



CONTRIBUTIONS PLAN NO.8

Section 7.11

Health and Education Precinct

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1. Executive summary

1.1 Planning context

Blacktown Local Environmental Plan 2015 came into effect on 7 July 2015. This established the Health and Education Precinct by rezoning the land between the Blacktown Public Hospital, Main Street, Hereward Highway and Craiglea Street:

- from Zone No 2(a) low density residential under Blacktown Local Environmental Plan 1988
- to SP1 Health Services Facility under Blacktown Local Environmental Plan 2015.

The existing Precinct boundaries, including at Craiglea Street, were established at that time.

Blacktown hospital is part of the health facilities and specialist services for Greater Sydney. The NSW government's investment of \$700 million into Blacktown hospital facilitates a new emergency department, intensive care unit, eight new operating theatres, new purpose-built wards, paediatric services, medical imaging, sterilising and non-clinical support services and over 600 hospital beds. This significant investment is a catalyst to enabling transformation of the Health and Education Precinct.

2 planning proposals have been prepared by Blacktown City Council that will facilitate the transformation of the precinct from a single storey, mainly residential area to a higher density, mixed use (including residential) area. The objective of the 2 planning proposals are to support hospital and allied health services, medical practices, assisted living, aged care and secondary support services such as cafes, car parking facilities and incidental businesses that are envisaged within the precinct.

They will also:

- facilitate higher density residential accommodation and options for key worker and student accommodation within the Precinct
- facilitate the potential future expansion of the hospital, in consultation with the Department of Health
- enable better connectivity with the adjacent Blacktown CBD
- facilitate better transport access and internal circulation
- mitigate the risk of flooding by providing for a Precinct-wide stormwater management strategy
- provide access to centrally-located public open space.

The key landowners in the Precinct include NSW TAFE and Blacktown Hospital, which is the subject of significant investment from the NSW government.

The planning proposals supports the community vision, guiding principles and strategic directions within Our Blacktown 2041 (community strategic plan). They also:

- contribute to a thriving Blacktown strategic centre and central business district with a variety of public spaces, commercial, health and residential uses that complement a growing Blacktown City
- align with the objectives and priorities in the Blacktown Local Strategic Planning Statement

- will help Council collaborate with the NSW government and private sector to promote health, medical and innovation, and education opportunities in the Blacktown Strategic Centre
- are consistent with the Greater Sydney Region Plan: A Metropolis of Three Cities and the Central City District Plan
- will realise and extend the benefits of the NSW Government's investment in Blacktown Hospital by re-planning and designing the Precinct to encourage allied medical health services and educational development within the Precinct.

1.2 A precinct supported by new infrastructure

The transformation of the precinct from a single storey, mainly residential area to a higher density, mixed use offering creates demand for new local infrastructure to support this transformation over time. This contributions plan will support the planning proposals by ensuring that new development in the Health and Education precinct funds as far as possible, the local infrastructure that it creates a demand for. This key 'user pays' principle is known as 'nexus'.

A range of facilities and services have been identified as being required to address the demands of the expected development, including:

- water management facilities (flood mitigation)
- traffic and transport management facilities.
- open space and recreation facilities
- community facilities.

2. Introduction and administration of the contributions plan

2.0 Name of the plan

This contributions plan is called 'Section 7.11 Contributions Plan No.8 – Health and Education Precinct'.

2.1 Purpose of the plan

This contributions plan outlines Council's policy regarding the application of Section 7.11 of the Environmental Planning and Assessment Act, 1979 in relation to the provision of local infrastructure and baseline facilities within the Health and Education Precinct.

Within the Health and Education Precinct Section 7.11 contributions are levied for the following amenities and services:

- water management facilities (flood mitigation)
- traffic and transport management facilities
- open space and recreation facilities
- community facilities.

This plan has been prepared in accordance with:

- the Environmental Planning and Assessment Act, 1979
- the Environmental Planning and Assessment Regulation, 2021 (EPA Regulation)
- having regard to the Practice Notes issued by the NSW Department of Planning (2005) in accordance with clause 26(1) of the EPA Regulation
- having regard to the Secretary's Practice Note – January 2019.

The Section 7.11 contributions contained in this plan have been determined on the basis of the Health and Education Precinct being a distinct

"contribution catchment". This is the area over which a contribution for a particular infrastructure item, or land for that item is levied. Within the catchment there is an identifiable "list" of works, which are scheduled for provision.

Council applies contribution formulae to the catchment for the purpose of calculating the applicable contribution rate. The formulae consider the cost of works to be undertaken, the cost of providing land for a public purpose on which to undertake these works and the size of the catchment area. The total cost of providing these works is distributed over the total catchment on an equitable basis.

This plan has been prepared to meet the additional local infrastructure demands of an anticipated 7,059 additional residents and 160,000 square meters of additional Gross Floor Area (GFA) in the rezoned Health and Education Precinct, and to provide funding for local infrastructure in the precinct.

2.2 Commencement of the plan

This plan takes effect from the date on which public notice was published, pursuant to clause 31 (4) of the Environmental Planning and Assessment Regulation, 2021.

2.3 Principles of Section 7.11

Section 7.11 of the Environmental Planning and Assessment Act, 1979 permits a 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 generated through their developments.

The 3 general principles in applying Section 7.11 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 monetary contribution
- accept a dedication of land in lieu of the monetary contribution
- accept or a material public benefit (works in kind) in lieu of a monetary contribution
- a combination of some or all of the above.

One of the fundamental responsibilities of any Council in imposing Section 7.11 contributions is to ensure that they are reasonable. That is, the works and facilities to be provided must be as a direct consequence of the development on which the contributions are levied. This is referred to as 'nexus' and is discussed further in this plan. In keeping with this responsibility, Section 7.11 contributions levied on development as a result of this plan are limited to providing amenities and services to the minimum level necessary to sustain an acceptable form of urban development.

2.4 Aims and objectives

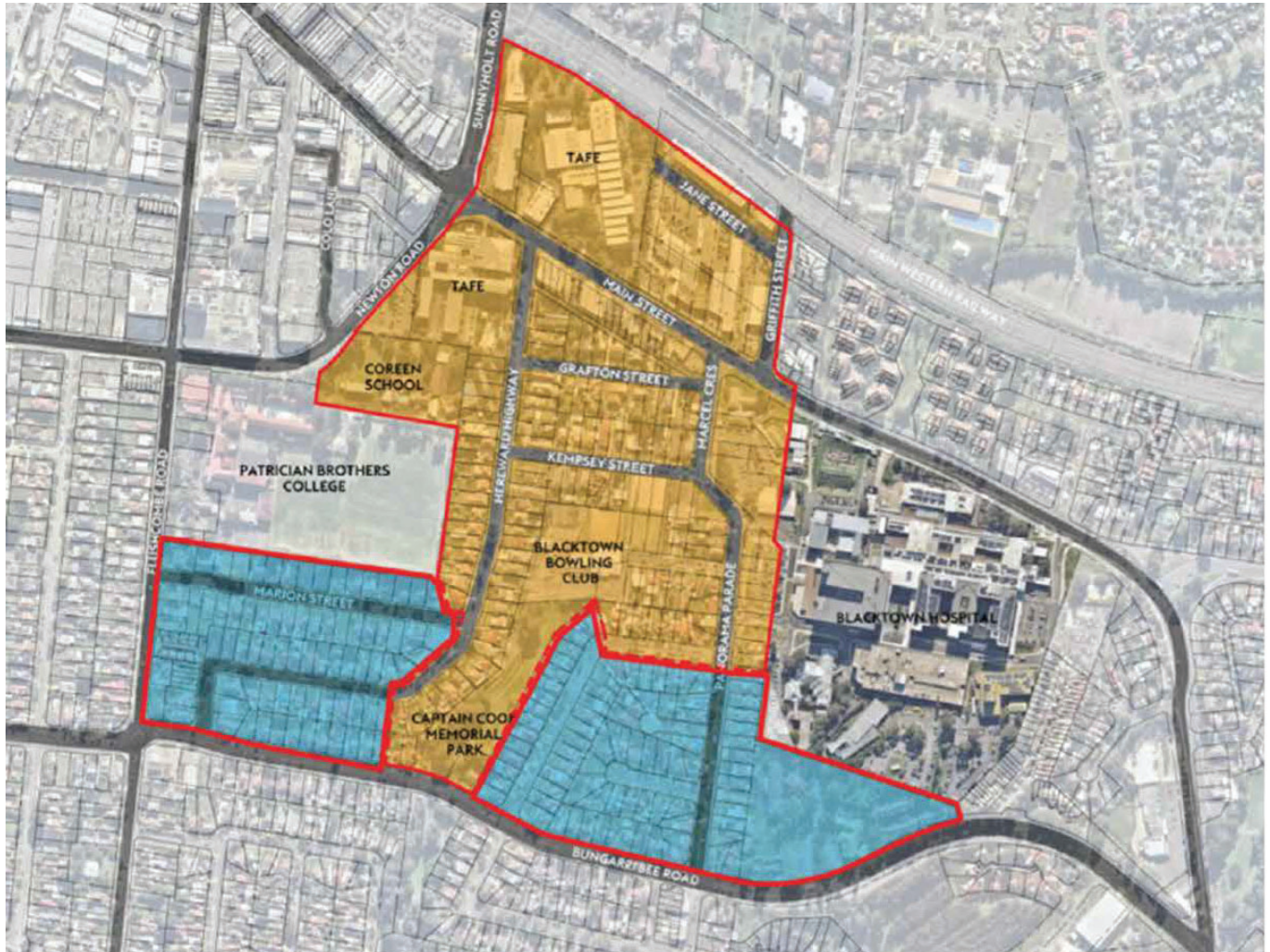
The aims and objectives of the Health and Education Precinct contributions plan are to:

- ensure that Section 7.11 contributions levied on development are reasonable
- ensure that the method of levying Section 7.11 contributions is practical
- ensure that an appropriate level of local infrastructure provision occurs
- employ a user pays policy for the funding of infrastructure that the existing residents of the City are not subsidising new urban development
- ensure that the amenities and services provided are not for the purpose of making up shortfalls in other areas
- ensure infrastructure is provided in an orderly manner
- ensure that the plan is as affordable as possible
- make clear Council's intentions regarding the location and timing of infrastructure provision.

2.5 Land to which the plan applies

The precinct is bounded by Blacktown CBD to the west, Blacktown Hospital to the east, the western railway corridor to the north and Bungaribee Road to the south. The land to which this plan applies, being the contributions catchment, is **shown on the following page.**

Health and Education Precinct catchment



Planning proposal 1



Planning proposal 2

2.6 Development to which the plan applies

This plan applies to all developments occurring within the precinct catchment area, 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.

2.7 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)
- 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 7.11 contributions. For avoidance of doubt, secondary dwellings (granny flats) are developments to which this plan applies.

2.8 Construction certificates and the obligation of accredited certifiers

In accordance with Section 7.21 of the Environmental Planning and Assessment Act, 1979 and Clause 146 of the Environmental Planning and Assessment Regulation, 2021, 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 Environmental Planning and Assessment Regulation, 2021. 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 an alternative payment method.

2.9 Complying development and the obligation of accredited certifiers

In accordance with Section 7.11(1) of the Environmental Planning and Assessment Act, 1979, accredited certifiers must impose a condition requiring monetary contributions in accordance with this contributions plan, which satisfy the following criteria:

- conditions imposed must be consistent with Council's standard Section 7.11 consent conditions
- conditions must 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 7.11 condition correctly.

2.10 Relationship to other plans

Environmental Planning Instruments, development controls and previous contributions plans have

relationships with this contributions plan. These include:

- Blacktown Local Environmental Plan 2015
- Blacktown Development Control Plan 2015
- Section 7.11 Contributions Plan No.19 – Blacktown Growth Precinct (CP19).

2.11 Capacity of existing facilities to meet development demand

The majority of the precinct is currently serviced. However, the existing facilities do not have the capacity to meet the additional demand for infrastructure created by new development. The Health and Education Precinct requires new infrastructure, as well as infrastructure upgrades to meet the additional demand for infrastructure created by the new development.

2.12 Projected development yield

The Health and Education Precinct has a net development yield of approximately 515,000 square metres of new floor space. For the purpose of this contributions plan, the projected development of the next 30 years will be considered as the development scope. The projections available indicate that approximately 160,000 square metres of non-residential floor space will be developed over a 30-year period and approximately 3,300 new residential dwellings will be created in the Health and Education Precinct as well as the expanded residential zones adjacent. The residential development will bring in a resident population, projected to be approximately 7,059 people.

2.13 Nexus (general)

The Health and Education Precinct is a brown field development site, largely characterised by low density residential development. The precinct is bounded by Blacktown CBD to the west, Blacktown Hospital to the east, the western railway corridor to the north and Bungaribee Road to the south.

Development in the precinct that is proposed is a natural extension of the CBD area eastwards to the hospital, with a vision of accommodating health and education uses to better support the function of the CBD, TAFE and Blacktown hospital.

In this context the purpose of this contributions plan is to ensure that the proposed development funds the infrastructure required to ensure that:

- a) Flooding is not exacerbated but rather improved as far as possible.
- b) Increased traffic volumes are catered for and provided with a more permeable road network allowing free access throughout the precinct.
- c) The amenity of the area is greatly improved to provide a suitable environment for all who will work, learn and seek treatment within the precinct.

This contributions plan will fund works (facilities) in four categories to support this purpose:

- a) Water management (flood mitigation).
- b) Traffic and transport.
- c) Open space and recreation
- d) Community facilities.

As no individual development within the precinct can act as a precinct in isolation, all development benefits from the co-location of other development

within the precinct. As such, the benefit of these works is an improved amenity and serviceability which is enjoyed by all development within the precinct equally. The cost of the works (facilities) are apportioned across the total potential development equally as a rate per square metre of Gross Floor Area (GFA) for non-residential development, or as a rate per dwelling/persons for residential development.

2.14 Apportionment

This plan will apply a contribution rate to residential development as a rate per persons and a different rate to non-residential development as a rate per square metre of gross floor area (GFA). In order to apply these two rates, the cost of all works has been apportioned either to residential and/or non-residential development.

2.15 The monitoring and review of this plan

This plan will be subject to regular review. Council's Section 7.11 Finance Committee considers the need for reviews of all contributions plans when it meets monthly. Council generally aims to have contributions plans reviewed annually, particularly in fast-growing areas. The review schedule is approved by Council's Executive Management Committee as required.

The purpose of reviews is to ensure that:

- contribution levels reflect current land and construction costs
- provision levels reflect current planning and engineering practice and likely population trends

- work schedules are amended if development levels and income received differ from current expectations.

Changes to contributions plans must be prepared in accordance with the EPA Act and EPA 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 comments of interested persons in relation to this plan at any time.

2.16 Timing of provision of items

The Environmental Planning and Assessment Regulation, Part 9, Division 3, Clause 212 (f and g) states that a contributions plan must contain:

a map showing the specific public amenities and services proposed to be provided by the council, supported by a works schedule that contains an estimate of their cost and staging (whether by reference to dates or thresholds).

This contributions plan provides indicative timing of works in 10-year thresholds in Appendices A - B. These are only indicative at the time of preparation of the plan and are updated upon each review of the plan.

2.17 Provision of infrastructure

Notwithstanding Section 2.16 above, the provision of the individual items contained in this plan has been prioritised.

The priority attached to providing each item has been determined having regard for:

- Existing development trends. For example, the provision of parks in faster growing residential areas will have a higher priority than slower growing areas.
- Anticipated revenue. Council's ability to forward fund Section 7.11 works is limited. As such the timing of works is very much dependant on the receipt of adequate Section 7.11 funds. The work schedules in the appendices of this plan have been formulated having regard for existing funds available to each of the catchment areas and projected income.

There are also other factors that influence the provision of infrastructure that may change the proposed timing of the delivery of infrastructure under this plan.

2.18 Planning proposals

Are documents that explain the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. They are used and read by a wide audience including those who are responsible for deciding whether the proposal should proceed, as well as the general community. They must be concise and written in language that is clear and easy to understand. It They must also be technically competent and include an accurate assessment of the likely impacts of the proposal. They should be supported by technical information and investigations where necessary.

Planning proposals may change the timing, nature or size of infrastructure under this plan. Planning proposals when gazetted will trigger reviews to this contributions plan which are likely to change the provision of infrastructure.

2.19 Land acquisitions

Council acquires land for infrastructure under this plan generally where it is the nominated acquisition authority. Land must be acquired so that the infrastructure on the land can be delivered.

There are a number of factors that influence the timing of land acquisition. These can be, but not limited to:

- the receipt of sufficient contributions at any particular time to acquire land
- the strategic priority of infrastructure provision types to allow orderly development e.g. land for drainage and traffic management infrastructure is prioritised
- acquisition under the hardship provisions of the Land Acquisition (Just Terms Compensation) Act 1991
- protracted negotiations
- valuer general consideration and Land and Environment Court issues.

Landowners are advised to contact Council's Property Section on (02) 5300 6000 to confirm the proposed timing of a particular land acquisition.

As noted in Section 2.15 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 acquisition and provision of works can change.

2.20 Pooling of contributions

This plan authorises monetary Section 7.11 contributions paid for different purposes to

be pooled and applied progressively for those purposes. The priorities for the expenditure of pooled contributions under this plan align with the priorities for works set out in the work schedules in this plan.

2.21 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 Finance Section.

2.22 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 (02) 5300 6000 between 8.30 am and 5.30 pm Monday to Friday, by visiting the Council's Information Centre on the Ground Floor of the Civic Centre in Flushcombe Road, Blacktown between 8.30 am to 5.30 pm Monday to Friday, or by email to:

Blacktown.Council@blacktown.nsw.gov.au

2.23 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 Contributions team in advance to ensure suitable arrangements can be made to view this information.

3. Water management facilities

3.1 Nexus

In order to levy Section 7.11 contributions a 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 nexus.

The nexus between development and the increased demand for water management facilities is based on the community held expectation that urban land, should be satisfactorily drained and flood free. Development produces hard impervious areas and this results in increased stormwater runoff, pollutants, 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.

Stormwater within the Health and Education Precinct flows to Blacktown Creek, running north from Bungarribee Road to Main Street, crossing main street in the vicinity of Marcel Crescent and Griffith Street. Flooding presently exists within the Health and Education Precinct along Blacktown Creek. This affects several properties and acts to separate the bulk of the precinct area from Blacktown Hospital. The purpose of this plan is to fund flood mitigation works that will minimise any adverse impacts of the development, in particular, any increase in runoff volumes, loss of flood storage, or downstream impacts.

These water management works are the provision of two flood mitigation basins in the Captain Cook Memorial Park. The purpose of the flood mitigation works is also to improve the scale of potential development and promote access throughout the precinct.

3.2 Contribution Catchment

The catchment is defined by the total "precinct area" as detailed in sections 2.5.

In order to determine contribution rates, the cost of the water management facilities has been distributed over the projected development yields of gross floor area.

3.3 Apportionment

Apportionment of the costs of the flood mitigation between the residential and non-residential development was considered.

In this instance, residential development is already providing the land as open space for a dual use drainage and recreation expansion of Captain Cook Memorial Park. The total works cost for flood mitigation has therefore been apportioned to non-residential development. While both forms of development create a need to minimise the flooding impacts of the development, the scope of works by reducing flood levels and providing improved wet weather access across the non-residential sections of the precinct, mean that a greater benefit is derived from the works by the non-residential development as a whole. It is considered fair to apportion this cost to non-residential development.

3.4 Contribution Formula

The following formula is used to calculate the contribution rate for flood mitigation works:

$$\text{Contribution rate} = \frac{(C1 + C2 + PA)}{A}$$

- WHERE:
- C1 = The actual cost to Council to date of flood mitigation works constructed indexed to current day values
 - C2 = The estimated cost of future flood mitigation works
 - PA = Plan administration fee being 1.5% of total construction costs
 - A = The total developable area of the contribution catchment (GFA = 160,000 M2)

A more detailed explanation of the components in the contribution formula, including the method of indexing to current day values is provided in Section 7.

A schedule of works for Water Management Facilities is provided in Appendix A2 together with a map of the catchment indicating the location of the works in Appendix A1.

The values of the components of the contribution formula are contained in the schedule at Appendix B.

Contribution rates are contained in the schedule at Appendix C.

4. Traffic and transport management facilities

4.1 Nexus (road linkages)

The development of the Health and Education Precinct will increase traffic volumes and pedestrian movements needing access into and throughout the precinct. Road, intersection and footpath improvements proposed, serve to accommodate and improve that additional traffic and pedestrian access across the precinct. The precinct is serviced by two key roads being Main Street and Bungarribee Road. The proposed improvements to Panorama Parade, Hereward Highway and the extension of Marcel Crescent across and to the north of Main Street, all serve to improve the accessibility in, out and through the precinct. There is also a pedestrian bridge (Aquatic Health Link Bridge) from the precinct, across the western rail line that links to the Blacktown Aquatic Facility area.

The works proposed improve serviceability and accessibility as a whole, while the improved permeability of the precinct ensures that future traffic congestion on main roads does not adversely impact the functioning of the precinct.

4.2 Apportionment

The costs of traffic and transport management facilities need to be apportioned between the residential and non-residential development.

Apportioning these costs equally between residential and non-residential development is considered reasonable considering the demand created by both types of development.

4.3 Contribution catchment

The catchment is defined by the total “precinct area” as detailed in section 2.5.

In order to determine contribution rates, the apportioned cost of the traffic and transport management facilities has been distributed between the projected development yields of gross floor area and/or residential population.

4.4 Contribution formula

The following formula is used to calculate the residential and non-residential contribution rate for traffic and transport management facilities:

$$\text{Contribution rate} = \frac{(L1 + L2 + C1 + C2 + PA)}{P \text{ or } A}$$

- WHERE:
- L1 = The actual apportioned cost to date of providing land for traffic and transport management public purposes indexed to current day values.
 - L2 = The estimated apportioned cost of land yet to be provided for traffic and transport management purposes.

- C1 = The actual apportioned cost to Council to date of works constructed for traffic and transport management facilities indexed to current day values
- C2 = The estimated apportioned cost of future traffic and transport management facilities
- PA = Plan administration fee being 1.5% of construction cost
- P = The estimated additional population (residential) in the contribution catchment
- A = The estimated gross floor area (non-residential) of the contribution catchment (GFA = 160,000 M2)

A more detailed explanation of the components in the contribution formula, **including the method of indexing to current day values** is provided in Section 7.

A schedule of works is provided in Appendix A3 together with a map of the catchment indicating the location of the works in Appendix A1.

The values of the components of the contribution formula are contained in the schedule at Appendix B.

Contribution rates are contained in the schedule at Appendix C.

5. Open space and recreation facilities

5.1 Nexus (Captain Cook Memorial Park)

The development of the Health and Education Precinct will require the place making components offered by open space development and improved amenity across the precinct. This plan seeks to fund the redevelopment of Captain Cook Memorial Park, not only to serve drainage and flood mitigation purposes, but to be opened up and provide a central parkland reserve.

Captain Cook Memorial park will be embellished to provide a unifying space accessible to the whole precinct. The objective is to provide a space of rest and respite with high quality features that will set a standard for development of the precinct. Redevelopment of the Park in the initial stages of development is critical to establishing the aesthetic character of the precinct.

The expansion of Captain Cook Memorial park, provided some additional open space area as required by the increase in resident population as well as the workforce and client population.

Additional residents are expected in the precinct through Planning Proposal 2. To assist in meeting the demand for the open space and recreation needs of these new residents, a pedestrian bridge is being provided from the precinct to the Blacktown Aquatic Facility Area. However, the estimated costing for this bridge is categorised as traffic and transport because of the pedestrian linkages.

5.2 Apportionment

Open space costs for Captain Cook Memorial Park have been apportioned as follows:

- land acquisition - 100% apportionment to residential development
- embellishment works - 50% apportionment to residential development and 50% to non-residential development.

5.3 Contribution catchment

The catchment is defined by the total "precinct area" as detailed in section 2.5.

In order to determine contribution rates, the apportioned cost of the open space facilities has been distributed between the projected development yields of gross floor area and/or residential population.

5.4 Contribution formula

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

$$\text{Contribution rate} = \frac{(L1 + L2 + C1 + C2 + PA)}{P \text{ or } A}$$

- WHERE:
- L1 = The actual cost to Council to date of providing land for open space and recreation facilities indexed to current day values
 - L2 = The estimated cost of land yet to be provided for open space and recreation facilities
 - C1 = The actual apportioned cost to Council to date of works constructed for open space and recreation facilities indexed to current day values
 - C2 = The estimated apportioned cost of future open space and recreation facilities

PA = Plan administration fee being 1.5% of construction cost

P = The estimated additional population (residential) in the contribution catchment

A = The estimated gross floor area (non-residential) of the contribution catchment (GFA = 160,000 M2)

A more detailed explanation of the components in the contribution formula, including the method of indexing to current day values is provided in Section 7.

A schedule of works is provided in Appendix A4 together with a map of the catchment indicating the location of the works in Appendix A1.

The values of the components of the contribution formula are contained in the schedule at Appendix B.

Contribution rates are contained in the schedule at Appendix C.

6. Community facilities

6.1 Nexus (multi-purpose community centre)

Council engaged Will Roden Consulting to prepare a social infrastructure needs assessment for its own Health and Education Precinct Expansion areas. Its report, Social Infrastructure Needs Assessment Blacktown Health and Education and Expansion Area Precincts, details its assessment and investigation of the Health and Education Precinct.

In terms of social infrastructure assessment, it states that the site is close to significant social infrastructure within and around the Blacktown City Centre. The study area, a 2km radius from the centre of the site, included aged care, childcare and education, community facilities, and emergency, health and social services. The new community will create demand for all of these services, but for the most part this will be addressed by existing facilities and providers or through the expansion of services by non-government providers. However, the report states that there is a need for:

- new community facility space, which can be met through the proposed Blacktown City Centre Community Hub and shared use arrangements with services within or directly adjacent to the site
- a place for community events on the site and resourcing for place making activities.

There is an existing scout hall building on the site within Captain Cook Memorial Park near Bungaribee Road which will need to be demolished due to the planned water management facilities in Captain Cook Memorial Park.

An allowance has been included to repurpose the hall to another location. No further investigation of other locations has been done, but it is noted that the new location may or may not end up being within the Health and Education Precinct. The new facility will be built as a more broadly useable 'community' facility. This will be resolved during detailed design.

A \$1 million works contribution towards the Blacktown Aquatic Centre is also included as new residents create a need for upgraded facilities.

6.2 Contribution catchment

The catchment is defined by the total "precinct area" as detailed in section 2.5.

In order to determine contribution rates, the apportioned cost of the community facilities has been distributed between the projected development yields of gross floor area and/or residential population.

6.3 Contribution formula

The following formula is used to calculate the contribution rate for community facilities:

$$\text{Contribution rate} = \frac{(C1 + C2 + PA)}{P \text{ or } A}$$

- WHERE:
- C1 = The actual apportioned cost to Council to date of works constructed for community facilities indexed to current day values
 - C2 = The estimated apportioned cost of future community facilities
 - PA = Plan administration fee being 1.5% of construction cost

- P = The estimated additional population (residential) in the contribution catchment
- A = The estimated gross floor area (non-residential) of the contribution catchment (GFA = 160,000 M2)

A more detailed explanation of the components in the contribution formula, including the method of indexing to current day values is provided in Section 7.

A schedule of works is provided in Appendix A4 together with a map of the catchment indicating the location of the works in Appendix A1.

The values of the components of the contribution formula are contained in the schedule at Appendix B.

Contribution rates are contained in the schedule at Appendix C.

7. Explanation of contribution formula components

7.1 Introduction

This section provides an explanation of the various components of the contribution formulae detailed in sections 3 to 6.

7.2 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.
- 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 7.11 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, valuation and conveyancing charges incurred by Council when acquiring land are considered.

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

7.3 Explanation of the capital components

Schedules of works to be provided for the various items are detailed in Appendices A to F together with maps of each catchment showing the location of the works.

In the contribution formula:

- C1 - Represents the actual cost to Council of constructing works already provided in the catchment indexed to current day values using the Consumer Price Index (CPI).
- C2 - Represents the estimated cost to Council of constructing works, which have yet to be provided in the catchment and are based on the most detailed designs that were available at the time of preparing the estimates.

7.4 Explanation of the plan administration component

Contribution Plan preparation, management and administration is an expensive task. These costs are distinct from Council's core responsibilities and are the direct result of development.

Council considers that the costs involved with preparing, managing and administering Section 7.11 are an integral and essential component of the efficient provision of amenities and services in the Health and Education Precinct. Therefore, a plan administrative component is included in this plan.

PA in the contribution formulae is the plan administrative component. It represents 1.5% of the total value of works to be funded under this plan.

7.5 Explanation of the catchment areas

The area of each catchment is defined by the total "precinct area" as detailed in section 2.5. The catchments have been apportioned between the projected development yields of gross floor area and/or residential population and is explained further in section 2.14.

7.6 Indexation

In the formulae, previous land provisions (L1) and capital expenditures (C1) are indexed to current day values using the Consumer Price Index - Sydney – 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.

7.7 Gross floor area (GFA)

For the purpose of calculating contributions for non-residential development, the gross floor area of the development will be determined. GFA is defined in the Blacktown Local Environmental Plan 2015.

7.8 Assumed occupancy rates

For the purpose of calculating contributions for residential development, the following occupancy rates have been determined. These are as follows:

Dwelling Houses, Dual Occupancy, Granny Flats, Group homes and Boarding Houses (with communal facilities)

1 Bedroom	1.8 Persons / Dwelling
2 Bedroom	2.5 Persons / Dwelling
3+ Bedroom	3.5 Persons / Dwelling

Medium density, residential flat buildings, shop-top housing, Group homes and Boarding Houses (with individual self-contained facilities)

1 Bedroom Dwelling	1.5 Persons / Dwelling
2 Bedroom Dwelling	2.2 Persons / Dwelling
3 Bedroom Dwelling	3.2 Persons / Dwelling

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.

"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

This list is a guide only. The assessment of development applications determines whether the type of development is subject to Section 7.11 contributions.

8. Payment of contributions

8.1 Methods of payment

There are 3 possible methods of payment of Section 7.11 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 Section 7.11 contribution, it contains a condition outlining the amount payable in monetary terms subject to indexation by the CPI. See section 7.6 for more details on indexation.

Dedication of land

Where appropriate Council will permit Section 7.11 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 Section 7.11 public zoned land then the applicant needs to negotiate the value of the Section 7.11 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 any 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.

All applications will be considered against Council's adopted Works-In-kind Policy.

8.2 Timing of payment

Council's policy regarding the timing of payment of Section 7.11 contributions is as follows:

Approved under the EP and 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 and 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.

8.3 Credits for existing development

Generally, contributions are levied where development will result in increased demand. They are not sought in relation to demand for urban facilities generated by existing authorised dwellings.

Under this plan, a credit of 3.5 persons is applied for existing residential dwellings that are to be demolished in the development.

8.4 Adjustment of contributions

Clause 32(3)(b) of the EPandA Regulation allows a contributions plan to revise the rates of Section 7.11 monetary contributions set out in the contributions plan to reflect quarterly or annual variations:

- 3) A council may make the following kinds of amendments to a contributions plan without the need to prepare a new contributions plan:
 - b) changes to the rates of Section 7.11 monetary contributions set out in the plan to reflect quarterly or annual variations to
 - i. readily accessible index figures adopted by the plan (such as a Consumer Price Index), or
 - ii. index figures prepared by or on behalf of the council from time to time that are specifically adopted by the plan.

Essentially, there are 2 ways that Section 7.11 contributions can be adjusted:

- adjustment of the contribution 'base rate' specified in the contributions plan
- adjustment of the amount payable under a condition of development consent between the time of the granting of consent and payment.

Identification of the most appropriate method of indexing contributions is a vital component of the preparation of a contributions plan given the eroding effect on the value of money by inflation and the adverse effects of land value escalation.

A contributions plan needs to specify the type of indexation factor applied and when indexing is to occur being quarterly, six monthly or annually. It is valid for a different, but otherwise appropriate, method of indexation to apply to land values and another to the cost of works.

8.5 Indexation of contributions

Contribution rates are indexed quarterly in accordance with:

- for works - the Consumer Price Index (**CPI**) – All Groups Sydney
- for land - the Unimproved Land Value Index (**LVI**) – Blacktown (LGA)

The method of indexing the contribution rates is to multiply the base contribution rates by:

- for works - the most recently published CPI at the time of payment and in the case of this version of the Plan, divide it by the March 2023 CPI (132.7).

- for land - the most recently published LVI at the time of payment and in the case of this version of the Plan, divide it by the 2023 Q1 LVI (119.1).

At all times the contributions payable will not fall below the base rates listed in Appendix C.

The appropriateness of the 2 indices used in this plan are discussed in the next section.

8.6 Indices used in this plan

Consumer Price Index – All Groups Sydney

The CPI - All Groups Sydney published quarterly by the Australian Bureau of Statistics, is the recommended index by the Department of Planning and Environment for councils to use in contributions plans. The index broadly tracks changes in the prices of 11 categories of goods and services across Sydney. However, it does not provide a specific representative of price dynamics of land in a specific geographical area and will not assist councils with the adverse effects of land value escalation.

Unimproved Land Value Index – Blacktown (LGA)

Although the EPandA Regulation does not specifically mention escalation of land values, a council can include land value indices within a Section 7.11 contributions if they are:

prepared by or on behalf of the council from time to time that are specifically adopted by the plan [EPandA Regulation 2000 clause 32(b)(ii)]

A land value index could, for example, be based on average land values in an area derived from representative sales in the development area, or alternatively, several catchment areas

depending on the characteristics of the locality. The appropriate methods and index will need to be assessed by council. However, to be valid, a development contributions plan must specifically adopt such an index.

Council has engaged CoreLogic to produce and publish quarterly, an Unimproved Land Value Index for the Blacktown Local Government Area.

CoreLogic's Unimproved Land Value Index is a measure of the change in underlying land values for detached housing for various geographic demarcations. Unimproved land value (also referred to as Unimproved Capital Value) is the estimated value of the underlying land which a property is built upon, excluding any improvements on the land such as the dwelling itself and other structures (e.g., swimming pools, carports, etc.).

This is distinct from the market value of the property which accounts for both the improvements as well as the unimproved land. Leveraging the same hedonic methodology as the Home Value Index, CoreLogic's Unimproved Land Value Index is derived from a statistical analysis of observed market transactions of residential houses. The model is optimised to control for the contribution of various attributes to changes in observed market sales prices by factoring only the land area and location attributes to the hedonic model.²

CoreLogic publish its Blacktown (LGA) Unimproved Land Value Index quarterly on its website at <https://www.corelogic.com.au/our-data/corelogic-indices/land-value-index>.

8.7 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.

8.8 Deferred payment of contributions

Council has a policy (P000543.1) for the deferred payment of Section 7.11 contributions. The policy can be viewed on Council's website at:

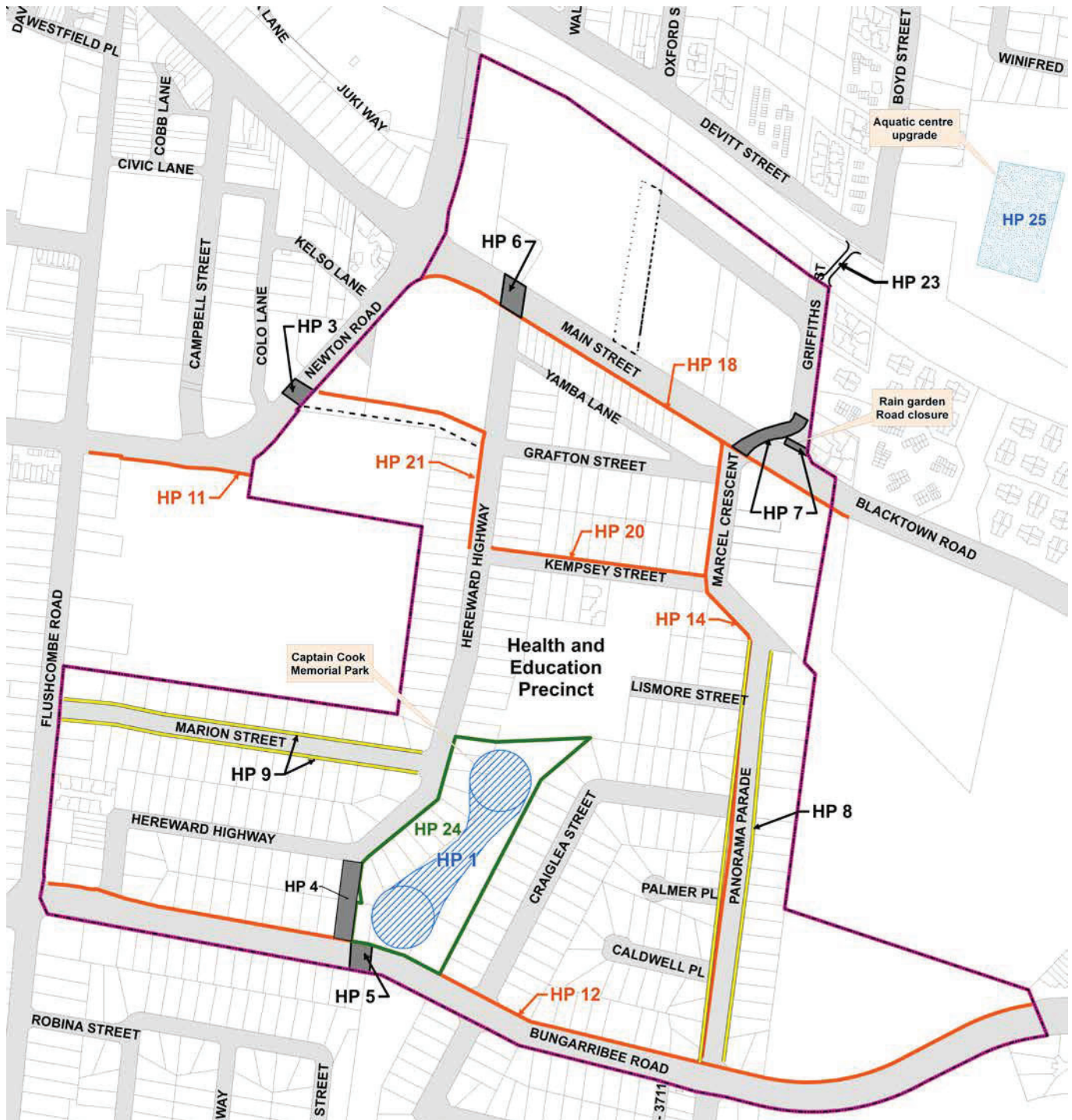
<https://www.blacktown.nsw.gov.au/About-Council/Plans-policies-and-reports/Policy-Register>

In summary:

- an applicant requesting deferral needs to apply in writing to Council. This can be done via email to blacktown@blacktown.nsw.gov.au
- all requests are considered on merit having regard to (but not excluding) 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 Section 7.11 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 entering into a Deed of Agreement

Appendices

Health and Education Precinct (Facilities)



Catchment area - indicative only

Map information is not necessarily up-to-date or correct and Blacktown City Council accepts no responsibility in that regard. As such no reliance on these maps should be made without reference to Council's GIS mapping of catchment zones.

Health and Education Precinct Water Management Facilities

Site No.	Apportioned to Residential Development	Description of Works	Complete cost Indexed to March 2023	Estimated Cost & Indicative Timing of Delivery			Total
				2024-2034	2034-2044	2044-2054	
HP 1	0%	Captain Cook Memorial Park - Flood mitigation works	\$0	\$5,432,000	\$0	\$0	\$5,432,000
HP 1.1	0%	Relocation of service from Lismore Street	\$0	\$0	\$0	\$544,000	\$544,000
Water Management Facilities - Flood Mitigation			\$0	\$5,432,000	\$0	\$544,000	\$5,976,000

Health and Education Precinct Traffic and Transport Management Facilities

Site No.	Apportioned to Residential Development	Description of Works	Complete cost Indexed to March 2023	Estimated Cost & Indicative Timing of Delivery			Total
				2024-2034	2034-2044	2044-2054	
HP 2	50%	Landscaping including street trees and furniture for various locations	\$0	\$0	\$1,291,090	\$635,910	\$1,927,000
HP 3	50%	Intersection construction Newton Road and Grafton Street extension	\$0	\$0	\$0	\$3,681,000	\$3,681,000
HP 4	50%	Hereward Highway extension to Bungarribee Road and intersection construction	\$0	\$5,048,000	\$0	\$0	\$5,048,000
HP 5	50%	Hereward Highway extension to Bungarribee Road - additional crossings	\$0	\$534,000	\$0	\$0	\$534,000
HP 6	50%	Intersection upgrade Main St and Hereward Highway	\$0	\$0	\$1,820,000	\$0	\$1,820,000
HP 7	50%	Intersection construction Marcel Crescent, Main Street including realignment of Griffith Street	\$0	\$7,486,000	\$0	\$0	\$7,486,000
HP 8	50%	Panorama Parade road widening	\$0	\$7,361,000	\$0	\$0	\$7,361,000

Site No.	Apportioned to Residential Development	Description of Works	Complete cost Indexed to March 2023	Estimated Cost & Indicative Timing of Delivery			Total
				2024-2034	2034-2044	2044-2054	
HP 9	50%	Marion Street road widening to provide for buses	\$0	\$2,734,000	\$0	\$0	\$2,734,000
HP 11	50%	Network extensions - Newton Road	\$0	\$246,000	\$0	\$0	\$246,000
HP 12	50%	Shared Path - Bungarribee Road	\$0	\$2,444,000	\$0	\$0	\$2,444,000
HP 14	50%	Shared Path - Panorama Parade	\$0	\$1,027,000	\$0	\$0	\$1,027,000
HP 18	50%	Shared Path - Main Street between Newton Road and Marcel Crescent	\$0	\$468,000	\$0	\$0	\$468,000
HP 20	50%	Shared Path - Kempsey Street	\$0	\$245,000	\$0	\$0	\$245,000
HP 21	50%	Shared Path - Grafton Street extension, Hereward Highway to Kempsey Street	\$0	\$486,000	\$0	\$0	\$486,000
HP 22	50%	Vehicle parking meters and bicycle parking Various locations	\$0	\$911,000	\$0	\$0	\$911,000
HP 23	50%	Aquatic Health Link Bridge	\$0	\$0	\$16,108,000	\$0	\$16,108,000
Traffic and Transport Management Facilities			\$0	\$28,990,000	\$19,219,920	\$4,316,910	\$52,526,000

Health and Education Precinct Open Space and Recreation Facilities

Site No.	Apportioned to Residential Development	Description of Works	Complete cost Indexed to March 2023	Estimated Cost & Indicative Timing of Delivery			Total
				2024-2034	2034-2044	2044-2054	
HP 24	50%	Captain Cook Memorial Park upgrade - Landscaping including shared cycleways/ footpaths, carpark, playground & amenities	\$0	\$0	\$8,710,000	\$4,290,000	\$13,000,000
Open Space & Recreation Facilities			\$0	\$0	\$8,710,000	\$4,290,000	\$13,000,000

Health and Education Precinct Community Facilities

Site No.	Apportioned to Residential Development	Description of Works	Complete cost Indexed to March 2023	Estimated Cost & Indicative Timing of Delivery			Total
				2024-2034	2034-2044	2044-2054	
HP 25	100%	Contribution to Blacktown Aquatic Centre upgrade	\$0	\$0	\$0	\$1,000,000	\$1,000,000
HP 26	50%	Contributions to the provision of a future Multi-purpose Community Centre	\$0	\$0	\$1,675,000	\$825,000	\$2,500,000
Community Facilities			\$0	\$0	\$1,675,000	\$1,825,000	\$3,500,000

Schedule of values in the contribution formulae

Catchment	Size of Catchment	Land to be Acquired (Ha)	Land Acquired L1 (\$)	Yet to Acquire L2 (\$)	Items Constructed C1 (\$)	Yet to Construct C2 (\$)	Plan Administration PA (\$)	Total L1+L2+C1+C2+PA (\$)
Water Management Facilities	Gross Floor Area							
Flood Mitigation	160,000		\$0	\$0	\$0	\$5,976,000	\$89,640	\$6,065,640
Traffic & Transport Management Facilities	Population / GFA							
Health Precinct	160,000	0.1312	\$0	\$7,000,000	\$0	\$52,526,000	\$787,890	\$60,313,890
Open Space & Recreation Facilities	Population							
Health Precinct	7,079	0.7879	\$0	\$27,000,000	\$0	\$13,000,000	\$195,000	\$40,195,000
Community Facilities	Population							
Health Precinct	7,079		\$0	\$0	\$0	\$3,500,000	\$52,500	\$3,552,500
Total		0.9191	\$0	\$34,000,000	\$0	\$75,002,000	\$1,125,030	\$110,127,030

Base contribution rates

Catchment	Per Gross Floor Area or Per Person	Contribution Rate Land	Contribution Rate Works	Contribution Rate Total
Water Management Facilities				
HEALTH PRECINCT				
Flood Mitigation	Per GFA		\$38	\$38
Traffic & Transport Management Facilities				
HEALTH PRECINCT				
	Population / GFA			
Residential Development	Per Person		\$3,766	\$3,766
Non Residential Development	Per GFA	\$44	\$167	\$211
Open Space & Recreation Facilities				
HEALTH PRECINCT				
Residential Development	Per Person	\$3,814	\$932	\$4,746
Non Residential Development	Per GFA		\$41	\$41
Community Facilities				
HEALTH PRECINCT				
Residential Development	Per Person		\$323	\$323
Non Residential Development	Per GFA		\$8	\$8

Indexation method

The method of indexing the contribution rates is to multiply the base contribution rates by:

- for works - the most recently published CPI at the time of payment and in the case of this version of the Plan, divide it by the **March 2023 CPI (132.7)**.
- for land - the most recently published LVI at the time of payment and in the case of this version of the Plan, divide it by the **2023 Q1 LVI (119.1)**.

At all times the contributions payable will not fall below the base rates listed above.

Supporting technical studies and reports

- BCC Health Precinct Cost Estimates - Altusgroup Cost Consulting Pty Ltd
- Social Infrastructure Needs Assessment Blacktown Health and Education and Expansion Areas Precincts – Will Roden Consulting
- Restitch the Blacktown CBD – Family of Bridges – Taylor Thomson Whitting
- Restitch the Blacktown CBD - 3 pedestrian bridges – MBM
- Preliminary Site Investigation – Potential Blacktown Health Expansion Project – Senversa
- Blacktown Health and Education Precinct Southern Precinct Traffic Assessment – Bitzios consulting
- Blacktown Health Precinct Phase 2 Civil Infrastructure Report – AT and L.