

2004



Sections 94/94A Contributions Plan 2004

Including Amendment 4



MARRICKVILLE
council

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Summary of Contributions

Section 94 Contributions

The table below sets out the s94 contributions that are applicable to all development except residential alterations and additions that do not involve an increase in the number of dwellings and commercial or industrial alterations that do not involve an increase in floor space or car parking requirement and boarding houses.

Type of Development/ Estimated Occupancy Rate	Open Space, Park Infrastructure and Sports Facilities	Public Libraries and Community Recreation Facilities	Traffic Management	Road Works	Plan Admin	Total Contribution*
Residential (Small Dwelling)	\$6,246.55	\$1,510.41	\$1,098.82	Not required	2.4% of base contributions	\$9,068.33
Residential (Medium Dwelling)	\$8,952.75	\$2,163.75	\$1,428.46	Not required	2.4% of base contributions	\$12,846.04
Residential (Large Dwelling)	\$12,076.00	\$2,919.60	\$1,757.55	Not required	2.4% of base contributions	\$17,155.22
Dwelling House or Residential Allotment	\$12,908.95	\$3,120.91	\$1,757.55	Not required	2.4% of base contributions	\$18,214.31
Commercial	Not required	Not required	\$1,125.19 per car space required under DCP 19	Only for affected properties	2.4% of base contributions	As calculated for each development
Industrial	Not required	Not required	\$1,125.19 per car space required under DCP 19	Only for affected properties	2.4% of base contributions	As calculated for each development
Other Development	Not required	Not required	\$1,125.19 per car space required under DCP 19	Not required	2.4% of base contributions	As calculated for each development

Section 94A Levies

Section 94A levies are applicable to all development where s94 contributions are not payable. S94A levies are applicable at the following rates:

Cost of Development	Percentage of Cost of Development
Up to and including \$100,000	Nil
Over \$100,000 up to and including \$200,000	0.5%
Over \$200,000	1%

The cost of development for the purposes of calculating a s94A levy shall determined in accordance with s25J of the Environmental Planning & Assessment Regulation as set out in Schedule 8 of this Plan.

Note: Both section 94 contributions and the cost of development on which section 94A contributions are based will be adjusted at the time of payment in line with the *Consumer Price Index: All Groups Index Number for Sydney* provided by the Australian Bureau of Statistics. Section 94 contribution rates are indexed annually and the development cost on which s94A contributions are based will be indexed quarterly. The top table above shows section 94 contributions indexed to the commencement of Amendment 3 of this Plan.

Part 1 Introduction

The Marrickville Section 94 Contributions Plan 2004 was adopted by Marrickville Council on 17 February 2004 and came into force on 1 July 2004.

It repeals the Marrickville Section 94 Contributions Plan 1996. In this regard, it should be noted that unspent funds from the 1996 Plan have been carried over for use in this Plan.

Amendment No. 1 to Section 94 Contributions Plan 2004 has introduced planning agreements and changed the contents related to Schedule 3. Some other minor changes have also been made.

Amendment No. 2 to Section 94 Contributions Plan 2004 incorporates the insertion of section 5.1A Requirements for Accredited Certifiers and amendments to section 5.2 Payment of Section 94 Contributions.

Amendment No. 3 to Section 94 Contributions Plan 2004 authorises the charging of Section 94A levies. The changes made by Amendment No. 3 were adopted by Council on 7th February 2012 and came into effect on 14th March 2012.

On and from the date of commencement of Marrickville Section 94/94A Contributions Plan 2013, this Plan shall remain in force and effect but no longer apply to any applications for development consent determined after that date (including any applications lodged before that date). Marrickville Section 94/94A Contributions Plan 2013 will be the only Plan that may be relied upon for the purpose of imposing a condition of consent under either section 94 or 94A of the Environmental Planning and Assessment Act 1979 after that time.

The amendment set out in the above paragraph (Amendment 4) was adopted by Council on 3 December 2013 and commenced on 1 January 2014, the date Marrickville Section 94/94A Contributions Plan 2013 came into force.

1.1 Purpose and Principles of this Plan

The purpose of this Contributions Plan is to enable Marrickville Council to implement the charging of development contributions as authorised in Division 6 Development Contributions of the Environmental Planning and Assessment Act. Contributions levied under Sections 94 and 94A will be used by Council towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). necessary as a result of increased demands generated by new development.

In order to achieve the purpose of this Plan in relation to section 94 contributions, the following principles will apply:

- The works and improvements included in the Schedule of Works are necessary and reasonable, based on the anticipated impacts and additional demands created as a result of new development.
- The amounts levied are reasonable and equitable in respect of the potential demands placed on the facilities and amenities provided by Council.
- The plan will demonstrate the link between the future and the potential demands that such development will have on the need to provide new, or to upgrade existing, public facilities and amenities.

- Additional demands on the provision of facilities and services generated by future development are appropriately catered for.
- Administration and assessment of this plan will meet the requirements of public and financial accountability set out in the Environmental Planning and Assessment Act.

1.2 Terms used in this Plan

Important terms used in this Plan are outlined below:

- **Small Dwelling** is a dwelling that has a gross floor area of less than 55m².
- **Medium Dwelling** is a dwelling that has a gross floor area of between 55m² and 85 m².
- **Large Dwelling** is a dwelling that has a gross floor area of more than 85 m².
- **Dwelling House or Residential Allotment** means a building or allotment containing one but no more than one dwelling.
- **Dwelling** is a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being used as a separate domicile.
- **Gross Floor Area** as defined in the Marrickville Local Environmental Plan 2001.
- **DCP 19** is Council's Development Control Plan No 19—Parking Strategy.

1.3 Where does this Plan apply?

The provisions of this Plan apply to all land within the Marrickville Council Local Government Area. (Refer to Figure 1.)

1.4 What types of development are charged a s94 contribution under this Plan?

The demand for different public facilities and amenities is related to the type of development which occurs. The following table identifies the type of development to be charged s94 contributions in the Marrickville LGA. All other development will be charged a s94A levy.

Contribution Element	Type of Development
Open Space, Park Infrastructure and Sports Facilities	<ul style="list-style-type: none"> • All residential development excluding boarding houses
Public Libraries and Community Recreation Facilities	<ul style="list-style-type: none"> • All residential development excluding boarding houses
Traffic Management	<ul style="list-style-type: none"> • All residential development excluding boarding houses • All commercial development • All industrial development • All other development including special uses
Road Works	<ul style="list-style-type: none"> • All development located in the location plans shown in Schedule 6
Plan Administration	<ul style="list-style-type: none"> • All development outlined above

1.5 Relationship to other Plans

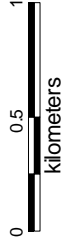
This plan seeks to support Council's strategic goals and community values by ensuring that the contributions provided by new development maintains and enhances the quality of life enjoyed by the community.

This plan is supported by:

- The Marrickville Local Environmental Plan, 2001, including any amendments.
- Any Development Control Plans applicable to the Marrickville LGA, including any amendments.
- Marrickville Council's 2005-08 Annual Management Plan.

MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

Marrickville Council
Local Government Area



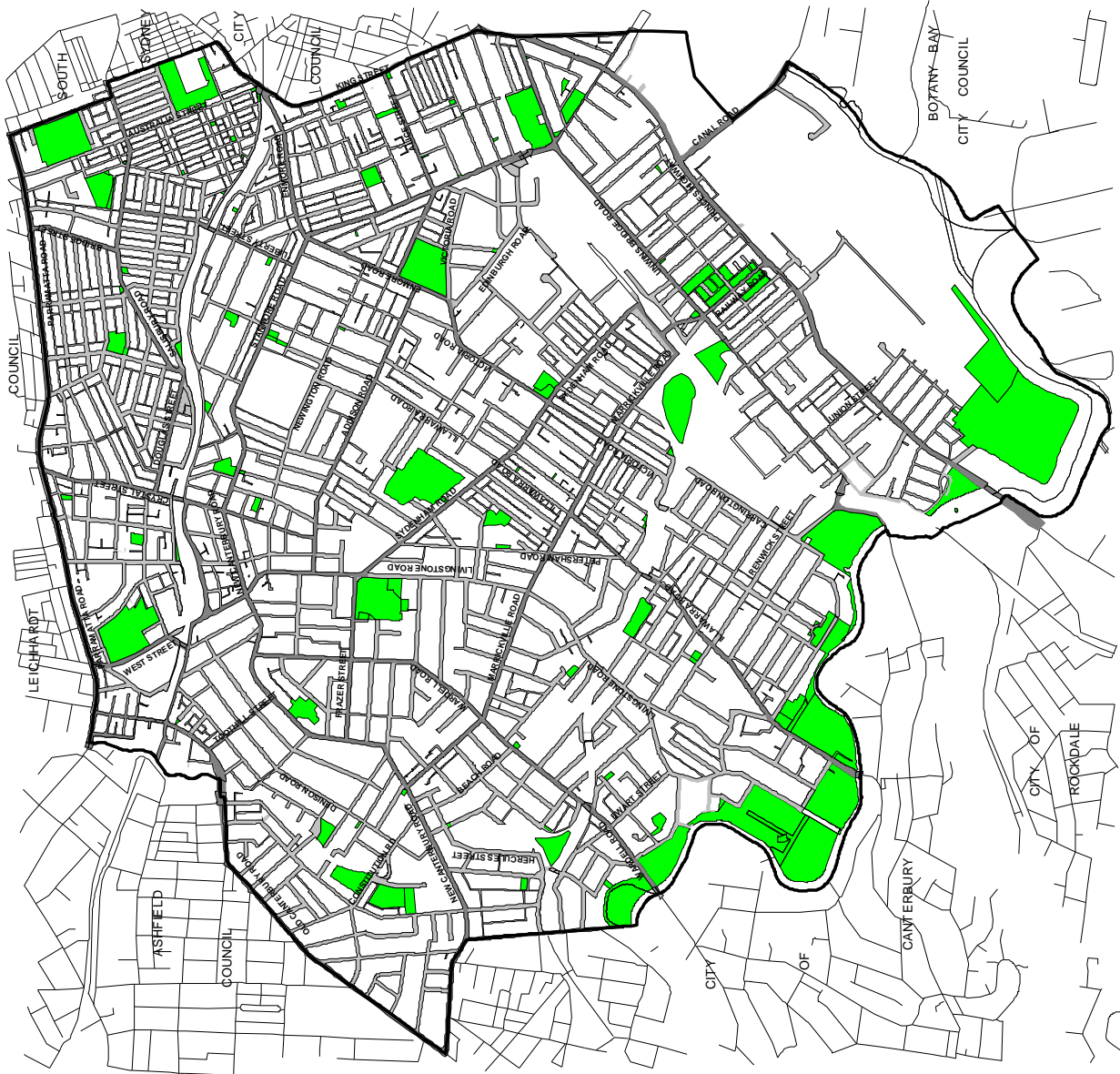
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Part 2 Development Trends and Growth in the Marrickville LGA

2.1 Residential Trends

The Marrickville LGA is one of the most densely populated local government areas (LGAs) in the Sydney metropolitan area and is located in the critical “inner ring” of the Sydney region. It is comprised of a mix of detached and semidetached housing interspersed with commercial and industrial uses. Covering an area of 16.5 km², it includes the suburbs of Camperdown, Dulwich Hill, Enmore, Lewisham, Marrickville, Newtown, Petersham, Stanmore, St Peters, Sydenham and Tempe.

In response to the growing demand for inner city redevelopment, Marrickville Council has responded through the rezoning of significant redundant sites and low density residential areas for multi-unit housing. Combined with market demand, this has resulted in significant redevelopment in recent years.

Between 1996-2001 the Marrickville LGA experienced a net gain of 1088 residential dwellings with the majority being residential flat buildings, residential conversions and shop top housing. This level and type of development is consistent with many other LGAs in the “inner ring” and reflects the increasing demand for multi-unit housing in the Sydney region.

As outlined in Table 1 below, new residential development is currently scattered throughout many suburbs in the LGA and this is likely to continue. However, concentrations of major new development are emerging in suburbs such as Dulwich Hill, Marrickville and Camperdown.

Table 1: Net Dwelling Gain 1996-2001 in Marrickville LGA

Suburb	Net Dwelling Gain 1996-2001
Dulwich Hill	560
Marrickville	166
Newtown	111
Stanmore	105
Camperdown	90
Petersham	42
Enmore	12
St Peters	2
Total	1088

Source: Marrickville Council, *Metropolitan Housing Forecasts*, July 2002

It is anticipated that this trend will continue with Council's *Metropolitan Housing Forecasts* prepared for the Department of Infrastructure, Planning and Natural Resources (DIPNR) in August 2003 projecting a further 1708 net dwellings by 2007/08. Table 2 identifies the expected net dwelling stock increases for 2003/04-2007/08.

These forecasts are underpinned by the continued market appeal of Marrickville particularly as Leichhardt and South Sydney LGAs become increasingly unaffordable and the likelihood that interest rates will remain stable in the near future.

Table 2: Projected Net Dwelling Gain 2003/04-2007/08 in Marrickville LGA

Year	Estimated Net Dwelling Increase
03/04	224
04/05	303
05/06	473
06/07	246
07/08	462
Total	1708

Source: Marrickville Council, *Metropolitan Housing Forecasts*, August 2003

To determine the demographic profile of new residents moving into the LGA, an analysis of the ABS Census 2001 for three specific Census Collector Districts (CCDs) where new dwellings have been constructed during 1996-2001 has been undertaken. (See Schedule 1 for more detailed information). This research highlights that:

- The resident population of all CCDs grew significantly. The net population increase ranged from 464 persons in Williams Parade, Dulwich Hill (218% increase with 286 new dwellings); 153 persons in Mallet Street, Camperdown (61% increase with 79 new dwellings); and 35 persons in Marrickville Road, Marrickville (10% increase with 35 new dwellings).
- The resident population of each suburb in which these CCDs are located also grew. This is likely to be as a result of the concentration of new residential developments in these suburbs. Dulwich Hill grew by 315 residents (3% increase) and Camperdown by 232 residents (11% increase).
- The age profile of the CCDs is very different to that of the Marrickville LGA. The CCDs generally have a higher proportion of preschool children (8% compared to 6%); a higher proportion of young adults aged 20-34 years (47% compared to 30%); and a lower proportion of adults aged 65 years and over (3% compared to 11%). The 20-34 year old age group is typically considered as the peak child-bearing age group and it is likely that these new residents will have children in the next 5 years.
- The proportion of residents who speak a language other than English in the CCDs is typically lower than the LGA average of 46%.
- The family structure in all CCDs is primarily couples with no children with this significantly different from the LGA average where couples with children are the predominant family type.
- New residents tend to be renting their dwellings with rental rates ranging from 47%-62% of dwellings compared to the LGA average of 41%.
- New residents tend to have more motor vehicles than existing residents with up to 25-28% of dwellings having 2 or more vehicles compared to the LGA average of 22%. In 2001, the average number of vehicles per occupied dwelling was 1.2 - 1.3 compared to 1.1 for the LGA.

Based on this analysis, it is anticipated that the demographic profile of new residents moving into the LGA as a result of new development will be very different to that of existing Marrickville residents. As the Marrickville LGA continues to undergo transition and change as a result of new development, it is likely that new residents will have different demands for services and facilities and will make new demands on Council's existing infrastructure.

For this projected new population, this plan adopts the estimated residential occupancy rates and car ownership rates provided in Table 3 based on extrapolation of known occupancy rates and car ownership for new residential dwellings using data from the 2001 Census data.

Table 3: Estimated Occupancy Rates and Car Ownership Rates for New Dwellings

Dwelling Classification	Estimated Occupancy Rate	Estimated Car Ownership Rates
Small Dwelling	1.5 persons per dwelling	1.0 cars per dwelling
Medium Dwelling	2.15 persons per dwelling	1.3 cars per dwelling
Large Dwelling	2.9 persons per dwelling	1.6 cars per dwelling
Dwelling House or Residential Allotment	3.1 persons per dwelling	1.6 cars per dwelling

Source: Extrapolation of Census Applications Small Area System 2001 data and average bedroom numbers in CCD 420313

2.2 Industrial Trends

Historically, the Marrickville LGA has housed significant industrial development. Its location close to Kingsford Smith Airport, the ports at Botany Bay and the Princes Highway has ensured that it remains an attractive location for industrial uses. However, structural change in the demand for industrial lands together with ageing industrial buildings has resulted in some changes to industrial development trends in the LGA.

Since 1996, several industrial sites have been redeveloped for residential uses with the former industries moving to sites outside the LGA. At the same time, the demand for industrial sites close to the airport and ports has remained strong and Council is seeking to provide opportunities for new and appropriate light industrial uses and bulky goods retailing on appropriate sites.

In the upcoming years, industrial development is likely to occur primarily in the area commonly referred to as the Tempe Lands. This area, south of the Princes Highway and fronting Alexandria Canal, includes the redundant Tempe Tip site. With limited existing activity in this area, Council is seeking to make sites available for a range of light industrial uses with particular interest in bulky goods retailing and new industrial units. It is anticipated that this area will be subject to development activity in the next 5 –10 years.

2.3 Commercial Trends

Existing commercial uses in the Marrickville LGA are primarily located in traditional strip shopping areas (eg King Street Newton) with Marrickville Metro the only shopping mall in the LGA. Small neighbourhood shopping areas are also undergoing a revival in areas such as Stanmore and Petersham. Redevelopment in these areas has traditionally been slow but Council is seeking to promote increased village development and improved commercial facilities in the LGA to provide a quality environment for residents and business. This is also consistent with the demand for commercial development in surrounding LGAs such as Leichhardt and South Sydney.

To meet these demands, Council is providing for shop-top housing in all commercial zones together with mixed-use development on major residential redevelopment sites. This provides for small-scale commercial development throughout the LGA linked to the anticipated needs of new residents moving into the LGA. Already considerable shop-top

housing has occurred with more expected to occur along King Street Newtown, Parramatta Road Stanmore and Marrickville Road Marrickville.

2.4 Development Timeframe

It is evident that the Marrickville LGA will experience continued growth of residential dwellings, industrial uses and some commercial uses in the next 5 to 10 years. However, changing market trends and land development rates may shorten or lengthen this development timeframe and in response, this plan adopts a *threshold* approach to development.

This means that the demand for improved public facilities and amenities identified in this plan is based on when the expected number of residential dwellings, industrial units or commercial units are developed. This provides a more flexible approach for Council to ensure that the resultant needs generated by new development are able to be met within a realistic timeframe.

2.5 Locational Framework

Research undertaken by Council indicates that depending on the type of public facility that Council is providing, the location of these facilities relative to the new development may be different.

For example, users of pocket parks tend to live within 500 metres walking distance of the parks while for library services, users may travel to the facility which has the resources they need. Equally, traffic management facilities may be required to accommodate the traffic generated by many dwellings throughout an area, while road works improvements may be for only those directly using the road.

Therefore, for each component of this plan, differing locational frameworks are provided to best meet the needs of new development. Council will continue to monitor the location of new residential, commercial and industrial development in the LGA and undertake on-going consultation to ensure that the works undertaken meet the needs of the community.

Part 3 Identifying the Nexus for S94 Contributions

3.1 Open Space, Parks Infrastructure and Sports Facilities

Open space, parks infrastructure and sports facilities play a key role in the community. Council's Annual Management Plan 2005-08 identifies Council's commitment to meet community needs for recreation and leisure opportunities, and ensure that the community has access to affordable facilities and services, and well maintained parks, gardens, ovals and sporting fields.

Council has undertaken an extensive *Recreation Strategic Plan*. This plan considers the recreation needs of the community and recommends appropriate strategies and actions to address these needs. Council currently owns 118 hectares of open space in the LGA comprising of pocket parks, neighbourhood parks and sportsgrounds.

However, as highlighted in the *Recreation Strategic Plan*, the LGA has a low rate of open space provision (1.61 hectares per 1000 residents) with traditional planning standards requiring 2.83 hectares of open space per 1000 residents. It highlights that all the existing sportsgrounds in the Marrickville LGA are at capacity and that the existing parks are well-used. A survey of 200 residents in 2002 identified that parks are being used by 85% of respondents and are the most popular recreation setting in the LGA.

Table 4 provides information on the open space, park infrastructure and sporting needs of the different age groups likely to be living in new residential developments in the Marrickville LGA. This information is based on consultation outcomes and recreation trends identified in the *Recreation Strategic Plan*, together with additional research undertaken by Council on recreation needs from other sources.

Table 4: Recreation Trends by Projected New Resident Age Profile

Age	Recreational Activity	Open Space and Recreation Needs
0-4 <i>preschool children</i>	<p>Informal Play – use of local parks and play equipment. Emphasis on motor learning skills and “touch and feel”.</p> <p>Skills development eg swimming, gross motor skills through gym, dancing etc</p>	<p>Local and regional playgrounds and parks. Need adult supervision and locations which having seating, shade, protection etc. Locations near schools, preschools, shopping centres.</p> <p>Provision of indoor sports facilities.</p>
20-24 <i>young adults</i>	<p>Involvement in informal and organised sports but less than earlier ages.</p> <p>Indoor sports activities are popular.</p>	<p>Provision of formal playing fields and areas for informal sporting facilities.</p> <p>Provision of integrated aquatic recreation centres.</p> <p>Access to large natural and/or parkland areas for passive pursuits.</p>
25-29 <i>adults</i>	<p>Participation in active sports continues but at slightly less than 20-24 age group. Higher fertility rates, so family activities are important.</p> <p>Medium use of all types of open space and recreational facilities.</p>	<p>Provision of formal playing fields and areas for informal sporting facilities. Versatile areas that provide for a wide range of recreational opportunity.</p> <p>Provision of indoor aquatic recreation centres</p> <p>Access to natural and parkland areas for picnics, etc.</p>
30-39 <i>adults</i>	<p>Participation in active team sports becoming less important but increased participation in social sports such as golf and tennis.</p> <p>Family activities remain important with greatly increased participation in passive pursuits such as picnicking, barbecuing, visiting parks and gardens, walking and family swimming.</p>	<p>Provision of demand facilities e.g. tennis, golf.</p> <p>Provision of integrated aquatic centres particularly for classes such as water aerobics, swimming lessons and gym. Also family recreational swimming.</p> <p>Access to sporting areas and playing fields and to large natural areas and parkland areas.</p>

Therefore, as highlighted in the recreation profile above, new residents are likely to be key users of open space and have demands that cannot be reasonably met by existing infrastructure. The *Recreation Strategic Plan* considers that to meet these additional needs and to ensure there is no loss of amenity for existing residents, Council will need to:

- Acquire additional open space at least at the current per capita rate of provision
- Embellish this open space and existing open space to meet the needs of new residents including playground facilities; access improvements; barbecue and picnic facilities; landscaping; paving and seating; public art and provision for pedestrians and cyclists
- Extend the open space system through the provision of an improved street environment including the planting of street trees and other appropriate landscaping.

Infrastructure needs studies undertaken as a prerequisite to the preparation of draft Marrickville Section 94/94A Contributions Plan 2013 found that due to the small area of the Marrickville LGA, the catchment areas for recreation facilities and open space were LGA wide and not sub-areas of the LGA as at first assumed (without the benefit of later more detailed studies) in this Plan. That is, there is a nexus between the additional population in development and works carried out anywhere within the LGA not just for those works carried out within a sub-area.

Thus the consideration of the Marrickville LGA as comprising 8 sub-areas for the purposes of the provision of recreation facilities and open space is not appropriate as essentially each of the 8 sub-areas should be considered as the whole LGA.

For the purposes of best providing facilities for all the residents of the Marrickville LGA, works that were allocated to a particular sub-area will be carried out as considered most appropriate anywhere within the LGA as the catchment for any sub-area is essentially the whole LGA

As the acquisition of open space in a developed LGA such as Marrickville is both expensive and difficult, open space acquisition will be undertaken on an LGA-wide basis. This will provide greater flexibility for Council and given the small physical area of the LGA (i.e. only 16.5km²), it is considered that this will provide all new residents with reasonable access to new open space.

3.2 Public Libraries and Community Recreation Facilities

Public library and community recreation facilities are important infrastructure in all communities. They are used by residents from all age groups and socio-economic backgrounds. As shown in Schedule 2, Council provides 31 community facilities, 2 community buses and 2 public swimming pools that are available for community activities.

Almost half of Council's existing community recreation facilities are purpose-built children's centres (including kindergartens, early childhood centres and long day care centres) with 6 community centres/halls; and the remainder of the facilities used for specific single purpose activities (eg library, youth centre, arts facility, seniors centre, swimming pool etc).

Council's *Management Plan 2005-2008* identifies that Council's community recreation facilities need to *meet the need for recreation and leisure services*. Equally, Council's library services are working towards *meeting community needs; providing a central point for information/ referral and providing access to educational and leisure activities*.

As highlighted earlier, the changes in the demographic structure of the Marrickville LGA over the next 5-10 years is likely to create new demands. It is evident that Council's existing infrastructure will be unable to meet this new pattern of demand for library services, community services and recreation.

This plan proposes to meet the additional need for public libraries and community recreation facilities by undertaking improvements to existing facilities to make them more multipurpose, flexible and accessible. Council will also consider opportunities for providing new integrated facilities in which multipurpose spaces can be used for library, community and recreation activities or adding multipurpose rooms to specific facilities eg Council administration centre; aquatic facilities. This is a less costly option than acquiring land and building new single-purpose facilities. It also enables funds to respond to the dispersed nature of new development. Priority will be given to facilities/spaces that have a demonstrated usage by new residents from throughout the LGA.

The improvement of public library services and community recreation facilities will occur on a Council-wide basis in response to the needs resulting from the location of new residential development. Schedule 4 provides a works program which identifies the construction and fitout of a new aquatic community recreation facility, multipurpose facilities and spaces and increased computer technology and resources as part of the public library system.

Unlike the "Open Space, Park Infrastructure and Sports Facilities" contribution, there are no sub-areas allocated for the Public Libraries and Community Recreation Facilities component. In this regard, it is recognised that users of these facilities are generally spread across the Marrickville LGA, rather than in localised catchments. This component is therefore based on a Council-wide spatial nexus.

3.2.1 Library Services

Library services are available through the Central Library at the Marrickville Town Hall and three smaller branch libraries at St Peters, Stanmore and Dulwich Hill. The library service had 417,144 visits in 2004/05 with a total loan circulation of 448,332 items.

Current provision of public library facilities in the LGA is 19.8m² per 1000 residents which is low compared to the building guidelines established by the State Library of NSW (see State Library of New South Wales, *People Places – A Guide for Public Library Buildings in NSW*, 2000). These guidelines suggest that the Marrickville LGA may require the provision of 37.19m² per 1000 residents of public library facilities.

However, as recommended by the State Library of NSW, it is more important to determine the amount of floor space required for library facilities by considering the needs of the community and the demand for particular services.

Marrickville Council has recently updated its research on the needs and demand for its library services through the engagement of the market research firm AEC Group Limited in 2005. AEC's main brief was to:

- undertake a demographic analysis of the population within the Marrickville LGA to clearly identify the population mix and then to;
- consult directly/indirectly with the community through focus group meetings and a telephone library user/non-user survey, to ascertain community needs for, and perceptions of, library service provision in Marrickville.

The AEC investigations involved a library user and non-user telephone survey, and focus group meetings, with the total participation of 574 citizens.

The key findings of the consultation were:

- a high to very high value placed on public libraries;
- general satisfaction with the library service offered by Marrickville libraries;
- various community-identified issues including:
 - library size;
 - parking;
 - quality of collections;
 - opening hours;
 - number of activity programs; and
- community awareness of the Marrickville Library and its services.

Arising from this research, the AEC Group made the following recommendations to meet the identified community needs for library services in Marrickville:

1. The Collection Development Policy and Plan be reviewed as a matter of priority and that suggestions for improvements to the collection by the community be taken into consideration.
2. Options for better rotation of materials be investigated, including the option of providing floating collections.
3. A Marketing Plan be developed for the library taking into consideration the need for better signposting and promotion of library services and facilities, as well as the appropriate branding of library services.
4. The need identified by the community for additional space and facilities and improved parking at Marrickville Central Library be referred to Council for consideration in planning for a new Marrickville Central Library.
5. Investigation be undertaken in partnership with the Technical Services Division of Council regarding options for safe and accessible parking at the St Peters / Sydenham Library.
6. Opening hours be reviewed taking into consideration feedback from the community relating to the need for increased opening hours at the weekend and earlier weekday opening hours at Marrickville Central Library and the need to reconsider the closure of branch libraries on Fridays.
7. The programming and outreach plan be expanded to accommodate suggestions made by the community for improvements in programming and outreach services and that a stronger focus on lifelong learning be included in the plan.
8. Suggestions made by persons from a culturally and linguistically diverse background (CALD) in relation to collections and programming be taken into consideration in future planning.
9. Library processes be reviewed, in particular the acquisition and processing of collections, to maximise the utilisation of labour and to release labour from back of house to front of house customer focused activities.
10. In the longer term, a facilities and service delivery review be undertaken for branch libraries taking into account the relatively low utilisation, access difficulties and space constraints in the branches, and that the service delivery model be aligned so that collections and services are targeted to the needs of local communities.

Council has endorsed staff to act upon these recommendations as the basis of providing improved services within Council's library systems.

3.2.2 Community Recreation Facilities

As outlined above, the majority of Council's community recreation facilities are single purpose, i.e. either built as children's centres or for youth, the arts etc. Research undertaken by Council highlights that new residents will need access to more multipurpose facilities that can be used for a wide range of activities such as adult education, community meetings, special interest groups, parties etc.

Like library services, residents travel throughout the LGA to use facilities that provide the type of service they require and/or is convenient to work, shopping, friends, school etc. For example, Marrickville and Dulwich Hill Early Childhood centres are the only children's health facilities available to residents from any suburb in the LGA. Therefore, the impact of new development is expected to place demand on many facilities throughout the LGA and not just those directly near new development.

Also new residents are likely to place demands on Council's existing aquatic centres and limited indoor recreation facilities. As identified in Council's *Recreation Strategic Plan* and in Table 4, the demand for these types of community recreation facilities is likely to be high by new residents. Currently, both of Council's existing public pools are small and relatively old. Research highlights that both do not meet contemporary standards for leisure centres. Equally, the demand for indoor facilities is being partially met by the recently constructed Steel Park Centre but demands are likely to be significant from young new residents requiring access to these types of facilities.

3.3 Traffic Management and Road Works

3.3.1 Traffic Management

In established and densely populated LGAs such as Marrickville, local traffic congestion is a major issue. As detailed in Council's *Management Plan 2005-2008*, Council is committed to ensuring that *citizens are well served by a safe, accessible and environmentally sensitive network of roads and footpaths*. Council has several traffic management programs for local traffic to ensure that these objectives are achieved. These are:

- **Local Area Traffic Management**—Council has 20 Local Area Traffic Management (LATM) areas throughout the LGA to control local and through traffic. Completed in 1999, these facilities have been established through extensive research on local traffic flows and consultation with the community affected. They have been funded through grants and Council general revenue. However, as these LATMs have already been implemented and through traffic has been restricted, it is evident that new demands for improvements will be as a result of new development. It is considered reasonable that this plan will fund any improvements to these existing facilities.
- **Traffic Amenity Works**—traffic works that improve residential amenity are also undertaken such as road closures, embellishment of traffic devices, roundabouts etc. These works are again in response to demands from residents requesting a higher standard of street amenity.
- **Pedestrian Safety Works**—these provide for pedestrian safety on Council's roads. They address the needs of local residents with need targeted more to locations where traffic volumes are high and around specific locations eg schools, shops, parks, public transport stops etc. Works include refuge islands, wombat crossings and other treatments and Section 94 funds are used to fund works on local roads.

- **Bicycle Facilities**—with the move towards more sustainable transport, the provision of bicycle facilities is supported by local Councils and the NSW Government. Council's *Marrickville Bicycle Strategy* identifies a network of routes and facility improvements required to meet the needs of both local residents and users from outside the LGA. Council is responsible for the improvement of local routes in the LGA.

To meet the needs of new residential, commercial and industrial development in the LGA, Council is committed to ensure that the existing traffic conditions are maintained and improvements are made to existing traffic management programs to meet these new demands.

All new residential, commercial and industrial development will create a demand for access to their homes, work, shops and businesses within and outside the LGA. In particular, the growth of multi-unit housing and large scale industrial and commercial developments will have a significant impact on a specific suburb as the existing road network is already at capacity.

This is supported by the information provided in Table 5 which highlights that:

- Analysis of the 2001 ABS Census indicates that where new residential development has occurred 1996 -2001, new residents have a significantly higher rate of car ownership than existing residents.
- Council has undertaken progressive traffic counts at two locations in Constitution Road, Dulwich Hill to monitor the impact of the development of 268 new dwellings in this area. As at April 2003, counts at both locations show an average 4% per annum increase in traffic from data collected at the same locations during 1996-2001. This validates that local traffic generation is significant from new development.
- Council's *DCP 19—Parking Strategy*, recognises that new development generates significant traffic demands which cannot be met within the existing street capacity of the Marrickville LGA. Council's DCP requires that all new residential, commercial and industrial development to provide adequate car parking and visitor spaces.
- Data from the NSW Roads and Traffic Authority indicates that through traffic on regional roads in the Marrickville LGA has actually declined since the opening of the M5. Therefore, this supports Council's research that increased traffic congestion in the LGA is primarily due to local traffic with significant local traffic generated by new development.

The Marrickville LGA Section 94 Traffic and Transport Study undertaken as a prerequisite to the preparation of draft Marrickville Section 94/94A Contributions Plan 2013 found that in determining the need for traffic facilities and in providing such facilities the LGA should most appropriately be considered as whole rather than comprising separate LATM areas. Development in any part of the LGA can have traffic impact over the whole LGA.

For this reason section 94 contributions received for traffic facilities will be used to provide traffic facilities as considered most appropriate anywhere within the LGA rather than being restricted to within any particular LATM area.

Table 5: Growth in Local Traffic Generation as a Result of New Development in the Marrickville LGA

<ul style="list-style-type: none"> No. of households with no motor vehicles in the Marrickville LGA has decreased by 19.5% between 1991-2001 (ABS Census 2001) No. of households with two or more motor vehicles in the Marrickville LGA has increased by 32% between 1991-2001 (ABS Census 2001) Average car ownership per dwelling in areas with new residential development is 1.2-1.3 vehicles per dwelling compared to 1.1 for the Marrickville LGA (see Schedule 1)
<p>Council's parking requirements for new development is based on the demands generated by different land uses:</p> <ul style="list-style-type: none"> Dwelling – 1 car parking space Multi- unit dwellings– 1 car parking space per unit plus 1 visitor space per 4 dwellings Commercial – 1 car parking space per 45m² with additional spaces required as building size increases Industrial – 1 car parking space per 90m²
<ul style="list-style-type: none"> Vehicle movements have increased significantly on Constitution Road, Dulwich Hill since the development of 286 new dwellings. There has been a recorded increase of 1.2% per annum and 7% per annum for to the south and north of the development respectively.
<ul style="list-style-type: none"> Research undertaken for the RTA indicates that traffic volumes “before and after” the M5 East Motorway have decreased by 5%-23% on many of the regional roads in the Marrickville LGA (see Sinclair Knight Mertz, <i>M5 Motorway East Before and After Opening Traffic Study</i>, February 2003). However, traffic congestion remains significant in the LGA with this being attributable to local traffic.

3.3.2 Road Works

As outlined earlier, specific areas in the LGA are undergoing major redevelopment for industrial and residential uses. It is expected that the sites in these areas will generate significant traffic as a result of the type and extent of development permitted by the zoning. These areas will require specific road works to accommodate the anticipated traffic generated by these developments.

It is also recognised that, in many instances, individual sites generate a site-specific demand for direct internal access. This is dealt with through the development application process and is not included as part of this plan.

Specific areas where new road works will be required to meet the demand from new development are:

- Bellevue Street and Swamp Road, Tempe**—The existing uses comprise industrial, storage, the former Tempe Tip site and vacant land. Proposed development will ultimately include light industrial and open space. The road works are necessary in order to provide a suitable standard of sealed, public road vehicular and pedestrian access to the development land as well as suitable access to the Princes Highway and, ultimately, the proposed St Peters Industrial Route. The need for these works is supported by an independent study undertaken by Transport and Urban Planning, *Traffic Impact Assessment for Proposed Subdivision and Warehouse Development*

on the *Tempe Tip Site*, August 2002. This area was also included in Council's S94 Plan 1996 with full development not yet achieved.

- **Berne Street, Tempe**—The existing uses comprise industrial, storage and vacant land and is zoned General Industrial. The 6.1 metre wide, unmade lane known as Dagmar Street will be widened to 8.1 metres and constructed in order to provide a suitable means of constructed and sealed vehicular and pedestrian access to the new developments. This area was also included in Council's S94 Plan 1996 with full development not yet achieved.
- **Talbot Street and Bellevue Street North, Sydenham**—Zoned General Industrial, it is anticipated that redevelopment of the sites will increase the demand for access and parking. The proposal is intended to provide suitable sealed road access and on-street parking for nearby developments. This area was also included in Council's S94 Plan 1996 with full development not yet achieved.
- **Rich Street, Marrickville**—The intersection of Rich Street and Victoria Road is near a bend in Victoria Road with poor visibility. The proposal is to provide new traffic signals at the intersection in order to provide for safe ingress and egress to developments in Rich Street. This area was also included in Council's S94 Plan 1996 with full development of the affected properties not yet realised.

For traffic management works, the Marrickville LGA has been divided into 8 sub-areas to ensure that new development directly benefits from these works and resultant traffic issues are addressed. These sub-areas are consistent with those identified in Section 3.1 and represent identifiable local areas. It is considered that new development in any of these sub-areas will directly benefit from the traffic management works undertaken in that sub-area. However, to ensure that needs are met, where new development is close to an adjoining sub-area, Council may consider it more appropriate to provide improved facilities in this sub-area.

For road works, these will be applied in specific locations as shown above.

3.4 Plan Administration

To ensure that this plan is administered effectively and efficiently, Council is seeking s94 contributions to manage, monitor and implement the plan. Council staff and specialist consultants are regularly involved in:

- Preparing the plan
- Ongoing monitoring and review of the plan
- Regular reviews to adjust contribution rates
- Masterplanning of Section 94 infrastructure
- Research and investigation to amend/modify the plan.

Guidelines established by DIPNR allow for the costs directly associated with these tasks to be included as Section 94 Contributions.

Part 4 Calculation of S94 Contributions

4.1 Open Space, Park Infrastructure and Sports Facilities

Land for parks (comprising local and significant parks and sportsgrounds) is to be acquired to satisfy the reasonable open space requirements of the projected new population. Consistent with this approach, since 1996 Council has acquired 4.5 hectares of open space at Sydenham to meet the needs of new residents. Given that the Marrickville LGA is already well-developed and existing sites are likely to be redundant industrial sites, this land will also need to be remediated to meet acceptable standards.

Therefore, new residential development is required to contribute at the existing LGA wide rate of provision of open space of 1.61 hectares per 1000 residents or 16.1m² per resident. On this basis, new residents will generate the demand for 5.9 hectares of additional open space (i.e. 1708 new dwellings x average occupancy of 2.15 persons per dwelling x 16.1m²).

Where this total open space cannot be acquired due to high land costs or unavailability of appropriate land, Council will embellish existing open space in the LGA to increase its capacity to meet the needs of new residents as per the works program shown in Schedule 3. Local and neighbourhood parks and streetscapes will require landscaping, plantings, park furniture, play and recreation equipment, pathways and public art. Sportsgrounds will require sports turf, irrigation, drainage, amenities, spectator facilities, parking and floodlighting.

Funds will be put towards facilities across the whole LGA as considered most appropriate.

Although Council will continue to pursue open space acquisition, it does not require new residential development to contribute towards the cost of open space acquisition but rather only towards demolition, remediation and embellishment works. This will ensure that the contribution rate towards open space, park infrastructure and sports facilities remains reasonable.

4.1.1 Contribution Formula for Open Space, Park Infrastructure and Sports Facilities

Total Contribution Rate per Dwelling = $C/NR \times O$

Where:

- C** = Cost of embellishment, demolition and remediation of 5.9 hectares of new open space comprising \$100/m² for demolition, \$50/m² for remediation and \$65/m² for embellishment
- NR** = Average number of new residents expected (i.e. 3672 persons)
- O** = Average occupancy rate per dwelling type i.e. 1.5 persons, 2.15 persons, 2.9 persons or 3.5 persons per small, medium, large dwelling or residential allotment.

4.2 Public Libraries and Community Recreation Facilities

Given the diversity of Council's existing public libraries and community recreation facilities, rather than using a floor space ratio for apportioning the costs between new and existing residents, the capital value of Council's existing and proposed facilities, as shown in Schedule 2, has been used. As at May 2003, this was \$63,957,061 which is equivalent to \$835 per resident (see Schedules 2 and 4).

As outlined in Schedules 2 and 4, to meet the needs of new and existing residents, Council is planning to build a new Aquatic Recreation Facility, which will include an indoor pool, a program pool, water play areas, new changing rooms, café, crèche, public art and multipurpose rooms for a range of activities including health & fitness. Council has set aside funds in its *Resources Plan* to undertake a detailed feasibility study of this proposed facility. At this stage, the cost estimate for this facility is \$10M with this to be revised when more detailed architectural and engineering plans have been developed.

Also, Council is planning to build a new Central Library and Civic Centre in Marrickville that will provide multipurpose community rooms, exhibition space, public art and public access computer technology as part of this development to assist in meeting the needs of new residents. Council has undertaken preliminary investigation of this facility which was originally estimated at \$11.1M (3700m² @ \$3000 per m² for building and fitout). This estimate may be revised when more detailed plans have been developed.

It is considered reasonable that new development contributes at an equivalent rate to existing residents for these facilities given that new residents are likely to be significant users (see Table 4).

Unlike the "Open Space, Park Infrastructure and Sports Facilities" contribution, there are no sub-areas allocated for the Public Libraries and Community Recreation Facilities component. In this regard, it is recognised that users of these facilities are generally spread across the Marrickville LGA, rather than in localised catchments. This component is therefore based on a Council-wide spatial nexus.

4.2.1 Contribution Formula for Public Libraries and Community Recreation Facilities

Total Contribution Rate per Dwelling = (C/ER) x O

Where:

- C** = Capital value of existing and proposed library and community recreation facilities in the LGA (note: this costing will be reviewed based on detailed feasibility studies and concept designs for proposed facilities).
- ER** = Existing number of residents in the LGA as at 30 June 2002 (A total population of 76,587, an Estimated Resident Population, Australian Bureau of Statistics)
- O** = Average occupancy rate per dwelling type i.e. 1.5 persons, 2.15 persons, 2.9 persons or 3.1 persons per small, medium, large dwelling or residential allotment.

4.3 Traffic Management

To meet the needs of new development, traffic management works are to be undertaken. Council will undertake these works progressively to meet the needs of new development consistent with the 10 year works program shown in Schedule 5. These works have been developed based on Council's existing expenditure for each of these programs and the estimated requirements to meet the needs of new development in the LGA. Given the uncertainty of the timing and location of new development, these works may not be undertaken each year, but will be linked to the development trends identified throughout the LGA.

A total estimated annual capital works program of \$410,000 has been developed for local traffic management comprising of:

- Reviewing 2 LATMs annually at a cost of \$100,000 per facility with a total of 20 completed in 10 years.
- Traffic amenity works costed at \$90,000 per annum
- Pedestrian safety for local roads costed at \$100,000 per annum
- Bicycle facilities costed at \$20,000 per annum.

Contributions are required from all new development including residential and commercial/industrial development and is apportioned based on the amount of traffic generated by the development.

4.3.1 Contribution Formula for Traffic Management

Total Contribution Rate per Dwelling or Industrial/Commercial Floorspace = ((C/ND) x F)

Where:

- C** = Cost of works program projected for new development per annum
- ND** = Expected number of new residential, commercial and industrial developments per annum
- F** = Average car ownership for each land use type (i.e. 1 per small dwelling; 1.3 per medium dwelling; 1.6 per large dwelling or residential allotment; or total number of car spaces generated based on Council's DCP 19) divided by the number of cars generated by the average sized development which is a 2 bedroom medium dwelling i.e. 1.3.

4.4 Road Works

These road works have been designed to accommodate the increased demands generated by the future development of specific sites with the works to be undertaken when funds become available. Already Council has completed some road works identified in the 1996 Section 94 Contributions Plan and will be working to progressively undertake the works identified in Schedule 6.

Therefore, contributions towards these road works are apportioned fully to all adjoining properties which will directly benefit from the works. The cost of the works is apportioned to each development site based on the total site area of the lands affected. The sites affected are shown in Schedule 6.

4.4.1 Contribution Formula for Road Works

Total Contribution Rate per Site = ((C/ED) x PD)

Where:

C = Cost of road works for each development area

ED = Total existing site area to be developed

PD = Site area of the projected development.

Table 6: Costings for Road Works Program

Development Area	Estimated Work Costs	Estimated Acquisition Costs	Total Cost of Road Works (C)	Total Existing Site Area to be Developed (ED)
Bellevue Street and Swamp Road, Tempe	\$6,620,794	\$2,979,550	\$9,600,344	286,743
Berne Street, Tempe	\$447,198	\$300,000	\$747,198	16,888
Talbot Street and Bellevue Street North, Sydenham	\$1,228,685	\$855,000	\$2,083,685	27,384
Rich Street, Marrickville	\$130,000	\$0	\$130,000	7,300

4.5 Plan Administration

The cost of administering the plan over the next 5 years has been estimated at \$736,250. This includes:

- Preparing the initial plan costing \$100,000 including consultants fees and staff time
- Quarterly reviews of S94 budget allocations and project progress \$10,000 in staff time per annum
- Reviews to adjust contribution rates undertaken quarterly with staff time included above
- Annual review of S94 plan and report in Management Plan with staff time included above

- Additional consultant studies and staff time to undertake S94 infrastructure masterplanning estimated at \$100,000 per annum
- Research and investigation to amend/monitor the plan including demographic analysis, new resident surveys etc estimated at \$10,000 per annum
- Provision of computer software and training to support S94 plan estimated at \$7250 per annum.

The total plan administration cost as a factor of the total expected S94 income from this plan is estimated at 2.4%. Therefore for each development, this factor is apportioned to the sum of the base contributions to be paid by each development (i.e. sum of the open space, park infrastructure and sports facilities public libraries and community recreation facilities, traffic management and road works contributions). This is considered to reasonably reflect the amount of the plan administration costs to be applied by Council to the development application.

4.5.1 Contribution Formula for Plan Administration

Total Contribution Rate per Dwelling or Industrial/Commercial Development = $(C/EI) \times BC$

Where:

C = Cost of plan administration

EI = Expected total Section 94 income

BC = Base S94 contribution comprising the sum of the calculated open space, parks infrastructure and sports facilities, public libraries and community recreation facility, traffic management and road works contribution.

Part 5 Method, Timing and Payment Options

5.1 Methods of Payment

Contributions made under this Plan may take one (or more) of the following methods:

- Monetary payment.
- Dedication of Land (refer to Section 5.4).
- Provision of Works in Kind (Material Public Benefits) (refer to Section 5.5).

5.1.1 Explanation

Section 94 of the Environmental Planning and Assessment Act allows Council to use any of these methods under this Plan. Monetary payment means that the developer pays a sum of money to the Council to provide further facilities, amenities or services necessary to cater for the demands generated by new development.

Dedication of land requires the developer to transfer land to Council's ownership (at no cost to Council). This will occur less often than a monetary payment but in some cases land within a development site may have characteristics which make it desirable to be in public ownership. An example could be a strip of land on the edge of a river being dedicated to Council and a riverside walkway established on that land. There are specific criteria that need to be met if the dedication of land is proposed (refer to Section 5.5 for more information).

The provision of Works in Kind (WIK) means that the developer provides a specific facility, amenity or service to Council in lieu of a monetary payment. A WIK proposal must be identified in the work schedules of this Plan.

5.1A Requirements for Accredited Certifiers

A certifier accredited in accordance with the Environmental Planning & Assessment Act 1979 must in issuing a complying development certificate, require as a condition of that certificate, the payment of the full amount of s94 or s94A contributions determined in accordance with this Plan before the commencement of any works. In determining the applicable contribution amount the following shall apply:

- (a) The contribution amount comprises either:
 - (i) the full amount of all applicable Section 94 or s94A contributions payable for the proposed development as set out in the Summary of Contributions tables on page i of this Plan; or,
 - (ii) the full amount of the contribution sums advised in writing by Council as being applicable to the proposed development; and
- (b) The contribution amount is indexed to the date of payment; and,
- (c) only the payment of monetary contributions is involved; and,
- (d) there are no deferred or periodic payments; and,

- (e) there are no bank guarantees involved; and,
- (f) all projections and assumptions explicitly provided in this Plan about residential and other occupancy rates, populations, areas, standards and methods are followed in calculating contributions.

Note 1: The Summary of Contributions tables on page i of this Plan provides the contribution amounts calculated at the time of adoption of this Plan and these amounts need to be indexed to determine current contributions. Council's current Pricing Policy & Fees and Charges document, a new version of which is adopted every financial year, provides the s94 contribution amounts indexed to the current year and these amounts are accepted as the payment due for the period of that year. S94A contributions will be individually indexed on a quarterly basis at the time of payment.

Note 2: Section 5.2 below requires that monetary contributions will only be accepted if in the form of cash, bank cheque from a major Australian bank or EFPTOS (debit only).

5.2 Payment of Section 94 & 94A Contributions

Unless otherwise negotiated (refer to Section 5.3), payment of Section 94 or 94A contributions is to be made at the following stages:

- For applications involving the issue of a complying development certificate, before the commencement of any works.
- For building work requiring a construction certificate, before the issue of a construction certificate.
- For a development application involving subdivision - before the issue of any construction certificate related to the site works or before the issue of the subdivision certificate, whichever occurs first.
- For development applications involving both subdivision and building work - before the issue of the construction certificate or before the issue of the subdivision certificate, whichever occurs first.
- For all other development, before the commencement of the use or the issue of an occupation certificate, whichever occurs first.

Monetary payment of section 94 or 94A contributions will only be accepted by:

- Cash;
- Bank cheque from a major Australian bank;
- EFPTOS (debit only).

Note: Personal cheque and credit card payments will not be accepted.

5.3 Deferred and Periodic Payment of Contributions

Council may decide to accept the deferred or periodic payment of a monetary contribution if the applicant satisfies Council that compliance with the provisions of this Schedule as to when contributions payable is unreasonable or unnecessary in the circumstances of the case and that non-compliance will not prejudice the timing or the manner of the provision of the public amenity or public service for which the contribution was required. The period of time for deferring payments is flexible but will be generally limited to a maximum of twelve (12) months.

Council may, if it decides to accept the deferred or periodic payment of a monetary contribution, require the applicant to provide a bank guarantee by an Australian bank for the contribution or the outstanding balance:

The bank guarantee:

- (1) requires the bank to pay the guaranteed amount unconditionally to the Council if the Council so demands in writing not earlier than (the period specified in the consent, generally limited to a maximum of 12 months) from the provision of the guarantee or completion of the development or stage of the development to which the contribution or part relates.
- (2) prohibits the banks from:
 - having recourse to the applicant or other person entitled to act upon the consent; or
 - having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount;
- (3) provides that the bank's obligations are discharged:
 - when payment is made to the Council according to the terms of the bank guarantee;
 - the related consent lapses; or
 - if the Council otherwise notifies the bank in writing that the bank guarantee is no longer required.

Additional Notes

Applicants seeking a deferred payment of Section 94 or s94A contributions need to request such in their development application submission and incorporate details addressing the above matters.

In the event that development consent has already been granted for the proposed development, it would be necessary to lodge an application under Section 96 of the Environmental Planning and Assessment Act in the prescribed manner seeking approval to modify the subject condition(s) of consent to permit deferred payment of the assessed contribution(s).

The following formula will be applied to bank guarantees for Section 94 and 94A contributions:

$$\text{Bank Guarantee Amount} = C (1 + I)^N + A$$

Where:

- C** = the Section 94 or 94A contribution assessed under this Plan which is due.
I = the interest foregone by Council calculated at the Council's overdraft rate (%) applicable at the time;
N = the period of deferral.
A = the current administrative charge.

5.4 Planning Agreements

The EP&A Act sets out a statutory system of planning agreements. An applicant may offer contributions in the form of a planning agreement. A planning agreement is a contractual agreement between council and the developer under which the developer agrees to make development contributions towards a public purpose. The planning agreement can be monetary contributions, the dedication of land free of cost, any other material public benefit, or any combination of them, to be used for or applied towards a public purpose. The provision of a planning agreement is not invalid by reason only that there is no connection

between the development and the object of expenditure of any money required to be paid under the agreement.

Planning agreements can authorise development contributions for a variety of public purposes, some of which extend beyond the scope of section 94 or section 94A of the Environmental Planning and Assessment (EP&A) Act. These additional purposes include the recurrent funding of public facilities provided by councils, the capital and recurrent funding of transport and other State infrastructure and affordable housing, the protection and enhancement of the natural environment, and the monitoring of the planning impacts of development.

Planning agreements are most suited to rezonings. In some instances it may be appropriate to use planning agreements for large scale developments that have longer time frames, are likely to be developed in stages, and in situations where the developer has a key interest in delivering public infrastructure.

Before the making of an application, the council and developer will decide whether to negotiate a planning agreement. If an agreement is negotiated, it is documented as a draft planning agreement and the parties agree on the terms of the accompanying explanatory note required by the EP&A Regulation. The parties also agree on the content of the application to which the draft agreement relates. The developer will then make the application to council accompanied by the draft planning agreement and the explanatory note. The development application, draft planning agreement and explanatory note are publicly notified and exhibited in accordance with the EP&A Act and Regulation. Any consequential amendments required to the application and draft agreement are made and, if necessary, the amended application, draft planning agreement and explanatory note are re-exhibited. The planning agreement must be publicly exhibited for 28 days before it is entered into and may also be registered by the Registrar-General in relation to the land to which it applies and thereby bind successors in title to the land. Once entered into, a planning agreement becomes a statutory obligation. A breach of a planning agreement will be a breach of the EP&A Act. Following are mandatory contents of planning agreements. This does not preclude a planning agreement containing other provisions that may be necessary or desirable in particular cases.

- a description of the land to which the agreement applies,
- a description of the change to the environmental planning instrument, or the development, to which the agreement applies,
- the nature and extent of the development contributions to be made by the developer under the agreement, and when and how the contributions are to be made,
- whether the agreement excludes (wholly or in part) the application of s94 to particular development,
- if the agreement does not exclude the application of s94 to a development, whether benefits under the agreement may or may not be considered by the consent authority in determining a contribution in relation to that development under s94,
- a dispute resolution mechanism, and
- the enforcement of the agreement by a suitable means, such as the provision of a bond or bank guarantee, in the event of a breach by the developer.

5.4.1 Dedication of Land

Any proposal to dedicate land to meet the requirements of this Plan must be in writing and outline the nature of the proposal. The applicant needs to clearly show the land proposed to be dedicated on any subdivision plans or concept sketches, and provide details like the area, shape, and slope of the land.

Council reserves the right to refuse an application for the dedication of land in lieu of a financial contribution. If the application for dedication of land is rejected, Council will give reasons for its decision.

The following criteria will be used when considering a proposal to dedicate land to Council in lieu of a monetary payment under this Plan:

Location

- The proximity of the land in relation to residential dwellings.
- Proximity of the land in relation to other natural or built features (e.g. heritage items, roads, bodies of water, etc.)
- How much open space is already provided within the immediate proximity of the land proposed to be dedicated.
- Whether the land adjoins, or would be capable of linking up to, an existing reserve, open space area, riverside walkway, etc.
- Whether it contributes to permeability for pedestrians and bicycles.

Physical Criteria

- The area of land.
- The shape of the land (e.g. long and narrow, etc.).
- The slope (topography) of the land (e.g. relatively flat, steep slope, etc.).
- The likelihood of the land being inundated by flooding or subject to erosion.

Other Criteria

- The value of the land.
- Vegetation currently occupying the land (e.g. native vegetation cover, exotic vegetation, noxious weeds, etc.) and whether or not that vegetation should be retained.
- The serviceability of the land (e.g. water, wastewater, electricity).
- The ability of the land to be subdivided and a separate title to be created.

Explanation

These criteria will be used to determine whether the land proposed (or required) to be dedicated is useable, accessible, and visible. In this context: Useable means how efficiently can the land be used by different recreational activities. Accessible means how easy is it to get access to the land (e.g. access from the road, access from neighbouring recreational reserve or open space areas, whether disabled access would be difficult or impractical, etc.). Visible means how easily can the land be viewed—does it promote natural surveillance or do other buildings or vegetation conceal it (and could be a security risk).

Ideally land that meets all three requirements (i.e. useable, accessible, visible) would be most desirable - especially if it can be integrated into existing reserves, open space areas, walkways, etc. thereby enable the land to be used more efficiently.

5.4.2 Provision of Works in Kind (Material Public Benefits)

Council may consider or require the provision of works in kind by a developer that would partially or fully satisfy a section 94 contribution required for the development under this Plan. Where the value of the works to be provided is less than the amount of the financial contribution, the difference is to be made up by a monetary payment by the applicant.

In most situations the applicant will provide a facility, amenity or service to the specifications set by Council either as part of the development or at an alternative location to Council's satisfaction. The applicant should provide a written request to Council for the provision of works in kind as part of the Development Application. Any plans provided by the applicant

must show the work or works that are to be provided in lieu of a financial contribution. Applicants should discuss any such proposal with Council staff prior to submitting their Development Application.

Council may wish to modify a proposal for works in kind. Where the Council seeks to modify a proposal for works in kind, the cost of the work including any modifications should be comparable to the amount that would otherwise be paid as a financial contribution under this Plan. The Council also reserves the right to refuse an application to provide works in kind. Where the Council refuses a proposal for works in kind, it will provide reasons for its refusal.

The following matters will be taken into consideration when assessing a proposal for works in kind:

Community Recreation Facilities

- The ability of the facility to be used for a wide range of activities.
- The location of the facility in relation to other community recreation facilities.

Community Services

- The location of the community service.
- The nature of the community service - i.e. to whom does it provide services (children, elderly, specific ethnic groups, etc.).
- Is the service already provided elsewhere. If so, justify why providing an additional service is necessary rather than making improvements to the existing service. If not, justify why the service should be provided.

Explanation

Works in Kind are specific facilities, amenities or services that would normally be provided by Council and funded partially or entirely through Section 94 funds but have been provided by the developer at their cost. The provision of these facilities, amenities or services by the developer offsets the need for Council to provide and fund these services from Section 94 contributions.

Part 6 Administration

6.1 Section 94 Contributions Plan Accounts

When a payment for a financial contribution under Section 94 is received, Council will deposit it into the relevant account for Section 94 contributions. Any interest on money in these accounts will be credited to the relevant account as well.

The following accounts will be in operation:

- Open Space, Parks Infrastructure and Sports Facilities
- Public Libraries and Community Recreation Facilities
- Traffic Management
- Road Works
- Plan Administration.

6.1.1 Explanation

When administering section 94 funds, there is a need to ensure that any money collected as a Section 94 contribution is spent on the purpose for which it was collected. Having separate accounts for the various elements that Section 94 contributions are collected for ensures that money spent from a particular account is spent for that purpose.

Funds collected as section 94A contributions go into a separate account for section 94A funds and this money can be spent as decided by Council on items within Council's overall works program.

Transfers of funds between accounts is allowed, provided that any money "borrowed" from one account by another is repaid along with any interest accrued on the borrowed funds.

6.2 Maintenance of the Section 94/94A Contributions Register

Council is responsible for maintaining an up-to-date register of the administrative details of Section 94 and 94A transactions. This register is updated periodically and is able to be viewed at no cost in Council's Citizens Service Centre.

In accordance with clause 34 of the Environmental Planning and Assessment Regulation 2000, the contributions register needs to contain the following details:

- particulars sufficient to identify each development consent for which a contribution condition has been imposed;
- the nature and extent of the section 94 contribution or section 94A levy required by the condition for each public amenity and service;
- the contributions plan under which the condition was imposed; and
- the date or dates on which any section 94 or section 94A contribution required by the condition was received and its nature and extent.

6.3 Maintenance and Updating of this Section 94/94A Plan

The contribution rates will be reviewed on a regular basis. Reviews will usually take place on an annual basis in line with Council's Management Plan. This provides opportunities to alter the Schedule of Works, by deleting works that have been completed during that financial year, adding new works as necessary, and recalculating the contribution rates.

A full review of the Plan generally takes place every 5 years in line with the release of Census results. This is a suitable timeframe within which to establish trends in development and population within the Marrickville LGA.

Part 7 Schedules

Schedule 1: New Resident Profile

Selected Demographic Characteristics	CCD 420313 Williams Pde Dulwich Hill	CCD 420907 Mallet St Camperdown	CCD 420708 Marrickville Rd Marrickville	Marrickville LGA
Net Increase in Completed Dwellings 1996-2001	286 dwellings	79 dwellings	49 dwellings	1088 dwellings
Resident Popn 2001*	677	405	374	72,589
Resident Popn 1996*	213	252	339	75,519
Change	+464 218% increase	+153 61% increase	+35 10% increase	-2930 4% decrease
Age Profile				
0-4 yrs	8%	2%	8%	6%
5-19 yrs	10%	9%	15%	14%
20-34 yrs	47%	48%	37%	30%
35-64 yrs	32%	38%	33%	39%
65+ yrs	3%	3%	7%	11%
Family Structure				
Couple families with children	28%	18%	46%	41%
Couple families only	52%	63%	33%	39%
Single parent families	16%	14%	16%	16%
Language other than English spoken	31%	12%	51%	46%
Homes owned/ being purchased	26%	40%	40%	49%
Homes rented	62%	48%	47%	41%
Average Occupancy Rate per dwelling	2.15	1.88	2.05	1.91
Average Motor Vehicles per dwelling	1.3	1.2	1.0	1.1
Proportion with dwellings with 2 or more motor vehicles	28.4	25.4	16.5	21.8

* Resident population has been derived from the total population count minus the number of visitors, which was sourced from the Census Applications Small Area System, Basic Community Profile, 1996 and 2001. This System does not use the estimated resident population (i.e. ERP) as derived by the Australian Bureau of Statistics. It should also be noted that the ERP, June, 2002 (76,587) has been used as the basis for the contribution calculations of this Plan.

Schedule 2: Existing and Proposed Council Owned Community Recreation Facilities 2002

Council Community Facility	Address	Facility Type	Capital Valuation (Building & Contents \$)
Dulwich Hill Library	12 Seaview St DULWICH HILL	Library	891,000
Marrickville Library	303 Marrickville Rd MARRICKVILLE	Library	8,499,730
St Peters Library	39 Unwins Bridge Rd ST PETERS	Library	1,322,381
Stanmore Library	Douglas St STANMORE	Library	606,000
Proposed Central Library & Citizens Centre	26 Lilydale St MARRICKVILLE	Proposed Central Library and Citizens Centre	11,100,000
Total Libraries		5 libraries	22,419,111
Cavendish St Child Care Centre	142 Cavendish St ENMORE	Children's Centre	768,000
Crusader Kindergarten	53 Malakoff St MARRICKVILLE	Children's Centre	418,000
Deborah Little Child Care Centre	1 Macarthur Pde DULWICH HILL	Children's Centre	516,000
Dulwich Hill Early Childhood Health Centre	12 Seaview St DULWICH HILL	Children's Centre	148,500
Enmore Children's Centre	305 Enmore Rd ENMORE	Children's Centre	464,000
Enmore Park Resource Centre	Black Street ENMORE	Children's Centre	203,000
Jarvie Park Early Intervention Centre	Malakoff St MARRICKVILLE	Children's Centre	447,000
Marrickville Day Nursery	251 Illawarra Rd MARRICKVILLE	Children's Centre	612,000
Marrickville Early Childhood Health Centre	228 Illawarra Rd MARRICKVILLE	Children's Centre	206,000
May Murray Child Care Centre	35 Premier Rd MARRICKVILLE	Children's Centre	253,000
Petersham Kindergarten	92A Brighton St PETERSHAM	Children's Centre	547,000
Tillman Park Child Care Centre	79 Unwins Bridge Rd TEMPE	Children's Centre	1,166,000
Total Children's Centres		12 Children's Centres	5,748,500
Herb Greedy Hall	79 Petersham Rd PETERSHAM	Community Centre/Hall	283,000
Marrickville Town Hall (main hall only)	303 Marrickville Rd MARRICKVILLE	Community centre/hall	2,968,950
Newtown Town Hall	1 Bedford St NEWTOWN	Community Centre/Hall	2,048,500

Council Community Facility	Address	Facility Type	Capital Valuation (Building & Contents \$)
Petersham Town Hall (Main hall and Amenities room only)	107 Crystal St PETERSHAM	Community Centre/Hall	4,900,000
St Peters Town Hall (Main hall and meeting rooms only)	39 Unwins Bridge Rd ST PETERS	Community Centre/Hall	2,012,000
Steel Park Centre	Illawarra Road MARRICKVILLE	Community Recreation Centre	5,000,000
Dulwich Hill Community Hall	12 Seaview St DULWICH HILL	Community Centre/Hall	241,000
Total Community Recreation Centres/Halls		7 community recreation centres/halls	17,453,450
Chrissy Cotter Art Gallery	Pidock St CAMPERDOWN	Arts Centre	484,000
Sydenham Green Stone Villa	19 Railway Pde SYDENHAM	Arts Centre	350,000
Portuguese Cultural Centre	49 Australia St CAMPERDOWN	Community Office Space/ Museum	755,000
Tom Foster Community Centre	11 Darley St NEWTOWN	Seniors Centre/Food Services	857,000
Barnardos	100A Silver St MARRICKVILLE	Community Office Space	120,000
Marrickville SES	209 Livingstone Rd MARRICKVILLE	Emergency Services	426,000
Community Buses x 2	N/A	Community Transport	90,000
Jarvie Park Youth Centre	Yabsley St MARRICKVILLE	Youth Centre	741,000
Annette Kellerman Aquatic Centre + Proposed Upgrade	Enmore Park ENMORE	Aquatic Community Recreation Centre	2,973,000 +
Fanny Durack Aquatic Centre	Petersham Park PETERSHAM	Aquatic Centre	1,540,000
Other Facilities		7 various facilities, 2 aquatic centres and 2 community buses	18,336,000
GRAND TOTAL		31 facilities, 2 aquatic centres and 2 community buses	63,957,061

Source: Marrickville Council, *Community Services/Facilities Database*, 2002 with data taken from Edward Rushton Australia Pty Ltd, *Building and Site Improvements Valuations*, May 2003

Note: where buildings are jointly used for community recreation services and another function (eg Council administration) only the floor area and associated capital value for the community recreation services function has been recorded. Also, only facilities currently open for community use have been recorded.

Schedule 3: Open Space, Parks Infrastructure and Sports Facilities Works Program and Sub Area Map

The following schedule provides a list of parks where embellishment works are proposed, and an estimate of the costs in 2006 dollars. There are works of major and moderate significance listed in each sub-area. No priority is attached to the individual works. Work will be funded in accordance with Council's *Strategic Plan*, and the annual *Resources Plan* and *Management Plan*.

It is not the intention of this plan that Council will contribute funds other than S94 contributions to these works. Some works will be staged with funding and staging of works generally in response to development occurring in each sub-area, and in response to local needs assessment. The works schedule does not have any funding commitments other than that revenue expected from S94 contributions.

Against each park listed in the schedule of works is an indication of the specific works planned for that park. Some change to those specific works may occur, particularly where new park master planning is undertaken by consultation with the local community. The works schedule lists works which may be undertaken using S94 revenue. Specific works that Council is committed to undertaking will be identified annually in its Resources Plan Budget.

Specific works which may be carried out within this program include public art in parks; landscaping and park infrastructure; access facilities for pedestrians, cyclists and vehicles; lighting; sports facilities including courts, sports fields and all infrastructure pertaining to or supporting the use of the park for sport and recreation; toilet blocks and other amenities; street tree planting; barbecues and picnic facilities; playgrounds, retaining structures and fencing; demolition and remediation works; drainage, water supply, power supply and irrigation.




As set out elsewhere in this Plan, the sub-areas shown in the following map may be thought of as comprising the whole LGA rather than the more limited area shown. Thus the specified works may be carried out as most appropriate anywhere within the LGA.

MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

Schedule 3

Open Space, Parks Infrastructure and Sports Facilities Works Program, Sub Area and Council Wide Projects Map

#

-  CWP1- Cooks River
-  CWP2- Tempe Reserve/ Tempe Lands
-  Section 94 Contributions Sub Areas

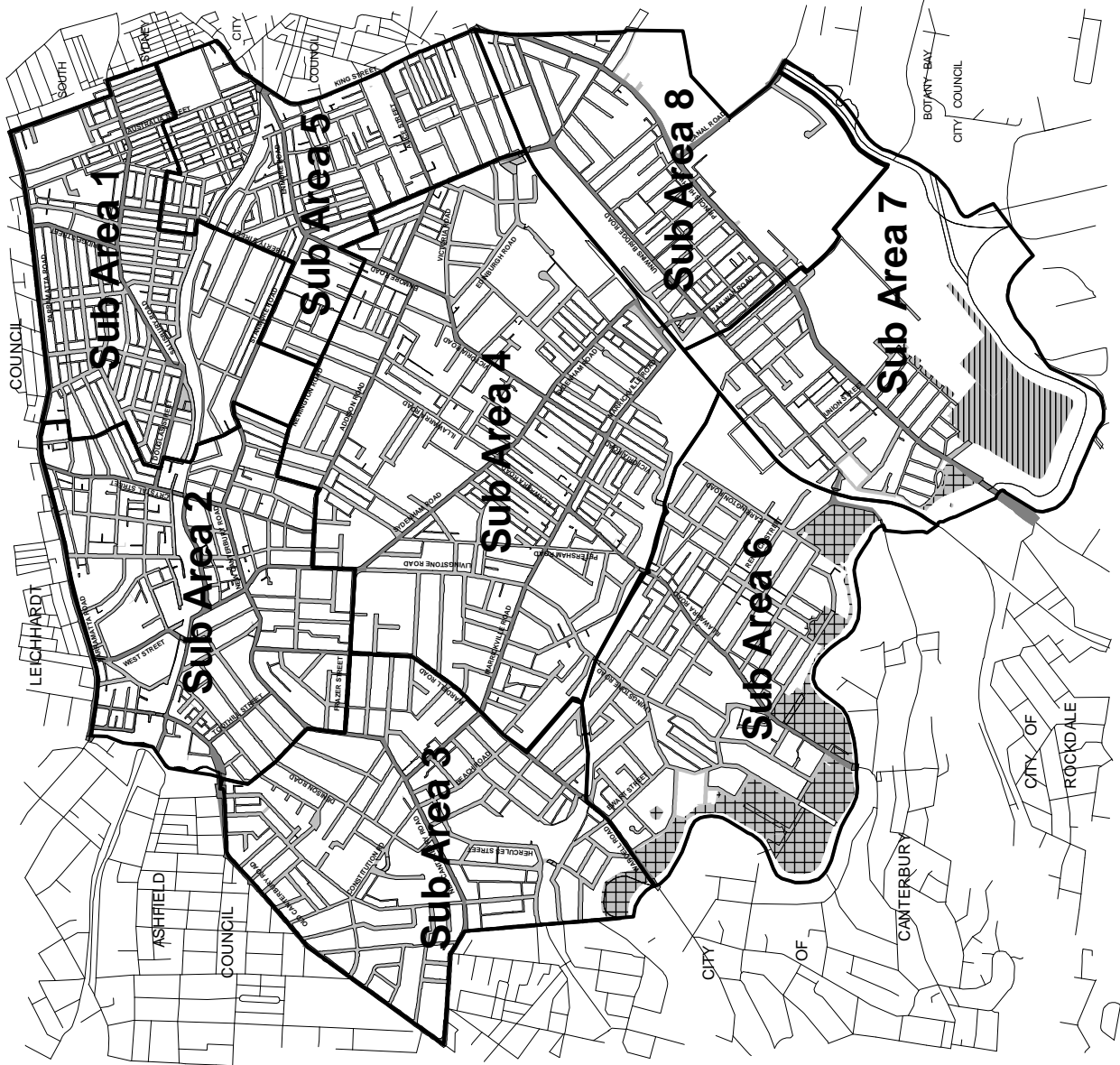


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Sub Area	Location of Open Space or Park	Description of Proposed Works	Estimated Project Cost (\$)	Commencement Date and Staging
SUB AREA 1	CAMPERDOWN / STANMORE AREA			
1.	Camperdown Park	Playground, sports facilities, landscaping, vehicle control, parking, lighting, grandstand, seating, sports facilities, tree planting, drainage, public art and park infrastructure	1,555,000	To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan
2.	Weekley Park	Playground, park infrastructure, trees, toilet block, lighting and public art, and landscaping	400,000	
3.	Stanmore Reserve	Landscaping, retaining edges, planting, seating, shade and lighting	200,000	
4.	Bain Playground	Playground and landscaping	75,000	
5.	Crammond Park	Paths, planting, shade, seating, lighting and landscaping	50,000	
6.	Eve Sharpe Reserve	Lighting, seating, planting, fencing, signage and landscaping	80,000	
7.	Montague Gardens	Playground and landscaping, retaining walls, drainage, access, paths, picnic, playground, sport, lighting, trees and planting	300,000	
8.	Whiteley Reserve	Landscaping and park infrastructure	40,000	
9.	Peter Cotter Reserve	Landscaping and park infrastructure	25,000	

SUB AREA 2**PETERSHAM / LEWISHAM AREA**

1.	Petersham Park	Playground, sports facilities and landscaping. Drainage, irrigation, toilets, grandstand, sports seating, picnic, trees, bbq, park infrastructure and sports field, public art	1,308,500	
2.	Morton Park	Playground, picnic, bbq, lighting, shade, drainage, toilets, landscaping and park infrastructure	400,000	
3.	Brighton Street Park	Playground, landscaping and park infrastructure. Access, levels, play and sports equipment, picnic, planting, lighting, paths, seats, fences	425,000	To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan
4.	Marr Playground	Playground, access, paving, seating, planting, lighting	250,000	
5.	Quinn Playground	Playground, landscaping, park infrastructure, lighting	150,000	
6.	Trafalgar Street Reserve	Landscaping and park infrastructure	10,000	
7.	Jubilee Street Reserve	Landscaping and park infrastructure	10,000	
8.	Terminus Street Reserve	Landscaping and park infrastructure	10,000	
9.	Maundrell Park	Playground, picnic, lighting, drainage, toilets, trees, public art, landscaping and park infrastructure	278,000	

SUB AREA 3**DULWICH HILL AREA**

1.	Arlington Recreation Reserve	Bank terracing, seating, drainage, lighting, sports facilities, park infrastructure and landscaping	500,000
2.	Johnson Park	Upgrade playground and toilets, bbq, irrigation, landscaping and park infrastructure, public art	250,000
3.	Marrickville Golf Course	Upgrade to golfing facilities, car park and access road, environmental management, water supply and irrigation, landscaping and foreshore restoration, drainage	650,000
4.	Mallam Reserve	Seating, shade, paving, planting, lighting, toilet upgrade, art	100,000
5.	Kintore Street Road Closure	Landscaping, parks infrastructure, lighting, shade, art	50,000
6.	Tennyson Street Playground	Playground, landscaping and park infrastructure	75,000
7.	Allison Playground	Playground, landscaping and park infrastructure	75,000
8.	Denison Road Playground	Landscaping and park infrastructure	15,000
9.	J F Laxton Reserve	Playground, landscaping and park infrastructure, access improvements, bbq, irrigation, trees, shade, public art and dog exercise area	180,000
10.	Parade Playground	Trees, landscaping, traffic and pedestrian management	90,000
11.	Rowe Playground	Playground, landscaping and park infrastructure	25,000

To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan

SUB AREA 4		MARRICKVILLE AREA	
1.	Marrickville Park	Playground, boundary treatment, lighting, public art, park infrastructure, landscaping, sports facilities, access facilities and trees	2,581,500
2.	Henson Park	Grandstand, change rooms, toilets, lighting, seating, off-leash dog area, playground, sports facilities, landscaping and park infrastructure	750,000
3.	Enmore Park	Playground, landscaping and park infrastructure, picnic, bbqs, gardens, trees and grassed areas	826,000
4.	Wicks Park	Playground, tennis courts, toilets, fencing, lighting, public art, landscaping and park infrastructure	300,000
5.	Petersham Road Reserve	Landscaping, lighting and park infrastructure	30,000
6.	Gilbert Barry Reserve	Lighting, vehicle access, landscaping and park infrastructure	60,000
7.	Barclay Street Reserve	Landscaping and park infrastructure	25,000
8.	Amy Street Playground	Playground, lighting, landscaping and park infrastructure	180,000
9.	Braddock Playground	Fencing, playground, picnic, landscaping and park infrastructure	100,000
10.	Murdoch Playground	Lighting, landscaping and park infrastructure	40,000
11.	Ness Playground	Playground, fencing, lighting, landscaping and park infrastructure	120,000
12.	Newington Road Playground	Playground, landscaping and park infrastructure	60,000

To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan

13.	Alex Trevallion Plaza	Plaza infrastructure, shade, furniture, trees, signage, lighting, services, drainage, paving, public art, access improvements, special event infrastructure, water feature and pedestrian management	650,000
14.	Bourne Street Reserve	Landscaping and park infrastructure	25,000
15.	Jarvie Park	Playground, public art, landscaping and park infrastructure	60,000
16.	Leicester Street Road Closure	Landscaping and park infrastructure	10,000
17.	O'Hara Street Playground	Playground, landscaping and park infrastructure	60,000
18.	Silver Street Playground	Landscaping and park infrastructure	10,000

SUB AREA 5**ENMORE / NEWTOWN AREA**

1.	Ryan Park	Playground, lighting, landscaping and park infrastructure	200,000
2.	Alice Street (Hawken Street) Playground	Playground, lighting, landscaping and park infrastructure	75,000
3.	Bugler Playground	Playground, lighting, landscaping and park infrastructure	75,000
4.	Darley Street Playground	Playground, lighting, landscaping and park infrastructure	100,000
5.	Fleming Playground	Playground, lighting, landscaping and park infrastructure	75,000
6.	Francis Street Playground	Playground, lighting, landscaping and park infrastructure	53,000
7.	Norton Russell Playground	Parks infrastructure and public art	120,000

To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan

8.	Salmon Playground	Playground, picnic, bbq, lighting, landscaping and park infrastructure	225,000
9.	Collyer Playground	Playground, lighting, retaining wall, public art, landscaping and park infrastructure	45,000
10.	Enmore TAFE Park	Lighting, pathways, fencing, landscaping and park infrastructure	50,000
11.	Garavelle Playground	Playground, picnic, lighting, tree management, walls, heritage stone masonry, paths, drainage, landscaping and park infrastructure	65,000
12.	George Smith Playground	Playground, picnic, lighting, landscaping and park infrastructure	40,000
13.	Laura Street Road Closure	Landscaping and park infrastructure	10,000
14.	Matt Hogan Reserve	Playground, picnic, lighting, landscaping and park infrastructure	60,000
15.	Oxford Street Playground	Landscaping and park infrastructure	25,000
16.	Peace Reserve	Playground, lighting, public art, landscaping and park infrastructure	90,000
17.	Camperdown Memorial Rest Park	Playground, landscaping and park infrastructure, picnic, toilets, access improvements, public art, trees and grassed areas	650,000
18.	Wells Street Road Closure	Landscaping and park infrastructure	10,000

SUB AREA 6**MARRICKVILLE SOUTH AREA**

1.	AB Crofts Playground	Playground, landscaping, lighting and park infrastructure	70,000
2.	Tom Kenny Reserve	Playground, lighting, drainage, landscaping and park infrastructure	80,000
3.	Premier Street Reserve	Terracing, lighting, drainage, public art, landscaping and park improvement	100,000
4.	Princess Street Park	Fencing, lighting, landscaping and park improvement	75,000
5.	Louisa Lawson Reserve	Playground, landscaping, public art, park infrastructure	225,000
6.	Day Street Road Closure	Terracing, lighting, drainage, landscaping, park infrastructure and public art	100,000
7.	McNeilly Park	Playground, landscaping, public art, dog exercise area, toilet, park infrastructure	150,000
8.	Aquatic Play Facility	Amenities and infrastructure for aquatic play facility including public art. Location to be confirmed - either Sub Area 6 - South Marrickville or C.W.P. 1 - Cooks River	700,000

SUB AREA 7**TEMPE AREA**

1.	Tillman Park	Playground, toilet, lighting, landscaping and park infrastructure	100,000
2.	Toyer Street Reserve	Playground, landscaping and park infrastructure	150,000
3.	Green Street Park	Landscaping and park infrastructure	10,000

	4. Station Street Reserve	Landscaping and park infrastructure	12,000	
SUB AREA 8	ST PETERS / SYDENHAM AREA			
	1. Camdenville Park	Playground, detention basin wetlands, sports facilities, lighting, amenities, landscaping, drainage, public art and park infrastructure	800,000	
	2. Sydenham Green	Playground, sports facilities, parking, picnic and barbecue, landscaping and park infrastructure	425,000	
	3. Simpson Park	Playground, landscaping and park infrastructure	200,000	To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan
	4. Memory Reserve	Public art, lighting, landscaping and park infrastructure	200,000	
	5. Francis Playground	Playground, landscaping and park infrastructure	75,000	
	6. Rowswell (Mary Street) Playground	Playground, landscaping and park infrastructure	25,000	
	7. May Street Playground	Landscaping and park infrastructure	15,000	
	8. May Street Reserve	Landscaping and park infrastructure	25,000	

C.W.P.**COUNCIL WIDE PROJECTS**

C.W.P. 1.	Cooks River	Area includes Mackey Park, Mahony Memorial Reserve, Steel Park, Warren Park (includes Thornley Street Terrace), Richardsons Lookout, Dibble Avenue Waterhole, Alfred Street Pathway, Fatima Island and Kendrick Park. Develop riverside parks and restore foreshore. Includes range of parks infrastructure, remediation and landscaping, sports facilities, picnic and barbecues, lighting, access facilities, shared pedestrian/cycle path, properties/detail/topographic survey, public art and interpretive items, including the following:	Projects to a total of \$3,000,000
1.	Mackey Park	Playground, bbq, picnic, shared pedestrian/cycle path, lighting, landscaping, sports facilities and park infrastructure	400,000
2.	Mahony Memorial Reserve	Playground, shared pedestrian/cycle path, lighting, car parking, fencing, landscaping, sports facilities and park infrastructure	425,000
3.	Steel Park	BBQ, picnic, shared pedestrian/cycle path, playground, lighting, landscaping, sports facilities, park infrastructure, amenities	450,000
4.	Warren Park	BBQ, picnic, lighting, drainage, shared pedestrian/cycle path, landscaping and park infrastructure	150,000
5.	Richardsons Lookout	Public art, landscaping, drainage and park infrastructure	100,000
6.	Dibble Avenue Waterhole	Waterhole management plan and survey, waterhole planting and habitat management, water storage, irrigation infrastructure	680,000

To be commenced and staged in accordance with local needs and contributions received, and as proposed in Council's annual Resources Plan and Management Plan

7.	Alfred Street Pathway	Retaining wall, landscaping and park infrastructure	75,000
8.	Fatima Island	Create low maintenance habitat, foreshore restoration	150,000
9.	Kendrick Park	Playground, public art, foreshore restoration, park infrastructure, shared pedestrian/cycle path, drainage, landscaping	250,000
10.	Aquatic Play Facility	Amenities and infrastructure for aquatic play facility including public art. Location to be confirmed - either Sub Area 6 - South Marrickville or C.W.P. 1 - Cooks River	
C.W.P. 2.	Tempe Reserve/Tempe Lands	Area includes Tempe Reserve and new open space on Tempe Lands and South Street Acquisition area. Restore foreshore of Cooks River and Alexandra Canal. Develop parks facilities, restore bushland in "Tempe Lands", upgrade sports facilities, develop wetlands. Develop new sports facilities on Tempe Lands and Tempe Reserve. Public art and interpretive items, shared pedestrian/cycle path, landscaping, access facilities, playground, lighting, toilet blocks, remediation, power and water supply and irrigation, including the following:	Projects to a total of \$3,000,000
1.	South Street Acquisition	Property acquisitions as identified on L.E.P.	2,000,000
C.W.P. 3.	Civic Centre	Develop new public open space in association with new civic centre	1,500,000
C.W.P. 4.	Street Tree Master Plan	Develop the open space on public roads by landscaping and tree planting in accordance with Council's Street Tree Master Plan	1,500,000

Open Space, Parks Infrastructure And Sports Facilities Works Program

Summary Sheet	
Summary of Works by Area	Estimated Cost of Works
Sub Area 1	\$2,725,000
Sub Area 2	\$2,841,500
Sub Area 3	\$2,010,000
Sub Area 4	\$5,887,500
Sub Area 5	\$1,968,000
Sub Area 6	\$1,500,000
Sub Area 7	\$272,000
Sub Area 8	\$1,765,000
Total Works - All Sub Areas	\$18,969,000
CWP 1 - Cooks River	\$3,000,000
CWP 2 - Tempe Reserve/Tempe Lands	\$3,000,000
CWP 3 - New Civic Centre open space	\$1,500,000
CWP 4 - Street Tree Masterplan works	\$1,500,000
Total Works - All CWPs	\$9,000,000
Total All Open Space Works	\$27,960,000

Schedule 4: Public Libraries and Community Recreation Facilities Works Program

The group of works to be undertaken each year will be dependant on the development of rate and grant funds to add to Section 94 funds to meet the full cost of the projects. Priorities may be changed in accord with ongoing community facilities planning. The grouping and timing of the works will be confirmed in Council's Resources Plan each year with construction estimated to commence subject to funds availability. The current priorities of the works are as follows:

1. The development of multipurpose library, civic and community facilities. Specifically:
 - a) The redevelopment of the Marrickville Central Library and Civic Centre to accommodate community meeting places, multi purpose rooms, public art, information and internet technology for the public and the development of outdoor space, new audio visual, book stock and the design costs required for the work.
 - b) The upgrade and embellishment of branch libraries and community facilities in Dulwich Hill, St Peters, Stanmore and Newtown to improve their size, accessibility, multipurpose and relevance to new residents. The works include building extensions, public art, information and internet technology for the public, the development of outdoor space, new audio visual, book stock and the design costs required for the works.
 - c) The upgrade and embellishment of the Marrickville and Petersham Town Halls to increase the range and types of uses they can accommodate for example a history centre, functions, and multipurpose rooms. The works may include the redesign of the facilities, the development of the outdoor space, function centre, fit out, public art and the design costs required for the works.
2. The development of an indoor/outdoor aquatic recreation centre. The facilities components will be confirmed following further planning and consultation but may include:
 - swimming and program pools, multipurpose rooms, public art, gymnasium and fitness facilities, a cafe, a crèche, and dry sports facilities.

Development	Components	Total Estimated Cost
Marrickville Central Library and Citizens Centre (part only from S94 contributions)	<ul style="list-style-type: none"> • Design, construction and fitout • Multipurpose rooms • Public Art • Public access information and internet technology • Outdoor meeting and exhibition space • Public access audio and visual book stock • Community Meeting Space 	\$11.1 million (comprising of 3700m ² of multipurpose space @ \$3000 per m ² including fitout)

Development	Components	Total Estimated Cost
Upgrade and embellishment of the Branch Libraries and community facilities in Dulwich Hill, St Peters, Sydenham, Stanmore, Newtown and Marrickville	<ul style="list-style-type: none"> • Design, construction and fitout Building extensions • Multipurpose rooms • Public art • Public access information and internet technology • Outdoor leisure opportunities and meeting/exhibition space • Public access audio and visual book stock 	\$500,000
Upgrade and embellishment of Marrickville and Petersham Town Halls	<ul style="list-style-type: none"> • Design, construction and fitout • Redesign of indoor space, development of the outdoor meeting, leisure and exhibition space, function centre, history centre, fit out and public art • Public access to information and internet technology 	\$500,000
Development of an indoor/outdoor aquatic recreation facility	<ul style="list-style-type: none"> • Design, construction and fitout • Swimming and Program pools • Multipurpose rooms • Public Art • Gymnasium and fitness facilities • Cafe • Crèche • Dry sports facilities 	\$10 million

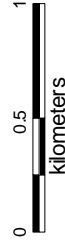


MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

Schedule 4 Public Libraries and Community Recreation Facilities Work Program

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Section 94
Contributions Area



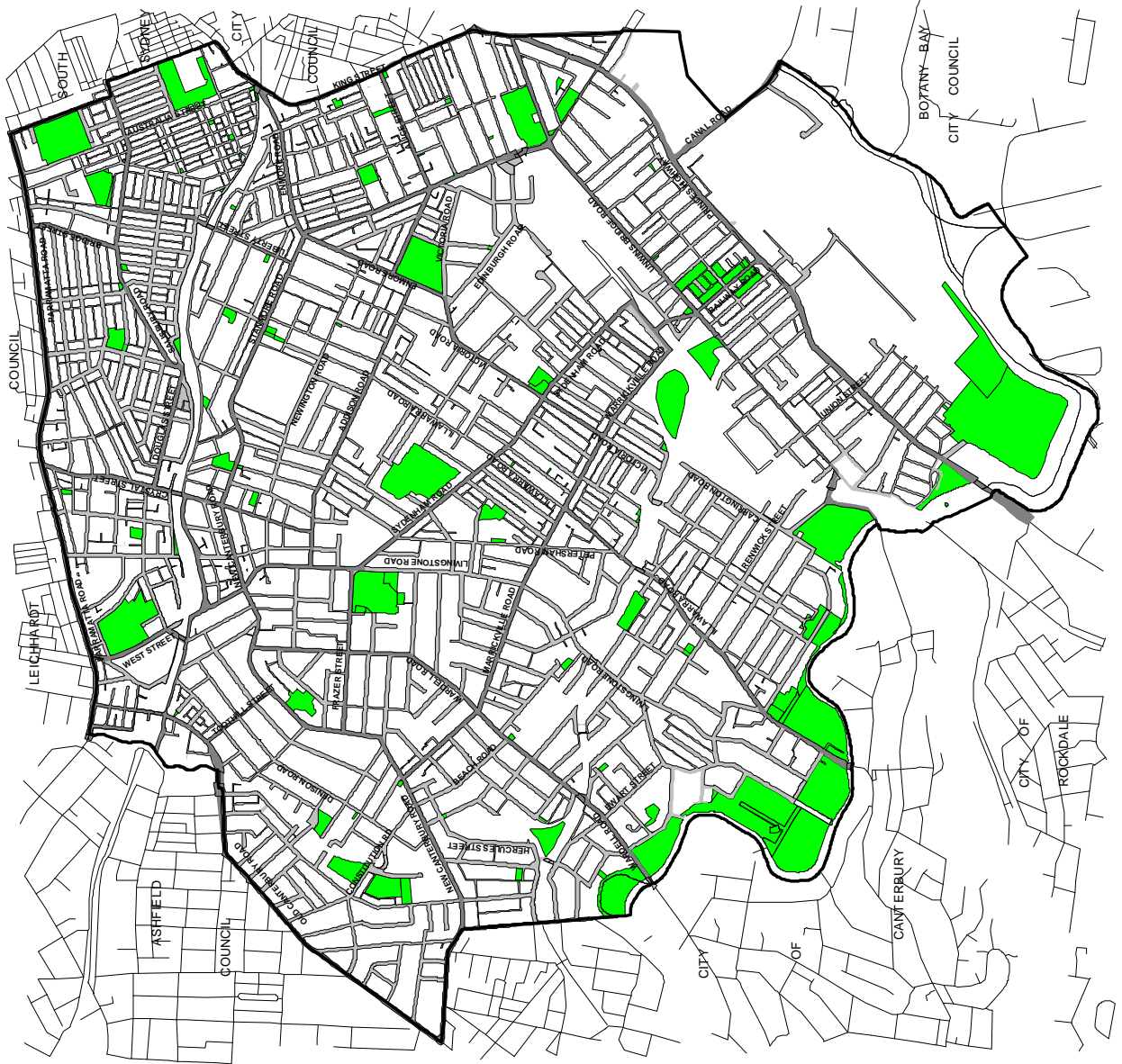
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Schedule 5: Traffic Management Works Program

Consistent with the findings of the Marrickville LGA Section 94 Traffic and Transport Study of 2011, traffic facility works will be carried out as considered most appropriate across the LGA as a whole rather than necessarily being confined to the LATM areas suggested in the table below.

Year	Work	Amount (\$)
2003/2004	Dulwich Hill North LATM(Area 16)	100,000
	East Marrickville LATM (Area 10)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2004/2005	West Marrickville LATM (Area 13)	100,000
	Newington area LATM (Area 8)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2005/2006	Newtown LATM (Area 6)	100,000
	Henson LATM (Area 9)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2006/2007	Lewisham LATM (Area 15)	100,000
	Morton Park LATM (Area 14)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2007/2008	Petersham North LATM (Area 3)	100,000
	Enmore LATM (Area 4)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000

Year	Work	Amount (\$)
2008/2009	Marrickville LATM (Area 12)	100,000
	Stanmore South LATM (Area 5)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2009/2010	St Peters LATM (Area 7)	100,000
	Camperdown LATM (Area 1)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2010/2011	Dulwich Hill South LATM (Area 17)	100,000
	Sydenham LATM (Area 11)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2011/2012	Stanmore North LATM (Area 2)	100,000
	South Marrickville LATM (Area 19)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000
2012/2013	Tempe LATM (Area 20)	100,000
	Riverside LATM (Area 18)	100,000
	Traffic Amenities	90,000
	Pedestrian Safety Works	100,000
	Bicycle Facilities (Council's share. 50% RTA funded)	20,000
TOTAL :		410,000

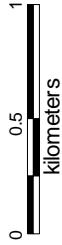
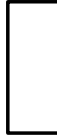


MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

Schedule 5 Traffic Management Works Program

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Section 94 Contributions
Sub Areas



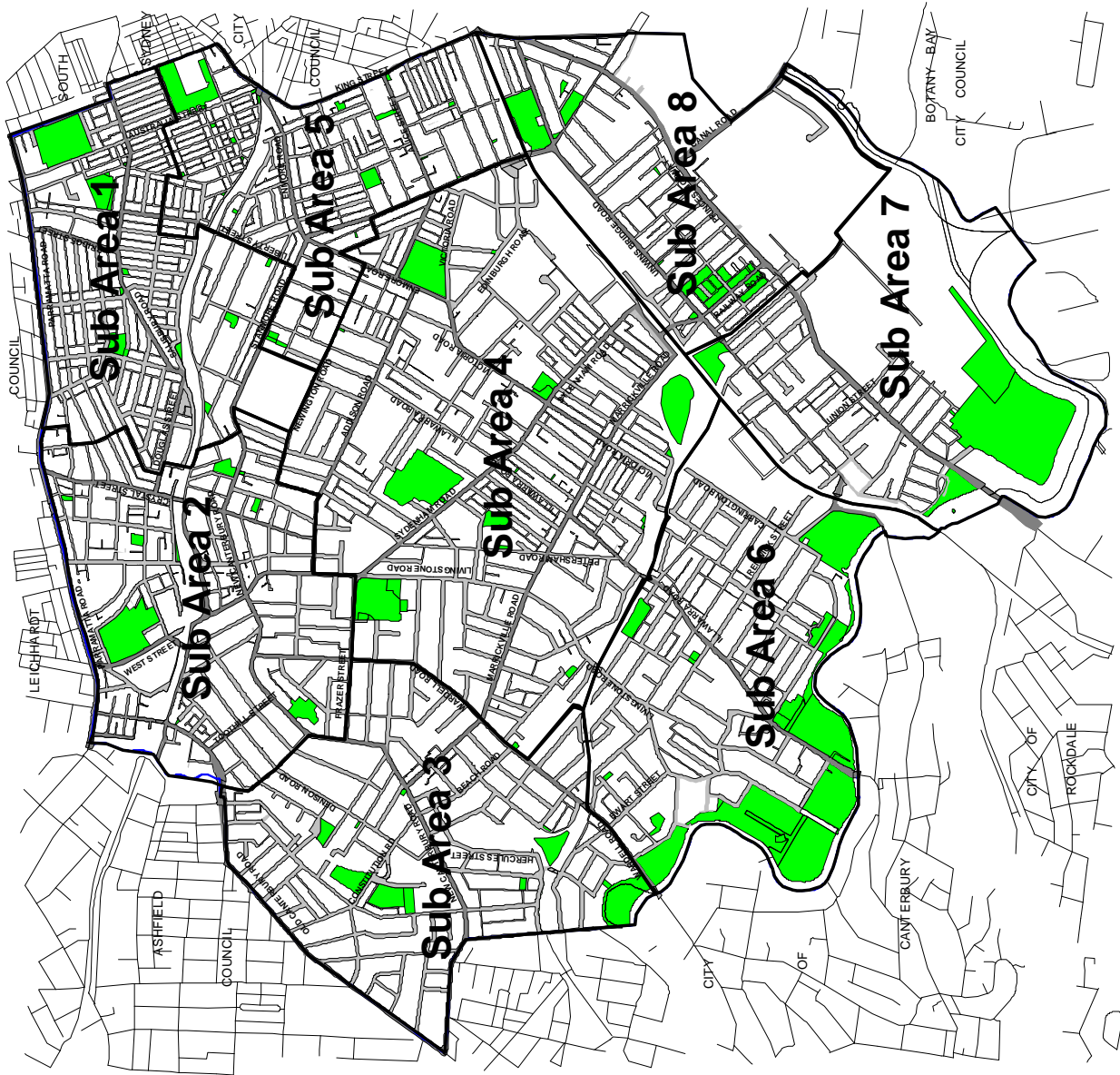
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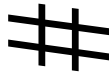
Schedule 6: Road Works Program and Locational Maps

Year	Work	Amount (\$)
Staged as funds become available	Bellevue Street and Swamp Road TEMPE	9,600,344
Staged as funds become available	Berne Street TEMPE	747,198
Staged as funds become available	Talbot Street and Bellevue Street North SYDENHAM	2,083,685
Staged as funds become available	Rich Street MARRICKVILLE	130,000
TOTAL :		12,561,227



MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

**Schedule 6
Road Works
Bellevue Street / Swamp Road**



**Section 94
Contributions Areas**

Note :
Area Shown are approximate and actual site areas will be used in calculating contributions.



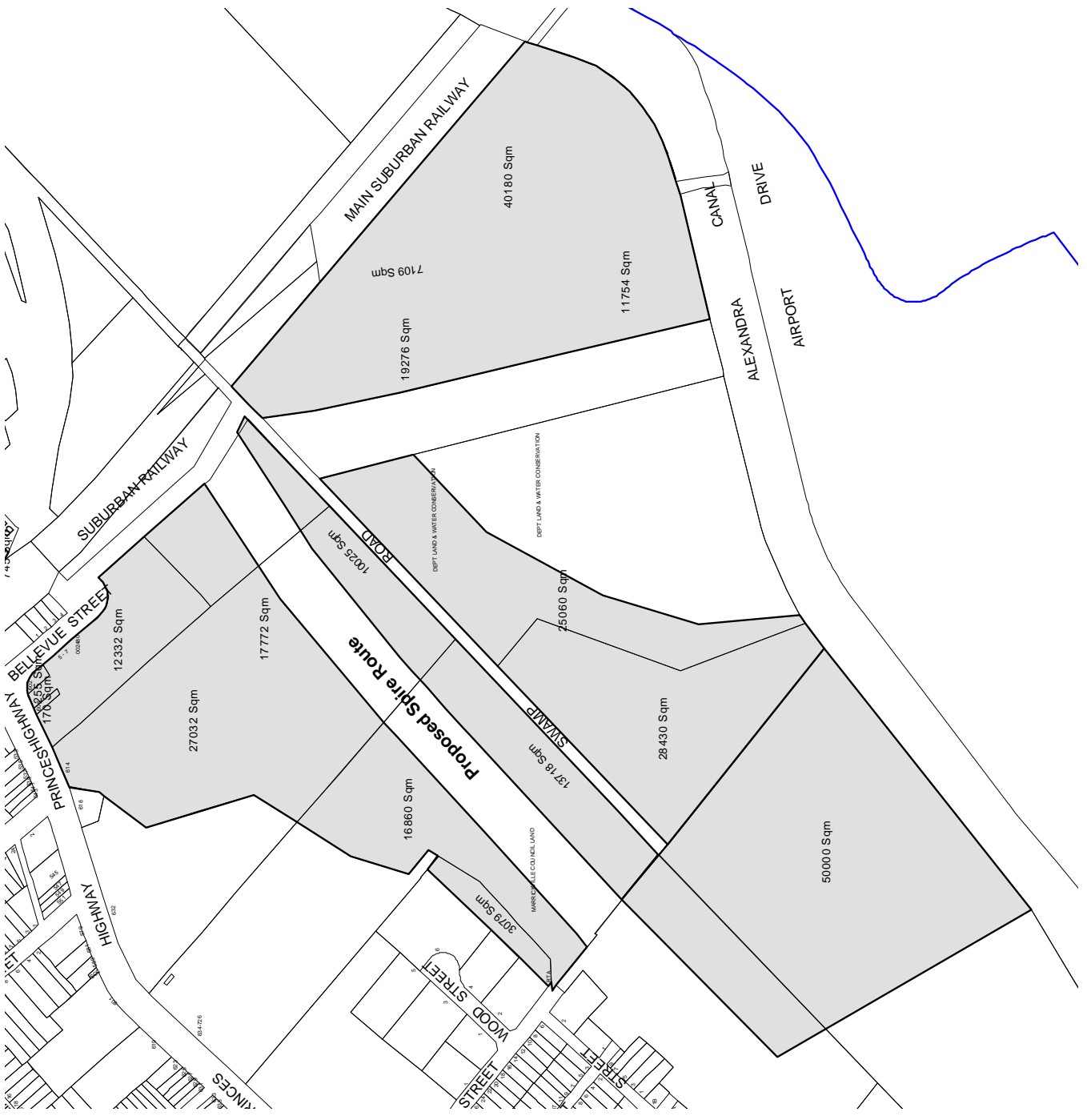
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MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

Schedule 6 Road Works - Berne Street

#

Section 94
Contributions Areas



Note :
Area Shown are approximate and actual site areas will be used in calculating contributions.



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MARRICKVILLE SECTION 94 CONTRIBUTIONS PLAN, 2004

Schedule 6 Road Works - Talbot Street

#

Section 94
Contributions Areas

Note :
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**MARRICKVILLE SECTION 94
CONTRIBUTIONS PLAN, 2004**

**Schedule 6
Road Works - Rich Street
or Chapel Street Traffic Light**

#

Section 94
Contributions Areas



Note :
*Area Shown are approximate and
actual site areas will be used in
calculating contributions.*



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Schedule 7: Contribution Calculations

Open Space, Park Infrastructure and Sports Facilities

Total Contribution Rate per Dwelling = $C/NR \times O$

Where:

C = Cost of embellishment, demolition and remediation of 5.9 hectares of new open space comprising \$100/m² for demolition, \$50/m² for remediation and \$65/m² for embellishment

NR = Average number of new residents expected (i.e. 3672 persons)

O = Average occupancy rate per dwelling type i.e. 1.5 persons, 2.15 persons, 2.9 persons or 3.1 persons per small, medium, large dwelling or residential allotment

Example: Contribution rate for 2 bedroom dwelling

$$= (C/NR) \times O$$

$$= (\$12,685,000 / 3672 \text{ persons}) \times 2.15$$

$$= \$3455 \times 2.15$$

$$= \$7427$$

Public Libraries and Community Recreation Facilities

Total Contribution Rate per Dwelling = $(C/ER) \times O$

Where:

C = Capital value of existing and proposed library and community recreation facilities in the LGA

ER = Existing number of residents in the LGA as at 30 June 2002, derived from the "Estimated Resident Population, Australian Bureau of Statistics

O = Average occupancy rate per dwelling type i.e. 1.5 persons, 2.15 persons, 2.9 persons or 3.1 persons per small, medium, large dwelling or residential allotment

Example: Contribution rate for 2 bedroom dwelling

$$= (C/ER) \times O$$

$$= (\$63,957,061 / 76,587 \text{ persons}) \times 2.15$$

$$= \$835 \times 2.15$$

$$= \$1795$$

Traffic Management

Total Contribution Rate per Dwelling or Industrial/Commercial Floorspace = $(C/ND) \times F$

Where:

C = Cost of works program projected for new development per annum

ND = Expected number of new residential, commercial and industrial developments per annum

F = Average car ownership for each land use type (i.e. 1 car per small dwelling; 1.3 cars per medium dwelling; 1.6 cars per large dwelling or residential allotment; or total number of car spaces generated based on Council's DCP 19) divided by the number of cars generated by a 2 bedroom medium dwelling/average sized development i.e. 1.3 cars

Example: Contribution rate for 1 bedroom dwelling

$$= (C/ND) \times F$$

$$= (\$410,000 / 346) \times (1 / 1.3)$$

$$= \$1185 \times 0.77$$

$$= \$912$$

Example: Contribution rate for 2 bedroom dwelling

$$= (C/ND) \times F$$

$$= (\$410,000 / 346) \times (1.3 / 1.3)$$

$$= \$1185 \times 1$$

$$= \$1185$$

Example: Contribution rate for 3 bedroom dwelling/dwelling house or residential allotment
 $= (C/ND) \times F$
 $= (\$410,000 / 346) \times (1.6 / 1.3)$
 $= \$1185 \times 1.23$
 $= \$1458$

Example: Contribution rate per commercial development of 200 m²
 $= (C/ND) \times F$
 $= (\$410,000 / 346) \times (4 / 1.3)$
 $= \$1185 \times 3.08$
 $= \$3646$

Road Works

Total Contribution Rate per Site = ((C/ED) x PD)

Where:

C = Cost of road works for each development area

ED = Total existing site area to be developed

PD = Site area of the projected development

Development Area	Estimated Work Costs	Estimated Acquisition Costs	Total Cost of Road Works (C)	Total Existing Site Area to be Developed (ED)	Contribution Rate per m ²
Bellevue Street and Swamp Road, Tempe	\$6,620,794	\$2,979,550	\$9,600,344	286,743 m ²	\$33.50
Berne Street, Tempe	\$447,198	\$300,000	\$747,198	16,888 m ²	\$44.24
Talbot Street and Bellevue Street North, Sydenham	\$1,228,685	\$855,000	\$2,083,685	27,384 m ²	\$76.09
Rich Street, Marrickville	\$130,000	\$0	\$130,000	7300 m ²	\$17.81

Plan Administration

Total Contribution Rate per Dwelling or Industrial/Commercial Development = (C/EI) x BC

Where:

C = Cost of plan administration

EI = Expected total Section 94 income

BC = Base S94 contribution comprising the sum of the calculated open space, public library/community recreation facility, traffic management and road works contribution per land use type

Example: Contribution rate for 2 bedroom dwelling
 $= ((C/EI) \times 100) \times BC$
 $= ((\$736,250 / \$30,338,091) \times 100) \times \$10,407$
 $= 2.4\% \times \$10,407$
 $= \$253$

Schedule 8: Determination of Proposed Cost of Development for the Purposes of Calculating a Section 94A Levy

The proposed cost of carrying out development is to be determined by Council, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
- (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
- (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.

In determining the proposed cost of carrying out development Council may have regard to an estimate prepared by an expert such as a quantity surveyor.

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

- (a) the cost of the land on which the development is to be carried out,
- (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,
- (c) the costs associated with marketing or financing the development (including interest on any loans),
- (d) the costs associated with legal work carried out or to be carried out in connection with the development,
- (e) project management costs associated with the development,
- (f) the cost of building insurance in respect of the development,
- (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),
- (h) the costs of commercial stock inventory,
- (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law,
- (j) the costs of enabling access by disabled persons in respect of the development,
- (k) the costs of energy and water efficiency measures associated with the development,
- (l) the cost of any development that is provided as affordable housing,
- (m) the costs of any development that is the adaptive reuse of a heritage item.

The proposed cost of carrying out development is to be adjusted at time of payment of the levy in line with the *Consumer Price Index: All Groups Index Number for Sydney* provided by the Australian Bureau of Statistics.