



Independent Pricing and Regulatory Tribunal

Application for assessment of a section 94 development contributions plan

**The Hills Shire Council
Contributions Plan No. 16 – Box Hill North Precinct**

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1 Instructions

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

Via email	Via post	In person
Attention: Nicole Haddock, Local Government Independent Pricing and Regulatory Tribunal localgovernment@ipart.nsw.gov.au	Attention: Nicole Haddock, Local Government Independent Pricing and Regulatory Tribunal PO BOX K35 Haymarket Post Shop Sydney NSW 1240	Attention: Nicole Haddock, Local Government Independent Pricing and Regulatory Tribunal Level 15 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	The Hills Shire Council
Key council contact details (please provide name, position, phone number, and email address)	Bronwyn Smith, Principal Forward Planner 9483 0269, bsmith@thehills.nsw.gov.au
Secondary council contact details (please provide name, position, phone number, and email address)	Nicholas Carlton, Senior Town Planner, 9843 0416, ncarlton@thehills.nsw.gov.au

2 Preliminary information

Please provide the following preliminary information about the contributions plan.

Preliminary information

Name of contributions plan	Contributions Plan No. 16 – Box Hill North Precinct
What is the maximum residential contribution?	\$67,364.07
Which contributions cap applies (refer to Schedule 2 of Ministerial Direction 94E)	Schedule 2 - \$20,000. Discussions with the Department have indicated that this will be increased to \$30,000.
What is the period over which the contributions plan is valid?	16 years
If this is a new contributions plan, when was it drafted and exhibited?	Drafted 2013/2014 Exhibited 5 August – 5 September 2014 Updated Post Exhibition in February 2015
If this is a revised contributions plan, when was it first adopted? When was the revised contributions plan re-exhibited?	N/A
To what extent has the Department of Planning & Environment (DP&E) been involved in the development of this plan?	Department of Planning and Environment has been involved in the process of rezoning and the Department have confirmed in writing that gap funding will be made available.
How much development has yet to occur under this plan?	100%

<p>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)?</p>	<p>Land re-zoned and <i>gazetted</i> on 20/02/2015.</p>
<p>Is there any programmed review of the above instruments which may affect the underlying assumptions within the contributions plan?</p>	<p>N/A</p>
<p>Does the council intend to apply for Local Infrastructure Growth Scheme (LIGS) funding or a special variation? Please provide specific details.</p>	<p>Yes</p>
<p>Has the Minister referred this contributions plan to IPART for review? Please provide specific details.</p>	<p>No – referred as Council will apply for LIGS Funding</p>

3 Assessment criteria

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

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

3.1 Criterion 1 – the “Essential Works List”

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

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

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.

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 following embellishments will be provided:

- Amenities block
- Seating
- Pathways
- Lighting
- BBQ's
- Playground equipment

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.

The planning proposal identified the need to provide a community centre of approximately 1,020m² within Box Hill North to service the additional expected population. This level of provision is consistent with the level adopted within the North Kellyville Precinct of approximately 77m² per 1,000 persons.

The draft Section 94 Contributions Plan includes the provision of a multi-purpose community centre which can support a range of social, leisure and cultural activities. The draft plan includes the following costs for the provision of community facilities within Box Hill North:

- \$360,000 land acquisition for the community centre;

While the provision of a multi-purpose community facility within Box Hill North is supported, the “essential works list” released by the Department of Planning and Infrastructure (Practice Note of 16 September 2010) would prohibit Council from levying for funds under Section 94 for the purpose of capital works associated with community facilities within Box Hill North. Accordingly, the \$360,000 cost associated with land acquisition for the community centre could remain in the draft Section 94 Contributions Plan however the applicant is entirely funding the \$5,700,000 of capital works associated with provision of the community centre.

3.2 Criterion 2 – Nexus

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

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

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

Checklist for the contributions plan

Does the contributions plan ...		Contributions Plan page reference(s)
Incorporate a map showing the geographical	Yes <input type="checkbox"/>	Page 7

Does the contributions plan ...		Contributions Plan page reference(s)
area(s) covered by the contributions plan?		
Detail the types of development that will occur in the precinct/ development area, and the approximate land area dedicated to each?	Yes <input type="checkbox"/>	Commencing at Page 16
Include information about:		
▼ The existing population in the precinct/development area.	Yes <input type="checkbox"/>	Commencing at Page 16
▼ The anticipated future population in the precinct/development area?	Yes <input type="checkbox"/>	
Include a complete list of infrastructure?	Yes <input type="checkbox"/>	Commencing Page 31 – Works Schedules
Include details of the rates of provision and demand calculations for the proposed infrastructure?	Yes <input type="checkbox"/>	Commencing at Page 19
Include a statement regarding design and construction standards that were used in determining the infrastructure included in the contributions plan?	Yes <input type="checkbox"/>	Page 31 – supporting studies

- 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:

J. Wyndham Prince – Water Cycle Management Strategy (“The WCMS Report”) – Box Hill North Precinct

For transport:

GTA Consultants – Box Hill North Transport and Access Impact Assessment 2013

For open space:

Elton Consulting – Box Hill North Precinct Social Planning Report 2013

For community facilities:

N/A – However mentioned in Elton Consulting – Box Hill North Precinct Social Planning Report 2013

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.

No

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.

Yes

a). The Planning Proposal was supported by a Retail Analysis prepared by LocationIQ. The findings of this analysis indicated that:

- i. The main trade area population for Box Hill North is estimated at 2,940 in 2011 and is projected to increase substantially to 20,950 persons by 2031. Indicative population estimates prepared by Elton Consulting indicate that upon completion some 13,223 persons could be accommodated within Box Hill North.
- ii. The 2013 Box Hill North main trade area population of 3,000 persons could support 4,800m² of retail floorspace. This is projected to increase substantially to around 33,520m² by 2031, reflecting the growth within the Box Hill North main trade area.
- iii. A large proportion of main trade area residents' retail requirements will be serviced by the existing and future centres including at Rouse Hill as well as the proposed Box Hill Town Centre to the south of the precinct. As such, it is unlikely that all of the demanded retail floorspace would be provided at the proposed Box Hill North activity centre.
- iv. At least 30%, should be provided within the Box Hill North main trade area. The remaining 70% of retail floorspace would be provided for by larger non-food destinations, including surrounding sub-regional and regional shopping centres. This would equate to around 1,440m² of supportable retail floorspace currently, with this provision increasing to 10,056m² by 2031.
- v. In Australia, one major full-line supermarket is typically provided for every 8,000-9,000 persons. As a result, with the primary sector population (Box Hill North release area) projected to increase to 12,410 persons by 2031 and further to 13,233 upon completion, it can be seen that there is potential for a full-line supermarket in the immediate Box Hill North release area in the longer term.
- vi. Based on the future population growth within the region, a retail centre of around 7,000 - 8,000m² would be supportable at a future activity centre. The retail component should be anchored by a full-line supermarket of 4,000m².

- vii. Based on the proposed population projections and take-up rate provided by APP and Elton Consulting, it is our view that a supermarket based centre would be supportable at Box Hill North by 2021 at the earliest, with the centre likely to trade at more successful levels once the population is more established by 2026.

The plans for the future Box Hill North activity centre indicate that the retail precinct will be located in the central precinct of the release area and along a future major road within the locality. The centre will be positioned in close proximity to higher density residential and with good access. Overall the assumptions and findings of the retail analysis are considered reasonable. The proposed centre will serve the future population within the catchment and would primarily cater for the convenience and day to day shopping needs of the local residents, anchored by a full-line supermarket. Box Hill North trade area residents would continue to utilise retail centres within the broader region including Rouse Hill or the future Box Hill Town Centre for their higher order shopping needs, particularly non-food shopping.

b). The planning proposal was supported by an Infrastructure Services Assessment prepared by J. Wyndham Prince. The findings of this assessment indicated that:

- Electricity Services:

The site is currently serviced for the low scale rural residential development that occurs on it. This system is not capable of servicing any significant development of the site without substantial upgrade. The development will include normal street lighting (to Council standards), low voltage (LV) network (for house and built development supply), high voltage (HV) distribution network and appropriate transformer (HV/LV) network.

The existing electrical reticulation within the site will be integrated into the new development street pattern to ensure that supply is continued to the existing dwellings adjacent to the development.

The development proposal can be serviced for the required electrical demands from a proposed Zone Substation to be provided by Endeavour Energy as part of the Box Hill Residential and Industrial Precincts.

Endeavour Energy are currently reviewing opportunities and site requirements for the Zone Substation location. The cost of the HV feeders from the Zone Substation and the cost of the HV/LV and Street lighting reticulation within the Precinct will be borne by the developer of the Precinct.

- Sewer Services:

The site is currently not serviced by Sydney Water sewerage infrastructure and the Precinct does not drain naturally to any Sydney Water infrastructure. In addition to the normal sewer reticulation network required for a development of this nature, the Precinct will also require the construction of a Sewerage Pumping

Station (SPS). The location of this SPS is likely to be adjacent to Maguires Road at the northern end of the Precinct. Sydney Water are currently undertaking extensions to the trunk sewerage infrastructure within the Chain-of-Ponds Creek system that includes a large diameter sewer carrier from near Boundary Road to Vineyard and thence via a new SPS to Riverstone West Wastewater Treatment Plant (WWTP).

Sydney Water have confirmed that this system can accommodate the proposed development of the Box Hill North Precinct (via the new SPS at Maguires Road).

The transfer of effluent from the Maguires Road SPS to the Chain-of-Ponds Carrier will need to be via an appropriately sized and located rising main. Current planning would suggest that the appropriate location for this is along the road reserve of Boundary Road. Subject to the installation of this SPS, rising main and the reticulation network within the Precinct, the Precinct development can be serviced with an appropriate sewer system. Sydney Water has confirmed that the new SPS and Rising Main would be subject to their procurement policies and reimbursement as development proceeds within the Precinct.

- Potable Water Services

The existing potable water service within the site is appropriately sized for the rural residential development. A significant amplification of this system will need to occur with the development of the precinct. Sydney Water has confirmed that the Bulk Supply to the precinct can occur from the Rouse Hill Elevated Reservoir, however the local supply may require a new reservoir close to the precinct.

Sydney Water currently operates the Oakville Elevated Reservoir immediately to the west of the precinct that is supplied via minor mains from Rouse Hill. It is proposed that a new surface reservoir be installed at the Oakville Reservoir site with a new supply line from Rouse Hill.

Construction and planning of the new surface reservoir and supply main will be undertaken directly with Sydney Water and the developer of the precinct. Subject to the detail system requirements and design process, this system may also require a Transfer Booster Pump to deliver the potable water to the new reservoir.

Sydney Water has confirmed that the new reservoir and supply main would be subject to their procurement policies and reimbursement as development proceeds within the precinct.

- Gas Services

The site is not currently serviced with natural gas reticulation. Jemena have confirmed that subject to appropriate notice and planning that the precinct can be serviced with natural gas.

- Telecommunications Services

The site is currently serviced with telecommunication services consistent with rural residential uses currently operating on it.

NBN Co has confirmed that the development can be serviced with appropriate Fibre to the Premise infrastructure. This will allow the individual property owner after housing is constructed to make individual arrangements with a telecommunications (broadband) provider.

7 How have neighbouring precincts been considered in demand assessment?

Yes - See the Traffic and Transport Report referred to early in this report.

As indicated within the Traffic report, discussions with the Department of Planning and Environment, The Hills Shire Council and RMS were undertaken regarding the appropriate approach to undertaking the traffic and transport assessment of the Box Hill North Planning Proposal.

Through these discussions it was agreed that the assessment needed to consider the traffic and transport implications of developing Box Hill North over and above the planned Growth Centre and in particular Box Hill and Box Hill Industrial precincts development and associated infrastructure provision.

Thus the "Base Case" to be considered is for the Year 2036 which represents:

- Full development of the Box Hill and Box Hill Industrial precincts;
- Background traffic growth; and
- Planned road network and transport improvements (see Section 2.2 of the traffic report).

Furthermore, it was agreed that the traffic and transport assumptions used in the assessment of the Box Hill and Box Hill Industrial Precincts 2 were to be utilised in the assessment of the Box Hill North planning proposal.

These assumptions included:

- Traffic generation potential for the various land uses;
- Traffic distribution and assignment to the surrounding road network;
- Trip Containment; and
- Mode Share.

With regard to transport infrastructure provision, it was agreed that the assessment of Box Hill North should identify what works were required to be provided in the ultimate development scenario (i.e. 2036) beyond those already planned for in order to accommodate the additional travel demands associated with an increased population of the Box Hill area, namely Box Hill North.

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

No -

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

Currently there is no infrastructure within the precinct as it is a rural precinct.

3.2 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)?	Yes <input type="checkbox"/>	Section 3.3 – Pages 19-29
Explain how and when the land has been valued?	Yes <input type="checkbox"/>	Section 3.3 (Pages 19-29)
Include full costs of each item of infrastructure?	Yes <input type="checkbox"/>	Works Schedules from Page 31
Explain how the council will respond to cost fluctuations and inflation?	Yes <input type="checkbox"/>	Section 2.20 (Pages 12-13)
Include a schedule of the contributions rates charged under the contributions plan (eg, this could be presented as \$/ha, \$/person, \$/dwelling)?	Yes <input type="checkbox"/>	Page 5
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 <input type="checkbox"/>	Section 2.18 – Page 12
If using a Net Present Value (NPV) approach, include assumptions made in the modelling of costs and revenue?	Yes <input type="checkbox"/>	Section 2.20 (Pages 12-13)
Include a schedule of land acquisitions required for the proposed infrastructure?	Yes <input type="checkbox"/>	Page 39 – Summary of Land Acquisition

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.

EJ Cooper will be providing the entire necessary infrastructure at no additional cost to Council. As a result of this the costing's used for the purpose of the Section 94 Contributions Plan have been based on the reports prepared by the developers.

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).

All land to be dedicated to Council by the Developer in accordance with the associated VPA. As such, the value of land acquisition is based on the actual acquisition price paid by the Developer. This ranges from \$50.5 / m² to \$180 / m² and is an accurate representation of market value (especially considering it is the actual price for which the land was acquired). See "Works Schedule - Devt Costings" worksheet within the "CP16 Box Hill North Financial Model".

As the land values are fixed from Year 1 of the Plan and land will be acquired at the outset of the plan by the Developer in accordance with the associated VPA, this land acquisition has been included as an actual cost in Year 1 of the Plan.

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.

No

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

Yes - Section 2.20 (Pages 12-14) and "Indexation Assumptions" on Page 40.

Nominal NPV Model applied with the following assumptions:

Land Acquisition Index

The land acquisition indexation assumption is based upon an average of the annual percentage change in the Australian Bureau of Statistics Established House Price index for Sydney over the past 11 years from December 2002 to December 2013.

Capital Expenditure Index

The capital expenditure indexation assumption is based upon an average of the annual percentage change in the Australia Bureau of Statistics Producer Price Index for New South Wales over the past 15 years from December 1998 to December 2013.

Administrative Costs Index

Administrative costs will be indexed at 2.5% which represents the midpoint of the Reserve Bank of Australia's inflation target of 2-3%, on average over the cycle.

Indexed Expenditure

Total of Indexed land acquisition, capital or administrative costs.

Revenue Projections

Revenue will be indexed at 2.5% which represents the midpoint of the Reserve Bank of Australia's inflation target of 2-3%, on average over the cycle.

Consistent with the Draft Technical Paper Modelling Local Development Contributions (Selection of a discount rate for Councils that use an NPV methodology) prepared by IPART.

See pages 12-14 of Contributions Plan for more details.

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

The Contributions Plan models the use of internal borrowings to deliver infrastructure projects with a 4.5% discount rate - NSW treasury Corporation 10-year bond rate (quoted as a precented and sourced from the Reserve Bank of Australia. Consistent with the Draft Technical Paper Modelling Local Development Contributions (Selection of a discount rate for Councils that use an NPV methodology) prepared by IPART.

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

The VPA will ensure that all local infrastructure necessary to facilitate the urban development of the Precinct will be provided by the proponent, at no cost to Council. Contribution Plan 16 will ensure that appropriate contributions are levied from lots which are not owned by the proponent. Council is only liable to transfer to the proponent monies actually received through Contribution Plan 16 as well as any associated "Contribution Gap Funding" actually received from the NSW Government for infrastructure nominated in the VPA.

To reduce costs, the majority of land acquisition has been assumed to be an actual cost in Year 1 of the plan as this land will be acquired at the outset of the plan by the Developer in accordance with the associated VPA. The actual land value paid has been included and no escalation of this cost occurs over the life of the Contributions Plan. Further, income in Year 1 of the Plan has been matched to the expenditure on land acquisition to ensure that these costs incurred by the developer are not subject to the rate of return (4.5%) detailed above. That is, the land acquisition undertaken by the developer is **not** assumed to be funded through internal borrowings as it is owned by the Developer from the commencement of the Plan. This substantially decreases the costs in the Plan and associated Contribution Rate.

3.3 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?	Yes <input type="checkbox"/>	Page 5
Include a program for infrastructure delivery and explain how it relates to the anticipated development growth rates?	Yes <input type="checkbox"/>	Page 40
Include a statement regarding revision of the scheduled infrastructure timing?	Yes <input type="checkbox"/>	Section 2.21 (Pages 14)
Include the projected timing of expenditure?	Yes <input type="checkbox"/>	Page 40

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?

The Developer will be providing all infrastructure in accordance with the associated VPA. As such, Council has relied on the staging proposed by the applicant which will be linked with the development, release and sale of land/properties within the Precinct.

3.4 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 <input type="checkbox"/>	Pages 29, 32-34, 36-38 and 40-43.
Explain the relationship between the facilities and any existing population?	Yes <input type="checkbox"/>	Pages 26-37

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:

A Water Cycle and Flood Management Strategy Report prepared by J Wyndham Prince Pty Ltd (July 2013) was submitted in support of the planning proposal. The report identifies the need for the following stormwater management infrastructure:

- Thirteen (13) bio-retention systems and raingardens (total area of 14,480m²);
- Six (6) detention basins (total volume of 183,700m³);
- Three (3) swales with a total length of approximately 665m; and
- Four (4) culverts.

It is considered reasonable that the draft Section 94 Contributions Plan identifies \$24,770,000 of land acquisition and capital works associated with stormwater management within the precinct.

To ensure an equitable distribution of the costs associated with the provision of infrastructure, Council has prepared a draft Section 94 Contributions Plan which would levy future development on the six (6) privately owned properties. This Plan effectively provides for the recoupment of funds towards the local infrastructure and land dedicated that support the development of these six (6) properties under the Voluntary Planning Agreement with Council. The Voluntary Planning Agreement excludes the application of Section 94 of the *Environmental Planning and Assessment Act 1979* to all land subject to the Voluntary Planning Agreement and as such Section 94 Contributions could only be levied with respect to future development on the six (6) privately owned properties. Contributions would be collected by Council and provided to the proponent, in accordance with the provisions of the agreement.

In order to determine the appropriate amount to levy future development on the six (6) privately owned properties, the draft Section 94 Contributions Plan establishes a contribution rate based on the total value of the local infrastructure to be delivered and land to be dedicated by the developer under the Voluntary Planning Agreement (with the exception of the construction of the community facility which will be entirely funded through the Voluntary Planning Agreement) as well as the costs to Council associated with the preparation, ongoing review and implementation of the Contributions Plan. To ensure an equitable distribution of the costs associated with the provision of infrastructure, Council has prepared a draft Section 94 Contributions Plan which would levy future development on the six (6) privately owned properties. This Plan effectively provides for the recoupment of funds towards the local infrastructure and land dedicated that support the development of these six (6) properties under the Voluntary Planning Agreement with Council. The Voluntary Planning Agreement excludes the application of Section 94 of the *Environmental Planning and Assessment Act 1979* to all land subject to the Voluntary Planning Agreement and as such Section 94 Contributions could only be levied with respect to future development on the six (6) privately owned properties. Contributions would be collected by Council and provided to the proponent, in accordance with the provisions of the agreement.

In order to determine the appropriate amount to levy future development on the six (6) privately owned properties, the draft Section 94 Contributions Plan establishes a contribution rate based on the total value of the local infrastructure to be delivered and land to be dedicated by the developer under the Voluntary Planning Agreement (with the exception of the construction of the community facility which will be entirely funded through the Voluntary Planning Agreement) as well as the costs to Council associated with the preparation, ongoing review and implementation of the Contributions.

For transport:

A Traffic Report prepared by GTA Consultants has been submitted in support of the planning proposal. The Traffic Report sets out an assessment of the anticipated transport implications of the planning proposal, including consideration of the following:

- Existing and base year (2036) traffic conditions surrounding the site;
- The traffic generating characteristics of the planning proposal; and
- The transport impact of the planning proposal on the surrounding road network.

The assessment identified transport infrastructure improvements required in addition to those already planned and funded through the North West Growth Centre planning framework to accommodate the increased population proposed for the Box Hill North Precinct. With the existing and planned future local transport connections through the Box Hill and Box Hill Industrial Precinct, Box

Hill North will ultimately have adequate connections to the regional transport networks. A number of traffic improvements will be required to support the projected traffic volume resulting from the full development of the Box Hill North Precinct. These improvements will include the construction of dual-lane roundabouts at all four (4) intersections along Old Pitt Town Road, the extension of turning lane lengths along five (5) of the six (6) intersections along Windsor Road (between Boundary Road and Annangrove Road), and pavement widening along Boundary Road to accommodate left turning lanes.

For open space:

A social planning report prepared by Elton Consulting was submitted in support of the planning proposal. The social planning report sets out an assessment of the how the needs of the Box Hill North population for community and human services will be addressed.

The open space plan for Box Hill North provides a total of 66.76 hectares of land which comprises of the following;

- Sporting fields providing for two (2) sportsgrounds each containing a double playing field,
- Local parks, a district park and linear open space for informal recreation, which will together allow for a diversity of recreation opportunities and a hierarchy of children’s playgrounds,
- Linear open space associated with the riparian corridors, which will allow for a network of walking and cycling paths, enjoyment of natural settings and associated picnic and play areas.

For community facilities:

N/A

3.5 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 <input type="checkbox"/>	Details in Attached Council Report
Or any supporting information include details of the community liaison undertaken?	Yes <input type="checkbox"/>	Details in Attached Council Report
Or any supporting information include a summary of submissions received and the council's response?	Yes <input type="checkbox"/>	Details in Attached Council Report

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

Contributions Plan publicly exhibited between 5/08/2014 and 5/09/2014

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

Changes were made to the Contributions Plan and Voluntary Planning Agreement to update data, clarify the scope of works required and provide for the staged provision of works.

The key amendments to the draft Contributions Plan included:

- Updated census data to use census 2011;
- Additional details have been included in the descriptions for water management embellishment and open space facility items to provide identification of the scope and nature of works to be completed; and
- All maps have been updated to reflect the amended Indicative Layout Plan.

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

No.

3.6 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?

The Voluntary Planning Agreement provides for the delivery of the local infrastructure (and dedication of associated land) needed to facilitate the release of the Box Hill North Precinct for urban development. It will deliver the following infrastructure and facilities to meet the needs of an expected 13,500 persons to Councils standards and but at no cost to Council:

- Open space facilities including local active and passive open space (playing fields, playgrounds and pedestrian and cycle paths);
- Community facilities (a multi-purpose community facility);
- Transport and traffic facilities (new roads, intersection upgrades and public transport facilities); and
- Water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban development.

In accordance with Council’s resolution of 13 May 2014, the VPA was amended prior to exhibition to address a number of matters including:

- ensuring dedicated land may be used in accordance with the applicable zone;
- linking the construction of infrastructure to a staging plan;
- ensuring any infrastructure is completed to Council’s standards;
- ensuring that any land dedicated to Council is clean and free of contaminants;
- providing legal descriptions of each parcel of land to be dedicated;
- specifying that Council is only required to recoup the developer the value of contributions actually received, at the time the money has actually been received by Council; and
- Requiring payment of an additional monetary contribution for any dwellings provided above the number of dwellings that would be supported by the level of infrastructure and services identified in the Contributions Plan.

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?

The Voluntary Planning Agreement and Section 94 Contributions Plan are necessary to provide the framework for delivery of the infrastructure required to support future development.

(a) Voluntary Planning Agreement (VPA)

The draft Voluntary Planning Agreement provides for the delivery of the local infrastructure (and dedication of associated land) needed to facilitate the release of the Box Hill North Precinct for urban development. It will deliver the following infrastructure and facilities to meet the needs of an expected 13,500 persons to Councils standards and but at no cost to Council:

- Open space facilities including local active and passive open space (playing fields, playgrounds and pedestrian and cycle paths);
- Community facilities (a multi-purpose community facility);
- Transport and traffic facilities (new roads, intersection upgrades and public transport facilities); and
- Water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban development.

In accordance with Council's resolution of 13 May 2014, the VPA was amended prior to exhibition to address a number of matters including:

- ensuring dedicated land may be used in accordance with the applicable zone;
- linking the construction of infrastructure to a staging plan;
- ensuring any infrastructure is completed to Council's standards;
- ensuring that any land dedicated to Council is clean and free of contaminants;
- providing legal descriptions of each parcel of land to be dedicated;
- specifying that Council is only required to recoup the developer the value of contributions actually received, at the time the money has actually been received by Council; and
- Requiring payment of an additional monetary contribution for any dwellings provided above the number of dwellings that would be supported by the level of infrastructure and services identified in the Contributions Plan.

(b) Section 94 Contributions Plan

While the proponent will be required to deliver the necessary local infrastructure to support urban development under the Voluntary Planning Agreement, there are seven (7) lots within the Box Hill North Precinct which are not controlled by the proponent and as such are not subject to the provisions of the Voluntary

Planning Agreement. When developed these seven (7) lots are expected to accommodate approximately 680 new dwellings within the Precinct.

Contributions Plan 16 will levy monetary contributions from future development on these lots as they will benefit from the infrastructure to be provided by the proponent under the VPA. Monetary contributions collected will be reimbursed to the proponent to ensure an equitable distribution of costs associated with the provision of infrastructure.

Once the planning proposal is finalised, portions of three (3) properties, not controlled by the proponent, will be zoned for open space and become an acquisition liability for Council. However, Contributions Plan 16 identifies these parcels for acquisition and provides for dedication as an offset in lieu of monetary contributions.

While the proponent will be required to deliver the necessary local infrastructure to support urban development under the Voluntary Planning Agreement, there are seven (7) lots within the Box Hill North Precinct which are not controlled by the proponent and as such are not subject to the provisions of the Voluntary Planning Agreement. When developed these seven (7) lots are expected to accommodate approximately 680 new dwellings within the Precinct.

4 Quality assurance

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

Has the contributions plan been checked for...	
Typographical errors?	Yes <input type="checkbox"/>
Calculation errors? This includes checking infrastructure and land cost calculations.	Yes <input type="checkbox"/>
Outdated information and revisions?	Yes <input type="checkbox"/>

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

Normal Council QA Process involving the review of work by 3-5 senior staff members.

5 Attachment checklist

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

Checklist	Attached
Version of contributions plan incorporating any post-exhibition changes	Yes <input type="checkbox"/>
Version of contributions plan exhibited	Yes <input type="checkbox"/>
Copy of all submissions to the contributions plan	Yes <input type="checkbox"/>
Summary of submissions and council's response	Yes <input type="checkbox"/>
Works schedules (preferably in Excel format)	Yes <input type="checkbox"/>
Maps:	
▼ Final Indicative Layout Plan	Yes <input type="checkbox"/>
▼ Zoning maps	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>
▼ Land acquisition maps	Yes <input type="checkbox"/>
▼ Contribution catchment maps	
Breakdown of maximum residential rate by infrastructure category	n/a
NPV model (if applicable)	Yes <input type="checkbox"/>
Expected residential densities and yields table (this may contain a breakdown of development types and areas, dwelling yields, occupancy rates, population)	Yes <input type="checkbox"/>
Supporting studies:	
▼ For stormwater management (eg, Flooding and Water Cycle Management report)	Yes <input type="checkbox"/>
▼	Yes <input type="checkbox"/>
▼ Transport infrastructure (eg, Traffic and Transport Assessment report)	Yes <input type="checkbox"/>
▼ Open space and recreational facilities (eg, Demographic and Social Infrastructure report)	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>
▼ Community facilities (eg, Demographic and Social Infrastructure report)	
▼ Other studies (eg, Post-Exhibition Planning Report)	
Other studies prepared during the precinct planning stage	Yes <input type="checkbox"/>
VPA's (if relevant)	Yes <input type="checkbox"/>
Schedule of land acquisitions	Yes <input type="checkbox"/>
Land valuation report	Yes <input type="checkbox"/>

