

12 February 2015

General Manager
Randwick City Council
30 Frances Street
Randwick
NSW 2031

Dear Sir

Submission to the draft s94A Plan and draft DCP Amendments

Thank you for the opportunity to comment on the draft Section 94A Development Contributions Plan and associated draft DCP amendments. UNSW makes the following submission to these draft documents.

1. UNSW Should be Exempt from Development Contributions

UNSW has argued consistently in the past that it should be exempt from Development Contributions. The reasons are still valid and are re-iterated as follows:

- The University is a charitable/not-for-profit institution registered as such by the Australian Tax Office, with all income returned to the University's operating and capital expenditure budgets;
- The University is not a 'developer' in the usual sense but an internationally recognised public education and research institution, a Crown authority and recognised as a public authority by the Department of Planning and Environment;
- The University and its affiliated organisations provide substantial public benefits to the Randwick LGA including:
 - The Library, Sport and Recreation Centre are open to the general public;
 - The Village Green Oval and associated Sam Cracknell Pavilion are available for hire by local sports clubs and schools;
 - UNSW is a major sponsor of the Randwick District Rugby Union Football Club;
 - Venues and rehearsal spaces are available to community and not-for-profit organisations at discounted rates;
 - Retail outlets (food, bookshop, banks/ATMs, post office), medical, dental and physiotherapy services are available to the general public;
 - The UNSW Optometry Clinic provides comprehensive eye examinations and specialist clinics to the general public;

- The Psychology Clinic provides affordable clinical services to adults, children and families and the general public who are experiencing psychological, emotional or behavioural problems;
- The Institute of Languages provides English courses for migrants through the Adult Migrant English Program;
- The Refugee Youth Soccer Development Program builds social cohesion in refugee communities through a series of youth soccer initiatives;
- The Australian Human Rights Centre (AHRC) provides public information on human rights procedures, standards and issues within Australia and the world;
- The Kingsford Legal Centre provides free legal advice and ongoing assistance to local residents;
- The Shack Tutoring Program is run in partnership with Shack Youth Services at Maroubra and provides tutoring for local high school students;
- The ASPIRE outreach program works with students from low socio-economic backgrounds to encourage them to aspire to university education;
- The Gifted Education Research, Resource and Information Centre (GERRIC) provides a range of holiday programs for gifted and talented students in Years 3-10, conferences and short courses for parents and teachers;
- The Nura Gili Winter School is a free week long residential program for Indigenous students in Years 10-12 who are considering further studies beyond high school.

The economic and social benefits that the University and Hospital Precinct bring to the Randwick LGA are acknowledged in the Randwick DCP 2013 as follows:

"The large workforce, students and visitors provide substantial local economic benefits to the nearby commercial centres. For Randwick City itself, in addition to the employment and economic benefits generated by these institutions the Centre provides a variety of social, cultural and community facilities and services that are available to the local community."

For all of the above reasons UNSW should be exempt from further development contributions.

UNSW therefore submits that clause 13 "Exemptions to the Levy" in the draft Development Contributions Plan 2015 be amended by the inclusion of a new clause 13.2.5 as follows:

"(13.2.5) Applications submitted by or on behalf of the University of New South Wales (UNSW)."

2. The Schedule of Works in the Draft Development Contributions Plan 2015 Should be Amended to Reinstate the Expenditure of \$4 Million Within the University and Hospital Precinct

Contrary to the Council officers' report to the Planning Committee Meeting of 2 December 2014, UNSW has paid more than \$3.5 million in development contributions since commencement of Council's first Section 94A Plan on 2 July 2007 (see attached table). This is a substantial amount with little evidence that Council has undertaken any significant public works in the vicinity of the campus to date.

Any footpath upgrades and street tree planting that has occurred in campus perimeter streets have been undertaken pursuant to development consent conditions other than for s94A and at the University's cost.

UNSW development contributions have been funding works well outside any areas for which the provision, extension or augmentation of public amenities or services could be attributed to the demand created by University students and staff. The draft Development Contributions Plan 2015 continues this approach. Examples include pocket park embellishments, laneway widening, and the upgrade and maintenance of La Perouse Museum.

The 2013 Randwick City Economic and Development Profile showed that education and health care are the largest industry employers in the Randwick LGA representing 44.9% of the total working population. Both sectors also make the largest contribution to Randwick's Gross Regional Product (GRP) with 31.2% of the total.

In addition, UNSW is Randwick's largest single employer with more than 4,800 staff working at the UNSW Kensington, Randwick and Coogee campuses and within the Randwick Hospitals' campus. Kensington campus also attracts an average daily population of 41,000 students, staff and visitors during semester.

Furthermore, the University and Hospital Precinct has been given regional significance by its designation as a Strategic Centre in the recently amended metropolitan strategy "A Plan for Growing Sydney". They are the most important hubs for business and employment.

The importance of supporting the infrastructure requirements for the Randwick Strategic Centre is conveyed in the following statements on pages 55 and 112 of the Plan:

"Plan for the land use and infrastructure requirements of significant metropolitan health and education precincts at Randwick"; and

Support health-related land uses and infrastructure around the University of New South Wales".

It is also appropriate to note the statements made in Randwick DCP 2013 (E2 page 6) with regards to the public domain principles for the Precinct:

"Ensure the public domain and infrastructure in the Centre retains the capacity to accommodate future public transport improvements, including rail-based mass transit."

The Schedule of Works (items 2.8 and 4.4) in the draft 2015 Plan proposes light rail plazas in the vicinity of the light rail interchanges in Randwick Junction and Kingsford and light rail support measures (traffic and parking) totalling \$7.5 million, but no similar works within the University and Hospital Precinct. This is despite the fact that:

- The University's light rail submission for a plaza in High Street between Wansey Road and Botany Street (Stage 1 of the plaza is supported by Council); and
- Item 3.5 in the Schedule indicates that works within the Centre are for *"Town Centre Improvements to Accommodate Light Rail"*.

Furthermore, the DCP states the following principle:

"Provide a network of safe cycle paths within 5km of the Centre and an interconnected network of cycle-friendly routes within 800m of the Centre to encourage cycling to various local destinations."

The Schedule of Works (item 4.3) in the draft 2015 Plan proposes some city wide bike plan implementation, but no works specifically with the University and Hospital Precinct.

Other stated principles in E2 pages 6 and 7 include:

"Ensure the footpaths and public spaces in the Centre provide appropriate capacity, safety and amenity to support and encourage walking."

"Provide street tree planting and landscaping for the Centre that contributes to a sense of cohesion and improves pedestrian amenity."

"Provide suitable street lighting levels in key pedestrian areas."

"Coordinate signage design and placement to avoid clutter and confusion."

Given the above DCP principles, the University has a reasonable expectation that a substantial part of its more than \$3.5 million in contributions will be spent in the vicinity of the campus and on works indicated in the DCP. This was acknowledged by Council in its Planning Committee report and resolution of 9 February 2010 recognising that development contributions arising from development on the University campus would be matched by specific capital works around the University and linking to the nearby town centres.

Council's resolution is also consistent with a recent State Significant Development Application determination (SSD 5373 in the attached table) in which the University's development contribution was to be directed to public domain works adjacent to the site including along Barker Street.

The 2012 Development Contributions Plan included a sum of \$4 million for public domain improvements within the "Specialised Centre (University and Hospital Precinct)." The University's expectation was that this would be spent on footpaths, bicycle paths, street trees, bus shelters, lighting and signage around the campus perimeter and linking to the town centres of Randwick, Kensington and Kingsford – areas frequented by UNSW students and staff. There is little evidence that works of this nature have occurred since adoption of the 2012 Plan despite the large monetary contribution by UNSW.

The Schedule of Works (item 3.5) in the draft 2015 Plan now proposes to reduce the expenditure within the University and Hospital Precinct from \$4 million to \$1 million and only for improvements to accommodate light rail. While the University acknowledges that some contributions will still be expended in the town centres of Randwick, Kensington and Kingsford, other than some works to support light rail, there are no specific proposals in the draft 2015 Plan for footpath upgrades, the provision of bicycle paths, additional street tree planting or improved signage that would better connect the campus with the surrounding

area, provide safer access for students and staff, or improve visual and environmental amenity.

Nor are there any significant works proposed in the draft 2015 Plan that conform to the public domain principles for the Precinct as stated in Randwick DCP 2013.

At a recent meeting with Council Planning Officers, UNSW was advised that Council had resolved on 22 July 2014 to carry forward \$1 million in unspent s94A funds into Council's 2014-2015 Budget for infrastructure works around the University and Hospital Precinct. The Budget also allocates \$10.6 million for road works across the LGA (including the Precinct) partly funded from s94A contributions, but with no specific dollar allocation for Precinct works.

Therefore, specifically allocated for works within the Precinct there is \$1 million in the draft 2015 Plan (item 3.5) plus the \$1 million carried forward in the current Budget. This leaves around \$1.5 million in funds contributed by UNSW unspent around the University, contrary to Council's resolution of 9 February 2010.

The meeting with Planning Officers also indicated a schedule of proposed works totalling \$1 million for streetscape improvements along the campus perimeter in Barker Street (500 metres) to be funded from the current Budget. Given that around 1,300 metres of Botany Street and High Street not affected by light rail also have a boundary to the campus and require substantial streetscape improvements, using the estimate by Council for Barker Street, these other streetscape improvements would cost in the order of \$2.6 million. This does not include works to provide bicycle paths as highlighted in the DCP which would be an additional substantial cost and would probably bring the total cost to around \$4 million.

Therefore, the \$1 million proposed in the draft 2015 Plan for the Precinct (and only for improvements to accommodate light rail) is totally insufficient.

To conclude, the University objects to the downgrading of the University and Hospital Precinct in the draft 2015 Plan, given its economic and regional planning significance to the Randwick LGA and the Sydney metropolitan area. The downgrading is also contrary to the stated principles in the DCP.

Furthermore, the lack of any significant public works undertaken within the Precinct to date will not be offset by the carry forward of \$1 million in unspent s94A funds in the current Budget nor the \$1 million proposed in the draft 2015 Development Contributions Plan for infrastructure works around the Precinct.

UNSW therefore submits that item 3.5 of the Schedule of Works in the draft Development Contributions Plan 2015 is amended by the reinstatement of the original \$4 million expenditure as follows:

Public Facility	Expenditure	Staging
<i>Randwick Education & Health Strategic Centre* (Public domain improvements within the Centre including footpaths, bicycle paths, street trees, bus shelters, lighting and signage).</i>	<i>\$4,000,000</i>	<i>Short to Medium</i>

* See item 3 of this submission below.

3. The Draft Development Contributions Plan 2015 and the Randwick Development Control Plan 2013 Should be Amended to Include the Randwick Education and Health Strategic Centre

The Randwick Education and Health Strategic Centre is now included in the new Sydney Metropolitan Strategy "A Plan for Growing Sydney" released by the Department of Planning and Environment in December 2014. Previous references to the Randwick Urban Activation Precinct or the Randwick Education and Health Centre/Precinct have now been removed from the strategy.

However, the draft Contributions Plan 2015 and the existing Randwick DCP 2013 refer to the "Specialised Centre", "Randwick Education and Health Specialised Centre" or "Randwick Education and Health Specialised Precinct". Not only are these terms confusing but they have no status in the metropolitan strategy, are incorrect and obsolete.

The Randwick Education and Health Specialised Centre/Precinct does not exist.

UNSW therefore submits that:

- a) Item 3.5 of the Schedule of Works in the draft Development Contributions Plan 2015 is amended by the replacement of "Specialised Centre" with "Randwick Education and Health Strategic Centre" as follows:

Public Facility	Expenditure	Staging
<i>Randwick Education & Health Strategic Centre (Public domain improvements within the Centre including footpaths, bicycle paths, street trees, bus shelters, lighting and signage).</i>	<i>\$4,000,000*</i>	<i>Short to Medium</i>

* See item 2 of this submission above.

- b) The map on page 22 of the draft Contributions Plan 2015 titled "Randwick City Council s94A Capital Works Projects" is amended by the replacement of "Randwick Education and Health Specialised Precinct" with "Randwick Education and Health Strategic Centre".

Item 3.5 of the Schedule of Works in the draft Contributions Plan 2015 is amended by the replacement of "Specialised Centre" with "Randwick Education and Health Strategic Centre" as follows:

With regards to the proposed undergrounding of overhead power lines within the Kingsford Town Centre, UNSW has no objection to the inclusion of these works in the draft Contributions Plan 2015, or the DCP amendment required as a consequence. However, if the DCP is to be amended then the opportunity to correctly name the Randwick Education and Health Strategic Centre should also be taken.

This is a relatively simple exercise that will avoid confusion and align the DCP with the new Development Contributions Plan 2015 (as per this submission) and the new Sydney Metropolitan Strategy.

UNSW therefore submits that:

Section E2 of Randwick DCP 2013 is amended by:

- a) Replacing the words "Randwick Education and Health Specialised Centre" and "Specialised Centre" whenever they appear, with "Randwick Education and Health Strategic Centre" and "Strategic Centre" respectively.
- b) Modifying the text under 1.2 Planning Context to reflect the purpose of Strategic Centres as described in the new Sydney Metropolitan Strategy "*A Plan for Growing Sydney*".

The University trusts that Council will give due consideration to this submission and is willing to meet at any time to discuss the matters raised.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Robert Kelly', is written over a light blue horizontal line.

Robert Kelly
Director, Facilities Management
Phone: 9385 3961

Summary of Contributions Paid by UNSW to Randwick City Council Since the Commencement of Council's First Section 94A Development Contributions Plan on 2 July 2007					
Approval Date	Application No.	Project Name	Consent Authority	Amount Levied	Comment
21 September 2007	DA/241/2007	New College Post Graduate Village - new buildings	Randwick City Council	\$ -	CIV \$28,000,000. Contribution not levied on the basis that the College is a charity. However, the full cost of undergrounding overhead power lines in the vicinity of the site was required to be met.
14 November 2007	DA/694/2007	Kangas House - alterations & conversion to child care centre	Randwick City Council	\$ 2,600.00	1% of CIV.
21 January 2008	MP07-0071	UNSW Village Student Housing - new building	Minister for Planning	\$ 890,034.97	1% of CIV. A Public/Private Partnership with Campus Living Villages.
6 June 2008	DA/150/2008	Metallurgy Building - alterations & additions	Randwick City Council	\$ 5,950.00	1% of CIV.
20 October 2009	DA/306/2009	IT Data Centre Randwick Campus - alterations & additions	Randwick City Council	\$ 42,394.00	1% of CIV.
30 December 2009	DA/896/2009	Tyree Energy Technologies Building - new building early Works	Randwick City Council	\$ -	CIV \$133,870. Contribution not levied.
20 January 2010	DA/806/2009	Solar Industrial Research Facility - new building	Joint Regional Planning Panel	\$ 133,780.00	1% of CIV.
15 July 2010	MP09-0163	Tyree Energy Technologies Building - new building main works	Minister for Planning	\$ 81,937.00	CIV \$91,032,252. The Department reduced the levy sought by Council via a formula based on the estimated increase in staff generated by the project.
27 November 2010	MP09-0075	Wallace Wurth Building - redevelopment	Minister for Planning	\$ 217,463.04	CIV \$112,300,000. The Department reduced the levy sought by Council via a formula based on the estimated increase in staff generated by the project.
12 July 2011	DA/385/2011	Gate 2 Student Housing (University Terraces) - new building early Works	Randwick City Council	\$ 40,000.00	1% of CIV. Paid under protest to facilitate construction program.
20 September 2011	DA/259/2011	Western Campus Car Park - extension	Randwick City Council	\$ 16,476.10	1% of CIV.
5 October 2011	DA/494/2011	Gate 2 Student Housing (University Terraces) - new building main works	Joint Regional Planning Panel	\$ 526,350.00	1% of CIV plus CPI
8 November 2011	DA/595/2011	New College - refurbishment	Randwick City Council	\$ -	1% of CIV. Contribution not levied on the basis that the College is a charity.
6 December 2011	DA/739/2011	Kensington Colleges Redevelopment - new buildings early Works	Randwick City Council	\$ 49,100.00	1% of CIV. Paid under protest to facilitate construction program.
11 January 2012	DA/909/2011	NIDA - new shade structure	Randwick City Council	\$ 11,510.84	1% of CIV.
15 February 2012	DA/748/2011	Kensington Colleges Redevelopment - new buildings main works	Joint Regional Planning Panel	\$ 863,687.15	1% of CIV.
5 December 2012	DA/633/2012	NIDA - alterations & additions to James Fairfax Foyer	Joint Regional Planning Panel	\$ 58,320.37	1% of CIV.
20 December 2012	DA/663/2012	University Terraces - Use of 8 new tenancies for food outlets	Randwick City Council	\$ -	CIV \$0. Contribution not levied.
13 May 2012	DA/663/2012A	University Terraces - extension of trading hours for two tenancies	Randwick City Council	\$ -	CIV \$0. Contribution not levied.
10 April 2013	SSD 12/5572	Mechanical and Manufacturing Engineering Precinct Development - refurbishment and new building	Minister for Planning and Infrastructure	\$ -	CIV \$60,534,00. Contribution not levied on the basis that there was no increase in staff or students generated by the project.
19 June 2013	SSD 5373	Materials Science and Engineering Building - new building	Minister for Planning and Infrastructure	\$ 480,000.00	CIV \$125,811,038. The Department reduced the levy on the basis that the project would be supporting existing students and staff, UNSW's status as a not-for-profit organisation and the social benefits of the project. RCC agreed that the reduced levy would be applied to public domain works in Barker Street.
3 September 2013	DA/431/2013	Golf House - replacement of roof over outdoor area	Randwick City Council	\$ -	CIV \$19,250. Contribution not levied.
28 August 2014	DA/267/2014	NIDA - alterations & additions to Graduate School	Joint Regional Planning Panel	\$ 136,189.97	1% of CIV. Contribution to be applied to public domain works within the UNSW and Hospitals Precinct
				\$ 3,555,793.44	