

CONTRIBUTIONS PLAN  
for  
**PUBLIC CARPARKING FACILITIES**

in  
**CAMPBELLTOWN AND INGLEBURN  
BUSINESS CENTRES**

**CAMPBELLTOWN CITY COUNCIL**

Prepared and to be implemented under Section 94 of the Environmental Planning and  
Assessment Act ,1979.

Decision to Prepare: 27 April 2004  
Exhibited: 7 July 2004  
Adopted: 31 August 2004  
Effective: 21 September 2004

## 1. EXECUTIVE SUMMARY

This Plan is identified as *Contributions Plan – Public Car Parking Facilities (Campbelltown and Ingleburn Business Centres)*.

This Plan aims to levy monetary contributions for the purpose of providing additional public car parking spaces in the Campbelltown and Ingleburn business centres, where new development does not make provision for on-site parking that would ordinarily be required in accordance with certain parking rate standards included Development Control Plan No.52 – Off Street Car Parking Policy and Development Control Plan No. 85-Business and Comprehensive Centre Zones.

This Plan applies to the Campbelltown and Ingleburn business centre areas as shown in Figures 1 and 2 respectively. The Plan is based on anticipated demands over the next 5 years. It is intended that collection and expenditure of funds under the Plan will be monitored regularly to ensure that facilities are provided in a timely and appropriate manner.

The following table provides a summary of the works schedule adopted for this Plan and then estimated costs of these works. Where the works remain incomplete, the Council may include these works in a subsequent developer contributions plan. Alternatively, the Council may review the works and substitute other works that satisfy the test of nexus. Council's overall intention is that demand for additional public car parking facilities generated by new development, is accommodated by works undertaken by the Council, and that the costs for providing such facilities is borne by the proponents of such development.

### **Summary of Works Schedule**

<u>Facility</u>	<u>Works</u>	<u>Est. Costs (2004)</u>
Public Car Parking	Campbelltown Business Centre (324 spaces)	\$4,462,000
	Ingleburn Business Centre (74 spaces)	\$1,904,000

### **Schedule of Contributions (2004)**

<u>Development Contribution for Public Car-Parking Facilities</u>	<u>\$/car space</u>
Development located within Campbelltown Business Centre	\$13,772
Development located at Ingleburn Business Centre	\$25,729

## **2. PURPOSE OF THE PLAN**

The purpose of this contributions plan is to describe Campbelltown City Council's policy regarding the levying of cash contributions against certain development, for the specific purpose of augmenting public car parking facilities in Campbelltown and Ingleburn business centres, required to meet the needs of future development within those business centres.

## **3. AIM OF THE PLAN**

This contributions plan aims to:

- Establish a framework within which monetary contributions may be levied in accordance with the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979;
- Comply with the requirements of the Environmental Planning and Assessment Regulation, 2000;
- Detail the method to be applied by the Council to derive a fair and reasonable developer contribution for public car parking;
- Present a program for the enhancement of public car parking facilities at Campbelltown and Ingleburn business centres; and
- Make clear the Council's public car parking contribution payment requirements.

## **4. OBJECTIVES OF THE PLAN**

The objectives of this Plan are to:

- Nominate a plan to address the future public car parking needs of Campbelltown and Ingleburn business centres, where such need can be fairly demonstrated to arise as a result of development at those places;
- Demonstrate the Council's commitment to help strengthen the longer term sustainability of the Campbelltown and Ingleburn business centres as key places for employment, community activity and wealth generation, by:
  - ✓ offering alternative means to developers to be able to satisfy car parking needs off-site, thereby encouraging the highest and best use of developable land within the business centres, and

- ✓ helping to configure future car parking in a more accessible, efficient and organised (sustainable) manner, to the greater benefit of the whole of the business centre.
- Ensure that an appropriate level of car parking is maintained in Campbelltown and Ingleburn business centres, recognising that existing public car parking facilities are at or very near to operating at capacity during peak times.
- Set out Council's intention to provide new public car parking facilities at appropriate locations and at an appropriate time.
- To demonstrate the nexus between proposed business centre development and the need for public car parking provision.
- Establish developer contribution rates for public car parking facilities associated with new retail, commercial, residential and other development within the Campbelltown business centre and the Ingleburn business centre.
- Ensure that developer contributions for public car parking facilities levied against development at Campbelltown and Ingleburn are fair and reasonable.
- Ensure that the method of calculating developer contributions is practical.

## 5. LAND TO WHICH THIS PLAN APPLIES

This Plan applies to:

- Land zoned 10(a) Regional Comprehensive Centre, 6(a) Local Open space, and 6(c) Private Open Space [Campbelltown (Urban Area) Local Environmental Plan(LEP)2002] at Campbelltown but only as shown hatched on Figure 1 and
- Land zoned 3(a) General Business and 5(a) Special Uses [Campbelltown (Urban Area) Local Environmental Plan (LEP) 2002] at Ingleburn but only as shown hatched on Figure 2.

*(Please note that Section Nos. 11 and 12 of this Plan apply to specific areas)*

## 6. DEVELOPMENT TO WHICH THIS PLAN APPLIES

This Plan applies to all development proposed to take place within the area shown hatched in Figure 1 and Figure 2, that, in accordance with the provisions of Campbelltown (Urban Area) LEP 2002, requires development consent or a

complying development certificate. This not only means new development but also includes an intensification of development or use and includes:

- alterations or extensions to existing buildings resulting in a net additional increase in floor space; or
- an expansion of the area under occupation by a use; or
- a change in the nature of the use of a site (but only where development consent would ordinarily be required for such a change).

The Council will levy a contribution for public car parking against development by means of a condition of development consent or as a requirement stipulated in a complying development certificate. In the event of development being able to proceed without the need for development consent or a complying development certificate, then the Council will not seek a contribution.

## 7. RELATIONSHIP OF THIS PLAN TO OTHER PLANS AND POLICIES

A number of planning instruments apply to the development of land to which this Plan applies. They include the Campbelltown (Urban Area) LEP 2002, and a number of State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). It is considered that none of these SEPPs or REPs have any specific and direct relevance to this contributions plan.

Of significance to this Plan is Campbelltown Development Control Plan (DCP) No. 52 (Off-Street Car Parking Policy). DCP No.52 identifies the car parking generation rates (standards) adopted by Council, in respect of different types of development at different locations.

The contributions that the Council will levy under this plan relate to the difference in the number of car parking spaces deemed to be generated by a development and the number approved by Council to be provided on the same land as the development.

### Note

*In the interpretation of this contributions plan, regard shall not be paid to any reference within DCP No.52 – Off-Street Car Parking Policy, to:*

- i. a “contribution area”*
- ii. Clause no.8,*
- iii. any reference to Schedule 2 and*
- iv. Annexures A and B*

*For the purposes of this contributions plan:*

- i. a reference in Clause no. 6(2) of DCP No. 52 to the words “Schedule 2” shall be taken to read “Schedule 1”, and*
- ii. Schedule 1 of DCP No.52 shall be taken to apply to all land to which this contributions plan applies, notwithstanding any provision within that Schedule relating to development within the Campbelltown CBD.*

Other DCPs that are of significance to land to which this Plan applies include:

- ◆ DCP No.85 – Business and Comprehensive Centre Zones,
- ◆ DCP No.103 – Controls for Higher Density Residential Development.

## **8. APPROVAL AND COMMENCEMENT OF THIS PLAN**

This Plan was approved by Campbelltown City Council on 31 August 2004 and commenced on 21 September 2004.

## **9. TRANSITIONAL ARRANGEMENTS**

A development application or an application for a complying development certificate made after the commencement of this Plan shall be determined under the provisions of this Plan. An application, which has been submitted prior to the commencement of this Plan, but not determined, shall be determined under the provisions of this Plan.

A condition of development consent or a condition attached to a complying development certificate, requiring payment of a monetary contribution pursuant to this Plan, which at the date of the repeal of this Plan remains unpaid, shall be satisfied only if such monetary contribution is indexed and adjusted as if this Plan had not been repealed. Such monetary contribution must only be expended by the Council for the purpose of public car parking.

## **10. NEXUS (THE NEED FOR ADDITIONAL PUBLIC CAR PARKING FACILITIES)**

Council must be satisfied that a development (subject of a development application or an application for a complying development certificate) will or is likely to generate a need for car parking facilities in the area.

This is generally referred to as the principal of nexus, which must be satisfied, in order for the Council to be able to seek a developer contribution for public car parking.

Any development of a type described in Section 5 of this Plan will ordinarily generate a need for additional car parking in the locality. Council will determine the extent of this additional need having regard to the car parking standards it has adopted as part of DCP No.52 (Off Street Car parking Policy) subject to the note to Section 7 of this Plan (above) and in relation to DCP No.85 Business and Comprehensive Centre Zones. DCP No.52 is shown as Appendix 1 to this Plan.

DCP No.52 lists the differing levels of demand for car parking attributed to various types of development and land uses. (subject to the note to Section 7 of this Plan).

Council will levy car parking contributions in lieu of the number of car parking spaces (generated by a development or land use) not provided for (in a manner determined to be satisfactory by the Council) on the same land as the proposed development.

Therefore, any future development or land use that would result in an increase in floor space or intensification of use, will be required to provide car parking assessed in accordance with the adopted standards as per DCP No.52. This may be satisfied on-site, or by way of payment of a developer contribution or a combination of both.

The emerging need for additional public car parking in the Campbelltown and Ingleburn business centres will be influenced by the current availability of parking, the capability of future developments within the business centres to provide for their car parking needs on the same land as the development, and the increase in new development.

Council has carried out a preliminary short-term occupancy survey of its existing public car parking facilities in the Campbelltown and Ingleburn business centres (March - April 2004). The results of these surveys are shown as Appendix 2 and Appendix 3 to this Plan. Importantly, the survey results indicate that:

- In respect of the Campbelltown business centre, most of the existing ground level parking facilities and the public multi-deck facility at Carberry Lane displayed relatively high to near, or at capacity occupancy rates for most of core trading times (9.30am-3.30pm).  
(These surveys did not consider private shopping centre parking facilities)
- In respect of the Ingleburn business centre, most of the centrally located ground level car parks demonstrated relatively high to near, or at capacity occupancy rates from 8.30 am until at least 3.30pm. The Macquarie Road and Carlisle Street West facilities showed moderate usage, however a proposed increase in the number of unrestricted spaces in these facilities in the near future is expected to increase occupancy rates significantly.  
(These surveys considered certain private shopping centre parking facilities at Ingleburn - Woolworths)

Whilst it is not possible to accurately predict the actual number of public car parking spaces that will be required to meet the demands of new development, it is important to recognise that many of the existing facilities appear to be enjoying good -high utilisation rates. Hence, it is not unreasonable to presume, for the purposes of this Plan, that generally the capacity of existing public car parking facilities, to absorb a likely future growth in demand for new spaces, without compromising their existing availability, is limited.

Therefore, this Plan adopts a strategy by which the parking required of development within the Campbelltown or Ingleburn business centres, may be provided as public spaces by the Council, in lieu of accommodating those spaces on the same land as the development. That choice is available to the proponent of new development located within the Campbelltown and Ingleburn business centres.

The Council is committed to providing appropriate new public car parking facilities that will maintain the level of public car parking availability, that is

currently achieved by existing facilities. Council is satisfied that by adopting the standards for car parking generation set down in DCP No.52, as the basis for determining the number of spaces to be provided as public car parking (in lieu of those spaces not being provided for on the same land as the development) the existing level of public car parking availability in the business centres will be maintained.

Analysis of recent approvals data suggests that over approximately the last 12 months, the Council had consented to development which would generate a need for the provision of approximately 80 off-site car parking spaces with respect to development proposed for the Campbelltown business centre. On this basis it would be reasonable to suggest that a strategy that provided for approximately 300-400 new public car parking spaces in the Campbelltown business centre would be appropriate to address likely future needs over the next 5 years. This is equivalent to the need for car parking generated by between 7500square metres and 10,000 square metres of retail floor space.

It is noted that the Council has not approved any development applications for new retail/commercial type development within the Ingleburn Business Centre during the last 12 months. It would be inappropriate not to anticipate at least some future development to occur over the next 5 years. Accordingly, some small allowance for the provision of new public car parking spaces needs to be made. For the purposes of this Plan it is assumed that future development (5 years) will generate a need for approximately 75 public car parking spaces, or the equivalent to the need generated for car parking by approximately 1875 square metres of new retail floor space.

**Note:** *It should be noted that the suggested 5 year time frame has been nominated for broad planning purposes only. No firm date can be set for the provision of additional car parking facilities because the rate of development is difficult to predict and subject to many influences outside of the Council's control. Therefore, Council hereby undertakes to provide the additional public car parking facilities within a reasonable time as the receipt of funds practicably permits. Monitoring will occur on a regular basis over the life of the plan to ensure that the timing of works remains consistent with the rate of development; subsequently the receipt of contribution income; and hence, the demand for the new facilities themselves. Staging of the proposed works will assist.*

## **11. PROPOSED SCHEDULE OF WORKS TO PROVIDE ADDITIONAL PUBLIC CAR PARKING FACILITIES**

### **A. Campbelltown Business Centre**

*(This section of the Plan applies to development undertaken on land within the Campbelltown business centre shown as hatched on Figure 1.)*

Council proposes to extend two existing public car parking facilities within the Campbelltown business centre to address likely future demands that could reasonably be anticipated over the next 5 years. The schedule for completion of the actual work, however, will be dependent upon the timing of the receipt of contribution monies.



For the purposes of this Plan, Council proposes that it would best be able to address these likely foreseeable needs for additional public car parking spaces within the Campbelltown business centre, by means of:

**Stage 1**      *An extension to the existing ground level car park at Broughton Street/Browne Street.* (Please see Figure 3 below)

This would yield an additional 57 car parking spaces at an estimated cost of \$142,000 (construction cost)

*Note:*      *Estimated construction costs are at 2004 values and include an allowance for design and documentation. A preliminary design of the extension is shown as Appendix 4 of this Plan.*

**Stage 2**      *An extension to the existing multi-deck public car parking facility at Carberry Lane.* (Please see Figure 3 below)

This would yield an additional 267 car parking spaces over 4 levels (ground + 3 decks) at an estimated cost of \$4,320,000.

*Note:*      *Estimated construction costs are at 2004 values and include an allowance for design, documentation, and construction. A preliminary design for this extension is shown as Appendix 5 of this Plan.*

This means that the total cost to Council to extend the Broughton Street ground level car parking facility and to extend the Carberry Lane multi-deck public car parking facility to achieve an overall increase of 324 spaces, is estimated to be \$4,462,000 (2004 values).

## **B. Ingleburn Business Centre**

*(This section of the Plan applies to development undertaken on land within the Ingleburn business centre shown as hatched on Figure 2.)*

Council proposes to extend two existing ground level public car parking facilities within Ingleburn business centre to address likely future demands that could reasonably be anticipated over the next 5 years. The schedule for completion of the actual work, however, will be dependent upon the timing of the receipt of contribution monies.

For the purposes of this Plan, Council proposes that it would best be able to address these likely foreseeable needs for additional public car parking spaces within the Ingleburn business centre, by means of:

**Stage 1**      *An extension to the existing ground level car park at Carlisle Street (East).* (Please see Figure 4 below)

This would yield an additional 38 car parking spaces at an estimated cost of \$839,000 (comprising \$750,000 in land acquisition costs and \$89,000 in construction costs).

*Note: Estimated land acquisition costs are \$1,000 per square metre, including an allowance for survey and conveyancing costs. Estimated construction costs are \$77 per square metre including an allowance for design and documentation. All acquisition and construction costs are at 2004 values. A preliminary design of the extension is shown as Appendix 6 of this Plan.*

**Stage 2**      *An extension of the existing ground level car park at Boots Lane (West)* (Please see Figure 4 below)

This would yield an additional 36 car parking spaces at an estimated cost of \$1,065,000 (comprising \$975,000 in land acquisition costs and \$90,000 in construction costs).

*Note: Estimated land acquisition costs are \$1,000 per square metre, including an allowance for survey and conveyancing costs. Estimated construction costs are \$77 per square metre and include an allowance for design and documentation. All acquisition and construction costs are at 2004 values. A preliminary design of the extension is shown as Appendix 7 of this Plan.*

This means that the total cost to Council to extend the Carlisle Street and Boots Lane ground level car parking facilities to achieve an overall increase of 74 spaces, is estimated to be \$1,904,000 (2004 values).

## 12. MONITORING THE PLAN

This contributions plan will be subject to regular monitoring by the Council to:

- Take account of the rate and extent of development;
- Gauge the receipt of contributions as they relate to the provision (timing) of proposed public car-parking facilities; and
- Ensure that the proposed works (for public car parking facilities) reflect current planning and engineering design practices.

In the event of Council identifying that any changes (apart from annual indexation of contribution rates) to this Plan are required, then the Plan will be reviewed and any changes prepared and exhibited in accordance with the Environmental Planning and Assessment act, 1979 and Environmental Planning and Assessment Regulation 2000.

## 13. CONTRIBUTION FORMULA

### A. Campbelltown Business Centre

*(This section of the Plan applies to development undertaken on land within the Campbelltown business centre shown as hatched on Figure 1.)*

Where a monetary contribution is to be paid for public car parking facilities in the Campbelltown business centre, in lieu of the provision of

car parking on site, then the amount (rate) of the contribution required shall be calculated in accordance with the following formulae.

$$\text{BASE CONTRIBUTION RATE} = \frac{\text{C}}{\text{N}}$$

(\$ per space)

WHERE C = The estimated cost to Council to provide future car parking spaces in Campbelltown business centre (See Section 8A of this Plan), as prepared in April 2004.

N = The total number of additional public car parking spaces proposed to be provided by Council to meet estimated needs in Campbelltown business centre over the next 5 years. (See Section 8A of this Plan)

The base contribution rate for public car parking facilities applicable to development within the Campbelltown business centre equates to \$13,772 per space (2004 value).

#### B. Ingleburn Business Centre

*(This section of the Plan applies to development undertaken on land within the Ingleburn business centre shown as hatched on Figure 2.)*

Where a monetary contribution is to be paid for public car parking facilities in the Ingleburn business centre, in lieu of the provision of car parking on site, then the amount (rate) of the contribution required shall be calculated in accordance with the following formulae.

$$\text{BASE CONTRIBUTION RATE} = \frac{\text{C}}{\text{N}}$$

(\$ per space)

WHERE C = The estimated cost to Council to provide future car parking spaces in the Ingleburn business centre. (See Section 8B of this Plan), as prepared in April 2004.

N = The total number of additional public car parking spaces proposed to be provided by Council to meet estimated needs in Ingleburn business centre over the next 5 years (See Section 8b of this Plan).

The base contribution rate for public car parking facilities applicable to development within the Ingleburn business centre equates to \$25,729 per space (2004 values).

## 14. INDEXATION AND AMENDED CONTRIBUTIONS PAYABLE

Contributions will be levied in accordance with the base contribution rate calculated in accordance with Section 9 of this Plan, as at 2004. However, these rates will be subsequently reviewed on an annual basis to ensure that the value of monetary contributions continue to reflect the actual costs associated with the provision of additional public car parking spaces.

The contribution rate will reviewed on an annual basis in accordance with the following formula:

$$C = B \times \frac{[\text{CPI as at last March}] \%}{[\text{CPI at time of setting base rate (March 2004)}]}$$

Where C = Contribution rate effective at the time of payment  
 B = Base Contribution Rate as at June 2004  
 CPI = Australian Bureau of Statistics published Consumer Price Index (All Groups Sydney)

#### **15. METHOD OF PAYMENT OF CONTRIBUTIONS and WORKS IN KIND**

Council will only accept payment of any contribution made in pursuance of this Plan in cash or by credit card, debit card or bank cheque. Bank guarantees will not be accepted.

The Council will not accept an offer to provide an "in-kind" contribution or through provision of another material public benefit in lieu of an applicant satisfying his/her/its obligations under this Plan.

#### **16. TIMING OF PAYMENT OF CONTRIBUTIONS**

*In the case of a development that involves the erection of a building or work (including an extension or alteration so as to create additional floor area), then the Council requires that payment of any monetary contribution in pursuance of this Plan, be finalised prior to the release of the related/relevant construction certificate.*

*In the case of a development that involves an intensification of use and where no additional floor area is proposed, then the Council requires that payment of any monetary contribution in pursuance of this Plan, to be finalised prior to occupation or use of the development, building or place.*

#### **17. DEFERRED or PERIODIC PAYMENTS OF CONTRIBUTIONS**

The Council will not permit the deferred or periodic payment of any contributions made in pursuance of this Plan.

#### **18. DISCOUNTS AND WAIVERS**

The Council will not offer any discounts to the amount (payable) of contributions or any waivers of contributions liable to be made pursuant to this Plan. This is for equity and financial reasons.

## **19. ADMINISTRATION AND FINANCIAL MANAGEMENT**

Contributions levied under this Plan will be held separately from the rest of Council's revenue, as the money is collected for a specific expenditure purpose—the provision of public car-parking facilities. The Council is required to list such monies separately from other funds and provide detailed statements of revenue and expenditure regarding each developer contributions account.

A Contributions Register will be maintained in respect of this Developer Contributions Plan, in accordance with the Environmental Planning and Assessment Regulation 2000, and will be available for public inspection upon request. The register will be updated regularly and will include the following information:

- Details of each development consent for which contributions under this Plan have been sought;
- The nature and extent of the contribution required by the relevant condition of development consent;
- The name of the developer contributions plan imposing the condition of consent; and
- The date that the contribution was received (paid), the purpose of the contribution and the amount.

At the end of each financial year, the Council will make an annual statement within its yearly budget report. The statement will include the following information:

- Opening and closing balances of monies held in this developer contributions plan by Council for the respective accounting period;
  - Total amounts received by Council by way of contributions made pursuant to this Plan;
  - Total amounts expended by Council in accordance with this Plan; and
  - Outstanding obligations of the Council to provide works for which contributions have been received by the Council.
-