



Ramsgate Commercial Centre Development Contributions Plan 2006

Prepared by

Rockdale City Council, Urban & Environmental Planning Section

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Statement of ethics – Rockdale City Council

The following seven principles of public life for Rockdale City Council guide us in achieving the highest ethical standards of behaviour.

Selflessness

We will make all our decisions based solely on what is in the public interest.

Integrity

We will do what we say we will we do. However, we will not put ourselves under any financial or other obligation to any person or organization when we perform our public duties.

Objectivity

When carrying out public duties, including making public appointments, awarding contracts, recommending individuals for rewards and benefits, or making determination on development applications and planning matters we will make all those decisions based on merit.

Accountability

We are accountable for our decisions and actions to the public and submit ourselves to the scrutiny appropriate to our office.

Openness

We will be open about all the decisions and actions that we take. We will give reasons for our decisions and restrict information only when the wider public interest clearly demands it.

Honesty

We have a duty to publicly declare any private interests we may have which conflict with our public duties and will resolve any conflicts so that the public interest is protected at all times.

Leadership

We will promote and support these principles by our own example to others.

Rockdale City Council has also adopted a *Code of Planning Practice*, which includes a Statement of Ethics for Development Applications.

Executive summary

- This document is called the *Ramsgate Commercial Centre Development Contributions Plan 2006* and provides the legal and administrative mechanisms to require contributions in cash or, in some cases, by in-kind works, towards the provision or embellishment of public amenities and services within the Ramsgate commercial centre that will be required to meet the needs of future development within the centre.
- This plan came into effect on 19 October 2006 and applies to all development applications and applications for complying development certificates made from 21 July 2005 that are determined after the commencement of this plan.
- The Ramsgate commercial centre straddles the boundary of the Kogarah and Rockdale council areas and this plan has therefore been prepared, and will be administered and implemented, jointly by the two councils. The plan applies only to land within the Ramsgate commercial centre. However other development contribution plans may also apply to the land.
- To encourage quality redevelopment of the Ramsgate centre for mixed commercial / residential purposes, while ensuring it continues to remain a viable and attractive shopping precinct, the two councils have prepared a master plan for the centre that established a strategy for its appropriate redevelopment and revitalisation. This strategy included the preparation of comprehensive LEPs and DCPs setting out detailed planning guidelines and controls to promote and regulate future redevelopment of the centre. This contributions plan will complement these other plans by providing the civic improvements and public infrastructure that will be required in the centre as a result of this redevelopment.
- The plan provides for the funding of specific local infrastructure and facilities within the Ramsgate centre, including streetscape improvements, a new public square, undergrounding of existing services, new or widened service lanes, improved traffic management facilities and new or embellished stormwater drainage. The works schedule (Table 1.1) describes the proposed works that will be funded under this plan and indicates the estimated timing for their provision.
- The plan will operate over a 10 year period. However, it is expected that complete redevelopment of the centre is likely to take a much longer time and that full implementation of the facilities and services identified in the plan will need to be progressively implemented under one or more subsequent contributions plans.
- The contribution rates that will be payable by future residential and commercial development within the Ramsgate commercial centre towards the provision of these facilities and infrastructure are given in Table 1.2.

However, these rates will be periodically reviewed to ensure they continue reflect changes to the costs of providing the facilities that may occur over the life of this plan.

1 Summary tables

The following summary tables are provided in this part:

- The works schedule for infrastructure and facilities within the Ramsgate commercial centre describing the works that will be provided under this plan and the estimated timing for their provision.
- The contribution rates payable by development within the Ramsgate centre towards these facilities and infrastructure.

These tables provide summaries only and more details are included in the following parts of the plan.

Table 1.1 – Ramsgate commercial centre infrastructure and facilities - Works schedule

Ref. no.	Description of proposed works	Estimated timing
RG-1	Streetscape existing footpaths in Rocky Point Road, Ramsgate Road, Targo Road, Torwood Street and Park Road, including new paving, street furniture, pram ramps, trees and shrubs.	Staged implementation, commensurate with (or prior to) the redevelopment of the development site adjacent to the work.
RG-2	Construct through-block pedestrian walkways from Rocky Point Road to Campbell Street, including paving, lighting and signage.	Commensurate with the redevelopment of the development sites from which the land for the walkways will be dedicated.
RG-3	Construct town square in Dillon Street, including demolition of existing toilets and site preparation, paving, seating and street furniture, water feature, trees, shrubs and turfing, lighting and signage.	Staged construction over the life of this plan and beyond as contributions accrue (or sooner).
RG-4	Commission and install public art in Dillon Street within town square and in other selected locations within the centre.	Staged implementation over the life of this plan or beyond as contributions accrue (or sooner) and commensurate with the construction of the town square or the streetscaping of the other locations.
RG-5	Provide new public toilets within future development site at 78-80 Ramsgate Road and 29-31 Campbell Street.	Commensurate with redevelopment of this development site.
RG-6	Underground existing Energy Australia and Optus cabling in Rocky Point Road, Dillon Street, Ramsgate Road, Targo Road and Torwood Street, including new street lighting.	Staged implementation, commensurate with (or prior to) the redevelopment of the development site adjacent to the work.
RG-7	Construct new service lanes between Dillon Street and Meurants Lane, between Ramsgate Road and Targo Road and north from Torwood Street and widen Cleland Lane and Meurants Lane, including, paving, new footpaths and lighting.	In the case of the new lanes – staged construction from Dillon Street, Meurants Lane, Ramsgate Road, Targo Road and Torwood Street as development sites from which the widening will be dedicated are redeveloped. In the case of lane widenings – commensurate with the redevelopment of the development sites from which the widening will be dedicated.

Ref. no.	Description of proposed works	Estimated timing
RG-8	Provide additional traffic management facilities on roads within and around the centre, including thresholds and signage.	Ongoing throughout life of this plan and beyond as contributions accrue (or sooner).
RG-9	Provide drainage pipes and pits to new lanes and some existing streets within the centre.	In the case of new lanes – commensurate with construction of the lanes. In the case of existing streets – staged implementation over the life of this plan or beyond as contributions accrue (or sooner) and commensurate with the development and streetscaping of locations requiring drainage improvements.
RG-10	Plan preparation, administration and management.	Plan preparation completed. Administration and management ongoing throughout life of this plan.

Table 1.2 – Ramsgate commercial centre infrastructure and facilities – Contribution rates

Public facility	Multi-unit residential development (1)			Other residential development (per person) (3)	Non-residential development (per person) (4)
	0-1 bedroom dwellings (2)	2 bedroom dwellings	3+ bedroom dwellings		
Local infrastructure and facilities	\$8,993.70	\$14,308.10	\$17,578.50	\$6,813.40	(5) \$6,813.40

Notes

- (1) Includes attached and detached dual occupancies, medium density housing (villas and townhouses), residential flat buildings and the residential component of mixed use premises.
- (2) 0-1 bedroom dwellings include bedsitters and studio apartments.
- (3) Means the number of residents that are expected to be accommodated within the proposed development (usually the number of beds proposed).
- (4) Means the number of people likely to be employed within a development based on the standard occupancy rates provided in Section 3.4.3 of this plan (unless an applicant can satisfy the council, by way of an expert study or the like, that another occupancy rate should apply).
- (5) Applying this rate and the employment occupancy rates in Section 3.4.3, the contribution rates for various employment developments are:

retail	\$194.67 / m ² gross floor area
offices and other commercial	\$272.54 / m ² gross floor area
- (6) Where works in kind are accepted by the councils, which accord with the requirements of the contributions plan, contributions are to be discounted by the value of the work.
- (7) Additional section 94 contributions will be payable under any other development contributions plans that also applies to the Ramsgate commercial centre. Refer to these plans for details.

2 Administration and operation of the plan

2.1 What is the name of this development contributions plan?

This plan is the *Ramsgate Commercial Centre Development Contributions Plan 2006*.

2.2 To what land does this plan apply?

This contributions plan applies to specific land within the Kogarah Council area and the City of Rockdale that comprises the Ramsgate commercial centre. Figure 2.1 identifies the land within the centre.

2.3 What is the purpose of this development contributions plan?

The purpose of the development contributions plan is to:

- a. provide an administrative framework under which a specific public facilities strategy for the Ramsgate commercial centre may be implemented and coordinated,
- b. coordinate and integrate this strategy with the strategies contained in any other development contributions plan applying to the centre,
- c. ensure that adequate public facilities are provided as part of any new development within the Ramsgate commercial centre,
- d. authorise the relevant consent or certifying authorities to impose conditions under section 94 of the *EP&A Act* on any development consent or complying development certificate granted or issued over land to which this plan applies requiring contributions towards the provision of the public facilities identified in the plan,
- e. provide a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions under this plan on an equitable basis,
- f. ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development within the Ramsgate commercial centre, and
- g. enable the councils to be both publicly and financially accountable in their assessment and administration of this development contributions plan.

Figure 2.1 – Ramsgate commercial centre



2.4 When did the plan commence?

This development contributions plan has been prepared under the provisions of section 94 of the *EP&A Act* and Part 4 of the *EP&A Regulation*, was approved by both Kogarah and Rockdale City councils under clause 31 (1) of the *EP&A Regulation*¹ and takes effect on 19 October 2006, being the date on which public notice was published under clause 31 (4) of the *EP&A Regulation*.

2.5 What is the relationship of this plan to other plans, codes and studies?

The plan applies only to land within the Ramsgate commercial centre. However other development contribution plans may also apply to the land.²

In the case of development within the Rockdale City Council side of the centre, this plan will supplement the provisions of *Rockdale Section 94 Contributions Plan 2004*, which is amended by this plan to reflect this interrelationship. These amendments are set out in Schedule 2.

For development within the Kogarah side of the centre the provisions of *Section 94 Contribution Plan No 5 – Open Space* will not apply, as the Ramsgate commercial centre contributions plan makes adequate open space provisions for the occupants of development within the centre. Contributions Plan No 5 is therefore amended by Schedule 1 to reflect this.

The contributions plan should be read in conjunction with the respective councils' and the State government's existing environmental planning instruments and development control plans that are applicable to the Ramsgate commercial centre, in particular:

- *Kogarah Local Environmental Plan 1998*
- *Rockdale Local Environmental Plan 2000*
- *Ramsgate Centre Development Control Plan 2005* (Kogarah Council)
- *Rockdale Development Control Plan No 75 - Ramsgate Commercial Centre*.

¹ Approved by Kogarah Council on 10 April 2006 and by Rockdale City Council on 4 October 2006.

² At the commencement of this plan the other contributions plans applying the Ramsgate centre were, in relation to the Rockdale City Council side of the centre, *Rockdale Section 94 Contributions Plan 2004* and, in relation to the Kogarah Council side, *Section 94 Contribution Plan No 1 – Road and Traffic Management* and *Section 94 Contribution Plan No 9 – Kogarah Libraries*. However, the contributions plans applying to the centre may change from time to time.

2.6 Definitions

In this plan:

Applicant, in relation to a development consent or complying development certificate, includes any other person who is entitled to act on that consent or certificate.

Commencement, in reference to the commencement date of this plan, means the date on which the plan came into effect, within the meaning of clause 31 (4) of the *EP&A Regulation*.

DCP means development control plan.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2000*.

LEP means local environmental plan.

Ramsgate Centre DCP 2005 means the *Ramsgate Centre Development Control Plan 2005* prepared by Kogarah Council and applying to that part of the Ramsgate commercial centre within the Kogarah Council area.

Ramsgate commercial centre means land comprising the Ramsgate commercial centre, as identified in Figure 2.1 in this plan.

Relevant council, in relation to a development application within the Ramsgate commercial centre, means the council, either Kogarah Council or Rockdale City Council, that would ordinarily be the consent authority for that application.

Rockdale DCP 75 means *Rockdale Development Control Plan No 75 – Ramsgate Commercial Centre* prepared by Rockdale City Council and applying to that part of the Ramsgate commercial centre within the City of Rockdale.

Settlement, in reference to the time of settlement of a section 94 developer contribution, means:

- a. in the case of a monetary contribution - the date on which the contribution is paid to the relevant council or the date on which that council accepts the applicant's request for the deferred or periodic payment of the contribution under Section 2.19 of this plan, or
- b. in the case of a material public benefit (works in kind) – the date on which the relevant council accepts the applicant's offer to provide the material public benefit under Section 2.17 of this plan.

All other terms have the meanings given them in the *EP&A Act*, the *EP&A Regulation*, *Kogarah LEP 1998*, *Rockdale LEP 2000*, *Ramsgate Centre DCP 2005* and *Rockdale DCP 75*.

2.7 For what amenities and services will contributions be levied?

The contributions plan establishes strategies that allow section 94 contributions to be levied towards the provision of the following amenities and services within the centre, insofar as these amenities and services relate to the needs generated by new development:

- Streetscaping of existing roads within the commercial centre, including new footpath paving, street furniture, pram ramps, trees and shrubs, lighting and signage
- Construction of through-block pedestrian walkways to and from the centre
- Creation of a new public square
- Public art (sculptures)
- New public toilets
- Undergrounding of electricity and other services within the centre
- Establishment of new service lanes and improvements to existing laneways
- Additional traffic management facilities within and around the centre (thresholds, signage)
- New stormwater drainage and enhancement of existing drainage
- Administration and management of this plan.

2.8 Over what time period will this plan operate?

This plan will provide for the additional public facilities and services required in the Ramsgate commercial centre to meet the needs of the residents and occupants of future development expected over the next 10 years.

However, it is recognised that full development of the centre is unlikely to occur in such a short time period but is likely to take a considerably longer time period and that full implementation of the facilities and services identified in the plan is therefore unlikely to be achieved under this plan, but will be progressively implemented under one or more subsequent contributions plans.

The plan also recognises that, while implementation of the plan is based on the anticipated rates of development specified in the plan, the rate at which this development actually occurs will depend on the development industry and other variables largely outside of the councils' control. This may result in growth rates that are significantly faster or slower than predicted.

Should development occur more rapidly than anticipated, it may be possible to expedite the provision of the facilities identified in this plan. If, on the other hand, development does not proceed as rapidly as predicted, it may not be possible to provide adequate facilities within a reasonable timespan and the councils may need to consider alternative strategies to ensure that the additional facilities required by future development will continue to be provided in a timely manner.

2.9 To what development does this plan apply?

This plan applies to all development within the Ramsgate commercial centre that will, or is likely to, create a demand for any of the public amenities or services identified in the plan and for which a developmental application or an application for a complying development certificate is made on or after 21 July 2005 and determined on or after 19 October 2006.

Such development includes (but is not limited to):

- New dwellings and residential flat buildings, including flats and dwellings within mixed commercial / residential development
- Alterations and additions to existing dwellings or residential buildings that increase the number of dwellings on the land or increases the number of bedrooms within any existing dwellings
- In the case of residential development that does not consist of dwellings, any work that will increase the gross floor area of that development
- New retail or commercial development
- Alterations and additions to existing retail or commercial development that increase the gross floor area of that development or change the use of existing floor space so as to increase the number of people that will be employed within the development (as calculated under this plan).

2.10 Construction certificates and the obligations of accredited certifiers

In accordance with section 94EC of the *EP&A Act*, and clause 146 (b) of the *EP&A Regulation*, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides receipts confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142 (2) of the *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to this requirement are where material public benefits (works in kind) or deferred payment arrangements have been agreed to by the council. In such cases, the council will issue a letter confirming that an alternative payment method has been agreed to with the applicant.

2.11 Complying development and the obligations of accredited certifiers

In accordance with section 94EC (1) of the *EP&A Act*, accredited certifiers must impose a condition requiring monetary contributions in accordance with this development contributions plan where the development to which the certificate relates will, or is likely to, result in a net increase in the number of residents or workers on the land to which the development relates, as calculated under the plan.

Specifically, this will apply to new developments, or alterations and additions to existing developments that:

- increase the number of dwellings on the land, or
- increase the number of bedrooms within any existing dwelling on the land, or
- in the case of residential developments that do not consist of dwellings, increase the gross floor area of the development, or
- in the case of non-residential developments, increase the gross floor area of the development or change the use of existing floor space so as to increase the number of people that will be employed within the premises (as calculated under this plan).

The conditions imposed must be consistent with the relevant council's standard section 94 consent conditions and be strictly in accordance with this development contributions plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the section 94 condition correctly.

An accredited certifier must not impose a condition requiring a monetary contribution unless the relevant council, as the consent authority, has certified that the contribution has been calculated correctly in accordance with this plan and that the council has not accepted another form of contribution.

2.12 Exemptions to this plan

The following development is exempt from the provisions of this development contributions plan:

- Seniors housing (including housing for people with a disability), as defined in *State Environmental Planning Policy (Seniors Living) 2004*, but only where the applicant is the Department of Housing, a local government housing provider or a community housing provider.

All other development that will, or is likely to, result in an increase in the number of residents or workers on any land within the Ramsgate commercial centre is subject to this plan.

2.13 Are there allowances for existing development?

This plan does not provide any allowances for existing development within the centre. The plans for the Ramsgate commercial centre envisage a comprehensive redevelopment of the centre that will introduce an entirely new resident and worker population into the area. It is solely this redevelopment and its new population that has generated the need for the town centre improvements identified in this plan and this new development should therefore meet the full costs of their provision. The proposed facilities are not required by existing residents and workers within the centre and therefore no contribution credit should be given for any existing developments.

2.14 How will contribution rates be reviewed?

It is the councils' policy to review contribution rates to ensure that the value of contributions are not eroded over time by inflation or other increases in the actual costs associated with the provision of the identified public amenities or services.

The contribution rates payable by developments within the Ramsgate commercial centre will therefore be reviewed annually, based on the adjusted costs of the works, services and facilities identified in the plan. These cost adjustments will be made on the following basis:

- a. ***For proposed works, services and facilities*** – the costs of these will be reviewed on the basis of the Australian Bureau of Statistics' *Price Index of Materials Used in House Building*, in accordance with the following formula:

$$\text{Adjusted cost} = \frac{\text{Initial cost} \times \text{Current price index}}{\text{Initial price index}}$$

where:

- *Initial cost* is the estimated cost of the proposed facility at the time when this plan commences, as shown in Table 3.3.
- *Current price index* is the *Price Index of Materials Used in House Building* for Sydney last published at the time of adjustment (published by the Australian Bureau of Statistics).
- *Initial price index* is the *Price Index of Materials Used in House Building* for Sydney for the quarter last published at the time this plan came into effect.

- b. ***For works, services and facilities provided in anticipation of development*** – the costs these will be reviewed on the basis of the *Consumer Price Index*, in accordance with the following formula:

$$\text{Adjusted cost} = \frac{\text{Actual cost} \times \text{Current CPI}}{\text{Initial CPI}}$$

where:

- *Actual cost* is the actual cost of providing the facility, as shown in Table 3.3 or, where the facility is provided subsequent to the commencement of this plan, the actual cost as advised by the council.
- *Current CPI* is the *Consumer Price Index* (All Groups Sydney) last published at the time of adjustment (published by the Australian Bureau of Statistics).
- *Initial CPI* is the *Consumer Price Index* (All Groups Sydney) for the quarter last published at the time this plan came into effect, or where the facility is provided subsequent to the commencement of this plan, the *Consumer Price Index* (All Groups Sydney) for the quarter last published at the time when the facility was completed.

The contribution rates are adjusted based on these reviewed costs and the methodology set out in Section 3.6.3.

The adjusted contribution rates are published by the councils and are available from the council offices.

2.15 How are the contributions payable by a particular development calculated?

The actual contributions payable by a particular development are based on the following attributes of the development:

- For residential developments consisting of separate dwellings³ - the number of 0-1 bedroom dwellings,⁴ 2 bedroom dwellings and 3 or more bedroom dwellings within the development.
- For residential developments that do not consist of separate dwellings - the number of residents that are likely to occupy the development.
- For non-residential developments - the number of workers that are likely to be employed within the development.⁵

³ Means dwellings within multi-unit developments, including dual occupancies, medium density housing, residential flat buildings and the residential components of mixed use premises.

⁴ Includes bedsitters and studio apartments.

⁵ Based on the standard occupancy rates provided in Section 3.4.3 of this plan (unless an applicant can satisfy the council, by way of an expert study or the like, that another occupancy rate should apply).

The following formula is used for calculating the contributions payable by a particular development in the Ramsgate commercial centre:

$$\text{Contribution} = nD(P)_{1BR} \times R_{1BR} + nD(P)_{2BR} \times R_{2BR} + nD(P)_{3BR} \times R_{3BR} \\ + nR(P) \times R_R + nW(P) \times R_W,$$

where:

- $nD(P)_{1BR}$, $nD(P)_{2BR}$ and $nD(P)_{3BR}$ are the numbers of 0-1 bedroom dwellings, 2 bedroom dwellings and 3 or more bedroom dwellings, respectively, within the proposed development,
- $nR(P)$ is the number of residents that are likely to occupy residential floor space within the proposed development other than dwellings.
- $nW(P)$ is the number of workers that are likely to be employed within the proposed development,⁵
- R_{1BR} , R_{2BR} , R_{3BR} , R_R , and R_W are the contribution rates (in \$), respectively, for 0-1 bedroom dwellings, 2 bedroom dwellings, 3 or more bedroom dwellings, other residential floor space (per person) and employment development (per person), as adopted by this plan (or as subsequently adjusted in accordance with Section 2.14).

As development within the Ramsgate centre will bring in an entirely new resident and worker population and the proposed facilities identified within this plan are required solely for these new residents and workers, there will be no deductions for existing developments within the centre.

2.16 How are contributions adjusted at the time of settlement?

The contribution amount specified in a development consent or complying development certificate is calculated on the contribution rates contained in this plan (or as subsequently adjusted for changes in the actual costs of providing the public amenities or services in accordance with Section 2.14).

The current contribution rates, incorporating any periodic adjustments under Section 2.14, are published by the councils and are available from the council offices.

Where the contribution rates are adjusted between the time when a development consent or complying development certificate is issued and the time when the contribution is settled, the contribution amount will be adjusted in accordance with the contribution rates applicable (and published) at the time of settlement.

2.17 Can a contribution be settled “in-kind” or through a material public benefit?

The councils may accept an offer by an applicant for development within the Ramsgate commercial centre to settle a contribution by way of a material public benefit (works in kind) or by a combination of money and a material public benefit.

Works in kind will be accepted by the councils only under the following circumstances:

1. A written request is made to the relevant council by the applicant or other person entitled to act upon the relevant consent, and
2. The council determines that the works in kind are appropriate, and
3. The works to be carried out are identified in the works schedule attached to this contributions plan, and
4.
 - a. The value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this plan, or
 - b. Where the value of the proposed works in kind is less than the monetary value of the contribution, the difference will be met by way of a monetary contribution.

In assessing the request, the council will take into account the following:

1. Consistency with the detailed design of the facilities, as agreed to by the council, and
2. Whether or not the provision of the works will prejudice the timing or the manner of provision of the public facilities identified in the works schedule, or conflict with what the council has prioritised.

Plans and cost estimates of the proposed works are to be prepared and submitted by the applicant. The value of the works must be independently certified, at the applicant's expense, by a quantity surveyor who is registered with the Australian Institute of Quantity Surveyors (or by a person who can demonstrate equivalent qualifications). The council may review the applicant's valuation and may seek the services of an independent person to verify this. Any costs associated with this will be met by the applicant.

Should an offer of works in kind be accepted, the council will require the applicant to enter into a written agreement for the provision of the works which establishes the following:

- An acceptable standard for workmanship and materials,
- Timing of inspection of works in progress,
- A program for completion of the works, and
- An appropriate defects liability period.

The decision to accept settlement of a contribution by way of works in kind is at the sole discretion of the relevant council.

Dedication of land will not be accepted in lieu of a monetary contribution as all land required within the Ramsgate centre for public purposes is to be dedicated at no cost to the councils as a condition of development consent. To facilitate this, higher floor space ratios have been assigned to sites required to dedicate land and development on these sites will be able to transfer development rights from the dedicated land to the remainder of the site.

2.18 When is the contribution payable?

A contribution must be paid to the council at the time specified in the condition that imposes the contribution. If no such time is specified the following times apply:

- a. In the case of a development where no further approvals are required – before the compliance certificate is issued.
- b. In the case of a development where a construction certificate is required – before the issue of the construction certificate.
- c. In the case of a development where a subdivision certificate is required – before the issue of the subdivision certificate.
- d. In the case of any other development – before the compliance certificate is issued.

2.19 Will the councils allow deferred or periodic payments to be made?

The relevant council may agree to the deferred or periodic payment of a contribution under this plan in the following circumstances:

- a. If the applicant satisfies the council that compliance with the provisions of Section 2.18 relating to when contributions are payable is unreasonable or unnecessary in the circumstances of the case, or would cause the applicant undue hardship, and:
 - i. deferred or periodic payment will not prejudice the timing or the manner of the provision of the public amenity or service for which

the contribution was required, as outlined in the works schedule, and

- ii there will be no prejudice to the council, other developments or the community deriving benefit from the public amenity or service required by the proposed development, and
 - iii. there will be no prejudice to the operation of this contributions plan.
- b. Where the applicant intends to make a contribution by way of a planning agreement or material public benefit (works in kind) in lieu of a cash contribution and the council and the applicant have a legally binding agreement for the provision of the works.
- c. There are other circumstances justifying the deferred or periodic payment of the contribution.

The decision to accept a deferred or periodic payment is at the sole discretion of the council.

2.19.1 Conditions on deferred or periodic payment – Kogarah Council

This subsection applies only to the deferred or periodic payment of contributions by developments within the Kogarah Council part of the Ramsgate commercial centre.

Where a deferred or periodic payment is agreed to by the council the following conditions will apply:

1. The full contribution amount due or outstanding at any time must be supported by a bank guarantee from an Australian bank.
2. The bank guarantee must meet the following requirements:
 - a. It must be unconditional and include an amount calculated by the council for loss of interest and the cost of implementing, maintaining and administering the deferred or periodic payment arrangements in addition to the full amount of the contribution due or outstanding.
 - b. The council must be able to draw on it at any time that the monetary contribution is not paid or the provision of the material public benefit is not completed as agreed to with the council.
 - c. The Council must be able to draw on it at any time without recourse to the applicant.

3. The amount of the bank guarantee may be adjusted at the council's discretion to allow for reduced or increased contributions or charges.
4. The bank guarantee will be discharged when all of the applicant's commitments to the council have been met.
5. The arrangements for the bank guarantee must ensure that all of the costs of establishing and maintaining it are met by the applicant.
6. The period over which a contribution is deferred or periodically paid will be agreed to between the council and the applicant and may be changed with the council's agreement.
7. Interest will be charged on the outstanding amount of any contribution in accordance with the formula below. The interest will be calculated from the date when the contribution was due until the date of payment.

The formula for calculating the total amount of a deferred payment is:

$$T = C\left(1 + \frac{i}{100}\right)^N + A$$

where:

- T is the total amount of the payment due and therefore the amount to be covered by the bank guarantee
- C is the amount of the deferred contribution
- i is the current bank overdraft rate, expressed as a percentage
- N is the period of deferral in years
- A is the council's costs of administering the deferred (or periodic) payment

This formula is also used for calculating the total amount due by periodic payment, except that the total amount of contribution due is calculated by adding the separate amounts calculated for all the reduced balances that occur as payments are made.

2.19.2 Conditions on deferred or periodic payment – Rockdale City Council

This subsection applies only to the deferred or periodic payment of contributions by developments within the Rockdale City Council part of the Ramsgate commercial centre.

The council may accept deferred or periodic payment of contributions over a maximum period of 5 years from the date on which the contribution would otherwise be payable (as set out in this contributions plan) by way of equal six monthly instalments (plus interest and council charges), or as otherwise agreed to by the council.

The council may, if it decides to accept the deferred or periodic payment of a contribution, require the applicant to provide a bank guarantee by an Australian bank for the amount of the contribution, or the outstanding balance, plus any interest or charges required by the council, and subject to the following conditions:

- a. The bank guarantee requires the bank to pay the guaranteed amount unconditionally to the council where it so demands in writing if the applicant has defaulted on the payment of the contribution, or any instalment of the contribution (including interest and council charges), under the terms of their deferred or periodic payment agreement with the council.
- b. The guarantee prohibits the bank from:
 - having recourse to the applicant or other person entitled to act upon the consent, and
 - 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.
- c. The bank's obligation under the guarantee is discharged:
 - when payment is made to the council in accordance with the terms of the bank guarantee, or
 - if the related consent lapses, or
 - if the council otherwise notifies the bank in writing that the bank guarantee is no longer required.
- d. The applicant pays to the council:
 - i. interest on the contribution, or the outstanding balance, at the overdraft rate on and from the date when the contribution would have been otherwise payable, as set out in this contributions plan, and
 - ii. an administration charge of 2% on the contribution, or the outstanding balance, at the end of each six monthly period,

such payments to be made when each instalment of the contribution is due.

Where the council does not require the applicant to provide a bank guarantee, it may require a public positive covenant under section 88E of the *Conveyancing Act 1919* to be registered on the title to the land to which the relevant application relates.

2.20 Pooling of contributions

This plan expressly authorises monetary section 94 contributions paid for different purposes under this plan to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the contributions are shown in the works schedule (Table 3.5).

2.21 Apportionment of contributions between the two councils

This plan is a joint contributions plan approved by Kogarah and Rockdale City councils.

Pursuant to section 94C (2) (a) of the *EP&A Act*, this plan provides for the apportionment of contributions between the two councils in the following manner.

Any monetary contribution that is required to be paid under a condition of development consent towards the provision of facilities and services identified in this plan will be apportioned 100% to the council in whose area the development the subject of the consent is situated.

Such contributions will be held in a fund established by each council solely for the purpose of providing these facilities and services. The expenditure of this money will be jointly determined by both councils under the terms and conditions of a memorandum of understanding entered into by them and subject to the provisions of this plan.

2.22 Savings and transitional arrangements

This plan came into effect on 19 October 2006. A development application or an application for a complying development certificate that is made on or after this date will be assessed in accordance with the provisions of this plan.

However, as this plan forms part of a package of plans and strategies for the integrated development of the Ramsgate commercial centre that has previously been formally exhibited and approved by the two councils, it is reasonable that any applications that seek to benefit from the planning provisions introduced by these plans should also be subject to the public facility obligations of the plans. Therefore, any development application or

application for a complying development certificate that is made after the formal exhibition of the Ramsgate commercial centre draft DCPs and LEPs,⁶ but not determined until after the commencement of this plan, will also be assessed in accordance with the provisions of the plan.

Any application that is determined prior to the commencement of this plan will not be subject to this plan and will only be assessed under any other contributions plan that applied at the date of submission of the application.

A development application or an application for a complying development certificate that has been determined in accordance with a previous contributions plan and that requires the making of a contribution which has not been settled, will be reviewed and if necessary adjusted in accordance with the provisions of the contributions plan that applied at the date of determining the application.

(Note: Where this contributions plan has been amended, any reference in this section to a previous or pre-existing contributions plan includes a reference to this plan prior to the relevant amendment and a reference to the commencement of this plan includes a reference to the commencement of that amendment.)

⁶ The relevant draft LEPs and DCPs are *Kogarah LEP 1998 (Amendment No 45)*, *Rockdale LEP 2000 (Amendment No 30)*, *Ramsgate Centre DCP 2005* and *Rockdale DCP 75*, all exhibited on 21 July 2005.

3 Ramsgate commercial centre strategy

3.1 Background

The Ramsgate commercial centre is a traditional suburban strip shopping centre located at the intersection of a State road and a regional roads (Rocky Point and Ramsgate Roads, respectively) and straddling the local government boundary between Kogarah Council and the City of Rockdale.

Like most suburban shopping centres of this kind, Ramsgate has suffered from changing shopping patterns leading to a decline in patronage and economic viability and a general loss of amenity. Due to its location on two heavy traffic corridors its amenity has been further eroded by high volumes of through traffic.

Despite these shortcomings, the existing Ramsgate centre continues to serve an important role in the community, providing convenience shopping and personal services for nearby residents, accommodating services that cannot afford to locate in the major centres, generating local employment and supporting the local economy. However, if it is to remain viable and attractive, meet current community expectations and adapt to its changing role, it is necessary to improve its amenity.

In response to this, and as a result of the lodgment of a number of applications for inappropriate ad hoc development within the centre, the two councils have prepared a master plan for the centre that established a strategy for its appropriate redevelopment and revitalisation.⁷ This strategy included the preparation of comprehensive LEPs and DCPs that set out detailed planning guidelines and controls to encourage and regulate future redevelopment of the centre.

Integral to this strategy is the need to provide civic improvements and additional or improved infrastructure within the centre to meet the needs of the incoming residents and workers that will be brought into the centre by this high quality redevelopment. It is therefore reasonable that this incoming population that creates the need for, and will benefit from, these improvements should also contribute towards their cost. To this end, new development within the centre will be levied a contribution under section 94 towards the proposed town centre embellishments and improvements.

3.2 Section 94 implementation strategy for the Ramsgate commercial centre

Because the Ramsgate commercial centre is planned for comprehensive redevelopment, and this redevelopment is not expected to be completed

⁷ The Planning Group (NSW) Pty Limited, *Ramsgate Centre Masterplan*, prepared for Kogarah Council and Rockdale City Council (June 2004)

within the 10 year lifespan of this plan, but rather will take a longer period of between 20 and 30 years, a special strategy has been adopted in this plan to ensure the ongoing orderly and timely provision of facilities and infrastructure within the centre throughout this entire redevelopment period and that all of the facilities required to meet the needs of the centre when it is fully developed can and will be provided progressively as redevelopment takes place.

The adoption of such a strategy will provide greater continuity in the provision of the necessary facilities and services over the entire development life of the centre, will allow the councils and the development industry to plan ahead with greater certainty, will ensure greater equity in the contributions levied for facilities between those developments that take place during the life of this plan and those which will occur in the longer term, and will allow a greater degree of flexibility in the provision of facilities in response to the actual timing and location of future development.

Such a strategy requires this plan to:

1. Identify the ultimate development potential of the Ramsgate commercial centre when fully developed in accordance with the planning controls for the centre and calculate its ultimate resident and worker population. As indicated above, complete development of the centre is expected to occur beyond the life of this plan over a 20 to 30 year period.
2. Determine the full range of facilities and infrastructure that will be required in the Ramsgate centre to allow the centre to be redeveloped and to meet the future needs of all its residents and workers when it is fully developed.
3. Estimate the extent of development that is likely to occur in the centre during the 10 year life span of this plan and calculate the anticipated incoming resident and worker population generated by that development.
4. Calculate an apportionment factor to determine what proportion of the total facilities required for the Ramsgate commercial centre can be reasonably funded under this plan, based on the estimated medium and long-term population forecasts in 1 and 3 above. The formula used to calculate this apportionment is:

$$\frac{\text{Expected new resident and worker population in the centre during life of this plan}}{\text{Expected ultimate resident and worker population of centre}}$$

5. Establish indicative timings for the implementation of the facilities and infrastructure required in the Ramsgate centre, based on the ongoing redevelopment of the precinct over the medium and long term.

6. Calculate the contribution rates that will apply to development in the Ramsgate commercial centre during the life of this plan, based on the cost of those facilities that could be reasonably funded by that development, after applying the apportionment factor in 4 above, and the anticipated population growth expected in the centre during this period. The formula used to calculate the per person contribution rate is:

$$\frac{\text{Apportioned cost of facilities that could be reasonably funded in the centre under this plan}}{\text{Expected resident and worker population growth in the centre during life of this plan}}$$

As a consequence of this strategy, this plan has therefore:

- Made resident and worker population forecasts for the Ramsgate commercial centre both for the life of the plan and for the ultimate development of the area. These are set out in Section 3.4.4.
- Identified, costed and established indicative timings for all facilities and infrastructure required in the centre when it is fully developed, including those facilities that are likely to be funded and provided, in full or in part, under subsequent contributions plans. These have been incorporated in the relevant works schedule.

3.3 Anticipated development

As outlined in the strategy above, it is necessary to quantify the amount and type of development that is likely to occur within the Ramsgate commercial centre in order to identify what additional facilities and services will be required by this development and to establish a basis for levying contributions from the development towards the provision of those additional facilities.

3.3.1 Methodology

The methodology used to estimate the likely future development within the Ramsgate centre over the next 10 years involves the following:

- Analysing the detailed planning controls contained in the Ramsgate commercial centre LEPs and DCPs to determine the amount of floor space that could be established within the centre.
- Reviewing applications previously lodged for redevelopment within the centre to determine the mix of commercial and residential floor space likely to occur in the future and the likely use of any future commercial floor space.
- Reviewing the rate of past development within Ramsgate and other similar commercial centres to establish likely future rates of commercial and residential redevelopment.

- Researching and analysing dwelling sizes and dwelling mix, based on previous development applications and specialist advice.
- From the above information, arriving at appropriate land use and floor space projections for the centre to the year 2016 for use in this section 94 contributions plan.

3.3.2 Development assumptions

For the purposes of this plan, the floor space and land use projections for the Ramsgate commercial centre are based on the following assumptions:

- Redevelopment of the centre will be carried out in accordance with the zonings, maximum floor space and other detailed controls contained in the Ramsgate centre LEPs and DCPs.
- The centre is unlikely to be fully redeveloped during the life of this plan (10 years) but will require a much longer time period of say 20 to 30 years to reach its ultimate form under the adopted development controls.
- The long term take-up rate for development is likely to be close to 100% of the maximum floor space permissible under the current planning controls.
- The rate at which redevelopment of the centre will occur is expected to be reasonably consistent throughout the extended time period it will take to fully redevelop.
- As the plans for the centre have not fixed minimum residential and commercial floor space requirements (or limits), the market will ultimately determine the mix and the actual amount of floor space provided for each of these uses.
- Despite this, the average non-residential floor space component of future developments within the centre is only expected to achieve a floor space ratio of about 0.35:1, with the remainder of the floor space potential provided as residential uses.⁸
- While the LEPs for the centre allow a broad range of non-residential uses, floor space used for non-residential purposes is likely to be predominantly convenience-type retail uses and suburban office development.

⁸ The *St George Economic and Employment Strategy* identified approximately 9,000m² of retail and commercial floor space currently within the Ramsgate centre, of which 500m² is presently vacant. Including an allowance of an additional 10 to 15% for non-leasable floor space, this represents an average non-residential floor space ratio within the centre of about of 0.3:1. It is expected that the comprehensive redevelopment of the centre will result in only a modest increase in the total non-residential floor space of about 1,500m². Seven development applications have in recent years been lodged with Rockdale City Council for mixed commercial / residential developments within the Ramsgate centre. (No applications had been lodged with Kogarah Council at the time this plan was prepared.) While the average floor space ratio of the commercial / retail components of these developments is only 0.22:1, it is noted that most of these applications were on the periphery of the centre and that the commercial / retail floor space component could be expected to be higher in the centre's retail core.

- While the LEPs for the centre will allow a range of residential uses, the predominant residential development is likely to be in the form of self-contained dwellings within multi-unit residential flat developments.
- The predominant dwelling type within these developments will be 2 bedroom dwelling, which will be used as the typical dwelling for the purpose of population forecasting under this plan.
- The average gross floor area of a typical dwelling is assumed to be 120m².⁹
- Projected floor space figures are gross figures and do not make deductions for existing developments in the centre that will be lost as a consequence of redevelopment. This is because anticipated future development within the centre will bring in a totally new resident and worker population that will specifically create the need for the facilities identified in the plan.
- The area of the land required to be dedicated for new lanes, lane widening and pedestrian access ways has been included in calculating the floor space potential of the centre as, under the planning controls for the centre, the area of these dedications may be included in calculating the maximum floor space ratio of any development site that is required to make such a dedication.

3.3.3 Projected development

Based on the plans prepared by the two councils and the assumptions outlined above, the Ramsgate commercial centre has a maximum gross floor area potential of 73,403 m² that could be provided within the centre through redevelopment.

This new floor space is expected to be provided predominantly as medium rise mixed commercial / residential development, generally containing commercial or retail floor space within the ground floor level of future buildings and residential flats in the floors above.

Therefore, applying the anticipated commercial / residential mix and average dwelling sizes outlined previously, the long term development potential of the centre is:

Retail / commercial	11,506m ²
Residential	61,897m ² (516 dwellings)

⁹ The average dwelling is assumed to be a two bedroom dwelling. The average gross floor space for such a dwelling has been estimated, based on both councils' minimum allowable floor area for 2 bedroom dwellings of 100m². Applying this minimum, it is estimated that the average size of 2 bedroom dwellings will be 105m². Allowing an additional 15% for common residential facilities and access space within the building, produces an average gross floor space of 120m² per 2 bedroom dwelling.

Most of the new retail / commercial floor space is expected to be used for convenience-type retail purposes with the rest used mainly as suburban office development.

It is anticipated that the redevelopment of the precinct will initially occur on those sites throughout the centre that are presently underdeveloped or where the owners have expressed an immediate desire to redevelop. However, it is expected that, in the longer term, other sites throughout the centre will be progressively redeveloped.

It is projected that about 40% of the centre's total development potential will be achieved during the 10 year life span of this plan, with the remainder of the centre being developed within a 10 to 20 year period after that.

On this basis, the amount of new floor space likely to be constructed within the Ramsgate centre in the short and medium term (ie. within the life of this plan) is:

Retail / commercial	4,602m ²
Residential	24,759m ² (206 dwellings)

3.4 Anticipated future population

Once the anticipated development within the Ramsgate centre has been identified it is then necessary to quantify the new population that is likely to be brought into the centre by this new development in order to identify what additional facilities and services will be required to service these new occupants and to establish a basis for levying contributions from the development towards the provision of those additional facilities.

3.4.1 The need to quantify new residents and workers

As indicated previously, the Ramsgate centre is expected to be redeveloped as a mixed use precinct containing both new residential and commercial floor space that will bring into the centre considerable numbers of both new residents and workers.

The incoming residents will generate an additional demand for improved infrastructure and facilities within the centre and it is reasonable that this incoming population contributes towards the cost of these additional facilities. In order for the costs of the facilities to be apportioned equitably among developments, in proportion to the number of additional residents they will bring into the area, it is necessary to quantify the total numbers of new residents that will be expected as a result of the proposed redevelopment.

However, additional demand for improved infrastructure and facilities within the centre will not only be generated by residential population increases. New retail and commercial floor space within the proposed redevelopment will also bring in a considerable number of new workers. These new workers will also

generate demand for additional infrastructure and facilities and will make use of the public facility improvements that will be provided in the centre to meet the needs of incoming residents. These additional amenities could not, and should not, be funded by the new residential development alone. Therefore, it is appropriate that new retail and commercial development that brings in a new employment population also contributes to the provision of the public amenities and services that will be provided under this plan. To facilitate the equitable apportionment of contributions for these facilities it is thus necessary to also quantify the total numbers of new workers.

The same contribution rates will be applied for both incoming workers and incoming residents. While the relative need for the various facilities may vary between future residents and workers, these variations cannot be readily quantified. In any event, the demands for additional facilities by both residents and workers are real and significant. (See Section 3.5.1 for a more detailed explanation of this.)

3.4.2 Methodology

The methodology adopted to estimate the future number of residents and workers likely to be accommodated in future development within the centre over the next 10 years involves the following:

- Researching and analysing dwelling sizes, dwelling mix and residential and worker occupancy rates, using previous development applications, other studies, specialist advice and Australian Bureau of Statistics (ABS) data.
- Based on this information and the development projections for the centre set out in Section 3.3.3, arriving at appropriate residential and worker population projections to the year 2016 for the centre for use in this section 94 contributions plan.

3.4.3 Anticipated occupancy rates

For the purposes of this plan, the resident and worker population projections for the Ramsgate commercial centre have been based on the following:

- Average worker occupancy for convenience-type retail is assumed to be 35m² / person.¹⁰

¹⁰ Based on data obtained by Rockdale City Council from Leyshon Consulting Pty Ltd. Advice was obtained from Leyshon Consulting in 2004 that indicated the following typical worker occupancy rates for these uses:
Suburban office development - Past surveys have found occupancy rates of between 16.4 and 23.3m² gross leasable area (GLA) per worker in the Sydney Region.
Convenience-type retail functions - The 1991-92 ABS retail survey (the most recent available) indicated about 30m² (GLA) per employee for retailing in NSW. Leyshon Consulting estimates this could currently be about 33m² per person.

The occupancy rates used in this plan are based on these figures, noting that where ranges in occupancy rates were indicated, an average figure has been used. As the occupancy rates provided were expressed in gross leasable area (GLA), an adjustment of 10 to 15% was also applied to convert the figures to total gross floor area. This allows for non-leasable space such as wall thicknesses, common areas and access and service space.

- Average worker occupancy for suburban office development is assumed to be 25m² / person.¹⁰
- The floor space mix between retail and office development is anticipated to be 80% retail and 20% offices.¹¹
- The projected average occupancy rates for new multi-unit dwellings constructed within the centre, and which will be used for calculating developer contributions under this plan, are set out in the table below.¹²

Table 3.1 - Standard dwelling occupancy rates used in this plan

Dwelling size – multi-unit dwellings	Occupancy rate
0-1 bedroom	1.32
2 bedrooms	2.10
3+ bedrooms	2.58

Source: Source: Australian Bureau of Statistics, Rockdale Community Profile 2001

- A typical dwelling will have an average gross floor area of 120m² (see Section 3.3.2) and is assumed to have an average occupancy rate of 2.10 persons / dwelling.¹³
- Projected population figures are gross figures and do not make deductions for existing developments within the centre that will be lost as a consequence of development. This is because anticipated future development within the centre will bring in a totally new resident and worker population that will specifically create the need for the facilities identified in the plan.

3.4.4 Projected future resident and worker populations

Based on the anticipated occupancy rates, the assumptions outlined above and the development projections in Section 3.3.3, the number of new residents and workers that are likely to be brought into the centre by future redevelopment can be predicted and are set out below:

a. Long term forecast (ultimate development)

¹¹ Based on current floor space figures for commercial centres, as contained in the *St George Economic and Employment Strategy*. For the Ramsgate centre this mix is presently 82% retail, 18% other commercial. For all “neighbourhood centres” in the St George region, the average proportions are currently 78% retail, 22% other commercial.

¹² These figures are the average occupancy rates for multi-unit dwellings within the City of Rockdale at the 2001 census, as specifically extracted by the ABS for the *Rockdale Community Profile 2001*. While similar data has not been extracted for the Kogarah Council area, it is expected that the average occupancy rates would be similar.

¹³ A typical dwelling is assumed to be a 2 bedroom dwelling. Therefore, the average occupancy rate for 2 bedroom dwellings set out in Table 3.1 has been used. See Footnote 9 for an explanation of how the average gross floor area of a typical dwelling has been derived.

The long term population forecasts for the Ramsgate commercial centre, when it is fully developed, are:

Workers	355
Residents	1,084
Total people	1,439

b. Short to medium term forecast (to 2016)

Over the 10 year period of this plan, the numbers of new residents and workers likely to be brought into the centre by new developments are estimated as:

Workers	142
Residents	433
Total people	575

The population growth expected during the life of this plan therefore represents an estimated 40% of the total potential growth in the centre (being the expected population at 2016 ÷ the ultimate population).

These population forecasts provide the basis for establishing the additional facility and service requirement of the centre and have been used to calculate the development contribution rates used in this plan.

3.5 Nexus

3.5.1 Causal nexus – what?

It is expected that the councils' plans for the Ramsgate commercial centre will result, in the longer term, in the comprehensive redevelopment of the entire centre for mixed residential / commercial purposes. As the centre redevelops, it is essential that improvements to the public domain, including streetscape embellishments and new or upgraded public amenities and infrastructure, be systematically provided to a high standard commensurate with the expectations and needs of the incoming population. The need for these improvements has been recognised in the Planning and Urban Design Principles contained in the master plan for the centre.¹⁴

The redevelopment will bring in an entirely new resident and worker population who will require a quality living and working environment, with high quality streetscaping and public amenities to match the quality and design of the new development, transforming the existing downgraded character of the centre. These works are considered to be essential to the environmental acceptability of the proposed redevelopment of the centre and should be provided in a comprehensive and coordinated manner. It is entirely

¹⁴ The Planning Group (NSW) Pty Limited, *Ramsgate Centre Masterplan*, Section 5 of Masterplan Summary

appropriate that the full cost of these new or embellished streetscapes and amenities be met by the incoming worker and resident population who will benefit from them, in addition to any other public facilities and services that such development might normally be required to contribute towards, and which may be the subject of other contribution plans. (See Section 2.5 for details of other plans that may apply.)

The increased population resulting from the redevelopment of the Ramsgate centre will also increase demand for public open space facilities. This plan and the councils' specific section 94 open space strategies recognise this and acknowledge that the proposed public square, as the community and recreation focus for the centre, will serve as a local open space facility for these future residents.¹⁵

There are presently few existing residents within the centre. Those there at the moment mostly occupy poor quality flats above shops. The residents in the new developments will be an entirely new population that will expect a much higher standard of amenities and services than is presently available.

While the centre currently contains considerable commercial and retail floor space, the economic redevelopment of the centre, incorporating the provision of new or replacement retail and commercial floor space within a competitive commercial market, demands the provision of a quality environment for businesses and their workers, clients and customers.

Similarly, the redevelopment of the centre requires the carrying out new road works and the provision of additional traffic and car parking management facilities. New or upgraded rear service lanes are required to provide access to the on-site car parking required for new residential and commercial developments, as it is not acceptable or desirable to provide direct vehicular access to or from Rocky Point Road, for reasons of traffic management, pedestrian and vehicle safety, visual amenity and retail functionality.

The economic revitalisation of the Ramsgate commercial centre and the increased resident population, resulting from the redevelopment of the centre under the councils' plans, will also increase traffic movements within and around the centre. The provision of these roads and traffic management facilities are critical to the acceptability of the redevelopment of the centre. The new development should therefore meet the full costs of the additional facilities required to manage this increased traffic.

Comprehensive redevelopment of the centre will mean that all new developments will be able, and will be required, to provide on-site all of the parking requirements for their future residents, businesses and visitors. For this reason the councils do not intend to provide any additional public parking

¹⁵ This plan amends Kogarah Council's *Section 94 Contributions Plan No 5 – Open Space* and Rockdale *Section 94 Contributions Plan 2004* in recognition of the role of the public square as a local open space facility for future residents of the Ramsgate centre.

facilities in this locality nor will it accept contributions in lieu of the provision of on-site parking.

The provision of new service laneways within the centre will require the construction of new drainage infrastructure to collect and dispose of stormwater from these lanes and, in some instances, from adjoining development sites as well. The provision of this drainage infrastructure is precipitated by the need for the new lanes to facilitate the orderly redevelopment of the centre and the full cost of this work should therefore be fully funded by the future development that will depend on its provision.

In addition, existing stormwater drainage in some streets within the centre is substandard, resulting in periodic local flooding of roadways and footpaths. The councils' plans for the redevelopment of the centre as a high quality shopping and residential precinct, involving major streetscape improvements to cater for the anticipated high levels of pedestrian activity, require the satisfactory amelioration of this flooding. It is entirely appropriate that this work be fully funded by the new development that will benefit from it.

The provision of the streetscape improvements within the centre and the provision of additional public amenities, infrastructure and traffic management facilities are therefore all essential to the economic redevelopment of sites within the centre, the successful marketing and occupation of the commercial and residential floor space within the new buildings and the effective and efficient functioning of the redeveloped centre as a whole.

Hence, the anticipated redevelopment of the centre will directly create the demand for the proposed new amenities and services, (whether or not they also provide incidental benefits to others) and these developments should therefore meet the full cost of the provision of the required facilities. The councils do not presently have any funding reserves available to provide the required facilities nor are any additional funds likely to become available for these works in the future, either from within the councils themselves or from external sources, such as the State government.¹⁶

It is noted that contributions towards these facilities will only be payable by sites that are comprehensively redeveloped as entirely new commercial and residential buildings and any existing commercial or residential premises remaining at the end of the redevelopment process will not be expected to contribute towards the proposed facilities, with the councils having to meet any ultimate shortfall in costs from their available resources.

It is also noted that, in addition to the facilities and services that will be provided under this plan, the incoming population will also benefit from any

¹⁶ Rockdale City Council has and will continue to collect a special rate from business properties within the Rockdale side of the Ramsgate centre towards civic improvements in the centre. This has been recognised in *Rockdale Section 94 Contributions Plan 2004* (as amended by Schedule 2 to this plan) whereby the ongoing availability of monies in this Ramsgate Local Area Special Rate Fund will be credited against the local town centre improvement contributions payable by developments in the centre under that plan.

improvements that have already been provided by the councils in and around the centre and funded by the existing community, such as the existing public car parks.

The types of streetscape and public amenity improvements that might be provided within the Ramsgate centre are described in the works schedule (Table 3.5). These include:

- Streetscaping of existing roads within the centre, including new footpath paving, street furniture, pram ramps, trees and shrubs, lighting and signage
- Construction of through-block pedestrian walkways to and from the centre, including paving, lighting and signage
- Creation of a new public square, including, paving, seating and street furniture, fountain, trees, shrubs and turfing, lighting and signage
- Provision of public art (sculptures) within the new public square and other selected locations in the centre
- New public toilets to replace existing substandard toilets
- Undergrounding of electricity and other services within the centre

To ensure that streetscaping and public amenity improvements within the centre will be carried out in a uniform and consistent manner, the councils have prepared an indicative design for the new public square and a streetscape concept plan, which identifies appropriate treatments for streetscapes within the centre.

All streetscaping works within the Ramsgate centre, including the associated undergrounding of services, will be funded by way of section 94 contributions. However, the councils may agree to a developer carrying out the streetscaping works adjacent to their site in conjunction with their development, as works in kind.

The councils' plans for the centre provide for the establishment of pedestrian links through to Rocky Point Road from the streets on either side. Contributions will be levied under this plan towards the costs of embellishing these walkways, but only those sections adjacent to residentially zoned land, as the LEPs for the Ramsgate centre provide floor space bonuses for commercially zoned sites as an incentive for them to provide and construct these links through their land when they redevelop. Therefore, no section 94 credit will be given for the construction of these walkways through commercially zoned properties. Similarly, any land required to be dedicated for these walkways will be made at no cost to the councils in exchange for floor space rights and no section 94 contribution will be levied towards acquisition of such land nor will any credit be given for dedicating it.

The plans for the centre also provides for the establishment of new public toilet facilities within the future redevelopment of the site at 78-80 Ramsgate Road and 29-31 Campbell Street. Contributions will be levied for the fitout of

these toilets and the council may agree to the developer carrying out this work as works in kind. However, as the LEPs provides floor space bonuses for the provision of space within this development for public toilets, no contributions will be levied towards the construction or acquisition of this floor space, nor will any section 94 credit be given for dedicating it.

The types of roadworks and traffic facilities that might be provided within the centre are also described in the works schedule (Table 3.5). These include:

- Establishment of new service lanes and improvements to existing laneways, including paving, new footpaths and lighting
- Additional traffic management facilities within and around the centre (such as thresholds and signage)

All roadworks and traffic management facilities within the Ramsgate centre will be funded by way of section 94 contributions. However, the councils may agree to a developer carrying out or providing some of these works and facilities, as works in kind.

The councils' plans for the centre provide for the construction of new service lanes and the widening of existing service lanes to provide or embellish access for vehicles to the rear of properties facing Rocky Point Road. Contributions will be levied under this plan towards the costs of constructing or widening these lanes. However, as the LEPs for the Ramsgate centre provide floor space bonuses for development sites that are required to provide this land and as any land required to be dedicated for these laneways will be made at no cost to the councils in exchange for floor space rights, no section 94 contribution will be levied towards acquisition of such land nor will any credit be given for dedicating it.

The types of stormwater drainage facilities that might be provided within the Ramsgate centre include drainage pipes and pits. These will be fully funded by way of section 94 contributions. However, the councils may agree to a developer carrying out or providing some of these as works in kind.

To ensure that future development within the Ramsgate commercial centre will contribute towards the cost of providing the facilities and services for which they generate a demand, the councils are required by the Act to prepare and maintain a section 94 development contributions plan. It is therefore reasonable that this new development contributes towards the costs of the preparation and ongoing administration and management of such a plan.

The councils have used their own resources to prepare this contributions plan. The work funded by the councils to date includes the drafting of the plan, the preparation of streetscaping concept plans for the centre and preliminary designs for the town square and the formulation of costings for the proposed works identified in the plan.

The councils are also required to manage, monitor and maintain the adopted contributions plan. The effective coordination and administration of the plan will necessitate additional work by the councils that is outside of work that has previously been undertaken and beyond the resources currently available and likely to become available in the future. This work will be ongoing throughout the life of this plan. It is therefore reasonable for the costs associated with administration of the plan to be progressively recouped through contributions.

3.5.2 Physical / spatial nexus – Where?

The specific facilities and works that are required, and their locations, are described in Table 3.2 and shown in Figure 3.1.

Table 3.2 - Location and description of works – Ramsgate commercial centre

Ref. no.	Location	Description of proposed works
RG-1	Rocky Point Road between Clarkes Road / Hastings Road and Torwood Street / Park Road. Ramsgate Road between Dalkeith Street and Campbell Street. Targo Road, Torwood Street and Park Road adjacent to Rocky Point Road.	Streetscape existing footpaths, including new paving, street furniture, pram ramps, trees and shrubs.
RG-2	Between Rocky Point Road and Campbell Street.	Construct through-block pedestrian walkways, including paving, lighting and signage.
RG-3	Dillon Street between Rocky Point Road and Cleland Lane.	Construct town square, including demolition of existing toilets and site preparation, paving, seating and street furniture, water feature, trees, shrubs and turfing, lighting and signage.
RG-4	Dillon Street between Rocky Point Road and Cleland Lane and other selected locations within the centre.	Commission and install public art within town square and other selected locations.
RG-5	Development site 78-80 Ramsgate Road and 29-31 Campbell Street.	Provide new public toilets within future development on this site.
RG-6	Rocky Point Road between Clarkes Road / Hastings Road and Torwood Street / Park Road. Dillon Street between Rocky Point Road and Campbell Street. Ramsgate Road between Dalkeith Street and Campbell Street. Targo Road and Torwood Street, adjacent to Rocky Point Road.	Underground existing Energy Australia and Optus cabling, including new street lighting.
RG-7	Park Road to Meurants Lane between Rocky Point Road and Campbell Street. Ramsgate Road to Targo Road west of Rocky Point Road. North from Torwood Street between Rocky Point Road and Dalkeith Street. Meurants Lane between Rocky Point Road and Campbell Street.	Construct new service lanes and widen existing lanes, including, paving, new footpath and lighting.
RG-8	Roads within and surrounding Ramsgate commercial centre.	Provide additional traffic management facilities, including thresholds and signage.
RG-9	Streets and lanes within the Ramsgate commercial centre.	Provide drainage pipes and pits to new lanes and some existing streets to collect surface flows and, where applicable, flows directly from development.
RG-10	Not relevant to this item.	Administration and management of plan.

Figure 3.1 - Location of works – Ramsgate commercial centre



3.5.3 Temporal nexus – when?

The proposed facilities will be provided progressively over the life of the centre's development as redevelopment proceeds and development contributions accrue. Some facilities (such as streetscaping and the undergrounding of services in front of specific development sites) may be implemented, as works in kind, at the time when that redevelopment takes place, while other facilities will require the accrual of contributions before provision of the facility can be implemented by the councils.

The timing of future redevelopment of the centre and the order in which development will take place is not entirely certain and will depend on factors largely outside the control of the councils, such as the state of the property market and the intentions of individual property owners. For this reason the demand for some facilities and the order in which they will need to be provided cannot be stated with absolute certainty and some flexibility therefore needs to be accommodated within this plan.

This plan also recognises that the redevelopment of the precinct will extend beyond the life of this plan and that the scope and cost of the facilities and infrastructure required to be provided in the centre are significant and it would not be possible for them all to be funded or implemented during the lifespan of this plan. Further, the provision of such facilities is to the longer-term benefit of the centre and accordingly the cost of these facilities should be apportioned over the population of the centre when it is fully developed (ie. the next 20 to 30 years), rather than that expected during the 10 year life of this plan, in accordance with the strategy outlined in Section 3.2.

However, the councils will continually monitor the rate and location of development to ensure that facilities will be provided as soon as practical after the development requiring the facility takes place and will, if necessary, consider prefunding facilities to ensure that appropriate facilities, or components of facilities, will be provided within a reasonable time period within the life of this plan, in proportion to the amount of development that occurs during this time.

The anticipated timing for the provision of facilities is set out in the works schedule (Table 3.5).

3.6 Calculation of contribution rates

3.6.1 Apportionment

As indicated previously, the provision of infrastructure and facilities identified in this plan are critical to the comprehensive redevelopment of the Ramsgate commercial centre and will benefit all development in the centre and all development should therefore contribute to the cost of these facilities. However, commensurate with the lengthy timespan for full development of the

centre, the full funding and provision of these facilities will occur beyond the lifespan of this plan.

Therefore, in order to ensure that contribution rates will be applied equitably over the development life of the centre between those developments that take place during the 10 year lifespan of this plan and those which occur in the longer term, and that facilities are fairly provided as and when they are needed, an apportionment will be applied in accordance with the strategy outlined in Section 3.2.

This apportionment will determine which facilities can be funded under this plan and which facilities will need to be provided for under future contributions plans and is calculated as follows:

$$\text{Apportionment} = \frac{\text{Estimated resident and worker population at 2016} \times 100}{\text{Estimated ultimate resident and worker population}}$$

Applying this formula and the population forecasts in Section 3.4.4, the proportion of local infrastructure and facility costs apportioned to this plan would be:

$$\begin{aligned} \text{Apportionment} &= \frac{575 \text{ persons} \times 100}{1,439 \text{ persons}} \\ &= 40.0\% \end{aligned}$$

No apportionment (or different contribution rate) has been applied for incoming workers within new commercial and retail developments in the centre. While these future workers may not make as much use of, or receive the same benefit from, some of the proposed public amenities with the centre (such as the new town square) as will future residents, new workers will generate a higher per capita demand for other proposed facilities (such as the new or widened laneways and the additional traffic management facilities) because of the higher peak demand traffic generation rates of commercial developments. Further, workers in retail and commercial developments will have much higher visitor rates (ie. clients and customers) than future residents and these commercial visitors are more likely to make greater use of, or receive more benefit from, many of the proposed facilities, ranging from streetscape improvements to new traffic management infrastructure.

As the relative need for the various facilities varies between future residents and workers, as these variations cannot readily be quantified, and as the demands for additional facilities from both residents and workers are, nonetheless, real and significant, the most equitable approach is to levy contributions on future residents and workers at the same rate.

3.6.2 Estimated costs

The costs of capital works have been estimated by the councils on the basis of costs for similar or equivalent works and are shown in Table 3.3.

Land required for proposed new service lanes, lane widenings and new pedestrian access ways will be acquired by the transfer of development rights from the area of land to be acquired to the remainder of the development site, rather than by outright purchase. Therefore, no section 94 contributions will be levied for such acquisitions (nor will any credit be given).

The estimated costs of preparation, administration and management of this plan are:

Plan preparation – 200 hours @ \$40 / hour	\$8,000
Plan administration and management – Town planner, 0.2 days per week for the life of the plan @ \$56,000 / year	\$22,400
Total	\$30,400

Table 3.3 - Estimated cost of works – Local infrastructure and facilities – Ramsgate commercial centre

Ref. no.	Description of proposed works	Estimated capital cost (1) (2)
RG-1	Streetscape existing footpaths in Rocky Point Road, Ramsgate Road, Targo Road, Torwood Street and Park Road, including new paving, street furniture, pram ramps, trees and shrubs.	\$2,580,603
RG-2	Construct through-block pedestrian walkways from Rocky Point Road to Campbell Street, including paving, lighting and signage.	\$57,828
RG-3	Construct town square in Dillon Street, including demolition of existing toilets and site preparation, paving, seating and street furniture, water feature, trees, shrubs and turfing, lighting and signage.	\$357,621
RG-4	Commission and install public art in Dillon Street within the town square and in other selected locations within the centre.	\$172,500
RG-5	Provide new public toilets within future development site at 78-80 Ramsgate Road and 29-31 Campbell Street.	\$201,250
RG-6	Underground existing Energy Australia and Optus cabling in Rocky Point Road, Dillon Street, Ramsgate Road, Targo Road and Torwood Street, including new street lighting.	\$4,988,500
RG-7	Construct new service lanes between Dillon Street and Meurants Lane, between Ramsgate Road and Targo Road and north from Torwood Street and widen Cleland Lane and Meurants Lane, including, paving, new footpaths and lighting.	\$899,948
RG-8	Provide additional traffic management facilities on roads within and around the centre, including thresholds and signage.	\$56,220
RG-9	Provide drainage pipes and pits to new lanes and some existing streets within the centre.	\$403,763
Total capital cost to be funded under this and future contributions plans		\$9,718,233
Apportionment to this contributions plan at 40.0%		\$3,887,293
RG-10	Administration and management of this plan.	\$30,400
Total cost of facilities under this plan		\$3,917,693

Notes

- (1) For all land acquisitions within the centre, including new service lanes, widening of existing lanes and new pedestrian access ways, it is intended that the land will be dedicated to the councils at no cost at redevelopment stage in exchange for transfer of development rights.
- (2) Includes costs of design.

3.6.3 Base contribution rates

The base contribution rate for local infrastructure and facilities in the Ramsgate commercial centre is calculated as follows:

$$\text{Contribution} = \frac{\text{Apportioned total capital costs}}{\text{Estimated resident and worker population at 2016}}$$

Applying this formula, the contribution rate per person is:

$$\begin{aligned} \text{Contribution} &= \frac{\$3,917,693}{575 \text{ persons}} \\ &= \$6,813.38 \text{ per person} \end{aligned}$$

Using this figure and the standard dwelling occupancy rates in Table 3.1, the contribution rates for the provision of local infrastructure and facilities within the Ramsgate commercial centre have been derived and are shown in Table 3.4.

Table 3.4 – Ramsgate commercial centre – Local infrastructure and facilities contribution rates

Public facility	Multi-unit residential development (1)			Other residential development (per person) (3)	Non-residential development (per person) (4)
	0-1 bedroom dwellings (2)	2 bedroom dwellings	3+ bedroom dwellings		
Local infrastructure and facilities	\$8,993.70	\$14,308.10	\$17,578.50	\$6,813.40	(5) \$6,813.40

Notes

- (1) Includes attached and detached dual occupancies, medium density housing (villas and townhouses), residential flat buildings and the residential component of mixed use premises.
- (2) 0-1 bedroom dwellings include bedsitters and studio apartments.
- (3) Means the number of residents that are expected to be accommodated within the proposed development (usually the number of beds proposed).
- (4) Means the number of people likely to be employed within a development based on the standard occupancy rates provided in Section 3.4.3 of this plan (unless an applicant can satisfy the council, by way of an expert study or the like, that another occupancy rate should apply).
- (5) Applying this rate and the employment occupancy rates in Section 3.4.3, the contribution rates for various employment developments are:
 - retail \$194.67 / m² gross floor area
 - offices and other commercial \$272.54 / m² gross floor area
- (6) Where works in kind are accepted by the councils, which accord with the requirements of the contributions plan, contributions are to be discounted by the value of the work.
- (7) Additional section 94 contributions will be payable under any other development contributions plans that also applies to the Ramsgate commercial centre. Refer to these plans for details.

3.7 Works schedule

The provision of infrastructure and local facilities within the Ramsgate commercial centre will depend, to a large extent, on when the various sites

within the centre are developed and the order in which they are developed. Some facilities that are within or adjacent to development sites are best provided in conjunction with the development of those sites while a number of other facilities may be implemented incrementally as and when section 94 funding becomes available. In the case of new or widened lanes and walkways, provision of these must await the dedication of the necessary land at redevelopment stage.

Because the exact order or timing for the redevelopment of the various sites in the precinct is uncertain, this plan does not set specific priorities or times for the provision of the various infrastructure facilities, but rather relates the timing of the facilities to the staging of redevelopment. These indicative timings are set out in the works schedule below (Table 3.5).

The timings are the maximum times over which the facilities are intended to be provided and the councils will continually monitor the rate and location of development to ensure that facilities will be provided as soon as practical after the development requiring the facilities takes place and will, if necessary, consider prefunding facilities to ensure that appropriate facilities will be provided within a reasonable time period within the life of this plan.

This plan also recognises that the redevelopment of the precinct will extend beyond the life of this plan. While some facilities will be provided in the early stages of redevelopment or will be provided incrementally throughout the life of this plan, other facilities will not be required or cannot be funded prior to 2016 and will need to be funded instead through a subsequent contributions plan.

**Table 3.5 – Works schedule – Local infrastructure and facilities –
Ramsgate commercial centre**

Ref. no.	Description of proposed works	Estimated timing
RG-1	Streetscape existing footpaths in Rocky Point Road, Ramsgate Road, Targo Road, Torwood Street and Park Road, including new paving, street furniture, pram ramps, trees and shrubs.	Staged implementation, commensurate with (or prior to) the redevelopment of the development site adjacent to the work.
RG-2	Construct through-block pedestrian walkways from Rocky Point Road to Campbell Street, including paving, lighting and signage.	Commensurate with the redevelopment of the development sites from which the land for the walkways will be dedicated.
RG-3	Construct town square in Dillon Street, including demolition of existing toilets and site preparation, paving, seating and street furniture, water feature, trees, shrubs and turfing, lighting and signage.	Staged construction over the life of this plan and beyond as contributions accrue (or sooner).
RG-4	Commission and install public art in Dillon Street within town square and in other selected locations within the centre.	Staged implementation over the life of this plan or beyond as contributions accrue (or sooner) and commensurate with the construction of the town square or the streetscaping of the other locations.
RG-5	Provide new public toilets within future development site at 78-80 Ramsgate Road and 29-31 Campbell Street.	Commensurate with redevelopment of this development site.
RG-6	Underground existing Energy Australia and Optus cabling in Rocky Point Road, Dillon Street, Ramsgate Road, Targo Road and Torwood Street, including new street lighting.	Staged implementation, commensurate with (or prior to) the redevelopment of the development site adjacent to the work.
RG-7	Construct new service lanes between Dillon Street and Meurants Lane, between Ramsgate Road and Targo Road and north from Torwood Street and widen Cleland Lane and Meurants Lane, including, paving, new footpaths and lighting.	In the case of the new lanes – staged construction from Dillon Street, Meurants Lane, Ramsgate Road, Targo Road and Torwood Street as development sites from which the widening will be dedicated are redeveloped. In the case of lane widenings – commensurate with the redevelopment of the development sites from which the widening will be dedicated.
RG-8	Provide additional traffic management facilities on roads within and around the centre, including thresholds and signage.	Ongoing throughout life of this plan and beyond as contributions accrue (or sooner).
RG-9	Provide drainage pipes and pits to new lanes and some existing streets within the centre.	In the case of new lanes – commensurate with construction of the lanes. In the case of existing streets – staged implementation over the life of this plan or beyond as contributions accrue (or sooner) and commensurate with the development and streetscaping of locations requiring drainage improvements.
RG-10	Plan preparation, administration and management.	Plan preparation completed. Administration and management ongoing throughout life of this plan.

4 References

The following list identifies reports, documents and studies that have been used for researching and preparing *Ramsgate Commercial Centre Development Contributions Plan 2006*:

Australian Bureau of Statistics, *2001 Community Profile – Rockdale Local Government Area*, prepared for Rockdale City Council (May 2003)

Australian Bureau of Statistics, *Consumer Price Index, Australia* (quarterly, to date) (ABS Catalogue No 6401.0)

Australian Bureau of Statistics, *Price Index of Materials Used in House Building*, as published in *Producer Price Indexes, Australia* (quarterly, to date) (ABS Catalogue No 6427.0)

Department of Infrastructure, Planning and Natural Resources (now Department of Planning), *Development Contributions Practice Notes* (July 2005)

Hill PDA, *St George Economic and Employment Strategy*, prepared for Rockdale City Council, Kogarah Council and Hurstville City Council (draft, October 2005)

Kim Kennedy and Associates, *Section 94 Contribution Plan No 9 – Kogarah Libraries*, prepared for Kogarah Council (effected 17 October 2000 and subsequently amended)

Kogarah Council, *Section 94 Contribution Plan No 1 – Roads and Traffic Management* (effected 4 September 1994 and subsequently amended)

Kogarah Council, *Kogarah Local Environmental Plan 1998* (commenced 2 October 1998 and subsequently amended)

Kogarah Council, *Kogarah Local Environmental Plan 1998 (Amendment No 45)* (draft, exhibited 21 July 2005)

Kogarah Council, *Ramsgate Centre Development Control Plan 2005* (commenced 27 October 2005)

Leyshon Consulting, *Commercial Employment Densities - Wollie Creek*, letter to Rockdale City Council (17 February 2004)

The Planning Group (NSW) Pty Limited, *Ramsgate Centre Masterplan*, prepared for Kogarah Council and Rockdale City Council (June 2004)

Rockdale City Council, *Rockdale Local Environmental Plan 2000* (commenced 25 August 2000 and subsequently amended)

Rockdale City Council, *Rockdale Local Environmental Plan 2000 (Amendment No 30)* (draft, exhibited 21 July 2005)

Rockdale City Council, *Rockdale Development Control Plan No 75 – Ramsgate Commercial Centre* (draft, exhibited 21 July 2005)

Rockdale City Council, *Rockdale Section 94 Contributions Plan 2004*, (effective 1 June 2004 and subsequently amended)

Schedule 1 – Amendments to other Kogarah Council development contributions plans

Section 94 Contribution Plan No 5 – Open Space

[Not included here – refer to consolidated Kogarah *Section 94 Contribution Plan No 5 – Open Space*, which incorporates these amendments]

Schedule 2 – Amendments to other Rockdale City Council development contributions plans

Rockdale Section 94 Contributions Plan 2004 (Amendment 2)

[Not included here – refer to consolidated *Rockdale Section 94 Contributions Plan 2004*, which incorporates these amendments]