



Holroyd City
Built Around People

Neil Street Precinct Section 94 Development Contributions Plan 2007



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Part A – Summary Schedules

The following summary schedules are included in this plan:

- Works program
- Contributions by area and category
- Contributions by development type and area.

It is stressed that these are provided as summary tables only and more details are contained in the individual strategies within the plan.

1.1 Summary Works Program

| TABLE 1.1 SUMMARY WORKS PROGRAM | | | |
|---|---|---------------------|--|
| ACTIVITY | SCHEDULE OF WORKS | COST SUMMARY | TIMING/THRESHOLDS |
| Merrylands Centre Traffic Management | 1. Intersection of Pitt & Neil Streets | \$1,681,126 | } Upon redevelopment of Merrylands Mall ¹ |
| | 2. Intersection of Treves & McFarlane Streets | \$1,551,495 | |
| | 3. Intersection of Treves Street & Merrylands Road | \$186,606 | |
| | 4. Intersection of Treves & Neil Streets | \$334,057 | } |
| | 5. Intersection of Pitt & McFarlane Streets | \$138,910 | |
| | 6. New north-south laneway (northern section) | \$948,308 | 2007/08 |
| | 7. Intersection of Pitt Street & Terminal Place | \$429,992 | 2009/10 |
| | 8. Intersection of Terminal Place & Merrylands Road | \$342,421 | 2009/10 |
| | 9. Intersection of Pitt Street & Merrylands Road | \$227,484 | 2009/10 |
| | 10. New north-south laneway (southern section) | \$948,307 | 2011/12 |
| | 11. New road, Neil Street – Terminal Place | \$2,793,616 | 2013/14 |
| | 12. Merrylands Road upgrade | \$54,983 | As development and receipt of contributions permit |
| Total | \$9,637,305 | | |
| Neil Street Precinct Access | 13. Land acquisition | \$2,250,000 | 2012/13 |
| | 14. Gladstone Street reconstruction | \$1,161,259 | 2015/16 |
| | 15. Neil Street reconstruction | \$1,325,778 | 2016/17 |
| | 16. Pitt Street and Terminal Place reconstruction | \$1,549,196 | 2017/18 |
| | 17. New Road 1 (north) construction | \$435,125 | As development and receipt of contributions permit |
| | 18. New Road 2 construction | \$1,588,303 | |
| | 19. Sheffield Street extension (construction) | \$515,167 | |
| Total | \$8,824,827 | | |
| Open Space & Public Domain Improvement | 20. Land acquisition | \$3,500,000 | 2012/13 |
| | 21. Landscaping | \$4,099,013 | As development and receipt of contributions permit |
| Total | \$7,599,013 | | |
| Trunk Drainage | 22. Box Culvert A 3600 x 2100 | \$3,810,250 | Following acquisition of relevant land and receipt of adequate contributions |
| | 23. Box Culvert B 4000 x 2100 | \$3,063,221 | |
| | 24. Box Culvert C 2 x 3200 x 2400 | \$2,027,469 | |
| Total | \$8,900,940 | | |
| Administration | 25. Studies | \$98,323 | Completed 2006 (recoupment) |
| | 26. Annual valuations of land | \$20,000 | 2007-2011 |
| | 27. Section 94 Officer | \$247,009 | Pro-rata over the 13 year life of plan |
| Total | \$343,899 | | |
| TOTAL | | \$35,305,984 | |

Notes

¹ Merrylands Mall site is located at 191-201 Pitt Street.

The timing of the above works may be revised in light of:

- the rate and/or nature of development within either the Merrylands Town Centre or the Neil Street Precinct differing from that indicated in Section 3.3 of this Plan; and/or
- timing of development of individual sites facilitating or hindering public works at specific locations.

1.2 Summary Schedule – Contributions by Category

| Development type | | Merrylands Centre Traffic Management | Neil Street Precinct Access | Open Space ² & Public Domain | Trunk Drainage | Admin. |
|--|--|---|-----------------------------------|--|-------------------|----------|
| Daily traffic generated | Per vehicle trip | \$299.37 | \$1,961.08 | | | |
| All development | Per m ² “useable floor area” | | | \$85.99 | | \$3.85 |
| Commercial | Per m ² GLFA | \$29.94 | \$196.11 | \$85.99 | | \$3.85 |
| Retail | Per m ² GLFA | \$362.23 | \$2,372.91 | \$85.99 | | \$3.85 |
| Restaurants | Per m ² GLFA | \$179.62 | \$1,176.65 | \$85.99 | | \$3.85 |
| Cinemas | Per m ² GLFA | \$359.24 | \$2,353.30 | \$85.99 | | \$3.85 |
| Licensed premises (clubs, hotels & bars) | Per m ² licensed floor area | \$368.22 | \$2,412.13 | \$85.99 | | \$3.85 |
| Residential | 1 bedroom | \$914.56 | \$5,991.08 | \$5,159.40 | | \$231.00 |
| | 2 bedroom | \$1,371.84 | \$8,986.62 | \$7,739.10 | | \$346.50 |
| | 3 bedroom | \$1,448.05 | \$9,485.88 | \$8,169.05 | | \$365.75 |
| All development | Per m ² site area | | | | \$157.38 | |

Notes

¹ Under Sections 2.5 of this Plan, the contribution rates included in this Table exclude those that will also apply under Holroyd Section 94 Contributions Plan for Community Facilities.

² Under Sections 2.5 and 3.6 of this Plan, no contributions will be imposed for local open space under Holroyd Section 94 Contributions Plan for Open Space and Recreation.

1. Part B – Administration and operation of the plan

2.1 Name of this Plan

This development contributions plan is called the *Neil Street Precinct Development Contributions Plan 2006*.

2.2 Area of Application

This plan applies to land within the local government area of *Holroyd City Council*, so identified on the map titled “Merrylands Centre Section 94 Development Contributions Plans” appended to this Plan.

2.3 Purpose of this Plan

The purpose of the Development Contributions Plan is to:

- (a) provide an administrative framework under which strategies for public domain improvements, traffic management measures, and trunk drainage may be implemented and coordinated
- (b) ensure that adequate public facilities are provided for as part of any new development
- (c) to authorise the council to impose conditions under Section 94 of the *Environmental Planning and Assessment Act 1979* when granting consent to development on land to which this plan applies
- (d) provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis
- (e) ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development
- (f) enable the council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.

2.4 Commencement of this Plan

This development contributions plan has been prepared pursuant to the provisions of Section 94 of the *EP&A Act* and Part 4 of the *EP&A Regulation* and takes effect from the date on which public notice was published, 2 May 2007, pursuant to clause 31(4) of the *EP&A Regulation*.

2.5 Relationship with Other Plans and Policies

The development contributions plan supplements the provisions of the *Holroyd Local Environmental Plan 1991* and any amendment or local environmental plan which it may supersede, the Merrylands Town Centre Revitalisation Project, Merrylands Neil Street Precinct Development Control Plan No. 44 and other relevant Development Contribution Plans that may apply to the land.

This Plan amends Holroyd Section 94 Contributions Plan for Open Space and Recreation (adopted 2 December 1998). It does so by exempting residential development within the Neil Street Precinct from the provisions of that Plan that relate to local reserves. The basis for this exemption is set out in Section 3.5.2 of this Plan.

However, this Plan does not replace or supercede Holroyd Section 94 Contributions Plan for Community Facilities. Therefore, contributions under that Plan continue to apply to development within the Neil Street Precinct and, accordingly, these should be added to the rates indicated in Table 1.2 of this Plan.

Background information relevant to the plan is included in Section C Strategy Plans.

2.6 Definitions

Under this Plan, the following definitions are used:

“GLFA” means gross leasable floor area;

“Merrylands Centre” means all the land comprising the “Merrylands Town Centre Precinct” and “Neil Street Precinct”, as defined below in this plan;

“Merrylands Town Centre Precinct” means all the land so identified on the map titled “Merrylands Centre Section 94 Development Contributions Plans” appended to this Plan;

“Neil Street Precinct” means all the land so identified on the map titled “Merrylands Centre Section 94 Development Contributions Plans” appended to this Plan;

“Useable floor area” means:

- for licensed premises, such as clubs, hotels and bars, licensed floor area;
- for other non-residential development, gross leasable floor area; and
- for residential development, internal dwelling floor area, that is excluding balconies, private courtyards and the like, common areas, such as foyers, stairwells and the like, and parking.

All other terms have the same meanings as defined in Holroyd Local Environmental Plan 1991 or, if not there defined, their common meanings as defined in the Macquarie Dictionary.

2.7 Timing of Contribution Payments

The timing of the payment of monetary contributions is to be as follows:

- (a) for development applications involving the subdivision of land only – payment is to be made before the release of the linen plan/subdivision certificate;
- (b) for development applications involving building construction/works only – payment is to be made before the release of any construction certificate;
- (c) for development applications involving both subdivision and building works – payment is to be made before the release of the linen plan/subdivision certificate; and
- (d) for development applications where no construction certificate is required – payment is to be made prior to commencement of the approved use, or prior to occupation, as may be determined by Council.

The section 94 Contributions payable will be stipulated as a Condition of any Development Consent granted by the Consent Authority.

2.8 Construction Certificates and the Obligation of Accredited Certifiers

In accordance with section 94EC of the *EP&A Act* and Clause 146 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 a receipt(s) 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 the requirement are where Council has agreed to works in kind, a material public benefit, dedication of land or a deferred payment arrangement. In such cases, council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.9 Deferred / Periodic Payments

Deferred or periodic payments may be permitted in the following circumstances:

- (a) compliance with the provisions of Clause 2.7 is unreasonable or unnecessary in the circumstances of the case,
- (b) deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program,
- (c) where the applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a cash contribution and council and the applicant have a legally binding agreement for the provision of the works or land dedication,
- (d) there are circumstances justifying the deferred or periodic payment of the contribution.

If council does decide to accept deferred or periodic payment, council may require the applicant to provide a bank guarantee by a bank for the full amount of the contribution or the outstanding balance on condition that:

- the bank guarantee be by a bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest plus any charges associated with establishing or operating the bank security
- the bank unconditionally pays the guaranteed sum to the council if the council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work
- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development
- the bank's obligations are discharged when payment to the council is made in accordance with this guarantee or when council notifies the bank in writing that the guarantee is no longer required
- where a bank guarantee has been deposited with council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

2.10 In-kind Contributions

The council may accept an offer by the applicant to provide an “in-kind” contribution (i.e. the applicant completes part or all of work/s identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this plan.

Council may accept such alternatives in the following circumstances:

- (a) the value of the works to be undertaken is at least equal to the value of the contribution that would otherwise be required under this plan; and
- (b) the standard of the works is to council's full satisfaction; and
- (c) the provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program; and

The value of the works to be substituted must be provided by the applicant at the time of the request and must be independently certified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Council will require the applicant to enter into a written agreement for the provision of the works.

Acceptance of any such alternative is at the sole discretion of the council. Council may review the valuation of works or land to be dedicated, and may seek the services of an independent person to verify their value. In these cases, the applicant will pay for all costs and expenses borne by Council in determining the value of the works or land.

2.11 Exemptions

Council does not generally discount or provide exemptions to developments, or components of developments from the requirements for a contribution, as this would place a financial burden on existing residents to subsidise new development.

Only in exceptional cases would such claims be considered, with the development application being required to include a comprehensive submission arguing the case for exemption and public benefit for the community.

2.12 Unanticipated Development

The development and traffic forecasts underlying this Plan include only certain land uses, as indicated in Section 3.3. However, the list of possible land uses is limited and includes only general descriptions of permissible development.

Therefore, despite any other provision of this Plan, Council may, in determining contributions payable, apply the contribution rates, as indicated in Table 1.2, per daily vehicle trip generated or per square metre of useable floor area, where:

- the uses involved have different traffic generation rates to those indicated in Section 3.4.3 of this Plan; or
- the internal floor area of individual dwellings is significantly different from the averages indicated in Section 3.4.3 of this Plan.

2.13 Review of Contribution Rates

To ensure that the value of contributions are not eroded over time by general price movements, land value increases, the capital costs of administration of the plan or through changes in the costs of studies used to support the Plan, the council will review the contribution rates.

The contribution rates will be reviewed by reference to the following specific indices:

- construction costs by the Building Price Index as published by the NSW Department of Commerce;
- changes in the capital costs associated with provision of administration and salary costs for staff involved in implementing council's Section 94 plan by reference to increases in salary rates under the Local Government State Award Plan as published by Council in Council's Management Plan;
- changes in the capital costs of various studies and activities required to support the strategies in the plan by reference to the actual costs incurred by council in obtaining these studies plan as published by Council in Council's Management Plan.

In accordance with clause 32(3)(b) of the *EP&A Regulation*, the following sets out the means that the council will make changes to the rates set out in this plan.

For changes to the **Building Price Index**, the contribution rates within the plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\$C_A + \frac{\$C_A \times ([\text{Current Index} - \text{Base Index}])}{[\text{Base Index}]}$$

Where

- $\$C_A$ is the contribution at the time of adoption of the plan expressed in dollars;
- Current_Index is the **Building Price Index** as published by the NSW Department of Commerce available at the time of review of the contribution rate;
- Base Index is the **Building Price Index** as published by the NSW Department of Commerce at the date of adoption of this Plan.

For changes to land values, Council will seek revised valuations on an annual basis and publish these.

For changes in salary costs and changes in the costs for studies and other activities associated with the plan, Council will publish at least on an annual basis the revised indices that are to be used to change the base costs of salaries and the costs of studies and associated activities in administering the plan.

Note: This clause does not cover the adjustment of a contribution between the time of consent and the time payment is made. This is covered by section 2.14.

2.14 Adjustment of Contributions at the Time of Payment

The contributions stated in a consent are calculated on the basis of the Section 94 contribution rates determined in accordance with this plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

$$\$C_P = \$C_{DC} + \frac{[\$C_{DC} \times (\$C_Q - \$C_C)]}{\$C_C}$$

Where

$\$C_P$ is the amount of the contribution calculated at the time of payment

$\$C_{DC}$ is the amount of the original contribution as set out in the development consent

$\$C_Q$ is the contribution rate applicable at the time of payment

$\$C_C$ is the contribution rate applicable at the time of the original consent

2.15 Allowance for Existing Development

Contributions will be levied according to the estimated increase in demand. An amount equivalent to the contribution attributable to any existing (or approved) development on the site of a proposed new development will be allowed for in the calculation of contributions. Where a development does not fall within any of the items noted above, the council would determine the credit on the basis of the likely demand that the existing development would create.

2.16 Pooling of Contributions

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

2.17 Savings and Transitional Arrangements

A development application that has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

PART C - STRATEGY

3.1 Background

Council received funding from the State Government's Urban Improvement Program in 2000, to conduct the Merrylands Centre Urban Revitalisation Program (MCURP).

A major outcome of the MCURP was the production of two Development Control Plans (DCPs) to guide proposed development, one being for the Neil Street Precinct and one for the Merrylands Town Centre Precinct and the associated Local Environmental Plans (LEP).

Holroyd DCP No. 45 – Merrylands Town Centre Precinct and the Neil Street Precinct DCP (No.44) and LEP Amendment (No.42) have been completed. Draft LEP Amendment No. 43 – Merrylands Town Centre is currently in draft form. The primary focus of the DCPs and LEP Amendments has been to encourage high quality redevelopment within the overall Merrylands Centre, including residential development.

A number of supporting studies were prepared for the MCURP and are relevant to the preparation of a Section 94 Contributions Plan for the Neil Street Precinct. These are listed below:

- ❑ *Merrylands Town Centre Background Report* – Civitas Partnerships;
- ❑ *Merrylands CBD Flood Study* – Bewsher Consulting Pty Ltd, 2002;
- ❑ *Traffic Report on the Merrylands Town Centre* – Stapleton and Associates, 2002;
- ❑ *Economic and Retail Analysis of Merrylands Town Centre* – SGS Economics and Planning, 2002;
- ❑ *Merrylands Town Centre Background Report* – Urban Design Advisory Service, 2002;
- ❑ *Merrylands Town Centre Cultural Environment Plan* – Guppy and Associates;
- ❑ *Merrylands Town Centre Traffic and Transport Study* – Ove Arup, 2004;
- ❑ *Public Domain Improvement Strategy* – Civitas (which was adopted by Council on 6 August 2002);
- ❑ *Merrylands Town Centre Public Domain Master Plan Report* – Zenscapes 2006;
- ❑ *Merrylands Town Centre Road and Traffic Improvements: Section 94 Costings* – GTA 2006;
- ❑ *S94 Contribution Plan Costing for Drainage and Roadworks for the Neil Street Precinct* – SMEC 2005;
- ❑ *Valuation of Proposed Merrylands Town Square* – BEM Land Valuation 2006;
- ❑ *Valuation: A Proposed New Road within Neil Street Precinct* – BEM Land Valuation 2006;
- ❑ *Merrylands Town Centre Precinct Section 94 Development Contributions Plan 2006*; and
- ❑ *Valuation: Proposed New Roads within Neil Street Precinct* – BEM Land Valuation December 2006.

3.2 Existing Situation

The Neil Street Precinct is located:

- immediately north and east of the Merrylands Town Centre, with which it forms the greater Merrylands Centre;
- immediately south of Holroyd Gardens, a major urban park and an adjoining high-density residential area; and
- adjoining the Old South Railway and Merrylands station.

Given this, it is well located for higher density urban development. Holroyd Development Control Plan No.44 – Neil Street Precinct and Amendment 42 to Holroyd Local Environmental Plan 1991 provide development controls and guidelines for redevelopment.

However, the Neil Street Precinct may be characterised currently as being a mixture of retail, commercial and industrial land uses. Development within the Precinct is relatively low density, with low site coverage and low floor space ratios. Given the current mix of land uses, the Precinct can be described as having low activity levels, with relatively few workers and customers.

Currently, Gladstone, Pitt and Neil Streets and Terminal Place provide vehicular and pedestrian access. While this is adequate given the current character of the Precinct and the mix of land uses, redevelopment for mixed residential / retail / commercial development, with higher densities and activity levels, will require additional access to, from and through the area. More detail is provided in Sections 3.4 and 3.5 of this Plan.

In line with the current low-density, low activity character of the Precinct, the public domain is sparsely appointed, with simple concrete footpaths and minimal trees, landscaping and street furniture. Similarly, there is no local open space within the Precinct, though it is located adjacent to Holroyd Gardens. More detail is provided in Section 3.6 of this Plan.

The Precinct is significantly affected by stormwater flooding, particularly during 1% Annual Event Probability (or 1-in-100 year) storm and flooding events. More detail is provided in Section 3.7 of this Plan.

3.3 Development Potential in the Merrylands Centre

The levying of contributions for new or additional facilities through a Section 94 plan can only be justified if new development results in a specific need occurring. That is, new development and/or the resulting population will drive the need for new or expanded public facilities or services.

Amendment 42 to Holroyd Local Environmental Plan 1991 permits a range of development within the Neil Street Precinct and also introduces new height controls that is likely to result in amalgamation of sites and redevelopment, whilst other sites may be refurbished. Combined, these will contribute to increased working and residential populations.

This Plan applies only to the Neil Street Precinct, with a separate contributions plan applying to the Merrylands Town Centre Precinct. Nonetheless, all development within the wider Merrylands Centre (i.e. including the adjoining Town Centre Precinct) is taken into account in this Plan where it generates demand for works and facilities to be funded under this Plan

Existing development within the Merrylands Centre is estimated as follows:

- ❑ Retailing within the Stockland Mall Shopping Centre of 28,250m² GLFA;
- ❑ Cinemas within the Stockland Mall Shopping Centre, comprising 3,850m² GLFA;
- ❑ Retailing in the remainder of Merrylands Centre of 25,250m² GLFA;
- ❑ Commercial floor space of 24,100m² GLFA;
- ❑ Merrylands Returned Services League (RSL) Club with 3,068m² licensed floor area (LFA); and
- ❑ Thirty dwellings (estimated at approximately 2,650m²).

Under Holroyd DCP No. 44 – Neil Street Precinct, mixed commercial / residential redevelopment is anticipated to result in a further 1,000 dwellings over the 13 years to 2020. Based on recent mixed use developments within Holroyd, these are anticipated to average approximately 88.38m² per dwelling, this will equate to an additional 88,380m² of additional useable floor area is projected within the Neil Street Precinct. Further detail on the anticipated mix of dwellings is included below in Table 3.4.3B.

Within the Neil Street Precinct, a slight net decrease in non-residential floor space is anticipated. It is also expected that there will be change, in such non-residential floor space as exists, from a mixture including industrial uses to one without an industrial component. The combination of these two changes is anticipated to result in no net increase in the local workforce or in the traffic generated by non-residential development within the Precinct. Given this, any future net decrease in useable floor area has been disregarded in the calculation of contribution rates in this plan.

Holroyd DCP No. 45 – Merrylands Town Centre and Draft Amendment No. 43 to Holroyd LEP 1991 envisage redevelopment within the adjoining Town Centre Precinct for mixed use development of up to 7 storeys. The specific development opportunities within the Merrylands Town Centre Precinct relevant to this Plan therefore include the following:

- ❑ Mixed use commercial and residential development infill development on privately owned land zoned 3(a) Business General, producing no net increase in commercial or retail development but some 800 dwellings. Based on recent mixed use developments within Holroyd, these are anticipated to average approximately 88.38m² per dwelling;

- ❑ Expansion of the Stockland Mall Shopping Centre, comprising new retailing of 20,349m² GLFA, net cinema expansion of 911m² GLFA, new commercial uses of 503m² GLFA and new restaurants of 1,492m² GLFA (a total of 23,255m² GLFA);
- ❑ Expansion of the Merrylands RSL Club (2,181m² LFA);
- ❑ Creation of a town square on the eastern end of Council's McFarlane Street car park site; and
- ❑ Development of the remainder of the McFarlane Street site for ground floor retail / commercial floor space with a multi-story public parking station above (2,474m² GLFA).

In total, some 95,963m² of additional useable floor area is projected within the Merrylands Town Centre Precinct.

The infrastructure to facilitate the development within the Neil Street Precinct should be borne by all development and therefore the life of this plan is 13 years (i.e. to 2020). To ensure that the Plan is relevant and that development is occurring as forecast, the plan will be fully reviewed at five-year intervals, the first to occur by 2012.

3.4 Merrylands Centre Traffic Management

The existing road network within and around the Merrylands Centre (both the Neil Street and the adjacent Precinct Town Centre) adequately meets current traffic flows. However, the projected development within the Centre is anticipated to generate significant additional traffic. This traffic will require major alterations to the road network, including re-configured traffic circulation arrangements and intersection upgrades. A number of reports have identified appropriate alterations to the network, and the likely costs of these, including:

- Traffic Report on the Merrylands Town Centre by Stapleton and Associates (2002);
- Merrylands Town Centre Traffic and Transport Study by Ove Arup (2004); and
- Merrylands Town Centre Costing Study by GTA (2006).

Nonetheless, further refinement of the measures required has been undertaken in light of consultations with the Roads and Traffic Authority. This refinement has included expanding the area contributing towards these measures to include the Neil Street Precinct and substituting a new road (within the Neil Street Precinct) for certain previously proposed intersection upgrades. The cost of the proposed new road was estimated in the S94 Contribution Plan Costing for Drainage and Roadworks for the Neil Street Precinct, prepared by SMEC in 2005. This costing has been further modified, in light of the above-mentioned 2006 GTA study, to incorporate a signalised intersection with Neil Street.

3.4.1 Nexus

The proposed traffic management measures are required to ensure that the local road network for the Merrylands Centre (both the Town Centre and the adjacent Neil Street Precinct) can adequately cater for the increased traffic generated as a result of future development within the Centre.

3.4.2 Apportionment

Certain works located within both the Neil Street and Merrylands Town Centre Precincts are considered critically necessary to further development of the entire Merrylands Centre (both the Neil Street and Town Centre Precincts). Unless these works are carried out, redevelopment within the two precincts, as envisaged under Holroyd Development Control Plans No. 44 and 45 respectively, is considered likely to result in unacceptable traffic conditions throughout the entirety of the Merrylands Centre. Given this, the costs of these works are fully apportioned to new development within the two precincts. The relevant works are the acquisition and construction of a new road within the Neil Street Precinct, connecting Terminal Place and Neil Street (east of Pitt Street), and the upgrading of the following intersections:

- Pitt and Neil Streets;
- Pitt and McFarlane Streets;
- Treves and McFarlane Streets;
- Treves Street and Merrylands Road; and
- Treves and Neil Street.

These works are estimated to cost \$3,892,194, including the new road within the Neil Street Precinct, which is fully apportioned to new development across the entire Merrylands Centre.

In addition, certain other traffic management measures are considered necessary to improve traffic conditions and pedestrian safety within the Merrylands Centre (i.e. both precincts). In these cases, the cost of the necessary works is to be shared by existing and new development. Fair apportionment of these costs is considered to be based upon the increase in traffic generation for the Merrylands Centre as a whole.

The relevant works are the upgrade of Merrylands Road, the acquisition and construction of new north-south laneway between Merrylands Road and McFarlane Street, east of Treves Street, and the upgrade of the following intersections:

- Pitt Street and Terminal Place;
- Terminal Place and Merrylands Road; and
- Pitt Street and Merrylands Road.

Based on the development information indicated above in Section 3.3 of this Plan and the traffic generation rates indicated below in Section 3.4.3, 31.37% of the costs these works are apportioned to new development within the Merrylands Town Centre and Neil Street Precincts. This is based upon traffic generated by the Merrylands Centre as a whole, increasing by 25,427 daily vehicle trips (from an estimated 55,616 to 81,043).

These works are estimated to cost \$2,951,495. Of this, 31.37% or \$926,010 is apportioned to new development within Merrylands Centre (i.e. the two precincts).

3.4.3 Contribution Rates

To ensure that the cost of the various traffic management works is equitably shared, contributions are calculated on the basis of traffic generation. Contribution rates are calculated on the basis of daily vehicle trips generated by anticipated development.

The following trip generation rates, based on the 1993 RTA Guidelines, have been assumed for future development within the Neil Street Centre precinct:

| Development Type | DVT | Unit | Notes |
|-------------------------|------------|---|--------------------------------|
| Residential | 4.50 | Average dwelling | 88.38m ² floor area |
| Commercial | 0.10 | m ² Gross Leasable Floor Area (GLFA) | |
| Retail | 1.21 | m ² GLFA | |
| Restaurants | 0.60 | m ² GLFA | |
| Cinemas | 1.20 | m ² GLFA | twice restaurant rate |
| Clubs and hotels | 1.23 | m ² licensed floor area | 123 DVT / 100m ² |

DVT = Daily vehicle trips.

In addition, it is anticipated that there will be no net increase in non-residential floor space within the Neil Street Centre. This is upon the basis that the majority of the Precinct will be redeveloped for mixed use development, with residential predominating above ground floor level. The above rates for non-residential development are included principally to allow calculation of inferred credits for existing useable floor area relevant to the calculation of future contributions.

The costs of the Merrylands Centre Traffic Management works indicated in Section 3.4.2.1 of this Plan are attributed to new development in Merrylands Centre (i.e. Merrylands Town Centre and Neil Street Precinct) under both this Plan and the Merrylands Town Centre Precinct Section 94 Development Contributions Plan. These are estimated at \$7,611,820.

The contribution rate per vehicle trip generated is calculated as follows:

Contribution Rate = Cost Attributable to new development / additional Daily Vehicle Trips generated

CR = CA / DVT
 = \$7,611,820 / 25,427 vehicle trips daily
 = \$299.37 per vehicle trip.

For non-residential development, specific contribution rates, per square metre of gross leasable floor area, are calculated upon the basis of the traffic generation rates in Table 3.4.3A above. For residential development, average floor area and traffic generation figures used to calculate contribution rates for various sized dwellings is indicated in Table 3.4.3B below.

| TABLE 3.4.3B FUTURE DWELLINGS: FLOOR AREA & NO. OF BEDROOMS | | | |
|---|------------|--------------------------------------|---------------------|
| | Proportion | Average Floor Area (m ²) | Daily Vehicle Trips |
| 1 bedroom dwellings | 7.50% | 60.00 | 3.1 |
| 2 bedroom dwellings | 80.00% | 90.00 | 4.6 |
| 3 bedroom dwellings | 12.50% | 95.00 | 4.8 |
| Overall | - | 88.38 | 4.5 |

3.4.4 Schedule of Works

The proposed schedule of works is outlined below.

| TABLE 3.4.4 MERRYLANDS CENTRE TRAFFIC MANAGEMENT WORKS PROGRAM | | | |
|--|---|--------------------------------|---|
| ACTIVITY | SCHEDULE OF WORKS | COST SUMMARY | TIMING/THRESHOLDS |
| Merrylands Centre Traffic Management | 1. Intersection of Pitt & Neil Streets | \$1,681,126 | } Upon redevelopment of Merrylands Mall ⁴ |
| | 2. Intersection of Treves & McFarlane Streets | \$1,551,495 | |
| | 3. Intersection of Treves Street & Merrylands Road | \$186,606 | |
| | 4. Intersection of Treves & Neil Streets | \$334,057 | |
| | 5. Intersection of Pitt & McFarlane Streets | \$138,910 | |
| | 6. New north-south laneway (northern section) | \$948,308 | 2007/08 |
| | 7. Intersection of Pitt Street & Terminal Place | \$429,992 | 2009/10 |
| | 8. Intersection of Terminal Place & Merrylands Road | \$342,421 | 2009/10 |
| | 9. Intersection of Pitt Street & Merrylands Road | \$227,484 | 2009/10 |
| | 10. New north-south laneway (southern section) | \$948,307 | 2011/12 |
| | 11. New road, Neil Street – Terminal Place | \$2,793,616 | 2013/14 |
| | 12. Merrylands Road upgrade | \$54,983 | As development and receipt of contributions permit |
| | Total | \$9,637,305² | |

Note to table:

¹ Merrylands Mall site is located at 191-201 Pitt Street.

² Includes \$2,025,485 of costs not attributable to new development.

The timing of the above works may be revised in light of the issues noted in Section 1.1 Summary Works Program. The location of the various traffic management works is shown in the map entitled “Traffic Management Works” appended to this Plan.

3.5 Neil Street Precinct Access

Currently, vehicular and pedestrian access is limited to Gladstone, Pitt and Neil Streets and Terminal Place. While this is adequate given the current character of the Precinct and the mix of land uses, redevelopment for mixed residential, retail and commercial development, with higher densities and activity levels, will require additional access to, from and through the area. A number of new roads are therefore required to provide improved internal access to the Neil Street Precinct.

3.5.1 Nexus

A number of new roads are proposed within the Neil Street Precinct in addition to the new road referred to in Section 3.4 above. The role of these roads is to:

- provide direct property access;
- ensure ease of circulation within and around the Precinct; and
- improve connections between the Precinct with adjoining areas, in particular the Merrylands Town Centre and Holroyd Gardens.

Appropriate development of the Precinct requires these connections and it is upon this basis that Council seeks to levy contributions towards their provision.

3.5.2 Apportionment

As the proposed new local roads are required to facilitate appropriate development with the Neil Street Precinct, the full cost of these works, as indicated in Section 3.5.4, are fully attributed to new development within the Neil Street Precinct. These are estimated at \$8,824,827, inclusive of \$2,250,000 land acquisition costs.

3.5.3 Contribution Rates

Contribution Rate = Cost Attributable to new development / additional Daily Vehicle Trips generated

$$\begin{aligned}
 CR &= CA / DVT \\
 &= \$8,824,827 / 4,500 \text{ vehicle trips daily} \\
 &= \$1,961.08 \text{ per vehicle trip.}
 \end{aligned}$$

Specific contribution rates, for residential and non-residential development, are calculated in accordance with the vehicle trip generation rates indicated in Tables 3.4.3A and 3.4.3B above.

3.5.4 Schedule of Works

The proposed schedule of works is outlined below.

| TABLE 3.5.4 NEIL STREET PRECINCT ACCESS WORKS PROGRAM | | | |
|---|--|--------------------|--|
| ACTIVITY | SCHEDULE OF WORKS | COST SUMMARY | TIMING/THRESHOLDS |
| Neil Street Precinct Access | 1. Land acquisition | \$2,250,000 | 2012/13 |
| | 2. Gladstone Street reconstruction | \$1,161,259 | 2014/15 |
| | 3. Neil Street reconstruction | \$1,325,778 | 2016/17 |
| | 4. Pitt Street and Terminal Place reconstruction | \$1,549,196 | 2017/18 |
| | 5. New Road 1 (north) construction | \$435,125 | As development and receipt of contributions permit |
| | 6. New Road 2 construction | \$1,588,303 | |
| | 7. Sheffield Street extension (construction) | \$515,167 | |
| | Total | \$8,824,827 | |

The timing of the above works may be revised in light of the issues noted in Section 1.1 Summary Works Program. The location of the various access works is shown in the map entitled "Neil Street Access Works" appended to this Plan.

3.6 Open Space and Public Domain

New development in the Precinct will incur a demand for an improved public domain. An improved public domain will match the growth and changing nature of the Merrylands Centre, and the Neil Street Precinct in

particular, from one which has had a purely retail / commercial / industrial focus to one which will have residential and retail / commercial focus. Public domain improvements include paving, plantings, artworks, thresholds, street furniture, lighting and signage. These works are required to:

- accommodate increased future levels of pedestrian traffic;
- improve pedestrian safety;
- improve the environmental quality; and
- enhance the appearance and vitality of the Town Centre.

Proposed public domain improvements are documented in the Merrylands Town Centre Public Domain Masterplan Report 2006. New development in the Town Centre Precinct will fund these works through development contributions under and the Merrylands Town Centre Precinct Section 94 Development Contributions Plan.

Within the Neil Street Precinct, similar works are proposed so that a similar standard of public domain is provided. These will be funded through development contributions under this Plan.

In addition, new local open space is proposed within the Precinct. This will serve three purposes:

- to provide local passive recreation opportunities for the future residents, workers and customers of the Precinct;
- to create a positive landscape feature as the central focus of the Precinct, thereby improving the outlook for future dwellings within the Precinct; and
- to act an overland flow path in times of major storm events, when the capacity of the proposed upgraded trunk drainage system (see Section 3.6) is exceeded.

3.6.1 Nexus

The proposed open space and public domain improvements will benefit both business and residential development through increasing the overall attractiveness, amenity, convenience, safety, security and efficiency of the Precinct. This is especially important given the significantly increased development opportunities and change in focus for the Precinct. All development will benefit from the sum of the works, and therefore it is not necessary to discriminate between different works and location of development within the Neil Street Precinct. While a given location may benefit more from one particular work than another may, overall, application of a single contribution rate is expected to be reasonably balanced.

The improvement works will benefit new development that occurs over the next thirteen (13) years until 2020. Merrylands Town Centre DCP 44 – Neil Street Precinct (DCP 44) and Amendment No. 42 to Holroyd LEP 1991 permit an increase in development opportunities and it is anticipated that this will result in all properties being redeveloped. This will change the focus and character of the Precinct from one of relatively low density retail, commercial and industrial development to one of high density residential, retail and commercial development. It will also significantly increase the intensity of activity within the Precinct, particularly pedestrian activity through the public domain.

Council considers the amenity provided by the public domain within the Precinct is generally suitable for the existing levels of activity generated by current workers and shoppers. Nonetheless, the existing streetscape and public domain are not considered suitable for the levels of activity likely once redevelopment occurs in line with DCP 44 and LEP Amendment No. 42. Accordingly, Council now seeks to further upgrade the public domain, through development contributions, to achieve a level of amenity commensurate with future development.

This linkage of development density, pedestrian activity and the quality of the public domain has been used previously to justify public domain improvements in other centres in the metropolitan area. Centres such as Kogarah, Burwood and Auburn are considered examples of similar changes in character and scale of development requiring and then leading to improved streetscape and public domain. It is the basis for levying development contributions for public domain improvements under the Merrylands Town Centre Precinct Section 94 Development Contributions Plan. Council considers it reasonable to apply the same rationale to the Neil Street Precinct.

Further, while future residents, workers and visitors of the Precinct will also use open space in adjoining areas, provision of local passive open space within the Precinct is required to create an attractive, livable residential area. On this basis, Council considers it reasonable to seek development contributions from all development in the Precinct towards provision of the proposed open space.

3.6.2 Apportionment

The full cost of the proposed open spaces and public domain improvements is apportioned to new development within the Neil Street Precinct.

Full apportionment of the projected public domain costs is considered appropriate given the change in character and increase in activity anticipated to result from future development. Similarly, given that the proposed open space is centrally located within the Precinct and is expected to primarily serve its residents, full apportionment of the projected open space costs is considered appropriate.

Nonetheless, no contributions will be levied for residential development within the Precinct under Council's Section 94 Plan for Open Space and Recreation for local open space. This is to ensure that:

- there is no “double-dipping”, i.e. contributions are not sought twice for the provision of local open space;
- development contributions for local open space reflect the fact that development, both inside and outside the Precinct, will be served by all local open space, whether within the Precinct or without; and
- the overall contribution rate for open space for development in the Precinct is not excessive.

The various proposed open spaces and public domain improvements, having a total cost of \$7,599,013, are listed below in Section 3.5.4. This includes land acquisition costs of \$3,500,000.

3.6.3 Contribution Rates

It is considered reasonable to fund the proposed Public Domain improvements through contributions on all new development within the Neil Street Precinct. Given that the Precinct is to undergo a change in focus from purely non-residential (retail – commercial – industrial) to mixed use (residential – retail – commercial), it is also considered reasonable to base contribution rates upon “useable floor area”. This reflects the demand generated by all development for the improvements and the use of the public domain by workers, shoppers and other visitors generated by all new development.

Similarly, while the proposed open space will primarily benefit future residents, future workers, customers and other visitors will also make use of this resource. For this reason, it is considered reasonable to levy contributions from all development for the proposed open space.

Further, by levying contribution on the basis of useable floor area, Council will not influence the future mix of residential and non-residential development in the Precinct.

Nonetheless, it is anticipated that there will not be a net increase in non-residential floor space, such that future contributions for such floor space, towards public domain improvements and open space, are likely to be minor. Such contributions will therefore reflect changes in use that increase demand for these facilities, such as retailing and restaurants.

For licensed premises (clubs, hotels and bars), “useable floor area” is considered to be the licensed floor area, as this best indicator of the demand that such development generates. Useable floor area for other non-residential development is considered to be gross leasable floor area. For residential development, it is considered to be the internal floor area of dwellings (i.e. excluding common access stairwells and the like).

Net additional useable floor area arising from projected development is estimated at 88,380m², being 1,000 dwellings, with an average floor area of 88.38m² (68,053m²).

The costs attributable to new development are estimated at \$7,599,013. Calculation of the base contribution rate is as follows:

Contribution Rate = Cost Attributable to new development / net additional useable floor area

$$\begin{aligned} \text{CR} &= \text{CA} / \text{FA} \\ &= \$7,599,013 / 88,380\text{m}^2 \\ &= \$85.99 / \text{m}^2 \text{ useable floor area.} \end{aligned}$$

3.6.4 Schedule of Works

The proposed schedule of works is outlined below. The majority of works will only proceed as contributions are received. Further, as paving and similar works may be damaged when construction occurs on adjoining land, Council will seek the provision of works in kind. In some cases, however, Council may prefer to receive monetary contributions, with public domain works in a given area or street being carried out when more than 75% of adjoining sites have been redeveloped.

A number of works have been tied to the redevelopment of Merrylands Mall, as this is anticipated in the short-term.

| TABLE 3.6.4 PUBLIC DOMAIN IMPROVEMENTS WORKS PROGRAM | | | |
|--|---------------------|--------------------|--|
| ACTIVITY | SCHEDULE OF WORKS | COST SUMMARY | TIMING/THRESHOLDS |
| Open Space & Public Domain Improvement | 1. Land acquisition | \$3,500,000 | 2012/13 |
| | 2. Landscaping | \$4,099,013 | As development and receipt of contributions permit |
| | Total | \$7,599,013 | |

The timing of the above works may be revised in light of the issues noted in Section 1.1 Summary Works Program. The location of the proposed open space and public domain improvements works is shown in the map entitled "Open Space and Public Domain Improvements" appended to this Plan.

3.7 Trunk Drainage Works

3.7.1 Existing Situation

The Neil Street Precinct is largely flood liable, being located on the floodplain of A'Becketts Creek. With current stormwater drainage infrastructure, the majority of the Precinct is affected by the 1% Annual Event Probability (AEP), or 1-in-100 year, flood and significant parts affected by less intense, more frequent flood events. In the 1% AEP flood, floodwaters are currently anticipated to exceed 1 metre in depth within the Precinct.

The extent of flooding within the Precinct is largely the result of drainage infrastructure being provided prior to a full understanding of the local flooding regime and the impact of urban development within the catchment. Given the current character of the Precinct, as outlined in Section 3.2 of this Plan, the impact of this degree of flooding has been relatively minor. However, given the anticipated change in character and associated intensification of activity within the Precinct, a reduction in the extent and depth of flooding is considered necessary.

3.7.2 Nexus

Holroyd Development Control Plan No. 44 – Neil Street Precinct (DCP 44) seeks to facilitate the redevelopment of the Precinct for mixed residential / retail / commercial uses at higher densities. However, the Precinct is subject to significant flooding, which reduces its development capacity.

Flooding would reduce the development capacity of the Precinct by:

- requiring raised floor levels for ground floor development, making ground floor retailing, restaurants and similar uses less accessible and attractive; and
- requiring raised entries to basement parking, potentially limiting parking provision, through the need for longer access ramps, and reducing potential ground level floor space.

As a result, DCP 44 includes the provision of roads and swales to provide a 40 metre wide floodway through the middle of the precinct. This will accommodate floodwaters in the most intense floods. However, significant trunk drainage infrastructure, in the form of culverts, primarily beneath the floodway, is also required, to accommodate flows during less intense but more frequent storm and flood events.

In this way, the orderly and economic use of the affected properties, and the activation of the relevant streets, is best achieved through a reduction of the flood planning level. Therefore, it is considered that the appropriate redevelopment of the affected properties generates a demand for the proposed trunk drainage works. The location of the works is shown on the map titled “Trunk Drainage Improvements” appended to this Plan.

3.7.3 Apportionment

Future development of all sites in the Precinct will benefit from a reduction in the flood planning level arising from the proposed trunk drainage works. These works are required to maximise the development potential of these sites. In this way, all future development within the precinct creates a demand for the proposed works. On this basis, it is proposed to fully apportion the cost of the works to future development.

As the demand for the works relates primarily to ground floor development and given that site building coverage is difficult to project, being the product of individual design, it is considered reasonable in this instance to calculate contributions using site area.

3.7.4 Contributions Rates

As indicated above, it is considered reasonable to levy contributions based on site area. Calculation of the contribution rate is as follows:

Contribution rate = Cost Attributable to new development / contribution Area

$$\begin{aligned}
 CR &= CA / A \\
 &= \$8,900,940 / 56,560\text{m}^2 \\
 &= \$157.38 / \text{m}^2 \text{ site area.}
 \end{aligned}$$

3.7.5 Schedule of Works

The proposed schedule of works is outlined below.

| TABLE 3.7.5 TRUNK DRAINAGE WORKS PROGRAM | | | |
|--|----------------------------------|--------------------|--|
| ACTIVITY | SCHEDULE OF WORKS | COST SUMMARY | TIMING/THRESHOLDS |
| Trunk Drainage | 1. Box Culvert A 3600 x 2100 | \$3,810,250 | Following acquisition of relevant land and receipt of adequate contributions |
| | 2. Box Culvert B 4000 x 2100 | \$3,063,221 | |
| | 3. Box Culvert C 2 x 3200 x 2400 | \$2,027,469 | |
| | Total | \$8,900,940 | |

The timing of the above works may be revised in light of the issues noted in Section 1.1 Summary Works Program. The location of the proposed culverts is shown in the map entitled “Trunk Drainage Improvements” appended to this Plan.

3.8 Administration

In accordance with the Section 94 Development Contributions Plan Manual, Council will levy contributions for both:

- previous studies related to works to be levied for under this plan; and
- the employment of a Section 94 Officer, under contract, to administer the plan.

Council has expended \$71,718 on studies related to the subject works. These studies were:

- S94 Contribution Plan Costing for Drainage and Roadworks for the Neil Street Precinct – SMEC 2005 (\$65,564, being the 94.174% of the total cost of the Study, on the basis that the remaining 5.826% is to be recouped under the Merrylands Town Centre Section 94 Development Contributions Plan);
- Land Valuation Report: A New Road within Neil Street Precinct – BEM Land Valuation May 2006 (\$1,780, being 47.94% of the cost of the study, reflecting the proportion of total additional usable floor area in Merrylands Centre that the Neil Street Precinct represents). This Report was prepared to support the Merrylands Town Centre Precinct Section 94 Development Contributions Plan 2006; and
- Land Valuation Report: Proposed New Roads within Neil Street Precinct BEM Land Valuation December 2006 (\$5,940).

It is proposed to engage, on a contract basis, a full-time Section 94 Officer to administer all of Council's development contributions plans. The role is considered equivalent to a senior planner position in Council's strategic planning section. On this basis, the overall cost is estimated as follows:

- an weekly base salary of approximately \$1,189;
- a 3.5% pay premium, in order to attract an appropriate candidate, in light of contract employment rather than permanent tenure;
- with annual salary being 52.2 times this;
- the provision of a leaseback vehicle at a cost to Council of \$13,000; plus
- employment on-costs (employer's superannuation contribution, workers compensation insurance, etc.) of approximately 34%; and therefore
- an annual cost of employment of \$99,079.

This is considered to be the likely cost for such services, regardless of whether the role is carried out by an external consultant or by an internal contracted employee.

It is considered that administration of the relevant plans for the Merrylands Centre (i.e. the Town Centre and Neil Street Precincts) would involve 2 days per week or 40% of the above costs. On the basis of useable floor area, the Town Centre Precinct will represent 47.94% of this, or 19.18% of the annual cost of the Section 94 Officer. This is estimated at approximately \$18,999 per annum.

It is anticipated that full development of Merrylands Town Centre will be achieved within 13 years. As a result, it is estimated that the cost of the Section 94 Officer over the life of this Plan will be approximately \$246,992.

In addition, Council will seek revised land valuations, on an annual basis, for any land to be but yet acquired under this Plan. Land acquisition is not programmed to be complete within the first 5 years of the Plan, so a further \$20,000 for land valuation services (i.e. an annual cost of \$4,000) has been included.

3.8.1 Nexus

Redevelopment within the Neil Street Precinct is facilitated by the various works proposed in this Plan and Holroyd Development Control Plan No. 44 – Neil Street Precinct. These works are to be fully funded by new development, either within the Precinct or the adjacent Merrylands Town Centre Precinct. In accordance with the Section 94 Development Contributions Plan Manual, it is therefore considered that future development creates a demand for the proposed background studies already carried out and for future administration of the Plan.

3.8.2 Apportionment

In accordance with the Manual, Council seeks to recover the full cost of studies and plan administration from new development. In order to recover these costs equitably from all development, Council will seek to impose contributions based upon “useable floor area”. This reflects the demand for the various works included in this plan arises from all development, whether commercial, retail or residential in nature. Further, by levying contributions on the basis of “useable floor area”, Council will not influence the future mix of residential and non-residential development in the Town Centre precinct.

A net increase 88,380m² of “useable floor area” is estimated to result from redevelopment within the Town Centre over the life of the plan.

3.8.3 Contribution Rate

As indicated above, it is considered reasonable to levy contributions based on “useable floor area”. Calculation of the base contribution rate is as follows:

Contribution rate = Costs Attributable to new development / net additional useable Floor Area

$$\begin{aligned}
 CR &= CA / FA \\
 &= (\text{Studies} + \text{Land Revaluation} + \text{Section 94 Officer}) / \text{useable Floor Area} \\
 &= (\$92,834 + \$20,000 + \$246,992) / 88,380\text{m}^2 \\
 &= \$339,843 / 88,380\text{m}^2 \\
 &= \$3.85 / \text{m}^2 \text{ useable floor area.}
 \end{aligned}$$

3.8.4 Schedule of Works

| TABLE 3.8.5 ADMINISTRATION PROGRAM | | | |
|------------------------------------|------------------------------|------------------|--|
| ACTIVITY | SCHEDULE OF WORKS | COST SUMMARY | TIMING/THRESHOLDS |
| Administration | 1. Studies | \$73,284 | Completed 2006 (recoupment) |
| | 2. Annual valuations of land | \$20,000 | 2007-2011 |
| | 3. Section 94 Officer | \$247,009 | Pro-rata over the 13 year life of plan |
| | Total | \$339,843 | |

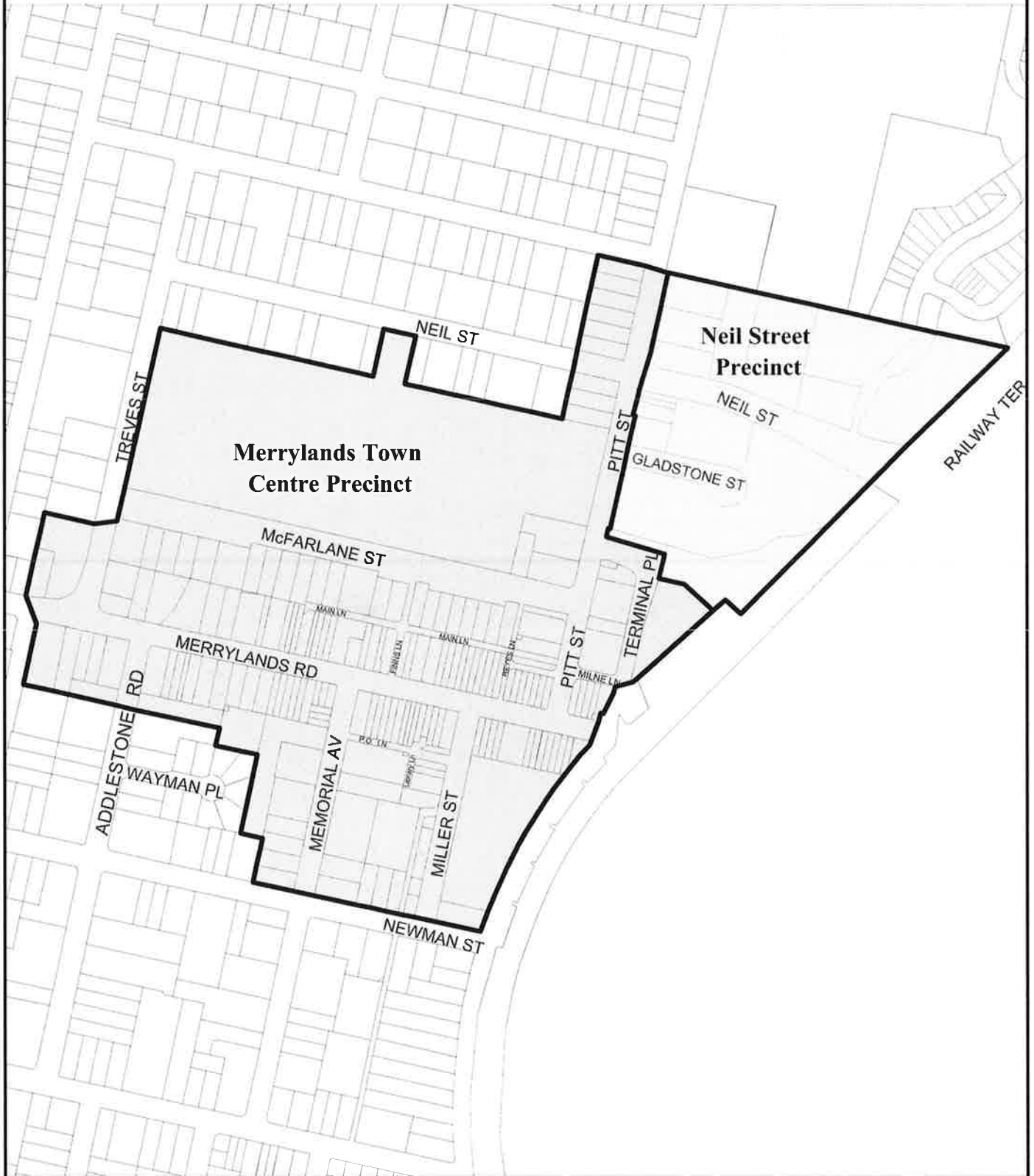
Part D – References

- DMA Strategic Projects Pty Limited v Kogarah Municipal Council [2005]*
– Judgement of Lloyd J – Land and Environment Court 196.
- Economic and Retail Analysis of Merrylands Town Centre* – SGS Economics and Planning, 2002.
- Merrylands CBD Flood Study* – Bewsher Consulting Pty Ltd, 2002.
- Merrylands Neil Street Precinct Development Control Plan No. 44.*
- Merrylands Town Centre Background Report* – Civitas Partnerships.
- Merrylands Town Centre Background Report* – Urban Design Advisory Service, 2002.
- Merrylands Town Centre Cultural Environment Plan* – Guppy and Associates.
- Merrylands Town Centre Draft Development Control Plan No. 45.*
- Merrylands Town Centre Public Domain Master Plan Report* – Zenscapes 2006.
- Merrylands Town Centre Road and Traffic Improvements: Section 94 Costings* – GTA 2006.
- Merrylands Town Centre Traffic and Transport Study* – Ove Arup, 2004.
- Public Domain Improvement Strategy* – Civitas (which was adopted by Council on 6 August 2002).
- S94 Contribution Plan Costing for Drainage and Roadworks for the Neil Street Precinct* – SMEC 2005.
- Traffic Report on the Merrylands Town Centre* – Stapleton and Associates, 2002.
- Valuation of Proposed Merrylands Town Square* – BEM Land Valuation 2006.
- Valuation: A Proposed New Road within Neil Street Precinct* – BEM Land Valuation May 2006.
- Valuation: Proposed New Roads within Neil Street Precinct* – BEM Land Valuation December 2006.


Appendix 1: Maps

MERRYLANDS CENTRE

SECTION 94 DEVELOPMENT CONTRIBUTIONS AREAS



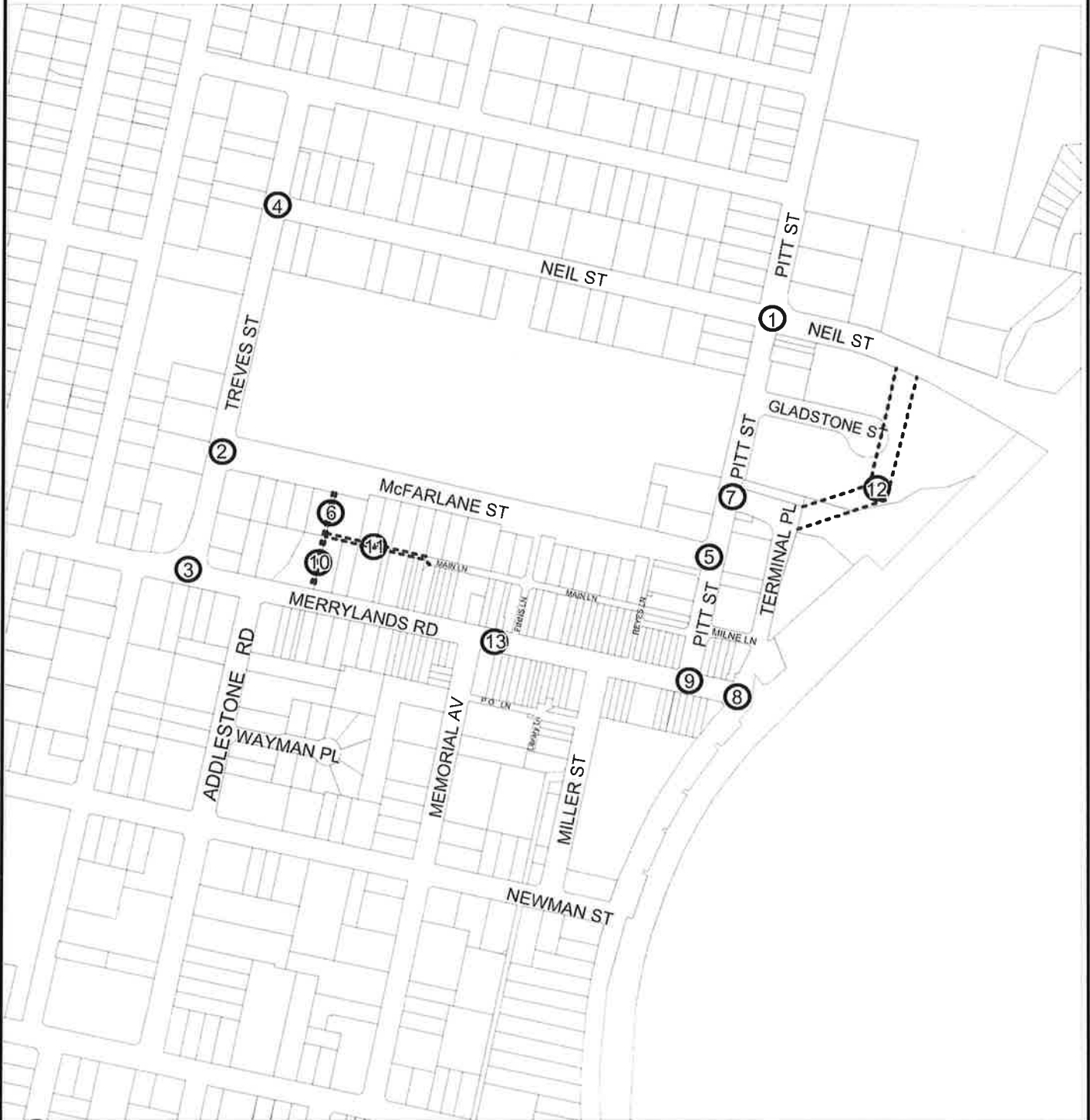
LEGEND

-  MERRYLANDS CENTRE PRECINCT
-  NEIL STREET PRECINCT



SCALE 1 : 5000

MERRYLANDS CENTRE TRAFFIC MANAGEMENT WORKS

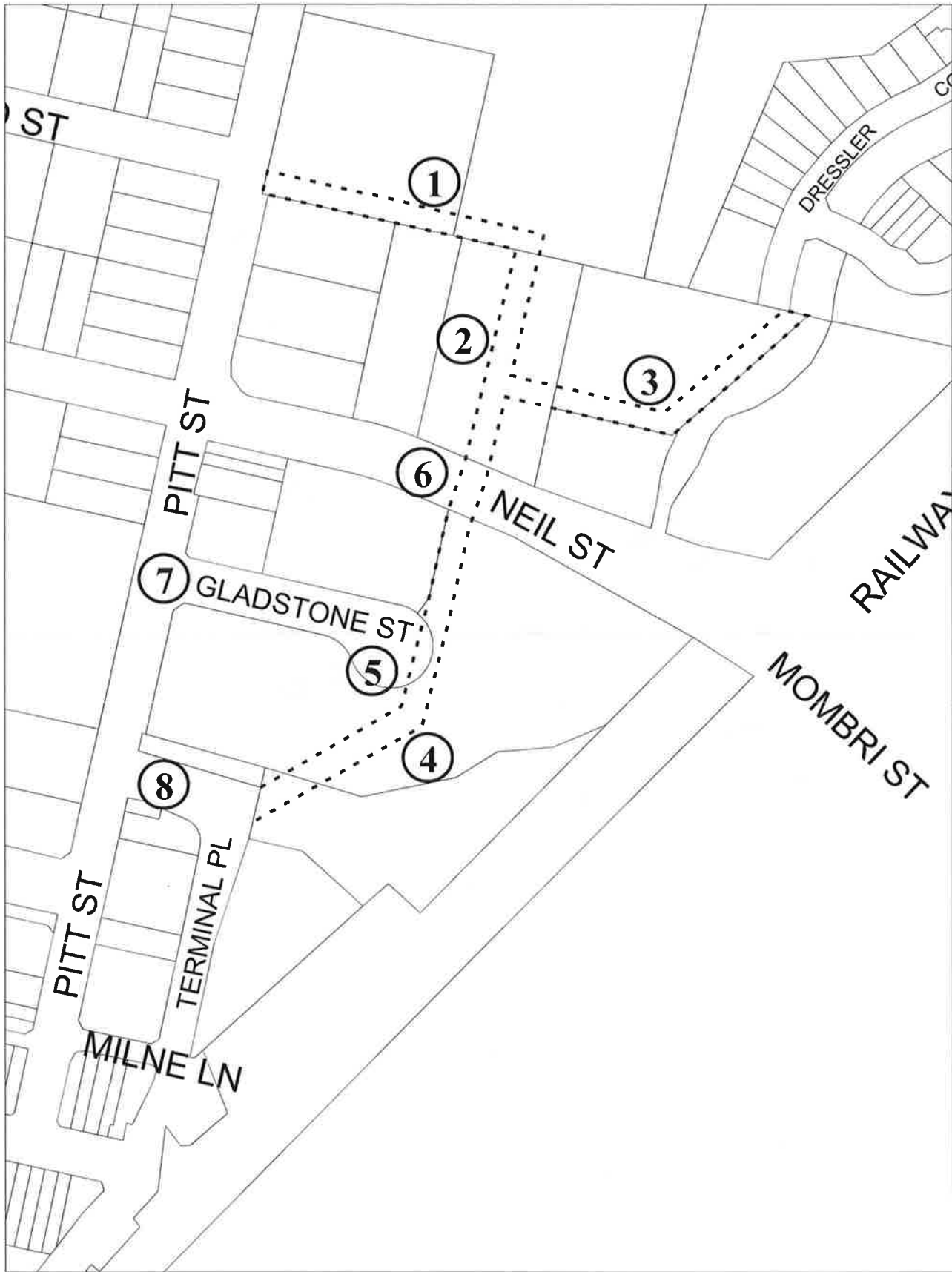


- ① Intersection Pitt ST & Neil ST
- ② Intersection Trevest ST & McFarlane ST
- ③ Intersection Trevest ST & Merrylands RD
- ④ Intersection Trevest ST & Neil ST
- ⑤ Intersection Pitt ST & McFarlane ST
- ⑥ New North-South Laneway (Northern Section)
- ⑦ Intersection Pitt ST & Terminal PL
- ⑧ Intersection Merrylands RD & Terminal PL
- ⑨ Intersection Pitt ST & Merrylands RD
- ⑩ New North-South Laneway (Southern Section)
- ⑪ Main Lane Extension
- ⑫ New Road, Neil ST - Terminal PL
- ⑬ Merrylands Road Upgrade



SCALE 1 : 5000

NEIL STREET PRECINCT
ACCESS WORKS



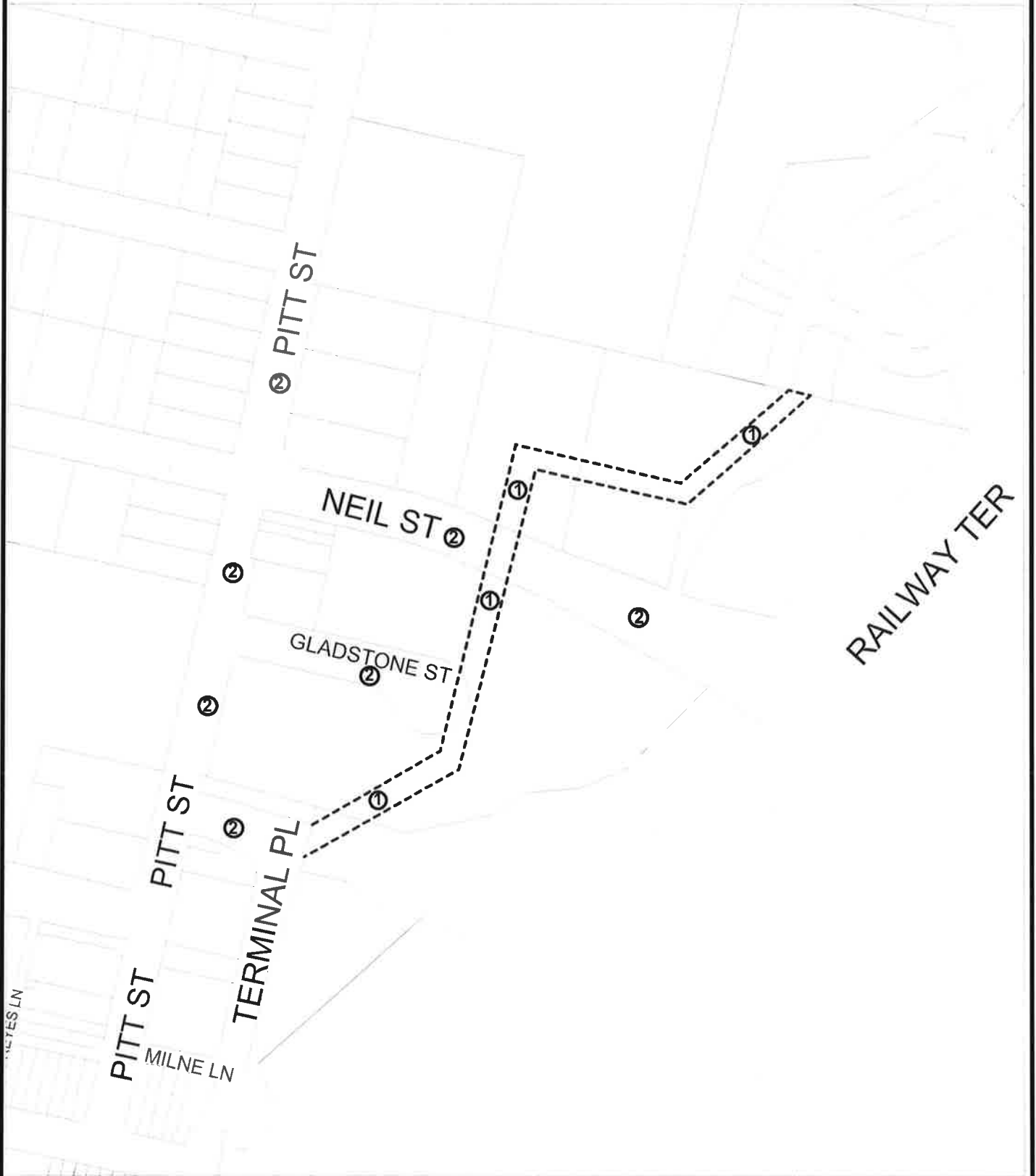
- ① SHEFFIELD ST EXTENTION
- ② NEW RD 1 NORTH
- ③ NEW RD 2
- ④ NEW RD 2 SOUTH (MERRYLANDS CENTRE TRAFFIC MANAGEMENT WORK)
- ⑤ GLADSTONE ST RECONSTRUCTION
- ⑥ NEIL ST RECONSTRUCTION
- ⑦ PITT ST RECONSTRUCTION
- ⑧ TERMINAL PL RECONSTRUCTION



Scale 1:2500

02:05:2007

NEIL STREET PRECINCT OPEN SPACE & PUBLIC DOMAIN IMPROVEMENT WORKS

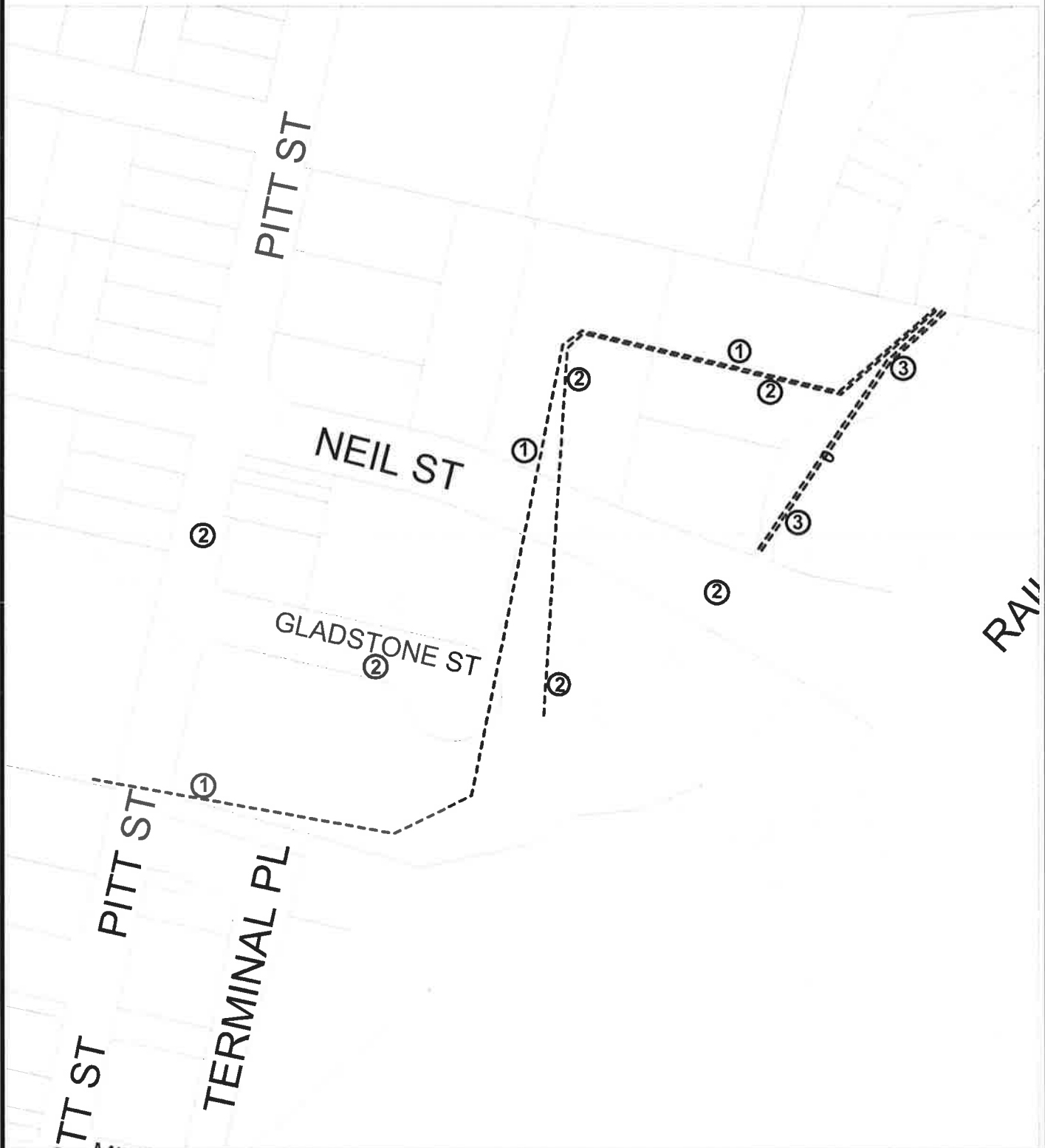


- ① LOCAL OPEN SPACE & DRAINAGE SWALES
- ② PUBLIC DOMAIN IMPROVEMENTS FOR EXISTING STREETS



SCALE 1 : 2500

NEIL STREET PRECINCT TRUNK DRAINAGE IMPROVEMENT



- ① BOX CULVERT A 1 X 3600MM X 2100MM
- ② BOX CULVERT B 1 X 4000MM X 2100MM
- ③ BOX CULVERT C 2 X 3200MM X 2400MM



SCALE 1 : 2000