

<b>EGROW 04</b>	<b>Amendment 2 to Liverpool Contributions Plan 2008 - Edmondson Park</b>
-----------------	--

<b>Strategic Direction</b>	Generating Opportunity Meet the challenges of Liverpool's growing population
<b>File Ref</b>	263708.2020
<b>Report By</b>	Shaun Beckley - Manager, Infrastructure Planning
<b>Approved By</b>	David Smith - Acting Director City Economy and Growth

**EXECUTIVE SUMMARY**

A housekeeping amendment is proposed to Liverpool Contributions Plan 2008 – Edmondson Park (CP 2008) to address an inconsistency between the Contributions Plan and the Liverpool Local Environmental Plan 2008 (LEP 2008).

In 2015, a change was made to LEP 2008 to rezone part of a site at Camden Valley Way, Edmondson Park from R3 Residential to B6 Enterprise Corridor and implement a new minimum dwelling density of 21 dwellings per hectare.

CP 2008 uses the minimum dwelling density control as a part of the calculation to determine the contribution payable. Following the creation of the 21 dwellings/ha control in LEP 2008, a necessary amendment to CP 2008 was not made at the time. This has resulted in a 1.55ha site in Edmondson Park, subject to the 21 dwellings/ha control, not having a corresponding contribution rate identified in the contributions plan. This amendment will ensure that development of this site is subject to a contribution, as all other development in Edmondson Park is required to do.

A development application is currently under assessment for a staged residential development, including residential flat buildings. To ensure that a condition of consent can be applied to any development consent for the site, an amendment is required to the contributions plan by inserting the 21 dwellings/ha area and relevant costs into the Plan.

The proposed change will result in contributions payable commensurate with the minimum density control for the site, which is approximately \$907,000 per hectare of developable area (indexed to September 2020 quarter).

## **RECOMMENDATION**

---

That Council:

1. Exhibits Amendment 2 to *Liverpool Contributions Plan 2008 – Edmondson Park* for 28 days in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.
2. Delegates to the Acting Chief Executive Officer authority to finalise Amendment 2 to *Liverpool Contributions Plan 2008 – Edmondson Park*.

## **REPORT**

---

A housekeeping amendment is proposed to *Liverpool Contributions Plan 2008 – Edmondson Park* (CP 2008) to address an inconsistency between the Contributions Plan and the *Liverpool Local Environmental Plan 2008* (LEP 2008).

A change was made in 2015 to *Liverpool Local Environmental Plan 2008* (LEP 2008) that should have resulted in a consequential amendment to CP 2008. A consequential amendment was made to *Liverpool Development Control Plan 2008* to ensure alignment between the LEP and DCP controls. A corresponding change to CP 2008 was not made at the time.

CP 2008 uses the minimum dwelling density control of LEP 2008 in the calculation of the required contribution. Prior to the amendment of LEP 2008, there was direct alignment with CP 2008 to enable the calculation of contributions across all sites within Edmondson Park.

Following the LEP amendment, an additional minimum density control of 21 dwellings per hectare was created. Without the change to CP 2008, there is no corresponding calculation for a contribution for development, despite the fact that CP 2008 did apply and the provision of infrastructure in Edmondson Park is needed to service the site.

A development application was lodged to develop the site and is now subject to legal proceedings (DA-723/2019) for a staged development including 17 small residential lots and 1 residential super lot and the construction of three x four (4) storey residential flat buildings comprising 99 units. The proposal also includes remediation, subdivision and the construction of roads and associated civil works.

These proceedings have highlighted the need to update CP 2008 to ensure that any approvals issued by the Court includes a condition requiring the payment of the appropriate contributions.

Council's collection of funds for infrastructure in Edmondson Park has been compromised by the cap on contributions implemented by NSW Government. It is therefore imperative that all land within Edmondson Park contributes their fair share to the provision of local infrastructure. If this amendment does not proceed, Council may not be able to collect approximately \$1.5m of contributions from the development of the site.

Proposed Amendments

This amendment is a direct response to the identification of an anomaly that needs to be rectified and is time critical. As such, it is proposed to amend CP 2008 as shown in the table below.

Reference	Change	Comment
Table 2.2	Insert column and values for 21 dwellings/ha	Ensure the summary table of rates includes the relevant values.
Clause 3.4	Insert amendment No2 into the table of amendments	Ensure that the amendments are accurately identified in the plan.
Table 4.1	Insert row and values for 21 dwellings/ha and revise values for 17 dwellings/ha and totals.	Ensure the calculation of proposed dwelling mix and yield is consistent for the new density grouping.
Table 5.3	Insert row and values for 21 dwellings/ha and revise values for 17 dwellings/ha and totals.	Ensure ability to calculate contributions for community facilities.
Table 6.3	Insert row and values for 21 dwellings/ha and revise values for 17 dwellings/ha and totals.	Ensure ability to calculate contributions for recreation facilities.
Table 7.3	Insert row and values for 21 dwellings/ha and revise values for 17 dwellings/ha and totals.	Ensure ability to calculate contributions for transport and access facilities.
Table 8.2	Add 21 dwellings/ha to the row for 17 dwellings/ha.	Ensure ability to calculate contributions for stormwater management.
Table 9.3	Insert row and values for 21 dwellings/ha and revise values for 17 dwellings/ha and totals.	Ensure ability to calculate contributions for plan management.

A track changed version of the draft Contributions Plan is included as **Attachment 1**.

The rate for 21 dwellings per hectare has been calculated at \$463,148 per hectare, which when indexed to September 2020 quarter, results in a rate of \$907,890 per hectare.

This rate is typically calculated using the same methodology as the other five density rates within CP 2008 as detailed below (example for community facility provided):

$$\text{Contribution rate per Ha} = \frac{C \times P}{A}$$

Where:

C = Cost of works identified in the contributions plan.

P = Proportion of population of the respective dwelling density group

A = Area in hectares of dwelling density group

Based on a developable area of 1.553 hectares, a lot yield of 33 and 2.9 persons per dwelling, the area would result in a total population of 96, or 0.44% of the total population of Edmondson Park. It is noted that this population is below what is actually being provided on the site, however this approach ensures consistency of application of the contributions plan.

Next steps

The amendment will be placed on exhibition for 28 days in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000.

**CONSIDERATIONS**

<b>Economic</b>	<p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Deliver a high quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p>
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social considerations.
<b>Civic Leadership</b>	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	<p><i>Environmental Planning and Assessment Act, 1979</i></p> <p><i>Environmental Planning and Assessment Regulation, 2000</i></p>
<b>Risk</b>	<p>The risk is deemed to be High.</p> <p>There is a financial risk to council if the amendment to the contributions plan does not proceed.</p>

**ATTACHMENTS**

---

1. Draft Liverpool Contributions Plan 2008 - Edmondson Park Amendment No.2  
(Under separate cover)