



Central Sydney Development Contributions Plan 2013

9 July 2013



Sydney2030 / Green / Global / Connected

city of villages

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Plain English summary

This contributions plan ('the Plan') has been prepared in accordance with Section 61 of the *City of Sydney Act 1988*. It enables the City of Sydney to seek contributions from development to contribute to the cost of new or existing public facilities, amenities and services in Central Sydney required by a growing residential and workforce population.

This Plan applies to development that:

- is located within Central Sydney, as indicated in the map in Section 1.2 of this Plan;
- needs consent, including complying development;
- has a development cost of \$200,000 or more; and
- is not exempted in accordance with Section 2.2 of this Plan.

If a consent authority grants consent to a development application to which this Plan applies, a condition of consent will be imposed requiring the applicant to pay a monetary contribution ('the Levy') towards the cost of local infrastructure calculated at one per cent of the development cost. The Plan provides information on how to calculate the development cost and what development may be exempted.

The four key steps for applicants are:

1. Applicant estimates the development cost – before obtaining a Construction Certificate (CC) or Complying Development Certificate (CDC) the applicant provides information to the City about the development cost in accordance with requirements in this Plan together with copies of CC or CDC plans and any exemptions sought.
2. The City determines the development cost, any exemptions, and the Levy – the City considers the information provided by the applicant and issues the applicant with a letter confirming the correct Levy amount payable.
3. Applicant pays the Levy – the applicant pays the Levy to the City and obtains a receipt. If the applicant doesn't pay the Levy by the 1 July after receiving written advice from the City the applicant must seek written advice from the City on indexing the Levy.
4. Applicant provides payment receipt to certifier – the applicant provides the accredited certifier (the City or a private certifier) with the City's letter and Levy payment receipt to obtain a Construction Certificate or secure the release of a Complying Development Certificate.

Applicants may also offer works-in-kind, dedication of land and / or a material public benefit as an alternative to a monetary payment.

Further information on development contributions is also available on the development contributions section of the City's website at cityofsydney.nsw.gov.au.

1. Background

1.1 Purpose of this Plan

This plan is called the *Central Sydney Development Contributions Plan 2013* ('the Plan'). The Plan has been prepared in accordance with Section 61 of the *City of Sydney Act 1988*. The Plan was approved by the City of Sydney Council on 24 June 2013 with the concurrence of the Minister for Planning and Infrastructure and commences on 9 July 2013.

The purpose of this Plan is to enable the City to apply a Levy upon development to fund public facilities, amenities and services to meet the needs of the growing residential and workforce population within Central Sydney. The Plan will assist in achieving the objectives and directions of key City of Sydney and NSW Government planning strategies including *Sustainable Sydney 2030*, *Metropolitan Plan for Sydney 2036* and the *Draft Sydney City Subregional Strategy*. The Plan adopts a long-term horizon to 2031 consistent with the Sustainable Sydney 2030 program.

The demand for public amenities and services on which this Plan is based is outlined in [Appendix A](#) while the Schedule of Works in [Appendix B](#) identifies the public works items to be funded or recouped by the City using the Levy. [Appendix C](#) provides a dictionary of terms used in this Plan.


Under this Plan, if a consent authority imposes a condition of consent upon development requiring a contribution under Section 61 of the *City of Sydney Act 1988*, the consent authority cannot impose a condition of consent on the same development requiring a contribution under either Section 94 or Section 94A of the EP&A Act.

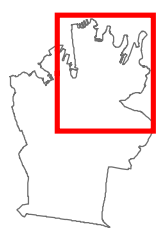

1.2 Land to which this Plan applies

This Plan applies to the Land shown [Figure 1](#) overleaf. Under Section 61 of the *City of Sydney Act 1988*, this Plan applies to land to which the *Central Sydney Local Environmental Plan 1996* applied before its repeal on 9 December 2005. This is the land shown in Figure 1.

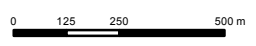


Figure 1: Land to which this Plan applies

Legend
 Land to which this plan applies

1:18,000




Projection: MGAZone 56
 Datum: GDA84
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 Prepared By: s/adavies
 Printing Date: February 14, 2013
 File: section1_rev1.mxd

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1.3 Transitional arrangements

This Plan replaces the *Central Sydney Contributions (Amendment) Plan 2002* ('the Predecessor Plan'). The Predecessor Plan is repealed from the date of commencement of this Plan. This Plan does not affect any conditions of consent referring to the Predecessor Plan.

This Plan applies to any application for consent under Section 78A of the *Environmental Planning and Assessment Act 1979*, review under Section 82A, modification under Section 96 or appeal under Section 97 made on or after the date of commencement of this contributions plan, being 9 July 2013.

The Plan does not apply to an application for consent under Section 78A, review under Section 82A, modification under Section 96 or appeal under Section 97 made before the date of commencement of this Plan. Instead, the relevant contributions plan operating at the date the application was made applies. This includes applications where consent has been granted that includes a condition of consent requiring the applicant to pay a development contribution under another development contributions plan but the applicant is yet to pay the contribution.

1.4 Life of this Plan, accountability and review

a) Life of this Plan

This Plan shall operate until (i) all of the contributions for works projects listed in [Appendix B](#) of this Plan have been collected from relevant development approvals, or (ii) the time the Plan is repealed by the Council, whichever occurs first.

b) Accountability

The City is accountable for the administration of this Plan in the following ways:

- maintaining public access to a contributions register and a planning agreements register;
- maintaining public access to accounting records for Levy receipts and expenditure;
- annual financial reporting of contributions;
- maintaining public access to this Plan and supporting information; and
- periodically reviewing this Plan and seeking public input as part of the review.

c) Review of this Plan

This City will review this Plan in consultation with the community at least every 5 years to ensure the Plan addresses community needs, contemporary strategic planning directions and priorities, integrated community facilities planning, the City's capital works program and legislative requirements. The first review will commence after the release of 2016 Census data by the Australian Bureau of Statistics.

2. How to use this Plan

2.1 Calculating the Levy

The Levy under this Plan is calculated at 1 per cent of the development cost. Development covered by this Plan and information about determining the development cost is provided in Sections 2.2 and 2.3 below.

2.2 Development subject to the Levy

This Plan applies to any development that:

- is located within Central Sydney (see Section 1.2);
- needs consent, including complying development;
- has a development cost of \$200,000 or more; and
- is not exempted in accordance with subsections b) and c) below.

a) Complying development

This Plan applies to complying development. The accredited certifier including any private certifier is responsible for ensuring that the Levy has been paid prior to releasing the Complying Development Certificate to the applicant. This includes the requirement for applicants to obtain a letter from the City confirming the correct Levy amount payable.

b) Development exempted from the Levy

The following development is wholly exempted from this Plan:

- development with a development cost of less than \$200,000; or
- exempt development and development that does not require consent.

Development outlined in subsection (c) below may also be exempted either wholly or in part upon written application.

c) Works that may be exempted from the Levy upon written application

The City may at its absolute discretion exempt the works in the table overleaf from the need to pay a Levy under this Plan upon written application from the applicant. Applicants may apply for an exemption in writing when providing information to the City about the development cost in accordance with Section 2.3.

Table: Works that may be exempted upon written application

- | | |
|---|---|
| 1. Consolidating or subdividing land – development only for the purpose of consolidating or subdividing land; | 9. Green roofs* and green walls* – development for the purpose of a green roof or a green wall; |
| 2. Affordable housing* or social housing* – development for the sole purpose of providing affordable housing or social housing; | 10. End-of-journey facilities – development for the purpose of end-of-journey facilities for active transport modes (such as walking and cycling) including showers, change rooms, lockers or secure bicycle storage areas; |
| 3. Boarding houses* – development for the purpose of boarding houses; | 11. Car parking reduction measures – development for the purpose of renovating, refitting, or adapting space within an existing car park to permanently reduce the car parking capacity of the car park; |
| 4. Housing for seniors or people with a disability* – development for the purpose of housing for seniors or people with a disability; | 12. Fine-grain space* – development for the purpose of providing new or additional fine-grain space within an existing building. Examples of development that the City may consider suitable include infilling existing colonnades and renovating existing building frontages to provide fine-grain space; |
| 5. Heritage – development for the sole purpose of the adaptive reuse of an item of environmental heritage. The terms ‘item’ and ‘environmental heritage’ have the same meaning as in the <i>Heritage Act 1977</i> ; | 13. Through site links* – development for the purpose of providing a new through site link; |
| 6. Not-for-profit development – development undertaken on a cooperative or not-for-profit basis that provides a distinct community benefit including but not limited to childcare services and emergency services such as fire stations, police stations and ambulance stations; | 14. Schedule of Works items – development for the purpose of providing any of the items listed in the Schedule of Works in Appendix B of this Plan; and |
| 7. Energy-savings measures – development for the purpose of reducing the energy consumption of a building, for example, low carbon electricity generating systems such as solar photovoltaic systems, small wind turbine systems, gas-fired co-generation or tri-generation systems (including associated hot water and cool water distribution networks within the building), and infrastructure to enable connection to a precinct-based co-generation or tri-generation system ¹ ; | 15. City of Sydney development – development undertaken by or on behalf of the City of Sydney including but not limited to items listed in the Schedule of Works to this Plan. |
| 8. Water-savings measures – development for the purpose of reducing the consumption of mains-supplied potable water including, for example, rainwater detention infrastructure such as storage tanks which are plumbed in for non-potable use and infrastructure to enable greywater and blackwater recycling ¹ ; | |

Notes

*defined in the Dictionary at [Appendix C](#).

¹Only the plant and any immediate connections from the plant to building services are exempted. Fittings and fixtures not directly associated with the infrastructure, such as toilets, cooling towers or taps are not exempted.

2.3 Determining the development cost

The proposed cost of the development or development cost needs to be determined in order to calculate the Levy. The applicant must provide the City with information on the proposed development cost so the City can make an accurate determination of the development cost and issue the applicant with a letter confirming the correct Levy amount payable. This requirement also applies to complying development.

a) Items to include or exclude from the development cost

The proposed development cost generally includes any costs and expenses associated with carrying out the proposed development as well as any costs and expenses incurred that are necessary to make the site or building or premise suitable for its intended use. When considering the proposed development cost, a project is considered in its entirety, irrespective of whether an individual component or components may not otherwise require development consent. Examples of items to include in the development cost are listed in the table opposite items to exclude are listed in the table overleaf.

If an applicant seeks an exemption for any of the works listed in Section 2.2(c) of this Plan, the applicant should still include the cost of the item in the development cost. This is so that the City can determine the appropriate value of the exemption if the City grants the exemption.

Examples of items to include in the development cost

1. **Preliminaries**, e.g. scaffolding, hoarding, fencing, site sheds, delivery of materials, waste management
2. **Internal fit out**, e.g. flooring, wall finishing, fittings, fixtures, bathrooms and equipment
3. **Demolition works** including cost of removal from the site and disposal
4. **Professional fees** as part of the design e.g. architects and consultant fees
5. **Site preparation**, e.g. clearing vegetation, decontamination or remediation
6. **Excavation or dredging** including shoring, tanking, filling and waterproofing
7. **Internal services**, e.g. plumbing, electrics, air conditioning, mechanical, fire protection, plant, lifts
8. **External services**, e.g. gas, telecommunications, water, sewerage, drains, electricity to mains
9. **Building construction and engineering**, e.g. concrete, brickwork, plastering, steelwork / metal works, carpentry / joinery, windows and doors, roofing
10. **Other structures**, e.g. landscaping, retaining walls, driveways, parking, boating facilities, loading area, pools
11. **Charges and fees**, e.g. GST, Long Service Levy, Development Application fee, Construction Certificate Fee
12. **Other related work** including any other items not expressly excluded below

Examples of items to exclude from the development cost

1. Cost of land
2. Marketing expenses, except display suites
3. Finance and interest costs
4. Building insurance after completion
5. Drapery
6. Commercial stock inventory
7. Loose furniture
8. Stamp duty
9. Minor maintenance of existing retained fixtures (patching or repainting)
10. Loose equipment and loose electrical appliances

b) Determining the development cost for multiple development applications

Where an applicant is undertaking multiple concurrent applications that in the opinion of the planning authority relate substantially to the same property or development the development costs for each application (where they are reasonably known) will be combined. In this case, applicants undertaking multiple development applications (such as fit-outs of multiple floors in a single building or multiple shops within an arcade or mall) must combine the development cost of each application. An applicant undertaking multiple applications on the same property must demonstrate that the applications are wholly unrelated to one another if the planning authority is to consider the development cost attributable to each application separately.

c) What information must applicants provide?

Applicants must provide the City with the following information to assist the City with determining the development cost:

- Development cost – information about the development cost as outlined below; and
- Plans – copies of plans accompanying the Construction Certificate Complying Development Certificate application

In providing information on the development cost, there are two levels of information provision depending on the cost of the proposed development:

- Between \$150,000 and \$3,000,000 – a suitably qualified person such as the Project Architect or Project Manager must provide a completed City of Sydney *Cost Summary Report*; or
- More than \$3,000,000 – a Quantity Surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification must provide a completed City of Sydney *Registered Quantity Surveyor's Detailed Cost Report*.

Electronic copies of the *Cost Summary Report* and *Registered Quantity Surveyor's Detailed Cost Report* are available from the City's website at cityofsydney.nsw.gov.au, while hard copies can be obtained from the City's One Stop Shop. The City may seek the services of an independent qualified person to assist with determining the development cost.

2.4 Paying the Levy

a) When is the Levy payable?

Applicants must pay the Levy:

- in cases where a Construction Certificate is required – before the Construction Certificate is issued;
- in cases where a Complying Development Certificate is required – before the Complying Development Certificate is released by the City or private accredited certifier to the applicant; and
- in any other situation – before the commencement of the activity.

b) Indexing the Levy for inflation

The Levy will be indexed annually for inflation in accordance with movements in the *Consumer Price Index (All Groups Index) for Sydney* issued by the Australian Statistician. If applicants do not pay the Levy by 1 July after receiving initial written advice from the City confirming the correct Levy amount payable, applicants must obtain a letter from the City confirming the correct indexation amount.

The City will index the Levy using the following formula:

$$L2 = L1 \times (CPI2 / CPI1)$$

where:

L1	=	The initial Levy calculated (i.e. before indexation)
L2	=	The indexed Levy
CPI1	=	The Sydney value of the 'Consumer Price Index: All Groups Index Number 6401.0' for the Quarter ending immediately before the date at which the Levy was initially calculated (i.e. before indexation)
CPI2	=	Is the Sydney value of the 'Consumer Price Index: All Groups Index Number 6401.0' for the Quarter ending immediately before the date at which the indexation is calculated

Example: if the City provides the applicant with a letter in November 2010 confirming the Levy amount payable (L1) and the applicant seeks to pay the Levy in August 2011 indexation is required. In this case, the September 2010 Quarter is used for CPI1 while the June 2011 Quarter is used for CPI2. Reference to the Australian Bureau of Statistics website at abs.gov.au indicates the CPI value for the September 2010 Quarter is 172.5, while the CPI value for the June 2011 Quarter is 177.6. This equates to an indexation of approximately 3 per cent.

c) Payment methods

Once applicants receive the City's written advice confirming the correct Levy amount payable, applicants should pay the Levy to the City by EFTPOS (debit card only), cash or a bank cheque made payable to the City of Sydney. When paying the Levy, applicants must include the City's written advice confirming the correct Levy amount payable. The City will then provide a receipt which the applicant must use to obtain a Construction Certificate or release of a Complying Development Certificate.

d) Deferred payment

Applicants for non-residential development that has a development cost of \$50 million or more may apply to the City in writing to defer payment of up to 50 per cent of the Levy from the Construction Certification stage until the Occupation Certification stage.

Non-residential development includes:

- commercial development – such as retail and office space; or
- tourist accommodation – including serviced apartments, motels and hotels; or
- community facilities and amenities – such as theatres, and cinemas.

If the City allows a payment to be deferred, the deferred payment must be secured by an unconditional Bank Guarantee unlimited in time for the value of the deferred payment. The applicant must provide the Bank Guarantee to the City prior to obtaining a Construction Certificate or release of a Complying Development Certificate.

The deferred amount will be indexed in accordance with Section 2.4b of this Plan upon payment. The applicant should obtain the City's written advice regarding the indexation amount immediately prior to making a deferred payment.

Notwithstanding the value of the Bank Guarantee, any modification to the development made under Section 96 of the EP&A Act and Section 2.4h of this Plan may result in changes to the value of the Levy. If the Levy is greater as a consequence of the modification, the Bank Guarantee must be replaced to reflect the revised value. A supplementary Bank Guarantee for the additional amount will not be accepted. The City will release the Bank Guarantee held upon acceptable submission of the replacement. The costs of preparing any Bank Guarantees and their replacements shall be met wholly by the applicant.

Where an applicant offers to provide works-in-kind, dedicate land or provide other material public benefits through a Planning Agreement in accordance with Section 2.5 of this Plan, any provisions in the Planning Agreement relating to the provision of guarantees and timing for the provision of works-in-kind, material public benefits and/or monetary payments prevail over the provisions in this subsection.

e) Payment by instalment

Requests for payment by multiple instalments will not be granted.

f) Payment for staged development applications

The City will accept payment of the Levy in stages only where the development carried out is a staged development application as set out in the EP&A Act. The City will not consider a request to defer payment of the Levy on a staged development.

g) Refunds

Refunds will only be considered where:

- the development to which consent has been granted has not commenced; and
- the applicant surrenders the development consent to the City in the same financial year as the Levy was paid.

The City commits Levy payments received to Schedule of Works items (Appendix B) at the end of each financial year. An applicant seeking a refund on a surrendered consent must apply in writing to the City. The City will not refund a Levy payment if the development to which the application relates has commenced or the City has committed the Levy payment to works under recoupment or to works scheduled in this Plan to be delivered. An applicant seeking a refund on a surrendered consent must apply in writing to the City.

h) Refunds where a development or application is modified

If a development is modified by virtue of Section 80A(5) or Section 104A of the EP&A Act or an application is modified under Section 96, the Levy will be based on the development cost of the modified development. If a development is modified and the Levy increases but the applicant has previously paid the Levy, credit will be given for the previous Levy payment with only the difference needing to be paid. If the Levy decreases, the applicant may apply for a refund for the difference

subject to the requirements for refunds in subsection (g) of this Plan. This includes the requirement for applicants seeking a refund to apply for the refund in the same financial year as the Levy was paid.

2.5 Alternatives to the Levy**a) Works-in-kind, land dedication and material public benefits**

The City prefers that any liability under this contributions plan is settled through cash payment of the Levy. By exception, the City may consider an offer by an applicant to provide either works-in-kind (WIK), dedication of land, or a material public benefit (see definitions in [Appendix C](#)) as an alternative to meeting any monetary contributions liability under this Plan either in part or in full. The City may at its absolute discretion accept any such offer but is not obliged to do so. Where an applicant intends to offer works-in-kind, dedication of land or a material public benefit, the applicant should discuss the likely acceptability of the offer with the City before lodging the development application. Any offer must be accompanied by a detailed scope of works, design, cost summary, and timing for delivery.

b) Planning Agreements

Any offer by an applicant to provide works-in-kind, dedication of land or a material public benefit must be formalised through a Planning Agreement prepared in accordance with the EP&A Act. The Draft Planning Agreement must be publicly exhibited, preferably as part of the Development Application exhibition. Further information on works-in-kind, dedication of land, material public benefits and Planning Agreements is contained in the NSW Department of Planning and Infrastructure's (2005) *Development Contributions Practice Note* available at planning.nsw.gov.au.

Appendix A:

The basis for imposing the Levy

This Plan enables the City of Sydney (the City) to seek contributions from development to contribute to the cost of new, extended or augmented public facilities, amenities and services in Central Sydney to support the growth and development of Central Sydney.

Central Sydney is a primary focus for economic activity within the City of Sydney, greater metropolitan Sydney, and NSW and substantial growth in employment, services and housing in Central Sydney is expected. New residents, workers and visitors to Central Sydney will have inadequate levels of service if the City does not provide new or improved public amenities and infrastructure. The levels of service for the existing residential population and workforce will also decline without adequate public investment.

The City is investing in new and improved public facilities, amenities and services to ensure that adequate service levels are maintained. As future development will be a key beneficiary of this investment, it is considered reasonable that future development contributes towards some of the costs of this investment through payment of the Levy under this Plan.

Information about forecast population growth, floor space demand and strategic planning initiatives is provided in the subsections below.

A.1 Population growth

a) Sustainable Sydney 2030

Significant population growth is expected in Central Sydney. The City's long term vision for Sydney, *Sustainable Sydney 2030*, identified demand for an additional 48,000 dwellings and 97,000 jobs across the City of Sydney local government area between 2006 and 2031. The table below shows the anticipated increase in dwellings and workforce in Harbour and Haymarket, the two village areas covering most of Central Sydney.

Table: Anticipated increases in housing (dwellings) and jobs, 2006-2031

Village	Housing (dwellings)		Jobs (workers)	
	2006	2031	2006	2031
Harbour	3,560	7,110	128,850	155,940
Haymarket	7,280	12,200	97,140	126,000
Subtotals	10,840	19,310	225,990	281,940
<i>Growth</i>	+8,470		+55,950	

Source: Sustainable Sydney 2030 Support Document – p26, Table 2

b) Metropolitan Plan for Sydney 2036

The NSW Government's (2010) *Metropolitan Plan for Sydney 2036* proposes employment growth of 114,000 jobs between 2006 and 2036, including 96,000 additional jobs in the Sydney Strategic Centre. It also sets a target for 61,000 additional dwellings within the Sydney City Subregion between 2006 and 2036, representing an increase of 5,000 additional dwellings from the predecessor Metropolitan Strategy. While the Metropolitan Plan does not explicitly identify where the jobs or dwellings will be located, it is reasonable to expect that a significant proportion of the jobs will be in Central Sydney, and some of the new dwellings will be built at the southern and south-western parts of Central Sydney, e.g. Haymarket and Chippendale.

c) Draft Sydney City Subregional Strategy

The targets in the NSW Government's (2008) *Draft Sydney City Subregional Strategy* have been superseded by the targets in the (2010) *Metropolitan Plan for Sydney 2036*. Nevertheless, the Draft Subregional Strategy indicates an additional 55,000 dwellings and at least 58,000 jobs between 2004 and 2030 across the City of Sydney LGA. The Draft Strategy does not specifically nominate where the dwellings and jobs will be located, but infers that around 50,000 additional jobs will be accommodated in Central Sydney.

A.2 Floor space

Significant additional floor space is needed in Central Sydney to meet the population growth outlined above. The residential and workforce population growth in the table on the previous page requires an additional residential floor space of 677,600 m² and non-residential floor space of 1,398,750 m² by 2031. The City of Sydney Capacity Study 2008 estimated 1,290,320 m² of

additional floor space capacity would be required under the planning controls in *Sydney Local Environmental Plan 2005*. This excludes floor space requirements from sites within Central Sydney not covered by this Plan, such as Barangaroo.

A.3 Strategic initiatives

Monies received from the Levy under this Plan will be used to contribute to the costs of certain public domain improvements provided by the City to ensure adequate service levels are provided for the growing residential and workforce population as outlined above. Relevant strategic initiatives include *Sustainable Sydney 2030*, the City's Integrated Planning and Reporting Framework including the Community Strategic Plan and the Long Term Financial Plan, and the City's 10-year Capital Works Program.

Sustainable Sydney 2030 identifies a range of new or improved facilities, amenities and services to be delivered across the City, including within Central Sydney. To support implementation of *Sustainable Sydney 2030* this Plan also exempts certain development that is consistent with objectives and priorities of *Sustainable Sydney 2030*. Some of the works items in *Sustainable Sydney 2030* may be delivered by proponents as works-in-kind or material public benefits. Exemptions are covered in Section 2.2 of this Plan.

The City's 10-year Capital Works Program proposes an average expenditure of \$100 to \$125 million per year over ten years across the local government area that includes Central Sydney. The Capital Works Program foreshadows significant public domain improvements in Central Sydney, including \$180 million towards transforming the city centre. Works to be partly of fully funded under this Plan are outlined in [Appendix B](#).

Appendix B: Schedule of Works

B.1 Completed works under recoupment

The table below lists works already delivered by the City, the costs of which are now being recouped from development through payment of the Levy.

WORKS ITEM	COMPLETION DATE	COST (\$2013)
Roads and traffic		
Kent Street Cycleway – Stage 1	2009-2011	\$7,749,000
King Street Cycleway – Stage 1	2009-2010	\$4,522,000
Spanish Quarter – road / footway upgrades	1998-2002	\$1,979,000
Open space		
Cook & Phillip Park – irrigation upgrade	2011-2012	\$225,000
Community facilities		
Cook + Phillip Park Fitness and Aquatic Centre – new centre	1998-2002	\$49,134,000
Andrew (Boy) Charlton Pool – major upgrade	1998-2004	\$17,021,000
Customs House – major refurbishment including new library	2002-2007	\$12,500,000
KGV Recreation Centre – new centre	1998-2002	\$3,176,000
Southern City Community and Cultural Centre – refurbishment of Corporation Building, Hay St	1998-2002	\$2,158,000
Haymarket Library – refurbishment	2011-2013	\$539,000
Public domain improvements		
Pitt Street – footway improvements	1998-2002	\$5,939,000
Castlereagh Street – footway improvements	1998-2002	\$2,040,000
Market Street – footway improvements	1998-2002	\$1,673,000
Retail core, including Pitt, Castlereagh & Market St – footways	1998-2002	\$4,855,000
Park Street – footway improvements	1998-2002	\$4,113,000
Accessible City – footway improvements	1998-2004	\$10,807,000
Oxford Street – footway improvements	2002-2007	\$4,000,000
Broadway – footway improvements	2002-2007	\$15,000,000
Pitt Street Mall – public domain improvements	2009-2011	\$4,315,000
CBD Laneways – Angel Place footway improvements	2011-2012	\$1,870,000
CBD Laneways – Albion Place footway improvements	2011-2013	\$827,000
Public art enhancements	1998-2002	\$2,030,000
Chinatown Information Kiosk	2009-2011	\$929,000
TOTAL		\$157,401,000

B.2 Anticipated works to be funded

The table below lists works anticipated to be delivered over the life of this Plan and which are to be funded wholly or partly through the payment of the Levy.

WORKS ITEM	INDICATIVE TIMING	ESTIMATED COST (\$2013)
Roads and traffic		
CBD East West Cycleway – Stage 2	2011-2015	\$4,825,000
Kent Street Cycleway – Stage 2	2011-2015	\$4,611,000
Wentworth Ave Cycleway	2011-2014	\$4,000,000
Open space		
Hyde Park Masterplan works – embellishment	2011-2021	\$18,510,000
Greening Sydney – tree planting	2011-2021	\$10,000,000
Liveable Green Network – corridor design development and implementation	2011-2021	\$5,940,000
Community facilities		
Cook & Phillip Aquatic and Fitness Centre – sundry works package	2013-2016	\$3,080,000
Public domain		
George Street Transformation – improvements to roads, footway and public domain	2011-2021	\$180,000,000
Harbour Village North Public Domain – embellishment	2014-2021	\$25,420,000
Chinatown – public domain improvements (principally footways)	2009-2020	\$21,460,000
CBD Laneways – Bulletin Place footway improvements	2011-2014	\$1,650,000
CBD Laneways – minor footway works	2011-2015	\$850,000
Regimental Square – embellishment	2014-2016	\$3,250,000
TOTAL		\$283,596,000

B.3 Substitution of works items

This City may amend this Plan to alter, remove or substitute items in the Schedule of Works to reflect relevant changes such as population forecasts, demand, and strategic initiatives at a local or state level. The City can only allocate Levy funds to works if they are listed in the works schedule. If the City allocates Levy funds to a works item that is subsequently removed from the works schedule, the City will reallocate funds to the amended works schedule. Any alteration, removal or substitution of an item from the works schedule does not (i) reduce an applicant's liability to pay the applicable Levy, and (ii) require the City to provide a refund to the applicant.

B.4 Commitment of Levy funds

The City will commit income from the Levy to the works under recoupment and anticipated future works in Sections B.1 and B.2 respectively. The City may spend more or less on a works item than the amount specified in the Schedule. For example, the City may modify the scope of a particular works item with an associated cost increase or decrease. If the cost increases, the City will fund the cost increase through other sources so that the Levy does not increase and remains at 1 per cent of the development cost. If the cost of the works item decreases, the City will allocate the excess funds to other items in the Schedule rather than refund the difference between the actual cost and the amount specified in this Plan.

B.5 Pooling of Levy payments

To assist in the delivery of works items in this Plan, the City may pool Levy payments and apply the pooled Levy funds to priority projects in the works schedules. Priorities for expenditure are included in the works schedules in Sections B.1 and B.2.

Appendix C:

Dictionary

Affordable housing	Has the same meaning as contained in Section 4 of the EP&A Act. <i>Note: At the time of publication of this Plan, Section 4 of the EP&A Act defines affordable housing as '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.'</i>
Boarding houses	Means a building that: <ul style="list-style-type: none"> • is wholly or partly let in lodgings; and • provides lodgers with a principal place of residence for 3 months or more; and • meets NSW Government criteria for a tax exemption for boarding houses. The definition does not include backpackers' accommodation, a group home, hotel or motel accommodation, a serviced apartment, or housing for seniors or people with a disability.
Complying development	Has the same meaning as contained in Section 4 of the EP&A Act. <i>Note: At the time of publication of this Plan, Section 4 of the EP&A Act defines complying development as 'development for which provision is made as referred to in Section 76A(5).'</i>
Fine-grain space	Means development resulting in separate premises that meet the following physical criteria: <ul style="list-style-type: none"> • The premises has a gross floor area of 150 m² or less; and • The premises does not have direct access to any other premises in the building; and • The premises is not setback from and adjoins a public road or laneway; and • The premises has a floor level that is no more than 5 metres above or below the ground level of the existing adjoining public road or laneway; and • The premises' primary entry is directly on to the adjoining public road or laneway.
Green roof	Means a rooftop space with at least 30 per cent of the available rooftop space covered by vegetation. It includes a vegetated layer, growing medium and a waterproof membrane. Plants grown in sectioned lots are acceptable, however, potted plants/planter boxes which cover less than 30 per cent of the available rooftop space are not considered as a green roof. Available rooftop space includes space that is not occupied by structures housing plant, equipment or stairway accesses.
Green wall	Means a wall that is either free-standing or part of a building with at least 30 per cent of the available wall space covered by vegetation.
Housing for seniors or people with a disability	Has the same meaning as contained in <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>
Laneway	Means a public road with a width less than six metres.

Material public benefit	<p>Means settlement or part settlement of the Levy through the provision of public amenities or services which are not works listed in Appendix B of this Plan. In assessing the value of any offer by an applicant to provide a material public benefit, the City will not take into consideration the cost or value of works or dedication of land which can be or are to be required as a condition of consent. This may include, but is not limited to:</p> <ul style="list-style-type: none"> • the provision of public art; or • public domain improvements to all frontages of the site (eg. footpath upgrade, provision of smart poles, planting of street trees, removal of redundant driveways and reinstatement of kerb and gutters etc); or • minor land dedications (e.g. splay corners and land excess to the development); or • land dedications and embellishments required by the planning controls; or • the provision of through site links and associated easements. <p><i>Note: also see 'Works-in-kind' in this Dictionary.</i></p>
Non-potable use	<p>In the case of water, means any purpose other than drinking, cooking or washing; and includes, but is not limited to: watering plants and landscaped areas, flushing toilets, or use in cooling towers.</p>
Planning authority	<p>Has the same meaning as contained in Section 93C of the EP&A Act.</p> <p><i>Note: At the time of publication of this Plan, Section 93C of the EP&A Act defines a planning authority as:</i></p> <ul style="list-style-type: none"> • a council, or • the Minister, or • the corporation*, or • a development corporation (within the meaning of the Growth Centres (Development Corporations) Act 1974), or • a public authority declared by the regulations to be a planning authority for the purposes of this Division. <p><i>*Central Sydney Planning Committee is deemed a Corporation pursuant to Section 33 of the City of Sydney Act 1988.</i></p>
Social housing	<p>Means the provision of housing undertaken by a social housing provider.</p> <p><i>Note: 'social housing provider' has the same meaning as contained in Clause 4 of the State Environmental Planning Policy (Affordable Rental Housing) 2009.</i></p>
Staged development	<p>Means a development that is carried out in accordance with Division 2A of Part 4 of the EP&A Act. It also means a development that is carried out in accordance with Section 80(5) of the EP&A Act as it used to exist prior to its repeal on 30 September 2005.</p>
Through site link	<p>Means a new pedestrian walkway that:</p> <ul style="list-style-type: none"> • provides a new pedestrian link to an existing public road or laneway; and • is publicly accessible; and • improves or extends an existing or demonstrable desire line of pedestrian movement; and • does not result in the loss of any existing 'fine grain space' on the public road or laneway to which the through site link connects. <p><i>Note: see definition of 'fine-grain space' in this Dictionary.</i></p>
Works-in-kind	<p>Means settlement or part settlement of a Levy through the provision of physical works listed in the Schedule of Works to this Plan.</p> <p><i>Note: see also 'Material Public Benefit' in this Dictionary.</i></p>