

RELEVANT INFORMATION FOR COUNCIL

FILE: D/2017/618 **DATE:** 19 February 2018
TO: Lord Mayor and Councillors
FROM: Graham Jahn, Director City Planning, Development and Transport
SUBJECT: Information Relevant To Item 9.14 – Development Application: 71
Eveleigh Street, Redfern - At Council - 19 February 2018

Alternative Recommendation

It is resolved that consent be granted to Development Application No. D/2017/618, subject to the conditions as detailed in Attachment A to the subject report to the Planning and Development Committee on 12 February 2018, amended as follows (with any additions shown in ***bold, italics*** and any deletions shown in ~~strikethrough~~):

- the deletion of Conditions (3) and (4)

(3) ~~RWA1 REDFERN WATERLOO AUTHORITY CONTRIBUTIONS PLAN 2006~~

~~To meet the demand for additional public facilities and infrastructure generated by the development on the site, contributions will be as required based on the *Redfern Waterloo Authority Contributions Plan 2006*.~~

~~The levy is to be calculated as 2% of the proposed cost of development, indexed between the date of determination and the date the levy is required to be paid in accordance with clause 25J(4) of the *Environmental Planning and Assessment Regulation 2000* and clause 10 of *Redfern Waterloo Authority Contributions Plan 2006*.~~

~~Pursuant to the *Redfern Waterloo Authority Contributions Plan 2006*, a contribution in the amount of \$2,534 plus indexation between the date of approval and date of payment, in accordance with Consumer Price Index (All Groups Index) for Sydney, is to be paid to Urban Growth NSW Development Corporation (UGDC) for deposit into the Redfern Waterloo Fund towards the cost of one or more of the public facilities set out in the Works Schedule to that Plan.~~

~~Proof of payment of this contribution to the UGDC shall be provided to the Certifying Authority prior to the issue of a Construction Certificate (or other timing in accordance with the Contributions Plan). If the amount is not to be paid prior to the issue of a Construction Certificate, written verification of this should be provided by Urban Growth NSW Development Corporation and provided to the Principal Certifying Authority. No deferred or periodic payments are permitted.~~

~~Phone 02 9202 4220 to confirm indexed amount of the contribution, prior to preparation of a bank cheque made out to the Urban Growth NSW Development Corporation.~~

~~A copy of Redfern-Waterloo Authority Contributions Plan 2006 is available for inspection at the offices of UGDC, (see website for details), or from the website www.ugdc.nsw.gov.au.~~

(4) ~~RWA2 REDFERN-WATERLOO AUTHORITY AFFORDABLE HOUSING CONTRIBUTIONS PLAN 2006~~

~~To contribute to the provision or refurbishment of affordable housing within the Redfern-Waterloo Operational Area, contributions are required in accordance with the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006.~~

~~In accordance with Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 the levy is 1.25% of the additional total gross area of the proposed development and is calculated at \$84.60 per square metre being the rate at 1 July 2017. Between the date of determination and the date the levy is required to be paid, the levy is indexed in accordance with the Building Price Index, Sydney as published in Rawlinson's Australian Construction Handbook. This is in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and clause 9 of the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006.~~

~~Pursuant to the Redfern-Waterloo Affordable Contributions Plan 2006, a contribution in the amount of \$9,940.50 plus indexation in accordance with the Building Price Index is to be paid via bank cheque for deposit into the Redfern-Waterloo Fund towards the provision of affordable housing within the Redfern-Waterloo area.~~

~~Proof of payment of this contribution and calculation of any indexing shall be provided to the Certifying Authority prior to the issue of a Construction Certificate. No deferred or periodic payments are permitted.~~

~~Phone 02 9209 4220 to confirm indexed amount of the contribution, prior to preparation of a bank cheque made out to the UrbanGrowth NSW Development Corporation.~~

~~A copy of Redfern-Waterloo Affordable Housing Contributions Plan 2006 is available for inspection at the Redfern-Waterloo Authority office, (see website for details), or from the website www.ugdc.nsw.gov.au~~

Background

Both the Redfern-Waterloo Authority Contributions Plan 2006 and Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 include specific exemptions from the levying of developer contributions where the proposal involves 'minor alterations or additions to a single dwelling erected on an existing single allotment'. However, both of these plans only allow the exemptions to apply where there is 'notice in writing given by the Minister (or delegate)'.

At the time of drafting the assessment report, no such written notice of exemption was in place.

On 15 February 2018, correspondence from Urban Growth NSW was provided as a delegate of the Minister to agree that the exemptions in both contribution plans were applicable to this development.

As a result of this, it is recommended that Conditions (3) and (4) that imposed developer contributions be deleted. The deletion of these conditions is included above in the alternative recommendation.

Prepared by: Jemima Royall, Planner

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Approved

A handwritten signature in black ink, appearing to read 'GJahn', positioned above the printed name of the signatory.

**Graham Jahn, AM, Director City Planning,
Development and Transport**