



Independent Pricing and Regulatory Tribunal

# **Application for assessment of a section 94 development contributions plan**

**Camden Council, Camden Growth Areas  
Contributions Plan**



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# 1 Instructions

Please complete this application form and submit it, along with any attachments, to IPART via:

| Via email                                                                                                                                | Via post                                                                                                                                                 | In person                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| Attention: Nicole Haddock,<br>Local Government<br>Independent Pricing and Regulatory<br>Tribunal<br><br>localgovernment@ipart.nsw.gov.au | Attention: Nicole Haddock,<br>Local Government<br>Independent Pricing and<br>Regulatory Tribunal<br>PO Box K35<br>Haymarket Post Shop<br>Sydney NSW 1240 | Attention: Nicole Haddock,<br>Local Government<br>Independent Pricing and<br>Regulatory Tribunal<br>Level 15<br>2-24 Rawson Place<br>Sydney NSW 2000 |

We require an electronic copy of all documents. Where these are too large to email, they can be posted to us on a disk or USB stick.

A separate application must be submitted for each contributions plan.

Councils are encouraged to discuss any information requirements or other concerns relating to the contributions plan with IPART prior to submitting the application form.

## Council information

|                                                                                                          |                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Council name                                                                                             | Camden Council                                                                                                                                                          |
| Key council contact details<br>(please provide name, position,<br>phone number, and email<br>address)    | Peter McKenna – Team Leader – Growth<br>Areas, Strategic Planning Ph: 4654 7800<br><a href="mailto:peter.mckenna@camden.nsw.gov.au">peter.mckenna@camden.nsw.gov.au</a> |
| Secondary council contact details<br>(please provide name, position,<br>phone number, and email address) | Alexander Carter – Section 94 Planner<br>Ph: 4654 7775<br><a href="mailto:alex.carter@camden.nsw.gov.au">alex.carter@camden.nsw.gov.au</a>                              |

## 2 Preliminary information

Please provide the following preliminary information about the contributions plan.

### Preliminary information

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|                                                                                                                           |                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name of contributions plan                                                                                                | Camden Growth Areas Contributions Plan                                                                                                                                                                                                     |
| What is the maximum residential contribution?                                                                             | \$65,048 for a low density – detached dwelling                                                                                                                                                                                             |
| Which contributions cap applies (refer to Schedule 2 of Ministerial Direction 94E)                                        | Residential Development in Greenfield areas - \$30,000                                                                                                                                                                                     |
| What is the period over which the contributions plan is valid?                                                            | There is no specific period over which the contributions plan is valid                                                                                                                                                                     |
| If this is a new contributions plan, when was it drafted and exhibited?                                                   | Drafted – 2016<br>Exhibited – 6 Dec 2016 to 31 Jan 2017<br>Commenced – 15 March 2017                                                                                                                                                       |
| If this is a revised contributions plan, when was it first adopted? When was the revised contributions plan re-exhibited? | Not applicable                                                                                                                                                                                                                             |
| To what extent has the Department of Planning & Environment (DP&E) been involved in the development of this plan?         | DP&E had involvement during the initial stages of precinct planning for both the Leppington & Leppington North precincts – mainly through the commissioning of background studies which informed the preparation of the Contributions Plan |
| How much development has yet to occur under this plan?                                                                    | At the date of this application, Council has issued a limited number of development consents requiring the payment of Section 94 contributions within either the Leppington or Leppington North precincts under the Contributions Plan.    |

What is the relationship of the contributions plan with any State Environmental Planning Policies (SEPPs) Local Environmental Plans (LEPs) and/or Development Control Plans (DCPs)?

- State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix No. 9)
- Camden Growth Centre Precincts DCP 2013 – Schedule 1 & 5

Is there any programmed review of the above instruments which may affect the underlying assumptions within the contributions plan? No.

Does the council intend to apply for Local Infrastructure Growth Scheme (LIGS) funding or a special variation? Please provide specific details.

Yes – Council officers will record all S94 payments made in accordance with the Contributions Cap and will apply to the Department of Planning to seek LIGS funding.

Has the Minister referred this contributions plan to IPART for review? Please provide specific details.

No – Council refers the plan to IPART to be eligible for funding under the LIGS

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### 3 Assessment criteria

We will assess the contributions plan against the criteria listed in DP&E's *Revised Local Development Contributions Practice Note for the Assessment of Local Contributions Plan* by IPART, February 2014.

To ensure we receive all the relevant information and correctly understand the contributions plan, please address the questions on the following pages. If the information is already contained in a separate report or in the contributions plan, include page references as appropriate. Any referenced reports will need to be attached to this application.

#### 3.1 Criterion 1 – the “Essential Works List”

##### **The public amenities and public services in the plan are on the “Essential Works List”**

We are required to assess whether the items in the contributions plan are on DP&E's Essential Works List. For the most recent version of this list, please refer to DP&E's Practice Note. This includes a definition for base level embellishment.

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1 Are all the facilities and land on the Essential Works List? If not, how are essential and non-essential items distinguished in the contributions plan?

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No.

The facilities and land in the Works Schedules are categorised as either “Essential Works” or “Non Essential Works”.

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2 For open space, please provide a specific list of embellishments that are included in the contributions plan (eg, footpaths, street furniture –seating, bins, BBQs, sports fields, artworks).

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The plan contains facilities and land required for the provision of open space and recreation facilities (Leppington North –page 36 & Leppington –page 76 – Technical Document). These facilities include:

- Playing Fields
- Basketball Courts
- Netball Courts
- Skate Park
- Bike Paths
- Play equipment
- Water features
- Picnic facilities
- BBQ area
- Unleashed dog areas

- Carparking
- Amenities – Change rooms, canteen, meeting room, showers
- Seating area
- Bubblers
- Bike storage
- Landscaping

3 Only the land component for community service is on the Essential Works List. However, we require details of the community services that are intended to be provided on this land, so we can determine what proportion of the land costs can be recovered through development contributions. Please list the community services and facilities that will be provided on the land (eg, youth centres, libraries) and include the floorspace area committed to each.

Leppington North – Non-essential Facilities Works – Page 36 Technical Document

- Local Facility – 750m<sup>2</sup>
- Regional Community Facility - apportionment of total area and cost (4.0%)
- Local Community Facility public art (floorspace area not applicable)
- Regional Facility public art (floorspace area not applicable)

Leppington – Non-essential Facilities Works – Page 76 Technical Document

- Local Community Hall Facility – 500m<sup>2</sup>
- Local Community Hall Facility – 500m<sup>2</sup>
- Multi-purpose Community Centre (1000m<sup>2</sup>) and Youth Centre (500m<sup>2</sup>) – 1500m<sup>2</sup> total floorspace area
- Local Community Facility public art (floorspace area not applicable)
- Regional Community Facility - apportionment of total cost (21.6%)

## 3.2 Criterion 2 – Nexus

### There is nexus between the development in the area to which the plan applies and the kinds of public amenities and public services identified in the plan

Nexus ensures that there is a connection between the infrastructure included in the contributions plan and increased demand for facilities generated by the anticipated development.

To assess nexus we examine the infrastructure items included in the contributions plan against the recommendations in the supporting studies, and whether any deviations are considered reasonable.

#### Checklist for the contributions plan

| Does the contributions plan ...                                                                                                                      |     | Contributions Plan page reference(s)                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Incorporate a map showing the geographical area(s) covered by the contributions plan?                                                                | Yes | Main Doc – Page 1                                                                                                                                                                                                                                             |
| Detail the types of development that will occur in the precinct/ development area, and the approximate land area dedicated to each?                  | Yes | Technical Doc -<br>Leppington North – Page 4<br>Leppington – Page 48                                                                                                                                                                                          |
| Include information about:<br>The existing population in the precinct/development area.                                                              | Yes | Technical Doc – Leppington North – Page 7<br>Leppington – Page 52                                                                                                                                                                                             |
| The anticipated future population in the precinct/development area?                                                                                  | Yes | Technical Doc – Leppington North – Page 7<br>Leppington – Page 52                                                                                                                                                                                             |
| Include a complete list of infrastructure?                                                                                                           | Yes | Technical Doc – Leppington North – Page 36<br>Leppington – Page 76                                                                                                                                                                                            |
| Include details of the rates of provision and demand calculations for the proposed infrastructure?                                                   | Yes | Technical Doc – Leppington North Section A.2 – Page 10<br>Leppington Section B.2 – Page 55                                                                                                                                                                    |
| Include a statement regarding design and construction standards that were used in determining the infrastructure included in the contributions plan? | Yes | Please refer to attached Technical Studies that have informed design and construction standards; and the Microsoft Excel spreadsheets for the Leppington and Leppington North precincts which include the details of the sources of costings for these works. |

4 How was the demand for infrastructure determined for each of the below infrastructure categories?

- ▼ Are there any infrastructure design/construction standards or industry benchmarks that the council has used?

For stormwater management:

### Leppington & Leppington North:

Demand for stormwater management infrastructure was determined using numerical modelling. The result of the numerical modelling and approximate infrastructure sizing is present in the present planning stormwater management technical studies:

#### Leppington North

- Cardno (NSW/ACT) Pty Ltd (2011), *Austral & Leppington North Precincts Water Cycle Management WSUD Report*, prepared for NSW Department of Planning and Infrastructure, April
- Cardno (NSW/ACT) Pty Ltd (2012), *Austral & Leppington North Precincts Water Cycle Management Responses to Exhibition Submissions*, December

#### Leppington

- Parsons Brinckerhoff Australia Pty Ltd (2013) *Preliminary sizing and costing of basins and watercourse crossings – Leppington Precinct (RevE)*, prepared for NSW Department of Planning and Infrastructure

The concept designs are generally consistent with Council's stormwater engineering specifications.

For transport:

### Leppington & Leppington North:

Demand for transport management infrastructure was determined using numerical modelling. The result of the numerical modelling and approximate infrastructure sizing and network requirements are present in the present planning traffic & transport management technical studies:

#### Leppington North

- AECOM Australia Pty Ltd (2011), *Austral and Leppington North (ALN) Precincts Transport Assessment*, prepared for NSW Department of Planning and Infrastructure, July

- AECOM Australia Pty Ltd (2012), Post-Exhibition Traffic Report (Addendum), July

#### Leppington

- AECOM Australia Pty Ltd (2013) *Leppington Precinct Transport and Access Strategy*, prepared for NSW Department of Planning and Infrastructure

Road categories are as listed in the Development Contributions Plan (DCP). Road designs will comply with Austroads and other related industry design guidelines.

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For open space:

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#### Leppington & Leppington North:

Provision levels of open space and recreation facilities were determined through a collective use of various studies such as:

#### Leppington North

- Elton Consulting (2011), Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment, July
- Elton Consulting (2012), Austral and Leppington North Precincts - Addendum to the Demographic and Social Infrastructure Assessment, July
- AECOM Australia Pty Ltd (2012), *Leppington Major Centre Public Domain Strategy*

#### Leppington

- SGS Economic and Planning Pty Ltd (2012), *Leppington Precinct Study – Final Report*, prepared for NSW Department of Planning and Infrastructure

Additionally, Council has considered various case examples of other newly developed suburbs. Collectively these studies provide the rationale for a set of benchmarks for the adequate provision of open space and recreation opportunities.

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For community facilities:

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#### Leppington & Leppington North:

#### Leppington North

- Elton Consulting (2011), Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment, July
- Elton Consulting (2012), Austral and Leppington North Precincts - Addendum to the Demographic and Social Infrastructure Assessment, July
- AECOM Australia Pty Ltd (2012), *Leppington Major Centre Public Domain Strategy*

### Leppington

- SGS Economic and Planning Pty Ltd (2012), *Leppington Precinct Study – Final Report*, prepared for NSW Department of Planning and Infrastructure

5 Does the infrastructure in the contributions plan diverge from recommendations in the supporting studies? Please provide the reasons and supporting information for any discrepancies.

### Leppington North

The costs have been derived from a number of sources. Costs for public services and amenities were informed by the information contained in the studies informing the infrastructure planning of the area that were prepared by the DPE. These costs have been reviewed by Council and where necessary, amendments have been made.

Costing rates have been reviewed by Council and DPE. A joint infrastructure cost working group was implemented with Liverpool Council. This Group has considered and determined the infrastructure costs that are included within the Plan. Costs for capital works have been compared to similar recent Section 94 Plans and the rates have been adjusted where appropriate.

DPE engaged WT Partnership Quantity Surveyors to further review costing rates. A copy of the WT Report is included in this package. The results of this review have been considered by Council in finalising the Plan's costing rates.

### Leppington

The infrastructure costings for the Leppington Precinct were based upon the work undertaken for the Leppington Precinct given that it is immediately adjacent to the Leppington North precinct, and the provision of infrastructure in both precincts is likely to occur within a similar timeframe.

Council amended the Plan in response to issues raised in a submission received during the public exhibition period. The Plan was amended to by including the construction of half-roads for open space and school land in the Leppington precinct (shown as LR12 on the Leppington Traffic and Transport Land Acquisition and Works maps in the Contributions Plan, and as listed in the Works Schedule). This amendment ensures that

the cost of acquiring this land and constructing the road is appropriately reflected in the Plan

The land acquisition required for Basins 6, 7, 14, 17 and 18 was amended to address an error in the data generated by the consultants. In some instances, the land area required for the basin was less than the area of the basin itself. To address the discrepancy, it was agreed that the land acquisition for those basins should be 20% larger than the surface area of the basin. This will ensure that sufficient land can be acquired for construction of the basin including bunds and batters.

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6 Were there other studies prepared during the precinct planning stage that were not used in the development of the contributions plan? Please list them here and explain why they were not used.

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#### Leppington & Leppington North

- Precinct Finalisation Reports for Leppington & Leppington North (conducted to support the rezoning)
- Biodiversity and Ecology
- Land Capability, Salinity and Contamination
- Odour
- Noise & Vibration
- Bushfire
- Indigenous Heritage
- Non-Indigenous Heritage
- Retail and Employment Demand.

These studies do not have a direct bearing on infrastructure planning and costs.

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7 How have neighbouring precincts been considered in demand assessment?

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#### Leppington & Leppington North

District and regional community facilities have been designed to serve a wider catchment than the population of the Leppington & Leppington North Precincts that is in Camden LGA, and the contribution rate reflects that wider contribution catchment. Council, in partnership with the State Government, will need to make arrangements to ensure that the cost attributable to the demand sources external to the Precincts is met (for example, by future amendments to this plan to include additional release Precincts, subsequent contributions plans, joint contributions plans, special rates, grants).

Land that was proposed to be zoned Private Recreation, east of Scalabrini Creek in Leppington Major Centre, is now zoned Public Recreation. This new area of public open space, in association with passive open space linkages along Scalabrini Creek to the

south, will provide district open space related to the retail and mixed use areas of the Major Centre, and in part catering for district open space demand from the Leppington Precinct to the south.

#### **Water Management**

The stormwater management strategies are designed to only provide sufficient infrastructure to service the needs of these two precincts. Therefore no provision has been made for future adjoining precincts.

#### **Traffic Management**

The transport network has been designed to cater for adjoining roads and overall demand. However, infrastructure costs included in the plan only reflect the demand created by each precinct. For example, sub-arterial roads in residential areas are only levied for a collector road standard that reflects the demand generated from the precinct only.

#### **Open Space**

As surrounding precincts have not been released yet, they could not be considered.

#### **Community Facilities**

Yes. The studies undertaken for Marsden Park Industrial Precinct and Marsden Park assessed community facility provision in neighbouring precincts.

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### 8 How has non-residential development been considered in demand assessment?

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#### *Leppington & Leppington North*

#### **Water Management**

There is provision in the CP to levy for water cycle management facilities calculated on the expected Net Development Area (NDA) for all types of development within both precincts.

A strategy for Leppington Major Centre was developed prior to the final ILP being adopted. The Leppington Major Centre is proposed to be an urban space characterised by an increased intensity of commercial / retail / business land uses with a higher lot utilisation and higher building heights. Therefore the impact on the existing water cycle regime would be greater than in residential areas of the Precinct.

As a result, the strategy for the Leppington Major Centre has been refined. The management of stormwater in the Leppington Major Centre is separated in the private domain, with lot-based on-site detention (OSD) and stormwater treatment, and from the public domain with single or multiple biofiltration measures (street trees and raingardens).



## **Traffic Management**

There is provision in the CP to levy for traffic management facilities calculated on the expected Net Development Area (NDA) for all types of development within both precincts.

## **Open Space**

Within the Leppington North precinct non-residential development located in the B3, B4, B5, and B7 zones are required to make a contribution towards open space based on a \$ per 100m<sup>2</sup> of non-residential Gross Floor Area (GFA) rate.

Demand for open space within the Leppington has been calculated and planned for based on residential areas only. Non-residential areas currently do not have to make a contribution towards open space provision.

## **Community Facilities**

There is no requirement for non-residential development to make a contribution towards community facilities within the CP.

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9 How has existing infrastructure and surplus capacity been taken into account?

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## **Leppington & Leppington North**

### **Traffic and Water Management**

The only existing stormwater infrastructure in the precinct are rural standard culverts under existing roads. These do not have the capacity to manage the increased flows resulting development and must be replaced to comply with current design standards. Therefore there is no surplus capacity in the existing stormwater management infrastructure.

Similarly, existing roads are generally rural roads that do not comply with urban design standards and requirements. Therefore the existing road network does not have any surplus capacity and the full cost of upgrades is included in the CP.

### **Open Space**

Existing open space facilities are limited to the local Pat Kontista Reserve located on Byron Road (shown as LS3 on the Leppington Precinct – Open Space and Communities Facilities Land Acquisition and Works maps, and the schedule of works and land acquisition). This facility serves the current local open space demand for field sports (soccer and cricket), a tennis court, children’s playground, toilets and club rooms. The Plan includes the acquisition of 2.5 hectares of land adjacent to the existing Pat Kontista Reserve to create a larger open space facility, and the embellishment of the combined

parcel of land to satisfy the demand generated by the new population. This approach means that the Plan will only need to collect for the cost of the additional land adjacent to Pat Kontista Reserve, rather than acquiring a separate parcel of sufficient size to accommodate the proposed facility.

WV Scott Memorial Park is a significant area of active open space situated within the Liverpool LGA, to the north of Bringelly Road and immediately adjacent to the Camden LGA. This park also provides for field sports and also contains a children's playground. There is no surplus capacity within this park, and the Liverpool Contributions Plan that relates to Leppington North and Austral proposes separate upgrades to this open space.

There is no surplus capacity in the existing open space network, however the decision to acquire land adjacent to the existing Pat Kontista Reserve means that less than half of the land cost associated with the Pat Kontista facility is included in the CP, whilst the full cost of embellishment works is included in the CP. The remainder of the open space works in the CP are included at full land acquisition and works cost.

### **Community Facilities**

There is no existing community facility infrastructure and capacity in the precincts relating to this CP.

## **3.3 Criterion 3 – Reasonable costs**

### **The proposed development contribution is based on a reasonable estimate of the cost of the proposed public amenities and public services.**

IPART must advise whether the proposed development contributions are based on a *reasonable* estimate of the cost of the proposed public amenities and public services.

Reasonable costs may be based on estimates that have been provided by consultants or the council's experience. They should be comparable to the costs required to deliver similar land and facilities in other areas.

To assess costs we examine the works schedules and identify any cost differences between what was recommended in the supporting studies and the contributions plan, and why these may have occurred. We draw comparisons with the costs contained in industry guides and other sources where appropriate. An example may include our Local Infrastructure Benchmark Cost review. Consultants may also be used to help identify whether costs are reasonable for some types of infrastructure.

## Checklist for the contributions plan

| Does the contributions plan ...                                                                                                                                              | Yes | Contributions Plan page reference(s)                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------|
| Include a statement about how costs have been derived and when these cost estimates were prepared (eg, Quantity Surveyor, standard costs used by the council)?               | Yes | Technical Doc<br>Leppington North – Page 10<br>Leppington – Page 55                                 |
| Explain how and when the land has been valued?                                                                                                                               | Yes | Main Doc – Page 23                                                                                  |
| Include full costs of each item of infrastructure?                                                                                                                           | Yes | Technical Doc<br>Leppington North – Page 36<br>Leppington – Page 76                                 |
| Explain how the council will respond to cost fluctuations and inflation?                                                                                                     | Yes | Main Doc – Page 22-24                                                                               |
| Include a schedule of the contributions rates charged under the contributions plan (eg, this could be presented as \$/ha, \$/person, \$/dwelling)?                           | Yes | Main Doc<br>Leppington North – Page 34<br>Leppington – Page 38                                      |
| Provide details of accounting processes for s94 funds (eg, does council 'pool' funds from other s94 accounts or use internal borrowings to deliver infrastructure projects)? | Yes | Main Doc – Page 25                                                                                  |
| If using a Net Present Value (NPV) approach, include assumptions made in the modelling of costs and revenue?                                                                 | N/A |                                                                                                     |
| Include a schedule of land acquisitions required for the proposed infrastructure?                                                                                            | Yes | Supporting docs – refer to Excel spreadsheet prepared for Leppington and Leppington North precincts |

10 Please explain the process used to estimate the costs for works (as contained in the works schedule).

Please explain:

- ▼ Separate statements for specific types of infrastructure if different processes were used.
- ▼ Details of any indexation of costs (including the index used).
- ▼ The date when estimated costs were finalised.
- ▼ What allowances have been included in the estimated costs in the contributions plan? (eg, professional fees, cost contingencies). Please detail allowances for each infrastructure category and provide an explanation for the chosen figures.

## Leppington North

Costs and unit rates were prepared using the information contained in the studies informing the infrastructure planning of the area. These costs have been reviewed by Council and, where necessary, amendments have been made.

A joint infrastructure cost working group involving officers of Camden Council and Liverpool City Council considered and determined the infrastructure costs that are included within the plan. Unit costs were based on the costs contained other greenfield area contributions plans, and the rates were adjusted where appropriate to suit local conditions.

Unit rates were considered by DPE, who engaged WT Partnership to further review cost rates. The results of that review have been considered by Council in finalising the unit rates.

## Leppington

The costs have been derived from a number of sources. Costs for public services and amenities were informed by the information contained in the studies informing the infrastructure planning of the area.

Unit cost rates for infrastructure in the Leppington North Precinct were used to determine infrastructure costs in the Leppington Precinct. This was deemed appropriate because the Leppington North Precinct is an adjacent area and the costs for that Precinct were independently reviewed by a third party cost estimator (WT Partnership).

11 Please explain the process used to estimate land costs for the following categories, as relevant:

- Land already acquired or owned by the council.
- Land not yet owned by the council.
- Facilities already constructed.
- Facilities not yet constructed.
- Administration costs.

Please explain:

- ▼ Details of any indexation of costs (including the index used).
- ▼ The date when estimated costs were finalised.
- ▼ What allowances have been included in the estimated costs in the contributions plan? (eg, professional fees, cost contingencies).

## Leppington & Leppington North

- **Land already acquired or owned by the council**

N/A. This is a new plan. Council does not own land or has acquired land.

- **Land not yet owned by the council**

MJ Davis were engaged by Camden Council to provide valuation advice for the relevant land classifications for both precincts. The advice in this Report has been used to inform the land acquisition costs included in the Infrastructure Schedules. These costs were finalised during August 2016.

- **Facilities already constructed**

N/A. This is a new plan. No facilities have been constructed.

- **Facilities not yet constructed**

Costs and unit rates were prepared using the information contained in the studies informing the infrastructure planning of the area. These costs have been reviewed by Council and, where necessary, amendments have been made.

During the rezoning of the Leppington North precinct, a joint infrastructure cost working group involving officers of Camden Council and Liverpool City Council considered and determined the infrastructure costs that are included within the plan. Unit costs were based on the costs contained other greenfield area contributions plans, and the rates were adjusted where appropriate to suit local conditions. These costings were also adopted for the Leppington Precinct given that it is immediately adjacent to the Leppington North precinct, and the provision of infrastructure in both precincts is likely to occur within a similar timeframe.

Unit rates were considered by DPE, who engaged WT Partnership to further review cost rates. The results of that review have been considered by Council in finalising the unit rates.

- **Administration costs**

1.5% of the cost of capital works identified in the respective Precinct works schedules in this plan.

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12 Do the costs in the contributions plan differ from those in any of the supporting studies or council tenders used? If so, please explain why.

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## Leppington North

The costs have been derived from a number of sources. Costs for public services and amenities were informed by the information contained in the studies informing the infrastructure planning of the area (refer Table 3.2) that were prepared by the DPE. These costs have been reviewed by Council and where necessary, amendments have been made.

Costing rates have been reviewed by Council and DPE. A joint infrastructure cost working group was implemented with Liverpool Council. This Group has considered and determined the infrastructure costs that are included within the Plan. Costs for capital works have been compared to similar recent Section 94 Plans and the rates have been adjusted where appropriate.

DPE engaged WT Partnership Quantity Surveyors to further review costing rates. A copy of the WT Report is included in this package. The results of this review have been considered by Council in finalising the Plan's costing rates.

## Leppington

The infrastructure costings for the Leppington Precinct were based upon the work undertaken for the Leppington Precinct given that it is immediately adjacent to the Leppington North precinct, and the provision of infrastructure in both precincts is likely to occur within a similar timeframe.

During the preparation of the Plan, GLN Planning identified an error in the data from consultants relating to land acquisition for collector roads. An allowance had not been made for the width of the existing road reservation width in determining the amount of land needed to be acquired. In the majority of cases, the existing road reservation could accommodate the upgraded road network. The adjustment to the schedules in the Plan substantially reduced the land acquisition costs.

During the preparation of the Plan, the land acquisition required for Basins 6, 7, 14, 17 and 18 was also amended to address an error in the data generated by the consultants. In some instances, the land area required for the basin was less than the area of the basin itself. To address the discrepancy, it was agreed that the land acquisition for those basins should be 20% larger than the surface area of the basin. This will ensure that sufficient land can be acquired for construction of the basin including bunds and batters.

Council amended the Plan in response to issues raised in a submission received during the public exhibition period. The Plan was amended to by including the construction of half-roads for open space and school land in the Leppington precinct (shown as LR12 on the Leppington Traffic and Transport Land Acquisition and Works maps in the Contributions Plan, and as listed in the Works Schedule). This amendment ensures that the cost of acquiring this land and constructing the road is appropriately reflected in the Plan

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13 Has the council used an NPV model to calculate the contributions rates? If so, what assumptions have been used?

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No – A NPV model has not been used to calculate the contributions rates.

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14 Will the council use internal borrowings to deliver infrastructure projects? What rate of return will be applied to the internally borrowed funds?

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Council's position on this matter is yet to be finalised.

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15 What measures have been taken to reduce costs in the contributions plan (eg, adjustment to design or alternative engineering solutions)?

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### Leppington & Leppington North

As part of its Precinct Planning post exhibition works, DPE commissioned strategic-level costings for culvert crossings and drainage basins. Note that bridges have been replaced with culvert crossings given the reduced construction cost and the downward pressure that this places on development contributions.

The Office of Water has issued revised guidance for the width of riparian corridors, based on a different approach to the categorisation of watercourses. This new approach has been applied to the final Precinct Plan for both Leppington and Leppington North, and has resulted in reductions in the widths of riparian corridors along the major creeks, including Kemps Creek, Bonds Creek, Scalabrini Creek and the two unnamed major creeks in the north of the Precincts. Streams that were previously Category 1 watercourses (eg. Kemps Creek and Bonds Creek) and had a riparian zone of 50 metres either side of the creek bank now have a 30 or 40 metre wide riparian zone. Streams that were previously Category 2 watercourses (eg. Scalabrini Creek) and had a riparian zone of 30 metres either side of the creek bank now have a 20 metre wide riparian zone. These changes are reflected in the width of the Environment Protection Overlay on the Indicative Layout Plan, and on the Riparian Protection Areas Map under the Growth Centres SEPP.

The revised riparian corridor widths are further described in the post-exhibition water cycle management reports undertaken by Cardno.

The draft Precinct Plan included stormwater basins designed to detain and treat stormwater from industrial, commercial and retail zones. The Precinct Planning Reports and the Water Cycle Management Report indicated that on-site detention for individual developments could be applied in these zones to reduce the size of trunk stormwater detention basins. Since exhibition, Cardno has revised the drainage strategy to include requirements for on-site detention in the industrial areas and the centre zones (zones B3, B4, B5 and B7). This has resulted in significant reductions in the size of trunk detention basins that capture drainage from land in these zones (principally basins

around Leppington Major Centre and the Austral Light Industrial zone). In addition, four basins that were proposed along Scalabrini Creek south of the South West Rail Line have been deleted and replaced with a single “on-line” basin south of Bringelly Road. This change has been made in response to submissions that questioned the amount of land set aside for drainage in the draft Precinct Plan, and to reflect revised guidelines on the location of stormwater basins from the Office of Water.

Consideration was given to whether more on-line basins could be included in the Precinct Plans to reduce the area of land required for drainage infrastructure. However, opportunities are limited because in most cases it would result in substantial increases in the extent of flooding upstream of the basin, or because of other constraints such as existing native vegetation or Aboriginal heritage issues.

### 3.4 Criterion 4 – Reasonable timeframe

**The proposed public amenities and public services can be provided within a reasonable timeframe.**

#### Checklist for the contributions plan

| Does the contributions plan ...                                                                                       |     | Contributions Plan page reference(s) |
|-----------------------------------------------------------------------------------------------------------------------|-----|--------------------------------------|
| Include details of anticipated development growth rates and how these were calculated?                                | No  |                                      |
| Include a program for infrastructure delivery and explain how it relates to the anticipated development growth rates? | No  |                                      |
| Include a statement regarding revision of the scheduled infrastructure timing?                                        | Yes | Main Doc – Page 26                   |
| Include the projected timing of expenditure?                                                                          | No  |                                      |

16 How has the council determined the timing of infrastructure provision?  
Please provide all the details if these are not included in the contributions plan.  
Eg, are population numbers used as trigger points for the provision of certain items and what is the rationale behind selecting these population estimates?

Given the fragmented ownership within both the Leppington and Leppington North precincts, the existing landowners have a range of aspirations and there is no “lead developer”, so a specific timeframe for development is not able to be accurately predicted. However, it is anticipated that development within the Leppington and Leppington North Precincts will take between 20 to 30 years. It is intended that the Plan is implemented over the life of development within the Precincts and will be reviewed as necessary.



It is expected that land will be acquired and works delivered as demand is created via the approval of development applications, the commencement and completion of residential development, and the population of the precincts increases. Council will continue to monitor development enquiries, development applications, occupation certificates and population growth to establish datasets and trends to inform the forecasting of infrastructure delivery.

### 3.5 Criterion 5 – Reasonable apportionment

**The proposed development contribution is based on a reasonable apportionment of costs eg, between demand from existing population and demand from new population.**

The concept of apportionment is based on ensuring that developers pay only for the portion of demand that results from their new development. While nexus is about establishing a relationship between the development and demand for infrastructure, apportionment is about quantifying the extent of the relationship.

To assess apportionment we examine population and densities assumptions, and whether they are reasonable. We also examine the share of costs for infrastructure items between different land uses, development types and between different precincts.

#### Checklist for the contributions plan

| Does the contributions plan ...                                              |     | Contributions Plan page reference(s) |
|------------------------------------------------------------------------------|-----|--------------------------------------|
| Include details of apportionment calculations?                               | Yes | Main Doc Pages 7 - 8                 |
| Explain the relationship between the facilities and any existing population? | Yes | Main Doc Pages 10 - 11               |

17 How have the costs for infrastructure been apportioned for each of the below infrastructure categories. How has the council considered the following when apportioning costs in the contributions plan?

- ▼ any existing development (this may include existing development within the area covered by the contributions plan)
- ▼ different land uses (eg, residential, industrial, commercial)
- ▼ other precincts (existing development outside of the area covered by a contributions plan).

Please provide details of any calculations used.

For stormwater management:

For stormwater management, the demand is based on the development area; therefore costs have been apportioned on a development area basis for all development.

New stormwater management infrastructure has been designed to meet the needs of the planned urban development. Therefore, no allowance will be made for the demand for stormwater management attributable to the development that existed at the time the land was/will be rezoned for urban purposes

There is no provision in the infrastructure for other precincts so no external apportionment is included.

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For transport:

For transport management, the demand is based on the development area; therefore costs have been apportioned on a development area basis for all development.

New transport management infrastructure has been designed to meet the needs of the planned urban development. Therefore, no allowance will be made for the demand for transport management attributable to the development that existed at the time the land was/will be rezoned for urban purposes

There is no provision in the infrastructure for other precincts so no external apportionment is included.

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For open space:

Demand for open space infrastructure in the Leppington North precinct is based on occupancy rates for residential development and Gross Floor Area (GFA) for non-residential development located in the relevant Business zones.

Demand for open space infrastructure in the Leppington precinct is based on occupancy rates for residential development only.

In calculating contributions for open space infrastructure in the Leppington and Leppington North precincts, the Plan provides for an allowance to be made (or credit given) for the demand for open space infrastructure attributable to development that existed at the time the land was rezoned for urban purposes.

For open space infrastructure, there is an apportioned contribution towards a District Sports Facility within the Rossmore precinct.

The District Sports Facility is apportioned between Leppington, Leppington North and remaining growth areas precincts.

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For community facilities:

Demand for open space infrastructure in the Leppington and Leppington North precincts is based on occupancy rates for residential development only.

In calculating contributions for open space infrastructure in the Leppington and Leppington North precincts, the Plan provides for an allowance to be made (or credit given) for the demand for open space infrastructure attributable to development that existed at the time the land was rezoned for urban purposes.

For community infrastructure (land), there is an apportioned contribution towards a Regional Community Facility (land) within the North Leppington precinct.

The land for the Regional Community Facility is apportioned between Leppington, Leppington North and remaining growth areas precincts.

### 3.6 Criterion 6 – Appropriate community liaison

#### The council has conducted appropriate community liaison and publicity in preparing the contributions plan.

Councils are required to publicly exhibit their plans and make any changes in response to submissions received before submitting the contributions plan to IPART.

#### Checklist for the contributions plan

| Does the contributions plan ...                                                                     |     | Contributions Plan page reference(s) |
|-----------------------------------------------------------------------------------------------------|-----|--------------------------------------|
| Or any supporting information include details of when it was publicly exhibited?                    | Yes | See attached Council Report          |
| Or any supporting information include details of the community liaison undertaken?                  | No  |                                      |
| Or any supporting information include a summary of submissions received and the council's response? | Yes | As above                             |

#### 18 What publicity and community liaison has been undertaken in developing the contributions plan?

Council publicly exhibited the Draft Plan from 6 December 2016 to 31 January 2017.

- Council advertised the Plan's exhibition in the Local Papers.
- Council made the draft Plan available at Council's administration building, local libraries, and on its website
- Submissions and Council's response to each issue raised in submissions is provided in the Council Report attached to this application.

19 What actions did the council take in response to the submissions?

Council amended the exhibited Plan to include the cost of half road construction for roads fronting educational establishments and open space land (shown as LR12 on the Leppington Traffic and Transport Land Acquisition and Works maps in the Contributions Plan, and as listed in the Works Schedule).

20 Does the council intend to undertake any further publicity or community liaison?

Should IPART recommend substantial changes to the adopted CP re-exhibition may be required.

### **3.7 Criterion 7 – The plan complies with other matters IPART considers relevant**

21 Is there anything else you wish to explain that may help or speed up our assessment?

Council officers would be willing to meet with IPART to discuss the submission and to provide further information or guidance if required.

22 Is there any other information relating to the development of the precinct/development area or the contributions plan (such as VPAs) to inform us about?

Since the commencement of the Plan in March 2017, Council has issued development consents which require the payment of development contributions up to the \$30,000 per lot/dwelling cap. Subject to the approval of the Plan by IPART and the granting of LIGS funding, Council will seek the acknowledgement of the funding gap that exists with these previous consents, and the retrospective payment of LIGS funding to cover the gap. This will ensure there is no funding gap for essential infrastructure within the Precincts.

Council understands that Blacktown Council has been granted similar retrospective LIGS funding where contributions are levied and collected under an adopted CP prior to IPART reviewing and approving the Plan.

There are no VPAs or WIKAs entered into with the Leppington and Leppington North Precincts at the date of this application.

## 4 Quality assurance

We also request that council undertake a quality assurance (QA) check for the contributions plan before it is submitted to IPART for review. The QA check is to address any errors or inconsistencies between the contributions plan and relevant supporting information.

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| <b>Has the contributions plan been checked for...</b>                                 |     |
|---------------------------------------------------------------------------------------|-----|
| Typographical errors?                                                                 | Yes |
| Calculation errors? This includes checking infrastructure and land cost calculations. | Yes |
| Outdated information and revisions?                                                   | Yes |

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23 Please provide details of the quality assurance process undertaken for the contributions plan prior to submitting it to IPART for review.

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The Plan was prepared collaboratively between DPE and Camden Council, with input from Liverpool Council regarding the Leppington North provisions (given their joint involvement in the Austral and Leppington North precinct which straddles the LGA boundary). The studies which informed the Plans were peer reviewed by Council officers and subject to sign-off by the respective Project Working Groups and Project Control Groups for each of the precincts.

GLN Planning prepared the Camden Growth Areas Contributions Plan using data generated from the various studies, along with information provided by Council officers. GLN Planning undertook a gap analysis and review of documentation early in the project to ensure that the body of work was sufficient to inform the CP. It was at this time that minor issues such as the land acquisition required for Basins 6, 7, 14, 17 and 18 and the amount of land to be acquired for collector road upgrades was amended to address an error in the data generated by the consultants (as outlined under Question 12 in this submission).

The Draft Plan and supporting schedules were closely reviewed by GLN Planning and Council officers (both jointly and independently) before proceeding to public exhibition, and a final review was undertaken prior to reporting the Plan to Council for adoption.

## 5 Attachment checklist

Please complete the attachment checklist to ensure that all information and attachments are included with the application.

| Checklist                                                                                                                                                   | Attached                                |                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| Version of contributions plan incorporating any post-exhibition changes                                                                                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Version of contributions plan exhibited                                                                                                                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Copy of all submissions to the contributions plan                                                                                                           | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Summary of submissions and council's response                                                                                                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Works schedules (preferably in Excel format)                                                                                                                | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Maps:                                                                                                                                                       |                                         |                                        |
| ▼ Final Indicative Layout Plan                                                                                                                              | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Zoning maps                                                                                                                                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Land acquisition maps                                                                                                                                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Contribution catchment maps                                                                                                                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Breakdown of maximum residential rate by infrastructure category                                                                                            | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| NPV model (if applicable)                                                                                                                                   | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Expected residential densities and yields table (this may contain a breakdown of development types and areas, dwelling yields, occupancy rates, population) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Supporting studies:                                                                                                                                         |                                         |                                        |
| ▼ For stormwater management (eg, Flooding and Water Cycle Management report)                                                                                | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Transport infrastructure (eg, Traffic and Transport Assessment report)                                                                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Open space and recreational facilities (eg, Demographic and Social Infrastructure report)                                                                 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Community facilities (eg, Demographic and Social Infrastructure report)                                                                                   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| ▼ Other studies (eg, Post-Exhibition Planning Report)                                                                                                       | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Other studies prepared during the precinct planning stage                                                                                                   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| VPA's (if relevant)                                                                                                                                         | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Schedule of land acquisitions                                                                                                                               | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Land valuation report                                                                                                                                       | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |

Note: the plan does not include a schedule of land acquisitions, however the land to be acquired is mapped in the Plan and shown in the Excel worksheet which underpins the Plan.