projections, costings and assumptions upon which this Plan is based will be reviewed on a regular basis. Indexing of contribution amounts provides an adjustment for inflation, however there may be other factors that in particular will affect the cost of providing infrastructure. Schedules reviews of this Plan that will allow appropriate updating and amendment as necessary will be carried out on the following basis:

- Minor biennial review  
Projections, costings and assumptions will be reviewed and adjustments and/or amendments made as considered appropriate.
- Five year comprehensive review  
A detailed review of this Plan be carried out and this Plan will be updated as considered necessary.

In accordance with section 32(3) of the Regulation, Council may amend this Plan at any time (without adopting a new contributions plan) to address the following:

- (a) minor typographical corrections,
- (b) changes to the contribution rates set out in the plan in accordance with quarterly or annual adjustments to the index figures used in the plan, or
- (c) the omission of details concerning works that have been completed.

## 2.17 Exemptions

Section 94E Directions by the Minister, as well as State and regional planning policies can from time to time override the provisions of this Plan and Council may at its discretion provide exemption to the requirement to pay section 94 or 94A development contributions for certain developments.

At the time of the commencement of this Plan two Ministerial section 94E Directions provide exemptions to certain types of development.

Section 94E Direction from the Minister of Planning dated 10 November 2006 provides that a levy under section 94A cannot be imposed on development:

- (a) for the purpose of disabled access,
- (b) for the sole purpose of affordable housing,
- (c) for the purpose of reducing the consumption of mains supplied potable water or reducing energy consumption of a building,
- (d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or
- (e) other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of land on which the development is proposed to be carried out.

Section 94E Direction from the Minister of Planning dated to 14 September 2007 provides that neither section 94 contributions nor section 94A levies may be imposed on development consents granted to a social housing provider (as defined in State Environmental Planning Policy (Seniors Living) 2004 (Amendment No 2)) for any form of seniors housing (also as defined in State Environmental Planning Policy (Seniors Living) 2004 (Amendment No 2)).

Council may at its discretion reduce or forego the requirement to pay section 94 contributions or section 94A levies for particular developments considered to provide a planning, community or social benefit.

The type of developments where this may be appropriate are affordable housing, boarding houses that are considered acceptable in planning terms and which are considered to provide a particularly needed and desirable community benefit for the area and other housing provided by a public housing provider.

It should be noted that Council will not agree lightly to reducing or forgiving section 94 contributions because in such cases it is then up to Council to contribute any shortfall in contributions paid and this must be from other than section 94 funds.

## 2.18 Refunds

Land and Environment Court case law indicates that Council is committed to the expenditure of section 94 contributions and section 94A levies from the time they are levied. It is therefore not usually appropriate and generally not anticipated under this Plan that refunds will be given. However refunds may be considered in the following circumstances:

- The works proposed by Council under this Plan are no longer required and no alternative or substitute program is proposed
- The works program for certain infrastructure proposed under this Plan or an amended or substitute works program is such that there can be no



reasonable long-term expectation of that infrastructure or an alternative being provided.

No refunds can be made where Council has expended money on alternative infrastructure.

## **2.19 Savings and transitional arrangements**

Any application for development consent determined after the commencement of this Plan (including applications lodged before the commencement of this Plan) shall be subject to the terms of this Plan.

# **PART 3 – EXPECTED DEVELOPMENT AND POPULATION**

## **3.1 The Expected Development and Population**

### ***Background***

Following the preparation of Marrickville's LEP 2011 and DCP 2011 an investigation was undertaken of the likely future development and the resulting additional population as a result of increased development potential under the provisions of these planning policies. Based upon the development and population anticipated, environmental studies to ascertain the public infrastructure that would be necessary for this projected new development and the increased population resulting from it were undertaken.

The preparation of Marrickville LEP 2011 and Marrickville DCP 2011 was within the context of the overarching Department of Planning and Infrastructure (DOPI) Metropolitan Plan for Sydney 2036 and the Draft South Subregional Strategy (DSSS).

The demand for housing in the Marrickville LGA is expected to remain high with its close proximity to the city and other service and employment centres such as Sydney Airport. The LGA is also well serviced by public transport. One of the aims of Marrickville LEP 2011 is to increase residential and employment densities in appropriate locations while protecting residential amenity. A prime determinate of the additional population likely to occur over the period to 2031 is the additional development possible under the provisions of Marrickville LEP 2011 and Marrickville DCP 2011.

While the ABS and DOPI provide development, population and demographic projections for Marrickville LGA, these projections do not necessarily take into account the specific development possible under the provisions of Marrickville LEP 2011 and Marrickville DCP 2011.

Population and demographic consultants, The Public Practice, were commissioned by Marrickville Council to provide population and demographic data and projections for the LGA to 2031 taking into account the development possible under the provisions of Marrickville LEP 2011 and DCP 2011. This data has been provided in documents titled *Socio-Economic Portrait Marrickville 2010 (Updated)*, *Marrickville Housing Portrait 2006 (The 2006 Census Data)* and *Community Projector 2011 To 2031*.

The projections indicate a significant population increase in the Marrickville LGA. The projected increasing residential densities within the LGA and particularly within the Marrickville villages under the provisions of Marrickville LEP 2011 and DCP 2011 warranted a review of the infrastructure presently provided and the additional infrastructure required for the larger projected population with an increased emphasis on consideration of the streetscape and public domain in order to provide a suitable environment for such higher density living.

Council commissioned a number of infrastructure studies that were carried out by expert consultants to assess the infrastructure needs of the expected increased population in Marrickville LGA.

The studies completed or in progress are as follows:

- (a) Recreation Needs Research - Strategic Directions For Marrickville undertaken by a consortium consisting of the Miller Group, Recreation Planning Associates, Aspect Studios and BBC Consulting Planners.
- (b) Facilities Needs Research - Strategic Directions For Marrickville undertaken by a partnership consisting of the Miller Group and BBC Consulting Planners.
- (c) Marrickville Traffic and Transport Study undertaken by Transport and Urban Planning.
- (d) Marrickville Public Domain Study (in progress).

### **Expected New Development**

Projected new development under the provisions of Marrickville LEP 2011 and Marrickville DCP 2011 is broadly expected to comprise development in large master plan sites, small infill development throughout the LGA with the possibility of other major projects development approved by the Joint Regional Planning Panels.

The main areas of development are expected within in the village centres of Marrickville, South Marrickville, Petersham, Newtown, St Peters, Lewisham and Dulwich Hill.

The potential within the Marrickville LGA for new development is primarily as a result of the provisions of the Marrickville LEP 2011 And DCP 2011 but also because of State policies allowing development such as secondary housing. A likely potential new dwelling yield for the LGA to 2031 based upon the provisions of the Marrickville LEP 2011 and DCP 2011 has been analysed and estimated as set out in the following table:

**Estimated Potential Additional Dwellings in The Marrickville LGA To 2031**

<b>Development</b>	<b>Potential Dwellings</b>
Master planned sites set out in the Marrickville Villages Urban Design Study	1,462
Land within the B2 Local Centre Zone outside the area of the Marrickville Villages Urban Design Study	1,724
Sites within the St Peters Triangle Planning Precinct area	450
Old Canterbury Road Lewisham area including McGill Street Petersham	300
Alice Street Newtown	130
Old Marrickville Hospital site	150
Enmore – Addison Road	117
Residential subdivision	150
Secondary dwellings in residential zones	460
Neighbourhood centres	45
<b>Total</b>	<b>4,988</b>

**Note:**

There is potential within the LGA for a significant number of new secondary dwellings. SEPP (Affordable Rental Housing) 2009 makes provision for secondary dwellings on residential sites in Marrickville LGA of 450m<sup>2</sup> or more in area. In the 13 months after the SEPP come into force in late July 2009, there were 7 secondary dwelling applications.

There are 3349 allotments in Marrickville LGA of 450m<sup>2</sup> or more in area. It is expected that the number of applications for secondary dwellings under the provisions of the SEPP will increase as the permissibility of them becomes more widely known.

Marrickville LEP 2011 and DCP 2011 provide the potential for secondary dwellings on all residential zoned allotments, and there are currently 21,742 allotments within Marrickville residential zones. It is anticipated that approvals for secondary dwellings will result in an average of about 23 dwellings constructed per annum, or about 460 dwellings over a 20 year period.

A map has been prepared showing the location of the additional dwellings projected titled LEP/DCP 2011 Projected Additional Dwellings. The map excludes the 460 projected secondary dwellings and 150 projected dwellings resulting from residential subdivision. Secondary dwellings and dwellings resulting from residential subdivision are expected to be distributed across the LGA.

The additional dwellings by suburb excluding the 460 projected secondary dwellings and 150 projected dwellings resulting from residential subdivision is set out in the following table:

**Table 3.1: Additional Dwellings by Suburb (excluding secondary and subdivision dwellings)**

<b>Suburb</b>	<b>Additional Dwellings</b>
Dulwich Hill	604
Lewisham	452
Petersham	672
Marrickville	1722
Sydenham	7
Tempe	0
Mascot	0
St Peters	450
Enmore	58
Stanmore	56
Camperdown	15
Newtown	342
<b>Totals</b>	<b>4378</b>

The construction rate for new dwellings is historically cyclical, but an average dwelling construction rate of about 250 dwellings per annum would be required to achieve the anticipated number of new dwellings for the period 2011 to 2031 and this is considered to be a reasonable planning assumption for the dwelling construction rate over the period.

The new development expected is also projected to result in changes in the areas of industrial and commercial floor space and this has been estimated by Council and shown in the map titled LEP 2011 Projected Change In Worker Population.

The change in worker population by suburb is set out in the following table:

**Table 3.2: Projected Change in Worker Population by Suburb**

<b>Suburb</b>	<b>Commercial</b>	<b>Industrial</b>	<b>Retail</b>
Marrickville	+ 305	- 37	+ 231
Dulwich Hill	+ 99	- 50	+ 185
St Peters	+ 766	- 237	+ 667
Petersham	0	- 33	0
Lewisham	- 26	- 101	0
<b>Totals</b>	<b>+ 1,143</b>	<b>- 458</b>	<b>+ 1,085</b>
<b>Total Workers</b>	<b>+ 1,770</b>		

The calculation of change in worker population is based upon the assumption of retail and commercial occupancy of 1 worker per 20m<sup>2</sup> of GFA and 1 worker per 100m<sup>2</sup> of industrial GFA.

The ABS 2006 Census data indicates that 15% of residents 15 years of age and over work within the Marrickville LGA.

### **Population**

Data, such as Census and other data, upon which the population and demographic analysis and projections are based are in a continuous process of being updated and this section of this Plan sets out the specific data and projections which were adopted for the purposes of the infrastructure studies and the preparation of this Plan.

The Department of Planning has issued (in April 2010) population projections for the Marrickville LGA to 2036. ABS data has provided the Estimated Resident Population (ERP) to 2009 and residential building approvals to 2009/10 for the LGA.

Population projections based on future dwelling developments indicate that Marrickville's total population in 2031 to be 89,974 persons, 10,974 or 13.9% higher than projected population in 2011.

The more detailed population and demographic reports and projections provided by the Public Practice are the outcome of a mathematical model prepared by them for a combined analysis of Census Data, DOP projections and the development potential under the provisions of Marrickville LEP 2011 and DCP 2011. The parameters of the model are fine tuned to provide projections based upon the Census data that are consistent with other data such as the DOP's population projections for Marrickville LGA and the more short term ABS ERP data.

The model assumes a consistent change over the period from 2011 to 2031 rather than attempt to anticipate variations in the rate of development and population growth in accordance with economic cycles. This is a valid and inconsequential assumption. Although the rate of development may vary, the maximum population increase in Marrickville LGA is primarily determined by the limit to the capacity of the additional development that can occur under the provisions of the Marrickville LEP 2011 and DCP 2011.

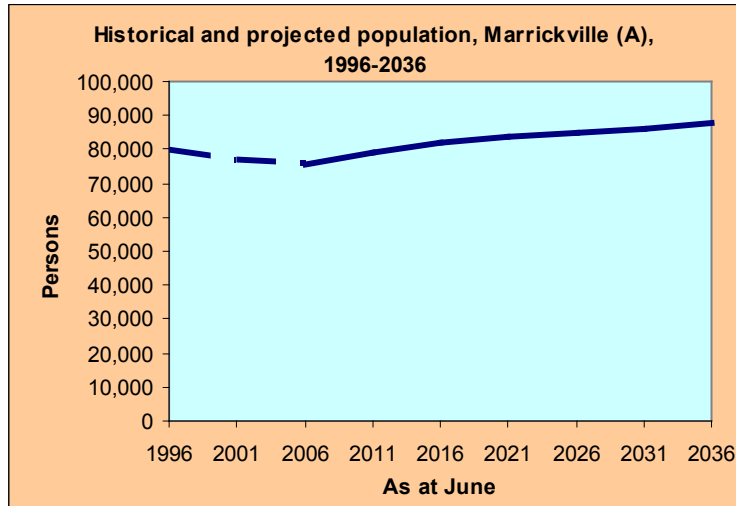
Although new development is projected over a 20 year time period to 2031, this Plan is proposed to be in force for a much shorter period before being reviewed and updated as appropriate. It is however appropriate that the infrastructure reviews and this Plan take into account the new development anticipated to 2031, as in practice, that development could occur in a much shorter time frame consistent with economic cycles.

Historically the Marrickville LGA population was not always increasing. For the period from 1996 to 2001 there was a net gain of 1,088 residential dwellings but a 4% decrease in LGA population from 75,519 in 1996 to 72,589 in 2001. Average occupancy or average number of persons per dwelling was thus decreasing in Marrickville LGA over this period.

ABS data provides a population estimate of 78,271 for the Marrickville LGA in 2009 with an average annual population increase since 2004 of about 0.8% per annum. The declining population trend ceased after 2004 and the population has been increasing since.

The DOP's population projections indicate that the present trend of increasing population is expected to continue to 2031 and beyond. The DOP's projections are provided in the following graph and table:

**Table 3.3: DOP Projections**



**Table 3.4: DOP Historical and Projected Population**

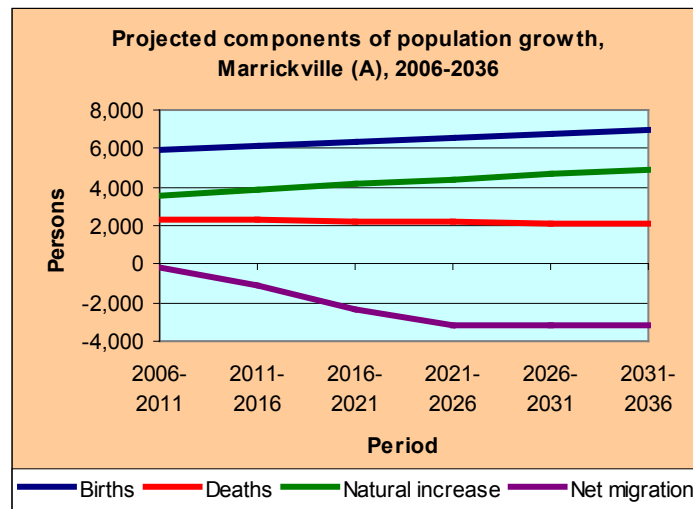
Year	Population				% Aged		Depend- Ency Ratio <sup>2</sup>	Median Age
	Males	Females	Persons	Sex Ratio <sup>1</sup>	0-14	65+		
1996	40,700	39,200	79,900	104	16%	10%	34	33
2001	38,700	38,100	76,700	101	14%	10%	32	34
2006	37,400	38,100	75,500	98	14%	10%	31	35
2011	39,300	39,700	79,000	99	14%	10%	33	36
2016	40,600	41,100	81,700	99	15%	11%	35	36
2021	41,500	42,000	83,500	99	15%	12%	36	36
2026	42,200	42,600	84,800	99	15%	12%	36	36
2031	43,000	43,200	86,300	100	15%	12%	37	36

<sup>1</sup> Sex Ratio Is The Number Of Males Per 100 Females.

<sup>2</sup> Dependency Ratio Is The Number Of People Aged 0-14 And 65+ Per 100 People Aged 15-64.

The DOP's population projections are based upon births, deaths and net migration trends. The DOP's graph of the components of population growth is as follows:

**Table 3.5: DOP Components of Population Growth**



The DOP's projections indicate a net population increase of 7,300 persons over the 2011 population. However the detailed analysis carried out by The Public Practise included consideration of the estimates of the additional development possible under the provisions of the Marrickville LEP 2011 and DCP 2011 and this analysis suggests that to 2031 there will be a population increase of 10,974 persons, or an increase of 13.9% over the 2011 population. This is an average of about 0.7% per annum. As the development potential identified in Marrickville LGA is likely to be the best indicator of future population, the population increase of 10,974 persons or 13.9% is adopted as the projected increase in population for the purposes of this Plan.

### Demographic Characteristics

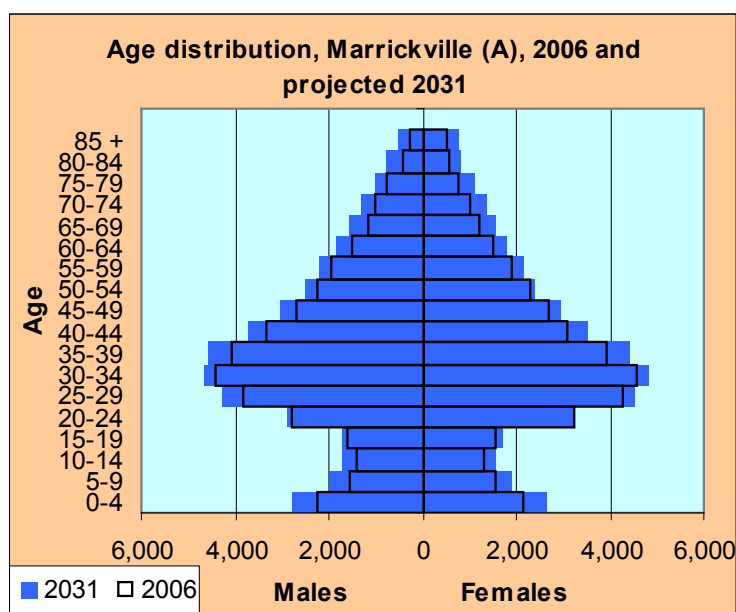
The median age of the population is projected to remain unchanged at 36 years while the number of children in the 0-14 years age group is projected to increase by 1% and the number aged 65+ to increase by 2%.

This is consistent with baby boomers (aged 49 to 64) aging in place due to the generally smaller size of the dwelling stock in Marrickville LGA and the increasing number of families living with children in units.

One area where Marrickville LGA is expected to differ from the Sydney average trend is in the ageing of the population.

The migration in and out of Marrickville LGA means that the age graph is projected to broadly maintain the tree shape with some thickening rather than widen more at the top as would occur with a more pronounced ageing population.

Table 3.6: GOP Age Distribution



### Projected Development Characteristics

The document *Community Projector 2011 to 2031* provides the following breakup of the anticipated new development:

**Table 3.7: Projected Bedroom Mix**

<i>Number Of Bedrooms</i>	1	2	3	4 +
<i>Units</i>	22%	52%	19%	6%
<i>Houses</i>	2%	24%	52%	22%
<i>Townhouses</i>	34%	-10%	67%	8%

The provisions of Marrickville LEP 2011 and DCP 2011 require a minimum proportion of studio, 1, 2, 3 and above bedroom dwellings in new development. This requirement will help to maintain a broad mix of dwelling sizes in Marrickville LGA. The requirements of the DCP 2011 for the number of bedrooms within a new dwelling are as follows:

**Table 3.8: DCP 2011 Proportion Requirements**

<i>Type</i>	<i>Proportion</i>
Studio	5-20%
1-Bed	10-40%
2-Bed	40-75%
3-Bed and Above	10-45%

### ***Dwelling Occupancies***

Occupancy is a demographic statistic necessary in calculating section 94 contributions. Section 94 contributions are often initially determined on a per person basis from which per dwelling contributions can be calculated using dwelling occupancy.

The ABS data shows a declining dwelling occupancy trend in the Marrickville LGA ceased after 2004 as the average dwelling occupancy began increasing.

Generally across Australia, dwelling occupancies have been on the decline as households become on average smaller. The two main factors in this decline are families having fewer children and increasing single person households.

The Australian wide trend in average dwelling occupancy is different for different dwelling types however. The average occupancy rate for houses has been tending to decline while those for units/flats and semi's/townhouses have been more static. however, again Marrickville LGA is indicated to be atypical in this regard.

One of the parameters input in The Public Practice mathematical model is the change in occupancy rates over time. To maintain consistency with DOP population projections, dwelling occupancy is projected to remain unchanged over the period 2011 to 2031.

A constant dwelling occupancy means that the population in Marrickville LGA's existing dwelling stock would remain unchanged at present levels with the population increase being the result of the population in new development.

Based upon the analysis conducted by The Public Practice and taking into account the limitations of the model employed by them, the following occupancies are considered most



appropriate and act accordingly adopted for the expected new development in Marrickville LGA for the period 2011 to 2031 for the various dwelling types:

**Table 3.9: Adopted Occupancies**

	<i>1 Bedroom</i>	<i>2 Bedroom</i>	<i>3 Bedroom</i>	<i>4+ Bedroom</i>	<i>Average of New Development</i>
<i>Houses</i>	<b>1.40</b>	<b>2.11</b>	<b>2.85</b>	<b>3.79</b>	<i>2.86</i>
<i>Semi / Townhouses</i>	<b>1.51</b>	<b>2.08</b>	<b>2.79</b>	<b>3.63</b>	<i>2.49</i>
<i>Units / Other</i>	<b>1.31</b>	<b>2.02</b>	<b>2.88</b>	<b>3.74</b>	<i>2.13</i>
<i>Average All Dwellings</i>	<i>1.33</i>	<i>2.05</i>	<i>2.83</i>	<i>3.75</i>	<i>2.20</i>

Subdivision of land creating residential allotments that allow for construction of a single house are charged contributions based upon the average house occupancy of 2.86 persons per dwelling.

### **Vehicle Ownership**

The projected resident vehicle ownership for the period from 2011 to 2031 is derived by taking into account a number of historical and trend factors including the changes that occurred between the 2001 Census and the 2006 Census.

Although there was a small increase in vehicle ownership rates between 2001 and 2006 shown by the census data, projecting into the future, there are a number of factors that are likely to result in flattening and decreasing vehicle ownership in the years to 2031. These include:

- (a) Reduced on-site car parking rates in Marrickville DCP 2011,
- (b) Increasing fuel prices as finite oil reserves dwindle,
- (c) A carbon tax,
- (d) An increasing trend to car and bicycle sharing,
- (e) The decreasing return on increasing car ownership due to such factors as increasing density living, parking problems including the finite limit to street spaces and the increasing costs of parking vehicle ownership in general,
- (f) The future availability of light rail in Marrickville LGA,
- (g) The increasing availability of cycleways,
- (h) Possible future congestion tax,
- (i) The push to healthier more active living, and
- (j) The greater expense of alternative fuel vehicles.

While it is difficult to accurately predict future car ownership, the most appropriate projection for the future is to expect a levelling and declining car ownership. In order to adopt a conservative approach, it is considered most appropriate to assume that car ownership will not decrease but flatten for the period to 2031 and remain at the levels shown by the 2006 Census. The exception is in suburbs where a decreasing trend is already evident. In these

suburbs it is considered most appropriate to assume there will continue to be a reduction in car ownership.

The number of resident vehicles in Marrickville LGA to the year 2031 is therefore assumed to be as shown in the following table derived from the 2006 census of vehicles per occupied dwelling by suburb:

**Table 3.10: Average Vehicles per Occupied Dwelling by Suburb**

	Vehicles Per Occupied Dwelling				
	Annual Change 2001-2006	Smoothed Annual Change	Future Change Rate	Average In 2006	Projection In 2031
Camperdown	0.001	0.001	0.001	1.04	<b>1.04</b>
Dulwich Hill	-0.007	-0.005	-0.005	1.11	<b>0.99</b>
Enmore	0.013	0.013	0.013	0.98	<b>0.98</b>
Lewisham	0.016	0.016	0.016	1.10	<b>1.10</b>
Marrickville	0.003	0.003	0.003	1.11	<b>1.11</b>
Newtown	0.003	0.003	0.003	0.87	<b>0.87</b>
Petersham	0.006	0.006	0.006	1.07	<b>1.07</b>
St Peters	-0.003	-0.003	-0.003	1.05	<b>0.98</b>
Stanmore	0.022	0.016	0.016	1.10	<b>1.10</b>
Sydenham	0.019	0.016	0.016	1.11	<b>1.11</b>
Tempe	0.019	0.016	0.016	1.22	<b>1.22</b>
South Marrickville	0.022	0.016	0.016	1.31	<b>1.31</b>
<b>Marrickville</b>	<b>0.005</b>	<b>0.005</b>	<b>0.004</b>	<b>1.08</b>	<b>1.07</b>
Inner Sydney SSD	0.004	0.004	0.004	0.98	<b>0.98</b>
Sydney	0.009	0.009	0.009	1.49	<b>1.49</b>

The adopted vehicles per occupied dwelling rates can be monitored on a regular basis to, if necessary, update the adopted rates.

### **Business Occupancies**

For the purposes of determining contributions for business uses, the following table provides the business occupancy as the number of workers per square metre of gross floor area (GFA).

**Table 3.11: Workers per square metre of GFA**

<b>Type of Use</b>	<b>Workers/m<sup>2</sup></b>
Retail	0.05
Commercial	0.05
Industrial	0.01

# **PART 4 - THE NEED FOR PUBLIC FACILITIES AND SERVICES AND THE STRATEGIES TO PROVIDE THEM**

The substantial 13.9% population increase projected for the Marrickville LGA over the period from 2011 to 2031 suggests the likelihood that additional and/or changed facilities and services within the LGA will be required to meet the needs of the additional population.

In order to properly analyse the present provision of facilities and services that Council provides within the LGA and investigate the facilities and services that will be required for the future increased population and the increased residential densities, Council commissioned a number of research studies that were carried out by expert consultants either during the preparation of LEP 2011 and DCP 2011 or subsequent to that. Studies were carried out for the following:

- (a) Marrickville Villages Urban Design Study and resulting Planning Precincts
- (b) Recreation Facilities and Open Space,
- (c) Community facilities,
- (d) Traffic and Transport Facilities, and
- (e) Streetscape and the Public Domain.

It must be noted that while these detailed infrastructure studies determined the requirements to address the need created by the projected additional population in Marrickville LGA, the section 94 contributions cap limits the funds that may be collected from contributions and therefore the funds to provide the required facilities and services.

The following sections in Part 4 of this Plan set out the assessments and determinations of the recommended facilities and services for the future population and the works program to provide facilities and services. The facilities and services proposed are in the following categories:

- (a) Land Dedications in Planning Precincts,
- (b) Traffic Facilities,
- (c) Recreation Facilities (which includes open space),
- (d) Community Facilities, and
- (e) Plan Administration.

## **4.1 Land Dedications in Planning Precincts**

The main areas of new development expected in Marrickville LGA are within in the village centres of Marrickville, South Marrickville, Petersham, Newtown, St Peters, Lewisham and Dulwich Hill. The Marrickville Villages Urban Design Study investigated the suitability and requirements for up-zoning in these areas in order to allow greater residential and mixed-use densities. These areas are well serviced by public transport and other facilities.

### **4.1.1 Nexus to development**

As part of the Marrickville Villages Urban Design Study, masterplans were prepared for development of certain Planning Precincts. For some of the areas considered in the study it

was determined that in order to allow development at greater residential and mixed-use densities certain requirements would first need to be met.

Planning Precincts were delineated and masterplans set out requirements for development in these Planning Precincts that are necessary in order to allow the increased residential densities and worker population in these Precincts. Those requirements include the land dedications and works necessary for new or improved vehicular and pedestrian access.

The land dedications and works set out in the Planning Precincts are requirements necessary in order to provide suitable vehicular and pedestrian access appropriate for development at the higher residential and mixed-use densities for which they were, subsequent to the Study, rezoned under the provisions of Marrickville LEP 2011. That is, the causal connection between the need to do works and acquire land as set out in this section and the anticipated new development is the need to acquire the land and do the works in order that the development can suitably proceed. The land acquisitions and works are not required to address any existing shortfall or need or for any other reason other than they are required in order to suitably allow development at higher residential and mixed-use densities. Without these pre-requisite works and land acquisitions the Planning Precincts would not be suitable for development at the increased density that is proposed.

The masterplans prepared as part of the Marrickville Villages Urban Design Study show that land dedication and works are required in the following Planning Precincts:

- (a) Petersham South Planning Precinct,
- (b) St Peters Triangle Planning Precinct,
- (c) Marrickville Town Centre Planning Precinct, and
- (d) Lewisham South Planning Precinct.

For the purposes of this section of this Plan, each of these areas of anticipated development are considered separately. The land dedications and works are to facilitate development within each Planning Precinct. Thus the locational nexus requirements for section 94 contributions are met. The land dedications and works are proposed to occur, ideally, at the same time as development.

The provisions of this Plan seek to provide an equitable way in which to have land for road or walkway creation or widening dedicated to Council so the development of the Planning Precincts and the increased density as proposed can proceed. This section of this Plan sets out the requirements for the land dedications or acquisitions that are shown in the Planning Precinct masterplans and the works necessary to provide suitable vehicular and pedestrian access on the land dedicated.

Where the design outcomes sought via a proposed dedication can be achieved through other means (i.e. the creation of an easement etc.) the dedication requirements of this part of the Plan will not apply and the allowance for the costs of dedication will instead apply to the costs of providing an easement or similar provision. Section 94 contributions for land dedication will remain payable as they do in the case of dedication.

#### **4.1.2 Planning Precinct dedication requirements**

The following Planning Precinct maps show the locations of the land required to be dedicated to Council for new or improved vehicular and pedestrian access. The tables indicate the individual sites and the land areas from them required for dedication. The tables also show the value allowance for the land dedicated and for which a credit will be given to offset the payment of section 94 contributions in the development of sites.

In many cases the sites shown individually in the tables are required in the Planning Precinct maps to be amalgamated with other sites in order to create a suitable development site.

**Table 4.1: St Peters Triangle Planning Precinct sites showing site area, area of site for dedication and value allowance for the area to be dedicated based upon determination by an independent valuer.**

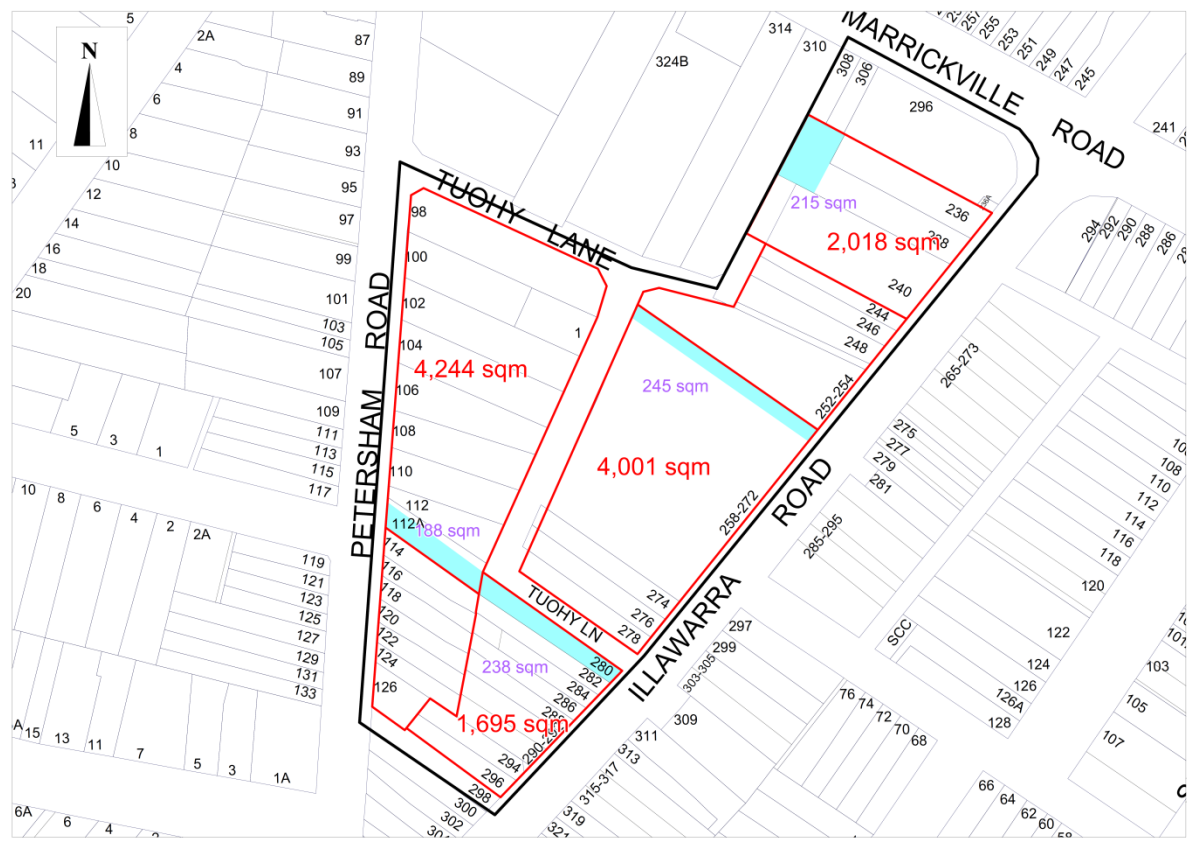
<b>St Peters Triangle Planning Precinct</b>			
<i>Address</i>	<i>Site Area (m2)</i>	<i>Dedication (m2)</i>	<i>Dedication Value</i>
641 – 657 Princes Highway cnr Goodsell St	1,510	165	\$ 24,750
31 – 45 Princes Highway	2,751	348	\$ 52,200
51 – 61 Princes Highway	2,750	-	\$ -
63 – 81 Princes Highway	3,792	348	\$ 52,200
83 – 91 Princes Highway	2,000	-	\$ -
93 – 99 Princes Highway	2,670	373	\$ 55,950
129 Princes Highway	4,163	347	\$ 52,050
59– 61 Campbell St	655	102	\$ 15,300
2-4, 6, 8 Lackey St	528	167	\$ 25,050
48, 50, 52, 54 Hutchinson St	171	97	\$ 14,550
42, 46 Hutchinson St	355	100	\$ 15,000
73A-75 Hutchinson St	540	213	\$ 31,950
96 – 102A May St	1,157	232	\$ 34,800
19 Hutchinson St	3,033	496	\$ 74,400
58 – 68 May St	800	-	\$ -
37 – 41 Hutchinson St	900	-	\$ -
30 – 42 May St	4,500	-	\$ -
<b>Totals</b>	<b>32,275</b>	<b>2,988</b>	<b>\$ 448,200</b>
Projected Additional Workers 1196			
Projected Additional Dwellings 450			



**Above:** Maps of St Peters Triangle Planning Precinct outlined in black, amalgamated development site requirements outlined in red, dedication areas for access shown in turquoise with individual site areas and area from each site to be dedicated shown. All sites within the area delineated in black are required to pay contributions for land dedication.

**Table 4.2: Marrickville Town Centre Planning Precinct sites showing site area, area of site for dedication and value allowance for the area to be dedicated based upon determination by an independent valuer.**

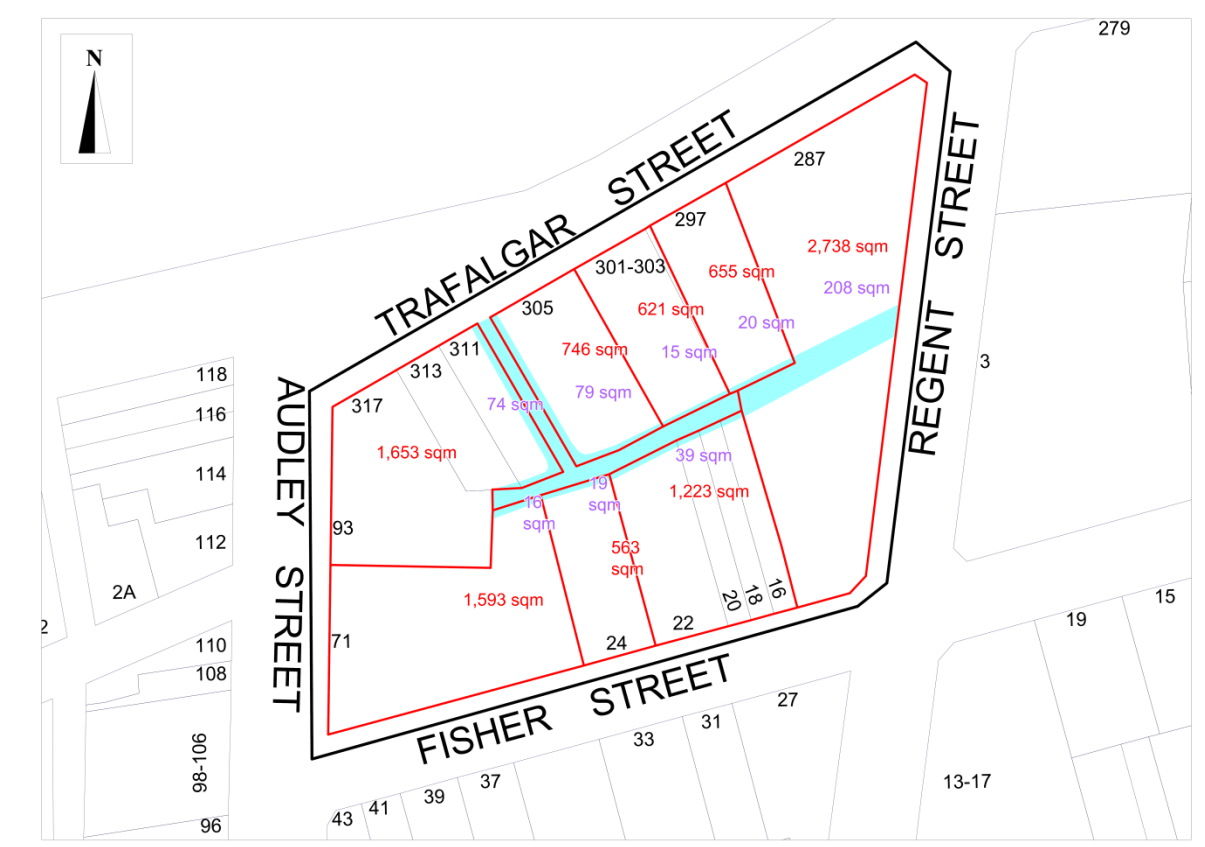
<b>Marrickville Town Centre Planning Precinct</b>			
<i>Address</i>	<i>Site Area (m<sup>2</sup>)</i>	<i>Dedication (m<sup>2</sup>)</i>	<i>Dedication Value</i>
280 – 296 Illawarra Rd	1,695	238	\$ 35,700
272 – 278 Illawarra Rd	4,001	245	\$ 36,750
244 – 254 Illawarra Rd	1,800	-	\$ -
236 – 240 Illawarra Rd	2,018	215	\$ 32,250
296-308 Marrickville Rd	1,213	-	\$ -
114 – 126 Petersham Rd	1,800	-	\$ -
98 – 112 a Petersham Rd	4,244	188	\$ 28,200
<b>Totals</b>	<b>16,771</b>	<b>886</b>	<b>\$ 132,900</b>
Projected Additional Workers 499			
Projected Additional Dwellings 274			



**Above: Map of Marrickville Town Centre Planning Precinct outlined in black, amalgamated development site requirements outlined in red, dedication areas for access shown in turquoise with individual site areas and area from each site to be dedicated shown. All sites within the area delineated in black are required to pay contributions for land dedication.**

**Table 4.3: Petersham South Planning Precinct sites showing site area, area of site for dedication and value allowance for the area to be dedicated based upon determination by an independent valuer.**

<b>Petersham South Planning Precinct</b>			
<i>Address</i>	<i>Site Area (m2)</i>	<i>Dedication (m2)</i>	<i>Dedication Value</i>
93 Audley St, 311-317 Trafalgar St	1,653	74	\$ 11,100
305 Trafalgar St	746	79	\$ 11,850
301-303 Trafalgar St	621	15	\$ 2,250
297 Trafalgar St	655	20	\$ 3,000
287 Trafalgar St	2,738	208	\$ 31,200
71 Audley St corner Fisher St	1,593	16	\$ 2,400
24 Fisher St	563	19	\$ 2,850
22 Fisher St	1,223	39	\$ 5,850
<b>Totals</b>	<b>9,792</b>	<b>470</b>	<b>\$ 70,500.00</b>
Projected Worker Decrease 33			
Projected Additional Dwellings 132			



**Above: Map of Petersham South Planning Precinct outlined in black, amalgamated development site requirements outlined in red, dedication areas for access shown in turquoise with individual site areas and area from each site to be dedicated shown. All sites within the area delineated in black are required to pay contributions for land dedication.**



**Table 4.4: Lewisham South Planning Precinct sites showing site area, area of site for dedication and value allowance for the area to be dedicated based upon determination by an independent valuer.**

<b>Lewisham South Planning Precinct</b>			
<i>Address</i>	<i>Site Area (m2)</i>	<i>Dedication (m2)</i>	<i>Dedication Value</i>
27 – 29 Railway Terrace	943	54	8,100
2 Hunter St & 19- 25 Railway Terrace	857	80	12,000
<b>Totals</b>	<b>1,800</b>	<b>134</b>	<b>\$ 20,100</b>
Projected Additional Dwellings 132			



**Above:** Map of Lewisham South Planning Precinct outlined in black, amalgamated development site requirements outlined in red, dedication areas for access shown in turquoise with individual site areas and area from each site to be dedicated shown. All sites within the area delineated in black are required to pay contributions for land dedication.

### **4.1.3 Apportionment**

The land acquisitions and vehicular and pedestrian access works that are proposed in this section of this Plan are necessary in order to suitably allow development at the increased densities within the delineated Planning Precincts and are not required for other than this purpose. It is therefore appropriate that the development of each individual Planning Precinct be considered as a development whole to fully (100%) fund the cost of the land acquisitions and works from all development within that Planning Precinct. Thus it is proposed that in each Planning Precinct that all development within the Planning Precinct contribute proportionally to the full cost of the land to be dedicated together with the works proposed. The value of any land dedicated from a site together with the allowance for the cost of dedicating will be taken into account and used to offset other section 94 and 94A development contribution requirements for development of that site.

The levying of section 94 contributions for land acquisition and pedestrian and vehicular access works are a requirement of this Plan for all development within the four Planning Precinct areas of Petersham South, St Peters Triangle, Marrickville Town Centre and Lewisham South.

#### ***Transfer of development potential of land dedicated***

Where land is dedicated from a site as required under the provisions of this Plan, the permissible development potential measured in terms of FSR (floor space ratio) will be calculated on the whole area of the site prior to dedication. This is equivalent to transferring the development rights of the area of the land dedicated to the remainder of the development site (or to another site) so that in effect the development potential of the full pre-dedication area of the site is retained after the dedication. In this way, although part of the site may be dedicated to Council, there is no detriment to the scale of development that may be achieved.

The land to be dedicated to Council is thus an area of land where essentially the development rights normally attributable to such an area of land has been or will be transferred to other land. Such land consequently has no development rights or potential attached to it. As a result such land is of limited value as the purposes to which it may be applied are limited to that of public purpose and otherwise limited.

The value of the land to be dedicated in each Planning Precinct has been determined by a registered valuer commissioned by Council to be nil in all areas because there is no loss of development potential from a site by dedication of part of that site and because the dedications are necessary in order to make the area suitable for development at higher densities.

The section 94 contributions for land dedication in Planning Precincts are calculated in accordance with the expert evidence from the professional land valuer and by allowing costs to a site owner where land is dedicated of \$150 per square metre for the costs associated with dedication.

This approach serves to ensure appropriate recompense is paid for land dedicated to facilitate development in order to provide an equitable sharing of costs.

Where land is dedicated from a development site in accordance with this Plan, the dedication cost allowance credited to the landowner may be used to offset the payment of section 94 contributions or section 94A levies otherwise payable under this Plan in the development of the site. It should be noted that the requirement to pay section 94 contributions for land dedication and access works applies to all development sites within

each Planning Precinct and therefore also applies to sites from which land is to be dedicated.

As the Planning Precinct masterplans in many cases require the consolidation of sites to create a suitable development site, Council will generally require that sites are amalgamated as set out in the appropriate Planning Precinct masterplan in approving development.

If in some exceptional circumstances, Council considers development on sites that do not constitute a full amalgamated site as set out in a Planning Precinct masterplan, Council will ensure that sites from which land is required to be dedicated remain part of a viable development site of suitable size for appropriate development.

#### **4.1.4 Formulae for calculating contributions**

##### ***Calculation Formula***

The formula for calculation of land dedication and access works costs is as follows:

$$W = A ( W_R + V_R ) + W_A$$

where  $W_R$  is the access works cost rate per square metre,

$A$  is the total area of land dedication and access works in square metres,

$V_R$  is the value per square metre of land to be dedicated including the conveyance cost allowance,

$W_A$  is the total cost of works administration,

$W$  is the total cost of works.

The formula for determining the total cost of works administration is as follows:

$W_A =$  the cost of the detail design of access works (5% of works cost) + the cost to Council of the supervision of the works proposed (2.5% of the works costs).

The formula for calculation of the contribution per person is as follows:

$$C = \frac{W}{P_D}$$

where:

$C$  is the section 94 contribution per person

$P_D$  is the projected total additional population of residents + workers in new development in the Planning Precinct

The above formulae are used to calculate the contribution as at the date of this Plan. This contribution will then be indexed to the time of payment in accordance with section 2.15 of this Plan.

## **Calculation of contributions**

### **St Peters**

**Table 4.6: Calculation of Contribution St Peters**

Cost of Land Acquisition	\$ 448,200
Cost of Road/Access Works	\$ 522,900
Cost of Detail Design	\$ 28,760
Works Supervision	\$ 13,073
Contribution per Person	\$ 463.37

### **Marrickville**

**Table 4.7: Calculation of Contribution.**

Cost of Land Acquisition	\$ 132,900
Cost of Road/Access Works	\$ 155,050
Cost of Detail Design	\$ 8,000
Works Supervision	\$ 3,876
Contribution per Person	\$ 272.12

### **Petersham**

**Table 4.8: Calculation of Contribution**

Cost of Land Acquisition	\$ 70,500
Cost of Road/Access Works	\$ 82,250
Cost of Detail Design	\$ 5,000
Works Supervision	\$ 2,056
Contribution per Person	\$ 620.85

## Lewisham

Table 4.9: Calculation of Contribution

Cost of Land Acquisition	\$ 20,100
Cost of road/access works	\$ 23,450
Cost of Detail Design	\$ 5,863
Works Supervision	\$ 586
Contribution per Person	\$ 172.17

### 4.1.5 Works Program

The dedication of land will occur as development proceeds. The land is required to be dedicated before development of the amalgamated sites shown in the Planning Precinct masterplans is carried out.

<b>WORKS PROGRAM: PLANNING PRECINCT LAND DEDICATION and ACCESS WORKS</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
Petersham Masterplan Area	\$ 152,750	100%	\$ 152,750	\$ -	1
Lewisham Masterplan Area	\$ 43,550	100%	\$ 43,550	\$ -	1
Marrickville Masterplan Area	\$ 287,950	100%	\$ 287,950	\$ -	1
St Peters Masterplan Area	\$ 971,100	100%	\$ 971,100	\$ -	1
<b>Totals</b>	<b>\$ 1,455,350</b>		<b>\$ 1,455,350</b>	<b>\$ -</b>	

### **Works Priority**

Entries in the Works Priority column represent the priorities with which infrastructure works will be undertaken using the numbers 1 to 5 where “1” represents the highest priority and “5” the lowest priority. These numbers are used to indicate how available funds might be channelled to carry out the most urgent works first before other less urgent works. All works will be carried out in order of works priority as soon as sufficient funds are available.

## 4.2 Traffic Facilities

Council commissioned consultants to undertake a comprehensive traffic and transport study to review the infrastructure presently provided and determine what, if any, additional infrastructure would be required to address the need created by the projected additional population. The study considered traffic management facilities together with pedestrian, public transport and bicycle facilities. Parking facilities were the subject of a separate study carried out by other consultants.

Consultants Transport and Urban Planning completed a study titled Marrickville LGA Section 94 Traffic and Transport Study (the Traffic Study) and this study provides the factual data and evidence on which this section of this Plan is based.

The purpose of the Traffic Study was to determine the requirements in regard to traffic and transport as a result of the projected 13.9% increase in population and increase in employment in the Marrickville LGA in the period to 2031.

The Traffic Study took into account the expected new development and additional population in Planning Precinct and other areas but did not consider the internal traffic and pedestrian requirements within the Planning Precinct areas as these had previously been the subject of the Marrickville Villages Urban Design Study.

The objectives of the Traffic Study were:

- To identify the additional level of residential (number and type of dwelling) and non residential developments (use and GFA m<sup>2</sup>) proposed for each precinct including an indicative time frame for this redevelopment to occur,
- to calculate am and pm traffic generation levels for each use within each precinct (generally based upon RTA Traffic Generation Guidelines 2002 Ver 2), review the most recent Census data (year 2009 journey to work) for the Marrickville LGA to determine the level of existing peak walk, bicycle and public transport trips,
- to review Council's existing and proposed program of new traffic management works, pedestrian and bicycle proposals and public transport infrastructure improvements for the whole LGA to determine any nexus correlation with anticipated development, and
- having identified the future likely traffic, pedestrian/bicycle and public transport demands (and time frame) for each local precinct, to assign these future trips (demands) to the existing road, rail/bus, pedestrian path and bicycle networks within Marrickville LGA to determine what additional improvements, upgrades, controls etc are required.

The scope of the study included the following:

- (a) To consider the impact of the increased vehicular, bicycle, pedestrian and public transport patronage and traffic,
- (b) to propose traffic management measures to address the impact of the additional population and development,
- (c) to cost measures proposed,
- (d) to demonstrate the connection between the additional development, peak hour traffic generation and the works recommended,

- (e) to apportion the cost to the additional development across the LGA on a per dwelling or per m<sup>2</sup> basis; and
- (f) if costs vary across the LGA, provide costs on a precinct by precinct basis.

#### 4.2.1 Nexus to development

The Traffic Study used the RMS's (formerly the RTA) Guide To Traffic Generating Developments 2002 (Version 2) to estimate daily and peak hour traffic generation for the various residential and non-residential uses with the new residential and non-residential development projected to occur in Marrickville LGA to 2031.

The study distinguished the traffic arising from the anticipated new development within the Marrickville LGA from all other traffic including the increasing traffic historically occurring and expected to continue to occur over the planning period to 2031.

#### Traffic on the Marrickville LGA road network

##### *Journey to Work Data*

The 2006 Census travel to work data for all employed persons over 15 years of age is as follows:

Table 4.10: JOURNEY TO WORK DATA – 2006 CENSUS

Percent Total	Male 19,294	Female 18,493	Total Persons 37,787
Car as Driver	41.8%	33.3%	37.7%
Car as Passenger	3.0%	5.2%	4.1%
Taxi	0.5%	0.5%	0.5%
Train	17.4%	17.4%	17.4%
Bus	7.8%	12.0%	9.9%
Bicycle	2.9%	1.3%	2.1%
Walked Only	5.6%	6.5%	6.0%
Other Single Method	2.8%	0.7%	1.8%
Used Two Methods:			
Train and Bus	3.2%	3.2%	3.2%
Train and Car as Driver	0.7%	0.9%	0.8%
Other Two Methods	1.5%	1.8%	1.7%
Used Three Methods	0.5%	0.5%	0.5%
Worked at Home	3.2%	3.7%	3.5%
Did Not go to Work	7.2%	11.7%	9.4%
Method Not Stated	1.8%	1.4%	1.6%
<b>TOTAL</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

The 2006 Census data showed, in summary that 42.3% of people used a car or taxi as either a driver or passenger, 31.3% of people used public transport such as a bus or train or both, 7.8% walked or cycled to work and 13.9% of people either worked at home, did not go to work or did not state transport mode.

The place of work shown by the 2006 Census is as follows:

City of Sydney and North Sydney	56%
Within Marrickville LGA	15%
Western Sydney (inc. Macarthur and Hills Districts)	13%
Bexley (inc. airport, St George and Sutherland Districts)	6%
North and Northern Beaches	2%

Not stated or outside Sydney area	8%
<b>TOTAL</b>	<b>100%</b>

That is, 81% of working people over 15 years of age travel to a city work location or work within the Marrickville LGA where a high level of public transport service is available.

### Additional Traffic from Development

Using RMS Traffic Generation Guidelines, the Traffic Study determined that the peak design hour traffic arising from the projected additional development to the year 2031 was as follows:

**Table 4.11: MARRICKVILLE LGA ADDITIONAL DEVELOPMENT TO YEAR 2031 PROJECTED PEAK DESIGN HOUR TRAFFIC**

Use	AM Peak (Veh/Hour)			PM Peak Veh/Hour (Thur)		
	Inbound	Outbound	Two Way	Inbound	Outbound	Two Way
Residential (+4988 Dwellings)	+361	+1445	<b>+1806</b>	+1445	+361	<b>+1806</b>
Commercial (+26,923m <sup>2</sup> )	+377	+161	<b>+538</b>	+161	+377	<b>+538</b>
Retail (+21,703m <sup>2</sup> )	+235	+25	<b>+260</b>	+651	+651	<b>+1302</b>
Industrial (-50,758m <sup>2</sup> )	-456	-51	<b>-507</b>	-51	-456	<b>-507</b>
<b>Totals</b>	<b>+517</b>	<b>+1580</b>	<b>+2097</b>	<b>+2206</b>	<b>+933</b>	<b>+3139 Trips</b>

The traffic generation rates used were slightly lower than the RMS traffic generation rates because of the lower rates of travel to work by vehicle in Marrickville LGA which is consistent with Council's policy of encouraging public transport usage and travel to work by bicycle and on foot.

The individual component traffic generation rates in vehicles per hour for the traffic generated shown in the above table is indicated in the following table:

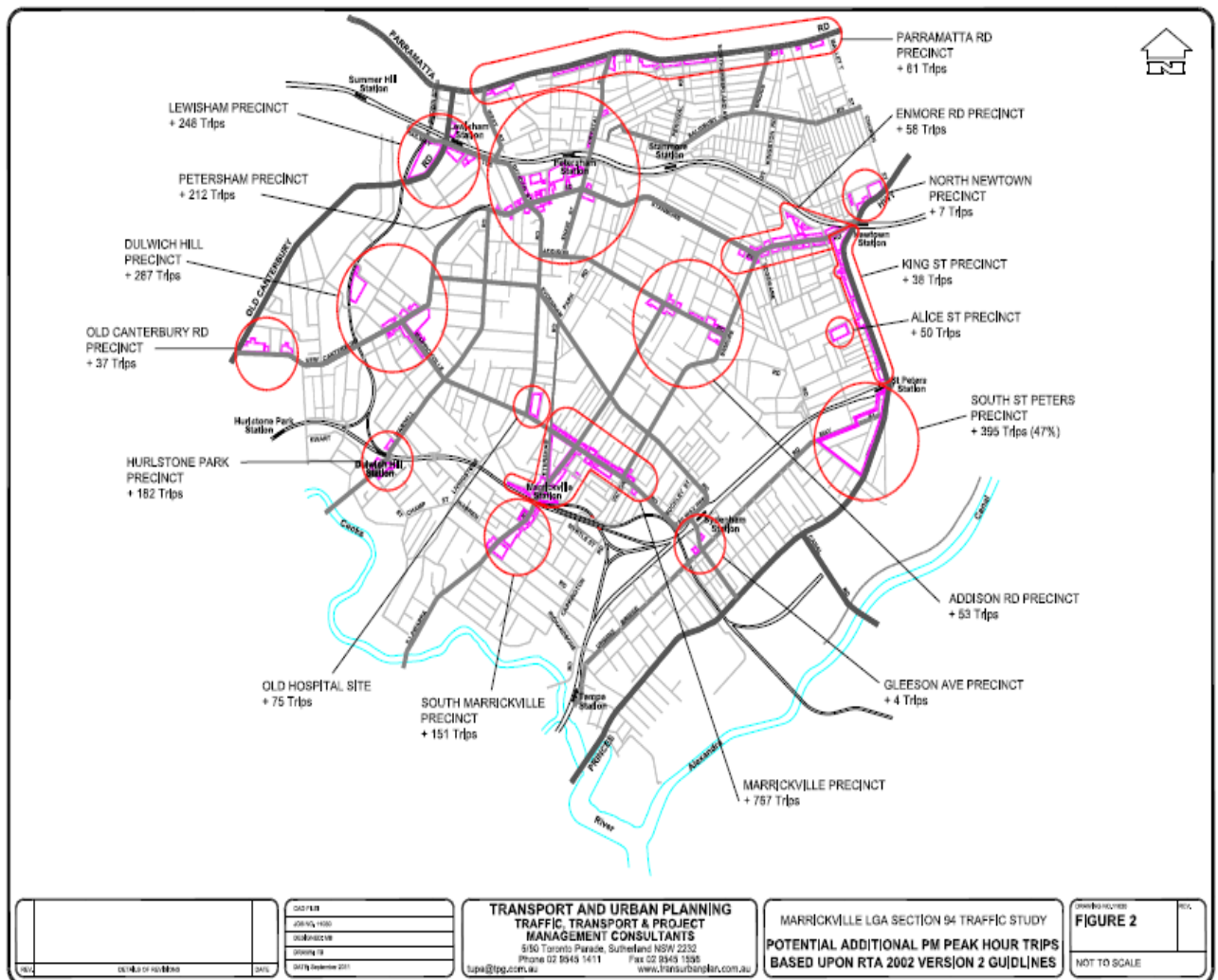
**Table 4.12: Traffic Generation Rates**

Use	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom	Average
Residential Units	0.29	0.33	0.38	0.48	0.34
Townhouses/Terraces	0.5	0.64	0.68	0.72	0.62
Houses	0.5	0.7	0.75	0.8	0.75
Commercial	1 Trip Per 50m <sup>2</sup> of GFA				
Retail	1 Trip Per 28m <sup>2</sup> of GFA				
Industrial	1 Trip Per 100m <sup>2</sup> of GFA				

The dispersion of the additional traffic from the projected development was along state and regional road corridors bordering and crossing the Marrickville LGA and the local roads is shown in *Table 4.13 – Potential Additional PM Peak Hour Trips Based upon RTA 2002 Version 2 Guidelines*.



**Table 4.13: Potential Additional PM Peak Hour Trips Based upon RTA 2002 Version 2 Guidelines.**



The Traffic Study took into account that much of the future residential design hour traffic trips are located along Parramatta Road, Enmore Road and King Street and within walking distance of the Newtown and St Peters Railway Stations. The infrastructure works costs considered in calculating section 94 contributions was restricted to those for which Council is financially responsible (state roads and rail transport are funded by the New South Wales Government and some funding may be available from RMS for regional roads).

In all, 32% of projected residential development would be located primarily along 11 regional and subregional roads as follows:

- Parramatta Road, Petersham – Stanmore
- Old Canterbury Road / Railway Terrace – Lewisham<sup>1</sup>
- New Canterbury Road / Gordon Road / Railway Terrace – Petersham<sup>1</sup>
- New Canterbury Road – Hurlstone Park
- New Canterbury Road / Marrickville Road – Dulwich Hill
- Wardell Road – Dulwich Hill
- Illawarra Road / Petersham Road / Marrickville Road – Marrickville
- Addison Road – Enmore

Enmore Road – Newtown  
 Princes Highway – Newtown  
 Princes Highway / May Street – St Peters

<sup>1</sup> Indicates At Or Near Railway Station

The Traffic Study also took into account that 54% of all projected residential development would be located around railway stations at Lewisham, Petersham, Dulwich Hill and Marrickville.

The distribution of traffic from new development carried out by the study consultants took into account that the projected additional commercial and retail development would be disbursed within the following traffic precincts:

- (a) Lewisham Precinct;
- (b) Hurlstone Park Precinct;
- (c) Marrickville Precinct; And
- (d) St Peters Precinct.

### Traffic Assessment

To assess the present traffic situation in Marrickville LGA the study consultants considered the Marrickville LGA road hierarchy, the recorded crash history of intersections, measured am and pm peak hour traffic counts and considered historical traffic volumes.

The study determined that the primary arterial and sub-arterial roads in Marrickville LGA are as follows:

**Table 4.14: Arterial and Sub-Arterial Roads**

#### Sub-Arterial (Regional) Roads

- Frazer Street
- Livingstone Road (Part)
- Illawarra Road (Part)
- Wardell Road
- Victoria Road (Part)
- Salisbury Road
- Unwins Bridge Road
- Enmore Road (Part)
- Sydenham Road
- Addison Road
- Old Canterbury Road
- Shaw Street
- Crystal Street

#### Arterial (State) Roads

- Parramatta Road
- King Street / Princes Highway
- New Canterbury Road
- Enmore Road (Part)
- Stanmore Road
- Canal Road

The RMS crash database for Marrickville LGA provides data on the intersections in Marrickville LGA with 6 or more recorded preventable vehicle crashes over a three year period for the period from 2005 until the end of 2010 as set out in the following table:

**Table 4.15: RECORDED CRASH HISTORY**

Location	Total Crashes	Fatal Type	Injury Type
Princes Hwy And May Street	10	-	5
Princes Hwy And Campbell Street	14	-	4
Princes Hwy (King St) And Enmore Road	8	-	5

Stanmore Road And Enmore Road	21	-	11
Enmore Road And Addison Road	13	-	10
Railway Parade And Gleeson Street	6	-	2
Illawarra Road And Petersham Road	4	-	4
Unwins Bridge Road And Railway Parade	31	-	11
Illawarra Road And Addison Road	10	-	4
Marrickville Road And Livingstone Road	15	-	7
Marrickville Road And Petersham Road	6	-	3
Marrickville Road And Illawarra Road	13	-	7
Marrickville Road And Victoria Road	4	-	2
Marrickville Road And New Canterbury Rd	16	-	8
Wardell Road And Ewart Street	7	-	4
Old Canterbury Rd And New Canterbury Rd	7	-	1
Old Canterbury Road And Railway Terrace	21	-	8
New Canterbury Rd And Crystal St/Shaw St	14	1	8
New Canterbury Rd/Gordon/Livingston St	23	-	8
Railway Terrace And West Street	27	-	10
Parramatta Road And West Street	20	-	8
Parramatta Road And Crystal Street	21	-	11
Parramatta Road And Percival Road	16	-	13
Parramatta Road And Bridge Road	14	-	8
Parramatta And Pymont Bridge Roads	9	-	5

Based upon the existing peak hour flows representing 10% to 11% daily traffic flows and the averaged daily traffic volumes (ADT) on arterial and sub-arterial roads for the years 1995 to 2007, the ADT for the year 2011 was projected as set out in the following table:

**Table 4.16: HISTORICAL AND PROJECTED YEAR 2011 AVERAGED TRAFFIC VOLUMES  
MARRICKVILLE LGA**

Location	Historical Average Daily Volume (Year)	Project Daily Volumes Year Dec 2011	Total % Change	Avg % Change PA
Princes Highway, St Peters	37,846 (1999)	49,390	+30.5%	+2.5%
New Canterbury Road, Lewisham	29,334 (1999)	20,130	-31.3%	-2.6%
Marrickville Road, Dulwich Hill	12,302 (1995)	9,510	-22.6%	-1.4%
Marrickville Road, Marrickville	13,960 (2002)	11,640	-16.6%	-1.8%
Illawarra Road, Marrickville	5,995 (1995)	7,750	+29.3%	+1.8%
Petersham Road, Marrickville	3,387 (1997)	3,720	+9.8%	+0.7%
Addison Road, Petersham	14,263 (2001)	20,270	+42.1%	+4.2%
Enmore Road, Enmore	14,346 (1996)	17,780	+23.9%	+1.6%
May Street, St Peters	14,590 (2000)	17,270	+18.4%	+1.7%
Wardell Road, Dulwich Hill	14,039 (2000)	13,540	-3.5%	-0.3%
Crystall Street, Petersham	17,266 (1995)	23,070	+33.6%	+2.1%

Historically, average daily traffic volume growth rates across the Sydney metropolitan area are of the order of 1 to 2% per annum. The study noted that such growth rates to the year

2031 would result in a greater increase in traffic in the Marrickville LGA than would be provided by the expected new development alone.

Consideration of the overall growth puts into context the additional traffic that would be generated from the expected new development and allows determination of the proportion of additional traffic generated from new development to overall traffic growth.

As part of the study, existing am and pm peak hour traffic counts were taken and the existing traffic service levels at key intersections within and bordering the Marrickville LGA were ascertained and these are set out in the following table:

**Table 4.17: EXISTING PEAK HOUR (SIGNALISED) INTERSECTION OPERATION**

Location	AM Peak			PM Peak			Saturday Peak		
	LOS	DS	AVD	LOS	DS	AVD	LOS	DS	AVD
Princes Hwy And May Street	E*	0.95	105	A	0.74	6.8	A	0.82	9.0
Princes Hwy And Campbell Street	C	0.81	30.4	C	0.80	28.5	C	0.64	26.0
Princes Hwy (King St) And Enmore Road	B	0.83	25.6	B	0.56	14.3	B	0.60	14.1
Stanmore Road And Enmore Road	D	0.98	70.1	*E	0.98	80.2	C	0.87	27.1
Enmore Road And Addison Road	C	0.90	20.0	C	0.83	14.5	B	0.73	10.8
Railway Parade And Gleeson Street	A	0.50	6.2	A	0.55	7.0	A	0.41	6.1
Illawarra Road And Petersham Road	B	0.55	7.1	B	0.31	4.5	B	0.27	4.0
Unwins Bridge Road And Railway Parade	B	0.82	15.1	B	0.86	15.7	B	0.79	14.7
Illawarra Road And Addison Road	B	0.53	15.6	B	0.65	7.8	B	0.48	6.1
Marrickville Road And Livingstone Road	B	0.88	15.0	B	0.76	14.7	B	0.74	13.8
Marrickville Road And Petersham Road	B	0.62	7.1	B	0.69	7.1	B	0.67	8.3
Marrickville Road And Illawarra Road	B	0.66	10.7	B	0.80	11.3	B	0.66	9.7
Marrickville Road And Victoria Road	C	0.73	17.8	C	0.94	23.1	C	0.78	19.1
Marrickville Road And New Canterbury Rd	B	0.98	18.8	C	0.94	20.1	B	0.86	13.9
Wardell Road And Ewart Street	B	0.68	12.5	B	0.61	12.9	B	0.55	10.7
Old Canterbury Rd And New Canterbury Rd	*E	0.99	80.1	D	0.93	36.7	C	0.77	24.6
Old Canterbury Road And Railway Terrace	B	0.81	24.2	D	0.99	47.7	B	0.79	18.9
New Canterbury Rd And Crystal St/Shaw St	*E	0.98	95.4	*E	0.99	98.2	D	0.87	38.7
New Canterbury Rd/Gordon/Livingston St	*E	0.97	48.8	*E	0.99	92.6	C	0.96	26.1
Railway Terrace And West Street	*E	0.91	28.2	B	0.81	14.3	C	0.89	24.3
Parramatta Road And West Street	C	0.73	34.0	C	0.85	40.9	B	0.69	22.8
Parramatta Road And Crystal Street	C	0.83	42.8	D	0.95	58.4	C	0.70	27.1
Parramatta Road And Percival Road	A	0.56	13.3	A	0.48	10.9	B	0.34	10.3
Parramatta Road And Bridge Road	B	0.87	23.7	B	0.85	26.0	B	0.60	18.4
Parramatta And Pymont Bridge Roads	A	0.71	14.7	A	0.65	17.9	B	0.41	12.6

Where: LOS = Level of Service  
DS = Degree of (Int) Saturation

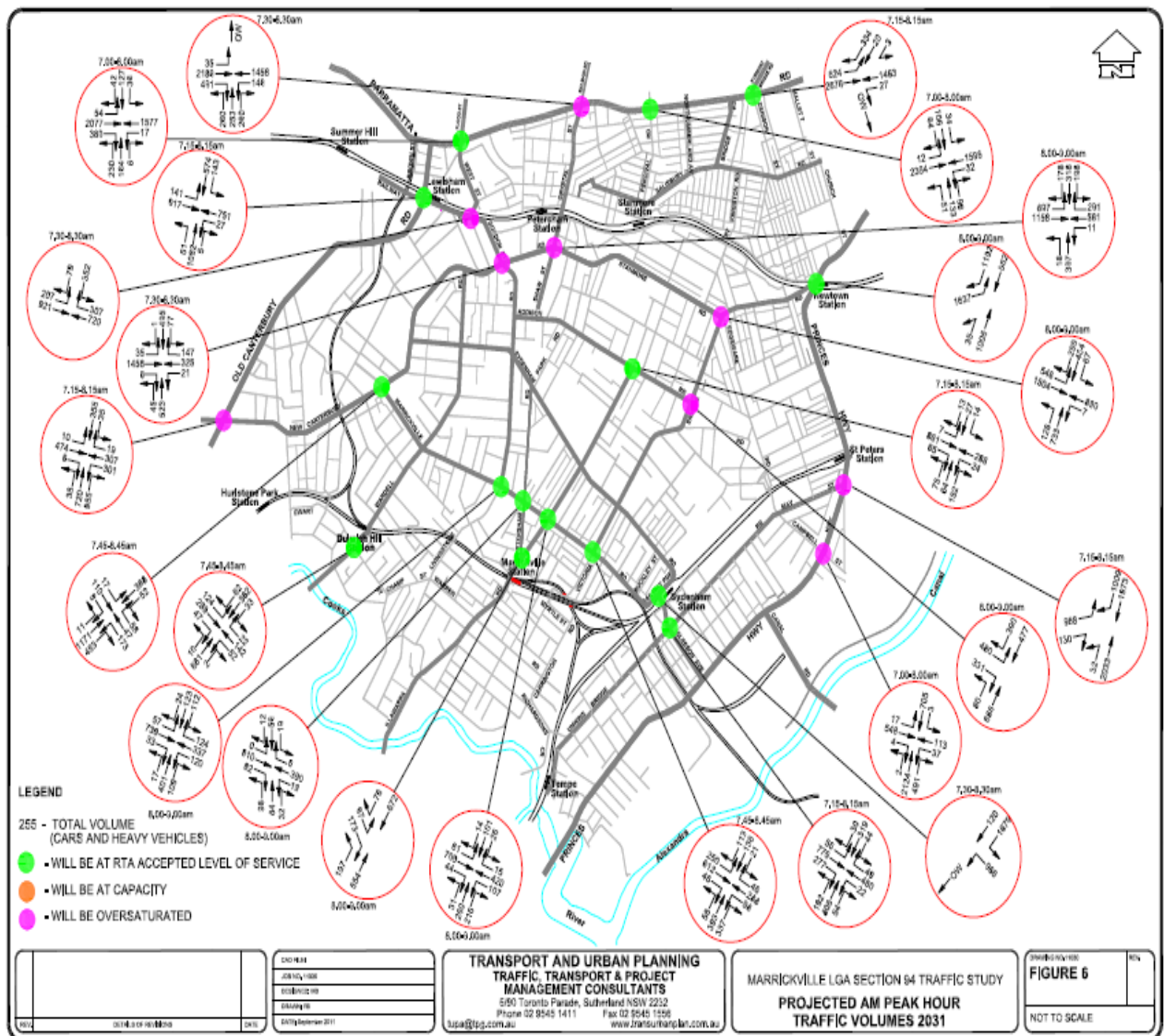
AVD = Average Vehicle Delay (Sec/Veh)  
 \*Indicates Unacceptable Service Level

The Traffic Study took into account that the table above shows that the LOS at many key intersections on arterial and some local roads is already (in 2011) at or near capacity or performing at an unacceptable level of service. Where intersections are already performing at or near capacity or at an unacceptable level of service they are excluded from the works necessary to address the additional demand created from new development.

Based upon historical growth rates, the traffic growth rates for the Marrickville LGA in the period to 2031 were projected by the consultants to be as small as 5% in the west of the LGA and 30% in the east of the LGA. This estimate the 2031 traffic movements, these growth rates to 2031 were applied to the existing traffic.

The projected traffic volumes in 2031 so calculated are shown in the study at table 4.18 – Projected Am Peak Hour Traffic Volumes 2031.

**Table 4.18: Projected Am Peak Hour Traffic Volumes 2031**



The projected 2031 traffic was also used to consider intersection performance in 2031. The following table shows the projected 2031 peak hour signalised intersection operation:

**Table 4.19: PROJECTED PEAK HOUR (SIGNALISED) INTERSECTION OPERATION – YEAR 2031**

Location	AM Peak			PM Peak			Saturday Peak		
	LOS	DS	AVD	LOS	DS	AVD	LOS	DS	AVD
Princes Hwy And May Street	F*	2.42	*	A	0.75	9.6	C	0.94	29.1
Princes Hwy And Campbell Street	E*	0.99	65.7	C	0.90	47.4	B	0.71	22.6
Princes Hwy (King St) And Enmore Road	B	0.99	27.9	B	0.71	12.4	A	0.52	9.0
Stanmore Road And Enmore Road	F*	1.27	*	F*	1.34	*	F*	1.04	137
Enmore Road And Addison Road	F*	1.17	105	E*	1.01	37	C	0.88	16.9
Railway Parade And Gleeson Street	C	0.90	44.6	D	0.99	51.3	C	0.77	14.2
Illawarra Road And Petersham Road	B	0.66	8.1	B	0.40	4.2	B	0.35	4.0
Unwins Bridge Road And Railway Parade	B	0.90	23.9	F*	1.02	40.3	A	0.77	8.9
Illawarra Road And Addison Road	B	0.61	15.8	B	0.80	9.4	B	0.58	6.9
Marrickville Road And Livingstone Road	B	0.90	12.6	B	0.85	10.7	B	0.74	8.0
Marrickville Road And Petersham Road	A	0.64	5.4	A	0.70	5.6	A	0.61	5.1
Marrickville Road And Illawarra Road	B	0.76	8.2	B	0.70	13.5	A	0.68	6.1
Marrickville Road And Victoria Road	B	0.82	17.2	C	0.95	30.5	B	0.76	14.5
Marrickville Road And New Canterbury Rd	B	0.88	14.4	C	0.90	28.1	B	0.75	9.0
Wardell Road And Ewart Street	B	0.77	8.1	B	0.77	9.7	B	0.71	6.4
Old Canterbury Rd And New Canterbury Rd	F*	1.08	123.9	E*	0.95	53.6	B	0.81	18.2
Old Canterbury Road And Railway Terrace	B	0.88	25.3	F*	1.02	83.9	B	0.86	15.1
New Canterbury Rd And Crystal St/Shaw St	F*	1.32	*	F*	1.33	*	D	0.87	38.7
New Canterbury Rd/Gordon/Livingston St	F*	1.00	68.9	F*	1.18	*	B	0.87	20.4
Railway Terrace And West Street	F*	0.96	36.7	B	0.86	20.1	C	0.89	24.3
Parramatta Road And West Street	C	0.81	45.4	F*	1.02	106.6	C	0.74	29.1
Parramatta Road And Crystal Street	E*	0.97	88.3	F*	1.14	*	C	0.76	32.4
Parramatta Road And Percival Road	B	0.67	17.3	A	0.59	14.2	B	0.41	13.0
Parramatta Road And Bridge Road	C	0.96	53.2	F*	0.94	53.1	B	0.69	22.8
Parramatta And Pymont Bridge Roads	A	0.85	20.7	B	0.78	23.8	B	0.50	15.9

Where: LOS = Level of Service  
DS = Degree of (Int) Saturation  
AVD = Average Vehicle Delay (Sec/Veh)  
\*Indicates Unacceptable Service Level/Delay

The above table provides the baseline situation for the traffic in 2031 onto which the proportion of traffic from the projected new development can be superimposed. This approach ensures that the impact of the traffic from new development can be appropriately segregated and assessed from all other traffic and that new development is only charged

section 94 contributions for the proportion of increase in demand arising from the development and not for the otherwise occurring increases in traffic expected over the period to 2031.

The causal connection associated with the increase in traffic as a result of new development and the requirement for additional traffic or pedestrian controls and management is thus able to be clearly demonstrated. The connection in time between new development and the need for additional facilities and services is also shown.

The locational nexus between the need for additional traffic and or pedestrian facilities is demonstrated by the distribution of the additional traffic generated from the anticipated new development onto the Marrickville road network. In distributing this additional traffic, the study ensured that key intersections that at 2031 in the baseline situation already warrant traffic or pedestrian improvements were excluded from consideration and not considered as additional facilities and services that are required as a result of the additional development.

The Traffic Study determined that within the small geographical area of the Marrickville LGA, it is appropriate to consider the catchment area for the additional traffic and transport infrastructure determined as needed, to be the whole LGA as it is the cumulative effect of the traffic from new development across the whole LGA that gives rise to the need for the infrastructure proposed rather than development in particular geographical areas within the LGA. It is consequently appropriate to charge section 94 contributions for the location specific additional or improved traffic and pedestrian facilities that is determined by the Traffic Study to be required, to all additional development across the LGA.

#### **4.2.2 Apportionment**

The process of apportionment undertaken in this Plan is based on the Traffic Study undertaken by Transport and Urban Planning and is to ensure that new development is only charged section 94 contributions for the actual portion of demand that new development creates.

The analysis undertaken in the Traffic Study isolates the demand that may arise from external factors such as the traffic from the existing population, traffic from outside the LGA and the increase in traffic that arises from other than new development within the LGA.

The consultants undertaking the study used the SIDRA Model to determine the appropriate proportion of the cost of the location specific additional or improved traffic and pedestrian facilities that should be charged to the additional development. For each traffic facility required, the total of the traffic resulting from the projected additional development as a proportion of the total traffic in 2031 was used as a basis for determining the proportion of costs attributable to projected new development.

For new public facilities and services that serve the LGA as a whole such as public domain, pedestrian and bicycle facilities where additional development does not specifically give rise to the need for such facilities to any greater extent than the existing population, the proportion of the cost of such facilities charged to new development is only the proportion of the population in new development to the total population at 2031.

The SIDRA analysis determined the appropriate apportionment of costs to new development. The proportion shown in Table 4.20 below for new development is the proportion of the increase in demand from new development.

**Table 4.20: New Development Percentage of Increase in Traffic at 2031**

Road And Categories		Existing Traffic AM Peak 2011 (Veh Per Hour)	Projected Traffic AM Peak 2031 (Veh Per Hour)	Apportion To New Development (%)
May Street (St Peters)	L	1727	2159	75%
Campbell Street (St Peters)	L	533	684	75%
Enmore Road(Newtown)	R	2284	2864	75%
Enmore Road (Enmore)	R	1564	2033	75%
Addison Road (Enmore)	R	984	1281	75%
Addison Road (Marrickville)	R	1004	1331	75%
Stanmore Road (Petersham)	L	1722	2239	75%
Stanmore Road (Enmore)	L	2580	3355	75%
Railway Parade (Sydenham)	L	1383	1799	65%
Gleeson Street (Sydenham)	L	1171	1404	65%
Illawarra Road (Marrickville)	R	1320	1596	70%
Illawarra Road (Stanmore)	R	311	407	80%
Petersham Road (Marrickville)	L	452	543	65%
Marrickville Road (Dulwich Hill)	R	851	897	80%
Marrickville Road (Marrickville)	R	1279	1395	80%
Livingston Road (Marrickville)	R	405	451	80%
Livingston Road (Petersham)	R	1041	1090	80%
Victoria Road (Enmore)	R	1210	1574	70%
Victoria Road (Marrickville)	R	833	959	70%
Old Canterbury Road (Dulwich Hill)	R	1086	1139	80%
Old Canterbury Road (Petersham)	R	1665	1749	80%
Railway Terrace	L	1722	1809	80%
Wardel Road (Dulwich Hill)	R	1224	1314	80%
Crystal Street	R	1176	1410	70%
Percival Road	L	490	628	70%
Bridge Road	L	683	884	70%
Sydenham Road	R	603	725	50%
Unwins Bridge Road	R	1394	1648	50%

L – Local Road  
R – Regional Road



The tables on the following pages show the proportion of the cost of new traffic and transport facilities that was determined from SIDRA analysis to be attributable to the increase in demand from new development.

**Table 4.21: APPORTIONMENT of LOCAL ROADWORKS and TRAFFIC MANAGEMENT MEASURES ADJACENT to REGIONAL ROADS to YEAR 2031**

Item No.	Works	Project	Costs Year 2012 Values (\$ 000)	Apportion To New Development (%)	
1	Local Roadworks and Traffic Management Measures Adjacent to Regional Roads (to address future peak hour rat run and bypass traffic).	A	Stanmore / Enmore Road	100	75%
		B	Illawarra Road / Addison Road	100	75%
		C	Old Canterbury Road / New Canterbury Road	100	80%
		D	New Canterbury Road / Gordon / Livingstone Streets	100	80%
		E	New Canterbury Road / Crystal and Shaw Streets	100	80%
		F	Railway Terrace / West Street	100	80%

**Table 4.22: APPORTIONMENT of other TRAFFIC MANAGEMENT MEASURES to YEAR 2031**

Item No.	Works	Project	Costs Year 2012 Values (\$ 000)	Apportion To New Development (%)	
2	LATM Scheme (Inc Review, Design Implementation And Updates)	A	Dulwich Hill (North)	150	13.9%
		B	East Marrickville	150	13.9%
		C	West Marrickville	150	13.9%
		D	Riverside	150	13.9%
		E	St Peters Triangle	950	100% Developer Funded
		F	Newington	150	13.9%
		G	Newtown	150	13.9%
		H	Henson	150	13.9%
		I	Stanmore (South)	150	13.9%
		J	Dulwich Hill (South)	150	13.9%
		K	Enmore	150	13.9%
		L	Marrickville	150	13.9%
		M	Lewisham	150	13.9%
		N	Morton Park	150	13.9%
		O	Petersham (North)	150	13.9%
		P	Camperdown	150	13.9%
		Q	Sydenham	150	13.9%
R	Stanmore (North)	150	13.9%		
S	Marrickville (South)	150	13.9%		
3	Intersection Upgrade and/or	A	Enmore / Addison Road	200	75%

	Improvements (incl. traffic signal reconstruction)	B	Gannon Street and Princes Highway	1,000	20%
4	St Peters Triangle		Internal Roads And Access. It is envisaged that all redevelopment traffic, pedestrian and access facilities within the precinct will be funded via section 94 contributions.	NA	100% Developer Funded
5	McGill Street		It is envisaged that all redevelopment traffic, pedestrian and access facilities within precinct 45 will be funded via section 94 contributions.	NA	100% Developer Funded
6	Station Street next to Marrickville Station near Schwebell		Shared Zone Project	NA	100% Developer

#### 4.2.3 Formulae for calculating contributions

##### **Calculation Formula**

The formula for calculation of traffic facility contributions in words is:

- (a) Determine the total projected new development to 2031 and its component land use types and quantities,
- (b) Determine existing and expected future traffic generation with the RTA Guide to Traffic Generating Development Version 2.2 and differentiate traffic generation expected from new development from all other traffic generation,
- (c) Determine what road and traffic management works are required in the LGA as a result of the increase in demand,
- (d) Calculate the proportion of the cost of road and traffic works attributable to new development and estimate the total cost of such works,
- (e) The section 94 contribution is determined by:
  - i. for traffic management works dividing the cost of road and traffic arising from the additional demand from new development by the total traffic generated by new development and multiplying by the traffic generation rate determined in the study for each particular use, or
  - ii. for bicycle tracks and facilities by dividing the proportioned cost by the number of people in new development,
- (f) Index the contributions to the time of payment in accordance with section 2.15 of this Plan.

The formulae for calculation of contributions are as follows:

$W = W_1 \times A_1 + W_2 \times A_2 + \dots + W_n \times A_n + W_A$   
 where  $W_1$  to  $W_n$  is the cost of various works components 1 to n after deducting the value of any grants and other funding to be received by Council,

$A_1$  To  $A_n$  is the respective proportions of the works components attributable to new development,

$W$  is the total apportioned cost of works,

$W_A$  = the cost of the detail design of traffic management measures (5% of the works costs)

+ the cost to Council of the administration of the works proposed (2% of the works costs).

and

$$C = \frac{W}{T} \times T_u$$

where

$C$  is the section 94 contribution for a particular use

$T$  is the total traffic generated by new development

$T_u$  is the traffic generation rate for a particular use (as set out in this Plan)

The traffic generation rates for particular uses ( $T_u$ ) are set out in the following table:

**Table 4.23 Traffic generation rates ( $T_u$ ) for various uses (per dwelling unless otherwise stated)**

<i>Use</i>	<i>1 bedroom</i>	<i>2 bedroom</i>	<i>3 bedroom</i>	<i>4+ bedroom</i>
Residential Units & Secondary dwellings	0.29	0.33	0.38	0.48
Attached dwellings, Semi-detached dwellings & Multi unit housing	0.5	0.64	0.68	0.72
Dwelling houses excluding above categories	0.5	0.7	0.75	0.8
Boarding Houses	0	0	0	0
Commercial	1 trip per 50m <sup>2</sup> of GFA			
Retail	1 trip per 28m <sup>2</sup> of GFA			
Industrial	1 trip per 100m <sup>2</sup> of GFA			

*GFA – Gross Floor Area*

**Note 1:** for the purposes of calculating contributions, the am peak (or if there is some variation between am and pm peaks, an average of the two) is used in determining the total traffic trips and the apportionment to each use.

The traffic generation rates for commercial, retail and industrial uses are consistent with the RMS average rates. Where a particular proposed use has a traffic generation rate indicated by the RMS Guide to Traffic Generating Development version 2.2 to be higher than the average rates provided in the table above, then Council may amend the section 94 contributions for traffic management facilities in accordance with those higher applicable rates. The traffic generation rate to be applied will be determined from the RMS Guide to Traffic Generating Development or from rates determined in a study carried out by an appropriately qualified traffic consultant acceptable to Council.

#### 4.2.4 Calculation of contributions

The calculation of the contribution per trip is as set out in the following tables:

**Table 4.24:**

<b>Summary Table-LGA Wide Traffic Facilities</b>	
Apportioned Cost of Works	\$ 2,145,061
Detail Design	\$ 107,253
Works Supervision	\$ 42,901
Contribution per Trip	\$ 731.19

The contributions for the various categories of use are set out in the following table:

**Table 4.25: Traffic Contributions**

<b>Use</b>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>3 bedroom</b>	<b>4+ bedroom</b>
Residential Units & Secondary dwellings	\$ 212.05	\$ 241.29	\$ 277.85	\$ 350.97
Attached dwellings, Semi-detached dwellings & Multi unit housing	\$ 365.60	\$ 467.96	\$ 497.21	\$ 526.46
Dwelling houses excluding above categories	\$ 548.39			
Boarding Houses	\$ -	\$ -	\$ -	\$ -
Commercial per 100m <sup>2</sup>	\$ 1,462.39			
Retail per 100m <sup>2</sup>	\$ 2,611.40			
Industrial per 100m <sup>2</sup>	\$ 731.19			

The above table gives contribution rates as at the date of this Plan. This contribution will then be indexed to the time of payment in accordance with section 2.15 of this Plan.

## 4.2.5 Works program

The schedule of works is set out in the table below.

**Table 4.26 Traffic Facilities Works Schedule**

<b>WORKS PROGRAM: TRAFFIC FACILITIES</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
<b>LATM Schemes (Review and Implementation)</b>					
Dulwich Hill (North)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
East Marrickville	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
West Marrickville	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Riverside	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
St Peters	\$ 950,000	100.00%	\$ 950,000	\$ -	3
Newington	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Newtown	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Henson	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	1
Stanmore (South)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Dulwich Hill (South)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	4
Enmore	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Marrickville	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Lewisham	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
Morton Park	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
Petersham (North)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	2
Camperdown	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	3
Sydenham	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	4
Stanmore (North)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	5
Marrickville (South)	\$ 150,000	13.89%	\$ 20,837	\$ 129,163	5
<b>Local Roadworks &amp; Traffic Management &amp; Measures Adjacent to Regional Roads</b>					
Stanmore/Enmore Road	\$ 100,000	75%	\$ 75,000	\$ 25,000	3
Illawarra Road/Addison Road	\$ 100,000	75%	\$ 75,000	\$ 25,000	4
Old Canterbury Road/New Canterbury Road	\$ 100,000	80%	\$ 80,000	\$ 20,000	5
New Canterbury Road/Gordon/Livingston Sts	\$ 100,000	80%	\$ 80,000	\$ 20,000	1
New Canterbury Road/Crystal and Shaw Streets	\$ 100,000	80%	\$ 80,000	\$ 20,000	2
Railway Terrace/West Street	\$ 100,000	80%	\$ 80,000	\$ 20,000	2
<b>Intersection Upgrades</b>					
Enmore/Addison Road	\$ 200,000	75%	\$ 150,000	\$ 50,000	1
Gannon Street and Princes Highway	\$ 1,000,000	20.00%	\$ 200,000	\$ 800,000	2
<b>Totals</b>	<b>\$ 5,450,000</b>		<b>\$ 2,145,061</b>	<b>\$ 3,304,939</b>	

### **Works Priority**

Entries in the Works Priority column represent the priorities with which infrastructure works will be undertaken using the numbers 1 to 5 where “1” represents the highest priority and “5” the lowest priority. These numbers are used to indicate how available funds might be channelled to carry out the most urgent works first before other less urgent works. All works will be carried out in order of works priority as soon as sufficient funds are available.

## 4.3 Recreation Facilities

Recreation facilities includes both active and passive open space, indoor sport and recreation facilities, aquatics centres, cycle paths, footpaths and public spaces.

Consultants were commissioned by Council to undertake a comprehensive recreation facilities study.

The study was undertaken by a consortium of consultants comprising the Miller Group, Recreation Planning Associates, BBC Consulting Planners and ASPECT Studios Landscape Architecture. The study report titled Recreation Needs Research (The “Rec Study”) forms the basis of this section of this Plan and much of the information provided in this section is either directly extracted from the Rec Study or forms a summary or paraphrase of it.

The aim of the study, given the projected 13.9% population increase over the period 2011 to 2031, was to:

- (a) Examine the current provision of recreation facilities,
- (b) determine whether the current provision meets existing needs, and
- (c) determine the needs of the future population.

The Rec Study provides a strong evidence base for the proposed changed or additional recreational facilities set out in this Plan and for which section 94 contributions are charged in order to address the needs of the additional development and population.

Initially the research undertaken included consultation with a broad cross-section of the Marrickville LGA community to assess the likes and dislikes, needs and requirements of the various stakeholders of the community, the most popular activities, what facilities were working well and what the community thought they wanted.

The survey found that the top five recreational activities for men and women in Marrickville LGA are the following:

- walking including walking the dog
- gym/aerobics/fitness
- swimming
- running
- cycling.

The survey also looked at the suitability and adequacy of the recreation facilities provided.

### 4.3.1 Nexus

The nexus or connection between the projected additional population as a result of greater development and the need for the additional or amended facilities and services proposed in this Plan is demonstrated in the following parts of this section by first considering the detail of what is presently (at 2011) provided in Marrickville LGA including whether there is any spare capacity or any present shortfalls in provision, and then considering via a number of benchmarking approaches the needs of the future expanded population. By demonstrating the need for the facilities proposed in this way the causal nexus is shown.

All the facilities proposed in this section of this Plan have catchments that are LGA wide and there is therefore a locational nexus between the new development and the proposed facilities within the LGA.

The temporal nexus is demonstrated in the works program by the proposed progressive provision of facilities as the population increases and contribution funds become available.

### ***Recreation Facilities in 2011***

Council is the main provider of recreation and open-space facilities in Marrickville LGA both directly and indirectly through assistance and support to other providers.

Councils open space and recreation facilities include:

- 132 ha of open space and associated facilities,
- outdoor sports fields and courts,
- swimming pools,
- indoor courts and aquatic facilities,
- halls, community centres and meeting places
- playgrounds,
- civic spaces and plazas,
- a golf course,
- paths and trails,
- spaces for 'unstructured' play, socialising and other forms of recreation.
- picnic areas, and
- walking and cycle routes.

Council manages the operation of all facilities except for the Annette Kelleman and Fanny Durack Pools and the Debbie and Abbey Borgia Community Recreation Centre for which the management is outsourced to private contractors.

The Cooks River corridor comprises a linear sequence of parks and open space from Tempe Reserve in the east to Marrickville Golf Course in the west. Within this sequence is Marrickville LGA off-road bicycle route, many district sports facilities and urban sustainability projects.

Marrickville Council already has invested in infrastructure to promote walking with the accessible pathways network intended to remove barriers to walking across the whole LGA including for people with disabilities and children in strollers. The pedestrian access and mobility plan is designed to promote walkability and intensive pedestrian movements in high traffic areas.

Aquatic/leisure centres provide for a diverse range of uses including leisure, lap swimming, learning to swim, aqua-aerobics, parties, hydrotherapy as well as group fitness, yoga, nutrition, children's and seniors fitness and children's play. Facilities are the Annette Kelleman Indoor Aquatics Centre in Enmore Park, the Fanny Durack outdoor swimming pool in Petersham Park and an outdoor water play park in Steele Park.

The 2003 Recreation Study found that Council's two aquatic centres were not adequately meeting the needs for aquatics recreation in the LGA. Council addressed this need by a

substantial upgrade to the Annette Kellerman aquatics centre and adding a high-class outdoor water play garden within Steele Park to address the needs not only the current population but also that of the future population. The Rec Study stated:

*“The long term commonly used planning benchmark for indoor heated pools has been a minimum of 50,000 head of population for fifty metre pools and 25,000 for twenty-five metre pools. Even with forecast population growth to 90,000 by 2031, the population will not significantly exceed the threshold level required to justify the two upgraded facilities (i.e. 75,000). the implication is that the incoming populations will be comfortably accommodated in the existing facilities”.*

Consequently Marrickville LGA now has a generous supply of aquatic recreation facilities that will address the needs of a future population as a result of greater development.

Council has two indoor sports centres – the Debbie & Abbey Borgia Community Recreation Centre (in Steel Park) and the Robyn Webster Indoor Sports Centre (in Tempe recreation reserve). These two centres provide for a diverse range of uses including indoor court sports (basketball, volleyball, badminton, soccer and netball), school sport, out of school hours activities (OOSH) and facility hire.

Council provides five halls (Marrickville, St Peters and Petersham Town Halls, Herbert Greedy Hall and Seaview Street Hall) each of which is available for community hire. Typical community recreation activities undertaken in these facilities include gentle exercise, ballroom and latin dancing, yoga, tai chi, as well as hobby activities and social events.

Council also provides leisure activities such as activity programs, social groups and bus outings for older people at the Tom Foster Community Centre. Sustainability workshops are regularly held there. The infrastructure includes a permeable car park that filters and cleans rainwater that would otherwise directly drain into stormwater systems and a rainwater tank that supplies the toilets and gardens.

Marrickville LGA has seven community/neighbourhood centres.

As well as these facilities provided by Council are a number of commercial recreation facilities in Marrickville LGA and there are a number of open space and recreation facilities outside the LGA that may be used by residents and workers.

The provision of open space in Marrickville LGA at 2011 is set out in the following table:

**Table 4.27: Per Capita 2011 Provision Of Open Space Areas, Marrickville LGA**

Open Space Type	2003		2011	
	Total Hectares	Ha/000 2003 ERP (75,449)	Total Hectares	Ha/000 2011 ERP (79,000)
Parkland	53.93	0.72	68	0.86
Plazas/Street Closures	0.81	0.01	0.81	0.01
Sports Ground	41.47	0.55	42.01	0.53
Golf Course	21.53	0.29	21.53	0.27
<b>TOTAL</b>	<b>117.74</b>	<b>1.56</b>	<b>132.35</b>	<b>1.66</b>



Table 4.28 below shows the distribution of parkland open space, in hectares and numbers of parks, in Council's planning precincts. Sports fields/ovals and the Marrickville golf course are not included in the analysis.

**Table 4.28: Sub-Area Distribution of Open Space, 2011**

District	Pop*	No. Parks/ 1000 People	Ha/1000 People	No.	Ha
Camperdown/Stanmore	10,161	0.9	0.46	9	4.72
Petersham/Lewisham	10,890	0.9	0.47	10	5.08
Dulwich Hill	13,428	1.0	0.30	14	4.06
Enmore/Newtown	10,870	2.0	0.43	22	4.63
Marrickville	25,989	1.2	0.64	31	16.57
<b>Tempe/St Peters/Sydenham</b>	<b>7662</b>	<b>2.5</b>	<b>4.30</b>	<b>19</b>	<b>32.94</b>
<b>TOTAL</b>	<b>79,000</b>	<b>1.3</b>	<b>0.86</b>	<b>105</b>	<b>68.00</b>
* 2011 Suburb Projections - Community Projector, Marrickville 2011-31, Public Practice					

There is just less than 70 hectares of parkland open space in Marrickville LGA and, as illustrated in the table above, this open space is distributed fairly unevenly. The average is 0.86 hectares/1000 population, however this amount differs across districts; ranging from 0.30 hectares in Dulwich Hill to 4.3 hectares in Tempe/St Peters/Sydenham.

The 'generous' per capita provision of parkland in Tempe/St Peters/Sydenham is mainly due to the location within this district of some of the LGA's major parks; Tempe Reserve, Tempe Lands, Sydenham Green and Kendrick, Tillman and Camdenville Parks.

The uneven distribution implies that any opportunities to enhance the quantity of local open space should be pursued more vigorously in some parts of the LGA than in others.

### ***Adequacy of open space in Marrickville LGA at 2011***

Analysis of the adequacy of the present provision of open space in Marrickville LGA is relevant in this Plan to the extent that it is necessary for section 94 purposes to examine whether there is any existing spare capacity to address the needs of the incoming population and to demonstrate that any section 94 contributions charged for open space are not to make up for any shortfall in the present (at 2011) provision of open space in Marrickville LGA.

The question of whether or not an open space provision, including space for formal and informal sport, is sufficient to meet demand has traditionally been answered via the use of quantity based standards such as the long accepted planning standard in NSW of 2.83 hectares/1000 people. It was usually perceived that open space provision obligations were met when this standard was achieved.

The present provision rate in Marrickville LGA is significantly less at 1.39 ha per thousand population (for parkland and sports grounds excluding the golf course) and therefore this Plan does not seek contributions to provide open space for the incoming population at any greater rate than 1.39 ha per thousand of the incoming population. However on a quantitative assessment basis it would be reasonable to charge the population in new development section 94 contributions for open space to be acquired at the present per capita provision rate of 1.39 ha per thousand population, as it would be an appropriate pro rata contribution for the additional population.

In addition to the accepted 2.83 ha/1000 people, other standards have been proposed such as in the NSW Department of Planning's new Recreation and Open Space Planning Guidelines.

The Guidelines point out that, while most inner urban LGA's fall well short of the traditional benchmark,

*'The reality is that the residents of inner urban Sydney have access to a range of recreational and leisure opportunities that the existing open space assets including high quality urban public spaces and harbour and beach foreshores, manage to deliver (though there may be some pressure on outdoor sports areas).'*

The Guidelines suggest an alternative standard based on land use conditions in Sydney's West Central Sub Region which uses park hierarchy, size and maximum desirable travel distance rather than quantities alone to identify needs and service gaps for:

- local parks
- district parks
- local linear/linkage
- district linear/linkage
- local sport
- district sport
- regional parks, sport and linkage.

The Guidelines also suggest that there is no 'one size fits all' standard. They argue that the standards provided in the guidelines should be used to develop locally specific provision standards that take into account likely or expressed community needs and the particular local circumstances and assets.

Of particular relevance to Marrickville LGA is the statement in the Guidelines that generating alternative and locally appropriate standards is particularly relevant in inner urban and suburban areas where the main thrust of an open space plan will be enhancement of existing recreation facilities and open space and where urban public spaces are identified as being able to fulfil recreation needs.

Thus, streets, which can comprise 20-30 per cent of the public domain, can form a legitimate role in satisfying recreation pursuits, bike and pedestrian paths, café culture activities and so on.

Recreation participation trends demonstrate the importance of the public domain's 'active transport' elements, that is pathways and cycleways, to the physical recreation preferences of Australians.

Three of the top five most popular activities which are:

- walking,
- cycling, and
- running,

are highly dependent on these resources. This is confirmed in the results of the public consultation process with Marrickville LGA residents walking, running, cycling and attending gymnasias in high numbers. Additionally, these three activities are amongst those that have increased the most in popularity over the past ten years. These trends are exhibited both nationally and locally.

The NSW Department of Planning' Guidelines also advise that, to meet the size and accessibility standards, the open space share of non-industrial land would need to be around 15 per cent for local, district and regional parks; comprising all sports, parkland, linear and linkage components. This compares with a total of 9 per cent for Marrickville LGA or an open space undersupply of around 40 per cent.

However, Marrickville LGA residents have very good access to cross-border regional parks such as the 44-hectare Sydney Park and the Cooks River Foreshores in Rockdale and Canterbury Councils. And inner urban areas, due to their higher densities, need less open space to meet the Department's size/accessibility criteria. Hence the under supply of open space in Marrickville LGA might be somewhat less than the 40% suggested by the Department's Guideline.

The burgeoning interest from local communities, including Marrickville LGA, in the development of community gardens, lane way and verge greening also adds a further dimension to the potential for adding to the increased availability of shared open space.

It is clear however that whether measured according to the long established 2.83 ha/1000 population standard of provision or the Department's recent Guidelines, Marrickville LGA has a low provision of open space. Thus an important requirement in planning for the future will be ensuring that the present provision rate is maintained to the greatest extent possible with an increasing population.

When the Department's guidelines are applied to the existing supply of district and local parks in Marrickville LGA, these standards suggest that Marrickville LGA's park system could better meet desirable standards in terms of park size and distribution of parks across the LGA.

Specifically, the guidelines suggest:

- an imbalance in the supply of different types of open space , with more smaller parks and fewer larger parks with a greater capacity to provide a diversity of recreation opportunities, and
- a moderately uneven distribution of parks in the LGA - with relatively poor access to parks in Lewisham, Petersham, Tempe, and parts of Marrickville and South Marrickville.

This indicates that for the future, a greater capacity of use could be provided by increasing the size of smaller parks to allow a greater diversity of park use and by improving access.

The Rec Study undertook an assessment of the supply and demand for sports fields in Marrickville LGA and concluded that:

*"Benchmarking identifies a good overall balance between the supply and demand for sports facilities in Marrickville".*

While it was noted that there are some shortfalls in the 2011 provision of sports facilities with a small shortfall in winter facilities and a slight surplus in summer facilities in Marrickville LGA, overall facilities were reasonably adequate for the 2011 population. An exception to this noted in the study is aquatic facilities which were recently updated by Council with the intention of providing capacity for the existing as well as the future increased population. That is, the needs of the anticipated additional population for aquatic facilities have already been met by Council.

A similar present adequacy conclusion was reached in terms of open space generally. The study found that although there are some aspects of the present open space in Marrickville LGA that could be improved, that generally facilities were meeting the requirements of the present population without there being any reserve or extra capacity for additional use of those facilities while in their present state.

### **Assessment of the needs of the future population**

The forecast additional population is significant and will place substantial additional demands on public open space and recreation resources

The small size of the Marrickville LGA together with the character and usage of the open space in Marrickville LGA means that open place facilities are used across the LGA as a whole. Thus any existing facilities and those to be provided have a catchment that includes the whole LGA.

### **Future needs assessment according to age**

Specific needs and demands according to the major age groupings (children, young adults and older adults) are summarised in Table 4.29.

**Table 4.29: Required open space and recreation opportunities x new resident age profile**

<i>Age Profile</i>	<i>Age Profile Trends</i>	<i>Key Activities</i>	<i>Open Space &amp; Outdoor Recreation Needs</i>
0-14 years	A slightly increasing <i>proportion</i> of 0-4 years and 5-14 years between 2011-2031 .  <i>absolute</i> increase in 0-14 year olds (+2,000)	The recreation needs of children vary according to age – but all require safe, familiar environments, multi-sensory stimulation, challenge, opportunities for creativity For children 0-4 years, recreation primarily centres around the home, playgroups and small local parks Children 5-12 years will also use local parks but less as they grow older if equipment is not challenging. Some will play in streets, vacant lots, natural areas. Many will get more involved in structured activities (e.g. participation in sports clubs and activities).	Local and regional playgrounds and parks – with appropriate provision for both young children and adults (seating, shade) and located near schools, shops and community centres. Sports fields and courts. Safe cycle and pedestrian links between homes and parks and within parks.
15-34 years	Slightly declining <i>proportions</i> of 15-34 years for period 2011-2031.  <i>Absolute</i> increase in 15-34 year olds (+1,500)	Young people, in general, have a high rate of participation in recreation – both structured and unstructured. Participation by young people (up to 25 years) in most recreation activities (including sport and physical activities) is significantly higher than it is for older age groups. Youth-friendly public space and skate facilities are particularly important for young people not interested in structured activities. Participation in sport declines slightly after 25 years but is offset by higher	Sports fields & courts, cycle paths and walking trails, large park and/or natural area settings for picnics and social activities, large park areas for informal play.

Age Profile	Age Profile Trends	Key Activities	Open Space & Outdoor Recreation Needs
		participation in family activities in the child-rearing years.	
35+ years	Increasing <i>proportions</i> and absolute numbers of +35 year olds between 2011-2031.  Substantial <i>absolute</i> increase in 35+ year olds (+5,500)	Participation in structured sport and recreation activities declines steadily with age. Family recreation activities such as visits to district scale parks is popular for the 40 - 55 age groups. Many less structured activities walking, walking the dog etc remain popular through all age groups.	Cycle paths and walking trails, large park and or natural area settings for picnics and social activities, swimming pools, dog 'off leash' areas, community gardens and landcare.
50+	Increase in this age group by 2031 (+3,000)	Many less structured activities, walking, walking the dog, social gatherings, gentle exercise remain popular through all age groups. Some people over the age of 60 years will be regular users of 'mainstream' recreation facilities and programs. Others will require various levels of assistance – including transport, facilities designed and constructed in accordance with 'access for all' requirements and/or special programs such as programmed activities provided by Council.	Cycle paths and walking trails, large park and or natural area settings for picnics and social activities, community gardens and landcare.

The NSW Department of Planning *Metropolitan Open-Space Inventories 2003* shows that current per capita provision of open space in Marrickville LGA is less than in most LGA's in Sydney. Recent other studies have shown that most open space is well used, with sports open space used at above-capacity levels during the winter months.

The Rec Study found that additional demands from the additional population will exacerbate existing demand pressures – even with some reduction in participation rates with the ageing of the population. That is, the reducing participation rates of the older segments of the population will be more than offset by absolute increases in all population groups. In particular, the number of children (up to 14 years) is forecast to increase by nearly 2,000 by 2031, with this age group amongst the highest users of recreation and open space facilities. In these circumstances many parks and spaces, due to their present capacities, are unlikely to be able to cater for the increased demands.

For the increase in older residents there will be the need to continue to provide facilities for more passive recreation; walking, walking the dog, enjoying social activities with family and friends, social activities, gentle exercise and yoga and programs provided by Council for this age group. The connectivity and accessibility of the open space system and the programming of Councils recreation facilities to accommodate these needs will continue to need prioritization.

Without further acquisitions, the low per capita provision of open space will worsen to unacceptable levels as the population increases within the LGA. The main options to ensure that suitable levels of open space provision are provided to the future projected increased population, particularly so given the presently low relative provision levels, include acquisition of additional land in strategic, high potential use locations and targeted embellishments of existing parks to increase park usability and carrying capacity. The acquisitions should preferentially focus on areas with a relative undersupply of open space and/or areas designated for residential/employment growth.

### ***Future needs assessment according to location***

The particular requirements of individual areas within Marrickville LGA projected to undergo significant growth are provided in the following table:

**Table 4.30: Needs Assessment According to Location**

<b><i>Growth Centre</i></b>	<b><i>Particular Service Needs</i></b>	<b><i>Options For Improvement</i></b>
Lewisham/ Petersham	<p>The precinct has a relatively low supply of open space (0.47ha compared to 0.87 for the LGA).</p> <p>The population of the precinct is forecast to grow by a well-above LGA average 23% over the next 20 years.</p> <p>With the forecast population growth, and in the absence of acquisitions the relative per capita amount of open space will reduce further.</p>	Investigation of strategic property acquisitions to expand the size.
Dulwich Hill	<p>The precinct has a relatively low supply of open space (0.30ha compared to 0.87 for the LGA).</p> <p>The population of the precinct is forecast to grow by 1,350 people, or 10%, over the next 20 years.</p> <p>In the absence of acquisitions the relative per capita amount of open space will reduce further.</p>	Investigation of strategic property acquisitions to expand the size.
Marrickville	<p>The precinct has a relatively low supply of open space (0.64ha compared to 0.87 for the LGA).</p> <p>The population of the precinct is forecast to grow by around 3,800 people, or 15%, over the next 20 years.</p> <p>In the absence of acquisitions the relative per capita amount of open space will reduce further.</p>	Investigation of strategic property acquisitions to expand the size.
Enmore/ Newtown	<p>The precinct has a relatively very low supply of open space (0.43ha compared to 0.87 for the LGA) – although residents here do have proximate access to Sydney Park.</p> <p>The population of the precinct is forecast to grow by nearly 1,000 people, or 8%, over the next 20 years.</p> <p>In the absence of acquisitions the relative per capita amount of open space will reduce further.</p>	Investigation of strategic property acquisitions to expand the size.

## ***Future needs assessment according to participation rates***

### **Worker Population**

Survey work undertaken by consultants Mitchell McCotter during the 1990's in Botany LGA, investigated the existing and future demands placed on services (including parks and recreation facilities) by non-residential (i.e. in-migrant) workers.

The survey found that, while the use of parks and recreation facilities was less common for in-migrant workers than for resident workers, the use of facilities by the former was still significant. This was so for parks, picnic areas, sports fields and golf courses.

Overall, the use of recreation facilities by in-migrant workers (in terms of the percentage of workers using the facilities x average frequency of use) was found to be around 20 per cent of that of residents.

There is reason to believe that in-migrant worker recreation participation in and near workplaces may have increased in recent years - due to a range of employer and local Council health initiatives.

There has, for example, been increasing recognition of the productivity benefits of healthy and happy workforces. As a consequence, there is more encouragement of work place-based health and fitness activities and more flexibility in working arrangements to facilitate participation. Much of this increasing activity takes place within work places but some of it 'spills over' into public parks, swimming pools, pathways and other public domain areas.

The ABS 2006 Census data indicates that 15% of residents 15 years of age and over work within the Marrickville LGA suggesting that non-resident or in-migrant workers who travel into the LGA to work comprise 85% of the LGA workforce.

This will be taken into account in determining section 94 contributions to ensure that on average there is no 'double dipping' in the charging of contributions for the 15% of residents who also work within Marrickville LGA so that contributions are not paid for them as both workers and as residents.

## ***Future needs assessment by facility type***

### **Parks and public domain**

Marrickville LGA currently has around 68 hectares of parkland open space – or 0.86 ha/1,000 people.

While this level of provision is relatively low, it is meeting most of the needs of the existing population and, given that opportunities to acquire additional open space land in inner urban areas are limited, the existing supply rate of 0.86 ha/1,000 is considered a reasonable benchmark for determining the open space needs of the future population. On this basis about 9 ha of additional open space would be required to meet the needs of the anticipated increase in population as a result of new development.

The requirement for acquisition of open space and the embellishment of open space is based on the principle of acquiring a proportional additional amount of open space for the projected additional population at the present per capita provision rate of open space. It is desirable to acquire open space facilities at least at the current (relatively low) per capita levels of provision for the LGA as a whole - to both meet the reasonable demands of the new population and to maintain service standards for the existing population.

However, this benchmark might reasonably be adjusted slightly because per capita open space needs are likely to be slightly less in the future as a result of population 'ageing' and the higher densities of proposed residential developments. That is, there will be slightly less per capita demand for space (due to the lower participation rates of older people) and, in higher density residential areas, less space is required to meet local space accessibility criteria.

There are also land acquisition affordability issues. Land values are high in Marrickville LGA – and possibly too high to acquire nearly 9 hectares of additional parkland open space for the forecast incoming population of 10,974 people. It may not be reasonable or practicable to acquire open space at this level. The initial embellishment and on-going maintenance costs would also be substantial.

There are factors other than the quantity of open space that can be taken into account in identifying future 'passive' open space requirements. In accordance with the open space planning guidelines issued by the Department of Planning, other factors are *accessibility* (proximity to user populations) and *usability* of the space.

Taking these factors into account and given the small area of the Marrickville LGA and the difficulty and expense of obtaining additional land for open space, an appropriate acquisition strategy for parks and public domain would be seeking to enlarge parks that are less than 3,000m<sup>2</sup> in area with preference to those within walking distance of the urban village growth areas.

Enlarging existing parks has the advantage of extending the range of uses that can be provided in such parks and these would be used by the population across the LGA. The works program in this Plan, in order to provide for the additional demand created by the incoming population, proposes the acquisition of passive open space to extend the size of existing parks.

Plazas and squares, particularly those in or adjacent to Marrickville LGA's urban villages will form an important part of the open space network as will linking these parks, plazas and other focal places with 'green streets' encompassing walking and cycling routes that are sufficiently attractive to generate broad use.

At the time of preparation of this Plan, Council has the option of either adopting a section 94 contributions plan that complies with the contributions cap of \$20,000 per dwelling or per subdivided allotment or applying to IPART in attempt to seek approval for greater contributions. The amount of land that can be acquired is limited as a consequence of the financial restrictions imposed by the contributions cap, the amount of land proposed to be acquired for passive open space being approximately 8,000 m<sup>2</sup>.

The high expense of land in Marrickville LGA has necessitated a more modest acquisition program and the need to employ a greater emphasis on the embellishment of existing facilities to provide a greater usability and carrying capacity. While there are limits to the increases in carrying capacity that embellishment can provide, Council has determined that an increased expenditure on embellishment can provide improvements to carrying capacity to better address the needs of the incoming population.

## **Outdoor Sports Facilities**

The LGA currently has around 42 hectares of sports ground open space; or 0.53 ha/1,000 people. This space accommodates 23 winter and 8 summer sports fields, 15 netball courts and 32 tennis courts.



As with 'passive' open space, it could be considered that the existing supply benchmark is a reasonable guide for the future populations 'active' open space needs.

Application of the existing LGA-wide supply benchmark to the forecast additional 2031 population of 10,974 suggests a need for the following additional facilities:

- 2 soccer fields,
- 1 rugby/AFL,
- 1 cricket field,
- 2 netball courts, and
- 4 tennis courts.

However with a modest ageing of the population expected to 2031 and the accompanying changes in participation rates, an alternative forecasting approach to benchmarking was considered in the Rec Study.

The use of the current average *age-related* sports participation levels in NSW was considered to provide another and possibly more accurate forecasting approach of the needs of the additional population to 2031. The results on this basis for the sports that use Council's multi-purpose sports fields is summarised in the table below:

**Table 4.31: Forecast facilities requirements**

<b>Sports Facility</b>	<b>Forecast Additional Participants</b>	<b>No. Of Additional Facilities Required</b>
athletics field	96	0.2
cricket wicket	160	1.0
b'ball diamond	41	0.1
AFL field	121	0.4
senior I field	205	0.7
soccer field	376	1.6
netball court	237	1.4

The additional participant numbers for some of the activities may appear relatively small, but 160 additional cricket players, for example, translates to around twelve teams and the need for one additional cricket field, assuming the field has the capacity to accommodate six additional matches per week over the summer season. This is possible because nearly half the additional players will be in the 5-14 years short game age group.

In winter, fields are required for a range of sports particularly for soccer, rugby league and AFL but also for baseball, rugby union and touch rugby. The combined requirement of these sports is for one field in summer and two fields in winter.

This could be met by one multi-use sports unit comprising one cricket field with two superimposed multi-purpose fields (for soccer, AFL, rugby, touch etc) to meet the needs of the incoming population. Given current trends in participation, the additional demand for netball can most likely be met by existing facilities.

The additional sports unit would require around 3.75 ha, comprising 3.0 ha for the sports fields and 0.75ha for 'run-off' zones around the fields, circulation, curtilage, a small amenities block and some off-street parking. If additional space was available, it would also

be desirable to provide a small play area (with seating) for use by the younger siblings of children playing sport on the adjacent fields or courts.

The very high cost associated with the acquisition of such an area of land within the Marrickville LGA necessitates a strategy of pursuing a greater degree of embellishment including employing synthetic surfaces in order to increase the carrying capacity and usability of sports fields.

Enhancing the connectivity, accessibility and aesthetics of open space and facilities is a priority of Council to ensure walkability and cycle-ability for the LGA residents, who rank these activities highly, a trend which the evidence indicates will continue.

### **Indoor Sports and Aquatics**

The LGA is now well provided with indoor sport, recreation and aquatic facilities on both a planning benchmark basis and in terms of current use and capacity.

Additionally, and based on current planning standards, the aquatic facilities will be able to absorb the needs of the incoming population of 10,974 to 2031. However, current sports halls are only just meeting current needs and there will be a need for at least one additional indoor court to meet the needs of the incoming populations.

Notwithstanding this, because the Annette Kellerman aquatic centre, Debbie and Abbey Borgia and Robyn Webster centres were built to cater to both existing and future populations, the construction cost of the facilities can be recouped, on a pro-rata basis, from incoming populations.

### **Walkability and Cycle Ways**

While not directly quantifiable (due to the lack of planning benchmarks for per capita requirements for footpaths, pathways and cycleways), the additional population of 10,974 people by 2031, will generate many thousands of additional walkers and cyclists in Marrickville LGA.

Accordingly, it is important that Council's existing active transport strategies being the bicycle strategy and the accessible pathways program be further extended to cater to the large expected increase in active transport participants.

### ***Summary - Meeting the needs for the increase in population***

#### **Acquisitions and New Facilities**

Although various measures can be taken with the existing provision of open space in Marrickville LGA to increase its carrying capacity, absorption, embellishment, reconfiguring, hardening and extending will meet some but not all of the open space needs of the LGA's additional 10,974 people to 2031. Consequently the acquisition of additional open space to meet the needs of the increase in population is required in addition to measures to increase usability and carrying capacity.

This present provision levels in Marrickville LGA provide a benchmark for the acquisition requirements as set out in the following tables.

**Table 4.32: Benchmark Open Space Requirements, Marrickville LGA to 2031**

Current provision of open space*	109.2ha
Existing population	79,000
current provision of open space, 1,000/population	1.39 ha

Forecast additional population to 2031	10,974
Additional open space required to 2031 to maintain existing LGA-wide supply level (excluding public domain places and plazas and a golf course)	15.2 ha
* excluding Marrickville golf course	

This overall forecast additional open space required (15.2 ha) can be sub-divided into specific requirements for park or passive and sports or active space according to existing levels of provision as summarized in the table below:

**Table 4.33: Additional Open Space Requirements to 2031 by Type**

<i>Open Space Type</i>	<i>Ha</i>
<b>Sports (active)</b> open space requirement to 2031	5.9
<b>Park (passive)</b> open space requirement to 2031	9.3
<b>Total</b>	<b>15.20</b>

As illustrated in the tables above there is a net LGA-wide notional requirement for around 5.9 hectares of sports open space and 9.3 hectares of park open space in order to maintain present per capita provision levels in Marrickville LGA.

The high land values in Marrickville LGA and the difficulty of acquiring suitable parcels of land necessitates a strategy of more limited and strategic acquisitions rather than acquiring open space at current per capita provision levels of, in total, 1.39 ha per thousand population.

More limited acquisition must be accompanied by a greater level of emphasis on embellishment to increase the carrying capacity of existing facilities, particularly in regard to synthetic surfaces.

The aim of the acquisition strategy is to acquire a smaller area of land and build on the embellishment and other initiatives set out above - to ensure that the LGA's open space can meet the needs of the new population as far as affordability limitations allow without excessively diminishing the existing population's enjoyment of open space resources.

Because the LGA is essentially built out, the acquisition strategy aims to acquire land in strategic locations as the opportunity arises rather than nominate specific sites for resumption or acquisition. Nominating specific sites could disrupt landowners and increase acquisition costs. For this reason sites will be acquired on an opportunistic basis as they come on the market.

The non-acquisition options that can assist in meeting open space needs are as follows:

- more intensive use of existing space and facilities where there is the capacity to do so,
- the embellishment or expansion of existing spaces to increase their carrying capacity,
- enhanced walkability and cycle-ability for both on and off-road cycleways around the LGA creating seamless linkages in and between open space and recreation features and facilities,
- synthetic conversions of sports field open space,
- access to currently unavailable facilities,
- provision of and improvements to the public domain.

The acquisition strategy is limited by the contributions cap.

The limited acquisitions proposed will be sought strategically in locations appropriate to where new development is anticipated to occur and where there is a demonstrated community demand for greater walkability and street spaces.

The acquisition strategy thus has the following aims:

- enlargement of parks that are less than 3,000m<sup>2</sup>, are within walking distance of the urban village growth areas and have the potential to be high quality local parks.
- provision of plazas and squares in or adjacent to Marrickville LGA's urban villages, which can be used for lunchtime activities by shoppers and workers and at any time by new urban village residents.
- A Green Streets strategy to build on both Council's existing accessible pedestrian pathways network and the bicycle strategy network to link urban village focal spaces with other public domain spaces, parks and recreation facilities and beyond them, larger district facilities, with attractive walking and cycling routes.

These initiatives have the potential to significantly increase the carrying capacity and usability of Council's open space resources, such that the needs of the new population will be able to be more closely met with the less substantial new open space acquisitions.

The uneven distribution implies that opportunities to enhance the quantity of local open space need to be pursued more vigorously in some parts of the LGA than in others; particularly in Dulwich Hill, Petersham and Lewisham. Newtown's provision is also relatively low, but residents there do have close access to Sydney Park.

Of particular relevance to Marrickville LGA is the statement in the Guidelines that 'generating alternative and locally appropriate standards is particularly relevant in inner urban and suburban areas where the main thrust of an open space plan will be enhancement of existing recreation facilities and open space and where urban public spaces are identified as being able to fulfil some recreation needs.

It is appropriate that the costs of these requirements to address the needs of the additional population as a result of new development be fully met by section 94 contributions from new development.

Embellishment works can focus on increasing the durability and/or capacity of existing open spaces and facilities to accommodate additional use and can include a range of relevant improvements such as multipurpose site layouts, the provision of new or extended equipment and enhanced accessibility.

In this way, the works can reduce to some extent the need for additional open space by getting existing spaces and facilities to 'work harder' to better meet the recreation needs and demands of the additional populations generated by new residential and employment development.

The high costs associated with the acquisition of land in the Marrickville LGA require an increased emphasis on embellishment to assist in increasing sports field capacity.

The upgrading projects required to meet the demand generated by additional population growth are distinguished from any present needs not created by the additional population in new development so that the incoming population will not be charged contributions for works to address existing needs.

## Catchment

The Rec Study determined that because of the small size of the Marrickville LGA, the catchment area for all the land acquisitions and facilities proposed in the works program is the whole LGA. That is, people from all across the LGA would use the proposed facilities.

### 4.3.2 Formulae for calculating contributions

#### **Calculation Formula**

The formula for calculation of recreation facility contributions in words is:

- (a) Determine the total projected new development to 2031 and its component land use types and quantities,
- (b) Determine the population in the new development,
- (c) Determine the recreation facility requirements to address the needs of the expected additional population in projected new development,
- (d) Estimate the cost of such requirements including the cost of requirements already provided by Council in anticipation of the needs of new development,
- (e) Determine the proportion of costs for the recreation facilities attributable to new development,
- (f) Determine the section 94 contribution:
  - (i) Per resident for recreation facility works by dividing the total apportioned cost of recreation facility works by the sum of the new resident population and 85% of the new worker population divided by the usage ratio
  - (ii) Per worker for recreation facility works by dividing the total apportioned cost of recreation facility works by the sum of the usage ratio multiplied by the new resident population and 85% of the new worker population
- (g) Index the contributions to the time of payment in accordance with section 2.15 of this Plan.

The formulae for calculation of contributions are as follows:

$$W = W_1 \times A_1 + W_2 \times A_2 + \dots + W_n \times A_n + W_A$$

where	W	is the total works cost for recreation facilities,
	W <sub>1</sub> to W <sub>n</sub>	is the cost of various works components 1 to n after deducting the value of any grants and other funding to be received by Council,
	W <sub>A</sub>	is the costs of additional overheads
	A <sub>1</sub> to A <sub>n</sub>	is the respective proportions of the works components attributable to new development,

and,

- $W_A$  = the cost of the detail design of works (1% of the works costs)
- + the cost to Council of the administration of the works proposed (1% of the works costs).

Calculating the contribution rate per person must take into account the different usage of recreation facilities between non-resident workers and residents. the formulae for recreation facility contributions are as follows:

Contribution per resident  $C_R$  is given by:

$$C_R = \frac{W}{P_R + \frac{0.85 \times P_W}{U}}$$

where:

$C_R$  is the section 94 contribution per resident

$P_R$  is the number of residents in new development

$P_W$  is the number of workers in new development

$U$  is the usage ratio of resident to worker usage. This is equal to 5.

$C_w$  is the section 94 contribution per worker.

The 0.85 in the above formula is there as 15% of workers on average reside in Marrickville LGA and 85% of workers are non-resident. Thus contributions for workers are applied only to the 85% of workers who are non-resident to avoid charging for the 15% of workers who are residents as both a resident and a worker.

The usage ratio is the ratio of resident to worker usage of the facilities. The survey referred to previously found that average resident usage of a recreation facility was 5 times average non-resident worker usage. It is appropriate therefore that each new resident contribute 5 times what each non-resident worker contribute. that is:

$$\frac{C_R}{C_w} = U = \frac{5}{1}$$

Total contributions from new workers and new residents are required to meet the cost of recreation facility works so that:

$$C_R \times P_R + C_w \times P_W \times 0.85 = W$$

Contribution per worker  $C_w$  is given by:

$$C_w = \frac{W}{U \times P_R + 0.85 \times P_W}$$

The formula for calculation of the contribution for recreation facilities for a particular residential use is as follows:

$$C_U = C_R \times O_R$$

where:

$C_U$  is the section 94 contribution for a particular residential type

$O_R$  is the residential occupancy rate for a particular residential type (as set out in this Plan)

The formula for calculation of the contribution for recreation facilities for a particular use is as follows:

$$C_U = C_W \times O_W \times GFA$$

where:

$C_U$  is the section 94 contribution for a particular employment use

$O_W$  is the occupancy rate in number of workers/m<sup>2</sup> for a particular employment use according to the following table of the assumed number of workers/m<sup>2</sup>

GFA is gross floor area (GFA).

**Table 4.35: Workers per Square Metre of GFA**

<i>Type of Use</i>	<i>Workers/m<sup>2</sup></i>
Retail	0.05
Commercial	0.05
Industrial	0.01

### Calculation of Contributions per Person

In accordance with the above formulae, contributions for recreation facilities (including open space) are calculated as follows:

**Table 4.36: Calculation of Contributions for Recreation Facilities and Open Space**

Apportioned Cost of Works	\$ 82,328,080
Detail Design & Conveyance	\$ 823,281
Works Supervision	\$ 823,281
Contribution per Resident	\$ 7,465.81
Contribution per Worker	\$ 1,493.16

The calculation is based upon 10,974 additional residents and 1770 additional workers.

The above table gives contribution as at the date of this Plan. This contribution will then be indexed to the time of payment in accordance with section 2.15 of this Plan.

### 4.3.3 Works Proposed and Apportionment

The following table sets out the recreation facilities works proposed which includes land acquisition and embellishment works to open space. The table shows the apportionment to development based upon the additional demand created by the population in new development and for which section 94 contributions are proposed to be charged. These works constitute the works program.

**Table 4.34: Works Program and Apportionment Recreation Facilities**

<b>WORKS PROGRAM RECREATION FACILITIES</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
Land acquisition passive parks	\$ 23,700,000	100%	\$ 23,700,000	\$ -	2
Land acquisition active parks	\$ 20,535,000	100%	\$ 20,535,000	\$ -	1
Embellishment to active parks	\$ 2,700,000	100%	\$ 2,700,000	\$ -	1
Embellishment to active parks synthetic surface	\$ 4,000,000	100%	\$ 4,000,000	\$ -	3
Embellishment to passive parks	\$ 10,000,000	100%	\$ 10,000,000	\$ -	2
Public domain village centre plazas	\$ 10,000,000	100%	\$ 10,000,000	\$ -	5
Public domain youth activity Plaza	\$ 1,000,000	100%	\$ 1,000,000	\$ -	3
Public domain Green Street program	\$ 4,500,000	100%	\$ 4,500,000	\$ -	2
Public domain accessible pathways extension	\$ 1,000,000	100%	\$ 1,000,000	\$ -	2
Indoor sport additional court	\$ 2,100,000	100%	\$ 2,100,000	\$ -	3
Aquatics Centres (cost recovery)	\$ 22,900,000	12.20%	\$ 2,793,080	\$ 22,900,000	1
<b>Totals</b>	<b>\$ 102,435,000</b>		<b>\$ 82,328,080</b>	<b>\$ 22,900,000</b>	

### **Works Priority**

Entries in the Works Priority column represent the priorities with which infrastructure works will be undertaken using the numbers 1 to 5 where “1” represents the highest priority and “5” the lowest priority. These numbers are used to indicate how available funds might be channelled to carry out the most urgent works first before other less urgent works. All works will be carried out in order of works priority as soon as sufficient funds are available.



## 4.4 Community Facilities

### Introduction

The term community facilities used here is to describe facilities provided by Council such as general-purpose built space to be used by the community on a short term basis or occupied by community groups, childcare facilities including long day care and before and after school care, libraries and arts and cultural facilities.

Consultants were commissioned by Council to undertake a comprehensive study of community facilities in Marrickville LGA. The study was undertaken by a consultancy partnership comprising the Miller Group and BBC Consulting Planners. The study report titled Facilities Needs Research (the "Community Facilities Study") forms the basis of this section of this Plan and much of the information provided in this section is either extracted from the Community Facilities Study or forms a summary or paraphrase of it.

The aim of the study was, given the projected 13.9% increase in population and expected demographic and social changes over the period 2011 to 2031, to ensure that community facilities planning addresses the needs of the future population in Marrickville LGA. In particular the aims of the study were:

- (a) to examine the current provision of community facilities,
- (b) to determine whether the current provision meets existing needs, and
- (c) to determine the needs of the future population.

The Community Facilities Study provides a strong evidence basis for the recreational facilities proposed to address the needs of the additional population as a result of additional development set out in this Plan and for which section 94 contributions are charged.

Central to the Community Facilities Study was the understanding that Council has finite resources and will be unable to provide facilities which meet the requirements of all members of the community. Council must therefore align service and facility provision to the key strategic policies and directions of Council reflected through corporate strategic planning policies, primarily the Marrickville Community Strategic Plan 'Our Vision Our Place', Marrickville Local Action 21 Plan, Sub-Catchment Management Plans and the Long Term Financial Plan for Marrickville.

The study used the condition and usage of existing facilities as its main benchmark but, where available, other benchmarks were also used. The study considered who uses existing facilities to determine current unmet need and demand.

In Marrickville, as in other LGAs, population size, growth rates and characteristics such as age structure, family type, income levels, cultural diversity etc., all have an impact on the community's needs and the demand for community facilities. Population numbers and characteristics change, and so do the facility requirements of the resident community. The study analysed the population composition and potential changes so that the planning for the future provision of community facilities took into account predicted demographic changes.

Marrickville Council provides an extensive range of community facilities in a range of different configurations; some facilities are owned and operated by Council with others operated by non-government organisations occupying Council owned facilities. Council also leases facilities for the provision of community services and a number of services run by

Council are run from non-Council owned facilities. Many of these facilities are used for a number of purposes and multi function facilities are clearly the norm in facilities provision.

The survey conducted as part of the study found that utilisation of Council's community facilities is generally high with facilities well patronised and appreciated. Libraries, halls, arts and cultural venues, child care centres and community centres are all well used and well regarded. The spaces with the highest levels of use are the smaller halls located in densely populated areas. These are booked by regular users for up to 40 hours per week.

The users of these halls are generally community organisations, such as older people groups (including culturally-specific older people groups) and special interest groups. Older people groups are much more likely to use the facilities during the day.

Larger halls have lower levels of utilisation, with fewer groups using the facilities more intensively each week. Use of these more spacious facilities is primarily for dancing.

#### **4.4.1 Nexus**

The nexus or connection between the projected additional population as a result of additional development and the need for the additional or amended community facilities proposed in this Plan is demonstrated in the following parts of this section. The demographic and population changes projected guide the assessment of the likely requirements of the various age group categories of the future population. In this way the causal nexus is shown.

All the facilities proposed in this section of this Plan have catchments that are LGA wide and there is therefore a locational nexus between the new development and the proposed facilities within the LGA.

The temporal nexus is demonstrated in the works program by the proposed progressive provision of facilities as the population increases and contribution funds become available.

#### **Needs of the Future Population**

The forecast increase in demand is from an additional 10,974 residents and 1770 workers. This forecast growth in population size will be accompanied by greater than proportional growth in the 50+ age groups. As the overall population ages over the next 20 years, community interests and capacities will also change and this will impact the demands for, and use of, community facilities in Marrickville LGA.

Trends in population size and structure are the major determinants of the demand for community facilities.

#### **Age and Life Stages**

An understanding of changes in the age of the population and various age groups is important for community facilities planning.

The age trends of the population in Marrickville LGA are expected to differ significantly from those of the broader population in Sydney. In contrast to the generally aging population of wider Sydney, the median age of the Marrickville LGA's population is expected to remain unchanged at 36. This is a result of inward- and outward-migration, likely caused by constraints on family size and lifestyle caused by the dwelling stock in the LGA.

The increase in births and young children has implications for the demand for child care services including long day care centres, pre-schools and before and after school care as children move through the age cohorts.

The number of children aged 5-9 increased by 5 per cent between 2006 and 2010 and is projected to increase by 17 per cent between 2011 and 2031 largely as a result of the recent increase in births passing through the age groups. Strong growth is also expected in the 10-14 year and 15-19 year age groups. The demand for before and after school care will continue to grow as a consequence.

Young adults (19-25 year age group) will also grow although at a rate lower than the LGA average of 13.9 per cent between 2011 and 2031.

It is expected that the number of persons over 65 will increase by nearly 3,000 or 36 per cent between 2011 and 2031

Several other characteristics of the LGA's population are relevant to community facility needs, now and into the future. These characteristics include the Culturally and Linguistically Diverse (CALD) population, Aboriginal and Torres Strait Islander (ATSI) residents, income levels and home ownership rates.

Trends in population size and structure that are a major determinant of the future demand for community facilities include:

- Population is expected to grow by about 13.9 per cent or 10,974 persons between 2011 and 2031,
- workforce is expected to grow by about 6.7% or 1,770 workers between 2011 and 2031,
- of the number of persons over 65, about one third will be 80 and over indicating a significant increase in the need for frail aged services in Marrickville LGA,
- there will be steady growth in the middle age groups, including people in child bearing ages, although at less than the state average,
- the population will remain culturally diverse with a reduction in first generational migrants and greater diversity on cultures and cultural mix,
- housing is becoming more expensive leading to reduced levels of home ownership and housing affordability,
- the nature of employment lands is changing with a corresponding change in the nature of jobs and businesses in the area. Airport and port related industries are growing as are retail and commercial sectors with increased office and business use of industrial lands,
- the number of women in the labour force has increase from 51 per cent in 1996 to 58.6 percent in 2006 and is expected to grow in the future.

The study found that existing facilities are generally heavily utilized in meeting the needs of the existing community which has seen continual growth since 2004. Furthermore there are expressed unmet needs that can be met through improvements to operations and existing facilities, the use of vacant spaces and improved co-ordination and community access to rooms at major recreation facilities. When considered in conjunction with available stock of facilities and the feedback and expectations from the community, the study found that the picture emerging was that Council is currently providing well for the existing community albeit with a lack of reserve capacity for any future increase in population.

#### 4.4.2 General Purpose Community Facilities

In recent years there has been a greater recognition of the important role that community facilities can play in enhancing a community's wellbeing through the provision of services, encouraging place making and social identity and facilitating a sense of inclusiveness for the diverse Marrickville LGA community.

Through the provision of high-quality spaces with a range of potential uses and users where people enjoy spending time, community facilities encourage social interaction, community engagement and the development of social capital. By helping to develop a sense of community and increasing social interactions between individuals and groups who may otherwise have very little engagement with each other, community facilities can assist in the process of building shared understandings, experiences and identities.

Community facilities also have a strong social justice dimension. Less advantaged members of a community may have a higher need to use community facilities and low-cost spaces and services; as such, they provide an important service to people in need, as well as the wider community.

Spaces available to the community and community organisations are outlined in Table 4.38 below. Council provides a total 3466m<sup>2</sup> space for short-term uses such as hall hire or meeting rooms, and an additional 4106m<sup>2</sup> used by the community for a range of purposes including specific purpose facilities (an older people centre, community-run galleries and a youth centre), Newtown Community Centre and space made available to community organisations for the provision of services to the community.

In addition there is a further 940m<sup>2</sup> of currently vacant space that has been recently vacated and will be used in the future to meet the needs of existing residents. Combined, there is a total supply of floor space for the provision of community services of 8,512m<sup>2</sup>. Given the consolidated nature of the urban area and historical manner of single, small, property acquisitions, Council's facilities are spread across the LGA in a number of separate buildings or in small groups of buildings such as at Australia Street and Seaview Street.

**Table 4.4.1 – General Purpose Community Spaces**

Facility	Building	Management	Floor Area	Capacity (persons)
Marrickville Town Hall	Marrickville Town Hall	Council	1200 m <sup>2</sup> (ground floor)	560
Petersham Town Hall	Petersham Town Hall	Council	1130 m <sup>2</sup> (foyer, hall and kitchen)	440
Herbert Greedy Hall	Herbert Greedy Hall	Council	280 m <sup>2</sup>	100
Seaview St Hall	Seaview St Complex	Council	195 m <sup>2</sup>	80
St Peters Town Hall meeting room & hall	St Peters Town Hall	Council	245 m <sup>2</sup>	110
Newtown Town Hall & meeting room	Newtown Town Hall	Newtown Neighbourhood Centre	236 m <sup>2</sup> (hall and meeting room)	150
Jarvie Park Hall	Jarvie Park Hall	Marrickville Youth Resource Centre	180 m <sup>2</sup> (hall only)	100
<b>Total short-term hire space</b>	<b>7</b>		<b>3466 m<sup>2</sup></b>	<b>1597</b>
Space for specific community uses, including space let to community	10		4106 m <sup>2</sup>	

groups				
Temporarily vacant space to be used by the existing community in the future	6		940 m <sup>2</sup>	
Total space provided for community use	20		8512 m <sup>2</sup>	

### Vacant Space

A number of properties in Marrickville Council's portfolio were at the time of conducting the Community Facilities Study in transition and vacant due to damage or tenants leaving the premises. Those included the Livingstone Road properties on the hospital site which is to be redeveloped in the short term, the two buildings in the Australia Street complex, and one building in the Seaview Street complex. These properties are to be redeveloped and/or used for existing residents and do not represent spare capacity.

### Assessment of Need According to Benchmarks

There is no commonly adopted standards for community centre provision in NSW. There is no minimum or standard catchment population size that triggers the need for a community centre and no recommended scale or size for a facility. Standards do however provide some guidance to determine order of magnitude requirements for community centres.

Wide use is made of standards provided in the Growth Centres Development Code but this is applicable to greenfield developments on the fringe of metropolitan areas.

Standards that have been part of the methodology used to determine facility needs in a range of situations including the following standards applied to the Green Square redevelopment:

- 1 neighbourhood centre per 3,500 – 15,000 people,
- 1 multi-purpose community centre per 15,000 – 20,000 people.

These guidelines have limitations in that recommendations on the size of centres are not given.

**Table 4.4.2: Social Infrastructure Planning Implementation Guidelines**

Scale	Number	Size per centre	Size (GFA) per 1,000 population (minimum)
Neighbourhood (community meeting room)	1:2,000-3,000 (council/private)	200-300 m <sup>2</sup> GFA	67 m <sup>2</sup>
Local (community centre / hall)	1:6,000-10,000 (council/private/community)	600-800 m <sup>2</sup> GFA	60 m <sup>2</sup>
District (multi-purpose community or neighbourhood centre)	1:20,000-50,000 (State/Council)	1000 m <sup>2</sup> GFA	20 m <sup>2</sup>
Regional (civic centre)	1:30,000-120,000 (Council)	2000-5000 m <sup>2</sup> GFA	17 m <sup>2</sup>

A recommended GFA provision is for five local and two regional centres being 3,000 m<sup>2</sup> and 4,000 m<sup>2</sup> respectively, a total recommended benchmark of 7,000 m<sup>2</sup>. This figure does not include space provided to community organisations.

Marrickville LGA's current total provision of space to community centres and community organisations is 8,512 m<sup>2</sup>, indicating that the facilities provided are close to meeting the minimum recommended level. This equates to a provision rate of 107.7m<sup>2</sup> per 1,000 population.

The present provision rate of floor space is considered appropriate for Marrickville LGA given its demographics, with high levels of older people, children and multicultural communities, and areas of significant disadvantage – all indicators of higher levels of community facility usage, and with a low number of youth and senior-specific centres. So it is important that the provision rate is maintained with the projected increase in population.

There are an additional 10,974 projected residents moving into the LGA over the next twenty years. To satisfy the specific needs of the future Marrickville LGA population it was recommended in the Community Facilities Study that Council maintain its current rate of provision, at 107.7 m<sup>2</sup> per 1,000 population which would require an additional 1,182 m<sup>2</sup>.

An additional 1,182m<sup>2</sup> of community facilities floor space in terms of development contribution principles would be a pro rata provision for the additional projected population at the 2011 general community facility provision rate. This would be appropriate given that there is no spare capacity to address the additional needs of the projected additional population in the 2011 Marrickville LGA facilities.

It would also be appropriate that the cost of the additional 1182 m<sup>2</sup> of floor space be fully funded from section 94 contributions as this is the amount of floor space required for the additional population.

While it is appropriate to fund the acquisition of additional land to provide the additional community facility floor space, the availability of Council owned sites suitable for the intended purpose was firstly investigated.

The future needs for space calculated in line with current rates of provision are shown in Table 4.4.3.

**Table 4.4.3: Additional needs for spaces available to the community**

	Population	Population increase	Additional space required	Total space
<b>2011</b>	79000	0	0 m <sup>2</sup>	8512m <sup>2</sup>
<b>2021</b>	87,054	5487	867m <sup>2</sup>	9379m <sup>2</sup>
<b>2031</b>	89,974	10,974	1182m <sup>2</sup>	9694m <sup>2</sup>

## Potential for Expansion

Most existing facilities providing space to be used by the community on a short or long-term basis are constrained by site limitations, with little room for expansion. Some of the facilities including the large halls are also heritage-listed, further limiting opportunities for expansion.

## Options in Providing Required Facilities

A number of options are available to meet the future needs of the population. The Community Facilities Study recommended options are to focus upon the provision of two staffed multipurpose community centres having an area in the range of about 400 to 600m<sup>2</sup> with a range of flexible spaces including meeting rooms, activity spaces and performance spaces. These centres are proposed to be preferentially located in areas currently underserved, or expecting significant future growth.

Due to the lack of suitable Council owned sites, the only option in providing the required facilities is the acquisition of further land and the construction of suitable facilities. For the two facilities required two additional sites will need to be acquired.

### **Proposed General Community Facility Works**

The proposed works comprise the acquisition of two sites suitable for constructing community facilities in the 400 to 600 m<sup>2</sup> size range and the construction of two multipurpose community centres on them. The estimated capital cost of construction was estimated in the Community Facilities Study and that estimate is \$2.7 million each. In addition to that the land costs for the 2 facilities is expected to be about \$2.7 million.

### **Apportionment of General Community Facilities**

As the proposed works are fully to address the needs of the projected additional population in new development, it is appropriate that 100% of the cost be apportioned to new development.

#### **4.4.3 Calculation of Contributions for General Community Facilities**

##### ***Calculation Formula***

The formula for calculation of the section 94 contribution for general purpose community facilities in words is:

- (a) Determine the total projected new development to 2031 and its component land use types and quantities,
- (b) Determine the population in the new development,
- (c) Determine the general purpose community facility requirements to address the needs of the expected additional population in projected new development
- (d) Estimate the cost of such requirements,
- (e) Determine the proportion of costs for the general purpose community facilities attributable to new development (apportionment),
- (f) Determine the section 94 contribution per resident for general purpose community facility capital works by dividing the total apportioned cost of recreation facility works by the number of additional residents anticipated in new development,
- (g) Index the contributions to the time of payment in accordance with section 2.15 of this Plan.

The formulae for calculation of contributions are as follows:

$$W = W_1 \times A_1 + W_A$$

where  $W_1$  is the cost of land acquisition and capital works after deducting the value of any grants and other funding to be received by Council,

$W_A$  is the cost of required overheads

$A_1$  is the proportion of the land acquisition and works attributable to new development which for general community facilities is 100%,

and,

$W_A$  = the cost of the detail design of works (2% of the works costs)

+ the cost to Council of the administration of the works proposed (2% of the works costs).

Contribution per additional resident in new development C is given by:

$$C = \frac{W}{P}$$

where:

P is the number of additional residents in new development.

### Calculation of Contributions per Person for General Community Facilities

The following table sets out the calculation of the contribution per new resident for general community facilities based upon the information as set out in the table and the population and demographic data set out elsewhere in this Plan.

**Table 4.4.4: Calculation of Contribution for General Community Facilities**

Cost of Works	\$ 5,400,000
Detail Design & Conveyance	\$ 108,000
Works Supervision	\$ 27,000
Contribution per Resident	\$ 504.37

The above table shows the contribution per resident as at the date of this Plan. The contribution to be paid will be indexed to the time of payment in accordance with Section 2.15 of this Plan.

#### 4.4.4 Libraries

Council presently provides library facilities at four separate locations as set out in the following table:

**Table 4.4.5: Library facilities**

Facility	Address	Size (estimated GFA)	Average loans per month	Average door count per month	Loans: door count ratio
Marrickville Central Library	Marrickville Town Hall, 303 Marrickville Rd,	1170 m <sup>2</sup>	33152	11921	2.8:1



	Marrickville				
Dulwich Hill Branch Library	12-14 Seaview St, Dulwich Hill	192 m <sup>2</sup>	4404	7242	0.6:1
St Peters / Sydenham Library	St Peters Town Hall, 39 Unwins Bridge Rd, St Peters	206 m <sup>2</sup>	2042	3087	0.7:1
Stanmore Branch Library	Stanmore Reserve, Douglas Street, Stanmore	176 m <sup>2</sup>	5572	3260	1.7:1

Of the four libraries, three are limited in regards to potential for expansion by site constraints. Marrickville Library is in the basement of the heritage-listed town hall, Dulwich Hill Branch Library is housed in a converted period house, and St Peters/Sydenham Library is housed on the ground floor of a heritage-listed hall. Stanmore Library is located in a small reserve so does not face the same site restraints; its construction however means that expansion of the existing building would likely not be practical.

Dulwich Hill Branch Library is located in the Seaview Street complex. This complex is on the same lot as a 48-space Council owned carpark in an area likely to see significant levels of development.

The biggest users of the library services are older people and parents with young children

In recent years total library visits have fallen. Over the same period the library's collection size shrank by 17.5%. A new library with greater facilities will likely lead to an increase in visitor numbers.

### **Assessment of Need According to Benchmarks**

The State Library of New South Wales provides in *People Places* a detailed methodology to assess the library size needed to house sufficient services to meet the community's needs.

Two different benchmarking approaches are provided to calculate floor area requirements. The first is a measure based on the proposed level of provision of resources, and the second is based upon population projections including non-resident workforce. The latter, population-based benchmarking is considered to be the most appropriate methodology to determine the future library requirements in Marrickville LGA.

Under the population-based benchmarking methodology a standard floorspace requirement the local area factor (LAF) is calculated, and additional floorspace ratios are provided to accommodate circulation and services requirements; i.e.

$$\text{GFA} = (\text{LAF} + \text{CAF}) \times 1.2$$

GFA = Gross floor area

LAF = Local area factor (projected catchment resident and non-resident workforce population, calculated according to the building area factor table below)

CAF = Central area factor (15 per cent of the product of the projected LGA resident and workforce population, calculated according to the building area factor table below. It is used only when calculating central library floorspace, and allows for circulation, offices and other administrative functions)

1.2 = Circulation / services allowance

**Table 4.4.6: Building area factor for *People Places* benchmarking**

Projected population served (resident and non-resident workforce)	m2 per 1,000 population
Less than 20,000	42
20,001 – 35,000	39
35,001 – 65,000	35
65,001 – 100,000	31
Over 100,000	28

Benchmarking the provision in accordance with the *People Places*, the library provision requirements are set out in the following table.

**Table 4.4.7: Benchmark library space provision**

	Resident Population	Non-resident workforce	Total population served	Recommended GFA – single library model	Recommended GFA – branch libraries model
2011	79,000	21,513	100,513	3,884 m <sup>2</sup>	Central – 3,124 m <sup>2</sup> Branch – 507 m <sup>2</sup>
2021	84,487	22,230	106,717	4,124 m <sup>2</sup>	Central – 3,317 m <sup>2</sup> Branch – 538 m <sup>2</sup>
2031	89,974	22,948	112,922	4,363 m <sup>2</sup>	Central – 3,510 m <sup>2</sup> Branch – 534 m <sup>2</sup>

Note: In the absence of firm catchment data, branch libraries have been assumed to each have a catchment of 10 per cent of the LGA's resident and worker population.

Another assessment of the floorspace requirements for the new library was conducted in December 2011 by an external consultant, Dr David Jones, at Council's request. Using the *People Places* population-based benchmark, this assessment concluded that a total floor space of 3,101m<sup>2</sup> for the provision of library services would be required in a new central library to serve the needs of the population into the future. The assumptions employed to arrive at this figure differ in several aspects from those adopted in the Community Facilities Study. These differences are:

- Dr Jones' report considered the needs of the population in the year 2026, while the scope of the Community Facilities Study extended to 2031,
- Dr Jones' report employed population projections sourced from the Department of Planning, identifying a population of 84,800 by 2026; the Community Facilities Study employed more recent population projections provided in this Plan and based upon the development possible under the provisions of LEP 2011 and DCP

2011 and considered to be more accurate, which project a total 89,974 residents by 2031,

- Dr Jones' report employed workforce projections that predicted no growth in non-resident workers, for a non-local workforce of 20,000 by the year 2026; the Community Facilities Study utilised more recent workforce projections based upon the development possible under the provision of LEP 2011 and DCP 2011 which identifies a total 22,948 non-resident workers by 2031,
- a slightly higher proportion of the LGA's population has been estimated as central library users in the Community Facilities Study.

As set out in Table 4.4.7 above, 1744m<sup>2</sup> of GFA which equates to a net floor area of 1,454m<sup>2</sup>, is currently being utilised as library space within the Marrickville LGA. For the additional 10,974 people in projected new development which represents a 13.9% increase in population, providing a pro rata additional amount of this floorspace at the floorspace provision rate provided to the 2011 population, would require an additional 242 m<sup>2</sup> of floor space providing a total of 1986 m<sup>2</sup> of floor space.

However Council is planning to provide a new central library on the former Marrickville Hospital site in anticipation of the additional development within the LGA. This library would have a GFA of approximately 3893m<sup>2</sup>.

Given the impracticalities and expense involved with upgrading the branch libraries and relatively small geographical size of the LGA, it was recommended in the Community Facilities Study that the provision of future library space continue to be provided under a model in which branch libraries assume more of a 'community living room' role. This would include providing daily newspapers and relevant CALD resources, children's services such as story reading and homework help, and quiet places at the neighbourhood scale to sit and read or work, with less emphasis on holding a full range of collection materials (but with access to collections at the central library).

The construction of the new central library on the old Marrickville Hospital site will provide within the gross floor area of 3,893.4m<sup>2</sup>, 3,230m<sup>2</sup> for core library services and 664m<sup>2</sup> for extended 'community hub' services housed within the library building. This is in line with the trends for library service delivery identified in the upcoming third edition of *People Places*. The total floorspace approximates the benchmarked size required to meet projected community needs in 2031, with benchmark standards recommending a central library GFA of 3,510 m<sup>2</sup> under the central and branch-libraries model. While there would remain a floorspace shortfall of approximately 1,000m<sup>2</sup> according to the benchmark standard, the facilities would represent a significant upgrade over the present rate of provision to the existing population. That is, with the proposed library facilities, new residents would be provided with facilities to an upgraded standard above what would be provided with a pro rata extension to existing facilities at the present per capita provision rate.

#### **4.4.5 Apportionment for Library Facilities**

It is appropriate that projected additional development contribute 100% of the cost of a pro rata addition of library floor space to maintain present facilities at the existing floor space provision rate per resident. As a higher standard of the library facility provision is proposed for the future residents of Marrickville LGA which would be over and above what would be provided by a pro rata addition of library floorspace at the present provision rate, it is appropriate that additional new development also contribute, along with Council on behalf of the other residents of Marrickville LGA, to this increase in the standard of library provision.

That is, it is appropriate that the proportion of the cost of a pro rata extension of existing facilities should be 100% apportioned to new development and that new development contribute to the upgrade in floorspace provision rate of facilities in the same proportion as existing residents (12.2% from new residents).

#### 4.4.6 Calculation of Contributions for Library Facilities

##### **Calculation Formula**

The formula for calculation of library facility contributions in words is:

- (a) Determine the total projected new development to 2031 and its component land use types and quantities,
- (b) Determine the population in the new development,
- (c) Determine the existing provision rate of library facilities (square metres of floor space per resident) and the additional floorspace required for the expected additional population in new development in order to maintain that provision rate,
- (d) Determine any additional library floorspace proposed to be provided by Council to increase the standard of library facilities for all future residents,
- (e) Estimate the cost of the library facilities proposed to be provided by Council,
- (f) Determine the cost of the pro rata extension of library floorspace to be attributed to new development and the proportion of the cost of the additional amount of floor space to increase library provision standards attributable to new development and to Council,
- (g) Determine the section 94 contribution per person in new development by dividing the sum of the cost of the pro rata extension of existing facilities for the additional population and the apportioned cost of the additional facilities to improve library standards by the projected additional population in new development,
- (h) Index the contributions to the time of payment in accordance with section 2.15 of this Plan.

The formulae for calculation of contributions are as follows:

$$W = W_1 + W_2 \times A_2 + W_A$$

- where
- $W$  is the total attributable works cost for new library facility works,
  - $W_1$  is the cost of the pro rata extension of existing library facilities for the additional population
  - $W_2$  is the cost of additional library facilities to increase library provision standards after deducting the value of any grants and other funding to be received by Council,
  - $W_A$  costs of additional overheads
  - $A_2$  is the proportion of  $W_2$  attributable to new development which is the proportion of new residents to total population in 2031 (about 12.2%),
  - $W_A$  = a proportioned part of the cost of the detail design of works (2% of the works costs)

+ a proportionate part of the cost to Council of the administration of the works proposed (5% of the works costs).

The formula for library contributions is as follows:

Contribution per resident  $C_R$  is given by:

$$C_R = \frac{W}{P_R}$$

where:

$C_R$  is the section 94 contribution per additional resident in development

$P_R$  is the number of residents in new development

The formula for calculation of the contribution for library facilities for a particular residential use is as follows:

$$C = C_R \times O_R$$

where:

$C$  is the section 94 contribution for a particular residential type

$O_R$  is the residential occupancy rate for a particular residential type (as set out in this Plan)

### ***Calculation of Contributions per Person for Library Facilities***

The following table sets out the calculation of the contribution per new resident for library facilities based upon the information as set out in the table and the population and demographic data set out elsewhere in this Plan.

**Table 4.4.8: Calculation of Contributions for Library Facilities**

Cost of Works	\$ 27,100,000
Detail Design	\$ -
Works Supervision	\$ -
Contribution per Resident	\$ 370.71

The above table shows the contribution per resident as at the date of this Plan. This contribution will then be indexed to the time of payment in accordance with section 2.15 of this Plan.

#### 4.4.7 Proposed Library Works

The proposed works is the provision of a new central library of 3893 m<sup>2</sup> in gross floor area on the present Marrickville hospital site at a cost estimated in the Community Facilities Study to be \$27.1 million.

#### 4.4.8 Child Care Centres

##### Present Facilities and Services

Council-operated services include six long day care centres, one preschool, five before and after school care (OSHC) services and three vacation care services operating from OSHC centres. There are also a range of privately and community operated long day care (LDC) centres in the LGA. Council currently provides 344 LDC places excluding family day care (27.4% of the total provision of LDC and preschool places within the LGA) and 421 LDC places (42.3% of the LGA total) including family day care and 330 OSHC places.

In addition to the 421 LDC places currently provided, the construction of a multi-purpose childcare facility – including 50 LDC or preschool places and OSHC services – in West Marrickville is one of Council's major projects where funds have been allocated.

The completion of this childcare facility will address the existing unmet demand for childcare in the LGA, evidenced by lengthy waiting lists at Council early learning centres. It is estimated that with the completion of the Marrickville West centre Council will provide a total 45.1 per cent of the LDC places in the Marrickville LGA.

The tables below set out the total provision, including family day care, within the LGA.

**Table 4.4.9: Council-operated LDC, FDC and preschool service**

Facility	Address	Age	Type of care provided	Capacity	Council's role
Cavendish Street ELC	142 Cavendish Street, Stanmore	6 weeks – 6 years	Long day care	40	Council owned & operated
May Murray ELC	35 Premier St, Marrickville	2 – 6 years (no 0-2)	Long day care	24	Council owned & operated
Deborah Little ELC	1 Macarthur Pde, Dulwich Hill	6 weeks – 6 years	Long day care	59	Council owned & operated
Tillman Park ELC	79 Unwins Bridge Road	6 weeks – 6 years	Long day care	48	Council owned & operated
Addison Road ELC	Addison Road, Marrickville	6 weeks – 6 years	Long day care	45	Council-operated on state land
Enmore ELC	305 Enmore Road, Enmore	0 – 6 years	Long day care	40	Council owned & operated
Globe-Wilkins preschool	McRae Street, Marrickville	2-6 years (no babies)	Preschool	50	Council operated on DET land
Family Day Care	Homes of approved FDC Educators and Enmore Resource Centre	0-12 years	Full time, part time, before & after, and emergency care	165	Administered by council and operates some functions in council facilities

**Table 4.4.10: Childcare provision (places) in the Marrickville LGA**

Suburb	LDC			Preschool			OSHC		
	Council operated	Private / comm.	Total	Council	Private / comm.	Total	Council	Private/ comm.	Total
Marrickville	119	321	<b>390</b>	50	40	<b>90</b>	165	85	<b>250</b>
Newtown		38	<b>38</b>		20	<b>20</b>		25	<b>25</b>
Stanmore	40		<b>40</b>		24	<b>24</b>	120	25	<b>145</b>
St Peters					27	<b>27</b>			
Petersham		113	<b>113</b>		40	<b>40</b>		30	<b>30</b>
Dulwich Hill	59		<b>59</b>		57	<b>57</b>		175	<b>175</b>
Enmore	40	52	<b>92</b>				45		<b>45</b>
Tempe	48	50	<b>98</b>					25	<b>25</b>
Family Day Care	165								
<b>Total</b>	<b>471</b>	<b>574</b>	<b>1045</b>	<b>50</b>	<b>208</b>	<b>258</b>	<b>330</b>	<b>365</b>	<b>695</b>

Note – OSHC places refer to after school care; LDC places assume the completion of the Marrickville West Childcare Facility, providing an additional 50 LDC places

**Table 4.4.11: Council-operated Out of School Hours Care Centres and other children's services**

Facility	Location	Service provided	Capacity
Wilkins OSHC	Wilkins Public School, Marrickville	BSC & ASC	75
Ferncourt OSHC	Ferncourt Public School, Marrickville	BSC, ASC and vacation care	60
Camdenville OSHC	Camdenville Public School, Enmore	BSC, ASC and vacation care	45
Stanmore OSHC	Stanmore Public School, Stanmore	BSC & ASC and vacation care	120
Marrickville West OSHC	Marrickville West Public School, Marrickville	BSC & ASC	30
Magic Yellow Bus	Parks throughout the LGA	Mobile playgroup DOCS-funded, and Council operated and subsidised	-
Children's library services	Central and branch libraries	Story time, baby rhyme time, school holiday activities	-

## Utilisation & Catchment

All Council run early learning centres are operating at full capacity and have extensive waiting lists. Consultation with Council staff suggests that this is likely to be due to the high reputation of Council-run childcare services, rather than price – Council's fees are within the normal range of what is charged by community based and private providers in the area. The private sector is also running at close to capacity, with many private long day care centres in the LGA reporting that they are full with waiting lists.

Many of the families using the facilities that are not residents of the LGA are workers in the LGA. Information supplied by the ABS from the 2006 census shows that there were 729 mothers with at least 1 child aged 0-4 who worked in Marrickville LGA but lived outside Marrickville LGA. Of the 1,640 working mothers with at least 1 child aged 0-4 living in Marrickville LGA, 327 also worked in Marrickville LGA.

There are likely to be some residents of the LGA who use child care facilities outside of Marrickville LGA, typical of most inner city local government areas. There is no clear delineation of catchment areas on a centre-by-centre basis. While centres have a higher level of enrolments from families resident in the same suburb, this is not exclusive and usually not a majority. Consultation with Council staff has suggested that physical location is generally not a determining factor in families' choice of early childhood centre (long day care or preschool); rather, they are likely to attend the centre that best suits their needs and that they judge to be of the highest standard, and are willing to travel to the centre. The small size of the LGA supports this observation. As a result the locations of future centres are not critical to their success; if a future Council-run centre is of a high standard it is likely to attract families from across the LGA, and relieve pressure upon other facilities. Demand is strongest in the 0-2 age group which is a need met to a greater extent by Council facilities rather than private facilities.

An additional 365 places are provided at eight non-Council OSHC locations in the Marrickville LGA; these centres generally reported to be operating at between 80-90% of capacity.

The catchment area of Council-run OSHC centres is quite local. Children generally attend the OSHC centre at their school to reduce the need for transport between the primary school and the centre.

### **Summary of Study Audit**

- Council provides a high-quality childcare service that, including family day care, provides 45 per cent of the long day care within the LGA.
- The majority of children enrolled in LDC services are residents of the LGA, with LGA workers' children making up most of the remainder.
- There are no strong 'catchment areas' within the LGA for each centre, with parents prepared to travel to centres other than their closest.
- All Council LDC centres are currently operating at capacity, with extensive waiting lists, and are often the preferred choice of parents in the LGA.
- In addition to LDC, Council operates services affiliated with local schools on DEC land (one preschool and five OSHC centres). These facilities operate well, with OSHC centres responsive to changes in demand.

### **Benchmarked Needs & Future Provision**

#### ***Council-operated Long Day Care***

The future provision of childcare services has been calculated on the underlying principle that the level of provision of community facilities to existing residents and workers should not worsen as a result of new development – that is, for the additional population in new development it is appropriate that childcare services continue to be supplied at the same rate of provision as currently exists.

The rate of provision for the 344 childcare places and 4990 children aged 0 to 4 in 2011 equates to one place in a Council owned facility for every 14.5 children.

It is estimated that there will be an additional 650 children between 0 and 4 years resident in the LGA in 2031. The LDC places required for the additional 650 children at the present provision rate of one space per 14.5 children is 45 spaces.



The methodology employed to assess the future needs of non-resident workers in the LGA is based upon calculations specifically designed to assist local Councils in the preparation of SECTION 94 contribution plans for childcare detailed in the report *Encouragement of Work-based Childcare through Town Planning Requirements in NSW* (Lang & Edmondson, AGPS, 1991). This method involves estimating the future number of working women with children under 5 in the LGA, the proportion of these women who would use childcare services, and the average number of children per woman (1.14 children per woman, based on the 2006 Childcare Census).

This calculation is shown in the table below.

**Table 4.4.12: Work based long day care needs**

Work based long day care needs	Workforce	Non-resident workforce	Women with children 0-4	Women needing childcare	Children requiring places	Additional places required	Council-provided additional places
2011	28037	21544	885	89	101	-	-
2021	28972	22263	916	92	104	3	1
2031	29908	22982	946	95	108	7	2

Council currently provides 27.7% of childcare provision in the LGA. To maintain this level of Council-public provision an additional 2 childcare spaces is required by 2031 for non-resident workers.

Total childcare provision needs in Council-owned facilities is shown in the table below.

**Table 4.4.13: Total childcare needs in Council-owned facilities**

Year	Resident children 0-4	Total resident places	Additional resident places from 2011	Additional worker-places	Total increase	Total places
2011	4990	344	-	-	-	344
2021	5390	372	28	1	29	373
2031	5640	389	45	2	47	391

Thus in order to maintain current standards of provision of childcare, Council will need to provide facilities to accommodate an additional 47 childcare places by 2031. This would mean a total of 391 childcare places housed in Council-owned facilities.

### Options to meet needs

In order to maintain current levels of provision to the future population an additional 47 Council provided long day care spaces is required to meet the needs of the projected population growth to 2031 as a result of new development. This equates to one medium sized centre, or a significant expansion of an existing centre.

Existing childcare facilities are already at site limits given that they are at the limits of regulatory requirements for indoor : outdoor space ratios. The preferred option consequently involves the construction of a new, purpose-built childcare facility. This might be able to be co-located with other social infrastructure, and located on Council-owned land to minimise costs.

Given the existing distribution of private and public childcare centres, it would be preferential to locate a new child care centre in Dulwich Hill, Lewisham or South Marrickville west of Illawarra Road. In the Dulwich Hill area, a potentially co-located facility on the Seaview Street site provides an option that would not require the acquisition of additional land.

#### **4.4.9 Proposed Child Care Centre Works**

To address the needs of the additional population as a result of anticipated new development it is proposed to construct a 47 place childcare centre on Council owned land in a location that will be the subject of review prior to construction.

The capital cost of the construction of such a facility was estimated in the Community Facilities Study to be \$2.5 million.

Council's support and commitment to the provision of additional child care centre places for the growing population has resulted in an allocation by Council of \$1.1 million towards the provision of such places. The allocation was to facilitate the provision of the required childcare places. This money will be recouped in due course by Council from section 94 contributions received so that of the contributions paid towards child care facilities, \$1.1 million will be for the recoupment of this amount by Council.

#### **4.4.10 Apportionment Childs Care Centres**

As the proposed childcare centre is a pro rata provision of additional facilities for the additional population in new development at the same provision rate as existing facilities, it is appropriate that 100% of the cost be funded from section 94 contributions levied on new development both residential and employment. It is appropriate that residential development be charged for 45 of the places as this would be a pro rata provision at the existing provision rate for residents and that commercial retail or industrial development be charged for the 2 places projected to be required for such development.

#### **4.4.11 Calculation of Contributions Childs Care Centres**

##### ***Calculation Formula***

The formula for calculation of the section 94 contribution for child care facilities in words is:

- (a) Determine the total projected new development to 2031 and its component land use types and quantities,
- (b) Determine the population in the new development,
- (c) Determine the child care facility requirements to address the needs of the expected additional population in projected new development
- (d) Estimate the cost of such requirements,
- (e) Determine the proportion of costs for the child care facilities attributable to new development,
- (f) Determine the section 94 contribution per resident for child care facility capital works by dividing the total apportioned cost of recreation facility works by the number of additional residents anticipated in new development,
- (g) Determine the section 94 contribution per worker by taking 2/47 of the cost and dividing by the projected number of additional workers,
- (h) Index the contributions to the time of payment in accordance with section 2.15 of this Plan.

The formulae for calculation of contributions are as follows:

$$W_T = W \times A + W_A$$

where

$W_T$  is the total cost attributable to new development

$W$  is the cost of capital works after deducting the value of any grants and other funding to be received by Council,

$W_A$  is the costs of additional overheads,

$A$  is the proportion of the works attributable to new development which or childcare facilities is 100%,

and,

$W_A$  = the cost of the detail design of works (2% of the works costs)  
+ the cost to Council of the administration of the works proposed (2% of the works costs).

Contribution per additional resident in new development  $C$  is given by:

$$C = \frac{W}{P}$$

where

$P$  is the number of additional residents in new development.

### **Calculation of Contributions per Resident for Child Care Facilities**

The following table sets out the calculation of the contribution per new resident for child care facilities based upon the information as set out in the table and the population and demographic data set out elsewhere in this Plan.

**Table 4.4.14: Calculation of Contributions per Resident for Child Care Centres**

Cost of Works	\$ 2,500,000
Detail Design	\$ 50,000
Works Supervision	\$ 50,000
Contribution per Resident	\$ 236.92

The above table shows the contribution per resident as at the date of this Plan. This contribution to be paid will be determined by indexing the above contribution to the time of payment in accordance with section 1.15 of this Plan.

#### **Calculation of Contributions per Worker for Child Care Facilities**

The following table sets out the calculation of the contribution per new worker for child care facilities based upon the information as set out in the table and the population and demographic data set out elsewhere in this Plan.

**Table 4.4.15: Calculation of Contributions for Child Care Centres per Worker**

Cost of Works	\$ 106,383
Detail Design	\$ 2,128
Works Supervision	\$ 2,128
Contribution per Worker	\$ 62.51

The above table shows the contribution per resident as at the date of this Plan. This contribution to be paid will be determined by indexing the above contribution to the time of payment in accordance with section 2.15 of this Plan.

#### **4.4.12 Works Schedule**

The projected population increase is anticipated to occur over a 20 year period to 2031. However development may occur faster or slower than anticipated and the works program is designed to be flexible and provide facilities as early as possible. The details of the works program are set out in the following table:

**Table 4.4.16: Work Schedule**

<b>WORKS PROGRAM: COMMUNITY FACILITIES</b>					
<i>Facility</i>	<i>Cost</i>	<i>Apportionment to Development</i>	<i>Cost Apportioned to Development</i>	<i>Cost Apportioned to Council</i>	<i>Works Priority</i>
General community facilities - 2 halls	\$ 5,400,000	100%	\$ 5,400,000	\$ -	3
Library facilities	\$ 27,100,000	100%/12.2%	\$ 4,068,176	\$ 23,031,824	1
Childcare centre	\$ 2,500,000	100%	\$ 2,500,000	\$ -	2
<b>Totals</b>	<b>\$ 35,000,000</b>		<b>\$ 11,968,176</b>	<b>\$ 23,031,824</b>	

***Works Priority***

Entries in the Works Priority column represent the priorities with which infrastructure works will be undertaken using the numbers 1 to 5 where “1” represents the highest priority and “5” the lowest priority. These numbers are used to indicate how available funds might be channelled to carry out the most urgent works first before other less urgent works. All works will be carried out in order of works priority as soon as sufficient funds are available.

## **4.5 Plan Administration**

A necessary part of maintaining the development contributions system to pay for the new facilities and services that are necessary to address the needs of the additional new population in development is the preparation, administration and maintenance of this Plan.

It is therefore appropriate that the cost of administration and maintenance of this Plan, as its purpose is to provide for the needs arising from new development, is charged to new development. For this purpose a contribution amount of 2% of the total of the contributions is charged.

This administration amount is to fund the following purposes:

- The preparation of subsequent modified or amended versions of this Plan
- The regular reviews of this Plan required by the legislation
- The studies, research and investigations required to monitor and review this Plan
- The specialist development contributions Council staff and consultant costs associated with administering this Plan

## Appendix A - References

- Marrickville LGA Section 94 Traffic and Transport Study (2011) - Transport and Urban Planning.
- Recreation Needs Research (2011) - Miller Group, Recreation Planning Associates, BBC Consulting Planners and ASPECT Studios Landscape Architecture.
- Facilities Needs Research (2012) - Miller Group and BBC Consulting Planners.
- Socio-Economic Portrait Marrickville 2010 (Updated) - The Public Practice
- Marrickville Housing Portrait 2006 - The Public Practice
- Community Projector 2011 To 2031 - The Public Practice
- Map LEP/DCP 2011 Projected Additional Dwellings
- Map LEP 2011 Projected Change In Worker Population

# Victoria Road Precinct Marrickville (Sub – plan)



Administration and Review Record of this Contributions Sub-plan:

Approval of this sub-plan (Amendment to Marrickville Contributions Plan 2014) Date in Force of this Amendment:	Adopted IWC Council Meeting 22/10/19. In force from: 19/11/2019
Exhibition Period:	13/4/2019 to 26/6/2019
Group Responsible for the development of this sub - plan:	Planning, Development and Recreation
Groups responsible (shared responsibility) for the administration and implementation of this sub - plan:	Planning, Development and Recreation and Infrastructure
Related Plans and Documents:	Marrickville Development Control Plan 2011 and Marrickville Local Environmental Plan 2011 (as amended)
Appendices:	N/A
References & Legislation:	See body of document
Document Identifier:	Y:\Common\URBAN STRATEGY\Infrastructure Planning\VRP DCP Final documents\Website Versions



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## Section 1 – Executive Summary:

### 1.1 Purpose and Objectives of this Sub-plan

Following on from the gazettal of the amendment to the Marrickville Local Environmental Plan for the Victoria Road Precinct – Precinct 47 (P47) by the NSW Government in late 2017 and subsequent adoption of the Development Control Plan (DCP) for the precinct by Inner West Council in mid-2018, this draft contributions plan amendment to the existing Marrickville Contributions Plan seeks to focus on what critical public facilities are required to be implemented, to ensure that the increased development in P47 can function in a practical, safe manner.

A considerable body of research work had been prepared since 2012, by the range of consultants engaged by the planning proposal proponent (Danias Holdings Pty Ltd.) for P47. These studies revealed that the most critical infrastructure needs for P47 are:

- *Flooding and stormwater management; and*
- *Traffic and transport facilities provision.*

Given financial land price constraints within the upzoned areas of P47, it was agreed amongst relevant Council staff that whilst the upzoned areas should continue to meet their community facility/ and recreation facility development contribution responsibilities under the current Marrickville Contributions Plan 2014, it would not be possible to acquire land or to construct new public facilities from Section 7.11 development contributions alone. Note: this does not exclude the possibility of additional facilities for these public purposes being achieved via future voluntary Planning Agreements between Inner West Council and/or separately by developers of sites in P47.

Utilising funds from the current Marrickville Contributions Plan (which are to be repaid from subsequent Victoria Road Precinct development contributions) the following consultants were engaged to investigate the critical infrastructure needs for P47:

- A. *Flooding and stormwater management* – Cardno Water Infrastructure Engineers – Cardno (WI), who recently completed, for Inner West Council (IWC), the latest Marrickville Valley Flood Risk Management Study and Plan were engaged by IWC to investigate any flooding and stormwater hazard/risks associated with the increased development now permitted within the precinct. Cardno (WI) were also required to prepare; model/test; and cost any necessary communal water infrastructure scheme arising from their investigations.

Arising from public concerns with the relatively high cost of the communal water infrastructure solution subsequently recommended by Cardno (WI) GRC Hydro (GRCH) were engaged to undertake a review of that recommended solution. Based upon the results of that review, GRCH were then re – engaged by IWC to prepare a revised communal water infrastructure scheme for P47. To undertake this work, the latest updated flooding and stormwater model for the locality, commissioned and owned by Sydney Metro, was generously shared with IWC and GRCH. A number of potential communal water infrastructure scheme options were then developed and considered for the precinct but were subsequently rejected for inclusion within this sub-plan (and corresponding DCP) due to the prohibitive costs associated with those schemes and their practical limitations. Accordingly, no communal water infrastructure scheme has been included within this sub- plan. Instead, to address the potential additional risks and downstream impacts (consequences), arising from the increased development in P47, additional controls within the P47 DCP within the

Marrickville DCP 2011, have been developed, which will likely result in moderate increases of on-site water storage on redevelopment sites as well as revised levels for entrances to the basement levels of these buildings.

Refer to section 2.5 of this sub-plan for additional information.

- B. *Traffic and transport Infrastructure* – Cardno (Traffic and Transport Engineers) - Cardno (T&T) were engaged following a competitive procurement process. Note: the resultant completion of this study relied upon the sharing of information from the proponent's traffic and transport consultant, which is gratefully acknowledged.

The results of these studies have directly informed the work schedules and resultant contribution rates within this sub-plan. As can be seen in the works schedules for this sub-plan a communal water infrastructure scheme has not been pursued within P47 due to affordability constraints. Instead, as recommended by the consultant water engineers for this project, the necessary mitigation of any flooding and stormwater impacts and potential increased risk for new employees; residents and visitors to the precinct, associated with the increased development within P47 is to be addressed via the inclusion of suitable controls within the P47 component of the Marrickville Development Control Plan 2011.

Approximately \$0.3M of public traffic and transport infrastructure works are required to be implemented on government owned land to ensure that the increased permitted development within P47 can be absorbed without the existing level of service within the local road network being worsened. Other potential traffic and transport works, which were identified by Cardno (T&T) in their traffic and transport needs study for the precinct, have not been included within this sub-plan, on the basis that they are best dealt with by individual or amalgamated developments, as they are to be located on private land and they predominantly relate to both site specific vehicular and pedestrian access issues within the precinct. This decision was also made on the basis that a significant proportion of these additional works are aimed to satisfy the requirements of the Roads and Maritime Services, who have advised IWC that they “will not permit direct vehicular access to/from development via Sydenham Road and Victoria Road. Access to the road network should be provided via rear lanes or local roads.”<sup>1</sup> This matter is addressed within the accompanying DCP for the precinct.

In terms of cost sharing, the total cost of the required water infrastructure studies are to be equally shared between the incoming resident and employment population. For the required traffic and transport works, these costs have been apportioned on the extent by which the main expected uses (residential; commercial; and retail etc.) utilise the existing traffic and transport network.

It is important to acknowledge, however, that the total amount of traffic and transport works to be paid for by the developers of the upzoned areas of the precinct, would have been higher, however, IWC was recently awarded “*Black Spot Funding*” for a significant location within the precinct. New traffic lights at the intersection of Chapel Street and Victoria Road have recently been constructed under this funding Program. This has been implemented without the use of any local development contribution funding. Furthermore, these works are separate from the Victoria Road/ Sydenham Road Intersection Upgrade works which have formed part of a recently executed voluntary Planning Agreement between the proponent; Transport for NSW (TfNSW); NSW Roads and Maritime Services (RMS); and the NSW Department of Planning, Industry and Environment (DPIE).

At the time of the original drafting of this sub-plan, Council staff were advised by the DPIE that the draft Planning Agreement contains, but is not limited to, the following:

*“...We are currently proposing for the developer to provide the intersection upgrade as follows:*

- Provision of a left-turn slip lane from Sydenham Road (west) to Victoria Road (north); and*
- Provision of a 90m right-turn bay along Victoria Road (north).”*

These contents of the now executed *Planning Agreement* have been taken into account in the traffic and transport items of this plan, to avoid “double-dipping”.

Due to their likely wider benefits, beyond P47, not all of the traffic and transport works on government land can be apportioned to the developers of the precinct e.g. the proposed signalisation of the Fitzroy and Sydenham Road intersection. This and other apportioned works will result in IWC being committed to an approximate additional expenditure of \$655,150 for additional traffic and transport related works in the precinct, over the next 15 – 20 years. The provisions of the draft plan would not preclude these funds being obtained from other sources e.g. grant funds etc. in the future.

In conclusion, the draft contributions plan for the Victoria Road Precinct, as an amendment to the current Marrickville Contributions Plan 2014, (and associated amendments to the Marrickville Development Control Plan 2011), aims to ensure the sustainable delivery of necessary public traffic and transport facilities; and flooding and stormwater related controls that will ensure that the precinct will be able to accommodate, in a safe and responsible manner, the increased development now permitted within this locality.

*1. New South Wales Roads and Maritime Services Department – Correspondence from Greg Flynn (Senior Manager Strategic Land Use – Sydney Planning, Sydney Division to The General Manager – Inner West Council Re: Public Exhibition Amendments to the Marrickville Development Control Plan (MDCP) DCP for Victoria Road Precinct, Marrickville - dated 13 July 2018 – page 4.*

## 1.2 Nature of Future Development

The nature of the abovementioned infrastructure studies demanded a detailed, ongoing assessment of the expected development permitted under the relevant Local Environmental Plan (as amended); and recently adopted Victoria Road Precinct Development Control Plan, by Council staff, which was then given to the traffic and transport and water infrastructure consultants for this sub-plan.

This assessment relied heavily on the previous, comprehensive, detailed master planning work undertaken by the proponent’s planning and architectural consultants, during the planning proposal process for P47. It also relied on the residential and non-residential occupancy rates contained within the existing parent contributions plan to this sub-plan – the existing Marrickville Contributions Plan 2014. As mentioned elsewhere within this plan, it is envisaged that the upzoned areas will accommodate, over the next 15-20 years, a relatively substantial increase in residents (2004 residents), a correspondingly significant increase in commercial employees (5,563.6 persons), and retail related employees (1,091 persons).

## 1.3 Life of this Sub-plan

This sub-plan is based on forecasted development over the next 15-20 years that will be generated within the upzoned areas of the Victoria Road Precinct. The sub-plan will be monitored during this time to ensure that public infrastructure (under the responsibility of the

Inner West Council) is provided as development proceeds. The sub-plan will also be monitored and amended as necessary, as it is possible that the forecast growth and expected land uses may not remain exactly in accordance with those estimated within this sub - plan.

The contribution amounts arising from the infrastructure cost estimates within this sub - plan will be indexed between the date of commencement of this sub-plan and the date of payment of the contribution in accordance with the existing arrangements of the parent contributions plan to which this sub-plan forms a part of – the existing Marrickville Contributions Plan 2014. Cost estimates will also be monitored regularly to ensure that they reflect current costs and if necessary, amendments will be made to this sub – plan, accordingly.

This sub-plan will operate until (a) all of the contributions required for contribution projects included in the sub-plan have been collected from relevant development approvals; or (b) this sub-plan or the parent contributions plan – The Marrickville Contributions Plan 2014 is repealed in accordance with the requirements of the Regulation or other legislative provisions that facilitates such repeals.

#### 1.4 Specific Additional Works Schedules for the Precinct

**Figure 1 – Required Traffic and Transport Facilities located on Government owned land – Victoria Road Precinct.**

<b>Infrastructure Item No.</b>	<b>Required Traffic and Transport Related Infrastructure – Victoria Road Precinct</b>	<b>Indicative cost to developers \$</b>
VRP – R - 001	Sydenham Road/Fitzroy Street signalisation (Total expected cost = \$737,000) <sup>A</sup>	147,400
VRP – R - 002	Inclusive Access Study (principles and practical design advice for the private and public domain) (Total expected cost = \$100,000) <sup>B</sup>	50,000
VRP – R - 003	Bicycle On-Road Route stencils (Total expected cost = \$6,600) <sup>B/C</sup>	3,300
VRP – R - 004	Bicycle Parking Hoops (Total expected cost = \$24,500) <sup>B/C</sup>	12,250
	<b>Total of identified Traffic and Transport related works</b>	212,950
	10% Contingency <sup>E</sup>	21,295
	<b>Sub-total</b>	234,245
	Repayment to existing Marrickville Contributions Plan for Precinct 47 traffic and transport study by Cardno (T&T) (\$56,980 incl. GST) + purchase of traffic data from RMS (\$5,703.50 incl.GST) =	62,683.50

	\$62,683.50	
	<b>Grand Total (incl. of GST)</b>	<b>\$296,928.50</b>

Notes to Figure 1:

- A. Given the broader benefits (beyond Precinct 47) of this signalisation only a proportion of the costs (20%) are to be attributed to the contributing area of the precinct.
- B. Similarly, given the likely broader benefits (beyond Precinct 47) of these infrastructure items, only a proportion of the costs (50%) are to be attributed to the contributing area of the precinct.
- C. The on – road bicycle route stencils (estimated number – 66 stencils) are to be implemented on local bicycle routes located mostly within Precinct 47. Refer to Figure 17 for additional information. The Bicycle parking hoops are to be located on prominent kerbside locations throughout the precinct. It is estimated that 100 bicycle parking hoops will be provided under this sub-plan. See also Precinct 47 – Victoria Road Precinct. Traffic and Transport Needs Analysis prepared for Inner West Council by Cardno. Dated 9 November 2018.
- D. The total Inner West Council commitments for those works that are only part funded by developers within the precinct (marked A-C above) = \$655,150.
- E. Given the relative limited range of works a 10% contingency is considered to be a reasonable amount in the circumstances.

**Figure 2** – Required investigations into any necessary stormwater and flood mitigation facilities – Victoria Road Precinct.

<b>Investigations into any necessary stormwater and flood mitigation Infrastructure – Victoria Road Precinct</b>	<b>Indicative cost to developers \$</b>
Repayment to existing Marrickville Contributions Plan for the cost of the Precinct 47 Stormwater and Flooding Investigation studies by Cardno inc.GST;	71,060
GRC Hydro Peer review of the abovementioned Cardno Study and additional investigations using latest available water modelling information. inc. GST	55, 825
<b>Grand Total (incl. of GST)</b>	<b>\$126,885</b>

## 1.5 Contribution Rates for the Victoria Road Precinct (Contributing Area)

**Figure 3** below sets out the contribution rates applicable within the contributing area (upzoned area) of the Victoria Road Precinct. For an explanation of the “contributing area” for the precinct refer to Figure 7 of this sub-plan.

Figure 3	Use	Occupancy	Victoria Road Precinct Priority Contribution Items		Existing Marrickville Contribution Plan 2014 Commitments			Total:	
			Traffic & Transport Related Infrastructure (Subject to Future Indexing)	Water Related Infrastructure Studies (Fixed Amount – Not Indexed)	Recreation Facilities (Existing - Indexed)	Community Facilities (Existing - Indexed)	Plan Admin Fee (Existing Flat Rate - Not Indexed)		
			\$	\$	\$	\$	\$		
LAND USES SUBJECT TO STATE GOVERNMENT CAP*	Residential Units and Secondary Dwellings	1 Bedroom	1.31	\$23.25	\$24.37	\$12,503.61	\$1,607.95	\$283.18	\$14,442.36
		2 Bedroom	2.02	\$35.86	\$37.57	\$19,280.37	\$2,479.44	\$436.66	\$22,269.90
		3 Bedroom	2.88	\$51.12	\$53.57	\$27,488.84	\$3,535.03	\$622.57	\$31,751.13
		4+ Bedroom	3.74	\$66.39	\$69.56	\$35,697.32	\$4,590.64	\$808.48	\$41,232.39
	Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1 Bedroom	1.51	\$26.80	\$28.09	\$14,412.55	\$1,853.43	\$326.42	\$16,647.29
		2 Bedroom	2.08	\$36.92	\$38.69	\$19,853.05	\$2,553.08	\$449.63	\$22,931.37
		3 Bedroom	2.79	\$49.52	\$51.89	\$26,629.82	\$3,424.56	\$603.12	\$30,758.91
		4+ Bedroom	3.63	\$64.43	\$67.52	\$34,647.40	\$4,455.62	\$784.70	\$40,019.67
	Dwelling Houses	All Sizes	2.86	\$50.77	\$53.20	\$27,297.95	\$3,510.48	\$618.25	\$31,530.64
	Land Subdivision	Single Dwelling House	2.86	\$50.77	\$53.20	\$27,297.95	\$3,510.48	\$618.25	\$31,530.64
	Boarding Houses	1 Persons rooms less than 16m2	1	-	\$18.60	\$9,544.74	\$1,227.44	\$215.82	\$11,006.60
		2 Person rooms 16m2 or greater	2	-	\$37.20	\$19,089.47	\$2,454.89	\$431.63	\$22,013.19



Figure 3 (cont'd)	Use		Occupancy	Traffic & Transport Related Infrastructure (Subject to Future Indexing)	Water Related Infrastructure Studies (Fixed Amount – Not Indexed)	Recreation Facilities (Existing - Indexed)	Community Facilities (Existing - Indexed)	Plan Admin Fee (Existing Flat Rate - Not Indexed)	Total:
LAND USES NOT SUBJECT TO STATE GOVERNMENT CAP*	Commercial	Per 100m2 GFA	1/20m2	\$228.00	\$93.00	\$9,544.74	\$344.98	\$204.21	\$10,414.93
	Retail	Per 100m2 GFA	1/20m2	\$456.50	\$93.00	\$9,544.74	\$344.98	\$208.78	\$10,648.00
	Industrial	Per 100m2 GFA	1/100m2	\$45.60	\$18.60	\$1,908.94	\$68.99	\$40.84	\$2,082.97

Notes for Figure 3 above:

- i. The room areas for boarding houses referred to in the above table exclude any area used for the purposes of a private kitchen or bathroom facilities.
- ii. GFA means gross floor area.
- iii. \* Pursuant to reforms to the NSW development contributions system, undertaken in 2008, infrastructure contributions payable to local councils have been capped at \$20,000 per residential lot. All contributions exceeding \$20,000 require approval from the Minister for Planning. The introduction of the threshold was effective as of 30 April 2009, as provided for in the Minister's direction under s94E of the EP&A Act, dated 13 January 2009. Accordingly, for those residential uses that are subject to the "cap" irrespective of the total contribution amount in the right hand column of the table, the applicable contribution shall not exceed \$20,000. Credits for existing residential development are also capped at \$20,000.
- iv. For those contributions that are subject to the "cap", priority will be given to ensuring that the full monies for the Victoria Road Precinct Infrastructure Priority Items, detailed above, are achieved, with the other existing items collected in the same ratio up to the total capped amount.
- v. Development within the "contributing area" of the precinct will be responsible only for the traffic and transport upgrades within Precinct 47; therefore, the existing "traffic facilities" contribution included within the "Marrickville LGA other than Planning Precinct areas" does not apply to the "contributing area".
- vi. In keeping with the traffic generation rates in the parent contributions plan, boarding houses are not required to contribute to traffic and transport related infrastructure.
- vii. For the Victoria Road Precinct Priority Contribution Items, the "Commercial" Traffic and Transport contribution rate has been utilised to inform the "Industrial" Traffic and Transport Contribution amount.
- viii. The "Existing Marrickville Contribution Plan 2014 Commitments" are for the most current "June 2019 Quarter".

## **Section 2 – Background to the Development of this Sub - plan:**

### 2.1 Introduction to Section 7.11 and Section 7.12 Development Contributions

*“A user – pays philosophy underlies the funding of local or community infrastructure required to satisfy service demand generated by development activity. This requires developers to contribute to the reasonable cost and provision of local public facilities needed to support new development.”<sup>2</sup>*

Accordingly, sections 7.11 and 7.12 of the New South Wales Environmental Planning and Assessment Act 1979 (E.P.& A. Act) (as amended), enable planning authorities to levy contributions, on developers, for the provision of public services and public amenities, required as a consequence of expected development within an area. These sections supersede the former, more widely known, corresponding section 94 (development contributions) and section 94A (fixed percentage development contributions) sections of the E. P. and A. Act.

Generally, section 7.11 and 7.12 contributions can only be made towards:

- *Capital costs including land acquisition;*
- *Public facilities which the planning authority has a responsibility to provide; and*
- *Public facilities which are needed as a consequence of or to facilitate new development.*

<sup>2</sup> NSW Secretary's Practice Note: Local Infrastructure Contributions. NSW Department of Environment and Planning - page 4.

### 2.2 The Historical Planning Framework: Marrickville Development Control Plan 2011/Former Land Use Zoning/ Planning Proposal History/ Subsequent Marrickville Local Environmental Plan Amendment No.14

The land, which is the main subject of this plan, lies within Precinct 47 - “Victoria Road” Precinct as identified within section 9.47 of Marrickville Development Control Plan 2011. *“A Development Control Plan is a commonly used town planning document which provides detailed guidance for the use of land and design and assessment of new development.”<sup>3</sup>*

The Marrickville Development Control Plan 2011 (MDCP 2011) was adopted by the former Marrickville Council on 12 July 2011. It came into effect on 15 December 2011.

Part 9 of the MDCP 2011, “Strategic Context” - “provides objectives and controls, in addition to preceding parts of this Development Control Plan (DCP), which are specific to a particular area, and guide the implementation of the desired future character for the area.”<sup>4</sup>

Part 9 of the MDCP 2011, divides the area covered by the MDCP 2011 (the former Marrickville Municipal area) into forty - seven (47) sub – areas: precincts, of which, the subject Victoria Road (Precinct 47) is the last of these.

Typically, these precinct controls within the MDCP 2011 contain: *statements of the existing character of the precinct; the desired future character of the precinct; details of any heritage conservation areas within the precinct; precinct – specific planning controls; and site – specific planning controls.*

Historically, the Marrickville industrial area (of which Victoria Road – Precinct 47 forms a part of) pre-dates World War I and is one of the oldest surviving industrial precincts in Australia, containing industrial buildings that are still in use today. Evidence of the pre-existing Marrickville village, centred around Chapel Street, Marrickville, also still survives within the Victoria Road Precinct, in the form of terrace housing and semi – detached housing.<sup>5</sup> Traditional industrial uses (assisted by the draining of the Gumbramorra Swamp in 1897) in the area, included potteries; metal work; quarries; food manufacturing; brickmaking; and woollen mills, etc.<sup>6</sup>

This industrial history is reflected in the following statement of the existing character for the area, which was until recently, included within section 9.47 Strategic Context Victoria Road of the MDCP 2011.

*“This precinct is centrally located within the Marrickville local government area. The area is bounded by Addison Road to the north, Fitzroy Street to the east, Sydenham Road to the south and generally by the rear of properties facing Shepherd Street to the west. Victoria Road is the main north to south link through the precinct linking to Cook Road. A number of east west links exist, though many are cul-de-sacs used for access and loading bays for industrial sites.*

*The precinct contains a mixed character, though overall the precinct is dominated by industrial land uses. Residential dwelling houses are interspersed between industrial factory units. Business and local retail uses are also located along some of the main roads in the precinct such as Addison Road and Enmore Road. Light industrial uses are located along the northern side of Farr Street that create a buffer for the adjoining residential properties. Other land uses within the precinct include the Marrickville Bowling and Recreation Club and Wicks Park.”<sup>7</sup>*

Figure 4 below, gives considerable insight into how residential development within the precinct (and beyond) has co-existed with generally large industrial concerns. Post 1943, a considerable proportion of these dwellings were demolished to provide for the more modern post WWII, generally smaller, industrial premises within the locality, and much needed open space for the Marrickville High School located in the central area of the precinct.



**Figure 4** – A 1943 Aerial Image of Victoria Road Precinct. Note that the historic character of the area, at this time was one of densely settled small workers type housing interspersed with generally large scale industrial developments in conjunction with some large undeveloped open spaces. Much of the existing key public owned infrastructure: Wicks Park; Marrickville Bowling Club; and the Stormwater Channel were in place by that time. Image Courtesy of Six Maps. <https://maps.six.nsw.gov.au/>

In early 2012, in the lead up to former Marrickville Council's consideration of draft Marrickville Local Environmental Plan (MLEP) 2011 and draft Marrickville Development Control Plan (MDCP) 2011 Amendment No.1, Danias Holdings and a number of other landowners within the Victoria Road Precinct made representations to the former Marrickville Council, seeking changes to planning controls to allow a broader range of uses.

These representations culminated in the former Marrickville Council resolving on the 1 May 2012, to advise the rezoning proponent (Danias Holdings Pty Ltd) that Council would consider revised planning controls for the Victoria Road Precinct and invited the proponent to submit a Planning Proposal, containing the potential land – use changes.

Due, in part to the combined complexities of the location (flooding; traffic and transport; aircraft noise issues etc.); and the linkages between the potential rezoning of the Victoria Road Precinct and planning for the needs of the broader former Marrickville Council area (and subsequent Inner West Council area) i.e. Employment Lands Strategy issues etc.; consideration on the merits and details of this matter occurred over a number years - from the lodgement of the preliminary planning proposal for the precinct in May 2014, until the final approval of the upzoning of part of the Victoria Road Precinct, by the NSW Government via Marrickville Local Environmental Plan 2011 (Amendment No.14) on 1 December 2017.

It is important to note that in approving the rezoning of part of this part of the Victoria Road Precinct, for an increased scale and intensity of development in conjunction with new permitted land uses, the New South Wales State Government acknowledged, as part of their making of this amendment to Marrickville Local Environmental Plan 2011, as law, that all of the infrastructure needs for the new permitted development, within the precinct, had not been fully resolved.

*For example:*

The Deputy Secretary of Planning Services (of the NSW Department of Planning & Environment), Marcus Ray, in his notice, by letter, in late 2017, to the Inner West Council's Interim General Manager, of the making of Amendment No.14 to Marrickville Local Environmental Plan 2011, advised the following:

*"...I advise that as delegate of the Greater Sydney Commission, I have made the Plan [Marrickville Local Environmental Plan 2011 (Amendment No.14)] under section 59 (2) of the Environmental Planning and Assessment Act 1979. Under section 34(5), it will take effect when published on the NSW Legislation website.*

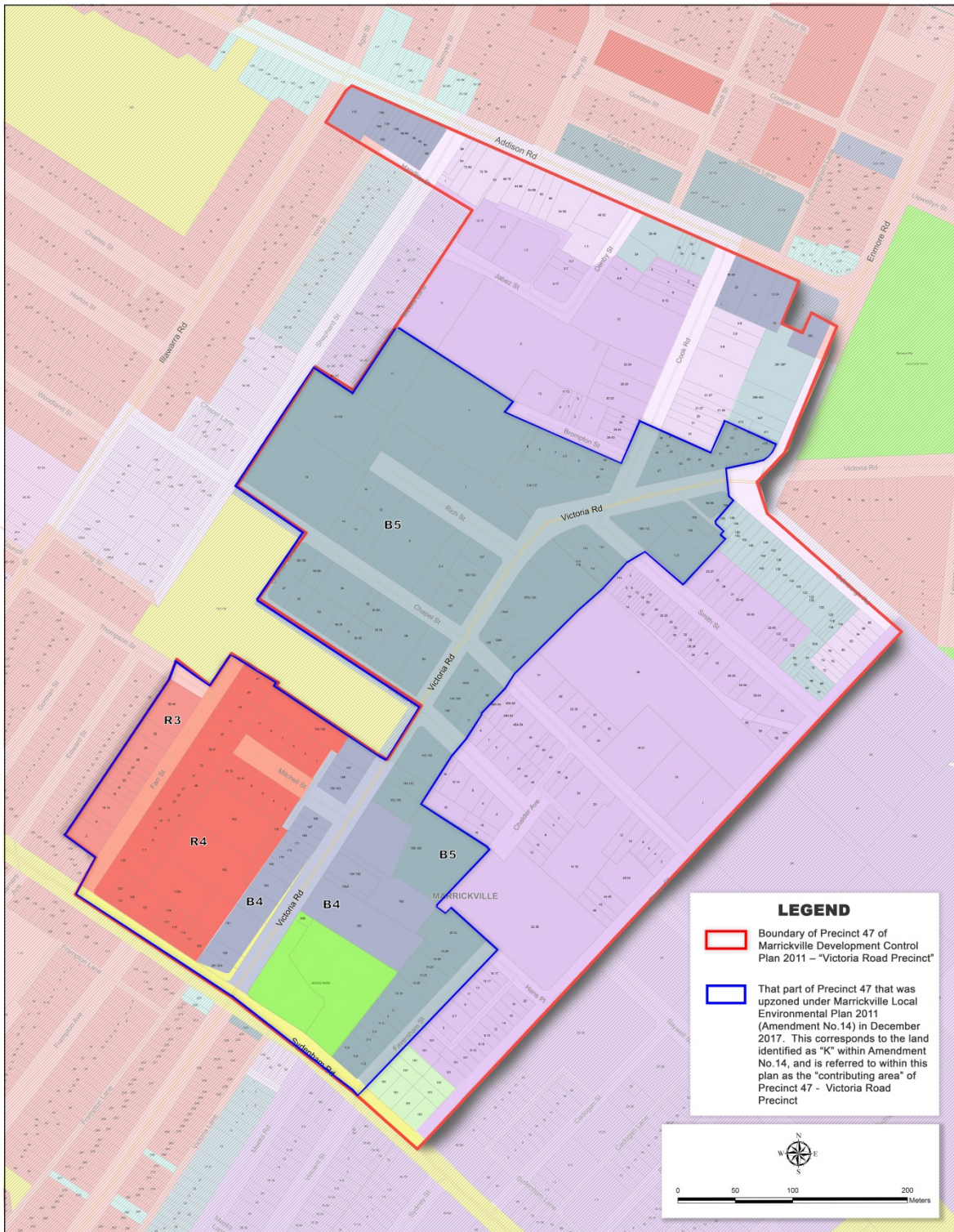
*The Plan has been finalised as it will provide capacity to deliver 6,000 new jobs and 1,100 new dwellings in a location well serviced by public transport, within 30 minutes of major employment hubs and exiting commercial centres, and within walking distance of a major shopping centre..... I note that clause 6.18 of the Plan requires satisfactory arrangements be in place for the delivery of state infrastructure of the precinct before development applications are determined. I encourage Council to work with the proponent and Roads and Maritime Services to establish a suitable design for the Sydenham Road and Victoria Road intersection, including an infrastructure staging and delivery plan.*

*The Department recognises the importance of local infrastructure provision. The Department has expressed the clear expectation to the proponent that further negotiation should occur with the Council to ensure that demand for local infrastructure generated by the development is funded through a Section 94 [now section 7.11 plan] or via a VPA [Planning Agreement – voluntary]. The Department will assist in facilitating any discussions with the proponent."*

In essence, the majority of the land that was rezoned under this amendment was previously zoned "IN1 General Industrial" under Marrickville Local Environmental Plan 2011 (MLEP 2011). The planning proposal for the precinct resulted in this previously industrial zoned land being rezoned to a mix of:

- R3 Medium Density Residential – land on the western side of Farr Street;
- R4 High Density Residential – being the majority of the block bounded by Victoria Road, Sydenham Road, Farr Street and Marrickville Public School;
- B4 Mixed Use – land on the eastern and western sides of Victoria Road (and inclusive of part of Victoria Road) near the intersection with Sydenham Road;
- B5 Business Development for all other land to relating to the planning proposal (and inclusive of Rich Street; parts of Chapel Street; parts of Victoria Road; part of Smith Street; and parts of Chalder Street); and
- Part of the upzoned land has been zoned SP2 – Future Road Corridor. This road widening at the intersection of Victoria Road and Sydenham Road and along the western side of Victoria Road is aimed to facilitate an upgraded design and performance for this intersection.

This information is shown diagrammatically within Figure 5 – *next page*.




**Figure 5** – Location of land use zones within the Victoria Road Precinct. Source: Marrickville Local Environmental Plan 2011 (as amended) Inner West Council. (Note: the rezoning of roads which formed part of this amendment is not shown here for ease of identification of the main zone areas)

Inner West Council subsequently considered associated amendments to Part 9.47 *Victoria Road Precinct* Marrickville Development Control Plan 2011 (draft Victoria Road DCP), which was drafted by the proponent of the Victoria Road Planning Proposal, (Ethos Urban/Danias Holdings Pty Ltd) in order to support the amended local environmental plan for the locality.

The draft Victoria Road DCP was publicly exhibited between from 8 May 2018 to 5 June 2018. A number of submissions were received by IWC in relation to the public exhibition. After considering a Council report on the results of the exhibition and potential amendments to the draft DCP, at its meeting of 28 August 2018, IWC resolved to "...[adopt] the Victoria Road Precinct Development Control Plan as exhibited" Resolution No. C0818 (3) Item 14.

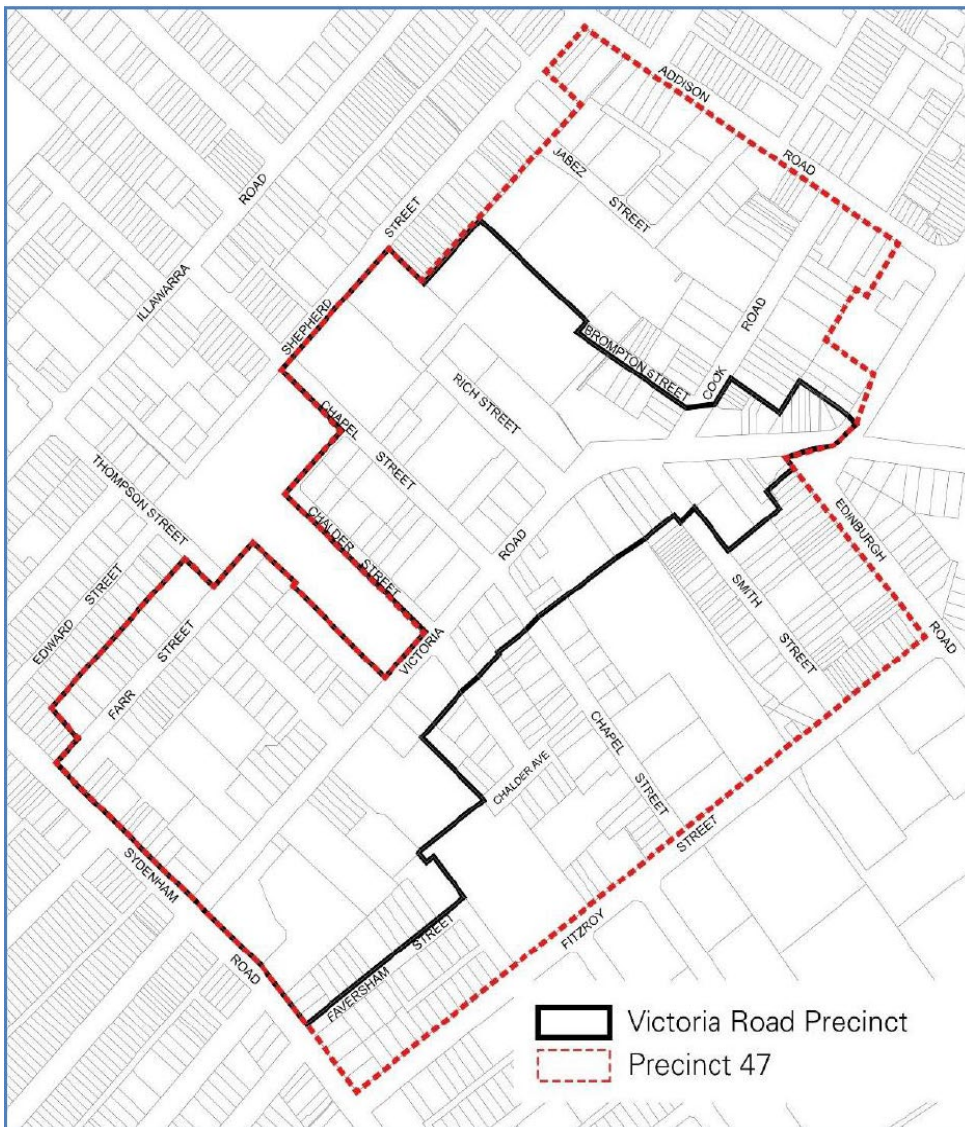
Later, at its meeting of 11 September 2018, in relation to the issue of the delivery of *Affordable Housing* within the precinct, Inner West Council resolved ".....[to seek] timely expert advice on how to get the financial feasibility analysis that would support the most effective application of Council's affordable housing policy to the residential component of the Victoria Road Precinct. This advice should canvas whether it can be funded from section 94 monies [section 7.11/section 7.12] funds or the LEP budget; and a report be brought back to the first meeting in October 2018 [relating to this matter]. Resolution No. C0918 (1) Item 18.

Accordingly, it is not intended to address the affordable housing needs of the precinct within this plan. This is to be addressed as a separate matter in accordance with the abovementioned resolution.

- 3 *Marrickville Development Control Plan 2011 - former Marrickville Council – now part of Inner West Council. Page 1.*
- 4 *Marrickville Development Control Plan 2011 - former Marrickville Council – now part of Inner West Council. Page 4.*
- 5 *Internal Inner West Council (IWC) Memorandum to Niall Macken (Team Leader - Heritage and Urban Design) from Dr. Noni Boyd (IWC Heritage Specialist) concerning: Heritage Review – Draft Victoria Road Planning Proposal – dated 28 May 2018. Page 10.*
- 6 *Rich Street Precinct Marrickville, Development Application, Statement of Heritage Impact by Artefact Heritage on behalf of Danias Holdings Pty Ltd, October 2017. Page 7.*
- 7 *Marrickville Development Control Plan 2011 – 9.47 Strategic Context – Victoria Road. Section 9.47.1 Existing Character. Page 1.*

### 2.3 Clarification of the Area to which this Sub - plan applies

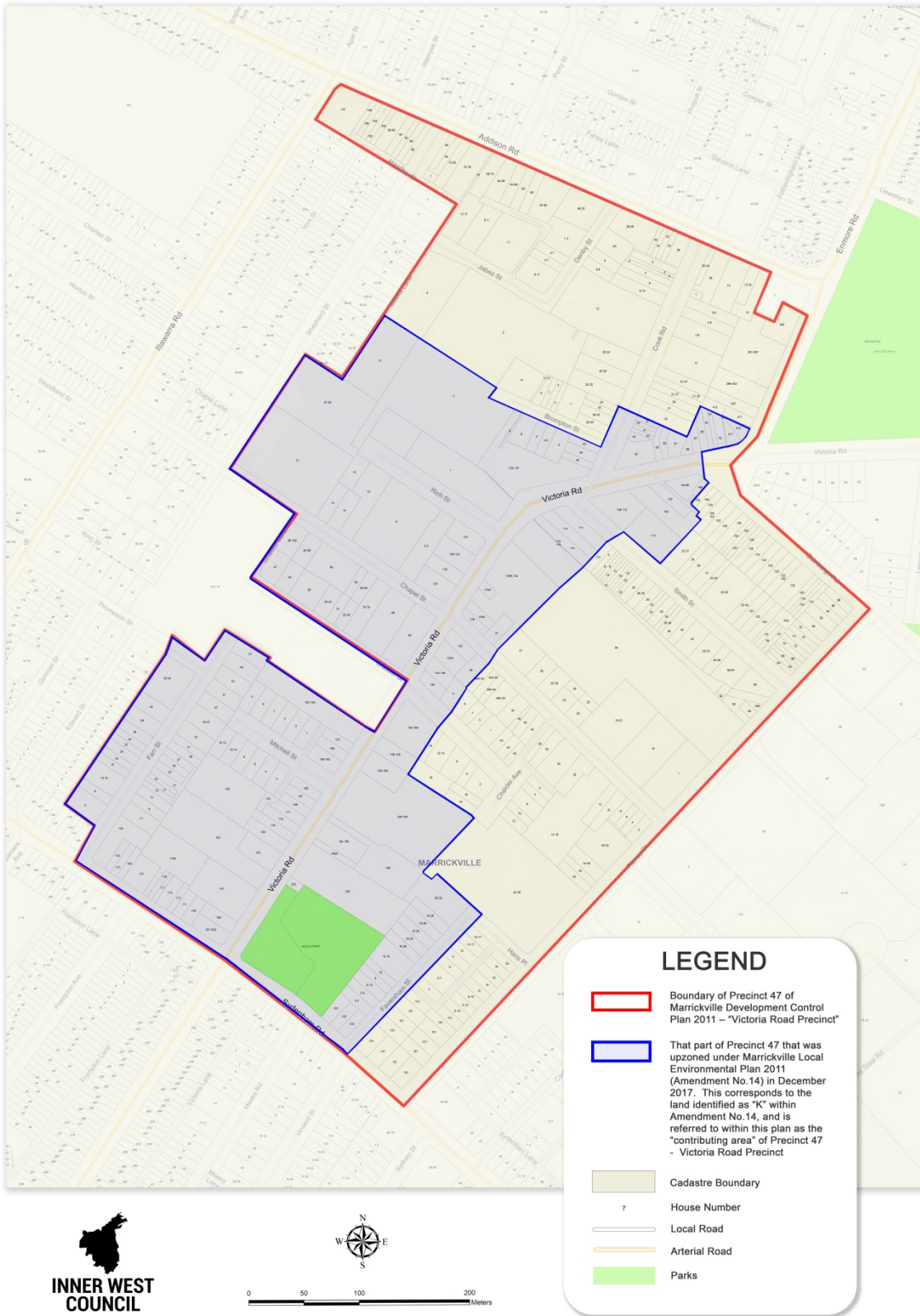
Section 9.47 of the Marrickville Development Control Plan 2011 sets the boundaries of the area covered by the 47th Precinct ("The Victoria Road Precinct") of this DCP. There is a potential for some confusion as to what land comprises the "*Victoria Road Precinct*" given that the July 2016 *Planning Proposal Report* by JBA Consultants, which lead to the eventual rezoning of part of Precinct 47, by the NSW Department of Planning & Environment, made a clear distinction between the terms: "*Precinct 47*"; and the "*Victoria Road Precinct*". For the purposes of that *Planning Proposal Report* the "*Victoria Road Precinct*" was used to define that part of the precinct that was requested to be upzoned. This land was then, subsequently referred to as area "K" within Amendment No.14 to Marrickville Local Environmental Plan 2011, which made the rezoning law. Refer to Figures 6 and 7 below.



**Figure 6** – The depiction of the Victoria Road Precinct within “Figure 7 – Precinct 47 and rezoning boundary” as shown on page 25 of the “Planning Proposal Planning Report - Victoria Road Precinct, Marrickville. Planning proposal for land uses and development standards – submitted to Marrickville Council on behalf of Danias Holdings. Prepared by JBA Urban Planning Consultants Pty Ltd and dated July 2016. Report No.1350.”

However, for the purposes of this plan, and to avoid any confusion, particularly with the associated *Victoria Road Precinct Development Control Plan*, (which provides development objectives and controls across the whole of the area of Precinct 47), any reference to the “*Victoria Road Precinct*”, is a reference to all of the land within Precinct 47 of Marrickville Development Control Plan 2011. Accordingly, any reference to Precinct 47 within this plan also implies a reference to the “*Victoria Road Precinct*”. The area “K” within Amendment No.14 to Marrickville Local Environmental Plan 2011, for the purposes of this plan, is to be referred to as “*the contributing area*” – which is defined as the location of all land parcels and their respective property owners that are required to contribute to the infrastructure needs identified within this plan. Refer to Figure 7 on the next page.





**Figure 7** – Depiction of those parts of Precinct 47 that are required to contribute to the infrastructure works included within this sub-plan. Relevant developments within those parts of the precinct that are not in the “contributing area” would utilise the “Marrickville LGA other than Planning Precinct areas” table of the Marrickville Contributions Plan 2014.

## 2.4 Subsequent Expected Development within the Victoria Road Precinct and Previous Planning Approaches to the Provision of the Required Infrastructure

The New South Wales Government Planning & Environment, Planning Services – *Plan Finalisation Report* (dated 30 November 2017) for the draft Local Environmental Plan Marrickville Local Environmental Plan 2011 – Amendment No.14, in its summary of reasons for recommending that the Greater Sydney Commission’s delegate determine to make this draft local environmental plan, outlined the expected new development likely to occur within Precinct 47 from the rezoning:

- “Will facilitate up to 1100 dwellings in a well-serviced location that is close to public transport;
- Will provide capacity for an additional 6,000 jobs 5km from the Sydney CBD (there are currently 1,116 jobs in the precinct);
- Will revitalise the precinct by allowing for a more diverse range of emerging uses;[and]
- ...provides for job and housing opportunities.” (Page 13)

As detailed above, this local plan amendment was made with an expectation from the NSW Government Planning & Environment Department that a full assessment of the new infrastructure needs of Precinct 47 i.e. upgrading of road networks; stormwater and flooding requirements; and responses to potential heritage issues, would occur at a later stage.

For example the *Plan Finalisation Report* noted on pages 4-6 that Transport for NSW (TfNSW) and the Roads and Maritime Services (RMS) “...[had] requested that a detailed traffic and transport assessment be prepared before finalisation of the plan to address the cumulative impact of the development on the surrounding local and regional network, including current and future public transport services.”

The report also noted that the planning proposal proponent (Danas Holdings) had responded to these concerns predominantly through additional traffic modelling; and the lodgement of a revised Victoria Road and Sydenham Road Intersection upgrade design (which did not involve the use of land within the Wicks Public Park). The report also states that the proponent also advised the RMS; TfNSW; and the Department of Planning & Environment, amongst other things, that “.....upgrades to the Sydenham Road and Victoria Road Intersection are only required once the precinct reaches approximately 20 per cent of its full development scenario; the development of the entire residential component of the precinct represents just 7% of the overall traffic generation; the proposed upgrades to this intersection are likely to be delivered ahead of the upgrade being necessary as they would be provided as part of the development of proposed residential sites at the southern end of the precinct; [and] a design solution for the upgrade of the Victoria Road/Sydenham Road intersection can be achieved to maintain the functionality of the intersection and respond to existing land constraints, avoiding the use of Wicks Park.....”

Other subsequent traffic and transport concerns from RMS and TfNSW concerning the form of the revised Sydenham and Victoria Road intersection design and its potential adverse impacts on network efficiency and pedestrian safety; and the need to identify funding responsibilities and associated funding mechanisms for the delivery of the required transport infrastructure upgrades; were consequently addressed by the NSW Planning and Environment Department via the inclusion of a road widening reservation within the draft local environmental plan (SP2 Infrastructure zoning) and via the inclusion of both a satisfactory (state infrastructure) arrangement clause (subsequently clause 6.18); and a clause which mandates a development control plan to be in place (prior to any development consents being issued for the rezoned area of the precinct) which addresses local infrastructure requirements (including heritage matters), (subsequently clause 6.17).

The Planning & Environment Department’s reasoning for this infrastructure provision approach, for the planned upzoned land within Precinct 47, is explained on pages 6; 7; 8; and 12 of the *Plan Finalisation Report*:

*“The satisfactory arrangements clause is intended to allow the proponent, the RMS and Council to establish a preferred intersection design [for] the Sydenham Road/Victoria Road intersection before granting consent to future development. The Department notes that the optimal intersection design for traffic and pedestrian safety may involve some public land, such as Wicks Park to provide appropriate lane widths and footpaths.*

*Further traffic analysis is not considered necessary, primarily because the planning proposal will be implemented over a 10-15 year time frame. Demands on the road system will therefore be gradual and will coincide with growth and change in the surrounding area.*

*The Department recommends that the draft LEP proceeds with outstanding objections as the matters identified by TfNSW and RMS can be dealt with when DAs [development Applications] are prepared for the site. The proponent has already provided two designs, for the Sydenham Road/Victoria Road intersection but requires further guidance from the RMS and cooperation from the Council to reach a satisfactory outcome. This is not considered a reason to delay the rezoning of the precinct.*

*...changes relating to the retention and provision of adequate open space, delivery of new laneways and connections and the preservation of identified potential heritage items in the precinct have not been supported. The draft LEP includes a clause which requires these matters to be addressed in the preparation of a precinct wide DCP. [Note: subsequent Clause 6.17 only required the Development Control Plan to relate to the rezoned areas of Precinct 47]*

*The provision of local infrastructure to support the planning proposal will need to be delivered through voluntary planning agreements (VPAs) or in accordance with a Section 94 [Section 7.11] plan for the precinct which Council is yet to prepare. The proponent states that they offered to commence discussions on [the] VPA with Council when the planning proposal was submitted, but Council did not take this offer up. Council advises it has tried and failed to commence VPA negotiations during the public exhibition. There is an opportunity for future negotiations to occur during the DA process.....*

*...The draft DCP addresses development issues for the precinct that are not covered in the current Marrickville Development Control Plan 2011. The draft DCP provides detailed requirements for access and movement, public open space, stormwater management, built form, design, aircraft noise control, community facilities and heritage, but will need to be updated having regard to the matters required by the draft LEP.....The Department has [also] modified clause 6.17 of the draft LEP to ensure the DCP addresses drainage and flooding, the provision of open space and the impact of [the] development on public open space.....*

*....Since Council was consulted on the draft LEP, the Department has included an SP2 zone at Sydenham Road and Victoria Road intersection to provide land for the intersection. Zonings for local infrastructure have not been included. The dedication of land in the precinct could have been managed by establishing a VPA with the proponent. The Department notes that the Council did not enter negotiations with the proponent during the preparation and exhibition of the planning proposal despite the proponent’s offer to do...”*

This information has been included to provide context for the resultant commissioning of infrastructure investigative studies for the purposes of this sub- plan by the Inner West Council. A detailed investigation into why a *Planning Agreement* was not progressed between Inner West Council and the planning proposal proponent, by the time the abovementioned *Plan Finalisation Report* was prepared, has not been undertaken, for the purposes of this sub-plan. Although it is noted that resolving any infrastructure related land dedication needs for the planned rezoned areas of the precinct, would not have been achievable under a single planning agreement. Notwithstanding the existence of a single major landholder within P47 (the planning proposal proponent), not all of the land that was subsequently rezoned is in single land ownership, therefore, multiple (voluntary) planning agreements would be required to achieve this important local infrastructure objective.

Furthermore, the Inner West Council's officer views at that time, as contained within a report presented to Inner West Council at its meeting of 21 November 2017, was one of opposition to the draft plan amendment on the basis that *"it essentially leaves the assessment of the appropriateness of the subject planning proposal to a later stage, including the determination of many fundamental and substantive matters"*. This viewpoint would have reduced the likelihood of Inner West Council in engaging with the proponent, in a planning agreement process, prior to the making of the draft plan amendment by the NSW Government.

Generally, the Planning & Environment Department's traffic and transport infrastructure provision approach with the Victoria Road Precinct rezoning is consistent with the infrastructure approach identified within the proponent's previously mentioned, July 2016 *Planning Proposal Report* prepared by JBA Urban Planning Consultants Pty Ltd, with some exceptions. Contrary to the Planning & Environment Department's viewpoint that further traffic and transport infrastructure analysis is not required, JBA implied on page 75 of their *Planning Proposal Report* that further refinement (as likely informed by further analysis) of the traffic and transport infrastructure provision for the precinct, would be required over time:

*"...the Planning Proposal and Master Plan represent a 15-20 year vision for Precinct 47, and development of the precinct would occur incrementally over a sustained period of time in line with infrastructure improvements....Hyder note that without changes to the configuration of existing intersections, it is likely that additional peak hour traffic movements associated with the precinct would cause a deterioration of conditions in local intersections. To facilitate the proposed vision for Precinct 47, the intersection of Sydenham Road and Victoria Road would require improvements to add dedicated right-hand turn lanes to three of the existing approaches, which would be funded through local development contributions resulting from the renewal of the precinct....It is likely that the need for this upgrade would not be required until several stages of the renewal have been delivered. It is envisaged that further traffic management improvements (improved signal coordination, new road connections and intersections etc.) throughout the precinct would further improve traffic conditions without the need for any major intersection upgrades.*

*It is envisaged that if Chapel Street and Rich Street are the major network access points for future development within the precinct then these intersections would require future signalisation to allow safe and efficient access to and from the road network for future businesses and residents..."* (Page 75).

It is also interesting to note at this point that the previously mentioned infrastructure provision clauses within Amendment No.14 to Marrickville Local Environmental Plan 2011 (clauses 6.17 and 6.18) are typically utilised by the Department of Environment and Planning for Urban Release areas, as indicated on that department's website. In such situations, it is considered that the provision of local and State infrastructure is more straightforward and more readily quantifiable given that most of the required infrastructure doesn't already exist in the planned redevelopment area. In the area covered by this plan existing infrastructure will be utilised by the new development and a detailed assessment of the additional needs of the expected new development is required in conjunction with a thorough understanding of how the new required local and state infrastructure is to be funded and delivered. Given that the rezoned land comprises more than one owner it is considered that the only practical means for delivering those additional local and State infrastructure needs is via a Section 7.11 Contributions Plan (such as this current sub-plan) in conjunction with planning agreements between developers within the precinct, and both the State and Inner West Council. At the time of the original drafting of this sub-plan, planning agreement negotiations were occurring (now executed) between the NSW Department of Planning and Environment (on behalf of RMS and TfNSW) and the planning proposal proponent – Danias Holdings, involving, in part, discussions on the funding; staging; and delivery of State related infrastructure within the precinct. i.e. including, but not limited to:

- *Provision of a left-turn slip lane from Sydenham Road (west) to Victoria Road (north); and*
- *Provision of a 90m right-turn bay along Victoria Road (north).*

Although not envisaged by the NSW Department of Planning and Environment, the proponent has commissioned additional traffic modelling since the making of Amendment No.14, to address the previously stated concerns of the RMS, specifically relating to the required upgrade of the intersection of Victoria Road and Sydenham Road, along with the broader aim of satisfying the requirements of clause 6.18 of Amendment No.14. This additional assessment has directly informed ongoing discussions on the abovementioned planning agreement for the Victoria Road Precinct between the proponent; RMS; and the NSW Department of Planning.

An important incentive for the resolution of the contents of that planning agreement, for the proponent, is the removal of any State Department objections to their first development proposal for the upzoned precinct (located on property Nos.1-9 Rich Street, Marrickville). The lodgement of that first development proposal, following the gazettal of Amendment No.14, has also had implications on the timing of the finalisation of the Development Control Plan for the precinct, by Inner West Council, as will be mentioned below.

On 13 November 2017 the proponent lodged with Inner West Council a development proposal for a site in the northern portion of the precinct (Chapel Street Sub – Precinct) Nos. 1-9 Rich Street, to create (as provided within the description of the development proposal lodged with the development application):

*“[The] construction of 3 new buildings in 2 stages incorporating ground level tenancies and upper level offices and car parking being the 3 storey North Hub building, 4 storey South Hub building and 5 part 6 storey Marker Building; use of the new buildings for a range of creative light industries, office premises and food and drink premises....”<sup>8</sup>*

Clause 6.17 of Amendment No.14 to Marrickville Local Environmental Plan 2011 prohibits the approval of any new development applications for land within the upzoned areas of the Victoria Road. Accordingly, a prompt approval of the draft Development Control Plan for the precinct was sought by the proponent, to facilitate an assessment and determination of their first redevelopment application for the precinct. This culminated in the subsequent adoption of the exhibited Victoria Road Precinct Development Control Plan, by the Inner West Council, in late August 2018.

Although the adopted development control plan for the precinct does give direction on the overall permitted form of the new development within Precinct 4, it does not give precise details of the full range; location; and type of new infrastructure that is now required to support the new permitted development; or their full costs; or the methods of how this infrastructure is to be delivered sustainably. Hence the need for this current sub-plan.

<sup>8</sup> *Inner West Development Application No. DA 2017 00558 for 1-9 Rich Street, Marrickville – Description of the Development Proposal submitted with this Development Application.*

## 2.5 Methodology for the Identification, Costing and Delivery of the Required infrastructure for Precinct 47

As can be deduced from the above background to this sub-plan, a considerable body of research work relating to the planned increased development within Precinct 47 has been undertaken by consultants on behalf of the planning proposal proponent. Part of this work underpinned their completion of the draft development control plan for the Victoria Road Precinct, which was subsequently adopted by Inner West Council. The research needs of this plan extend beyond the information previously obtained through the proponent’s own research work and the current development control information contained within Amendment No.14 and the adopted Victoria Road Precinct Development Control Plan (*VRP DCP*). For the purposes of this plan, precise details of all of the infrastructure required to support the new scale; form; location and type of land uses that are now permitted within P47, are required to be identified and fully costed. The completion of this work was necessary for the precinct to be redeveloped in an orderly and sustainable manner.

To this end, upon commencing this contributions plan project, key service providers within Inner West Council were consulted about the new infrastructure needs of the precinct, and for some areas, additional research studies were commissioned, to fully understand those additional infrastructure requirements of the precinct.

#### *Open Space:*

In July 2018, a meeting was held with relevant staff from the *trees; parks and sports fields* group of Council concerning meeting the needs of the expected increased employee and residential population within the Victoria Road Precinct. The conclusions of the staff relating to this matter are as follows:

- *The opportunity to purchase substantial additional open space areas within the precinct was lost when a major part of the precinct was upzoned in December 2017. Accordingly, it is considered that in the circumstances, it is best that the incoming employment and residential population to the precinct, contribute to the existing open space and recreation requirements contained within the Marrickville Section 94/94A (now Section 7.11 and Section 7.12 respectively) Contributions Plan 2014;*
- *No responsibility should be taken over by the Inner West Council of the relatively small publicly accessible open space areas which are to be provided within the VRP DCP, as they would likely require a level of maintenance which exceed their practical usefulness to the community within the precinct. Accordingly, these open space areas should remain in private ownership; and*
- *Given that these spaces would predominantly benefit the employees and residents that they are physically associated with, these developments should not receive a credit under this contributions plan for those privately owned, but publicly accessible, open space areas.*

#### *Community Facilities:*

Information obtained from Council's Social and Cultural Planning Staff during the preparation of this sub-plan, indicates that the current built form of P47, meets some of the important social and cultural needs of residents and employees of the Inner West. For example, P47 houses three (3) of the Local Government Area's (LGA) most significant live music venues: The *Red Rattler*, *Marrickville Bowling Club*, and the *Factory Theatre*.

Furthermore, the relatively lower cost, factory and warehouse spaces that presently exist within the precinct, have for a number of years, provided suitable large, versatile spaces for creative industries within the Inner West, particularly, for potentially large scale work, such as sculpture. Although this sub-plan does not specifically address these matters, it is important to note that it also does not preclude the potential delivery of some large creative industry spaces as part of the redevelopment sites, via a future voluntary *Planning Agreement* between the developers of precinct and Inner West Council.

#### *Traffic and Transport Related Facilities:*

To ensure that the portion of Precinct 47, that has been upzoned under Amendment No.14 to the Marrickville Local Environmental Plan 2011, is consequently developed in a safe; equitable; and sustainable manner; it is important that this sub-plan documents and costs all of the additional traffic and transport needs of the expected incoming employee and resident population, and shares these costs fairly, under the users pays principle that underpins this sub-plan.

As previously acknowledged, the proponent's traffic and transport consultants have undertaken a range of traffic and transport investigations within the precinct both before and after the Amendment No.14 rezoning occurred. It is important to acknowledge that all of their background data work and studies have been generously shared with Inner West Council staff, by the planning

proposal proponent and their consultants. The aim of this plan has to been to build on that prior knowledge to meet the specific needs of this contributions plan.

In this regard, it is important to note that the proponent's traffic and transport work post the finalisation of the Amendment No.14 rezoning, has been focussed on satisfying the requirements of the RMS and TfNSW, who have a more regional/state-wide focus than this current sub-plan.

This has been acknowledged by the proponent's traffic and transport consultant during the sharing of data with Inner West Council's traffic and transport consultant (more details of this is given below), who stated the following, by email dated Friday 12 October 2018:

*"..Please find attached the traffic reports & Sidra model for the Rich Street Marrickville precinct. Please note that our model is basically an update of the Arcadis model which RMS has reviewed previously. The key focus of our model is [to] address the issues raised by the RMS (on Arcadis model) by maintaining a reasonable capacity to the key signalised intersections in this precinct. Our Sidra model is now approved by the RMS.*

*Our model has not necessarily focused on local context. Hence Cardno [The Inner West Council appointed traffic and transport consultant for this project] may need to prepare their own model to address Council's objectives/issues...."*

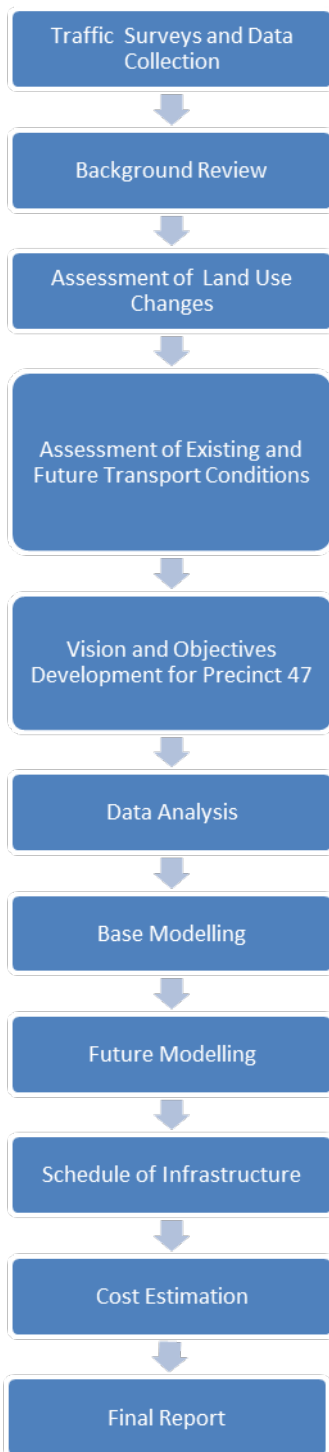
In recognition of this situation and that none of the previous research work had directly resulted in the creation of a costed schedule of all of the required traffic and transport facilities within the precinct, potential traffic and transport consultants were approached by Inner West Council to undertake additional research on the precinct, with a view to providing for this plan:

- A. A definitive list of transport and traffic infrastructure improvements that are required to support the expected new development within the Victoria Road Precinct i.e. all traffic light installations; roundabouts; the precise width and nature of the required road and footpath widenings; pedestrian and bicycle path upgrades/installations etc.;*
- B. Indicative, costed designs for all of the required traffic and transport works to form part of a schedule within the Section 7.11 Development Contributions Plan for the precinct; and*
- C. An assessment of how much of these proposed works can be apportioned to the proposed redeveloped sites within the precinct.*

Cardno (NSW/ACT) Pty Ltd were subsequently awarded this work by Inner West Council on the basis that their approach utilised as much as possible of the proponent's consultant's previously collected traffic and transport data, whilst supplementing this body of work with some additional data collection and independent traffic modelling. They also offered the Inner West Council the greatest surety of accurate infrastructure pricing by engaging a Quantity Surveyor to cost the required, key identified traffic and transport infrastructure items for the precinct, as part of their work.

The overall methodology of Cardno (*Traffic and Transport section*) referred to as Cardno (T&T) in the remainder of this plan, is summarised below:

(See diagram next page)



**Figure 8** – A summary of the methodology of Cardno (T&T) in the completion of their “Precinct 47 Victoria Road Precinct - Traffic and Transport Infrastructure Needs Analysis - on behalf of Inner West Council – Dated 9 November 2018.”

Further information on the work undertaken in some of these stages is briefly provided below:



### *Traffic Surveys and Data Collection:*

As previously mentioned, Cardno (T&T) sought to use as much as possible of the previous traffic data collected by the proponent's consultants which had been shared with Cardno (T&T). In this regard, PTC (the latest traffic and transport consultancy utilised by the proponent), provided survey data for eight (8) locations within the Victoria Road Precinct across two days in 2017. For the purposes of their work for this plan, Cardno (T&T) undertook additional partial surveys at four intersection sites of the precinct (not previously surveyed) and undertook a resurvey of one site previously surveyed for calibration purposes. The additional sites surveyed included the following intersections:

- *Chapel Street and Fitzroy Street;*
- *Farr Street and Sydenham Road;*
- *Fitzroy Street and Sydenham Road; and*
- *Illawarra Road and Addison Road.*

Furthermore, other data collected, included, but was not limited to: Journey to work data; Household travel survey data; additional SCATS (Sydney Co-ordinated Adaptive Traffic System) traffic volume data information; IDM (Intersection Diagnostic Monitor) information; and TCS (Traffic Control Signal) plans for six (6) key sites within the precinct obtained from the RMS.

### *Background Review:*

This stage included a site visit and background document review with a view to observing and documenting traffic and transport behaviour; key walking and cycling routes; key land uses in the precinct and significant place destinations; critical travel routes and intersections; gaps in the transport network; and way finding.

A comprehensive review of all State; regional; and locally focused literature (and plans) affecting the precinct was also undertaken by Cardno (T&T), including, but not limited to the Marrickville Bicycle Strategy 2007; Henson (Area 9) Local Area Traffic Management Report 2016; Marrickville East (Area 10) Local Area Traffic Management Report 2016; Sydenham Station Precinct Masterplan; Marrickville Metro Shopping Upgrade; Black Spot funding plans for the intersection of Chapel Street and Victoria Road, etc.

### *Assessment of Land Use Changes:*

Utilising research and design work previously undertaken by the proponent's traffic and transport; architectural; and planning consultants; relevant Inner West Council documents including the development controls for the precinct under Amendment No.14 and the adopted *VRP DCP*, Inner West Council strategic planning staff prepared a breakdown of expected location; scale; form; composition; and uses within the upzoned areas of Precinct 47 which was supplied to Cardno (T&T). This information was consistent with information previously prepared by the proponent's consultants and forwarded to the NSW Department of Environment & Planning to support the rezoning of the precinct.

### *Vision and Objectives Development:*

To guide their traffic modelling work, Cardno (T&T) prepared a transport vision and traffic and transport objectives for Precinct 47 utilising, in part, the transport objectives for the precinct which had already been broadly developed within existing Inner West Planning documents i.e. Community Strategic Plan – Our Inner West 2036; Inner West Council Delivery Program 2018 – 2022; and the Victoria Road Precinct (Precinct 47) Development Control Plan amendments to Marrickville Development Control Plan 2011. For the purposes of this summary, details of the adopted transport vision are provided below.

*“Adopted transport vision:*

*A highly accessible precinct that supports and encourages movement and access through a proportionally high use of sustainable transport modes while providing for the need of a good level of service for vehicle movement and access.”*

In terms of Level of Service (LoS) within the vehicular network of Precinct 47 it was the firm view of relevant Council staff consulted during the preparation of this study that the current level of service should be maintained (not worsened) arising from the increased development within the precinct.

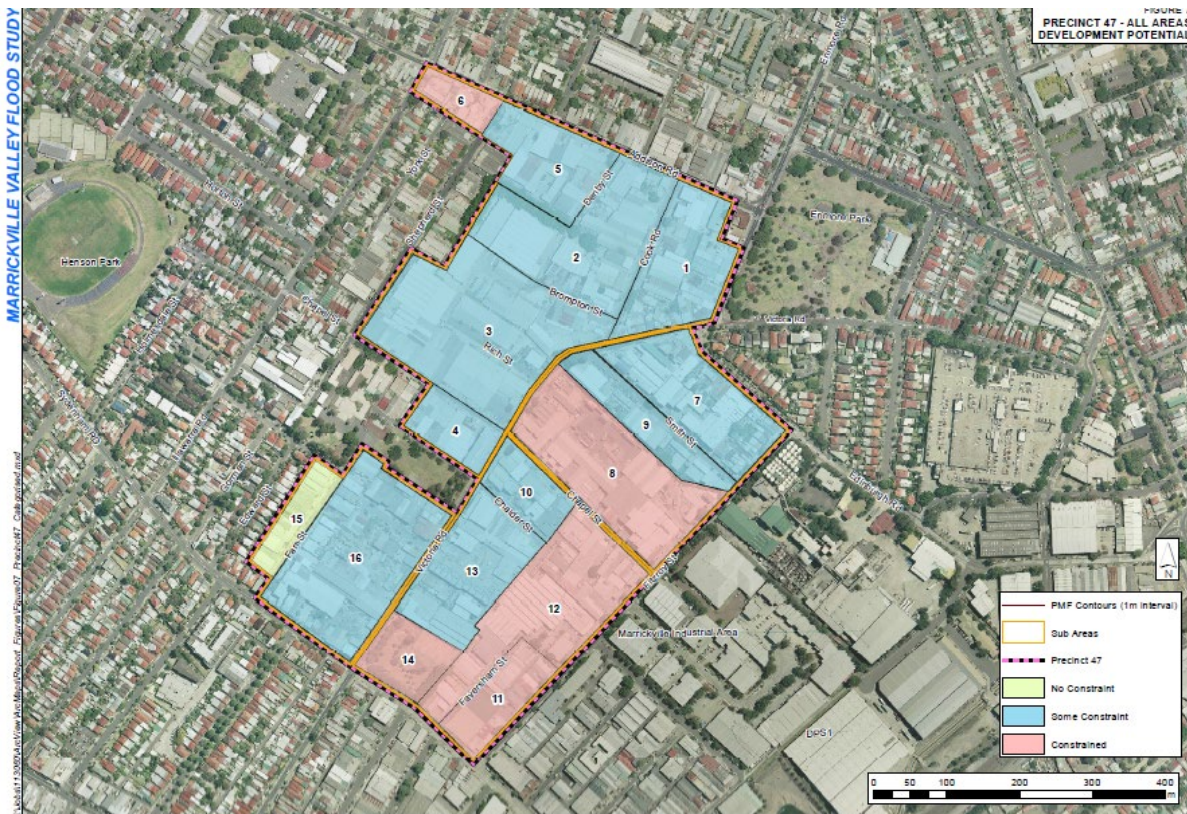
*Stormwater and Flood Mitigation Related Facilities:*

As part of its ongoing flood risk management responsibilities pursuant to the NSW Floodplain Management Manual requirements, Inner West Council engaged Cardno (Water Infrastructure Section) referred to as Cardno (WI) in the remainder of this plan - to undertake the *Marrickville Valley Flood Risk Management Study and Plan (Marrickville Valley FRM Study and Plan)* in 2015. The Draft Marrickville Valley FRM Study and Plan was endorsed by the flood management advisory committee in December 2017 and subsequently presented to Inner West Council for its endorsement in April 2018, at which time it was adopted by Council.

Likely due to the uncertainty around whether the rezoning of the Victoria Road Precinct was to be supported by Inner West Council or not, when the main work on the *Marrickville Valley FRM Study and Plan* was being undertaken, that study did not address the now permitted increased development activity within the precinct. Hence the need for this present water infrastructure study, for the purposes of this sub-plan.

Whilst it is appreciated that the proponent’s water management consultants, both for the original planning proposal for the precinct and more recently, to support the assessment of the development proposal for Nos. 1-9 Rich Street, Marrickville, have undertaken considerable research work on this topic, those studies were prepared for specific purposes relating to the acceptability/suitability of the planning and development proposals, from a stormwater and flood management perspective. For example, for the purposes of the original planning proposal for the precinct, the proponent engaged WMA water consultants to undertake “...an [assessment]...of flooding impacts on individual sub-catchments within the precinct based on the suitability of each sub-catchment for residential development [as shown in Figure 10].”<sup>9</sup>

In making this assessment WMA water acknowledged that “Precinct 47 is flood affected by overland and mainstream flows related to the Marrickville valley catchment, but is also partially affected by the Cooks River in the PMF event [Probable Maximum Flood].”<sup>10</sup>



**Figure 9 –** Flooding constraints on Precinct 47 Development Potential. Final page of Webb, McKeown & Associates Pty Ltd (trading as WMA water) Precinct 47 – Flood Liability Report dated 13 September 2013. Note: this diagram is also reproduced on page 92 of the *JBA Victoria Road Precinct, Marrickville, Planning Report, July 2016*.

By comparison, the Cardno (WI) Final Floodplain Risk Management Study - Marrickville Valley Floodplain Risk Management Study and Plan prepared for Inner West Council 6 September 2017, was completed “...to define the existing flooding behaviour and associated hazards within the Marrickville Valley Catchment, and to investigate possible mitigation options to reduce flood damages and risks. The tasks were undertaken together with stakeholder and community consultation to ensure that their concerns were addressed. The overall objective of this study is to develop a FRMP [Floodplain Risk Management Plan] that addresses the existing, future and continuing flood problems, taking into account the potential impacts of climate change, in accordance with the NSW Government’s Flood Policy, as detailed in the Manual (NSW Government, 2005)..... (Pages iii and iv)

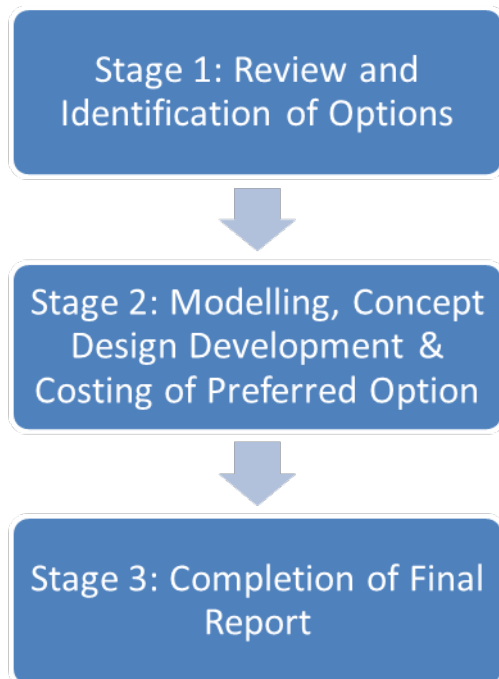
.....The NSW Government Flood Prone Land Policy is directed towards providing solutions to existing flood problems in developed areas and ensuring that new development is compatible with the flood hazard and does not create additional flooding problems in other areas. Under the policy, the management of flood prone land is the responsibility of Local Government...(Page iii)

....The overall recommendations of this study find that it is impractical to eliminate all flood risks from the study area. Instead, the aim of the recommendations of this FRMS [Flood Risk Management Study] is to ensure that existing and future development is exposed to a reduced level of risk...” (Page vi)

Given their experience with the completion of the most recent Marrickville Valley Floodplain Risk Management Study and Plan (MVFRMS & MVFRMP) Cardno (WI) were engaged by the Inner West Council, for the purposes of this plan, to assess the need for infrastructure, related to stormwater and flooding, that is required to support the new permitted development within Precinct 47. The study also aimed to give consideration to potential funding mechanisms for any required water related infrastructure within the precinct.

This independent study, in essence, was considered to be an update/extension of the Marrickville Valley FRM Study as it relates to the Victoria Road Precinct, in response to the increased level of business and residential development now permitted within the precinct under *Marrickville Local Environmental Plan Amendment No.14*.

The stages of this study are briefly summarised within the following table:



**Figure 10** – A summary of the methodology of Cardno (WI) in the completion of their “*Flooding and Stormwater Advice – Victoria Road Precinct Developer Contributions Plan – dated 27 November 2018*” report on behalf of Inner West Council.

A breakdown of the content of each of these stages is provided below:

*Stage 1 – Review and Identification of Options:*

- Involves a review of the Marrickville Valley FRMSP and a review of the relevant ‘On Lot’ Development Controls within the Marrickville Development Control Plan 2011;
- Identification of preliminary infrastructure options for the precinct after giving consideration of the details of expected new development within the precinct (supplied by Inner West Council); and
- Consideration to be given to whether the inclusion of *On Site Detention* (OSD) will be of benefit in the Victoria Road Precinct, with the results of this assessment to be provided within Stage 3 – Final Report.

*Stage 2 – Modelling, Concept Design & Costing of Preferred Option(s):*

- Four (4) preliminary options were identified and discussed with Inner West Council;
- One of these options was discarded given its potential impact on other public facilities - i.e. public open space;
- Following a series of modelling exercises, a preferred option was identified which was subsequently brought to a concept design;
- This concept design was then costed.

### Stage 3 – Completion of Final Report:

- Although not originally foreseen, additional potential water related infrastructure options were prepared to avoid potential land acquisition costs; to achieve perceived better flood mitigation results; and to address the verbal concerns of Sydney Water in relation to adding more pressure to their assets within the locality. These additional options were also modelled and the final chosen design for the infrastructure work was fully costed.
- A final report was prepared which includes a justification for this work.

Arising from the subsequent public exhibition of this sub-plan (during the months of April – June 2019) public concerns were raised regarding: the perceived excessive cost of the water infrastructure work (included within the former draft of this sub-plan); its perceived limited benefits for new development within the precinct; and the perceived unfairness of having the upzoned areas of the precinct pay for 100% of the total cost of the proposed infrastructure work, when the modelled results clearly indicated that the likely benefits extended beyond the confines of the precinct.

As a result of the seriousness of these concerns it was considered appropriate that a peer review be undertaken of the Cardno (WI) study. Given their recent and previous work within the Marrickville Valley, GRCH Hydro (GRCH) were chosen to undertake the peer review. Utilising additional modelling information, the peer review echoed the concerns about the effectiveness of the proposed high cost water infrastructure solution proposed in the Cardno (WI) study, having regard to the unique characteristics of the Marrickville Valley flooding and stormwater management system as set-up by Sydney Water.

Accordingly, GRCH were engaged by IWC to further investigate potential alternative means for minimising stormwater and flooding risk arising from the likely future increase in residents; employees and visitors, within the precinct. To help with these investigations Sydney Metro were approached for permission for GRCH to utilise the most comprehensive water related model available for the Marrickville Valley – The Sydney Metro model. This permission was obtained from Sydney Metro for the use of that model which is gratefully acknowledged.

Arising from the use of the Sydney Metro model, two potential alternative schemes were developed for reducing stormwater/flooding risk within the precinct, which are briefly described below:

- 1. Substantially increasing the water storage on certain redevelopment sites so that risks to residents; employees; and visitors, within the precinct; and beyond; are minimised during significant storm events; and alternatively;*
- 2. Providing a substantial communal water storage scheme beneath Wicks Park.*

The potential incorporation of either of these schemes, however, were discounted on both practical and cost grounds (*Option 1* - predicted to cost in excess of \$100M and *Option 2* - predicted to cost in excess of \$40M and additionally would have necessitated the removal of all of the existing mature vegetation within the park).

Accordingly, an alternative approach was undertaken to manage flooding and stormwater risk within the precinct through additional controls within the *VRP DCP*.

These controls ensure that all redevelopment sites within the upzoned areas of the precinct consider their cumulative impact on downstream properties (this is to ensure there is no net loss of stormwater storage on their sites compared to existing conditions) and for revised standards for basement parking entries above the PMF – *Probable Maximum Flood* level, where appropriate, (commensurate with standards used in the City of Sydney), to be adopted, in conjunction with the completion of additional modelling information from GRCH.

9 *Planning Proposal Planning Report - Victoria Road Precinct, Marrickville. Planning proposal for land uses and development standards – submitted to Marrickville Council on behalf of Danias Holdings. Prepared by JBA Urban Planning Consultants Pty Ltd and dated July 2016. Report No.1350. Page 91.*

10 *Precinct 47 – Flood Liability Report by Webb, McKeown & Associates Pty Ltd (trading as WMA water) dated 13 September 2013. Page 1.*

## 2.6 Infrastructure Needs Studies Results (Nexus and Apportionment)

### 2.6.1 Necessary Infrastructure works within P47:

As can be seen in the schedule section of this sub-plan (Section 1.4) no communal water infrastructure works have been included within this sub-plan (only the costs of the water infrastructure investigations), instead, a suitable response to the flooding and stormwater environment within P47 is to be achieved through amendments to Section 9.47 Victoria Road Precinct component of the Marrickville Development Control Plan.

Furthermore, approximately \$0.6M of public traffic and transport infrastructure works are required to be implemented to ensure that the increased permitted development within P47 can be absorbed into the locality without the existing level of service within the road network of P47 being worsened.

Other potential traffic and transport works for the precinct, which were identified by Cardno (T&T) in their traffic and transport needs study for the precinct, have not been included within this sub-plan, on the basis that they are best dealt with by individual or amalgamated developments, as they are to be located on private land and they predominantly relate to both vehicular and pedestrian access issues within the precinct. This decision was also made on the basis that a significant proportion of these additional works are aimed to satisfy the requirements of the Roads and Maritime Services, who “will not permit direct vehicular access to/from development via Sydenham Road and Victoria Road. Access to the road network should be provided via rear lanes or local roads.”<sup>11</sup> These additional works are identified within the accompanying Development Control Plan for the precinct.

One additional cost has also been added to the traffic and transport works schedule of this sub-plan which was not identified by the Traffic and Transport Consultant, such as an inclusive access study (principles and practical design advice for the private and public domain) within the precinct. This item was included on the grounds that a significant proportion of this new resident and employment population, within the precinct, will likely include persons with mobility restrictions.

Furthermore, not all of the proposed traffic and transport works will be fully paid for by developers, in the upzoned areas of P47. Some of the items have a wider benefit, beyond P47, so the developers only have to pay for their share of these identified items. E.g. the proposed signalisation of the Fitzroy and Sydenham Road intersection. This and other apportioned works will result in the Inner West Council being committed to an approximate additional expenditure of \$655,150 for additional traffic and transport related works in the precinct over the next ten – fifteen years. The provisions of this sub-plan would not preclude these funds being obtained from other sources e.g. grant funds etc. in the future. Further comments on *apportionment* are provided in the next section of this sub-plan.

It is important to acknowledge that the total amount of traffic and transport works to be paid for by the developers of the upzoned areas of the precinct, would have been higher, however, Inner West Council was recently successfully awarded “*Black Spot Funding*” for the imminent installation of new traffic lights at the intersection of Chapel Street and Victoria Road by RMS. This will be implemented without the use of any developer contribution funding. Furthermore, these works are separate from the Victoria Road/ Sydenham Road intersection upgrade works that have been negotiated (as part of a voluntary Planning Agreement) between the proponent; Transport for NSW (TfNSW); Roads and Maritime Services (RMS) and the Department of Planning and Environment (DPE).

### 2.6.2 Credits:

Although the parent contributions plan does not contain a specific section on contribution credits, the schedules within the plan imply that a credit system applies to the plan. E.g. the updated schedules for the parent contributions plan state that credits for residential development are capped at \$20,000. In practice, credits are given for the existing floor area of non-residential land uses on redevelopment sites covered under the parent contributions plan. This system is not proposed to be altered under this sub – plan.

However, in determining realistic contribution amounts for the required traffic and transport and water infrastructure facilities within P47, it was important to determine the likely credits to be achieved within the contributing area, on a per resident/ employee basis, so this could be subtracted from the expected contributing population.

To determine the likely residential and non-residential credits across the upzoned areas of P47, use was made of the Precinct 47 Land Use Survey completed by Danias Holdings Pty Ltd in May 2014. (This survey was included as Appendix M of the JBA Victoria Road Precinct, Marrickville, Planning Report, July 2016).

The survey identified, amongst other things, all of the existing dwellings within the upzoned area of the precinct so that the likely credits from these dwellings could be factored into the contribution calculations using the relevant occupancy rates within parent plan. For non-residential uses, the previous applicable floor space ratio was utilised to determine the maximum credit that would be available to redevelopment sites within the precinct. This was obtained using the previously mentioned expected development study to obtain the relevant site areas and then to determine the likely maximum existing floor area permitted under the former floor space controls. This information was then converted to a per employee figure by applying the relevant occupancy rate within the parent contributions plan. These residential and employee totals were then subtracted from the previously mentioned expected development totals to achieve a *net contributing population* (residential and non-residential) with which to share in the cost of the required traffic and transport facilities and water infrastructure investigations within the precinct. (See Section 3.4 Calculation of Contributions for this sub – plan for further information).

Also included within the credit calculations has been the recently approved redevelopment at Nos.1-9 Rich Street, Marrickville (located within the upzoned area of P47), because it will not form part of the developments within the upzoned area of the precinct, that will be contributing to the specific P47 infrastructure related items and investigative studies, included within this sub-plan.

### 2.6.3 Apportionment:

As mentioned previously, the “contributing area” for these new contributions corresponds to the area “K” within the LEP amendment for the Victoria Road Precinct – the upzoned area – See Figure 7 on page 21.

The “contributing area” of Precinct 47 is only to pay towards the traffic and transport upgrades within Precinct 47 – not for any traffic facilities beyond the precinct to avoid potentially double-dipping. The “contributing area” will continue to meet its existing Marrickville Contributions Plan 2014 commitments for Recreation Facilities, Community Facilities, and Plan Administration Fund, after monies are first captured for the *critical infrastructure items* for the precinct – *Traffic and Transport and Water Infrastructure Investigations*.

All redevelopment sites within the contributing area will contribute to the monetary cost of the new traffic and transport works (occurring on government land) on the basis by which they are expected to utilise the existing traffic network (expected traffic generation) – See Section 3.4 for further discussion on this matter. It is expected that the land uses that generate the most traffic (or in other words use the traffic and transport network the most) will pay for the greatest share of the traffic and transport upgrades. These works have been costed by the Traffic and Transport Consultant – Cardno (T&T) in conjunction with a Quantity Surveyor Sub – consultant.

The cost of the necessary water infrastructure investigation work (\$126,885) is to be shared equally on a per person basis (equal new employee/equal new resident basis) using the predicted number of total new employees and residents (derived from the proponents previous masterplanning studies; using considered assumptions from Cardno (T&T); and using occupancy rates within the existing Marrickville Contributions Plan 2014). The per person rate was then derived by dividing the total costs of the water infrastructure investigative studies by the expected total number of new persons within the upzoned areas of the precinct (over 6,000 new persons are expected within the upzoned areas of the precinct).

In calculating the contribution rates for the traffic and transport facilities and the water infrastructure investigative studies, as previously detailed, a reduction in the effective number of expected new residents and employees that would be contributing to these works, was factored in, to take account of the likely credits that could be achieved by new developments within the area and a recently approved development within the upzoned area of the precinct.

Those parts of Precinct 47 that are redeveloped in the future, that were not upzoned with the LEP Amendment for the precinct, would continue to pay the “Marrickville LGA other than the planning precinct areas” contribution rates within the Marrickville Contributions Plan 2014.

#### 2.6.4 Nexus:

The previously identified flooding characteristics of Precinct 47 necessitated the engagement of water engineering consultants to investigate the need for, or otherwise, of any necessary water infrastructure works required to support the permitted increased development within the precinct. In the circumstances, it is considered reasonable that new developments within the precinct, located within the upzoned portion, should equally share in the total costs of those investigations.

The justification/nexus for the proposed traffic and transport contribution for the precinct, provided by the Traffic and Transport Infrastructure consultant, is as follows:

*“[Without the required traffic and transport road upgrades] “The road network comes under considerable demand pressures, Addison Road and Illawarra Road fails in the PM peak period, Sydenham Road and Victoria Road fails in both AM and PM peak periods, as does Victoria Road and Chapel Street. These intersections need upgrades to improve the forecast level of service relative to its existing operation.”*

*“There are three intersections [mentioned above] which fail as a result of the development uplift and need to be subject to upgrades to meet one of the project objectives, which is that “as a minimum, the current level of service should be maintained within the precinct with the increased development, now permitted under the rezoning. The precinct should be no worse off, from a traffic and transport viewpoint, with the increased development”.*

*“The modelling suggests that the intersection of Sydenham Road and Fitzroy Street is already, and will continue to be under capacity constraints. Whilst this intersection has not been modelled in terms of an upgrade, it has been strategically costed as an infrastructure line item as outlined in Section 7.2. There are various levels of intersection function improvement at Addison*



*Road/Illawarra Road, Sydenham Road/Victoria Road and Victoria Road/Chapel Street which result from the infrastructure upgrades described in Table 5-12.”*

*“The rectifications outlined above are forecast to improve the level of service of the intersections to broadly in line with existing conditions, meaning that with the uplift and the intersection improvements, it is expected there should be negligible net change in the function of the road network.”*

## 2.7 Definitions/ Terms used within this Sub - plan

“**Act**” means the *Environmental Planning and Assessment Act 1979* (As amended).

“**Apportionment**” is a process which seeks to define the demands of all those who may benefit from the provision of a public facility to ensure the contributing population only pays for its share of the total demand.

“**Contributing Area**” means the area described in Figure 7 of this sub-plan which shows all of the landowners within the upzoned areas of the Victoria Road Precinct (Precinct 47) that are required to contribute to the critical infrastructure works/studies for Precinct 47. The “contributing area” corresponds to the area “K” identified within the Marrickville Local Environmental Plan 2011 (Amendment 14) for the precinct.

“**Contribution**” means the same as “**Development Contribution**”.

“**Contributions Plan**” means a contributions plan referred to in the Act.

“**Council**” means the Inner West Council.

“**Critical Infrastructure**” for the purposes of this sub-plan includes: *traffic and transport infrastructure* (located on government owned land); and *flooding and stormwater management* (subsequently includes only the water infrastructure investigative studies) as identified by the infrastructure needs studies which underpin this sub-plan.

“**DCP**” means a Development Control Plan adopted by Council under the Act.

“**Development Consent**” means consent under Part 4 of the Act to carry out development and includes, unless expressly excluded, a complying development certificate.

“**Development Contribution**” means the making of a monetary contribution, and /or the dedication of land, or the providing of a material public benefit (including a work-in-kind), or any combination of these as referred to in the Act for the provision of community infrastructure;

“**LEP**” means a Local Environmental Plan made by the Minister under the Act.

“**LGA**” means the Local Government Area.

“**Material Public Benefit**” means a facility or work which is offered by a developer as a finished entity either in return for a reduction in the amount of monetary contributions required for the same category of contribution or as an additional or partial additional benefit under a planning agreement.

“**Minister**” means the Minister administering the *Environmental Planning and Assessment Act 1979*.

“**Nexus**” refers to the relationship between the expected types of new development in an area and the demand for additional public facilities generated by that new development. The power to levy a contribution (pursuant to Section 7.11 of the “Act”) relies on there being a clear nexus between the

development being levied and the need for the public amenity or service for which the levy is required.

**“Parent Contributions Plan”** means the existing Marrickville Section 94/94A Contributions Plan 2014.

**“Planning Agreement”** means a planning agreement referred to in the Act.

**“Public and Financial Accountability”** These are considered crucial components of the making and administration of contribution plans. Contribution plans are required to:

- Follow the precise legislative requirements regarding the preparation of the plan;
- Be transparent as to the manner in which the strategies and contribution rates were derived; and
- Be open to public scrutiny in the collection, accounting and expenditure of contributions.

**“Public Benefit”** means a benefit enjoyed by the public as a consequence of a development contribution.

**“Reasonableness”** means the responsibility placed upon Council by the development contributions system in NSW to determine what is reasonable and to use section 7.11 of the “Act” in a reasonable manner.

**“Regulation”** means the *Environmental Planning and Assessment Regulation 2000* (As amended).

**“Sub-plan”** means this amendment to the existing Marrickville Contributions Plan 2014 which provides specific background and details of the contribution rates for the upzoned areas of Precinct 47 – the Victoria Road Precinct.

**“Staged Development”** means a development that is carried out in accordance with Division 2A of Part 4 of the EP&A Act. It also means a development that is carried out in accordance with Section 80(5) of the EP&A Act as it used to exist prior to its repeal on 30 September 2005.

**“State Government Cap”** Pursuant to reforms to the NSW development contributions system, undertaken in 2008, infrastructure contributions payable to local councils have been capped at \$20,000 per residential lot. All contributions exceeding \$20,000 require approval from the Minister for Planning. The introduction of the threshold was effective as of 30 April 2009, as provided for in the Minister’s direction under s94E of the EP&A Act, dated 13 January 2009. Accordingly, for those residential uses that are subject to the “cap” under this sub-plan, irrespective of the total contribution amount listed in the contribution schedule of this sub-plan, the applicable contribution shall not exceed \$20,000.

**“The Proponent”** means the original planning proposal proponent for the Victoria Road Precinct – Precinct 47 – Danias Holdings Pty. Ltd.

**“Victoria Road Precinct Development Control Plan”** means the Victoria Road Precinct (Precinct 47) Amendments to the Marrickville DCP 2011.

**“Works-In-Kind”** means the carrying out of work by the applicant as nominated in the work schedule of the contributions plan in return for a reduction in the amount of monetary contributions (but not a reduction in the total quantum of contributions) required for the same category of contribution.

## **Section 3 – Administration and Accounting:**

### 3.1 How to use this Sub-plan

This sub-plan provides the background to and the specific contribution rates for redevelopment sites within the upzoned areas of the Victoria Road Precinct (P47).

Those parts of Precinct 47 that are redeveloped in the future, that were not upzoned with the LEP Amendment for the precinct (Amendment No.14), are required to continue to pay the “*Marrickville LGA other than the planning precinct areas*” contribution rates within the parent contributions plan – Marrickville Contributions Plan 2014.

This sub-plan also provides up to date provisions relating to the payment of contributions and a set of definitions/terms that are specific to this sub – plan.

### 3.2 Relationship with other Plans and Policies

All other aspects of the parent contributions plan apply to contributing developments within Precinct 47, including, most importantly, the provisions relating to the indexing of contribution rates, which are to be applied identically to the contribution rates detailed within this sub-plan, with one exception. Within the contributions schedule for this sub-plan, in the setting of contribution rates which exceed the “*State Government Cap*” money is to be collected first for the critical infrastructure (and studies) items mentioned within the contributions schedule for this sub-plan.

### 3.3 Implementation of this Sub- plan

The collection and expenditure of contribution funds will be closely monitored during the life of this sub-plan to ensure the orderly delivery of the schedule of infrastructure works included within this sub-plan.

### 3.4 Calculation of Contributions for this Sub-plan

#### **Traffic and Transport Contribution Calculations:**

##### *Principles:*

- All upzoned areas should share in the costs of the traffic and transport upgrades located on government land within Precinct 47 which are required to support the new scale of development now permitted on their lands (known as “the contributing area”) – (See Figure 7 on page 21 of this sub-plan).
- The traffic and transport upgrades included within this plan are not going to improve the general functioning of the traffic and transport network within the precinct, they will just ensure that the upgrades keep pace with the increases in employees and residents now permitted within the precinct, so that the functioning of the traffic network does not get any worse than how it presently functions.
- In order to determine the realistic value of funds that can be obtained from the contributing employee and resident population for these traffic and transport works under this sub-plan, an assessment has been made of the likely credits to be achieved by the redevelopment sites within the upzoned areas of P47 expressed as numbers of employees/residents and then this has been subtracted from the expected total expected contributing population for these works. (See also Section 2.6.2 Credits – of this sub-plan).

- Hourly traffic generation totals (AM + PM) for the broad land use categories as determined by Cardno (T&T) have been utilised to determine how the costs for the traffic and transport upgrades are to be shared amongst the incoming employee and residents. Based upon this approach, it is expected that the land uses that generate the most traffic (or in other words use the traffic and transport network the most) will pay for the greatest share of the traffic and transport upgrades. (See calculations below).

**Figure 11** – Assessment of the impact of the major expected land uses on the Victoria Road Precinct Traffic and Transport Network to help determine the apportionment of Traffic and Transport upgrade costs between these uses.

Major identified traffic generating uses <sup>1</sup>	Future Hourly Traffic Generation Calculated Totals <sup>2</sup> (AM + PM)	% of total future hourly traffic generation (rounded up or rounded down as appropriate) <sup>3</sup>
Residential	374	11.26%
Commercial	2093	63%
Retail	473	14.24%
Hospitality	380	11.5%
Totals	3,320	100%

Notes for Figure 11:

1. Major traffic generating use categories as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct.
2. Future hourly traffic generation movement totals for the identified major traffic generating uses as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct combining the AM with the PM totals for each of these uses. See Table 5-4 Future traffic Generation on page 36 of Precinct 47 – Victoria Road Precinct Traffic and Transport Needs Analysis Cardno November 2018. The total figure at the bottom of the column is the sum of each of the hourly future traffic generation totals  $374 + 2093 + 473 + 380 = 3,320$  future hourly traffic movements.
3. Percentage of the total of future hourly traffic movements. This was obtained by dividing the future hourly traffic generation totals for each of the identified land uses by the combined future hourly traffic generation total of all of the identified land uses (3,320) to get the percentage (%) share of total traffic upgrade costs for each major land use category. E.g. for residential =  $374 \div 3,320 \times 100 = 11.26\%$ .

**Figure 12 – Apportionment of Traffic and Transport upgrade costs between the main expected uses within the up - zoned areas of Precinct 47, based upon traffic generation information from Figure 11.**

Major identified traffic generating uses. <sup>1</sup>	% of total future hourly traffic generation within the precinct (rounded up or rounded down as appropriate) <sup>2</sup>		Resultant % share of the total cost traffic and transport infrastructure upgrades required within the Precinct.  (rounded up or rounded down as appropriate) <sup>3</sup>
Residential	11.26%		\$33,434.1
Commercial	63%		\$187,065
Retail*	14.24%	25.74%	\$76,429.4
Hospitality*	11.5%		
Totals	100%		\$296,928.50

Notes for Figure 12:

- 1 Major traffic generating use categories as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct. NB \*To ensure compatibility with the form of the current Marrickville Contributions Plan “Marrickville Section 94/94A Contributions Plan 2014” of which this plan forms a part of, the traffic generation rates for the ‘retail’ and ‘hospitality’ land use categories have been combined to create a single total for these combined uses i.e. (Retail (14.24%) + Hospitality(11.5%) = 25.74%).
- 2 Future hourly traffic generation movement totals for the identified major traffic generating land uses as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct. These were obtained by combining the AM with the PM hourly traffic generation totals for each of these uses. The total figure at the bottom of the column is the sum of each of the hourly future traffic generation totals 374 + 2093 + 473 + 380 = 3,320 future hourly traffic movements within the precinct.
- 3 Percentage share of the total cost of the traffic and transport infrastructure upgrades required for the Victoria Road Precinct, for each of the land use categories, obtained by multiplying the relevant land use traffic generation percentage by the total cost of the works to be attributed to developers (\$296,928.50).

#### **Residential Contribution Rate – Traffic and Transport Infrastructure Works.**

To determine the individual traffic and transport contribution rates for residential developments within the precinct, the number of existing residents within the upzoned areas of the precinct\* (which will be given a credit under this sub-plan up to but not exceeding the existing residential cap of \$20,00 per dwelling) was subtracted from the expected number of residents in the upzoned areas of the precinct (2004 persons) (previously mentioned in the *expected development section* elsewhere within this document) (i.e. 2004 persons – 120.12 persons = 1883.9 – Net population increase).

Note\*: This was derived from information within the Precinct 47 Land Use Survey completed by Danias Holdings Pty Ltd in May 2014. (This survey was included as Appendix M of the JBA Victoria Road Precinct, Marrickville, Planning Report, July 2016).

The residential percentage share of the total costs of traffic and transport infrastructure works for the precinct ( $\$296,928.50 \times 11.26\% = \$33,434.1$ ) was then divided by the net expected increased residential population to obtain the *per resident* contribution rate for these infrastructure works.

e.g. ( $33,434.1 \div$  the net number of expected new residents = 2004 – 120.12 persons = 1,883.9 persons) yields a current, per resident, contribution rate for the traffic and transport works within the Victoria Road Precinct of **\\$17.75** (Rounded up). This figure which will be subject to future indexing as per the indexing methods of the subject parent contributions plan - Marrickville Contributions Plan 2014 – refer to pages 34-35 of the parent contributions plan).

*Non – Residential - Retail and Commercial Contribution Rate Calculations – Traffic and Transport Infrastructure Works.*

To determine the individual traffic and transport contribution rates for the retail and commercial developments within the up – zoned areas of the precinct the following methods were used to first determine *the total expected number of new employees for each of the expected new major uses in the upzoned areas of the precinct:*

**Figure 13** – A calculation of the expected number of new employees for the most likely additional uses within the upzoned areas of the precinct:

Major expected non-residential land uses within the precinct	Expected additional <i>Gross Floor Areas (GFA)</i> for these uses based upon previous research by IWC; Cardno (T&T) and others. (sqm. = Square Metres)  (*See table 4-2 page 26 of Cardno Precinct 47 T& T Needs Study).	Occupancy rate for new uses extracted from existing Marrickville Contributions Plan 2014	Expected number of new employees within the upzoned areas of the precinct, obtained by $\div$ the expected total new GFA by the expected occupancy rate from the existing Marrickville Contributions Plan 2014.
Commercial	111,272 sqm. *	1 employee/20 sqm. of GFA	5,563.6 persons
Retail	21,820 sqm. *	1 employee/20 sqm. of GFA	1,091 persons
		Total additional employees (persons)	6,654.6 persons

Utilising these expected employee numbers for the expected new major uses within the precinct, the per person contributions rates for traffic and transport infrastructure works were determined by multiplying the percentage share of each of the major land uses of the total traffic and transport infrastructure costs of the precinct by the total number of expected net new employees for each of those land uses. See Figure 14 on the next page.

**Figure 14** - Calculation of the contribution rate for each new employee for the most likely additional uses within the upzoned areas of the precinct towards additional Traffic and Transport Infrastructure required within Precinct 47.

Major expected non-residential land uses within the precinct	% of total future hourly traffic generation within the precinct (rounded up or rounded down as appropriate) - Extracted from Figure 11 above.	Resultant % share of the total cost traffic and transport infrastructure upgrades required within the precinct - Extracted from Figure 12 above.	Expected No. of additional Employees within the upzoned areas of the Victoria Road Precinct	Minus a credit for likely no. of existing non-residential employees within P47 - Expressed in numbers of existing employees + a credit for recently approved developments within the precinct.	Net Expected No. of additional Employees within the upzoned areas of the Victoria Road Precinct	Single employee contribution rate (per 20sqm of GFA) for additional Traffic and Transport Infrastructure Works within Precinct 47.
Commercial	63%	\$187,065	5,563.60	1457.1	4,106.5	\$45.60 (rounded up)
Retail	25.74%	\$76,429.4	1,091.00	253.55	837.45	\$91.30 (rounded up)

This yields a current per employee contribution rate for the traffic and transport works within the Victoria Road Precinct of **\$45.60** for commercial developments and **\$91.30** for retail developments (which will be subject to future indexing as per the indexing methods of the current Marrickville Contributions Plan 2014 – refer to pages 34-35 of this parent contributions plan).

Note: The Traffic and Transport Infrastructure contribution rate for the other non-residential land uses mentioned within the current Marrickville Contributions Plan 2014 i.e. “Industrial”, were obtained in this instance by utilising the base commercial contribution rate and altering it in accordance with the employee occupancy rate within the Marrickville Contributions Plan 2014 for Industrial i.e. one employee per 100sqm of Gross Floor Area (GFA) e.g. (**\$45.60** (base commercial rate) x 1 employee every 100 sqm. of GFA (Industrial occupancy rate under current Marrickville Contributions Plan 2014 = **\$45.60**).

### **Water Infrastructure Investigations Contribution Calculations:**

#### *Principles:*

Given that it is not possible to differentiate, in readily quantifiable terms, between the stormwater and flooding hazards for each of the expected major land uses within the precinct, it is considered reasonable that they share equally (on a per resident/employee basis) in the cost of the necessary water infrastructure investigative studies for the precinct.

Refer to Figure 15 below.

**Figure 15** - Per person contribution towards Water Infrastructure Investigative Studies within Precinct 47.

Major expected land use within the upzoned areas of the precinct	Total number of expected employees/residents within the upzoned areas of the precinct	Likely credit for existing development expressed as numbers of employees (equally shared between the major expected non-residential uses).	Net total number of employees/residents within the upzoned areas of the precinct who are likely able to contribute to the cost of the required water infrastructure investigations.
Residential	2,004.00	120.12	1,883.9
Commercial	5,563.60	1457.1	4,106.5
Retail	1,091.00	253.55	837.45
Sub - total	8,658.60	1830.77	6827.85 (total contributing population)
Total cost of water infrastructure investigations ÷ Total number of expected residents/employees = cost per person			= \$126,885 ÷ 6827.85
			<b>\$18.60 per resident/employee (rounded up)</b>

Notes for Figure 15:

1. Contribution rates for land uses not mentioned above were obtained by applying the relevant employee occupancy rate within the Marrickville Contributions Plan 2014.



## **Other Relevant Contributions within this Sub-plan:**

### *Other Traffic and Transport Contributions:*

Existing “Traffic Facilities” Contribution rates for “Marrickville LGA other than Planning Precinct areas” will not apply to the “contributing area” of the Victoria Road Precinct given that this area will be addressing the traffic and transport upgrade costs within its own locality.

### *Community Facilities and Recreation Facilities Contributions:*

The property owners within the “contributing area” of the Victoria Road Precinct will meet its relevant obligations for additional demand generated on these public facilities as per the same rates for the relevant “Marrickville LGA other than Planning Precinct areas” contribution rates.

### *Plan Administration Fees:*

The existing standard administration fee (2% of the total cost of the combined relevant development contributions for a development item i.e. a one bedroom apartment) mentioned on page 113 of the current Marrickville Contribution Plan 2014, also applies to the “contributing area” of the Victoria Road Precinct.

## **3.5 Payment of Contributions**

### *3.5.1 Monetary Contributions:*

Refer to parent contributions plan (Section 2.14 – Timing and methods of payments Monetary).

### *3.5.2 ‘Works-in-kind’ (WIK) / ‘Material public benefit’ (MPB):*

Refer to parent contributions plan (Section 2.14 – Timing and methods of payments Monetary – Provision of a material public benefit – Page 32).

Additionally, in relation to this sub-plan, Council may accept an offer by the applicant to provide an “in-kind” contribution (i.e. the applicant completes part or all of relevant work/s identified in this sub-plan) or through provision of a material public benefit as an alternative in lieu of the applicant satisfying its obligations under this sub-plan. Council will require the applicant to enter into a written agreement for the provision of these alternatives.

Council is under no obligation to accept works-in-kind or material public benefit offers. In consideration of any such offer, Council will assess the public benefits and give due considerations to relevant matters including the following:

- a) the extent to which the WIK/MPB satisfies the purpose for which the contribution was sought;
- b) the works-in-kind being facilities which are already included in the sub-plan;
- c) the extent to which the MPB satisfies a community need or may reduce the demand for levied items;
- d) the impending need to construct the works for which the contributions are to be offset;
- e) the provision of the WIK/MPB will not prejudice the timing, the manner or the orderly provision of public infrastructure included in the works program or the financial integrity of Council's sub-plan;
- f) an assessment of the shortfall or credit in monetary contributions as a result of the proposal;
- g) the availability of supplementary funding to make up the shortfall in contributions;
- h) locational and other factors that may affect usability;
- i) impact of recurrent operational and maintenance costs; and

- j) the provision of the WIK/MPB must not result in piecemeal delivery of infrastructure or likely to result in the need to reconstruct the works due to future nearby developments (i.e. normally the works will need to relate to a whole street block or a defined precinct).

Council must be satisfied that the MPB offer, other than a 'work-in-kind', provides a substantial benefit to the community not envisaged by the sub-plan and that this benefit warrants Council accepting responsibility in fulfilling the intent of the sub-plan notwithstanding a reduction in expected cash contributions. A MPB does not include a payment of a monetary contribution or the dedication of land free of cost.

Acceptance of any such alternative is at the sole discretion of the Council. Council may review the valuation of works and may seek the services of an independent person to verify their value. In these cases, all costs and expenses borne by the council in determining the value of the works or land will be paid for by the applicant.

### *3.5.3 Planning Agreements:*

An applicant may voluntarily offer to enter into a planning agreement with Council in connection with a development application within the contributing area of the precinct. Under a planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. All Planning Agreements need to conform to the Inner West Council Planning Agreements Policy (currently under development).

### 3.6 Deferred/ Periodic Payments

Refer to parent contributions plan (Section 2.14 – Timing and methods of payments Monetary).

### 3.7 Timing of Payments

Refer to parent contributions plan (Section 2.14 – Timing and methods of payments Monetary).

### 3.8 Refunds

Refer to parent contributions plan (Section 2.18 - Refunds).

### 3.9 Indexing of Contribution Rates

Indexing for the contributions within this sub-plan shall be in accordance with the indexing requirements of the parent contributions plan with the exception that monies will be collected first for the *critical infrastructure priority items* detailed within this sub-plan where the total required payments are subject to the State Government *Cap*. Also, the indexing of the *traffic and transport works* included within this plan shall be indexed concurrently within the indexing for the parent contributions plan (using the relevant with Consumer Price Indices – as per the parent contributions plan).

## Section 4 – Infrastructure Strategy Plans:

### 4.1 Required Traffic and Transport Improvements within the Precinct

#### Removal of crossing and installation of traffic signals

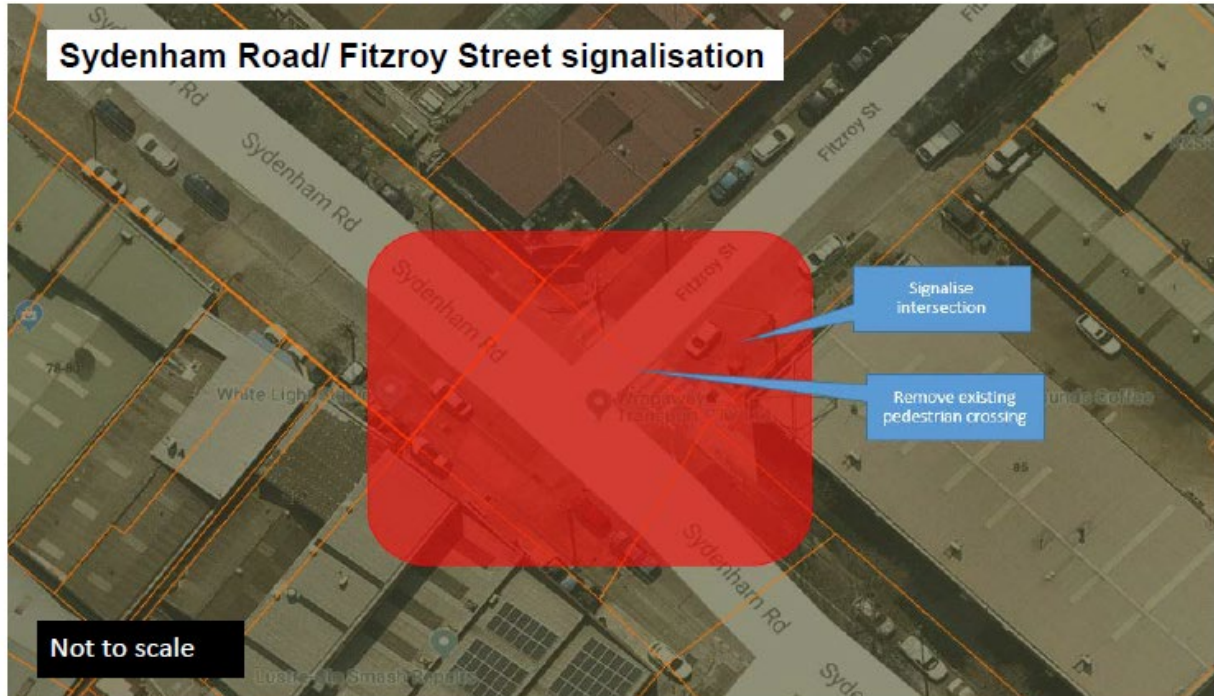
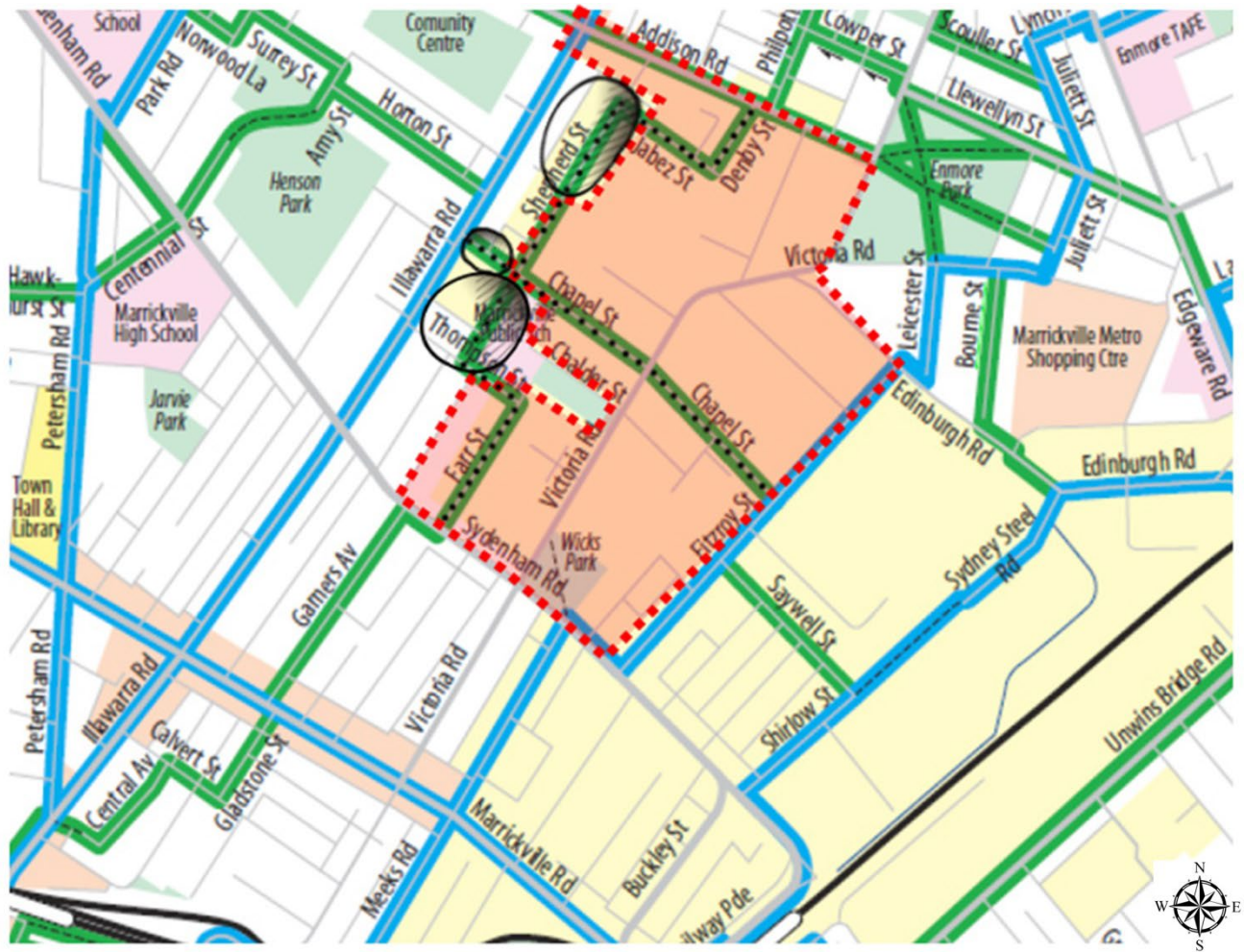







Figure 16 - Infrastructure Item No. VRP – R - 001

**Figure 17 – Excerpt from Marrickville bike plan – Location of proposed Bicycle Infrastructure Works with Precinct 47**



**Legend**

-  Regional Route (On-road)
-  Local Routes (On-road)
-  Bicycle Route works located outside of Precinct 47 - Victoria Road Precinct
-  Precinct 47 - Victoria Road Precinct boundary
-  On-road bicycle stencil markings that are to be provided at all intersections and each 50 metres of these local on-road bicycle routes within the precinct.