



Independent Pricing and Regulatory Tribunal

Application for assessment of a section 94 development contributions plan

**Blacktown City Council
Section 94 Contributions Plan No.21 – Marsden Park**

December 2016

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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, Local Government Independent Pricing and Regulatory Tribunal	Attention: Nicole Haddock, Local Government Independent Pricing and Regulatory Tribunal PO Box K35	Attention: Nicole Haddock, Local Government Independent Pricing and Regulatory Tribunal Level 15
localgovernment@ipart.nsw.gov.au	Haymarket Post Shop Sydney NSW 1240	2-24 Rawson Place 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	Blacktown City Council
Key council contact details (please provide name, position, phone number, and email address)	Jenny Rodger - Section 94 Officer (02) 9839 6463 jenny.rodger@blacktown.nsw.gov.au
Secondary council contact details (please provide name, position, phone number, and email address)	Dennis Bagnall – Coordinator Contributions (02) 9839 6461 dennis.bagnall@blacktown.nsw.gov.au

1 Preliminary information

Please provide the following preliminary information about the contributions plan.

Preliminary information

Name of contributions plan	Section 94 Contributions Plan No.21 – Marsden Park.
What is the maximum residential contribution?	\$101,538.
Which contributions cap applies (refer to Schedule 2 of Ministerial Direction 94E)	Schedule 2 \$30,000 – Land within a growth centre (sub-clause 15).
What is the period over which the contributions plan is valid?	25 years.
If this is a new contributions plan, when was it drafted and exhibited?	Drafted in 2016. Exhibited 28 September 2016 to 25 October 2016. Note: This plan replaces Section 94 Contributions Plan No.21 - Marsden Park Industrial Precinct (MPIP).
If this is a revised contributions plan, when was it first adopted? When was the revised contributions plan re-exhibited?	CP21 (MPIP) was first adopted 22 May 2013, coming into force on 5 June 2013.
To what extent has the Department of Planning & Environment (DP&E) been involved in the development of this plan?	The Department of Planning and Environment were responsible for the precinct planning for the Marsden Park and Marsden Park Industrial Precincts in consultation with Blacktown City Council. They had no direct involvement with the preparation of the contributions plan, except for providing various information that informs the Plan.

How much development has yet to occur under this plan?

Marsden Park Industrial Precinct is approximately 15% developed.

Marsden Park Precinct is approximately 5 – 10% developed.

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.5)
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix No.12)
- BCC Growth Centre Precincts DCP 2014 - Schedule 3 (Marsden Park Industrial)
- BCC Growth Centre Precincts DCP 2014 - Schedule 6 (Marsden Park) Parts 1 & 2.

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 – LIGS.

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

No – Council refers it to IPART to be eligible for funding under the Local Infrastructure Growth Scheme.

2 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.

2.1 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.

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?

Yes.

The only exception is the conservation zone in the Riverstone Precinct, for which \$2.7m is apportioned to CP21. In IPART’s previous assessment of our NWGC CPs, it has advised that although it does not consider the works listed on the EWL, Blacktown City can retain the land and works for the conservation area in our CPs because of a previous agreement between Council and the NSW Government about how this conservation zone would be funded.

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).

The Plan contains facilities and land required for the provision of open space and recreation facilities. These facilities include:

- Playing Fields
- Amenities
- Netball courts
- Tennis courts
- Carpark
- Playground
- Youth recreation facility
- Picnic area
- BBQ area
- Seating area
- Pathways
- Cycleway
- Exercise trail
- Lookout / pavilion
- Boundary fencing
- Landscaping
- Riparian corridor planting
- Site services
- Plan of management (for waste site only)

- 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.

Community Resource and Recreation Hub (multipurpose including activities and functions of the following) **Total floor-space 19,850 – 22,991 sqm (see below for components).**

- Leisure centre (aquatics, indoor recreation, health and fitness – aquatic servicing Marsden Park, Marsden Park Industrial, Marsden Park North, Schofields, Shanes Park and West Schofields Precincts)
 - **Aquatic floor-space 10,000 sqm**
 - **Indoor courts floor-space 3,140 sqm**
- Library (servicing Marsden Park, Marsden Park Industrial, Marsden Park North, Shanes Park and West Schofields Precincts) **Floor-space 5,151 sqm**
- Neighbourhood centre, community and cultural development (servicing Marsden Park and Marsden Park Industrial Precincts) including Youth centre **Floor-space 1,700 sqm**
- Child and family services and facilities **Floor-space 500 sqm**
- Arts centre function. **Indicative floor-space 2,500 sqm**

2nd Local Community Hub (multipurpose including the activities and functions of the following) (servicing Marsden Park and Marsden Park Industrial Precincts) – **Floor space 750sqm.**

- Neighbourhood centre, community and cultural development facilities – **Floor space 450 sqm**

Children and family services and facilities. **Floor space 300sqm.**

2.2 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	Page 3
Detail the types of development that will occur in the precinct/ development area, and the approximate land area dedicated to each?	Yes	Pages 4 & 5 (1.12)
Include information about:	Yes	Page 6 (1.13)
▼ The existing population in the precinct/development area.		
▼ The anticipated future population in the precinct/development area?		
Include a complete list of infrastructure?	Yes	Pages 43 - 82
Include details of the rates of provision and demand calculations for the proposed infrastructure?	Yes	Provided in the Nexus section of each infrastructure type.
Include a statement regarding design and construction standards that were used in determining the infrastructure included in the contributions plan?	No	The CP makes reference to Council's engineering guide and DCPs but no specific statements.

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:

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

The concept designs are generally consistent with Council's Engineering Guide for Development and Australian Rainfall and Runoff.

For transport:

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 precinct planning traffic and transport technical studies.

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

For open space:

Provision levels of open space and recreation facilities were determined through a collective use of various studies such as the Growth Centre Development Code, MarcoPlan Australia – Demographic and Social Infrastructure Report and Council's Northwest Growth Centres Recreation Planning Framework. Collectively these studies provide the rationale for a set of benchmarks for the adequate provision of open space and recreation opportunities.

Council has applied a demographic / needs based approach to open space and recreation provision levels using demographic analysis information supplied as part of the MarcoPlan Australia – Demographic and Social Infrastructure Report. Additionally, Council has considered various case examples of other newly developed suburbs.

For community facilities:

The following components are included in the Marsden Park Community Resource and Recreation Hub. Highlighted in blue is the floor-space sqm. Highlighted in green is the recommendation. This is supported by the studies being *Community Facilities and Open Space Assessment – Marsden Park (2012) (5 – Pages 26-33)* and *Community Facilities and Open Space Assessment – Marsden Park Industrial Precinct (2009) (6 – Pages 20 – 28)*. Marsden Park North, West Schofields and Shanes Park have not had published studies done. An assessment based on the benchmarks used in all other precincts has supported the nexus.

- Leisure centre (aquatics, indoor recreation, health and fitness – aquatic servicing Marsden Park, Marsden Park Industrial, Marsden Park North, Schofields, Shanes Park and West Schofields Precincts)
 - Aquatic floor-space 10,000 sqm
 - Indoor courts floor-space 3,140 sqm
- Library (servicing Marsden Park, Marsden Park Industrial, Marsden Park North, Shanes Park and West Schofields Precincts)
 - Floor-space 5,151 sqm
 - 1 district library is required per 40,000 people. The estimated population for the 5 precincts is 51,942 people which will require a District/Regional library.
- Community facility general spaces being:
 - Neighbourhood centre, community and cultural development (servicing Marsden Park and Marsden Park Industrial Precincts) including Youth centre
Floor-space 1,700 sqm
 - Child and family services and facilities Floor-space 500 sqm
 - Arts centre function. Indicative floor-space 2,500 sqm
 - The studies undertaken for Marsden Park and Marsden Park Industrial precinct identified the following requirements:
 - 1.6 Required youth centres
 - .6 Community service centre
 - 5 Local community services facilities
 - 1.6 District community services facility
 - Over 600 child care places (note these are likely to be delivered through the private market place so we have only indicated one 'child and family services' space
 - 1.1 Performing arts / cultural centre

Blacktown City Council's community hub model allows greater efficiencies in the delivery of community facilities. Using the traditional method we would likely have required 6 sites across the precinct. Working with the Department of Planning, supported by the community studies, the decision made was to consolidate services on one major site and have an additional site to the north of Marsden Park (as below). This has greatly reduced the land required.

2nd Local Community Hub (multipurpose including the activities and functions of the following) (servicing Marsden Park and Marsden Park Industrial Precincts) – This is supported by the studies being *Community Facilities and Open Space Assessment – Marsden Park (2012) (5 – Pages 26-33)* and *Community Facilities and Open Space Assessment – Marsden Park Industrial Precinct (2009) (6 – Pages 20 – 28)*.

- Neighbourhood centre, community and cultural development facilities – Floor space 450 sqm
- Children and family services and facilities. Floor space 300sqm
- The studies undertaken for Marsden Park and Marsden Park Industrial precinct identified the following requirements:
 - 1.6 Required youth centres
 - .6 Community service centre
 - 5 Local community services facilities
 - 1.6 District community services facility
 - Over 600 child care places (note these are likely to be delivered through the private market place so we have only indicated one 'child and family services' space)
 - 1.1 Performing arts / cultural centre

Blacktown City Council's community hub model allows greater efficiencies in the delivery of community facilities. Using the traditional method we would likely have required 6 sites across the precinct. Working with the Department of Planning, supported by the community studies, the decision made was to consolidate services on one major site and have this site to the north of Marsden Park (as below). This has greatly reduced the land required.

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.

Water Management

There are some variations from the precinct planning study recommendations. The main stormwater management variations are described in Sections 2.3 and 2.7 of the contributions plan.

The significant treatment variations are items ML1.1 and MS1.1. The JWP concept included frequent ponding depths above 1.2m in the storage ponds feeding the proposed bio-retention systems. For safety reasons AR&R recommends ponding depth 1.2m or less. This results in an increased filter area which also results in a more acceptable hydraulic loading on the filter. Items B5.3 and B5.4 have been added as modelling indicates that the inclusion of these results in a major reduction in treatment area in item B3.3. this results in an overall saving to the Plan.

The significant variations in stormwater detention volumes and flow management are basins L1.1, L2.2 and L3.2 and flow diversion line L4.1. Increased storage volumes and flow diversions are required to comply with DCP requirements for stormwater management works adjoining conservation areas. This requires the ideal stormwater management target to be achieved rather than the minimum targets. The footprint of channel M1.2 & M1.4 has been amended to suit its required flow capacity. The footprint included in the SEPP maps physically cannot convey the required flows. A more detailed review of catchment areas identified that previous item M1.12 is no longer required.

Traffic Management

The traffic and transport network is generally in accordance with the precinct planning studies. The main difference is the width of the proposed bridges. The precinct studies narrowed the road widths at the bridges. Council maintained the standard road widths at the bridges to maintain the standard road widths. This assists in facilitating flood evacuation for the Marsden Park Precinct.

Open Space - No

Community Facilities

Blacktown City Council's community hub model allows greater efficiencies in the delivery of community facilities. Using the traditional method of infrastructure benchmarking for community facilities we would likely have required 6 sites across the precinct. Working with the Department of Planning, supported by the community studies, the decision made was to consolidate services on one major site and have an additional site to the north of Marsden Park (as below). This has greatly reduced the land required.

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.

Water Management - No

Traffic Management - No

Open Space - No

Community Facilities

Internal assessments of Marsden Park North, West Schofields and Shanes Park using Growth Centre benchmarks for community facilities.

7 How have neighbouring precincts been considered in demand assessment?

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 the 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

Macroplan considered Marsden Park Industrial Precinct in determining the demand for open space and aquatic facilities. Other adjoining precincts include Shanes Park and Marsden Park North. As these 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.

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

Water Management

Demand for stormwater management infrastructure is generally driven by the amount of impervious area. There are controls in the DCP that allow the upper limits of impervious area to be estimated. This was then used in the numerical modelling to size the required stormwater management infrastructure. In terms of stormwater treatment, on lot treatment is the adopted strategy for non-residential uses. Provision is made in the CP to provide supplementary treatment for public roads in non-residential areas. Roads generally occupy approximately 15% of the gross development area and this has been used in apportioning stormwater treatment costs.

Traffic Management

In this CP the non-residential uses are generally separated from the residential uses by major roads. Therefore the costs associated with the roads servicing the industrial precinct have been allocated over this precinct on a area basis as the end users are not known. Similarly roads servicing the residential precinct have been allocated on an area basis.

Open Space

Demand for open space has been calculated and planned for based on residential areas only. Non-residential areas currently do not have open space provision as there are no industry benchmarks for this.

Community Facilities

It has not been included in nexus for community facilities.

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

Traffic & 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 from 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

There was no existing open space within the 2 precincts. In addition, there is no surrounding open space that can be reasonably accessed from the precinct.

Community Facilities

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

2.3 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 ...		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)?	No	For Open Space and Recreation Facilities Council uses QS Rates. Stormwater and traffic costs based on BCC contract rates.
Explain how and when the land has been valued?	No	Refer to the land acquisition spread sheet, which shows the properties to be acquired. See 11 below for the valuation process.
Include full costs of each item of infrastructure?	Yes	45 to 83 (excluding land costs).
Explain how the council will respond to cost fluctuations and inflation?	Yes	17 (section 1.17)
Include a schedule of the contributions rates	Yes	84

charged under the contributions plan (eg, this could be presented as \$/ha, \$/person, \$/dwelling)?

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 & No

Council pools funds from all its contributions plans (section 1.20 of the plan). Council rarely uses internal borrowing for contribution plans.

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?

No

There are numerous properties to be acquired in the CP. It is not practical to list them all (refer land acquisition spread sheet).

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.

Stormwater Management

Concept designs were prepared for the major infrastructure works to generate a bill of quantities for the main works items. These were then priced using council's design estimate rates for civil construction for the 16/17 financial year. These rates are based on Council's schedule of rates contract for roads and drainage works. Estimates were completed in July 2016. Where works items are not included in Council's contract, then industry rates such as Rawlinson's are used.

Transport Management

Concept designs were prepared for the major infrastructure works to generate a bill of quantities for the main works items. These were then priced using council's design estimate rates for civil construction for the 16/17 financial year. These rates are based on Council's schedule of rates contract for roads and drainage works. Estimates were completed in July 2016. Where works items are not included in Council's contract, then industry rates such as Rawlinson's are used.

Open Space

The estimation process includes:

- estimated costs were finalised on 13.4.2016, using December 2012 QS estimates
- these estimates were indexed to June 2016 using the Producer Price Indexes, Australia
- the construction costs includes:
 - Preliminary: 12%
 - Margin & Overheads: 4%
 - Contingency: 15%

(These allowances have been included to allow for various items of embellishment that could result in cost increase. For example, site topography, technical studies/ approvals, contamination etc.)

Design fee 10% - Required to undertake the design of open space and recreation facilities including relevant planning approvals.

Reserve No. 1006

The report "Grange Avenue Closed Landfill, Marsden Park, NSW - Advice on Landfill Closure Work 2015" provides the costs used for the reserve.

Combined Precinct Facility (Riverstone Conservation Zone)

Costs were estimated using Guideline Schedule of Rates for Landscape works – the Landscape Contractors Association of NSW and the current orders (at 2008). These costs were indexed to June 2016 (Base date of Draft Plan) by the Producer Price Indexes Australia - Non Residential, for the works and the Wages Price Index Australia for the Plan of Management, as previously recommended by IPART.

Council notes that the Combined Precinct Facility was reviewed by IPART when assessing CP's 20, 22 & 24.

Community Facilities

Only land is levied for in the CP.

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).

- Land already acquired or owned by the council

We apply the actual acquisition cost for land we have acquired indexed by the Sydney All Groups CPI to the base date of the contributions plan.

- Land not yet owned by the council.

Council applies an “averaging” technique as the most effective way of estimating likely acquisition costs. With regard to CP21, valuation estimates were undertaken by Council’s Property Services Co-ordinator, who is a Registered Valuer.

A spread sheet was provided to Property Services by Council’s Land Information Services Section identifying each individual parcel of land affected by a public purpose zoning under the Indicative Layout Plan (ILP). The spread sheet also identified an acquisition area for each property. The spread sheet was also split into categories i.e. Public Recreation, Local Roads, and Drainage.

Aerial plans with identified acquisition parcels and flood affectation as provided by Council’s engineers were also provided to Property Services.

Each parcel was then looked at and an estimated acquisition rate applied considering the inherent features of the land i.e. topography, location, flood affectation or unconstrained, although in some circumstances other factors such as large improvements/business uses may have been considered.

The total estimated acquisition costs were then divided by the total acquisition area by category and an average estimated rate (rounded) per category was determined.

No additional allowance was made for valuation and conveyancing charges.

- Facilities already constructed.
We apply the actual cost for facilities already constructed, indexed by the Sydney All Groups CPI, to the base date of the contributions plan.
- Facilities not yet constructed.
This is explained in other sections of the application for each infrastructure category.
- Administration costs
1.5% of construction costs only.

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.

Water & Traffic Management

Stormwater and transport costs are consistent with Council's tenders and as described in section 10 above. These vary from the costs listed in the precinct studies which generally assume the work is done in conjunction with adjoining development. This leads to greater economies of scale and disposal options and therefore these estimates are generally lower than Council's. Council needs to price the works on the basis that it is doing the works independent of the adjoining development.

Open Space - No

Community Facilities

Only land costs are levied for in the CP.

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

No.

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

We borrow from pooled Section 94 accounts when required. We use internal reserves to forward fund early land acquisitions (usually claims for Hardship) if a precinct has been rezoned and a CP has not been adopted. However, we do not borrow internally using general funds where there is an adopted CP in place. We do not apply a rate of return to any internal borrowings.

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

Community Facilities

The Community Resource Hub model seeks to consolidate requirements into a single site therefore increasing efficiencies and reducing costs.

Open Space

The playing fields are a minimum of two fields at any one site to reduce duplication of amenities, car parking, services etc.

Stormwater Management

The design approach to stormwater treatment in items B5.3, B5.4 and B3.3 was amended from the precinct planning to achieve a significant infrastructure cost saving. By reducing the amount of bypass areas, the overall treatment efficiency is increased and this reduces the treatment area required

Disposal costs have been revised to include different cost for different classes of material. The previous plan only had a single rate for all classes of materials. As the bulk of the material is expected to be ENM (clean material) the overall disposal costs are reduced.

2.4 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	7
Include the projected timing of expenditure?	Yes	8

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?

Traffic & Stormwater Management

Timing of stormwater and transport infrastructure is based on expected development progress. This is influenced by land ownership and utility and other infrastructure servicing. Council also monitors development interest and applications. Infrastructure delivery is then planned to suit expected development rates. Typically where major landowners have initiated the precinct planning, development in these areas is expected to proceed first as they are also required to bring in the facilitating utility services. Timing of works will be updated to reflect trends as part of the regular CP reviews.

The delivery of infrastructure is also prioritised on work types that facilitate orderly development. The order of priority is stormwater management, traffic and transport, open space and land for community services.

Council has provided an estimate of staging and timing in 5 year thresholds. This is a requirement of the EP&A Regulation. It is noted however, that the timing of most facilities will be driven by the utility servicing of the Precinct and development trends.

2.5 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	34 & 35
Explain the relationship between the facilities and any existing population?	No	See below

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. Some adjustment for the permitted amount of impervious area and the relative proportion of roads expected within the different land use types has also been accounted for.

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

For transport:

The industrial and commercial precincts are generally separated from the residential precinct by major roads that are not part of the CP, such as South Street and Richmond Road. There are small pocket of residential in the industrial precinct, however, these generally gain access off South Street and Richmond Road. Therefore cost for industrial precinct roads were levied over the industrial and commercial landuses on an area basis as the final uses is not known until development occurs.

For the residential precinct, the costs for roads and traffic facilities was also assigned on an area basis.

For open space:

For open space, there is an apportioned contribution towards a centralised netball facility located within the Schofields Precinct (Reserve 980).

For community facilities:

There are 2 community facilities planned for CP21:

- Community Resource Hub + Aquatic Facility (CRHAF)
- Local Community Hub (LCH)

The land for the Aquatic Facility (3 Ha) is apportioned between the following precincts:

- Marsden Park
- Marsden Park Industrial
- Shanes Park
- Marsden Park North
- West Schofields

The remaining land costs for the community facilities are for the Marsden Park and Marsden Park Industrial Precincts only. This is explained further in the table in section 6 of the contributions plan.

2.6 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	On the footnote in the plan.
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?	No	

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

- Council publicly exhibited the Draft Plan from 28 September 2016 to 25 October 2016.
- Council advertised the Plan's exhibition in the Local Papers.
- Submissions and Council's response to each issue raised in submissions is provided as an **attachment** to this application.

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

Council amended the exhibited Plan with the following changes:

- page 4 of the plan has been amended to clarify that the application of Section 94 does not apply to certain developments in Voluntary Planning Agreements (VPAs) if expressly stated in the relevant VPA
- a proposed roundabout has been deleted and replaced with a reasonable cost allowance for the provision of traffic signals
- the "Land Area" heading on the works schedules have been amended from square metres to hectares

- Appendix A12 was amended to show the correct location of raingarden L1.5
- Section 1.18 was amended to further clarify that the Section 94 cap only applies to a residential lot.

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

No.

2.7 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?

No.

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?

Yes - costs estimate for Reserve 1006

Proposed Reserve 1006 is located at lots 31 and 32, Grange Avenue Marsden Park. The site covers an area of approximately 48 hectares, is owned by us, and is currently managed by the NSW Waste Asset Management Corporation (WAMC). It was used as a landfill for domestic and commercial waste between 1975 and 1993. Following this, and until its closure in 2001, only municipal solid waste was received.

The proposed Reserve was identified in the precinct planning process by the Department of Planning and Environment (DPE) as a suitable site for a district sport facility including 4 double playing fields, a baseball field (active open space) and other recreational activities (passive open space). This was the Department's preference, not ours.

A landfill gas extraction system and power generation plant is located in the eastern area of the site and associated gas extraction infrastructure exists within the subsurface of the landfill. Gas collection structures are present on the landfill surface.

We understand that commercial landfill gas extraction operations are expected to continue until 2021, beyond which time, landfill gas emissions will be managed through gas flaring.

Due to contamination of the former landfill site, potential remediation costs and timing of when it can be used, this site has been a major concern since precinct planning began. The cost of remediation will be funded from S94. Should actual costs be higher than estimated in the plan, we would attempt to recover them through a review of the contributions plan.

However, early development in the precinct may have already paid contributions at the current rate and we will only be able to levy over the remaining development in the precinct to recover this cost.

We engaged Coffey Environments Australia Pty Ltd to provide us with technical advice on the landfill closure works required for the future intended recreation use of the site, and the cost estimates to achieve this. Coffey's report provided 3 indicative cost estimates based on implementation timing:

Implementation Timing	Indicative extra-over cost (current value)	Comments
In 5 years (2020)	~\$52M	
In 25 years (2040)	~\$14M	Assuming leachate, gas and settlement conditions have improved, thus a reduced level of rehabilitation works would be required
Between 5 and 25 years	Likely to be over \$35M	Costs between 5 and 25 years are outside the scope of this report and may be difficult to estimate due to many variable factors.

A cost of \$52 million with a 5 year implementation was considered excessive when trying to make CP21 affordable. \$14 million, with implementation 25 years away, would mean that a whole generation of new residents would not have most of their open space needs met until at least 2040.

On balance we resolved that a mid-point (average) cost (\$33 million) with implementation (2030) to be the most reasonable option for the contribution plan.

3 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.

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

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

Plan was cross checked by staff and reviewed by senior staff.

4 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
Version of contributions plan exhibited	Yes
Copy of all submissions to the contributions plan	Yes
Summary of submissions and council's response	Yes
Works schedules (preferably in Excel format)	Yes
Maps:	
▼ Final Indicative Layout Plan	Yes
▼ Zoning maps	Yes
▼ Land acquisition maps	Yes
▼ Contribution catchment maps	Yes
Breakdown of maximum residential rate by infrastructure category	Yes
NPV model (if applicable)	No N/A
Expected residential densities and yields table (this may contain a breakdown of development types and areas, dwelling yields, occupancy rates, population)	Yes
Supporting studies:	
▼ For stormwater management (eg, Flooding and Water Cycle Management report)	Yes Yes
▼ Transport infrastructure (eg, Traffic and Transport Assessment report)	Yes
▼ Open space and recreational facilities (eg, Demographic and Social Infrastructure report)	Yes Yes
▼ Community facilities (eg, Demographic and Social Infrastructure report)	Yes
▼ Other studies (eg, Post-Exhibition Planning Report)	
Other studies prepared during the precinct planning stage	Yes
VPAs (if relevant)	No
Schedule of land acquisitions	Yes
Land valuation report	No