

contributions plan

No.18

section 7.11

Eastern Creek Stage 3

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1. Introduction and administration of the plan

1.1 Name of the plan

This contributions plan is called 'Section 7.11 Contributions Plan No.18 – Eastern Creek Stage 3'.

1.2 The Eastern Creek Precinct of SEPP 59

Land within the Eastern Creek Precinct of *State Environmental Planning Policy No. 59* (SEPP 59) has been progressively released for development within 3 stages. This contributions plan only applies to Stage 3 of the Eastern Creek Precinct of SEPP 59.

Stage 1 release area

On 10 April 2000, the Minister for Planning declared 40 hectares of the Eastern Creek Precinct as the Stage 1 release area. Council was notified of the Release Area on 13 April 2000. Council subsequently adopted the *Wonderland Business Park Precinct Plan* on 12 December 2001 to control development within the Stage 1 release area. Council also resolved to endorse a 'Development Agreement' for the provision of essential infrastructure in this release area in lieu of a contributions plan under Section 7.11b of the *Environmental Planning and Assessment Act 1979*.

Stage 2 release area

On 30 September 2002, the Minister for Planning declared an additional 12.4 hectares of the Eastern Creek Precinct as the Stage 2 release area. Council was notified of the release area on 21 October 2002. This release area compensated for an equivalent area in the Stage 1 release area that is significantly encumbered by Cumberland plain woodland that is not suitable for development. The declaration of the Stage 2 release area did not change the total area of land readily able to be serviced using existing capacity in water and sewerage infrastructure.

The declaration of the Stage 2 release area was subject to the following conditions:

- i. as part of the investigations to support the preparation of any precinct plan for the release area, the land adjoining to the south and identified as the "Tributary Area" on the map described in Schedule 1 must be included for the purpose of investigating and determining an appropriate Aboriginal heritage conservation outcome
- ii. the area within the previous release area identified as "Deferred Area" on the map may not be developed unless, subsequent to this declaration, the land is included in a land release proposal considered in accordance with Clause 11 of SEPP 59.

Council subsequently adopted the *Eastern Creek Business Park Precinct Plan – Stages 1 & 2* on 24 March 2004. That precinct plan repealed and replaced the *Wonderland Business Park Precinct Plan* adopted for Stage 1. A new development agreement, to replace the previous agreement, was entered into for the provision of essential infrastructure within the Stage 1 & 2 release areas.

Stage 3 release area

On 25 February 2003, the Minister declared the remaining land in the Eastern Creek Precinct as the Stage 3 release area. Council was notified of the release area on 7 March 2003. The area of land within the Stage 3 release area covers approximately 600 hectares.

The declaration of the Stage 3 release area was subject to the following conditions:

- i. A draft Precinct Plan for the land to which this Declaration of Release applies shall not be lodged with the consent authority until the Minister for Planning is satisfied that the requirements of the Roads and Maritime Services and Transport NSW for regional transport services will be met.

- ii. The Precinct Plan shall make clear provision for the conservation of areas of biodiversity and Aboriginal heritage significance, including mechanisms for enhancement and on-going management, and shall clearly consider the views of relevant Aboriginal communities.

1.3 State Environmental Planning Policy (Western Sydney Employment Area) 2009

On 12 August 2009, the NSW Premier announced that certain lands in the vicinity of the M4 and M7 were being released and that *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP (WSEA)) was to be gazetted and the Erskine Park Link Road had been approved.

The new SEPP (WSEA) replaced SEPP 59 by applying new controls to the Eastern Creek, Huntingwood and (parts of) the Greystanes Precincts. The SEPP (WSEA) was gazetted on 21 August 2009 and identified Blacktown City Council as the consent authority for development for this precinct.

The new SEPP applies to land in Western Sydney including existing employment lands under *SEPP No 59 - Central Western Sydney Economic and Employment Area* (SEPP 59) across the Blacktown and Holroyd Local Government Areas (LGA). The land is divided into the Former Wonderland, Eastern Creek, Huntingwood, Raceway, Ropes Creek and Quarantine Station Precincts in the Blacktown Local Government Area. The SEPP (WSEA) requires the preparation of Development Control Plans (DCP's) rather than precinct plans (which are requirements under SEPP 59). There is flexibility regarding who prepares the DCP provided 60% of the land owners consent to the preparation.

Clause 270 of the *Environmental Planning & Assessment Regulation 2000* (EPA Reg) was inserted into the EPA Regulation in August 2009 when the SEPP (WSEA) came into force. Clause 270 (1) provides that a Development Application in relation to any land zoned *IN1 General Industrial* under the Western Sydney SEPP must not be determined unless a Contributions Plan has been approved for the land to which the development application relates. Clause 270 (2) provides that a consent authority may dispense with the need for a contributions plan if the developer has entered into an agreement with the consent authority with respect to the matters that may be the subject of a contributions plan.

This clause is similar in effect to the former clause 271 of the EPA Reg, which applied to the land covered by SEPP 59. It gives Council the right to refuse to deal with any development application before it has prepared its Section 7.11 contributions plan, unless the developer enters into a planning agreement under Section 7.4 of the Act with Council.

The EP&A Regulation clauses have since been replaced by Clause 66 of the Environmental Planning and Assessment Regulation - *Contributions plans for certain areas in Sydney—the Act, s 4.16(1)*.¹

1.4 Planning agreements that affect this contributions plan

Blacktown City Council has entered into a number of a number of planning agreements under Section 7.4 of the *Environmental Planning and Assessment Act 1979* that apply to land in the Stage 3 precinct of the Eastern Creek. This has provided an opportunity for development to occur before this contributions plan comes into force. As mentioned above, Clause 270 (2) of the EPA Regulation provides that a consent authority may dispense with the need for a Contributions Plan if the developer has entered into an agreement with the consent authority with respect to the matters that may be the subject of a Contributions Plan.

These planning agreements are:

- Wallgrove Stage 1 Planning Agreement – Jacfin Pty Ltd

¹ <https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0759#sec.66>

- Motor Vehicle Logistics Facility Planning Agreement – Jacfin Pty Ltd
- Eastern Creek Stage 2 Subdivision Planning Agreement – Jacfin Pty Ltd
- Eastern Creek Business Park Planning Agreement EC3 – Australand 111 Pty Ltd & Hartford Lane Pty Ltd
- Tesrol Eastern Creek Stage 1 Planning Agreement – Sumy Pty Ltd (Now with Australand 111 Pty Ltd)
- Tesrol Eastern Creek Stage 2 Planning Agreement – Sumy Pty Ltd (Now with Australand 111 Pty Ltd)
- Mirvac Planning Agreement – Mirvac Funds Management Ltd & Perpetual Nominees Ltd (did not take effect)
- Eastern Creek Stage 3A Subdivision Planning Agreement – Jacfin Pty Ltd
- Eastern Creek Stage 3B Subdivision Planning Agreement – Jacfin Pty Ltd
- Eastern Creek Stage 4 Subdivision Planning Agreement – Jacfin Pty Ltd
- Eastern Creek (Old Wallgrove Road Intersection) Planning Agreement – Jacfin Pty Ltd
- Sargents Charity Limited Factory Planning Agreement – Sargents Charity Limited.

The primary purpose of these planning agreements was to secure future Section 7.11 monetary contributions by means of bank guarantees. Before subdivision certificates are issued to developers, they are required to provide Council with suitable security for their future Section 7.11 contributions calculated on the development's developable area.

Council has also entered into a planning agreement (Interchange Park Planning Agreement) with ING Real Estate (now GTA Real Estate Interchange Park Pty Limited) for its development known as "Interchange Park" (Lot 11 Precinct). Under this agreement, the developer agreed to contribute 14% of the costs of the Quarry Link Road upon written notification from Blacktown City Council. The Lot 11 and Stage 3 planning agreements account for 69% of the costs of the Quarry Link Road.

The above planning agreements are available to the public upon request or can be downloaded from Council's website.

1.5 Purpose of this 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 Stage 3 Precinct of Eastern Creek.

Within the Stage 3 Precinct of Eastern Creek, Section 7.11 contributions are levied for the following facilities:

- water cycle management facilities
- traffic & transport management facilities.

This plan has been prepared in accordance with:

- the Environmental Planning and Assessment Act, 1979 (EPA Act)
- the Environmental Planning and Assessment Regulation, 2021; (EPA Regulation)
- State Environmental Planning Policy (Western Sydney Employment Area)
- the Eastern Creek Precinct Plan – Stage 3
- 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 2019².

The initial contributions plan was exhibited in 2010 but was not adopted. The contributions plan was first adopted by Council in 2016.

The contributions in this plan have been determined on the basis of "contribution catchments". This is the area over which a contribution for a particular item is levied. Within each catchment there is an identifiable "list" of works, which are scheduled for provision.

Council applies contribution formulae to each catchment for the purpose of calculating the contribution rate applicable to that catchment. The formulae consider the cost of works to be undertaken, the cost to Council of acquiring land 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.

1.6 Commencement of this plan

This plan takes effect from the date on which public notice was published, pursuant to clause 214 (4) of the Environmental Planning and Assessment Regulation, 2021.

1.7 Principles of Section 7.11

Section 7.11 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 three 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 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 Section 7.11 contributions is to ensure that the contributions levied 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. 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 <https://www.planning.nsw.gov.au/sites/default/files/2023-03/local-infrastructure-contributions-practice-note.pdf>

1.8 Aims and objectives

The aims and objectives of this plan are to:

- ensure that Section 7.11 contributions levied on development within the Stage 3 Precinct of Eastern Creek are reasonable and affordable
- ensure that the method of levying Section 7.11 contributions is practical
- ensure that an appropriate level of local infrastructure provision occurs within the Stage 3 Precinct of Eastern Creek
- employ a user pays policy for the funding of infrastructure within the Stage 3 Precinct of Eastern Creek so 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
- make clear Council's intentions regarding the location and timing of infrastructure provision within the Stage 3 Precinct of Eastern Creek.

1.9 Land to which the plan applies

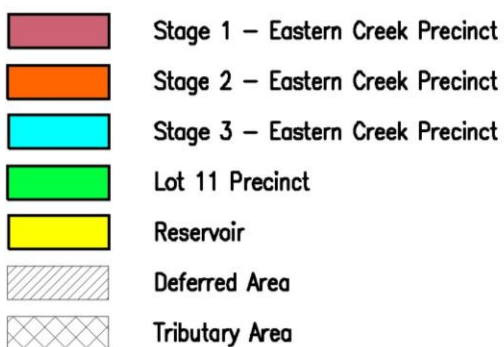
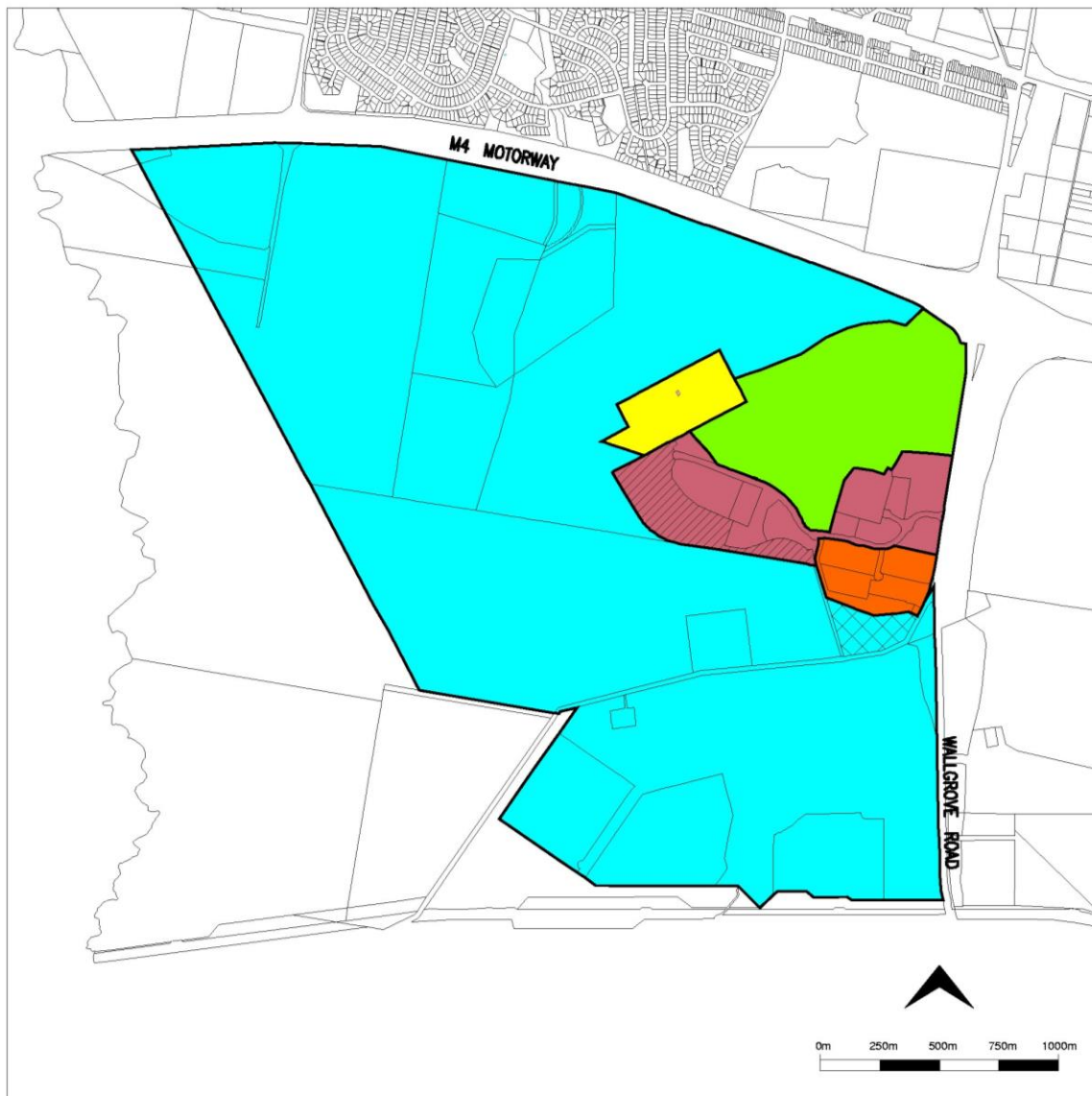
This contributions plan applies to land within Stage 3 Precinct of Eastern Creek which is one of the areas nominated under *State Environmental Planning Policy (Western Sydney Employment Area)*.

The Stage 3 Precinct of Eastern Creek covers an area of approximately 600 hectares and is bounded by the M4 Motorway and the Lot 11 Precinct to the north, Wallgrove Road to the east, the Sydney Water Pipeline to the south, and the Transgrid transmission easements to the west.

There have been two major projects approvals that impact on this plan. These approvals, one for Hanson and the other for Lighthorse/Dial a Dump properties have been conditioned to provide on-site stormwater management measures, including detention. These areas are now excluded from providing stormwater management contributions in the plan. The properties excluded from stormwater management contributions are:

- Lot 1 DP 1145808
- Lot 2 DP 1247691
- Lot 7 DP 1225803
- Lot 61 DP 1234758
- Lot 62 DP 1234758
- Lots 1 – 5 DP 1225803.

A map showing the location of the Stage 3 Precinct of Eastern Creek is shown on the following page.



Stage 3 Precinct Plan

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

1.10 Development to which the plan applies

This plan applies to all development occurring within the precinct catchment areas that requires 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.

1.11 Construction certificates and the obligation of accredited certifiers

In accordance with Section 7.21(1)(c) 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.

1.12 Complying development 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*, 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 7.11 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 7.11 condition correctly.

1.13 Relationship to other plans and policies

Environmental Planning Instruments and controls apply to the Stage 3 Precinct of Eastern Creek. These include:

- State Environmental Planning Policy (Western Sydney Employment Area)
- State Environmental Planning Policy (Industry and Employment) 2021
- Eastern Creek Precinct Plan - Stage 3.

1.14 The monitoring and review of this plan

This plan will be subject to regular review by Council. The purpose of any review is to ensure that:

- contribution levels reflect current land and construction costs
- the level of provision reflects current planning and engineering practice and likely population trends
- work schedules are amended if development levels and income received differ from current expectations
- any change to State Government policy regarding development contributions is addressed.

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.

1.15 Timing of provision of items

The Environmental Planning and Assessment Regulation, Part 9, Division 3, Clause 212 (f & 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 5–year thresholds in Appendices A and B. These are only indicative at the time of preparation of the plan and are updated upon each review of the plan.

1.16 Provision of Infrastructure

Notwithstanding Section 1.16 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.

1.17 Works-in-Kind Agreements and Voluntary Planning Agreements

Council is responsible for the delivery of infrastructure listed in this plan. However, from time to time developers may propose to deliver infrastructure through Works-In-Kind agreements (WIKAs) or Voluntary Planning Agreements (VPAs). Each proposal is considered by Council on its merits to determine whether the proposal provides a public benefit. This may result in a developer delivering infrastructure earlier than proposed in this contributions plan. Council enters into these agreements as guided by its VPA and WIKAs policies.

1.18 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 1.18 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.

1.19 Pooling of funds

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 monetary Section 7.11 contributions under this plan are the priorities for works as set out in the works schedules to this plan.

1.20 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.

1.21 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 5300 6000 between 8.30 am and 4.30 pm Monday to Friday or by visiting the Information Centre on the Ground Floor of the Civic Centre in Flushcombe Road, Blacktown between 8.30 am to 4.30 pm Monday to Friday.

1.22 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.

2 Land value rates

2.1 Engagement of an independent registered valuer

For the 2023 review of this plan, Council engaged CivicMJD Australia to provide independent estimated land value rates for land yet to be acquired in the Eastern Creek Stage 3 precinct.

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 ³other 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 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 this plan 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.

The acquisition of land is undertaken in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*. 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 ⁴market value. However, at other times Council will need to compulsorily acquire certain land to achieve its Strategic Section 7.11 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.

³ Other acquisition costs include consultants, legal, solatium, disbursements under the *Just Terms Compensation Act*, and the vendor’s reasonable consultant and legal costs.

⁴ ‘Market Value’ is defined in the *LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991 - SECT 56*

3 Water cycle management facilities

3.1 Nexus

In order to levy Section 7.11 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 should be satisfactorily drained and flood free. Development produces hard impervious areas and this 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 Council's Precinct Plan - SEPP59 Eastern Creek Precinct Plan (Stage 3) and referenced documents.

3.2 Water cycle management infrastructure

Water cycle management 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.

Infrastructure designs for the management of stormwater quality, quantity and flooding have been developed for the Stage 3 Precinct, that allow for at source pollution control measures for industrial and commercial areas combined with precinct scale co-located detention/bio-retention basins and gross pollutant traps at key locations. These systems would essentially comprise a dry basin (to provide detention function) combined with bio-retention (to provide water quality treatment function) situated in the invert of the basin. Bio-retention is sized to treat runoff from the precinct road network. For the purposes of water quality modelling conducted, precinct roads are assumed to occupy 10% of the gross development area.

Rainwater tanks are recommended to be provided where possible. These measures are not included in the modelling to support this contributions plan, as they will be provided as part of individual developments.

Under the Western Sydney Employment Area (WSEA) SEPP there is a requirement to consider a regional roof water harvesting scheme in the design of the development within the precinct. At the time of preparing this plan, no confirmed details of the proposed roof water harvesting scheme were available. Therefore, should a roof water harvesting scheme be adopted for this precinct, then this plan would need to be reviewed in relation to impacts on proposed stormwater management infrastructure.

Project conditions from consents issued by the Department of Planning and Environment have not required connection to any regional harvesting scheme and it is unlikely that this scheme will be implemented.

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

Detailed stormwater quantity modelling was used to test the effectiveness of the proposed water management infrastructure and included modelling of flood peaks and flood levels for the creeks within the Precinct using *XP-RAPTS*, *HECRAS*, *SOBEK* and *TUFLOW*. Volumes of detention that responded as best possible to the Precinct Plan and restricted flood peaks to pre-development levels were calculated using *XP-RAPTS*. Stormwater quality management requirements were determined using *MUSIC*.

The results of this stormwater modelling have shown that the proposed stormwater management infrastructure, together with the flood plain management can satisfy the requirements of the Precinct Plan Blacktown City Council Engineering Guideline for Development (BCC, 2005), Part R / J 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 precinct.

Council has used the proposed stormwater management infrastructure designs and associated modelling to form the basis of the regional stormwater drainage infrastructure works. Design of proposed stormwater management infrastructure has generally progressed to a concept design stage. This enabled the preparation of quantities and estimates that form the basis of the water cycle management costs under this plan. It is expected that these designs will be refined as part of the exhibition process to address any relevant stakeholder issues and be updated as necessary for the adopted contributions plan.

As this is an industrial precinct, all subdivision roads are to be constructed at the developers cost and therefore no credits will apply for half roads fronting stormwater management infrastructure.

3.3 Contribution catchments

The Stage 3 release under SEPP59 drains to eight (8) separate major drainage catchment outlets as described in the Precinct Plan. One of these catchments, Minchinbury Catchment, is now zoned as Environmental Conservation area with no development potential and is therefore excluded from this Contributions Plan. The Reedy Creek catchment has been developed under a Part 3A major project approval and the Quarry North catchment will be developed under a Planning Agreement. Stormwater management infrastructure for these catchments will be provided by the developers and therefore these catchments are also excluded from this contributions plan.

The remaining Precinct Plan catchments included in this plan are the Quarry, Upper Angus Creek, Ropes Creek Tributary, Eastern Creek Tributary and Substation catchments. The areas of the catchments were determined having regard for the natural watershed and the proposed local road layout which will impact upon drainage flows. A map showing the location of the drainage contribution catchments is contained in Appendix "A". There is no provision for the extended release area under the WSEA SEPP west of the SEPP 59 Precinct boundary under this plan.

When considering the size of contribution catchments for Water cycle management infrastructure, Council took the approach that the catchments should be of a sufficient size to promote efficiency in the timing of the provision of infrastructure, while still maintaining a nexus based in the individual catchment characteristics. This approach is supported by the Department of Planning Practice Notes for Development Contributions (2005).

Given that there is a single developable land use zoning within the precinct and a uniform approach is adopted for stormwater quantity and quality management measures, no separation of stormwater quantity and quality cost apportionment is proposed.

In order to determine actual provision levels and, ultimately, contribution rates, the developable area of each drainage catchment are calculated. The developable area is the area over which the cost of providing the works has been distributed and is explained further in Section 4.4.

The developable area (size of catchment) of the drainage catchments is stated in Appendix "C".

3.4 Changes to infrastructure designs and provisions from previous plan

Design development and developer activity has progressed in the Stage 3 precinct of Eastern Creek resulting in some significant changes in the Quarry North, Ropes Creek Tributary, and Eastern Creek Tributary catchments. These are described in the following sections

Quarry north catchment

The development in this catchment has progressed and there is now only one remaining proposed development lot that requires stormwater management facilities. Under application SPP-21-00007, it is proposed to manage stormwater quantity and quality on site as part of the development works.

Council entered into the *Part Lot 2 DP1145808, Archbold Road, Eastern Creek Planning Agreement* on 14 July 2022. The planning agreement substitutes the proposed **public** regional water management facility on the developer's land that was to be provided by the contributions plan, with a **private** water management system (underground tank) that will be constructed and maintained in perpetuity by the developer.

The proposed stormwater management system complies with our Water Sensitive Urban Design standard drawings and the State Environmental Planning Policy No.59 Eastern Creek Precinct Plan.

As the development is now the only development left to be serviced by the proposed regional precinct basin, the option of making it a private basin and removing its costs from the contributions plan makes economic sense and does not affect other landowners or developers. This means that there is no longer a need for regional S7.11 stormwater management works, and these items have been removed from the contribution plan.

Ropes creek tributary catchment

In response to a development application in this catchment, a landowner made submissions to question the current adopted strategy. In response to the submission, we engaged Stantec to undertake a review of the stormwater management strategy for this catchment.

The most cost-effective solution (Option 3) replaces the previous 2 off line basins (RC1 and RC3) with a single larger on-line basin and is proposed for adoption as part of this review.

Eastern creek tributary catchment

The main changes in this catchment are design development to optimise the development yield initiated by the landowners. Channel EC1.1 has been realigned and now negates the need for previous channel EC2.1. Channel EC1.6 has been realigned and replaced with box culverts. Bioretention EC3.2 is proposed to be relocated to be offline to the main basin storage area and flows.

3.5 Contribution formula

Given that different strategies apply to stormwater quality management separate costs are required for stormwater quantity and quality management measures. Therefore, different cost items and developable areas will apply and the total rate will be the sum the quantity and quality rates.

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

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

- WHERE:
- $L1$ = The actual cost to date of providing land for water cycle management purposes indexed to current day values.
 - $L2$ = The estimated cost of land yet to be acquired for water cycle management purposes.
 - $C1$ = The actual cost to Council to date of works constructed for water cycle management facilities indexed to current day values.
 - $C2$ = The estimated cost of future water cycle management facilities.
 - PA = Plan administration fee being 2% of the total cost of providing water cycle management facilities.
 - A = The total developable area of 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 4.

A schedule of works for the contribution catchments is provided in Appendix "A" together with a map of the catchments indicating the location of the works.

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

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

4 Traffic & transport management facilities

4.1 Nexus

Major roads

The nexus between development and the increased demand for 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 land release precincts, it is desirable for road authorities such as Council to provide for major 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 higher 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 Major Roads (generally sub-arterial and or arterial classification), as all development will benefit from the provision of these roads.

The NSW RMS has obtained a Concept Plan approval for the proposed Erskine Park Link Road Network (EPLRN). The EPLRN is proposed as the major traffic network to service the needs of the WSEA lands. Archbold Road and Old Wallgrove Road are major roads located in the Stage 3 precinct that form part of the EPLRN.

RMS has now taken over Old Wallgrove Road as a State Road and is progressing its construction. RMS are progressing the design of Archbold Road project from the Great Western Highway to the water supply pipeline and have served Council with an ISEPP notification for this project.

The roads forming part of the Erskine Park Link Road network are now excluded from this plan

Minor roads

Minor roads are generally excluded from contributions plans as they generally only benefit a few properties and can usually be constructed as part of subdivision works. It is proposed that all collector and local roads are funded and constructed by developers except for the Quarry Link Road (extension of Interchange Drive from Wonderland Drive to Old Wallgrove Road). The Quarry Link Road is classed as a local road in the Precinct Plan. However, it serves an important traffic function linking Wonderland Drive to Old Wallgrove Road to maintain an acceptable level of service at the intersection of Wonderland Drive and Wallgrove Road. Therefore, the Quarry Link Road has been included as required precinct road infrastructure to ensure that the overall traffic network maintains an acceptable level of service.

Bridges and culverts

A requirement of the Precinct Plan is that road crossings of riparian corridors be in the form of bridges. There are three designated riparian corridors within the precinct, Eastern Creek Tributary, Upper Angus Creek and Ropes Creek Tributary.

Bridges generally facilitate the provision of traffic movement through the precinct to enable the road network to function. However, in some instances where local roads that aren't critical to the overall function of the precinct traffic network require bridges, it is not equitable for the precinct as a whole to contribute to these as there is no clear nexus in relation to traffic. The location of bridges is shown in Appendix B.

The proposed Quarry Link Road crosses the Eastern Creek Tributary. As this road serves an important traffic network function, it is proposed to apportion the cost of this creek crossing over the precinct traffic and transport management catchment.

A proposed local road crosses the Upper Angus Creek corridor near the M4 Motorway. Given that this road does not serve an important traffic function, it is proposed to apportion this bridge cost over the Upper Angus Creek drainage catchment as the requirement for the crossing is more of a drainage function than traffic management.

The precinct plan extension of Archbold Road had a crossing of the Ropes Creek Tributary within the western edge of the precinct. The proposed EPLRN realigns the Archbold Road extension west of the Stage 3 release area into the adjoining WSEA Ropes Creek north precinct. As this bridge now is required under the EPLRN, it has been excluded from the Stage 3 contributions plan. The precinct plan road network will be amended to suit the proposed EPLRN once RMS designs are provided and in consultation with affected landowners.

Current NSW guidelines for riparian corridors allow culverts on 1st and 2nd order streams such as Upper Angus Creek and Eastern Creek Tributary. Culverts achieve the required flow conveyance and have now been adopted as they are consistent with current riparian guidelines and are a lower cost option than bridges.

Miscellaneous measures

All classes of intersections on all subdivision roads are to be provided by the developer constructing the subdivision roads. No other traffic management facilities are proposed.

Bus shelters are proposed to be provided by developers as part of providing subdivision roads. Where bus shelters are proposed on major roads, these costs are included in this contributions plan. For Old Wallgrove Road and Archbold Road, bus shelters are allowed on both sides of the road in the vicinity of intersections with side streets and at approximately 400m spacing. As the proposed Quarry Link Road has limited development frontage, no bus shelters are proposed for this road.

4.2 Contribution catchment

Given that the land using zoning is uniform across the precinct, a single contribution catchment is proposed for traffic management. The traffic management items included are required to achieve an acceptable level of service for the traffic network serving the precinct to the benefit of the entire precinct. Maps showing the location of the traffic and transport management facilities and the contribution catchment are contained in Appendix "B".

To account for contributions from other landowners and to apportion cost equitably, the cost of the infrastructure items included has been adjusted to account for other landowner contributions and traffic modelling as described below:

- Proposed Quarry Link Road: the costs have been adjusted to account for contributions negotiated in Planning Agreements with Stage 3 and Lot 11 Precinct landowners for this road. The Planning Agreements collectively account for 69% of the costs for this road. Therefore, the remaining 31% of the costs for this road will be levied on other Stage 3 landowners. These planning agreements are further explained in Section 1.4 of this contributions plan.

In order to determine contribution rates, the developable area of the traffic and transport management facilities contribution catchments has been calculated. The developable area is the area over which the cost of providing the works has been distributed and is explained further in Section 4.4.

The developable area (size of catchment) of the contribution catchments are stated in Appendix "C".

4.3 Contribution formula

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

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

WHERE:	<i>L1</i> =	The actual cost to date of providing land for traffic and transport management purposes indexed to current day values.
	<i>L2</i> =	The estimated cost of land yet to be acquired for traffic and transport management purposes.
	<i>C1</i> =	The actual cost to Council to date of works constructed for traffic and transport management facilities indexed to current day values.
	<i>C2</i> =	The estimated cost of future traffic and transport management facilities.
	<i>PA</i> =	Plan administration fee being 2% of the total cost of providing traffic and transport management facilities.
	<i>A</i> =	The total developable area of 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 4.

Standards of road construction are

- Sub-Arterial – 2 x 7.5m divided carriageway (28m wide reserve)
- Major Collector – 2 x 7m divided carriageway (26.25m wide reserve)
- Industrial Collector – 15.5m carriageway (23.75m wide reserve)
- Industrial Local Road – 13.5m carriageway (21.5m wide reserve).

A schedule of works for the contribution catchments is provided in Appendix "B".

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

The resultant contribution rates are contained in the schedule being Appendix "D" traffic & transport management facilities.

5 Explanation of contribution formula components

5.1 Introduction

This Section provides an explanation of the various components of the contribution formulae detailed in Sections 2 and 3.

5.2 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.

In the contribution formulae:

- L1 - represents land that has previously been acquired 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 acquiring 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 considers 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 “C”.

5.3 Explanation of the capital components

Schedules of works to be provided for the various items are detailed in Appendices "A" and "B" 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.

5.4 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 7.11 items, but not subdivisional roads, land zoned for conservation or drainage purposes and uses which existed prior to the land being rezoned for urban development and which are unlikely to be redeveloped. 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.

5.5 Explanation of the plan administration component

Contributions 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 Blacktown Growth Precinct. Therefore, a plan administrative component is included in this plan.

"PA" in the contribution formulae is the plan administrative component. It represents 2.0% of the total value of works and land acquisitions to be funded under this plan.

5.6 Indexation

In the formulae, previous land acquisitions (L1) and capital expenditures (C1) are indexed to current day values using the Consumer Price Index (CPI) All Groups Sydney. 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.

6 Payment of contributions

6.1 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 a 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 5.4 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.

6.2 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.

6.3 Adjustment of contributions

Clause 215(5)(b) of the EP&A 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.

6.4 Indexation of contributions

Contribution rates are indexed quarterly in accordance with:

- for works - the Consumer Price Index (**CPI**) – All Groups Sydney
- for land acquired (*L1*) - the Consumer Price Index (CPI) – All Groups Sydney
- for land yet to acquire (*L2*) - 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 June 2023 CPI (134.0).
- 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 Q2 LVI (123.5).

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

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

6.5 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 Environmental Planning and Assessment 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.⁵

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.⁶

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>.

6.6 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.

6.7 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:

⁵ <https://www.planning.nsw.gov.au/~media/Files/DPE/Practice-notes/development-contributions-practice-notes-2005-07.ashx>

⁶ <https://www.corelogic.com.au/our-data/corelogic-indices/land-value-index>

<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 by emailing council@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
- interest is charged on deferred contributions. Council also charges an administrative fee for the deferred payment. The interest rate and administrative fee levied for the deferred payment of contributions are reviewed annually and appear in Council's *Goods and Services Pricing Schedule*. The schedule can be viewed at:

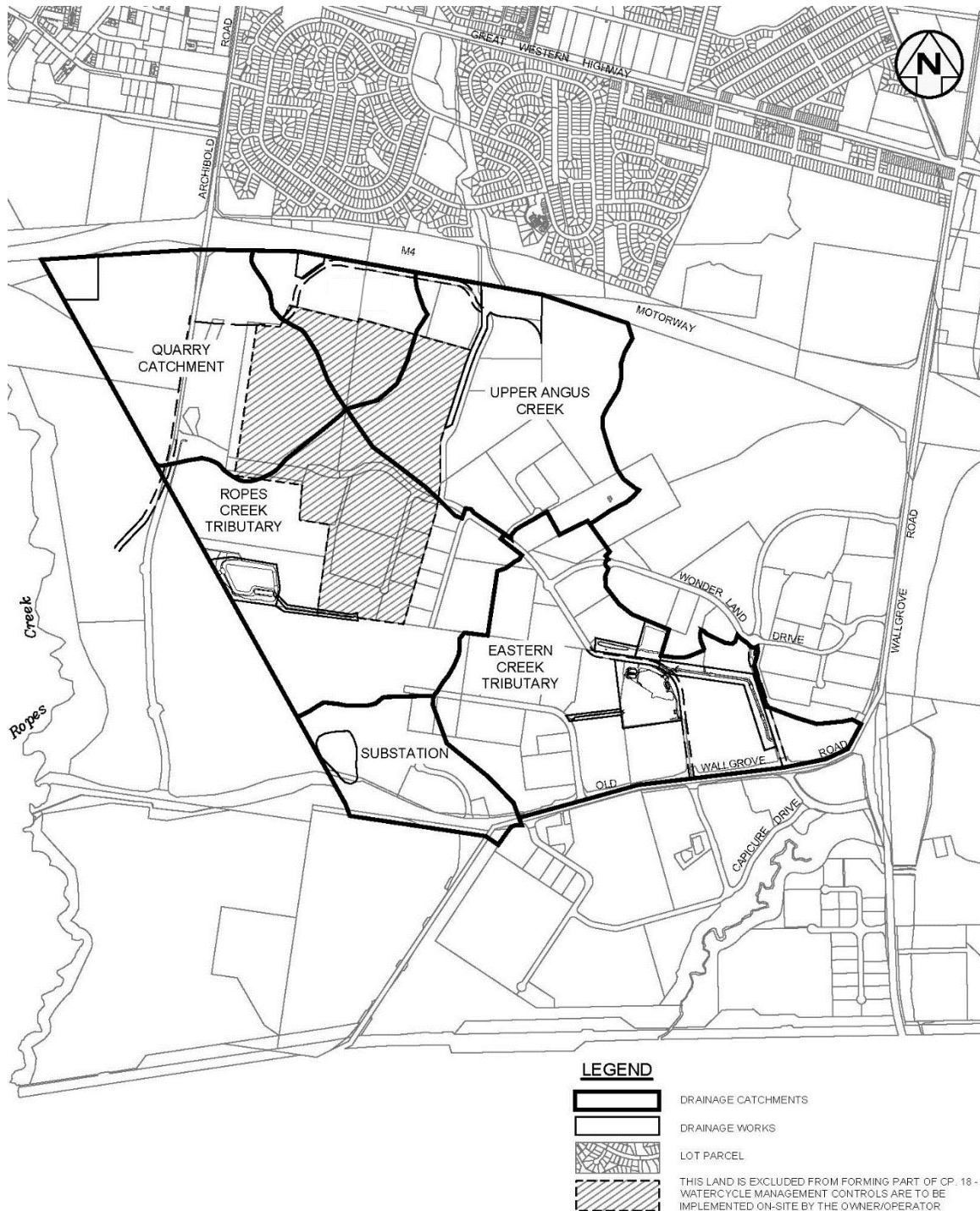
<https://www.blacktown.nsw.gov.au/About-Council/What-we-do/Delivery-Program-and-Operational-Plan/Goods-and-Services-Pricing-Schedule>

- 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
- should contributions not be paid by the due date, the bank guarantee will be called up
- 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 payments can be made through contacting the Contributions team.

Appendices

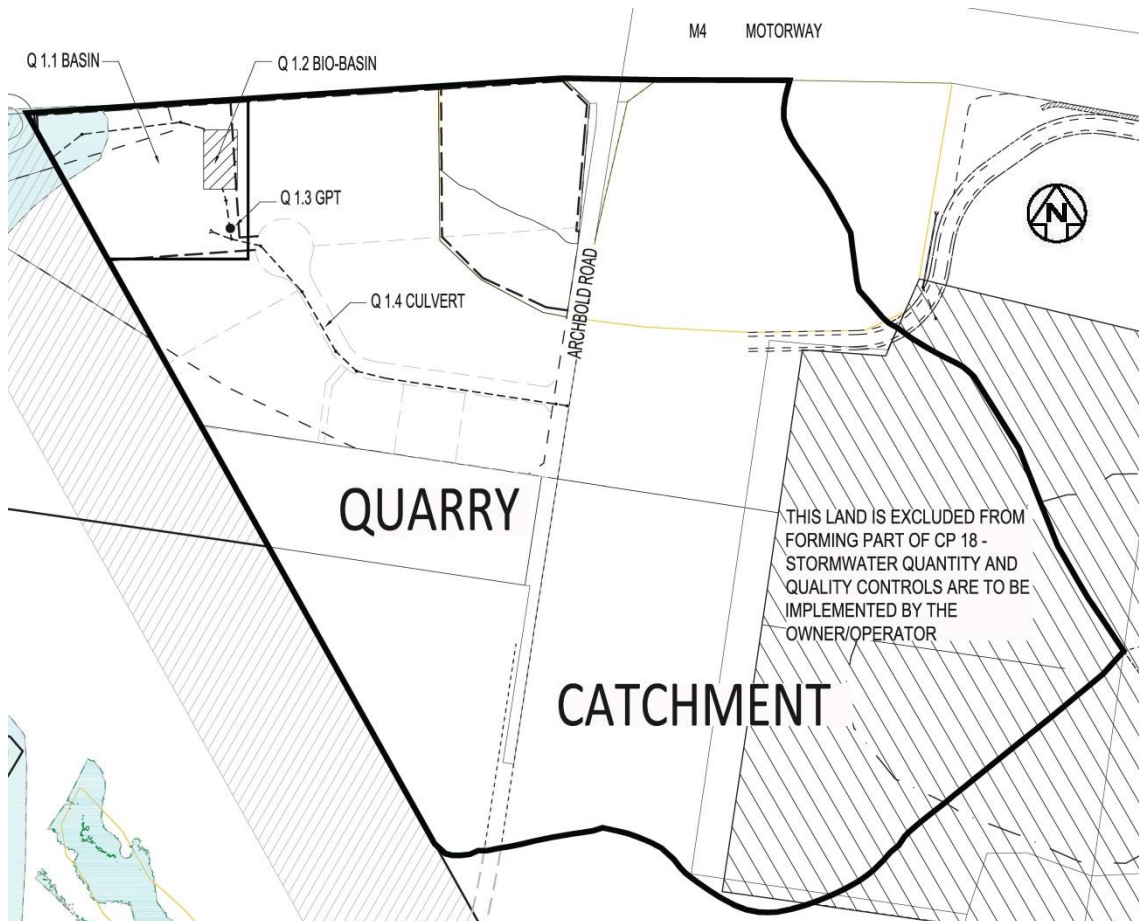
Appendix a 1 of 7

**Eastern Creek Stage 3 Precinct
water cycle management facilities**



Appendix a 2 of 7

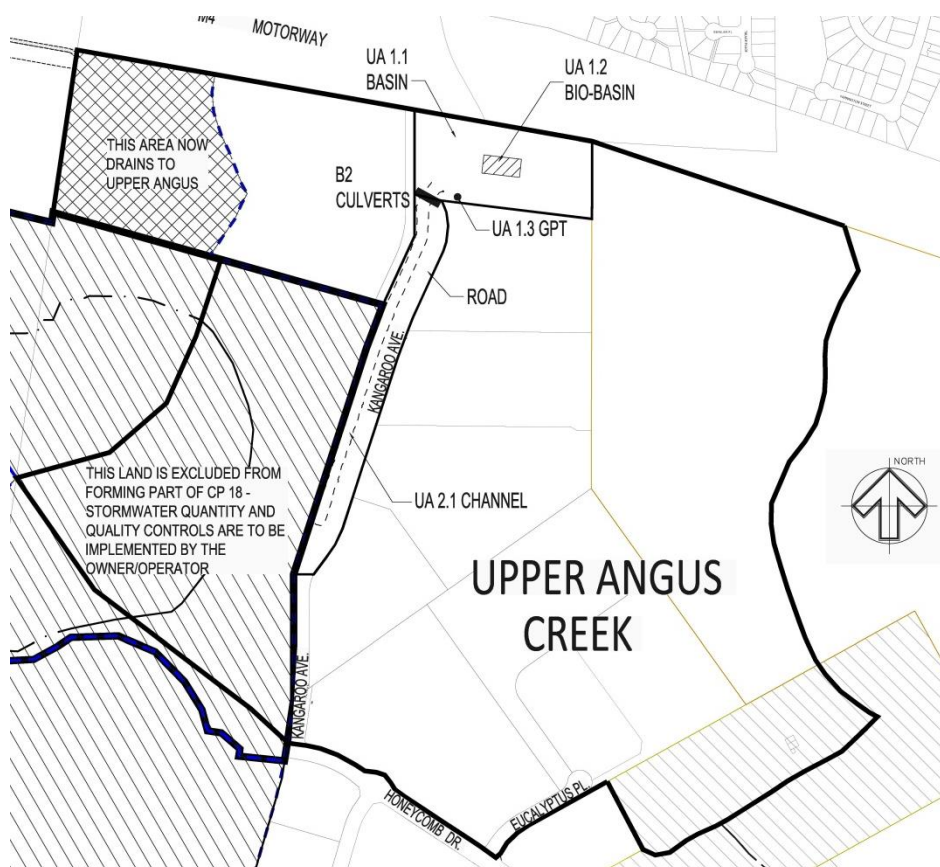
Eastern Creek Stage 3 Precinct water cycle management facilities quarry catchment



Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
Quarry Creek Catchment						
Q 1.1	Detention basin	\$0	\$0	\$7,495,000		\$7,495,000
Q 1.2	Bioretention Basin co located	\$0	\$0	\$640,000		\$640,000
Q 1.3	GPT	\$0	\$0	\$192,000		\$192,000
Q 1.4	3000x1200mm Culvert under future road	\$0	\$0	\$2,824,000		\$2,824,000
		\$0	\$0	\$11,151,000	\$0	\$11,151,000

Appendix a 3 of 7

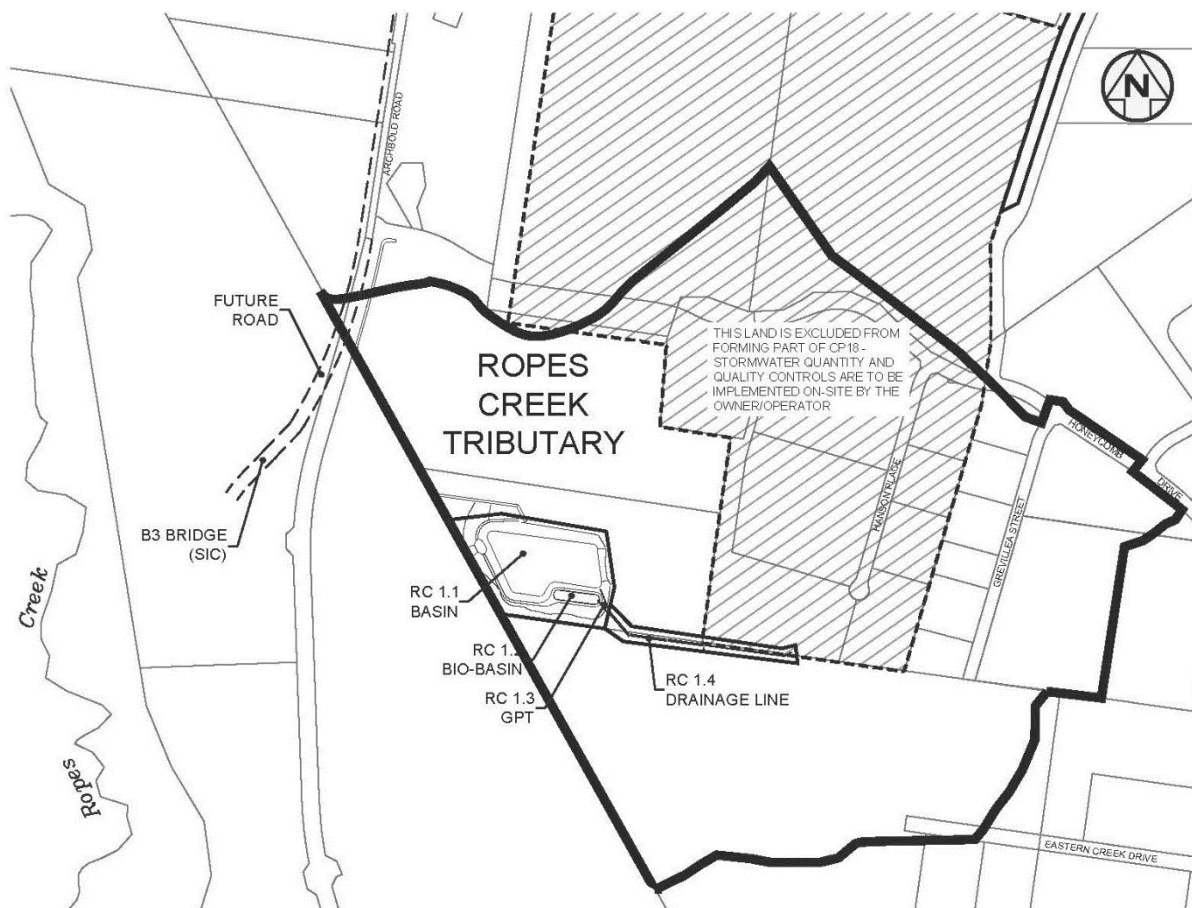
Eastern Creek Stage 3 Precinct water management cycle facilities upper angus creek catchment



Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
Upper Angus Catchment						
UA 1.1	Detention basin	\$0	\$0	\$866,000	\$0	\$866,000
UA 1.2	Bioretention Basin co located	\$0	\$0	\$281,000	\$0	\$281,000
UA 1.3	GPT	\$0	\$0	\$349,000	\$0	\$349,000
UA 2.1	23.5m Wide landscaped open channel	\$0	\$0	\$620,000	\$0	\$620,000
B2	Culvert	\$0	\$0	\$513,000	\$0	\$513,000
		\$0	\$0	\$2,629,000	\$0	\$2,629,000

Appendix a 4 of 7

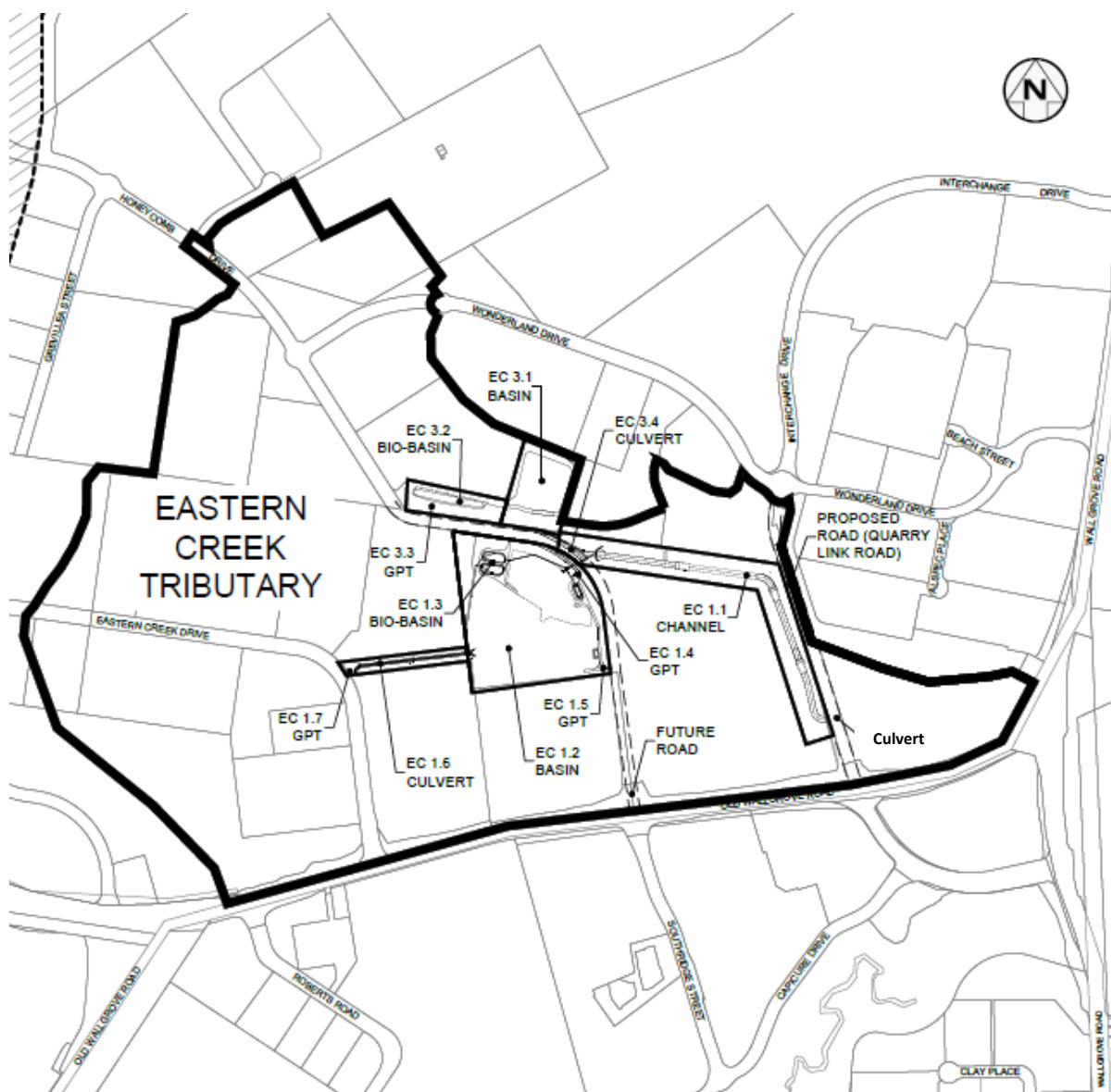
**Eastern Creek Stage 3 Precinct water management cycle facilities
Ropes Creek tributary catchment**



Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
Ropes Creek Tributary Catchment						
RC 1.1	Detention basin	\$17,967	\$2,033	\$4,744,000	\$0	\$4,764,000
RC 1.2	Bioretention Basin co located	\$0	\$0	\$635,000	\$0	\$635,000
RC 1.3	GPT	\$0	\$0	\$176,000	\$0	\$176,000
RC 1.4	Drainage Line	\$0	\$0	\$2,427,000	\$0	\$2,427,000
		\$17,967	\$2,033	\$7,982,000	\$0	\$8,002,000

Appendix a 5 of 7

**Eastern Creek Stage 3 Precinct water management cycle facilities
Eastern Creek tributary catchment**



Catchment Areas 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.

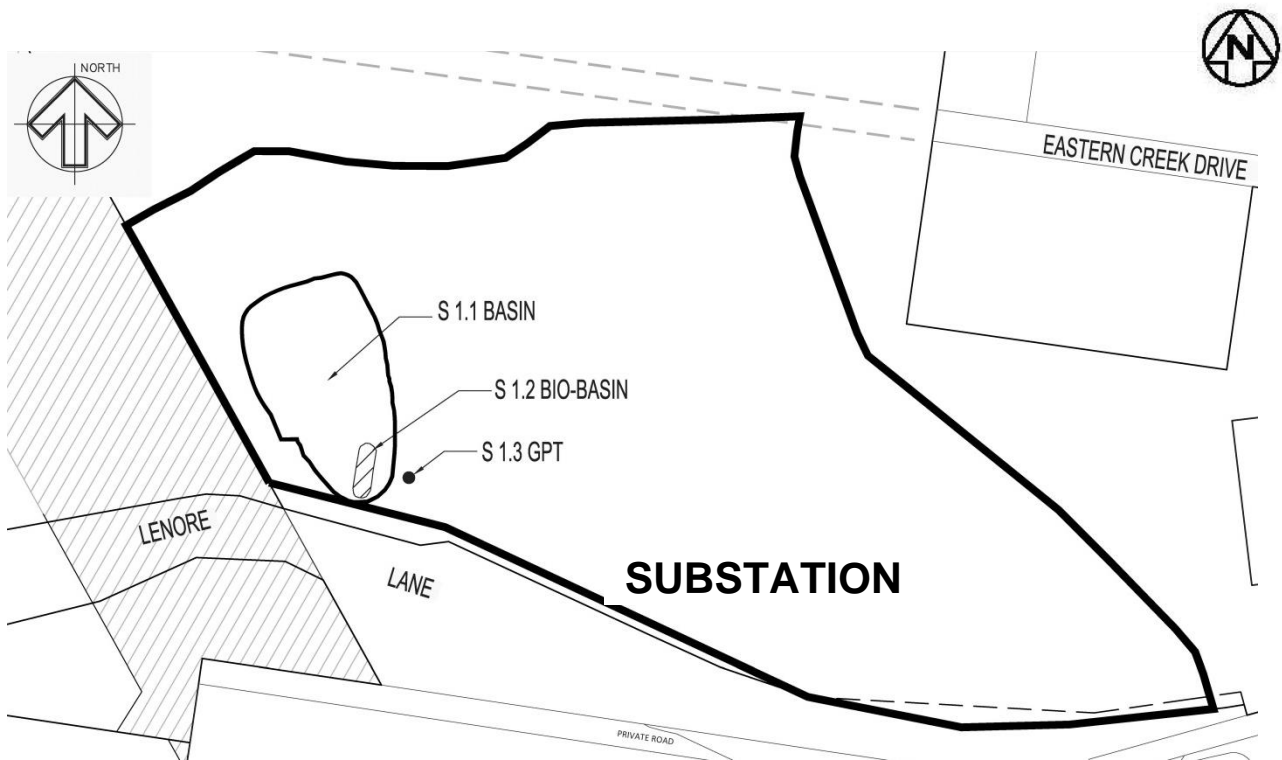
Appendix a 6 of 7

Eastern Creek Stage 3 Precinct water management cycle facilities Eastern Creek tributary catchment

Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
Eastern Creek Tributary Catchment						
EC 1.1	45m Wide landscaped open channel	\$2,338,515	\$0	\$0	\$0	\$2,338,515
EC 1.2	Detention basin	\$5,744,506	\$0	\$0	\$0	\$5,744,506
EC 1.3	Bioretention Basin co located	\$314,520	\$0	\$0	\$0	\$314,520
EC 1.4	GPT	\$49,245	\$0	\$0	\$0	\$49,245
EC 1.5	GPT	\$94,535	\$0	\$0	\$0	\$94,535
EC 1.6	Culvert	\$1,372,176	\$0	\$0	\$0	\$1,372,176
EC 1.7	GPT	\$304,626	\$0	\$0	\$0	\$304,626
EC 2.1	Relocated and included in EC1.1	\$1,620,876	\$0	\$0	\$0	\$1,620,876
EC 3.1	Detention basin	\$0	\$0	\$3,191,000	\$0	\$3,191,000
EC 3.2	Bioretention Basin co located	\$0	\$0	\$911,000	\$0	\$911,000
EC 3.3	GPT	\$0	\$0	\$170,000	\$0	\$170,000
EC 3.4	900mm Culvert under future road	\$389,752	\$0	\$0	\$0	\$389,752
		\$12,228,751	\$0	\$4,272,000	\$0	\$16,500,751

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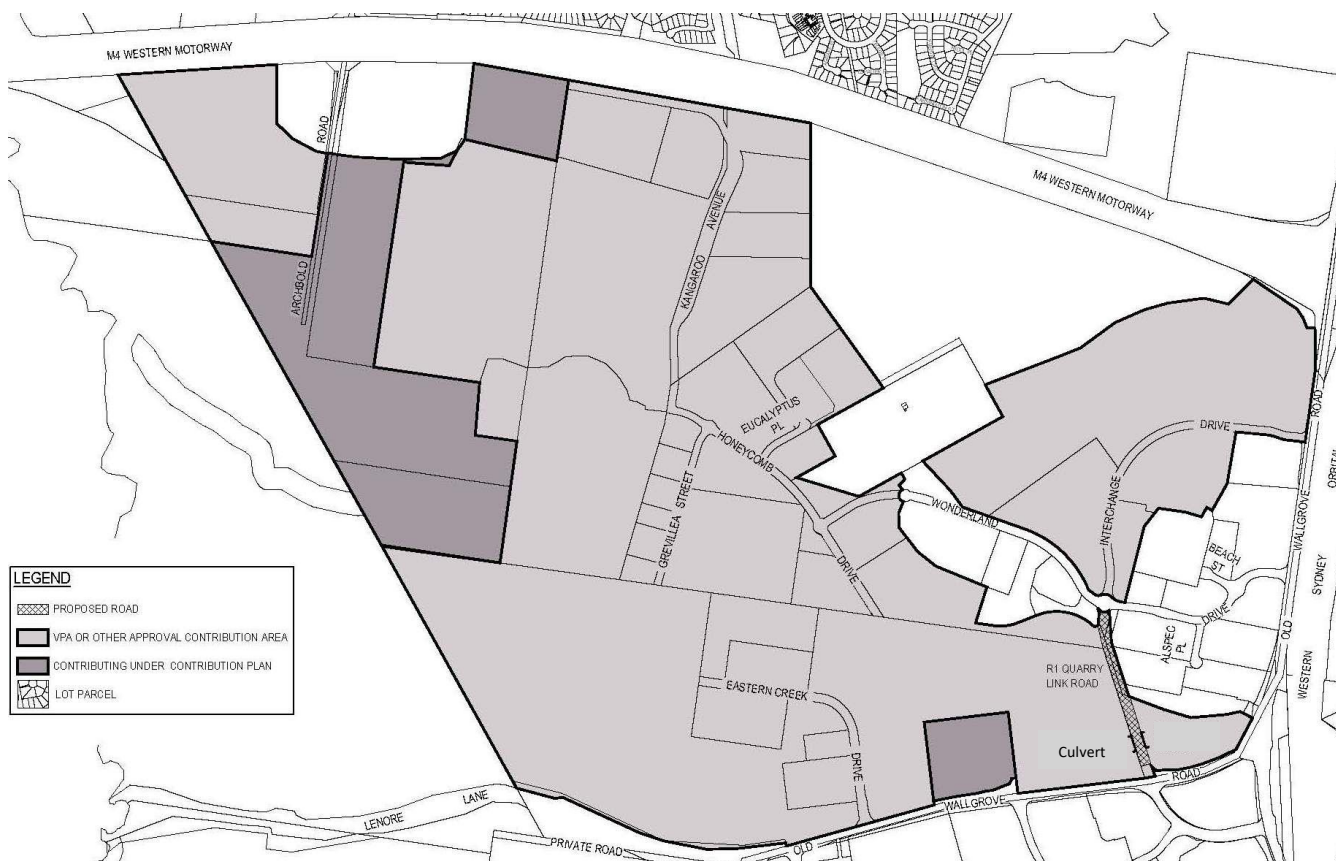
Eastern Creek Stage 3 Precinct water management cycle facilities substation catchment



Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
Substation Catchment						
S 1.1	Detention basin	\$0	\$0	\$5,744,000	\$0	\$5,744,000
S 1.2	Bioretention Basin co located	\$0	\$0	\$380,000	\$0	\$380,000
S 1.3	GPT	\$0	\$0	\$192,000	\$0	\$192,000
		\$0	\$0	\$6,316,000	\$0	\$6,316,000

Appendix b 1 of 2

Eastern Creek Stage 3 Precinct traffic and transport management facilities



Quarry link Road

Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
R1	QUARRY LINK ROAD (including Culvert) Local industrial road. Wonderland Drive to Old Wallgrove Road.	\$922,033	\$0	\$1,509,926		\$2,431,959
		\$922,033	\$0	\$1,509,926	\$0	\$2,431,959

Note: only 31% of the full construction costs of the Quarry link Road is apportioned to this contributions plan.
69% of the full construction costs is apportioned to planning agreements – refer section 3.2 of this contributions plan.

Appendix b 2 of 2

Eastern Creek Stage 3 Precinct traffic and transport management facilities



bus shelters

Site No.	Description of Works	Completed cost Indexed to June 2023	Estimated Cost & Indicative Timing of Delivery			Total
			Current Funding	2023 - 2028	2029 -2034	
BUS	BUS SHELTERS Allow for shelters along Old Wallgrove Road and Archbold Road (approx 14)	\$0	\$0	\$854,000	\$0	\$854,000
		\$0	\$0	\$854,000	\$0	\$854,000

Appendix c

Schedule of values in the contribution formulae

CATCHMENT	SIZE OF CATCHMENT	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	Hectares						
QUARRY	36.8063	\$0	\$3,427,000	\$0	\$11,151,000	\$291,560	\$14,869,560
UPPER ANGUS CREEK	45.2135	\$0	\$3,962,000	\$0	\$2,629,000	\$131,820	\$6,722,820
ROPES CREEK TRIBUTARY	60.1284	\$0	\$63,630,000	\$17,967	\$7,984,033	\$1,432,640	\$73,064,640
EASTERN CREEK TRIBUTARY	84.0384	\$46,160	\$92,285,000	\$12,228,751	\$4,272,000	\$2,176,638	\$111,008,549
SUBSTATION	23.2129	\$0	\$18,412,000	\$0	\$6,316,000	\$494,560	\$25,222,560
TRAFFIC MANAGEMENT	Hectares						
QUARRY LINK ROAD	127.7083	\$385,020	\$657,205	\$922,033	\$1,509,926	\$69,484	\$3,543,668
EASTERN CREEK PRECINCT 3	255.0857				\$854,000	\$17,080	\$871,080
TOTAL		\$431,180	\$182,373,205	\$13,168,751	\$34,715,959	\$4,613,782	\$235,302,877

Appendix d

Base contribution rates

CATCHMENT	CONTRIBUTION RATE Land	CONTRIBUTION RATE Land	CONTRIBUTION RATE Works	CONTRIBUTION RATE Total
WATER MANAGEMENT	\$ Per Ha	\$ Per Ha	\$ Per Ha	\$ Per Ha
QUARRY	\$0	\$94,971	\$309,024	\$403,995
UPPER ANGUS CREEK	\$0	\$89,381	\$59,309	\$148,690
ROPES CREEK TRIBUTARY	\$0	\$1,079,400	\$135,744	\$1,215,144
EASTERN CREEK TRIBUTARY	\$560	\$1,120,092	\$200,275	\$1,320,927
SUBSTATION	\$0	\$809,043	\$277,532	\$1,086,575
TRAFFIC MANAGEMENT	\$ Per Ha	\$ Per Ha	\$ Per Ha	\$ Per Ha
QUARRY LINK ROAD	\$3,075	\$5,249	\$19,424	\$27,748
EASTERN CREEK PRECINCT 3	\$0	\$0	\$3,415	\$3,415

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 **June 2023 CPI (134.0)**.
- for land acquired - the most recently published CPI at the time of payment and in the case of this version of the Plan, divide it by the **June 2023 CPI (134.0)**.
- for land yet to acquire - 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 Q2 LVI (123.5)**.

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

Appendix e**Supporting technical studies and reports**

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

- SEPP59 Eastern Creek Precinct Plan Stage 3 and associated referenced and supporting reports *Blacktown City Council (2005)*.
- Part R Integrated Water Cycle Management DCP *Blacktown City Council (2010)*.
- SEPP59 Employment Lands Eastern Creek Link Road Concept Design Report, *Complete Urban (2008) prepared for Blacktown City Council*.
- Review of Environmental Factors SEPP59 Employment Lands Eastern Creek - Link Road, *Complete Urban (2009) prepared for Blacktown City Council*.
- SEPP59 Release Area 3 – Bridge A Concept Report, *Jim Alexander Bridge Design (2010) prepared for Blacktown City Council c/o Complete Urban*.
- SEPP59 Release Area 3 – Bridge C Concept Report, *Jim Alexander Bridge Design (2008) prepared for Blacktown City Council c/o Complete Urban*.
- Council Plan No 82/1V sheets 1 to 20, SEPP59 Eastern Creek Link Road 2A Bridge over Eskdale Creek.
- Council Plan No A82/20V Sheets 1 to 67 SEPP59 Eastern Creek Precinct 3 Link Road 2A (Interchange Drive).
- *Updated Concept design plan SEPP59 Link Road File No 2306 by Complete Urban (2015)*
- Eastern Creek Tributary Part 1E Concept Design Report, *GHD (2009) prepared for Blacktown City Council*.
- Eastern Creek Tributary Project Draft Review of Environmental Factors, *GHD (2008) prepared for Blacktown City Council*.
- Eastern Creek Stormwater Infrastructure – Lot 102 Old Wallgrove Road, Horsely Park; Indigenous Heritage Assessment, *Jo McDonald Cultural Heritage Management (2009) prepared for Blacktown City Council c/o GHD*.
- Final Concept Stormwater Drainage Infrastructure Design for the Upper Angus Creek Catchment, SEPP59 Eastern Creek Precinct 3, *Brown Consulting (2009) prepared for Blacktown City Council*.
- Geotechnical Investigation Upper Angus Creek Precinct, Employment lands Eastern Creek Precinct Release Area 3, Eastern Creek NSW, *Golder Associates (2008) prepared for Blacktown City Council c/o Brown Consulting*.
- Review of Environmental Factors – Upper Angus Creek, Eastern Creek Business Park (SEPP59 Lands) *Australian Wetlands and Brown Consulting (2009) prepared for Blacktown City Council*.
- Vegetation Management Plan – Upper Angus Creek, Eastern Creek Business Park (SEPP59 Lands) *Australian Wetlands and Brown Consulting (2009) prepared for Blacktown City Council*.

- Draft Final Concept Stormwater Drainage Infrastructure Design for the Quarry North Catchment, SEPP59 Eastern Creek Precinct 3, *Brown Consulting (2009) prepared for Blacktown City Council*
- Quarry North Preliminary Flora and Fauna Assessment, Eco Logical (2008) *prepared for Blacktown City Council c/o Brown Consulting.*
- Geotechnical Investigation Quarry North Precinct, Employment lands Eastern Creek Precinct Release Area 3, Eastern Creek NSW, *Golder Associates (2008) prepared for Blacktown City Council c/o Brown Consulting.*
- Geotechnical Investigation Ropes Creek Tributary Precinct, Employment lands Eastern Creek Precinct Release Area 3, Eastern Creek NSW, *Golder Associates (2008) prepared for Blacktown City Council c/o Brown Consulting.*
- Draft Concept Stormwater Drainage Infrastructure Design for the Ropes Creek Tributary Catchment, SEPP59 Eastern Creek Precinct 3, *Brown Consulting (2009) prepared for Blacktown City Council. Note that concept design is to be amended and alternative proposed by Council internal design.*
- Blacktown City Council File Note 145-187-29 dated 17 March 2010, SEPP59 Eastern Creek Ropes Creek Tributary Catchment and associated Concept Design Plan RC-Concept and cost estimates.
- Blacktown City Council File Note 145-187-29 dated 17 March 2010, SEPP59 Eastern Creek Quarry Catchment and associated Concept Design Plan QC-Concept and cost estimates.
- Blacktown City Council File Note 145-187-29 dated 20 July 2010, SEPP59 Eastern Creek Substation Catchment and associated Concept Design Plan SC-Concept and cost estimates.
- Blacktown City Council Design Technical Report Watercycle Management at Eastern Creek (WSEA) SEPP59 Precinct 3 in support of CP 18 (2015)

2023 Review

- Valuation Report – Acquisition for Section 7.11 Contributions Plan – *CivicMJD Australia*
- Cost Estimates to support the Review of Blacktown City Council Section 7.11 Contribution Plan No. 18 Eastern Creek Stage 3 – *Altus Group*
- CP18 Ropes Creek Tributary Stormwater Management Strategy Review and Concept Design Ropes Creek Tributary - prepared for Blacktown City Council 12 December 2022 – *Stantec Australia Pty Ltd*