

COUNCIL AGENDA ADDENDUM

ORDINARY COUNCIL MEETING

25 October 2023

**FRANCIS GREENWAY CENTRE,
170 GEORGE STREET, LIVERPOOL**

**LIVERPOOL
CITY
COUNCIL**



Planning & Compliance Reports

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PLAN 07

**Draft Aerotropolis S7.12 Contribution Plan - Post
Public Exhibition and Ministerial Submission**

Strategic Objective	Evolving, Prosperous, Innovative Promote and deliver an innovative, thriving and internationally recognised city
File Ref	351557.2023
Report By	Claire Scott - Coordinator Contributions Planning
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report is to provide Council's with an update and revised version of the Draft Liverpool City Council Aerotropolis s7.12 Contributions Plan and Background report (**Attachment 1**) post public exhibition period.

The Report will further seek support from Council to submit the Draft Contributions Plan to the Minister Planning and Public Spaces, NSW Department of Planning for an internal review and a Ministerial Direction in accordance with *Environmental Planning and Assessment Act 1979*:

section 7.12 (5)

(5) the regulations may make provision for or with respect to levies under this section, including –

(a) the means by which the proposed cost of carrying out development is to be estimated or determined, and

(b) the maximum percentage of a levy.

and:

section 7.17(1)(d)

(1) The Minister may, generally or in any particular case or class of cases, direct a consent authority as to –

(d) The type or area of development in respect of which a condition under section 7.12 may be imposed and the maximum percentage of the levy

Council at its ordinary Council meeting held 31 May 2023, resolved (MIN: 179769.2023)

'That Council:

- 1. Exhibit the draft Liverpool City Council Aerotropolis 7.12 Contributions Plan (2023) and background report (attachment 1) for a minimum 28 days, in accordance with the provision of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2021;*

2. *Provide a further report to Council, on completion of the public exhibition period; and*
3. *That the three levels of government work together to forward fund the infrastructure delivery as part of the contributions plan.'*

Council formally exhibited the *Draft Contributions Plan* commencing 15 June 2023 to 14 July 2023 (COB). The draft Contributions Plan and the background document were made available to the public on the Council's website and via the NSW planning portal page. Owners of land effected by the future application of the Draft Contributions Plan were notified via written correspondence (19 June 2023).

During the exhibition period, Council received seven (7) submissions and one (1) submission post exhibition. A copy of the submission and proposed changes to the plan are noted in the '*Draft Aerotropolis s7.12 Contributions Plan - Submission table*' (**Attachment 2**).

In addition, Council sought a review on the administrative and legislative application of the draft Contribution Plan from a legal firm. This review identified some minor changes to the draft Contribution Plan and will ensure that the Contributions Plan is lawful and without discrepancy in its future application.

Further analysis on costs and land acquisition was undertaken which increased the plan to identify a levy of 4.6%

This report details further consideration in respect to the management and risk of matters that are parallel to the operation and timing of a contribution plan.

RECOMMENDATION

That Council:

1. Notes the post exhibition report of the draft Liverpool City Council s7.12 Aerotropolis Contribution plan fulfilling the requirement of Min179769.2023 (2) '*provide a further report to Council on completion of the public exhibition period*';
2. Support the minor administrative amendments and changes to the draft Liverpool City Council s7.12 Aerotropolis Contribution Plan and Background report as generally expressed within in this report;
3. Acknowledge the minor levy increase of 0.1% (levy now 4.6%) which captured the increase in land values within the Aerotropolis precinct;
4. In accordance with *Environmental Planning and Assessment Act 1979, section 7.12 (5) and Environmental Planning and Assessment Regulations 2021, section 7.17(1)(d)* forward the final *Draft Liverpool City Council s7.12 Aerotropolis Contribution Plan 2023* to the Department of Planning and Environment for assessment and Ministerial approval; and
5. Receive a further report, post Ministerial assessment and recommendation, of the draft Liverpool City Council s7.12 Aerotropolis Contribution Plan.

REPORT

Background:

In December 2019, the Department of Planning Industry and Environment (DPIE) released for comment the draft Western Sydney Aerotropolis Plan (WASP). The WASP detailed the vision and planning approach for the Aerotropolis, including the provision of state and local infrastructure to service the area.

The WASP presents a once in a lifetime opportunity to transform the landscape of the Western Parkland City through city shaping infrastructure, such as the Western Sydney (Nancy Bird-Walton) International Airport and the north-south rail link. There is a global opportunity for economic investment to create thriving aviation based business and residential communities.

The scale, scope and importance of this area requires a planning approach that includes mechanisms for the delivery of local and regional infrastructure funding. Infrastructure to support the Aerotropolis is vital to a sustainable success and the Western City, more generally.

Council has been proactive in the preparation of a contributions framework to support the Aerotropolis, in conjunction with Penrith City Council. It is envisaged that the Aerotropolis Contribution Plan (CP) will ensure infrastructure delivery better aligns with development assessment, prevents unnecessary delays to development approvals due to a lack of infrastructure planning and provides Council with a strong understanding of our baseline infrastructure needs to be able to effectively negotiate planning agreements where required. A section 7.12 plan (percentage rate levy) was chosen as it allows Councils greater flexibility for infrastructure delivery.

Liverpool and Penrith prepared a consolidated s7.12 Contribution plan that applied to the whole Western Sydney Aerotropolis Precinct Planned area. The first draft Contribution Plan (2020) was initially prepared using land use and built form assumptions based on the Western Sydney Aerotropolis Plan, given there were no specific details yet finalised regarding development outcomes for the Aerotropolis. The exhibited draft plan was prepared based on available information and industry accepted standards and benchmarks.

Under the first draft Aerotropolis Contribution Plan (2020), the total cost of local infrastructure to meet the needs of the initial precincts of the Aerotropolis for both Penrith and Liverpool Councils, was estimated at \$2.6bn. A percentage rate levy of 6.5% was proposed which was an aggregate rate from rates applied across each of the six areas of the draft plan.

At its Ordinary meeting of 27 October 2020, Council resolved to publicly exhibit the joint Liverpool Council and Penrith Council *draft Aerotropolis s7.12 Contributions Plan*. Following this, the Department of Planning & Environment (DPE) commenced the exhibition of the draft Precinct Plans, the Draft Special Infrastructure Contribution Plan (SIC) and the draft Development Control Plan for the Aerotropolis.

Since the exhibition of the joint draft Aerotropolis Contribution Plan in November 2020, two key changes occurred to the planning framework for the Western Sydney Aerotropolis that required significant amendments to the draft Aerotropolis CP Plan. These changes were as follows:

- Finalisation of the planning package for the Western Sydney Aerotropolis; and
- Sydney Water being appointed as the Regional Stormwater Authority.

The release of the final planning package for the Aerotropolis provided Councils with the certainty of the land use planning and infrastructure outcomes for the Aerotropolis, enabling Councils to review and update the infrastructure and costing within the exhibited draft CP.

The final planning package included the following:

- Amendments to the SEPP (Precincts – Western Parkland City) 2021);
- Finalised Precinct Plan; and
- Finalised Development Control Plan

Amendments to State Environmental Planning Policy (SEPP) (Precincts – Western Parkland City) 2021

An amendment to SEPP (Precincts – Western Parkland City) 2021 introduced new land acquisition requirements for Council. From November 2022, Council became the acquisition authority for land identified in the SEPP as ‘Open Space and Drainage’ lands.

As the SEPP nominated Council as the acquisition authority, the contribution calculations required an amendment to identify and specifically include land acquisition and embellishment costs for the land, as no other funding mechanism was available. There was also further clarity to acquisition land and Sydney Water responsibility.

Western Sydney Aerotropolis Precinct Plan

The final Precinct Plan defined the extent of the road and active transport networks within the Aerotropolis and determined what parts of the network would need to be delivered by Council.

Key provisions include the following:

- Transport Network Plan and Street Hierarchy Map defined the extent of the sub-arterial road network and locations where bridges and culverts are anticipated; and
- The Blue Green Framework and Active Transport Network Plans defined the extent of land to deliver the off-road pedestrian footpaths and cycleways and where the active transport network crosses creek lines that require bridges.

Council has utilised these provisions to determine the amount of land to be acquired, methodology for construction, and proposed minimum embellishment costs.

Western Sydney Aerotropolis Development Control Plan 2022

The adopted Development Control Plan contained new development controls for the road network that required the costing to be reviewed. These controls include the following:

- Road profiles that contained a wider road reserve to address tree canopy and water-sensitive urban design requirements (WSUD) which increased the cost of road construction and maintenance due to a greater level of landscaping within the road reserve than traditional road profiles;
- The inclusion of riparian road corridors and increased landscaping to achieve water control target; and
- Minimum street tree requirements and engineering designs for street tree pits.

Sydney Water – Regional Stormwater Authority

On 25 March 2022, Sydney Water was appointed as the Regional Stormwater Authority for the Western Sydney Aerotropolis. As the Regional Stormwater Authority, Sydney Water will be responsible for delivering, managing and maintaining the regional stormwater network, along with the drinking water, wastewater and recycled networks.

The appointment of Sydney Water as the regional stormwater authority directly impacts the draft Contribution Plan (prepared 2020), as the plan included costs of \$1.07bn for the provision of stormwater infrastructure to be delivered, managed, and maintained by Councils.

In order to progress in finalising the draft CP and facilitate development in the Aerotropolis, Councils have used the information available to make assumptions on stormwater delivery and costs that are required to be included in the plan. These assumptions have been assessed by Council's consultants. These assumptions have been based on the available plans prepared by Sydney Water and include Stormwater Management Framework for Aerotropolis and Mamre Road Precincts and Innovative Water Management for the Aerotropolis Precinct.

Sydney Water and DPE Water have developed a governance structure (roles and responsibilities) for the implementation of the regional stormwater scheme. This has been reviewed by Council officers and our consultants to understand Council's role in the scheme and if any stormwater related infrastructure should be included in the draft Aerotropolis CP. Under the governance structure, Council would be responsible for delivering or facilitating road drainage infrastructure (street pits and pipes). These costs have been accommodated as part of the overall road construction costs.

Land identified as 'Open Space and Drainage' under SEPP (Precincts – Western Parkland City) 2021 is local water management and does not form a functioning component of the

regional stormwater scheme. However, 'Open Space and Drainage' land is directly adjacent to regional stormwater assets and may include riparian corridors and flood impacted land. To facilitate Precinct Plan outcomes for an active transport network, costs for the embellishment of this land have been accommodated in the revised Contribution Plan. As the stormwater strategy is yet to be released, there is a possibility that drainage works may need to occur within this land. Should Sydney Water need to link stormwater basins via pipes or drainage channels within the 'Open Space and Drainage' land, Sydney Water would need to seek easements across Council's land and all construction costs would need to be accommodated by Sydney Water.

All other elements of the regional stormwater scheme are intended to be delivered by Sydney Water or developers. No costs or contingencies, other than those discussed above, have been included in the plan for the delivery of this stormwater infrastructure. Including costs or contingencies for the provision of stormwater infrastructure in a plan would be 'double dipping' as it is understood that these costs will either be covered by a Sydney Water servicing charge or paid for by the developer.

Until such time as the governance framework relating to the management of stormwater is formally signed by all parties and the stormwater strategy is released, there remains a risk that the draft plan may not account for all the infrastructure Council is obligated to deliver to support the stormwater scheme. This risk has been minimised as far as possible with the information available to Council, in order to progress the draft CP and facilitate development. During the exhibition period, we will seek to work with the relevant agencies to formalise the governance framework.

Council has not considered or included any land that is not identified in the precinct plan land acquisition map, which may as a result of the acquisition create land locked or undevelopable parcels of land in private ownership.

One Plan into Two – Liverpool City Council Aerotropolis Section 7.12 Contribution Plan

The first contribution plan prepared and exhibited for the Aerotropolis Precinct was a collaborated plan across both Liverpool LGA and Penrith LGA. This exhibited draft plan had an aggregated levy of 6.5%. Since the preparation of this draft Plan, Councils agreed to separate the plan to create two plans to apply to land within each LGA. The key reason behind the separation was simply the application and administration of an endorsed plan being the responsibility for each Council.

The Contribution Plan, with a levy above the legislative maximum, will require an amendment to the Environmental Planning and Assessment regulations, via a Ministerial Direction. Therefore, each Council required a plan that they could solely control and make decision under without impacting or effecting their neighboring Council. Councils agreed that the Plans are prepared, calculated and consistent with a similar methodology and framework to ensure

consistency for all developers. Therefore the project group was maintained and Council officers continued to work collaboratively with the appointed consultants.

Following post exhibition of the first plan in November 2020, the consideration of a new planning structure to the lands as well as proposal to separate the plan by LGA, Council revised the plan to be further known as the *Draft Liverpool City Council Aerotropolis Section 7.12 Contribution Plan 2023*, and would only apply to aerotropolis precinct lands within the Liverpool City Council area.

Due to the precinct planning framework, and Council previously exhibiting a draft contribution plan that had a levy that applied to both Liverpool and Penrith Councils, it was necessary to report the comparable differences between the first exhibited LCC & PCC plan and the Liverpool plan as whole precinct plans,

Public Exhibition and Community Consultation

Council at its ordinary Council meeting held 31 May 2023, resolved (MIN: 179769.2023)

'That Council:

- 1. Exhibit the draft Liverpool City Council Aerotropolis 7.12 Contributions Plan (2023) and background report (attachment 1) for a minimum 28 days, in accordance with the provision of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2021;*
- 2. Provide a further report to Council, on completion of the public exhibition period; and*
- 3. That the three levels of government work together to forward fund the infrastructure delivery as part of the contributions plan.'*

Council formally exhibited the *Draft Contributions Plan* commencing 15 June 2023 to 14 July 2023 (COB). The draft Contributions Plan and the background document were made available to the public on the Council's website and via the NSW planning portal page. Owners of land effected by the future application of the Draft Contributions Plan were notified of the public exhibition via written correspondence (19 June 2023).

The Liverpool Draft Contributions Plan was exhibited at the same time as Penrith City Council Draft Aerotropolis Contributions Plan. This ensured a successful notification period to all landowners across both Liverpool and Penrith local government boundaries. It also provided a benefit by overlapping consultation with industry representatives and Agencies. Council notified key Agencies via email and/or provided updates to relevant key agency stakeholder during attendance at meetings.

During the exhibition period, Council received seven (7) submissions and one (1) submission post exhibition. A copy of the 'Draft Aerotropolis s7.12 Contributions Plan – Submission Table' summary sheet is attached separately to this report (**Attachment 2**).

The summary table grouped themes aligned to the concerns identified in the submissions.

In addition, Council sought a review on the administrative and legislative application of the draft Contribution Plan from a legal firm. This review identified some minor changes to the draft Contribution Plan and will ensure that the Contributions Plan is lawful and without discrepancy in its future application.

Engagement with the Department of Planning and Environmental (DPE)

Council consulted with Department Planning and Environment (Infrastructure team) in the preparation of the background report and drafting of the Contributions Plan. It was important to involve DPE early into the review process to ensure due process is being adhered to and that matters could be addressed accordingly.

In pursue of *with Environmental Planning and Assessment Act 1979*:

section 7.12 (5)

(5) the regulations may make provision for or with respect to levies under this section, including –

- (a) the means by which the proposed cost of carrying out development is to be estimated or determined, and*
- (b) the maximum percentage of a levy.*

and:

section 7.17(1)(d)

(2) The Minister may, generally or in any particular case or class of cases, direct a consent authority as to –

- (e) The type or area of development in respect of which a condition under section 7.12 may be imposed and the maximum percentage of the levy*

Council has amended the exhibited draft Plan (May 2023) and now seeks via a Council report, a recommendation to support the submission of the Draft Contribution Plan to the Minister Planning and Public Spaces. The DPE Infrastructure Department will review and assess the Draft Contribution Plan prior to making a recommendation to the Minister. As Council is seeking a levy higher than the legislation (EP&A Act, s7.12(5)(b)), a Ministerial Direction is required to amend the EP & A Act and Regulations.

Precinct Wide Revised Plan Costs

For the purpose of history and a comparison to the differing versions of the contribution plan, the table below outlines the changes to the cost of infrastructure provision for the Aerotropolis precinct. The exhibited November 2020 plan was the combined Liverpool and Penrith Council contribution plan. The May 2023 exhibited plan was the separation of the plan into the two local government administrative areas and the Final October 2023 plan is the final draft version, post public exhibition. The Final October 2023 Contribution Plan is the plan (and background documentation) which is referred to in the recommendation to this report.

Infrastructure	Exhibited Nov 2020	Exhibited May 2023	Final Oct 2023	Changes
Road & Stormwater	\$726.8m	Liverpool - \$495m LCC and PCC - \$821m	Liverpool - \$495m LCC and PCC - \$821m	Increased costs on balance: <ul style="list-style-type: none"> removal of stormwater infrastructure; an increase in the extent and widths of roads; and Inclusion of bridges over creeks. Inclusion of existing road requiring augmentation
Social, open space & recreation	\$203.1m	Liverpool - \$298m LCC and PCC - \$407m	Liverpool - \$298m LCC and PCC - \$407m	Increased costs: <ul style="list-style-type: none"> an increase in embellishment costs; and inclusions of active transport infrastructure in open space.
Land	\$1.6bn	Liverpool - \$1.2bn LCC and PCC - \$1.6bn	Liverpool - \$1.3bn LCC and PCC - \$1.6bn	Increased costs through: <ul style="list-style-type: none"> an increase in land values; an increase in extent and widths of roads; and inclusion of SEPP zoned open space and drainage land.
Total	\$2.5bn	\$2.8bn	\$2.8bn	

A detailed discussion on the costs of the plan is provided below:

Roads Construction Cost

The final draft contribution plan includes costs to construct some of the sub-arterial roads as well as bridges and culverts and collector roads. As the SIC identified no funding for a primary arterial road in the Agribusiness precinct, the contribution plan has made an allowance for this road to be construction as a sub arterial road.

Proposed local road located along existing road alignments within the Aerotropolis Core and the Liverpool component of the Badgerys Creek precinct have been included. This is to ensure that local roads can be upgraded to match the proposed typical section outlined in the DCP.

The final Liverpool Contribution Plan (**Attachment 1**) proposes to generally fund the following:

*Aerotropolis Core Road – 37,534lm
Aerotropolis Core Land – 708,655 sqm
Badgerys Creek Road – 8220lm
Badgerys Creek Land – 157,916sqm
Agribusiness Road– 9228lm
Agribusiness Land – 345,815 sqm
Bridges – 3
Culverts – 15*

Precinct	Road Infrastructure - Exhibition	Road Infrastructure – Final
Aerotropolis Core	\$290,958,085	\$290,958,085
Badgerys Creek – Liverpool	\$57,946,080	\$57,946,080
Agribusiness - Liverpool	\$146,398,300	\$146,398,300

Precinct	Road Land - Exhibition	Road Land - Final
Aerotropolis Core	\$362,650,620	\$362,742,035
Badgerys Creek – Liverpool	\$78,432,380	\$78,438,790
Agribusiness - Liverpool	\$81,750,870	\$107,211,595

Open Space (and drainage) and Social Infrastructure Cost

The final draft Contribution Plan includes the acquisition and embellishment of land for the purposes of open space, including local open space and drainage land, as required under the SEPP.

The infrastructure cost also includes some land identified in the SEPP precinct plan (SP2). Whilst this land is not specifically identified in the land acquisition map, it has been identified in strategic precinct planning policy framework for the provision and demand of social infrastructure. As a contribution plan is the only mechanism to fund land acquisition of the land, it is paramount to identify the funding purpose of this land. The owner of the land is subject to the same terms of acquisitions such as a hardship claims, and Council is responsible for the acquisition under these terms. However, whilst the cost has captured the land acquisition, there are no inclusions for costs associated with the provision of the facility.

The embellishment costs listed within the draft Contribution Plan allow for the provision of the active transport network across Council owned open space land. Costings in the draft Contribution Plan have also factored in the provision of the active transport network on Sydney Water land as Sydney Water can only fund basic embellishment of their land through their service charges and are unable to make allowances for this form of 'social' embellishment. The delivery of social / active transport infrastructure on Sydney Water land requires further negotiation with Sydney Water. There have been preliminary discussion proposing a Memorandum of Understanding for cross-collaboration of infrastructure delivery, management and maintenance between Sydney Water and Council.

General embellishment of active transport network land will include the following:

- Pedestrian pathways;
- Cycleways;
- Bridges;
- Lighting;
- Picnic Facilities, tables, and chairs; and
- Rehabilitation of riparian corridors.

Social Infrastructure Contributions

A Social Infrastructure Needs Analysis (SINA) was prepared as part of the preliminary planning of the contribution plan, to identify the social infrastructure required to support development of the initial precincts in the Aerotropolis. Generally, the Liverpool catchment of infrastructure provision identified in the SINA included the items listed in the below table. However not all items are to be identified and funded under the plan. Further calculations on the provision and quantities funded under the plan are identified in section 6.2 and 6.3 of the background report provided in **Attachment 1**.

Infrastructure Type	Infrastructure Asset	Location
Sports Field	1 x football field	Aerotropolis Core
Sports Field	2 s district sports	Aerotropolis Core
Sports Field	1 x indoors sports	Aerotropolis Core
Sports Field	1 x aquatic / swimming	Aerotropolis Core
Sports Field	2 x youth focused outdoor	Aerotropolis Core
Sports Field	Netball courts	Agribusiness
Sports Field	14 x local parks	Aerotropolis Core
Sports Field	4 x district parks	Aerotropolis Core
Sports Field	1 x local park	Badgerys Creek
Sports Field	3 x local parks	Agribusiness
Sports Field	1 x district park	Agribusiness
Community Facilities	3 x local community spaces	Aerotropolis Core
Community Facilities	1 x district community centre collocated with the district library	Aerotropolis Core
Childcare	1 x council owned childcare centre	Aerotropolis Core
Childcare	1 x council owned childcare centre	Agribusiness
Cultural Facilities	2 x local cultural facilities	Aerotropolis Core
Library	2 x district libraries 9one co located to maker spaces and / or community services and the other is a joint library with the multiversity	Aerotropolis Core
Library	1 x branch library	Aerotropolis Core
Library	1 x branch library	Agribusiness

The provision of Social Infrastructure has not changed from the exhibited plan. However, there have been some increases in land values. It is also important to note that whilst items are identified and considered in the s7.12 plan, the proposed location or particulars of the facility (other than the broad reference noted above) the social infrastructure location and detail is yet to be determined and will require further planning and assessment. This statement could generally apply to all infrastructure, when considering an infrastructure plan against a high level precinct plan.

Total Cost of Infrastructure Delivery

Development costs and infrastructure costs from the exhibited draft Contribution Plan and the final Draft Contribution Plan (attachment 1) remain the same. Council has reviewed the items proposed in the calculation and cannot identify any areas of duplication.

The infrastructure and construction cost assumptions have been independently reviewed by a Quantity Surveyor to determine whether the costs that were included in the exhibited plan were current. This review found that most of the costs were still applicable, and no changes were made to the exhibited plan.

Although the cost of the works that were used to calculate the Levy cannot be amended once the plan is adopted, it is considered that the cost of works inflate in parallel with development costs. There is also the ability to continue to apply a PPI once the contribution is calculated in a development consent. PPI has been considered over CPI as it is best aligned to builder costs.

Land Values

The Council sought an independent valuation of land values in the Aerotropolis precincts as part of the amended plan process. This valuation was peer reviewed by Deloitte and the Office of Strategic Lands (OSL).

Post exhibition the values of these lands were again peer reviewed at the request of Penrith Council and the review noted a minor alteration to the constrained land and the Agribusiness land. Taking into consideration that Penrith were to implement these changes to their Plan, Council evaluated the rates and acknowledged them to be fair and reasonable for application within Liverpool Council Contribution Plan.

Therefore, land values have been updated to reflect current values that are being applied to land acquisition with the Western Parkland City and the Western Sydney Aerotropolis. The change to land acquisitions rates is as follows:

	Exhibit November 2020	Exhibit May 2023	Final October 2023
Constrained land	\$85m ²	\$90.00m ²	\$95.00m ²
Developable Land (mixed use)	\$500m ²	\$550.00m ²	\$550.00m ²
Developable Land (Enterprise)	\$400m ²	\$500.00m ²	\$500.00m ²
Developable land (Agribusiness)		\$250.00m ²	\$330.00m ²

This minor amendment to the values noted a minimal change to the cost of land to be acquired, meaning an incremental increase of 0.1% to the overall Levy of the plan. The increase in the land acquisition rates for Agribusiness and Constrained land, increasing the levy of the plan from **4.5 to 4.6%**.

It is necessary to ensure the most current land values are captured in the s7.12 Plan prior to being supported by the Minister, as land values cannot be adjusted in the Plan was endorsed by the Minister. As the land value adjustment is of a minor nature, it is considered that the plan does not require re-exhibition.

Amended Contribution Rates

As this Plan is a Section 7.12 Plan, the levy is calculated based on the percentage of the overall infrastructure costs in the plan against the capital investment value (CIV) of future development.

The amended draft Aerotropolis Contribution Plan will apply a contribution rate of 4.6% to development within the Liverpool LGA. The draft Contribution Plan has increased slightly by 0.1% to reflect an increase in land values for constrained and Agribusiness precincts.

The Developer Costs, Infrastructure costs and current rates are provided in the table below:

	Exhibit – May 2023	Final – October 2023
Development Costs	\$45.3bn	\$45.3bn
Infrastructure works	\$792.9m	\$792.9m
Infrastructure land	\$1.226bn	\$1.276bn
Governance, Planning, Management Fee	1.5%	1.5%
Contribution rate	4.5%	4.6%

The contribution rate is lower for Liverpool LGA, due to Liverpool having a much higher NDA than Penrith LGA. The higher NDA generates greater development costs, creating a lower percentage contribution rate. Penrith Council has a rate of 5.6%. This rate has increased by 0.1% as a result of the amended land values as noted above.

Local Infrastructure Costs – Liverpool Aerotropolis Precincts

The Liverpool draft Contribution Plan identified the following local infrastructure costs per precinct. The background report further prescribed the detail rational and needs for the inclusions and exclusions of items.

	Badgerys creek (LCC LGA)	Agribusiness (LCC LGA)	Aerotropolis Core	Total Work
Works	\$	\$	\$	\$
Roads	57.9m	146.4m	291.0m	495.3m
Open Space	21.9m	54.4m	153.4m	229.7m
Community Infrastructure		2.3m	65.7m	68.0m
Land Acquisition	\$	\$	\$	\$
Roads	78.4m	107.2m	362.7m	548.3m
Open Space	43.2m	105.2m	538.8m	687.2m
Community Infrastructure		0.1m	40.2m	41.2m
Governance, management and planning	1.2m	3.0m	7.7m	11.9m
Total	201.9m	371.9m	1457.2m	2081.6m

Administration Changes to Plan

As noted above Council sought a legal review of the contribution plan and is lawfulness as it applies to the plan. Council also considers the application of the draft plan against current development proposal to ensure that the plan is effective in its application.

Administration Rate

Council has amended the naming of this rate, so not to confuse the rate with the administration levy in a 7.11 plan. The rate applied in the s7.12 plan is to assist in the governance, management and planning of infrastructure aligned to the plan. This Plan will require additional internal resourcing to implement and manage, and the funding of these resources need to be identified and captured under a contribution plan. These are not project management costs.

Exemption in the Plan

Deletion of Clause 11 - The plan does not apply to the following types of developments:

- (a) Development that was permissible on the land immediately before State environmental Planning Policy (Western Sydney Aerotropolis) 2020 came into effect.

The purpose for deleting this clause is due to Section 4.13a of the above-mentioned SEPP, allowing prohibited use under the current land use table, that was permitted (with or without development consent) prior to 2020 SEPP, continuing to be considered under a development consent.

The use of this exemption against possible future development would result in a loss of contributions calculated and payable. It is considered that future development of significant investment is a direct result of the growth area, and the benefits of the infrastructure being built. Therefore, it is envisaged that all future developers should share in the cost of delivering infrastructure and that the removal of this exemption is considered fair and reasonable.

Post Completion Review of development construction costs

An additional administrative clause has been inserted, to address the concerns raised from Industry about the evaluation and fairness of construction costs assessments. A new clause, 'Post Completion Review of Development Construction Costs', is to ensure that applicants, at the time of submitting their QS, provide a fair and reasonable QS report. Industry members raised concerns on the consent of contributions only being calculated at the commencement of consent with no further review or assessment, which may provide commercial advantage. To address the concern raised by Industry, Council has inserted the following clause:

Prior to the issue of any occupation certificate, a post completion review of construction costs, prepared by a professional Quantity Surveyor or Charter Professional Accountant is to be provided to Council specifying the actual cost of works. Where the actual costs of works exceeds that for which s7.12 contributions were calculated pre development, the shortfall in development contributions is to be paid prior to the issue of the occupation certificate. Council will not consider the reimbursement or refund of contributions.

Council will also insert a condition of consent noting the above at "Prior to issuing an Occupation Certificate". This clause will not apply at subdivision certificate.

Development to which this plan applies – section 10

Council has inserted a clause not to allow an exemption for 'any' work value, for the 'First fit out' of a premise and that a contribution levy to apply. It is considered that the 'First' fit out of a premise is a 'stage' to the development. This will mitigate the potential of applicants placing multiple DA's under \$200k for fit out of a build. The use and term 'First' is at Council discretion. However, generally it would be considered that where a business has had a 'fit out' and been in operation within the building for more than 12 months, the build is deemed satisfactory to have complied with 'First'.

Updated Tables

Due to the increased land values and their calculations, the tables within the Draft contribution Plan was updated to reflect the revised totals. These changes are of minor nature to ensure that the true costs are captured in the Contribution plan and the background report.

Deferral of Payment

The Deferral of Payment section required more information on its assessment and process. The deferral cannot be lined to the transfer of land or material public benefit as 'work in kind Agreements' cannot be considered under a s7.12 plan. Therefore, this clause requires option of enforcement and a platform for Council. The additional information will provide clarity to officers and developers ensuring equality and fairness in the evaluation of requests received for deferment of contributions.

Next steps

Since 2020, Council officers have had ongoing and detailed discussions with landowners and industry regarding infrastructure delivery and development contributions in the Aerotropolis. Council officers have participated at community forums facilitated by Sydney Water and DPE. Officers will continue to work with key stakeholders such as landowners, DPE and other state agencies to align project delivery and seek opportunities to delivery and fund land acquisition and infrastructure.

Subject to the recommendation of Council, it is envisaged that should the plan be supported by Council, it will then proceed to the Department of Planning and Environment where it will be reviewed and assessed by the infrastructure team, prior to being received by the Minister with a report.

Subject to the decision of the Minister, the plan will require a further report to Council on the outcome of the review. Should the plan be supported by the Minister and Council then notified, Council has 28 days from a resolution of Council, to notify the Minister of its decision.

FINANCIAL IMPLICATIONS

There are a number of financial considerations for Council with respect to the application of the draft Aerotropolis Contributions Plan. This includes Council's current acquisition responsibilities under the SEPP.

As Council is the nominated acquisition authority for land identified as 'Local Open Space and Drainage', the hardship provisions of the Land Acquisition (Just Terms Compensation) Act 1991 apply, and landowners are able to submit a hardship application to expedite the acquisition of their property. As there is no development contributions plan in place, Council doesn't have a source of income to draw on funds to pay for hardship claims. All hardship claims received in the Aerotropolis will need to be funded via other revenue sources in the interim period.

Whilst it is not expected that Council will receive many hardship claims, they can pose a financial risk to Council. Trajectory of funds available under the plan to deal with claims, is not anticipated until the 7th year of the plan being in force.

There is also the potential risk of a shortfall in applying a 7.12 plan, where land is to be acquired. Contributions rates or levies are not adjusted to consider inflation of property prices. There is no mechanism to adjust the value of the land. Therefore, it is likely that the contribution plan will be underfunded by the date when funds become available to acquire land.

The other issue to address is that the s7.12 plan does not permit work in kind agreements. The only option is for developers to enter into an agreement with Council via a VPA. Alternatively, Council must deliver the local infrastructure within these precincts under its current operational plan. This will require immediate design and project management resources, which could be funded under the Plan, if funds were available. Until funds are available the plan will need to be capitalised via Council's operational budget.

It is anticipated that as further information and policy position becomes available, the plan may be subject to a revision or implementation of a new plan, with a detailed schedule of works.

The administration of this plan and the work to be ongoing, it is likely that further resourcing is required. Administration costs have been identified to assist with the delivery of this plan.

CONSIDERATIONS

Economic	<p>Utilise the Western Sydney City Deal Agreement to create Jobs for the Future.</p> <p>Utilise the Western Sydney City Deal agreement to provide opportunities for residents in the LGA to enhance skills and education.</p> <p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Enhance the environmental performance of buildings and homes.</p> <p>Deliver a high quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p> <p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions, culture and creative industries.</p>
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Environment	<p>Utilise the Western Sydney City Deal agreement to enhance liveability and environment of the LGA.</p> <p>Utilise the Western Sydney City Deal agreement to facilitate Planning and Housing in the LGA.</p> <p>Manage the environmental health of waterways.</p> <p>Retain viable opportunities for local food production while managing land use to meet urban growth.</p> <p>Enhance the environmental performance of buildings and homes.</p> <p>Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.</p> <p>Raise community awareness and support action in relation to environmental issues.</p> <p>Promote an integrated and user friendly public transport service.</p> <p>Support the delivery of a range of transport options.</p>
Social	<p>Utilise the Western Sydney City Deal agreement to provide connectivity across the LGA through infrastructure and social initiatives.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p> <p>Support access and services for people with a disability.</p> <p>Deliver high quality services for children and their families.</p>

Civic Leadership	<p>Implementation and Governance of the Western Sydney City Deal agreement.</p> <p>Act as an environmental leader in the community.</p> <p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Facilitate the development of community leaders.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
Legislative	<p>Environmental Planning and Assessment Act 1979</p> <p>Environmental Planning and Assessment Regulation 2021</p> <p>State Environmental Planning and Assessment Act (Western Parkland city) 2021.</p>
Risk	<p>The risk is deemed to be Medium.</p> <p>A contribution Plan that is not adopted caused by deferring resulting in delay in development and infrastructure delivery for the precinct of the Aerotropolis. The risk is considered outside Council's risk appetite.</p>

ATTACHMENTS

1. Attachment 1 - Draft s7.12 Aerotropolis Contribution Plan 2023
2. Attachment 2 - S7.12 Plan - Submission Table and Comments

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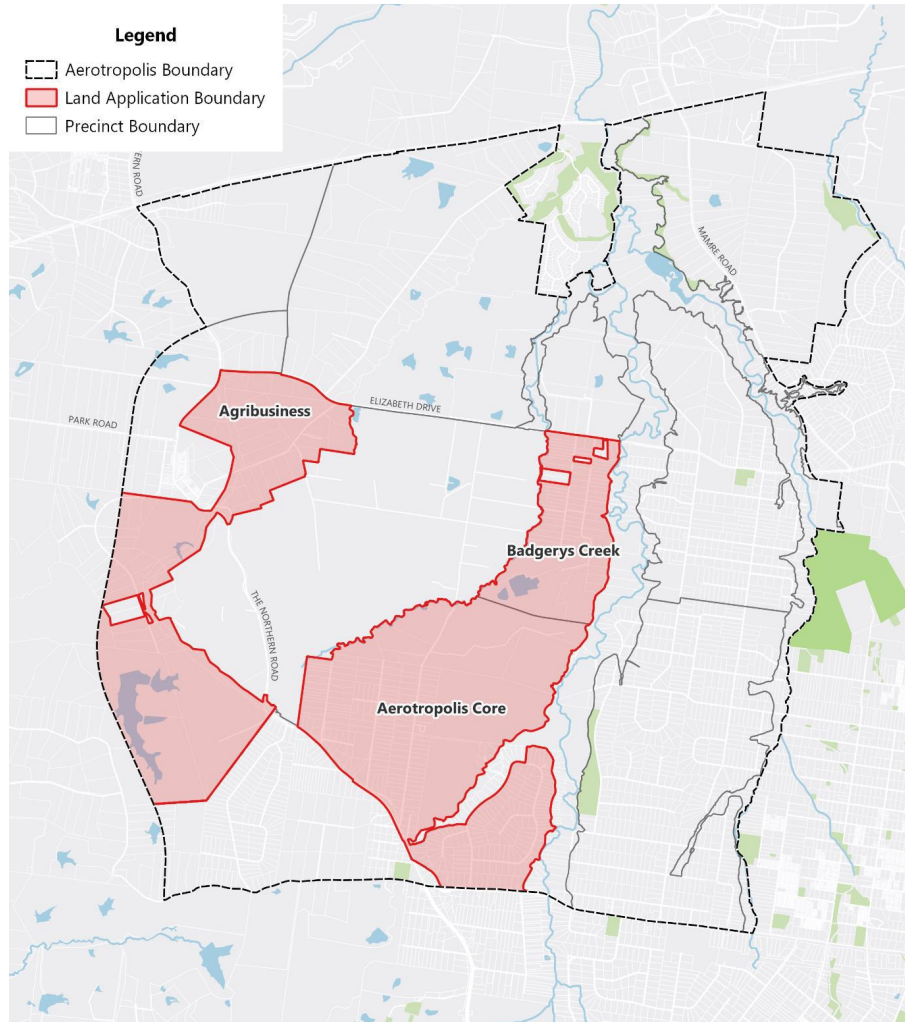
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Liverpool City Council

By**Adopted:****Record number:****Acknowledgement of Country**

We acknowledge the traditional custodians of the land that now resides within Liverpool City Council's boundaries, the Cabrogal clan of the Darug Nation. We acknowledge that this land was also accessed by peoples of the Dharawal and Darug Nations

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Table 2 Local infrastructure costs - Liverpool Aerotropolis Precincts

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Table 3 Section 7.12 levy rates

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Figures

Figure 1 Land affected by this plan

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Appendices

Appendix A: IDC Background Report - Infrastructure Schedules

Appendix B: Infrastructure location maps

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Plan summary

1. The Aerotropolis

The Western Sydney Aerotropolis (the 'Aerotropolis') is an area of land comprising 11,200 hectares surrounding the Western Sydney International (Nancy-Bird Walton) Airport. The Aerotropolis is situated within both Penrith and Liverpool local government areas (LGAs).

The planning and release of land for the Aerotropolis development and its supporting infrastructure is being undertaken through precincts. The 'initial release' precincts located in Liverpool LGA are the Aerotropolis Core Precinct and the southern parts of both the Badgerys Creek and Agribusiness Precincts. This land – called the Liverpool Aerotropolis Precincts in this plan – is shown in Figure 1.

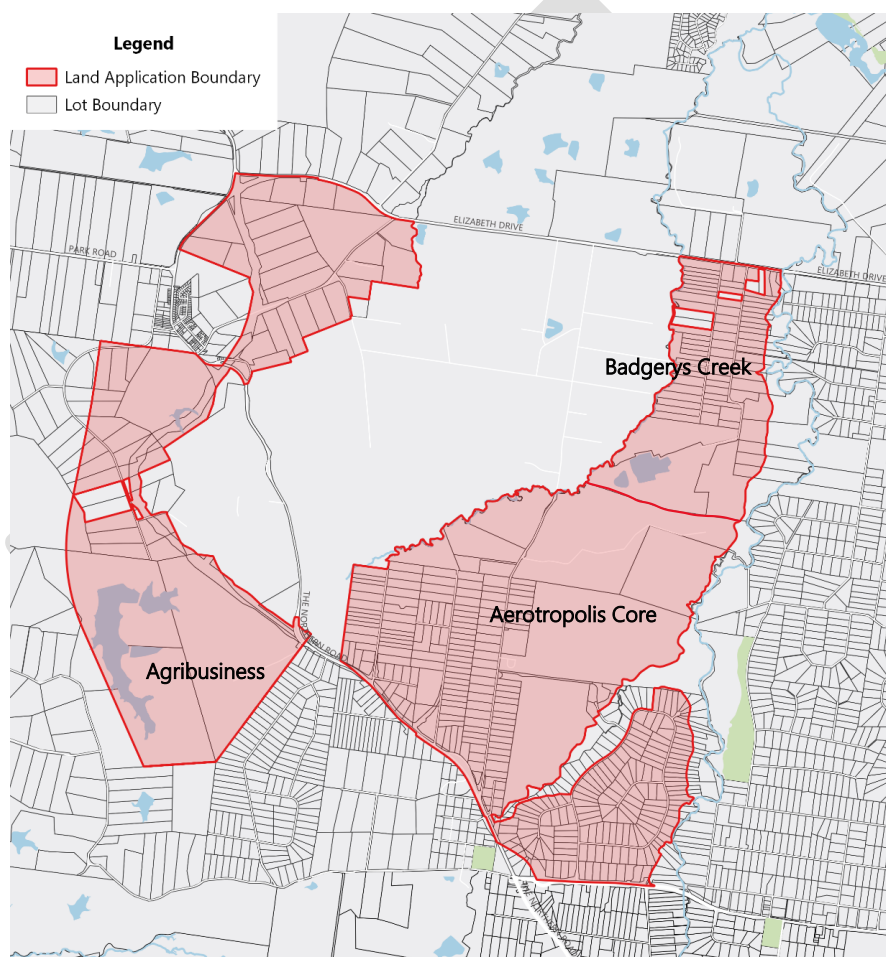


Figure 1 Land affected by this plan

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2. Why has this plan been prepared?

This plan has been prepared to enable the consent authority for development to which this plan applies to impose conditions of development consent requiring developers of land in the Liverpool Aerotropolis Precincts to make a monetary contribution (called a 'section 7.12 contribution' or 's7.12 levy') to help meet the cost of providing the local infrastructure in precincts.

A contributions plan must be in place before a development application to carry out development on land to which this plan applies can be determined (refer to section 66(1)(c) of the EP&A Regulation). Additionally, a consent authority may impose a condition under section 7.11 or 7.12 of the EP&A Act only if it is of a kind allowed by, and is determined in accordance with, a contributions plan.

The contributions in this plan are based on the costs of land and works needed to provide essential local infrastructure only. Essential local infrastructure includes most roads, open space and recreation, and community facilities. Not all local infrastructure is the responsibility of Council. Land developers are also responsible for providing local infrastructure.

Responsibility for provision of State or regional infrastructure and stormwater drainage infrastructure in the Aerotropolis lies with the State government and Sydney Water. Developers should make their own enquiries with the Department of Planning and Environment and Sydney Water about other contributions and/or charges that may apply to their developments.

3. Contribution based on development and infrastructure costs

The s7.12 levy amount that is required from a development is determined by applying a fixed percentage rate to the cost of that development.

The percentage rate reflects the ratio of total local infrastructure costs to total development costs, as shown in the equation below

$$\text{S7.12 levy rate} = \frac{\text{Total Infrastructure \& GMP Costs}}{\text{Total Development Costs}} \times 100\%$$

Summaries of the costs of expected development and local infrastructure costs in the Liverpool Aerotropolis Precincts are shown in Table 1 and Table 2.

Detailed investigation of expected development in each Aerotropolis Precinct, the anticipated local infrastructure needs generated by the development, and the estimated costs of both development and infrastructure in the area, are contained in the *Western Sydney Aerotropolis Precincts Local Infrastructure Contributions Plans Background Report* (October 2023) (the 'Background Report')

**AEROTROPOLIS 7.12
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Land Uses*	Badgerys Creek (Liverpool)	Agribusiness (Liverpool)	Aerotropolis Core	Total
Residential (Mixed Use)	NA	NA	\$3,969.6m	\$3,969.6m
Enterprise & Light Industry	\$4,386.1m	NA	\$4,992.9m	\$9,379.0m
Business & Enterprise	NA	\$22.2m	\$5,141.2m	\$5,163.4m
Commercial Centre	NA	NA	\$18,184.0m	\$18,184.0m
Local Neighbourhood Centre	\$138.4m	\$499.0m	\$559.4m	\$1,196.8m
Agribusiness	NA	\$7,180.5m	NA	\$7,180.5m
Education	NA	NA	\$293.9m	\$293.9m
Total	\$4,524.5m	\$7,701.6m	\$33,141.1m	\$45,368.4m

*Land uses as identified in the Western Sydney Aerotropolis Precinct Plan

Note: The assumptions used in the calculation of all costs in Tables 1 and 2 are contained in section 1.5 and Appendix A of the Western Sydney Aerotropolis Background Report October 2023.

Table 2 Local infrastructure costs - Liverpool Aerotropolis Precincts

	Badgerys Creek (Liverpool)	Agribusiness (Liverpool)	Aerotropolis Core	Total
Works				
Roads	\$57.9m	\$146.4m	\$290.9m	\$495.2m
Open Space	\$21.9m	\$54.4m	\$153.4m	\$229.7m
Community Infrastructure	-	\$2.3m	\$65.7m	\$68.0m
Land Acquisition				
Roads	\$78.4m	\$107.2m	\$362.7m	\$548.3m
Open Space	\$43.2m	\$105.2m	\$538.8m	\$687.2m
Community Infrastructure	-	\$0.01m	\$40.2m	\$40.2m
Governance, Management and Planning Levy	\$1.2m	\$3.0m	\$7.7m	\$11.9m
Total	\$202.6m	\$418.5m	\$1,459.4m	\$2,080.5m

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Based on the above, the contribution rate is as follows:

$$\frac{\$2,069 \text{ million}}{\$45,367 \text{ million}} \times 100\% = 4.6\%$$

Detailed schedules of local infrastructure included in this plan and maps showing the location of the infrastructure items are included in Appendices A and B of this plan.

4. Contribution rates

This plan authorises a s7.12 levy at the rates shown in Table 3.

Table 3 Section 7.12 levy rates

	Contribution rate
Development with a proposed cost of:	
Up to and including \$200,000	Nil
More than \$200,000	4.6%

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Plan scope

5. Name of this Plan

This plan is called the Liverpool City Council *s7.12 Aerotropolis Contributions Plan 2023*.

The plan provides information about calculating the local infrastructure contributions payable, how to impose, pay and settle contributions, and other administrative matters.

The plan is accompanied by and should be read in conjunction with the Background Report. The Background Report provides details on how the local infrastructure contribution rates for the Aerotropolis Precincts were determined.

6. Commencement of this plan

This plan commences on the date on which public notice was given under section 214 (2) of the EP&A Regulation or the date specified in that notice if it is a different date.

7. Purposes of this plan

The main purpose of this plan is to authorise consent authorities and registered certifiers, to impose a condition of development consent on development to which this plan applies requiring a fixed levy (under section 7.12 of the EP&A Act) to be paid towards the provision, extension or augmentation of local infrastructure set out in this plan.

Other purposes of this plan are as follows:

- To ensure that developments in the Liverpool Aerotropolis Precincts make a reasonable contribution towards the cost of shared local infrastructure needed to support their developments.
- To ensure that the broader community in the Liverpool LGA is not unreasonably burdened by the provision of local infrastructure that is required because of development in the Aerotropolis Precincts.

8. Authority to impose a fixed development consent (s7.12) levy

This plan authorises the consent authority or a registered certifier, when determining an application for development or an application for a CDC on land to which this plan applies, and subject to other provisions of this plan, to impose a condition requiring a fixed development consent levy to be paid under section 7.12 of the EP&A Act on that approval for the provision of local infrastructure.

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable levy rate in **Table 3** by the proposed cost of the development.

The types of development subject to a s7.12 levy are identified in section 10 of this plan.

Accredited certifiers should also refer to section 16 of this plan as to their obligations in assessing and determining CDCs.

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This plan applies to land in the Agribusiness Precinct, Badgerys Creek Precinct and Aerotropolis Core Precinct that is situated in Liverpool LGA, as shown in **Figure 1**.

10. Development to which this plan applies.

Subject to section 11 of this plan (exempted development), this plan applies to development that has a proposed cost of development of \$200,000 or more in accordance with section 13 of this plan.

Subject to section 14 (4)(g) this plan applies to a development consent, regardless of the value, where the application seek consent for the 'First' fitout of the build. The use and term of 'First' fit out is at Council discretion

11. What development is exempted?

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

- a. Work involving repair and replacement of structures impacted by natural forces and unpreventable events such as fire, flooding, earthquakes, lightning, etc.
- b. Development exempted from contributions under section 7.17 of the EP&A Act by way of a direction made by the Minister.

12. Savings and transitional arrangements

This plan applies to a development application or application for a CDC that was determined on, or after the date this plan took effect.

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Calculating and imposing the levy

13. Proposed cost of development required

Section 7.12 levies are calculated by the consent authority as a percentage of the cost of development.

[Section 208](#) of the EP&A Regulation sets out how the proposed cost of carrying out development is determined.

An extract from the EP&A Regulation that was in force at the date this plan was adopted is shown below:

1. The proposed cost of carrying out development must be determined by the consent authority by adding up all the costs and expenses that have been or will be incurred by the applicant in carrying out the development.
2. The costs of carrying out development include the costs of, and costs incidental to, the following—
 - a. if the development involves the erection of a building or the carrying out of engineering or construction work—
 - i. erecting the building or carrying out the work, and
 - ii. demolition, excavation and site preparation, decontamination or remediation,
 - b. if the development involves a change of use of land—doing anything necessary to enable the use of the land to be changed,
 - c. if the development involves the subdivision of land—preparing, executing and registering—
 - i. the plan of subdivision, and
 - ii. the related covenants, easements or other rights.
3. In determining the proposed cost, a consent authority may consider an estimate of the proposed cost that is prepared by a person, or a person of a class, approved by the consent authority to provide the estimate.
4. The following costs and expenses must not be included in an estimate or determination of the proposed cost—
 - a. the cost of the land on which the development will be carried out,
 - b. the costs of repairs to a building or works on the land that will be kept in connection with the development,
 - c. the costs associated with marketing or financing the development, including interest on loans,
 - d. the costs associated with legal work carried out, or to be carried out, in connection with the development,
 - e. project management costs associated with the development,
 - f. the cost of building insurance for the development,

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- g. the costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land,
- h. the costs of commercial stock inventory,
- i. the taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law,
- j. the costs of enabling access by people with disability to the development,
- k. the costs of energy and water efficiency measures associated with the development,
- l. the costs of development that is provided as affordable housing,
- m. the costs of development that is the adaptive reuse of a heritage item.

14. Cost Summary Report required

For developments subject to this plan, the development application or CDC for the development is to be accompanied by a Cost Summary Report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development.

The consent authority or registered certifier will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. Should the costing as assessed by the consent authority or registered certifier be considered inaccurate, it may, at its sole discretion and at the applicant's cost, engage a person referred to in section 15 of this plan to review a Cost Summary Report submitted by an applicant.

In all cases, the determination of the proposed cost of development by the consent authority is final.

15. Post Completion Review

Prior to issuing any occupation certificate, a post completion review of construction costs, prepared by a professional Quantity Surveyor or chartered Professional Accountant is to be provided to Council specifying the actual cost of works. Where the actual costs of works exceeds that for which s7.12 contributions were calculated pre development, the shortfall in development contributions is to be paid prior to the issue of the occupation certificate. Council will not consider a request for the reimbursement or refund of contributions paid.

16. Who may provide a Cost Summary Report?

An estimate of the proposed cost of carrying out development that is submitted to the consent authority must have been prepared by the following persons:

- a. where the applicant's estimate of the proposed cost of carrying out the development is less than \$750,000 – any Building Industry Professional; or
- b. where the proposed cost of carrying out the development is \$750,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

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If an application for a CDC is determined by a registered certifier for development that is subject to a s7.12 levy under this plan, pursuant to clause 156 of the EP&A Regulation:

- The registered certifier must, if a CDC is issued, impose a condition requiring a s7.12 levy.
- The amount of the levy that the registered certifier must impose is the amount determined in accordance with sections 15 to 17 of this plan.
- The terms of the condition be in accordance with the following:

A levy is to be paid to Liverpool City Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the Liverpool City Council s7.12 Aerotropolis Contributions Plan 2023 a copy of which is available on the Council's website.

Indexation

The levy is based on a proposed cost of carrying out the development of \$ [insert amount]. This cost (and consequently the levy must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current PPI}}{\text{Base PPI}}$$

Where:

\$Co is the original development cost estimate assessed at the time of the issue of the complying development certificate.

Current PPI is the Producer Price Index ABS Catalogue No. 6427.30 as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment.

Base PPI is the Producer Price Index (Building Construction New South Wales) ABS Catalogue No. 6427.30 as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution.

Time for payment

The levy must be paid prior to any work authorised by this complying development certificate commences, as required by clause 156 of the EP&A Regulation. Deferred payments of contributions will not be accepted.

18. Timing of payment

A levy amount required to be paid by a condition imposed on the development consent (including a CDC) in accordance with this plan must be paid at the time specified in the condition.

The condition will provide for payment as follows:

- For development applications involving subdivision – prior to the release of the first subdivision certificate (linen plan) or strata certificate.

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- b. Other development applications involving building work or construction certificate –prior to the release of the construction certificate.
- c. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the issue of the first occupation certificate for any building work.
- d. For work authorised by a CDC, prior to the commencement of any works.

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

At the time of payment, it will be necessary for levy amounts to be updated in accordance with section 19 of this plan.

19. Deferral of payment

Council will only allow payment of levies to be deferred but only where payment is to be received prior to the issue of a construction certificate (i.e., building works)

For the deferred payment of contributions, Council requires the following:

1. An applicant requesting deferred payment need to apply in writing to Council. All requests are considered on their merits having regard to (but not exclusively) the type of work for which the contribution is sought, the rate of development occurring within the area and the impending need to construct the works for which the contributions are being levied.
2. If an application is determined, requests must be submitted as part of a modification to development application (s4.55 EP&A.)
3. Deferred payment will not be considered for contributions payable, under any approval or stage of approval, that is less than \$1million.
4. Where deferred payment is approved by Council, the period of time for deferring payment will generally be limited to 12 months (12 months commences from date CC was issued.)
5. If Council approves the request for deferred payment it is conditional upon the applicant providing a suitable bond such as a bank guarantee and deed of agreement.
6. Interest is charged on deferred contributions. Council also charges an administrative fee for deferred payment. The interest rate and administrative fee levied for the deferred payment of the contributions are reviewed annually and appear in Council's Schedule of Fees.
7. 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 deferred period. This amount will also represent the amount payable at the end of the deferred period.
8. The deed of agreement is to be prepared by Council (legal) at full cost to the applicant. Subject to Council's resourcing, this may be external legal engagement.
9. Should contributions not be paid by the due date, the bank guarantee will be called up by Council.

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Levies imposed under this plan are based on the proposed cost of carrying out the development set out in the development consent.

This cost (and consequently the levy amount) must be indexed between the date of DA determination or the issue of the CDC, whichever is applicable, and the date of payment in accordance with the following formula:

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current PPI}}{\text{Base PPI}}$$

Where:

\$Co	is the original development cost estimate assessed at the time of the issue of the development consent
Current PPI	is the Producer Price Index (Building Construction New South Wales) ABS Catalogue No. 6427.30 as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment
Base PPI	is the Consumer Price Index (Building Construction New South Wales) ABS Catalogue No. 6427.30 as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution

21. Obligations of registered certifiers – construction certificates

It is the responsibility of a registered certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a s7.12 levy before work is carried out has been complied with in accordance with the CDC or development consent.

22. Alternatives to paying the levy – planning agreement

If a developer wishes to deliver infrastructure that is included in this plan on the Council's behalf, then the developer may – in lieu of paying part or all of a s7.12 levy imposed under this plan - offer to enter into a planning agreement under section 7.4 of the EPA Act to undertake works in kind, make monetary contributions, or provide some other material public benefit.

The offer to enter into a planning agreement must be received in writing, in accordance with the Department Planning and Environment practice note. All offers must be received prior to issuing a determination. Fees and Charges apply, and legal costs are incurred at full cost recovery. Refer to Council's fees and charges related to the administration of Planning Agreements.

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Administration of the plan

23. Pooling of section 7.12 levies

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

The priorities for the expenditure of pooled monetary contributions under this plan are described in section 23 of this plan.

24. Infrastructure staging and priorities

The local infrastructure included in this plan will be provided as and when development surrounding the infrastructure occurs.

Staging/timing of delivery of infrastructure is however dependent upon various matters outside the control of the Council, including the making of precinct plans, master plans, the range of developer intentions for respective land parcels, planning agreement works, and utility authority's growth servicing plans.

The priority items for contributions received (and in pooling any contributions funds as discussed in section 22 of this plan), will be as follows:

1. Infrastructure delivery sequencing aligned to growth areas.
2. Acquisition of land for various infrastructure purposes in this plan.
3. Project alignment with authority infrastructure servicing projects.

25. Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and published on NSW Planning Portal and council's website.

The register will be maintained at regular intervals and will include the following:

- Particulars sufficient to identify each development consent for which contributions have been sought
- Nature and extent of the contribution required by the relevant condition of consent
- Name of the contributions plan under which the condition of consent was imposed
- Date the contribution was received, for what purpose and the amount.

Separate accounting records will be maintained for each contribution type in this plan and published every year in the relevant council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided. The records are held at the relevant council's administration office and may be inspected upon request.

26. Review of plan

Council intends to regularly review this contribution plan as more detail on the Liverpool Aerotropolis Precincts becomes available. When more detail is available about each precinct's expected development detailed infrastructure requirements, the relevant council may update this plan, or prepare a nexus-based

**AEROTROPOLIS 7.12
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s7.11 contributions plan or plans that will more accurately quantify local infrastructure contributions obligations.

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Glossary of terms and abbreviations

Except where indicated in this section, the definitions of terms used in this plan are the definitions included in the EP&A Act, EP&A Regulation and the Aerotropolis SEPP.

For further clarity, words and phrases in this plan have the following meanings:

ABS means the Australian Bureau of Statistics.

Aerotropolis means a metropolitan area where infrastructure, land uses and economy are centred on an airport and includes the outlying corridors, and aviation orientated business and residential development that benefit from each other and their accessibility to the airport.

Aerotropolis SEPP means the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* that applies to the Liverpool Aerotropolis Precincts.

Agribusiness means businesses associated with the production, processing, marketing and distribution of agricultural products, especially at a large and integrated scale.

Bond means a documentary performance bond which must be denominated in Australian dollars and be an unconditional undertaking issued by an Australian Prudential Regulation Authority (APRA) regulated authorised deposit taking institution or an insurer authorised by APRA to conduct new or renewal insurance business in Australia that has at all times an investment grade security rating from an industry recognised rating agency.

Building Industry Professional means any of the following:

- a practising builder who is licensed to undertake the proposed building works, or
- a practising registered quantity surveyor (member, affiliate or fellow), or
- a practising registered architect, or
- a practising qualified building estimator with relevant qualifications (eg. Degree in construction management), or
- a practising qualified and accredited building designer, or
- a project manager who has proven experience in costing development works at least to a similar scale and type as proposed, or
- a practising tradesperson who is licensed with the Department of Fair Trading or WorkCover and has the relevant qualifications and proven experience in costing development works at least to a similar scale and type as proposed, or
- a practising registered landscape architect who has proven experience in costing development works at least to a similar scale and type as proposed, or
- a practising structural, civil, electrical, mechanical or building services engineer who is registered with the National Engineering Registration Board and who has proven experience in costing development works at least to a similar scale and type as proposed.

CDC means complying development certificate.

Complying development certificate means a certificate referred to in section 4.27 of the EP&A Act.

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Consent authority has the same meaning as in section 4.5 of the EP&A Act but also includes an registered certifier responsible for issuing a complying development certificate.

Cost summary report means a report prepared by a suitably qualified person described in this plan that sets out the proposed cost of carrying out of development as defined in clause 25J of the EP&A Regulation.

Council means Liverpool City Council.

DA means development application.

Development has the same meaning as in section 1.5 of the EP&A Act.

Development application has the same meaning as in section 1.4 of the EP&A Act. Note that a development application does not include a complying development certificate.

Development consent has the same meaning as in section 1.4 of the EP&A Act. Note that a development consent includes a complying development certificate.

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

EP&A Regulation means the NSW *Environmental Planning and Assessment Regulation 2021*.

GFA means gross floor area.

LGA means local government area.

Local infrastructure means public lands, public amenities and public services that are traditionally the responsibility of local government, including roads, open space and recreation, and community facilities, but excluding water supply or sewerage services.

Minister means the Minister responsible for administering the NSW *Environmental Planning and Assessment Act 1979*.

Liverpool Aerotropolis Precincts means land situated in the Agribusiness, Badgerys Creek and Aerotropolis Core Precincts that is also situated within the Liverpool LGA.

Planning agreement means a voluntary agreement referred to in section 7.4 of the EP&A Act.

PPI means the Producer Price Index (building construction New South Wales) ABS Catalogue No. 6427.30 as published by the Australian Bureau of Statistics.

Proposed cost of development means the cost of development proposed in a development application or a complying development application under the provisions of clause 208 of the EP&A Regulation.

Works in kind means the construction or provision of the whole or part of a public facility that is identified in a works schedule in a contributions plan.

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023**

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References

Western Sydney Aerotropolis Plan, prepared by the Western Sydney Planning Partnership, September 2020 (the 'WSAP')

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the 'Aerotropolis SEPP')

Western Sydney Aerotropolis Precinct Plan, prepared by the Department of Planning and Environment, March 2022 (the 'WSAPP')

Western Sydney Aerotropolis Development Control Plan 2022, prepared by the Department of Planning and Environment, (the 'DCP')

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**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****APPENDIX A: IDC BACKGROUND
REPORT - INFRASTRUCTURE
SCHEDULES**

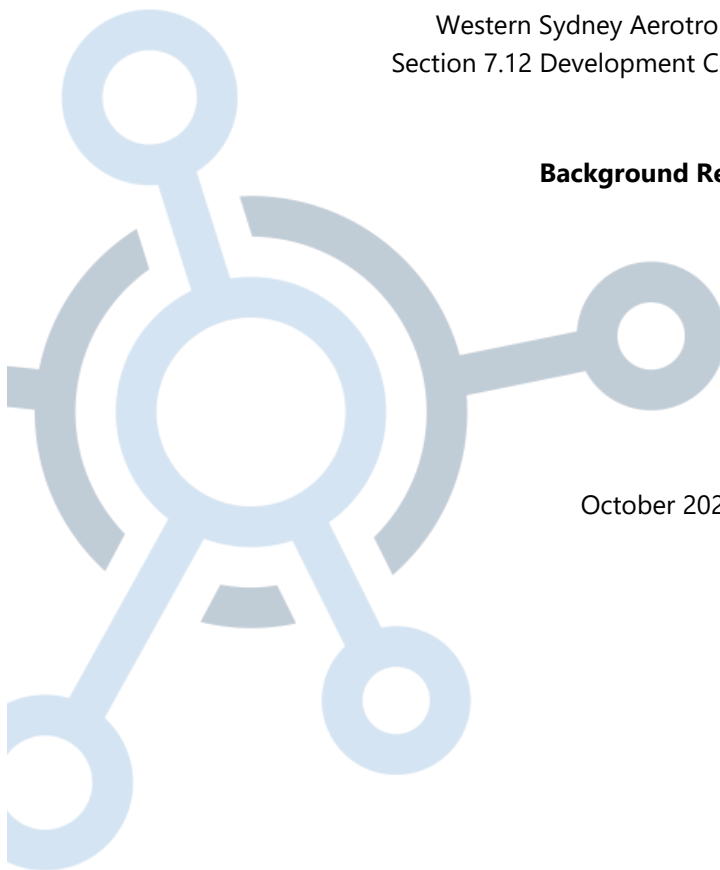


infrastructure & development consulting

Western Sydney Aerotropolis Precincts Section 7.12 Development Contributions Plans

Background Report

October 2023



Infrastructure planning

master planning

civil engineering

project management

contract administration



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This Document must not be disclosed to any other Party without the prior consent of Infrastructure & Development Consulting and from the Party who has commissioned it.

Project Number	20-501	Date	13 October 2023
Project Name	Aerotropolis S7.12 Development Contributions Plan	Status	Final
Client	Penrith City & Liverpool City Councils	Revision	D
Author	R. Higginson	Reviewed	C. Avis



1 Introduction

1.1 Purpose of Report

This report has been prepared by infrastructure & development consulting Pty Ltd (IDC) for Liverpool City Council and Penrith City Council to assist in the preparation of Section 7.12 Development Contributions Plans to meet the cost of local infrastructure across the Western Sydney Aerotropolis Initial Precincts.

This report provides a summary of the determination of the extent of local infrastructure required to support the development four Aerotropolis precincts – Northern Gateway, Badgerys Creek, Agribusiness and Aerotropolis Core.

The report also contains the methodology and calculations for the submission to the Minister for Planning and Public Spaces to justify Liverpool and Penrith Councils' request to implement a Section 7.12 levy in excess of standard maximum 1% of the cost of development.

1.2 Land Subject to the Section 7.12 Development Contributions Plans

The Western Sydney Aerotropolis is shown in Figure 1. The Section 7.12 Development Contributions Plans only apply to some of the Aerotropolis Precincts, namely:

- Aerotropolis Core
- Badgerys Creek
- Northern Gateway
- Agribusiness

Two of the Precincts straddle the Liverpool / Penrith LGA boundary – Badgerys Creek and Agribusiness.

Two separate development contributions plans have been prepared to address local infrastructure contributions in the above precincts (and portions of precincts) within each of the two Local Government Areas. The land subject to the Liverpool Aerotropolis Precincts Contributions Plan is shown in Figure 2, and the land subject to the Penrith Aerotropolis Precincts Contributions Plan is shown in Figure 3.

Figure 1 - Western Sydney Aerotropolis

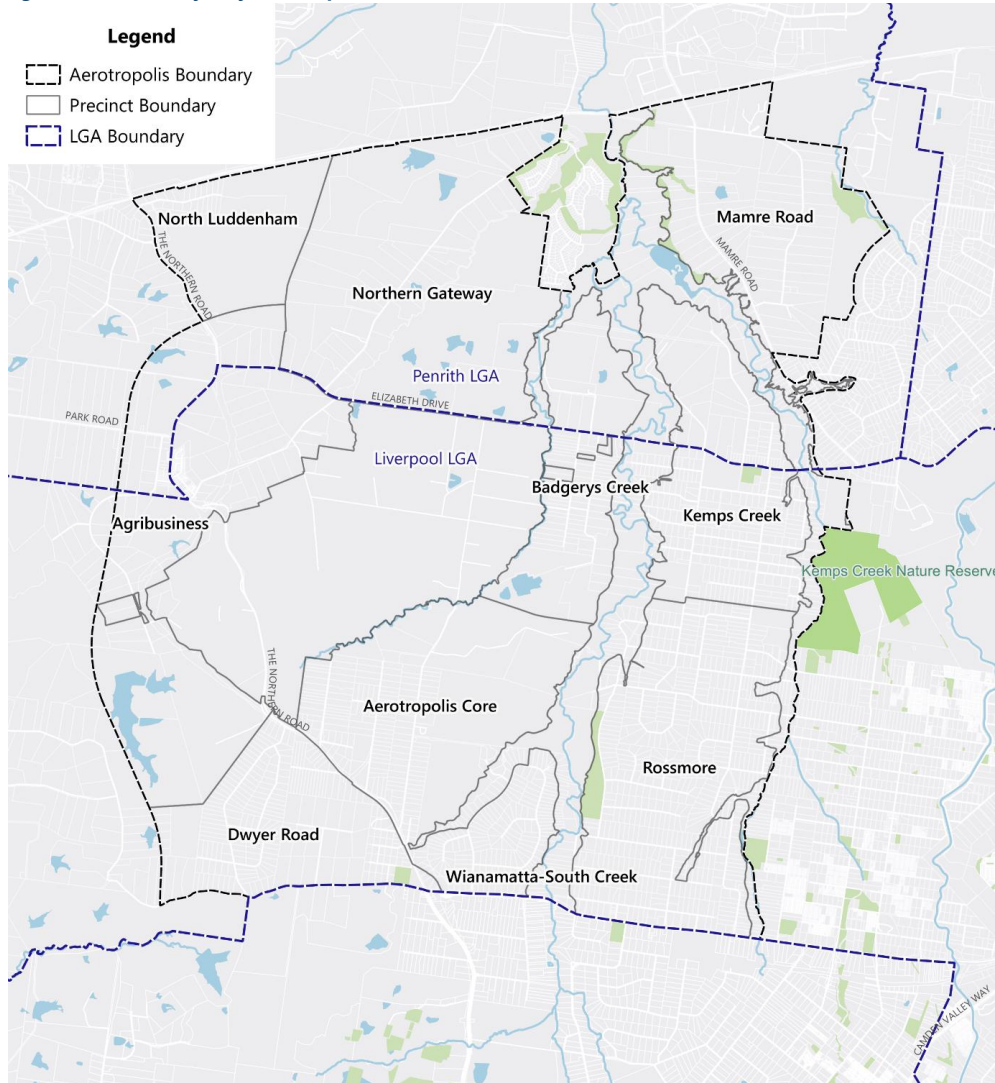




Figure 2 - Liverpool Aerotropolis Precincts Section 7.12 Development Contributions Plan – Land Application Area

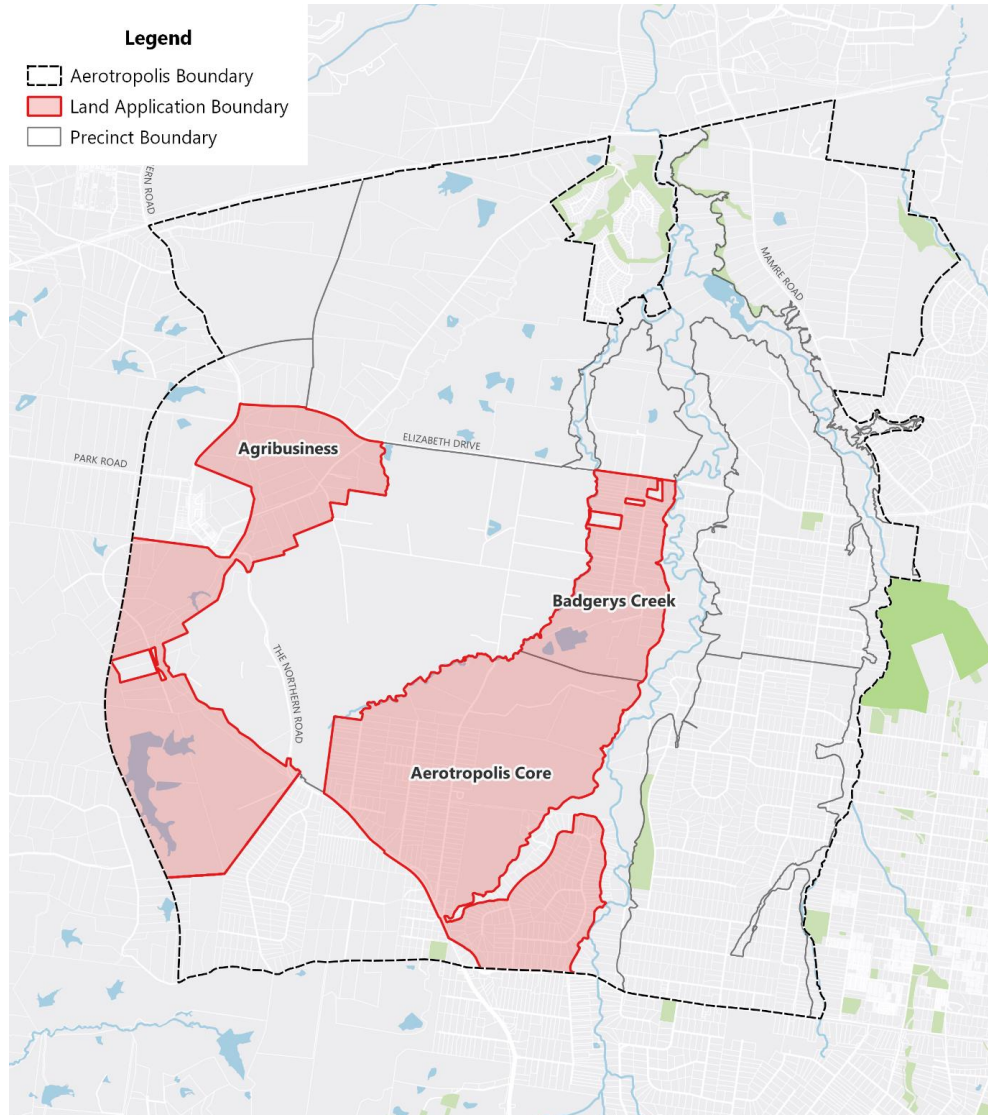
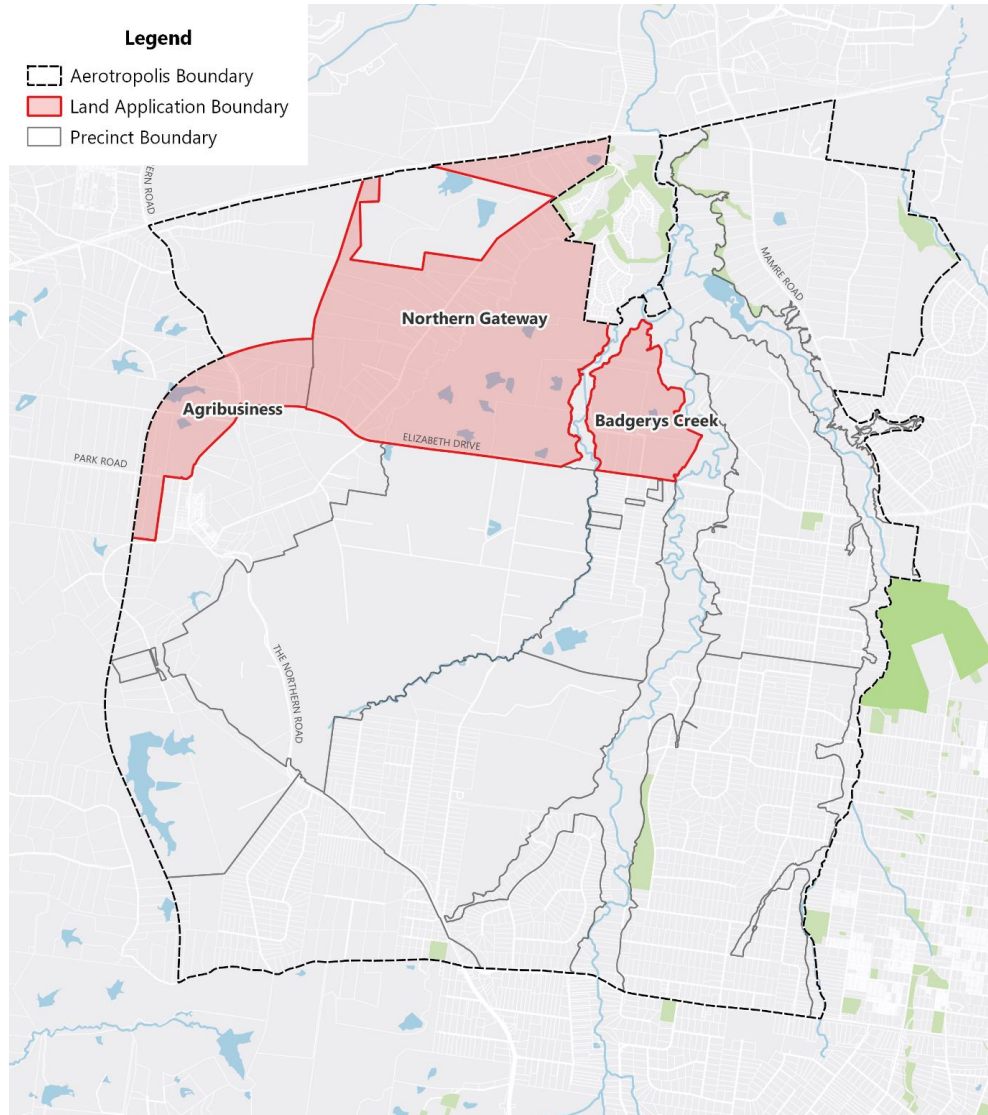




Figure 3 - Penrith Aerotropolis Precincts Section 7.12 Development Contributions Plan – Land Application Area





1.3 Excluded Development Areas

The following areas have been excluded from the Section 7.12 Development Contributions Plans:

- Western Sydney International (Nancy-Bird Walton) Airport – the Commonwealth Government is responsible for development and infrastructure decisions for this site.
- Aerotropolis precincts yet to be rezoned under the Aerotropolis SEPP.
- The Mamre Road Precinct, which is subject to a separate Section 7.11 Development Contributions Plan.
- Sydney Science Park site – here, separate infrastructure provision arrangements are included in a voluntary planning agreement between the developer of this site and Penrith City Council.
- The Wianamatta-South Creek Precinct as it has been assumed that any infrastructure or environmental rehabilitation works planned for this area will be delivered through State government mechanisms.
- Luddenham village has been excluded from development assumptions, as the planning for this area is ongoing. Open space infrastructure within this area has been included in the plan, as it is included in the Aerotropolis SEPP Land Reservation Acquisition Map.

1.4 Excluded State and Utility Infrastructure

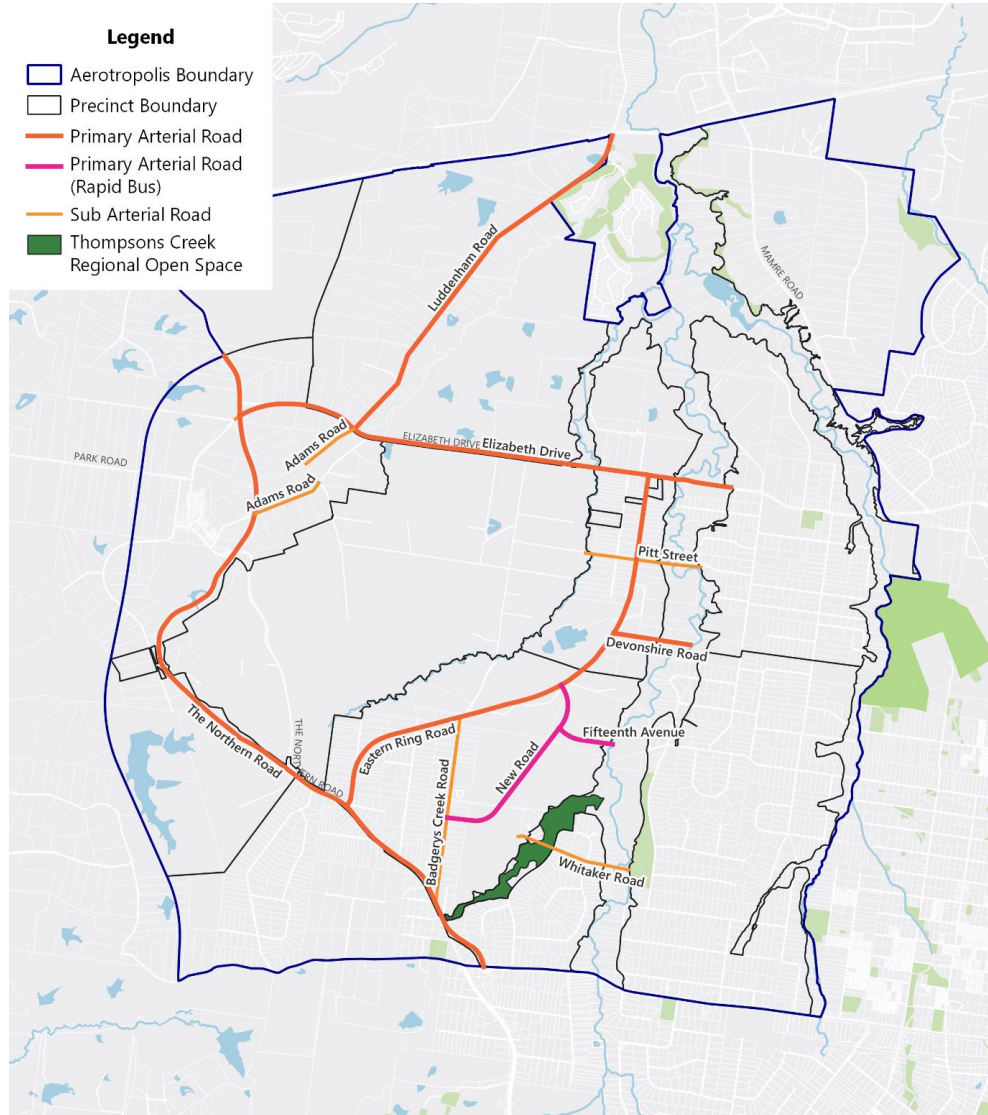
The Western Sydney Aerotropolis Special Infrastructure Contribution (SIC) was determined in March 2022. The SIC is anticipated to collect up to \$1.1 billion in contributions to deliver new state and regional roads, public and active transport, open space, health infrastructure, schools, justice facilities, emergency services and community facilities.

The costs of infrastructure items likely to be funded by the SIC are not included in the Development Contributions Plans or the calculation of the Section 7.12 rate. These include:

- **Roads:** The SIC includes over \$4.5 billion in road projects. Many of these roads are located within the Aerotropolis Precincts and have been identified in the WSAPP as Primary Arterial or Sub Arterial Roads. As these roads will be funded through the SIC, they have been excluded from this CP. The SIC roads identified in the WSAPP and located within the CP area are shown in Figure 4.
- **Open Space:** Thompsons Creek regional park will be funded through the SIC. The location of Thompsons Creek regional park is shown in Figure 4. The SIC also includes allowances for multifunctional and regional open space. Locations of this infrastructure are unknown at this stage.

The SIC includes an allowance to provide new and upgraded community facilities within the Aerotropolis. No specific projects have been identified in the SIC, although it is expected that SIC funds will be used to deliver more regional scale facilities.

Figure 4 - SIC Infrastructure Identified in WSAPP





1.5 Assumptions Used to Determine Levy Rates

This report provides an evidence base for the development consent levy rates in the Liverpool Aerotropolis Precincts Section 7.12 Development Contributions Plan and the Penrith Aerotropolis Precincts Section 7.12 Development Contributions Plan.

The levy rate is the **ratio of local infrastructure costs to development costs** in the Aerotropolis-zoned land within each LGA. A detailed list of assumptions used to determine the levy rates in both plans is included in Appendix A.



2 Anticipated Development

2.1 Planning Framework

The planning framework for the Aerotropolis heavily informs the type and extent of different development types expected. The main documents comprising the Aerotropolis planning framework which are referred to throughout this report are:

- Western Sydney Aerotropolis Plan, prepared by the Western Sydney Planning Partnership, September 2020 (the 'WSAP')
- State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the 'Aerotropolis SEPP')
- Western Sydney Aerotropolis Precinct Plan, prepared by the Department of Planning and Environment, May 2023 (the 'WSAPP')
- Western Sydney Aerotropolis Development Control Plan 2022, prepared by the Department of Planning and Environment, (the 'DCP')

2.2 Land Use Zones

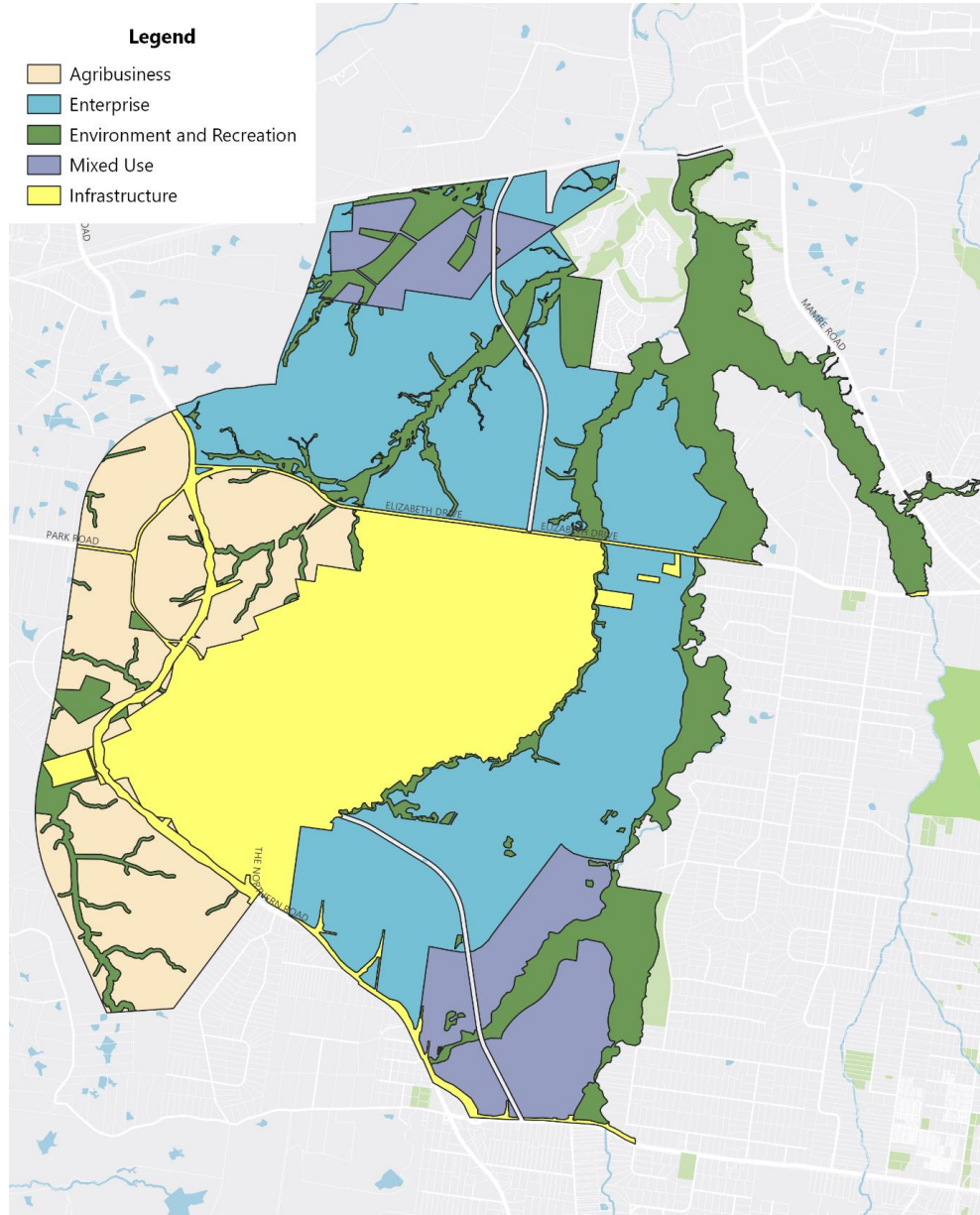
The Aerotropolis contains a number of flexible land use zones that guide how different land can be developed. The objective of each zone, as outlined in the Aerotropolis SEPP, is summarised in Table 1. Figure 4 shows the distribution of these zones.

Table 1 - Proposed Land Zoning

Zone	Code	Objective
Enterprise	ENT	To encourage employment and business related professional services, high technology, aviation, logistics, food production and processing, health, education and create industries.
Mixed Use	MU	To integrate a mixture of compatible land uses in accessible locations. To promote business, office, retail, entertainment and tourist uses and a high standard of public amenity and convenient urban living. To provide for residential and other accommodation that includes active non-residential uses at street level.
SP2 Infrastructure	SP2	To provide for infrastructure and related uses
Agribusiness	AGB	To encourage diversity in agribusiness, including related supply chain industries and food production and processing that are appropriate for the area as well as sustainable and high technology agribusiness, including agricultural produce industries.
Environment & Recreation	ENZ	To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. To protect the ecological, scenic and recreation values of waterways, including Wianamatta–South Creek and its tributaries, and provide a range of recreational settings and activities and compatible land uses.

Source: Aerotropolis SEPP

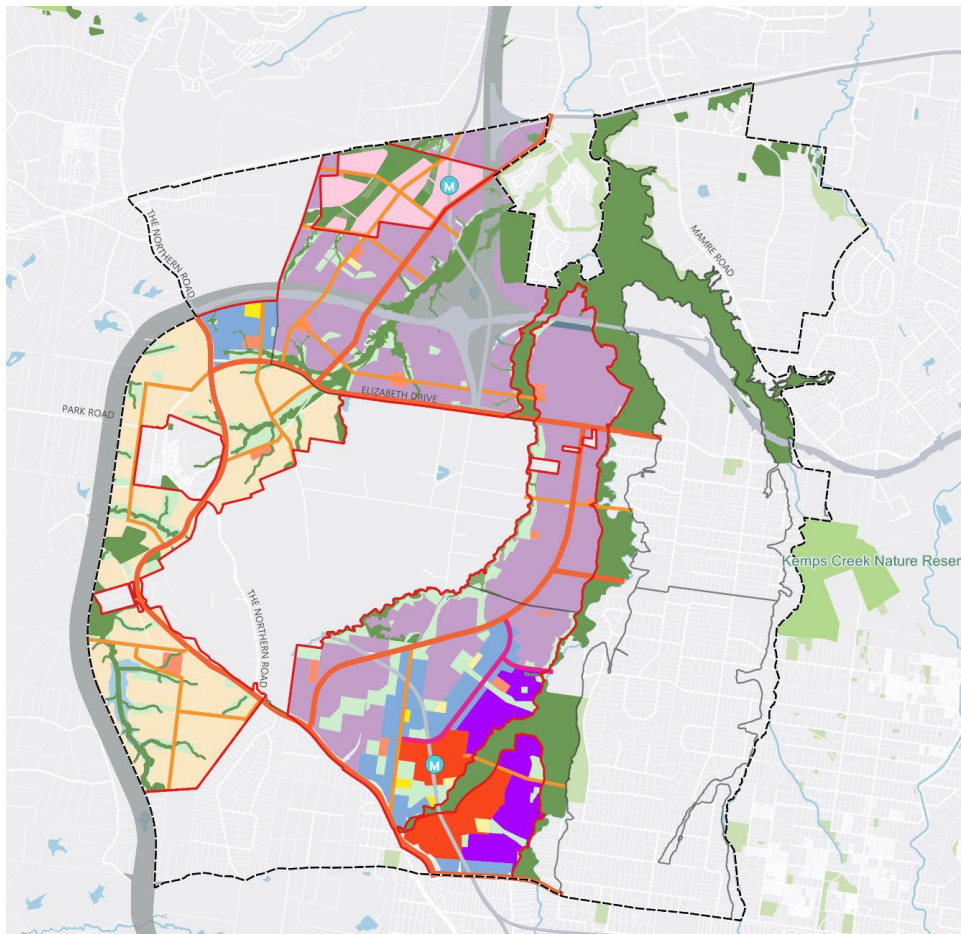
Figure 5 - Aerotropolis Land Zoning Plan



2.3 Land Use & Structure Plan

The WSAPP provides the place-based objectives and requirements to guide development in the Aerotropolis. The WSAPP sets out the finer grain detail to support the land use zoning and other provisions of the Aerotropolis SEPP. The WSAPP includes a Land Use & Structure Plan which provides the overall layout of within the Aerotropolis. The Land Use & Structure Plan is shown in Figure 6.

Figure 6 - Land Use & Structure Plan



Legend

Aerotropolis Boundary	Commercial Centre (Mixed Use)	Local/Neighbourhood Centre	Environment & Recreation
Precinct Boundary	East West Rail Link	Mixed Use Residential	Outer Sydney Orbital
Land Application Boundary	Education	Open Space/Stormwater	Primary Arterial Road
Agribusiness	Enterprise & Light Industry	Specialised Centre Mixed Use	Primary Arterial Road (Rapid Bus)
Business & Enterprise	Special Infrastructure	Sub Arterial Road	



2.4 Precinct Development Visions

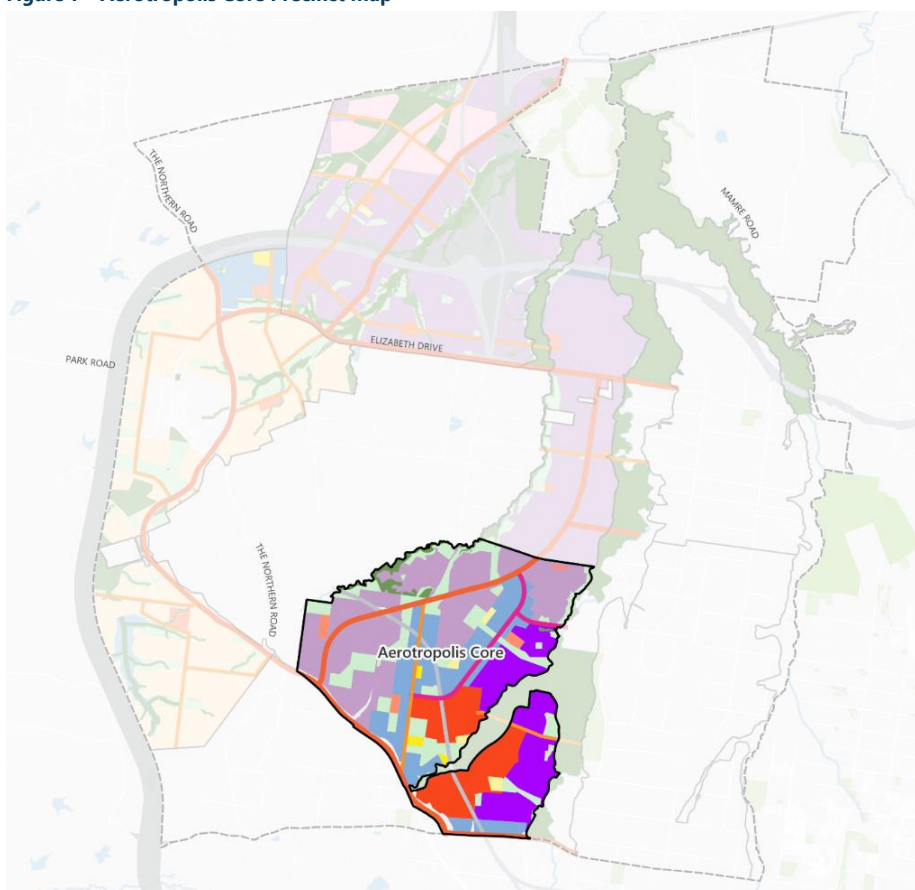
The development vision for each Aerotropolis precinct is detailed in the WSAPP. Key parts of the vision for each precinct are described below.

2.4.1 Aerotropolis Core

The Aerotropolis Core is a dense urban precinct planned around the Aerotropolis Metro station and the Wianamatta-South Creek Corridor system. The precinct is expected to accommodate up to 60,000 jobs, according to the WSAP.

Employment uses will be focused on advanced manufacturing, research and development, professional services, creative industries and science, technology, engineering and mathematics focused educational facilities, and will facilitate the emerging aerospace and defence industries. The Aerotropolis Core will also include residential development within walking distance of the Metro station or other public transport and will benefit from proximity to blue-green infrastructure including creeks and open spaces.

Figure 7 - Aerotropolis Core Precinct Map





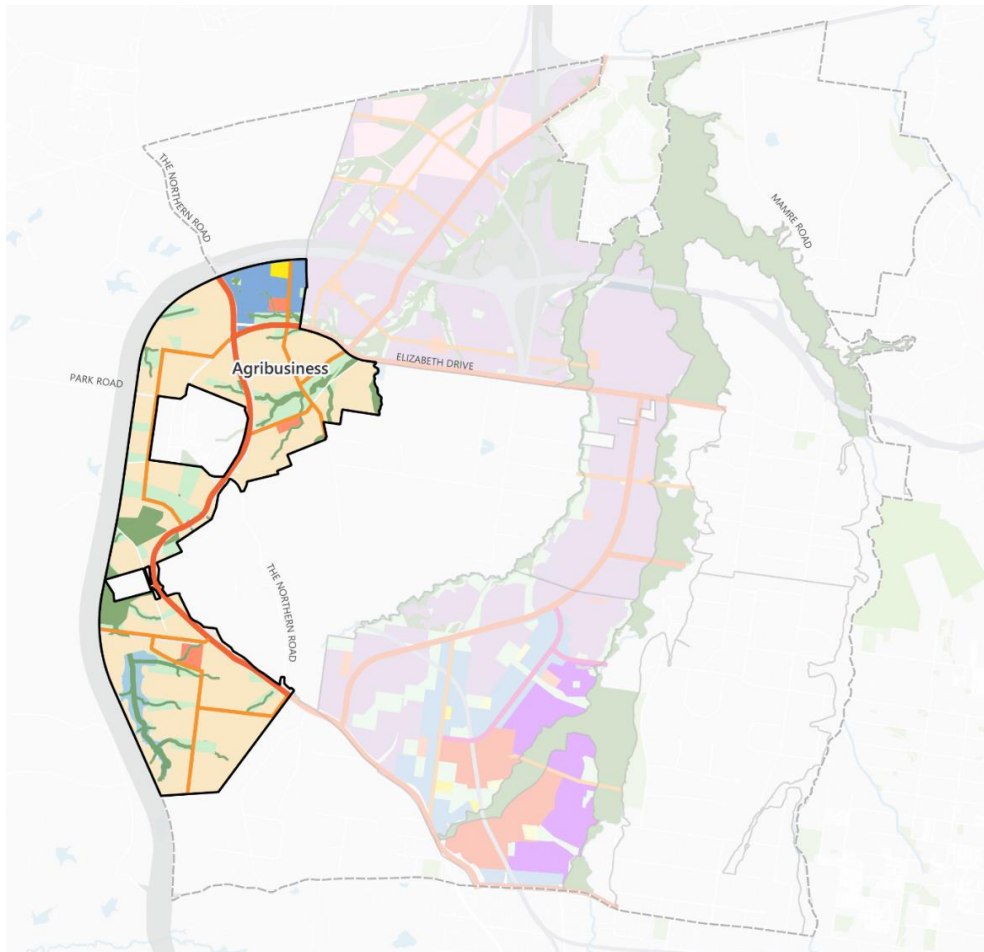
2.4.2 Agribusiness

The Agribusiness precinct wraps around the western edge of the airport and is framed by the proposed Outer Sydney Orbital. The close proximity of the precinct to the airport will allow the development of agribusiness uses which could include integrated logistics, air freight, integrated intensive production, food innovation, fresh product and value-added food – pharmaceuticals. The Precinct will also likely provide opportunities for education and tourism.

Open spaces have been identified in strategic locations to protect creek corridors and areas of high biodiversity significance, and to improve access to open space for residents in Luddenham Village.

The precinct traverses the Penrith / Liverpool LGA boundary. The development contributions plans respond to this by allocating the development and infrastructure costs on lands north and south of the LGA boundary to each council's development contributions plan.

Figure 8 - Agribusiness Precinct Map





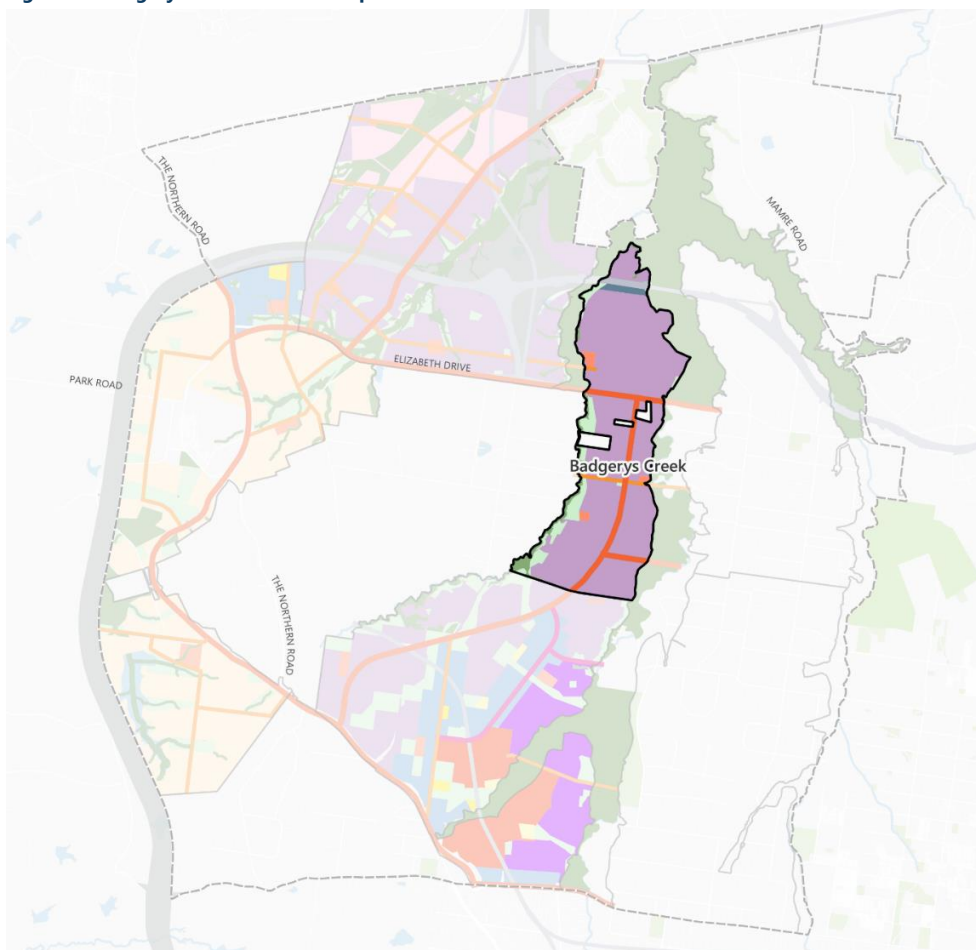
2.4.3 Badgerys Creek

The Badgerys Creek precinct is located on the eastern side of the airport and is bisected by Elizabeth Drive.

Badgerys Creek will support the Western Sydney Airport operations and will be well connected to the Aerotropolis Core metropolitan centre to the south and the Northern Gateway to the north-west. The Precinct will transform from lower density and less intensive land uses, buildings and structures to higher order employment-focused technology, advanced manufacturing and industry uses. Affected by aircraft noise, this Precinct is intended for a range of non-residential and employment generating uses that will benefit from proximity to the Western Sydney Airport.

The precinct traverses the Penrith/Liverpool LGA boundary. The development contributions plans respond to this by allocating the development and infrastructure costs on lands north and south of the LGA boundary to each Council's development contributions plan.

Figure 9 - Badgerys Creek Precinct Map



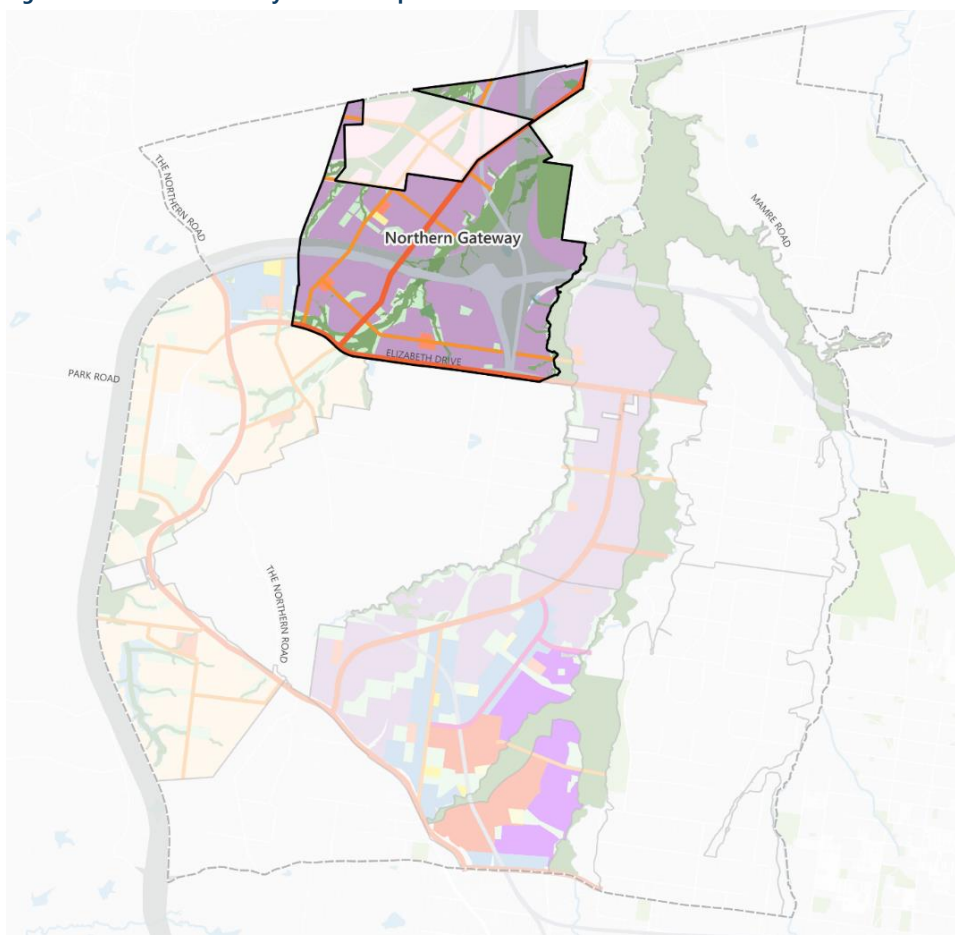


2.4.4 Northern Gateway

The Northern Gateway will link the Airport with the Western Parkland City Metropolitan Cluster through high frequency public transport, freight, road and rail connections. The precinct will build on the approved Sydney Science Park development to provide a variety of residential and employment generating uses. It should be noted that residential uses are only permitted in the Northern Gateway in the Sydney Science Park. This area is excluded from the plan.

High order employment uses will include freight & logistics, warehousing, technology, commercial enterprise, offices, industry, fresh food markets, education, civic, health, visitor accommodation, recreation and entertainment. Sydney Metro services will provide connections between the precinct, the Western Sydney Airport and Aerotropolis Core Precinct. The Precinct will have access via Luddenham Road, Elizabeth Drive and the Agribusiness Precinct to the Airport. The precinct is bisected by major transport infrastructure including the M12 interchange and Outer Sydney Orbital, as well as vegetated riparian corridors and open space links.

Figure 10 - Northern Gateway Precinct Map





2.5 Development Typologies

The WSAPP includes a land use and structure plan, which breaks down the intended land uses on developable land into the following categories:

- Enterprise & Light Industry
- Business & Enterprise
- Commercial Centre (Mixed Use)
- Residential (Mixed Use)
- Local Neighbourhood Centre
- Agribusiness
- Education

In order to calculate the total cost of construction for the anticipated development, each developable land use was further broken down into a unique construction profile. The assumed breakdown for each construction profile has been reviewed by quantity surveyors, Mitchell Brandtman.

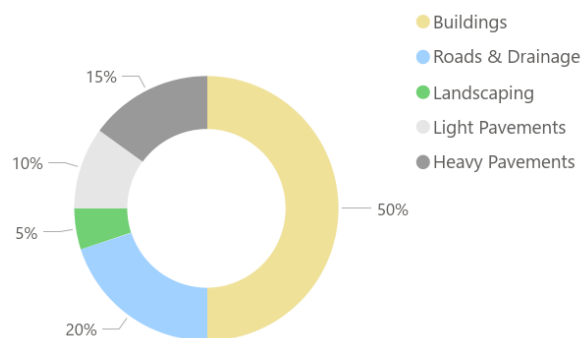
The construction profiles provide estimates of the required building, pavement (heavy duty), pavement (light duty), public roads and landscaping areas to assist in the cost estimation process.

A summary of each land use typology and the assumed construction profile is provided in the sections below.

2.5.1 Enterprise & Light Industry

This land use typology is made up of large warehouses and general industrial uses. Larger lot sizes and building footprints are expected, with associated carparking with relatively few circulation roads.

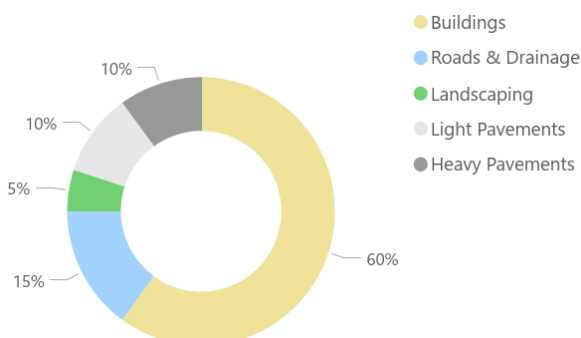
Buildings within this land use type are generally expected to be one to two storeys.





2.5.2 Business & Enterprise

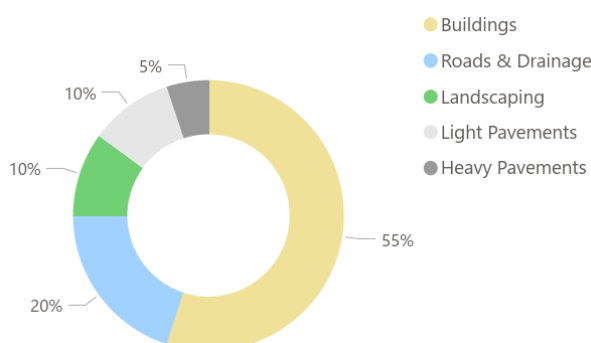
The Business & Enterprise typology is assumed to include warehousing with some office space located on upper floors of buildings. These sites are assumed to have a smaller average lot size than the above land use, and will accommodate a wide variety of business types.



2.5.3 Commercial Centre (Mixed Use)

Commercial centres will consist of mixed use environment focused on employment generating land uses, leveraging off the Metro and other mass transit.

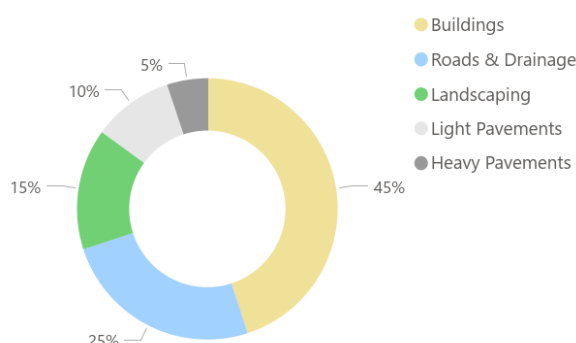
Multi-level retail and commercial facilities would be expected, with some at-grade parking as well as multi-deck parking within building footprints.



2.5.4 Local/Neighbourhood Centre

Local and neighbourhood centres are smaller retail centres that meet the convenience retailing needs of the community while acting as a local gathering place, particularly for employees.

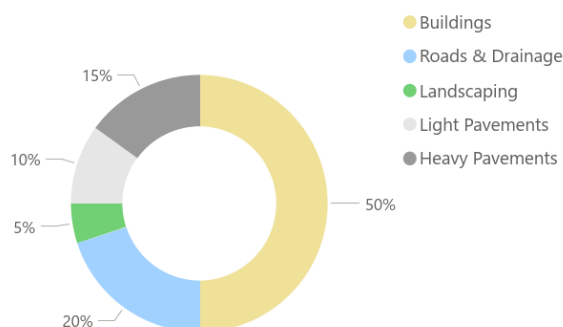
These centres will include a mix of uses, including retail facilities, specialist shops and supermarkets, personal services, office and employment uses.





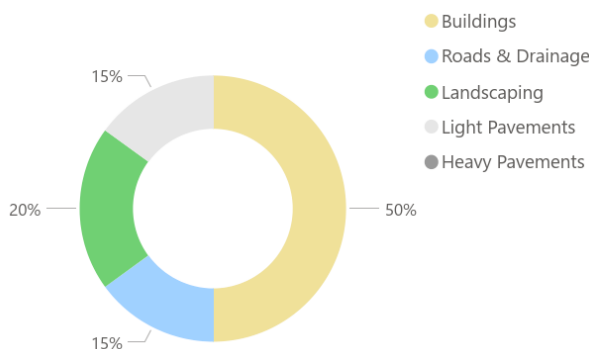
2.5.5 Agribusiness

Agribusiness uses could include integrated logistics, air freight, integrated intensive production and food innovation. This typology is similar to the Enterprise & Light Industry land use detailed above. Large lot sizes with warehousing and associated carparking are expected.



2.5.6 Education

This typology is based on typical primary and secondary schools, with an expectation for some vocational and/or tertiary education facilities. While a larger share of landscaping is expected in these land uses, many schools will also be co-located or adjacent to larger parks and sports fields.



2.5.7 Residential Typologies

In addition to non-residential building typologies, a similar exercise was taken into the likely composition and scale of residential development in the study area to assist in the cost estimation of works. Population forecasts from the WSAP 2020 were used to determine a feasible development mix. This is further detailed in Section 2.6 below.

2.6 Residential Land Use Composition

Based on the Aerotropolis SEPP zoning, all new residential development in the CP will be located within the Aerotropolis Core. Residential development is also permitted in the Sydney Science Park in Penrith LGA, however this site is excluded from the Section 7.12 Development Contributions Plan.

The WSAP indicates that a population of up to 24,000 is expected within the Aerotropolis Core Precinct. The upper range population projections were used to determine an approximate number of dwellings.



The anticipated resident populations were determined through a review of population assumptions and dwelling occupancy rates in six other contributions plans from across Western Sydney (Table 2).

Table 2 - Household Population Assumptions

Contribution Plan	Medium Density	Apartments (1 bed)	Apartments (2 bed)	Apartments (3 bed)
Liverpool City Council Established Areas	3.1	1.8	2.3	3.1
Edmondson Park*	2.4			
Showground Precinct	3.0	1.5	2.1	2.6
Rouse Hill**	2.7			
Schofields	2.7	1.2	1.9	2.9
Penrith City Centre	3.1	2.0	2.0	2.0

* Up to 38 dwellings/ha

** Up to 45 dwellings/ha

Based on the above, the following dwelling occupancy rates were assumed for determining social infrastructure demands for the Section 7.12 Development Contributions Plans.

Table 3 - Household Population Assumptions

Development Type	Persons per Dwelling
Medium Density	3.0
High Density (Low-Rise)	2.4
High Density (High-Rise)	2.1

Based on the above assumptions, a summary of the estimated residential development within the Aerotropolis Core is provided in Table 4.

Table 4 - Residential Development Breakdown (Aerotropolis Core)

Development Typology	Assumed Dwelling Split	Population per Dwelling	Population	Dwellings
Medium Density	50%	3.0	12,000	4,000
Apartments (Low Rise)	40%	2.4	9,600	4,000
Apartments (High Rise)	10%	2.1	2,400	1,143
		Total	24,000	9,143



3 Development Costs

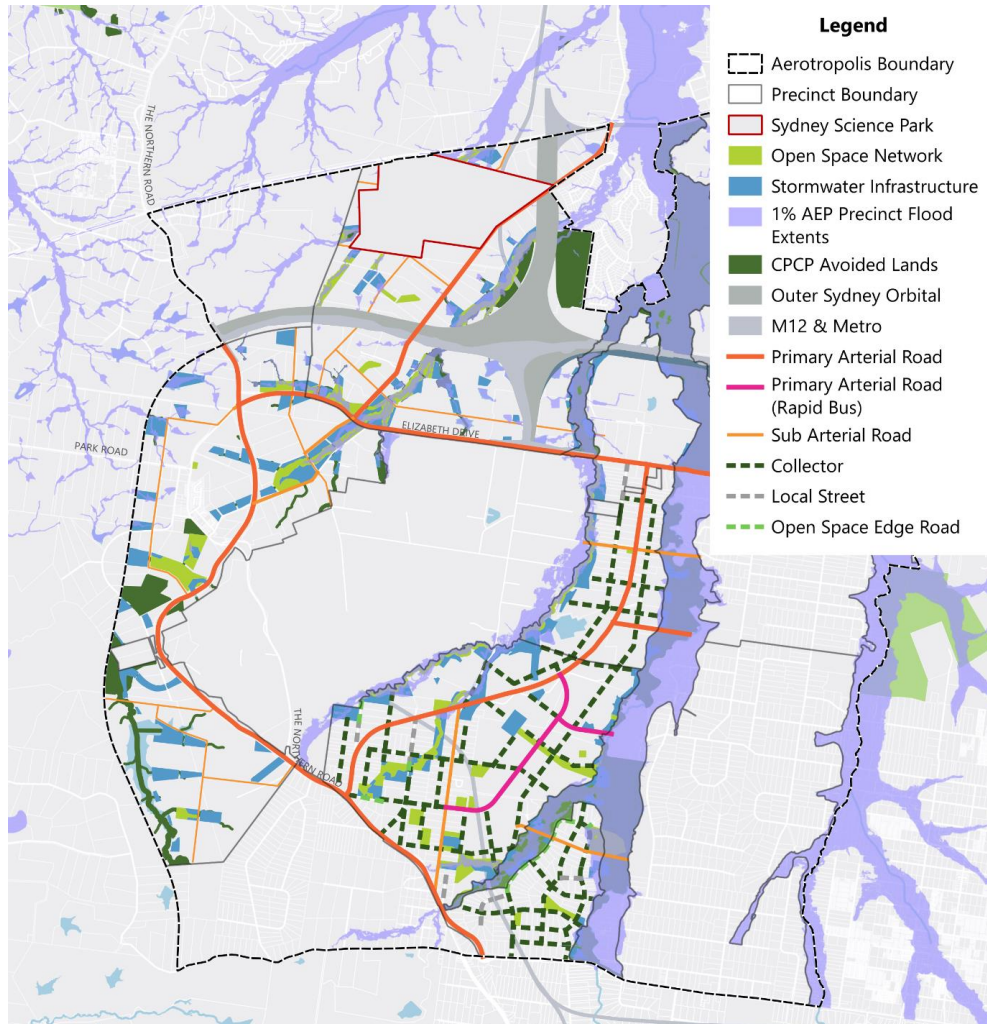
The proposed Land Use & Structure Plan was provided to IDC by DPE in geospatial format. This data has been used to determine the developable area within each precinct, and subsequently the expected cost of development.

3.1 Constrained & Non-Developable Land

To calculate the developable area, a number of areas which are constrained or non-developable were removed from the structure plan. These areas are shown in Figure 11 and include:

- Arterial and sub arterial roads funded and delivered through the SIC
- Sub arterial, collector and local roads funded through the Section 7.12 Development Contributions Plans
- Major transport corridors, such as the Outer Sydney Orbital, Western Sydney Airport Metro, M12 Motorway etc.
- Land below the 1% Annual Exceedance Probability (AEP) flood level
- Land identified for open space or stormwater infrastructure
- Areas identified within the Cumberland Plain Conservation Plan as avoided land

The total constrained area of constrained land within each precinct is summarised in Table 5.

Figure 11 - Constrained Land & Non-Developable Areas**Table 5 - Constrained Land Summary**

Precinct	Area (Ha)	Constrained Area (Ha)	% Constrained
Aerotropolis Core	1,381.5	419.7	30%
Badgerys Creek	633.5	58.6	10%
Northern Gateway*	1,382.4	717.3	54%
Agribusiness*	1,417.7	485.5	33%

* Excludes Sydney Science Park in the Northern Gateway & Luddenham Village in Agribusiness



3.2 Developable Area

The developable area was calculated for each land use type within each precinct. Development and infrastructure costs in precincts which cover both LGAs have been separated by LGA to allow for separate contribution rates to be calculated. The developable areas within each precinct are tabulated below.

Table 6 - Developable Area (m²)

	Aerotropolis Core	Badgerys Creek (Liverpool)	Badgerys Creek (Penrith)	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Residential (Mixed Use)	1,810,742	-	-	-	-	-
Enterprise & Light Industry	3,942,321	3,463,163	2,132,562	-	-	6,419,925
Business & Enterprise	2,010,852	-	-	8,681	650,623	-
Commercial Centre (Mixed Use)	1,471,317	-	-	-	-	-
Local Neighbourhood Centre	144,214	35,693	34,963	128,642	50,190	99,586
Agribusiness	-	-	-	6,894,349	1,487,635	10
Education	119,309	-	-	-	-	25,035
Total Developable Area	9,498,755	3,498,856	2,167,525	7,031,670	2,188,448	6,544,556

3.3 Floor Space Ratios

Floor Space Ratios (FSR) were applied to all non-residential land uses to assist in calculating building costs. Where FSRs were not listed in the WSAPP, rates have been adopted from similar developments. The results are tabulated below.

Table 7 - Adopted Floor Space Ratios

Land Use	FSR	Source
Enterprise & Light Industry	0.5:1	Benchmarked Developments
Business & Enterprise	1:1	Benchmarked Developments
Commercial Centre (Mixed Use)	3.5:1	WSAPP
Residential (Mixed Use)	2.5:1	WSAPP
Local Neighbourhood Centre	1:1	WSAPP
Agribusiness	0.5:1	Benchmarked Developments
Education	0.5:1	Benchmarked Developments



3.4 Site & Cost Rate Assumptions

Development costs were determined by first developing a typical site area breakdown, as outlined in Section 2.5. For employment development typologies, each site was split into hardstand, landscape, roads & drainage, and developable area. Hardstand areas have been separated into light and heavy to account for varying pavement thicknesses.

For residential development typologies it was assumed that 30%, 20% and 15% of the site will be required for roads and drainage infrastructure for high rise apartments, low rise apartments and medium density development respectively. Costs for hardstand and landscaped areas are assumed to be included in building costs, which forms the balance of the site area.

The development typology breakdowns outlined in Section 2.5 are summarised in Table 8 below.

Table 8 - Employment Development Typology Site Breakdowns

Development Typology	Pavements (Light Duty)	Pavements (Heavy Duty)	Landscaping	Public Roads & Drainage	Building
Enterprise & Light Industry	10%	15%	5%	20%	50%
Business Enterprise	10%	10%	5%	15%	60%
Commercial Centre (Mixed Use)	10%	5%	10%	20%	55%
Local Neighbourhood Centre	10%	5%	15%	25%	45%
Agribusiness	10%	15%	5%	20%	50%
Education	15%	0%	20%	15%	50%

The following cost rates were assumed for each development typology. Both the site breakdown assumptions and cost rates were reviewed and updated by Mitchell Brandtman Quantity Surveyors.

**Table 9 - Assumed Building Cost Rates**

Development Typology	Pavements (Light Duty) (\$/m ²)	Pavements (Heavy Duty) (\$/m ²)	Landscaping (\$/m ²)	Public Roads & Drainage (\$/m ²)	Building Cost (\$/m ²)
Enterprise & Light Industry	\$175	\$350	\$50	\$345	\$2,250
Business Enterprise	\$175	\$350	\$50	\$345	\$2,450
Commercial Centre (Mixed Use)	\$175	\$350	\$50	\$345	\$3,500
Local Neighbourhood Centre	\$175	\$350	\$50	\$345	\$3,750
Agribusiness	\$175	\$350	\$50	\$345	\$1,800
Education	\$175	\$350	\$50	\$345	\$4,750
Medium Density Development	Included in build	Included in build	Included in build	\$345	\$3,050
Apartments (low rise)	Included in build	Included in build	Included in build	\$345	\$2,900
Apartments (high rise)	Included in build	Included in build	Included in build	\$345	\$3,350

Source: Rawlinsons (2020), reviewed and confirmed/updated by Mitchell Brandtman

3.5 Cost Summary

The approximate development costs were calculated based on the assumptions outlined above. A breakdown of these costs per development typology is provided below. The total cost of development for the four precincts included in the plans is expected to be in the order of \$60 billion.

Table 10 - Development Costs (\$ millions)

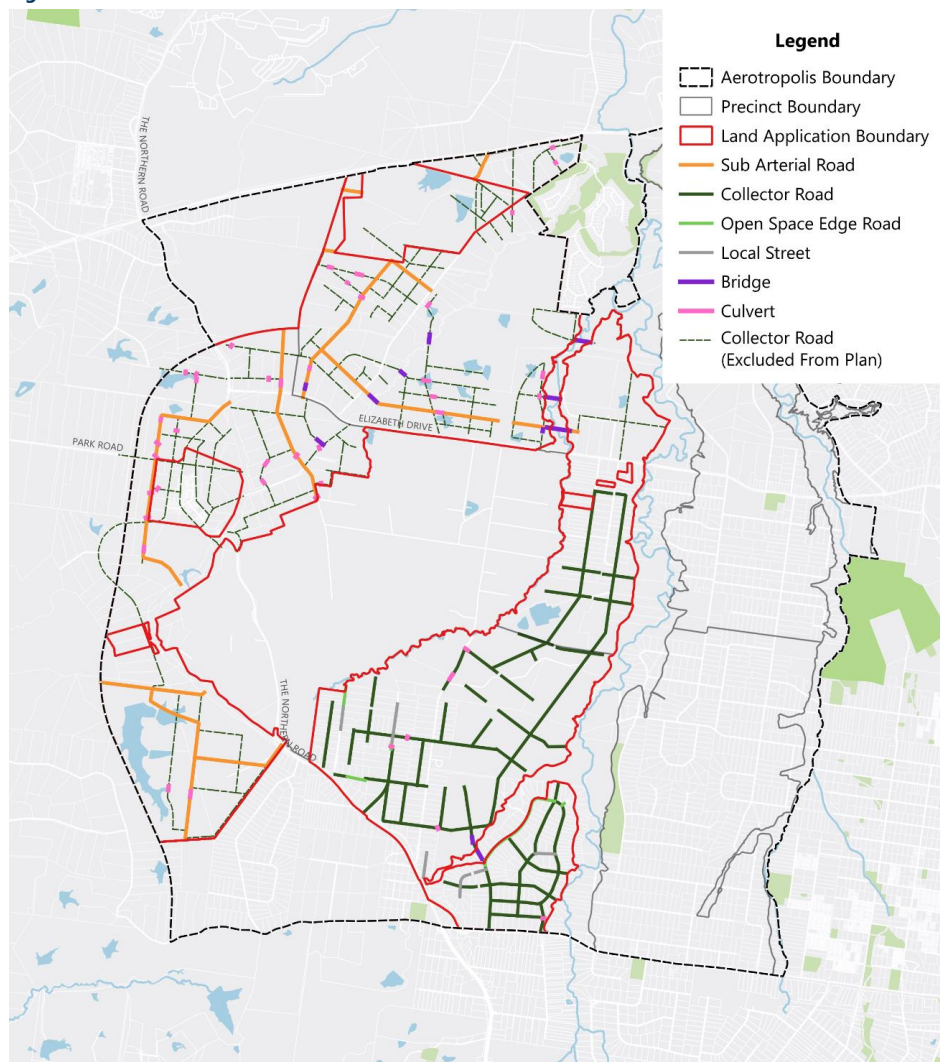
	Aerotropolis Core	Badgerys Creek (Liverpool)	Badgerys Creek (Penrith)	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Residential (Mixed Use)	\$3,969.62					
Enterprise & Light Industry	\$4,992.95	\$4,386.10	\$2,700.89			\$8,130.84
Business & Enterprise	\$5,141.25			\$22.20	\$1,663.48	
Commercial Centre (Mixed Use)	\$18,184.01					
Local Neighbourhood Centre	\$559.37	\$138.44	\$135.61	\$498.97	\$194.67	\$386.27
Agribusiness				\$7,180.46	\$1,549.37	\$0.01
Education	\$293.86					\$61.66
Total Costs	\$33,141.05	\$4,524.54	\$2,836.50	\$7,701.63	\$3,407.53	\$8,578.78

4 Roads Infrastructure

The roads included in the Aerotropolis Precincts Development Contributions Plans have been informed by the Street Hierarchy plan included in the WSAPP. As discussed in Section 1.4, many roads will be funded by the SIC and are therefore excluded from this plan. Roads funded through the SIC are shown in Figure 4.

Local roads will be provided by developers at their own cost through development conditions of consent in accordance with current practice in both LGAs. All roads included within the CP are discussed in the following sections and are shown in Figure 12. Maps showing the infrastructure included in the respective plans for each LGA are provided in Appendix B.

Figure 12 - Roads Infrastructure





4.1 Sub Arterial Roads

Many proposed sub arterial roads within the Aerotropolis will be funded through the proposed Western Sydney Aerotropolis SIC. There are a number of additional sub arterial roads shown in the Street Hierarchy plan in the WSAPP which are not included the SIC. A number of these sub arterial roads will be funded through the Section 7.12 Development Contributions Plans and are shown in Figure 12.

It should be noted that the WSAPP includes a primary arterial road within the southern portion of the Agribusiness Precinct. No funding for a primary arterial road in this location is included in the SIC. This Section 7.12 Development Contributions Plan has included an allowance for this road to be constructed as a sub arterial road.

4.2 Collector Roads

Collector roads have been included within the Aerotropolis Core and the Liverpool component of the Badgerys Creek precinct. The collector roads included in the Section 7.12 Development Contributions Plans are shown in Figure 12.

4.3 Local Roads & Open Space Edge Roads

New local roads are assumed to be provided by developers at their own cost through development conditions of consent in accordance with current practice in both LGAs.

Proposed local roads located along existing road alignments within the Aerotropolis Core and the Liverpool component of the Badgerys Creek precinct have been included in the CP. This includes local roads which are located adjacent to proposed open space (denoted as Open Space Edge Roads in the Street Hierarchy plan in the WSAPP and on Figure 12). This is to ensure that existing roads can be upgraded to match the proposed typical section outlined in the Aerotropolis DCP. The local roads included in the Section 7.12 Development Contributions Plans are shown in Figure 12.

4.4 Bridges and Culverts

In addition to the above, the CP has included an allowance for bridges and culverts. Bridges and culverts will be provided along roads included in this CP as well as collector roads within all precincts. The following assumptions were adopted to determine the locations of bridges and culverts:

- A bridge will be required when the roads listed above crosses a watercourse that is fourth order or above and is impacted by the 1% AEP flood extents
- A culvert will be required when the roads listed above cross a watercourse that is second order or above, or a first order watercourse which is impacted by the 1% AEP flood extents



4.5 Quantities

The roads included in the plans were split based on road type and precinct. The results are tabulated below.

Table 11 – Road Lengths & Culvert Numbers by Precinct

Roads Infrastructure	Aerotropolis Core	Badgerys Creek (Liverpool)	Badgerys Creek (Penrith)	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Collector Road (m)	32,796	7,722				
Sub Arterial Road (m)			140	9,228	3,724	7,949
Local Road (m)	2,393	498				
Open Space Edge Road (m)	2,345					
Collector Road Bridge (m)	78		465	122		215
Collector Road Culvert (item)	5			5	7	12
Sub Arterial Road Bridge (m)			357			196
Sub Arterial Road Culvert (item)				4	6	3
Local Road Bridge (m)						
Local Road Culvert (item)						
Open Space Edge Road Bridge (m)						
Open Space Edge Road Culvert (item)	1					



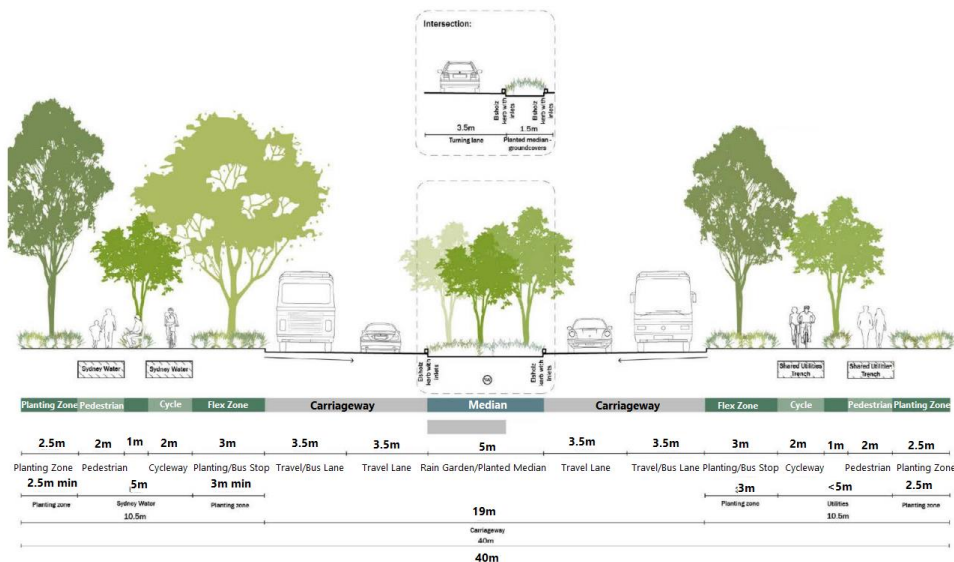
4.6 Cost Rates

4.6.1 Sub Arterial Roads

All new roads within the Aerotropolis are to be constructed in accordance with the Western Sydney Aerotropolis Phase 2 DCP. The DCP provides typical sections for each road typology. The typical section for sub arterial roads is provided in Figure 13.

IDC have developed cost rates per lineal metre of road based on contractor rates provided to IDC on past projects. These costs have been reviewed by Mitchell Brandtman and adjusted for current market conditions where necessary. The cost rate for Sub Arterial Roads is provided in Table 12.

Figure 13 - Sub-Arterial Road Typical Section



Source: Western Sydney Aerotropolis Development Control Plan 2022

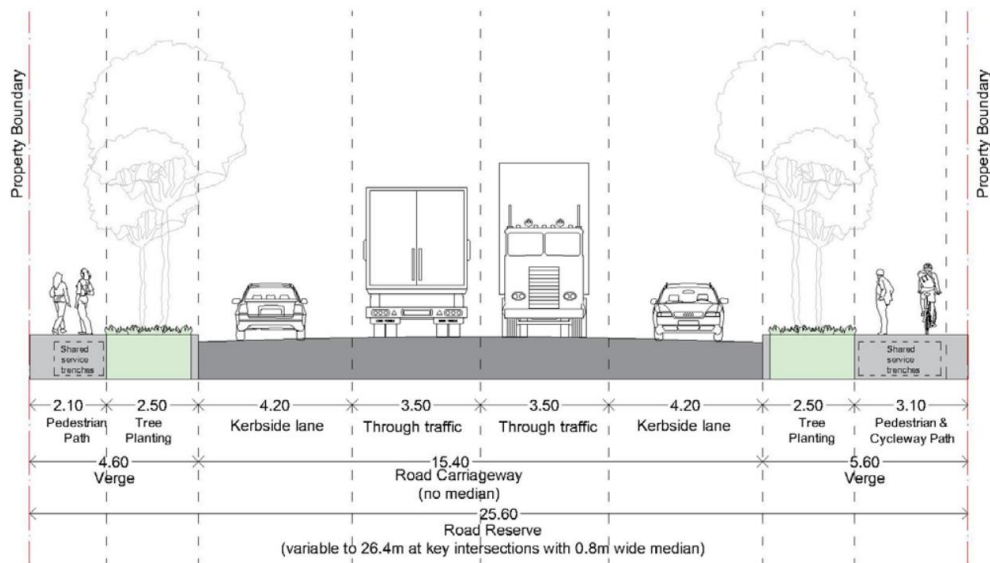
Table 12 - Sub Arterial Road Cost Rate

Item	Rate (\$/m)
Earthworks	\$28
Carriageway	\$2,191
Flex Zone (landscaping/parking)	\$831
Planted/WSUD Median	\$2,138
Utilities & Stormwater	\$2,119
Verge & Landscaping	\$2,450
Administration, Design, Contingency etc.	\$4,390
Total	\$14,150

4.6.2 Collector Roads

Collector roads have been included within the Aerotropolis Core and the Liverpool component of the Badgerys Creek precinct. The typical section for collector roads is shown in Figure 14, and the cost rate developed for this typology is summarised in Table 13.

Figure 14 - Collector Road Typical Section



Source: Western Sydney Aerotropolis Development Control Plan 2022

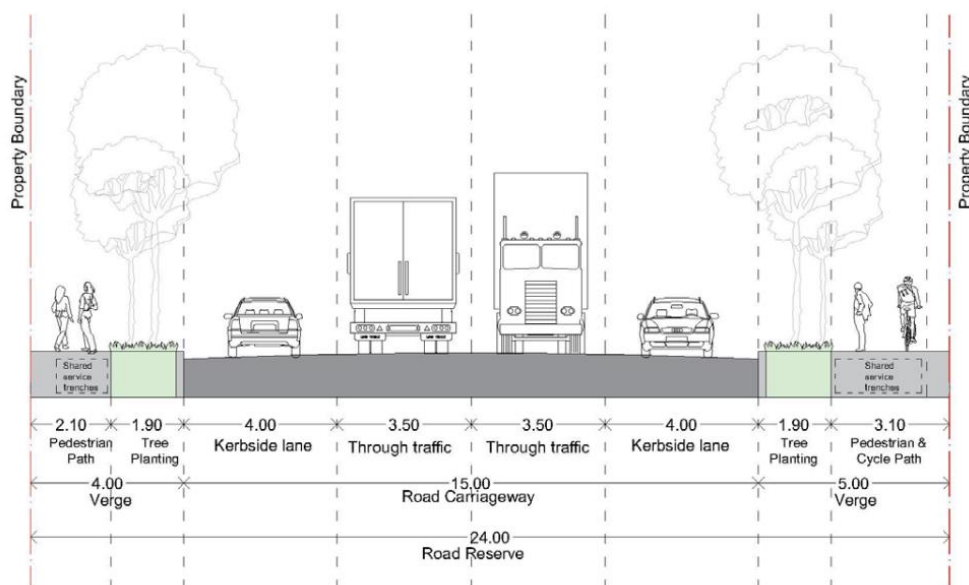
Table 13 - Collector Road Cost Rate

Item	Rate (\$/m)
Earthworks	\$13
Carriageway	\$1,625
Utilities & Stormwater	\$1,605
Verge & Landscaping	\$1,634
Administration, Design, Contingency etc.	\$2,195
Total	\$7,070

4.6.3 Local Street

As discussed in Section 4.3, local streets which are located along existing road alignments have been included within the Aerotropolis Core and Liverpool component of Badgerys Creek. The typical section for local streets is shown in Figure 15 and the cost rate developed for this typology is summarised in Table 14.

Figure 15 - Local Street Typical Section



Source: Western Sydney Aerotropolis Development Control Plan 2022

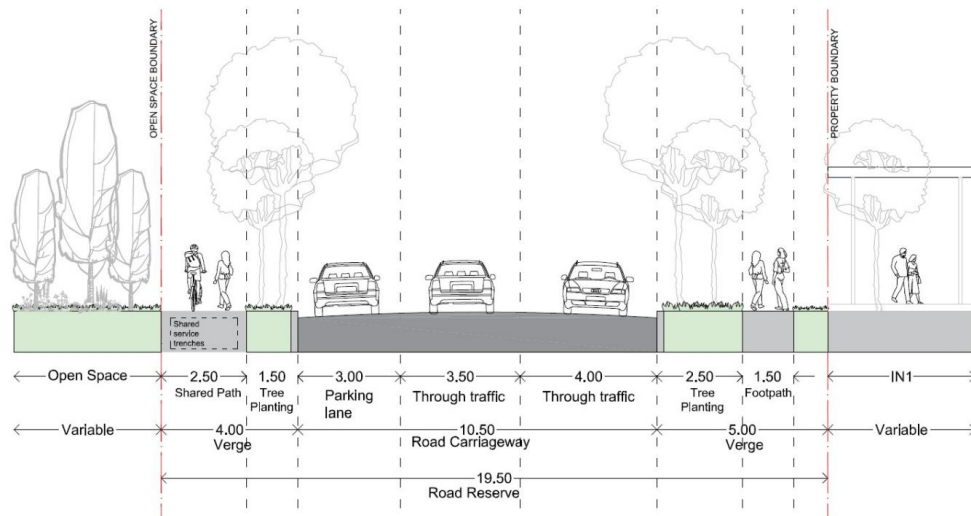
Table 14 - Local Street Cost Rate

Item	Rate (\$/m)
Earthworks	\$12
Carriageway	\$1,586
Utilities & Stormwater	\$1,605
Verge & Landscaping	\$1,435
Administration, Design, Contingency etc.	\$2,088
Total	\$6,730

4.6.4 Open Space Edge Roads

As discussed in Section 4.3, local streets which are located along existing road alignments have been included within the Aerotropolis Core and Liverpool component of Badgerys Creek. This has included local streets which front proposed open space, called Open Space Edge Roads in the WSAPP. The typical section for open space edge roads is shown in Figure 16 and the cost rate developed for this typology is summarised in Table 15.

Figure 16 - Open Space Edge Road Typical Section



Source: Western Sydney Aerotropolis Development Control Plan 2022

Table 15 - Open Space Edge Road Cost Rate

Item	Rate (\$/m)
Earthworks	\$10
Carriageway	\$906
Flex Zone (landscaping/parking)	\$374
Utilities & Stormwater	\$1,605
Verge & Landscaping	\$1,496
Administration, Design, Contingency etc.	\$1,976
Total	\$6,370



4.6.5 Bridges and Culverts

Cost rates for bridges and culverts were provided by Mitchell Brandtman. Bridge costs are provided on a per metre basis and assumes each bridge includes road carriageway, footpath and cycle path, with the respective widths for each component taken from the typical sections outlined above.

Culverts are assumed to cross the entire road reserve width. For sub arterial roads, it has been assumed twin 1200mm by 900mm precast concrete box culverts will be required. For collector and local roads, culverts are assumed to be twin 600mm diameter precast concrete pipes.

The cost rates adopted for bridges and culverts is summarised in Table 16. Note no bridges or culverts are required for the Local Streets provided in this plan.

Table 16 - Bridge and Culvert Cost Rates

Infrastructure Type	Sub Arterial Road	Collector Road	Open Space Edge Road	Notes
Bridge (\$/m)	\$135,300	\$118,450	N/A	Assumed bridge width includes road carriageway, footpath and cycle path
Culvert (\$/item)	\$194,000	\$119,040	\$90,675	Assumed culvert crosses entire road reserve width, includes headwalls and scour protection

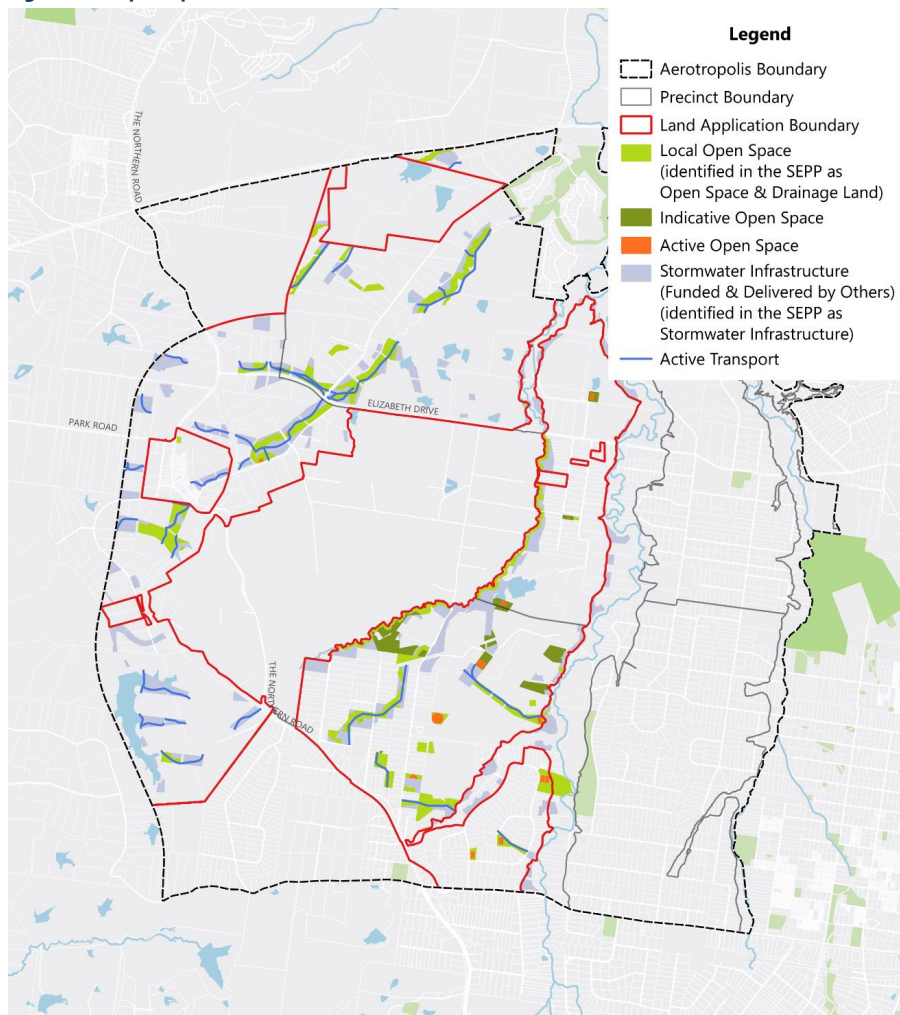


5 Open Space Infrastructure

The open space infrastructure included in the Aerotropolis Precincts Section 7.12 Development Contributions Plans have been informed by the Blue-Green Infrastructure Framework plan included in the WSAPP and the Aerotropolis SEPP maps showing local open space land to be acquired by the councils. As discussed in Section 1.4, the Thompsons Creek Regional Park will be funded by the SIC and has therefore excluded from the plans. Responsibility for provision stormwater drainage infrastructure in the Aerotropolis lies with Sydney Water.

The open space included in the plans are discussed in the following sections and are shown in Figure 17. Maps showing the infrastructure included in the respective plans for each LGA are provided in Appendix B.

Figure 17 - Open Space Infrastructure





5.1 Local Open Space

Areas proposed for local open space are shown above in Figure 17. These areas correspond with land identified as 'Open Space and Drainage Land' on the Aerotropolis SEPP Land Reservation Acquisition Map. For the purpose of this CP, it has been assumed that local open space will have minimal embellishment.

5.2 Indicative Open Space

The Blue-Green Infrastructure Framework plan in the WSAPP includes additional open space areas which are not included in the SEPP Land Reservation Acquisition Map. These areas are labelled 'Indicative Open Space' in the Blue-Green Infrastructure Framework plan. While these areas are not included in the Land Reservation Acquisition Map in the Aerotropolis SEPP, they have been included in the Section 7.12 Development Contributions Plans and it is assumed that these areas will be acquired by Liverpool and Penrith City Councils to deliver open space infrastructure.

5.3 Active Open Space

Areas for active open space are shown above in Figure 17. These areas are located within areas identified for local open space, indicative open space or stormwater infrastructure on the Blue-Green Infrastructure Framework plan. While the locations proposed in the WSAPP may clash with proposed stormwater infrastructure (to be delivered and managed by Sydney Water), it has been assumed that the total quantum of active open space will be as shown in the Blue-Green Infrastructure Framework plan, however the locations can change where required.

5.4 Active Transport in Open Space

In addition to the above, this CP has also included costs associated with providing active transport connections through open space. The WSAPP includes an Active Transport Network plan which identifies key cycle paths across the Aerotropolis. This CP has included all active transport connections labelled as "cycle paths through open space" on the Active Transport Network plan. These connections are shown above in Figure 17. and are expected to connect to cycle paths provided as part of new local and collector roads within the Aerotropolis. While the locations proposed in the WSAPP may clash with proposed stormwater infrastructure, it has been assumed that the total quantum will be as shown in the Blue-Green Infrastructure Framework plan, however the locations can change where required.

The open space included in this Section 7.12 Development Contributions Plans is shown in Figure 17. Separate maps showing the infrastructure included in the respective plans for each LGA are provided in Appendix B.



5.5 Quantities

The open space infrastructure included in this CP was split based on infrastructure type and precinct. The results are tabulated below.

Table 17 - Open Space Areas by Precinct

Open Space Infrastructure	Aerotropolis Core	Badgerys Creek (Liverpool)	Badgerys Creek (Penrith)	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Open Space (m ²) (Open Space & Drainage Land identified in the SEPP)	1,042,242	167,632		493,958	50,065	828,503
Indicative Open Space (m ²)	353,365	40,648	23,119			
Active Open Space (m ²)	87,156	8,677	7,758	4,327		
Active Transport in Open Space (m)	5,725			8,769	1,746	8,158
Total Open Space* (m²)	1,395,607	208,280	23,119	493,958	50,065	828,503

*Active Open Space is excluded from the total, as these areas are provided within either Open Space or Indicative Open Space



5.6 Cost Rates

Open space costs were calculated using two separate cost rates:

- A base embellishment cost rate which applies to all open space land. This base embellishment rates allows for planting of grass and trees and some basic landscaping. This cost rate was increased slightly at the request of both Councils to allow for additional embellishment, such as provision of benches, drinking fountains, etc. (note active transport connections in open space have been costed separately).
- An active open space embellishment rate which applies to areas identified for active open space. This is an extra-over rate (applied on top of the base embellishment rate) and allows for irrigation, lighting, benches, hardstand areas and amenities blocks.

The active transport through open space cost rates includes the provision of a 3m wide concrete path, bollard lighting and associated low voltage electrical infrastructure.

Both embellishment cost rates were provided by Mitchell Brandtman and are summarised in Table 17. The active transport in open space cost rate is based on contractor rates provided to IDC on past projects.

Table 18 - Open Space Embellishment Cost Rates

Infrastructure Type	Cost Rate	Inclusions
Open Space Base Embellishment Rate (\$/m ²)	\$100	Grassed area with some trees/basic landscaping
Active Open Space Embellishment Rate (\$/m ²)	\$125	Higher grade grassed area, amenities blocks, hardstand areas, benches, lighting and irrigation
Active Transport in Open Space (\$/m)	\$510	3m wide path, bollard lighting (every 10m) and associated LV electrical infrastructure



6 Social Infrastructure

6.1 Social Infrastructure Needs Assessment

A SINA prepared by GHD to identify the infrastructure required to support development of the initial precincts in the Aerotropolis. The recommendations are summarised in Table 19.

The recommendations of the SINA include local and regional infrastructure to be funded by public and private sources. Only those items that relate to these Section 7.12 Contributions Plans are shown in the table below.

Table 19 - Social Infrastructure Recommendations Included in this Contributions Plan

Infrastructure Type	Aerotropolis Core	Badgerys Creek	Agribusiness	Northern Gateway	Note
Community Facilities	3x local community spaces			2x local community spaces	Community spaces have been included in this CP. Sizes have been calculated using the provision rates outlined in Section 6.2.
	1x district community centre co-located with the district library			1x district community centre co-located with the district library.	
Childcare	1x council owned childcare centre		1x council owned childcare centre	2x council owned childcare centres	Childcare centres have been included in this CP. Sizes have been calculated using the provision rates outlined in Section 6.2.
Cultural Facilities	2x local cultural facilities			1x local cultural facility	Cultural facilities have been included in this CP. Sizes have been calculated using the provision rates outlined in Section 6.2.
Library	2x district libraries (one co-located to maker spaces and / or community services and the other is a joint library with the Multiversity).		1x branch library	1x branch library	Libraries have been included in this CP. Sizes have been calculated using the provision rates outlined in Section 6.2.
	1x branch library				Assumed district library within Multiversity is



Infrastructure Type	Aerotropolis Core	Badgerys Creek	Agribusiness	Northern Gateway	Note
					funded and delivered by others.
Sports Field	1x football field				Sports infrastructure within the Northern Gateway to be delivered in the Sydney Science Park
	2x district sports field (2 x rectangles and 1 x oval)				
	1x indoor sports facility		Add three netball courts to the existing three courts		
	1x indoor aquatic / swimming facilities				
	2x youth focussed outdoor recreation facilities				
Open Space	14x local parks		3x local parks	8x local parks	Open space is being provided in accordance with areas identified in the WSAPP.
	4x district parks	1x local park	1x district park	4x district parks	

Source: *Social Infrastructure Needs Assessment* – GHD (2020)

6.2 Provision Rates

The SINA provides high-level recommendations for the social infrastructure required to support the Aerotropolis initial precincts. To cost the recommended infrastructure, sizes were first estimated using provision rates provided by Cred Consulting.

The provision rates provide an estimate of the required area in square metres for each infrastructure type per person. Different rates are provided for residential and employment population. The provision rates are summarised in Table 20.

Table 20 - Social Infrastructure Provision Rates

Infrastructure Type	Residential Rate (m ² /person)	Employment Rate (m ² /person)
Library/Community Facilities		
Library floorspace	0.042	0.008
Multi-purpose community hall space	0.022	0.004
Flexible meeting space (within Aerotropolis Core district multi-purpose community hall and library)	0.031	N/A



Infrastructure Type	Residential Rate (m ² /person)	Employment Rate (m ² /person)
Cultural production space (small scale e.g. tech or pottery)	0.031	0.006
Community kitchen (within Aerotropolis Core district multi-purpose community hall and library)	0.046	N/A
Subsidised office space x 4 offices & hot desks (within Aerotropolis Core district multi-purpose community hall and library)	0.046	N/A
Foyer, lounge & café (within Aerotropolis Core district multi-purpose community hall and library)	0.092	N/A
Recording studio spaces (within Aerotropolis Core district multi-purpose community hall and library)	0.025	N/A
Connected outdoor, public civil space (within Aerotropolis Core district multi-purpose community hall and library)	0.307	N/A
High quality, 90 space council owned and managed early childhood education and care centre	0.056	0.034
Parks		
Play space (assumed located within a park) (item/person)	0.0005	0.0001
Outdoor fitness stations (item/person)	0.000067	0.00001
Youth precinct	0.02	N/A
Water play (provided in district park)	0.0002	N/A
Indoor Leisure Centre		
Outdoor toddler pool (within Aerotropolis Core)	0.0125	N/A
Outdoor 50m pool (8 lanes) (within Aerotropolis Core)	0.029	N/A
Shower/changeroom block (within Aerotropolis Core)	0.07	N/A
Amenities block including café/kiosk and community meeting rooms (within Aerotropolis Core)		N/A
Adjoining open space/picnic area (within Aerotropolis Core)	0.33	N/A
Learn to swim/hydrotherapy indoor pool (within Aerotropolis Core)	0.17	N/A
25m indoor pool (within Aerotropolis Core)	0.17	N/A
2x indoor courts (within Aerotropolis Core)	0.25	N/A
Community meeting rooms (within Aerotropolis Core)	0.05	N/A
Youth recreation hang out space (within Aerotropolis Core)	0.07	N/A
Foyer, lounge & café (within Aerotropolis Core)	0.13	N/A

Source: Cred Consulting (2020)



6.3 Quantities

Social infrastructure sizes were calculated based on the recommendations from the SINA and the provision rates outlined in Section 6.2.

Where a social infrastructure item is recommended in a precinct that covers both LGAs, the assumed size of the facility has been apportioned between each LGA's part of the precinct based on the expected population. These facilities will likely be provided in a single location, however splitting the area between each part of the precinct has allowed for costs to be apportioned between each of the Section 7.12 Development Contributions Plans. The results are summarised in Table 21. It should be noted that no social infrastructure is recommended for the Badgerys Creek precinct.

Table 21 - Social Infrastructure Provision

Social Infrastructure	Aerotropolis Core	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Community Facilities				
High quality, council owned and managed early childhood education and care centre (m ²)	1,350	257	80	709
Branch Library (m ²)		64	20	176
Local community centre (m ²)				92
Local cultural facility (m ²)				129
District multi-purpose community hub with the following features (2,260m²) with adjoining open space (1,000m²):	3,260			
Library floorspace (m ²)	1,008			
Multi-purpose community hall space (m ²)	528			
Flexible meeting space (m ²)	100			
Cultural production space (small scale e.g. tech or pottery) (m ²)	100			
Community kitchen (m ²)	150			
Subsidised office space x 4 offices & hot desks (m ²)	150			
Foyer, lounge & café (m ²)	300			
Recording studio spaces (m ²)	80			
Connected outdoor, public civil space (m ²)	1,000			
Sport and Recreation Facilities				
District sports grounds (2 double playing fields and amenities) (ha)				
Multi-purpose outdoor courts (ha)				



Social Infrastructure	Aerotropolis Core	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Play space (assumed located within a park - average size 100m ²)	12			11
Outdoor fitness stations	2			
Youth precinct (ha)	0.1			
Water play (provided in district park)	6			
Indoor Leisure Centre (approx. 3,000m²) plus ancillary facilities	3,000			
Outdoor toddler pool (m ²)	300			
Outdoor 50m pool (8 lanes) (m ²)	700			
Shower/changeroom block (m ²)	200			
Adjoining open space/picnic area (m ²)	1,000			
Learn to swim/hydrotherapy indoor pool (m ²)	500			
25m indoor pool (m ²)	500			
2x indoor courts (m ²)	750			
Community meeting rooms (m ²)	150			
Youth recreation hang out space (m ²)	200			
Foyer, lounge & café (m ²)	400			
Add three netball courts to existing three courts (assumed no land acquisition required)		3		



6.4 Cost Rates

Social infrastructure cost rates were provided by Penrith City Council in 2020 and were reviewed and updated where appropriate by Mitchell Brandtman. A summary of the cost rates adopted is provided in Table 22.

Table 22 - Social Infrastructure Cost Rates

Facility	Base Building Rate (\$/m ²)	Fit Out Rate (\$/m ²)	Source
Library/Community Facilities			
Library floorspace	\$4,250	\$2,500	Mitchell Brandtman
Multi-purpose community hall space	\$3,750	\$3,000	Mitchell Brandtman
Flexible meeting space	\$3,250	\$2,250	Mitchell Brandtman
Cultural production space (small scale e.g. tech or pottery)	\$2,500	\$1,850	Mitchell Brandtman
Community kitchen	\$4,850	\$1,850	Mitchell Brandtman
Subsidised office space	\$2,600	\$980	Mitchell Brandtman
Foyer, lounge & café	\$3,250	\$1,350	Mitchell Brandtman
Recording studio spaces	\$3,500	\$1,490	Mitchell Brandtman
Connected outdoor, public civil space	\$1,500	\$250	Mitchell Brandtman
High quality, council owned and managed early childhood education and care centre	\$3,600	\$1,650	Mitchell Brandtman
Parks and Open Space			
Play space (assumed located within a park)	\$600,000		Penrith City Council
Outdoor fitness stations	\$120,000		Penrith City Council
Youth precinct	\$4,500	\$4,500	Penrith City Council
Water play (provided in district park)	\$800,000		Cred Consulting
Indoor Leisure Centre			
Outdoor toddler pool	\$3,850	\$550	Mitchell Brandtman
Outdoor 50m pool (8 lanes)	\$3,850	\$550	Mitchell Brandtman
Shower/changeroom block	\$4,250	\$900	Mitchell Brandtman
Amenities block including café/kiosk and community meeting rooms	\$3,750	\$2,250	Mitchell Brandtman
Adjoining open space/picnic area	\$1,000	\$1,850	Mitchell Brandtman
Learn to swim/hydrotherapy indoor pool	\$4,500	\$1,550	Mitchell Brandtman
25m indoor pool	\$4,500	\$1,500	Mitchell Brandtman
2x indoor courts	\$3,250	\$1,480	Mitchell Brandtman
Community meeting rooms	\$3,000	\$2,250	Mitchell Brandtman



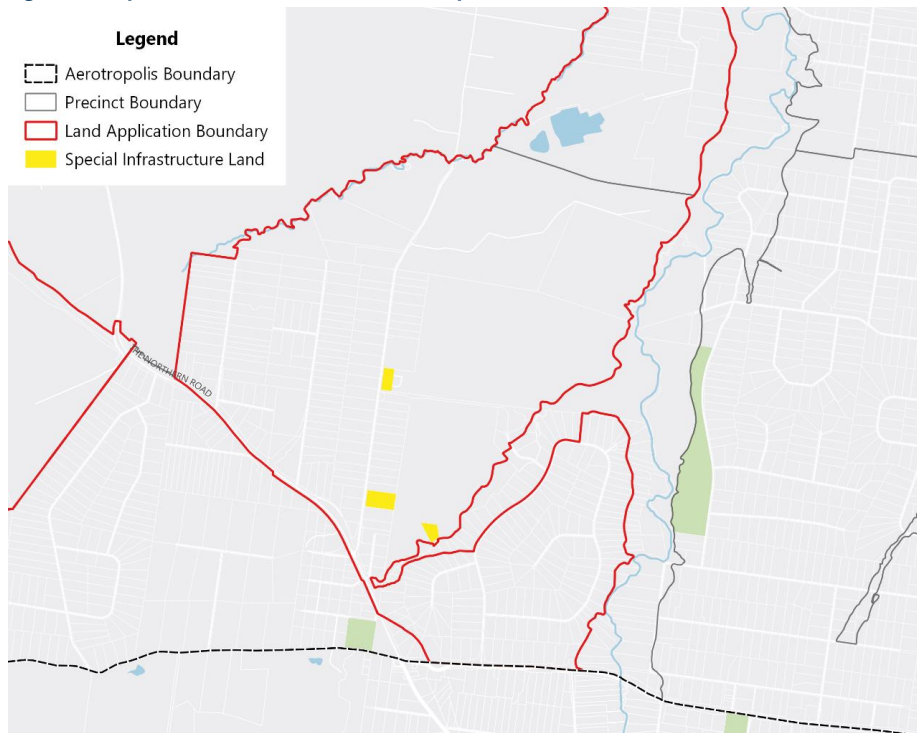
Facility	Base Building Rate (\$/m ²)	Fit Out Rate (\$/m ²)	Source
Youth recreation hang out space	\$2,650	\$1,350	Mitchell Brandtman
Foyer, lounge & café	\$2,400	\$1,350	Mitchell Brandtman

6.5 Locations

6.5.1 Aerotropolis Core

Liverpool City Council have requested three sites located within the Aerotropolis Core precinct which are identified as Special Infrastructure on the Land Use and Structure Plan in the WSAPP be acquired for the purpose of providing social infrastructure. It should be noted that these sites are larger than what will be required for the proposed social and community infrastructure. The locations of these sites are shown in Figure 18 below.

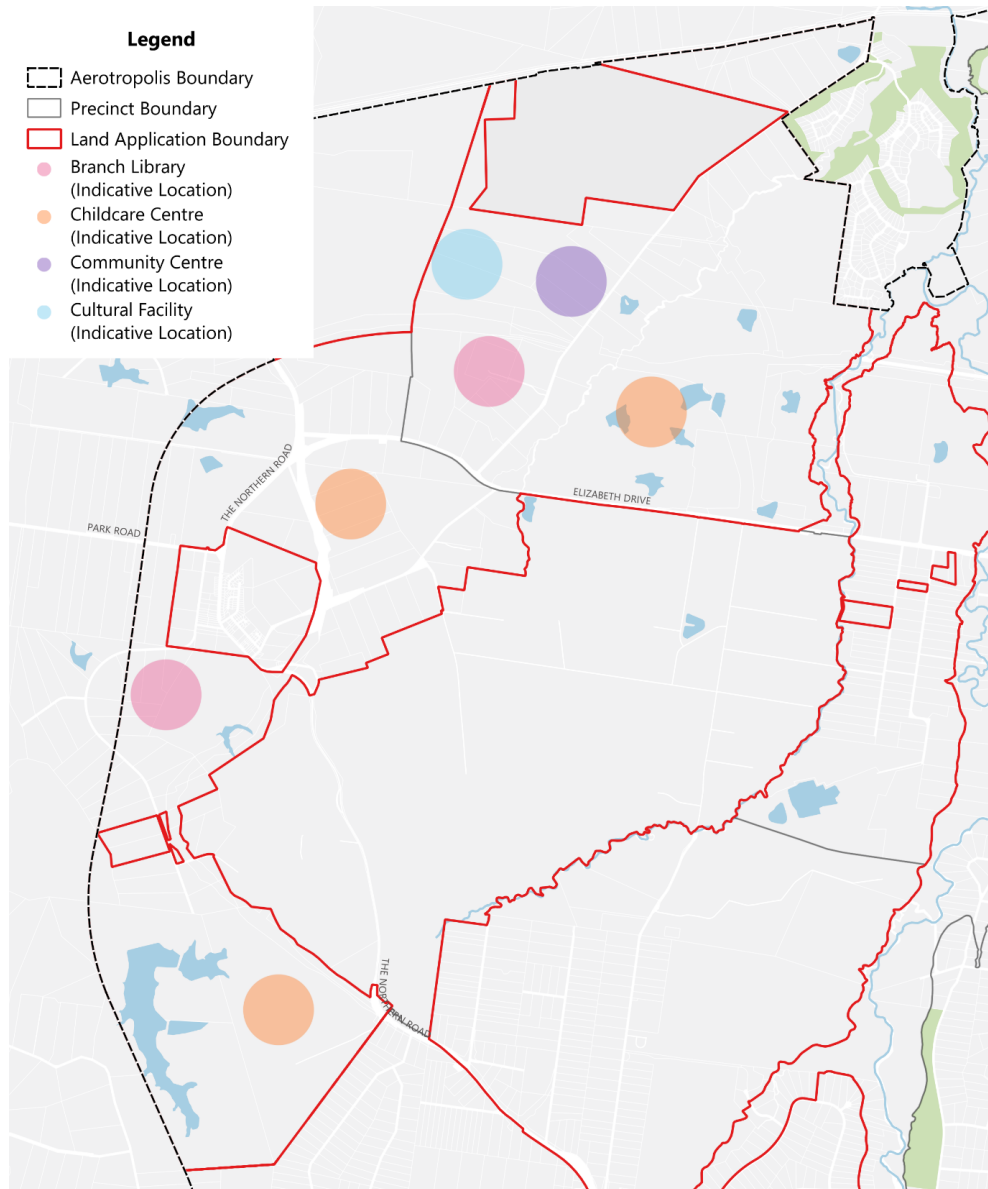
Figure 18 – Special Infrastructure Sites – Aerotropolis Core



6.5.2 Agribusiness & Northern Gateway

Locations for social infrastructure have not yet been nominated. This CP includes a land acquisition allowance for the areas required within each precinct. It is expected that Councils will determine appropriate locations and acquire sites as required. Some potential locations for this infrastructure are shown in Figure 19.

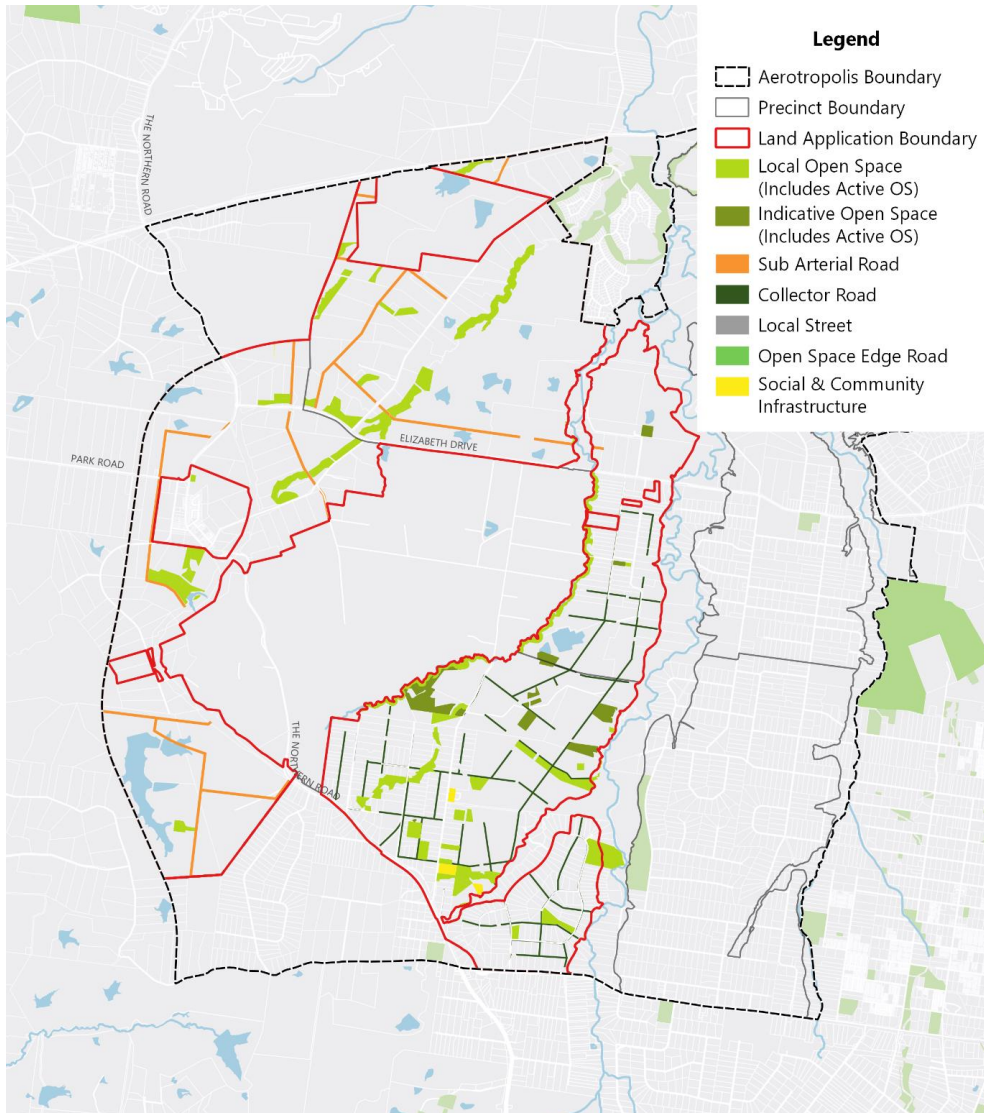
Figure 19 - Potential Social Infrastructure Locations (Indicative Only)



7 Land Acquisition

The land required to provide the infrastructure outlined in the above Sections 4 to 6 is shown in Figure 20.

Figure 20 - Land to be Acquired





7.1 Cost Rates

Penrith City Council sought an independent valuation of land values in the Aerotropolis due to the time that had elapsed since the exhibition of the draft CP. This valuation was peer reviewed by Deloitte and the Office of Strategic Lands (OSL). Land values have been updated to reflect current values that are being applied to land acquisition with the Western Parkland City and the Western Sydney Aerotropolis.

The rates adopted for the Section 7.12 Development Contributions Plans are summarised in Table 23.

The constrained land acquisition rate applies to land to be acquired for which one or more of the following applies:

- The land is zoned Environment and Recreation (ENZ) or Infrastructure (SP2)
- The land is impacted by the 1%AEP flood extents
- The land is identified in the Cumberland Plain Conservation Plan as avoided land

The good developable land acquisition rate applies to any land to be acquired for open space or social infrastructure where the above criteria do not apply.

Table 23 - Land Acquisition Rates

Land Type	Cost Rate (\$/m ²)
Constrained Land	95
Good Developable Land (Mixed Use)	550
Good Developable Land (Enterprise)	500
Good Developable Land (Agribusiness)	330



8 Section 7.12 Levy Rate

A summary of the total development costs, Section 7.12 infrastructure costs and applicable Section 7.12 contribution rates for each LGA are provided in Table 24.

A governance, management and planning levy has been added to account for the scale of additional resources that will be required by both Councils to implement and manage the plans.

Table 24 - Proposed Section 7.12 Contribution Rate

Component	Liverpool LGA Total	Penrith LGA Total
Development Costs (from Table 10)	\$45,367,222,584	\$14,822,805,010
Road Infrastructure Costs	\$495,302,465	\$326,528,610
Open Space Infrastructure Costs	\$229,696,440	\$96,189,490
Social Infrastructure Costs	\$67,955,326	\$13,251,016
Land Acquisition Costs	\$1,276,002,584	\$390,737,403
Sub Total (Infrastructure & Land Acquisition)	\$2,068,956,815	\$826,706,519
Governance, Management and Planning Levy (1.5% of infrastructure costs)	\$11,894,313	\$6,539,537
Calculation Formula for Section 7.12 Levy Rate	$\frac{\text{Total Infrastructure \& Admin Costs}}{\text{Total Development Costs}} \times 100$	
Section 7.12 Levy Rate	4.6%	5.6%

Maps showing the infrastructure provided in each of the plans are provided in Appendix B.



Appendix A – Assumptions

#	Planning & Land Use Assumptions	Source
1.1	The Aerotropolis Section 7.12 Development Contributions Plans will apply only to land within the Aerotropolis Core, Badgerys Creek, Northern Gateway and Agribusiness Precincts.	N/A
1.2	The Sydney Science Park has been excluded from the Section 7.12 Area	Existing Agreed VPA with Penrith City Council
1.3	Job projections have been extracted from the <i>Western Sydney Aerotropolis Plan (WSAP 2020)</i> and <i>Western Sydney Aerotropolis Precinct Plan (WSAPP)</i>	
	The upper range value has been adopted to provide a conservative approach to infrastructure estimation. The following projections were adopted for employment (jobs):	
	Aerotropolis Core	60,000
	Badgerys Creek	11,000
	Agribusiness	10,000
	Northern Gateway	21,000
	For population, the following projection was adopted for residential (population):	
	Aerotropolis Core	24,000
1.4	All dwellings within the Northern Gateway Precinct are located within the Sydney Science Park site, per 1.2 the Sydney Science Park has been excluded from the S7.12 Area.	WSAP 2020
	Assumed average gross Floor Space Ratio (FSR) for employment development typologies:	
	Enterprise & Light Industry	0.5
	Business & Enterprise	1
	Commercial Centre (Mixed Use)	3.5
	Residential (Mixed Use)	2.5
	Local Neighbourhood Centre	1
	Agribusiness	0.5
	Education	0.5
	Assumed average GFA (m ² per unit) for residential development typologies:	
	Medium Density	180
	Apartments (low rise)	110
	Apartments (high rise)	90



#	Planning & Land Use Assumptions		Source
1.8	Total Residential Population	24,000	WSAP 2020
1.9	Residential Development Typology Split		Agreed rate in discussions with Councils
	Low Density	0%	
	Medium Density	50%	
	Apartments Low Rise	40%	
	Apartments High Rise	10%	
2.0	Dwelling Occupation Rates (population per dwelling)		Review of other Contributions Plans, ABS data & GSC projections
	Medium Density	3.00	
	Apartments Low Rise	2.40	
	Apartments High Rise	2.10	
Road Quantities & Rates			
2.1	Typical road cross sections have been informed by the Aerotropolis DCP		IDC estimate from WSSDG
	Flex Zone Composition (pavement/landscape)		
	Local Road (pavement percentage)	50%	
	Sub Arterial Road (pavement percentage)	50%	
	Assumed Recycled water "Purple Pipe" reticulation on all roads	Yes	
Bridge & Culvert Rates			
2.2	Assumed bridge width includes road carriageway, footpath and cycle path		Mitchell Brandtman
	Assumed culvert crosses entire road reserve width, includes headwalls and scour protection		Mitchell Brandtman
Stormwater Infrastructure			
2.3	Responsibility for provision stormwater drainage infrastructure in the Aerotropolis lies with Sydney Water.		
Open Space Embellishment Rates			
2.4	Open Space Base Embellishment (per sqm)	\$ 100.00	Base rate of \$75 provided by QS, extra \$25 added for additional embellishment, as requested by Councils.
	Active Open Space Embellishment Rate (per sqm)	\$ 125.00	Rate provided by QS
	Active Transport in Open Space Rate (per metre)	\$ 510.00	Locations taken from <i>Blue-Green Infrastructure Framework</i> plan in WSAPP. Cost rate includes 3m wide path, LV cabling and bollard lighting every 10m
Community Facilities			
2.5	Social infrastructure requirements have been informed by the SINA prepared by GHD.		



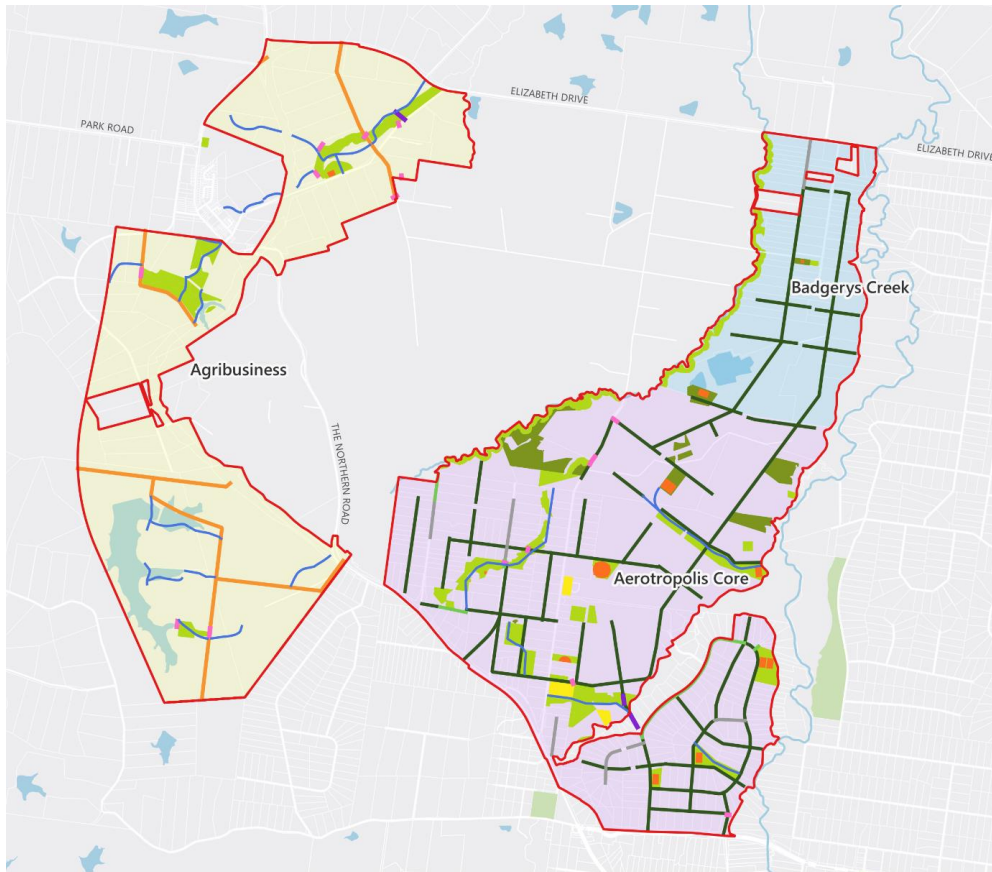
#	Planning & Land Use Assumptions		Source
	Cost rates were provided by Penrith City Council in 2020 and were reviewed and updated where appropriate by Mitchell Brandtman		
	Land Acquisition Rates		
	Constrained Land	\$ 95.00	
2.6	Good Developable Land (Mixed Use)	\$ 550.00	Independent Land Valuation commissioned by PCC, reviewed by Deloitte and Office of Strategic Lands
	Good Developable Land (Enterprise)	\$ 500.00	
	Good Developable Land (Agribusiness)	\$ 330.00	
2.7	Governance, Management and Planning	1.5%	Standard allowance for 1.5% of infrastructure costs Governance, Management and Planning



Appendix B – Infrastructure Maps

Roads, Open Space and Community Infrastructure – Liverpool Section 7.12 Development Contributions Plan

Figure 21 - Liverpool Infrastructure Plan



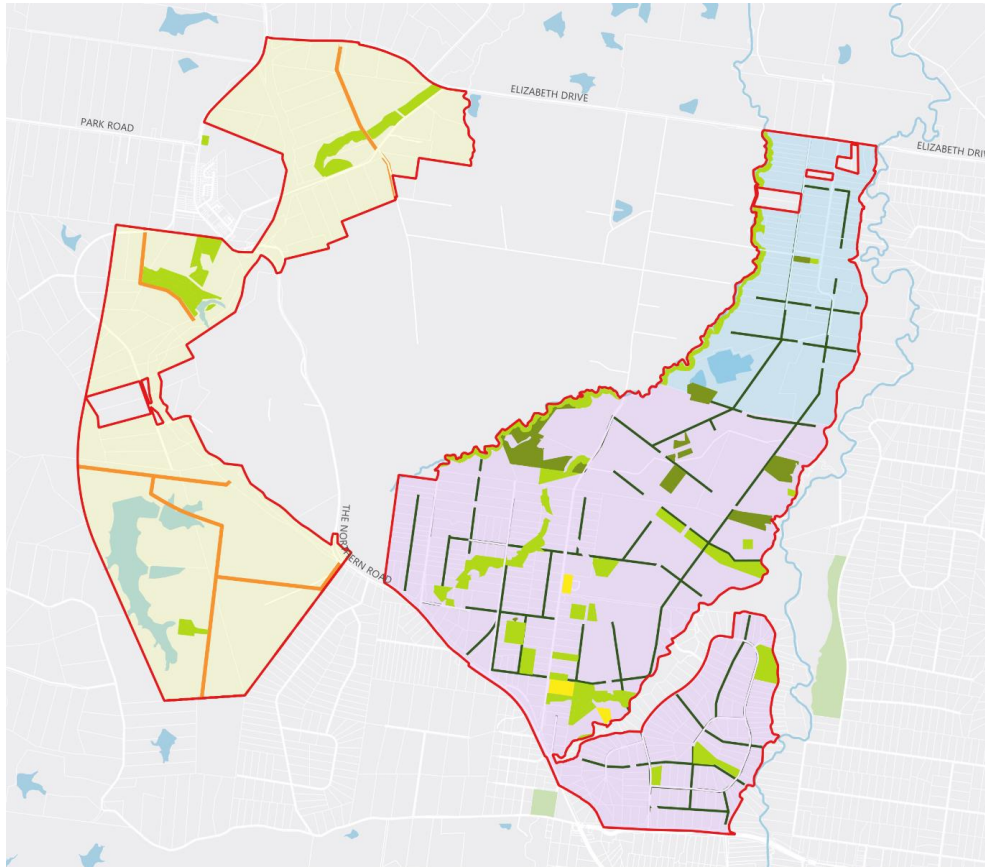
Aerotropolis Section 7.12 Plan (Liverpool) - Infrastructure

Land Application Boundary	Local Open Space	Sub Arterial Road	Active Transport
Aerotropolis Core Precinct	Indicative Open Space	Collector Road	Bridge
Agribusiness Precinct	Active Open Space	Local Street	Culvert
Badgerys Creek Precinct	Community Facilities	Open Space Edge Road	



Land to be Acquired – Liverpool Section 7.12 Development Contributions Plan

Figure 22 – Liverpool Land Acquisition Plan



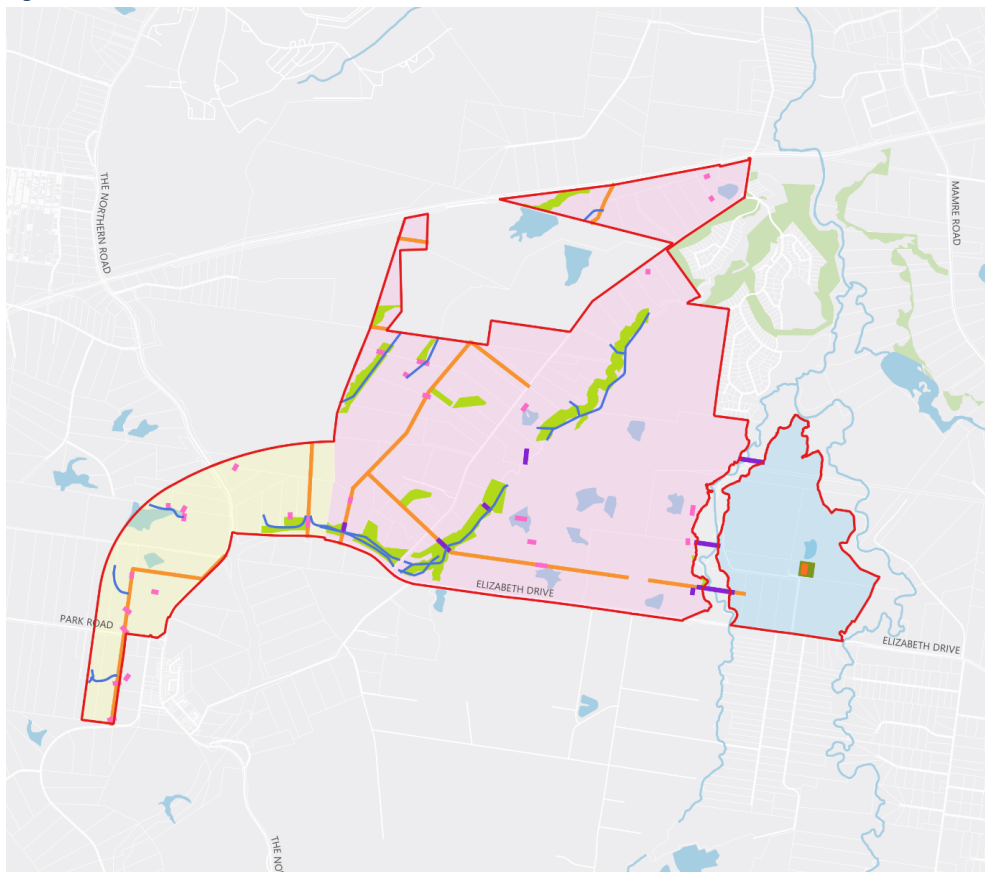
Aerotropolis Section 7.12 Plan (Liverpool) - Land

- | | | |
|---|--|---|
| Land Application Boundary | Local Open Space | Collector Road |
| Aerotropolis Core Precinct | Indicative Open Space | Local Street |
| Agribusiness Precinct | Community Facilities | Open Space Edge Road |
| Badgerys Creek Precinct | Sub Arterial Road | |



Roads and Open Space Infrastructure – Penrith Section 7.12 Development Contributions Plan

Figure 23 – Penrith Infrastructure Plan



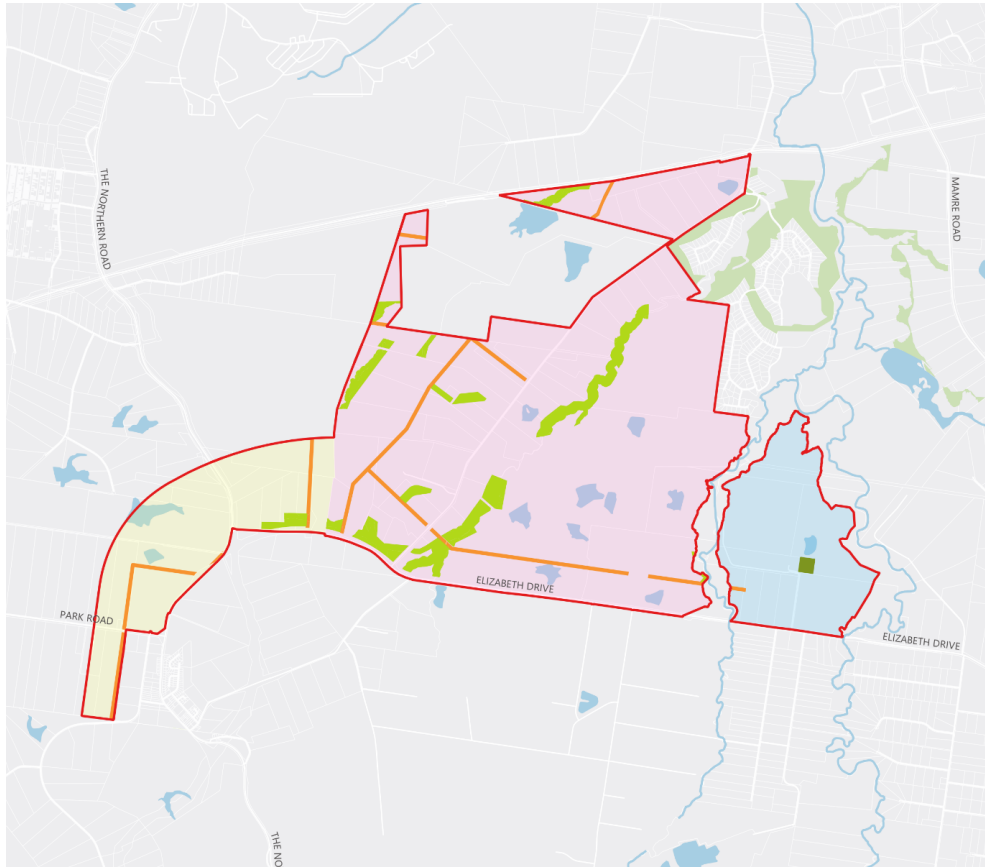
Aerotropolis Section 7.12 Plan (Penrith) - Infrastructure

- | | | |
|--|--|--|
| Land Application Boundary | Local Open Space | Bridge |
| Agribusiness Precinct | Indicative Open Space | Culvert |
| Badgerys Creek Precinct | Active Open Space | Active Transport |
| Northern Gateway Precinct | Sub Arterial Road | |



Land to be Acquired – Penrith Section 7.12 Development Contributions Plan

Figure 24 – Penrith Land Acquisition Plan



Aerotropolis Section 7.12 Plan (Penrith) - Land

- | | |
|--|--|
| Land Application Boundary | Local Open Space |
| Agribusiness Precinct | Indicative Open Space |
| Badgerys Creek Precinct | Sub Arterial Road |
| Northern Gateway Precinct | |



Appendix C – Infrastructure Schedule

Aerotropolis Core Precinct

Table 25 - Aerotropolis Core Precinct Works Schedule

Infrastructure Works	Works Cost	Land Cost	Priority Area
Road Infrastructure			
Collector Road	\$231,867,720	\$357,096,615	First/Second
Local Road	\$16,104,890	\$4,720,275	First/Second
Open Space Edge Road	\$14,937,650	\$925,145	Second
Bridges & Culverts			
Collector Road Bridge	\$27,361,950	incl. in road reserve	First
Collector Road Culvert	\$595,200	incl. in road reserve	First/Second
Open Space Edge Road Culvert	\$90,675	incl. in road reserve	Second
Open Space Infrastructure			
Open Space	\$104,224,200	\$410,793,150	First/Second
Indicative Open Space	\$35,336,500	\$128,006,635	First/Second
Active Open Space (in Open Space)	\$9,020,375	incl. in open space	First/Second
Active Open Space (in Indicative Open Space)	\$1,874,125	incl. in open space	First/Second
Active Transport in Open Space	\$2,919,750	incl. in open space	First/Second
Social Infrastructure			
Childcare Centre	\$7,087,500	\$6,308,741	First/Second
District multi-purpose community hub	\$16,424,200	\$15,234,442	First/Second
Play space	\$7,200,000	incl. in open space	First/Second
Outdoor fitness stations	\$240,000	incl. in open space	First/Second
Youth precinct	\$9,000,000	\$4,673,142	First/Second
Water play (provided in district park)	\$4,800,000	incl. in open space	First/Second
Indoor Leisure Centre	\$20,940,000	\$14,019,425	First/Second
Total	\$510,024,735	\$941,777,570	

*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP



Badgerys Creek Precinct (Liverpool)

Table 26 - Badgerys Creek Precinct (Liverpool) Works Schedule

Infrastructure Works	Works Cost	Land Cost	Priority Area
Roads Infrastructure			
Collector Road	\$54,594,540	\$77,507,265	First
Local Road	\$3,351,540	\$931,525	First
Open Space Infrastructure			
Open Space	\$16,763,200	\$28,674,035	First
Indicative Open Space	\$4,064,800	\$14,573,000	First
Active Open Space (in Open Space)	\$0	incl. in open space	First
Active Open Space (in Indicative Open Space)	\$1,084,625	incl. in open space	First
Active Transport in Open Space	\$0	incl. in open space	First
Total	\$79,858,705	\$121,685,825	

*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP

Badgerys Creek Precinct (Penrith)

Table 27 - Badgerys Creek Precinct (Penrith) Works Schedule

Infrastructure Works	Works Cost	Land Cost	Priority Area
Roads Infrastructure			
Sub Arterial Road	\$1,981,000	\$3,301,500	First
Bridges & Culverts			
Collector Road Bridge	\$55,079,250	incl. in road reserve	First
Sub Arterial Road Bridge	\$48,302,100	incl. in road reserve	First
Open Space Infrastructure			
Indicative Open Space	\$2,311,900	\$11,559,500	First
Active Open Space (in Indicative Open Space)	\$969,750	incl. in open space	First
	\$108,644,000	\$14,861,000	

*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP



Agribusiness Precinct (Liverpool)

Table 28 - Agribusiness Precinct (Liverpool) Works Schedule

Infrastructure Works	Works Cost	Land Cost	Priority Area
Roads Infrastructure			
Sub Arterial Road	\$130,576,200	\$107,211,595	First/Second/Third
Bridges & Culverts			
Collector Road Bridge	\$14,450,900	incl. in road reserve	First/Second/Third
Collector Road Culvert	\$595,200	incl. in road reserve	First/Second/Third
Sub Arterial Road Culvert	\$776,000	incl. in road reserve	First/Second/Third
Open Space Infrastructure			
Open Space	\$49,395,800	\$105,221,520	First/Second/Third
Active Open Space (in Open Space)	\$540,875	incl. in open space	First/Second/Third
Active Transport in Open Space	\$4,472,190	incl. in open space	First/Second/Third
Social Infrastructure			
Childcare Centre	\$1,351,232	\$84,935	First/Second/Third
Branch Library	\$432,394	\$21,139	First/Second/Third
Three Netball Courts (to be provided on existing site)	\$480,000	\$-	First/Second/Third
Total	\$203,070,791	\$212,539,189	

*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP



Agribusiness Precinct (Penrith)

Table 29 - Agribusiness Precinct (Penrith) Works Schedule

Infrastructure Works	Works Cost	Land Cost	Priority Area
Roads Infrastructure			
Sub Arterial Road	\$52,694,600	\$48,743,535	Third
Bridges & Culverts			
Collector Road Culvert	\$833,280	incl. in road reserve	Third
Sub Arterial Road Culvert	\$1,164,000	incl. in road reserve	Third
Open Space Infrastructure			
Open Space	\$5,006,500	\$20,100,410	Third
Active Transport in Open Space	\$890,460	incl. in open space	Third
Social Infrastructure			
Childcare Centre	\$420,643	\$26,440	Third
Branch Library	\$134,606	\$6,581	Third
Total	\$61,144,089	\$68,876,966	

*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP



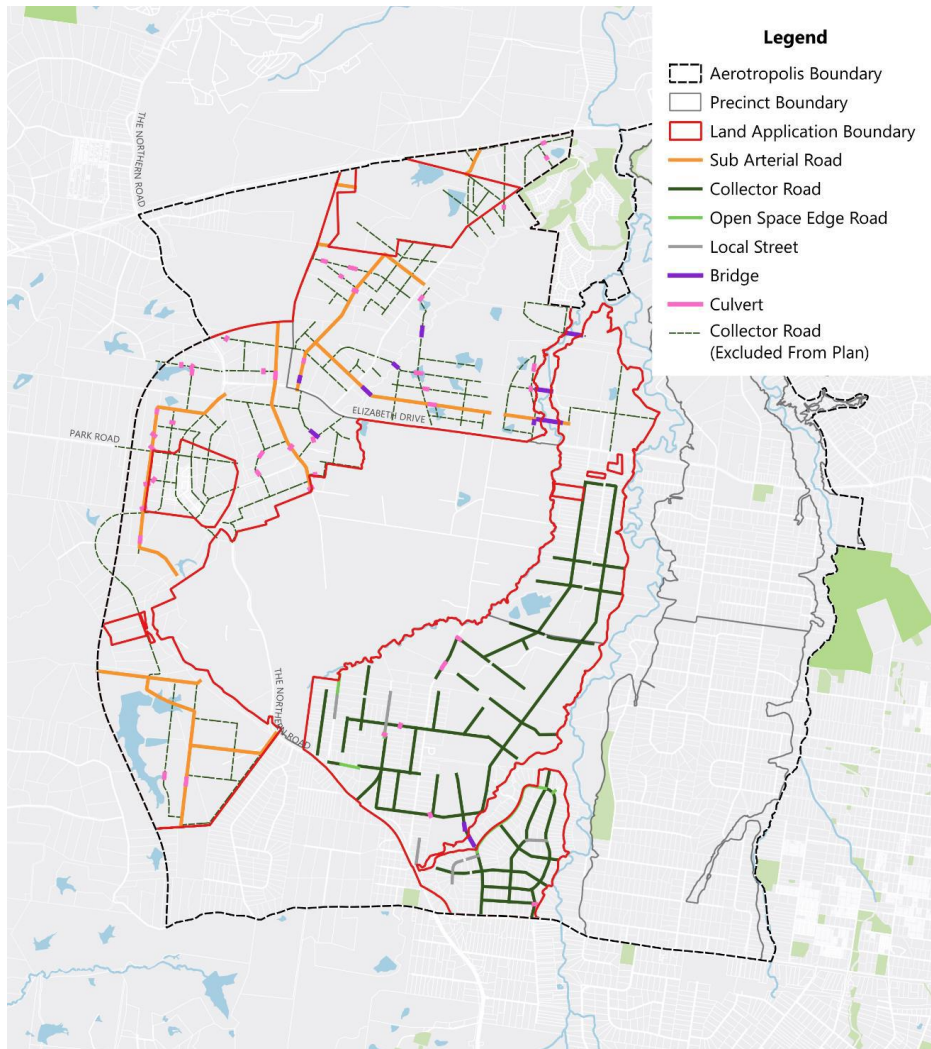
Northern Gateway Precinct

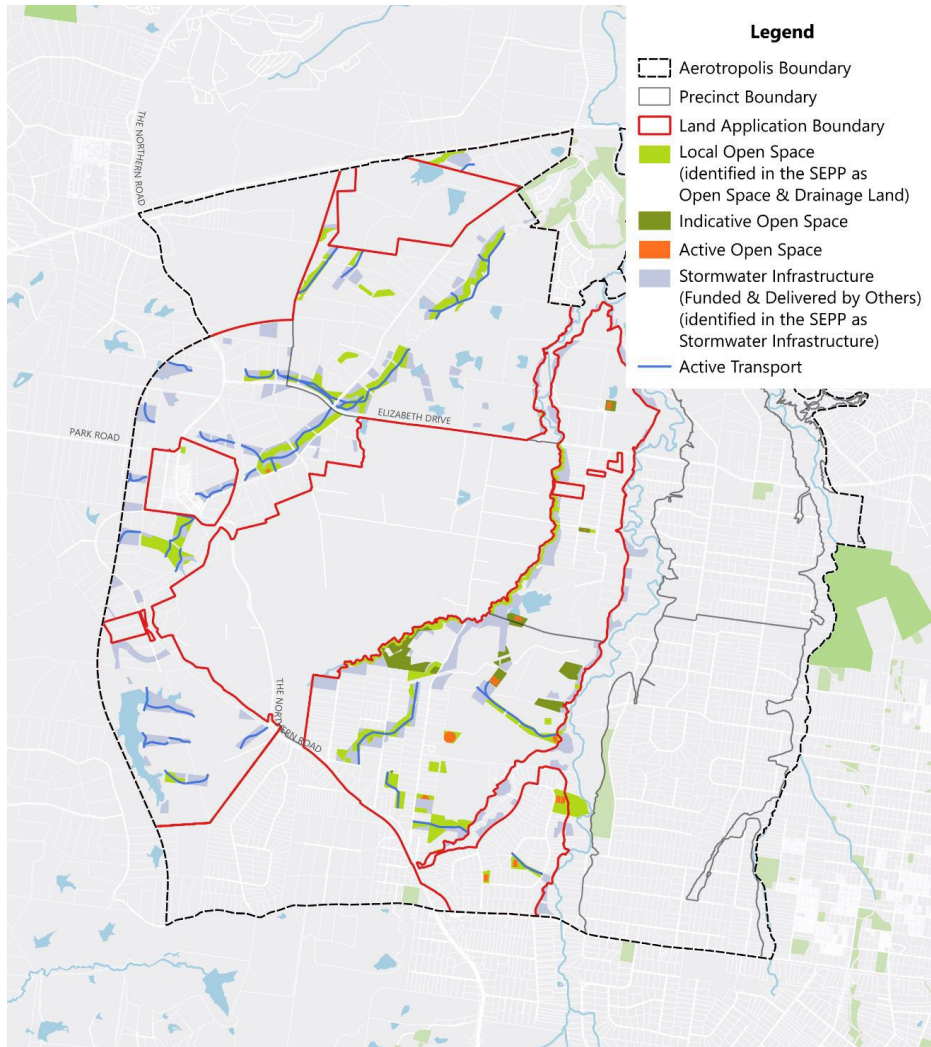
Table 30 - Northern Gateway Precinct Works Schedule

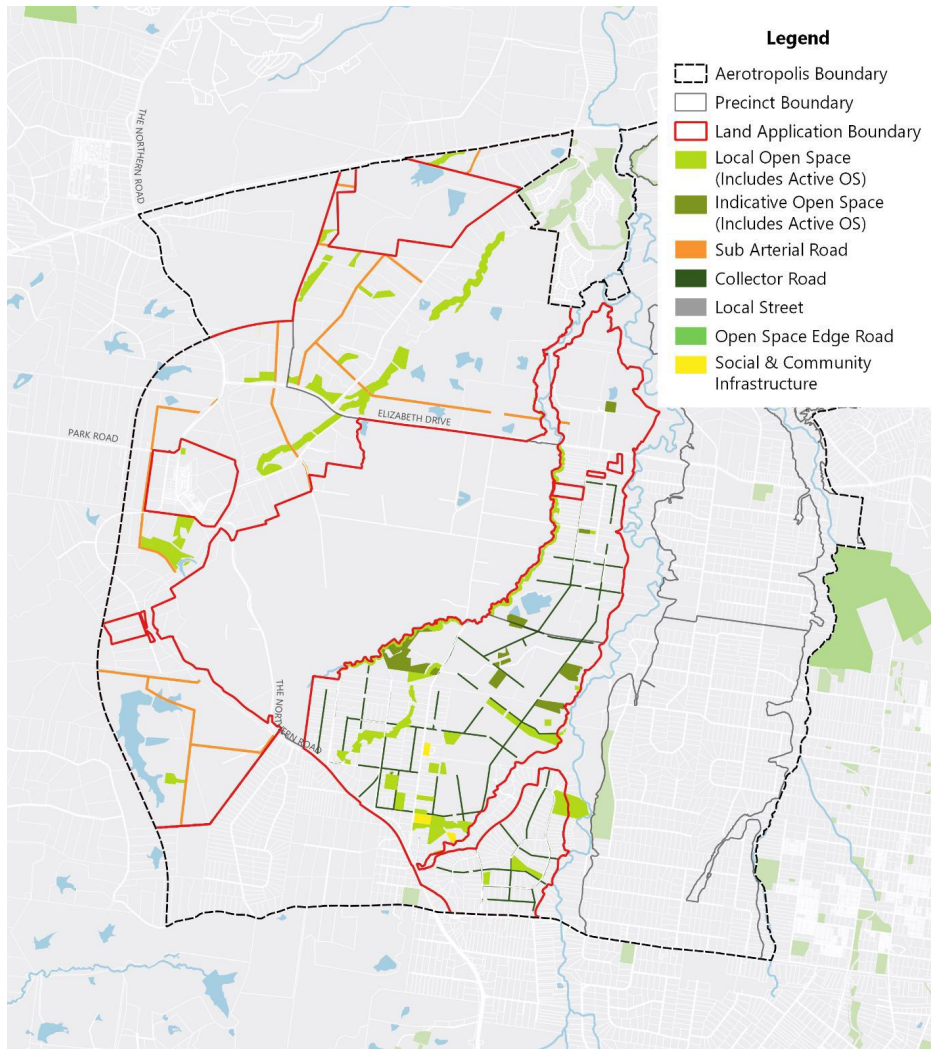
Infrastructure Works	Works Cost	Land Cost	Priority Area
Roads Infrastructure			
Sub Arterial Road	\$112,478,350	\$147,497,430	First/Second
Bridges & Culverts			
Collector Road Bridge	\$25,466,750	incl. in road reserve	First/Second
Collector Road Culvert	\$1,428,480	incl. in road reserve	First/Second
Sub Arterial Road Bridge	\$26,518,800	incl. in road reserve	First/Second
Sub Arterial Road Culvert	\$582,000	incl. in road reserve	First/Second
Open Space Infrastructure			
Open Space	\$82,850,300	\$158,948,815	First/Second
Active Transport in Open Space	\$4,160,580	incl. in open space	First/Second
Social Infrastructure			
Childcare Centre	\$3,720,938	\$354,375	First/Second
Branch Library	\$1,190,700	\$88,200	First/Second
Local Community Centre	\$623,700	\$46,200	First/Second
Local Cultural Facility	\$560,429	\$64,417	First/Second
Play space	\$6,600,000	incl. in open space	First/Second
Total	\$266,181,027	\$306,999,437	

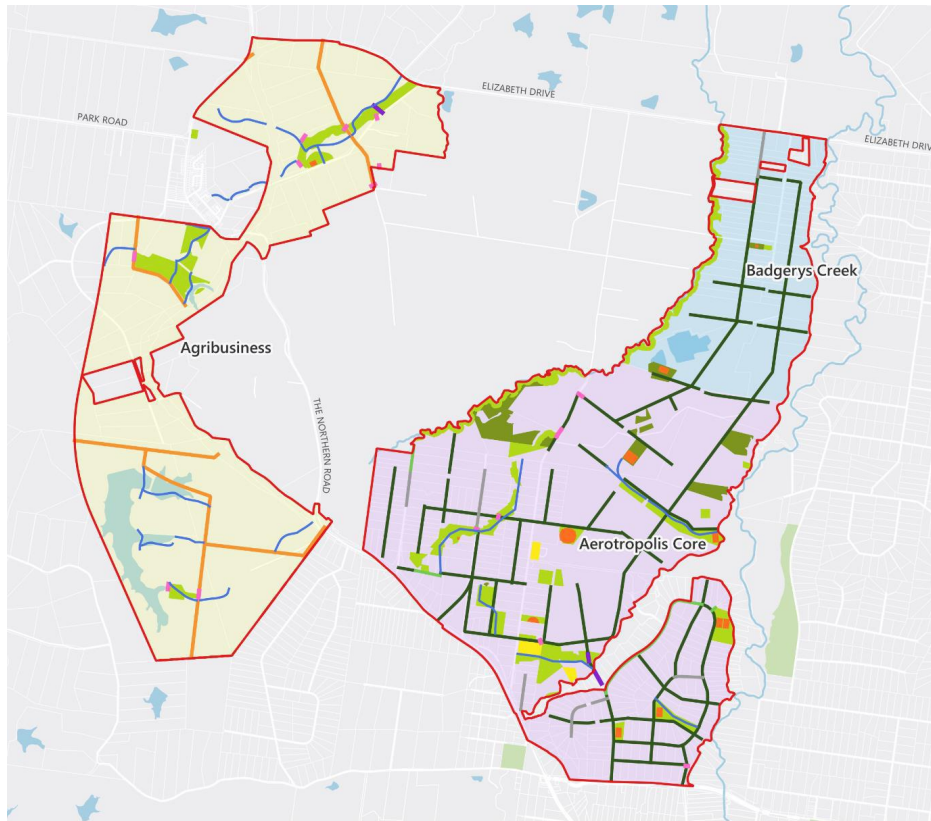
*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****APPENDIX B:
INFRASTRUCTURE
LOCATION MAPS**

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****ROAD INFRASTRUCTURE MAPS**

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****OPEN SPACE INFRASTRUCTURE**

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****LAND to be ACQUIRED.**

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****LIVERPOOL INFRASTRUCTURE PLAN****Aerotropolis Section 7.12 Plan (Liverpool) - Infrastructure**

Land Application Boundary	Local Open Space	Sub Arterial Road	Active Transport
Aerotropolis Core Precinct	Indicative Open Space	Collector Road	Bridge
Agribusiness Precinct	Active Open Space	Local Street	Culvert
Badgerys Creek Precinct	Community Facilities	Open Space Edge Road	



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Attachment 2: Response to Submissions

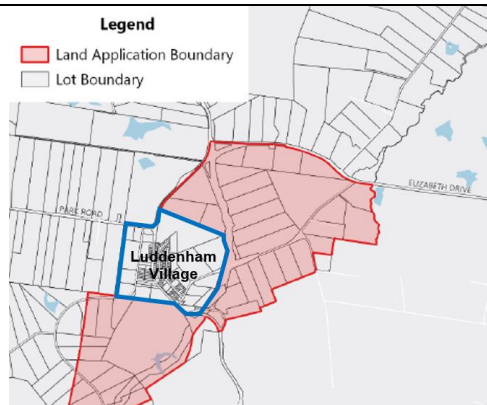
During the exhibition period held on the 15 June 2023 - 14 July 2023 a total of six submissions were received and another three were received after the exhibition period expressing concerns about the Draft Aerotropolis 7.12 Contributions Plan. Responses have been prepared addressing those concerns under common themes outlined below.

Theme	Submitter Type	Key Issues	Action	Council's Response
Levies, charges and delivery of infrastructure imposed by other state authorities	<ul style="list-style-type: none"> Industry Consultant 	Cumulative impacts of levies and charges imposed under the Western Sydney Aerotropolis SIC and Sydney Water's DSP charges.	No further actions required	<p>It is noted that there are other levies and charges that are and will be imposed by state authorities. However these charges are for State infrastructure and Services.</p> <p>Council is working closely with other state agencies and authorities to ensure costs and responsibilities are identified in a single plan. However, it is unlikely that there is cross agency costs associated with infrastructure as the planning framework has identified land acquisition authority and classification of roads and their responsibility.</p> <p>A contribution plan is the only mechanism for Council to access a funding source that will fund whole of precinct local infrastructure services and provision.</p>
Land Acquisition, Costs and Capital Investment Value (CIV)	<ul style="list-style-type: none"> Industry Consultant Private landowner 	<p>Increased land costs as a result of up-zoned land.</p> <p>CIV calculation not a good indicator of infrastructure requirements arguing for lower contribution rates to be applied.</p>	No further actions required	<p>The lands subject to acquisition within the Aerotropolis for certain infrastructure is based on the Land Acquisitions Map set under the Western Sydney Parkland City State Environmental Planning Policy.</p> <p>Where there is land that needs to be compulsorily acquired by Council the acquisition process will be done in accordance with the NSW Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>The delivery of infrastructure is spread across 30 years the issue around the delivery and capitalisation of infrastructure assets is minimal. However, it is the process of acquiring of land that poses a challenge for Council since land is a critical basis for the delivery of infrastructure.</p> <p>Please note that the CIV calculation for this Plan is based on the entire Aerotropolis Precinct, the levy rate of 4.6% is based on an aggregate cost associated with the delivery of infrastructure such as land acquisitions and capital works. Overall, the land value throughout the lifespan of the plan would not be able to be indexed and Council would only be limited to CPI indexation for payable fees when imposed. Therefore, this would result in a shortfall of contributions to be collected for the actual land value despite land indexes continuing to increase much more significantly as opposed to CPI.</p>
Developable Land and Constrained Land	<ul style="list-style-type: none"> Community Group Landowner 	Query on how lands are determined be 'developable' or 'constrained'		<p>The background report clearly defines constrained land as follow;</p> <ul style="list-style-type: none"> The land is zoned Environmental and Recreation (ENZ) or Infrastructure (SP2) The Land is impacted by the 1%AEP flood extents The land is identified in the Cumberland Plain Conservation Plan as avoided land <p>The good developable land acquisition rate applies to any land to be acquired for open space or social infrastructure where the above criteria do not apply.</p>
Staging and Timing of Contributions Payments	<ul style="list-style-type: none"> Industry Business 	Timing of contributions payment to be changed from CC stage to OC stage	No further actions required	The timing of contribution payments under the Plan was decided to be made at the CC stage, which forward funds the acquisition of land and the delivery of infrastructure and better aligns with private developments across the precinct.

Draft Liverpool Council Aerotropolis Precincts Local Infrastructure Contributions Plan 2023

		Staging of contributions payment in line with any staged occupation certificate.		Council can consider the staging of contributions in line with any staged occupation certificate where there is an approved Master Plan or State Significant Development Application (SSDA).
Road network	<ul style="list-style-type: none"> Industry Consultant 	Inconsistent road layouts for local roads, collector roads and open space roads.	No further actions required	The proposed road layout is based on State-approved Aerotropolis Precinct Plan, which was finalised and imposed under the Western Parkland City State Environmental Planning Policy (SEPP).
Stormwater Infrastructure costs and delivery	<ul style="list-style-type: none"> Consultant 	Charges and levies imposed by State and local plans which appear to be doubling up of the payments.	No further actions required	Sydney Water is now the Regional Stormwater Authority for the Aerotropolis. The land acquisition map clearly defines land to be acquired by State Authority and Local Council. This map has also guided the delivery of infrastructure. There are no water or drainage work captured in the plan other than pipes and pits within the road reserves funded under the plan. Road infrastructure identified in SIC plans have not been identified or captured in the Draft Plan.
Exempt from Contributions	<ul style="list-style-type: none"> Industry Private land owners Consultant 	<p>Tertiary education establishments are not listed as being exempt from development contributions within the CP.</p> <p>If not reviewed, this will have implications for education and other providers of public benefits who seek to establish a presence in the Aerotropolis</p>	No further actions required	<p>No education establishments and land uses are exempt from contributions across the Aerotropolis Precincts. These include private schools, public schools and universities. However, these developments are likely to be assessed under a State Significant Development Application and it is the Minister of Planning that determines if contributions are to be exempt.</p> <p>It is noted that private educational facilities utilise many local infrastructure facilities due to a lack of open space. It is justified that educational facilities benefit from the delivery and provision of local infrastructure.</p>
Planning Agreements and other funding mechanisms	<ul style="list-style-type: none"> Industry 	<p>Uncertainty of the application of a Section 7.12 or 7.11 Contributions Plan</p> <p>Planning agreement in lieu of Section 7.12 Contributions</p> <p>Proposal to State and Federal agencies to seek accelerated infrastructure funding packages.</p>	No further actions required	<p>It is acknowledged that there is uncertainty regarding matters and considerations currently being discussed around the potential application of a Section 7.11 Contributions Plan. Council has yet to make further decisions on this matter.</p> <p>Currently, it is envisaged that the Aerotropolis Section 7.12 Contributions Plan would provide Council with a strong understanding of baseline infrastructure needs to be able to effectively negotiate planning agreements where required. In terms of Planning Agreements, Council will consider them in association with a Planning Proposal, Master Plan and/or State Significant Development Application, which it relates.</p> <p>Council will consider State and Federal funding packages for the delivery of infrastructure within the Aerotropolis Precinct.</p>
Mapping of Land and Infrastructure	<ul style="list-style-type: none"> Industry Consultant Community Group 	Mapping inconsistencies	No further actions required	The mapping for the Plan is based on the State approved Precinct Plan for the Aerotropolis Precinct, which was finalised and imposed under the Western Parkland City State Environmental Planning Policy (SEPP). The maps used in the Contribution Plan were reviewed by consultants and it appears that a minor change to a neighbour centre within Badgerys creek was identified, however this minor anomaly occurred during the most recent amendment to the precinct plan, and has no effect on the outcome of the contribution plan.
Land in which the Plan applies	<ul style="list-style-type: none"> Private land owners 	Applying Contributions to developments in Luddenham Village	No further actions required	It is acknowledged that there will be impacts associated with the delivery of infrastructure adjacent to Luddenham Village. However, the new Section 7.12 levy does not apply to Luddenham Village.as shown in map below. It is noted that when the plan was placed on public exhibition, residents in Luddenham were notified of the submission period. This may have provided some confusion to landowners.

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Section 7.12 rate and threshold	<ul style="list-style-type: none"> Private land owners Consultant Community group 	<p>Threshold amount too low for when Section 7.12 Contributions apply.</p> <p>Suggesting that 3% should be the maximum rate applied.</p>	No further actions required	<p>The threshold is based on the amount set in the Environmental Planning and Assessment Regulations 2021.</p> <p>A s7.12 is nominally a lower rate as it would most often only be considered in infill or city centres, where land acquisition is not required. As a result of land to be acquired, the 7.12 rate appears to be far greater than other 7.12 plans. As highlighted Council 7.12 contribution plan for a greenfield site that significant land acquisition, cannot be compared with infill, minimal land acquisition plan.</p>
Existing Uses and Transitional Arrangements	<ul style="list-style-type: none"> Consultant 	<p>Objection towards the new S7.12 Plan applied to the Australian Native Landscapes (ANL) Waste facility site at 210 Martin Road, Badgerys Creek.</p>	No further actions required	<p>In accordance with Section 66 (1c) of the Environmental Planning and Assessment Regulations 2021 Council cannot determine any development application for development on land shown on the Land Application Map under State Environmental Planning Policy (Precincts—Western Parkland City) 2021, Chapter 4 unless a Contributions Plan as been approved. Whilst existing uses are retained under current development approval, future development, that will benefit from the growth of the precinct, is expected to contribute towards the infrastructure associated with the growth development.</p>