



# Section 7.11 Development Contributions Plan

2020 – 2030

Prepared by DFP Planning Pty Ltd



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## Executive Summary

### Purpose and Objectives of the Plan

This Plan is the **Hornsby Shire Council Section 7.11 Development Contributions Plan 2020-2030** and has been prepared to satisfy the requirements of the Environmental Planning and Assessment Act and Regulation, enabling Council or an accredited certifier to levy contributions from development for the provision of [community infrastructure](#) that is required to meet the demands of that development.

In order to levy these contributions when granting consent to development, Council must be satisfied that the proposed development will or is likely to require the provision of or increase the demand for the [community infrastructure](#) for which the levy is being required.

This Plan will ensure that adequate [community infrastructure](#) is provided to meet the demands generated by new development and that the existing community is not burdened by the provision of community infrastructure required as a result of future development.

In addition, this Plan provides an administrative framework under which specific community infrastructure strategies may be implemented and coordinated and a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions on a reasonable and equitable basis. In this way, Council can be publicly and financially accountable in its assessment and administration of the Plan.

### Nature of future development

From 2020 to 2030, there is forecast to be 7,735 additional private residential dwellings in the Hornsby LGA which will generate an additional population of 16,595 new residents in private dwellings.

There is also estimated to be an increase in employment generating floor space comprising 5,000m<sup>2</sup> of retail floor space and 1,000m<sup>2</sup> of commercial floor space whilst, overall, the quantum of industrial floor space is anticipated to decline slightly. This new non-residential floor space will generate approximately 265 additional workers in the LGA.

These future residential and non-residential populations will create a demand for new, enhanced or augmented community infrastructure and hence all new residential and non-residential development is to be levied under this Plan.

### Life of the Plan

The Plan caters for a planning period from 2020 to 2030 which is the period for which residential population and employment forecasts have been prepared, based on a number of Council strategies which provide for additional development over this period.

The Plan will be monitored during this time to ensure that community facilities are provided as development proceeds and to amend the Plan if necessary, as it is unlikely that growth will remain exactly in accordance with that forecast in the Plan.

The cost estimates and land values within the Plan will be indexed between the date of adoption of this Plan and the date of payment of the contribution. Cost estimates and land values will also be monitored during the life of the Plan to ensure that they reflect current costs and if necessary, amendments will be made to the Plan.

### Apportionment of costs

To ensure that future development is only levied for the demand it generates, the cost of some facilities in this Plan are apportioned to account for demands of the existing population. However, where the demand for facilities is solely as a consequence of future development, the full costs of those facilities are to be borne by future development.

This Plan also accounts for the varying demands generated by different types of development. Where for instance, residential development generates greater demand for a particular facility than does non-residential development, it will be levied a greater proportion of the costs of that facility. Apportionment rationales are detailed within the Plan and relate to, amongst other things, the level of traffic generation of different types of development.

### Summary of contributions by facility type

**Table E1** summarises the facilities for which contributions are sought under this Plan and the base upon which levies are to be sought:

Table E1: Summary of Contribution Rates by Facility Type by Sub-Catchment				
Facility Category	Base Factor to Generate Contribution Rate	Sub-Catchment <sup>A</sup>		
		North	Central	South
Local Roads	per Peak Vehicle Trip (PVT)	\$2,689.93	\$6,241.02	\$2,304.86
Local Car Parking	per car parking space not provided on-site <sup>B</sup>	N/A	\$29,753.20	N/A
Local Open Space and Recreation	per person (residential only)	\$5,464.32	\$5,464.32	\$5,464.32
Local Community Facilities	per person (residential only)	\$3,365.52	\$3,365.52	\$3,365.52
Plan Preparation and Administration	% of underlying contribution	0.5%	0.5%	0.5%
Road Haulage	per tonne	See Note C		
Notes:				
A. Refer to <a href="#">Figure 1</a> and <a href="#">Appendix C</a> for Sub-Catchment boundaries				
B. Applies to non-residential development in Hornsby Town Centre only (see Section 4.2 and <a href="#">Appendix C</a> ).				
C. Applies to <a href="#">agriculture</a> , <a href="#">extractive industry</a> , <a href="#">forestry</a> , <a href="#">freight transport facilities</a> , <a href="#">industry</a> , <a href="#">mining</a> , <a href="#">rural industry</a> , <a href="#">transport depots</a> , <a href="#">truck depots</a> and <a href="#">waste or resource management facilities</a> (see Section 4.5).				

For the purposes of applying this Plan, the above rates are converted to a development type as set out in **Table E2**.

### Summary of contributions by development type

**Table E2** summarises the total contribution rates per development type as at the time that this Plan is publicly exhibited. The rates will be indexed after public exhibition so that they accurately reflect the costs at the date of commencement of the Plan.

The rates will be indexed between the date of commencement of the Plan and the date of payment (see Section 2.6 for further details). A development consent or complying development certificate will reflect the indexed rate that applies at the date of consent.

Table E2: Summary of Contribution Rates by Development Type

Development Type	Base (per)	Occupancy Rate <sup>A</sup>	Peak Vehicle Trips (PVTs) <sup>B</sup>	Contribution by Sub-Catchment <sup>C</sup>		
				North	Central	South
<a href="#">Dwelling House</a> / Lot / <a href="#">Exhibition Home</a>	Per dwelling	3.14	0.95	\$30,432.55 <sup>D</sup>	\$33,822.95 <sup>D</sup>	\$30,064.90 <sup>D</sup>
<a href="#">Residential Accommodation</a> <sup>E</sup>	Per dwelling	2.44	0.65	\$23,409.74 <sup>D</sup>	\$25,729.49 <sup>F</sup>	\$23,158.19 <sup>D</sup>
<a href="#">Secondary Dwellings</a> (granny flats)	Per dwelling	1.40	0.40	\$13,504.94	\$14,932.48	\$13,350.14
<a href="#">Residential Flat Buildings</a> and <a href="#">Shop Top Housing</a> with 1 bedroom / bedsit	Per dwelling	1.40	0.19	\$12,937.23	\$13,615.31	\$12,863.70
<a href="#">Residential Flat Buildings</a> and <a href="#">Shop Top Housing</a> with 2 bedrooms	Per dwelling	2.36	0.19	\$21,456.26 <sup>D</sup>	\$22,134.34 <sup>D</sup>	\$21,382.73 <sup>D</sup>
<a href="#">Residential Flat Buildings</a> and <a href="#">Shop Top Housing</a> with 3 or more bedrooms	Per dwelling	2.83	0.27	\$25,843.31 <sup>D</sup>	\$26,806.90 <sup>D</sup>	\$25,738.82 <sup>D</sup>
<a href="#">Seniors Housing</a> <sup>F</sup>	Per dwelling	1.75	0.40	\$16,610.84	\$18,038.38	\$16,456.04
<a href="#">Retail Premises</a>	Per 100m <sup>2</sup> GFA	4.00	3.8	\$10,272.85	\$23,834.45	\$8,802.24
<a href="#">Business Premises</a> and <a href="#">Office Premises</a>	Per 100m <sup>2</sup> GFA	6.67	1.6	\$4,325.41	\$10,035.56	\$3,706.21
Other Development	See Note G					
<b>Notes:</b> A. These are the occupancy rates for future residential development (excluding existing development) or workers as forecast to 2030. B. Peak Vehicle trips adopted for this plan based on RMS Guidelines and Technical Direction (TDT 2013/04a) C. All figures exclude Hornsby Town Centre Car Parking and Road Haulage. D. Contributions specified in this Table and/or in this Plan will be applied to the extent permitted by prevailing Ministerial Directions relating to contributions thresholds (see Section 2.7 of this Plan). E. Excluding boarding houses, dwelling houses, group homes, hostels, residential flat buildings, shop top housing, secondary dwellings (granny flats) and seniors housing. F. Excluding residential care facilities. G. Other development not specified in this table will be assessed in accordance with Section 1.5 of this Plan and the per person (residential), per worker (non-residential) and per PVT rates specified in <a href="#">Table E1</a> .						

### Summary of works schedule

The works to be provided by funds generated by this Plan are summarised in the **Table E3**. The individual projects are specified in the schedule of works at [Appendix B](#).

Table E3: Summary of Works Schedule <sup>A</sup>	
Description	Cost to New Development
Local Road Facilities	\$9,953,400
Local Open Space and Recreation Facilities	\$90,695,472
Local Community Facilities	\$55,860,150
<b>TOTAL</b>	<b>\$156,509,022</b>
<b>Notes:</b> A. Figures in this table exclude plan preparation and administration costs which are levied based on a fixed percentage of the underlying contribution.	

### Rounding differences

The figures in this report are subject to rounding differences. Minor discrepancies may occur due to differences between the calculated approximation of a number and its exact mathematical value. All end values (contribution rates) have been calculated through the master spreadsheet.

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## 1 Introduction

### 1.1 Name of this Plan

This Plan is the **Hornsby Shire Council Section 7.11 Development Contributions Plan** (the “Plan”).

### 1.2 Commencement of this Plan

This Plan has been prepared pursuant to the provisions of the [Environmental Planning and Assessment Act 1979](#) (the Act) and the [Environmental Planning and Assessment Regulation 2000](#) (the Regulation) and takes effect from **3 August 2020**, being the date on which public notice was published, pursuant to the Regulation.

### 1.3 Purpose and Objectives of this Plan

This Plan has been prepared to satisfy the requirements of the Act, which enables Council or an accredited certifier to levy contributions from development for the provision of [community infrastructure](#) that is required to meet the demands of that development.

Contributions may be in the form of a monetary contribution, dedication of land to Council or the provision of a [material public benefit](#), which may include a work commonly referred to as a ‘[work-in-kind](#)’.

In order to levy contributions under the Act, Council must be satisfied that the proposed development will or is likely to require the provision of or increase the demand for the community infrastructure for which the levy is being required as detailed in the provisions of this Plan. Accordingly, the objectives of this Plan are to:

- (a) authorise Council or an accredited certifier to impose conditions under the Act when granting consent to development on land to which this Plan applies including Complying Development;
- (b) ensure that adequate community infrastructure is provided to meet the demands generated by new development;
- (c) provide an administrative framework under which specific community infrastructure strategies may be implemented and coordinated;
- (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 community infrastructure required as a result of future development; and
- (f) enable Council to be both publicly and financially accountable in its assessment and administration of the Plan.

### 1.4 Land to which the Plan applies

This Plan applies to all land within the local government area (LGA) of Hornsby Shire Council as shown on the Map (see [Figure 1](#)) which also identifies various Sub-Catchments.

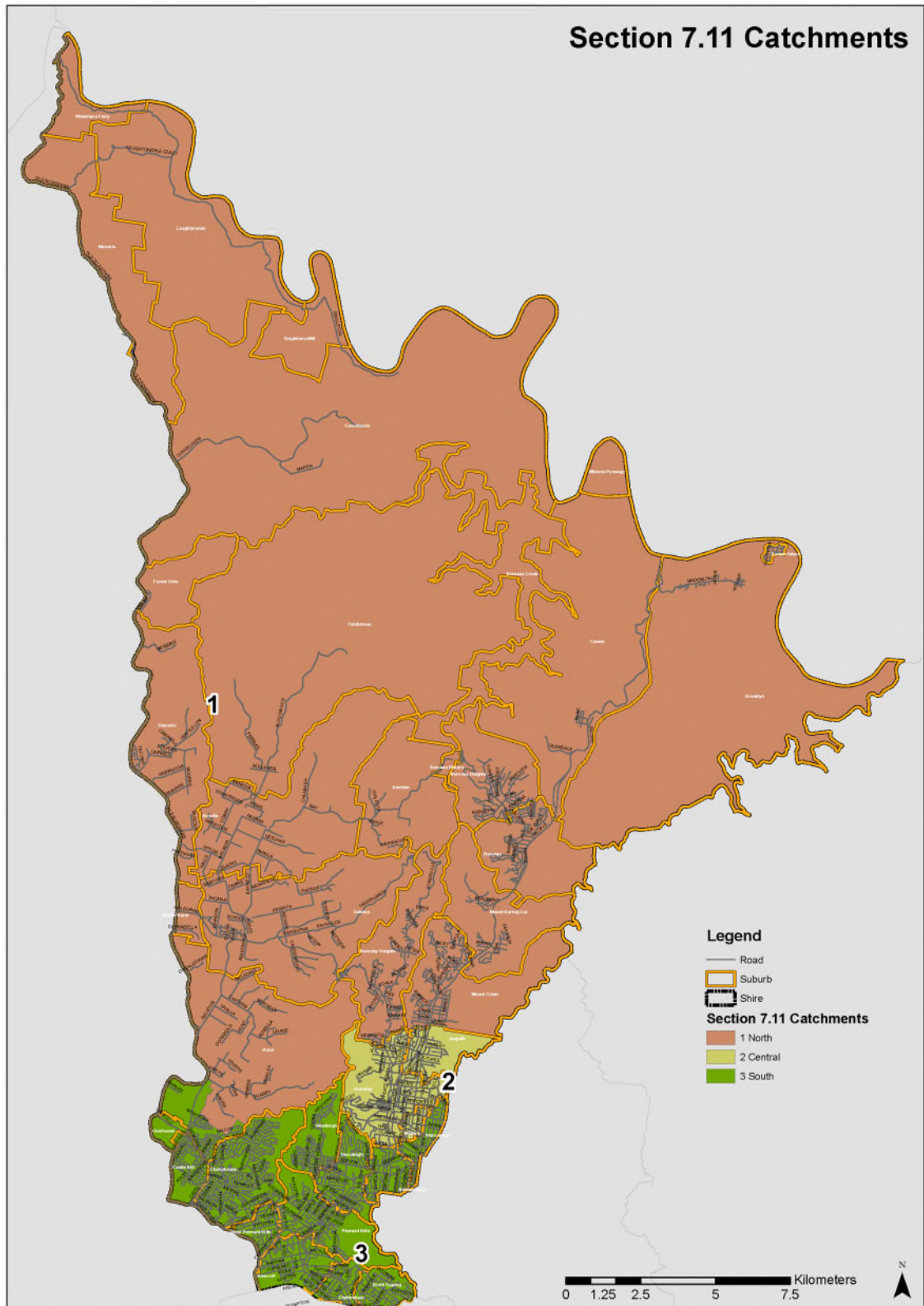


Figure 1: Map – where this Plan applies.

## 1.5 Development forms to which this Plan applies

This Plan applies to:

- residential development which would result in the creation of additional private lots/dwellings;
- non-residential development (excluding [industrial](#) development) which results in new or additional floor space; and
- non-residential development in the Hornsby Town Centre which is unable to provide the full on-site car parking requirement under Council's DCP due to site constraints or because it is desirable to deter vehicles from interfering with pedestrian movement and public spaces.
- Agriculture, extractive industry, forestry, freight transport facilities, mining, rural industry, transport depots, truck depots and waste or resource management facilities, where heavy vehicles are used to haul goods, materials, animals or livestock.

Where development is of a type not specifically stated in this Plan but which would result in additional demands for community infrastructure, Council officers will determine an appropriate residential or non-residential occupancy rate and traffic generation rate and apply the per person (residential), per worker (non-residential) and/or per PVT rates as specified in [Table E1](#) of this Plan.

## 1.6 Operation Period of the Plan

The Plan is intended to cater for a planning period 2020 to 2030 which is the period for which residential population and employment forecasts have been prepared.

The Plan will be monitored and if growth appears likely to occur earlier or later than forecast, the operation period of the Plan may be adjusted to suit.

## 1.7 Structure of this Plan

This Plan is arranged into four sections:

**Section 1 – [Introduction](#)** (this section), identifies the name of the Plan, its commencement date, the purpose, aims and objectives of the Plan, the land to which the Plan applies and the Plan's relationship to other plans, reports and policies.

**Section 2 – [Administration and operation of the Plan](#)**, outlines the scope of the Plan, the forms of development to which it applies, the types of [community infrastructure](#) addressed by the Plan, describes how and when contributions are to be made and provides details regarding the ongoing management and review of the Plan.

**Section 3 – [Expected development and demand for community infrastructure](#)**, outlines the forecast future development and basis for increased demand for facilities and services.

**Section 4 – [Community infrastructure and contributions](#)**, provides details of each category of community infrastructure in the Plan, including details of existing provision, nexus, what will be provided and when, apportionment and how contributions have been calculated.

The **Appendices** to this Plan include a [Glossary](#) which explains the meaning of words and terms used in this Plan, a detailed [Works Schedule](#), maps showing the [location of facilities](#), pro-forma [conditions for development consents](#) and [Complying Development Certificates](#) and a list of [References](#) including the plans, policies and other information which support the contents of the Plan.

## 1.8 Glossary

The meanings of key words and terms used in this Plan and are contained in the Glossary at [Appendix A](#).

## 1.9 Relationship with other plans, reports and policies

The Plan repeals *Hornsby Shire Council Section 94 Development Contributions Plan 2014–2024* so that it does not apply to development applications determined on or after the date this Plan comes into force.

The *Hornsby Shire Council Section 94 Development Contributions Plan 2014–2024* will continue to apply to development applications determined prior to the date this Plan comes into force and any modifications to such development applications pursuant to s4.55 of the EP&A Act (whether or not determined prior to the date this Plan comes into force).

As part of the preparation of this Plan, Council undertook a review of all the works identified in the above plan to determine whether they remain consistent with current priorities and strategies, and whether there is a direct nexus which can be demonstrated between the need for the works and the demand generated by the forecast population post 2020. Some items from previous plans and any associated unspent restricted funds have been transferred to this Plan. The remaining items have either been completed, will be completed using unspent money held in restricted Section 7.11 accounts or have been removed from the works list as they are unable to proceed.

The Plan supplements the provisions of and should be read in conjunction with the Act and Regulation, Hornsby Shire Council's prevailing Local Environmental Plan, Development Control Plan and other relevant plans and policies adopted by Council.

## 1.10 Savings and transitional arrangements

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application shall be determined in accordance with the provisions of this Plan.

## 1.11 Key Considerations

There are a number of key considerations for development contributions that Council will consider before introducing a development contributions plan or entering into a planning agreement.

These key considerations address the main principles that underpin the development contributions system and their intent is to ensure that:

- the demand for, cost and timing of infrastructure which is the subject of the proposed contribution, has been fairly assessed; and
- the proposed level of contributions will not unreasonably impact upon the affordability of the development subject to the contribution.

This Plan has been prepared giving due regard to these considerations.

## 2 Administration and operation of this Plan

### 2.1 Scope of this Plan

The North District Plan (NDP) (GSC, 2018) identifies a target population growth for the Hornsby Shire Council (HSC) LGA from 2016 to 2021 of 4,350 new dwellings, representing an average growth of 870 new dwellings per annum. The Hornsby Shire Housing Strategy (Hornsby, 2010) sets out where additional housing is anticipated within the LGA to meet the subregional targets to 2021 and beyond.

In addition, the NDP estimates between 3,700-7,700 new jobs in Hornsby between 2016 and 2036, representing an average growth of between 185-385 new jobs per annum. The Ku-ring-gai & Hornsby Subregional Employment Study (SGS, 2008) sets out where additional employment generating development is anticipated within the LGA.

In response to this anticipated growth, this Plan has been prepared to ensure that Council is capable of meeting the demands from future residential and employment populations for various types of community infrastructure.

From 2020 to 2030, there is expected to be an increase in private residential accommodation in the Hornsby LGA of approximately 7,735 private dwellings (see Section 3). During this time, there is also estimated to be an increase in retail floor space of approximately 5,000m<sup>2</sup> and commercial floor space of approximately 1,000m<sup>2</sup>.

This future development in the LGA will create a demand for new, enhanced or augmented community infrastructure.

This Plan sets out the range of community infrastructure considered necessary to cater for this demand and how the cost of this infrastructure is to be imposed on future development proposals.

### 2.2 Types of community infrastructure addressed by this Plan

Under this Plan, Council will require development contributions for the following ['community infrastructure'](#):

- Local roads, including:
  - Road and footpath infrastructure; and
  - Traffic management facilities;
- Public car parking facilities for non-residential development where it is impractical or undesirable to provide the car parking on-site;
- Local open space and recreation facilities including:
  - New and embellished public open space and associated landscaping;
  - New and embellished recreation facilities including children's play equipment, pedestrian and bicycle facilities.
- Local community facilities including:
  - Libraries and resource materials; and
  - Community centres and halls;
- District infrastructure of a kind referred to in the above bullet points where there is a direct connection with the development to which the contribution relates;
- Preparation of this Plan and supporting studies; and
- Administration and management activities associated with this Plan.

### 2.3 How will contributions be imposed?

In accordance with the Act, development contributions under this Plan will be imposed as a condition of development consent (see [Appendix D](#)) or as a condition on a Complying Development Certificate (see [Appendix E](#)).

### 2.4 Methods of payment

In accordance with the Act, an obligation to provide contributions toward community infrastructure can be satisfied by one or more of the following methods:

- Payment of a monetary contribution;
- The dedication of land; or
- Provision of a [material public benefit](#).

Generally, the method of payment will be specified as a condition of the development consent although Council may consider any of the abovementioned alternative methods of payment at its sole discretion and in accordance with the provisions of this Plan (see below).

#### 2.4.1 Monetary contributions

Payment of contributions can be made online via credit card or at the counter via cheque, credit card, eftpos or any other means determined acceptable by Council from time to time.

#### 2.4.2 Dedication of land

In accordance with the provisions of this Plan, Council may require that land be dedicated as a form of contribution toward the provision of community infrastructure. Where such dedication is required, it must be undertaken in accordance with the following:

- The process for dedication of land is to occur in conjunction with the payment of monetary contributions applicable to any development consent granted for the land;
- The dedication of land is to be 'free of cost' – meaning that all costs associated with the dedication of the land and its transfer to Council's ownership are to borne by the applicant/developer;
- At the time of transfer, the land is to be in a condition which is suitable for its identified public purpose and is to be cleared of all rubbish and debris and have a separate title.

#### 2.4.3 Material public benefits / 'works-in-kind'

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](#) (other than the dedication of land) in lieu of the applicant satisfying its obligations under this Plan.

Council is under no obligation to accept works-in-kind or material public benefit offers and in considering any such offer, will assess the benefits to the Council and the Community and give due consideration to relevant matters including the following:

- (a) the extent to which the works/MPB satisfies the purpose for which the contribution was sought;
- (b) the works-in-kind being facilities which are already included in the Plan;
- (c) the extent to which the MPB satisfies a community need or may reduce the demand for levied items;
- (d) the impending need to construct the works for which the contributions are to be offset;

- (e) the provision of the works/MPB will not prejudice the timing, the manner or the orderly provision of public facilities included in the works program or the financial integrity of Council's Plan;
- (f) an assessment of the shortfall or credit in monetary contributions as a result of the proposal;
- (g) the availability of supplementary funding to make up the shortfall in contributions;
- (h) locational and other factors that may affect usability;
- (i) impact of recurrent operational and maintenance costs; and
- (j) the provision of the works/MPB must not result in piecemeal delivery of infrastructure or likely to result in the need to reconstruct the works due to future nearby developments (i.e. normally the works will need to relate to a whole street block or a defined precinct).

In accepting material public benefits other than a work-in kind, Council must be satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan and that this benefit warrants Council accepting responsibility in fulfilling the intent of the Plan notwithstanding a reduction in expected cash contributions.

A 'work in-kind' relates to the undertaking of a specific or equivalent work specified in the Plan, and is therefore more readily capable, in comparison to other material public benefits of meeting the above criteria. However, Council may not accept an off-set to the cash otherwise required to be paid which exceeds the quantum of cash payable under the facility category that relates to the work-in kind.

For example, if a condition of a development consent requires a certain cash payment towards local roads, the provision of a work-in kind for road works proposed by the Plan will meet only the cash payment required towards local roads by that consent, even if the cost of the works exceeds that amount.

If the cost of a work in-kind exceeds the cash payment required by a development consent under the facility category that relates to the work-in kind, Council may consider the following:

- (a) provision of the work at the applicant's expense with Council recouping contributions from future development and reimbursing the applicant for costs exceeding the applicant's share, up to the total estimated cost in the Plan; or
- (b) granting a credit to the applicant on the basis of the equivalent number of persons, beds or workers that the applicant may rely upon to offset contributions otherwise payable under this Plan for other development within the LGA (see also Section 2.9).

#### 2.4.4 Planning agreements

An applicant may voluntarily offer to enter into a [planning agreement](#) with Council in connection with a development application. Under a planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. The applicant's provision under a planning agreement may be additional to or instead of making contributions provided for by the Act.

An applicant's offer to enter into a planning agreement, together with the draft agreement, will generally need to accompany the relevant development application or an application to modify the development consent. Council may also consider an offer to enter into a planning agreement where an applicant has sought a change to an environmental planning instrument (commonly referred to as a rezoning application).

Council will publicly notify the draft planning agreement and explanatory note relating to the draft agreement along with the relevant application and will consider the draft planning

agreement as part of its assessment of the relevant application. If Council agrees to enter into the planning agreement, it may impose a condition of development consent requiring the agreement to be entered into and performed.

## 2.5 Timing of payments

A contribution must be paid to Council at the time specified in the condition of development consent that imposes the contribution. If no such time is specified, the contribution must be paid:

- In the case of subdivisions - prior to the issue of the Subdivision Certificate for each stage; or
- In the case of development involving building work – prior to the issue of the first Construction Certificate; or
- In the case of development that involves both subdivision and building work – prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first; or
- In the case of development that does not involve subdivision or building work – prior to occupation or issue of an occupation certificate, whichever occurs first; or
- In the case of Complying Development:
  - where works are proposed - prior to any works commencing;
  - where no works are proposed – prior to occupation or issue of an occupation certificate, whichever occurs first.

**It is the responsibility of an accredited certifier to ensure that a condition is imposed on a complying development certificate in accordance with this Plan and that any monetary contributions have been paid to Council prior to issuing a Complying Development Certificate.**

### 2.5.1 Deferred or periodic payments

Deferred payment of development contributions may be permitted in certain circumstances in accordance with the criteria outlined below:

- (a) an application for deferred payment or payment by instalments is to be made in writing to Council explaining the circumstances of the request;
- (b) the decision to allow deferred payment will be at the sole discretion of Council;
- (c) the timing or the manner of the provision of public facilities included in the works program will not be prejudiced;
- (d) the works project to which the request applies does not relate to public safety or health;
- (e) the amount of the contribution or outstanding balance is not less than \$50,000;
- (f) where the applicant intends to make a contribution by way of a planning agreement, material public benefit or works-in-kind in lieu of a cash contribution or by land dedication and Council and the applicant have a legally binding agreement for the provision of the works or land dedication;
- (g) the maximum period of deferred payment of the contribution is two years from the standard payment date; and
- (h) the maximum period for payment by instalments is two years from the standard payment date;
- (i) deferred payments and payments by instalments are subject to indexation.

If Council does decide to accept deferred payment or payment by instalments, Council will require the applicant to provide a bank guarantee with the following conditions:

- The Bank Guarantee(s) must be in Australian Dollars from a major Australian Trading Bank and in the name of Hornsby Shire Council;
- The Bank Guarantee(s) must have no end date, be unconditional and irrevocable, and be in favour of the Hornsby Shire Council;
- The sum of the Bank Guarantee(s) will be the amount due to Council at the date of issue, plus an additional amount specified by Council to make provision for any anticipated indexation during the life of the Bank Guarantee until the estimated date of release;
- the bank unconditionally pays the guaranteed sum to Council if Council so demands in writing;
- 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 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, indexation and other charges are paid;
- An administration fee may apply to utilise the bank guarantee option as stated in Council's Fees and Charges.

#### **2.5.2 Construction certificates and the obligation of accredited certifiers**

In accordance with the Act and the 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 Council in accordance with the Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to this requirement are where a material public benefit, dedication of land, deferred payment or payment by instalments has been agreed by Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

#### **2.5.3 Complying development and the obligation of accredited certifiers**

In accordance with the Section 7.21 of the Act, accredited certifiers must impose a condition on a Complying Development Certificate, requiring monetary contributions in accordance with this Plan for all types of development.

The conditions imposed must be consistent with Council's standard condition for Complying Development Certificates (see [Appendix E](#)) and be strictly in accordance with this Plan. It is the professional responsibility of an accredited certifier to inform themselves of any amendments to this Plan (including current indexed rates), to accurately calculate the contribution and to apply the development contributions condition correctly in accordance with Council current consent condition requirements.

Accredited certifiers should contact Council for a copy of the current consent condition requirements.

**It is also the professional responsibility of an accredited certifier to ensure that any applicable monetary contributions have been paid to Council prior to authorising works to commence.**

## 2.6 Indexation of contributions

To ensure that the value of contributions is not eroded over time, the contributions stated in this Plan will be indexed at the time of payment to reflect changes in the cost of facilities in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{PC} \times \text{CPI}_{PY}}{\text{CPI}_{PC}}$$

Where:

**\\$C<sub>PY</sub>** is the amount of the contribution at the date of Payment.

**\\$C<sub>PC</sub>** is the amount of the contribution for works schedule items at the date of the Plan Commencement (or date of development consent – see below).

**CPI<sub>PY</sub>** is the Consumer Price Index (Sydney – All Groups) (CPI) as published by the Australian Bureau of Statistics (ABS) for the financial quarter at the date of Payment.

**CPI<sub>PC</sub>** is the CPI (Sydney – All Groups) as published by the ABS for the financial quarter at the date of the Plan Commencement (or date of development consent – see below).

A development consent or complying development certificate may show the contribution payable at the date the consent/certificate is issued. In this circumstance, if the contribution is not paid within the same financial quarter as the date of the consent/certificate, the payment shall be further indexed in accordance with the above formula.

Contribution rates under this Plan and the estimated costs upon which they are based will also be indexed by Council on a regular basis consistent with the above methodology. The adjustment of contribution rates and estimated costs will occur by way of an amendment without the need to prepare a new contributions plan, in accordance with the Regulation. The current contributions rates are available from Council Administration Offices or Council's website.

## 2.7 Exemptions and Reductions

Council will provide an exemption from, or reduction to, development contributions required by this Plan as follows:

1. When directed to do so by the Minister for [Minister for Planning and Public Spaces](#). At the date of commencement of this Plan, such Directions included the following relevant to the Hornsby LGA:
  - No contributions for development undertaken by a '[social housing provider](#)' for the purposes of '[seniors housing](#)' as defined in [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#); and
  - A maximum of \$20,000 per dwelling or per lot for development comprising one or more dwellings or in the case of subdivision, the creation of one or more residential lots.

2. In respect of development applications (or modifications thereto) made by or on behalf of the Council for community infrastructure including, but not limited to, libraries, community facilities, child care facilities, recreational areas, recreation facilities, car parks and the like.

Council does not apply discounts to the payment of development contributions unless otherwise stated in this Plan.

## 2.8 Allowances for existing development

All forecasts of future additional development within this Plan have been calculated allowing for existing development at the time of preparing the Plan and to accord with the estimated resident population prepared by .id (.id, 2019) as at 30 June 2019.

Contributions required under this Plan will be levied according to the estimated net increase in demand. An amount equivalent to the contribution attributable to any existing lawful development on the site of a proposed new development, at the time of undertaking the demand assessment underpinning this Plan, will be allowed for in the calculation of contributions.

Accordingly, if an applicant wishes to obtain an allowance against contributions payable based on pre-existing development, information must be provided with the development application which demonstrates the lawful existence of the development on the subject site as at 30 June 2019.

Council will only consider an allowance for the existing development to the extent of the demand for specific community facilities and services arising from that development. For instance, where a residential development is proposed which replaces an employment generating land use, there may be a reduced peak traffic generation relative to the site's prior use. In this case, no levy would be applicable toward local roads. Council will not however, accept a state of credit as such a reduction in demand for this type of facility does not offset the demand for other facilities and services.

For instance, the same development may result in an increase in demand for other community facilities and services such as public open space and community facilities, which are distinct from traffic demands. Accordingly, the levies under this Plan for these other facilities and services would continue to apply.

## 2.9 Credits

A credit may be provided by Council where the net contributions provided by any particular development exceed that required by the Plan. This could arise where an applicant proposes the provision of a work or dedication of land, at a value determined by Council to exceed the amount of cash otherwise payable in accordance with the Plan. However, credits will only be provided at Council's absolute discretion.

A credit will be provided only against the same facility category for which the surplus contribution relates. For example, if the applicant proposes to dedicate more public open space that would otherwise be required under the Plan, then a credit could be accrued against open space contributions requirements of future development. Consequently, if an applicant dedicates more public open space than would otherwise be required under the Plan, the value of the additional open space cannot be used to offset the cash contribution otherwise payable under a different contribution category, such as roads or community facilities. The objective is to ensure that Council maintains an adequate flow of contributions across the range of facilities to be funded under this Plan to provide for the orderly and staged delivery of all categories of facilities.

The amount and terms of the credit are to be negotiated prior to the dedication of land or commencement of works and will be for the additional value only as agreed by Council. If agreed, Council will advise the applicant of the credit which would be redeemable in lieu of

contributions in the same facility category otherwise payable by the applicant for future development in the area to which this Plan applies.

Council reserves the right to require payment of a monetary contribution or to terminate the "credit agreement" should the applicant be unwilling or unable to meet its terms. No credit will be given for land or works which are not nominated in the works schedule in the relevant contributions plan.

If an applicant seeks to off-set a credit against the cash payable under a different facility category or to be reimbursed in cash, then this would need to be negotiated with Council as part of a planning agreement or a works-in-kind/material public benefit agreement in accordance with the provisions of this Plan and Council's associated Policies.

## **2.10 Monitoring and review of the Plan**

It is intended that this Plan be monitored and reviewed on a regular basis as it contains forecasts of future development including likely future populations and the likely demands and costs of providing community infrastructure for those populations.

Monitoring actual developments, population changes and community demands will allow appropriate updating and amendment as necessary.

The cost of works proposed by the Plan (including land values) may also need review over time if there is a concern that the indexation of costs may not be adequately reflecting actual current costs.

Council's aim is that all forecasts, costs and assumptions are reviewed and adjustments and/or amendments as appropriate will be made at five yearly intervals after the date of adoption of this Plan.

## **2.11 Accounting and management of funds**

### **2.11.1 Accounting standards and contributions register**

Separate accounting records are maintained for all development contributions made to Council under this Plan and a development contributions register will be maintained by Council in accordance with the Regulation.

Council is also required to publish details of development contributions accounts annually and this is undertaken as part of Council annual financial reporting cycle.

### **2.11.2 Treatment of funds received prior to the commencement of this Plan**

Funds levied and received under previous plans prior to the commencement of this Plan will be used to deliver community infrastructure of the same facility category identified under this Plan as 'Cost Attributable to Council' as these funds were levied to meet the demands of that prior development.

Funds levied and received under previous plans from the commencement of this Plan will be used toward the delivery of community infrastructure of the same facility category identified under this Plan as 'Cost Attributable to New Development'. Accordingly, these funds will be transferred to the account for this Plan.

### **2.11.3 Investment of funds**

To maintain the time-value of monetary contributions received under this Plan, Council will invest these funds until the time of expenditure for the purpose for which they were received.

Council will report all investment returns as part of its annual contributions accounts reporting and all investment returns will be retained within the development contributions accounts, to be used for the purpose for which the original contribution was made.

#### **2.11.4 Pooling of contributions**

This Plan expressly authorises monetary 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.

#### **2.11.5 Other funding sources**

Works proposed in this Plan represent infrastructure to be funded via a variety of sources. In some instances, the total cost of work is to be funded pursuant to the development contributions provisions of the Act. In other instances, the cost is to be borne by a combination of development contributions under this Plan, development contributions received under previous contributions plans, and/or other funds.

Several of the proposed works items in this Plan have been allocated grant funding and accordingly, the cost attributable to future development does not include such grant funding. Should additional grant funding become available in the future, the works schedule in this Plan will be reviewed and the contribution rates may be adjusted.

#### **2.11.6 Goods and services tax**

At the date of preparing this Plan, monetary development contributions were exempt from the Federal Government Goods and Services Tax (GST).

In addition, at the date of preparing this Plan, Council's advice was that non-monetary contributions by way of dedication of land, works-in-kind or material public benefit in lieu of contributions that would be exempt under Section 81-5 of the GST Act, do not constitute a taxable supply. Therefore, there are no GST implications for non-monetary contributions.

However, if legislative changes (including Australian Tax Office tax rulings) determine otherwise, contributions in this Plan will be adjusted to include GST.

### 3 Expected development and demand for community infrastructure

#### 3.1 Overview

The Hornsby Shire Council Local Government Area (LGA) is located approximately 20 kilometres north-north-west of the Sydney CBD and is bordered by the Hawkesbury River to the north and east, Ku-ring-gai LGA to the east, Ryde and Parramatta LGAs to the south and The Hills LGA to the west.

Hornsby is the main retail and commercial centre within the LGA and is supported by a number of villages, small villages and neighbourhood centres. There are also several industrial precincts, notably the Dural Service Centre, Mount Kuring-gai, Thornleigh and Asquith.

Future residential and non-residential development is expected to occur primarily in close proximity to these existing centres and in housing precincts identified in Council's Housing Strategy, although it is also recognised that there is considerable scope for infill development throughout the remainder of the LGA.

#### 3.2 Existing Population Characteristics

##### 3.2.1 Residential

The LGA comprises a total land area of approximately 455 square kilometres and as at 30 June 2019 the estimated resident population (ERP) was 154,490 persons<sup>1</sup> (.id, 2019) (see Section 3.3.2).

**Table 1** provides a brief summary of the composition of occupied private dwellings in the LGA, according to the 2016 ABS Census Place of Usual Residence Population (PURP) data.

<b>Table 1: Hornsby LGA Occupied Private Dwelling Composition (ABS, 2016a)</b>					
Dwelling type	Dwelling Units	%	Persons usually Resident	%	Occupancy Rate
Separate House	34,490	73.6	108,015	79.2	3.13
Semi-detached, row, or terrace house, townhouse, etc	4,100	8.8	10,050	7.4	2.45
Flat, unit or apartment	8,135	17.4	17,950	13.2	2.21
Other Dwellings/Not Stated	130	0.2	340	0.2	2.62
<b>Total</b>	<b>46,855</b>	<b>100</b>	<b>136,355<sup>A</sup></b>	<b>100</b>	<b>2.91</b>
<b>Note:</b> A. This figure varies from the ERP as it excludes visitors and other non-classifiable households such as hospitals, hotels/motels/serviced apartments, boarding schools, high care aged care facilities and the like, does not account for undercounting or persons overseas on the night of census.					

The LGA is ranked 121 out of 130 LGAs in NSW with regard to the Socio Economic Index of Disadvantage/Advantage (SEIFA) where 1 is the most disadvantaged LGA and 130 the least disadvantaged LGA (ABS, 2016b).

Approximately 40% of the resident population was born elsewhere than Australia and speaking a language other than English at home which is lower than the Sydney Urban Area (SUA) average of about 45%. With over 30 different countries of origin, Hornsby has a highly culturally diverse population.

<sup>1</sup> NB: This figure may vary to figures quoted elsewhere which may represent persons based on the Place of Usual Residence statistics from the 2016 ABS Census or persons enumerated on the night of the Census (Place of Enumeration).

Well represented communities include the Chinese (6.1% of the resident population) and Indian (3.8%). Indigenous Australians comprise about 0.4% of the total population.

The median weekly household income in the LGA in 2016 was \$2,121 which is greater than the average for the SUA of \$1,799.

The most dominant family type in 2016 was couple without children (30.9%) which was down from 2006 (31.2%) and lower than the SUA average (33%). Approximately 17.4% of the population live in lone person households, which is lower than the SUA average of about 21.3%.

### 3.2.2 Non-Residential

Transport for NSW's Journey to Work (JTW) data provides information relating to the number of persons employed in the LGA, the number of residents employed and the manner in which these persons ordinarily travel to/from work.

Almost 70,800 residents were employed in 2016 (approximately 51% of the PURP).

There were approximately 42,260 jobs in the LGA at 2016 of which about 20,090 were residents (47.5%) and approximately 22,170 were non-residents (52.5%).

The following key considerations in regard to travel mode can also be derived from the JTW data:

- 5.7% of residents use public transport to travel to/from work (being 52% of the total public transport use);
- 17% of non-resident employees use public transport to travel to/from work (being 48% of the total public transport use);
- 9% of residents walk or cycle to work; and
- 0.5% of non-resident employees walk or cycle to/from work.

## 3.3 Forecast Development and Population

### 3.3.1 Introduction

Residential and employment forecasts for the LGA have been undertaken to inform the various tables in this section. These forecasts are based on:

- (a) The North District Plan (GSC, 2018);
- (b) The Hornsby Shire Housing Strategy (Hornsby 2010); and
- (c) The Ku-ring-gai & Hornsby Subregional Employment Study (SGS, 2008).

The following subsections provide a brief summary of the data derived from these documents, for the purposes of forecasting the future residential and employment growth in the LGA to the year 2024.

#### 3.3.1.1 North District Plan (NDP)

The North District Plan (NDP) was published in March 2018 and amongst other things, sets housing and employment targets for the Hornsby LGA covering the period from 2016-2021 and requires Council to undertake more detailed investigations to determine housing growth beyond 2021.

For Hornsby LGA, the NDP sets a target of 4,350 new dwellings between 2016 and 2021, representing an average growth of 870 new dwellings per annum.

Based on an estimation of development prepared by .id, there were 3,060 additional dwellings constructed in the Hornsby LGA between 2016 and 2019 and a further 1,400 are expected to be completed by 2021.

The NDP also estimates between 3,700-7,700 new jobs in Hornsby between 2016 and 2036, representing an average growth of between 185-385 new jobs per annum.

### 3.3.1.2 Hornsby Shire Housing Strategy

The Hornsby Shire Housing Strategy (the 'Housing Strategy') was adopted by Council on 7 July 2010 and identifies areas suitable for additional housing to meet the housing targets set out in the previous regional plan although it is still relevant for this Plan as the estimates included the period up to 2031. The Housing Strategy indicates that the new dwellings target will be achieved by a mixture of:

- development within land appropriately zoned under *Hornsby Shire Local Environmental Plan 1994* (HSLEP 1994);
- development within precincts identified in the Housing Strategy and Townhouse Planning Proposals rezoned through HSLEP 1994 (Amendment Nos. 99 and 101); and
- development within areas to be identified in a future strategy.

### 3.3.1.3 Ku-ring-gai & Hornsby Subregional Employment Study

The Ku-ring-gai & Hornsby Subregional Employment Study was completed in 2008 and included a comprehensive audit of land used for employment purposes in these two LGAs. The audit concluded that in 2006, there was a total of 1,421,900m<sup>2</sup> of land used for employment purposes in Hornsby and that there was theoretically a floor space supply of 530,970m<sup>2</sup> (excluding constrained land) if the land were to be developed to 80% of its maximum FSR capacity.

This theoretical supply comprised 169,540m<sup>2</sup> of existing vacant floor space, 97,720m<sup>2</sup> of vacant land and 263,710m<sup>2</sup> of additional floor space on existing zoned land. The Study recognised that in gross terms demand for employment floor space would not exceed supply by 2031, although in some sectors and in some individual localities there was likely to be a shortfall in supply.

The Employment Study indicated that there is likely to be high demand for retail floor space and to a lesser extent commercial floor space although there was forecast to be a slight overall decline in manufacturing and industrial activities. Further discussion relating to estimated employment growth during the Plan period is provided in Section 3.3.3 of this Plan.

### 3.3.2 Forecast Residential Development

Based on forecasts prepared by .id in early 2019 (.id, 2019) it is estimated that 7,735 additional dwellings will be constructed in the LGA from 2020 to 2030.

**Table 2** provides a summary of the forecast private dwelling growth by Sub-Catchment including the anticipated average occupancy rate for future dwellings in this period.

**Table 2** demonstrates that the majority of additional housing is anticipated to be medium/high density development comprising apartments (77%). The incoming population which will fill these dwellings is anticipated to be predominantly younger singles and younger couples with/without children in the 18-39 years age group, although it will not be exclusively this cohort. It is also anticipated that the proportion of the population aged 70 years and above will increase.

**Table 2: Estimated Residential Development 2020-2030**

Residential Dwelling Type	Occupancy Rate <sup>A</sup>	Dwellings by Sub-Catchment			Growth
		North	Central	South	
<a href="#">Dwelling House</a> / Lot / <a href="#">Exhibition Home</a>	3.14	170	10	400	580
<a href="#">Residential Accommodation</a> <sup>B</sup>	2.44	145	230	5	380
<a href="#">Secondary Dwellings</a> (granny flats)	1.40	195	135	375	705
<a href="#">Residential Flat Buildings</a> and <a href="#">Shop Top Housing</a> with 1 bedroom / bedsit <sup>C</sup>	1.40	135	1,025	595	1,755
<a href="#">Residential Flat Buildings</a> and <a href="#">Shop Top Housing</a> with 2 bedrooms <sup>C</sup>	2.36	235	1,970	1,210	3,415
<a href="#">Residential Flat Buildings</a> and <a href="#">Shop Top Housing</a> with 3+ bedrooms <sup>C</sup>	2.83	65	400	245	710
<a href="#">Seniors Housing</a> <sup>D</sup>	1.75	55	25	110	190
<b>Growth in Private Dwellings</b>		<b>1,000</b>	<b>3,795</b>	<b>2,940</b>	<b>7,735</b>

**Notes:**

A. Forecast average occupancies for new dwellings from 2020 to 2030.

B. Excluding boarding houses, dwelling houses, group homes, hostels, residential flat buildings, secondary dwellings, shop top housing and seniors housing.

C. Housing mix derived using 2016 Census data and an analysis of development approvals to 30 June 2018, representing a unit mix of 29% one bedroom, 59% two bedroom and 12% three bedroom units.

D. Excluding residential care facilities

**Table 3** provides a comparison of the recent growth in population and the forecast population which highlights that there is forecast to be an additional 16,990 persons living in the LGA by the end of 2024 (from 2020) comprising 16,595 persons in private dwellings and 395 persons in non-private accommodation.

**Table 3: Forecast Population 2020-2030 (.id, 2019)**

	ERP	Forecast Population		
	2019	2020	2025	2030
Total private dwellings <sup>A</sup>	54,810	55,495	58,010	62,545
Persons in private dwellings	151,740	153,180	158,530	168,335
Persons in non-private dwellings	2,750	2,750	3,085	3,145
<b>Total Persons</b>	<b>154,490</b>	<b>155,930</b>	<b>161,615</b>	<b>171,480</b>

**Note:**

A. Total Structural Dwellings (i.e. as opposed to occupied private dwellings)

### 3.3.3 Forecast Employment Development

The Ku-ring-gai & Hornsby Subregional Employment Study (SGS, 2008) estimated that there was capacity in the LGA for approximately 361,430m<sup>2</sup> of additional employment generating floorspace to 2031 (excluding existing vacant floorspace) in existing zoned land (SGS, 2008) although there was likely to be demand to 2020 for only 51,800m<sup>2</sup> comprising approximately 39,910m<sup>2</sup> of retail floorspace and 11,890m<sup>2</sup> of commercial floorspace.

However, between 2014 and 2019, there was very limited additional employment floorspace approved in the LGA and accordingly, a more conservative estimate of 5,000m<sup>2</sup> of retail floorspace and 1,000m<sup>2</sup> of commercial floorspace has been adopted for the purposes of this Plan.

The estimated retail and commercial floor space growth is estimated to create 265 additional workers from 2020 to 2030.

This additional floor space and increase in working population will generate additional vehicular traffic on local streets, create additional demands for off-street public car parking, and generate demands for new and better pedestrian, bicycle and public transport facilities.

### 3.4 Demand for public facilities and services

One of the fundamental principles of development contributions is the relationship, or 'nexus', between the expected types of development and the demonstrated demand for new, augmented or embellished public and community infrastructure created by that development. Key aspects of determining nexus are:

- whether the anticipated development actually creates a demand or increases the demand for a particular public facility;
- whether the estimates of demand for each item of public infrastructure to which the proposed development contribution relates are reasonable;
- what types of facilities will be required to meet that demand;
- whether the proposed development contribution is based on a reasonable apportionment between existing demand and new demand for public infrastructure to be created by the proposed development to which the contribution relates;
- whether the proposed development contribution is based on a reasonable estimate of the cost of proposed public infrastructure; and
- when facilities will be provided to meet the demand of the development – often expressed as timing or thresholds.

It is also necessary to ensure that new development only contributes to its share of the total demand for public facilities and services, rather than any demand generated by the existing population, which may result out of a deficiency in existing facilities. This is known as 'apportionment'.

The increased usage of and demand for new public facilities as a consequence of future development is likely to exceed the capacity of existing public facilities in the LGA. Accordingly, it will be necessary for new and embellished public facilities to be provided to cater for the anticipated demand of that development.

Section 4 of this Plan establishes the nexus between the anticipated development and the demand for additional or embellished public facilities and if relevant, details how that nexus has been apportioned, to ensure that contributions reflect the demand of new development, rather than existing demand or past deficiencies.

## 4 Community infrastructure and contributions

### 4.1 Local roads

#### 4.1.1 Introduction

The forecast development within the Hornsby LGA will generate additional demand for use of local roads by vehicular, bicycle and pedestrian traffic and this demand will require augmentation of existing facilities due to the additional pressures on those facilities. This section outlines the nature of the existing local road environment and the rationale for the augmentation of those facilities.

#### 4.1.2 Existing provision

The road transport network in Hornsby LGA is characterised by several strategic transport routes including, but not limited to, the F3 Freeway, the Pacific Highway, the M2 Motorway and Pennant Hills Road with NorthConnex under construction. Many of these routes link the important activity centres of the LGA including Mt Ku-ringai, Hornsby, Pennant Hills and Beecroft.

These strategic routes are supported by a network of sub-arterial roads and local streets which provide access for the residential and non-residential populations of the LGA to the wider network and the range of facilities and services throughout the LGA.

#### 4.1.3 Nexus to development

Future development will be responsible for 7,735 private dwellings and 6,000m<sup>2</sup> of additional retail and commercial floor space within the LGA.

Based on the peak hour vehicle trip (PVTs) rates specified in the *Guide to Traffic Generating Development* (RTA, 2002) and Technical Direction (TDT 2013/04a), this additional development is likely to generate 2,535 peak vehicle trips (PVTs) in the local road network (i.e. net additional traffic).

This additional traffic demand will reduce the flow capacity of roads and intersections which may potentially result in the Level of Service (LoS) of individual roads and intersections falling below acceptable standards.

The LoS of a given road segment or intersection generally relates to the stability of the flow of traffic and delay of vehicles. The RTA has adopted the transition from LoS D to LoS E as the threshold of performance acceptability. At LoS E, traffic flows become unstable and excessive delays are experienced whilst at LoS F, delays are extreme.

Accordingly, where traffic from future development results in a road or intersection falling below LoS D or where an existing road or intersection is already below LoS D and future development exacerbates the situation, there is a nexus between future development and upgrades required to maintain an acceptable LoS.

In addition, future development will increase demand for new and augmented pedestrian and cycle facilities, traffic calming measures and other traffic management facilities that assist in providing a safe, efficient and user friendly road network.

Specific local traffic improvements were identified through traffic modelling undertaken in the preparation of the Housing Strategy. These works are included in the works schedule at Appendix B and have been attributed to the particular Sub-Catchment which generates the demand for the works.

#### 4.1.4 Strategy – proposed infrastructure

Council's strategies for addressing the additional demands placed on the local road environment by future development are as follows:

- Local area traffic management such as traffic calming, road closures and threshold treatments to deter rat-running on local streets as a consequence of increased traffic in the network;
- Intersection improvements to ensure that increased traffic does not adversely impact on the efficiency and safety of these intersections;
- Localised road realignments and widening to cater for the additional traffic generated by future development and maintain acceptable levels of efficiency in the network; and
- Embellishment of footpaths and shared ways including regrading to cater for increased pedestrian traffic.

The Works Schedule at [Appendix B](#) sets out all local road facilities for which a contribution is required under this Plan.

The location of the proposed facilities is identified on the maps at [Appendix C](#) to this Plan.

#### 4.1.5 Apportionment

Two types of apportionment are relevant to local road facilities – apportionment between different types of development (e.g. residential and non-residential) and apportionment between existing and future development.

With regard to different types of development, a vehicle trip from a residential development results in the same decrease in road or intersection capacity as a vehicle trip from a non-residential development and accordingly, there is no apportionment between residential and non-residential development other than to take into consideration the differing rate of traffic generation from the development type.

Accordingly, each development will be levied for local road infrastructure based on its gross traffic generation, calculated using the PVT rates specified in the RMS Guide and associated Technical Directions. No allowance for traffic generation of existing development is to be made as part of this base calculation. Allowances for existing development will be considered in accordance with Section 2.8 of this Plan.

Many of the works items under the *Hornsby Shire Council Section 94 Development Contributions Plan 2014–2024* that have yet to be completed have been transferred into this Plan along with monetary contributions received but not yet spent. Accordingly, the works under this Plan cater for approved and constructed development from 2014 to 2020 and forecast future development from 2020 to 2030, equating to 25,160 persons.

Accordingly, this Plan will only levy the forecast future development between 2020 and 2030 for its proportion of the total costs of works. In this regard, development to be levied under this Plan (i.e. 16,595 persons) constitutes 66% of the total development between 2014 and 2030.

#### 4.1.6 Calculation of contribution rate

The impacts of additional vehicular traffic are most acutely, but not exclusively, represented in the road network in proximity to the development generating that traffic. Accordingly, the contribution rates for future development have been calculated on a Sub-Catchment basis.

The formula for the calculation of the contribution rate for local road works is as follows:

$$\text{Contribution rate per PVT} = \frac{\text{Total Cost of Facilities Attributable to Sub-Catchment}}{\text{Total Attributable PVTs within Sub-Catchment}}$$

The 'Cost of Facilities Attributable to Sub-Catchment' includes the facilities 100% attributable to that Sub-Catchment plus the proportional share of the costs of other facilities for which the demand has been determined to be LGA-wide.

The 'Attributable PVTs' are the PVTs generated by residential, non-residential or both for the specific Sub-Catchment as specified in **Table 4**.

Table 4: Summary Rates for Local Roads Facilities by Sub-Catchment					
Sub-Catchment	Future Dwellings	Future Retail / Commercial GFA	Cost of Traffic Works	Attributable PVTs	Rate per PVT
North	1,000	500 / 500	\$1,270,357	470	\$2,689.93
Central	3,795	2,500 / 500	\$6,222,248	995	\$6,241.02
South	2,940	2,000 / 250	\$2,460,795	1,070	\$2,304.86
<b>Total</b>	<b>7,735</b>	<b>5,000 / 1,000</b>	<b>\$9,953,400</b>	<b>2,535</b>	<b>N/A</b>

## 4.2 Public car parking

The forecast development within the LGA will generate additional demand for car parking in the Hornsby Town Centre.

For many years, Council has had a policy requiring non-residential development in the Hornsby Town Centre (see **Figure 3**) to pay a monetary contribution toward centralised car parking facilities. The objective of this approach is the co-location of off-street car parking facilities to minimise vehicular access points and impacts on the pedestrian environment.

This Policy will continue to be applied under this Plan and a monetary contribution toward centralised public car parking will be required where non-residential development is unable to provide car parking on-site. Residential development will continue to be required to provide 100% of Council's off-street car parking requirement.

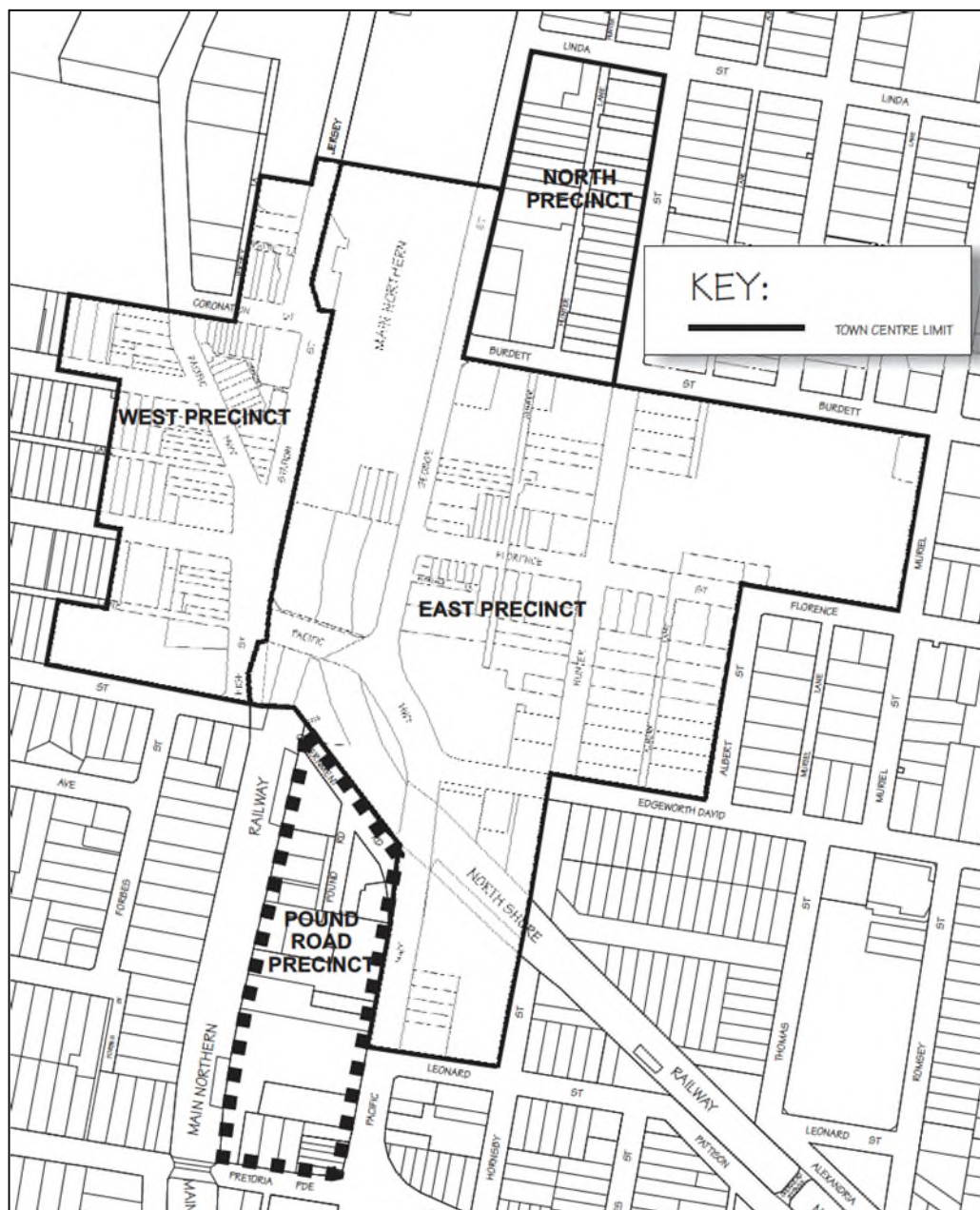


Figure 3: Hornsby Town Centre.

#### 4.2.1 Existing Facilities

There are approximately 1,150 public car parking spaces within 500 metres to the west of Hornsby Railway Station, including 270 off-street car parking spaces in Council's Dural Street and William Street car parks as well as public spaces in the Hornsby RSL and Community Car Park.

There are approximately 1,470 public car parking spaces within 500 metres to the east of Hornsby Railway Station, including more than 500 off-street car parking spaces in the Burdett and George Street car parks.

#### 4.2.2 Nexus to development

The Parking Management Review, Hornsby Town Centre, Waitara and Hornsby Hospital Area (GHD, Dec 2010) estimated that future non-residential development in the Hornsby Town Centre would generate a demand for an additional 752 off-street public car parking spaces.

Future development which is unable to provide its car parking requirements on-site will continue to be levied for public car parking which will be provided by Council in public facilities within the Hornsby Town Centre. This will ensure that no greater strain is placed on the limited on-road supply and that there are no impacts on the traffic capacity of streets in the Town Centre.

#### 4.2.3 Strategy – proposed infrastructure

Council's strategy for addressing the additional demand generated by future development for off-street public car parking is to provide public car parking in the town centre to limit driveways and vehicular access points crossing footpaths and/or conflicting with pedestrian priority areas, in accordance with the Hornsby Town Centre DCP.

The preferred location of future public car parking is identified on the maps at [Appendix C](#) to this Plan.

#### 4.2.4 Apportionment

The full cost per car parking space will be sought under this Plan for each space that cannot be provided on-site as part of future non-residential development in the Hornsby Town Centre.

#### 4.2.5 Contributions

The cost per car parking space has been estimated to be **\$29,753.20 per space** and contributions applicable to future non-residential development will be levied on the basis of each car parking space deficient.

### 4.3 Open space and recreation facilities

The forecast development within the LGA will generate additional demand for local open space and recreation facilities and this demand will require additional open space and embellishment of existing facilities to cater for increased pressures on existing facilities.

#### 4.3.1 Existing Facilities

##### Open Space and Recreation Facilities

There is 478 hectares of categorised public open space within the Hornsby LGA<sup>2</sup> distributed across 44 sportsgrounds and in other parks and reserves. This equates to 30.94m<sup>2</sup> of public open space per person and approximately 1 sportsground per 3,500 persons for the ERP of 154,490 at 30 June 2019.

##### Bushland Recreation Facilities

Council also manages 142 km of bushland walking tracks which provide open space and recreational assets for the resident population by way of walking and cycling tracks, fire trails also used for bushwalking, picnic areas and lookouts. This equates to a standard of provision of 0.92 lineal metres of walking track per person.

#### 4.3.2 Nexus to development

The estimated future population in non-private dwellings has been excluded from these calculations as that population is primarily persons living in high-care aged care and in hotels/motels and the utilisation of public open spaces and recreation facilities is not considered to be of a level that would generate a measurable demand for such facilities in its own right.

Based on the current standard of public open space provision in the LGA of 30.94m<sup>2</sup> per person, the forecast additional population in private dwellings of 16,595 persons would generate a demand for an additional 51.3 hectares of open space land including 4.7 new sportsgrounds to maintain the current quantitative level of service. Alternatively, or in combination with additional facilities, significant embellishment of existing facilities would be required to cater for additional usage from the forecast additional population.

Based on the current standard of provision of 0.92 lineal metres per person, the forecast additional population in private dwellings of 16,595 persons would generate a demand for an additional 15,270 lineal metres of bushland walking track to maintain the current quantitative level of service and/or significant embellishment of existing facilities to cater for additional usage.

#### 4.3.3 Strategy – proposed infrastructure

Council recognises the significant cost of acquiring land for new open space to maintain the current quantitative level of service plus the cost of embellishing and maintaining this quantum of new open space. Accordingly, this Plan does not seek to levy future development for the acquisition of any additional open space land.

In accordance with the Active Living Hornsby Strategy and other adopted Council strategies, this Plan seeks to levy for:

- embellishment of sportsgrounds in accordance with the recommendations contained within the Hornsby Sportsground Strategy 2018. This will provide additional “capacity hours” at existing sportsgrounds and provide for the embellishment of new sportsgrounds on land already in Council ownership to cater for future population;
- embellishment of unstructured open space areas in accordance with Council Unstructured Recreation Strategy, including new or improved pedestrian paths, playgrounds, off-leash dog areas and park amenities;

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<sup>2</sup> Source: Hornsby Shire Council Land Register

- public domain improvements in the Asquith to Mt Colah town centre corridor including street trees, street furniture, paving and other associated works; and
- a contribution toward the cost of delivering some of the works identified in the Hornsby Shire Bike Plan.

Council's strategy in regard to bushland walking trails is to provide quality access to bushland areas, improve linkages between trails, informative signage, picnic area furniture and general vegetation improvements. To do this, Council primarily proposes to undertake a series of embellishment works to existing bushland areas as well as several new trails to connect existing trails with each other or other bushland/parkland areas.

The open space, recreation and bushland recreation facilities and the estimated timing of their delivery are set out in the Works Schedule at [Appendix B](#) to this Plan and their location is identified on the maps at [Appendix C](#).

#### 4.3.4 Apportionment

The open space and recreation facilities and bushland walking trails proposed under this Plan are required to cater for development from 2014 to 2030 and accordingly, the full cost of the acquisition and embellishment will be borne by private dwelling development over that period.

As development forecast to occur between 2020-2030 to be levied under this Plan accounts for 66% of the 2014-2030 additional population, 66% of the cost of open space and recreational facilities and bushland trails will be attributable to development to be levied under this Plan.

#### 4.3.5 Calculation of Contribution Rate

Open space and recreation facilities operate as a network of lower and higher order spaces and facilities for the enjoyment on an LGA wide basis. Accordingly, the contribution rate for future development has been calculated on an LGA-wide basis.

The formula for the calculation of the contribution rate for local open space and recreation facilities is as follows:

$$\begin{aligned} \text{Contribution rate per new resident} &= \frac{\text{Total Cost of Facilities Attributable to Future Development}}{\text{Total Additional Private Residents}} \\ &= \$5,464.32 \text{ per resident} \end{aligned}$$

#### 4.4 Local community facilities

The forecast development within the LGA will generate additional demand for community facilities and this demand will require additional community facilities and upgrading of existing facilities.

##### 4.4.1 Existing Facilities

There is a range of community facilities available throughout the LGA comprising numerous libraries of varying sizes and functions and over 20 community halls, centres and meeting rooms. Of particular relevance to this Plan, these facilities include:

- Hornsby and Pennant Hills libraries; and
- Cherrybrook Community Centre and Wallarobba Cultural Centre.

##### 4.4.2 Nexus to development

Future development will be responsible for 16,595 new residents in private dwellings within the LGA from 2020 to 2030. This additional population will generate additional demand for community facilities such as libraries, community halls, meeting rooms and cultural facilities including upgrading of existing facilities to cater for additional capacity or to enable a wider variety of activities to be undertaken or to remain open for longer hours in all weather and during different parts of the day.

The estimated future population in non-private dwellings has been excluded from these calculations as the utilisation of community facilities by that part of the future population is not considered to generate a significant demand for such facilities in its own right.

##### 4.4.3 Strategy – proposed infrastructure

Council's will provide public facilities in accordance with the Community and Cultural Facilities Strategic Plan.

With respect to library facilities, this will entail provision of additional floor space and resources based on accepted standards published by the Library Council of NSW (Library Council, 2005) which result in the following facilities to be levied for under this Plan:

- Construction of a new Hornsby Library which may be co-located with a new community centre;
- Construction of a new Pennant Hills Library co-located with a community centre;
- Additional library technology for all libraries such as computers and the like; and
- 36,515 additional library resource items.

A combination of new and embellished community and cultural centres is proposed to cater for the demands of the forecast additional population consistent with Council's planning for the Housing Strategy. For the forecast additional population this includes:

- Construction of a new centralised Hornsby Community Centre which may be co-located with the new library;
- Construction of a new Pennant Hills Community Centre co-located with a new library;
- Construction of a new Cherrybrook Community Centre;
- Embellishment of existing community centres to provide for provide additional capacity of indoor and outdoor activity spaces, upgraded amenities, audio visual equipment and the like; and
- Expansion of the Wallarobba Arts and Cultural Centre.

The Works Schedule at [Appendix B](#) sets out all community facilities for which a contribution is required under this Plan.

The location of the proposed facilities is identified on the maps at [Appendix C](#) to this Plan.

#### 4.4.4 Apportionment

As development forecast to occur between 2020-2030 to be levied under this Plan accounts for 66% of the 2014-2030 additional population, 66% of the cost of open space and recreational facilities and bushland trails will be attributable to development to be levied under this Plan.

#### 4.4.5 Calculation of Contribution Rate

Community facilities operate as a network of lower and higher order facilities for the enjoyment on an LGA wide basis. Accordingly, the contribution rate for future development has been calculated on an LGA wide basis.

The formula for the calculation of the contribution rate for community facilities is as follows:

$$\begin{aligned}\text{Contribution rate per new resident} &= \frac{\text{Total Cost of Facilities Attributable to Future Development}}{\text{Total Additional Private Residents}} \\ &= \$3,365.52 \text{ per resident}\end{aligned}$$

## **4.5 Road Haulage**

### **4.5.1 Introduction**

Heavy vehicles such as those used to haul goods, materials, animals and livestock, particularly those associated with mines, extractive industries and agricultural activities, have a significant impact on the structural integrity of roads. Such activities generate a demand for ongoing repair, maintenance and construction of selected vehicle routes.

### **4.5.2 Nexus to development**

The majority of roads in the Hornsby LGA were originally constructed with the intention of servicing light vehicle traffic such as cars, vans and small trucks, as well as a small proportion of heavy vehicle traffic.

Accordingly, the condition of most roads is inadequate to service large numbers of heavy vehicles. Future new and enlarged developments which rely on heavy vehicle haulage will cause certain roads to deteriorate much quicker than their design life, unless measures are employed to maintain them on an ongoing basis or upgrade them to a suitable standard.

The Land and Environment Court of NSW has held that it is lawful and reasonable for a consent authority to impose a condition of development consent requiring a monetary contribution on a royalty basis for the maintenance, repair and reconstruction of roads arising out of the use of those roads by heavy vehicles, such as those commonly associated with mines, extractive industries and agriculture. Furthermore, the Court has held that a consent authority has the power to levy for such purposes on local, regional and State roads.

The basis for this is that damage to road surfaces is caused by heavy vehicles as opposed to light vehicles such as cars and vans. The impact of heavy vehicles is measured by equivalent standard axles (ESAs) with a standard axle being a single axle with dual wheels that carries a load of 8.2 tonnes (i.e. one ESA).

It is widely accepted that the damaging effect on road pavement is non-linear such that double the load causes 16 times the damage (i.e. 10<sup>4</sup>th power rule or 2x2x2x2). Thus one ESA has the same damaging effect on road pavement as about 4,500 car axles transmitting one tonne or the equivalent of around 9,500 average cars.

### **4.5.3 Strategy – proposed infrastructure**

Council's strategy in regard to road haulage is to levy development based on the cost of repair maintenance and reconstruction, the class of road, the number and type of heavy vehicle movements and the consequential number of Equivalent Standard Axles (ESAs) and the estimated average quantum of materials transported along specified routes.

During the life of this Plan, development may occur which would result in an increased demand for the repair, maintenance and reconstruction of certain roads through the LGA. In such circumstances, the methodology for calculating contributions specified herein will be used to determine appropriate contributions in those instances.

Council has determined that, in order to maintain an adequate standard of construction for the estimated pavement life of haulage roads (i.e. 20 years), the following repair, maintenance and reconstruction activities are required:

- Every 20 years - Pavement rehabilitation;
- Every 10 years for local roads - Maintenance re-seal;
- Every 7 years for State and regional roads - Maintenance re-seal;
- Annually - Routine maintenance;
- As Required (case by case basis) - Heavy patching or cement stabilisation of selected sections of sealed roads.

Accordingly, the cost of repair, maintenance and reconstruction of a given length of road can be determined as follows:

$$\text{\$C}_M = L \times (\text{\$PR} + \text{\$MR}_{L/SR} + \text{\$RM}) + A \times (\text{\$S})$$

Where:

$\text{\$C}_M$	=	Lifetime Cost of Maintenance
$L$	=	Length of haulage road in metres
$\text{\$PR}$	=	20 year cost of Pavement Rehabilitation per linear metre
$\text{\$MR}_{L/SR}$	=	20 year cost of Maintenance Re-seal for either Local or State/Regional road per linear metre
$\text{\$RM}$	=	20 year cost of Routine Maintenance per linear metre
$A$	=	Area in square metres of heavy patching or cement stabilisation
$\text{\$S}$	=	20 year cost of heavy patching or cement stabilisation

Costs and contributions for haulage routes will be determined at the time of assessment of the relevant development application in accordance with the methodology within this Plan.

#### 4.5.4 Calculation of contributions

Council will calculate the levy per tonne of material hauled using the following step process:

##### 1. Determine the Total Existing ESAs per year for the Haulage Route

$$\text{ESA}_T = \text{AADT} \times F \times H\% \times 365$$

Where:

$\text{ESA}_T$	=	Total Existing Equivalent Standard Axles per year
$\text{AADT}$	=	The Annual Average Daily Traffic (AADT) volume of the haulage route
$F$	=	The Factor for the relevant Road Class from Table E5 of Appendix E to the Austroads publication <i>Pavement Design: A Guide to the Structural Design of Road Pavements (1992)</i>
$H\%$	=	The percentage of AADTs attributable to heavy vehicles for the design standard of the Road Class.

##### 2. Determine the Proposed Heavy Vehicle Trips in Equivalent Standard Axles (ESAs)

$$\text{ESA}_P = T_A \times (F_A) + T_B \times (F_B) + \dots$$

Where:

$\text{ESA}_P$	=	Proposed Equivalent Standard Axles per year
$T_A$	=	Proposed number of Trips per year for truck type A (e.g. 3-axle)
$F_A$	=	The Factor for truck type A from Table E4 of Appendix E to the Austroads publication <i>Pavement Design: A Guide to the Structural Design of Road Pavements (1992)</i>
$T_B$	=	Proposed number of Trips per year for truck type B (e.g. 6-axle)
$F_B$	=	The Factor for truck type B from Table E4 of Appendix E to the Austroads publication <i>Pavement Design: A Guide to the Structural Design of Road Pavements (1992)</i>

3. *Determine the Proportion of ESAs attributable to the Proposed Development*

$$P_{\%} = \frac{ESA_P}{ESA_T}$$

Where:

$P_{\%}$  = Proportion of ESAs attributable to the proposed development

$ESA_P$  = Proposed Equivalent Standard Axles per year (from Step 1)

$ESA_T$  = Total Existing Equivalent Standard Axles per year (from Step 2)

4. *Determine the Contribution Rate per Unit of material proposed to be hauled*

$$R_U = \frac{C_M \times P_{\%}}{L \times Q}$$

Where:

$R_U$  = Rate per Unit of material to be hauled for the proposed development

$C_M$  = Lifetime Cost of repair, maintenance and reconstruction

$P_{\%}$  = Proportion of ESAs attributable to proposed development (from Step 3)

$L$  = Estimated pavement life (i.e. 20 years)

$Q$  = Proposed Quantity of material to be hauled per year in appropriate Unit (NB: this may be per tonne, per carcass, per egg or other appropriate measure which can be readily monitored and reported to Council).

For development requiring a road haulage contribution under this Plan, Council will impose a condition of development consent requiring a specific monetary contribution rate per tonne of material transported to and/or from the site. The contribution is to be paid on a monthly or quarterly basis or as otherwise determined by Council in the condition of development consent.

At any time, Council may request the operator of the site to produce records to verify the quantity of materials being transported.

The rate per tonne of material to be transported will be indexed in accordance with the provisions of this Plan between the date of determination and the date of payment (see Section 2.6).

## **4.6 Plan Preparation and Administration**

### **4.6.1 Introduction**

In accordance with the Act, Council is authorised to recoup the reasonable costs of preparing this Plan and the cost, or apportioned cost, of any studies specifically prepared to inform the Plan. In addition, any costs associated with the ongoing administration of the Plan can be levied for.

### **4.6.2 Nexus to Development**

This Plan has been specifically prepared to enable Council to ensure that adequate community infrastructure is provided to meet the demands generated by any new development and that the existing community is not burdened by the provision of community infrastructure required as a result of future development.

### **4.6.3 Strategy**

The proposed costs associated with this category of contributions comprises:

- The costs associated with preparing the Plan; and
- Ongoing administration and management of the Plan over a ten year period.

### **4.6.4 Apportionment**

As this Plan has been prepared solely to cater for the demands of future development, the costs associated with the Plan's preparation and ongoing administration will be borne fully by future development.

### **4.6.5 Calculation of Contribution Rate**

A contribution for Plan Preparation and Administration will be levied on the basis of 0.5% of the cost of the underlying contribution rate applicable to a proposed development.

## Appendix A - Glossary

Terms used in this Plan have the following meanings except where the meaning of a term is inconsistent with the Act or the *Standard Instrument—Principal Local Environmental Plan* (SILEP), in which case the definition in the Act or SILEP will prevail:

“**ABS**” means the Australian Bureau of Statistics.

“**Act**” means the *Environmental Planning and Assessment Act 1979*.

“**affordable housing**” means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

“**agriculture**” means any of the following:

- (a) aquaculture,
- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

**Note.** Part 6 of the *Plantations and Reafforestation Act 1999* provides that exempt farm forestry within the meaning of that Act is not subject to the *Environmental Planning and Assessment Act 1979*

“**applicant**” means the person(s) or organisation(s) submitting a development application.

“**apportionment**” means the adjustment of a contribution (usually a percentage) to ensure the contributing population only pays for its share of the total demand for the facility.

“**attached dwelling**” means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

“**backpackers’ accommodation**” means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room);

“**bed and breakfast accommodation**” means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and
- (c) dormitory-style accommodation is not provided;

**“boarding house”<sup>3</sup>** means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment;

**“business premises”** means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital;

**“Consumer Price Index (CPI)”** is a standard measure of price movements published by the Australian Bureau of Statistics.

**“contribution”** means the same as **“development contribution”**;

**“contributions plan”** means a contributions plan referred to in the Act.

**“community infrastructure”** means public amenities and public services, but does not include water supply or sewerage services.

**“Council”** means the Hornsby Shire Council.

**“DCP”** means a Development Control Plan adopted by Council under the Act.

**“development”** has the meaning under Section 4 of the Act which in relation to land means:

- (a) the use of land; and
- (b) the subdivision of land; and
- (c) the erection of a building; and
- (d) the carrying out of a work; and
- (e) the demolition of a building or work; and
- (f) any other act, matter or thing that may be controlled by an environmental planning instrument.

**“development consent”** means consent under Part 4 of the Act to carry out development and includes, unless expressly excluded, a complying development certificate.

**“development contribution”** means the making of a monetary contribution, dedication of land or the providing of a material public benefit (including a work-in-kind), or any combination of these as referred to in the Act for the provision of community infrastructure;

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<sup>3</sup> NB: Clause 30(1)(c) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* limits the occupancy of each boarding house room to no more than 2 adult lodgers.

**“dual occupancy”** means a dual occupancy (attached) or a dual occupancy (detached).

**“dual occupancy (attached)”** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

**“dual occupancy (detached)”** means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

**“dwelling”** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile;

**“dwelling house”** means a building containing only one dwelling;

**“eco-tourist facility”** means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

**“educational establishment”** means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act;

**“exhibition home”** means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

**“extractive industry”** means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

**“forestry”** has the same meaning as **forestry operations** in the *Forestry and National Park Estate Act 1998*.

**Note.** The term is defined as follows:

**forestry operations** means:

- (a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or
- (b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or
- (c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or
- (d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

**“freight transport facility”** means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

**“GFA”** means the same as gross floor area.

**“gross floor area”** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
  - (b) habitable rooms in a basement or an attic, and
  - (c) any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
  - (e) any basement:
    - (i) storage, and
    - (ii) vehicular access, loading areas, garbage and services, and
  - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
  - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
  - (h) any space used for the loading or unloading of goods (including access to it), and
  - (i) terraces and balconies with outer walls less than 1.4 metres high, and
  - (j) voids above a floor at the level of a storey or storey above.

**“group home”** means a permanent group home or a transitional group home;

**“group home (permanent)”** or **“permanent group home”** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which [\*State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004\*](#) applies;

**“group home (transitional)”** or **“transitional group home”** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which [\*State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004\*](#) applies;

**“hospital”** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take-away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries;

**“hostel”** means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis;

**“hotel or motel accommodation”** means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation;

**“industry”** means any of the following:

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include:

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining;

**“LEP”** means a Local Environmental Plan made by the Minister under the Act.

**“LGA”** means Local Government Area.

**“material public benefit”** means a facility or work which is offered by a developer as a finished entity either in return for a reduction in the amount of monetary contributions required for the same category of contribution or as an additional or partial additional benefit under a Planning Agreement;

**“mining”** means mining carried out under the [\*Mining Act 1992\*](#) or the recovery of minerals under the [\*Offshore Minerals Act 1999\*](#), and includes:

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

**“Minister”** means the Minister administering the *Environmental Planning and Assessment Act 1979*.

**“moveable dwelling”** means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the [\*Local Government Act 1993\*](#)) for the purposes of this definition.

**“office premises”** means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used;

**“planning agreement”** means a planning agreement referred to in the Act.

**“public infrastructure”** means:

- (a) public amenities and public services, and
  - (b) affordable housing, and
  - (c) transport infrastructure,
- but does not include water supply or sewerage services.

**“Regulation”** means the *Environmental Planning and Assessment Regulation 2000*.

**“Residential accommodation”** means a building or place used predominantly as a place of residence, including:

- Attached dwellings;
- Boarding houses;
- Dual occupancies;
- Dwelling houses;
- Group homes;
- Hostels;
- Multi dwelling housing;
- Residential flat buildings;
- Rural worker’s dwellings;
- Secondary dwellings
- Semi-detached dwellings;
- Seniors housing; and
- Shop top housing;

but does not include tourist and visitor accommodation or caravan parks.

**“residential care facility”** means accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility;

**“residential flat building”** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi-dwelling housing

**“retail premises”** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;

- (a) (Repealed),
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

**“rural industry”** means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

**“secondary dwelling”** means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

**“semi-detached dwelling”** means a dwelling that is on its own lot of land and is attached to only one other dwelling.

**“seniors housing”** means a building or place that is:

- (a) a residential care facility, or
  - (b) a hostel within the meaning of clause 12 of [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#), or
  - (c) a group of self-contained dwellings, or
  - (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
- and that is, or is intended to be, used permanently for:
- (e) seniors or people who have a disability, or
  - (f) people who live in the same household with seniors or people who have a disability, or
  - (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital;

**“serviced apartment”** means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.

**“shop”** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises;

**“shop top housing”** means one or more dwellings located above ground floor retail premises or business premises.

**“SILEP”** means the *Standard Instrument—Principal Local Environmental Plan*.

**“social housing provider”** means a social housing provider as defined by *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* which, at the date of adoption of this Plan included:

- (a) the New South Wales Land and Housing Corporation,
- (b) the Department of Housing,
- (c) a community housing organisation registered with the Office of Community Housing of the Department of Housing,
- (d) the Aboriginal Housing Office,
- (e) a registered Aboriginal housing organisation within the meaning of the [Aboriginal Housing Act 1998](#),
- (f) the Department of Ageing, Disability and Home Care,
- (g) a local government authority that provides affordable housing,
- (h) a not-for-profit organisation that is a direct provider of rental housing to tenants.

**“specialised retail premises”** means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

**“SUA”** means the Sydney Urban Area as used by the ABS;

**“tourist and visitor accommodation”** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers’ accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include—

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

**“transport depot”** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

**“truck depot”** means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

**“waste or resource management facility”** means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)-(c).

**“work-in-kind”** means the carrying out of work which is identified in the costed works schedule which form part of this Plan in return for a reduction in the amount of monetary contributions (but not a reduction in the total quantum of contributions) required for the same category of contribution.

## Appendix B - Works Schedule

Facility Ref	Catchment works attributable to	Description	Land Acquisition Cost	Capital Cost	Total Facility Cost	Cost met / to be met by Council / Others	Cost attributable to New Development	Estimated Completion Date
<b>Local Roads</b>								
RD-001	LGA Wide	Signalisation of Galston Rd with Clarinda St	-	\$900,250	\$900,250	\$306,416	\$593,834	2020
RD-002	LGA Wide	Shire Wide Strategic Traffic and Transport Modelling	-	\$257,109	\$257,109	\$87,512	\$169,597	2030
RD-003	LGA Wide	Peats Ferry and Bridge intersection upgrade	-	\$3,364,725	\$3,364,725	\$1,145,245	\$2,219,480	2021
RD-004	LGA Wide	Realign bus and taxi exit to become a 4 way signalised intersection with High St and Peats Ferry Rd	-	\$1,319,500	\$1,319,500	\$449,116	\$870,384	2024
RD-005	LGA Wide	Reconfigure Station St to allow traffic to enter from Coronation St and provide a mini round-a-bout with angle parking	-	\$527,800	\$527,800	\$179,646	\$348,154	2024
RD-006	LGA Wide	Close entrance to Station St from Peats Ferry Rd and provide pedestrian only traffic signals	-	\$197,925	\$197,925	\$67,367	\$130,558	2024
RD-007	North	Realign and provide staggered 4 way signalised intersection at Amaroo Ave/ Cowan Rd	-	\$650,000	\$650,000	\$221,239	\$428,761	2024
RD-008	North	Median on Pacific Highway at Werombie Rd	-	\$53,307	\$53,307	\$18,144	\$35,163	2024
RD-009	Central	Traffic calming (Waitara Precinct and Alexandria Parade)	-	\$227,781	\$227,781	\$77,529	\$150,252	2024
RD-010	Central	Corner of Mildred and Citrus Avenue, speed platform and pedestrian refuge	-	\$79,959	\$79,959	\$27,215	\$52,744	2022
RD-011	Central	Median at Pacific Highway, Old Berowra Rd	-	\$55,357	\$55,357	\$18,842	\$36,515	2020
RD-012	Central	Median at Galston Road, Carrington Road	-	\$55,357	\$55,357	\$18,842	\$36,515	2020
RD-013	Central	Extend Wattle Street to Amor Street (including 7 Amor Street)	\$1,293,211	\$2,891,789	\$4,185,000	\$1,424,440	\$2,760,560	2024
RD-014	Central	Signals at four way intersection of Amor Street with Lords Avenue/Wattle St	-	\$533,250	\$533,250	\$181,501	\$351,749	2024
RD-015	Central	Additional lanes on Royston Parade and Sherbrook Rd for right turns into Baldwin St	-	\$896,116	\$896,116	\$305,009	\$591,107	2024
RD-016	Central	Extend right turn bay (50m) on Pacific Hwy (north approach) into Wattle St	-	\$492,865	\$492,865	\$167,755	\$325,110	2024
RD-017	Central	Median closure on Pacific Hwy opposite Asquith Commercial Centre	-	\$53,307	\$53,307	\$18,144	\$35,163	2024
RD-018	Central	Extend right turn bay (30m) or provide double right turn on Pacific Hwy (south approach) into Belmont Parade	-	\$273,000	\$273,000	\$92,920	\$180,080	2024
RD-019	South	Beecroft Town Centre traffic improvements including signalisation of Wongala Cr/ Hannah St	-	\$758,713	\$758,713	\$258,242	\$500,471	2024
RD-020	South	Traffic calming in Thornleigh precinct (Wood St and Bellevue St)	-	\$208,000	\$208,000	\$70,797	\$137,203	2024
<b>Sub-Total</b>			<b>\$1,293,211</b>	<b>\$13,796,110</b>	<b>\$15,089,321</b>	<b>\$5,135,921</b>	<b>\$9,953,400</b>	<b>N/A</b>

## Section 7.11 Development Contributions Plan

Facility Ref	Catchment works attributable to	Description	Land Acquisition Cost	Capital Cost	Total Facility Cost	Cost met / to be met by Council / Others	Cost attributable to New Development	Estimated Completion Date
<b>Local Open Space and Recreation Facilities</b>								
OSR-001	LGA Wide	Hornsby Park Complex - Stage 1 Specialty Park, Stage 2 Sportsground, Stage 3 Parklands	-	\$92,500,000	\$92,500,000	\$64,465,641	\$28,034,359	2028
OSR-002	LGA Wide	Hornsby Shire Bike Plan (HSBP) - Stage 1 Works	-	\$6,940,320	\$6,940,320	\$2,362,263	\$4,578,057	2024
OSR-003	LGA Wide	Waitara Park - Level 1 Destination Parkland Development	-	\$13,660,553	\$13,660,553	\$5,045,395	\$8,615,158	2020
OSR-004	LGA Wide	Westleigh Park embellishment (Stage 1)	-	\$70,000,000	\$70,000,000	\$53,509,201	\$16,490,799	2024
OSR-005	LGA Wide	Brickpit Park embellishment (stage 2)	-	\$2,400,000	\$2,400,000	\$816,883	\$1,583,117	2026
OSR-006	LGA Wide	Public Domain Improvements in Town Centres - Asquith to Mt Colah	-	\$19,951,295	\$19,951,295	\$6,790,783	\$13,160,512	2028
OSR-007	LGA Wide	John Purchase Oval - Synthetic field	-	\$1,312,544	\$1,312,544	\$1,023,945	\$288,599	2028
OSR-008	LGA Wide	Warrina Street Oval - Synthetic field and destination park embellishment	-	\$800,000	\$800,000	\$272,294	\$527,706	2027
OSR-009	LGA Wide	Parklands Oval - Floodlights	-	\$353,377	\$353,377	\$120,278	\$233,099	2022
OSR-010	LGA Wide	Ron Payne Oval amenities	-	\$2,000,400	\$2,000,400	\$1,670,518	\$329,882	2022
OSR-011	LGA Wide	Campbell Park Oval synthetic field	-	\$5,980,526	\$5,980,526	\$2,035,580	\$3,944,946	2027
OSR-012	LGA Wide	Normanhurst Oval – floodlights and amenities	-	\$1,400,000	\$1,400,000	\$476,515	\$923,485	2022
OSR-013	LGA Wide	James Henty Oval Floodlights	-	\$240,000	\$240,000	\$81,688	\$158,312	2023
OSR-014	LGA Wide	Edward Bennett Oval Amenities	-	\$1,200,000	\$1,200,000	\$408,442	\$791,558	2023
OSR-015	LGA Wide	Pennant Hills Park- Walking paths	-	\$1,700,000	\$1,700,000	\$578,626	\$1,121,374	2026
OSR-016	LGA Wide	Mc Kell Park Brooklyn - Walking paths and park embellishment	-	\$520,000	\$520,000	\$176,991	\$343,009	2027
OSR-017	LGA Wide	Mark Taylor Oval, Waitara - Sportsground Upgrades	-	\$9,500,000	\$9,500,000	\$9,170,184	\$329,816	2024
OSR-018	LGA Wide	Fagan Park Playground - Stage 2	-	\$2,480,000	\$2,480,000	\$844,113	\$1,635,887	2024
OSR-019	LGA Wide	New Local Playground Asquith	-	\$600,000	\$600,000	\$204,221	\$395,779	2024
OSR-020	LGA Wide	New Local Playground Mt Colah	-	\$600,000	\$600,000	\$204,221	\$395,779	2023
OSR-021	LGA Wide	Willow Park - Playground embellishment	-	\$1,000,000	\$1,000,000	\$340,368	\$659,632	2024
OSR-022	LGA Wide	Wollundry Park - Park and Playground embellishment	-	\$600,000	\$600,000	\$204,221	\$395,779	2022
OSR-023	LGA Wide	Hunt Reserve - Park and playground embellishment	-	\$600,000	\$600,000	\$204,221	\$395,779	2022

## Section 7.11 Development Contributions Plan

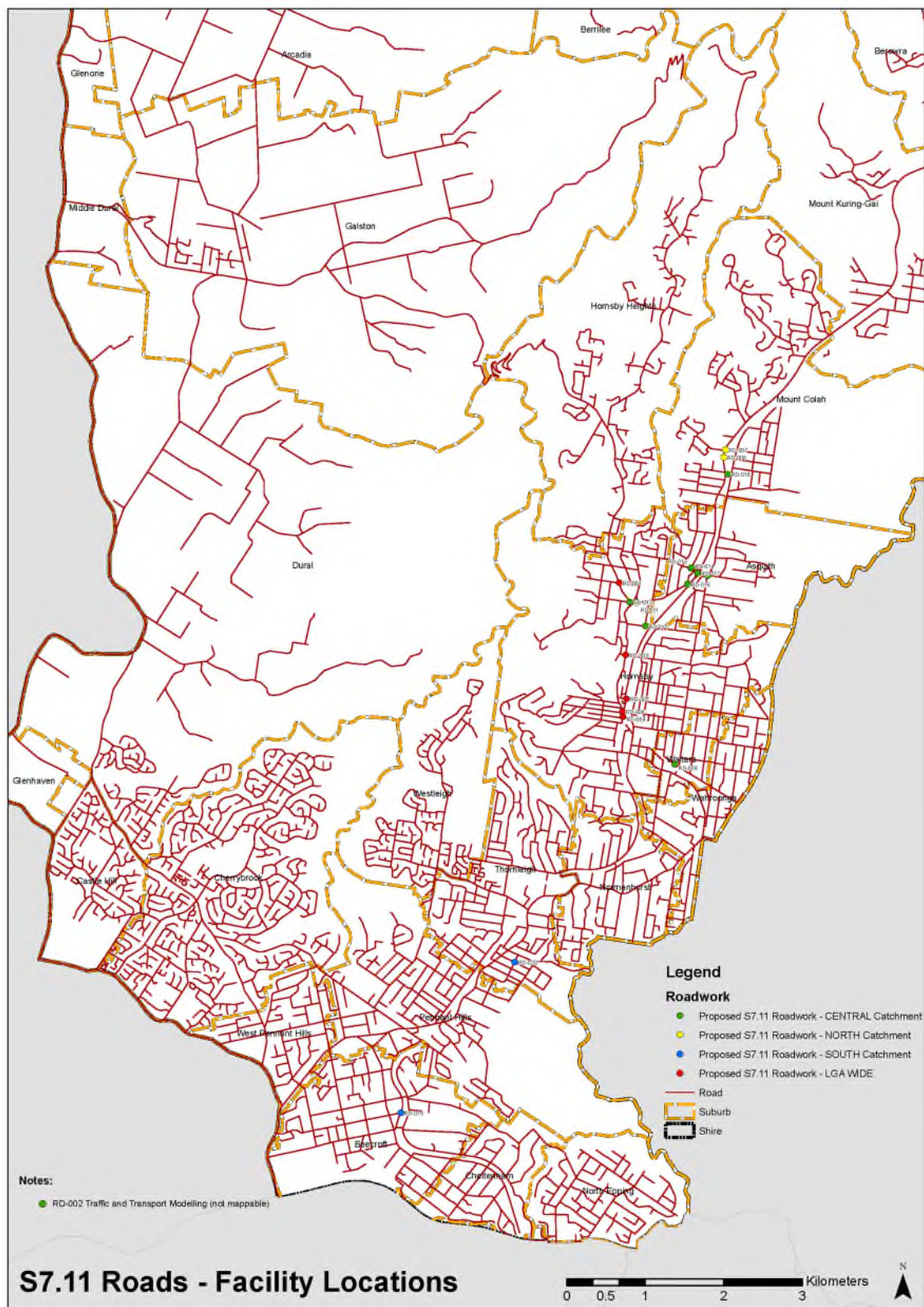
Facility Ref	Catchment works attributable to	Description	Land Acquisition Cost	Capital Cost	Total Facility Cost	Cost met / to be met by Council / Others	Cost attributable to New Development	Estimated Completion Date
OSR-024	LGA Wide	New off leash dog areas in existing parks - Hunt Reserve, Mt Colah; Kenley Park, Normanhurst; Edward Bennett Oval, Cherrybrook	-	\$300,000	\$300,000	\$102,110	\$197,890	2024
OSR-025	LGA Wide	Erlestoke Park Amenities	-	\$600,000	\$600,000	\$204,221	\$395,779	2025
OSR-026	LGA Wide	Rofe Park Amenities	-	\$600,000	\$600,000	\$204,221	\$395,779	2025
OSR-027	LGA Wide	Ruddock Park Amenities	-	\$1,200,000	\$1,200,000	\$408,442	\$791,558	2024
OSR-028	LGA Wide	Lisgar Gardens Public Toilets	-	\$600,000	\$600,000	\$204,221	\$395,779	2022
BL-001	LGA Wide	Asquith East Bushland Trail Links	-	\$240,000	\$240,000	\$81,688	\$158,312	2027
BL-002	LGA Wide	Railway Station-Rofe Park-Asquith Park connection - Establishing links and bushwalking track	-	\$230,000	\$230,000	\$78,285	\$151,716	2029
BL-003	LGA Wide	Beecroft Reserve - Upgrade bushland recreational trails	-	\$270,000	\$270,000	\$91,899	\$178,101	2022
BL-004	LGA Wide	Fearnley Reserve Track Entrance, Beecroft	-	\$85,000	\$85,000	\$28,931	\$56,069	2021
BL-005	LGA Wide	Berowra Park and walking track upgrades Berowra to Cowan area	-	\$495,000	\$495,000	\$168,482	\$326,518	2023
BL-006	LGA Wide	New - Boardwalk at Brooklyn Park Foreshore	-	\$203,700	\$203,700	\$69,258	\$134,442	2025
BL-007	LGA Wide	Brooklyn Bushland Trails - Establish a walking trail network across McKell Park by upgrading existing trail and building links	-	\$170,000	\$170,000	\$57,863	\$112,137	2023
BL-008	LGA Wide	Devlins Creek Track to Lynne Road, Cheltenham	-	\$164,000	\$164,000	\$55,820	\$108,180	2025
BL-009	LGA Wide	Callicoma Walk - Lakes of Cherrybrook and Blackwattle Place Cherrybrook (Stage 2)	-	\$120,000	\$120,000	\$40,844	\$79,156	2028
BL-010	LGA Wide	Pyes Creek Connectivity Trail and link, Dural	-	\$242,000	\$242,000	\$95,899	\$185,852	2023
BL-011	LGA Wide	Galston Recreation Trail Facility - Stage 2, Hayes Park	-	\$175,000	\$175,000	\$59,564	\$115,436	2025
BL-012	LGA Wide	Carrs Bush, Galston - Stage 2 construction of new elevated boardwalk and accessible areas	-	\$300,000	\$300,000	\$102,110	\$197,890	2024
BL-013	LGA Wide	Reddy Park Hornsby - Embellish pedestrian link Stage 2 - Extend trail and consolidate playground trail head	-	\$130,000	\$130,000	\$44,248	\$85,752	2020
BL-014	LGA Wide	Stage 2 - Rofe Park Bushland Hornsby - Extend bushwalking track to full circuit	-	\$180,679	\$180,679	\$61,497	\$119,182	2029
BL-015	LGA Wide	Stage 2 - Bluegum Forest, Ginger Meggs Loop and Track head upgrade	-	\$164,018	\$164,018	\$55,826	\$108,192	2021
BL-016	LGA Wide	Hornsby Heritage steps trail construction and heritage restoration (Stages 2 and 3)	-	\$449,100	\$449,100	\$152,859	\$296,241	2023
BL-017	LGA Wide	Ginger Meggs Loop, Hornsby - Upgrade to bushwalking facilities	-	\$85,000	\$85,000	\$28,931	\$56,069	2021

## Section 7.11 Development Contributions Plan

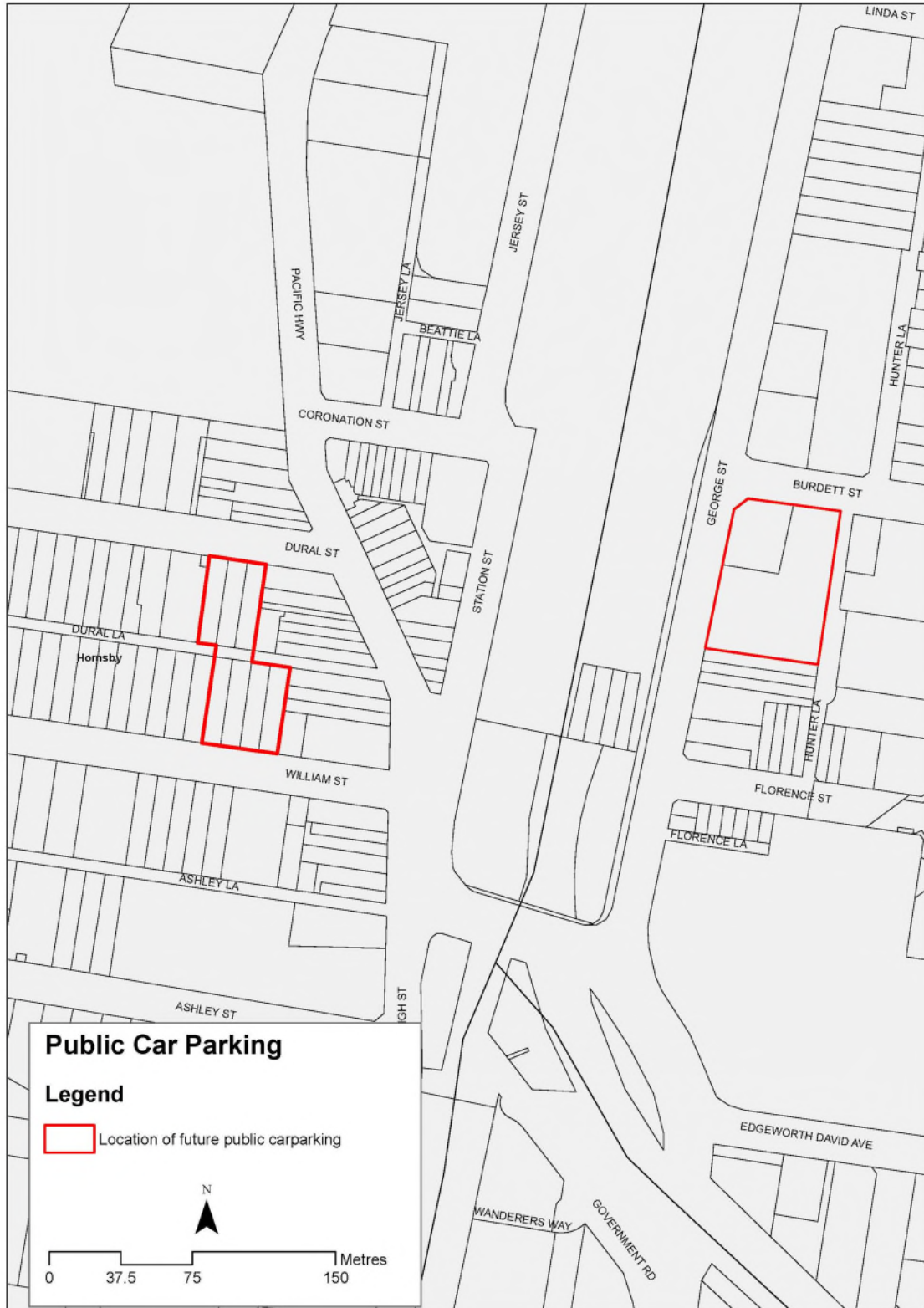
Facility Ref	Catchment works attributable to	Description	Land Acquisition Cost	Capital Cost	Total Facility Cost	Cost met / to be met by Council / Others	Cost attributable to New Development	Estimated Completion Date
BL-018	LGA Wide	Pennant Hills Park Bushland tracks - Mambara Track-Pennant Hills Park fire trail connection	-	\$160,000	\$160,000	\$54,459	\$105,541	2022
BL-019	LGA Wide	Great North Walk - entrance at Morgan Street Pennant Hills	-	\$84,000	\$84,000	\$28,591	\$55,409	2024
BL-020	LGA Wide	Stage 2 - Begonia Road and Blantyre Close Reserves Thornleigh to Pine Street, Normanhurst. Upgrading existing informal pedestrian links through bushland reserves.	-	\$75,000	\$75,000	\$25,528	\$49,472	2029
BL-021	LGA Wide	Wareemba Avenue, Thornleigh - Embellishment of track head and creek crossing to connect to Ginger Meggs fire trail Hornsby	-	\$216,000	\$216,000	\$73,519	\$142,481	2026
BL-022	LGA Wide	Great North Walk - bushwalk track head Thornleigh Oval to National Park Boundary	-	\$34,000	\$34,000	\$11,573	\$22,427	2024
BL-023	LGA Wide	New Farm Road Bushland, West Pennant Hills - Provision of recreational walking trail facility	-	\$108,000	\$108,000	\$36,760	\$71,240	2024
BL-024	LGA Wide	Westleigh Park Bushwalking Track	-	\$200,000	\$200,000	\$68,074	\$131,926	2024
BL-025	LGA Wide	Larool Creek Track to Westleigh Park connection	-	\$180,000	\$180,000	\$61,266	\$118,734	2026
BL-026	LGA Wide	Quarter Sessions Road Lookout and Access track, Westleigh	-	\$30,000	\$30,000	\$10,211	\$19,789	2021
Sub-Total			\$1,293,211	\$244,429,512	\$244,429,512	\$153,773,792	\$90,695,472	N/A
Local Community Facilities								
CF-001	LGA Wide	Hornsby Central Library	-	\$23,352,000	\$23,352,000	\$7,948,274	\$15,403,726	2035
CF-002	LGA Wide	Library Resources	-	\$2,190,804	\$2,190,804	\$0	\$2,190,804	2029
CF-003	LGA Wide	Hornsby Community Centre	-	\$19,817,000	\$19,817,000	\$6,745,073	\$13,071,927	2035
CF-004	LGA Wide	Library Technology	-	\$1,000,000	\$1,000,000	\$340,368	\$659,632	2029
CF-005	LGA Wide	Pennant Hills Library & Community Centre - New Building	-	\$19,040,710	\$19,040,710	\$6,480,849	\$12,559,861	2029
CF-006	LGA Wide	Cherrybrook Community Centre	-	\$2,153,424	\$2,153,424	\$732,957	\$1,420,467	2028
CF-007	LGA Wide	Wallerobba Arts and Cultural Centre	-	\$8,933,925	\$8,933,925	\$3,040,822	\$5,893,103	2024
CF-008	LGA Wide	Embellish existing Community Centres	-	\$7,065,500	\$7,065,500	\$2,404,870	\$4,660,630	2029
Sub-Total			\$1,293,211	\$83,553,363	\$83,553,363	\$27,693,213	\$55,860,150	N/A
TOTALS			\$1,293,211	\$341,778,985	\$343,072,196	\$186,602,926	\$156,509,022	N/A

## Appendix C – Maps of Facility Locations by Sub-Catchment

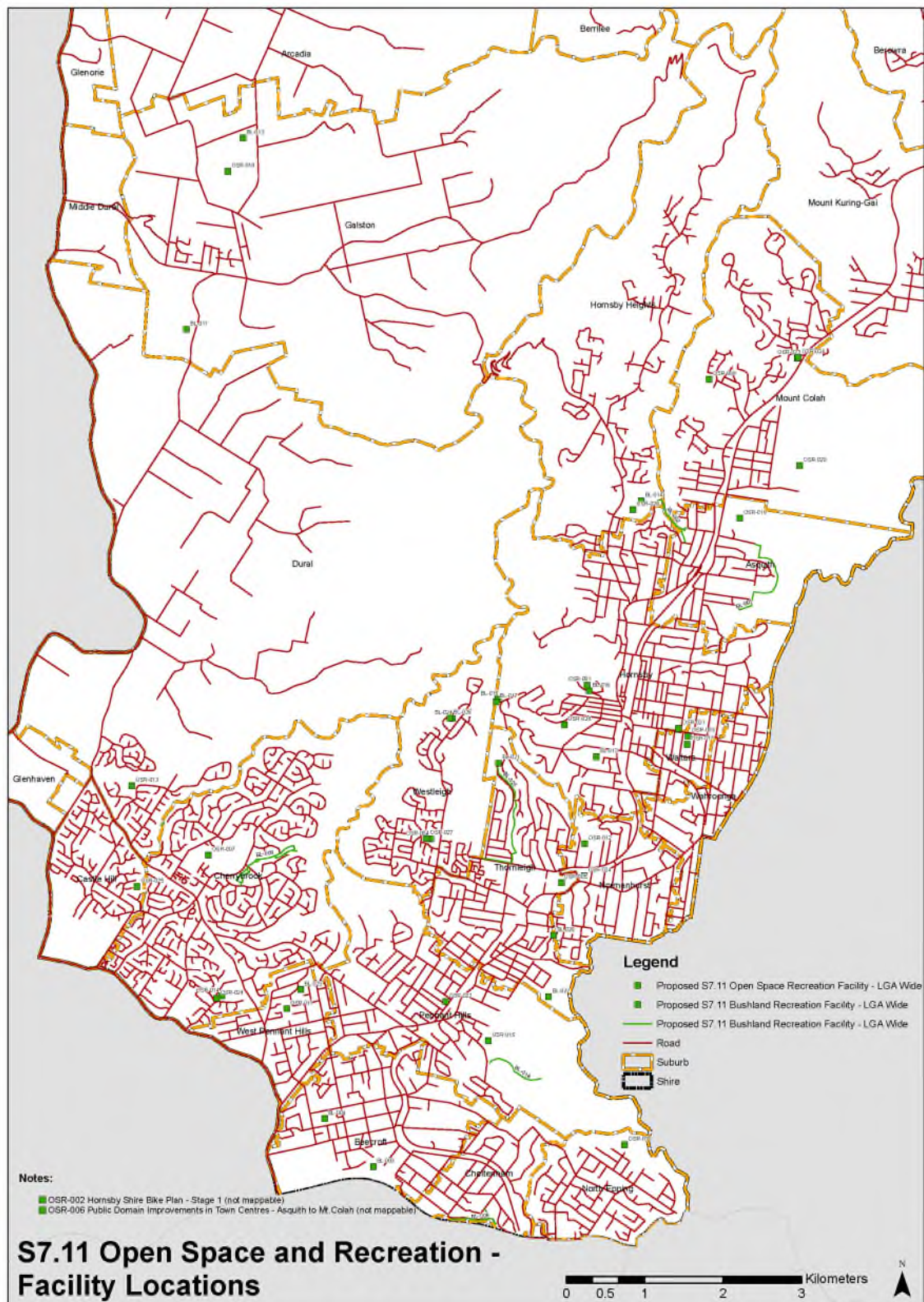
## ROADS



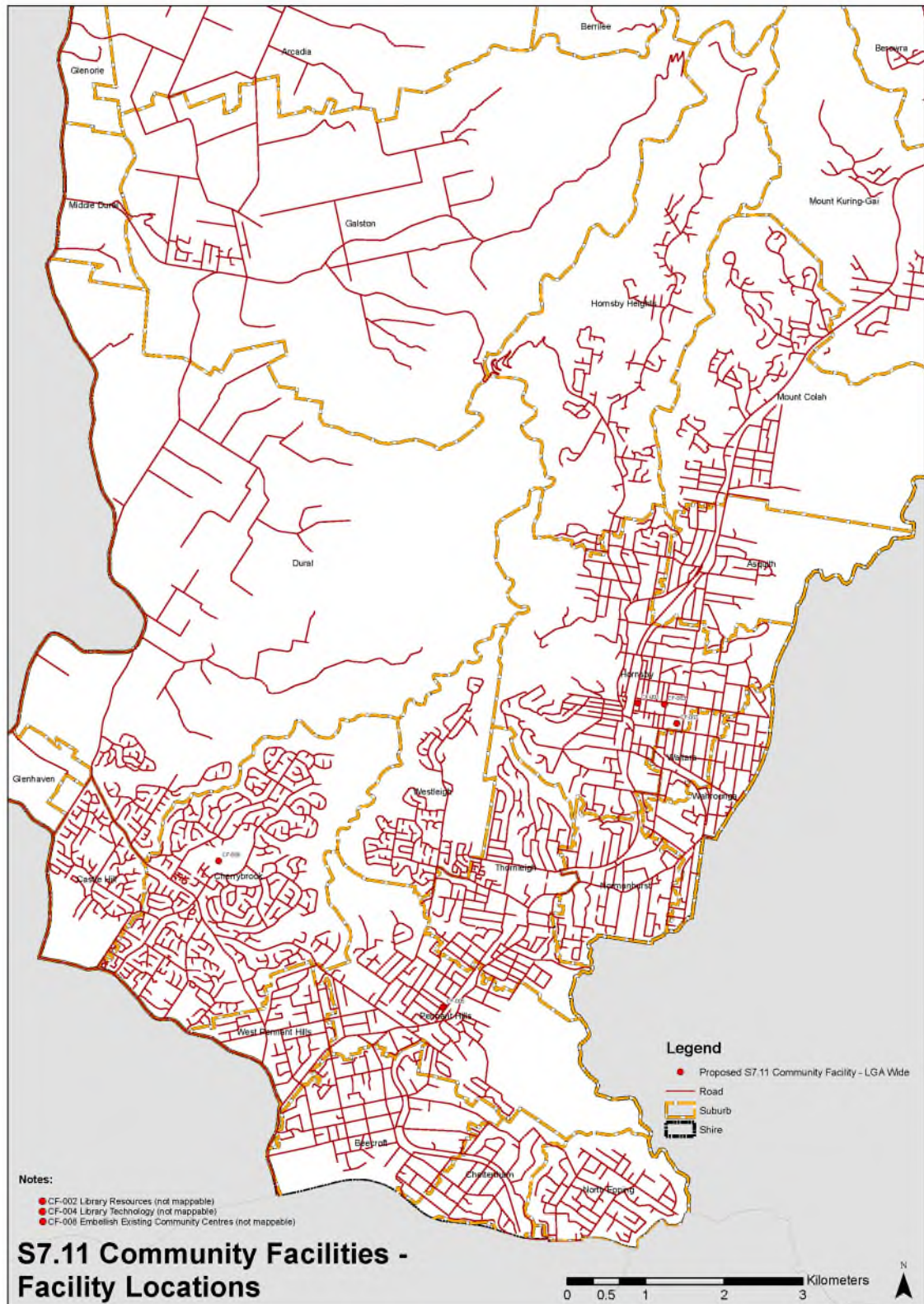
## CAR PARKING



## OPEN SPACE AND RECREATION



## COMMUNITY FACILITIES



## Appendix D – Pro forma Condition of Development Consent

- (a) In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the Hornsby Development Contributions Plan 2020-2030, the following monetary contributions shall be paid to Council to cater for the increased demand for community infrastructure resulting from the development:

Description	Contribution (\$)
Roads	\$
Car Parking	\$
Open Space and Recreation	\$
Community Facilities	\$
Plan Preparation and Administration	\$
<b>TOTAL</b>	<b>\$</b>

- (b) If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{DC} \times \text{CPI}_{PY}}{\text{CPI}_{DC}}$$

Where:

- \\$C<sub>PY</sub>** is the amount of the contribution at the date of Payment  
**\\$C<sub>DC</sub>** is the amount of the contribution as set out in this development consent  
**CPI<sub>PY</sub>** is the latest release of the Consumer Price Index (Sydney – All Groups) at the date of Payment as published by the ABS.  
**CPI<sub>DC</sub>** is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date of this development consent.

- (c) The monetary contributions shall be paid to Council:
- prior to the issue of the Subdivision Certificate where the development is for subdivision; or
  - prior to the issue of the first Construction Certificate where the development is for building work; or
  - prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
  - prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

**It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.**

Council's Development Contributions Plan may be viewed at [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au) or a copy may be inspected at Council's Administration Centre during normal business hours.

## Appendix E – Pro forma Complying Development Certificate Condition

- (a) In accordance with Section 4.28(6) of the *Environmental Planning and Assessment Act 1979* and the Hornsby Development Contributions Plan 2020-2030, the following monetary contributions shall be paid to Council to cater for the increased demand for community infrastructure resulting from the development:

Description	Contribution (\$)
Roads	\$
Open Space and Recreation	\$
Community Facilities	\$
Plan Preparation and Administration	\$
<b>TOTAL</b>	<b>\$</b>

- (b) If the contributions are not paid within the financial quarter that this complying development certificate is granted, the contributions payable will be adjusted in accordance with the provisions of the Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$ C}_{CDC} \times \text{CPI}_{PY}}{\text{CPI}_{CDC}}$$

Where:

- \\$C<sub>PY</sub>** is the amount of the contribution at the date of Payment.
- \\$C<sub>CDC</sub>** is the amount of the contribution as set out in this Complying Development Certificate.
- CPI<sub>PY</sub>** is the latest release of the Consumer Price Index (Sydney – All Groups) at the date of Payment as published by the ABS.
- CPI<sub>CDC</sub>** is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date of this Complying Development Certificate.

- (c) The monetary contributions shall be paid to Council:
- prior to the works commencing where the development requires building works;
  - prior to occupation or the issue of an occupation certificate, whichever occurs first, where no works are required.

**It is the professional responsibility of an accredited certifier to ensure that the monetary contributions have been paid to Council prior to authorising works to commence.**

Council's Development Contributions Plan may be viewed at [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au) or a copy may be inspected at Council's Administration Centre during normal business hours.

## Appendix F - References

The following legislation, plans and policies, studies, technical guides and other information have been used to formulate the contents of the Plan:

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