

CONTRIBUTIONS PLAN NO. 70

# CAR PARKING

EAST GOSFORD



This Page Intentionally Left Blank

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**

**LIST OF CONTENTS**

**1 INTRODUCTION**

- 1.1 Purpose of Plan
- 1.2 Land to which Plan Applies
- 1.3 Operation of Plan
- 1.4 Complying Development and the obligation of Accredited Certifiers
- 1.5 Construction Certificates and the obligation of Accredited Certifiers

**2 NEXUS**

**3 DEMAND**

**4 PROPOSED FACILITIES**

**5 FORMULAS**

**6 TIMING OF PAYMENT**

**7 ACCOUNTS**

**APPENDICES**

- i Contribution Rates
- ii Schedule of Works
- iii Apportionment Factor

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**

## **1 INTRODUCTION**

### **1.1 Purpose Of Plan**

Proposed new development in the East Gosford 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.

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 East Gosford Commercial Centre as shown edged heavy black on the accompanying plan marked Contributions Plan No. 70 - Car Parking - East Gosford.

### **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**

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 Car 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 eight spaces were received in the five year period 1988-1992 inclusive.

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**

**4 PROPOSED FACILITIES**

With contributions collected in accordance with this plan, it is proposed to create a carpark occupying land known as No 26, 28 and 30 Brougham Street (Lot 5 DP 19390, Lot 13 DP 18733, and Lot 1 DP 339320). There is an existing car park located at No 30 Brougham Street containing twenty-four (24) parking spaces. Council has also purchased No 26 Brougham Street with the intention of providing additional parking. It is proposed to acquire No 28 Brougham Street, remove the two dwelling houses located on No 26 and No 28 Brougham Street and construct a carpark occupying all three lots providing a total of seventy-four (74) parking spaces. Details of costs are shown in Appendix II.

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 formulating an 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 contributions plan. Any proposed change to the detail of this contribution 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 Umina, prior to the adoption of this contributions plan, shall be allocated toward 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 = contribution 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)

F = apportionment factor (see Appendix III)

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**

The contribution is adjusted quarterly by multiplying it by (I<sub>1</sub> / I<sub>2</sub>) indexation figures.

- I<sub>1</sub> = Current quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician.
- I<sub>2</sub> = Original quarter "Consumer Price Index (All Groups Index) for Sydney" issued by the Australian Statistician = 108.8 (December 1993)

## **6 TIMING OF PAYMENTS**

- 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.

## **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 contribution 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.

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**

**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**

The long term strategy for the provision of car parking in the East Gosford centre is to create a carpark occupying Nos 26, 28 and 30 Brougham Street. There is an existing Council carpark at No 30 Brougham Street containing 24 spaces. Council has also purchased No 26 Brougham with the intention of providing additional parking. The site is presently occupied by a dwelling house.

An estimate of the cost of converting all three sites to carpark and the consequent cost per space for the additional spaces created is shown in the schedule below.

Existing purchase – No 26	\$79,750
Proposed purchase – No 28	\$150,000
Construction Cost - Nos 26 & 28	\$80,000
Sale of houses – Nos 26 & 28	\$10,000
<b>NET COST</b>	<b>\$299,750</b>
Additional spaces provided 74 – 24 =	50
* Cost/space	\$5,995

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

Construction costs are adjusted 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.

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**

**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.

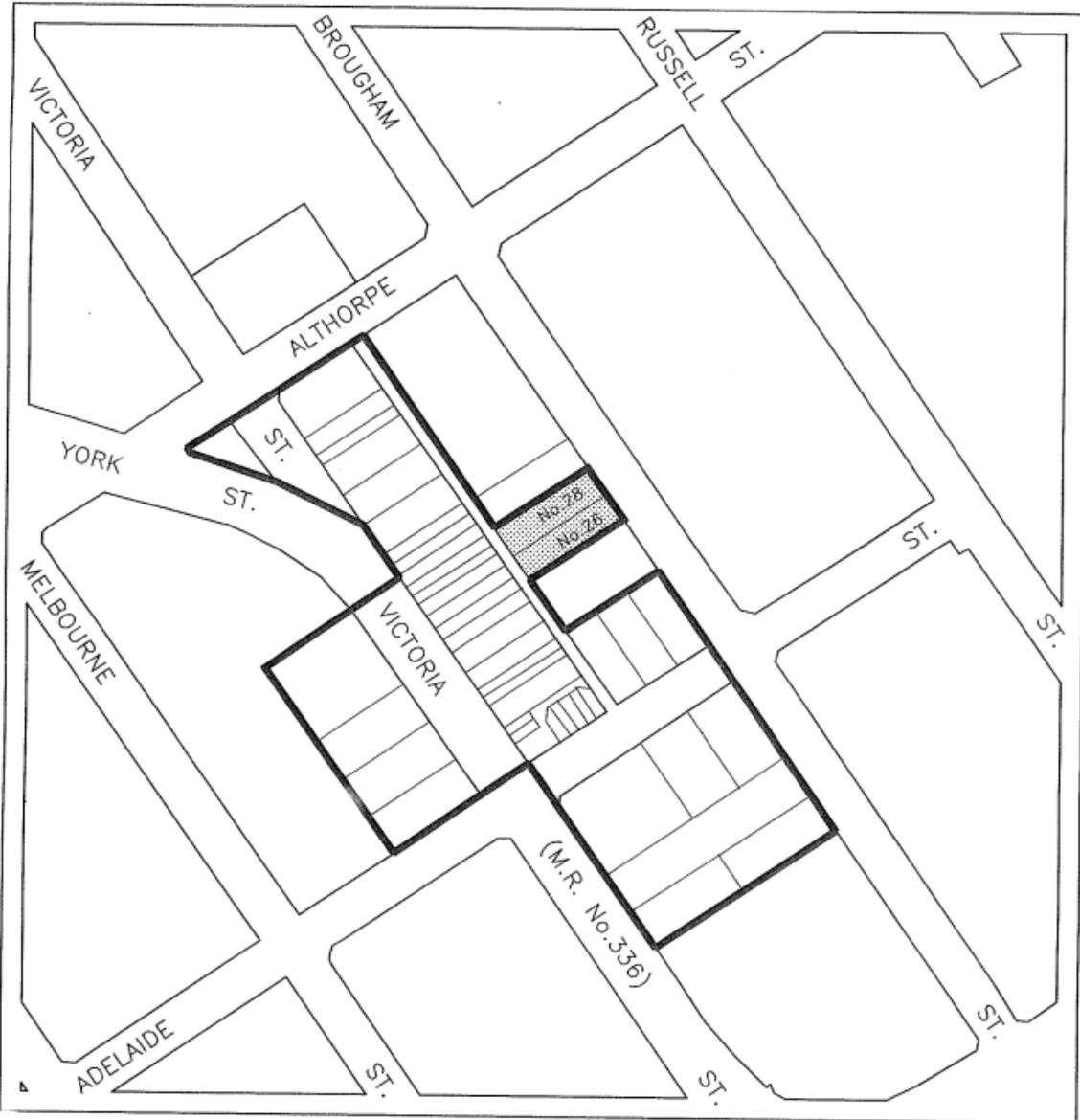
A study of the parking supply of the East Gosford CBD has been carried out. A copy of the study is attached to Council's File No. 378.06. The study revealed that the parking supply of the East Gosford area is adequate in comparison to the theoretical demand for parking based on Council's Car Parking Policy. The study has taken account of both private and public car parking that has been provided in the Centre.

In summary, the apportionment factor is equal to:

$$\begin{aligned} &= \frac{\text{supply}}{\text{demand}} \\ &= \frac{\text{Number of public parking spaces available}}{\text{Number of cars searching for public parking}} \\ &= \frac{\text{Public parking available + no of spaces to be provided with existing S94 funds}}{\text{Theoretical demand – off street public parking in the case of East Gosford CBD}} \\ &= \frac{307 + 19}{338 - 109} \\ &= \frac{326}{229} \end{aligned}$$

Note that in this case the apportionment factor will exceed one (1), meaning that parking provision in the East Gosford 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.

**CONTRIBUTIONS PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**



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



C:\DC\CARPARK\EASTGOS.DC2 A3

SCALE 1:2000

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.

COUNCIL FILE NO. 378.06  
COUNCIL REGISTERED PLAN NO.

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979, AND REGULATIONS.

TOWN PLANNER

20.4.94  
DATE

SUPERVISING DRAFTSPERSON

GOSFORD CITY COUNCIL



**CONTRIBUTIONS  
PLAN NO. 70  
CAR PARKING  
EAST GOSFORD**