

Vineyard Precinct

Section 7.11 Draft Contributions Plan

Prepared for:

Hawkesbury City Council

Date: July 2018

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Prepared for

Hawkesbury City Council

By



GLN Planning Pty Ltd
ABN 39 585 269 237

Level 10, 70 Pitt Street Sydney NSW 2000
GPO Box 5013 Sydney NSW 2001

P	[02] 9249 4100	E	info@glntesting.com.au
F	[02] 9249 4111	W	glntesting.com.au



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1. Introduction

The Vineyard Precinct (the **Precinct**) is situated within the Hawkesbury Local Government Area (**LGA**), between Box Hill and Windsor.

At the time this plan was prepared, the development in the Precinct had a semi-rural character. The Precinct is situated in the North West Growth Area. The State Government in December 2017 rezoned the land to facilitate mainly urban residential development.

This contributions plan relates to the first stage of the Vineyard Precinct development. The expected development in this area includes around 2,500 new residential dwellings and 5,500 square metres of land for retail purposes.

Infrastructure will need to be provided to support development in the Precinct, including Local Infrastructure that is traditionally the responsibility of the local council (in this case, Hawkesbury City Council). This infrastructure includes roads, stormwater drainage facilities, open space and recreation facilities, and community infrastructure.

In keeping with a long-standing practice in 'greenfield' development areas, a significant portion of the cost of the new Local Infrastructure that is required by new development will be met by developers of land making contributions of land, works and money to the Council. These contributions are now called section 7.11 contributions (formerly section 94 contributions) after the relevant section of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) that authorises them.

Generally, section 7.11 contributions can only be required from developers of land if there is a contributions plan in place, such as this plan.

In addition to providing Hawkesbury City Council (**Council**) and other consent authorities with the legal means of requiring contributions from developments, the contributions plan also:

- Contains a schedule of Local Infrastructure comprising land, works and interest costs with a total value (in March quarter 2018 dollars) of \$165.3 million.
- Contains a schedule of contribution rates for various classes of development, and details on how those rates were calculated.
- Includes provisions enabling reasonable contributions to be imposed on development that is not identified in the specific development classes included in the plan.
- Includes various policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'.
- Provides specific advice on the role of Accredited Certifiers in section 7.11 contributions.
- Covers various other matters related to the fair and transparent administration of section 7.11 contributions.

2. Plan summary

2.1 How to use this Plan

This Plan has been broken up into the following sections to assist in its' use by Council staff, developers and private certifiers. A brief description of each section and how they are relevant to each user is provided below:

Part 2 – Plan Summary

This part identifies both the land and development that this Plan applies to as well as the contributions rates that apply to development.

Part 3 – How are the contributions rates calculated?

This part explains how the contributions for development in the Precinct are calculated. The projected development outcome for the Vineyard Precinct is provided as well as summaries of the infrastructure strategies that have informed the schedule of works funded by this contributions plan and the associated nexus of the contributions to the projected development. The section also provides the formulas and approach for how the contribution rates have been calculated.

Part 4 – How and when will contributions be imposed on development?

This part explains how conditions of consent will be used to collect contributions and provisions to index the contributions payable to reflect changes in land acquisition and capital works costs. It also identifies Accredited Certifiers' obligations in the issuing of Construction Certificates and Complying Development Certificates.

Part 5 – How and when a contribution requirement can be settled?

This part explains how consent conditions requiring the payment of contributions can be addressed, typically by cash payment. It also provides Council's requirements for considering alternative means to satisfy infrastructure and contribution requirements under this Plan through the use of Planning Agreements and works in kind arrangements.

Part 6 – Other administration matters

This part outlines Council's administrative procedures for the operation of this Plan.

Appendices

Separate appendices are provided for Roads and Transport Infrastructure, Stormwater Drainage Infrastructure and Social Infrastructure. Each appendix provides a detailed schedule of works descriptions, costs and staging for each infrastructure type. The appendices also include maps showing the location of the works.

2.2 Name and commencement of Plan

This plan is called *Vineyard Precinct Section 7.11 Contributions Plan (Plan)*.

This Plan commences on the date on which public notice of its commencement was given under clause 31 of the *Environmental Planning and Assessment Regulation 2000*, or the date specified in that notice if it is a different date.

2.3 What is this Plan's purpose?

The primary purpose of the Plan is to authorise:

- the Council, when granting consent to an application to carry out development to which this Plan applies; or
- an Accredited Certifier, when issuing a Complying Development Certificate for development to which this Plan applies,

to require a section 7.11 contribution to be made towards the provision, extension or augmentation of Local Infrastructure that is required by development in the Precinct.

Other purposes of the Plan are:

- to provide the framework for the efficient and equitable determination, collection and management of section 7.11 contributions in the Vineyard Precinct;
- to determine the demand for Local Infrastructure generated by the incoming population to the Vineyard Precinct and ensure that development makes a reasonable contribution toward the provision of Local Infrastructure that is required for that population; and
- to ensure that the existing community is not unreasonably burdened by the provision of Local Infrastructure required because of development in the Vineyard Precinct.

2.4 What land and development does this Plan apply to?

Subject to development otherwise exempt under section 2.5, this Plan applies to the following types of development situated on land shown in **Figure 1** over the page:

- Residential Accommodation development (including subdivision) that would result in a net increase in dwellings.
- Any other development that would create a net increase in demand for the public amenities and services to be provided under this Plan.

For the sake of clarity, the Plan authorises contributions to be imposed on lots in a residential subdivision development where they are final lots. Contributions will not be imposed on super lots or residue lots that will be further developed in the future.

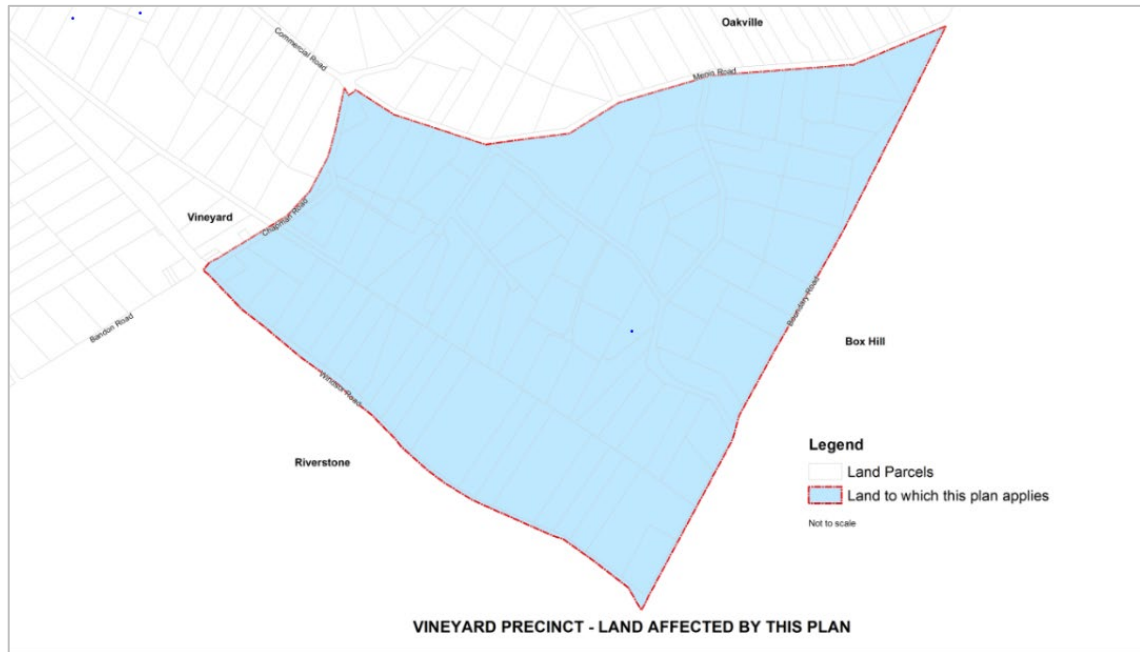


Figure 1: Land affected by this Plan

2.5 What development is exempted from section 7.11 contributions?

This Plan DOES NOT apply to the following types of developments:

- Development proposed by or on behalf of the Council.
- Development for the sole purpose of adaptive reuse of an item of environmental heritage.
- The creation of super lots, where the final demand for public amenities or public services will be generated after a further subdivision of land.
- Seniors housing development (other than self-contained dwellings forming part of seniors' housing development).
- Works undertaken for charitable purposes or by a registered charity.
- Places of worship, public schools, public hospitals and emergency services.
- Development exempted from section 7.11 contributions by way of a direction made by the Minister for Planning under section 7.17 of the EP&A Act.
- Any other development that in the opinion of Council does not directly and materially increase the demand for the categories of public amenities or public services addressed by this Plan. This includes non-residential development on land within the Precinct that is zoned B2 Local Centre or B4 Mixed Use. This development is not expected to generate material demand for the infrastructure given the on-site stormwater detention that will be required and that the demand for roadwork is primarily generated by the precinct's residents who will access the village centre.

2.6 What Local Infrastructure will be provided under this Plan?

The types of Local Infrastructure which are covered by this plan include the following:

- Roads and transport facilities, including upgrades to existing roads and intersections, new roads, bus shelters, cycleways and pathways.
- Stormwater drainage facilities, such as detention basins and gross pollutant traps.
- Social infrastructure including open space and recreation facilities and land for community purposes.

Both the land and capital works costs for the Local Infrastructure, excluding the capital works costs for the community infrastructure, are to be met by contributions imposed under this Plan. The costs of administering this Plan will also be met by the contributions.

More details on the demand for Local Infrastructure, the relationship of the Local Infrastructure with the expected development, and specific facilities to be provided are included in **Part 3** of this Plan.

2.7 What are the contribution rates for Local Infrastructure?

Table 1 below summarises the total cost of land and works to be funded by the Plan, as well as all the contribution rates for the various categories of Local Infrastructure. **Part 3** of the Plan discusses the infrastructure requirements and how the contribution rates have been derived.

Tables 2 and 3 summarise the transport and social infrastructure contribution rates that applies to the different types of residential development as this contribution is levied on a per dwelling basis.

Section 4.3 explains how this Plan is authorised to levy development the contributions set out in **Tables 1, 2 and 3**, once it is assessed by IPART and consistent with any subsequent Ministerial direction applying to the Plan.

Table 1: Summary of infrastructure schedule and contribution rates

Infrastructure type	Total cost	Rate basis	Contribution rate
Roads and transport			
Land	\$12,417,439	per person	\$1,658
Works	\$36,764,244		\$4,909
Subtotal	\$49,181,683		\$6,568
Stormwater facilities			
Land	\$21,132,209	per hectare of Net Developable Area	\$165,314
Works	\$19,364,957		\$151,489
Subtotal	\$40,497,165		\$316,802
Social infrastructure ¹			
Land	\$45,908,700	per person	\$6,190
Works	\$28,416,706		\$3,795
Subtotal	\$74,325,406		\$9,985
Plan administration			
Plan administration	\$1,268,189	per hectare of Net Developable Area	\$9,921
Subtotal	\$1,268,189		\$9,921
TOTAL	\$165,272,443		

¹ Applies to residential accommodation development only.

Table 2: Summary of transport infrastructure contribution rates

Type of residential accommodation development	Transport infrastructure contribution rate (per person)	Assumed occupancy rate (persons per dwelling)	Transport infrastructure contribution rate (per dwelling)
Detached dwelling	\$6,568	3.18	\$20,885
Attached dwelling, Manor home, Multi dwelling housing, Residential flat building, Semi-detached dwelling, Dual occupancy dwelling		2.64	\$17,338
Secondary dwelling, Studio dwelling		1	\$6,568
Seniors living (self-contained dwellings)		1.5	\$9,851

Table 3: Summary of social infrastructure contribution rates

Type of residential accommodation development	Social infrastructure contribution rate (per person)	Assumed occupancy rate (persons per dwelling)	Social infrastructure contribution rate (per dwelling)
Detached dwelling	\$9,985	3.18	\$31,753
Attached dwelling, Manor home, Multi dwelling housing, Residential flat building, Semi-detached dwelling, Dual occupancy dwelling		2.64	\$26,361
Secondary dwelling, Studio dwelling		1	\$9,985
Seniors living (self-contained dwellings)		1.5	\$14,978

2.7.1 Example contribution calculation

The residential contribution equals the sum of:

- The stormwater infrastructure contribution per NDA (**Table 1**),
- The plan preparation and administration contribution per NDA (**Table 1**),
- The transport contribution per dwelling (**Table 2**), and

- The social infrastructure contribution per dwelling (**Table 3**).

Contributions for transport and social infrastructure are levied based on the number of people expected to reside in the new dwelling, while contributions for stormwater infrastructure and plan administration are levied by the area (NDA) of the development.

This approach best aligns the contribution payable by a development to its estimated share of the demand for the different kinds of infrastructure in the Plan.

Below is an example of how to calculate the contribution payable by development.

Consider a scenario where a developer has 0.2 hectares (NDA) and applies to develop 5 low density dwellings on this land.

The total contribution under this Plan =

$$(\$316,802 \times 0.2) + (\$9,985 \times 0.2) + (\$20,885 \times 5) + (\$31,753 \times 5) = \$328,547$$

This equals a contribution of \$65,709 per dwelling, on average, for this development.

3. How are the contribution rates calculated?

The Local Infrastructure necessary to support the future urban development of the Precinct has been identified during the precinct planning process through various technical studies and infrastructure cost assessments.

This part of the Plan explains the future development of the Precinct, the Local Infrastructure necessary to support this development and the way the contribution rates applying to that infrastructure have been calculated.

3.1 Expected development in the Vineyard Precinct

3.1.1 Existing development

Immediately prior to its rezoning for urban purposes, the land in the Precinct was primarily zoned RU4 Primary Production Small Lots. The area was traditionally used for rural residential and small scale agricultural uses such as market gardens, poultry sheds, mushroom farming and other forms of non-urban development.

This existing level of development has been supported by a network of rural roads and little or no stormwater management infrastructure. For access to social infrastructure, such as open space and community infrastructure, existing residents in the Precinct have had to rely on either their own private properties or public facilities provided in nearby suburbs.

3.1.2 Net Developable Area

The extent of land capable of being developed for urban purposes in the Precinct is restricted by several factors, including:

- natural constraints such as riparian and flood prone lands;
- man-made constraints such as existing infrastructure, easements and other legal restrictions;
- land required for future infrastructure such as roads (including new and existing roads), open space and educational facilities; and
- future development potential of land; that is, despite a new land use zone some land may already be utilised to its highest and best use.

These constraints need to be taken into account to calculate the total amount of land capable of being developed. After constraints have been taken into account what remains is the Net Developable Area (**NDA**). It is the development of this land that will generate the demand for new infrastructure such as roads, drainage and open space to support it. NDA is therefore one basis used to determine the contributions that apply to development under this Plan.

It is estimated that the Precinct has an NDA of 173.52 hectares as illustrated in **Figure 2** below. However, the final NDA has been further adjusted because environment living lots have lower

development potential than other residential land, and Village Centre land is not likely to generate material demand for the infrastructure.



Note: Environmental living land is not shown but an adjusted amount is also included in NDA.

Figure 2: Vineyard Precinct Net Developable Area

Table 4 provides the breakdown of land areas that are anticipated to be developed for urban purposes. As **Table 4** shows, the final NDA (127.83 hectares) for the purposes of calculating contributions, incorporates:

- the adjustment of environmental living lot areas within the total NDA to reflect the lower demand for infrastructure from these larger, low density lots (based on an assumed area of 555 square metres); and
- the exclusion of village centre land (see section 2.5).

Table 4: Expected Net Developable Area in Vineyard

Vineyard development type	Net Developable Area (ha)
Low Density Residential (18 dwellings/ha) ¹	104.82
Medium Density Residential (30 dwellings/ha) ¹	20.90
Environmental Living ² :	
Base	47.80
Base adjusted for dwelling entitlement	2.11
NDA (with environmental living land adjustment and excluding Village Centre³)	127.83

¹ The assumed dwellings per hectare are based on the maximum dwellings per hectare for low and medium density development in the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

² The NDA for land zoned for Environmental Living E4 has been adjusted to reflect a reduced demand for roads and other transport facilities and stormwater drainage infrastructure. In this instance, the NDA associated with a single dwelling in the Low Density Residential zone (approximately 556m²) has been applied rather than the expected average lot size in this zone (estimated to be more than 9,000m²).

³ The Village Centre area of 1.40 ha, which is excluded, consists of 0.6ha of land zoned for mixed use and a social infrastructure facility, and 0.8ha of land zoned for the local centre.

3.1.3 Expected development

The expected development in the Precinct includes the following:

- Approximately 2,500 dwellings to be delivered predominantly as low density detached dwellings.
- Smaller lot product and more compact housing (on land zoned R3 Medium Density Residential) along Windsor Road and around the future neighbourhood centre. These areas have better access to public transport and the amenity that is to be provided by the future open space network orientated around the Killarney Chain of Ponds creek system.
- Projected resident population of over 7,500 people.
- A new neighbourhood centre providing up to 5,500m² of retail space located on the eastern side of the Precinct.
- The upgrade of the existing road network including Boundary Road, Chapman Road, Commercial Road and Menin Road to a standard that can support urban development.
- A new public school.
- A new open space (including sporting fields) and drainage network aligned along the Killarney Chain of Ponds Creek.

Figure 3 illustrates the proposed arrangement of future land uses and key open space, drainage and road networks.

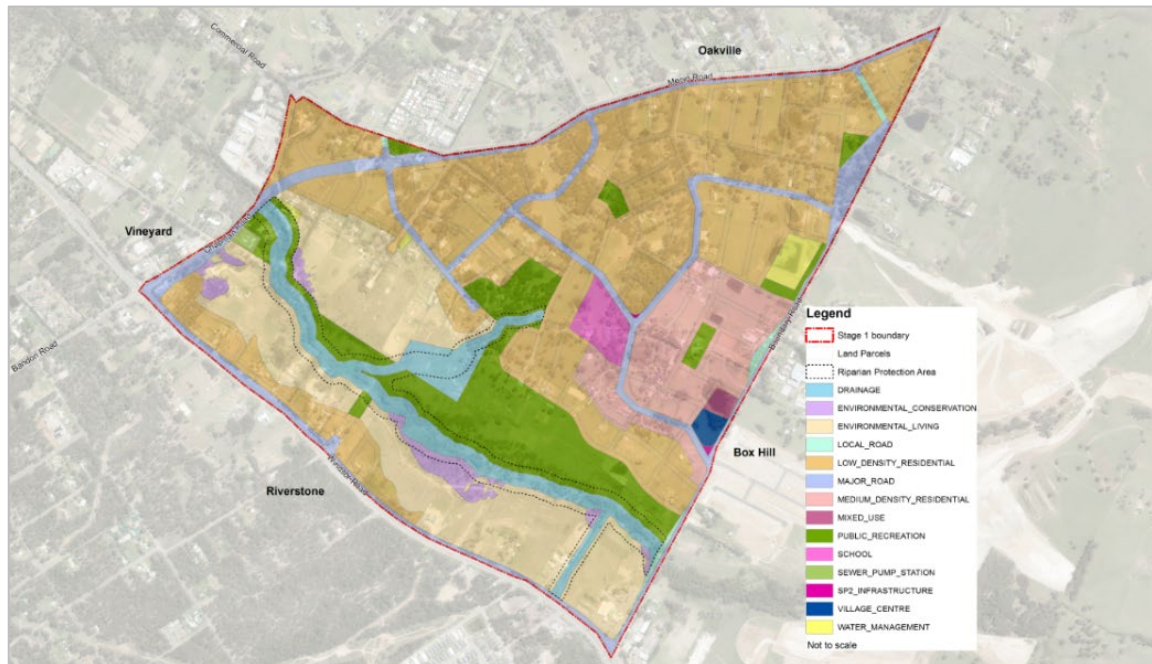


Figure 3: Vineyard Precinct Indicative Layout Plan

3.1.4 Expected population

The demographic characteristics of a development area are important in understanding and planning for the future social infrastructure needs of that area.

Where there is a major change in land use, such as from rural to urban, the characteristics of the existing community are often not reflective or a robust indicator of the future community characteristics for the purposes of identifying what infrastructure is needed.

A demographic profile for the Vineyard Precinct was prepared by SGS Economics² and Elton Consulting³ based on information available for the wider Hawkesbury LGA. This profile made the following conclusions about the anticipated demography of the Vineyard Precinct:

- Most people moving to the Hawkesbury LGA are under the age of 40 indicating a need to provide facilities to cater for this demand.
- Most of the dwelling stock will be owner-occupied. Depending on market conditions, up to 20% of the dwelling stock may become rental investment stock.
- Greater cultural diversity through an increase in migrants to the area to resemble the ethnic diversity of Western Sydney as a whole.

² *Housing Study for Vineyard Precinct – Preliminary draft report*, prepared by SGS Economics and Planning, June 2014.

³ *Social Infrastructure Assessment for Vineyard Precinct – Draft Report*, prepared by Elton Consulting, 25 September 2014.

- At the outset of development in the Precinct, most of the dwelling stock will be absorbed by first home buyers and it is likely that young families and couples will make up most of the population.
- As the Precinct matures, the proportion of the population 55 years and over will increase as older people are attracted to the area to be close to family or to down-size to a smaller home.
- Over time, as development of the Precinct occurs, the population profile is likely to mirror that of an established area with greater diversity in terms of age and household characteristics.

The Department of Planning and Environment have advised that the future population will reside in the new dwellings in the Precinct at the following average occupancy rates:

Low density development (i.e. detached dwelling)	3.18 persons per dwelling
Medium density development (i.e. attached dwelling, manor home, multi dwelling housing, residential flat building, semi-detached dwelling, dual occupancy dwelling)	2.64 persons per dwelling

To recognise that certain dwelling types - secondary dwellings and studio dwellings - are smaller and are likely to generate a lesser demand for social infrastructure, an occupancy rate of 1 person per dwelling has been assumed for calculating contributions. For seniors living development, an occupancy rate of 1.5 persons per dwelling has been assumed.

The above assumptions have been used for the purposes of calculating the social and transport infrastructure section 7.11 contributions for residential developments that are subject to this Plan (refer **Tables 2** and **3** of this Plan).

Table 5 below provides a summary of the projected population based on the residential land use zones. A net population increase of 7,489 is projected, after allowing for demand credits attributable to the existing population. This is the figure used in the Plan for determining the contribution rates for transport and social infrastructure.

Table 5: Anticipated resident population

Residential land use	Projected new dwellings	Assumed new population	Assumed existing population	Adjusted population for demand credits
Low density residential (15 to 18 dwellings / ha)	1,886	5,997	194	5,804
Medium density residential (20 to 30 dwellings / ha)	627	1,655	37	1,618
Environmental living (2 dwellings / ha)	52	165	54	67
TOTAL	2,565	7,818	285	7,489

3.1.5 Demand for infrastructure

Existing public amenities and services within the Precinct have essentially been designed to cater for the existing rural community and development.

To support the development of 2,565 new dwellings and the associated population, significant augmentation and upgrading of existing infrastructure and public amenities is required. During the precinct planning process, the future infrastructure needs were investigated and the following impacts on infrastructure and public amenities were identified:

- The likely increased pressure on the existing road and pedestrian networks will require significant upgrades to roads and intersections to ensure safe and convenient travel to destinations both within and outside of the Precinct.
- The existing stormwater drainage facilities are limited and require significant augmentation to manage the extra stormwater runoff that will be generated by the increased amount of impervious surface associated with urban (as distinct from rural) development.
- Because of the extra population, there will be an increased demand for active and passive recreation facilities such as sports fields, sports courts, playgrounds, walking trails, cycle paths and recreation centres.

In response to these impacts, there will be a need to provide new and upgraded roads and transport facilities, stormwater management facilities, and open space, recreation and community infrastructure.

Section 3.2 of this Plan includes the cost of land and works for each of these Local Infrastructure types, the associated nexus to future development and how the contribution rates are calculated.

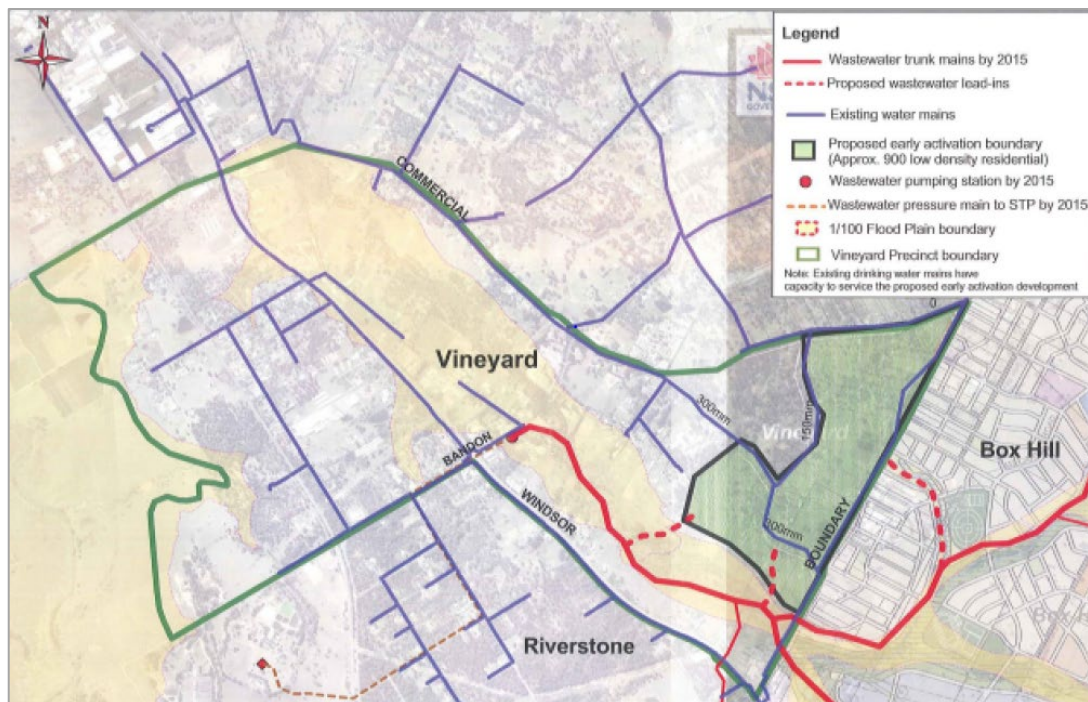
Further detail on the costs, indicative timing for delivery and locations of the Local Infrastructure is included in the **Appendices**.

3.1.6 Development to be tied to infrastructure staging

The location and timing of provision of essential utilities (water, sewer and power) in the Precinct relate to two distinct service catchments – Areas 1 and 2.

Area 1 development is likely to occur first. Area 1 is anticipated to be serviced by water and sewer by the end of 2018 with the augmentation of utilities to service the remainder of the Precinct (Area 2) in 2026. These areas are shown in **Figure 4** below.

Given the significant commitments by State Government agencies, Council will, where possible, focus the expenditure of Local Infrastructure contributions on these areas to ensure land is 'development-ready'. More detail on the timing and priority for infrastructure identified in this Plan is provided at **Appendix A, B and C**.



Source: Mott MacDonald Infrastructure Delivery Plan, 2015 (sourced from Sydney Water).

Figure 4: Vineyard Precinct Staging Plan

3.2 Infrastructure schedule and nexus

The delivery of new Local Infrastructure to support Precinct development will include the acquisition of land and carrying out of capital works. Council is also anticipating future expenditure in administering this Plan so that it remains valid and representative of the works that remain and associated fluctuation in land values.

The following sections describes the scope and total costs of the various items of Local Infrastructure that is included in this Plan. Further detail on specific items, their estimated costs and staging, and location maps are included in **Appendices A, B and C**.

3.2.1 Roads and transport infrastructure

At the time this Plan commenced the Precinct had a semi-rural character. The existing transport network has been planned to serve the existing and approved developments in the Precinct that are consistent with that character.

ARUP undertook strategic traffic modelling as part of preparing the Transport Study for the Precinct.⁴ This study identified a road network hierarchy and future public transport network that will be required to support the anticipated urban development. This modelling also identified the need for the upgrade of a number of existing roads and traffic management facilities. To carry out these upgrades, it will be necessary in some instances to acquire additional land where existing road reserves are not wide enough and construct these works.

These upgrades cannot be singularly attributed to any specific development site but will be required as a result of the anticipated cumulative development in the Precinct.

The required roads and transport infrastructure includes the following:

Boundary Road

Boundary Road forms the boundary between The Hills LGA and Hawkesbury LGA. Boundary Road has been identified as a future Sub-Arterial Road and, because of the Vineyard Precinct development, will be required to be upgraded from two (2) rural lanes to four (4) lanes suitable for speeds up to 80 km / hour with intersection improvements. Upgrading of the current intersections at Commercial Road and Menin Road will also be required.

The upgrade of Boundary Road will be mainly needed to serve the traffic that will be generated by development in the adjoining urban release areas. Traffic modelling prepared by ARUP has estimated that development within the Vineyard Precinct will be accountable for 43% of future vehicle movements along Boundary Road. The balance of the traffic will be attributable to developments in Box Hill Precinct (48%), and in areas outside of the Vineyard and Box Hill Precincts (9%).

The Hills Shire Council is funding part of the works required on Boundary Road (approximately 35% of the total cost) through its Box Hill Precinct Section 94 Contributions Plan. Based on the ARUP modelling, it is reasonable for Vineyard Precinct development to fund 43% of the cost of the Boundary Road upgrade. The remainder of the cost of the upgrade will need to be met from other funding sources.

⁴ Vineyard Transport Study – Draft Report, prepared by Arup, August 2014.

Chapman Road and Menin Road

Chapman Road and Menin Road are proposed to be upgraded to Collector Roads. These works will be the responsibility of the Roads and Maritime Services (RMS) and as such have not been included within this Plan.

However, a half road upgrade will be required at the northern border of the Precinct where Commercial Road meets Chapman Road, and this work is not being provided by RMS. This work is included in the Plan (CR8 in Appendix A).

New collector road network

A new collector road network has been identified to accommodate increased traffic flows in the Precinct. Where possible, this network relies on the existing road reserves (such as Commercial Road and Harkness Road) to reduce acquisition costs. Three new collector roads are included in the plan (CR1, CR3 and CR7), together with upgrades of O'Dell Street (CR2), Commercial Road (CR4 and CR5) and Harkness Road (CR6) to the required collector road standards.

A loan will fund the design costs of collector roads which are planned to be delivered by June 2021 (CR1, CR4, CR5, CR6 and CR7) to ensure timely delivery of roads with development.

Intersection at Otago Street and Windsor Road

During precinct planning, RMS advised that all new properties in the area between the Killarney Chain of Ponds and Windsor Road should be accessed via a new intersection aligned with Otago Street.

The four-way Windsor Road/Otago Street intersection will facilitate local traffic movements and form a pedestrian and cyclist link between the Riverstone and Vineyard precincts.

The costs of the intersection are apportioned equally (50% each) to Vineyard precinct and the adjoining Riverstone precinct respectively, excluding the cost of the new tie in road to Vineyard Precinct, which is apportioned fully (100%) to Vineyard.

Other works

- It is anticipated that local roads will be provided by developers as required by conditions of consent.
- Formal cycleway network – Most of this network is included within the cross sections for major roads, however a major east-west cycleway following the Killarney Chain of Ponds is also required.
- Public transport facilities - bus stops to support increased bus services are to be provided.

Table 6 below summarises the roads and transport infrastructure costs and contributions. A detailed breakdown of these costs and maps showing the locations of these facilities can be found at **Appendix A**.

Table 6: Summary of roads and transport infrastructure costs

	Total Cost	Contribution per person
Land acquisition	\$12,417,439	\$1,658
Capital works	\$36,764,244	\$4,909
TOTAL	\$49,181,683	\$6,568

Contributions are calculated on the anticipated net increase in population on the development site. This involves dividing the total costs of land acquisition and capital works by the anticipated additional population of the Precinct to determine a per person rate.

The population for any residential development is then calculated based on the assumed occupancy rates of each dwelling shown in **Table 2**, multiplied by the proposed number of each dwelling type, less an allowance for the population in any existing development (if any). This approach is considered reasonable as a credit is afforded to the population of existing lawful residential development.

The contribution formula for roads and transport infrastructure can be expressed as:

$$\text{Contribution per person (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

\$INF = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the transport infrastructure items in the area to which this Plan applies.

P = the estimated resident population (in persons) that will demand each facility – that is, the expected net additional population for the Vineyard Precinct (see **Table 5**).

This approach is considered reasonable because of the expected development being predominantly residential with the population driving the demand for the surrounding road and cycleway network.

3.2.2 Stormwater drainage infrastructure

At present, there is limited stormwater drainage and floodplain management infrastructure within the Precinct. What infrastructure that exists (for example, road culverts) has been sized and designed to cope with storm and flooding events within a rural context. Typically, urban areas experience an increase in stormwater runoff due to increased impervious areas which potentially exacerbate flooding issues and erode existing creek systems. In addition to increased stormwater runoff, pollutants from urban areas reduce water quality and the stormwater needs to be treated prior to it being discharged into the natural creek system.

To ensure that the future urban development of the Vineyard Precinct appropriately manages these issues, Mott MacDonald prepared a Water Cycle Management Strategy⁵. This strategy identified a network of trunk stormwater drainage facilities to manage flood events up to the 1 in 100-year event, and to ensure stormwater is discharged to the existing creek network at pre-development flows as well as being treated for pollutants.

Key components of the stormwater drainage network include:

- Inclusion of rainwater storage tanks in new dwellings to store rain water for re-use and reduce discharge to the creek system;
- New detention basins to store, treat and control the rate of stormwater collected from the private domain and road network prior to being discharged into the existing creek system;
- New bio-retention areas (i.e. with Water Sensitive Urban Design (WSUD) facilities and gross pollutant traps (GPTs)) to treat stormwater prior to discharge into the creek system; and
- Use of the capacity of the existing creek system to manage flood events.

This Plan levies for the detention basin, bio-retention area, and gross pollutant traps components of the Water Cycle Management Strategy. A loan will fund the land acquisition and capital works costs of a critical share of this infrastructure i.e. for the two basins (Basin 1 (including WSUD A and GPT 1), Basin 2 (including WSUDs B and C and GPT 2), WSUD D (including GPT 3) and one of the drainage corridors (DC1). This strategy helps to ensure that enabling infrastructure for development is delivered in a timely fashion. Interest costs are included in the Plan.

Table 7 below summarises the stormwater drainage network costs and contributions. A detailed breakdown of these costs and maps showing the locations of these facilities can be found at **Appendix B**.

⁵ *Water Cycle Management Report, Vineyard Precinct*, Mott MacDonald, October 2017.

Table 7: Summary of stormwater drainage infrastructure costs

	Total Cost	Contribution per ha of NDA
Land acquisition	\$21,132,290	\$165,314
Capital works	\$19,364,957	\$151,489
TOTAL	\$40,497,165	\$316,802

Contributions are calculated on the amount of Net Developable Area in a development. This involves dividing the total costs of land acquisition and capital works by the total Net Developable Area to determine a per hectare rate. This approach is considered reasonable on the basis that the Water Cycle Management Strategy assumed the same level of impervious area for all types of residential development across the Precinct.

The contribution formula for stormwater drainage infrastructure can be expressed as:

$$\text{Contribution per hectare of Net Developable Area (\$)} = \sum \left(\frac{\$INF}{NDA} \right)$$

Where:

\$INF = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the stormwater drainage infrastructure items in the area to which this Plan applies.

NDA = the total Net Developable Area (in hectares) that will generate the demand for the stormwater drainage infrastructure.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the Net Developable Area (in hectares) of the site which forms the subject of the proposed development.

3.2.3 Social infrastructure

A Social Infrastructure Assessment for the Precinct has been prepared by Elton Consulting⁶. The Social Infrastructure Assessment included a review of existing demographics within the Hawkesbury LGA to determine a household and community profile to forecast the profile of the anticipated community.

SGS Economics prepared a Housing Study⁷ for the Vineyard Precinct to identify the demand for different housing types; from detached dwellings, to more compact dwellings to apartment buildings. Based on the demand for different housing types, land was zoned appropriately to

⁶ *Social Infrastructure Assessment for Vineyard Precinct – Draft Report*, prepared by Elton Consulting, 25 September 2015.

⁷ *Housing Study for Vineyard Precinct – Preliminary draft report*, prepared by SGS Economics and Planning, June 2014.

permit the necessary dwelling types and minimum dwelling density controls were applied to ensure a mix of housing is ultimately provided in the Precinct.

An accompanying dwelling yield analysis informed the demand for dwelling types, density controls and occupancy rates. This yield analysis anticipated that the Precinct would accommodate a minimum population of 5,975 people. The anticipated population by housing type is outlined previously in **Table 5**.

The Social Infrastructure Assessment included an inventory of all social infrastructure in and surrounding the Vineyard Precinct, including active and passive open space facilities and community infrastructure. This inventory also identified the existing facilities' current capacity and their ability to support future increases in population anticipated by development in the Precinct. Except for child care centres and high schools, the existing open space and community infrastructure were inadequate to meet demand of the future Precinct population.

The Social Infrastructure Assessment included a needs assessment to identify the necessary social infrastructure required to support the future Precinct community, including the needs of future residents on the western side of Windsor Road (i.e. 'Vineyard West').⁸

The assessment identified the need for a variety of social infrastructure including:

- An overall quantum of 31 hectares of open space facilities; 23.6 hectares will be provided in the Precinct with the remainder to be provided in the Vineyard West Precinct.
- Local and district passive open space facilities including parks, playgrounds, picnic areas and cycleways.
- Linear open space along the creek corridors to provide walking and cycling trails.
- Local active open space facilities including sporting fields, sporting courts, amenities buildings, outdoor exercise equipment, etc. The assessment identified the need for at least three (3) double playing fields. However, due to the location of the proposed playing fields in flood prone land, the assessment supported the provision of four (4) double playing fields because of the reduced ability for operation during / following storm events. Two (2) of these double playing fields are to be provided in the Precinct.
- A community centre with a gross floor area of 800m² on a 6,000m² site within a future neighbourhood centre to cater for the needs of both the Vineyard and Vineyard West populations (which are anticipated to be similar in number). This Plan includes community infrastructure to be co-located with other commercial and residential development on a 6,000m² site, to partially meet this demand from both the Vineyard and Vineyard West populations. The Vineyard West Precinct is expected to be rezoned for urban development in the future, at which time any additional community infrastructure needs will be considered.

Table 8 below summarises the social infrastructure costs and contributions. A detailed breakdown of these costs and maps showing the locations of these facilities can be found at **Appendix C**.

Table 8: Summary of social infrastructure costs

⁸ When the Vineyard precinct planning commenced, the planning work addressed a larger precinct area that included land both east and west of Windsor Road. The Vineyard Precinct rezoning area was subsequently reduced in size to include only the areas located east of Windsor Road.

	Total Cost	Contribution per person
Land acquisition	\$45,908,700	\$6,190
Capital works	\$28,416,706	\$3,795
TOTAL	\$74,325,406	\$9,985

As for transport infrastructure, contributions are calculated on the anticipated net increase in population on the development site. This involves dividing the total costs of land acquisition and capital works by the anticipated additional population of the Precinct to determine a per person rate.

The population for any residential development is then calculated based on the assumed occupancy rates of each dwelling shown in **Table 3**, multiplied by the proposed number of each dwelling type, less an allowance for the population in any existing development (if any). This approach is considered reasonable as a credit is afforded to the population of existing lawful residential development that have previously been utilising social infrastructure provided in the area.

The contribution formula for social infrastructure can be expressed as:

$$\text{Contribution per person (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

$\$INF$ = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the social infrastructure items in the area to which this Plan applies.

P = the estimated resident population (in persons) that will demand each facility – that is, the expected net additional population for the Vineyard Precinct (see **Table 5**).

3.2.4 Plan administration

It is anticipated that the development of the Precinct will take place over at least a 15-year period.

During the operation of the contributions plan, Council staff are deployed to:

- prepare and review contribution plans;
- account for contributions receipts and expenditure; and
- coordinate the implementation of contributions plans and works, including involvement in negotiating works in kind, Planning Agreements and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time to determine the value of land to be acquired, the design and cost of works, as well as to review the development and

demand assumptions in the Plan. Council is also required to engage the services of legal professionals from time to time to assist in the administration of this Plan.

As these costs arise directly because of the development in the Plan area, it is reasonable that the costs associated with preparing and administering this Plan be recouped through contributions from development in that area. Costs associated with the ongoing administration and management of the Plan will be levied on all applications that are required to make a contribution under this Plan.

The estimated Plan administration costs are based on the Independent Pricing and Regulatory Tribunal (**IPART**) benchmark of an allowance equivalent to 1.5% of the cost of capital works identified in the Plan. Details of the Plan administration contribution calculation is provided at **Appendix D**.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the Net Developable Area (in hectares) of the site which forms the subject of the proposed development.

Table 9: Summary of plan administration costs

	Total Cost	Contribution per ha of NDA
Plan administration costs (1.5% of the cost of capital works - IPART benchmark)	\$1,268,189	\$9,921

4. How and when will contributions be imposed on developments?

4.1 Monetary contributions

This Plan authorises the Council or an Accredited Certifier, when determining an application for development or an application for a Complying Development Certificate (**CDC**), and subject to other provisions of this Plan, to impose a condition requiring a contribution under section 7.11 of the EP&A Act on that approval for:

- the provision, extension or augmentation of Local Infrastructure to be provided by Council; and / or
- the recoupment of the previous costs incurred by Council in providing existing Local Infrastructure.

Accredited Certifiers should also refer to **Section 4.6** of this Plan as to their obligations in assessing and determining applications.

4.2 Land contributions

This Plan authorises the Consent Authority, other than an Accredited Certifier, when granting consent to an application to carry out development to which this plan applies, to impose a condition under section 7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for:

- the provision, extension or augmentation of Local Infrastructure to be provided by Council; and / or
- the recoupment of the previous costs incurred by Council in providing existing Local Infrastructure.

Wherever land required under this Plan is situated within a development site, the Consent Authority may require the developer of that land to dedicate the land required under this Plan free of cost. If so, the value of this land will be considered in determining the total monetary contributions required by the development under this Plan. Council may at its discretion offset the value of the land against contributions for the same facility category.

The value of the land to be dedicated free of cost will be the value of the land listed in the Plan, or a value agreed between the parties.

Note: the EP&A Act does not allow an Accredited Certifier other than a Council to impose a condition requiring the dedication of land free of cost.

4.3 State Government policy on monetary section 7.11 contributions for residential development

On 28 July 2017, the Minister for Planning issued *The Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017* that requires councils to submit

contributions plans to IPART for assessment if they wish to levy contributions above the prevailing capped amount - \$30,000 per lot in the case of Vineyard Precinct.

This Plan is authorised to levy development the contribution rates set out in **Table 1**, once it is assessed by IPART and consistent with any subsequent Ministerial advice applying to the Plan.

As an interim measure, until the plan is assessed by IPART and the Minister has advised Council as to any amendments required to the contributions plan, developers will be invited to enter into a Voluntary Planning Agreement (VPA) with Council to pay the contribution that would otherwise be levied under this Plan. Council will then make any necessary adjustment for variations in the IPART-assessed contributions once the plan review is complete and the Minister publishes his advice. This is a fair approach to ensure timely development approvals, and that enough funding is available to meet local infrastructure requirements.

4.4 Demand credits for social infrastructure

The planning for the Precinct and this Plan makes provision for the delivery of the necessary infrastructure to support the conversion of the Precinct from semi-rural to urban residential.

The existing road and drainage networks will not meet the needs of the anticipated development to any degree and entirely new road and drainage networks will need to be designed and built to meet those needs. In calculating the contribution for a development, no allowance will therefore be made for the demand for these types of infrastructure that is attributable to any existing development present on the development site.

There will also be a need for new and upgraded social infrastructure such as open space and community infrastructure to be provided to accommodate the new residential population anticipated for the Precinct. However, there is already an existing population within the Precinct that benefits from an established social infrastructure network (within and external to the Precinct).

So, in calculating contributions under this Plan, an allowance has been made for the demand for social infrastructure attributable to development that existed at the time this Plan was prepared. In this regard, each existing residential property (as shown in the NDA Map at **Figure 2**) has been granted a social infrastructure demand credit equivalent to a single dwelling.

Demand credits for the Plan have been assessed using the information on existing development that was available at the time the Plan was prepared. The assumed occupancy rates are based on an average occupancy rate for detached dwellings on 3.18 persons per dwelling.

Despite the above, it is the applicant's responsibility to demonstrate that a lawful residential purpose existed on the subject property at the time the Plan was prepared. The allocation of demand credits in the calculation of section 7.11 contributions for social infrastructure is at Council's discretion.

4.5 Latest rates to be used

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this Plan.

The monetary section 7.11 contribution rates shown in **Tables 1, 2 and 3** reflect the contribution rates at the date that the Plan commenced. These rates are regularly adjusted for inflation and fluctuations in land values (see **Section 6.3**).

Applicants and Accredited Certifiers should inquire at the Council for information on the latest contribution rates.

4.6 Obligations of Accredited Certifiers

A section 7.11 contribution condition would not generally be required to be imposed on a CDC unless the complying development will or is likely to require the provision of or increase the demand for the specific Local Infrastructure included in this Plan.

For example, a new dwelling on a vacant lot of land would not be subject to section 7.11 contributions because the contributions would likely have been imposed and paid at the subdivision stage. However, a secondary dwelling CDC would be subject to a section 7.11 contribution under this Plan, because the development increases the demand for social infrastructure (as the assumed population of the lot is increased) beyond the demand attributable to the original lot.

4.6.1 Complying Development Certificates

This Plan requires that, in relation to an application made to an Accredited Certifier for a CDC:

- the Accredited Certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this Plan.
- the amount of the monetary contribution that the Accredited Certifier must impose is the amount determined in accordance with this section.
- the terms of the condition be in accordance with this section.

Procedure for determining the contribution amount

The procedure for an Accredited Certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under section 7.11(6) of the EP&A Act or an exemption for part or the whole of the development under **Section 2.5** of this Plan, the Accredited Certifier must:
 - (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and

- (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC, refuse the applicant's request.
2. Determine the unadjusted contributions in accordance with the rates included in **Table 1** of this Plan, taking into account any exempt development specified in **Section 2.5** and any advice issued by the Council under paragraph 1(b) above.
 3. Adjust the calculated contribution in accordance with **Section 6.3** to reflect the indexed charge for the provision of infrastructure.

Terms of a section 7.11 condition

The terms of the condition required by this section are as follows:

Contribution

The developer must make a monetary contribution to Hawkesbury City Council in the amount of \$[insert amount] for the purposes of the local infrastructure identified in the Vineyard Precinct Section 7.11 Contributions Plan.

<i>Roads and transport infrastructure</i>	- Land \$XXX - Works \$XXX
<i>Stormwater drainage infrastructure</i>	- Land \$XXX - Works \$XXX
<i>Social infrastructure</i>	- Land \$XXX - Works \$XXX
<i>Plan administration</i>	- \$XXX

Indexation Land Contribution

The monetary contribution for land must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_C \times LVI_P}{LVI_C}$$

Where:

\$C_C is the contribution amount shown in this certificate expressed in dollars

LVI_P is the Land Value Index for Vineyard as published by Hawkesbury City Council (for adjusting contribution amounts in consents) at the time of the payment of the contribution

LVI_C is the Land Value Index for Vineyard as published by Hawkesbury City Council (for adjusting contribution amounts in consents) which applied at the time of the issue of this certificate.

Indexation Works Contribution

The monetary contribution for works must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

\$C_C is the contribution amount shown in this certificate expressed in dollars

CPI_P is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution

CPI_C is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate

Note: The contribution payable will not be less than the contribution specified in this certificate.

Time for payment

The contribution must be paid prior to any work authorised by this Complying Development Certificate commences, as required by section 136L of the Environmental Planning and Assessment Regulation 2000.

Works in kind agreement

This condition does not need to be complied with to the extent specified in any works in kind agreement entered into between the developer and the Council.

4.6.2 Construction Certificates

It is the responsibility of an Accredited Certifier issuing a Construction Certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or Development Consent.

The Accredited Certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies

of the certified plans provided to the Council in accordance with section 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

4.7 Variation to contributions authorised by this Plan

The Council, after considering a written application, may reduce the section 7.11 contribution otherwise calculated in accordance with the provisions of this Plan.

A developer's request for variation to a contribution calculated in accordance with this Plan must be supported by written justification included with the Development Application. Such request will be considered as part of the assessment of the application.

An Accredited Certifier other than the Council cannot vary a contribution amount and must impose the contribution that is calculated in accordance with this Plan.

5. How and when can a contribution requirement be settled?

5.1 Timing of payments

A monetary contribution required to be paid by a condition imposed on the Development Consent in accordance with this Plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a Construction Certificate is required, the contribution must be paid prior to the release of the Construction Certificate.
- For works authorised under a Complying Development Certificate, the contributions are to be paid prior to any work authorised by the certificate commencing, as required by section 136L of the EP&A Regulation.

At the time of payment, it will be necessary for monetary contribution amounts to be adjusted in accordance with the relevant indexes (see **Section 6.3**).

5.2 Process for deferred payments

A person entitled to act upon a Development Consent containing a monetary contribution condition imposed in accordance with this Plan may apply in writing to the Council, other than an Accredited Certifier, under section 96 of the EP&A Act to modify the condition to provide for the deferred or periodic payment of the contribution.

Council may allow payment of contributions to be deferred in the following cases only:

- where the applicant intends to make contributions by way of a Planning Agreement, works in kind or land dedication in lieu of a cash contribution, and Council and the applicant have a legally binding agreement for the provision of the works and land dedication; or
- there are circumstances justifying the deferred or periodic payment of the contribution.

If it agrees to a deferred or periodic payment request, Council will require the applicant to provide an unconditional bank guarantee by a bank or a financial institution for the full amount of the contribution or the outstanding balance.

Bank guarantees will be accepted on the following conditions:

- The guarantee must carry specific wording, for example 'social infrastructure works contributions for stage 3'.
- The guarantee will be for the contribution amount plus the estimated amount of compound interest foregone by Council for the anticipated period of deferral (refer to formula below).
- Council may call up the guarantee at any time without reference to the applicant, however the guarantee will generally be called up only when cash payment has not been received,

land is not dedicated, or material public benefit not provided by the end of the period of deferral.

- The period of deferral will be as agreed where land is to be dedicated or a material public benefit is to be provided. The period of deferral will be as approved by Council. The period of deferral may be extended subject to providing a renewed bank guarantee, which includes anticipated future interest.
- Council will discharge the bank guarantee when payment is made in full by cash payment, land transfer or by completion of works in kind.

Formula for bank guarantee

The following formula will be applied to all bank guarantees for section 7.11 contributions:

$$\text{GUARANTEE AMOUNT} = P + P*(CI \times Y)$$

where:

P is the contribution due

CI is the compound interest rate comprised of Council's estimate over the period plus 3% (allowance for fluctuations)

Y is the period of deferral (years)

5.3 Can the contribution be settled by dedicating land or undertaking works in kind?

If a developer wishes to deliver infrastructure that is included in this Plan instead of the Council delivering that infrastructure, then the developer can approach this in either one of two ways:

- (a) The developer may offer to enter into a Planning Agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning Agreements are the most appropriate mechanism for offers made prior to the issue of a Development Consent for the development.
- (b) If the developer has already received a Development Consent containing a condition requiring a section 7.11 contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

5.3.1 Offers and agreements generally

A person may make an offer to the Council to carry out works, provide a material public benefit or dedicate land, in part or full satisfaction of a section 7.11 contribution required by a condition of consent imposed under this Plan.

Council will only accept offers of works or land that are items included in the schedule of Local Infrastructure in this Plan.

Each party to an agreement will be responsible for their own legal costs in the preparation and implementation of any formalised agreement.

Any offer for works in kind or other material public benefit shall be made in writing to the Council prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

In assessing any developer offer, Council will consider the following matters as a minimum:

- The standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction;
- The conditions applying to the transfer of the asset are to Council's satisfaction; and
- The provision of the material public benefit will not unduly prejudice the timing or the manner of the provision of the public facilities included in the infrastructure schedule and program.

5.3.2 Valuation of land, works in kind and other material public benefits

The value of any land or works in kind offered by a developer will be determined by a process agreed to between the Council and the developer. This will be undertaken prior to the entering of an agreement or the commencement of any works included in the offer. Council will usually require the developer to provide evidence that a quantity surveyor supports the valuation of work.

The value of any land or works in kind offered by a developer may, at Council's discretion, be used to offset monetary contributions applicable to the development. The value of works or land will be offset against the contribution required for the same infrastructure category. For example, if the developer offers to dedicate land for open space purposes and that land is included in this Plan, then the Council may agree to the value of that land being used to offset the monetary contribution for Social Infrastructure Land required in the consent.

5.3.3 Provision of land and works more than contribution requirements

Where Council accepts an offer by a developer to dedicate land or provide works in kind, and the value of that land or public benefit is more than the contribution for the infrastructure category required under the consent, the surplus land or value of works will be held by Council as a credit for future development. The credits will be offset against contributions for the same infrastructure category in any future development by that developer in the area to which this Plan applies. The offset will generally be made at the contribution rate at the time of the subsequent development.

If no future development is intended, the developer will be reimbursed by Council for the surplus land or works credit, subject to agreement by Council as to the value of same and a staged payment schedule for the reimbursable amount. No credit will be given for land or works offered by the developer which are not included in this Plan.

6. Other administration matters

6.1 Relationship of this Plan to other contributions plans

The following contributions plans do not apply to developments that are subject to this Plan:

- Hawkesbury Section 94 Contributions Plan 2015
- Hawkesbury Section 94A Contributions Plan 2015.

This Plan however does not affect existing Development Consents, containing requirements for developments to make contributions under the above plans. This includes modifications to existing consents under those plans.

6.2 Savings and transitional arrangements

This Plan applies to both:

- a Development Application (including for a s4.55 modification) or application for a CDC submitted after the date on which this Plan took effect; and
- a Development Application (including for a s4.55 modification) or application for a CDC submitted, but not yet determined, on or before the date on which this Plan took effect.

6.3 Adjustment of contributions to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this Plan authorises that contribution rates and the contribution amounts included in consents will be adjusted over time.

6.3.1 Contribution rates

Council will - without the necessity of preparing a new or amending contributions plan – adjust the contribution rates in **Tables 1, 2 and 3** of this Plan to reflect quarterly movements in the value of land and works.

The Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics, will be used to update the contribution rates for works.

Council will publish a Land Value Index for the Vineyard Precinct (and how it is calculated) on its website for the purposes of updating the contribution rates for land acquisition (amounts are addressed below).

6.3.2 Contribution amounts

A monetary contribution amount required by a condition of Development Consent or CDC imposed in accordance with this Plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid as follows:

- The works contribution amount will be indexed in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- The land contribution amount will be indexed quarterly in accordance with movements in the Council's Land Value Index for the Vineyard Precinct and published on the Council's website.

The Land Value Index (LVI) for each quarter is calculated as follows:

1. Council engages a qualified valuer to prepare a valuation report with estimated average market values (\$/sqm) for each category of land use in the precinct, at least annually.
2. Council recalculates the estimated average market values (\$/sqm) for land acquisition costs in the plan, based on the valuer's advice.
3. Council shall compare the revised estimated average market values (\$/sqm) to the estimates in the base period of the plan to calculate the LVI. Council will publish updated LVIs with updated quarterly CPI figures on its website.

6.4 Pooling of contributions funds

This Plan authorises monetary contributions paid for different purposes in accordance with Development Consent or CDC conditions authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the works schedule to this Plan.

6.5 Review of this Plan

The assumptions in the Plan will be reviewed regularly. It is intended that the Plan will be reviewed and re-exhibited at least every five years.

6.6 Accountability and access to information

Separate accounting records will be maintained for each contribution type in this Plan. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided.

The records are held at Council's Administration Office and may be inspected upon request.

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

6.7 Dictionary

In this Plan, the following words and phrases have the following meanings:

Accredited Certifier has the same meaning as in the EP&A Act.

Complying Development has the same meaning as in the EP&A Act.

Complying Development Certificate has the same meaning as in the EP&A Act.

Consent Authority has the same meaning as in the EP&A Act but also includes an Accredited Certifier responsible for issuing a Complying Development Certificate.

Construction Certificate has the same meaning as in the EP&A Act.

Council means Hawkesbury City Council.

Development Application has the same meaning as in the EP&A Act.

Development Consent has the same meaning as in the EP&A Act.

Dwelling has the same meaning as in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2000*.

LGA means local government area.

Local Infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

Minister means the NSW State Government Minister for Planning.

Net Developable Area is the area of land, in hectares, shown in the proposed plan of subdivision, subject to the other provisions of this clause.

The Net Developable Area includes internal streets, plus the half width of any roads adjoining the development that provide vehicular access to the development but does not include land reserved or set aside for the purposes of public infrastructure (such as for drainage or roads).

If the proposed subdivision includes the creation of a lot on land zoned E4 Environmental Living, the area of that lot is taken to be 555 square metres for the purposes of calculating the Net Developable Area to determine contributions for the proposed subdivision. This paragraph applies whether an existing lawful habitable dwelling is located on the proposed lot or otherwise.

Additional to the above, the Council may make any determination required to be made for the purposes of calculating the Net Developable Area for the proposed subdivision and, for that purpose, may have regard to any information available at the time, such as construction plans, and any measurements made by a registered surveyor of the land concerned.

Planning Agreement means an agreement described in Subdivision 2 of Division 7.1 of Part 7 of the EP&A Act.

Residential Accommodation has the same meaning as in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

APPENDIX A

Roads and Transport Infrastructure

Vineyard Precinct Section 7.11 Draft Contributions Plan
Hawkesbury City Council

Vineyard Precinct Section 7.11 Contributions Plan Roads and Transport Infrastructure Schedule														
Ref	Local Infrastructure item	Source	Rate	Unit	Required	Total cost	Total cost indexed to \$Mar18	Apportionment factor (%)	Apportioned cost	Apportioned cost indexed to \$Mar18	Contribution catchment (persons)	Contribution rate (\$/person)	Contribution rate indexed to \$Mar18 (\$/person)	Indicative Scheduling of Works
Land acquisition														
CR1	New Collector Road Full Width	KD Wood	\$300	m ²	3,735	\$1,120,500	\$1,131,456	100%	\$1,120,500	\$1,131,456	7,489	\$150	\$151	2018-2023
CR2	O'Dell Street Collector Road Upgrade	KD Wood	\$300	m ²	3,848	\$1,154,400	\$1,165,687	100%	\$1,154,400	\$1,165,687	7,489	\$154	\$156	2023-2028
CR3	New Collector Road Full Width	KD Wood	\$300	m ²	14,540	\$4,362,000	\$4,404,651	100%	\$4,362,000	\$4,404,651	7,489	\$582	\$588	2023-2028
CR4	Commercial Road Collector Road Upgrade	KD Wood	\$300	m ²	284	\$85,200	\$86,033	100%	\$85,200	\$86,033	7,489	\$11	\$11	2018-2023
CR5	Commercial Road Collector Road Upgrade	KD Wood	\$300	m ²	205	\$61,500	\$62,101	100%	\$61,500	\$62,101	7,489	\$8	\$8	2018-2023
CR6	Harkness Road Collector Road Upgrade	KD Wood	\$300	m ²	320	\$96,000	\$96,939	100%	\$96,000	\$96,939	7,489	\$13	\$13	2018-2023
CR7	New Collector Road Full Width	KD Wood	\$300	m ²	9,568	\$2,870,400	\$2,898,466	100%	\$2,870,400	\$2,898,466	7,489	\$383	\$387	2018-2023
CR11	Intersection Windsor Road/Otago Street	KD Wood	\$300	m ²	2,124	\$637,200	\$643,430	100%	\$637,200	\$643,430	7,489	\$85	\$86	2023-2028
SA1	Boundary Road Widening	KD Wood	Varies	m ²	8,646	\$1,910,000	\$1,928,676	100%	\$1,910,000	\$1,928,676	7,489	\$255	\$258	2018-2023
	Sub Total				43,270	\$12,297,200	\$12,417,439		\$12,297,200	\$12,417,439		\$1,642	\$1,658	
Works														
CR1	New Collector Road Full Width	WTP	\$3,027	m	190	\$575,146	\$588,462	100%	\$575,146	\$588,462	7,489	\$77	\$79	2018-2023
CR2	O'Dell Street Collector Road Upgrade	Camden	\$3,140	m	530	\$1,664,200	\$1,720,513	100%	\$1,664,200	\$1,702,730	7,489	\$222	\$227	2023-2028
CR3	New Collector Road Full Width	WTP	\$3,027	m	699	\$2,115,932	\$2,164,920	100%	\$2,115,932	\$2,164,920	7,489	\$283	\$289	2023-2028
CR4	Commercial Road Collector Road Upgrade	WTP	\$5,069	m	499	\$2,529,431	\$2,615,022	100%	\$2,529,431	\$2,587,993	7,489	\$338	\$346	2018-2023
CR5	Commercial Road Collector Road Upgrade	WTP	\$5,069	m	581	\$2,945,089	\$3,044,745	100%	\$2,945,089	\$3,013,274	7,489	\$393	\$402	2018-2023
CR6	Harkness Road Collector Road Upgrade	Camden	\$3,140	m	532	\$1,670,480	\$1,727,006	100%	\$1,670,480	\$1,709,155	7,489	\$223	\$228	2018-2023
CR7	New Collector Road Full Width	WTP	\$3,027	m	460	\$1,392,459	\$1,424,697	100%	\$1,392,459	\$1,424,697	7,489	\$186	\$190	2018-2023
CR8	Commercial/Chapman Road (Corner) Half Width Upgrade	Camden	\$2,051	m	630	\$1,292,130	\$1,322,046	100%	\$1,292,130	\$1,322,046	7,489	\$173	\$177	2028-2033
CR11	Intersection Windsor Road/Otago Street	ARUP	Specific Cost	Item	-	\$4,300,000	\$4,300,000	56%	\$2,418,750	\$2,418,750	7,489	\$323	\$323	2023-2028
SA1	Boundary Road upgrade	WTP	Specific Cost	Item	-	\$35,983,802	\$35,983,802	43%	\$15,473,035	\$15,473,035	7,489	\$2,066	\$2,066	2023-2028
SBN	Cycleway network adjoining open space and drainage land	WTP	\$127	m	2,814	\$357,416	\$365,691	100%	\$357,416	\$365,691	7,489	\$48	\$49	2023-2028
SBC1-4	Cycleway creek crossings	Camden	\$97,865	item	4	\$391,460	\$404,706	100%	\$391,460	\$404,706	7,489	\$52	\$54	2023-2028
	Bus Shelters	Hillis Shire	\$22,769	item	12	\$273,228	\$283,690	100%	\$273,228	\$283,690	7,489	\$36	\$38	2023-2028
	Loan interest for Collector Road design costs	WSC (TCorp)				\$191,620	\$191,620	100%	\$191,620	\$191,620	7,489	\$26	\$26	
	Sub Total					\$55,682,393	\$56,136,920		\$33,290,375	\$33,650,771		\$4,445	\$4,494	
Contingency														
	Contingency - on construction (included above)	IPART	20%	%	-	\$3,041,394	\$3,132,300	100%	\$3,041,394	\$3,113,473	7,489	\$406	\$416	
	Sub Total					\$3,041,394	\$3,132,300		\$3,041,394	\$3,113,473		\$406	\$416	
TOTAL						\$71,020,987	\$71,686,659		\$48,628,970	\$49,181,683		\$6,494	\$6,568	

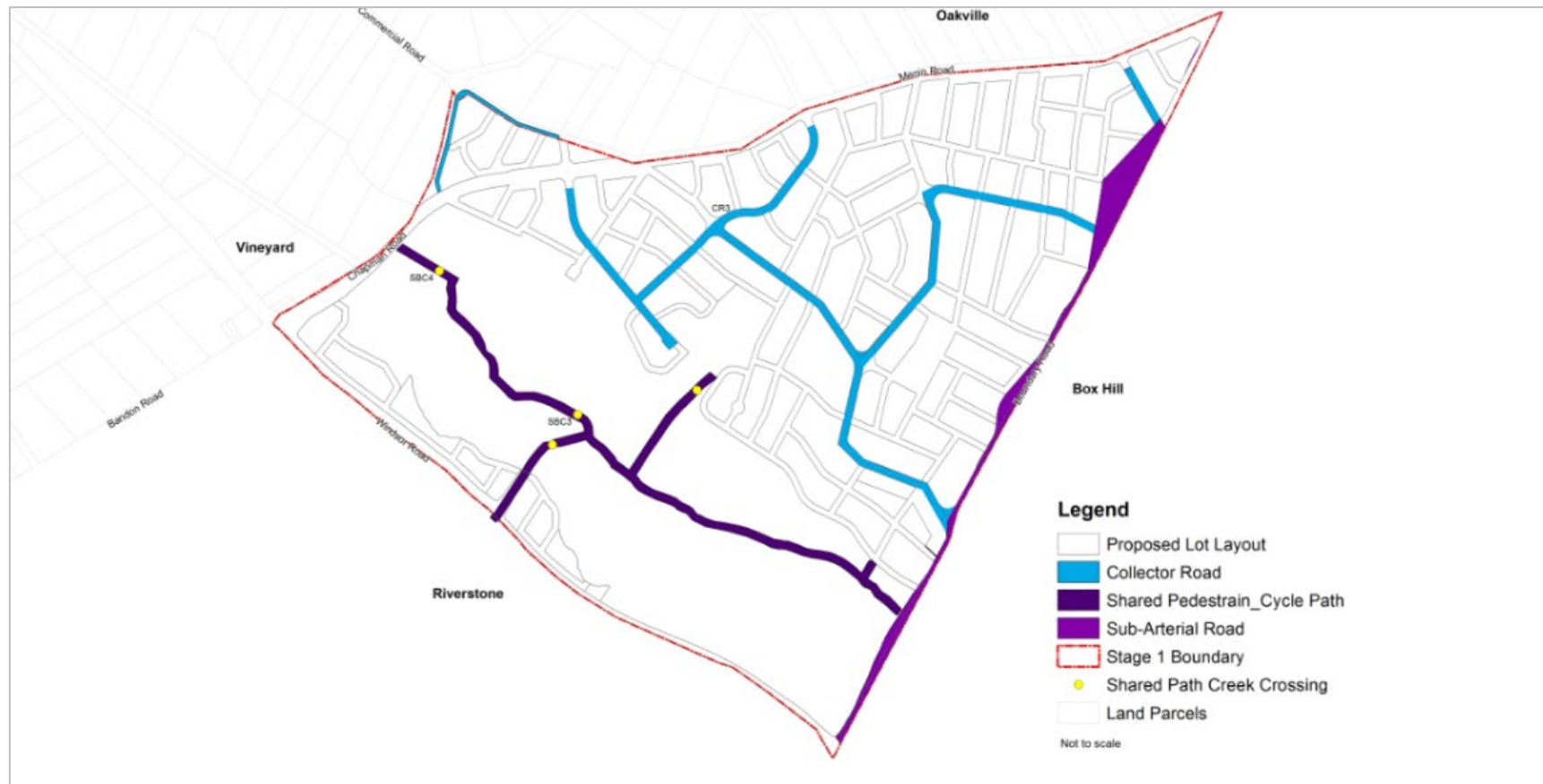


Figure A1: Vineyard Precinct – Location of Transport Infrastructure

APPENDIX B

Stormwater Infrastructure

Vineyard Precinct Section 7.11 Draft Contributions Plan
Hawkesbury City Council

Vineyard Precinct Section 7.11 Contributions Plan Stormwater Drainage Infrastructure														
Ref	Local Infrastructure item	Source	Rate	Unit	Required (m ²)	Total cost	Total cost indexed to \$Mar18	Apportionment factor (%)	Apportioned cost (\$)	Apportioned cost indexed to \$Mar18	Contribution catchment (ha)	Contribution rate (\$/ha)	Contribution rate indexed to \$Mar18 (\$/ha)	Indicative Scheduling of Works
Land acquisition														
B1	Basin 1 (includes GPT 1)	Kent Wood	\$300	m ²	16,458	\$4,937,400	\$4,985,677	100%	\$4,937,400	\$4,985,677	127.8	\$38,624	\$39,002	2018-2023
B2	Basin 2 (includes GPT 2)	Kent Wood	\$100	m ²	25,272	\$2,527,200	\$2,551,910	100%	\$2,527,200	\$2,551,910	127.8	\$19,770	\$19,963	2018-2023
WSUD D	Water Sensitive Urban Design (WSUD) Facility and GPT 3	Kent Wood	\$100	m ²	2,737	\$273,700	\$276,376	100%	\$273,700	\$276,376	127.8	\$2,141	\$2,162	2018-2023
WSUD S	WSUD Facility and GPT 5	Kent Wood	\$300	m ²	1,487	\$148,700	\$150,154	100%	\$148,700	\$150,154	127.8	\$1,163	\$1,175	2023-2028
WSUD T	WSUD Facility and GPT 4	Kent Wood	\$300	m ²	1,050	\$315,000	\$318,080	100%	\$315,000	\$318,080	127.8	\$2,464	\$2,488	2023-2028
DC1/2	Drainage Corridors	Kent Wood	Varies	m ²	100,953	\$11,053,800	\$11,161,882	100%	\$11,053,800	\$11,161,882	127.8	\$86,472	\$87,317	2018-2023 (DC1) 2023-2028 (DC2)
	Loan interest for land acquisition (Basin 1, 2, WSUD-D and DC1)	WSC (TCorp)	Total interest			\$1,688,130	\$1,688,130	100%	\$1,688,130	\$1,688,130	127.8	\$13,206	\$13,206	10 year loan term
	Sub Total				147,957	\$20,943,930	\$21,132,209		\$20,943,930	\$21,132,209		\$163,841	\$165,314	
Works														
B1	Basin 1 (includes WSUD Facility A and GPT 1)	WTP	Specific cost	Item	-	\$2,760,352	\$2,824,260	100%	\$2,760,352	\$2,824,260	127.8	\$21,594	\$22,094	2018-2023
B2	Basin 2 (includes WSUD Facilities B and C and GPT 2)	WTP	Specific cost	Item	-	\$3,365,983	\$3,443,913	100%	\$3,365,983	\$3,443,913	127.8	\$26,331	\$26,941	2018-2023
WSUD D	WSUD Facility and GPT 3	WTP	Specific cost	Item	-	\$903,574	\$924,494	100%	\$903,574	\$924,494	127.8	\$7,068	\$7,232	2018-2023
WSUD S	WSUD Facility and GPT 5	WTP	Specific cost	Item	-	\$695,785	\$711,894	100%	\$695,785	\$711,894	127.8	\$5,443	\$5,569	2023-2028
WSUD T	WSUD Facility and GPT 4	WTP	Specific cost	Item	-	\$598,985	\$612,853	100%	\$598,985	\$612,853	127.8	\$4,686	\$4,794	2023-2028
DC1/2	Drainage Corridors - Bank stabilisation	Camden Council	\$61	m ²	100,953	\$6,158,133	\$6,366,511	100%	\$6,158,133	\$6,366,511	127.8	\$48,174	\$49,804	2018-2023 (DC1) 2023-2028 (DC2)
	Loan interest for design costs (Basin 1, 2, WSUD-D and DC1)	WSC (TCorp)				\$1,504,246	\$1,504,246	100%	\$1,504,246	\$1,504,246	127.8	\$11,767	\$11,767	10 year loan term
	Sub Total			\$7,029,909.00		\$15,987,058	\$16,388,171		\$15,987,058	\$16,388,171		\$125,064	\$128,202	
Contingency														
	Contingency - on construction	IPART	20%	%	-	\$2,896,562	\$2,976,785	100%	\$2,976,785	\$2,976,785	127.8	\$22,659	\$23,287	
	Sub Total					\$2,896,562	\$2,976,785		\$2,976,785	\$2,976,785		\$22,659	\$23,287	
TOTAL						\$39,827,550	\$40,497,165		\$39,907,773	\$40,497,165		\$311,564	\$316,802	

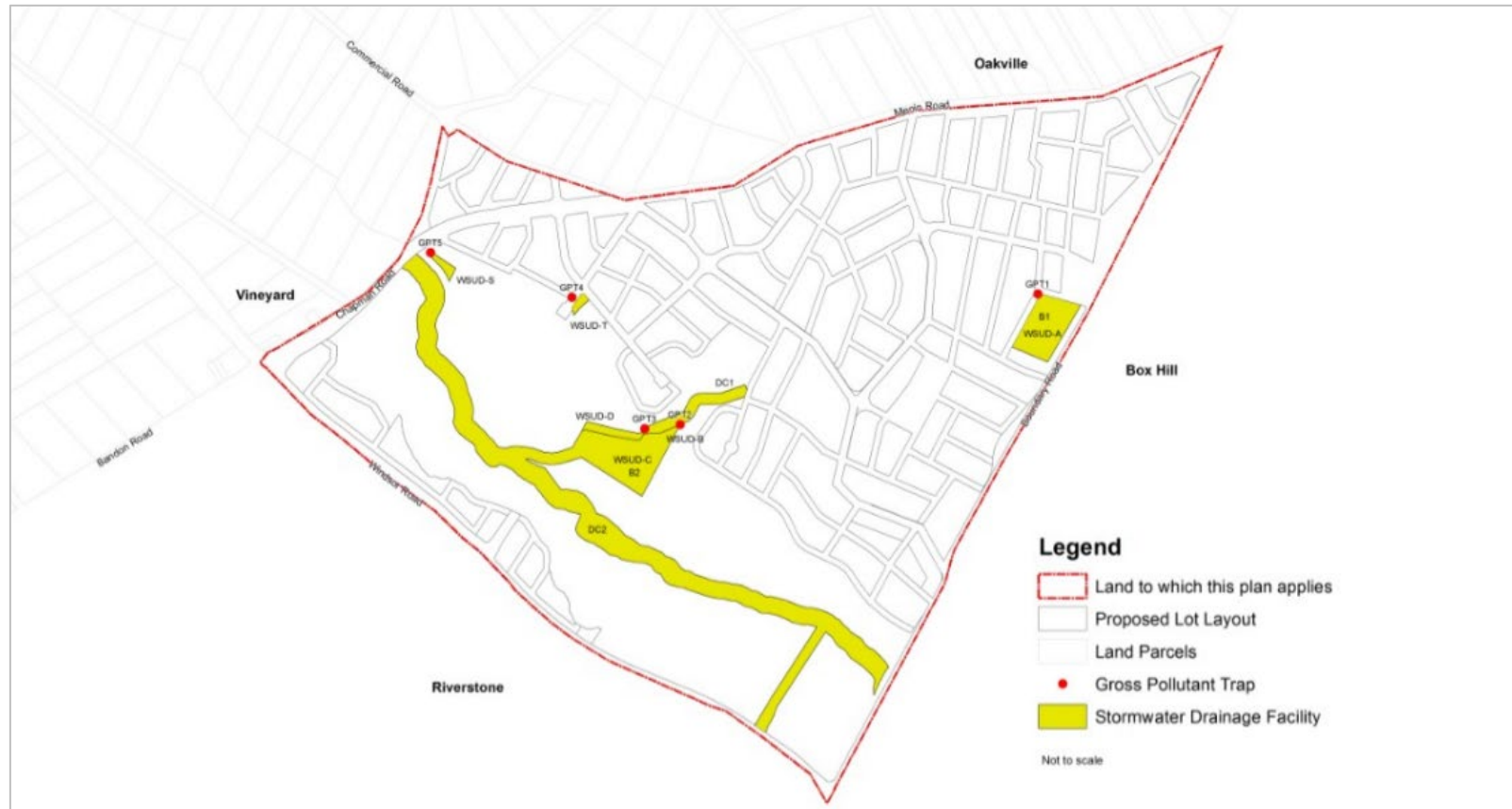


Figure B1: Vineyard Precinct – Location of Stormwater Infrastructure

APPENDIX C

Social Infrastructure

Vineyard Precinct Section 7.11 Draft Contributions Plan
Hawkesbury City Council

Vineyard Precinct Section 7.11 Contributions Plan Social Infrastructure														
Ref	Local Infrastructure item	Source	Rate	Unit	Required	Total cost	Total cost indexed to \$Mar18	Apportionment factor (%)	Apportioned cost (\$)	Apportioned cost indexed to \$Mar18	Contribution catchment (persons)	Contribution rate (\$/person)	Contribution rate indexed to \$Mar18 (\$/person)	Indicative Scheduling of Works
Land acquisition														
P1	Park 1	KD Wood	Varies	m ²	6,646	\$1,630,400	\$1,646,342	100%	\$1,630,400	\$1,646,342	7,489	\$218	\$220	2018-2023
P2	Park 2	KD Wood	\$300	m ²	6,076	\$1,822,800	\$1,840,623	100%	\$1,822,800	\$1,840,623	7,489	\$243	\$246	2023-2028
P3	Park 3	KD Wood	\$300	m ²	3,521	\$1,056,300	\$1,066,628	100%	\$1,056,300	\$1,066,628	7,489	\$141	\$142	2028-2033
P4	Park 4	KD Wood	\$100	m ²	90,912	\$9,091,200	\$9,180,092	100%	\$9,091,200	\$9,180,092	7,489	\$1,214	\$1,226	2028-2033
P5	Park 5	KD Wood	\$300	m ²	38,945	\$11,683,500	\$11,797,739	100%	\$11,683,500	\$11,797,739	7,489	\$1,560	\$1,575	2018-2023
P6	Park 6	KD Wood	Varies	m ²	3,241	\$533,700	\$538,918	100%	\$533,700	\$538,918	7,489	\$71	\$72	2023-2028
P7	Park 7	KD Wood	Varies	m ²	36,617	\$4,063,100	\$4,102,828	100%	\$4,063,100	\$4,102,828	7,489	\$543	\$548	2018-2023
P8	Park 8	KD Wood	\$300	m ²	7,073	\$2,121,900	\$2,142,647	100%	\$2,121,900	\$2,142,647	7,489	\$283	\$286	2018-2023
P9	Park 9	KD Wood	\$300	m ²	4,844	\$1,453,200	\$1,467,409	100%	\$1,453,200	\$1,467,409	7,489	\$194	\$196	2018-2023
SF	Sporting Field	KD Wood	Varies	m ²	64,192	\$10,952,600	\$11,059,692	100%	\$10,952,600	\$11,059,692	7,489	\$1,463	\$1,477	2018-2023
CF	Multipurpose community facility	KD Wood	\$500	m ²	6,000	\$3,000,000	\$3,029,333	50%	\$1,500,000	\$1,514,667	7,489	\$200	\$202	2018-2023
Sub Total					268,067	\$47,408,700	\$47,872,252		\$45,908,700	\$46,357,585		\$6,130	\$6,190	
Works														
P1	Park 1	WTP	\$82	m ²	6,646	\$547,830	\$590,518	100%	\$547,830	\$590,518	7,489	\$73	\$79	2018-2023
P2	Park 2	WTP	\$82	m ²	6,076	\$500,845	\$539,872	100%	\$500,845	\$539,872	7,489	\$67	\$72	2023-2028
P3	Park 3	WTP	\$82	m ²	3,521	\$290,236	\$312,852	100%	\$290,236	\$312,852	7,489	\$39	\$42	2028-2033
P4	Park 4 (District)	WTP	\$80	m ²	90,912	\$7,245,686	\$7,810,285	100%	\$7,245,686	\$7,810,285	7,489	\$968	\$1,043	2028-2033
P5	Park 5 (District)	WTP	\$80	m ²	38,945	\$3,103,917	\$3,345,780	100%	\$3,103,917	\$3,345,780	7,489	\$414	\$447	2018-2023
P6	Park 6	WTP	\$82	m ²	3,241	\$267,156	\$287,973	100%	\$267,156	\$287,973	7,489	\$36	\$38	2023-2028
P7	Park 7 (District)	WTP	\$80	m ²	36,617	\$2,918,375	\$3,145,781	100%	\$2,918,375	\$3,145,781	7,489	\$390	\$420	2018-2023
P8	Park 8	WTP	\$82	m ²	7,073	\$583,027	\$628,458	100%	\$583,027	\$628,458	7,489	\$78	\$84	2018-2023
P9	Park 9	WTP	\$82	m ²	4,844	\$399,291	\$430,404	100%	\$399,291	\$430,404	7,489	\$53	\$57	2018-2023
SF	Sporting Field	WTP	\$110	m ²	64,192	\$7,067,539	\$7,618,257	100%	\$7,067,539	\$7,618,257	7,489	\$944	\$1,017	2028-2033
Sub Total						\$22,923,901	\$24,710,179		\$22,923,901	\$24,710,179		\$3,061	\$3,300	
Contingency														
	Contingency - On construction	IPART	15%	%	-	\$3,438,585	\$3,706,527	100%	\$3,438,585	\$3,706,527	7,489	\$459	\$495	
Sub Total						\$3,438,585	\$3,706,527		\$3,438,585	\$3,706,527		\$459	\$495	
TOTAL						\$73,771,187	\$76,288,958		\$72,271,187	\$74,774,291		\$9,651	\$9,985	

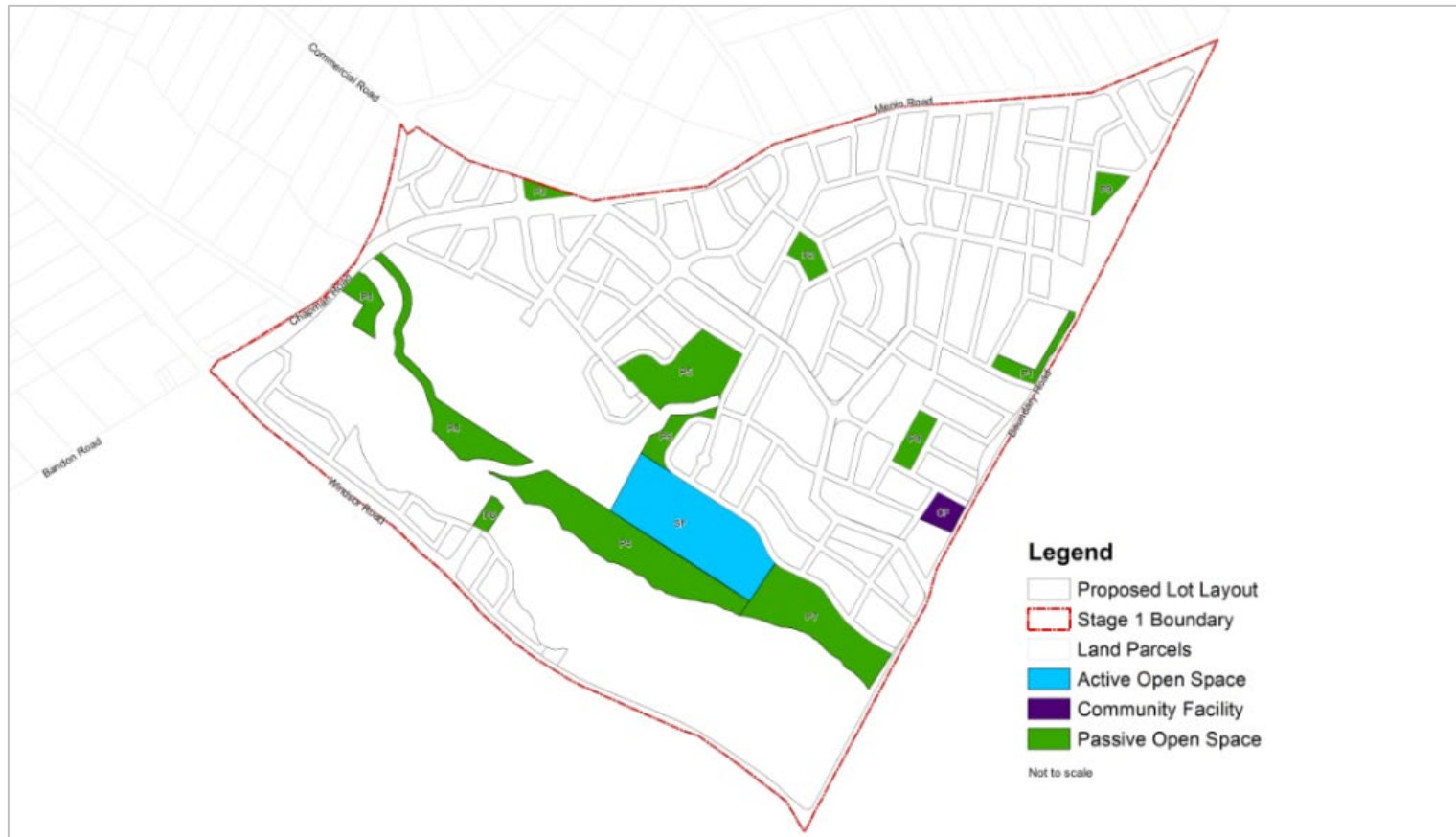


Figure C1: Vineyard Precinct – Location of Social Infrastructure

APPENDIX D

Plan Administration

Vineyard Precinct											
Section 7.11 Contributions Plan											
Plan Administration											
Ref	Local Infrastructure item	Source	Rate	Unit	Total cost of works in plan (\$)	Total cost (\$)	Apportionment factor (%)	Apportioned cost (\$)	Contribution catchment (ha)	Contribution rate (ha)	Notes to items
Plan Administration											
	Based on cost of construction works	IPART	1.5%	-	\$84,545,907	\$1,268,189	100%	\$1,268,189	127.8	\$9,921	
	Sub Total				\$84,545,907	\$1,268,189		\$1,268,189		\$9,921	
TOTAL						\$1,268,189		\$1,268,189		\$9,921	

