

CONTRIBUTIONS PLAN NO. 67

CAR PARKING

WOY WOY



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1 INTRODUCTION

1.1 Purpose of Plan

Proposed new development in the Woy Woy Commercial Centre must generally include sufficient off-street parking facilities to satisfy the demand for parking likely to be generated by the development. However, it is recognised that in some circumstances this may not be practical. In such cases, a monetary contribution is required to be paid to Council. The required contribution shall be an amount sufficient to enable Council to provide parking facilities in the vicinity, which will compensate for the parking deficiency to be created by the development.

Additionally, in order to maximise the use of available car spaces within the Woy Woy commercial centre, it is Council policy to encourage public car parking facilities. In this regard Council requires that not more than two thirds of the total parking requirement for a new development be provided on site, and that a contribution be paid to Council in lieu of the remaining spaces to be used to provide public car parking in the vicinity.

The purpose of this plan is to provide a clear framework for the collection and spending of such contributions, including details of how the contribution amount is calculated and where new parking facilities are intended to be provided.

The Contributions Plan came into effect on 12 April 1994.

Subsequent amendment came into effect on 19 April 2006.

1.2 Land to which Plan applies

This plan applies to the Woy Woy Commercial Centre as shown edged heavy black on the accompanying plan marked Contributions Plan No. 67 - Car Parking - Woy Woy.

1.3 Operation of Plan

This CP has been prepared in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and Part 4 of the Environmental Planning and Assessment Regulation, 2000.

This CP will come into force on the date of public notification pursuant to Clause 31 of the Environmental Planning and Assessment Regulation, 2000, being 18 April 2012.

1.4 Complying Development and the obligation of Accredited Certifiers

In accordance with section 94EC (1) of the Environmental Planning and Assessment Act 1979, accredited certifiers must impose a condition requiring monetary s94 contributions for any complying development which satisfies the requirements of this contributions plan. The amount of the contribution is to be determined in accordance with the formulae contained within the contributions plan and the current contributions' rate.

The conditions imposed must be consistent with Council's section 94 conditions relating to complying development in accordance with this development contributions plan. It is the professional responsibility of accredited certifiers to keep up to date with any amendments or changes to the plan (including changes to contributions' rate arising from indexation) accurately calculate the contributions and to apply the section 94 condition correctly.

1.5 Construction Certificates and the obligation of Accredited Certifiers

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

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the Environmental Planning and Regulation. The only exceptions to the requirement are where works in kind, material public benefit, dedication of land or a deferred payment arrangement has been agreed by the council. In such cases, council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2 NEXUS

In order to accept contributions, a nexus or link must be established between the proposed development and the need for increased amenities or services. In this case, the plan relies upon the relatively self-evident relationship between commercial and retail activity and the need for car parking. This relationship has been described by various documents including the Roads and Traffic Authority of NSW "Policies, Guidelines, and Procedures for Traffic Generating Development". Council has adopted a Development Control Plan (DCP) for On-Site Care parking, which sets out the amount of car parking required for various types of development. These requirements are based upon the abovementioned Traffic Authority Guidelines, as well as Council's experience with individual developments within the City of Gosford. Where the required amount of parking for a particular development is not provided on site the development will generate a demand for additional parking facilities, which must be provided by Council. This forms the nexus and justifies Council's acceptance of a monetary contribution to provide such facilities.

3 DEMAND

The number of contributions, which will be received, is dependent upon the rate of new development and the circumstances of particular development sites. It is considered therefore that there is no reliable method for accurately predicting the number of contributions, which will be received over a specified period. However, the number of contributions, which have been received in recent years, may give some indication. In this respect, contributions for a total of 25 spaces were received in the five-year period 1988-1992 inclusive.

4 PROPOSED FACILITIES

With contributions collected in accordance with this plan, it is proposed to construct an additional two decks upon the proposed multi-deck commuter car park located on land adjacent to Deepwater Plaza as indicated on the accompanying plan. The ground floor and levels 1 & 2 of the car park will then be made available for "shopper" parking. This will result in an additional 157 "shopper" parking spaces. If the rate at which funds are collected is such that the proposed parking scheme cannot be implemented within a reasonable time, this plan will be subject to review. Options for review would include formulation and alternate parking scheme which could be implemented with funds available or using funds from other sources to implement the scheme and then recouping the cost through a revised

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contributions plan. Any proposed change to the detail of the contributions plan shall be publicly exhibited in accordance with the Environmental Planning and Assessment Regulation, 2000.

Funds which have previously been collected under Section 94 for the provision of parking facilities in Woy Woy, prior to the adoption of this contribution plan, shall be allocated towards the implementation of the parking scheme identified in this plan. This will have the effect of reducing the number of contributions, which must be collected before the proposed parking scheme can be implemented.

5 FORMULAS

Where a monetary contribution is to be paid in lieu of the provision of parking on site, the amount of contribution required shall be calculated in accordance with the following formula.

$$C = N \times P \times F$$

Where:

C = contributions required

N = the number of car spaces for which a contribution is to be paid (see Appendix I)

P = cost per car space of the parking facilities proposed in this plan (see Appendix II for details)

F = apportionment factor (see Appendix III)

The contribution is adjusted quarterly by multiplying it by (I_1 / I_2) indexation figures.

I_1 = Current quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician.

I_2 = Original quarter "Consumer Price Index (All groups Index) for Sydney" issued by the Australian Statistician = 108.8 (December 1993)

6 TIMING OF PAYMENT

- i Development applications involving building - payment prior to the release of the construction certificate.
- ii Development applications not accounted for in (i) - payment prior to the release of development consent.
- iii Complying Development Certificates prior to the release of the complying development certificate.

Deferred payment may be accepted (Bank Guarantee or similar) and the form of payment will be considered at the development application stage.

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7 ACCOUNTS

A register is kept by Council, which outlines the following information:

- funds held as at 20 April 1994 along with interest accrued.
- funds received from 20 April 1994 onwards, under the new regulations pertaining to Section 94 contributions.
- funds will be accounted for separately in keeping with the individual contributions plans, ie: each Contribution Plan will have a separate account.
- source of all funds received from 20 April 1994 onwards.
- expenditure of all funds.

These records are kept in accordance with the Environmental Planning and Assessment Act, Regulation, 2000 as amended. These records are available for public perusal at the ground floor counter.

In accordance with the Regulations, an annual statement will be prepared and available for public perusal, along with the register of accounts.

APPENDICES

I CONTRIBUTION RATES

Contribution rates for different types of development will vary according to the size of the development, the demand for parking likely to be generated by the use of the building or land, and the number of parking spaces to be provided on site. Criteria for determining the number of car spaces a development is likely to require is contained in Council's Development Control Plan for Car Parking.

Where contributions are to be paid, the cost per car space is the same for all types of development – as shown in Appendix II.

II SCHEDULE OF WORKS

It is proposed to construct an additional deck upon the proposed multi-deck commuter car park adjacent to Deepwater Plaza as shown on the accompanying plan. The ground floor and levels 1 & 2 of the car park will then be made available for "shopper" parking for up to 157 vehicles. An estimated cost for the project and the consequent cost per space is shown in the schedule below:

Total cost of construction \$1,450,000.00

Cost per space \$ 9,236.00

Costs shown in the schedule are reviewed periodically to reflect current land values.

Construction costs are adjusted annually in accordance with the "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician.

The current cost per space is available from the Ground Floor Enquiry Counter of Council's Administration Building.

III APPORTIONMENT FACTOR

The apportionment factor for this Contributions Plan is based on the assumption that a development should only pay for the proportion of demand it will create for each parking space to be provided.

The apportionment factor is given by the following formula:

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Apportionment Factor = the demand generated by the proposed development for each car space for which a contribution is paid (assume equal to one)

Total theoretical demand for each space for which a contribution is paid

$$= \frac{1}{\text{Number of cars searching for public parking} / \text{Number of public spaces available}}$$

$$= \frac{1}{(D - P_2 = N) / (P + N + C)}$$

$$= \frac{P + N + C}{D - P_2 + N}$$

Where:

- P = Total number of public car parking spaces available
- N = The number car parking spaces for which a contribution is to be paid.
- D = Theoretical car parking demand for study area based upon Council's Parking Policy. P₂ = Total number of off-street parking spaces located on privately owned land.
- C = Number of spaces which will be provided with existing S.94 Contribution Funds.

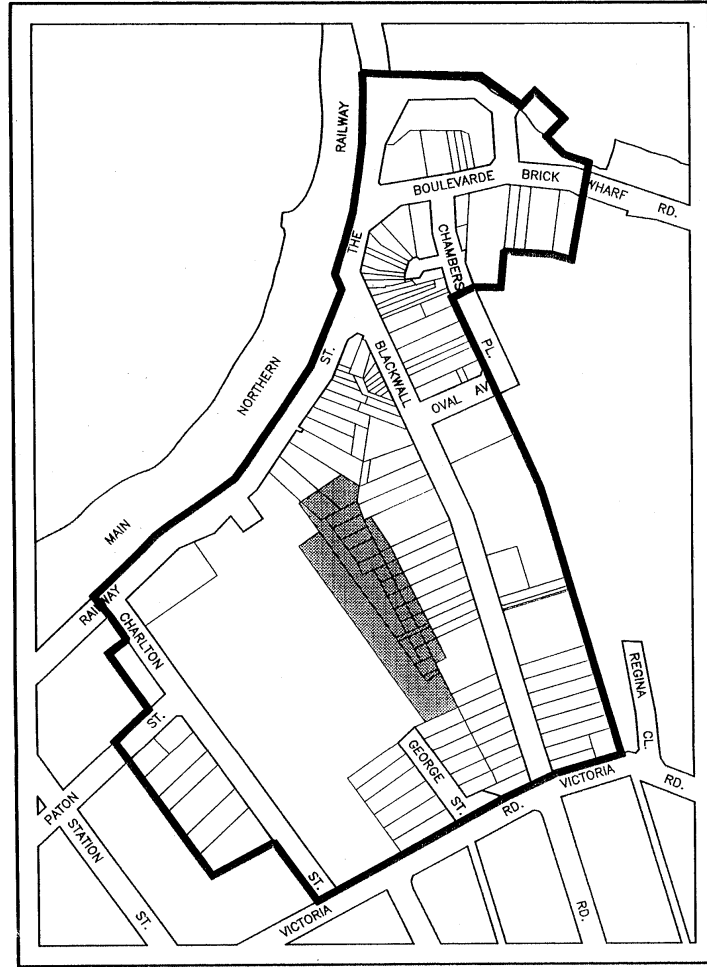
Values for the above variables have been obtained from a study of the Woy Woy commercial centre carried out in April 1993. A copy of the study is attached to Council's File No. 378.02. Values obtained for each of the variables are as follows:



- P = 1039
- D = 1396
- P₂ = 422
- C = 26 (\$234,077)

Apportionment Factor = (10665 + N) / (974 + N)

Note that in this case the apportionment factor will exceed one (1), meaning that parking provision in the Woy Woy commercial area currently exceeds demand, and any new development will have access to a higher level of parking than the development itself is required to provide under Council's Parking Policy. It would be unreasonable to increase the amount of contribution on this basis, consequently, whilst the apportionment factor exceeds one it shall be disregarded for the purpose of this plan.

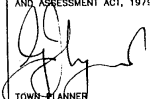


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 BOUNDARY OF LAND AFFECTED BY THIS CONTRIBUTION PLAN
 PROPOSED LOCATION OF ADDITIONAL CAR PARKING FACILITIES

SCALE 1:4000



<p>THIS PLAN COMES INTO FORCE FROM 20TH APRIL, 1994 TO THE EXTENT TO WHICH IT IS CONSISTENT WITH THE GOSFORD PLANNING SCHEME ORDINANCE, THE GOSFORD LOCAL ENVIRONMENTAL PLAN NO. 200, OR ANY SUBSEQUENT LOCAL ENVIRONMENTAL PLAN WITHIN THE AREA.</p> <p>COUNCIL FILE NO. 378.02 COUNCIL REGISTERED PLAN NO.</p> <p>CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979, AND REGULATIONS.</p> <p>  20.4.94  </p> <p>TOWN PLANNER DATE SUPERVISING DRAFTSPERSON</p>	<p>GOSFORD CITY COUNCIL</p>  <p>CONTRIBUTIONS PLAN NO. 67</p> <p>CAR PARKING</p> <p>WOY WOY</p>
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