



24 April 2003

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT AN ORDINARY COUNCIL MEETING OF THE COUNCIL OF THE CITY OF RANDWICK WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, 90 AVOCA STREET, RANDWICK, ON TUESDAY, 29TH APRIL, 2003 AT 6:00 PM

1 Council Prayer

2 Apologies

3 Minutes

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 25TH MARCH, 2003.

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 27TH MARCH, 2003.

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 16TH APRIL, 2003.

4 Addresses to the Council by the Public

5 Mayoral Minutes

6 General Manager's Reports

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GENERAL MANAGER.



GENERAL MANAGER'S REPORT

07/2003

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| SUBJECT: | 2003/06 DRAFT MANAGEMENT PLAN & BUDGET |
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|--------------|----------------|-----------------|-----------|
| DATE: | 17 April, 2003 | FILE NO: | 98/S/0555 |
|--------------|----------------|-----------------|-----------|

REPORT BY: GENERAL MANAGER

INTRODUCTION:

Section 402 of the Local Government Act 1993 requires each council to prepare a draft management plan each year, setting out:

- (a) The Council's activities for at least the next 3 years, and
- (b) The Council's revenue policy for the next year.

The Act specifies in more detail the information that is to be included in the draft management plan:

s403 Contents of draft management plan with respect to council's work and activities

- (1) The draft management plan must contain the following statements with respect to the council's activities for the period to which it relates:
 - a statement of the principal activities that the council proposes to conduct
 - a statement of the objectives and performance targets for each of its principal activities
 - a statement of the means by which the council proposes to achieve these targets
 - a statement of the manner in which the council proposes to assess its performance in respect of each of its principal activities
 - statements with respect to such other matters as may be prescribed by the regulations.
- (2) The statement of principal activities must include the following particulars:
 - capital works projects to be carried out by the council
 - services to be provided by the council
 - asset replacement programs to be implemented by the council
 - sales of assets to be conducted by the council

- activities of a business or commercial nature to be undertaken by the council
- human resource activities (such as training programs) to be undertaken by the council
- activities to properly manage, develop, protect, restore, enhance and conserve the environment in a manner that is consistent with and promotes the principles of ecologically sustainable development
- activities in response to, and to address priorities identified in, the council's current comprehensive report as to the state of the environment and any other relevant reports
- programs to be undertaken by the council to implement its equal employment opportunity management plan.

s404 Contents of draft management plan with respect to council's revenue policy

- (1) A draft management plan must include the following statements with respect to the council's revenue policy for the next year, subject to the regulations:
 - a statement containing a detailed estimate of the council's income and expenditure
 - a statement with respect to each ordinary rate and each special rate proposed to be levied
 - a statement with respect to each charge proposed to be levied
 - a statement of the types of fees proposed to be charged by the council and the amounts of each such fee
 - a statement of the council's pricing policy with respect to the goods and services provided by it
 - a statement of the amounts or rates proposed to be charged for the carrying out by the council of work on private land
 - a statement of the amounts of any proposed borrowings (other than internal borrowing), the sources from which they are proposed to be borrowed and the means by which they are proposed to be secured
 - statements with respect to such other matters as may be prescribed by the regulations.
- (2) The statement with respect to an ordinary or special rate proposed to be levied must include the following particulars:
 - the ad valorem amount (the amount in the dollar) of the rate
 - whether the rate is to have a base amount and, if so:
 - the amount in dollars of the base amount, and
 - the percentage, in conformity with section 500, of the total amount payable by the levying of the rate, or, in the case of the rate, the rate for the category or sub-category concerned of the ordinary rate that the levying of the base amount will produce
 - the estimated yield of the rate
 - in the case of a special rate-the purpose for which the rate is to be levied
 - the categories or sub-categories of land in respect of which the council proposes to levy the rate.

- (3) The statement with respect to each charge proposed to be levied must include the following particulars:
 - the amount or rate per unit of the charge
 - the differing amounts for the charge, if relevant
 - the minimum amount or amounts of the charge, if relevant
 - the estimated yield of the charge.
- (4) A draft management plan must include a statement containing a general estimate of the council's income and expenditure for the second and subsequent years for which the draft management plan is prepared.
- (5) The statement of fees and the statement of the pricing policy need not include information which could confer a commercial advantage on a competitor of the Council.

s405 Public notice of draft management plan

- (1) A council must give public notice of its draft management plan
- (2) The period of public exhibition must not be less than 28 days
- (3) The public notice must specify that submissions may be made to the council at any time during the period of public exhibition

s406 Adoption of management plan

Before the end of each year, a council must adopt a management plan for the following year after it has been prepared and exhibited. In deciding on the final plan to be adopted, a council must take into consideration any submissions that have been made concerning the draft management plan prepared and exhibited.

ISSUES:

Attached to this report is the draft management plan including the five-year projections, detailed draft estimates of income and expenditure, and a copy of the draft statement of fees, charges and pricing policy.

The draft management plan describes the strategic direction of Council and provides a management tool for its achievement. It outlines the planning process applied in developing the framework for the management plan and shows the relationship between the key directions that describe the strategic intent and the major strategies that will be implemented to achieve our objectives and targets.

The draft management plan also includes other key plans and strategies such as the Social Plan, the EEO Plan, the State of the Environment Report and the Financial Plan.

The draft management plan incorporates the five-year financial projections that will underlie our planning. Our key directions, through a focus on core activities and the management of assets together with the recognition of the need to be more efficient, effective and customer focused, acknowledge the importance of planning for the sustainability of the organisation.

The Budget for 2003/04 proposes a balanced budget.

The funding available from the operational budget again only provides limited capital to meet the funding requirement of capital acquisitions and infrastructure capital works.

The five-year financial projections that are being submitted with this budget indicate that while Council is able to continue with balanced budgets, there remains a significant shortfall in available resources for a reasonable level of infrastructure works in the future.

The fundamental problem is that maintenance costs of Council's assets and infrastructure such as roads, footpaths, drainage, parks and reserves as well as the costs of services provided by Council is increasing at a rate significantly in excess of the revenue Council is able to raise from rates and charges. (Rates represent only some 50% Council's operating revenue.) This is comprehensively documented in Council's submissions to the Sproats and Woodward Inquiries.

A further compounding factor is that Council has an expanding asset and infrastructure base as new works are completed. These additional and improved assets exacerbate the demand for maintenance.

The expectations of Council's community are also constantly rising and this generates demand for increase expenditure on environmental and social issues.

Rate pegging and statutory limitations on other charges are limiting the revenue growth necessary to keep up with increasing maintenance and service costs. Council's inability to bridge this gap between revenue and costs will be ultimately reflected in a further deterioration of Council's assets and infrastructure as well as a reduction in other services or service levels.

Every line item in the budget submitted to Council has undergone rigorous scrutiny and has satisfied strict criteria prior to inclusion in the detailed budget. Every opportunity has also been taken to maximise income from fees, charges and grants within the limitations imposed by the State Government.

The documents attached to this report provide detailed information and projections of the source and application of funds, operating result from ordinary activities, and the estimated balances of financial reserves.

The Council is therefore faced with the challenge of meeting not only the demands of an ageing infrastructure but also the demands for expansion, and improvement of its services. These challenges are not unique to Randwick City Council. Government agencies at all levels face the same difficulties. However, few face the combination of demands affecting Randwick City which has a comparatively low rating base.

There is an ongoing commitment to achieving increased revenue, efficiency savings and/or administrative savings. Internal targets will be set with the aim of achieving further structural changes in the budget that will allow Council over a period of time, to adjust its

activities to the funds available and provide a more acceptable level of essential maintenance of our assets and infrastructure.

TCS REPLACEMENT

This will be a major expenditure item, as it will involve replacement of all current computer systems and a long-term contract. Council has been building up funds in a reserve account for this purpose.

DOMESTIC WASTE MANAGEMENT CHARGE

Under S.496 of the *Local Government Act 1993*, Council must make and levy an annual charge for providing domestic waste management services. Under S.504 of the Act, income from the charge must not exceed the reasonable cost to Council of providing those services. The domestic waste management charge is proposed to increase from \$242 to \$255 for each residential occupancy.

The change will cover the costs related to CPI adjustments in waste disposal contracts, anticipated increases in disposal fees and the funding of remedial action on a number of closed landfill sites including Yarra Bay and Malabar .

RATES TO BE LEVIED

Land within the City of Randwick is categorised as either Residential or Business for rating purposes under the *Local Government Act 1993*.

Council has resolved not to use base rates. It has decided to apply *ad valorem* rates on all parcels of rateable land, and subject the land to minimum rate charges.

Council has based its budget on the estimated permissible increase in rates income of 3%.

Accordingly, it is proposed to levy an *ad valorem* rate of 0.28781 cents in the dollar on all parcels of rateable residential land (subject to a minimum charge of \$448.40), and an *ad valorem* rate of 1.1434 cents in the dollar on all rateable business land (subject to a minimum charge of \$722.30) for 2003/04.

Deleted: 0.??

Deleted: \$398.40

Deleted: 1.0258

Deleted: \$641.70

The following table sets out details of the proposed rates levy:

| | 3% INCREASE | |
|---------------------|------------------|---------------|
| TYPE (ORDINARY) | Residential Rate | Business Rate |
| CENTS IN THE DOLLAR | 0.28781 | 1.1434 |
| MINIMUM RATE | \$448.40 | \$722.30 |
| EST. GROSS YIELD | \$30,657,163 | \$8,664,640 |

INTEREST CHARGES

The Minister has determined that the maximum interest for 2003/2004 is 9%. Where rates or charges are unpaid after they become due and payable, interest shall accrue on a daily

basis at the rate of 9% per cent per annum simple interest in accordance with S.566 of the Local Government Act 1993.

CONCLUSION:

The draft management plan and the associated documents are now tabled for Council's consideration. Following the adoption of these drafts, the draft management plan must be placed on public exhibition for a minimum of 28 days.

RECOMMENDATION:

That the Draft Management Plan be placed on public exhibition for not less than 28 days, from 30 April 2003 to 29 May 2003, inviting submissions from the public.

That at the conclusion of the period of public exhibition a meeting of Council be held to consider any submissions made concerning the Draft Plan, and after taking into consideration such matters, as it considers relevant, Council adopt the Management Plan.

ATTACHMENT/S:

ALL UNDER SEPARATE COVER -
2003/06 Draft Management Plan
2003/04 Draft Budget
2003/04 Draft Fees & Charges

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GENERAL MANAGER

GENERAL MANAGER'S REPORT

08/2003



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| SUBJECT: | AFFIXING COUNCIL'S SEAL TO DOCUMENTATION |
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|--------------|----------------|-----------------|-----------|
| DATE: | 15 April, 2003 | FILE NO: | 98/S/0018 |
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REPORT BY: GENERAL MANAGER

INTRODUCTION:

Clause 43 of the Local Government (Meetings) Regulations 1993 requires that the Seal of Council must not be affixed to a document unless the document relates to business of the Council and the Council has resolved (by resolution referring to the document) that the Seal be so affixed.

ISSUES:

In early 2000, the NSW Department of Community Services commenced work on developing a new Service Framework for the departments Community Service Grants Program (CSGP). This new framework has taken over two years to develop and has been undertaken with a high level of consultation of peak organisations including the Local Government and Shires Association.

The framework will provide government with better information about the benefits to individuals, families and communities of CSGP funded services. The CSGP Service framework is designed to describe the essential elements of services provided for DoCS and the funded organization, to move to a service purchasing framework.

Council currently receives a partial contribution of funding through the CSGP Program for three positions located in the Community Development Unit. An individual Service Agreement has been developed for each of these positions.

It is necessary for the Council's Seal to be affixed to the following documents;

NSW Department of Community Services Community Service Grants Program Service Specifications for the following part funded positions located in the Community Development Department:

- 1) Community Worker 1 Project Code 10060
- 2) Community Worker 2 Project Code 80834

3) Youth Worker Project Code 10037

These specifications are in operation until 30/6/2004.

CONCLUSION:

As Clause 43 of the Meeting Regulation requires that the Council pass a resolution authorising the affixing of the Seal, it is necessary for this action to take place to facilitate legal formalities being completed.

RECOMMENDATION:

That authority is granted for the Council's Common Seal to be affixed to:

1. NSW Department of Community Services CSGP Service Specifications for Community Workers 1 & 2 and the Youth Worker positions as outlined in this report.

ATTACHMENT/S:

Nil

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GENERAL MANAGER

GENERAL MANAGER'S REPORT

09/2003



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| SUBJECT: | AFFIXING OF THE COUNCIL SEAL |
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|--------------|----------------|-----------------|---|
| DATE: | 22 April, 2003 | FILE NO: | 98/S/1803 xr P/002151, P/001264, P/012914, P/000738 |
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REPORT BY: GENERAL MANAGER

INTRODUCTION:

Clause 48 of the Local Government (Meetings) Regulations 1993 requires that the Seal of the Council must not be affixed to a document unless the document relates to business of the Council and the Council has resolved (by resolution referring to the document) that the Seal be so affixed.

ISSUES:

It is necessary of the Council's Seal to be affixed to the signing of leases and licence agreements between Council and –

1. Randwick Information & Community Centre for the signing of a four (4) month Commercial Lease Agreement for the purpose of temporary accommodation during refurbishment works of Bowen Library, of an information centre, training area and consultation rooms including neighbourhood and community centre at 26-28 Waratah Avenue, Randwick.
2. Transcend Properties Pty Limited for the signing of a Commercial Lease Agreement for the purpose of commercial (Architectural) offices at 128 Belmore Road, Randwick.
3. Sandra Sostres (T/As Bluegroper Café) for the purpose of Outdoor Dining at 201 Clovelly Road, Clovelly.
4. Jing Cong Xue & Mali Zhuang (T/As Le Casa De Spaghetti) for the purpose of Outdoor Dining at 190 Arden Street, Coogee.

CONCLUSION:

As Clause 48 of the Meetings Regulation required that the Council pass a resolution authorising the Affixing of the Seal, it is necessary for this action to take place to facilitate legal formalities being completed.

RECOMMENDATION:

That authority be granted for the Council's Common Seal to be affixed to the lease and licence agreements between Council and –

1. Randwick Information & Community Centre for the signing of a four (4) month Commercial Lease Agreement for the purpose of temporary accommodation during refurbishment works of Bowen Library, of an information centre, training area and consultation rooms including neighbourhood and community centre at 26-28 Waratah Avenue, Randwick.
2. Transcend Properties Pty Limited for the signing of a Commercial Lease Agreement for the purpose of commercial (Architectural) offices at 128 Belmore Road, Randwick.
3. Sandra Sostres (T/As Bluegroper Café) for the purpose of Outdoor Dining at 201 Clovelly Road, Clovelly.
4. Jing Cong Xue & Mali Zhuang (T/As Le Casa De Spaghetti) for the purpose of Outdoor Dining at 190 Arden Street, Coogee.

ATTACHMENT/S:

Nil

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GENERAL MANAGER

GENERAL MANAGER'S REPORT

10/2003



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| SUBJECT: | BANK OVERDRAFT |
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|--------------|---------------|-----------------|-----------|
| DATE: | 2 April, 2003 | FILE NO: | 98/S/0038 |
|--------------|---------------|-----------------|-----------|

REPORT BY: GENERAL MANAGER

INTRODUCTION:

To review bank overdraft facilities.

ISSUES:

The Commonwealth Bank of Australia is reviewing the overdraft facility available and has requested advice of the Council's requirements

The present limit is \$400,000 and no change is proposed.

CONCLUSION:

Council has power under S622 of the Local Government Act to borrow by means of limited overdraft.

RECOMMENDATION:

That application be made to the Commonwealth Bank of Australia for an overdraft facility of \$400,000 in respect of the General Fund and that it be completed under the Common Seal of the Council.

ATTACHMENT/S:

Nil.

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GENERAL MANAGER

Director Governance, Management & Information Services' Report 10/2003



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| SUBJECT: | RATES PAYMENTS AT AUSTRALIA POST |
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|--------------|---------------|-----------------|-----------|
| DATE: | 8 April, 2003 | FILE NO: | 98/S/0181 |
|--------------|---------------|-----------------|-----------|

REPORT BY: DIRECTOR GOVERNANCE, MANAGEMENT & INFORMATION SERVICES

INTRODUCTION:

To assist ratepayers, Council has investigated the option of extending its current rates payment method to include payment in person at Australia Post.

ISSUES:

Council currently offers five methods of payment to rate payers:

- 1 Direct Debit from savings and cheque accounts;
- 2 BPAY from debit and credit cards;
- 3 Payment by mail – cheque sent to a CBA lockbox for processing;
- 4 Payment by cash or cheque at any Commonwealth Bank; and
- 5 Payment at Council's Customer Service Centre by cash, cheque and credit or debit card.

Australia Post has the largest bill payment network in Australia, with over 4,000 outlets throughout Australia. They offer 367 outlets in NSW, **10 of those within the Randwick Area**. Comparatively, the Commonwealth Bank has 1,000 branches throughout Australia, 194 in NSW, and only **6 in the Randwick Area**.

Australia Post represents more than 520 billing organisations with POSTbillpay. POSTbillpay offers payment of accounts such as telecommunications, tax, credit cards, gas, electricity, water and insurance premiums.

The implementation of payment by POSTbillpay would not require any change in technology as existing systems are capable of retrieving the daily payment data. Rate Notices will be bar coded to assist data integrity and error free transactions.

The cost to Council is:

Establishment fee \$1,500 including GST

Transaction fee \$1.45 including GST

Merchant Service fee 1.232% of every credit card transaction including GST

**COST OF AVERAGE RATES PAYMENT AT AUSTRALIA POST, CBA AND COUNCIL
AVERAGE QUARTERLY RESIDENTIAL RATES - \$231.18**

| ALL FEES INCLUDE GST | TRANS FEE | AD VALOREM | TOTAL |
|-----------------------------------|----------------------|-----------------------|--------------|
| AUST POST – Credit Card | \$1.45 | \$2.85 | \$4.30 |
| Debit Card, Cash or Cheque | \$1.45 | | \$1.45 |

| | | | |
|---------------------|--------|--|--------|
| CBA - Cheque | \$1.81 | | \$1.81 |
| Cash | \$1.54 | | \$1.54 |

| | | | |
|---|----------|--------|----------|
| COUNCIL - | | | |
| Credit Card | | \$3.35 | \$3.35 |
| Debit Card | | \$0.69 | \$0.69 |
| Cheque | \$0.35** | | \$0.35** |
| Cash - 0.25% if over \$3,000 cash collected in 1 day | | \$0.58 | \$0.58 |
| Direct Debit | \$0.14 | | \$0.14 |

** No GST Payable

CONCLUSION:

As the above comparison shows, Credit Card payment is an expensive method due to the percentage-based merchant fees charged by banks.

POSTbillpay is a proven, popular and secure service.

RECOMMENDATION:

That Council allow payment of Rates and Charges at Australia Post, but limited to cash, cheques and debit cards.

ATTACHMENT/S:

Nil

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MARK HUMMERSTON
DIRECTOR GOVERNANCE,
MANAGEMENT & INFORMATION
SERVICES

Director Planning & Community Development's Report 27/2003



| | |
|-----------------|--|
| SUBJECT: | Use of State Environmental Planning Policy (SEPP) No. 1 in Development Applications - Update for third quarter of 2002/03 Financial Year |
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|--------------|---------------|-----------------|-----------|
| DATE: | 9 April, 2003 | FILE NO: | 98/S/3412 |
|--------------|---------------|-----------------|-----------|

REPORT BY: DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

INTRODUCTION:

At its meeting of 23 July, 2002 Council resolved that statistics be kept on the number of SEPP 1 applications submitted to Council and the number of these applications approved or refused.

This report follows on from Director Planning & Community Development's Reports to the HBPC meeting held on 12 November 2002 and 15 January 2003. It provides figures for the third quarter of the 2002/03 financial year as well as an overall cumulative figures for the period between July 1, 2002 and March 31, 2003.

SEPP 1 FIGURES:

1 January, 2003 – 31 March, 2003

In the most recent quarter, there were 10 Development Applications determined by Randwick Council, which included SEPP 1 variations to development standards. During this period Council determined 262 Development Applications. Accordingly the SEPP 1 variations represented 3.8 % of the total applications processed during this period.

Of the 10 approvals 5 related to Multi Unit Housing developments, 3 for attached dual occupancies, 1 for a commercial building and one for mixed commercial and residential building. 9 approvals have been under delegated authority and were considered to be minor variations. One approval has been determined under Council for a mixed commercial and residential building in Maroubra. The variation approved related to the maximum residential FSR. However, the total FSR of 3:1 was remained unchanged.

Once again the variations were predominately for development in residential zonings with 5 variations in the 2C zone, 3 variations in the 2A zone, 1 variation in the 2B zone and 1 under 3A. All variations were minor.

The variations related to the following clauses of Randwick LEP 1998:

Residential

- Clause 31(2) – Landscaping in 2B/2C zones

- Clause 32(1) – FSR in 2A/2B/2C
- Clause 32(2) – FSR in 2C zone where site area < 700sqm
- Clause 32(3) – FSR in 3A zone
- Clause 33(1) – Building Height in 2A/2B
- Clause 33(3) – Building Heights in 2A/2B

Business

- Clause 35(2) – Business premises in residential zone

SEPP 1 Figures: Cumulative 1 July, 2002 – 31 March, 2003

Between 1 July, 2002 and 31 March, 2003 44 approvals were granted for development which included SEPP 1 variations to development standards. This represented 4.9% of the total number of applications determined during this period. Accordingly the trend of SEPP 1 variation has remained relatively constant during the year with SEPP 1 variations continuing to represent around 5% of total applications determined.

CONCLUSION:

During the third quarter of the 2002/03 financial year (Jan-Mar) there were a total of 10 development applications approved, which included a SEPP 1 variation to a development standard. During the period between July 1 2002 and March 31, 2003 a total of 44 SEPP 1 approvals have been granted. When compared to figures reported for previous financial years the proportion of SEPP 1s to total applications determined has remained relatively constant.

Given the nature of developers to maximise building potential the current percentage (5%) of SEPP1 variations to development standards may be considered to be relatively low and reflects well on the appropriateness of the city's current development standards.

Council continues to monitor the number and extent of SEPP 1 variations and will consider SEPP 1 figures in any future review of Randwick LEP 1998.

RECOMMENDATION:

It is recommended that the Council receive and note this report

ATTACHMENT/S:

Nil

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SIMA TRUUVERT

DIRECTOR PLANNING & COMMUNITY
DEVELOPMENT

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ZORAN CURCIC

PLANNING RESEARCH OFFICER

***Director Planning & Community
Development's Report 28/2003***



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|-----------------|---|
| SUBJECT: | Maroubra Seals Club - 11-13 Fenton Avenue, Maroubra |
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|--------------|----------------|-----------------|-----------|
| DATE: | 23 April, 2003 | FILE NO: | D/1105/02 |
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REPORT BY: DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

INTRODUCTION:

Council at its Ordinary Meeting held on 25 February 2003 resolved that Development Application No. 1105/2002 to demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club be deferred to allow for receipt of legal advice on the right of way which benefits adjoining properties on Fenton Avenue, Maroubra.

Council's solicitors have advised that the properties 1-15 Fenton Ave currently benefit from the right of way and that the proposed car park would result in substantial interference with the right of way.

The application was deferred at the Health, Building and Planning Committee Meeting on 8 April 2003 to allow the applicant to give consideration as to whether or not to lodge amended plans. The applicant submitted amended plans on Tuesday 16 April 2003 indicating a reconfigured carpark and the deletion of the proposed car spaces over the right of way. In lieu of the car spaces over the right of way, two parallel car spaces are proposed along the eastern boundary of the site clear of the right of way. A total number of 23 car spaces are now proposed.

The applicant has also indicated in the amended statement of environmental effects that vehicular ingress to the car park will be restricted from 10.00pm Sunday to Thursday and 11.00pm Friday and Saturday. It is also proposed that any lighting is directed within the proposed car park and that the existing Seal's Club Closed Circuit Television System be extended to include the proposed car park. Noise impacts are proposed to be mitigated by the provision of a 1.8m "acoustic sandwich panel type fencing".

ISSUES:

The car park layout has been amended so that there are no car spaces proposed over the right of way. However, the amended plans indicate a dwarf retaining wall to be constructed on the right of way, which may impede free passage by the owners who benefit from the right of way. Should Council approve the application a condition must

be included deleting any structures and prohibiting any works on the area of the right of way.

It should be noted that the issue of the right of way is only one of number of concerns raised in relation to the proposed development. The conflict associated with the proposed car park and the residential nature of adjoining and neighbouring properties in terms of noise, the detrimental impact on the streetscape of Fenton Avenue and the potential flooding problems all indicate that the site is unsuitable for its proposed use as a car park.

The amended car park layout proposes two parallel car spaces along the eastern boundary of the site clear of the right of way. Council's Director of Assets and Infrastructure Services has advised that one these parallel car spaces (No.23) should be deleted as there is insufficient turning area for vehicles at this location to exit the car space with a 3 point turn.

The proposed restriction of vehicular ingress to the car park from 10.00pm Sunday to Thursday and 11.00pm Friday and Saturday will reduce the amenity impacts of the proposal. However, vehicular egress cannot be restricted after these hours due to the late trading arrangements of the Seal's Club. Any Club, which is open late in the evening, clearly has the potential to result in a nuisance (generate noise etc) which may interfere with the amenity of residential properties which are in close proximity to the Club and car park. The noise impacts associated with patrons leaving the Club would include opening and closing of car doors, loud voices and the operation of engines & radio and it would be difficult for the applicant to control patrons returning to their vehicles to ensure that they do not create a disturbance. It is considered that the proposed acoustic fencing would not mitigate the intermittent noise levels from such actions to an acceptable level.

CONCLUSION:

Whilst the amended plans have to some extent addressed the issue relating to the encroachment on the right of way, the proposed development is still unsatisfactory in terms of its amenity impacts on adjoining and neighbouring properties, the streetscape of Fenton Avenue and the potential flooding problems. Further, an increase in the quantum of parking in the area is inconsistent with ESD principles and cannot be justified given the ample parking that exists in the Maroubra Beach area.

The amended application is therefore recommended for refusal.

RECOMMENDATION:

THAT Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 1105/2002 to Demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club at 11- 13 Fenton Avenue, Maroubra for the following reasons:-

1. The proposed use of the land as a car park would be incompatible with the residential nature of the surrounding area. In terms of its late night usage that could potentially cause noise and disturbance that is to the detriment of the amenity of the residents.
2. The proposed car park at this location would be detrimental to character and visual appearance of Fenton Avenue, that is residential in nature and effectively isolate No. 15 Fenton from the rest of the street.
3. No parking study has been provided to justify the need for additional car parking for the club. Currently there is ample on-street and off-street parking provided in the immediate vicinity of the club.
4. The proposal is inconsistent with the aims of the Randwick LEP 1998 in that it does not promote, protect and enhance the environmental qualities of Randwick.
5. The proposed car park is located in within the vicinity of a 1 in 100 year flood level and could be subject to flooding and potentially put the public at risk.
6. The proposed car park will obstruct an existing right of way that benefits Nos. 1 - 15 Fenton Avenue, 39 – 45 McKeon Street, and 194 - 202 Marine Parade.
7. The proposed car park layout is unsatisfactory as there is insufficient turning area for vehicles to execute a 3-point turn to exit car space No. 23.
8. The proposal does not satisfy the aims of the DCP for Maroubra Beach, in that the development will affect the amenity of the adjoining residential area and the use will be detrimental to character and appearance of the locality.
9. The proposed development would establish an undesirable precedent and is not in the public interest.

ATTACHMENT/S:

Director Planning & Community Development Report 24/2003
 Confidential Legal Advice from Bowen & Gerathy Solicitors under separate cover
 Director Planning & Community Development Report 7/2003
 Development Application Report dated 29 January 2003
 A4 Reduced Plans

.....
 SIMA TRUUVERT
 DIRECTOR PLANNING & COMMUNITY
 DEVELOPMENT

.....
 KERRY KYRIACOU
 MANAGER DEVELOPMENT
 ASSESSMENT



Director Planning & Community Development's Report 24/2003

| | |
|-----------------|-------------------------------|
| SUBJECT: | 11-13 Fenton Avenue, Maroubra |
|-----------------|-------------------------------|

| | | | |
|--------------|----------------|-----------------|-----------|
| DATE: | 24 March, 2003 | FILE NO: | D/1105/02 |
|--------------|----------------|-----------------|-----------|

REPORT BY: DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

INTRODUCTION:

Council at its Ordinary Meeting held on 25 February 2003 resolved that Development Application No. 1105/2002 to demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club be deferred to allow for receipt of legal advice on the right of way which benefits adjoining properties on Fenton Avenue, Maroubra.

ISSUES:

Council's solicitors Bowen & Gerathy have carried out searches of the title to all the properties on the eastern side of Fenton Ave and have advised that No.'s 1- 15 Fenton Avenue benefit from the right of way. The searches also indicate that properties in McKeon Street and Marine Parade also benefit from the right of way.

On the basis of the searches that were undertaken and the legal entitlements of the dominant tenement (i.e. the land which enjoys the benefit of the right of way) Council's solicitors have advised that the car park must be configured and constructed so as to ensure that parked cars and any other structures do not impede free passage by the owners who benefit from the right of way over and along the right of way.

The proposed car park in its current form would need to be amended so that car spaces 22-27 which are situated over the right of way are deleted. Should these car spaces not be deleted then it is considered that a reconfigured car park with the original total number of proposed spaces could not be accommodated within the area excluding the right of way due to the necessary space requirements for safe and straight forward manoeuvring.

It should be noted that the issue of the right of way is only one of number of concerns raised in relation to the proposed development. The conflict associated with the proposed car park and the residential nature of adjoining and neighbouring properties in terms of noise, the detrimental impact on the streetscape of Fenton Avenue and the potential flooding problems all indicate that the site is unsuitable for its proposed use as a car park.

The proposed development would also reinforce the social dependence on the motor vehicle and is inconsistent with ESD principles. The car demands huge amounts of space for movement and storage, and requires very large amounts of energy for passenger kilometre when compared to energy use of efficient mass transport systems. Further, an increase in the quantum of parking in the area cannot be justified given the ample parking that exists in the Maroubra Beach area.

CONCLUSION:

Council's solicitors have advised that the properties 1-15 Fenton Ave currently benefit from the right of way and that the proposed car park would result in substantial interference with the right of way. Given that a number of properties have been identified as benefiting from the subject right of way, reason for refusal No. 6 should be amended to include all the properties, which have dominant tenement.

RECOMMENDATION:

- A. THAT Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 1105/2002 to Demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club at 11- 13 Fenton Avenue, Maroubra for the following reasons:-
1. The proposed use of the land as a car park would be incompatible with the residential nature of the surrounding area. In terms of its late night usage that could potentially cause noise and disturbance that is to the detriment of the amenity of the residents.
 2. The proposed car park at this location would be detrimental to character and visual appearance of Fenton Avenue, that is residential in nature and effectively isolate No. 15 Fenton from the rest of the street.
 3. No parking study has been provided to justify the need for additional car parking for the club. Currently there is ample on-street and off-street parking provided in the immediate vicinity of the club.
 4. The proposal is inconsistent with the aims of the Randwick LEP 1998 in that it does not promote, protect and enhance the environmental qualities of Randwick.
 5. The proposed car park is located in within the vicinity of a 1 in 100 year flood level and could be subject to flooding and potentially put the public at risk.
 6. The proposed car park will obstruct an existing right of way that benefits Nos. 1 - 15 Fenton Avenue, 39 – 45 McKeon Street, and 194 - 202 Marine Parade.
 7. The proposal does not satisfy the aims of the DCP for Maroubra Beach, in that the development will affect the amenity of the adjoining residential area and the use will be detrimental to character and appearance of the locality.

- 8. The proposed development would establish an undesirable precedent and is not in the public interest.

ATTACHMENT/S:

- 1. Confidential Legal advice from Bowen & Gerathy Solicitors - provided under separate cover.
- 2. Director Planning & Community Development's Report 07/2003
- 3. Development Application Report dated 29 January 2003
- 4. A4 reduced plan

.....
SIMA TRUUVERT
DIRECTOR PLANNING & COMMUNITY
DEVELOPMENT

.....
KERRY KYRIACOU
MANAGER DEVELOPMENT
ASSESSMENT

***Director Planning & Community
Development's Report 07/2003***



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|-----------------|-------------------------------|
| SUBJECT: | 11-13 Fenton Avenue, Maroubra |
|-----------------|-------------------------------|

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|--------------|-------------------|-----------------|-----------|
| DATE: | 13 February, 2003 | FILE NO: | D/1105/02 |
|--------------|-------------------|-----------------|-----------|

REPORT BY: DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

INTRODUCTION:

Attached is the Development Assessment Report for the Development Application No. 1105/2002 to demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club for Councils consideration and determination.

RECOMMENDATION:

That Council consider and determine the development application in accordance with the recommendation contained in the attached report.

ATTACHMENT/S:

1. Development Application Report dated 29 January 2003
2. A4 reduced plan

.....
SIMA TRUUVERT
ACTING DIRECTOR PLANNING &
COMMUNITY DEVELOPMENT

.....
ROSIE DINNEN
ENVIRONMENTAL PLANNING
OFFICER

Development Application Report



REPORT BY: DIRECTOR of PLANNING & ENVIRONMENT

DATE: 29 January, 2003 **FILE NO:** D/1105/02

PROPOSAL: Demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club
PROPERTY: 11-13 Fenton Avenue, MAROUBRA
WARD: Central Ward
APPLICANT: Maroubra Seals Club

| | |
|--|----------------------|
| | Subject Site |
| | |
| | |
| | Submissions received |
| | ▲ North |
| | LOCALITY PLAN |

1. EXECUTIVE SUMMARY

The application has been referred to the Health, Building and Planning Committee for determination at the request of Councillors Anthony Andrews, Charles Matthews and Ted Seng.

The application was notified to adjoining and nearby property owners and five submissions were received objecting to the proposal.

The proposal does not satisfy the aims of the Randwick LEP 1998. The proposed car park would be detrimental to the amenity of local residents and adversely impact upon the streetscape of Fenton Avenue. No supporting evidence in terms of a parking study demonstrating the lack of local parking facilities was submitted with the application to justify the need for the proposed car park.

The proposed car park is located in an area that may be subject to flooding. Council's engineers have advised that the proposal will require significant amendments as all parking spaces must be raised a minimum of 150mm above the 1 in 100 year flood level and the carpark suspended on piers to allow stormwater infiltration.

The proposed car park will be constructed over a right of way and will potentially block passage of adjoining residencies through this area.

The application is recommended for refusal.

2. THE PROPOSAL

The proposal involves the demolition of two residential flat buildings, Nos. 11 & 13 Fenton Avenue, and the regrading of the land for use as a car park for the Maroubra Seals Club. It is intended that the proposed car park would connect with the existing car park that adjoins the site (located on the corner of Marine Parade and Mons Avenue) and would provide for 27 additional spaces. A one-way system would operate with cars entering the car park from Fenton Avenue and exiting onto Mons Avenue. It is proposed to remove the existing vehicular crossing to No. 11 and the existing vehicular crossing in front of No. 13 Fenton Avenue would need to be realigned. The car park would be surfaced with bitumen; garden strips and lighting stands are proposed to the eastern and western boundary. The proposed hours of operation of the car park would be 9.30am until 3am.

3. THE SUBJECT SITE AND SURROUNDING AREA:

The subject site is located on the eastern side of Fenton Avenue and is occupied by two, 2 storey flat buildings. No. 11 Fenton Avenue, is a freestanding brick building with a hipped roof, a driveway to the northern side leads to a rear yard area that is mostly concrete paved. No. 13 is brick built, with a parapet roof to the front of the property and an asymmetrical roof form to the rear. No. 13 Fenton Avenue is attached to the adjacent property No. 15. The rear of the site, eastern boundary, abuts the Maroubra Seals car park. To the east of the site is the

commercial area of Maroubra Beach and directly to the south is the Ambulance Station with the Broadarrow and Arthur Byrne Reserves beyond. Fenton Avenue is predominantly characterised by residential flat buildings.

4. SITE HISTORY

There is no relevant recent history relating to the two residential flat buildings. However, there have been recent applications relating to the adjacent Maroubra Seals Club car park:

| | | |
|-------------|--|------------------------------------|
| DA 139/00 | Modification of existing car park and change of vehicular access location from Marine Parade to Mons Avenue. | Approved 23 rd May 2000 |
| DA 272/01 | Modify and extend existing car park | Approved 1 st June 2001 |
| DA 272/01 A | Section 96 application for the deletion of condition 7 and revised car park layout | Approved 13 March 2002 |

5. COMMUNITY CONSULTATION:

The proposal has been notified in accordance with the Local Environmental Plan 1998. The following submissions were received:

5.1 Objections

J Gabriel, C Kafka, Mrs Bushell, B Campbell – Units 1-4 of 9 Fenton Avenue

- Traffic noise & fumes
- Hours of use are not clear
- Noise from late night patrons leaving the club
- Lighting & security issues
- Loss of foliage and trees
- Loss of residential nature of Fenton Avenue

V Schembri – 15 Fenton Avenue

- Increased anti-social behaviour
- Noise disturbance
- Right of Way issues
- Hours of use unclear
- Sufficient car parking in vicinity

G Talbot – 7 Fenton Avenue

- Noise & pollution from traffic
- Proposed fencing adequate to provide security and isolation from the noise and lighting
- Demolition of building will increase the exposure of the surrounding buildings to natural conditions
- Right of Way issues
- Proposal described as an interim measure, what are the long term intentions?

J Otormin – 3/7 Fenton Avenue

- Increase in noise and pollution
- Hours of use unclear
- Decrease in property value

D Silove & J Curtis – 23 Chapman Avenue

- Intrusion and degradation of a quiet residential street
- Ample car parking in vicinity of Beach.
- Noise and pollution concerns

Comment

The objectors have raised valid concerns regarding the potential impact of the proposed car park on the amenity of residents of Fenton Avenue. A car park, serving a late night social venue, is not a compatible use in a residential area, as the hours of operation conflict with the quiet nature of residential area late at night. Concerns have been raised by objectors in terms of the potential nuisance caused from patrons leaving the premises and the possibility of anti-social behaviour. Undoubtedly, there would be noise from patrons leaving the premises, noise and pollution from cars leaving the car park that would be unreasonable and disturb the peace and the amenity of the residents in the locality.

Reference is made to the abundance of car parking the vicinity of the Maroubra Seals Club, in particular on Mons Avenue and by Maroubra Beach. It seems unlikely that the number of patrons requiring car parking would regularly exceed the number of car parking spaces in the Maroubra Beach area to justify more car parking in the vicinity.

There is an existing right of way that crosses the eastern boundary of the site. No. 15 Fenton Avenue currently benefits from the use of the right of way. The construction of a car park over this right of way would not be acceptable because it will obstruct the passage right of the adjacent property.

With regards to concerns raised about security, the Club intends to extend its existing CCTV system to include the proposed car parking area. The Club states in its letter that they work closely with the police on licensing matters and antisocial behaviour. Furthermore, the Club states that the light poles would be directed within the car parking area to avoid light pollution to the surrounding properties.

The proposed hours of operation of the car park is from 9am until 3am, closing when the premises ceases trading each night.

There is currently some vegetation to the frontage of No.11 Fenton Avenue. Two planter boxes included in the proposal, one to the Fenton Avenue frontage and the other to the rear of the site.

5.2 Support

No letters of support were received.

6. TECHNICAL OFFICERS COMMENTS

The application has been referred to the relevant technical officers, including where necessary external bodies and the following comments have been provided:-

6.1 Drainage Issues

The EPCD Department is advised that the subject development site is located in an area that may be subject to flooding. A flood study commissioned by Council and undertaken by Willing and Partners has determined the 1 in 100 year flood level in the vicinity of the subject site to be at RL 6.35 (AHD).

The submitted plans show the proposed parking areas being generally below this 1 in 100 year flood level.

The EPCD Department recommends that prior to any form of development approval being issued, the applicant be requested to submit amended plans showing all parking spaces being raised to a minimum 150 mm above the 1 in 100 year flood level (i.e. to RL 6.5 (AHD)).

It is further noted that proposal must not adversely affect the flood levels and/or frequency of flooding in the area. This may involve suspending the carpark on piers and/or using permeable paving (or similar) to allow stormwater to infiltrate into the ground. The applicant is advised to contact Council's Asset and Infrastructure Services Department regarding this matter (9399 0919) prior to submitting any amended details.

Construction over the right of way

Should consideration be given to approving the proposed carparking area, it is recommended that the EPCD Department obtain legal advice regarding construction over the right of way.

The AIS Department does not support the development proposal in its current form. It is recommended that the applicant be requested to submit amended plans addressing the flooding concerns detailed above, prior to any development consent being issued.

7. MASTER PLANNING REQUIREMENTS

Not applicable.

8. RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

The Development application has been assessed in accordance with the provisions of the following relevant planning documents:

- Randwick Local Environmental Plan 1998.
- Environmental Planning and Assessment Act 1979 as amended.

- Building Code of Australia.
- DCP Parking
- DCP for Maroubra Beach Commercial Precinct (subject site abuts the commercial precinct).

(a) Randwick Local Environmental Plan 1998

The site is zoned Residential 2C under Randwick Local Environmental Plan 1998 and the proposed activity is permissible with Council's consent.

8.1 Policy Controls

a. Development Control Plan Parking

The minimum dimensions for a car parking space as specified in the DCP is 5.5 in length and 2.5m wide, the proposed car parking spaces satisfy this requirement. The proposed car park would be classified as medium term parking in terms of its duration of usage. The DCP requires an entry width of 6-9m for 27 car parking spaces. The proposed entry width from Fenton Avenue is only 3.6m and therefore does not satisfy the DCP requirement

b. Development Control Plan Maroubra Beach Commercial Precinct

The subject site is not covered by this DCP but it directly abuts the area defined in the document as the commercial precinct. The main objectives of the DCP are to encourage development to be in harmony with the surrounding area, sympathetic to the street and to protect the amenity of adjoining residential area. It is considered that the proposed car park will undermine the objectives of the DCP as it will detrimentally affect the amenity of the adjoining residential area in terms of late night noise and disturbance. Moreover, the car park will be detrimental to character and appearance of the locality.

9. ENVIRONMENTAL ASSESSMENT

The site has been inspected and the application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act, 1979, as amended.

9.1 Suitability of the Site

In principle, the proposed demolition of the two residential flat buildings would be acceptable, as the properties are not heritage items nor are they within a conservation area or adjacent to any heritage listed properties. Therefore there is no overriding justification to retain the buildings. However, it is the proposed use of the site that is cause for concern. Whilst the Randwick LEP 1998 lists car parks as a permissible use that requires development consent in Residential 2C zones, it is the responsibility of Council as the consent authority to consider the merits of any development proposal with regard to the aims of the LEP and the objectives of the 2C zone in the determination of a development application.

The purpose of the LEP is to establish development principles for the different zoned areas within the City of Randwick. It is intended to foster development that is appropriate and suitable to both the site and surrounding locality, protecting and enhancing the environment qualities of the city. It is considered that the development of the two lots as a car park would not be a suitable use for the site, as it is incompatible with the surrounding residential use, in terms of intensity and hours of use. Moreover, the proposed development would be detrimental to character and visual appearance of Fenton Avenue. Therefore it is considered that the proposed development conflicts with the objectives of the LEP.

Moreover, the location of a car park in this site would impact upon the wider streetscape of Fenton Avenue, which is characterised by older residential flat buildings, creating a gap in the street's form and effectively isolating no.15 from the rest of the properties in the street. Furthermore, no. 13 & no. 15 are attached dwellings and the demolition of no.13 would impact upon the integrity of No.15 and would leave the building exposed to natural elements.

Indeed, as argued by many of the objectors, there is an abundance of car parking in the vicinity of Maroubra Beach and the Seals Club. When the existing Seals car park adjacent to the club building is full, patrons can use the on-street space on Mons Avenue or use the parking spaces provided by the beach. Moreover, the majority of the Seals Club Patrons would frequent the premise in the evening, when there would be a higher vacancy rate for parking spaces at the beach. The justification for the additional parking, as stated in the letter from the Maroubra Seal dated 6th January, raises concerns that there will soon be parking meters in the vicinity, there are already 4 hour parking restrictions on some parking spaces and the rising popularity of the area due to the new expressway linking Maroubra with western Sydney. It is considered that these reasons for additional parking are not sufficient to warrant additional car parking in the area, given the abundance of existing car parking spaces within walking distance of the premises. Council requires a parking study to be submitted that indicates that consideration has been given to the adequacy of existing parking arrangement in the vicinity, including designated car parks and on-street parking availability, and evidence that other options have been fully explored e.g. possibility of providing underground car parking.

Finally, the Assets and Infrastructure department have evidence that the site is located in an area that may be subject to flooding, the 1 in 100 year flood level in the vicinity of the subject site to be at RL 6.35. The proposal would require significant amendments to address the flooding issues and is unacceptable in its current form.

10. CONCLUSION

It is considered that the proposed car park would be detrimental to the character and appearance of Fenton Avenue and would adversely impact upon the amenity of the adjoining nearby residents. No evidence has been submitted with the application justifying the need for additional car parking facilities and proving that the existing car parking spaces in the Maroubra Beach area are not sufficient. It is therefore recommended that the application be refused.

RECOMMENDATION:

- A. THAT Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 1105/2002 to Demolish existing buildings, regrade land for use as a new car park for the Maroubra Seals Club at 11- 13 Fenton Avenue, Maroubra for the following reasons:-
1. The proposed use of the land as a car park would be incompatible with the residential nature of the surrounding area. In terms of its late night usage that could potentially cause noise and disturbance that is to the detriment of the amenity of the residents.
 2. The proposed car park at this location would be detrimental to character and visual appearance of Fenton Avenue, that is residential in nature and effectively isolate No. 15 Fenton from the rest of the street.
 3. No parking study has been provided to justify the need for additional car parking for the club. Currently there is ample off-street parking provided in the immediate vicinity of the club.
 4. The proposal is inconsistent with the aims of the Randwick LEP 1998 in that it does not promote, protect and enhance the environmental qualities of Randwick.
 5. The proposed car park is located in within the vicinity of a 1 in 100 year flood level and could potential be subject to flooding and potentially put the public at risk.
 6. The proposed car park will obstruct an existing right of way that benefits No. 15 Fenton Avenue.
 7. The proposal does not satisfy the aims of the DCP for Maroubra Beach, in that the development will affect the amenity of the adjoining residential area and the use will be detrimental to character and appearance of the locality.
 8. The proposed development would establish an undesirable precedent and is not in the public interest.

ATTACHMENT/S:

A4 reduced plan

.....
SIMA TRUUVERT
ACTING DIRECTOR PLANNING &
COMMUNITY DEVELOPMENT

.....
ROSIE DINNEN
ENVIRONMENTAL PLANNING
OFFICER

Director Planning & Community Development's Report 29/2003



| | |
|-----------------|---|
| SUBJECT: | S94 Contributions Plan - Draft Amendment applying to Kensington Town Centre |
|-----------------|---|

| | | | |
|--------------|----------------|-----------------|-----------|
| DATE: | 23 April, 2003 | FILE NO: | 98/S/2665 |
|--------------|----------------|-----------------|-----------|

REPORT BY: DIRECTOR PLANNING & COMMUNITY DEVELOPMENT

INTRODUCTION:

Randwick Local Environmental Plan 1998 (Amendment No 27) was gazetted on 8 January 2003 introducing new planning and design provisions for the Kensington Town Centre to promote the urban renewal of the town centre and to encourage high-quality design in all new development and within the public domain in the Kensington Town Centre. The provisions of the plan aim to encourage a mix of land uses (commercial, residential) and development on land zoned for residential purposes, which compliment and support the commercial centre. The Local Environmental Plan ("**LEP**") is supported by the Kensington Town Centre Development Control Plan ("**DCP**"), which came into effect on 22 January 2003.

The LEP and DCP were prepared as part of the Kensington Urban Improvement Programme ("**UIP**"), a partnership project funded by Council and Planning New South Wales. In support of the amended planning provisions, a Public Domain Improvement Strategy was prepared and adopted by Council on 26 February 2002. The Public Domain Strategy provides for improvements along Anzac Parade and side streets resulting in the physical and visual revitalisation of the public areas within and around the Kensington Town Centre. The first stage of the works commenced construction in early January 2003 and is nearing completion. Council has funded these works in anticipation of redevelopment occurring within the centre.

The residential and commercial development generated by the Kensington Town Centre LEP and DCP will result in a demand by future retail and residential occupants and users for the provision of services and facilities within and adjoining the Town Centre including the public domain works.

Accordingly Council, at its meeting of 26 February 2002, also resolved to prepare and exhibit an amendment to Council's current s94 Contributions Plan to address the increased demand for services and facilities arising from the redevelopment within the Kensington Town Centre.

Council can seek contributions as part of its consideration and determination of an application for development for the provision of services and facilities, the need for which have been generated by the development. Such contributions can be sought under a condition of consent imposed under section 94 of the *Environment Planning and Assessment Act, 1979* (“**EP&A Act**”) where the need for the service or facility is identified and recognised in an adopted S.94 Contributions Plan.

This report outlines proposed amendments to the existing Randwick S.94 Contributions Plan with the incorporation of townscape and car parking contributions for the Kensington Town Centre. This report recommends that Council endorse and place on public exhibition the draft amendments to the Randwick S.94 Contributions Plan.

BACKGROUND:

The UIP commenced in February 2001 with a \$385,000 grant from the State Government Planning NSW to be matched by Council over a three year period. The UIP aims to revitalise the Kensington town centre, creating attractive urban areas in a partnership process with all key stakeholders, including landowners and residents. Key tasks are to review planning and design controls (recently completed) to encourage a new vision for high quality development, incorporating expanded opportunities for residential and commercial development within the town centre and to improve the centre’s long term commercial activity, viability and attractiveness, and by implementing public domain improvements.

Background information and progress reports on the UIP have been presented in reports to Council as follows:

- 23 October 2001 – Planning and design study
- 4 December 2001 – Draft DCP
- 26 February 2002 – Draft LEP/DCP
- 28 May 2002 – Peer Review of the Doncaster and Lorne Ave site
- 25 June 2002 – Doncaster and Lorne Ave sites – further design review
- 27 August 2002 – Update on Class 4 Application
- 17 September 2002 – Revised draft LEP/DCP
- 22 October 2002 – Mayoral Minute – Public Domain Improvements
- 26 November 2002 – Draft DCP/LEP – adopted by Council
- 24 January 2003 – UIP update – planning controls/public domain works (Councillor’s Bulletin)

The amendments to the section 94 contributions plan are the next step in the process.

PLANNING/DESIGN STUDY PROCESS

The Kensington Town Centre Public Domain Improvement Strategy (“**the Strategy**”) was formulated by CIVITAS consultants and completed in February 2002. The strategy includes a design strategy and technical details for the public domain elements and improvements such as street furniture, planting, paving and landscaping. The strategy aims to improve the pedestrian accessibility and amenity, public environment, and the overall image of the Kensington Town Centre. Council’s landscaping team has developed

detailed design proposals, which are based on maintaining current footpath widths. These designs are being used in the work that is currently underway.

Council opened a shopfront exhibition in the Town Centre at 91 – 93 Anzac Parade, which was open Thursdays, Fridays and Saturdays for approximately one month in October 2002. The public domain design proposals were exhibited as part of the public exhibition process and the proposals received positive feedback from the majority of visitors to the shop, estimated at over 300 people.

The first stage of the public domain works to upgrade the footpath commenced on 15 January 2003, on the western side of Anzac Parade from Duke Street north to Peters of Kensington. Works commenced on the eastern side of Anzac Parade in March between Ascot and Bowral Streets and it is anticipated that the works will be completed in May 2003. The detailed designs prepared by Council's landscaping team are the blue print for the works currently being undertaken and the future works program.

SECTION 94 Contributions PLAN

Section 94 of the *Environmental Planning and Assessment Act, 1979* (E P & A Act) permits Council, as the consent authority, to impose a condition of development consent requiring the dedication of land free of cost, or the payment of a monetary contribution, or both, if it is satisfied that the development the subject of the development application (or application for a complying development certificate), will or is likely to require the provision of or increase the demand for public amenities and public services within the area.

Such a condition can only be imposed to require a **reasonable** dedication or contribution for the provision, extension or augmentation of the public amenities and public services.

In circumstances where Council has at a prior time provided public amenities or public services within the area in preparation for or to facilitate the carrying out of that development, the Council may grant consent to an application subject to a condition requiring payment of a monetary contribution (a **reasonable** contribution) towards recoupment of the cost of the provision of the public amenities or public services.

Council may accept dedication in land in part or full satisfaction of the condition or may accept the provision of a material public benefit, in lieu of dedication of land or the payment of a monetary contribution, i.e. the undertaking of works in lieu of the payment of contribution towards the provision of those works, in part or full satisfaction of the condition.

Council may only impose a condition of consent requiring the payment of a contribution, dedication of land, or permitting the provision of the material public benefit, if this requirement for the contribution is identified within and is in accordance with a contributions plan approved by Council under S.94B of the E P & A Act.

A contributions plan must be prepared, exhibited and approved by Council for the purpose of imposing a condition, in accordance with the Environmental Planning & Assessment Regulations 2000 ("**E P & A Regulations**") and the provisions of the E P & A Act. An

existing contributions plan can be amended by the adoption of a subsequent contributions plan as permitted by clause 32 of the E P & A Regulations. The E P & A Regulations detail the procedure to be followed in the preparation of a contributions plan including the requirements for exhibition of a draft contributions plan, for a period of at least 28 days, and consideration of submissions concerning the draft contributions plan by Council.

1. Randwick S.94 Contributions Plan

In 1992, Council resolved to prepare a contributions plan under section 94 of the E P & A Act. Consultants were engaged to prepare the Section 94 Study and Contributions Plan and Council endorsed the final Plan on 29 June 1993, becoming effective on 2 July 1993.

Council's original Section 94 plan was reviewed and amended in 1995, involving a review of the works schedules, an adjustment of demographic and development forecasts and an examination of issues involved in a then current legal challenge. The review also included the addition of a levy for loss of affordable housing. The current Section 94 Contributions Plan was adopted on 17 August 1999, becoming effective on 28 September 1999.

After almost 4 years in operation, this Plan will be reviewed later this year, and will be reviewed having regard to the ABS Census 2001 data.

2. Proposed Amendments to Randwick S.94 Contributions Plan

The Randwick Section 94 Contributions Plan as dated 17 August 1999 ("Contributions Plan") levies contributions for the provision of public facilities and public services within the Randwick LGA.

Contributions are levied against:

- (a) Residential development towards open space and community facilities;
- (b) Commercial development for townscape improvements and parking facilities within identified commercial centres; and
- (c) Industrial development for Roadworks and Road maintenance.

The Contributions Plan also establishes the basis for seeking a contribution for affordable housing or in relation to major development.

Amendments to the current Contributions Plan are required in anticipation of development and redevelopment within the Kensington Town Centre following the gazettal of Amendment No 27 and adoption of the Kensington DCP.

The contributions rates set out in the Contributions Plan against residential development toward the provision of open space and community facilities will continue to apply to Kensington without amendment.

Those parts of the Contributions Plan relating to Industrial Development, Affordable Housing, the General Administration Charge and Major Development have not been reviewed as part of this exercise and are not at this point in time impacted on by future development within the Kensington Town Centre. These aspects of the Plan will be subject of the overall review of the Contributions Plan.

The Contributions Plan will be amended in relation to contributions levied against residential and commercial development in the Kensington Town Centre. It is proposed to introduce a contribution against commercial development towards the provision of on street car parking within the Kensington Town Centre where 100% of on site parking cannot be provided. A contribution is to be levied against residential and commercial development towards townscape improvements within and adjoining the Kensington Town Centre.

3. Proposed works

(i) Car parking

It is proposed to undertake work within the side streets of Kensington Town Centre and beyond the boundaries of the town centre to alter the current on street parallel car parking configuration to provide for 90° angle parking. The works proposed within Ascot, Boronia, Bowral, Carlton, Darling, Duke and Goodwood Streets as shown in the Plan in attachment 5 to this report. The works proposed will provide convenient on street parking facilities within easy walking distance of the commercial areas within the town centre.

The works proposed include:

- undertaking survey and survey documentation,
- documentation and design of the car parking spaces and associated civil and landscaping works,
- site investigations,
- footpath preparation including breaking up, removal and disposal of concrete kerb and gutter, removal of existing grass verges and road verge landscaping, and preparation of ground surface level,
- footpath construction and landscaping works,
- road preparation including the breaking up, removal and disposal of existing asphalt road seal and preparation of road base course,
- road construction including the laying of new road base course, ground compaction and placement of bituminous road surface, line marking,
- provision of road signage and wheel stops.

These works will provide an additional 235 on-street car parking spaces within and adjacent to the town centre.

These works are proposed in anticipation of future commercial and retail development and redevelopment within the town centre where the development is unable to accommodate all car parking needs generated by the commercial and retail development on site.

It is not considered appropriate for car parking generated by residential development to be provided off site and so the option will not be available to applicants for development to seek to pay a contribution to address a shortfall in residential parking.

(ii) Townscape improvements

The townscape improvements are proposed within the Kensington town centre and the town centre interface in the location as shown on the plan within Attachment 6 to this report.

The commercial, residential and general activity within the town centre is expected to increase significantly above that currently experienced with the revitalisation and urban improvement of the town centre. The streets adjacent to the town centre will also provide strong linkages and high movement corridors between the town centre, the Royal Randwick Racecourse, Kokoda Park, the local schools, public car parking areas, the University of NSW and NIDA, and the residential precincts of Kensington generally.

The townscape improvement works comprise:

- final survey and survey documentation,
- landscape, engineering design and documentation,
- pre-construction investigations,
- footpath site preparation and footpath construction works including the breaking up and removal of existing concrete kerb and gutter,
- trench excavations and placement of utilities conduits,
- removal of structures such as bus shelters, bins and seats,
- footpath construction works including, reconnection of stormwater, laying of utility services in trenches, preparation and provision of concrete paving and porphyry stone insets.
- provision of footpath landscape works including street trees located at 13m centres,
- provision of footpath furniture and fixtures including, banners, seats, planter boxes,
- median island improvements within Anzac Parade.

4. Nexus and apportionment

4.1 Nexus

In preparing a section 94 contributions plan or amendments to a section 94 contributions plan it is necessary to demonstrate that a demand for the public amenity or service is generated by the incoming population.

Nexus can be described as the relationship between the expected types of development in an area and the demand for additional public facilities created by the occupants of the

developments. The link between a proposed development must be demonstrated by the causal, spatial and temporal nexus or in other words the what, where and when factors.

Section 94(1) of the E P & A Act enables the Council, as the consent authority, to impose a condition requiring the payment of a contribution towards the provision of a public facility or public service when it is satisfied that the development will increase the demand of public amenities and public services.

The causal (what) nexus has two limbs. Firstly, it is necessary to demonstrate that the demand for public amenities and public services arise as a consequence of development and secondly, that the supply of those amenities or services can occur through the provision of new, augmented or embellished facilities. Any such services or facilities are to be provided in a reasonable timeframe as discussed below.

The spatial (where) nexus factor requires the proposed public amenity or service to be located so that it can serve the needs of the persons/development who created the demand for those services and amenities. The temporal (when) nexus requirement is that the public facility will be provided in a timely manner (five to ten years) to benefit those who contributed towards the provision of the facility.

4.1.1 Car parking

The on-street car parking spaces proposed to be constructed are within the town centre and streets and streets that adjoin and link into the town centre. They are proposed in order to facilitate commercial and retail development and redevelopment within the town centre reaching the level anticipated by the LEP and DCP in circumstances where 100% of all retail and commercial car parking requirements cannot be provided on site.

The demand for the provision of the on-street car parking will directly arise from development and redevelopment occurring within the town centre.

It is proposed that subject to consideration of a traffic management analysis and demonstration that the required commercial car parking cannot be fully accommodated on site, Council may agree to a proportion of the commercial/retail parking to be provided on street subject to payment of the relevant contribution.

4.1.2 Townscape Improvements

The townscape improvements proposed as shown in Attachment 6 are proposed within and beyond the boundaries of the Kensington Town Centre,

The townscape improvement works arise as a result of the planned redevelopment and growth of residential and commercial/retail development and change of land use focus within the Kensington Town Centre. The recently adopted planning controls for the town centre allow for significant growth and redevelopment that will alter the scale, nature and character of development within the town centre.

Future redevelopment and opportunities for an expanded range of land use activities will provide a greater intensity of land use, demand, and visitation within and surrounding the town centre. The built form controls adopted by Council for the town centre will encourage properties, currently occupied by older buildings to amalgamate or develop in a comprehensive and coordinated fashion altering the character and intensity of development within the town centre. The character and nature of activity in land uses will alter from that currently within the town centre, to suit the new community vision encouraged by the new planning controls and generated by the commercial, retail and residential land uses.

The change in the nature and intensity of land use will be complimented by and will generate the need for public domain upgrade consistent with the objectives of the Urban Improvement Program. This will be in contrast to the current standard of the town centre's public domain, which does not create a user-friendly environment nor a visually attractive streetscape in a centre that for many years has remained static or in decline.

To match the anticipated growth and changing nature of the town centre which will experience a significant growth of residential population and commercial and retail trade, strategies for public domain management have been prepared including the preparation of a Townscape Improvement Program. The public domain strategies focus on:

- the identification of the image and function of the town centre,
- ensuring sustainable development is achieved through offsetting environmental impacts of development and re-development,
- provide for coordinated pedestrian and public and private transport movement,
- identification of the changing demography of the town centre,
- provision of townscape improvement and public art,
- preparation of a program of pedestrian safety and traffic integration.

Integral to the Townscape Improvement Program is a program for the replacement of the public walkways within the town centre and the interface between the town centre and the surrounding locality. The works arise due to an increase development and redevelopment potential and will form part of the physical, visual and commercial revitalisation of the town centre. The townscape improvement works will provide a link to and an interface between the established residential locality of Kensington and the broader Randwick LGA and the town centre itself, providing for improved pedestrian linkages which will compliment the proposed on-street car parking works and enable access into and out of the town centre by a variety of transport modes.

Consistent with the objectives of the LEP and DCP, the proposed works will make provision for improved accessibility to public transport and the pedestrian network.

The footpath improvements will provide a vitality at street level providing greater pedestrian accessibility as well as a focus for the centre complementing the built

form improvements to be achieved by the commercial and residential development.

4.2 Apportionment

4.2.1 Apportionment of Costs

In preparing a contributions plan and calculating the contribution to be levied it is necessary to examine whether the costs of the proposed works are appropriately levied against future development or whether there will be a benefit received by the existing community. In such circumstances a portion of the cost of the proposed works should be borne by the community via the Council contribution.

Where the need for the service or facility is generated solely by the proposed development and redevelopment within the town centre then it follows that the cost of the works be borne by that development.

4.2.2 Car Parking

The provision of on-street parking as proposed for commercial and retail development is solely to accommodate a future demand arising from an inability of a development to provide 100% of its retail/commercial parking on site.

The parking will be provided to meet a demand generated by development as discussed in section 5.1 below.

Accordingly, it is appropriate for applicants/developers to fund 100% of the car parking works proposed. This approach is consistent with the method of levying contributions for car parking in other town centres and commercial areas.

4.2.3 Townscape Improvements

The townscape improvement works form part of and are integral to the objectives of the urban improvement program for Kensington, namely, the physical, visual and commercial revitalisation of the Kensington town Centre.

The need for the townscape works is directly generated by the anticipated development and re-development within the town centre. Amendment No.27 to Randwick LEP and the Kensington DCP have been prepared to facilitate a change of focus and character within the town centre in order to transform it from a centre with marginal commercial/retail development and limited residential development to a vibrant centre which will accommodate mixed use developments with a significant increase in residential population and a more vibrant retail/commercial centre serving the needs of the occupants of the town centre and Randwick City. The future residents and occupants of the residential and commercial/retail development will directly benefit from the proposed townscape works in terms of improved urban form and visual amenity, accessibility and integration of the town centre with the surrounding locality. This redevelopment and increased residential, commercial and retail population and increased visitation to the retail and

commercial development will arise from the increased development opportunities permitted by Amendment 27 to Randwick LEP 1995 and Kensington DCP. The townscape improvements are an integral component of this strategy. It is appropriate that the townscape improvement works (both within the town centre and the town centre interface area) be funded 90% by the applicants to future development and 10% by Council. This recognises the new vision for the town centre set out in the new LEP and DCP, providing for redevelopment of all sites, for more intense and active retail/commercial use and for residential development which will support the centre and take advantage of its accessible location. The Council contribution recognises the benefit which will be experienced by the surrounding Kensington locality in terms of improved visual amenity and attraction of the town centre, and improved accessibility to the town centre.

The works proposed at the interface of the Town Centre boundaries are designed to provide pedestrian connections for new residents within the town centre and new commercial occupants to existing facilities and services such as the Randwick Racecourse, Centennial Park, NSW University and Moore Park. The proposed works also provided greater accessibility into the town centre from the surrounding locality and major land uses as identified above. An appropriate pedestrian environment is recognised as a necessary incentive to discourage the use of motor vehicles, particularly for local travel. Whilst increased demand for use of public walkways will be generated primarily by new residents and new commercial employees and visitors to the retail/commercial land uses Council recognises that the existing local population will also benefit from the upgrading of the public domain at the Town Centre interface.

Council in anticipation of new residential, retail and commercial development occurring and to facilitate redevelopment has funded the commencement of townscape works as described earlier in this report.

5. Timeframe of proposed Works

The elements of the draft contributions plan as they relate to Kensington (Appendix 1 to this report) have an anticipated life of five years. Whilst the contributions plan will be the subject of a comprehensive review shortly it is necessary at this point in time to adopt a timeframe for the provision of the proposed works within the Kensington Town Centre.

5.1 Car Parking

The need for on-street car parking will only arise upon the grant of development consent for development and the commencement of such consents. Payment of contributions is required prior to the release of the construction certificate for the development.

The options available to Council are to either construct all of the proposed parking spaces in anticipation of future development generating a demand for on-street parking and then collect contributions as development occurs, after the parking has been constructed, or, await development to occur, collect the contributions and then provide the parking when the demand is identified and the contributions collected. In this second scenario applicants would pay a contribution towards such a shortfall in commercial/retail car

parking, Council would accumulate the funds and when adequate funds are available from different developments, Council would then construct the on-street parking.

The draft amendment to the Section 94 plan has been prepared on the basis of this second scenario, in that parking will be provided after contributions have been received rather than in anticipation of demand and development.

The works will be undertaken as contributions are received and will be constructed in proximity to the development which generates the need for the car parking.

The actual contribution generated by a future development will be calculated upon the grant of development consent and again on day of the payment to address any increase in cost due to Consumer Price index (CPI) increases.

The contribution formulae contained within the draft contributions plan has thus been calculated incorporating an inflation (CPI) factor to address this scenario.

5.2 Townscape Improvements

As discussed above, the need for the townscape improvements works is generated by the future occupants of and visitors to the commercial, retail and residential redevelopment within the townscape.

Council has already provided funds for the first stage of the townscape improvement, as part of its commitment to the improvement of the townscape, in anticipation of development and with assistance of funding under the UIP program. These funds have been made available for works currently underway within Anzac Parade between Ascot and Bowral streets on the eastern side of Anzac Parade and from Duke Street north to Peters of Kensington.

Timing of the continuation of the proposed work can be influenced by two factors, namely availability of funds and timing of development.

The works could continue to be undertaken by Council in advance of and in anticipation of development occurring within the town centre or alternatively on receipt of funds from contributions and development.

It is proposed that the works occur as funds become available, as development occurs. Should an applicant propose to undertake aspects of the townscape works in front of the subject land, this could be considered as works in-kind which would provide an offset against the contribution levied. Any works would need to be carried out in accordance with the Council's design and specifications. This is permitted under the existing contributions plan and is a matter that would be considered at the time of payment. The contributions will be levied towards works within and beyond the boundaries of the town centre. Works will be undertaken within the town centre in proximity to development as it occurs and, as contributions are collected, the works will occur within the town centre interface areas of Kensington town centre.

6. Costing of proposed works and the contribution

Attachments 3 and 4 to this report provide the costings of the proposed car parking and townscape improvement works. Those costings, the method of apportionment and the timing of the work are the factors which are used to calculate the contributions. Set out below (and incorporated into the draft contributions plan attachment 1 to this report) are that method of calculating the contributions for the provision of on street car parking and townscape improvements.

(i) Car parking

The total cost of providing 235 on street car parking spaces to accommodate a shortfall inability to provide all commercial/retail parking on site by development within the Kensington Town centre is \$2,763,448.36.

The contribution per car parking space is calculated as follows:

$$C_{\text{park}} = (C_{\text{space}} \text{ divided by } R_{\text{space}}) \times \text{CPI2/CPI1}$$

where

C_{park} = contribution per parking space

R_{space} = total number of parking spaces to be provided

C_{space} = total cost of parking spaces

CPI2 = the latest Consumer Price Index: All Group Index Number for Sydney available from the ABS.

CPI1 = the Consumer Price Index: All Group Index Number for Sydney, which was available from the ABS at the time of commencement of this plan.

The contribution per car parking space using the above method is:

$$C_{\text{park}} = (\$2,763,448.36 \text{ divided by } 235) \times (1 \text{ divided by } 1)$$

$$=\$11,760.00$$

For the purpose of calculation the CPI figure of 1 has been adopted.

(ii) Townscape Improvement Works

The townscape works are to be levied against retail, commercial and residential development and the most equitable manner to calculate the contribution is to base the contribution on the floorspace of a development.

This provides a costing of the works reduced to a dollar value per square metre of floor space of retail/commercial, development/redevelopment and residential development.

In order to determine an appropriate contribution for different forms of residential accommodation, the \$/square metre of floor space is then used to calculate a contribution per person.

The contribution per person is calculated by multiplying the \$/square metre amount by the average area of residential floorspace generated by a person within a residential development. An examination of residential development within Randwick City indicates that the average residential floorspace occupancy rate per person is 45.44 square metres. This then provides a contribution measure per person.

This contribution per person can then be used to calculate a contribution per dwelling type based upon current occupancy rates for dwellings within the town centre. The method of calculation is set out below:

Townscape Contribution (cost per square metre)

Base contribution for Townscape = (Total Cost of Work – Council Contribution) x CPI2/CPI1 divided by the total anticipated floorspace (sq metres).

Base contribution = (\$7,336,310 - \$733, 631) x 1 divided by 153, 938.55 sq m.

= \$43 per square metre

The base contribution is then used to calculate the contribution per person for residential development.

Residential contribution = base contribution x floorspace average occupancy rate per person

= \$43 x 45.44

= \$1,954 per person

This contribution rate per person can then be used to calculate a contribution rate per dwelling type by multiplying the rate per person by the occupancy rate per dwelling type as shown below:

| | | |
|-----------|-----|---------|
| Studio | 1.0 | \$1,954 |
| 1 Bedroom | 1.4 | \$2,735 |
| 2 Bedroom | 2.1 | \$4,103 |
| 3 Bedroom | 3.2 | \$6,253 |

The above method of calculation for residential development is appropriate for most forms of residential accommodation. For more intense forms of residential accommodation such as student accommodation, where a residential unit contains more than 3 bedrooms, it can be assumed that one

person will occupy each bedroom and as such the contribution should be levied on the basis of one person per bedroom. For example, if a development proposed 15 units each containing 6 bedrooms the contribution would be calculated as follows:

$$\begin{aligned} \text{Townscape Residential} &= \$ \text{ per person} \times \text{occupancy rate} \\ &= (43 \times 45.44) \times (15 \times 6) \\ &= \$175,860 \end{aligned}$$

CONCLUSION:

The draft amendment proposed to Council's Section 94 Contributions Plan introduces new contributions to be imposed for development and redevelopment within the Kensington Town Centre in relation to townscape improvements and the provision of off-site car parking. Attachments 3 and 4 annexed to this report which detail the costings prepared to accurately estimate the cost of the proposed works. This draft amendment provides a reasonable basis for levying contributions from new development and redeveloped sites for the benefit of new residents, employees and shoppers to the town centre, via improved townscape and parking outcomes in the town centre.

RECOMMENDATION:

It is recommended that Council:

- (a) Endorse the public exhibition of the draft amended Section 94 Contributions Plan;
- (b) Agree that, should there be no submissions or required amendments as a result of this exhibition, the plan may be finalised;
- (c) Agree that the Director, Planning and Community Development may make minor modifications to rectify any numerical, typographical and formatting errors if required, in the finalisation of the amended S.94 Plan.

ATTACHMENT/S:

ALL UNDER SEPARATE COVER -

1. Draft Amended Section 94 Contributions Plan.
2. Proposed work/shopfront images.
3. Costings Schedules -car parking.
4. Costings Schedules - Town scape Improvements.
5. Location of Car Parking Works.
6. Location of townscape Works.

.....
SIMA TRUUVERT
ACTING DIRECTOR PLANNING &
COMMUNITY DEVELOPMENT

.....
KAREN ARMSTRONG
A/MANAGER STRATEGIC
PLANNING

.....
CLARE BROWN
PLANNING CONSULTANT

MOTIONS PURSUANT TO NOTICE**10.1 By Councillor Matthews – Replacement Bus Shelter in Anzac Parade, Chifley.
(98/S/4463 xr 98/S/0178)**

That this Council replace the bus shelter in Anzac Parade, near Mitchell Street, Chifley as soon as possible.