

MEMORANDUM

**TO: Ms Nicole Gurrán – Chair of the Sydney South Planning Panel
Mr Bruce McDonald, Ms Juliet Savet Ward**

FROM: Ms Nicole Askew – Coordinator Development Assessment

CC: Mr Ryan Cole – Manager Development and Building

DATE: 5 November 2019

REFERENCE: DA2018/0473 – 77-79 Trafalgar Street, Peakhurst

SUBJECT: Report PPSSSH-1 - for the meeting of 12 November 2019

Dear Panel Chair and Panel Members,

This memo seeks to provide additional information in relation to the recommended conditions of consent with respect to Condition 26 being the levied contributions.

A copy of the draft conditions (as attached to the published report) were sent to the Applicant (NSW Land and Housing Corporation) on 29 October 2019.

The contributions condition in the report is as follows:

26. **Fees to be paid** - The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.georgesriver.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact Council prior to the payment of Section 7.11 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for

transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://portal.longservice.nsw.gov.au/bci/levy/	
Builders Damage Deposit	\$76,632
Inspection Fee for Refund of Damage Deposit	\$155.00
DEVELOPMENT CONTRIBUTIONS	
Hurstville Section 94 Development Contributions Plan 2012 - Residential (Community Facilities)	\$ 21,512.76
Hurstville Section 94 Development Contributions Plan 2012 - Residential (Open Space, Recreation, Public Domain)	\$ 152,101.62

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

The Applicant provided comments on 1 November 2019. In relation to the contributions condition detailed above, the applicant has requested for it to be deleted in accordance with Section 2.7.1 of the contributions plan.

Hurstville Section 94 Development Contributions Plan 2012 (Amendment No. 2), Section 2.7.1 is reproduced below (our emphasis added):

2.7.1 Development exempted from contributions under this Plan

The following types of development, or components of development, will be exempted from a requirement to make contributions under this Plan:

- *Development for the purposes of any form of seniors housing as defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that is provided by a social housing provider as defined in that Policy.*

- **Development for the purposes of Affordable Housing as defined by, and approved in accordance with, State Environmental Planning Policy (Affordable Rental Housing) 2009. With respect to 'In-fill Affordable Housing' this exemption only applies to that part of the building that is managed by a registered community housing provider.**
- *Development for the sole purpose of disabled access;*
- *Development for the sole purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building;*
- *Development for the sole purpose of the adaptive re-use of an item of environmental heritage; and*
- *Development exempted from contributions by a Direction of the Minister pursuant to section 94E of the EP&A Act, current at the time of assessment of the application. (The direction will provide the terms of its applicability).*

The subject application has not been made pursuant to the SEPP (Affordable Rental Housing) 2009 and relies on the Hurstville LEP 2012 for permissibility and consent. Therefore the contributions are payable.

Regards



Nicole Askew
Coordinator Development Assessment