

Agenda

IPC Meeting – Prestons

23 August 2019

RE: SSD 7155 MOD 5- Prestons Industrial Estate

The development consent SSD7155 for Prestons Industrial Estate was received from the Department of Planning in June 2016 and a development contribution was required to be paid by Logos.

Part of the contribution was to be paid via Logos providing drainage works as a WIKA offset.

All relevant conditions relating to the drainage requirements were agreed with Council prior to issuance of the consent.

Logos provided these drainage works and had them valued by an Independent Quantity Surveyor as per DA Conditions C15 to C17 at \$1.54M as at March 2017 however Council only offered to provide a contribution offset of \$907,029.

Logos started the works to meet contractual obligations and safety requirements, due to high hazard water flows through the site and maintained ongoing contact with both Council and the Department on a continuous basis trying to resolve and compromise on all outstanding issues

Council also considers that the development contribution should be indexed to the current quarter in 2019, despite the works being provided in March 2017. The process been frustrated as a result of the protracted delays caused by Council's unwillingness to comply with Conditions of Consent.

Logos is seeking to compromise on this by agreeing to a DA contribution rate plus indexation to March 2017 some 8 to 9 months from the original date of consent and splitting the differences between Council proposed offset contribution.

This is a significant compromise by Logos.

The condition amendment proposed to B23 would achieve this.

The Department of Planning has considered this issue and agrees with this compromise.

Further to the above LOGOS has undertaken \$5M of additional public infrastructure works over and above the contributions required by the conditions of Consent.