

contributions plan

No.22L

section **94**

Rouse Hill (Land)

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1. Introduction and Administration of the Plan

1.1 Name of the Plan

This contributions plan is called ‘Section 94 Contributions Plan No.22L – Rouse Hill (Land). Unless otherwise stated in this plan, “Rouse Hill” means the “Area 20 and Riverstone East Precincts”.

1.2 Purpose of Plan

This contributions plan outlines Council's policy regarding the application of Section 94 (S.94) of the Environmental Planning and Assessment Act, 1979 in relation to the acquisition of land required to provide local infrastructure and baseline facilities within Rouse Hill.

Although facilities (works) are discussed throughout this plan, this is only to provide context for the land to be acquired for these facilities. To be clear, this plan only calculates the required contributions needed to acquire land.

Within Rouse Hill, S.94 contributions are levied for land acquisitions to provide the following amenities and services:

- Water Cycle Management Facilities
- Traffic & Transport Management Facilities
- Open Space and Recreation Facilities
- Community Facilities
- Reserve 867, Local Conservation Zone - Riverstone (apportioned).

This plan has been prepared in accordance with:

- Environmental Planning and Assessment Act, 1979 (EPA Act)
- Environmental Planning and Assessment Regulation, 2000; (EPA Regulation)
- in conjunction with the Indicative Layout Plans for the Area 20 and Riverstone East
- IPART's assessments of Blacktown City's Contributions Plans No's 20¹, 21², 22³, 24⁴ and revised 21⁵
- having regard to the Practice Notes issued by the NSW Department of Planning (2005) in Accordance with clause 26(1) of the EPA Regulation.

The initial contributions plan for the Area 20 Precinct only, was assessed by IPART in 2012. IPART's assessment is available on its website. Following assessment, IPART's recommended cost adjustments were implemented prior to adoption. The contributions plan was then adopted by Council on 22 May 2013 and came into force on 5 June 2013.

This revision of the contributions plan now includes stages 1 and 2 of the Riverstone East Precinct⁶. This revised plan only includes the land acquired or to be acquired for the Area 20 and Riverstone East Precincts.

The S.94 contributions contained in this plan have been determined on the basis of "contribution catchments". This is the area over which the contribution is calculated for land acquisition in that particular catchment. Within each catchment there is land to be, or already acquired.

¹ Assessments of Blacktown City Council's Section 94 Contributions Plan No 20 – Riverstone and Alex Avenue Precincts July 2016, March 2015 and October 2011

² Assessment of Blacktown City Council's Section 94 Contributions Plan No 21 – Marsden Park Industrial Precinct September 2012

³ Assessment of Blacktown City Council's Section 94 Contributions Plan No 22 – Area 20 Precinct September 2012

⁴ Assessment of Blacktown City Council's Section 94 Contributions Plan No 24 – Schofields Precinct August 2014

⁵ Assessment of Blacktown City Council's Section 94 Contributions Plan No 21 – Marsden Park 2017

⁶ Stages 1 and 2 of the Riverstone East Indicative Layout Plan

Council applies contribution formulae to each catchment for the purpose of calculating the contribution rate applicable to that catchment. The formulae take into account the cost of land already acquired, the estimated cost of acquiring land required for infrastructure, and the size of the catchment area. The total cost of acquiring this land is distributed over the total catchment on an equitable basis.

1.3 Commencement of this Plan

This plan takes effect from the date on which public notice was published, pursuant to clause 31 (4) of the EPA Regulation.

1.4 Principles of Section 94

Section 94 permits Council to require persons or entities developing land to pay monetary contributions, provide capital works (works in kind), and/or dedicate land in order to help fund the increased demand for public amenities and public services (amenities and services) generated through their developments.

The 3 general principles in applying Section 94 contributions are:

1. A contribution must be for, or relate to, a planning purpose.
2. A contribution must fairly and reasonably relate to the subject development.
3. The contribution must be such that a reasonable planning authority, duly applying its statutory duties, could have properly imposed.

Council may either:

- require a dedication of land
- a monetary contribution
- material public benefit (works-in-kind)
- a combination of some or all of the above.

One of the fundamental responsibilities of any Council in imposing S.94 contributions is to ensure that the contributions levied are reasonable. That is, the acquisition land for the works and facilities to be provided must be as a direct consequence of the development on which the contributions are levied. In keeping with this responsibility, S.94 contributions levied on development as a result of this plan are limited to acquiring land for the purpose of providing amenities and services to the minimum level necessary to sustain an acceptable form of urban development.

1.5 Aims and Objectives

The aims and objectives of this plan are to:

- ensure that S.94 contributions levied on development within Rouse Hill are reasonable
- ensure that the method of levying S.94 contributions is practical
- ensure that an appropriate level of land acquisitions occurs within Rouse Hill
- employ a user pays policy for the acquisition of land within Rouse Hill so that the existing residents of the City are not subsidising new urban development
- ensure that the land acquired is not for the purpose of making up shortfalls in other areas
- ensure land is acquired in an orderly and strategic manner
- make clear Council's intentions regarding the location and timing of acquisition land within Rouse Hill.

1.6 Land to Which the Plan Applies

This contributions plan applies to land within the Area 20 Precinct the Riverstone East Precinct⁷, which are two of the release precincts in the North West Priority Growth Area.

Note: this contributions plan only levies contributions on development in zoned land for Area 20 and Stages 1 and 2 of the Riverstone East Precinct.

The Area 20 Precinct is bounded by Windsor Road to the east, Schofields Road to the south and the ridge line to the west.

The Riverstone East Precinct is bounded by Schofields Road to the south, Windsor Road to the north east and First Ponds Creek to the west. Maps showing the location of the Area 20 and Riverstone East Precincts as **Figures 1 and 2** are shown on the following pages.

The boundaries of the specific contribution catchments are detailed in Appendices A and B.

Land to be acquired is identified on the Land Reservation Acquisitions Maps in Appendix C.

⁷ For more information of the Precincts, go to <http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts>

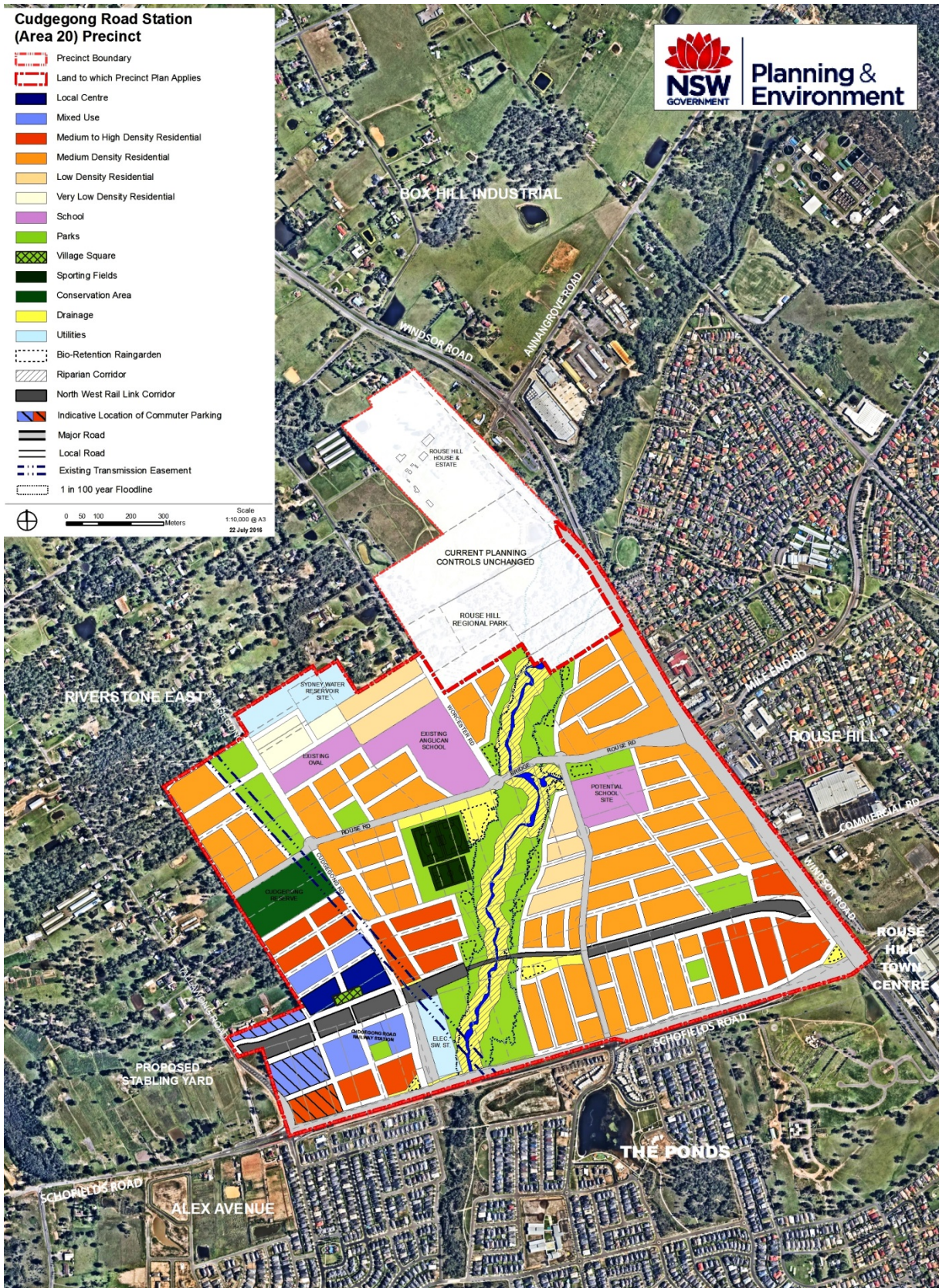


Figure 1 - Area 20 Precinct

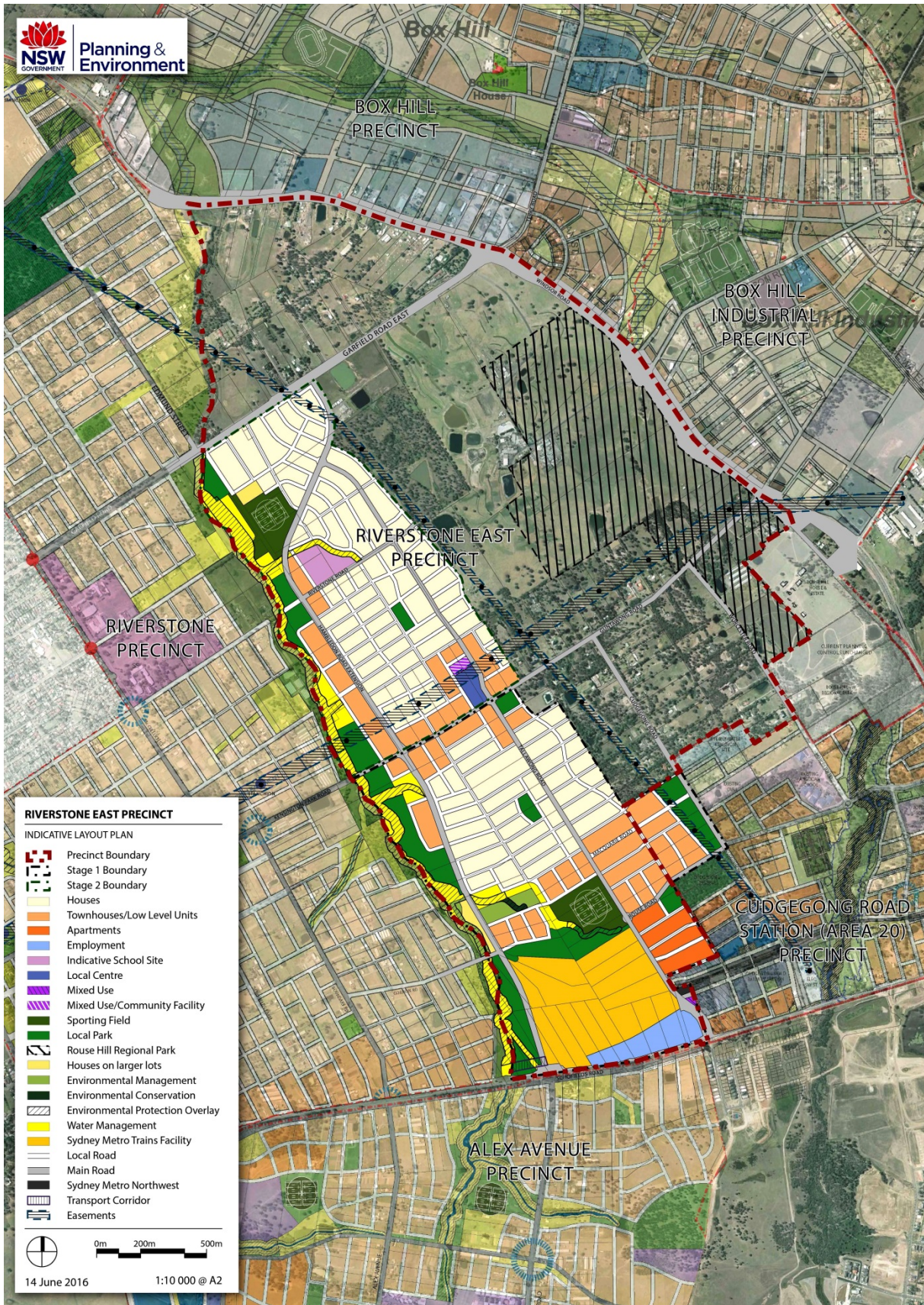


Figure 2 - Riverstone East Precinct

1.7 Development to which the Plan Applies

This plan applies to all developments occurring within the Area 20 and Riverstone East (Stages 1 and 2) Precincts catchment areas that require the submission of a development application or an application for a complying development certificate, including the intensification of use of a site involving expansion of area occupied by a development and/or the addition of population.

1.8 Secondary dwellings (granny flats)

A granny flat, or secondary dwelling, is self-contained accommodation within, attached or separate to an individual home. Councils or accredited certifiers can certify granny flats as complying development without the need for a development application, provided they meet the specific development standards in the State Environmental Planning Policy (Affordable Rental Housing) 2009.

To be allowed to build a granny flat as complying development it must be:

- a) Established in conjunction with another dwelling (the principal dwelling),
- b) On the same lot of land as the principal dwelling (and not an individual lot in a strata plan or community title scheme), and
- c) May be within, attached to, or separate from the principal dwelling.

“Granny Flat” is generally defined when assessing development applications as:

- self-contained units of any type which have their own kitchen and bathroom
- self-contained studios
- secondary dwellings under *State Environmental Planning Policy (Affordable Rental Housing) 2009* (AHSEPP)
- fonzie flats
- complying development dual-occupancies.

Note: A bedroom is a room designed or intended for use as a bedroom or any room capable of being adapted to or used as a separate bedroom.

The above list is a guide only. The assessment of development applications determines whether the type of development is subject to section 94 contributions. For avoidance of doubt, secondary dwellings (granny flats) are developments to which this plan applies.

1.9 Construction Certificates and the Obligation of Accredited Certifiers

In accordance with section 94EC of the *EP&A Act* and Clause 146 of the *EP&A Regulation*, a certifying authority must not issue a construction certificate for building work or subdivision under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that Contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with clause 142(2) of the *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

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

1.10 Complying Development and the Obligation of Accredited Certifiers

In accordance with S94EC(1) of the EP&A Act, accredited certifiers must impose a condition requiring monetary contributions in accordance with this contributions plan, which satisfies the following criteria.

The conditions imposed must be consistent with Council's standard section 94 consent conditions and be strictly in accordance with this contributions plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the section 94 condition correctly.

1.11 Relationship to Other Plans

Environmental Planning Instruments and controls apply to the Area 20 and Riverstone East Precincts. These include:

- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- Blacktown City Council Priority Growth Area Precincts Development Control Plan
- Section 94 Contributions Plan No.22W – Rouse Hill (Works).

1.12 Capacity of Land for existing Facilities to meet Development Demand

The land for existing facilities does not have the capacity to meet the demand for infrastructure created by the new development. As a predominantly greenfield area Rouse Hill requires land for new infrastructure, as well as land for infrastructure upgrades to meet infrastructure demand created by new development.

1.13 Project Mix of Land Uses for Rouse Hill

Rouse Hill, through its new land use zones and Indicative Layout Plans, will provide for a range of land uses in the precinct to support the incoming population. These land uses include:

- regional open space (Rouse Hill Regional Park and Rouse Hill House Estate)
- open space and conservation areas
- sporting fields
- water management
- environmental living
- low density residential developable land
- medium density residential developable land
- high density residential developable land
- local centre and mixed use zones
- mixed use / community facility
- employment land
- other non-residential development, which includes the North West Rail Link corridor, station and car parks; schools; switching station; water reservoir; Feeder 9JA electrical easement; proposed s94 and collector roads, existing local and classified roads.

1.14 Projected Development and Population Yield

The Area 20 Precinct has net development yield of approximately 4,400⁸ dwellings to cater for a population of approximately 13,420⁹ residents.

The Riverstone East Precinct has net development yield of approximately 5,800¹⁰ dwellings to cater for a population of approximately 17,817¹¹ residents.

⁸ Marsden Park Precinct Post-Exhibition Planning Report

⁹ Department of Planning and Environment advice - 3.05 average persons per dwelling

¹⁰ Department of Planning and Environment advice – 5,800 dwellings for the whole Precinct

¹¹ Department of Planning and Environment advice - 3.07 average persons per dwelling

1.15 Anticipated Population Growth Rates

Rouse Hill has fragmented land ownership which means that no single developer will be responsible for the progressive servicing and development. As a result, development can only occur once the relevant service providers such as Sydney Water have completed the necessary works to enable development to begin. Therefore, in the absence of a development staging plan, it is difficult to determine the anticipated population growth rates for the precinct overtime.

1.16 Assumptions Benchmarks and Standards

The following benchmarks have generally been used to determine the land uses, which have been refined during precinct planning:

- **Open Space and Recreation:**
 - Overall open space provision: 2.83ha/1,000 residents
 - Rates for specific uses are based on the rates stipulated in the Growth Centres Development Code 2006, input from Blacktown City Council and specialist studies.

1.17 Relationship to Special Infrastructure Contributions

This Plan does not affect the determination, collection or administration of any special infrastructure contribution (SIC)¹² levied under Section 94EF of the EPA Act in respect to development on land to which this Plan applies.

Applicants should refer to the most recent SIC Practice Notes issued by the Department of Planning and Infrastructure for details on the application of special infrastructure contributions to the Growth Centres Precincts.

1.18 The Monitoring and Review of this Plan

This plan will be subject to regular review by Council. Council's Section 94 Finance Committee considers the need for reviews of all of Council's contributions plans when they meet monthly. Council generally aims to have contributions plans reviewed annually in fast-growing release areas.

The purpose of any review is to ensure that:

- contribution levels reflect current land acquisition costs
- the level of provision reflects current planning and engineering practice and likely population trends
- land acquisition schedules are amended if development levels and income received differ from current expectations. Planning proposals are also likely to lead to a review of this plan.

Any changes to the plan must be prepared in accordance with the Act and Regulation and placed on public exhibition for a minimum period of 28 days. The nature of any changes proposed and the reasons for these will be clearly outlined as part of the public participation process.

Council welcomes the comments of interested persons in relation to this plan at any time.

1.19 Priority of works and facilities

The Minister for Planning has issued a direction to councils under S.94E of the Environmental Planning and Assessment Act 1979 (**EPA Act**).

¹² The Special Infrastructure Contribution is a financial payment made by the developer during the development process to help fund regional infrastructure. For more information go to http://growthcentres.planning.nsw.gov.au/Portals/0/Infrastructure%20Docs/SIC_Practice_Note_November_2008.pdf

The Minister's direction has the effect of preventing Council from making a s94 contributions plan that authorises the imposition of conditions of consent requiring monetary s94 contributions for certain residential development in excess of the monetary cap specified by or under the Direction. For land within "LIGS Transition Areas", an incremental cap applies per residential lot/dwelling¹³. This provision aside, this plan would authorise contributions in excess of the monetary cap.

For that reason, and for so long as the Direction or any similar replacement direction (**Direction**) remains in place, it may not be possible to fund all of the works and facilities identified in this plan.

Accordingly, the categories of works for which contributions are to be sought in respect of the relevant residential development under this plan have been prioritised.

The order of priority of the categories of works (from highest to lowest) is as follows:

1. Water Cycle Management Facilities.
2. Traffic & Transport Management Facilities.
3. Open Space and Recreation Facilities.
4. Community Facilities
5. Combined Precinct Facility (E2 Conservation Zone)

Based on the above priorities:

- in the event that the contributions imposed under this plan are greater than the monetary cap referred to above, the contributions will be allocated in accordance with the above order of priorities with the contribution for the lowest priority category is reduced commensurately in order to not exceed the monetary cap
- in the unlikely event that the contributions imposed under this plan are less than the monetary cap referred to above, the base rates in Appendix I are applicable.

The categories of works and facilities for which contributions are sought in accordance with the priorities shall be specified in the s94 condition.

1.20 Timing of Provision of Items

The acquisition of land contained in this plan has been prioritised. The priority has been determined having regard for:

- existing development trends. For example, the acquisition of land for parks in faster growing residential areas will have a higher priority than slower growing areas
- anticipated revenue. Council's ability to forward fund Section 94 land acquisitions is limited. As such the timing of land acquisitions is very much dependant on the receipt of adequate S94 funds and Council's S94 works program.

As noted in Section 1.17 above, regular reviews of this plan are undertaken. Development trends are monitored and revenue estimates are revised as part of the review process and as a result, the priority of land acquisitions can change.

1.21 Pooling of funds

This plan authorises monetary Section 94 contributions paid for different purposes to be pooled and applied progressively for those purposes. The priorities for the expenditure of pooled monetary section 94 contributions under this plan are the priorities for land acquisitions.

¹³ Refer Minister's Section 94E Direction dated 17 July 2017

1.22 Financial Information

A separate annual statement is prepared by Council following the end of each financial year. This accounting record contains details of total contributions received, total contributions expended and total interest earned for each plan and is available for inspection free of charge from Council's Corporate Finance Section.

1.23 Enquiries regarding this Plan

Enquiries in relation to this or any other Contributions Plan can be made either by phoning Council's Information Centre on 9839 6000 between 8.00 am and 5.30 pm Monday to Friday or by visiting the Information Centre on the Ground Floor of the Civic Centre in Flushcombe Road, Blacktown between 8.00 am to 5.30 pm Monday to Friday.

1.24 Contributions Register

A copy of the Contributions Register is also available for inspection free of charge, and can be viewed at the Information Centre. As this register spans many years, persons wishing to view the whole register (rather than details in relation to a particular property) will need to contact Council's Section 94 Officer or Co-ordinator Contributions in advance to ensure suitable arrangements can be made to view this information.

2 Land Value Rates

2.1 Engagement of an Independent Registered Valuer

Council engaged M J Davis Valuations Pty Ltd to provide independent estimated land value rates for land to be acquired in the Area 20 and Riverstone East Precincts. Specifically they estimated average rates which might apply as at November 2017 to the following categories/underlying zones:

Area 20 Precinct

Zone R2 - Low Density Residential
Zone R3 - Medium Density Residential (8.5m,12m,16m,18m & 26m Height of Building)
Zone B2 – Local Centre (26m Height of Building)
Zone B4 – Mixed Use (26m Height of Building)
Englobo Constrained Land (/Zone E2)

Riverstone East – Stages 1 & 2

Zone R2 - Low Density Residential
Zone R3 - Medium Density Residential (12m & 16m Height of Building)
Zone B4 – Mixed Use (14m Height of Building)
Englobo Constrained Land (/Zone E2)

Riverstone East – Stage 3 Precinct Land Values ‘As If Re-zoned’

Zone R2 - Low Density Residential
Zone R3 - Medium Density Residential (Assumed 12m Height of Building)
Englobo Constrained Land (/Zone E2)

2.2 Costing methodology

The cost of land in this plan is based on two costing approaches for land, applied consistently for each infrastructure category:

1. For land already acquired, the actual amount for which the land was acquired (including ¹⁴other acquisitions costs) indexed by the CPI is applied.
2. For land yet to be acquired Council applies the average underlying Englobo rates provided by the independent valuer to the individual parcels of land yet to be acquired. We then consider the development potential of any constrained land and whether a higher rate than the constrained rate is likely to be paid. Council then adds 1.5% for estimated “other acquisition costs”.

Both approaches are used to calculate the total cost of land, which will be levied on development under this plan.

2.3 Estimated average values and actual compensation

The independent estimated land value rates for land to be acquired in Rouse Hill are not disclosed in this plan. This is to ensure there is no confusion between the average rates used in this plan and the ‘Market Value’ (at the time of acquisition) or Valuer General Determination of compensation, which are discussed below.

2.4 Acquiring land

In NSW all levels of government can acquire privately owned land for public purposes. They may acquire the whole property or part of a property.

¹⁴ Other acquisition costs include consultants, legal, solatium, disbursements under the Just Terms Compensation Act, and the vendor’s reasonable consultant and legal costs.

The acquisition of land is undertaken in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 (the Act). The body acquiring the land is commonly called the acquiring authority.

Most privately owned land, required by this plan for public purposes, is acquired when required by Council. This is generally tied to the development progress of a precinct. It is usually acquired by negotiation and agreement with the land owner at ¹⁵Market Value. However, at other times Council will need to compulsorily acquire certain land to achieve its Strategic Section 94 works program.

When a land owner and Council are unable to negotiate the purchase of the land, Council can compulsorily acquire the land for a public purpose.

The Valuer General is required under the Act to determine the amount of compensation to be paid by the acquiring authority to the former land owner. Provision is also made for owner initiated acquisitions in cases of hardship.

¹⁵ 'Market Value' is defined in the LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991 - SECT 56

3 Water Cycle Management Land

This contributions plan was previously only for the Area 20 Precinct. The precinct drained mainly to Second Ponds Creek. The Riverstone East Precinct has been added and drains mostly to First Ponds Creek and Killarney Chain of Ponds Creek. Only Stage 1 and 2 of the Riverstone East precinct have been rezoned. Stage 3 will be rezoned in the future and has been included to facilitate apportionment and application of appropriate contribution rates to land in each of the main stormwater catchments.

Second Ponds Creek Catchment benefits from Sydney Water trunk drainage infrastructure and doesn't require permanent stormwater detention facilities.

The First Ponds Creek catchment adjoins the Riverstone Precinct so there are three water cycle management strategies applicable to this contribution plan.

The general nexus applies to each catchment. However, the provision of facilities will be different.

3.1 Nexus

In order to levy S.94 contributions Council must be satisfied that development, the subject of a Development Application, will or is likely to require the provision of, or increase the demand for amenities and services within the area. This relationship or means of connection is referred to as the nexus.

The nexus between development and the increased demand for water cycle management works is based on the community held expectation that urban land, especially residential land, should be satisfactorily drained and flood free. Development produces hard impervious areas which results in increased stormwater runoff and greater flows occurring in the natural drainage system. If these flows are not controlled by an appropriate drainage system, inundation from floodwaters may occur both within the area being developed and further downstream. The increased flows can also result in damage to downstream watercourses through increased erosion and bank instability. An appropriate drainage system may include pipes, channels, culverts and detention basins.

A nexus also exists between urban development and increased pollutant loads entering the stormwater system. Therefore, in order to protect receiving waters from the effects of urban development, stormwater quality improvement measures are required.

The Water Cycle Management objectives and criteria are detailed in the Growth Centres State Environmental Planning Policy (SEPP), Development Code and Development Control Plan.

3.2 Water Cycle Management including Water Sensitive Urban Design (WCM WSUD)

The report by J. Wyndham Prince on "Area 20 Precinct, Rouse Hill – Water Cycle Management Strategy Report Incorporating Water Sensitive Urban Design Techniques" dated July 2011, identifies that there are a number of opportunities for management of stormwater quality, quantity and flooding in the Area 20 Precinct area in the Second Ponds Creek catchment. This management would benefit from the implementation of Water Sensitive Urban Design (WSUD) practices.

WCM WSUD encompasses all aspects of urban water cycle management including water supply, wastewater and stormwater management that promotes opportunities for linking water infrastructure, landscape design and the urban built form to minimize the impacts of development upon the water cycle and achieve sustainable outcomes.

A stormwater management strategy was also prepared for the Area 20 Precinct as part of the wider Rouse Hill Infrastructure Consortium (RHIC) development area. This scheme developed a stormwater management strategy that addressed stormwater quantity and quality management. The responsibility for this scheme now rests with Sydney Water as the trunk drainage authority. A review of the RHIC scheme indicated that the overall stormwater detention strategy is generally consistent with current standards. However, the water quality standards are not in accordance with current standards. Therefore, the strategy developed for Area 20 Precinct primarily addresses water quality management, local trunk drainage and water way stability required to satisfy the current standards.

A WSUD strategy for management of stormwater quality, quantity and flooding has been developed for the Area 20 precinct, that nominates open channels, bio-retention basins, and gross pollutant traps at key locations.

The use of rainwater tanks is recommended. However, in areas where reticulated recycled water is provided, these would not be feasible. The use of additional swales within the local road network is recommended together with minimising the extent of impervious area directly connected to the subdivision pipe systems. These measures are not included in this contributions plan as they will be provided as part of individual developments where feasible.

In keeping with WSUD principles of at source control, while not unduly placing financial imposts on individual lots, regional Section 94 stormwater treatment measures are generally only provided for low density residential areas. Medium and high density residential and commercial and industrial areas are required to provide full stormwater treatment on-lot to comply with the specified pollutant reduction targets. Provision has been made in the regional Section 94 stormwater quality measures for treatment of runoff from all existing and future local public roads. Based on an assessment of the current ILP, local public roads generally account for approximately 25% of the gross area of landuse other than low density residential. Costs for water quality measures have been apportioned on this basis.

For flood management, habitable floor levels of new residences, commercial and industrial developments should be above the flood planning level, and trunk drainage channels are provided where catchments generally exceed 15 hectares.

Sydney Water is the agency responsible for regional stormwater detention basins and for flood information on Second Ponds Creek. Sydney Water levies for the construction and management of the regional trunk drainage measures.

The J. Wyndham Prince report states that the proposed WCM WSUD strategy together with the flood plain management can satisfy the requirements of the Growth Centres Development Code (GCC, 2006), Blacktown City Council Engineering Guideline for Development (BCC, 2005), Blacktown Development Control Plan 2006 (BCC, 2006), and the NSW Floodplain Development Manual for management of stormwater quantity, quality and flooding in or at the precincts. Development will also need to comply with Blacktown City Council's IWCM & WSUD DCP Part R - IWCM & WSUD 2011.

Blacktown City Council (BCC) has used the WCM WSUD strategy and current available information to form the basis of the Area 20 precinct stormwater drainage infrastructure works. Concept designs for drainage basins and channels have been prepared by J. Wyndham Prince on behalf of the Department of Planning & Environment. These concept designs have generally been used as the basis for the stormwater infrastructure cost estimates with some amendment by Council to suit local site conditions and engineering standards.

Similarly the Mott MacDonald Water Cycle Management Report for Riverstone East dated May 2016 adopts similar management strategies predominantly for the Killarney Chain of Ponds and First Ponds Creek catchments.

The Mott MacDonald report did not provide concept designs of the raingardens or culverts. The strategy calculated the additional detention requirements assuming the Riverstone and Alex Avenue precinct stormwater management measures are in place.

The North West metro stabling yards have provided stormwater detention and treatment which has a significant impact on the remaining Section 94 infrastructure requirements. Council has developed concept designs as needed to calculate preliminary quantities for cost estimates.

Council is preparing the detailed design of the Riverstone and Alex Avenue precinct stormwater management infrastructure based on the GHD report for Riverstone and Alex Avenue Precincts Post Exhibition Flooding and Water Cycle Management (incl. Climate Change impact on Flooding) dated

May 2010. The GHD work indicated that half the cost of online basins serving Riverstone and Riverstone East should be allocated to each precinct.

There is generally no allowance within this contributions plan for rehabilitation and management of riparian land other than that directly impacted by the proposed drainage works. Acquisition of riparian land has, however, been included as per the gazetted land acquisition maps. The majority of riparian land will remain under Sydney Water ownership and control.

As outlined within the objectives of the Growth Centres Development Code, integration of stormwater management and water sensitive urban design with networked open space is supported. Further, the Development Code outlines the objective to provide a balance of useable and accessible open space with neighbourhood and district stormwater management. Accordingly, where land has a dual drainage and open space function, separate costings associated with reserve embellishments have been outlined. These costings are identified within the respective sections of this contributions plan and have been calculated to provide optimal community outcome without unnecessary duplication.

Certain Reserves provide a dual drainage and open space function. Costs associated with open space embellishments are outlined within the respective section of this Plan and are not duplicated.

3.3 Consistency with Precinct Planning Documents

The Precinct planning documents relevant to the water cycle management are as follows:

- Department of Planning and Infrastructure *Area 20 Precinct Indicative Layout Plan* dated 27 March 2015
- Department of Planning and Infrastructure *Riverstone East Precinct Indicative Layout Plan* dated 14 June 2016
- Department of Planning and Infrastructure *Riverstone Precinct Indicative Layout Plan* dated 7 April 2010
- Department of Planning and Infrastructure *Blacktown City Council Precincts Development Control Plan 2015* including Schedule 3 Marsden Park Industrial Precinct
- Department of Planning and Infrastructure current version of SEPP Maps
- Department of Planning and Infrastructure *Growth Centres Development Code* dated October 2006.

The Area 20 precinct has been amended since its original gazettal in 2011 to account for the new North West metro railway. The introduction of a railway station at Cudgegong Road and railway stabling yards at Tallawong Road (Riverstone East Precinct) have a significant impact on land uses in these areas. The Cudgegong Road station area was previously excluded from the gazettal and is now providing its own stormwater treatment facility on Cudgegong Road near Schofields Road. Should additional treatment be required then this will be conditioned as part of development consent.

The rest of Area 20 remains generally unaffected and the previous infrastructure sizing remains the same, generally as per precinct planning report, and only the cost rates have been updated to current values.

Two other minor changes have been made. The first is the replacement of open channel S2.3 with a trunk drainage line. This change is based on a planning proposal to rezone the land. The second is to include a trunk drainage line to convey upstream catchment flows at bio-retention S9.2. This was an omission on the original CP.

The Riverstone East precinct planning requires some amendment to the Mott MacDonald stormwater management strategy. The main areas of difference are described below.

Gordon Road/Oak Street drainage:

The exhibition ILP showed the land between Oak Street and First Ponds Creek as either RE1 or SP2 drainage. This would have enabled retention of the existing riparian corridor. Post exhibition, the zoning of this land was changed at the request of the current land owner to E2 and E3 to facilitate continued use by the existing religious organisation. To facilitate the zoned use, channel works are required in First Ponds Creek to manage flooding as per DCP requirements.

The Riverstone Precinct ILP showed Gordon Road not to continue across First Ponds Creek. The Riverstone East ILP shows Gordon Road being retained. To retain this road requires augmentation of the existing drainage culverts and lifting of the road to meet current design standards and this has been included in the CP.

The precinct planning also changed the size of the SP2 drainage land associated with bio-retention M5A. In order to provide the required treatment area within the gazetted SP2 zoned land, a section of channel needs to be replaced by a culvert. Given the adjoining land use is R3, acquisition of additional land would be more expensive than the proposed culvert option.

Railway stabling yard and Basin 1:

This is approximately a 30 hectare site and provides its own stormwater detention and treatment basins. This reduces the need for Basin 1 in the Mott MacDonald stormwater management strategy. Council has completed the detailed design of the basins in the Alex Avenue Precinct. The optimisation of these basin designs manages flows in First Ponds Creek without the detention proposed in Basin 1. Basin 1 detention has not been included in this CP.

Riverstone Road Culvert

The Riverstone Precinct planning showed this road to be closed across First Ponds Creek. The Riverstone East Precinct Planning shows this road to be reinstated. To comply with current design standards, an upgrade of the culvert is required to facilitate the gazetted ILP.

Water Quality/Bioretenion

There are significant inconsistencies in bio-retention areas provided in the Mott MacDonald (MM) information as summarised on the next page. Mott MacDonald did not provide concept designs of the proposed bio-retentions. Council has completed its own modelling to confirm sizing and prepared concept designs to confirm quantities for the stage 1 & 2 zoned areas of the precinct. The modelling is based on the gazetted land use. The average cost for bio-retention in stages 1 & 2 has been applied to the required treatment areas in future stage 3.

Gross pollutant traps have been provided at inlets to bio-retentions, some channels and some small catchment areas that bypass bio-retention. The locations are based on the gazetted ILP.

MM Item No.	BCC CP 22 Item No.	MM Filter size m2			BCC Filter Size m2	Difference m2
		Plans	Report	MUSIC Model		
M1A	F40.1	1220	4500	4500	1900	680
M2A	F39.2	5500	7340	12500	8000	2500
M2B			5160			
M3A	F30.2	1400	4000	4000	1236	-44
	F31.2				120	
M4A	F32.2	1400	6015	30000	1923	523
M4B	F33.1	800	5055		1152	352
M4C	F35.2	1200	4280		2520	-680
M4D		2000	4945			
M4E	F36.2	1550	4300		3642	92
M4F		2000	5405			
M5A	F37.5	8000	8000	11000	4117	-107
M5B	F37.1		3000		3776	
	F37.9		-		-	
M6A	K5.3	2200	4615	11500	8700	3500
M6B		3000	5885			
M6C			1000			
M7A	K6.2	3000	11000	11000	3600	600
M7B		-	-			
M8A	K3.1	1350	1545	10000	2154	804
M8B		-	1675			
M8C			2140			
M8D			4640			
M9A	K1.2	4500	2200	5000	1850	-2650
M9B			2800			
M10A	K40.1	300	1000	1000	See Above	-300
Total		39,420	100,500	100,500	45,319	5,899

As can be seen there are significant differences in the MM bio-retention filter sizes.

The concept designs were also amended to account for major trunk water mains along Clarke, Guntawong and Tallawong Roads based on work as executed information obtained from Sydney Water.

Culverts

Culvert sizes are generally similar as per the table on the next page. Some culverts have been added to suit the final ILP and provide connections to existing structures. Some short sections of open channels (for example F39.5) have been replaced by culverts as it is difficult to manage and maintain these.

MM Item No.	BCC CP 22 Item No.	MM Culvert Size (mm)			BCC Culvert Size (mm)		
		Width	Height	Quantity	Width	Height	Quantity
H	F36.4	1800	900	3	3600	1200	1
I	F37.3	2400	1200	4	2400	1200	3
F	K5.8	2400	900	3	2400	1200	2
E	F35.4	2400	900	2	2700	900	2
					3300	600	3
C	F32.4	2400	900	2	3000	1200	1
B	F39.5	2400	900	4	3300	1500	3
A		2400	900	4			
G	K6.5	2400	900	2	2700	1200	3
D	F39.7	1050	pipe	3	2400	1200	2
	F37.7	-	-	-	3600	1200	1
	K3.3	-	-	-	3300	1200	1
	K2.2	-	-	-	900	pipe	1
	K1.4	-	-	-	2400	1200	1
	K6.6	-	-	-	3600	1200	3
		* Based on Rev P2					

3.4 Contribution Catchment

The combined Area 20 and Riverstone East Precincts drain to three separate catchments. These are Second Ponds Creek, First Ponds Creek and Killarney Chain of Ponds Creek.

A map showing the location of the drainage contribution catchment is contained in Appendix A.

When considering the size of contribution catchments for Water Cycle Management Facilities, Council took the approach that the catchments should be of a sufficient size to promote efficiency in the timing of the provision of infrastructure. Generally, the smaller the catchment, the greater the difficulty in accumulating sufficient contributions to enable works to proceed. Additionally, small catchments create the potential for increased complexity in the management of any internal borrowing. This approach is supported by the Department of Planning Practice Notes for Development Contributions (2005). It is proposed in this contributions plan to levy stormwater management contributions on the basis of three stormwater catchments namely Second Ponds Creek, First Ponds Creek and Killarney Chain of Ponds Creek. Different contribution rates are introduced for water quality infrastructure to account for the different approach applied to low density residential and other land use types.

In order to determine actual provision levels and, ultimately, contribution rates, the developable area of each drainage catchment are calculated. For Stormwater Quality contributions, the developable area has then been apportioned between R2 Residential zones (including Environmental Living) and all other development zones. This is in response to the quality stormwater treatment measures being generally provided for low density residential areas. Section 2.2 further explains this. The developable area is the area over which the cost of providing the works has been distributed and is explained further in Section 6.4.

The developable area of the drainage catchments is stated in Appendix E.

The infrastructure provisions for Stage 3 of the precinct are based on the modelling and preliminary concept designs by Mott MacDonald where available, or using average unit cost rates for similar

infrastructure in the rest of the precinct. Details aren't shown on the figures in this plan as the planning information for Stage 3 is still confidential.

3.5 Contribution Formula

The following formula is used to calculate the contribution rate for Water Cycle Management Land:

$$\text{CONTRIBUTION RATE} = \frac{(\text{L1} + \text{L2})}{\text{A}}$$

(\$/HECTARE)

WHERE: L1 = The actual cost to Council to date of providing land for a Water Cycle Management public purpose indexed to current day values.

L2 = The estimated cost of land yet to be provided for Water Cycle Management public purpose.

A = The total developable area the contribution catchment (hectares)

A more detailed explanation of the components in the contribution formula, ***including the method of indexing to current day values*** is provided in Section 8.

Appendix C provides maps of acquisitions.

The values of the components of the contribution formula are contained in the Schedule being Appendix E

The resultant contribution rates are contained in the Schedule being Appendix F.

4 Traffic & Transport Management Land

4.1 Nexus (Local Roads)

Generally local roads are provided by the developments that front them when subdivision occurs. Under the environmental planning instrument for Rouse Hill, increased development potential is permitted adjoining and or opposite public land. Developers are required to meet the full cost of providing each of these streets.

However, where there are sections of existing public roads with no developer frontage or where local roads occupy full lots resulting in no development potential, the cost of these half and or full width local roads has been included in this contributions plan to facilitate the ILP road network.

The nexus between development and the increased demand for local roads is based on the accepted practice that efficient traffic management is facilitated best by a hierarchy of roads from local roads which are characterised by low traffic volumes, slow speeds and serve a small number of residential units up to arterial roads which are characterised by large volumes of traffic travelling at higher speeds.

In establishing new residential communities it is desirable for Council to provide for local roads to allow for the large volumes of relatively high-speed traffic. It would be unreasonable to require the developments that adjoin these roads to be responsible for their total construction as the standard of construction is greater than that required for subdivisional roads and direct access is not permitted to these roads. It is reasonable that all development in a particular area share the cost of providing the local roads, as all development will benefit from the provision of these roads.

4.2 Traffic Requirements

A regional infrastructure levy has been determined under Section 94EE of the Environmental Planning & Assessment Act by the Minister for Planning for the Growth Centres in December 2006. The levy is defined as the Special Infrastructure Contribution (SIC). The levy, when originally calculated, represented 75% of the total estimated cost of future regional infrastructure works in the following eight categories.

- Major Roads
- Railways
- Bus Services
- Emergency Services
- Health Services
- Education Facilities
- Open Space
- Planning and Delivery of Works

The SIC has been calculated to fund (in the Major Roads category of Works) all the required regional road infrastructure upgrades (as defined by items NR1 to NR22 of the regional road infrastructure plan).

The SIC will also fund a range of regional rail and bus service improvements and infrastructure upgrades, including the Richmond Rail Line Duplication, new commuter car parking at rail stations, new bus depots, new bus rail interchanges, and an initial 5 year operating subsidy for bus routes serving the new areas.

It is intended that the rate per hectare of net developable land contained in the SIC Practice Note be indexed each year and that the Schedule of Nominated works be reviewed every 4 years. The SIC is currently under review.

Within the Area 20 and Riverstone East Precinct boundaries, the funding of additional secondary and major local road carriageways and drainage works and pedestrian and cyclist paths that are not included in the SIC can be funded by means of a precinct level Section 94 Contributions Plan.

These works must be included in a Section 94 Contributions Plan as they are of a local nature and were never intended to be identified or included in the “regional level” program of Transport Infrastructure Works, which are the subject of the SIC.

The Section 94 Contributions Plan approach is arguably more equitable than funding of works by adjacent landowners and is also likely to lead to a more consistent overall design approach and standard of the finished works.

Council will levy S.94 contributions to fund the full construction of the Section 94 roads to the standard nominated in the schedule. Generally, only roads classified as sub-arterial, or local and collector roads where horizontal and vertical alignments and fragmented ownership preclude effective road construction by developers, have been included in the S.94 contributions. The applicable traffic studies and reports are listed in Appendix G.

Where sub-arterial roads are proposed within the Precincts that are not included in the SIC, the cost of the road works assigned to this contributions plan is that of a local collector standard commensurate with the Precinct traffic volume generation.

Where roads cross environmentally sensitive areas and bridges are required, the cost of the bridge construction has been included in the local road S.94 contributions.

In relation to roads crossing the proposed railway corridor, the approach adopted is that for existing roads bridges will be provided as part of the railway project. However, for new roads the bridge or road cost is included in the local road S.94 contributions.

4.3 Consistency with Precinct Planning Documents

The Precinct planning documents relevant to traffic management are as follows:

- Department of Planning and Infrastructure *Area 20 Precinct Indicative Layout Plan* dated 27 March 2015
- Department of Planning and Infrastructure *Riverstone East Precinct Indicative Layout Plan* dated 14 June 2016
- Department of Planning and Infrastructure *Riverstone Precinct Indicative Layout Plan* dated 7 April 2010
- Department of Planning and Infrastructure *Blacktown City Council Precincts Development Control Plan 2015* including Schedule 3 Marsden Park Industrial Precinct
- Department of Planning and Infrastructure current version of SEPP Maps
- Department of Planning and Infrastructure *Growth Centres Development Code* dated October 2006.

The roads included in the plan are generally as per the adopted precinct planning. The sub-arterial road from Schofields Road along Oak and Clarke Streets to Garfield Road East and then onto Windsor Road is not included in this plan as the acquisition authority is Transport for NSW. It is expected that this road will be listed in the revised SIC practice note.

The sections of Gordon Road and Riverstone Road crossing First Ponds Creek have been included in this plan as the planning for Riverstone Precinct showed these roads to be closed.

Several roundabouts have been added to address local traffic management and safety issues.

4.4 Contribution Catchment

There is one contribution catchment for Traffic and Transport Traffic Management Facilities. A Map showing the location of the Traffic and Transport Management Facilities contribution catchment is contained in Appendix "B".

In order to determine contribution rates, the developable area of the Traffic and Transport Management Facilities contribution catchment has been calculated. The developable area has then been apportioned between residential zones which will be levied per person and non-residential zones which will be levied base on the developable area. The developable area is the area over which the cost of providing the works has been distributed and is explained further in Section 8.4. The developable area of the contribution catchment is stated in Appendix “F”.

4.5 Contribution Formula

Residential

The following formula is used to calculate the contribution rate for Local Roads:

$$\text{CONTRIBUTION RATE} = \frac{(\text{L1} + \text{L2}) \times 99\%}{\text{P}}$$

(\$/PERSON)

- WHERE:
- L1 = The credit granted by Council to date of land dedicated for Traffic and Transport Management purposes adjusted to current day values.
 - L2 = The estimated s.94 credit for land to be dedicated for Traffic and Transport Management purposes.
 - P = The estimated eventual population in the contribution catchment
 - 99% = Percentage of the total cost apportioned to residential development

Non-residential

The following formula is used to calculate the contribution rate for Local Roads:

$$\text{CONTRIBUTION RATE} = \frac{(\text{L1} + \text{L2}) \times 1\%}{\text{A}}$$

(\$/PERSON)

- WHERE:
- L1 = The credit granted by Council to date of land dedicated for Traffic and Transport Management purposes adjusted to current day values.
 - L2 = The estimated s.94 credit for land to be dedicated for Traffic and Transport Management purposes.
 - A = The total developable area in the contribution catchment (hectares)
 - 1% = Percentage of the total cost apportioned to non-residential development

A more detailed explanation of the components in the contribution formula, ***including the method of indexing to current day values*** is provided in Section 8.

Standards of local road construction are:

- Sub-Arterial – 2 x 7 divided carriageway (26m wide reserve)
- Industrial Collector – 15.5m carriageway (23m wide reserve)
- Industrial Road – 13.5m carriageway (20.5m wide reserve)
- Major Collector – 12m carriageway (20m wide reserve)
- Collector - 11m wide carriageway (20m wide reserve)
- Collector - widened - 11m wide carriageway (23m wide reserve)

- Medium density local road – 11m carriageway (18m road reserve)
- Subdivision Road - 9m wide carriageway (16m wide reserve)
- Access street - 5m wide (minimum) carriageway (13m wide reserve)

(Note: None of the access streets are s.94 infrastructure items)

Appendix C provides maps of acquisitions.

The values of the components of the contribution formula are contained in the Schedule being Appendix E.

The resultant contribution rates are contained in the schedule being Appendix F.

5 Open Space & Recreation Land

5.1 Nexus

The provision of adequate open space and recreational areas by Council is an integral component of Council's framework that contributes to the long term wellbeing of the community. Providing for clean, green open spaces ensures that all residents receive the opportunity to partake in the many health benefits derived from open space.

Open space, whether in the form of playing fields, civic spaces or parks and public places are considered a crucial ingredient in the creation of new communities and in the ongoing engagement of existing communities.

Council has a varied yet vast provision of open space areas across the LGA and all future provision is a valued addition to this integrated network where a hierarchical structure reflects the rational provision in an equitable manner. Demand for open space is high in Blacktown reflecting the value the community places on this asset.

Planning context for the Area 20 Precinct has occurred via:

- North West Subregional Strategy (NSW Government, 2007)
- Growth Centre Development Code (Growth Centres Commission, 2006)
- Review of existing Outdoor Recreational Open Space Planning Guidelines for Local Government (Department of Planning, 1992)

Planning context for the Riverstone East Precinct has occurred via:

- North West Subregional Strategy (NSW Government, 2007)
- Growth Centre Development Code (Growth Centres Commission, 2006)
- Recreational Open Space Planning Guidelines for Local Government (Department of Planning,)

State planning is also given a more detailed local context by Council and the Nexus is further influenced by research and detail included in the following:

- Our Blacktown 2036 – Our Vision Our Plan (Blacktown City Council, 2017)
- Elton Consulting – Social Infrastructure and Open Space Report – Area 20 (2009)
- Cox Consultants - Riverstone East Draft Landscape Assessment Revision and Riverstone East Area 20 Visual Analysis (2014)
- Northwest Growth Centres Recreational Framework (Blacktown City Council, 2009)
- Wellness Through Physical Activity Policy (Blacktown City Council, 2008)
- Blacktown City Social Profile (2016)
- Recreation and Open Space Strategy (Blacktown City Council, 2009)

Collectively, these studies contribute information towards the rational basis for a set of baseline recreation planning benchmarks which service as a guide to the provision of the suitable level of open space and recreational opportunities in the release areas. While providing for future communities, Council has considered the existing demand on current facilities and what impact these facilities will have on the growing region.

Council has applied a demographic / needs based approach to provision levels rather than a land-use approach. Comparative standards based approaches were also reviewed within the studies. Noting that a large percentage of open space in the North West has a limited recreation use due to its topography, susceptibility to flooding, contamination and soil structure, proximity of sensitive bushland and rugged linear nature, focus on provision has been on what "demand" will require. This "needs-based" approach has involved comparative benchmarks both within and outside of the LGA, coupled

with input from other influences including state sporting associations, local councils, state government departments and major interest stakeholders.

The resultant provision of open space varies throughout the release area; a reflection in most cases of land constraints, dwelling establishments and drainage functions. Acknowledging that in the absence of any alternatively acceptable industry benchmark, the standard Open Space provision outlined in the GCC Development Code of 2.83 hectares of usable open space per 1,000 persons has been applied¹⁶.

The spread and distribution of passive parks ensures that residents are within a 400-500 metre walking distance from open space. The open space network reflects a hierarchy of provision and allows for character and diversity in provision while also incorporating the natural features of the area where feasible.

Council has also attempted to meet the identified playing field demand by provision of 1 full field per 1,850 persons which has been established via a needs analysis that has examined the Blacktown LGA current provision, participation rates, previous studies, analysis of suburbs with similar demographics to that forecasted in the new release Precincts, review of provision in other new release areas, information provided by peak bodies as well as forecasted trends in sport participation¹⁷.

As outlined within the objectives of the Growth Centres Development Code¹⁸, integration of stormwater management and water sensitive urban design with networked open space is supported. Further, the Development Code outlines the objective to provide a balance of useable and accessible open space with neighbourhood and district stormwater management. Accordingly, where land has a dual drainage and open space function, separate costings associated with reserve embellishments have been outlined. These costings are identified within the respective sections of the plan and have been calculated to provide optimal community outcome without unnecessary duplication.

Certain reserves provide a dual drainage and open space function. Costs associated with drainage embellishments are outlined within the respective section of this plan and are not duplicated.

5.2 Contribution Catchment

There is one open space & recreation land contribution catchment. This corresponds to the boundaries of the Area 20 and Riverstone East Precincts. A map showing the open space contribution catchment is contained in Appendix B.

In order to determine the amount of land to be acquired and, ultimately, the contribution rate, the potential population of the open space contribution catchment has been calculated. The potential population is the number of people over which the cost of acquiring land for open space has been distributed and is explained further in Section 8.4.

The potential population of the open space contribution catchment is stated in Appendix E.

¹⁶ *Growth Centres Commission Development Code 2006 – Page A-11*

¹⁷ *Elton Consulting – Demographic and Social Infrastructure Report - Page 48 and Northwest Growth Centres Recreational Framework - Page 48.*

¹⁸ *Growth Centres Commission Development Code 2006 – Page B-16.*

5.3 Contribution Formula

The following formula is used to calculate the contribution rate for Open Space and Recreation Facility Land:

$$\text{CONTRIBUTION RATE} = \frac{(\text{L1} + \text{L2})}{\text{P}}$$

(\$/PERSON)

- WHERE:
- L1 = The actual cost to Council to date of land provided for an open space & recreation public purpose adjusted to current day values.
 - L2 = The estimated cost of land yet to be provided for a public open space & recreation purpose.
 - P = The estimated eventual population in the contribution catchment.

A more detailed explanation of the components in the contribution formula, ***including the indexation to current day values*** is provided in Section 8.

Appendix C provides maps of acquisitions

The values of the components of the contribution formula are contained in the Schedule being Appendix E.

The resultant contribution rates are contained in the Schedule being Appendix F.

6 Community Facilities Land

6.1 Nexus

Planning in the context for Rouse Hill has occurred via state government documentation in the form of:

- North West Sub Regional Strategy (NSW Government, 2007)
- Growth Centre Development Code (Growth Centres Commission, 2006)

More detailed local planning and context has been provided by Council and consultants through the following:

- Riverstone Demographic Profile and Community Infrastructure Report (*MacroPlan Australia October 2007*)
- Social Infrastructure and Open Space Report Area 20 Precinct (*Elton Consulting May 2010*)
- Social Infrastructure Assessment Riverstone East Precinct (*Elton Consulting April 2015*)
- Our Blacktown 2036 – Our Vision, Our Plan – Community Strategic Plan (*Blacktown City Council 2017*)
- Blacktown City Council Social Profile (*2016*)
- The *Section 94 Community Facilities Report (May 2008)*

The findings of the *Social Infrastructure Assessment Riverstone East Precinct (2015)* examined what community and recreation facilities would be required to service the new populations of the Riverstone East and Area 20 precincts and refers to the *Growth Centres Commission (2006) Structure Plan - Community Infrastructure Standards* as well as Council's Community Resource Hub model.

Preliminary consideration of the needs of the Riverstone East and Area 20 precincts for community facilities occurred in 2008 and 2010 as part of the planning of community facilities for the adjoining Riverstone and Alex Avenue Precincts. *Section 94 Contributions Plans for Riverstone / Alex Avenue (CP 20)* identifies the nexus for a large, district level community resource hub to be provided in Riverstone town centre, and this facility would serve, in part, the combined catchments of the Riverstone, Alex Avenue, Riverstone East and Area 20 Precincts. It incorporates a number of components, including:

- *Section 94 Contributions Plans for Riverstone / Alex Avenue (CP 20) - Regional level Community Resource Hub* servicing Riverstone, Alex Avenue, Riverstone East and Area 20 precincts inclusive of:
 - Multipurpose neighbourhood centre, community and cultural development
 - Child and family services and facilities
 - Youth centre
 - Library
 - Indoor recreation.

The *Social Infrastructure Assessment Riverstone East Precinct (2015)* provided an update to the *Social Infrastructure and Open Space Report Area 20 Precinct (2010)* by reviewing increased population numbers for Area 20 Precinct. It then outlined the nexus for additional community, recreation and open space facilities required for the precincts of Riverstone East and Area 20.

Resulting from this work the following community facility was recommended:

- **A district level Community Hub** (multipurpose including activities and functions of the following)
 - Neighbourhood centre, community and cultural development
 - Child and family services and facilities

- Youth centre

The *Social Infrastructure Assessment Riverstone East Precinct (2015)* found there was not adequate existing district or regional level social infrastructure within the Riverstone East or Area 20 precincts to meet the needs generated by a new residential population. It found that the regional facility planned for Riverstone to serve Riverstone, Alex Avenue, Riverstone East and Area 20 precincts was not adequate.

The provision of appropriate community and recreation facilities is an important requirement to ensuring the Riverstone East and Area 20 precincts develop appropriately. The future projected combined resident population of 31,237 for Riverstone East and Area 20 meets the threshold for a district facility.

The *Section 94 Community Facilities Report (May 2008)*, identified a new model for delivery of community facilities – the Community Resource Hub Model (CRHs). Community hubs will be local, multipurpose community facilities. They will provide a focus for local communities to come together for social, life-long learning and human service activities and services.

Further research and development of this concept has resulted in a more efficient, cost effective and innovative model that provides greater opportunities for community engagement and outcomes proposed for these precincts.

6.2 Community Hub

The Community Hub servicing the Area 20 and Riverstone East Precincts is proposed to include key hub principles and provide opportunities for increased co-location of agencies (and thus improved delivery of services and programs).

The Community Hub, to be located in the Riverstone East precinct, would enable the range of services and community facility requirements identified above to be co-located to meet the needs of the future Riverstone East and Area 20 precincts residents. This would include, but not be limited, to the following defined functions.

- Neighbourhood centre, community and cultural development facilities
- Child and family services and facilities
- Youth centre.

6.3 Site Location

In other release areas Council has not specifically zoned land for community facilities and had difficulty in locating suitable land for open space and recreation. This has led to problems in finding suitable locations for community facility sites due to resident objections. By zoning land specifically for community and recreation facility purposes the incoming population is aware at the time they purchase their property that community and recreation facilities will be provided on the nominated sites. Also Council can proceed with acquisition of each parcel of land when it is needed.

The location of the Rouse Hill Community Hub land required for community facilities is contained in Appendix A.

6.4 Levels of Provision

The types of community facilities and the number of items required by the incoming population in the release area were identified in the *Social Infrastructure Assessment Riverstone East Precinct (2015)* (6.2 Page 45) undertaken by Elton Consulting as well as the *Section 94 Community Facilities Report May 2008*, undertaken by Council.

6.5 Contribution Catchment

There is one community facilities contribution catchment and this corresponds to the boundary of the Riverstone East and Area 20 precincts. A map showing the location of the community facilities contribution catchment is contained in Appendix B.

In order to determine actual provision levels and, ultimately, the contribution rate, the potential population of the community facilities contribution catchment has been calculated. The potential population is the number of people over which the cost of providing the works has been distributed and is explained further in Section 8.

The population of the community facilities catchment is stated in Appendix E.

6.6 Contribution Formula

The following formula is used to calculate the contribution rate for Community Facilities

$$\text{CONTRIBUTION RATE} = \frac{L1 + L2}{P}$$

(\$/PERSON)

- WHERE:
- L1 = The actual cost to Council to date of land provided for a public community facilities purpose, adjusted to current day values.
 - L2 = The estimated cost of land yet to be provided for a public community facilities & combined precinct facilities purpose.
 - P = The estimated eventual population in the contribution catchment.

A more detailed explanation of the components in the contribution formula, ***including the indexation to current day values*** is provided in Section 8.

Appendix C provides maps of acquisitions.

The values of the components of the contribution formula are contained in the Schedule being Appendix E.

The resultant contribution rate is contained in the Schedule being Appendix F.

6.7 Indicative Timing for the Acquisition of Land for Community Facilities

The timing for the acquisition of land for Community Facilities depends on a number of factors. Receipt of contributions from development and other possible sources of funding from the State Government will determine when Council will be in a position to acquire land. In the absence of this information Council projects that the acquisition will occur until between 2025 to 2030.

7 Combined Precinct Land

7.1 Community Facilities (apportioned)

A number of facilities were identified that on their own, could service a number of precincts within the North West Growth Centre. The facilities are:

- Community Resource Hub (Located in the Riverstone Precinct)
- Upgrade to Riverstone Aquatic Facility (Located in the Riverstone Precinct) (refer Section 6.2)

The total costs for the Community Resource Hub and the Riverstone Aquatic Facility have been apportioned over the four precincts of Riverstone, Alex Avenue, Area 20 and Riverstone East. 41.4% of these costs are attributed to the Rouse Hill as shown below:

Precinct	Expected Population	%
Riverstone	26,229	34.8%
Alex Avenue	17,999	23.9%
CP 20	44,228	58.61%
Area 20	13,420	17.8%
Riverstone East	17,817	23.6%
CP 22	31,237	41.39%
Total	75,465	100.00%

7.2 Nexus – E2 Conservation Zone

The Conservation Zone located in the Riverstone Precinct services a number of precincts within the North West Growth Centre.

The total costs for the Conservation Zone have been apportioned amongst all residential precincts within the Blacktown LGA component of the North West Growth Centre. 23.20% of these costs are attributed to Rouse Hill.

Precinct	Expected Population	%
Riverstone	26,229	19.5%
Alex Avenue	17,999	13.3%
CP20	44,228	32.80%
Area 20	13,420	10.0%
Riverstone East	17,817	13.2%
CP22	31,237	23.20%
Marsden Park Industrial Precinct	3,504	2.6%
Marsden Park Precinct	30,238	22.4%
CP21	33,742	25.00%
Schofields Precinct	7,440	5.5%
Marsden Park North	11,200	8.3%
West Schofield	5,600	4.2%
Shanes Park	1,400	1.0%
Total	134,847	100.00%

7.3 Contribution Formula

The following formula is used to calculate the contribution rate for Combined Precinct Facilities:

$$\text{CONTRIBUTION RATE} = \frac{(\text{L1} + \text{L2})}{\text{P}}$$

(\$/PERSON)

- WHERE:
- L1 = The actual cost to Council to date of land provided for public combined precinct facilities purposes indexed to current day values.
 - L2 = The estimated cost of land yet to be provided for public combined precinct facilities purposes.
 - P = The estimated eventual population in the contribution catchment.

A more detailed explanation of the components in the contribution formula, ***including the indexation to current day values*** is provided in Section 8.

Appendix C provides a map of acquisitions .

The values of the components of the contribution formula are contained in the Schedule being Appendix E.

The resultant contribution rate is contained in the Schedule being Appendix F.

8 Explanation of Contribution Formula Components

8.1 Introduction

This Section provides an explanation of the various components of the contribution formulae detailed in Sections 2 to 7.

8.2 Riverstone East Precinct Stage 3

The costs in this plan include stages 1, 2 and 3 of the Riverstone East Precinct. However, as only stage 1 and 2 have been rezoned, the location of items in the stage 3 area are not identified in this plan as this information is confidential until stage 3 has been rezoned.

8.3 Explanation of the Land Components

Before Council can construct amenities and services it must first provide the land on which the amenities and services are to be constructed. The land to be provided is often zoned for the specific purpose of the works to be constructed. For example, in the case of open space, the land to be acquired will be zoned RE1 - Public Recreation.

In the contribution formulae:

- L1 - Represents land that has previously been provided by Council for the purpose of providing the particular works. This amount reflects the actual cost to Council of acquiring these parcels (including valuation and conveyancing charges), indexed to current day \$ values using the Consumer Price Index (CPI).
- L2 - Represents the estimated average cost to Council of providing the lands required for the purpose of providing works. As this figure is an estimated average total cost of acquisition, the amount adopted does not necessarily reflect the value of any individual property. Each parcel of land to be acquired is subject to detailed valuation at the time of its acquisition. The "L2" figure is supplied by Council's Valuer and takes into account the following matters:
 - Acquisitions are undertaken in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991, which requires that land is to be acquired for an amount not less than its market value (unaffected by the proposal) at the date of acquisition.
 - That one of Council's objectives is to ensure that the funds Council receives for land acquisition from Section 94 Contributions in a particular catchment are equivalent to the amount required to fund the purchase of all land Council must acquire in that catchment. Therefore, 'other costs' such as valuation and conveyancing charges incurred by Council when acquiring land are taken into account.

Council has calculated the total value of L1 and L2 in the contribution formulae. These values are detailed in Appendix E.

8.4 Explanation of the Catchment Areas

The area of the catchment is the total "developable area" in the catchment. In calculating the "developable area", land, which will never be required to pay a contribution, has been excluded. These "exclusions" include, amongst others, existing roads and roads which are themselves Section 94 items, but not subdivisional roads, land zoned for open space or drainage purposes and uses which existed prior to the land being rezoned for urban development and which are unlikely to be redeveloped and the Cudgegong Station areas and areas of the North West Rail Link. The purpose of identifying these exclusions is to ensure that only the new development (which is generating the need for the amenities and services) pays for their provision.

The catchment area for Open Space and Recreation, Community Facilities and Combined Precinct Facilities are based on the estimated potential populations of Rouse Hill.

8.5 Indexation

In the formulae, previous land provisions (L1) are indexed to current day values using the Consumer Price Index – All Groups Sydney (CPI). This index is published by the Australian Bureau of Statistics on a quarterly basis.

The reason for indexing past expenditure is that every developer pays for a small proportion of the cost of providing each individual item identified in the Plan. This means that if/when items are constructed prior to all contributions within a catchment being collected, then "borrowing" (between items) occurs. If retrospective contributions are not indexed this "borrowing" will have occurred without any interest having been paid. This will result in a shortfall of funds when future items are constructed using the "paid back" contributions. What indexing effectively does is to make up the lost interest on the funds that have been borrowed between individual items.

The CPI is one of the indices recommended for use by the Department of Planning and Environment

8.6 Assumed Occupancy Rates

For the purpose of calculating open space and community facility contributions, occupancy rates have been determined for different types of development. These are as follows:

Dwelling houses	2.9 Persons / Dwelling
Dual Occupancy	
1 Bedroom	1.2 Persons / Dwelling
2 Bedroom	1.9 Persons / Dwelling
3+ Bedroom	2.9 Persons / Dwelling
Integrated Housing	
1 Bedroom	1.2 Persons / Dwelling
2 Bedroom	1.9 Persons / Dwelling
3+ Bedroom	2.9 Persons / Dwelling
Other Medium density	
1 Bedroom Dwelling	1.2 Persons / Dwelling
2 Bedroom Dwelling	1.9 Persons / Dwelling
3 Bedroom Dwelling	2.7 Persons / Dwelling

For the purpose of this plan medium density includes all residential development other than that separately defined above, including but not limited to residential flat buildings and shop top housing.

Note: A bedroom is a room designed or intended for use as a bedroom or any room capable of being adapted to or used as a separate bedroom.

8.7 Indicative Contribution Rates (Residential)

IPART has recommended that Council should provide **indicative contributions** per lot for various types of development and dwelling types. As such, **indicative** contributions per lot for Rouse Hill are provided in the table below:

Indicative Contributions Per Dwelling					
Density (Dwellings Per Ha)	12.5	15	20	25	45
Occupancy (No. Persons Per Dwelling)	2.9	2.9	2.9	2.7	2.7
First Ponds Creek	\$57,458	\$54,755		\$46,487	\$42,869
Second Ponds Creek		\$62,898	\$57,465	\$51,370	\$45,579
Killarney Chain Of Ponds Creek	\$57,715	\$54,969		\$46,616	

It should be noted that a survey and formal detailed plan is needed to accurately determine the actual amount of contributions payable.

In the event that the contributions imposed under this plan are greater than the monetary cap referred to in Section 1.19, the contributions levied on development consent will not exceed the monetary cap imposed on development consent under the Minister’s Direction.

9 Payment of Contributions

9.1 Methods of payment

There are 3 possible methods of payment of S.94 Contributions - monetary contribution, dedication of land and works-in-kind agreements.

Monetary Contribution

This is the usual method of payment. When development consent is issued that involves the payment of a S.94 contribution, it contains a condition outlining the amount payable in monetary terms subject to indexation by the CPI. See section 8.5 for more details on indexation.

Dedication of Land

Where appropriate Council will permit S.94 public zoned land to offset the monetary contribution payable. The land that is to be provided must be in accordance with the zonings indicated on Council's planning instruments for the area. The assessment of the suitability of land for such an offset occurs at the development or subdivision application stage.

If consent is issued for a development, and it requires the creation of the S.94 public zoned land then the applicant needs to negotiate the value of the S.94 public zoned land with Council. Upon agreement being formally reached as to the land's value, Council will offset the value of the land against the monetary contribution payable.

It should be noted that Council will not release the final (linen) plan of subdivision which creates the land to be dedicated until a contract for the sale of the land (which confirms the purchase price/amount of compensation) has been entered into.

Works-in-kind Agreements

Council may accept the construction of works listed in the schedules to this plan to offset the monetary contribution payable. The applicant will need to initiate this option by providing Council with full details of the work proposed to be undertaken. Council will then consider the request and advise the applicant accordingly.

The applicant will need to provide Council with suitable financial guarantees (normally by way of a Bank Guarantee). Upon completion of the works to Council's satisfaction the guarantee will be discharged by Council.

Applicant's wishing to construct works for Council should refer to Council's Works-In-Kind Agreement Policy.

9.2 Timing of Payment

Council's policy regarding the timing of payment of S.94 contributions is as follows:

Approved under the EP & A Act as it existed pre July 1998 -

- Development Applications involving subdivisions
Prior to the release of the "linen plan" of subdivision.
- Development Applications involving building work -
Prior to release of the Building Permit.

Note: Applications for combined building and subdivision approval are required to pay contributions upon whichever of these events occurs first.

- Development Applications where no building approval is required -
Prior to occupation.

Approved under the EP & A Act as amended on and from July 1 1998 -

- Development Applications involving subdivisions
Prior to release of the Subdivision Certificate
- Development Applications involving building work
Prior to release of Building Construction Certificate.
- Development Applications where no building approval is required
Prior to occupation or use of the development.

Note: Applications for combined building and subdivision approval are required to pay contributions upon whichever of these events occurs first.

9.3 Indexation of Contributions

Contribution rates are indexed quarterly in accordance with the Consumer Price Index – All Groups Sydney (CPI).

The method of indexing the contribution rates is to multiply the base contribution rate by the most recently published CPI at the time of payment and in the case of this version of the Plan, divide it by the September 2017 CPI (112.5).

9.4 Discounting of Contributions

Council does not discount contributions both for equity and financial reasons, as it would be inequitable to recoup a discount from remaining development. Discounting would also compromise Council's ability to provide the facilities and would place an additional burden on existing residents to subsidise new development.

9.5 Deferred Payment of Contributions

Council has a policy for the deferred payment of S.94 contributions as follows:

- an applicant requesting deferred payment needs to apply in writing to Council. All requests are considered on their merits having regard to (but not exclusively) the type of work for which the contribution is sought, the rate of development occurring within the area and the impending need to construct the works for which S.94 Contributions are being levied
- where deferred payment is approved by Council the period of time for deferring payment will generally be limited to 12 months
- if Council approves of the request for deferred payment it is conditional upon the applicant providing a suitable Bank Guarantee and Deed of Agreement
- interest is charged on deferred contributions. Council also charges an administrative fee for deferred payment. The interest rate and administrative fee levied for the deferred payment of contributions are reviewed annually and appear in Council's Schedule of Fees. A copy of this Schedule is available from Council's Development Services Unit
- the amount of the bank guarantee shall be the sum of the amount of contributions outstanding at the time of deferring payment plus the expected "interest" accrued over the deferral period. This amount will also represent the amount payable at the end of the deferral period

- the Deed of Agreement is to be prepared by one of Council's Solicitors at full cost to the applicant. In this regard the applicant is to pay Council's Solicitor's costs direct to the Solicitor and not through Council
- should contributions not be paid by the due date, the bank guarantee will be called up by Council
- Council has a separate deferral policy specifically for dual occupancies, which are to be occupied by elderly and/or disabled persons (i.e. traditional granny flats)
- enquiries regarding deferred payment can be made through contacting the relevant Council officer dealing with the development application.

Appendices

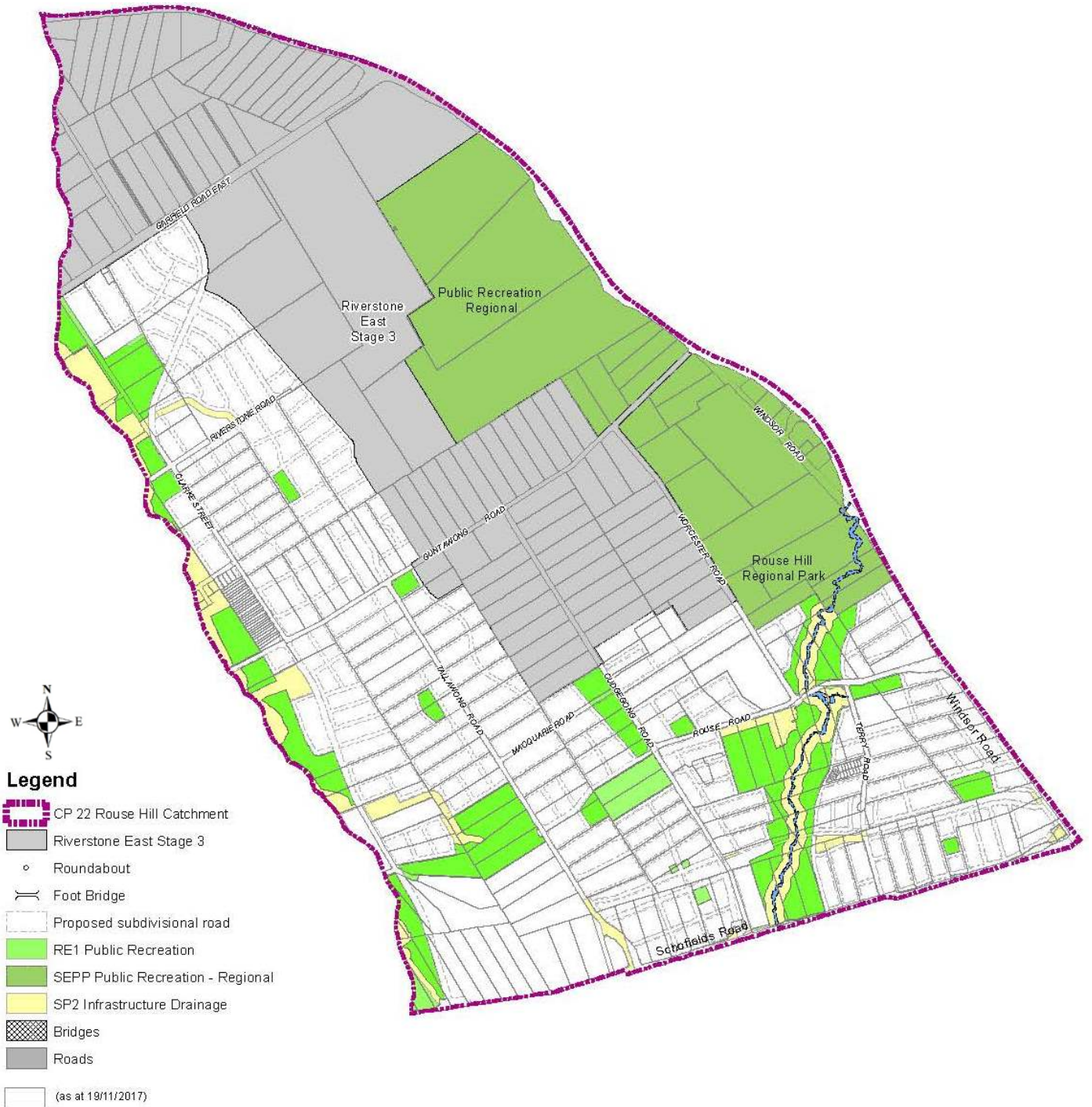
APPENDIX A1 of 1

**ROUSE HILL
WATER CYCLE MANAGEMENT FACILITIES
Contribution Catchments**



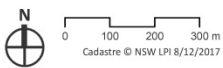
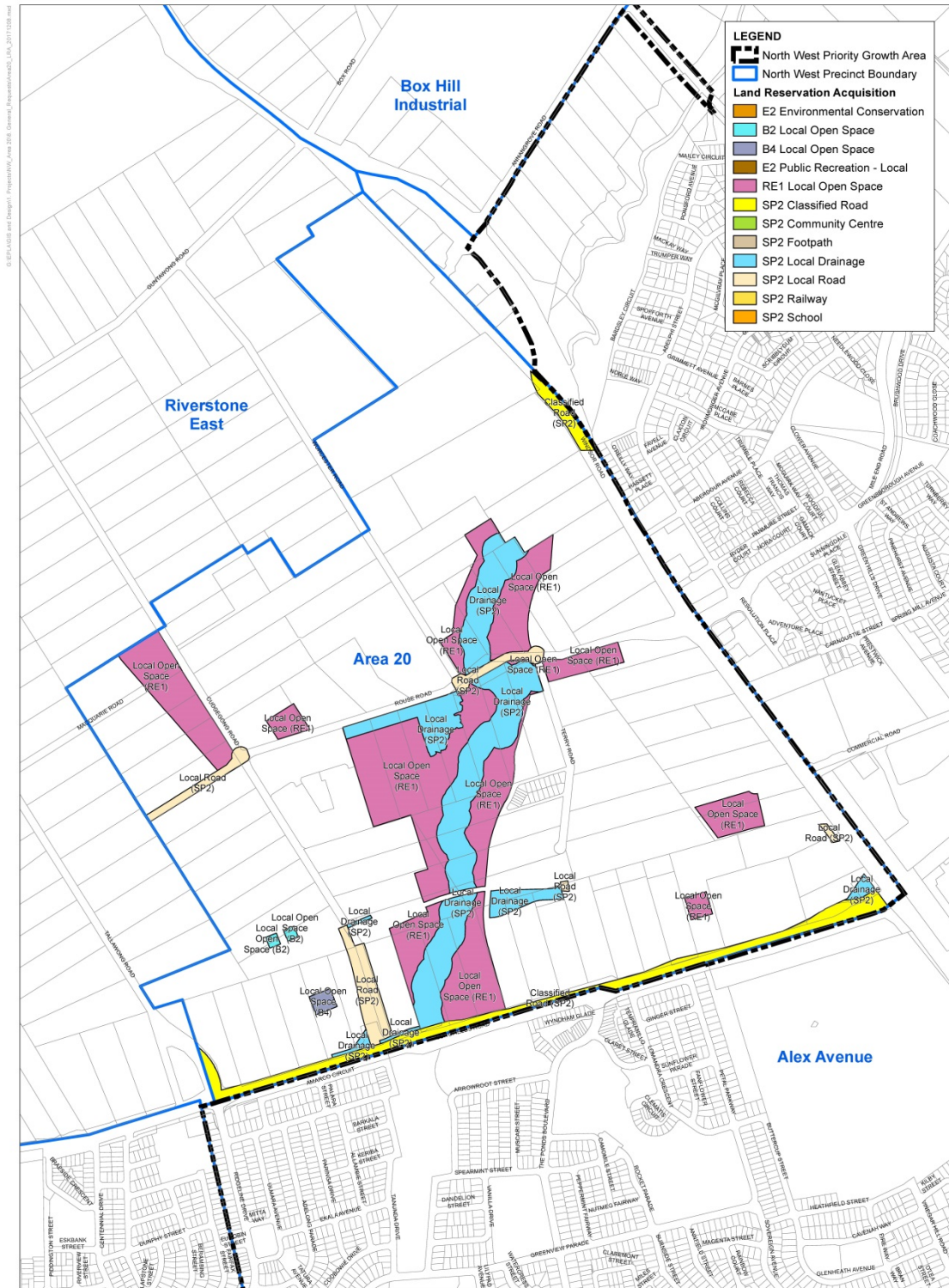
APPENDIX B1 of 1

**ROUSE HILL
TRAFFIC & TRANSPORT, OPEN SPACE, COMMUNITY FACILITY AND
COMBINED PRECINCT FACILITIES
Contribution Catchment**



APPENDIX C1 of 2

**ROUSE HILL
LAND RESERVATION ACQUISITIONS MAP
Area 20 Precinct**



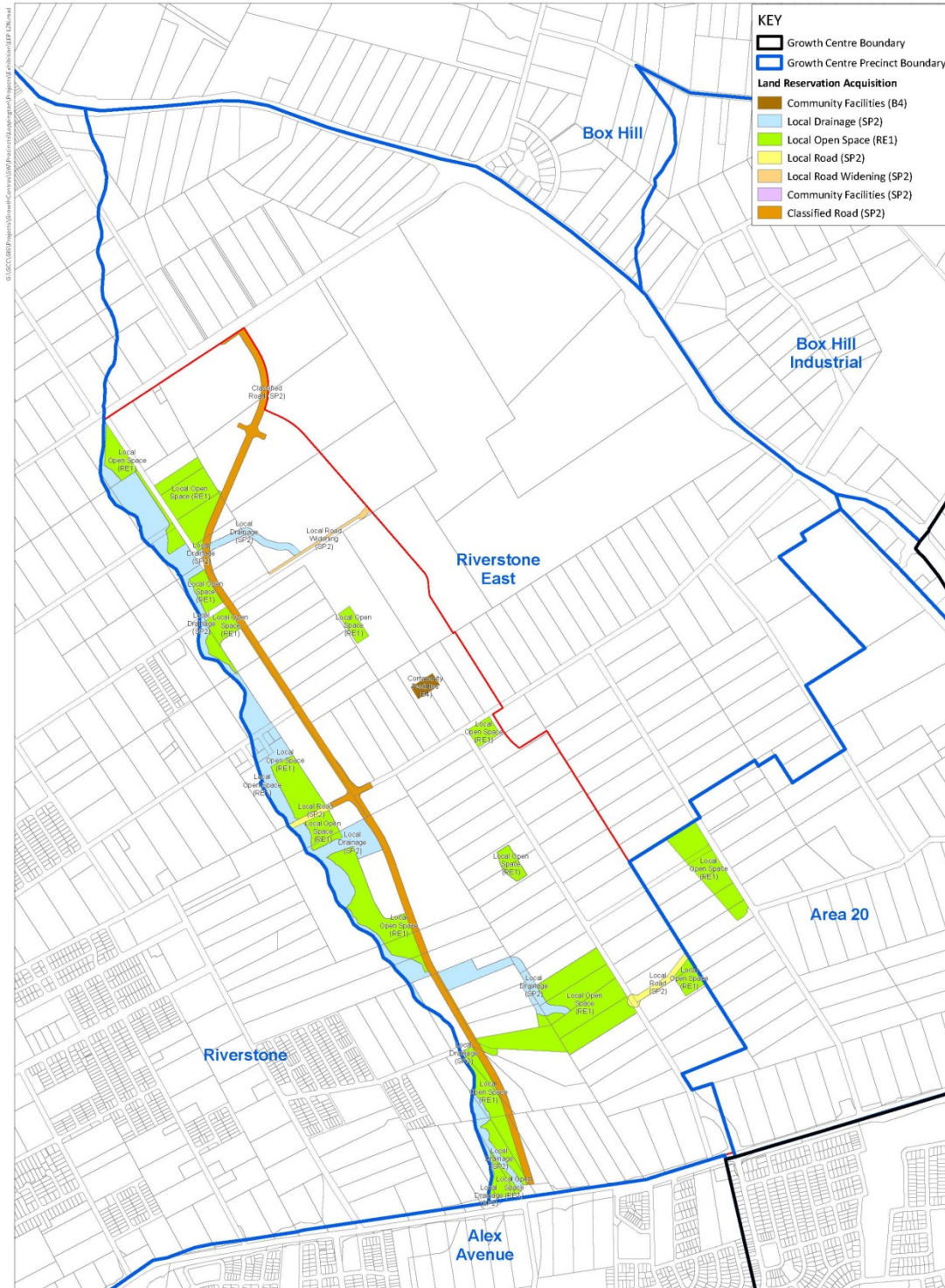
Area 20 Precinct - North West Growth Area - Land Reservation Acquisition Map

Disclaimer: The information contained on this map is, to the best of the Government's knowledge, correct. However, no warranty or guarantee is provided by the Government and no liability is accepted for any loss or damage resulting from any person relying upon or using the information contained in the map.



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**ROUSE HILL
LAND RESERVATION ACQUISITIONS MAP
Riverstone East Precinct**



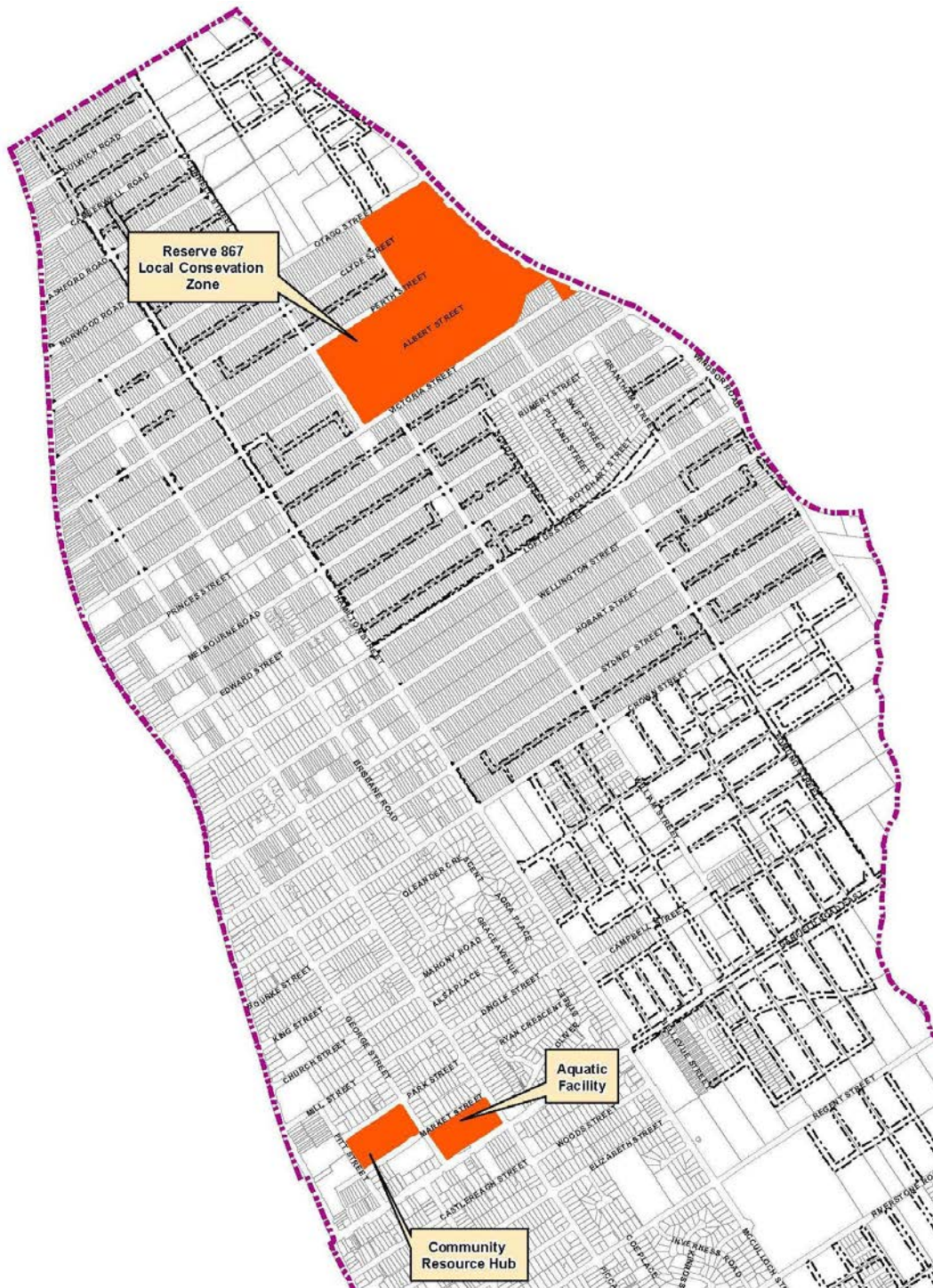
Riverstone East - North West Growth Centre - Land Reservation Acquisition Map

State Environmental Planning Policy (Sydney Region Growth Centres) 2006
 Disclaimer: The information contained on this map is to the best of the Government's knowledge, correct. However, no warranty or guarantee is provided by the Government and no liability is accepted for any loss or damage resulting from any person relying upon or using the information contained on this map.



APPENDIX D1 of 1

**COMBINED PRECINCT FACILITY
E2 CONSERVATION ZONE
(Servicing Blacktown’s Residential Growth Centre Precincts)
COMMUNITY RESOURCE HUB
(Riverstone Precinct)**



APPENDIX E

SCHEDULE OF VALUES IN THE CONTRIBUTION FORMULAE

CATCHMENT	SIZE OF CATCHMENT	LAND TO BE ACQUIRED	LAND ACQUIRED L1 (\$)	YET TO ACQUIRE L2 (\$)	TOTAL L1+L2 (\$)
WATER MANAGEMENT	Hectares	Hectares			
STORMWATER QUANTITY					
FIRST PONDS CREEK	240.4872	32.5759	\$230,947	\$48,649,000	\$48,879,947
SECOND PONDS CREEK	104.6106	13.4274	\$12,434,019	\$21,599,000	\$34,033,019
KILLARNEY CHAIN OF PONDS CREEK	105.2725	9.9056	\$0	\$21,735,000	\$21,735,000
TRAFFIC MANAGEMENT	Hectares	Hectares			
ROUSE HILL	450.3703	3.1396	\$782,293	\$15,552,000	\$16,334,293
OPEN SPACE	Population	Hectares			
ROUSE HILL	31237	101.2601	\$19,281,496	\$377,741,000	\$397,022,496
COMMUNITY FACILITIES	Population	Hectares			
ROUSE HILL	31237	0.4642	\$19,281,496	\$1,457,000	\$20,738,496
COMBINED PRECINCT FACILITY	Population	Hectares			
COMMUNITY FACILITIES	31237	0.1936	\$0	\$2,783,000	\$2,783,000
E2 CONSERVATION ZONE	31237	4.7261	\$3,803,099	\$3,227,000	\$7,030,099
TOTAL		165.6925	\$55,813,350	\$492,743,000	\$548,556,350

APPENDIX F

BASE CONTRIBUTION RATES

Base CPI All Groups Sydney - September 2017 -112.5

CATCHMENT	CONTRIBUTION RATE \$ Per Hectare	CONTRIBUTION RATE \$ Per Person
WATER MANAGEMENT	All Development	
<i>STORMWATER QUANTITY</i>		
FIRST PONDS CREEK	\$203,254	
SECOND PONDS CREEK	\$325,331	
KILLARNEY CHAIN OF PONDS CREEK	\$206,464	
TRAFFIC MANAGEMENT	Non-Residential	Residential
ROUSE HILL	\$31,921	\$518
OPEN SPACE		
ROUSE HILL		\$12,710
COMMUNITY FACILITIES		
ROUSE HILL		\$664
COMBINED PRECINCT FACILITY		
COMMUNITY FACILITIES		\$89
E2 CONSERVATION ZONE		\$225

INDEXATION METHOD

The method of indexing the base contribution rate is to multiply the most recently published All Groups Sydney CPI at the time of payment and divide it by the September 2017 All Groups Sydney CPI.

APPENDIX G**SUPPORTING TECHNICAL DOCUMENTS AND REPORTS**

The following identifies technical documents, studies, relevant legislation, and reports which have been used for researching this contributions plan:

- Mott MacDonald, Riverstone East Precinct Infrastructure Master Plan, Revision Part 7, 19 March 2015, prepared for NSW Government, Planning & Environment
- Mott MacDonald, Infrastructure Precinct Planning Report, Riverstone East, March 2015, prepared for NSW Government, Planning & Environment
- Mott MacDonald, Riverstone East Precinct Water Cycle Management Plan, 19 March 2015, prepared for NSW Government, Planning & Environment
- Mott MacDonald, Riverstone East Water Cycle Management Report, April 2015, prepared for NSW Government, Planning & Environment
- Mott MacDonald, Riverstone East Water Cycle Management Report, May 2016, prepared for NSW Government, Planning & Environment
- J Wyndham Prince, Area 20 Precinct, Rouse Hill Water Cycle Management Strategy Report *incorporating Water Sensitive Urban Design Techniques, October 2010, prepared for the Department of Planning*
- J Wyndham Prince, Area 20 Precinct, Rouse Hill Water Cycle Management Strategy Report *incorporating Water Sensitive Urban Design Techniques, July 2011, prepared for the Department of Planning*
- ARUP, Riverstone East Precinct, Transport Study, Final Draft, April 2015, prepared for NSW Government, Planning & Environment
- Urbanhorizon Pty Ltd, Area 20 Transport and Access Study Final report, *October 2010, prepared for the Department of Planning*
- Road Delay Solutions, North West Growth Centre Area 20, *Post Exhibition Assessment Transport and Access, 'End State' Year 2036, August 2011, prepared for NSW Government Department of Planning*
- LFA (Pacific) Pty Ltd, Area 20 Precinct, Public Domain & Landscape Strategy, August 2011, prepared for the NSW Government, Planning & Infrastructure
- Elton Consulting, Social Infrastructure and Open Space Report Area 20 Precinct, 10 May 2010, prepared for Department of Planning
- Elton Consulting, Social Infrastructure Assessment Riverstone East Precinct, Final Report, 24 April 2015, prepared for Department of Planning

- Place Planning Design Environment, Riverstone East, Landscape & Visual Assessment, September 2014, prepared for NSW Government, Planning & Environment
- Blacktown City Council, Sporting Code Allocation, Playing Fields and Courts in New Release Areas 2015
- Macroplan Australia Pty Ltd, Growth Centres Commission, Riverstone Demographic Profile and Community Infrastructure Report, Final Report, October 2007
- Our Blacktown 2036 – Our Vision, Our Plan – Community Strategic Plan (Blacktown City Council 2017) <https://www.blacktown.nsw.gov.au/About-Council/What-we-do/Community-Strategic-Plan>
- Blacktown City Council Social Profile (2016)
- The Section 94 Community Facilities Report (May 2008).