

Campbelltown City Council

**Section 94 Contributions Plan No.8 Open Space
generated by two lot integrated housing development
in accordance with Development Control Plan No.91**

PLANNING DISTRICT NO.6 -ST HELENS PARK

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1. PREAMBLE

This plan has been prepared to meet the statutory requirements and the policy guidelines issued by the Department of Urban Affairs and Planning for Section 94 Contributions Plans to improve the detail, accountability and administration of providing open space in accordance with the development potential afforded by Development Control Plan No 91.

This plan will ensure those lots within the land to which this plan applies, which have the potential for two lot integrated housing, contribute towards the provision of open space in St Helens Park. This plan is to be read in conjunction with Development Control Plan No 91.

It should be noted that this plan may need to be reviewed from time to time to account for any changes or requirements, which may arise due to changing circumstances.

2. THE PLAN

2.1 Name of plan

This plan may be referred to as "Section 94 Open Space Contributions Plan ."

2.2 Land to which this plan applies

This plan applies to the potential two lot integrated housing lots nominated in "Campbelltown Development Control Plan No. 91."

2.3 Purpose of the Plan

The purpose of this plan is to enable the levying of development contributions for public open space specified which will be required as a consequence of the development of those lots referred to in Development Control Plan N0 91 for two lot integrated housing.

2.4 Aims and Objectives

The aims and objectives of this plan are:

- (a) to provide a basis for the levying of contributions for the provision of public open space
- (b) to establish the nexus between the potential development yield for the land and the public open space contributions required
- (c) to identify the excess public open space, dedicated as part of the subdivisions referred to in Development Control Plan No 91, for which development contributions will be levied to meet the needs of the residents of St Helens Park
- (d) to provide proper accountability, financial management and administration of the expenditure of the development contributions and the provision of the public open space

2.5 Relationship to other environmental planning instruments

This plan is to be read in conjunction with Council's other development control plans and environmental planning instruments applicable in Planning District No. 6.

Section 94 Contributions Plan No 8	Adopted	15/12/1998
	Exhibited	3/2/1999 to 3/3/1999
	Effective	17/3/1999

2.6 Operation of the plan

This plan has been prepared in accordance with the provisions of Section 94B of the Environmental Planning and Assessment Act, 1979 and the accompanying Regulations and may be varied in accordance with the provisions of that Act and those Regulations.

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3.0 ASSESSMENT OF CONTRIBUTIONS

3.1 Nexus - potential development yield and the demand for additional open space

State Government Urban Consolidation Policies advocate the provision of a mix and range of housing types. In accordance with Council's Residential Strategies and Housing Strategy, the lots referred to in Development Control Plan No 91 have the potential to be developed for two lot integrated housing as they are 700 square metres or more. The extra dwelling generated by any two lot integrated housing development requires the provision of additional public open space in St Helens Park to meet the needs of the residents of the area.

3.2 Contributions formula

Section 94 contributions will be based on the total public open space requirement identified in this plan divided by the potential additional lot/dwelling yield on the land to which Development Control Plan No 91 applies.

The contributions rate will be based on the value of open space land in the locality and will be charged on a pro rata basis.

The formula for calculating the contributions rate is based on:

- (a) the number of lots/dwellings which have or will be subject to Section 94 contributions
- (b) the cost of acquiring open space land in the locality

The contributions rate is:

$$\text{Contribution Rate \$} = \frac{\text{L x A} + \text{C}}{\text{P}}$$

(\$ per lot/dwg)

where,

L = the cost of acquiring open space land per hectare (\$285,000*)

A = area of land to be acquired, being the difference between amount dedicated and amount required to be dedicated (2055 square metres)

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P = the estimated lot/dwelling yield (26 additional lots, generated by the development of the nominated lots referred to in DCP 91)

C = the cost of provision of administration, legal and valuation services (\$5,000)

* The cost of acquiring open space land in St Helens Park is current. However, will be subject to review every five years by the Australian Property Institute.

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3.3 Contribution Rate

The current development contribution rate per lot/dwelling for the land to which Development Control Plan No 91 applies is shown below in Table 1

This plan was adopted by Council on 15/12/1998 and the contribution rate became effective from 17/3/1999.

The rate is indexed on a quarterly basis, using the Implicit Price Deflator(IPD) to keep pace with inflation. The IPD indexes a contribution rate to its current price value. The IPD is an index obtained by dividing a current price value by its corresponding constant price value. The IPD is published on a quarterly or annual basis for all items of expenditure shown in the Domestic Production Account.

Table 1

Contribution Rate	
Subject land	Contribution rate per lot/dwelling
Nominated lots within DCP 91 (26)	\$2,445.00**

** The contributions rate is adjusted on a quarterly basis by the IPD. The current quarter for the IPD is December 1998.

Council may review all or any part of this plan and as such adjust the contributions rate accordingly.

The proposed contribution rate per lot/dwelling will be subject to the review of the cost of acquiring open space land by the appointed Valuer referred to in this plan.

3.4 Developer Contributions Administration

To meet its responsibilities under the Environmental Planning and Assessment Act and its Regulations, Council employs one full time person responsible for:

- preparation, implementation and review of any contributions plan
- calculation, collection and expenditure of developer contributions
- management of all developer contributions matters
- provision of information and advice to Council.

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	Effective	17/3/1999

4.0 PAYMENT OF CONTRIBUTIONS

4.1 Timing of contributions payment

Upon granting development consent for any two lot integrated housing development on any of the 26 lots referred to in Development Control Plan No 91, Council shall as a condition of development consent state the value of the Section 94 contribution at the date of issue of any consent.

Payment of any Section 94 contribution shall be at the rate applicable at the time of payment which will reflect adjustments made by the Implicit Price Deflator or as reviewed every five years. The required Section 94 contribution shall be paid prior to the release of the subdivision certificate for the subdivision.

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5.0 WORKS SCHEDULE

5.1 Lot/dwelling projections

Table 2 outlines the approved and potential lot/dwelling yield for the land to which Development Control Plan No 91 applies. The potential twenty six (26) lots referred to in Table 2, as urban consolidation lots, are those lots nominated within Development Control Plan No 91 as having potential for two lot integrated housing development.

Table 2

Lot/Dwelling Yield				
	Lots approved prior 14/10/97#	Lots approved since 14/10/97##	Potential Urban Consolidation Lots	Total
No. of lots	63 lots	206 lots	26	295
Open Space required	7,182 sq metres	19,374 sq metres	only required with development approval	26,556

Prior to 14 October 1997 Council used an occupancy rate of four (4) persons per lot/dwelling for calculating open space contributions.

Since 14 October 1997 Council resolved to use an occupancy rate of 3.3 persons per lot/dwelling for calculating open space contributions.

5.2 Land dedication

Table 3 outlines the public open space lands to be dedicated for the approved development yield for the subdivisions referred to in Development Control Plan No 91.

Table 3

Land Acquisition		
Subdivision Number	Proposed Lot Number	Area (Sq m)
S155/96	Lot 105	1,210
S116/96	Lot 259	4,531
S113/97	Lot 8	1,530
	Lot 10 [^]	21,340
Total		28,611

[^] The area of Lot 10 excludes that part of Lot 10 zoned Rural 1(a) but does include 1295 square metres being Lot 24 DP716069 which has been dedicated to Council.

5.3 Excess open space dedicated

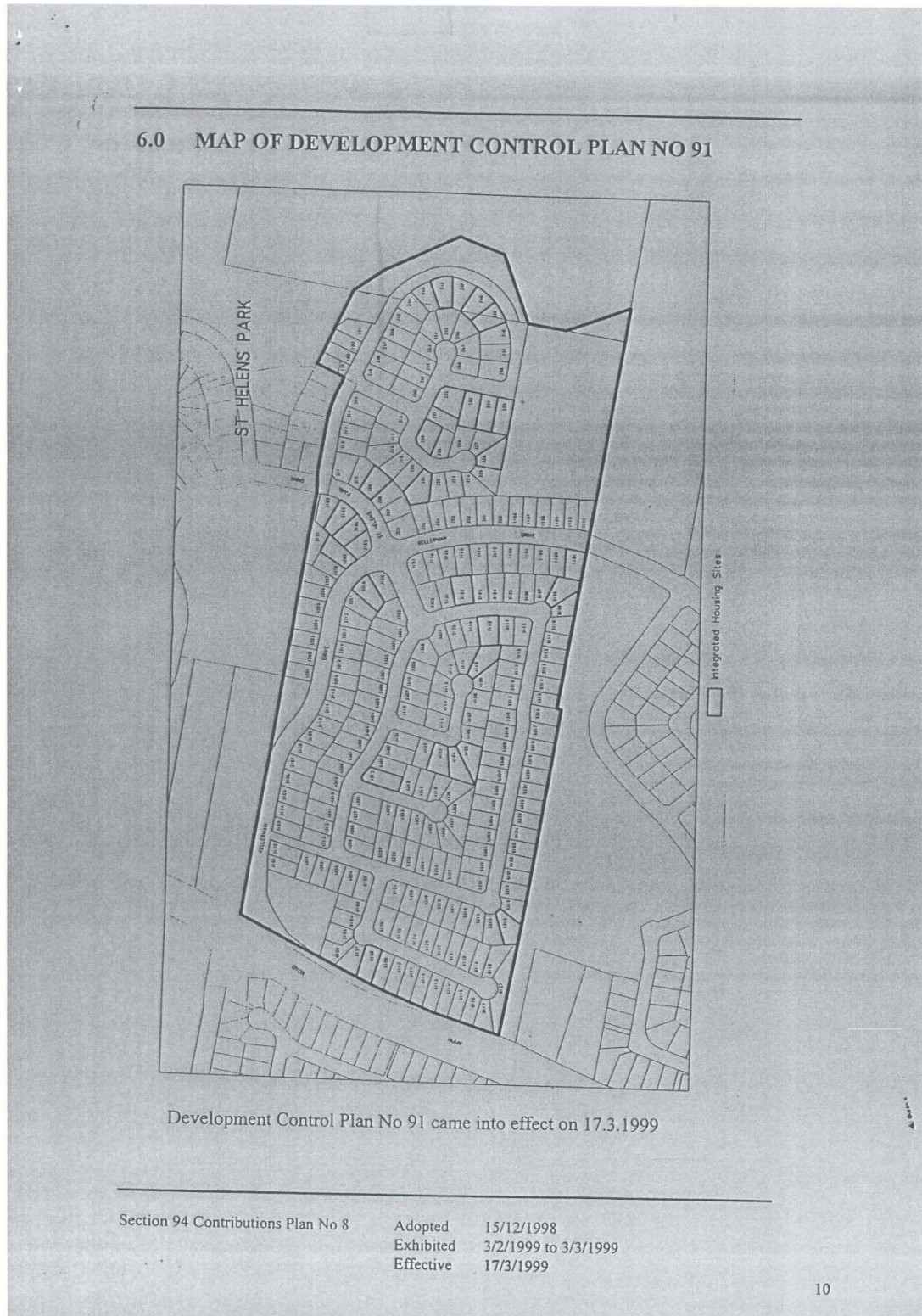
Table 4 outlines the open space dedicated in respect to the subdivisions referred to in Development Control Plan No 91 compared to that required for the 269 lots actually subdivided.

The excess land dedicated will be purchased by Council at the rate of \$285,000 per hectare. On completion of the final subdivision for the land subject to S113/97 Council will purchase the excess open space within 60 days.

Table 4

Open Space	Area (Sq m)
Total required	26,556
Total provided	28,611
Excess dedicated	2,055

6.0 MAP OF DEVELOPMENT CONTROL PLAN NO 91



Development Control Plan No 91 came into effect on 17.3.1999

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