

# Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan



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## 1. Introduction

This Plan known as the CIC Plan provides details on how Community Infrastructure is to be delivered as part of the renewal of the Kensington and Kingsford town centres. The Kensington and Kingsford town centres Planning Strategy and Planning Proposal detail the vision and planning controls for implementation.

The Kensington and Kingsford town centres are shown in Figure 1 below.



Figure 1. Kensington and Kingsford town centres boundary (highlighted red)(to be updated)

The Community Infrastructure Contributions (CIC) scheme is one of three development contributions schemes proposed by the Kensington and Kingsford town centres Planning Strategy to deliver a range of community benefits, local infrastructure and affordable rental housing. This Plan should be read in conjunction with the Kensington and Kingsford s7.12 Development Contributions Plan and the Affordable Housing Plan to fully understand the community benefits package to be delivered for the town centres.

## **2. Purpose of this Plan**

The purpose of this Plan is to:

- Explain why Community Infrastructure is needed to support the growth and function of the town centres as part of its urban renewal;
- Detail what essential Community Infrastructure is needed to support redevelopment,
- Describe how the Community Infrastructure can be delivered through the development process and Voluntary Planning Agreements;
- Outline how the value of the Community Infrastructure works is calculated; and
- Provide guidance on how and when Council will deliver Community Infrastructure.

## **3. Why is a Community Infrastructure Contribution needed in Kensington and Kingsford town centres?**

The Kensington and Kingsford town centres are undergoing change from the introduction of light rail, projected population growth and redevelopment pressures.

The draft Kensington and Kingsford Town Centres Planning Strategy supports a new planning framework for these town centres to guide growth and change over the next 15 years. A projected increase of 23% in population is expected by 2036. This new planning framework (via proposed amendments to Randwick LEP 2012 and DCP 2013) will allow for higher intensity of development at the right places and scale whilst also providing for community benefits.

The vision for the town centres of Kensington and Kingsford is to transform these precincts into attractive, vibrant and sustainable places.

To accommodate this growth and to ensure the successful transformation of these centres, substantial new infrastructure and public domain works are needed. In particular, the provision of community facilities, recreational facilities, new cycle ways, bike parking infrastructure and local road improvements, as specified in the draft Kensington and Kingsford town centres planning strategy.

This Plan outlines the operational details to deliver community infrastructure through a contributions scheme that will apply to development proposals in the town centres required to help realise the vision for these centres.

## **4. What is Community Infrastructure?**

Community Infrastructure in the Kensington and Kingsford town centres refers to the infrastructure, public domain and physical facilities that support the growth and function of the town centres and benefit the existing and new population as well as the wider Randwick population.

The community infrastructure described within this Plan is that which is provided over and above the requirements of the Kensington and Kingsford Section 7.12 Plan and is not being levied for under any other contributions scheme or planning instrument. It includes but is not limited to, new innovation centres, community facility and exhibition space, bicycle sharing facilities, local road improvements and upgrades, green grid links and water sensitive urban design. The Appendix to this Plan contains a list of the community infrastructure items and works including a map of the works and items to be delivered within the town centres.

The following types of Community Infrastructure Contributions will be considered by Council:

- A monetary contribution; or
- Dedication of land or property; or

- Carrying out works; or
- A combination of all the above.

Should a proponent provide the dedication of land or property or carry out works, the cost of this Community Infrastructure must be appropriately valued. Where the value of land or works is less than the calculated Community Infrastructure Contribution amount, it can be supplemented with a monetary payment calculated in accordance with the Community Infrastructure Contribution rate contained in section 6. Where the value of land or works is more than the calculated Community Infrastructure Contribution amount, it can be offset with any applicable s.7.12 contributions required to be paid.

## 5. The Planning Framework

### Randwick LEP 2012

Randwick LEP 2012 is the principal document that controls development and regulates land use within Randwick City. It is supported by a series of maps, including land use zoning, height of buildings and floor space ratio.

Clause 4.3 – *Height of Buildings* of Randwick LEP 2012 sets out the maximum Height of Buildings (HOB) on land shown in the HOB Map. An Alternative Building Heights (AHOB) map (clause 4.XX) is proposed to be included within Randwick LEP 2012 (and as outlined in the Kensington and Kingsford Planning Proposal) which is to set out the potential maximum building height which could be achieved if a contribution is also provided in accordance with the proposed Community Infrastructure clause as outlined in the Kensington and Kingsford town centres Planning Proposal clause 6.XX – Community Infrastructure at Kensington and Kingsford town centres.

Proposed **Clause 6.XX** – Community Infrastructure at Kensington and Kingsford town centres under Part 6 of Randwick LEP 2012, refers to the provision of Community Infrastructure. It allows sites within the Kensington and Kingsford town centres to potentially achieve a height above that shown in the HOB Map, if the development provides for Community Infrastructure, as defined by in the proposed clause.

### Randwick DCP 2013

Randwick DCP 2013 **Part D** relates to the Kensington and Kingsford town centres. This new section supports the controls set out in Randwick LEP 2012 with detailed development and design controls to achieve the vision for Kensington and Kingsford town centres.

This new section of the DCP will also detail the type and location of Community Infrastructure needed in the town centres to support the growth and function of the area.

### Planning Agreements

Planning Agreements are governed by Section 7.4 (previous s 93F) of the *Environmental Planning and Assessment Act 1979* and are referred to as 'Voluntary Planning Agreements'. They are legal agreements between the consent authority and a developer, under which the developer voluntarily agrees to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit or any combination of them, to be used towards a public purpose.

## 6. How is the contribution towards Community Infrastructure determined?

The Height of Buildings (HOB) Map under Randwick LEP 2012 identifies the maximum building height permissible for each site within the Kensington and Kingsford town centres. **Clause XX** of the LEP outlines an alternative building height (higher than the existing building height) that sites are potentially capable of achieving if Community Infrastructure is provided with the development. This is also mapped on an Alternative Building Heights Map.

The alternative building height achievable on a site has been derived by specialist urban design input and community engagement to ensure a suitable and desired built form outcome for each town centre. The development proposal must be acceptable on a merit assessment before the Council can agree to a contribution towards Community Infrastructure.



If an applicant seeks to access the alternative building height and additional floor space under Clause XXX of Randwick LEP 2012 and provide Community Infrastructure, the following is required:

- Ensure the site is eligible and establish the alternative building height potentially achievable by checking **Clause XXX** – Alternative height of buildings in Kensington and Kingsford town centres and the relevant Alternative Height of Buildings Map, and Clause XX – Community Infrastructure floor space at Kensington and Kingsford town centres under Randwick LEP 2012;
- Calculate the amount of additional proposed Residential Gross Floor Area generated as a result of the additional building height afforded by the Alternative Height of Buildings maps for Kensington and Kingsford town centres (**Clause xxx**); and
- Ascertain the contribution towards Community Infrastructure that would be required to achieve the additional building height by checking the rate as specified in this Plan and outlined in a new section of the Randwick DCP 2013 (**Part xxx**).

The total dollar value of the Community Infrastructure Contribution is based on the cost of delivering the identified community infrastructure within the two town centres. It is calculated on the amount of additional residential floor space proposed in a development above the maximum permissible building height shown on the Randwick LEP 2012 Height of Buildings Map (but not exceeding the Alternative Height of Building Map on any given site) in accordance with **clauses 6.X** - *Community Infrastructure floor space at Kensington and Kingsford town centres* and 4.X – *Exceptions to height of buildings on land within Kensington and Kingsford town centres*.

The dollar rate per square metre of additional floor space achieved, as a result of the additional building height provided by the Alternative Height of Buildings Clause and Map is as follows:

**The Community Infrastructure Contribution Rate is \$475 per square metres of additional residential floor space**

Additional residential floor space is defined as any Gross Floor Area available by the Alternative Height of Buildings provision (clause XX) in Randwick LEP 2012 applicable to the site. This is the additional gross floor area above that currently permissible on the Height of Buildings and Floor Space Ratio Map (where applicable) within Randwick LEP 2012.

For the purposes of calculating the Community Infrastructure Contribution, additional Gross Floor Area must be rounded to the nearest whole number. The definition of Gross Floor Area is the same as the definition within Randwick LEP 2012.

The monetary contribution applies only to the additional residential floorspace gained as a result of the alternative building height sought under Clause XX - *Community Infrastructure floor space at Kensington and Kingsford town centres* under Randwick LEP 2012. Non-residential development will not be required to provide a Community Infrastructure Contribution.

## 7. How is the contribution towards community infrastructure indexed?

The proposed cost of carrying out development is to be indexed to reflect quarterly variations in the Consumer Price Index, All Group Index Number for Sydney between the date the proposed contribution was determined by Council and the date the community infrastructure contribution is paid.

The formula governing indexation of the community infrastructure contribution to be paid is as follows:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

IDC = the indexed community infrastructure contribution to be paid

ODC = the original community infrastructure contribution determined by the Council

CP2 = the Consumer Price Index, All Groups, Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment

CP1 = the Consumer Price Index, All Groups, Sydney as published by the ABS in respect of the quarter ending immediately prior to the date of imposition of the condition requiring payment of the levy.

## 8. What is the process?

The legal instrument that sets out the applicant's offer to contribute towards essential Community Infrastructure in association with a development proposal is the VPA. The offer is made voluntarily by the applicant so as to access additional floor space potentially achievable under Randwick LEP 2012. The details of the contribution are incorporated into a VPA which is to be prepared and finalised as set out under the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

For exhibition purposes, the following steps summarise the process to deliver the Community Infrastructure contribution in association with the development proposal:

<b>Step 1:</b>	the applicant/landowner calculates the total dollar value of the additional residential floor space sought using the above rate and guided by the (draft) provisions contained in Randwick LEP 2012 and DCP 2013 (section to be prepared).
<b>Step 2:</b>	the applicant/landowner makes an offer to the Council outlining their willingness to enter into a VPA to provide Community Infrastructure.
<b>Step 3:</b>	both parties negotiate the terms of the VPA.
<b>Step 4:</b>	the Council and the applicant finalise the draft VPA. The parties also agree on the details of the explanatory note to accompany the public exhibition of the draft VPA.
<b>Step 5:</b>	the DA is lodged with the Council including a copy of the draft VPA (including the explanatory note).
<b>Step 6:</b>	the DA and draft VPA are exhibited concurrently. The draft VPA is exhibited for at least 28 days.
<b>Step 7:</b>	assessment of the DA and any submissions received during exhibition period.
<b>Step 8:</b>	the DA and any relevant modifications is determined by the consent authority as a 'deferred commencement' consent until the VPA is executed.
<b>Step 9:</b>	once the VPA is executed by the Council and the applicant, the applicant registers the VPA on title and the consent becomes operative. The VPA is placed on Council's Public Planning Agreements Register.

## 9. Offers to carry out works or dedicate land

Any offer to undertake works must be made in writing when lodging a Development Application and contain the following information:

- The works proposed to be undertaken;
- Whether such works are intended to be full or partial completion of the project;
- The estimated value of the works; and
- The timeframe for when the works are proposed to commence and be completed.

Any offer to dedicate land (either torrens, strata or other) must be made in writing when lodging a Development Application and contain the following information:

- The land proposed to be dedicated;
- The proposed title arrangements (torrens, strata);
- If the land is to be retained in private ownership with public access, the arrangements for facilitating public access (easements, rights of ways);

- The estimated value of the land or property;
- The time frame for when the dedication (or other arrangement) is to occur; and
- A Plan of Management and/or Maintenance Plan.

## **10. Timing and implementation**

Timing of the delivery or payment of the Community Infrastructure Contribution will be outlined within the terms of the Voluntary Planning Agreement. Generally, payment of monetary contributions will be requested to be paid prior to the issue of a Construction Certificate. In circumstances where this is impracticable, payments may be deferred until prior to the release of the Subdivision Certificate or Occupation Certificate (whichever comes first).



## Appendix – Schedule of Community Infrastructure

### COMMUNITY INFRASTRUCTURE – 2019

Map Ref No.	KENSINGTON	
1.	Duke & Bowral Street public domain	\$600,000
2.	Separated Bike Network and other improvements	\$4,000,000
3.	Bicycle parking facility	\$300,000
4.	Multi-purpose community centre and exhibition space	\$1,600,000
5.	Community Innovation Centre fit out	\$3,000,000
6.	Landscape upgrades including Water Sensitive Urban Design	\$3,000,000
7.	Green Grid links	\$1,500,000
8.	Local road improvements and upgrades	\$3,000,000
	<b>TOTAL</b>	<b>\$17,000,000</b>

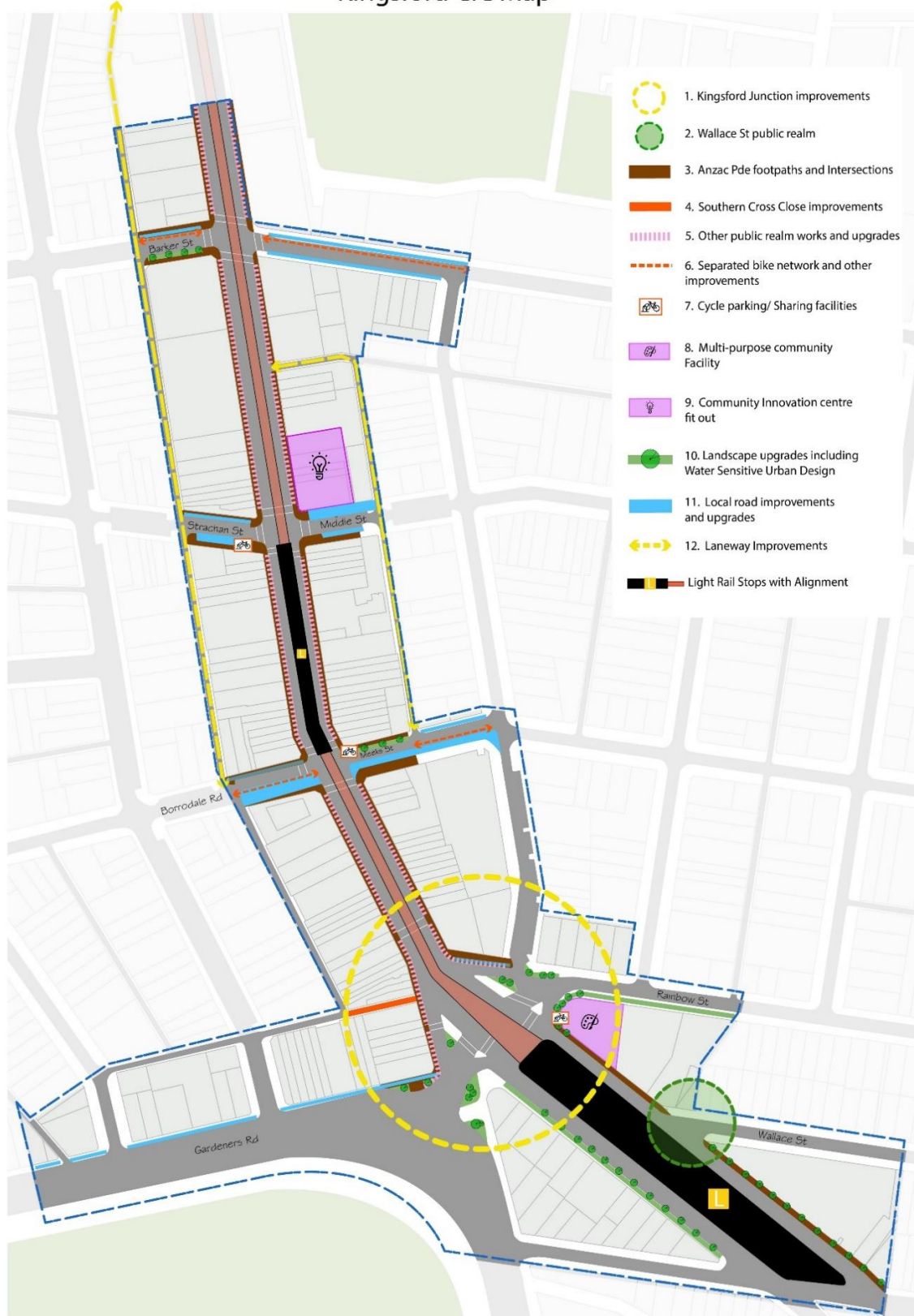
	KINGSFORD	
1	Anzac pde / Gardeners Rd / Rainbow St intersection (Kingsford Junction)	\$1,200,000
2	Wallace St public realm (adjoining Souths Juniors)	\$1,000,000
3	Anzac Pde footpaths and intersections	\$1,540,000
4	Southern Cross Close	\$300,000
5	Other public realm works and upgrades	\$2,500,000
6	Separated Bike Network and other improvements	\$2,900,000
7	Cycle parking/sharing facilities	\$300,000
8	Multipurpose Community Facility	\$1,200,000
9	Community Innovation Centre fit out	\$1,500,000
10	Landscape upgrades including Water Sensitive Urban Design	\$3,000,000
11	Local road improvements and upgrades	\$3,500,000
12	Other laneways upgrades	\$700,000
	<b>TOTAL</b>	<b>\$19,640,000</b>



Kensington CIC Map



## Kingsford CIC Map



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