

APPLICATION FOR ASSESSMENT OF A LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

ST LEONARDS SOUTH PRECINCT SECTION 7.11 DEVELOPMENT CONTRIBUTIONS PLAN



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Instructions

Section 7.11 of the Environmental Planning and Assessment Act 1979 allows councils to levy contributions towards the cost of providing local infrastructure. Contributions plans set out the local infrastructure required to meet the demand from new development, and the contributions a council can levy on developers to fund the essential land and works.

IPART assesses contributions plans that propose contributions above \$30,000 per lot or dwelling in identified greenfield areas and \$20,000 per dwelling in other areas.



Who should fill out this application form?

This form is for NSW councils that are submitting a local infrastructure contributions plan to IPART for assessment. A separate application must be submitted for each contributions plan.

Councils are encouraged to discuss information requirements or other queries relating to the contributions plan assessment process with IPART prior to submitting an application.

Call IPART on **02 9290 8400** to speak to the Local Government Contributions Plan Team.



How should a council submit an application?

Councils should complete this Application Form and submit it to IPART, along with the contributions plan and all relevant supporting documentation (see Checklist in section 5). We prefer all information is submitted electronically to:
localgovernment@ipart.nsw.gov.au.

We can provide applicant councils with access to our cloud-based file management system to submit large files. When submitting information please clearly label any information that is commercial-in-confidence and not suitable for publishing.

How to complete this application?



IPART assesses whether the contributions plan meets the criteria set out in the Department of Planning, Industry and Environment's (DPIE) Local Infrastructure Contributions Practice Note, January 2019 (the Practice Note).

This application form is structured around the criteria we assess and prompts councils for information to support their application.

Please provide answers to all relevant questions. Your responses to the questions in this application form will help us understand how the plan, including the proposed cost of land and works, has been prepared. Comprehensive applications save councils time in the long run as they reduce the number of requests for information we need to send during our assessment. Please contact us before submitting an application and we can provide examples of strong applications.

When preparing your application, please note:

- ▼ Where your response to a question relies on information that is clearly outlined in a supporting document.
- ▼ That any referenced reports and documents must be submitted with an application.



What other information is available?

Please refer to IPART's website [Local Infrastructure Contributions Plans](https://www.ipart.nsw.gov.au/local-infrastructure-contributions-plans) for further information on our assessment process, including current and completed assessments. The website also has resources that may assist in contributions planning and includes the current Practice Note and IPART Fact Sheet and Information Papers, and current and completed assessments. There is an index of these resources in the Resources to assist councils section of this application.

2. Preliminary information

Council information

Council name	Lane Cove Council
Council contact details (Provide more than one - include names, positions, phone numbers, and email addresses of council officers and/or consultant contacts)	Terry Tredrea Strategic Town Planner Lane Cove Council [REDACTED] [REDACTED] Greg New Director GLN Planning [REDACTED] [REDACTED]

Information about the plan

What is the name of the plan?	St Leonards South Precinct Section 7.11 Development Contributions Plan (Attachment A)
What is the name of the catchment (precinct or release area) covered by the plan? * please specify any sub-catchments if applicable	St Leonards South Precinct
What is the base period of the plan? (e.g. June 2018)	December 2020
Which clause of the section 94E Ministerial Direction for Local Infrastructure Contributions (Ministerial Direction) applies to this plan (ie, clause 6, 6A, 6B or 6C)?	Clause 6

What is the current maximum contribution amount (per lot or dwelling) for this plan under the Ministerial Direction?	\$20,000						
In the absence of any cap imposed by the Ministerial Direction, what are the indicative contribution amounts (per lot or dwelling) for each type of residential development in the catchment area?	<table> <tr> <td>Per studio or 1 bed dwelling</td><td>\$20,745</td></tr> <tr> <td>Per 2 bed dwelling</td><td>\$29,636</td></tr> <tr> <td>Per 3 or more bed dwelling</td><td>\$45,936</td></tr> </table>	Per studio or 1 bed dwelling	\$20,745	Per 2 bed dwelling	\$29,636	Per 3 or more bed dwelling	\$45,936
Per studio or 1 bed dwelling	\$20,745						
Per 2 bed dwelling	\$29,636						
Per 3 or more bed dwelling	\$45,936						
When was the plan publicly exhibited? And, how many submissions were received during exhibition?	14 January 2021 to 24 February 2021 Fourteen (14) submissions were received.						
Has the council adopted the plan? If so, when was it adopted and when did it come into force?	Yes. 19 April 2021						
Who are the key stakeholders (e.g. Council, Department of Planning, Industry & Environment (DPIE), or developers) involved in planning for the area covered by the plan?	<p>Lane Cove Council (LCC)</p> <p>Department of Planning, Industry & Environment (DPIE)</p> <p>Independent Planning Commission (IPC)</p> <p>NSW Government Architect</p> <p>State Design Review Panel of NSW</p>						
Over what period will development in the catchment area of the plan occur?	2021 – 2026+						
What planning instruments (SEPPs, LEPs, or DCPs) apply to land in the catchment area of the plan?	<p>Lane Cove Local Environmental Plan 2009 (Amendment No. 25)</p> <p>Lane Cove Development Control Plan 22 February 2010 – Part C Residential Localities</p>						

Has the Minister referred this contributions plan to IPART for review?

No

If so, provide details.

For existing contributions plans where development has progressed

Councils only need to complete these questions for plans that have already been adopted and where development in the catchment area covered by the plan has progressed.

Information about existing plans

1. What proportion of the total projected development in the catchment area of the plan has been approved and/or constructed?

Not applicable.

2. Briefly explain if, and how the plan has been revised in response to any changes in the catchment area covered by the plan.

i.e. Has the council considered the impact of revised population estimates or dwelling yields, and how?

Not applicable.



Additional requirements

Please include the contributions register for the plan as an attachment to your application.

If costs in the plan are based on Works in Kind Agreements (WIKs) or Voluntary Planning Agreements (VPAs), please provide details in the works schedule of:

- ▼ The works items covered by the agreements
- ▼ The total cost (land and works), including any indexation up to the base period of the plan
- ▼ The name, date and applicable page numbers in the agreements

3. Explain any other revisions to the plan such as updated costings, revised apportionment of costs, or amended delivery timeframes.

In addition to explaining any revisions below, please clearly identify any updated costings in the plan's works schedule

Not applicable.

For contributions plans previously reviewed by IPART

Councils only need to complete these questions for plans that IPART has previously reviewed.

Information about revisions to the plan

4. Why is the council submitting the revised plan for IPART's review?

Not applicable.

5. Briefly explain how the plan has been revised in response to:

- ▼ Recommendations made in IPART's assessment report on the previous version/s of the plan
- ▼ Any directions from the Minister for Planning or Minister's Nominee in relation to IPART's assessment.

Please note any instances where a recommendation from the Minister for Planning has not been implemented/addressed.

Not applicable.

3. Assessment criteria



Criterion 1

Essential works list

We assess whether the land and works in the plan is consistent with the essential works list (EWL) in the Practice Note. Please refer to the latest version of the Practice Note for the latest EWL.

6. If the plan includes costs for land and/or works not on the EWL:

- ▼ List these items below
- ▼ Indicate how their costs will be met.

The plan's works schedule includes the fit-out for 2 new multi-purpose facilities. Each new facility will have 450m² of childcare centre floor space and 150m² of community facility floor space.

It is anticipated that Voluntary Planning Agreements (VPAs) between Council and developers will be negotiated for the delivery of these works in exchange for granting additional height and bonus floor space incentives included in Part 7 of the Lane Cove LEP 2009 (Attachment B).

7. List the community services that will be provided on the land that is to be acquired for community services (eg, youth centre, library) and indicate the floor space area allocated to each.

Only land for community services is on the essential works list, works are not. However, we require details of the community services that are intended to be provided, so we can determine the proportion of the land costs that can be recovered through development contributions.

The plan does not contain land for community facilities in its work schedule.



Criterion 2

Nexus

We assess whether there is nexus between the proposed land and works and the increased demand generated by development identified through the contributions plan. In assessing nexus we consider supporting evidence such as technical studies, modelling or internal council analysis and reports that establish the need for the proposed land and works.



Providing comprehensive answers
will minimise the likelihood of further questions from IPART

8. Explain the process used to determine the need for all land and works in the plan.

- ▼ List any supporting studies relied on and explain any deviations from recommendations in those studies. Please also identify who commissioned the study (i.e. DPIE or council).
- ▼ Show the link between the supporting studies and the land and works in the plan. This can be shown against each item in a separate table or in the plan's works schedule (see example works schedule).

Transport land and works

Roads

The proposed road network was generally informed by the existing road network and the Draft St Leonards South Masterplan (Attachment C).

An assessment of the traffic to be generated by the redevelopment of the SLS precinct was conducted by consultants TEF (Attachment D). TEF was engaged by Council to provide a review and independent assessment of two previous traffic studies completed by GTA Consultants and the Transport Modellers Alliance (TMA). TEF replicated the previous (GTA and TMA) model, but in an Aimsun environment (rather than Paramics) due to RMS concerns. TEF's cumulative model was subsequently approved as fit-for-purpose by the RMS. These studies examined the cumulative traffic impacts of the planned St Leonards South Precinct and other anticipated developments in the surrounding area.

The TEF modelling results indicated that a number of relatively minor improvements would be required as a result of general growth of network traffic, additional developments

permitted under LEP 2009 and the proposed St Leonards South Master Plan development. The TEF assessment was primarily concerned with the satisfactory functioning of the road network.

Two of the recommended traffic improvements in the St Leonards South Precinct were:

- the removal of the roundabout at the corner of Berry Road and Marshall Avenue
- a new link road connecting Berry and Park Roads.

The proposed redevelopment of the SLS road network will be required to support a significant increase in residential density over the coming years.

A new road has been proposed in the SLS precinct as the existing road network has been in place for many decades and was not built for the traffic loading expected in medium and high-density areas. It is also likely that the existing road network will be extensively damaged during the development construction phase and when laying augmented underground service road crossings.

Council staff reviewed the likely impacts on existing roads that will be subject to a wholesale redevelopment of a relatively concentrated area and identified that:

- Daily traffic loads on the street network within the SLS Precinct are likely to increase from around 1,100 to 8,400 vehicles per day at full development
- Elevated volumes of heavy construction vehicles disproportionately impacting on the condition of the road pavements throughout the construction period).

Council will likely need to construct the new stormwater lines in sections of the road network where concentrations of development occur. It is impractical to condition the developers to do so, as the order of the developments is not known, and work is required on all the street frontages.

It was therefore concluded by Council staff that these likely impacts will require the upgrade of the pavements along Holdsworth Avenue, Berry Road, Canberra Avenue, Duntroon Avenue, Park Road and Marshall Avenue.

Council's assessment was based on daily traffic generation of 8.5 vehicle trips per dwelling house and 3.5 vehicle trips per high density apartment, which are rates generally consistent with the NSW RTA Guide to Traffic Generating Developments 2002.

Footpaths/Shared Paths/Cycleways

The proposed network of footpaths, shared paths and cycleways was generally informed by the St Leonards Cumulative Transport and Accessibility Study prepared by consultants PTC. (Attachment E).

The PTC study examined the pedestrian, bicycle and public transport demand generated by the planned developments in the south and east precincts in St Leonards, as part of the greater St Leonards Strategic Precinct.

It found that the planned development in SLS provides an opportunity to improve the pedestrian connectivity and permeability and recommended a well-connected pedestrian network.

The study also suggested that the additional demand generated by the anticipated population could easily be accommodated by upgrading the existing infrastructure in accordance with the study's recommendations.

These recommendations included:

- 2.5m wide shared path on the eastern side of Park Road
- 2.5m wide shared path on the eastern side and 1.5m wide footpath on western side of Holdsworth Avenue
- 2.5m wide shared path on the western side and 1.5m wide footpath on the eastern side of Berry Road
- 2.5m wide shared path on the western side of Canberra Avenue
- 2.5m wide shared path on the southern side of Marshall Avenue.

The anticipated SLS Precinct development should be accountable for the full cost of delivering the new street environments because the works are needed to provide extra capacity and attractive active travel alternatives for the significantly increased population in the area.

Stormwater land and management works

Council staff have identified that the current stormwater infrastructure in Holdsworth Avenue, Berry Road, and Park Road is not sufficiently sized to support the redevelopment and that this will need to be reconstructed in order to allow the new developments to discharge stormwater and to meet Council's existing DCP requirements.

Council will likely need to construct the new stormwater lines in sections of the road network where concentrations of development occur. It is impractical to condition the developers to

do so, as the order of the developments is not known, and work is required on all the street frontages.

Stormwater run-off from the proposed development will be managed via on-site detention facilities within developments and facilities within the open space areas and upgraded local road network.

The cost of these drainage works is included in the costs for the roads and open space works and are accounted for in the Mitchell Brandtman Quantity Surveyor report (included in Attachment A) for these facilities. These costs were informed by advice from Council based on standard road/drainage works.

Open space land and works (embellishments)

The proposed areas of open space and their embellishment were generally informed by the St Leonards South Landscape Masterplan (Attachment F), the St Leonards South Draft Masterplan (Attachment C), the objectives for open space included in the St Leonards South Development Control Plan (Attachment G), and consideration of Annand and Associates' review of the recommendations in the Design Charrette sponsored by DPIE (Attachments H and J).

The social infrastructure included under the contributions plan is limited to land and works for open space and recreation facilities, with the anticipated open space demands for the SLS Precinct development assessed as part of the preparation of the St Leonards South Masterplan.

The planning of open space areas was undertaken as part of the precinct planning phase in an iterative manner. The Draft Masterplan initially considered various options for the provision of open space to serve the future residents of the precinct, including 'consolidated open space' and 'staggered shareways' options.

Council ultimately decided that a hybrid of the centralised park and staggered shareway options should be pursued for the precinct.

The provision of the new central local park with an area of 3,804 square metres reflects a rate of provision of 0.094 hectares per 1,000 new residents in SLS Precinct. The inclusion of the publicly accessible pocket parks (approximately 4,000 square metres) and landscaped east-west connections (approximately 2,350 square metres) increases the rate of provision to 0.21 hectares per 1,000 new residents.

The inclusion of a road closure for open space at the southern end of Canberra Ave (approximately 3,500 m²) increases the rate of provision further to 0.28 hectares per 1,000

new residents. This road closure for open space will be incorporated into the existing Newlands Park.

The development will, even with the proposed open space in the Contributions Plan, result in a quantum of open space for each resident of the SLS precinct that will be less than that enjoyed currently by residents in the surrounding low density residential area. However, Council decided that the reduced rate of provision is reasonable given its approach to meeting future total open space demands in the precinct detailed in Section 3.2 of the SLS contributions plan.

This approach is consistent with the LEP, DCP and the Landscape Master Plan and includes the delivery by developers of additional pocket parks, 'green spines' in the rear setbacks of apartment buildings, provision of 450 square metres adjacent to each multi-purpose facility and east-west pedestrian access ways linking open space areas (existing and proposed) in exchange for granting bonus floor space on the residual developable portions of their land.

The SLS planning proposal was the subject of a review that the Minister for Planning requested be carried out by the Independent Planning Commission (IPC). In their July 2019 report (Attachment I) the IPC found that the proposal was inconsistent with the draft St Leonards and Crows Nest 2036 Plan's vision (prepared by DPIE) as it would not provide sufficient opportunity for the anticipated number of additional residents to be active, creative, and enjoy green leafy spaces throughout the area.

Further, the IPC was not satisfied that the quantum of public open space was sufficient for the site's estimated ten-fold increase in population, and considered that the scale of residential development in Council's planning proposal would represent an overdevelopment of the site.

To address the IPC's findings and the Design Charrette (Attachment J) which followed the IPC report, Council's revised planning proposal resulted in a decreased built form scale (particularly near open space), a reduced total number of dwellings and an increase in the amount of proposed open space. This was in the form of the part closure of Canberra Avenue enabling the expansion of Newlands Park by approximately 3,500m².

Council's amended planning proposal ultimately reduced floor space ratios (FSRs) across the precinct and reduced dwelling yields from 2,400 as exhibited to under 2,000 dwellings and improve the impact on open space.

The need for the proposed social infrastructure included in this plan is generated by the expected development in the SLS Precinct. The contribution rates for social infrastructure are therefore calculated on the assumption that the full cost of the infrastructure is shared among the expected development.

Community services land

The SLS CP (Attachment A) does not collect contributions towards 'community services land acquisition'. The CP does however separately identify costs associated with the fit-out of the two (2) multi-purpose facilities.

Council accepts that these are not 'essential works' under IPART's review framework. Their delivery is anticipated to be secured through Voluntary Planning Agreements between Council and the developers that apply to develop land in accordance with the additional height and FSR incentive provisions contained in Part 7 of Lane Cove LEP 2009 (Attachment B).

The costs associated with these items have been identified in the SLS CP as a way to inform the VPA negotiations with developers of the relevant sites. This approach would be consistent with the Department's Practice Note on planning agreements.

9. Were any supporting studies prepared for the catchment area but not relied on? If yes, explain why they were not used.

St Leonards South Design Charette Outcomes and Recommendations Report (prepared by DPIE) (Attachment J)

Council exhibited the St Leonards South Planning Proposal from October 2017 to January 2018. The proposal was subsequently referred to the Independent Planning Commission (IPC) for review in December 2018 given the strong community opposition to the proposal.

In July 2019, the IPC found that Council's proposal was an "overdevelopment" of the site and inconsistent with the Department's strategic planning for the area. The Department reviewed the proposal in the light of the IPC comments.

In response to the concerns raised, DPIE conducted the St Leonards South Design Charette to review the St Leonards South planning proposal in November 2019. This was held with representatives from Lane Cove Council, DPIE, the NSW Government Architect and the State Design Review Panel.

In February 2020, the Outcomes and Recommendations report was published by DPIE and provided key recommendations for Council to consider as a result of the one-day design charette.

Some of the recommendations were far too challenging to incorporate given how advanced Council's proposal was at that time. This included Recommendation 2 which was to remove all pocket parks and provide a singular, central park and re-orientate all buildings onto the

park. This was confirmed by a review of the IPC advice and Design Charrette (see Attachment H).

It should be noted that the Outcomes and Recommendations Report was not the subject of extensive technical reports (i.e. economic, traffic, etc.) nor additional consultation, but rather based on draft comments from the design panel and alternative design outcomes that were sketched and workshopped on the day.

Most of the comments in the Outcomes and Recommendations Report were considered by Council to be either too unrealistic to be able to be incorporated at such an advanced stage of the proposal, or provided far too much uncertainty given the implications if council was to adopt such recommendations (e.g. rezoning of land, acquisitions, feasibility) or supported Council's position already.

10. How has non-residential development been considered in determining the need for infrastructure in the plan?

The St Leonards South CP only includes contribution rates for Residential Accommodation development, as this is the most likely group development type to occur in the SLS Precinct.

The SLS precinct is largely zoned R4 High Density Residential. In this zone, several non residential land uses are permitted with consent, including bed and breakfast accommodation; centre-based child care facilities; community facilities; hotel or motel accommodation; neighbourhood shops; places of public worship; restaurants or cafes; shop top housing.

Council considers the likelihood of substantial non residential development in the SLS precinct is low, and that the demand generated for the CP's facilities by the few non-residential developments within the SLS CP catchment area will correspondingly be very minor or negligible.

11. In determining the need for infrastructure in the plan, what consideration was given to:

▼ The existing population in the catchment area

Council's vision for the St Leonards South precinct has been to create a Master Plan for a high-amenity urban residential precinct accommodating approximately 1,974 new dwellings in predominately high-density residential developments, housing an anticipated 4,031 residents.

The existing population of the plan area is approximately 402 residents, which is based on there being approximately 135 existing dwellings. This consists of approximately 115 separate

houses and 20 semi-detached dwellings with an assumed occupancy rate of 3.1 and 2.3 persons per dwelling respectively.

The scope of works in the St Leonards South Contributions Plan is based on the demand created by the anticipated net additional future population, considered to be approximately 3,629 residents.

The costs of all items in the plan are attributed to the additional population only, because it is the additional population that generates the demand for the facilities in the plan.

▼ Any existing or projected population outside the catchment area

The St Leonards South Contributions Plan has only considered the anticipated future population within the SLS precinct when determining the need for infrastructure in the CP. This is because if it wasn't for the projected SLS development there would not be a need to undertake the works in the CP.

▼ The capacity of existing infrastructure in the catchment area, and/or

The CP assumes that all existing infrastructure within the catchment area is:

- required to be either upgraded/replaced, as in the case for the transport infrastructure, or
- required as new infrastructure, as is the case for open space infrastructure.

The existing infrastructure in the SLS and surrounding areas has been designed to meet current needs, not the demands generated by an extra 2,000 dwellings in a concentrated area.

▼ Any existing or proposed infrastructure outside the catchment area.

Council has also considered the following existing or planned areas of open space outside the catchment area:

- 0.5ha – St Leonards Plaza
- 3.3ha – Gore Hill Oval
- 2.1ha – Smoothey Park
- 1ha – Newlands Park
- 0.09ha – Propsting Reserve

It is expected that residents of SLS precinct will also make use of these open space facilities in the future, but the facilities will not obviate the need to provide the open space facilities in the SLS contributions plan.



Criterion 3

Reasonable costs

IPART must advise whether the proposed development contributions are based on a reasonable estimate of the cost of the proposed public amenities and public services. This includes how the base costs of land and each item of infrastructure are derived and the method used to calculate the contribution rates and escalate them over time.



Providing comprehensive answers
will minimise the likelihood of further questions from IPART

12. Explain the process used to estimate costs for works for each infrastructure category.

Refer to matters such as:

- ▼ Use of consultant or QS estimates
- ▼ Use of council costs
- ▼ Use of benchmark costs
- ▼ Any allowances included, such as professional fees and contingencies
- ▼ Details of any indexation of cost estimates to the base period of the plan, including the index used

Show the link between the supporting cost sources and the land and works in the plan. This can be shown against each item in a separate table or in the plan's works schedule (see example works schedule).

Transport works

Council engaged consultants Mitchell Brandtman to prepare cost estimates for all infrastructure works included in the SLS CP (Attachment A).

The report provides a comprehensive list of information used to establish the costs estimates, the scope of works for each item included in the SLS CP, indirect cost details, as well as a schedule of exclusions and assumptions used when preparing the cost estimates.

Attached to the report is a comprehensive breakdown of all works, including quantities and unit rates for each item.

The following documentation and information was used by Mitchell Brandtman in establishing transport works cost estimates:

- Lane Cove Council, road reserve, typical detail drawings;
- Lane Cove Council, St Leonards South DCP and Landscape Master Plan;
- St Leonards South – DRAFT Special Provision Area drawings; and
- Discussions with Lane Cove Council regarding specific transport work requirements within the SLS precinct
- IPART Local Infrastructure Benchmark Costs Final Report, dated April 2014

Indirect Costs

- Indirect construction and margin costs are estimated to be 16% for road construction and are based on percentages outlined in IPART's Local Infrastructure Benchmark Costs Final Report, dated April 2014.
- Delivery, design and professional fees are estimated to be 15% for road construction and resurfacing
- Contingency costs are estimated to be 15% road construction and resurfacing

Stormwater management works

Costs estimates for stormwater management works have been incorporated into the costs for the associated transport and open space works.

Open space works (embellishments)

The following documentation and information was used by Mitchell Brandtman in establishing open space works cost estimates;

- Oculus St Leonards South Landscape Master Plan dated October 2020 (Attachment F);
- St Leonards Streetscape Guidelines;
- Lane Cove Council, St Leonards South DCP (Attachment G); and
- Instructions received from council regarding specific open space requirements
- IPART Local Infrastructure Benchmark Costs Final Report, dated April 2014

Indirect Costs

- Indirect construction and margin costs are estimated to be 14% for open space areas and are based on percentages outlined in IPART's Local Infrastructure Benchmark Costs Final Report, dated April 2014
- Delivery, design and professional fees are estimated to be 15%

- Contingency costs are estimated to be 10%

13. Explain the process used to estimate the cost of plan preparation and administration.

Plan preparation and administration costs amount to 1.5% of 'essential' capital works costs in the Plan consistent with IPART's benchmark.

14. What, if any, land has the council already acquired to provide local infrastructure for development in the catchment area? How has the cost of this land been included in the plan?

- ▼ For land that the council has acquired in the plan, the works schedule should show:
 - Date of acquisition
 - Agreed market value
 - Any other acquisition costs
 - Indexation of the total acquisition cost to the base year of the plan.
- ▼ For land that the council has agreed to acquire or have dedicated through a VPA, the works schedule should show:
 - Date of agreement
 - Agreed value
 - Indexation of the value to the base year of the plan.
- ▼ For council-owned operational land, the works schedule should show:
 - Market value at the time the land was rezoned for public infrastructure
 - Indexation to the base year of the plan.

Council does not intend to recoup contributions for the pocket parks land, nor Council's laneway within the proposed local park, nor for the extension of Newlands Park, as this is land currently owned by Council and used for roads to meet current infrastructure demands.

15. Explain the process used to estimate the cost of land yet to be acquired by the council.

- ▼ Include details of any inclusions for other costs associated with a council's land acquisitions, such as conveyancing, legal, survey and other costs payable to landowners under the *Land Acquisition (Just Terms Compensation) Act 1991*.

Roads

The existing road network is proposed to be replaced and upgraded under the CP removing the need for additional land acquisition. While the new local road between Berry and Park Roads is reserved for acquisition via LEP amendment 25, the proposed road including dedication of road land is intended to be provided by developers as part of the LEP bonus mechanisms. As a result, these costs are not included in the Plan.

Open Space

Council engaged HillPDA to identify a suitable land acquisition rate for parkland and open space land identified for acquisition in the SLS CP. This advice was first provided by HillPDA in mid-2016, updated in mid-2017 (Attachment K) and then again as part of HillPDA's update of St Leonard's South Masterplan Review March/September 2020 report (Attachment L).

The land acquisition rate was subject to one final review by HillPDA during March 2021 (Attachment M), with the findings remaining unchanged from the March/September report. Council subsequently adopted the March 2021 base rate for the open space land acquisition in the final version of the SLS CP.

In determining this based rate HillPDA assessed an indicative site acquisition rate for the precinct based on site sales data current at the time the report was commissioned. A base rate of \$9,750/sqm was established which, as detailed in their critical assumptions, was exclusive of heads of compensations under Clause 55 of the Land Acquisition (Just Terms) Compensation Act.

HillPDA's March 2021 report includes an allowance for where just terms acquisition compensation under Clause 55 of the Act would apply. This allowance includes additional costs or items of compensation for disturbance (e.g. legal costs, valuation fees, stamp duty and financial costs) and disadvantage resulting from relocation.

An amount of \$2,764,000 excl. GST has been included in the SLS CP for additional costs associated with Land Acquisition (Just Terms Compensation) Act requirements which represents approximately 8% of total open space acquisition costs in the CP.

The open space lands to be acquired were incorporated into LEP Amendment 25 via the Land Reservations Acquisitions Map (Attachment S). They are identified as 'Local Open Space' items with Lane Cove Council being the relevant authority to acquire the land.

16. If contribution rates in the plan are calculated using an NPV model,

- ▼ Does the model use real or nominal values?
- ▼ If the model uses nominal values, what indexation assumptions are applied to costs and revenue?
- ▼ What discount rate does the model use, and why?

Not applicable

17. What measures have been taken to minimise costs in the contributions plan (eg, adjustment to design or alternative engineering solutions)?

During the preparation of the Master Plan, the preliminary cost of infrastructure and land acquisition was carefully considered and opportunities to reduce costs where possible were acted upon. For example:

- The street layout in the Masterplan sought to remove the need for funding by contributions for land acquisition by utilising the existing road network.
- The land that was already owned by Council (e.g. two (2) new pocket parks (2,345m²) (originally used as Berry Road and Holdsworth Avenue) was not included in land acquisition costs.
- The Newlands Park expansion requiring the closure of Canberra Ave adjoining Newlands Park increased total open space without incurring additional land acquisition costs
- Securing the delivery of various open space, recreation and multi-purpose facilities through the additional height and bonus floor space incentives included in the Lane Cove LEP 2009 (Amendment No. 25) also minimised land acquisition and works costs in the SLS CP.
- The CP excluded the widening of River Road footpath – this is to be investigated separately with NSW Roads and Maritime Services
- The CP excludes the costs of the new road between Park and Berry Roads – this is to be provided by the developer via the LEP bonus mechanisms and VPAs.

18. Explain the method/s used to index the contribution rates for both land and works.

The Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics, will be used to update the contribution rates for works and for land that has already been acquired by the Council in anticipation of development.

The Established House Price Index for Sydney, as published by the Australian Bureau of Statistics, will be used to update the contribution rates for land that is yet to be acquired by the Council.



Criterion 4

Reasonable timeframe

We assess whether the proposed public amenities and public services can be provided within a reasonable timeframe.

19. How has the council determined the timing of infrastructure provision?

Provide details of the program for delivery of infrastructure in the contributions plan and explain its underlying rationale.

Section 3.4 Infrastructure staging of the SLS CP includes details on and the rationale for the anticipated program for infrastructure delivery.

Fundamentally, the timing of infrastructure will be dependent on the timing of development and given the market interest in lodging development applications in the SLS precinct, this timing can be difficult to forecast. However, full provision of infrastructure is anticipated to sometime between 2026 and 2031.

It is intended that the CP is implemented over the life of development within the precinct and will be reviewed as necessary over this period. Future reviews of the CP provide the opportunity to specify the estimated timing of infrastructure, should the timing of development become clearer at that stage.



Criterion 5

Reasonable apportionment

We assess whether the proposed development contribution is based on a reasonable apportionment of costs between existing and new demand. We also assess whether the apportionment of costs reflects the demand generated by different types and stages of development.

Apportionment is about ensuring the allocation of costs equitably between all those who will benefit from the infrastructure or create the need for it. While nexus is about establishing a relationship between the development and demand for infrastructure, apportionment is about quantifying the extent of the relationship.

20. How does the plan apportion costs?

Provide details of supporting calculations and explain how the apportionment takes into consideration demand arising from (as relevant):

- ▼ New and existing development in the catchment area
- ▼ Different stages of development
- ▼ Different sub-catchments
- ▼ Residential and non-residential development
- ▼ Different residential development densities
- ▼ New and/or existing development outside the catchment area

Please provide additional information in this section if any development is exempt from paying contributions.

Transport land and works

The SLS CP has a single catchment for transport infrastructure throughout the SLS precinct given the shared demand from anticipated new development for the new road network. Therefore, aggregate infrastructure costs are shared equally among new developments (to which the CP applies).

New transport management infrastructure has been designed to meet the needs of the planned urban development. Therefore, no allowance has been made for the demand for transport management attributable to the development that existed at the time the land was rezoned.

The anticipated SLS Precinct development should be accountable for the full cost of delivering the upgrades to the existing road network because the works would not be needed but for the

entire redevelopment of all of the land in the precinct, and the substantial increase in vehicle movements that are expected.

Stormwater management land and works

The SLS CP does not propose to collect contributions towards a separate 'Stormwater land and works' category.

This is due to there being no drainage works required outside of those typically associated with the reconstruction and upgrading of existing roads and the provision of open space.

Costs for this infrastructure is shared equally among the expected residential development.

Open space land and works (embellishments)

Open space costs are apportioned on a per person basis to residential development, across the whole precinct.

The need for the proposed open space infrastructure included in this CP is generated by and attributable to the expected residential development in the SLS Precinct.

The contribution rates for open space infrastructure are therefore calculated on the assumption that the full cost of the infrastructure is shared among the expected residential development.

Community services land

The SLS CP does not collect contributions towards community services land.

Plan preparation and administration

Plan preparation and administration costs are collected across all residential development on a per resident basis. This amount is then multiplied by the net additional residents in the proposed development using the applicable occupancy rates identified in the Plan. The plan administration costs shown in the C.P. (Table 1) exclude the costs associated with the fit outs for non-essential works of the multi-purpose facilities.



Criterion 6

Appropriate community liaison

We require evidence that the plan has been exhibited and publicised in accordance with the statutory requirements and that the council has considered submissions received during the exhibition period. The post-exhibition version of the plan should not differ so significantly from the exhibited version that it requires re-exhibition.

It is not necessary to include information about consultation in the contributions plan.

21. In developing the contributions plan, was any publicity and community liaison undertaken outside the mandatory exhibition period?

Yes. Since 2012, the planning of St Leonards South has been based on detailed and extensive research, consultancy reports, workshops, government and public consultation.

This includes community participation in the preparation of a Development Control Plan Amendment, Draft Landscape Masterplan, Local Environmental Plan Amendment (Planning Proposal) for the SLS precinct.

An initial draft Contributions Plan was previously exhibited with these plans from 30 October 2017 to 5 January 2018.

Both Council Reports from Ordinary Meeting 23 October 2017 (Attachment N) and Extraordinary Meeting of 11 May 2020 (Attachment O) provide details on the level of publicity and community liaison Lane Cove Council completed in the planning for the SLS precinct and preparation of the SLS CP.

22. How has the council taken into account submissions received on the draft plan placed on exhibition?

The revised draft plan was placed on public exhibition for a period of 6 weeks from 14 January 2021 to 24 February 2021. A total of Fourteen (14) submissions were received. Six (6) of the submissions addressed issues that were not relevant to the draft CP. One submission raised an issue relevant to Council's DCP.

Eleven (11) issues were of relevance to the draft CP. Each of the issues and Council's response to them are detailed in the Council Report – Ordinary Council Meeting 19 April 2021 (Attachment P).

Actual submissions received are included as Attachment Q. Council's consideration of those submissions not relevant to the draft CP are also included as Attachment R.

23. Does the council intend to undertake any further publicity or community liaison?

The Plan has been formally adopted by Council. At this stage, no further exhibition of the plan is planned unless directed by IPART.



Criterion 7

The plan complies with other matters
IPART considers relevant

IPART may take into consideration other matters relevant to our overall assessment of the contributions plan.

These matters may include compliance with the statutory requirements for making local infrastructure contribution plans and with the Practice Note, whether the plan uses up-to-date information, as well as issues of transparency and accountability in the council's proposed arrangements for the levying and collection of contributions under the plan.

24. Is there any other information relating to the contributions plan which may assist us to assess it against this criterion?

There is no further information beyond that already referred to in this document which will assist in the assessment of the SLS CP against the criterion.

25. Is the council aware of possible changes to any underlying assumptions used in preparing the plan which may be relevant to our assessment?

Such matters could include:

- ▼ Revised population projections
- ▼ Potential rezoning or changes to dwelling yields
- ▼ Other changes to the applicable LEP, SEPP or DCP
- ▼ Changes to NSW government policy for infrastructure delivery

Key population projections and dwelling yield assumptions are not proposed to be updated beyond those used to inform the SLS CP at this stage.

Lane Cove LEP 2009 (Amendment No. 25) which authorised the rezoning of the land for higher intensity land uses commenced on 1 November 2020 – No further amendments affecting the SLS CP are proposed.

DCP Amendment 16 and Landscape Master Plan relating to St Leonards South Precinct was adopted by Council on the 22 October 2020 – No further changes affecting the SLS CP are proposed.

To the best of Council's knowledge, no amendments to the applicable SEPPs or changes to NSW government policy for infrastructure delivery related to the SLS precinct are known of at this time.

26. Please provide any other information which you consider would assist or expedite our assessment.

Not applicable.

4. Quality assurance

We also request that council undertake a quality assurance (QA) check of the contributions plan before it is submitted to IPART for review.

The purpose of the council's QA check is to identify and address any errors or inconsistencies within the work schedules and also between the contributions plan and relevant supporting information to ensure that the plan, as submitted, is accurate. This will reduce the risk of delay in our assessment and the need for recommendations for the council to correct errors.

Checklist for quality assurance of contributions plan and works schedule

Has the contributions plan been checked for	Yes	No
Typographical errors	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Calculation errors (including checking infrastructure and land cost calculations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Use of the most up-to-date data and information	<input checked="" type="checkbox"/>	<input type="checkbox"/>

27. Explain the quality assurance process undertaken for the contributions plan prior to submitting it to IPART for review.

The Plan has been comprehensively reviewed to ensure that the SLS precinct is supported by a robust plan that minimises financial risk to Council and provides value for money to developers and the broader community.

The precinct planning process was undertaken by Lane Cove Council and technical studies which originally informed the Plan were peer reviewed by Council officers.

Where required, these technical studies have been subject to further independent peer review or updated to ensure information remained accurate.

In preparing the SLS CP, Council's consultant, GLN Planning, and Council officers (from the Strategic Planning team) reviewed the works schedule and cost estimates.

The Plan had been further reviewed by Council's consultants and officers before proceeding to public exhibition.

A final review of the Plan was undertaken by Council prior to reporting it to Council for final endorsement.

5. Application checklists

Please complete Checklist A to confirm the contributions plan contains all information requirements of the *Environmental Planning and Assessment Regulation 2000*.

Please complete Checklist B to ensure that all information necessary for IPART's assessment is submitted.

Councils should also complete and provide IPART with spreadsheets that:

- ▼ Detail all infrastructure items included in the plan, with references to the studies (including the specific sections or page numbers), that support their inclusion in the plan as relevant
- ▼ Detail the cost of each infrastructure item (including source and date of costings, and any indexation of cost estimates)
- ▼ List the cost and area for all parcels of land required for infrastructure in the plan
- ▼ Detail the cost of any land that has already been acquired and land that the council is yet to acquire
- ▼ Show how the total cost of land and works for each infrastructure category (or subcategory) have been apportioned
- ▼ Show how the contributions rates in the plan have been calculated (including net present value modelling if this approach is used)
- ▼ Show indicative contribution amounts for each type of residential dwelling.

IPART provides a works schedule template that councils can use to show information and calculate contribution rates (see Resources to assist councils). The template is available on our website or can be viewed at the end of this document.

Checklist A – for the contributions plan

Does the contributions plan:	Yes	No	Contributions plan page reference(s)
Outline the purpose of the plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5
Incorporate a map showing:			6, & 40-41
▼ Geographical catchment area of the contributions plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
▼ Specific infrastructure to be provided under the plan (may include multiple maps)			
Include details about how the need for land and works to support new development was determined	<input checked="" type="checkbox"/>	<input type="checkbox"/>	10-23
Include information about:			
▼ Existing population in the catchment area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11
▼ Projected residential population and/or workforce	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11
Include a schedule of the contributions rates (eg, \$/ha, \$/person, \$/dwelling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8
Include assumptions made in the modelling of costs and revenue (if using a Net Present Value (NPV) approach).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
Include details of the anticipated rate of development in the catchment area and how this was determined	<input type="checkbox"/>	<input checked="" type="checkbox"/>	-
Include a program for infrastructure delivery and explain how it relates to the anticipated timing of development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23
Include a statement regarding potential revision of the scheduled timing for infrastructure delivery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	-
Include the formulas used for determining the section 7.11 contributions for each infrastructure category	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17, 21, 22
Explain how the proposed cost of works was derived (eg, quantity surveyor or other consultant advice, standard costs used by the council)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	10-23 & Appendix B

Does the contributions plan:	Yes	No	Contributions plan page reference(s)
Explain how the proposed cost of land was derived	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23
Include a works schedule that shows an estimate of the cost and the expected timing of infrastructure delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	40
Include details of apportionment calculations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17 & 19-20, 22
Explain how the contribution rates will be adjusted for inflation/ changes in costs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	37
Outline the base period for costs in the plan (eg, June 2018)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Appendix B
Address the council's position on the following policy matters:	<input type="checkbox"/>	<input type="checkbox"/>	-
▼ Provide details of accounting arrangements for contribution funds (eg, is pooling of funds permitted, will internal borrowings be used to deliver infrastructure projects)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	37-38
▼ Show how it will satisfy each condition requiring the payment of monetary contribution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	28
▼ Consider the conditions that may be imposed under section 4.17(6)(b) of the Act or section 97(1)(b) of the Local Government Act 1993.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Checklist B – for the council's application

Please complete the checklist below to ensure that all information necessary for IPART's assessment is submitted.

	Yes	No	N/A
Works schedules and calculation of contribution rates			
Spreadsheets must include a clear link between	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▼ The listed infrastructure and the evidence which supports nexus			
▼ The cost of land/infrastructure and the cost source	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Contributions plan			
Version of contributions plan incorporating any post exhibition changes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Version of contributions plan publicly exhibited	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Version of contributions plan previously submitted to IPART for review	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public consultation			
Copy of all submissions to publicly exhibited contributions plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Summary of submissions and council's response	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Technical studies and consultant documents			
Land valuation report/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supporting studies for stormwater management infrastructure (eg, Flooding and Water Cycle Management report)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Supporting studies for transport infrastructure (eg, Traffic and Transport Assessment report)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supporting studies for open space infrastructure (eg, Demographic and Social Infrastructure report)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supporting studies for community services (eg, Demographic and Social Infrastructure report)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maps and shape/spatial files			
Plan catchment map/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final Indicative Layout Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zoning map/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land acquisition map/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Constrained land map/s (flooding and transmission lines)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other documents			
VPAs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Details of other funding agreements for state or local infrastructure in the area covered by the plan (including draft agreements)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council business papers or meeting minutes related to the preparation of the contributions plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other documents that you think could be useful in IPART's assessment of the contributions plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Resources to assist councils

The following documents and resources are available to assist councils preparing a contributions plan.

Please refer to IPART's website [Local Infrastructure Contributions Plans](#) for further information on our assessment process.

Policy Documents	Description
Section 94E Ministerial Direction for Local Infrastructure Contributions 2012, as amended (Ministerial Direction)	The Ministerial Direction sets out the role of IPART in reviewing local government contributions plans
Local Infrastructure Contributions Practice Note, January 2019 (the Practice Note)	Provides guidance to IPART and to assist councils to understand the role of IPART in the review of contributions plans.
Terms of Reference – Reviewable Contributions Plans – Environmental Planning and Assessment Act 1979, dated 14 November 2018	IPART's Terms of Reference for the review of local government contributions plans
Planning agreements Practice Note, February 2021	Provides further guidance to Councils on VPAs and their use.

Fact Sheets and Information Papers	Description
Fact Sheet – Contributions plans assessment	Explains why and how we assess contributions plans
Fact Sheet – Local Government discount rate	Every six months IPART publishes the local government discount rate
Fact Sheet – Inclusion of roads in contributions plans	Provides advice and guidance on the inclusion of roads in contributions plans
Information Paper – Contributions plan assessment: land costs	Sets out IPART's approach to assessing land costs in contributions plans
Information Paper – Guidance for contributions plans: Local Infrastructure Benchmark Costs	Sets out IPART's position on using our 2014 benchmark cost report
Information Paper – Indexation of contribution rates	Provides advice and guidance on the indexation of contribution rates

Technical Paper – Modelling local infrastructure contributions

A technical paper that outlines our recommended approach to calculating the discount rate and other aspects of modelling local infrastructure contributions using a net present value approach

Other documents**Description****IPART Works Schedule Template**

An example works schedule that councils can use when developing a contributions plan

7. Example works schedule

Plan 1 - Works Schedule

Reference	Item description	Land area (m2)	Cost of land	Works (unit)	Quantity required	Cost of works	Total cost land and works	Total cost (indexed to base period of plan)	Cost apportioned to plan	Total cost apportioned to plan	What establishes nexus?	Cost source (land)	Cost source (works)	Indicative timing
X01	collector road 1	5,500	\$ 2,000,000	linear metres	1,200	\$ 4,200,000	\$ 6,200,000	\$ 7,130,000	85%	\$ 6,060,500	Arup, Precinct Transport Study, July 2015, page 35	KD Wood Land Valuation Report, 2017	WTP, road costs report, December 2015	2022-2023
B05	bus shelters	1,500	\$ 545,455	item	7	\$ 140,000	\$ 685,455	\$ 788,273	100%	\$ 788,273	Arup, Precinct Transport Study, July 2015 & see note (a), page 38	KD Wood Land Valuation Report 2017	IPART benchmark cost	2020-2025
S01	sub-arterial road 1	14,000	\$ 4,500,000	linear metres	2,300	\$ 12,000,000	\$ 16,500,000	\$ 18,975,000	100%	\$ 18,975,000	Arup, Precinct Transport Study, July 2015, page 36	VPA 001, p25-31. Ownership has not yet been transferred.	Specific cost based on tender rates, see note (b)	2022-2023
Total in plan		21,000	\$ 7,045,455		3,507	\$ 16,340,000	\$ 23,385,455	\$ 26,893,273		\$ 25,823,773				

Note: a council investigation and analysis has identified the need for 2 additional bus stops, above what is identified in the technical study.

b see attached evidence in Document A1

An example works schedule can be found on the IPART website.

NOTE: Council has attached a separate works schedule to this application.