



**WYONG SHIRE
COUNCIL**

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F2004/00552

30 January 2009

Local Contributions Review Panel
Department of Planning
GPO Box 39
Sydney NSW 2001

NOTICE OF INTENT - WYONG SHIRE COUNCIL TO SEEK APPROVAL TO IMPOSE CONTRIBUTIONS OVER \$20,000

I refer to the above, and the requirements contained within Planning Circular PS 09-001, released on 23 January 2009.

Wyong Shire Council hereby provides notice that it intends to seek approval from the Minister to impose contributions over the maximum amount specified in the 94E Direction for several affected contributions plans, being Warnervale District Contributions Plan, The Entrance District Contributions Plan and Draft Warnervale Town Centre Contributions Plan. The Shire Wide Contributions Plan is also affected as it contributes to contributions being over \$20,000 in the aforementioned plans.

Council also provides notice that it has engaged an independent consultant, Newplan Urban Planning Solutions, to undertake a significant review of the Warnervale District Contributions Plan. The details of each affected contributions plan are outlined below.

Warnervale District Contributions Plan (CP7A)

CP7A has been in existence since 1998 and has been the subject of numerous reviews and amendments over the past 11 years. CP7A covers the new suburbs of Woongarah, Hamlyn Terrace and Wadalba, which are now 63% developed, with 2009 lots remaining to be developed. See Attachment 1 for a copy of CP7A. See Attachment 2 for the current rates applicable within the CP7A area.

On the following page is a summary of the contribution rates applicable in each of the sub-catchments within the CP7A area, assuming a lot size of 500m² (this assumption is important as the contribution rates for CP7A are based on both Development Unit (DU) and Nett Developable Area (NDA) calculation methods. This methodology is also being reviewed by Newplan.

Catchment	Total Rate per DU/lot (500m ²)
A	\$34,366
B	\$39,096
C	\$35,688
D	\$36,204
E	\$39,200
F	\$42,965
G	\$36,220
H	\$35,194

As stated previously, Council has engaged Newplan Urban Planning Solutions to undertake a significant independent review of the Warnervale District Contributions Plan. This review will be carried out over the next month, with the following accompanying information being submitted with a formal written request to impose contributions over \$20,000 by the 2 March deadline:

- a detailed submission outlining inter alia the history of the plan; how much of the area has been developed and how much remains to be developed; how much money has been collected and spent in the area
- the results of the independent review, including justification for charging current contribution rates and/or opportunities for reductions in contribution rates
- a draft amending contributions plan for the Warnervale District, drafted in accordance with the Environmental Planning and Assessment Amendment Act and incorporating results of the above review.

The Entrance District Contributions Plan (CP3)

The following table shows the current rates applicable within the CP3 area, except for car parking within the town centre, which is discussed in further detail below. See Attachment 3 for a copy of CP3.

Community Facilities		Open Space			Drainage	Roads and Intersections
Land \$/DU	Works \$/DU		Land \$/DU	Works \$/DU	Entrance North - \$/m ³ of site filled up to RL 1.4	\$/3 bedroom unit
1,807	2,176.65	The Entrance North Entrance Long Jetty	384	2,111.75	0	6,611.45
					15.95	
					0	
		Bateau Bay	0	2,602.66	0	

The current contribution rates per DU (3 bedroom dwelling), including shire wide contributions, within the CP3 area are below the maximum \$20,000 per dwelling cap (shown in the first table on the following page).

CP3 also contains a carparking scheme for the commercially zoned area of The Entrance Town Centre. The commercial zone permits residential development associated with commercial development, meaning that a developer who cannot provide all of the required carparking spaces on site has the option of paying towards public carparking. The current rate per DU for providing one carparking space is \$19,946.46, which results in a total contribution per dwelling (only those dwellings that do not provide their own on-site carparking space and only in the town centre) above the \$20,000 cap. This is shown in the table below.

Precinct	Normal rate per DU (3 bedroom dwelling without fill)	Rate per DU including car parking space in town centre
The Entrance/The Entrance North/Long Jetty	\$14,272.15*	\$34,218.61
Bateau Bay	\$14,379.06*	-

* including Shire Wide contributions

Shire Wide Contributions Plan (CP11)

Shire wide contributions are currently imposed on all new residential dwellings and while being well below the \$20,000 cap in isolation, they have an impact on contributions imposed in areas covered by CP7A, CP3 and Draft WTC CP.

The following table shows the current shire wide contribution rates per DU by category. See Attachment 4 for a copy of CP11.

Category	Rate per Dwelling Unit
Library Stock & PC's	\$282.89
Performing Arts Centre & Public Art Commissions	\$357.89
Regional Open Space	\$154.61
Shire Cycleway Network	\$317.18
Administration	\$68.70
Total	\$1,181.27

Draft Warnervale Town Centre Contributions Plan (Draft WTC CP)

Council has been working with the Department of Planning over the past 14-15 months to review the affordability and apportionment of contribution rates within the Warnervale Town Centre (WTC) and the Wyong Employment Zone (WEZ). It should be noted that the Draft WEZ CP is not affected by the \$20,000 cap as it covers employment land only.


At the Department's request, Council has engaged Newplan Urban Planning Solutions to independently review the Draft WTC CP and Draft WEZ CP; however, given that Newplan will be reviewing and amending CP7A over the next month to meet the 2 March submission deadline, Council will not be in a position to have the results of the independent review or provide revised drafts of the WTC and WEZ CPs by the end of February.

Based on discussions held with the Department's Brett Whitworth and Robert Hodgkins this afternoon, Council understands that the current version of the Draft WTC CP will need to be submitted to the Local Contributions Review Panel by the 2 March deadline but will not be considered by the panel until such time as the current independent review has been completed and Council has had the opportunity to revise the draft plan. It would be appreciated if this verbal advice could be confirmed in writing by the Department as soon as possible. See Attachment 5 for a copy of the previously exhibited Draft WTC CP.

In review and preparation of final contributions plans for both the WTC and WEZ, Council will continue to liaise with the Department and have regard to the requirements of the Environmental Planning and Assessment Amendment Act, all relevant planning circulars and the latest Section 94E Direction.

Please do not hesitate to contact Council's Acting Senior Contributions Officer, Wesley Wilson, on 4350 5500 or wesley.wilson@wyong.nsw.gov.au if you would like to discuss the above further.

Yours faithfully



Paul Bowditch
Acting Manager
FUTURE PLANNING

Encl.