

This response is directed at the proponent's response to Council's and the Department's comment to MOD 3. The proposal is **not** supportable in its current form. It does not adequately address concerns raised by both the Department and Council, and does not comply with state SEPP policies as well as local area policies.

## **SUMMARY OF ISSUES**

Permissibility as shop top housing  
Communal open space  
Solar access  
Natural cross ventilation  
Internalised common circulation  
Internalised rooms  
Kitchen depth  
Visitable apartments  
Adaptable apartments (to be verified)  
Presentation of end elevation to Kochia Lane  
Isolation of 2 Kochia Lane  
Traffic and Parking  
Development Contributions

## **SHOP TOP HOUSING PERMISSIBILITY**

The current location of 5 new apartments (G01B-G05B) fronting Havilah Lane, replacing the previous retail/commercial floor does not constitute shop top housing as there is no longer a retail/commercial frontage to Havilah Lane. The proponent's *Preferred Project & Response to Submissions Report* confirms that the five units to Havilah Lane at the ground floor plan constitute a 'residential flat building' land use which is a 'use prohibited under the KLEP LC 2012(LC)' (JBA, p2).

The Department has requested the proponent consider the 5 new apartments (G01B-G05B) which have replaced the retail/commercial floor space to Havilah Lane qualifying the residential component to Havilah Lane as shop top housing.

The proponent has not acknowledged this request, nor have they provided any evidence demonstrating consideration of the Department's suggestion. There is no justification of this modification in relation to the intention or the outcomes for this site as a mixed use development at this location. There is no demonstration of how this modification is warranted at a location that is clearly a local town centre mixed use site.

Instead, the proponent has ignored the issue, including the Department's references to case law, by presenting legal advice to argue that the Minister can approve a prohibited form of development under the local planning instrument through the standing of s75W. The advice by the proponent's solicitor relating to the ability to modify under s 75w relies in part on *Williams v Minister for Planning (2009) 164 LGERA 204*; however, it overlooks that that decision was set aside by the Court of Appeal in *Barrick Australia Ltd v Williams [2009] NSWCA 275*.

The reasons for the application of Minister's sites, such as this one, occurred at a time when local planning instruments prohibited any type of high density development in particular localities should be appreciated. The intention of the Minister's sites was to kick-start high densities in areas where the existing planning scheme did not support that provision. Since then, Ku-ring-gai has implemented a number of planning schemes aligned with the intentions of development intensification that underpinned the Minister's sites.

The KLEP (Local Centres) 2012 now includes high density sites across Lindfield within two distinctly different types of zoning: mixed use zoning which relies on shop top housing and commercial/retail floorspace to serve the town centre, and high density residential zoning which is development that has far greater requirements for deep soil landscaping and open private and communal spaces which are not required in development that is classed as shop top housing. Mixed use zoning prevails within the local town centres to ensure the preservation of a town centre character, and to ensure the preservation of retail/commercial facilities to support the character and functioning of the town centre.

Therefore, the underlying purpose of the Ministers sites is now closely aligned with the aims and objectives of the local planning scheme under the KLEP (LC) 2012 applying to this site. As such, given that the objectives of this site are supported by Council's Instrument, due consideration should be given by the proponent to ensuring alignment with the key principles of the prevailing planning scheme, in this case the requirements of shop-top housing and preservation of the mixed use aspect on key local centre sites. This is particularly acute at this location as this development site will be the largest amalgamated mixed use development at this side of Lindfield and it is imperative to maintain its mixed use status to enable the preservation of the mixed use character and the services it provides for the growing residential community.

In addition to the contravention to providing mixed use shop top housing to Havilah Lane, the proposed 5 new apartments (G01B-G05B) are of substandard resolution as detailed in Council's previous submission to this modification. They lack any opportunity of cross ventilation, have poor outlook and amenity with the proponent relying on artificial ventilation and sound attenuation with the apartments remaining closed at all times to avoid external noise and pollution from being placed directly above vehicular and service, including rubbish collection, access ways and adjacent to plant areas all relating to commercial uses.

In a recent letter to Ku-ring-gai Council from Office of Environment and Heritage, Environment Protection Authority (EPA), Council was requested to include greater controls in its DCP to restrict inappropriate location of apartments and to preserve the amenity of residents, including consideration of noise and pollution, particularly on sites close to road and rail as is the case for this site. EPA pointed out goals based on World Health Organisation guidelines for residential developments to protect health and amenity and suggested "judicious land use planning, architectural design, building orientation and good internal layout to achieve acceptable acoustic amenity and minimise exposure to poor air quality".

As previously commented by Council, should the proponent wish to retain these apartments, they should consider provision of retail/commercial uses fronting Havilah Lane to qualify as shop top housing, or alternately to provide building setbacks and landscaping in keeping with a residential apartment building. It is unreasonable for the proponent to expect the benefit afforded by shop top housing of reduced street setbacks and reduced onsite amenity without meeting the basic principles.

Given that the Proponent has not provided any substantiated reason to approve this modification except to dismiss any consideration, it is requested that the Minister consider the prevailing planning scheme and its alignment with the intentions of the Minister's sites and not support a modification that fundamentally opposes the principles of the KLEP (LC) 2012 and mixed use zoning at this location. Further, to prevent the provision of apartments that are clearly substandard due to their location and aspect.

It is requested that the Minister reinstate the retail floor plate at this location with the removal of the 5 apartments at G01B to G05B.

## **RELATIONSHIP OF PROPOSAL TO 43-47 LINDFIELD AVENUE & 9 HAVILAH LANE**

It is noted that Ku-ring-gai Council DA0578/14 for 43-47 Lindfield Avenue & 9 Havilah Lane was approved on 12 August 2015. Whilst the setback of the proposal to its boundaries remains deficient with regards to the RFDC Rule of Thumb (p28 via p59) for building separation, the final design of the neighbouring proposal has been responsive to the proposal and has managed to resolve the potential visual and acoustic privacy issues between the sites within its own site, and will not seriously impact on the daylight and outlook of the proposal.

## **COMMUNAL OPEN SPACE**

The issue of communal open space remains of concern. The proposed communal open space does not meet the RFDC Rule of Thumb (p49) with a shortfall of between 95.7m<sup>2</sup> (10.7%) and 294.2m<sup>2</sup> (32.7%). Given that the residential density of the proposal is high, it is considered that at least the minimum open space should be provided. It is noted that a high proportion of the communal open space provided at the Level 1 Floor Plan is comprised of screening vegetation in raised planter boxes which will not be accessible to, or usable by, the residents (S75W.3LA-01 legend items 6, 7 and 11). It is recommended that additional communal open space be provided on the roof top of the Havilah Lane building.

## **SOLAR ACCESS**

The revised ESD Report states that '72% apartments achieve 2 hours of solar access to living rooms and/or private open spaces' (emphasis added) (Cundall, p10). This conclusion misinterprets the RFDC Rule of Thumb (p85) which states that 'living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm in mid-winter. In dense urban areas two hours may be acceptable' (emphasis added). The difference between these two interpretations is substantial.

The Applicant's interpretation, pushed to its logical limits, would mean that no living rooms in any apartment are required to achieve any solar access if 70% of balconies achieved 2 hours. In this instance, by the Applicant's own documentation (Cundall, p21) (which has been verified) only 72 of 141 (51%) apartments receive 2 hours solar access to living rooms. This is a shortfall of 27 apartments to meet the 70% Rule of Thumb. Overall, this means that 69 of 141 (49%) apartments in the development do not achieve 2 hours direct sunlight to living rooms. This is a poor design outcome which significantly impacts on the amenity of the proposal, and makes for a result which cannot be considered to achieve SEPP 65 Principle 7: Amenity. It is recommended that alternative designs be explored that maximise solar access. It is considered that a superior result is readily achievable within the same building envelope.

Further to this, it is worth noting the lineage of the 'and/or' approach in the assessment process. The Secretary's Environmental Assessment Report for MOD 2 states that 'In MOD 1, the Proponent demonstrated that 70% of apartments received at least 2 hours of sunlight during the winter solstice to living areas and/or private open space. The Department considered this was acceptable' (emphasis added) (MOD 2 Secretary's EAR, p18). However, in the Director-General's Environmental Assessment Report for MOD 1 the 'and/or' qualification is not mentioned. In fact the alternative, proper interpretation and wording is used: 'The Project Approval adopted a solar access standard for this development of 2 hours mid-winter to living rooms and private open space in at least 70% of apartments,' and 'The request for modification is accompanied by a solar access report prepared by Cundall which demonstrates that a minimum of 70% of the

living rooms and private open spaces within the proposed development achieve a minimum of 2 hours direct sunlight between 9.00am and 3.00pm in mid-winter' (emphasis added) (MOD 2 Director-General's EAR, p32). It is clear that the MOD 1 approval was made on the presumption that 70% of apartments received 2 hours sunlight to living rooms and private open spaces. The reliance of the MOD 2 approval on the lesser amenity of the 'and/or' approach, and the continuance of this approach into MOD 3, is evidently flawed. The achievement of adequate solar access is a fundamental principle of amenity in residential design. The poor solar access performance of the proposal is of continuing concern and is without justification. This aspect of the assessment should be revisited.

## **NATURAL CROSS VENTILATION**

The revised ESD Report states that '77 (55%) apartments comply with the cross-ventilation requirements of SEPP 65' (Cundall, p13). This figure includes unit G05B which is not naturally cross ventilated. This gives a total of 76 of 141 (54%) apartments which can be considered naturally cross ventilated. This does not meet the RFDC Rule of Thumb (p87) which states that 'Sixty percent (60%) of residential units should be naturally cross ventilated.' No reason or justification is provided for the shortfall (JBA, p10). This is a poor design outcome which significantly impacts on the amenity of the proposal, and makes for a result which cannot be considered to achieve SEPP 65 Principle 7: Amenity. It is recommended that alternative designs be explored to increase the natural cross ventilation of apartments. The use of ventilation chimneys to sub-penthouse apartments is one possibility.

## **INTERNALISED COMMON CIRCULATION**

The issue of internalised common circulation remains. 117 of 141 (83%) of units are serviced by corridors that are not provided with natural light or ventilation. Mechanical ventilation and artificial lighting will be required for these spaces which will require ongoing running and maintenance costs for the residents of the building in perpetuity. It is recommended that each residential lobby be provided with a window. Top floor corridors could be provided with a skylight.

## **INTERNALISED ROOMS**

The issue of internalised rooms remains. There are 12 apartments that contain habitable media rooms that are highly internalised and greater than 8m from an external window (G03B, 107A, 101B, 102B, 207A, 201B, 202B, 301B, 302B, 401B, 403B, 501B). This is a poor design outcome which significantly impacts on the amenity of the proposal, and makes for a result which cannot be considered to achieve SEPP 65 Principle 7: Amenity. It is recommended that apartment layouts be revised to address this issue.

## **KITCHEN DEPTH**

The Preferred Project & Response to Submissions Report states that 'The proposal involves a minor variation to the guidelines to ensure high quality internal layout and overall unit sizes, to create good spaces within apartments' (JBA, p11). It is not agreed that apartment layouts deeper than 8m provide high quality internal layouts or 'good spaces.' Habitable spaces greater than 8m deep from an external window impact the quality of daylight and natural ventilation available within these apartments. There are 5 units which have kitchens up to 8.6m from an external window (G01B, 103B, 203B, 303B, 403B). These may be considered marginal, or 'negligible,' as only the kitchen cupboards are located in the area greater than 8m deep. However,

there are 23 other units which have habitable kitchen areas greater than 8.6m from an external window (104A, 108A, 105B, 108B, 204A, 208A, 205B, 208B, 304A, 308A, 305B, 308B, 404A, 408A, 404B, 407B, 504A, 508A, 604A, 604B, 704A, 708A). This does not meet the RFDC Rule of Thumb (p69) which states that 'The back of a kitchen should be no more than 8 metres from a window.' One single aspect unit that has habitable spaces greater than 11m from an external window (G03B). This does not meet the RFDC Rule of Thumb (p69) which states 'Single-aspect apartments should be limited in depth to 8m from a window.' This is a poor design outcome which significantly impacts on the amenity of the proposal, and makes for a result which cannot be considered to achieve SEPP 65 Principle 7: Amenity. It is recommended that the apartment layouts be revised to address these issues.

## **VISITABLE APARTMENTS**

The Preferred Project & Response to Submissions Report states that 'a total of 39 units (27.7%) will be visitable' (JBA, p5). It is considered that only very minor changes would be required to provide this improvement. It is recommended that the apartment layouts be revised to address this issue.

## **ADAPTABLE APARTMENTS**

The revised architectural drawings show that the adaptable apartments are generally compliant with AS4299 (ADAZ6001H), however the clearance around the bed in the 1 bedroom type, and the laundry access in the 2 bedroom type (including the laundry door swings), should be verified.

## **PRESENTATION OF END ELEVATION TO KOCHIA LANE**

The presentation of the proposal to levels 4 and 5 of 2 Kochia Lane remains. The high sill windows provided to these elevations are not essential to the development as the rooms they serve all have alternative window openings. If 2 Kochia Lane is redeveloped and built to the boundary as an eight storey party wall (which it is permitted to do under KLEPLC2012 and KLCDCP2013), these windows will be built out and future owners will need to 'fill in' these windows at a later date. It is recommended that the high sill windows to the boundary of 2 Kochia Lane be removed. Thought should be given to the material treatment and appearance of this end wall for the short to medium term as this wall will be highly visible from the future Lindfield town square area.

## **ISOLATION OF 2 KOCHIA LANE**

The proponent has dismissed the request for some basic viability study on 2 Kochia Lane to be conducted. In the case of site isolation, as continues to be the case with 2 Kochia Lane, Council's development application process requires some evidence to demonstrate the failed reasonable negotiations with owners of isolated sites. Where this is found sufficient, a high level viability study would be required from the developer to indicate how the isolated site could be developed to meet the requirements under Councils planning instruments. This enables due diligence and transparency around the issue of isolation. As this application is under the Minister's assessment, the proponent is not tied to these requirements; however, it is requested that the Minister seek some level of address from the proponent on the key restriction of the site isolation, that of access to basement parking given the limited size for ramping and vehicular circulation within the footprint of 2 Kochia Lane.

It is requested that the proponent, at the least, provide information on the amount of basement parking that the future 2 Kochia Lane development would require using the same principles as this development, and how this could be accommodated including access. In doing so, provide and include in the MOD 3 means, such as pull out/ break through panels, for a shared future vehicular access and circulation between the two sites.

## **TRAFFIC AND PARKING**

In response to the comments from the applicant's transport planner, I make the following comments:

- Car park design: while it is agreed that the likelihood of 2 vehicles passing each other on the lower basement parking levels is low, it would be highest on the upper basement car parking level, and therefore the upper basement level should comply with clause 2.5.2(c) of AS2890.1-2004;
- Retail parking component: the applicant's transport planner suggests that a shortfall of 7 spaces from the minimum requirement of 83 spaces (Ku-ring-gai Local Centres DCP) would be justified, on the basis that a substantial proportion of customers would be rail/bus commuters. While this would be the case, the parking rates consider takes this into account in the total quantum of parking to be provided.

The point was made in Council's submission that by utilising parking rates in the RTA Guide to Traffic Generating Developments, the parking requirement would be even higher than 83 spaces recommended by Council, suggesting that Council's requirements (at the lower end of the range) represents a reasonable (reduced) quantum of retail parking. Therefore, it is recommended that the amount of retail parking should be increased to a minimum of 83 spaces.

## **DEVELOPMENT CONTRIBUTIONS**

Following is commentary for MOD 3 (incorporating the undetermined Modification 2 where applicable) for 23 - 41 Lindfield Avenue, 7 and Lot 11 Havilah Lane Lindfield – updated following the approval of Modification 2 and commentary and additional information from Aqualand in respect of Ku-ring-gai's original commentary on Modification 3.

**Procedures for Modifications that have a consequential impact on development contributions**  
*Ku-ring-gai Contributions Plan 2010* is clear on the treatment of modifications to development consents involving contributions as follows:

### *1.37.1 Where the Original Contribution has not been paid*

If the development contributions levied on the original consent have not yet been paid, the contributions are recalculated in their entirety including any credit for any existing development that applied at the date of the original consent. The revised consent condition will replace the original condition.

### *1.37.2 Where the Original Contribution has been paid*

If the development contributions levied on the original consent have been paid, the procedure is different because it is not reasonable to apply inflation to that part of the contribution which has been paid. Given that payment generally occurs at the release of the Construction Certificate, it is also likely that the development will be under construction.

In these circumstances, the development for which contributions have been paid is considered to be the existing development. This approved development will be credited as the existing development for the purposes of the recalculation. The proposed amended application in its entirety is, therefore, the proposed development for the purpose of calculating the contributions.

In this way, only the nett additional contribution, if any, is charged at the current CPI/HPI. In this circumstance an additional condition will be inserted alongside the original condition which remains in the consent because the additional contribution does not supersede or obviate the obligation to pay the original contribution.

**Note:** No refunds will be provided in the event there are no nett additional contributions required as all contributions received are committed to Council's rolling works programme in such a manner as will address temporal nexus and Council is entitled to certainty in cash-flow.

The developers for the subject site sought and were provided with the current inflated rate of contributions due and payable for the **Original Consent + Modification One + Modification 2** on 13 July 2015 (up to the March Quarter CPI/HPI as June quarter figures had not been issued; in fact the June Quarter figures for the Established House Price Index (utilised to inflate the land acquisition component of the contributions) have been delayed by the ABS to late September with the effect that the March Quarter figures remain current).

**However, as of Thursday 10 September 2015, there is no evidence that this contribution has been paid. Accordingly, the full development contribution for the total development up to and including Modification 3 should appear on the consent.**

It should be noted that Ku-ring-gai Council does not accept partial payments for contributions, since any receipt is all the evidence required to obtain a Construction Certificate and leave Council pursuing unsecured outstanding debts, which is considered unreasonable.

It is noted that both Modifications 2 and 3 cannot both proceed as Modification 3 involves considerable modification to the layout of non-residential floorspace at ground level compared to the layout approved for Modification 2. If Modification 3 is approved, Modification 2 should be surrendered.

## **COMMENTARY FOR THE CURRENT AND LATEST UNDETERMINED MOD 3**

### **Existing Development on the Site**

The original development assessment included a credit for the demolition of 1,735sqm of retail GLFA and 1,238sqm of Business GFA. The addition of 9 Havilah Lane did not involve any additional floorspace demolition. The addition of 39-41 Lindfield Avenue does include the demolition of floorspace. Originally, no detail was provided that would have enabled a credit to be calculated and this was noted in Ku-ring-gai Council's original submission.

Detail was provided by email on Wednesday 9 September 2015 and this has now been incorporated into the calculation for the development as a whole. The information has not been independently verified but appears to be reasonable:

<b>Number 39</b>		<b>Number 41</b>	
Ground Floor GLFA Retail:	62.7sqm	Ground Floor GLFA Retail	74.2sqm
First Floor GFA Office	51.9sqm	First Floor	1 X 2
		bedroom unit	

Accordingly, the total credit applicable to the development as a whole is from Modification 3 as follows:

Retail: 1,871.9sqm (being 1,735 + 62.7 + 74.2 aka 1,735 + 136.9)

Business: 1,289.9sqm (being 1,238 + 51.9)

Residential: 1 x 2 bedroom unit

The proposal for Modification 3 remains unchanged as 2,318.3sqm GLFA retail (obtained by adding the given NLFA in the plans because the EAR only states the Gross Floor Area) plus 4 x studio/bedsits, 64 x 1 bedroom units, 66 x 2 bedroom units and 7 x 3 bedroom units (total 141 units). However, it is noted that Council has raised concerns about a number of the units. In the event there is any further change to the unit mix, Council should be contacted to provide new calculations for the consent condition(s).

It should be noted that it is the responsibility of the assessing officer at the Department of Planning to verify that any studies capable of being used as bedrooms have been counted as bedrooms and that the unit mix has been correctly represented in accordance with the Contributions Plan.

Given that the relevant consent condition C5 persistently refers to the *calculation* of contributions as an 'estimate' at the apparent request of the applicant, this terminology will be interpreted to provide adequate leeway for correct application of the Contributions Plan at time of payment (or later) in the event the unit mix at final Construction Certificate stage includes studies that should have been classed as bedrooms for the purposes of the contributions and any other corrections that may be required including any alterations to the retail areas as well as the residential areas.

The following definitions are noted in Part D: Dictionary and References commencing on page 193 of *Ku-ring-gai Contributions Plan 2010*:

- "bedroom" means, for the purposes of this Contributions Plan any room which is, in the opinion of Council, by its physical design, capable of being used as a bedroom. Separately accessible rooms designated a bedroom, study, studio, den, attic, home office or the like, including in some circumstances partially enclosed spaces or mezzanine levels, may be classified as bedrooms for the purposes of this plan.
- "bedsit" or "studio" means a dwelling without a separately accessible bedroom up to a maximum of 110m<sup>2</sup> in area. Dwellings larger than 110m<sup>2</sup> without fixed internal walls will be deemed to be two bedroom dwellings for the purposes of this Contributions Plan.
- "study" means, if capable of being used as a separate habitable room, a bedroom. For example, this means that a unit described as a one bedroom plus study is a two bedroom dwelling for the purposes of this Contributions Plan unless the study is, by virtue of its design, incapable of being used as a bedroom.

The figures overleaf represent the current amount payable for the total development up to and including the current Modification 3. The figure is slightly less than previously advised, despite the increase of one quarter of inflation, due to the additional credit provided for the existing structures at 39-41 Lindfield Avenue. It should be noted that the next quarter of inflation is due for release before the end of the month.



Clear

## Ku-ring-gai Contributions Plan 2010

### Section 94 Contributions Calculator

DA Number: DAMP08\_0244 DAMP08\_0244 Ok

REV or MOD Number: MOD3 ☐ REV ☒ MOD

CPI&HPI Index Quarter: March-2015

Select Development Area: Lindfield Town Centre

Property Address: Lindfield Lindfield Ave & Havilah Lane 23-41 & 11

Suburb
Street
Number

Date: 10-Sep-15

Save DA & Contribution Data

	Proposed (Total) Development	Existing (Credited) Development
<b>Dwelling Houses:</b>		
2 bedrooms (or less)	<input style="width: 100%;" type="text" value="0"/>	<input style="width: 100%;" type="text" value="0"/>
3 bedrooms (or more)	<input style="width: 100%;" type="text" value="0"/>	<input style="width: 100%;" type="text" value="0"/>
<b>Units, Townhouses, Villas</b>		
Studios/Bedsits	<input style="width: 100%;" type="text" value="4"/>	<input style="width: 100%;" type="text" value="0"/>
1 bedroom	<input style="width: 100%;" type="text" value="64"/>	<input style="width: 100%;" type="text" value="0"/>
2 bedrooms	<input style="width: 100%;" type="text" value="66"/>	<input style="width: 100%;" type="text" value="1"/>
3+ bedrooms	<input style="width: 100%;" type="text" value="7"/>	<input style="width: 100%;" type="text" value="0"/>
Seniors Living	<input style="width: 100%;" type="text" value="0"/>	<input style="width: 100%;" type="text" value="0"/>
<b>Other Residential</b>		
New lot subdivision	<input style="width: 100%;" type="text" value="0"/>	<input style="width: 100%;" type="text" value="0"/>
Non private dwelling	<input style="width: 100%;" type="text" value="0"/>	<input style="width: 100%;" type="text" value="0"/>
<b>Retail: Square metres of GLFA</b>	<input style="width: 100%;" type="text" value="2,318"/>	<input style="width: 100%;" type="text" value="1,872"/>
<b>Business: Square metres of GFA</b>	<input style="width: 100%;" type="text" value="0"/>	<input style="width: 100%;" type="text" value="1,290"/>

☐ Show Amounts at Index in Original Approval

Copy to DA Determination Letter

#### Section 94 Development Contributions - Centres

This development is subject to a development contribution calculated in accordance with Ku-ring-gai Contributions Plan 2010, being a s94 Contributions Plan in effect under the Environmental Planning and Assessment Act, as follows:

Key Community Infrastructure	Amount
Local parks and Local sporting facilities	\$1,455,883.05
Local recreational and cultural, Local social facilities	\$259,799.91
Local Roads, Local Bus Facilities & Local Drainage Facilities (New Roads and Road Modifications)	\$256,248.88
Local roads, Local bus facilities & Local drainage facilities (Townscape, Transport & Pedestrian facilities)	\$1,020,019.81
<b>TOTAL CONTRIBUTIONS</b>	<b>\$2,991,951.65</b>

The contribution shall be paid to Council prior to the issue of any Construction Certificate, Linen Plan, Certificate of Subdivision or Occupation Certificate whichever comes first in accordance with Ku-ring-gai Contributions Plan 2010.

The contributions specified above are as at the March 2015 quarter and are subject to indexation and will continue to be indexed to reflect changes in the consumer price index and housing price index until they are paid in accordance with Ku-ring-gai Contributions Plan 2010. Prior to payment, please contact Council directly to verify the current payable contributions.

[Ku-ring-gai Contributions Plan 2010 may be viewed at www.kmc.nsw.gov.au](http://www.kmc.nsw.gov.au) and at the Council Chambers.