

8.9. Willoughby Road Public Domain Upgrade Masterplan Works

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ATTACHMENTS: Nil

PURPOSE:

To provide an update on the proposed staging of works and funding scenarios for the upgrade of Willoughby Road, Crows Nest.

EXECUTIVE SUMMARY:

Public Domain improvements to Willoughby Road have been identified in Councils Delivery Program since 2016/17, as it is recognised that this important commercial Main Street located in the centre of Crows Nest needs a significant upgrade.

A Masterplan for the Crows Nest Commercial Centre Public Domain improvements was first formulated in 2015/16 after community consultation in 2014 and then finalised after the results of an area wide community survey undertaken in 2016/17. The upgrade of Willoughby Road was identified as one of the priority projects in the Masterplan that was reported to Council in 2017.

This report specifically responds to a Notice of Motion 45/22 – Willoughby Road Public Domain Upgrade Masterplan Works from the 8 August 2022 Council meeting – which recommends to prioritise the upgrade of Willoughby Road. This report also sets out a staging plan for the works as well as a number of different funding scenarios which are outlined in Attachment 1 of this report.

FINANCIAL IMPLICATIONS:

This project forms part of the current adopted 2022-23 Delivery Program for Council under “*Crows Nest Public Domain Masterplan implementation*” program which has an identified Capital Funding allocation of \$500,000 pa over the next three (3) financial years.

This report and the accompanying attachment outline a number of alternative funding scenarios to fast track the upgrade of Willoughby Road including the use of Crows Nest Mainstreet Levy Funds, Councils Capital Reserves, Commercial borrowings, VPA funds from the Crows Nest Metro and or a combination of all funding sources outlined above.

Option 1 Funding Scenario: Funding from Existing Delivery Program – Mainstreet Levy Funds and Council’s Capital Reserve. The works would need to be staged over three (3) Financial

Years 2022-23 to 2025-2026 and would be significantly smaller in scope due to the current funding allocation. Please refer to Figure 2.

Option 2a Funding Scenario (RECOMMENDED): Funding from Metro VPA (Public Domain component) and Council's allocated Delivery Program (Mainstreet Levy funds and Capital Reserves). The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024 and include a full upgrade of Willoughby Road between Burlington Street and Albany Street on both sides. Please refer to Figure 3.

Option 2b Funding Scenario: Funding from Commercial borrowings (5-year loan) using a combination of Council's Capital Reserves and Mainstreet Levy funds to service the loan and a contribution from the Metro VPA-Public Domain component. The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024 and include a full upgrade of Willoughby Road between Burlington Street and Albany Street on both sides. Please refer to FIGURE 3.

Option 2c Funding Scenario: Funding from Commercial borrowings (10-year loan) using a combination of Council's Capital Reserves and Mainstreet Levy Funds to service the loan and as well as a contribution of funds from the Metro VPA-Public Domain component. The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024 and include a full upgrade of Willoughby Road between Burlington Street and Albany Street on both sides. Please refer to Figure 3.

RECOMMENDATION:

- 1. THAT** Council adopts the staging plan for the proposed upgrade works for Willoughby Road.
- 2. THAT** Council adopts funding **Option 2a** which proposes to use a combination of Metro VPA funds (Public Domain component) and Council's allocated Delivery Program (Mainstreet Levy funds and Capital Reserves) to increase the scope of Stage 2 and also fast track the delivery of Stage 2 over two (2) Financial Years.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

2. Our Built Infrastructure

2.1 Infrastructure and assets meet diverse community needs

2.2 Vibrant public domains and villages

3. Our Innovative City

3.1 Our commercial centres are prosperous and vibrant

4. Our Social Vitality

4.1 North Sydney is connected, inclusive, healthy and safe

BACKGROUND

A Masterplan for the Public Domain upgrade of the Crows Nest Commercial Centre was first formulated in 2015/16 after initial community consultation was undertaken in 2014.

In early 2016, the Council ran a survey to understand the community's aspirations for Crows Nest and surrounds once the proposed Metro Station in Crows Nest was operational in 2024. Of the 1,000+ responses received, the key messages were to protect Willoughby Road and the 'village atmosphere' of Crows Nest, revitalise buildings along the Pacific Highway, attract greater investment by local businesses, reduce car dependency and consolidate Crows Nest's role as a hub for independent retail, restaurants and entertainment on the lower North Shore.

This feedback from the Community consultation in 2014 and the area wide Survey in 2016 formed the basis of the final Public Domain Masterplan that was developed by Group GSA for the Crows Nest Commercial Centre. The upgrade of Willoughby Road was identified as one of the priority projects in the Masterplan that was reported to Council in 2017.

The Masterplan identified a vision for the Commercial Centre of Crows Nest as well as a new contemporary palette of streetscape materials and finishes. The Master Plan also identified a number of priority projects for the Crows Nest Commercial area which formed the basis of how funding, including Main Street Levy funds would be allocated each financial year.

The Masterplan for the Crows Nest Commercial Centre has been progressively implemented since 2015/16 as funding has become available and is about 50% complete.

In the report to Council on 25 July 2022 on the Administration of the Special Rates levied for Crows Nest and Neutral Bay, a detailed 5-year capital works program for the Crows Nest Commercial Centre was outlined in table 1 of that report.

It is recognised that Willoughby Road is an important commercial Main Street that runs through the centre of Crows Nest and is in need of significant public domain upgrading and

“refreshing.” The confidential attachment to the report to Council on 25 July 2022, outlined that the upgrade of Willoughby Road was the priority project for the Crows Nest Commercial Centre which is reflected in the budget allocation for the project.

The Commercial area along Willoughby Road from Falcon Street to Albany Street was last upgraded in the 1990s and is now in need of “refreshing”. The public domain elements in the existing streetscape including paving, furniture, lighting, planting, and general arrangement of the outdoor dining bays are looking progressively outdated and tired. In addition, the existing planter boxes and materials that they are constructed of have performed poorly over those years.

Overall, the general streetscape arrangement and public domain elements in Willoughby Road do not resonate with current contemporary Urban Design approaches for “Mainstreet Public Spaces” and “Place Making.”

The proposed upgrade of Willoughby Road will generally be in accordance with the Masterplan, however due to the age of the Masterplan (2015/16) and introduction of the Crows Nest Metro Station in 2018/19, the upgrade will incorporate new bespoke contemporary design ideas for “Place Making”. These ideas and design elements will specifically cater for the current and next generation of people who live, visit, commute and/or work in this area. The urban design for Willoughby Road will reflect the unique character of the area through the innovative and creative use of streetscape elements and materials. In general, the materials and finishes to be used will be in accordance with Council’s currently (adopted) Public Domain Style Manual and Design Codes, however it will be encouraged that bespoke design elements should be considered as part of the overall streetscape design that are appropriate for the area and meet stakeholder expectations.

It is proposed to upgrade Willoughby Road in Stages. Refer to Figure 1 Staging Plan. It is also proposed to prepare concepts designs suitable for community consultation for stage 2 before proceeding to detailed design, tender and construction.

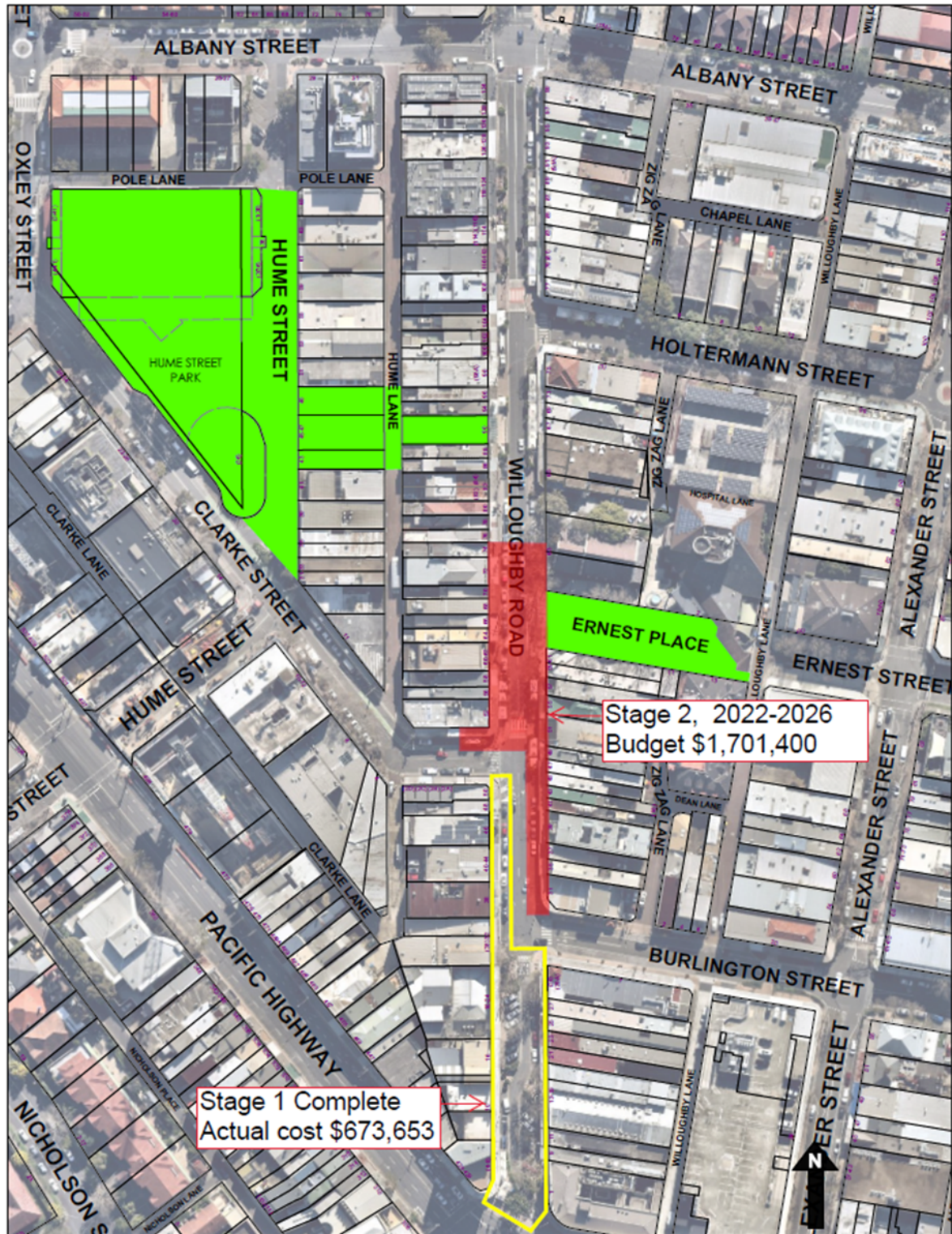
The Stage 1 upgrade of Willoughby Road saw the successful completion of new streetscape elements and paving outside the Crows Nest Hotel from Falcon Street to Burlington Street in 2019 and extended to Clarke Street in 2020. These upgrading works featured new paving, furniture, parking bays, decorative lighting and landscaping.



- * GATEWAY OPPORTUNITIES
- METRO STATION ENTRY

Figure 1 Location and Staging plan for Willoughby Road, Crows Nest Public Domain Upgrade Masterplan Works

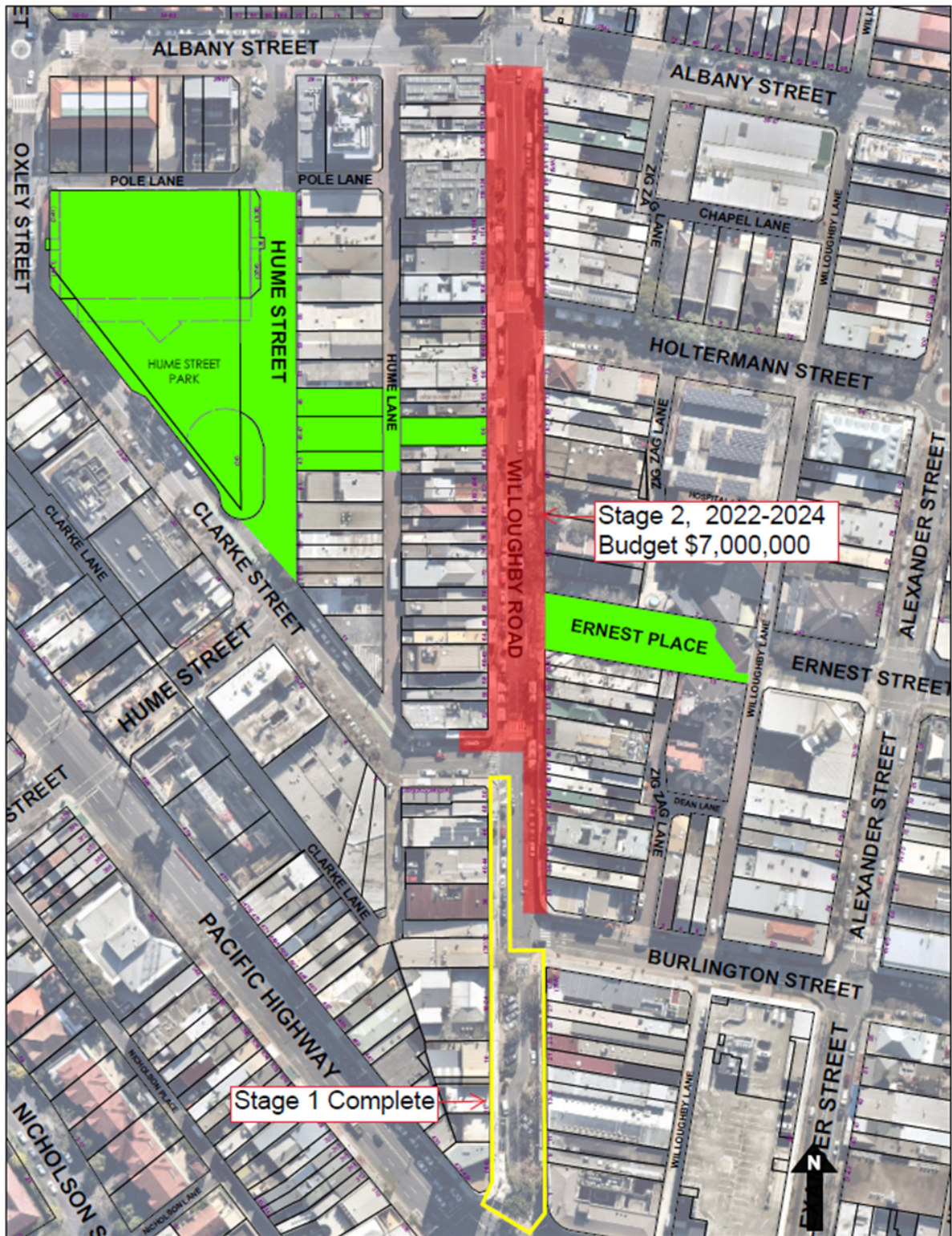
OPTION 1 Willoughby Road Upgrade - (2022 - 2026) \$1,701,400
 Funding from Existing Delivery program (Mainstreet Levy + Council capital)



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Figure 2 Option 1 Funding scenario for Willoughby Road Public Domain Upgrade showing delivery over four (4) years (2022-2026)

OPTION 2a, 2b & 2c Willoughby Road Upgrade - (2022-2024)



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Figure 3 Option 2a, 2b & 2c Funding scenarios for Willoughby Road Public Domain Upgrade showing delivery over two (2) years (2022-2024)

CONSULTATION REQUIREMENTS

The Crows Nest Masterplan was exhibited to the community over 6 years ago. Due to the length of time elapsed and the introduction of a new Metro Station at Crows Nest in 2018/19, it is recommended that fresh consultation be undertaken for each Stage of the Willoughby Road upgrade. Consultation for Stage 2 of the upgrade is expected to commence in early October to coincide with the Crows Nest Festival on Sunday 16 October.

Community engagement for stage 2 will be undertaken in accordance with the Council's Community Engagement Protocol.

DETAIL

Council at its meeting held on 25 July 2022 resolved the following in relation to item 9.2 Notice of Motion 45/22 - Willoughby Road Public Domain Upgrade Masterplan Works

- 1. THAT Council prioritise the completion of the Willoughby Road Public Domain Upgrade Masterplan works, prepared by Group GSA and adopted by Council on 30 October 2017.*
- 2. THAT the works be carried out over the next 2 budget years and be funded from the Crows Nest Main Street Levy and developer contributions received in the Crows Nest/St Leonard's Precinct Planning Studies area.*
- 3. THAT a report be provided to the next Council meeting on the timeframe and funding, including consideration of using the levy funds to service capital and interest on borrowing for the project, if necessary.*

This report provides an update on the proposed staging of works and funding scenarios for the upgrade of Willoughby Road, Crows Nest. For the detail on the funding scenarios refer to the attachment to this report.

Crows Nest Metro Over Station Development Draft Voluntary Planning Agreement

Council at its meeting held on 24 May 2021 resolved:

- 1. THAT Council endorses the attached draft Voluntary Planning Agreement and that it undertakes the necessary steps to have the instrument executed.*
- 2. Should any minor administrative type amendments be required to the VPA prior to execution, that the General Manager be authorised to do so as long as such amendments are of a minor nature.*

This resolution followed on from the resolution of Council on the Draft Voluntary Planning Agreement that was made at the Council meeting held on 22 February 2021.

Whereby Council resolved the following:

1. *THAT Council endorses the attached draft Voluntary Planning Agreement for the purposes of public exhibition.*
2. *THAT the General Manager be delegated authority to make minor amendments to the draft VPA that do not change its substance or intent prior to exhibition if necessary.*
3. *THAT the draft Voluntary Planning Agreement be publicly exhibited for a period of 28 days.*
4. *THAT Council appropriate the (approximately) \$9.8M within the appropriate Section 7.11 restricted reserves in recognition of the origins of this income and that the \$2M be used to supplement funding for the Holtermann Street Park initiative in Crows Nest.*
5. *THAT a report be prepared for Council’s consideration following the exhibition process detailing any submissions received and any amendments required to the draft VPA prior to its finalisation.*

As part of the VPA report put to Council in February 2021 the following description and funding table was provided.

For clarity, the breakdown of the S7.11 contributions of approximately \$9.8M which would ordinarily be payable in alignment with the development of the land which would occur some years into the future, is derived from the following categories under Council’s S7.11 Contributions Plan:

Infrastructure Type	
<i>Open Space and Recreation</i>	<i>\$3,115,024</i>
<i>Public Domain</i>	<i>\$5,610,892</i>
<i>Active Transport</i>	<i>\$320,195</i>
<i>Community Facilities</i>	<i>\$625,683</i>
<i>Plan Administration</i>	<i>\$145,856</i>
TOTAL	\$9,817,651

Extract from Page 6 of the February 2021 Council Report – Item 8.5. Crows Nest Metro Over Station Development Draft Voluntary Planning Agreement

Background to the Metro VPA presented to Council in February 2021 and then adopted in May 2021

Council adopted a draft Voluntary Planning Agreement (VPA) for the Over Station Development (OSD) of Crows Nest Metro Station for the purposes of public exhibition in February 2021.

The draft VPA for the Crows Nest OSD responds to a condition of development consent for the “concept” for the site issued by the Minister for Planning and Public Spaces in December 2020. This required Transport for NSW to enter into a VPA with Council enabling payment of all applicable developer contributions (approx. \$9.8M) plus an additional \$2M for public

domain improvements, at the beginning of the development process, rather than at the end. The net result of this is to “front load” the payment of contributions that would otherwise be payable at different stages of the development process several years into the future.

The draft VPA was exhibited between 22 March and 23 April 2021. A total of 4 submissions were received in response to this exhibition. Three were generally supportive of the VPA but requested a contribution to the Hume Street Park expansion project. One objected to the proposal based on height, density and impacts. In adopting the draft VPA for public exhibition on 22 February 2021, Council resolved that the supplementary \$2M contribution be directed towards the Holtermann Park project and that the \$9.8M be appropriated within the applicable Section 7.11 restricted reserves in recognition of the origins of this income.

The report recommended that following the exhibition process, that Council adopt and execute the draft VPA, unamended, to bring the instrument into effect and trigger its provisions. Council would ordinarily receive a total of approximately \$9.8M in S7.11 contributions arising from the development over the life of the development of the Over Station Development. This would occur periodically over the coming years depending on the timing and staging of that development. The draft VPA is designed to consolidate these into one payment at the beginning of the process with an additional \$2M payment over and above this. The VPA payment would also liberate Council from the need to allocate matching funds from other sources of revenue, including general revenue, towards projects targeted by such payment as is broadly the requirement under Council’s S7.11 Contributions Plan.

STAGING- WILLOUGHBY ROAD UPGRADE

Stage 1 of Willoughby Road was completed between 2019 – 2020 and saw the successful delivery of a “refreshed” streetscape that started outside the Crows Nest Hotel and went down Willoughby Road from Falcon Street to Clarke Street.



Photo 1. Photo of Stage 1 of Willoughby Road upgrade, completed in 2019 showing new raised pedestrian crossing



Photo 2. Photo of Stage 1 Willoughby Road upgrade finished in 2019 showing pedestrian crossing at Burlington Street



Photo 3. Photo of stage 1 Willoughby Road upgrade outside the Crows Nest Hotel finished in 2019



Photo 4. Photo of stage 1 Willoughby Road upgrade finished in 2019

Stage 2 of Willoughby Road will follow on from Stage 1 to continue the roll out of upgrading the streetscape in accordance with the Masterplan and feedback from the proposed community consultation. Refer to figure 1 Location and staging plan for the extent of stage 2.



Photo 5. Photo showing start of stage 2 Willoughby Road upgrade, corner Burlington Street – Existing

Stage 2 would commence on the east side of Willoughby Road, from shop no. 31 Westpac Bank (corner Burlington Street) and finish at shop no. 99 Day Night Chemist (corner of Albany Street).

Stage 2 would commence on the west side of Willoughby Road, from shop no. 52 Chill Vietnamese (corner Clarke Street) and finish at shop no. 134 Charlie Lovett Cafe (corner of Albany Street).



Photo 6. Photo showing the end of Stage 2 Willoughby Road Upgrade at the intersection of Albany Street - Existing



Photo 7. Stage 2 Willoughby Road - Existing Outdoor Dining Bays and Streetscape character –Existing



Photo 8. Artists Impression. From the 2017 Masterplan of how the current Outdoor Dining Bays could be transformed

The design brief for Stage 2 of works will focus on upgrading the outdoor dining bays to create multi-functional spaces that cater for both residents and local businesses. The outdoor dining bays and adjoining streetscape will be designed to be a vibrant and enticing public space both during the day and night. The new designs will explore the use of more contemporary design elements and the overall arrangement of the existing outdoor dining bays. The upgrade will

also include new paving materials, furniture, public lighting, decorative lighting landscaping and street tree planting.

Feedback from the community will be invited through Community engagement in accordance with Council's Community Engagement Protocol. Concept design options will be developed for Stage 2 and incorporated into a preferred option which will be brought to Council for adoption before going to detail design and tender / construction.

Construction of the preferred Stage 2 option is planned to commence in April 2023 to avoid the busy Christmas trading period and minimise disruption to business operators during their peak trading period. The construction period is estimated to be in the order of 7-8 months.



Photo 9. Stage 2 Willoughby Road upgrade facing Clarke Street– old 'Goose Neck' lights & planter boxes to be updated

An opportunity for a gateway is included in stage 3 at the intersection of Willoughby Road and Albany Street. This would complement the existing gateway outside the Crows Nest Hotel (Photo 12) and strengthen the identity of Crows Nest Village. It is also proposed to upgrade

the existing Gateway at the corner of Willoughby Road and the Pacific Highway / Falcon Street as part of the stage 2 works.



Photo 10. Existing Gateway treatment featuring flag poles and planting outside the Crows Nest Hotel

Stage 3 of the Willoughby Road upgrade from Albany to Chandos Street – as shown on Figure 1. will follow on from Stage 2 in the future as part of Councils next Delivery Program 2025-26 to 2028-29.

PROGRAM

STAGE 1 PROGRAM

Complete (Refer to figure 1 – Location and Staging Plan)

STAGE 2 PROGRAM (Option 2a) (Refer to figure 1 – Location and Staging Plan)

TASK	START	FINISH
Concept Design- starts	Monday, 22 August 2022	Friday, 30 September 2022
Consultation	Monday, 3 October 2022	Wednesday, 16 November 2022
Inclusion of feedback into preferred design	Thursday, 17 November 2022	Wednesday, 30 November 2022
Council meeting - Adoption of preferred design	Monday, 12 December 2022	Monday, 12 December 2022
Detailed Design	Tuesday, 13 December 2022	Friday 17 February 2023
Procurement- Tender	Monday, 20 February 2023	Friday, 24 March 2023
Council meeting for Tender Award	Monday, 10 April 2023	Monday, 10 April 2023
Construction	Monday 17 April 2023	December 2023

ATTACHMENT 1: FUNDING SCENARIOS

In summary the funding options are as follows:

Option 1 Funding Scenario: Funding from Existing Delivery Program – Mainstreet Levy Funds and Council’s Capital Reserve. The works would need to be staged over four (4) Financial Years 2022-23 to 2025-2026.

Option 2a Funding Scenario (RECOMMENDED): Funding from Metro VPA (Public Domain component) and Council’s allocated Delivery Program (Mainstreet Levy funds and Capital Reserves). The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024.

Option 2b Funding Scenario: Funding from Commercial borrowings (5-year loan) using a combination of Council’s Capital Reserves and Mainstreet Levy funds to service the loan and a contribution from the Metro VPA-Public Domain component. The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024.

Option 2c Funding Scenario: Funding from Commercial borrowings (10-year loan) using a combination of Council’s Capital Reserves and Mainstreet Levy Funds to service the loan and as well as a contribution of funds from the Metro VPA-Public Domain component. The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024.

FUNDING SCENARIOS

Option 1 - Funding Scenario Funding from Existing Delivery Program – Mainstreet Levy Funds and Councils Capital Reserve.

The works would need to be staged over four (4) Financial Years 2022-23 to 2025-2026.

Table 1. Option 1 – Funding Sources and Amounts

Stage	Funding Source	Funding Amount	Financial Year	Start	Finish
Stage 1	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$673,653	2020-22	Complete	Complete
Sub Total		\$673,653			
Stage 2	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2022-23	July 2022	April 2023
	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2023-24	July 2023	May 2024
	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2024-25	July 2024	May 2025
	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$201,400	2025-26	July 2025	May 2026
Sub Total		\$1,701,400			
Sub Total		\$5,298,600			
Total Funds Required for Stage 2.		\$7,000,000			

Note: There is a shortfall of **\$5,298,600** in the current delivery program to complete Stage 2.

The current funding would only allow for part of Stage 2 to be completed from Burlington Street to Ernest Place

Refer to Figure 2 for extent of works for Stage 2 funded under this option

Option 2a - Funding Scenario - Funding from Metro VPA – Public Domain Funding and Councils allocated Delivery Program Funding (Mainstreet Levy & Capital Reserves)

The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024.

Table 2. Option 2a – Funding Sources and amounts

Stage	Funding Source	Funding Amount	Financial Year	Start	Finish
Stage 1	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$ 673,653	2020-22	Complete	Complete
Sub Total		\$ 673,653			
Stage 2	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2022-23	Aug 2022	April 2023
	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2023-24	May 2023	Dec 2024
	Metro VPA- Public Domain	\$5,610,892	2023-24	May 2023	Dec 2024
	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.*	\$389,108	2024-25*	May 2023	Dec 2024
Sub Total		\$7,000,000			
Total Funds Required for Stage 2.		\$7,000,000			

***Note:** This option requires **\$389,108** to be brought forward from 2024-25 to 2023-2024 in the forward estimates outlined in Councils current delivery program for the Crows Nest Master Plan implementation Program which has a current budget allocation of **\$500,000**.

Refer to Figure 2 for extent of works for Stage 2 funded under this option

Option 2b - Funding Scenario Funding from Commercial borrowings \$3.5million over 5 years using a combination of Councils Capital Reserve – Mainstreet Levy Funds to service the loan and a contribution from the Metro VPA.

The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024.

Table 3. Option 2b – Funding Sources and amounts

Stage	Funding Source	Funding Amount	Financial Year	Start	Finish
Stage 1	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$ 673,653	2020-22	Complete	Complete
Sub Total		\$ 673,653			
Stage 2	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2022-23	Aug 2022	April 2023
	Commercial Borrowings	\$3,500,000	2023-24	May 2023	Dec 2024
	Metro VPA – Public Domain	3,000,000	2023-24	May 2023	Dec 2024
Sub Total		\$7,000,000			
Total Funds Required for Stage 2.		\$7,000,000			

Note: All commercial borrowing scenarios assume a fixed rate of 4.26% pa with semi-annual repayments.

Note: This model assumes that an allocation of \$500,000 will be made from a combination of Councils Capital Reserves and the Mainstreet Level funds for 5 years to service the 5-year loan for 3.5million- commencing 2023-24.

Refer to Figure 2 for extent of works for Stage 2 funded under this option

Option 2c - Funding Scenario Funding from Commercial borrowings \$6.3million over 10 years using a combination of Councils Capital Reserve – Mainstreet Levy Funds to service the loan and a contribution from the Metro VPA.

The works would need to be staged over two (2) Financial Years 2022-23 to 2023-2024.

Table 4. Option 2c – Funding Sources and amounts

Stage	Funding Source	Funding Amount	Financial Year	Start	Finish
Stage 1	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$ 673,653	2020-22	Complete	Complete
Sub Total		\$ 673,653			
Stage 2	Crows Nest Master Plan implementation Program - Willoughby Road Upgrade.	\$500,000	2022-23	2022-23	Aug 2022
	Commercial Borrowings	\$6,300,000	2023-24	May 2023	May 2024
	Metro VPA – Public Domain	\$200,000	2023-24	2023-24	May 2024
Sub Total		\$7,000,000			
Total Funds Required for Stage 2.		\$7,000,000			

Note: All commercial borrowing scenarios assume a fixed rate of 4.26% pa with semi-annual repayments.

Note: This model assumes that an allocation of \$500,000 will be made from a combination of Councils Capital Reserves and the Mainstreet Level funds for 10 years to service the 10 year loan for 6.3million- commencing 2023-24.

Refer to Figure 2 for extent of works for Stage 2 funded under this option