

COUNCIL AGENDA ADDENDUM

ORDINARY COUNCIL MEETING

24 July 2024

ADDENDUM ITEMS

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PLAN 08

**Adoption of Section 7.12 Aerotropolis
Contributions Plan 2024**

Strategic Objective	Visionary, Leading, Responsible Position Council as an industry leader that plans and delivers services for a growing city
File Ref	149080.2024
Report By	Claire Scott - Coordinator Contributions Planning
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

On 8 July 2024, Liverpool City Council ("Council") received notice from the NSW Minister for Planning and Public Spaces, Paul Scully MP, that the *Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024 (Attachment 2)* was recently made which, will permit Council to levy up to 4.6 per cent of the cost of carrying out development in the Aerotropolis Precinct. A copy of the correspondence is provided in **Attachment 1**.

The levy applies to Liverpool Local Government Area (LGA) land within the Agribusiness, Badgerys Creek and Aerotropolis Core Precinct. The levy does not apply to Luddenham Town Centre nor Western Sydney International (Nancy-Bird Walton) Airport land.

Correspondence from the Minister requested that the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* ("the Plan") remove costs associated with governance, management and planning. It has however been determined that removal of these costs would be detrimental to Council's ability to satisfactorily implement, administer and review the Contributions Plan. Furthermore, removal of the administration costs was not raised by community nor industry representatives during the public exhibition of the draft Aerotropolis Contributions Plan. As such, it is proposed to retain the administration costs as originally proposed.

The Minister expects progress to be made towards a Section 7.11 Aerotropolis Contributions Plan within the next five (5) years. Council considered that the Section 7.12 Aerotropolis Contributions Plan was an interim Plan and will include preparation of a Section 7.11 Aerotropolis Contributions Plan as part of the wider reform program of Council's Contributions Planning Framework.

Council has revised the Contributions Plan (**Attachment 3**) in accordance with the *Regulation* as well as any administrative changes. As the *Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024* was gazetted on the 12 July 2024, for the Plan to apply and permit development, Council must now adopt the gazetted Plan.

Should Council request any additional changes other than administrative or not adopt the Plan, Ministerial notice for reason(s) must be given. If this action is taken, then a Plan is not enforced and development cannot be approved within the Precinct.

RECOMMENDATION

That Council:

1. Adopts the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* as provided in **Attachment 3**.
2. Notes the adoption of the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* is in accordance with the *Environmental Planning and Assessment Regulation 2024*.
3. Provides public notification of the decision to adopt the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* on Council's website for a period of 14 days.
4. Publishes the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* on Council's website following completion of the 14-day public notification period for the Plan to take effect.

REPORT

Background

At the Ordinary Meeting of Council on 25 October 2023, Council resolved to:

1. *Note the post exhibition report of the draft Liverpool City Council s 7.12 Aerotropolis Contributions 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 Contributions Plan and Background report as generally expressed within 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 (EP&A Act), s7.12 (5) and Environmental Planning and Assessment Regulations 2021 (EP&A Reg), section 7.17(1)(d) forward the final draft Liverpool City Council s7.12 Aerotropolis Contributions 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 Contributions Plan.*

Following the Meeting, Council submitted the draft Aerotropolis Contributions Plan, Council Resolution, background documentation, and criteria for requesting a higher percentage levy to the Minister for Planning and Public Spaces for consideration on 13 December 2023.

As part of the review process, the Department of Planning, Housing and Infrastructure (DPHI) requested the provision of additional information, which was subsequently provided by Council on 23 December 2023. Further clarification was also actioned on 28 February 2024.

On 3 July 2024, Council received correspondence from the DPHI confirming that the Minister for Planning and Public Spaces had signed the Regulatory Amendment (*Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024*).

On 12 July 2024, the DPHI advised Council that the Regulatory Amendment had been gazetted.

For the Plan to apply and permit development, Council must now adopt the Plan.

Contributions Plan Details

The Plan applies a maximum levy of 4.6% to the cost of construction greater than \$200,000 on *Aerotropolis development levy land* in the Liverpool LGA.

Aerotropolis development levy land is defined as land identified as the “Aerotropolis Core Precinct”, “Agribusiness Precinct”, “Badgerys Creek Precinct” and “Northern Gateway Precinct” on the Aerotropolis Boundary Map under *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*. The levy does not apply to Luddenham Town Centre. It should be noted that the “Northern Gateway Precinct” is fully located within the Penrith LGA.

Contributions collected under the s7.12 Aerotropolis Contributions Plan will be pooled and applied in accordance with a works program to be delivered by Council. To assist Council in the governance, management and planning (GMP) of the Plan, 1.5% of the contribution calculated will be reserved for this purpose.

Whilst the Minister requested that the GMP cost be removed from the calculation of infrastructure costs, Council has consistently considered that the GMP costs are necessary to satisfactorily implement, administer and review the Contributions Plan.

Should the GMP costs be removed from the Plan, it has been estimated that Council would need to allocate approximately \$1M per annum from General Revenue to cover this purpose until a complementary s7.11 Aerotropolis Contributions Plan is in force.

Land and Works

The s7.12 Aerotropolis Contributions Plan has identified work and land acquisition costs for each of the three (3) Precincts – Aerotropolis Core, Agribusiness, and Badgerys Creek – is presented in Figure 1.

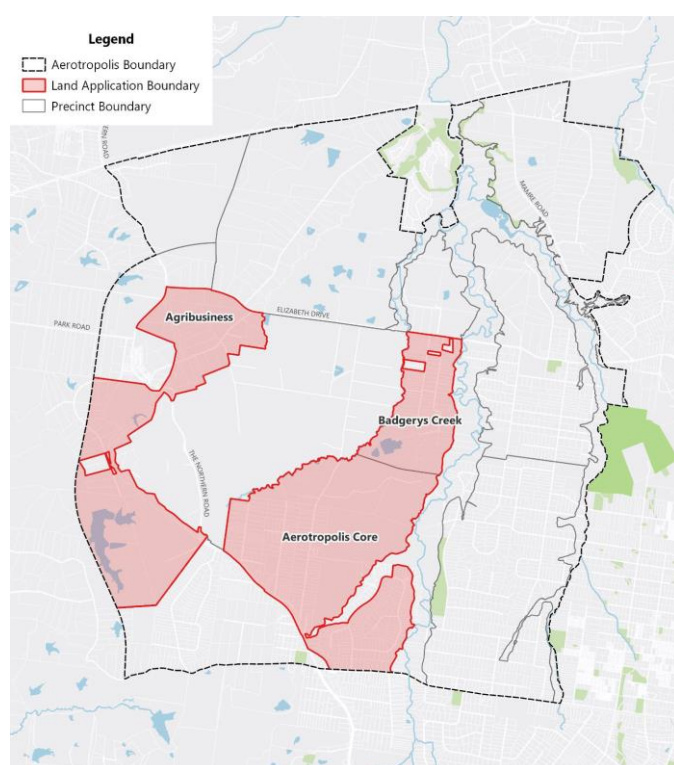


Figure 1 – Land Application Boundaries for the Aerotropolis Core, Agribusiness, and Badgerys Creek Precincts

The Plan excludes works or land in the following areas:

- Western Sydney International (Nancy-Bird Walton) Airport
- Thompsons Creek Regional Parklands – Regional Park
- Stormwater Infrastructure (Land Reservation map) – Sydney Water / Water NSW
- Luddenham Town Centre – Area 2 Additional Permitted uses
- Transport Corridors Map – Transport for NSW
- All other land not identified for acquisition under the Land Reservation Map and Precinct Plan.

The contribution levy (percentage) is based on development and infrastructure costs. The percentage rate reflects the ratio of total local infrastructure costs to total development costs, as shown in the below equations.

$$\text{s7.12 levy rate} = \frac{\text{Total Infrastructure \& GMP Costs}}{\text{Total Development Costs}} \times 100\%$$

Summaries of the expected development and local infrastructure costs in the Aerotropolis Core, Agribusiness, and Badgerys Creek Precincts in provided in Tables 1 and 2.

Until development commences across the three Precincts, the Plan has no funding to acquire land or commence any works. The Plan does however note the following priorities for the collected contributions:

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

To align our project delivery and land acquisition processes, Council is working collaboratively with representatives from Sydney Water, Sydney Metro, Transport for NSW and the DPHI.

In the delivery of works, a key constraint in the application of a s7.12 Contributions Plan is that unlike a s7.11 Contributions Plan, s7.12 Contributions Plans do not allow for Works-In-Kind Agreements (WIKAs). The only mechanism to allow for a WIKAs and contribution offsets is via a Voluntary Planning Agreement (VPA) process.

The contribution levy is required to be paid by way of a condition imposed on the development consent. The condition will provide payment as follows:

- a. For Development Application involving subdivision – prior to the release of the first Subdivision Certificate (linen plan) or Strata Certificate.
- 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.

Table 1 – Expected Development Costs for Liverpool Aerotropolis Precincts

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	\$7,701.7m	\$33,141.0m	\$45,367.2m

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

Table 2 – Expected Local Infrastructure Costs for 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

Next Steps

This Report seeks Council endorsement to adopt the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* as provided in **Attachment 3**. Adoption of the Plan will authorise Council to collect contributions in line with the rates presented in Table 3 below.

Table 3 – Contribution rates associated with City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024

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

Following Council endorsement, Council staff will provide notification of the decision to adopt the Plan on Council's website for a period of 14 days. Following conclusion of the notification period, the Plan will be published on Council's website for the Plan to officially come into effect. A copy of the Plan will also be uploaded onto the NSW Planning Portal.

As part of the wider reform program of Council's Contributions Planning Framework, Council staff will commence preparation of a Section 7.11 Contributions Plan for the Aerotropolis. Development of the s7.11 Plan will be undertaken in conjunction with representatives from the DPHI.

FINANCIAL IMPLICATIONS

There are financial implications relating to this recommendation.

It is envisaged that the s7.12 Aerotropolis Contributions Plan is an interim Plan, whilst Council undertakes more detailed strategic infrastructure and land use planning studies to inform the next phase of Contributions Planning Framework reform. It is envisaged that these strategic planning documents and design work, including SEPP amendment to land acquisition maps, will require resourcing of approximately \$1M per annum.

In line with the Ministerial notice, it is strongly recommended that Council not apply the s7.12 Plan beyond five (5) years. The current levy plan is calculated on the cost of construction and land values at a single point in time. Therefore, when costs escalate and land values increase, the levy remains the same triggering shortfalls in the future cost of acquisition and works schedules.

CONSIDERATIONS

A future Report will be presented to Council at a future Governance Committee Meeting on the program of works, land acquisition program and transformation of the Contribution Planning Framework for the Aerotropolis Precinct.

Currently the planning framework identified in the SEPP is considered too high level to inform each Precincts needs and demands. It is imperative that Council undertakes more detailed strategic planning work to inform future Contribution Plans that apply to these Precincts.

Economic	<p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p> <p>Facilitate the development of new tourism based on local attractions, culture and creative industries.</p>
Environment	<p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</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>Provide cultural centres and activities for the enjoyment of the arts.</p> <p>Deliver high quality services for children and their families.</p>
Legislative	<p><i>Environmental Planning and Assessment Act</i></p> <p><i>Environmental Planning and Assessment Regulation</i></p> <p><i>Environmental Planning and Assessment Regulation (Development Levies) 2024</i></p> <p><i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i></p>
Risk	<p>The risk is deemed to be High.</p> <p>A Contributions Plan that is not made will result in development delays, and greater financial burden being transferred to Council to deliver essential services and infrastructure that would otherwise be funded by the Plan. The risk is considered outside Council's risk appetite.</p>

ATTACHMENTS

1. Attachment 1 - Ministerial Correspondence - Paul Scully MP - Aerotropolis Contributions Plan
2. Attachment 2 - Signed Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024
3. Attachment 3 - City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024 - Final Plan with Track Changes

The Hon Paul Scully MP
Minister for Planning and Public Spaces



Mr Jason Breton
Acting Chief Executive Officer
Liverpool City Council
Locked Bag 7064,
LIVERPOOL BC, NSW 1871
lcc@liverpool.nsw.gov.au

Dear Mr Breton

I am writing to inform you that the *Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024* was recently made which, when it commences, will permit Liverpool City Council to levy up to 4.6 per cent of the cost of carrying out development in the Aerotropolis precinct. The Western Sydney Aerotropolis will be both a regionally and nationally significant economic gateway, and timely delivery of infrastructure will be critical to the success of development and private investments in the area.

This regulation applies to land in the Agribusiness, Badgerys Creek and Aerotropolis Core Precincts in the Liverpool Local Government Area, which will be subject to a council adopted section 7.12 contributions plan. It does not apply to Luddenham Village, which is still undergoing detailed planning work.

I appreciate the efforts of the Council in working with the Department of Planning, Housing and Infrastructure and understand that this is an interim approach until a more rigorous section 7.11 contributions plan can be prepared by the Council. I expect progress to be made on this within the next five years.

I also understand that the department has requested the Council remove the costs for 'governance, management and planning' from the plan and I would like to reiterate that request. As a simplified approach to collecting contributions, section 7.12 does not require extensive administration and does not justify the potential \$11.9 million of revenue that would be generated over the life of the plan. I note that any costs associated with the preparation of a future section 7.11 plan may be recovered through that plan when it is made and that removal of these costs does not affect the maximum 4.6 per cent levy requested.

Should you have any questions Ms Katrine O'Flaherty, Director Local Infrastructure Funding Policy at the department can be contacted on 0436 679 085 or katrine.oflaherty@planning.nsw.gov.au.

Yours sincerely

Paul Scully MP
Minister for Planning and Public Spaces

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

3/7/24

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nsw.gov.au/ministerscully



New South Wales

Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Environmental Planning and Assessment Act 1979*.



Minister for Planning and Public Spaces

Explanatory note

The object of this regulation is to set the maximum percentage of development levy a consent authority may require an applicant to pay as a condition of development consent for development—

- (a) on certain land associated with the Western Sydney Aerotropolis in the City of Liverpool and the City of Penrith local government areas, and
- (b) on land in the Parkes Activation Precinct under *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 3.

Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024 [NSW]

Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024

under the

Environmental Planning and Assessment Act 1979

1 Name of regulation

This regulation is the *Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Environmental Planning and Assessment Amendment (Development Levies) Regulation 2024 [NSW]
Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2021

Schedule 1 Amendment of Environmental Planning and
Assessment Regulation 2021

[1] Section 209 Maximum percentage of development levy—the Act, s 7.12(5)(b)

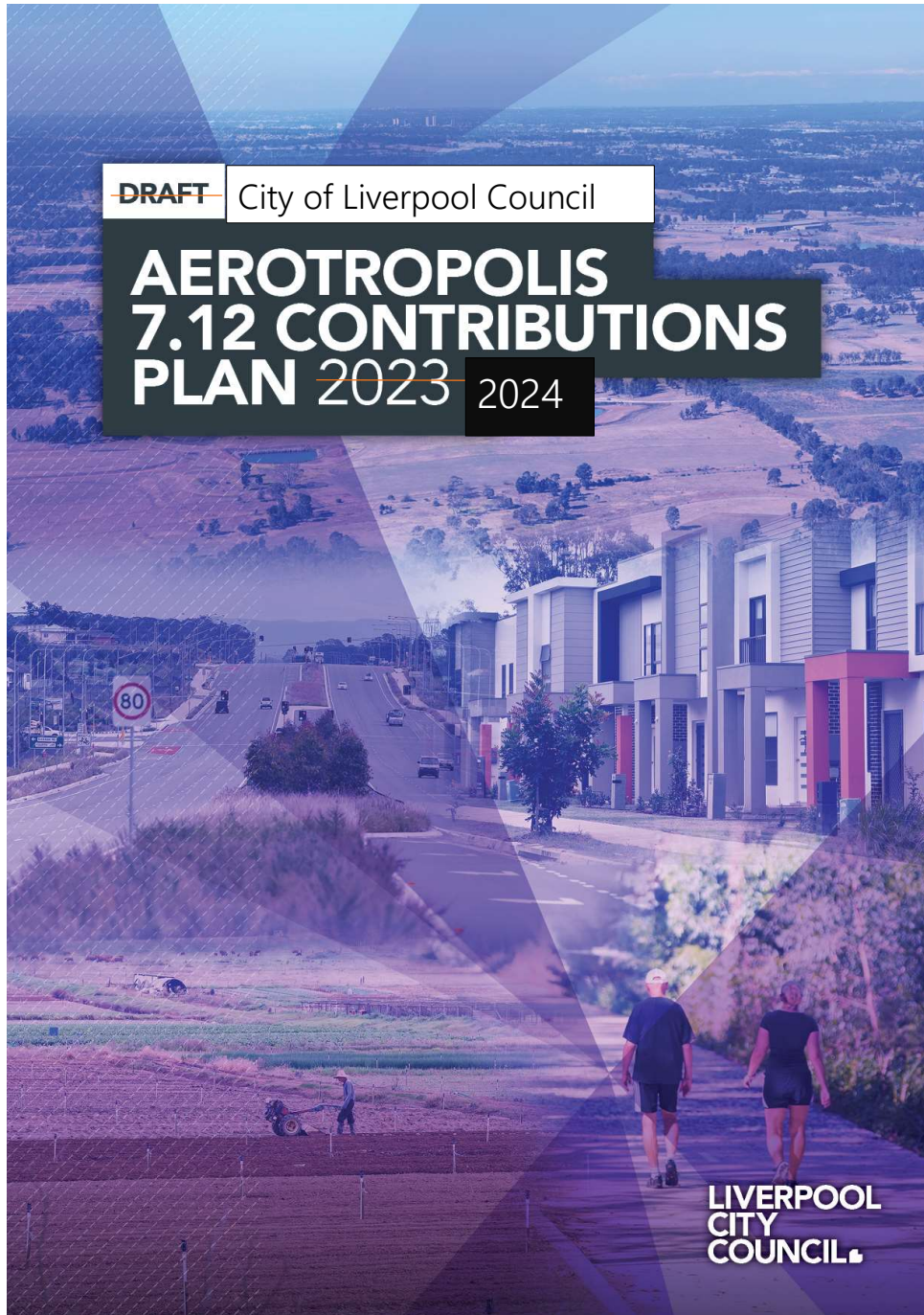
Insert at the end of section 209(1), Table—

Development on Aerotropolis development levy land in the local government area of the City of Penrith—		
(a)	up to and including \$200,000	Nil
(b)	more than \$200,000	5.6%
Development on Aerotropolis development levy land in the local government area of the City of Liverpool—		
(a)	up to and including \$200,000	Nil
(b)	more than \$200,000	4.6%
Development on land in the Parkes Activation Precinct under <i>State Environmental Planning Policy (Precincts—Regional) 2021</i> , Chapter 3—		
(a)	up to and including \$200,000	Nil
(b)	more than \$200,000	3%

[2] Section 209(6)

Insert in alphabetical order—

- Aerotropolis development levy land* means land identified as “Aerotropolis Core Precinct”, “Agribusiness Precinct”, “Badgerys Creek Precinct” and “Northern Gateway Precinct” on the Aerotropolis Boundary Map under *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, Chapter 4, excluding—
- (a) land identified as “Sydney Science Park” on the Sydney Science Park Map under that chapter, and
 - (b) land identified as “Area 2” on the Additional Permitted Uses Map under that chapter.



**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
COUNCIL****Prepared for**

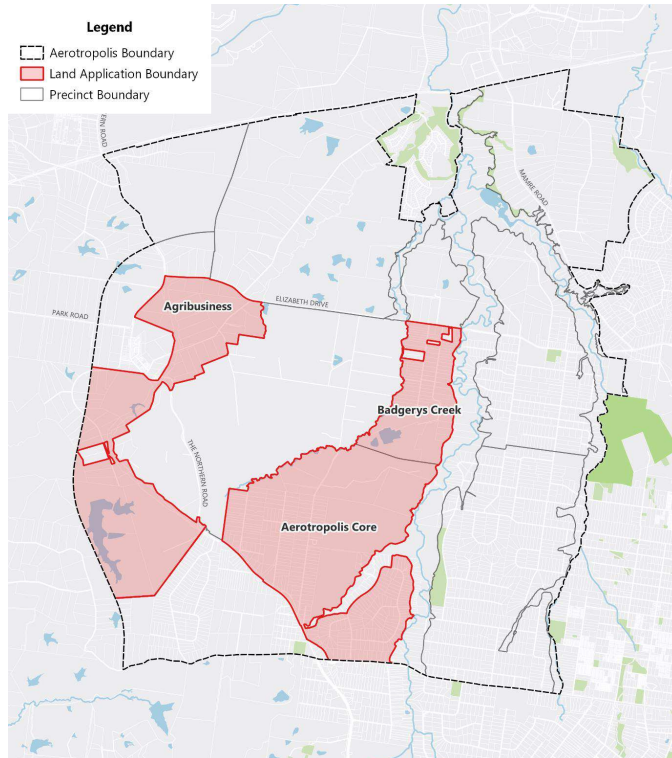
Liverpool City Council

By**Adopted:**

Record number: <to be inserted once adopted>

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

**AEROTROPOLIS 7.12
CONTRIBUTIONS PLAN 2023****DRAFT****LIVERPOOL
CITY
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AEROTROPOLIS 7.12 CONTRIBUTIONS PLAN 2023

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**LIVERPOOL
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AEROTROPOLIS 7.12 CONTRIBUTIONS PLAN 2023

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Table 2 Local infrastructure costs - Liverpool Aerotropolis Precincts

3

Table 3 Section 7.12 levy rates

4

Figures

Figure 1 Land affected by this plan

1

Appendices

Appendix A: ~~IDC~~ Background Report - Infrastructure ~~and Land~~ 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-4~~.

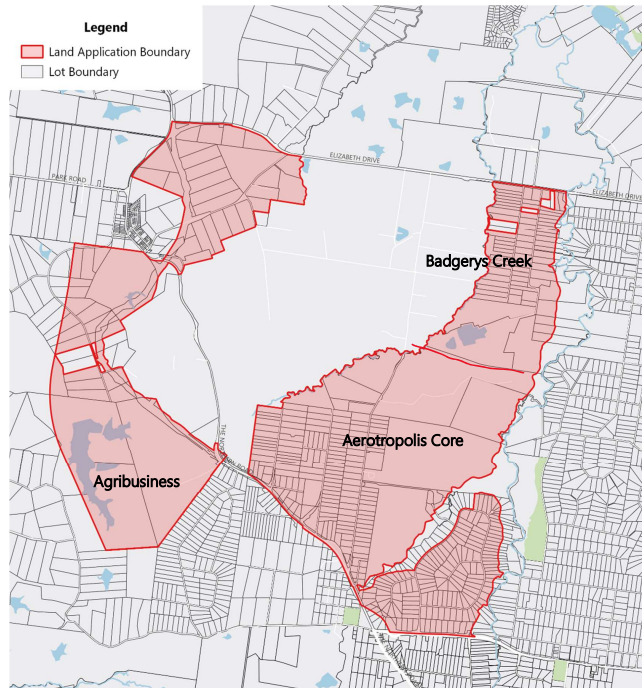


Figure 1 Land affected by this plan

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')

Table 1 Expected development costs - Liverpool Aerotropolis Precincts

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	\$7,701.7m	\$33,141.0m	\$45,367.2m

*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

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

$$\frac{\$2,080 \text{ million}}{\$45,367 \text{ million}} \times 100\% = 4.6\%$$

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~~.

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%

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 4617 of this plan as to their obligations in assessing and determining CDCs.

9. Land to which this plan applies

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 more than~~ \$200,000 ~~or more~~ in accordance with section 13 of this plan.

Subject to section ~~14~~ 13(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.

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,

- 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

~~For cost of construction values greater than \$3million, Council may consider applying a condition of consent that 'Prior to issuing any an 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, conditioned, and/or paidpre-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.~~

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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.

17. Complying development certificates issued by registered certifiers

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.

- 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.

20. Adjustment of levy amounts to address the effects of inflation

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:

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

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

Consent authorities must include levy calculation and indexation information and formula in conditions of consent.

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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.

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 clause 220 Council will publish the Plan on the NSW planning portal and the Council's website. Council will also maintain the current development contribution rate, annual statements and contribution register. 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 Annual 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 Pplan

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 s7.11 contributions plan or plans that will more accurately quantify local infrastructure contributions obligations. note that paragraph may include 'That this adopted plan is to be reviewed within 5 years in accordance with Council resolution dated 24 July 2024'.

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.

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.

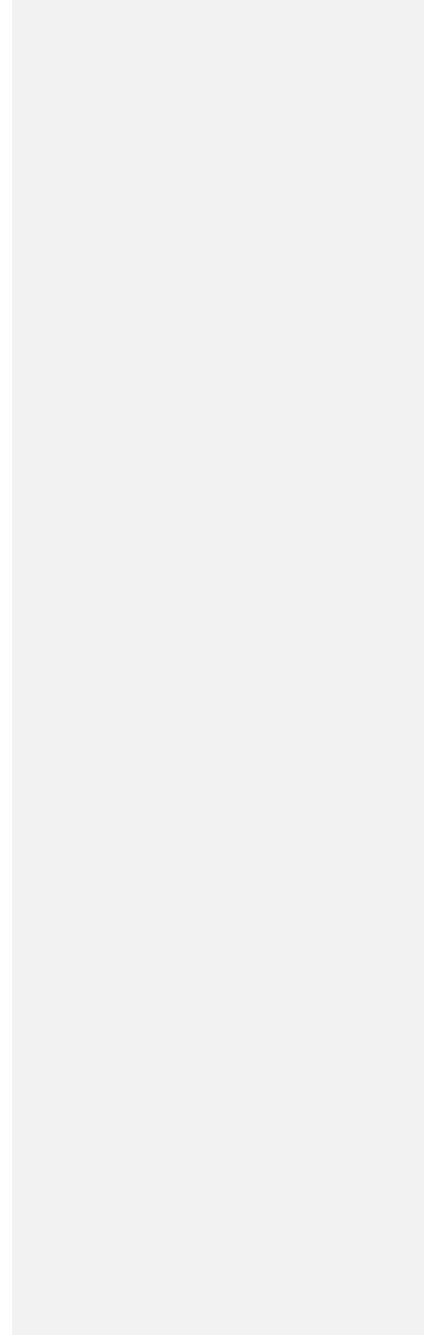
References

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')



**APPENDIX A: IDC BACKGROUND
REPORT - INFRASTRUCTURE AND
LAND SCHEDULES**

Refer

Western Sydney Aerotropolis Precincts Section 7.12 Development Contributions Plans *

Background Report

October 2023

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This Document has been prepared for the Party that has commissioned it, for the specific Purposes of this Project (or part thereof). It should not be relied upon by any other Party, or for any other Purpose.

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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

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 of 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.

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 Liverpool Aerotropolis Precincts Contributions Plan is shown in Figure 3.

Figure 1 - Western Sydney Aerotropolis

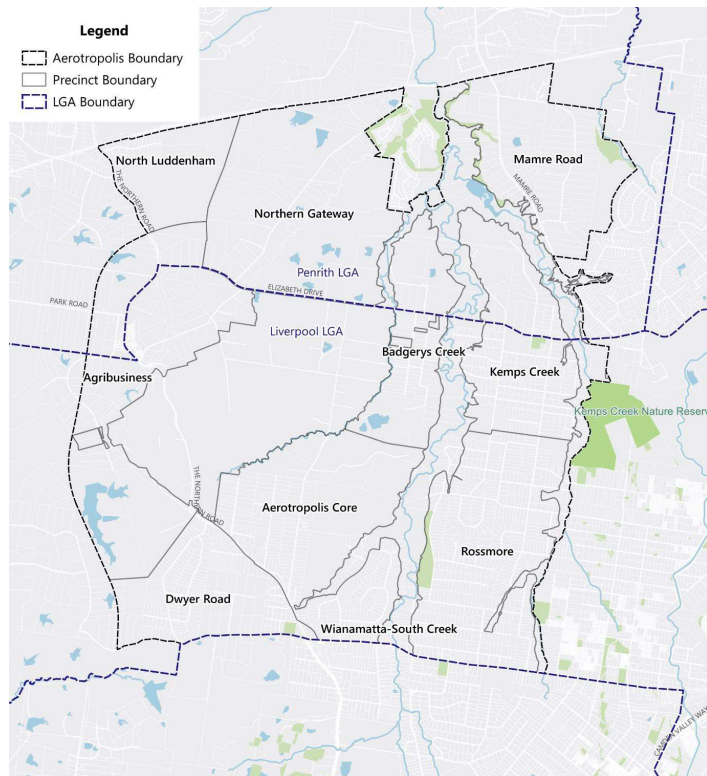


Figure 2 - Liverpool Aerotropolis Precincts Section 7.12 Development Contributions Plan – Land Application Area

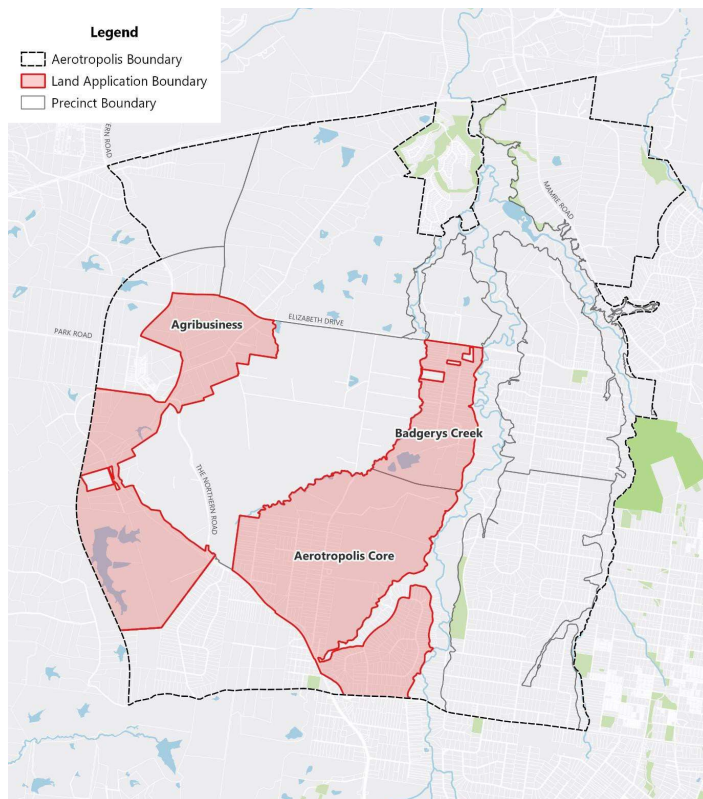
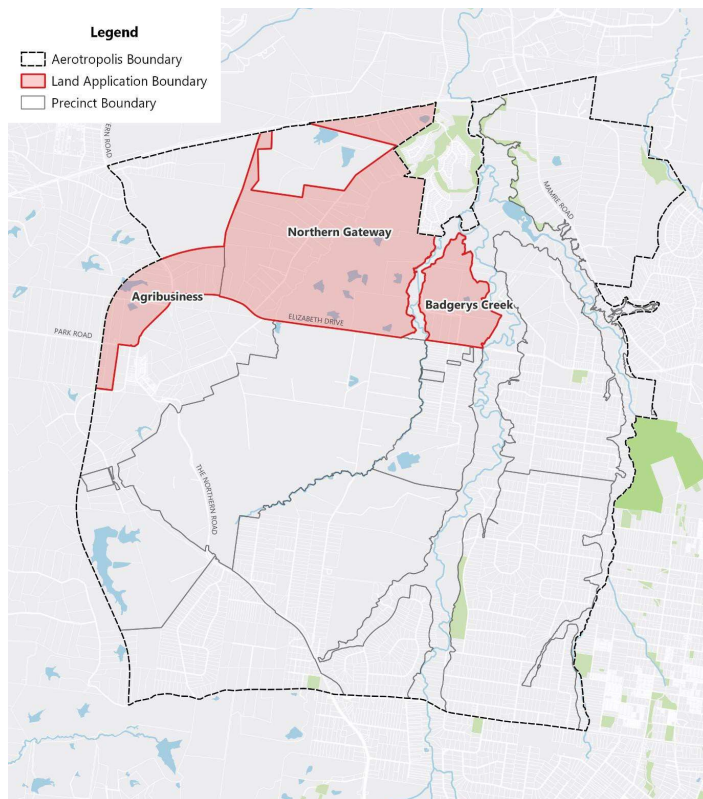


Figure 3 - Penrith Aerotropolis Precincts Section 7.12 Development Contributions Plan – Land Application Area



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.

Excluded State and Utility Infrastructure

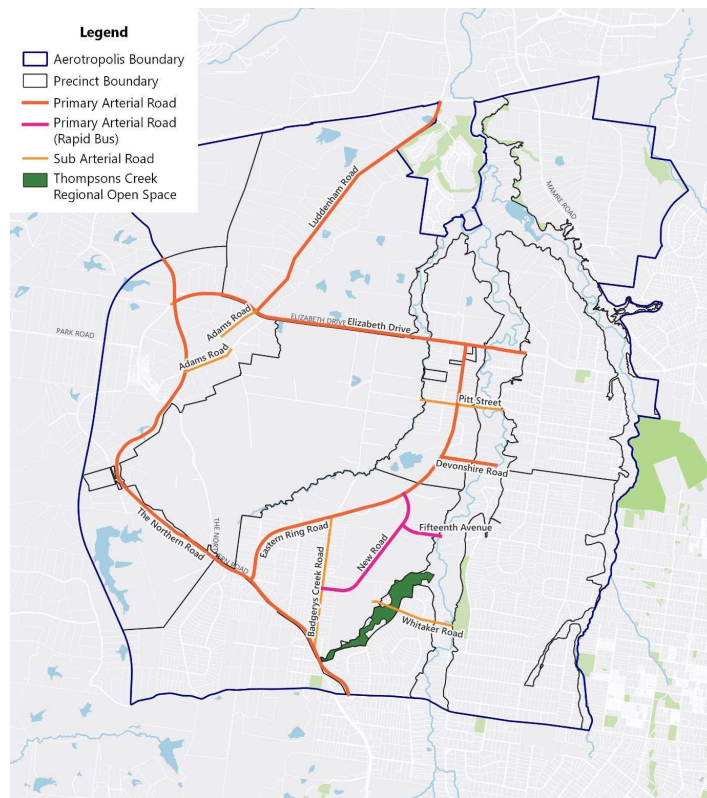
The Western Sydney Aerotropolis Special Infrastructure Contribution (SIC) was determined in March 2022. The SIC is anticipated to collect up to \$1.1 billion in contributions to deliver new state and regional roads, public and active transport, open space, health infrastructure, schools, justice facilities,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



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

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')

Land Use Zones

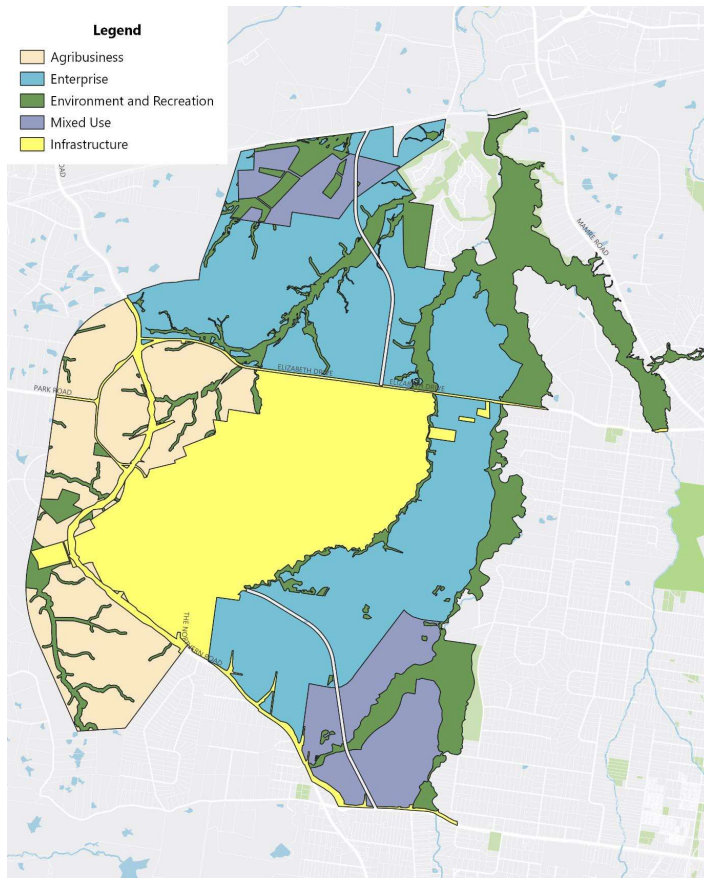
The Aerotropolis contains a number of flexible land use zones that guide how different land can be developed. The objective of each zone, as outlined in the Aerotropolis SEPP, is summarised in Table 1. Figure 4 shows the distribution of these zones.

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

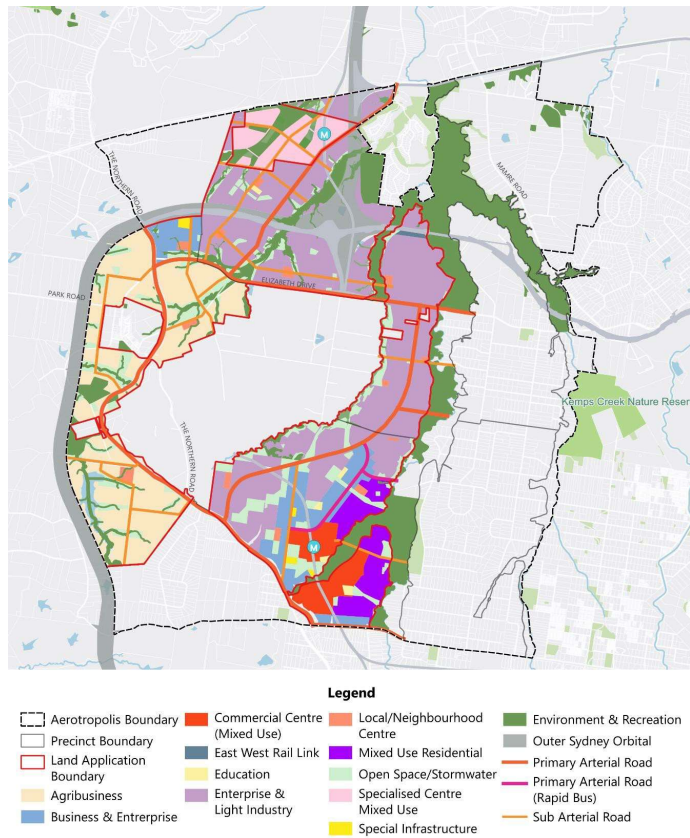
Figure 5 - Aerotropolis Land Zoning Plan



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 the Aerotropolis. The Land Use & Structure Plan is shown in Figure 6.

Figure 6 - Land Use & Structure Plan



Precinct Development Visions

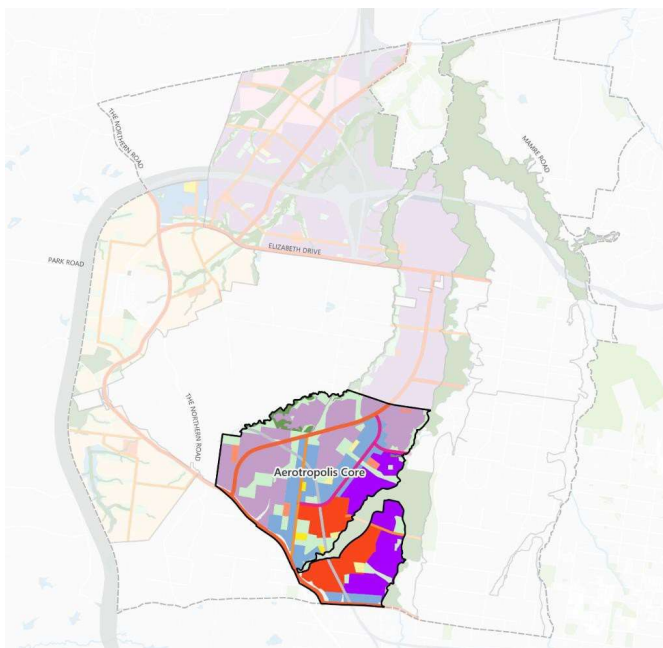
The development vision for each Aerotropolis precinct is detailed in the WSAPP. Key parts of the vision for each precinct are described below.

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



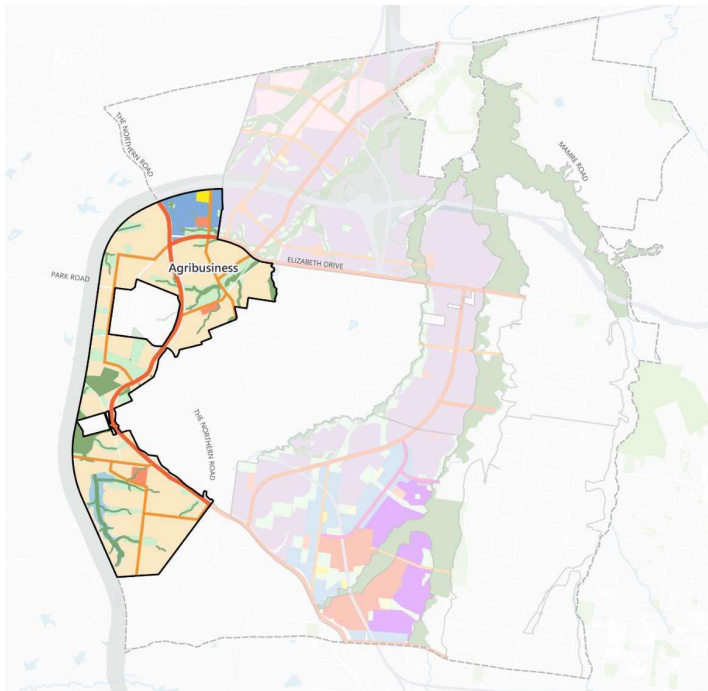
Agribusiness

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



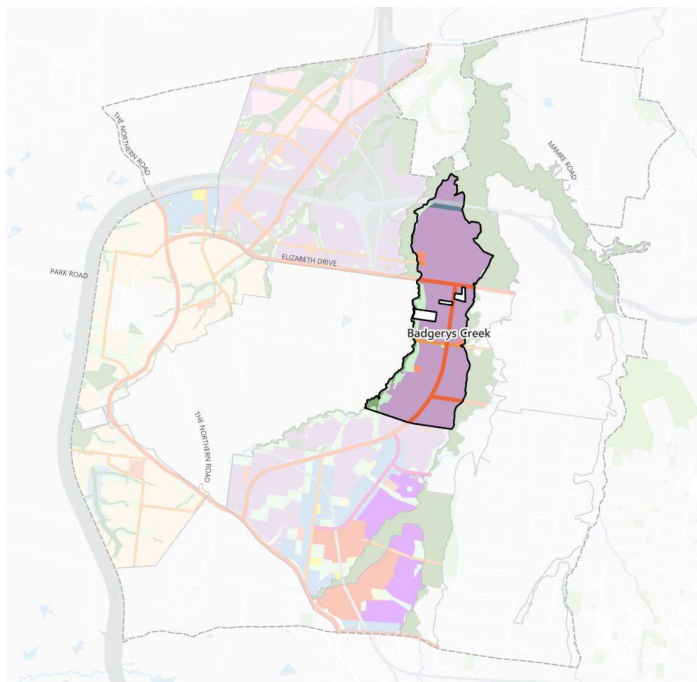
Badgerys Creek

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

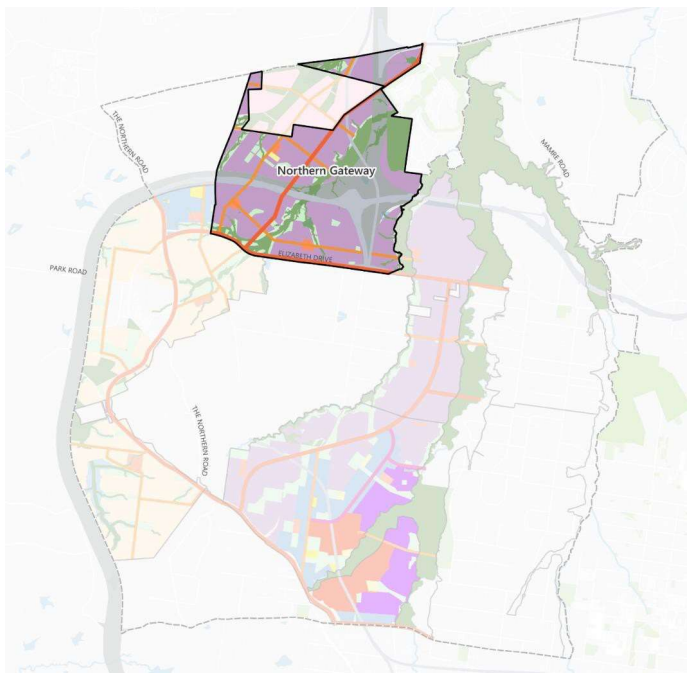


Northern Gateway

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



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.

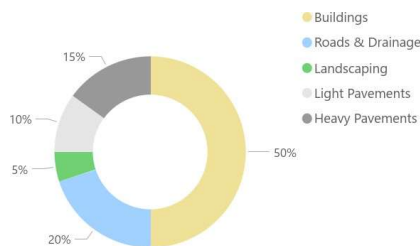
The construction profiles provide estimates of the required building, pavement (heavy duty), pavement (light duty), public roads and landscaping areas to assist in the cost estimation process.

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

Enterprise & Light Industry

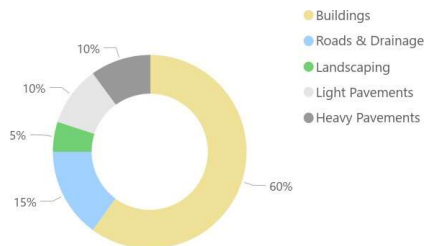
This land use typology is made up of large warehouses and general industrial uses. Larger lot sizes and building footprints are expected, with associated carparking with relatively few circulation roads.

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



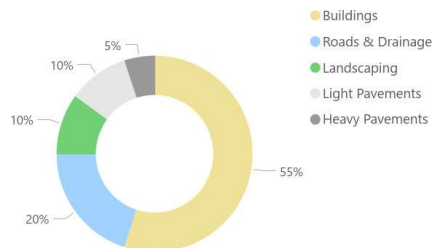
Business & Enterprise

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.

**Commercial Centre (Mixed Use)**

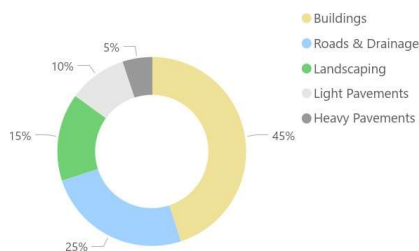
Commercial centres will consist of mixed use environment focused on employment generating land uses, leveraging off the Metro and other mass transit.

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

**Local/Neighbourhood Centre**

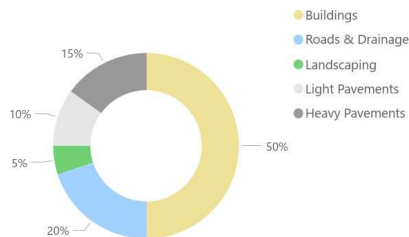
Local and neighbourhood centres are smaller retail centres that meet the retailing needs of the community while acting as a local gathering place, particularly for employees.

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



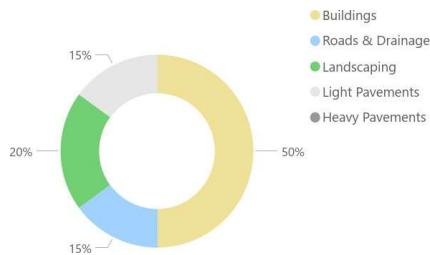
Agribusiness

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.



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.



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.

27. 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.

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

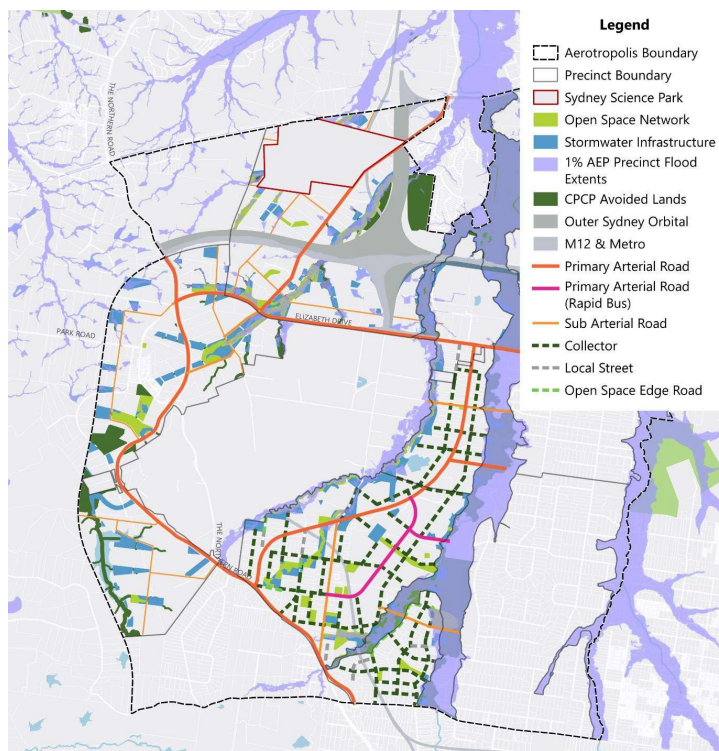


Table 5 - Constrained Land Summary

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

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	7,031,672	2,188,448	6,544,556

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

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

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)

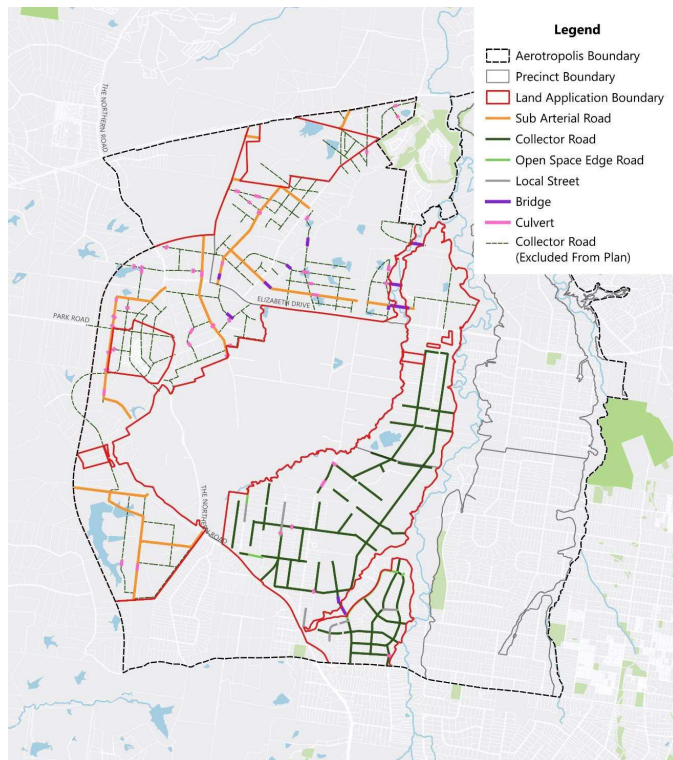
	Aerotropolis Core	Badgerys Creek (Liverpool)	Badgerys Creek (Penrith)	Agribusiness (Liverpool)	Agribusiness (Penrith)	Northern Gateway
Residential (Mixed Use)	\$3,969.62					
Enterprise & Light Industry	\$4,992.95	\$4,386.10	\$2,700.89			\$8,130.84
Business & Enterprise	\$5,141.25			\$22.20	\$1,663.48	
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	\$33,141.06	\$4,524.54	\$2,836.50	\$7,701.63	\$3,407.52	\$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



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 do not include 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.

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.

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.

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

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					

Cost Rates

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.

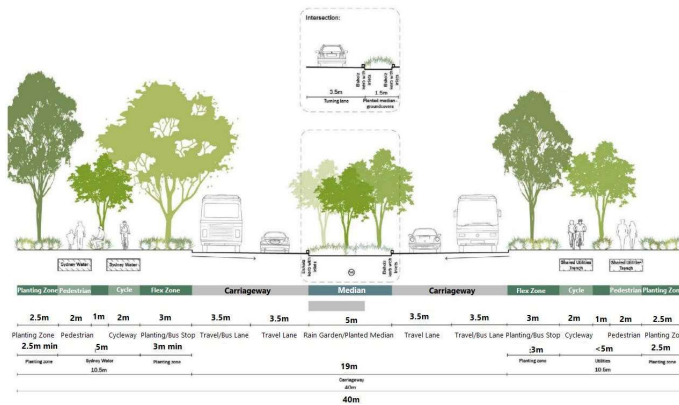


Figure 13 - Sub-Arterial Road Typical Section

Source: Western Sydney Aerotropolis Development Control Plan 2022

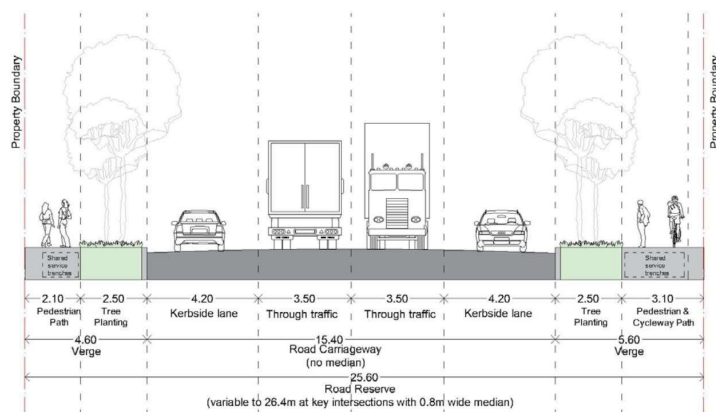
Table 12 - Sub Arterial Road Cost Rate

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	\$14,147

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

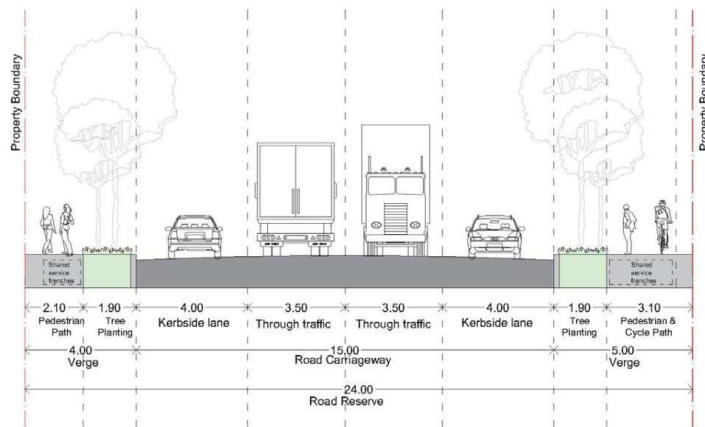
Table 13 - Collector Road Cost Rate

Item	Rate (\$/m)
Earthworks	\$13
Carriageway	\$1,625
Utilities & Stormwater	\$1,605
Verge & Landscaping	\$1,634
Administration, Design, Contingency etc.	\$2,195
Total	\$7,072

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

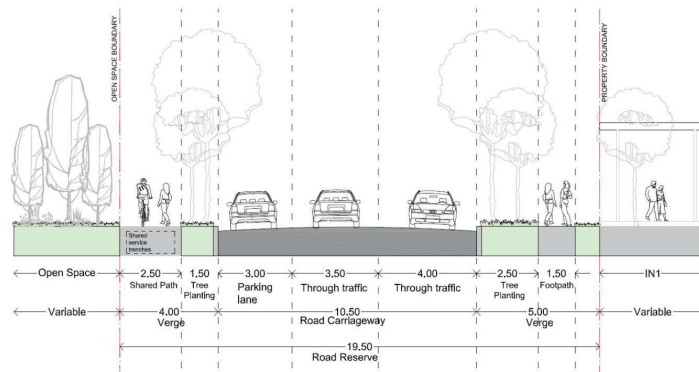
Table 14 - Local Street Cost Rate

Item	Rate (\$/m)
Earthworks	\$12
Carriageway	\$1,586
Utilities & Stormwater	\$1,605
Verge & Landscaping	\$1,435
Administration, Design, Contingency etc.	\$2,088
Total	\$6,726

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	\$6,367

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

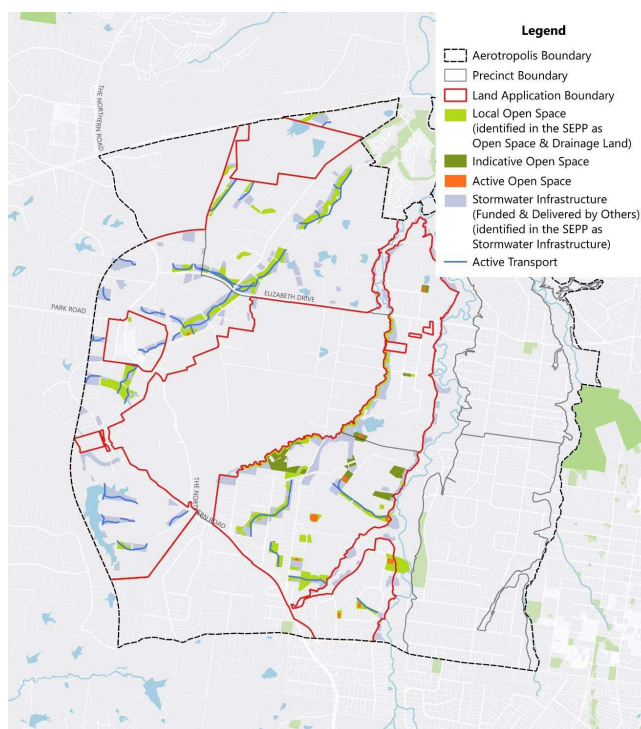
Infrastructure Type	Sub Arterial Road	Collector Road	Open Space Edge Road	Notes
Bridge (\$/m)	\$135,300	\$118,450	N/A	Assumed bridge width includes road carriageway, footpath and cycle path
Culvert (\$/item)	\$194,000	\$119,040	\$90,675	Assumed culvert crosses entire road reserve width, includes headwalls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



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.

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.

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.

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.

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

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

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				
	2x district sports field (2 x rectangles and 1 x oval)				
	1x indoor sports facility		Add three netball courts to the existing three courts		Sports infrastructure within the Northern Gateway to be delivered in the Sydney Science Park
	1x indoor aquatic / swimming facilities				
	2x youth focused 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)

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)

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		

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

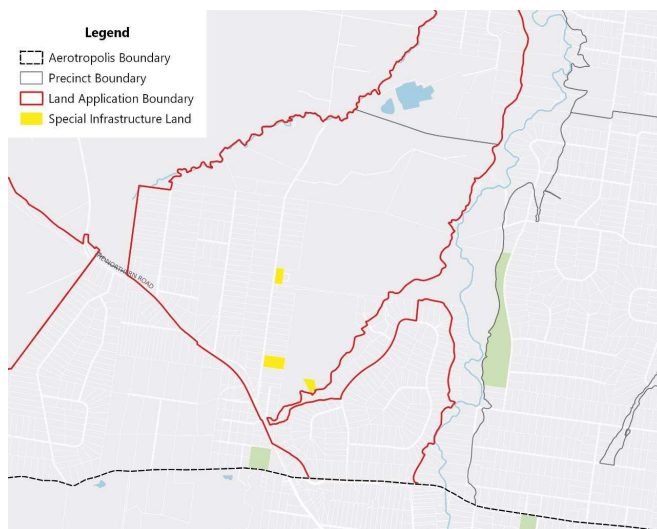
Facility	Base Building Rate (\$/m ²)	Fit Out Rate (\$/m ²)	Source
Youth recreation hang out space	\$2,650	\$1,350	Mitchell Brandtman
Foyer, lounge & café	\$2,400	\$1,350	Mitchell Brandtman

Locations

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.

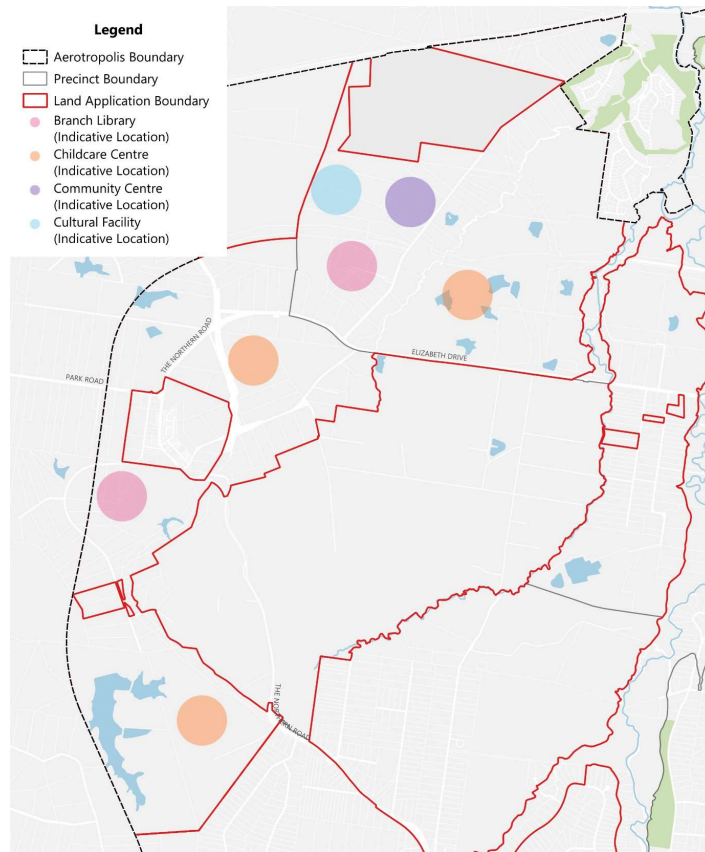
Figure 18 – Special Infrastructure Sites – Aerotropolis Core



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.

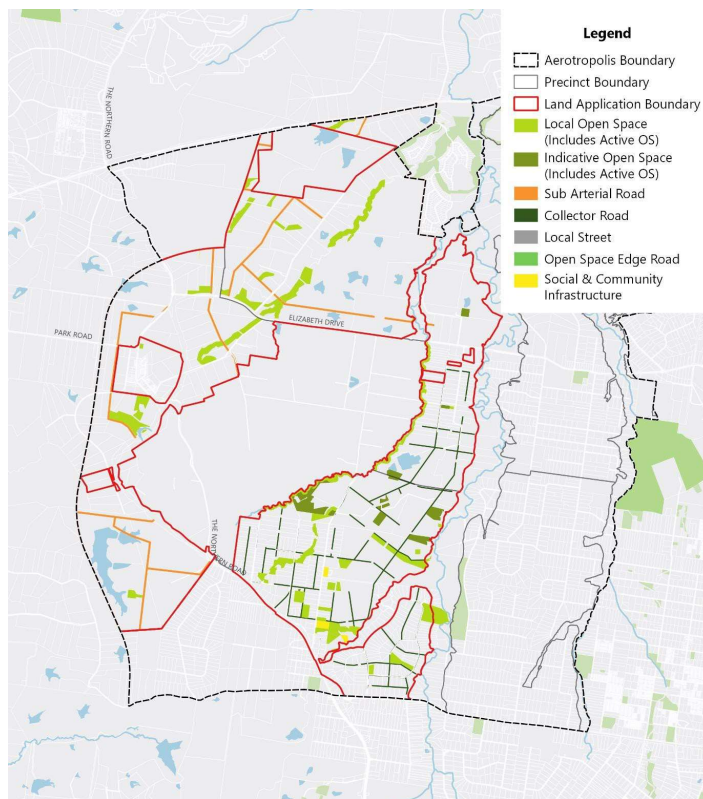
Figure 19 - Potential Social Infrastructure Locations (Indicative Only)



7 Land Acquisition

The SEPP identified land for acquisition to aid in the facilitation of infrastructure delivery outlined in the above Sections 4 to 6 is shown in Figure 20.

Figure 20 - Land to be Acquired



Cost Rates

An independent valuation of land values in the Aerotropolis was sought 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	$\frac{\text{Total Infrastructure \& GMP}}{\text{Total Development Costs}} \times 100$	
Section 7.12 Levy Rate	4.6%	5.6%

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

1 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	Aerotropolis Precinct Plan
	Badgerys Creek 11,000	Aerotropolis Precinct Plan
1.4	Agribusiness 10,000	WSAP 2020
	Northern Gateway 21,000	WSAP 2020
	For population, the following projection was adopted for residential (population):	
	Aerotropolis Core 24,000	WSAP 2020
1.5	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	Benchmarked Developments
	Business & Enterprise 1	Benchmarked Developments
1.6	Commercial Centre (Mixed Use) 3.5	Aerotropolis Precinct Plan
	Residential (Mixed Use) 2.5	Aerotropolis Precinct Plan
	Local Neighbourhood Centre 1	Aerotropolis Precinct Plan
	Agribusiness 0.5	Benchmarked Developments
	Education 0.5	Benchmarked Developments
	Assumed average GFA (m ² per unit) for residential development typologies:	
1.7	Medium Density 180	
	Apartments (low rise) 110	Benchmarked Developments
	Apartments (high rise) 90	

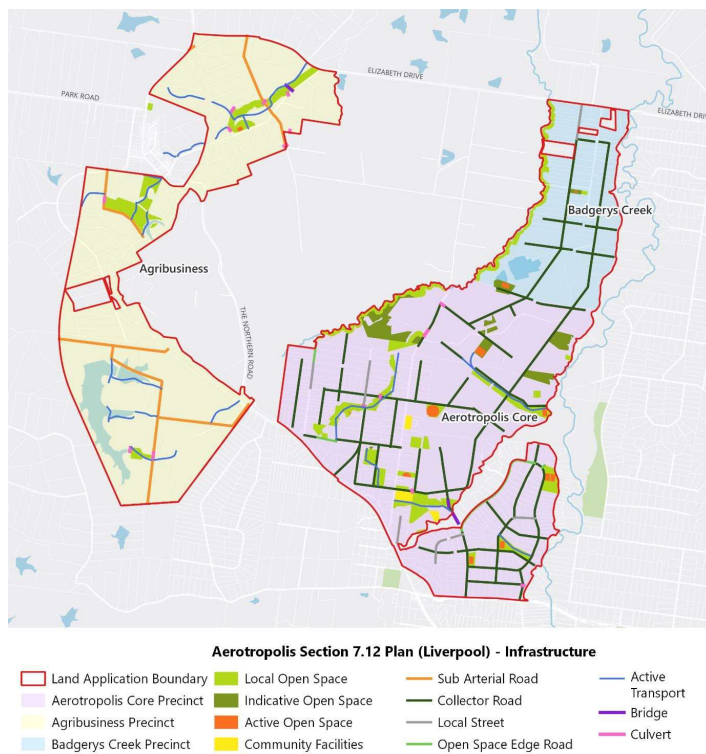
#	Planning & Land Use Assumptions		Source
1.8	Total Residential Population	24,000	WSAP 2020
1.9	Residential Development Typology Split		Agreed rate in discussions with Councils
	Low Density	0%	
	Medium Density	50%	
	Apartments Low Rise	40%	
	Apartments High Rise	10%	
2.0	Dwelling Occupation Rates (population 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
	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

2 Appendix B – Infrastructure Maps

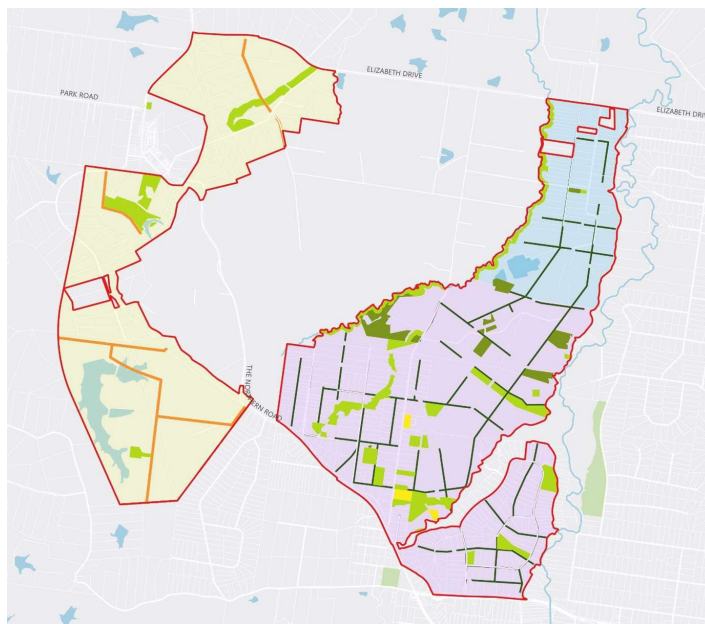
Roads, Open Space and Community Infrastructure – Liverpool Section 7.12 Development Contributions Plan

Figure 21 – Liverpool Infrastructure Plan



Land to be Acquired – Liverpool Section 7.12 Development Contributions Plan

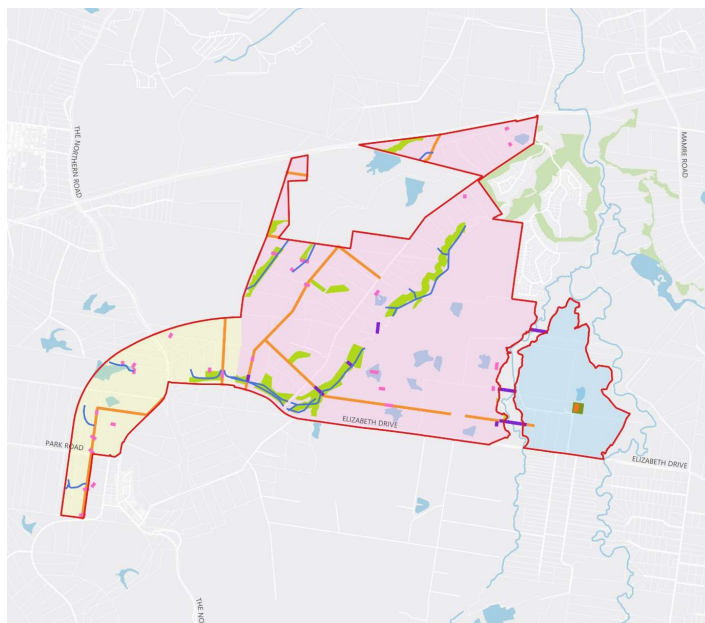
Figure 22 – Liverpool Land Acquisition Plan

**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**

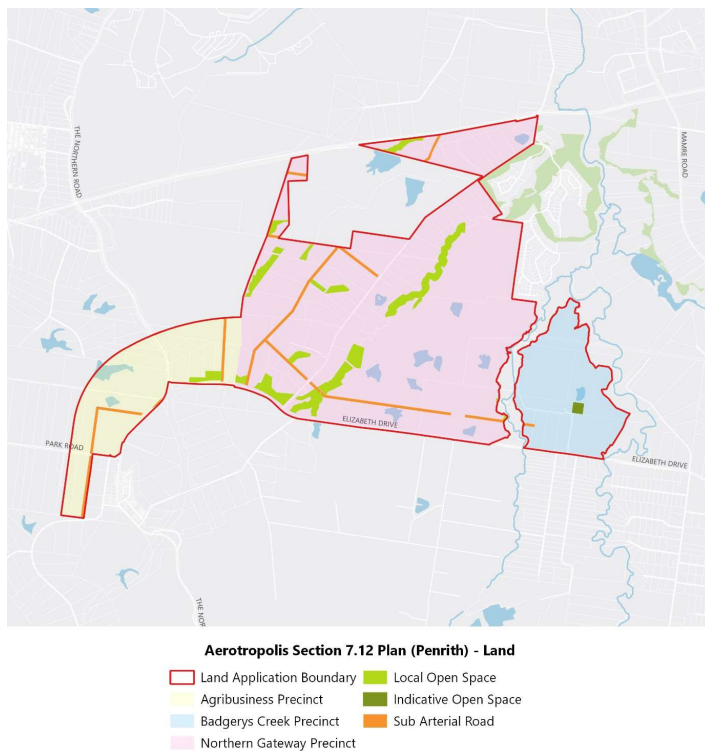
Figure 23 – Penrith Infrastructure Plan

**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



3 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

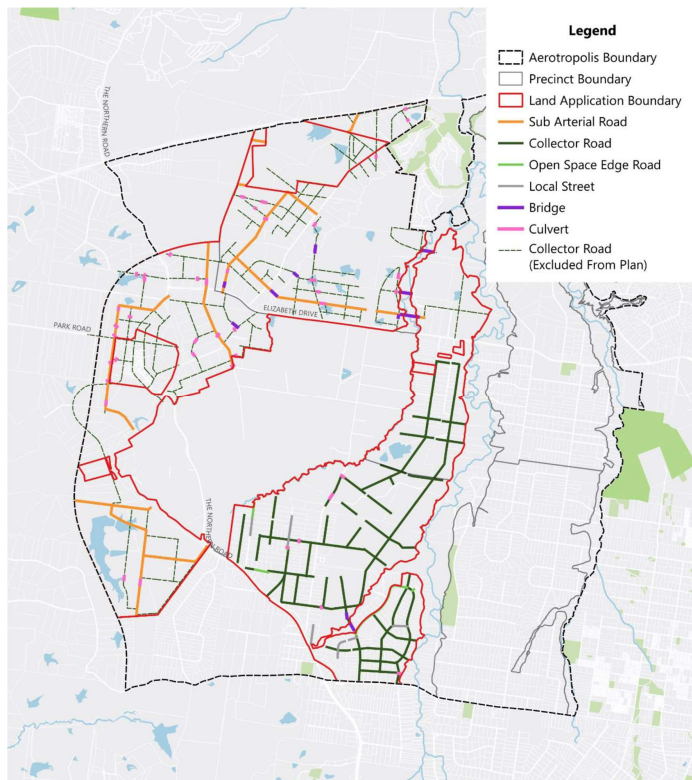
Table 30 - Northern Gateway Precinct Works Schedule

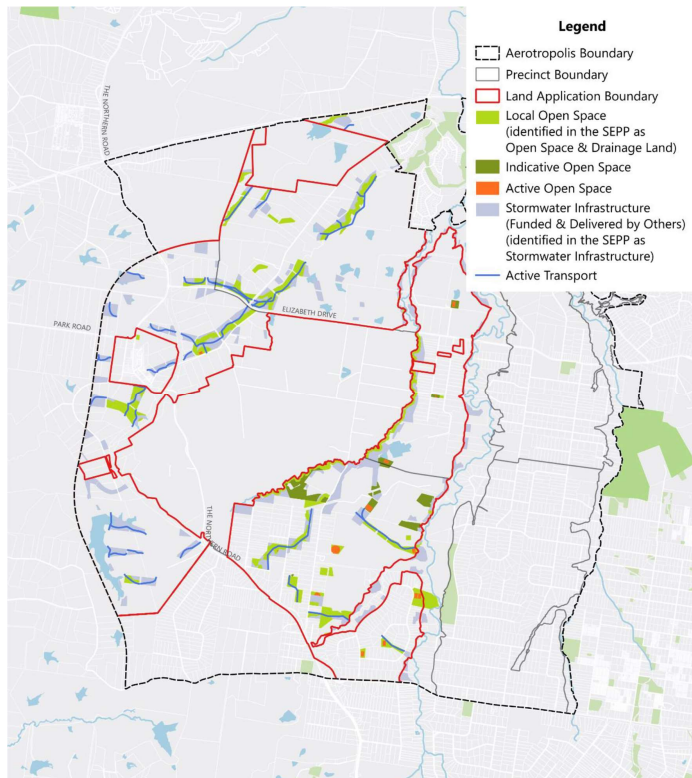
Infrastructure Works	Works Cost	Land Cost	Priority Area
Roads Infrastructure			
Sub Arterial Road	\$112,478,350	\$147,497,430	First/Second
Bridges & Culverts			
Collector Road Bridge	\$25,466,750	incl. in road reserve	First/Second
Collector Road Culvert	\$1,428,480	incl. in road reserve	First/Second
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	

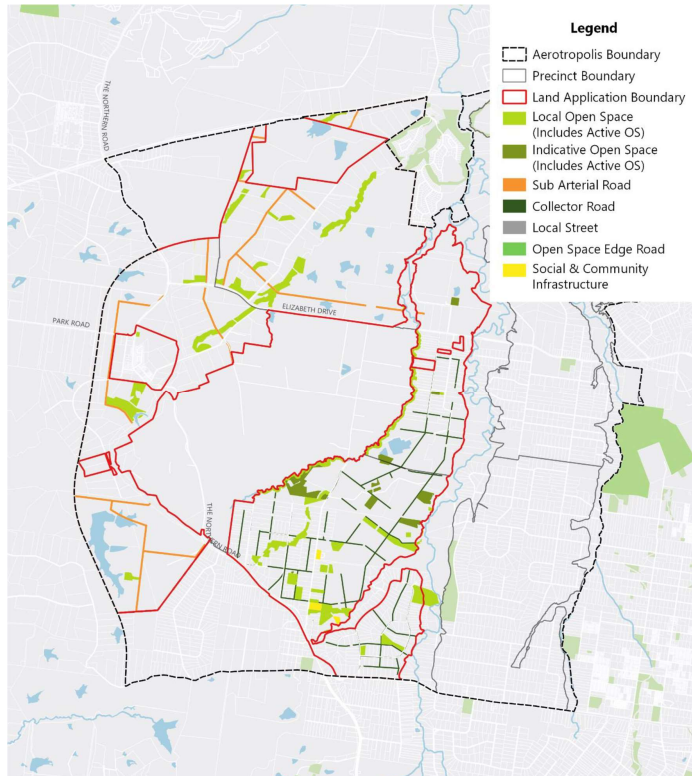
*Note priority areas for infrastructure works are as per Figure 2 of the WSAPP

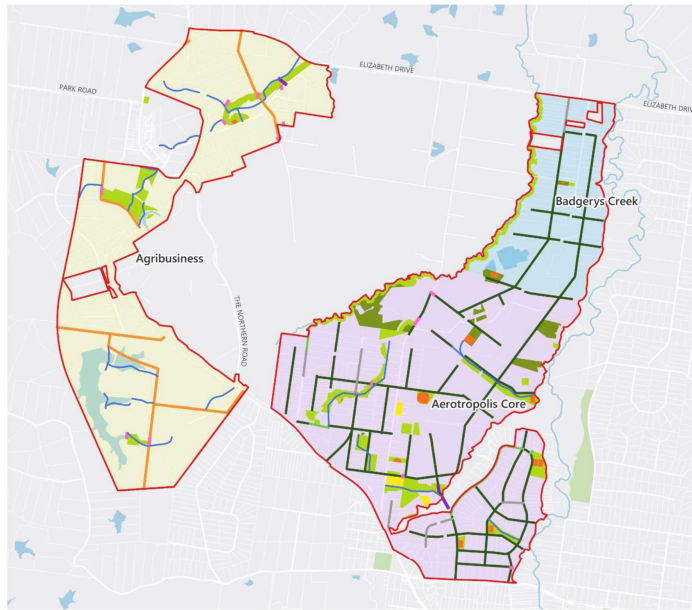
**APPENDIX B:
INFRASTRUCTURE
LOCATION MAPS**

ROAD INFRASTRUCTURE MAPS



OPEN SPACE INFRASTRUCTURE

LAND to be ACQUIRED.

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	

**LIVERPOOL
CITY
COUNCIL**

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PLAN 09

**Response to Council Resolution of 27 March
2024 re. changes to contributions collection**

Strategic Objective	Liveable, Sustainable, Resilient Deliver a beautiful, clean and inviting city for the community to enjoy
File Ref	222071.2024
Report By	Rouzbeh Loghmani - Coordinator Contributions Planning
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

Council resolved in the Ordinary Meeting of 27 March 2024 to waive and/or delay the collection of contributions for certain development within the Liverpool LGA. The new parameters for the collection of contributions were specified in items 4, 7 and 8 of the Council resolution of 27 March 2024 (**Attachment 1**). These parameters are recited below:

4. *Waive 7.11/7.12 contributions for multi storey residential and commercial developments within Liverpool city centre for projects that are completed within 4 years of today.*
7. *Waive all contributions for the development of granny flats.*
8. *Allow contributions for all projects to be paid on occupation certificate rather than construction certificate.*

The Council resolution did not clarify the precise mechanism for the implementation of the new parameters. The Planning and Compliance team has explored the extent to which the Council resolution can be lawfully implemented.

After considering the applicable legal framework, the following directions were issued to the Development Assessment and Contributions Planning teams on 16 July 2024 to execute the Council resolution.

- **To address Item 8 of the resolution:** the contribution conditions imposed on all new development consent throughout Liverpool LGA require the contributions to be paid prior to the issue of Occupation Certificates, instead of Construction Certificates.
- **To address Item 7 of the resolution:** no contribution collected from new development for the construction of secondary dwellings (also known as granny flats) in the whole Liverpool LGA.

- **To address Item 4 of the resolution:** the contribution conditions imposed on all new development applications for multi-story residential and commercial development within the Liverpool City Centre prevent the collection of contributions, if an Occupation Certificate is issued for the subject development between 27 March 2024 and 27 March 2028. The collection of contributions from all development within the City Centre will be reinstated after a four-year period ending 27 March 2028.

The directions have been applied to new development applications on the basis that:

- To collect contributions prior to the issue of an Occupation Certificate for an existing consent, the existing development must be modified through a modification application. This is only possible if contributions have not been paid yet. Also, a modification application must modify the development not only the contributions conditions.
- Contributions already paid cannot be refunded via a modification application. The existing case law establishes that a condition of consent cannot be imposed or modified to require the doing of something retrospectively. A consent can't be modified to change the contribution condition if the required monetary contribution has already been paid to Council. It is recommended that Council resolution only applies to development applications determined/issued from **27 March 2024** and onwards

The directions do not apply to registered certifiers as Council does not have power to direct external certifiers. Section 20 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 prevents a certifier from issuing a Construction Certificate unless a condition of consent is imposed under section 7.11 or 7.12 of the EP&A Act requiring the payment of a monetary contribution or levy before building work is carried out.

Council should issue a notice advising applicants that contributions are no longer collected from granny flats approved under CDCs. This should provide sufficient evidence to satisfy certifiers that a CDC can be issued without payment of contributions.

RECOMMENDATION

That Council:

1. Notes contributions already paid to Council cannot be refunded via a modification application.
2. Notes any modifications to the contributions conditions must be part of a modification application for the whole development.
3. Notes the directions issued for the execution of items 4, 7 and 8 of Council resolution of 27 March 2024 (**Attachment 1**).

REPORT

Council resolution

Council intended by its resolution of 27 March 2024 that contributions would not be collected in circumstances specified in items 4 and 7 of the resolution. Also, the collection of contributions would be postponed until the issue of an Occupation Certificate instead of the issue of a Construction Certificate for all development, as required by item 8. An extract from Council resolution showing items, 4, 7 and 8 is provided below:

- 4. Waive 7.11/7.12 contributions for multi storey residential and commercial developments within Liverpool city centre for projects that are completed within 4 years of today.*
- 7. Waive all contributions for the development of granny flats.*
- 8. Allow contributions for all projects to be paid on occupation certificate rather than construction certificate.*

The Council resolution did not specify the mechanisms by which the parameters specified in items 4, 7 and 8 should be implemented. Nor did it amend any of the affected contributions plans. The Contributions Plans affected by Council resolution are:

- a. Liverpool Contributions Plan 2018 - Established Areas
- b. Liverpool Contributions Plan 2021 – Austral and Leppington North
- c. Liverpool Contributions Plan 2018 - Liverpool City Centre

Implementation of Council resolution

The Planning and Compliance team sought internal legal advice to ascertain a lawful method for the execution of Council resolution. Based on that advice the following two Options have been identified:

- **Option 1:** Council can amend the contributions plans affected by the Council resolution in accordance with the EP&A Regulation, practice notes and Ministerial Direction to pause or delay the collection of contributions from development specified by the Council resolution, and/or
- **Option 2:** Council can impose/amend conditions of consent requiring payment of contribution in accordance with Council resolution.

Amending the contributions plans would enable consideration to be given to what infrastructure Council will deliver, how it will be delivered and any amended timeframe. It would also allow risks associated with any funding shortfall to be addressed, including the risk of developers challenging the reasonableness of contribution conditions.

Option 2 provides a more rapid mechanism for implementing Council resolution for the following reasons:

- a. The estimated timeline for the completion of Option 1 is between 1.5 to 2.5 years. To amend or repeal the affected contributions plans, Council must prepare subsequent contributions plans. This process can take up to 2.5 years for an IPART reviewed plan such as the 'Liverpool Contributions Plan 2021 – Austral and Leppington North'.
- b. Option 2 has been implemented by the Development Assessment team through an order requiring the necessary changes to contribution conditions in a much quicker process than Option 1.

After considering the applicable legal framework, the following directions have been issued to the Development Assessment and Contributions Planning teams to execute the Council resolution.

- **To address Item 8 of the resolution:** the contribution conditions imposed on all new development consent throughout Liverpool LGA require the contributions to be paid prior to the issue of Occupation Certificates, instead of Construction Certificates.
- **To address Item 7 of the resolution:** no contribution collected from new development for the construction of secondary dwellings (also known as granny flats) in the whole Liverpool LGA.
- **To address Item 4 of the resolution:** the contribution conditions imposed on all new development applications for multi-story residential and commercial development within the Liverpool City Centre prevent the collection of contributions, if an Occupation Certificate is issued for the subject development between 27 March 2024 and 27 March 2028. The collection of contributions from all development within the City Centre will be reinstated after a four-year period ending 27 March 2028.

The directions have been applied to new development applications on the basis that:

- To collect contributions prior to the issue of an Occupation Certificate for an existing consent, the existing development must be modified through a modification application. This is only possible if contributions have not been paid yet. Also, a modification application must modify the development not only the contributions conditions.
- Contributions already paid cannot be refunded via a modification application. The existing case law establishes that a condition of consent cannot be imposed or modified to require the doing of something retrospectively. A consent can't be modified to change the contribution condition if the required monetary contribution has already been paid to Council.

The directions do not apply to registered certifiers as Council does not have power to direct external certifiers. Section 20 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 prevents a certifier from issuing a Construction Certificate unless a condition of consent is imposed under section 7.11 or 7.12 of the EP&A

Act requiring the payment of a monetary contribution or levy before building work is carried out.

It should be noted that Council has not returned any paid contributions to the proponents in the past. To avoid establishing a precedent, it is recommended that Council resolution only applies to development applications determined/issued from **27 March 2024** and onwards.

Potential risks

The likely consequence of not imposing contribution conditions is that there will be a shortfall in the money collected under the affected contributions plans. This may in turn affect Council's ability to deliver the infrastructure identified in the contributions plans. To avoid any funding shortfall Council should still amend the affected contributions plans. If not done in time, there would be a risk of developers challenging the reasonableness of contribution conditions.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation are outside of Council's current budget and long-term financial plan. The financial impacts of pausing/delaying the collection of contributions must be monitored as the new arrangements are put in place and reported to Council for further consideration in future.

CONSIDERATIONS

Economic	<p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Provide efficient parking for the City Centre.</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>
Environment	<p>Manage the environmental health of waterways.</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>Promote an integrated and user friendly public transport service.</p>
Social	<p>Provide cultural centres and activities for the enjoyment of the arts.</p> <p>Deliver high quality services for children and their families.</p>
Civic Leadership	<p>Deliver services that are customer focused.</p>

Legislative	Environmental Planning and Assessment Act 1979, Division 7.1, Subdivision 3 Environmental Planning and Assessment Regulation 2021, Part 9, Division 3 Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, section 20
Risk	The risk is deemed to be Medium. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Council resolution of 27 March 2024

13

Mayor Mannoun returned to the Chambers at 3.35pm and became the Chairperson

Clr Ammoun returned to the Chambers at 3.35pm.

ITEM NO: PLAN 02
FILE NO: 051310.2024
SUBJECT: Draft Regional Affordable Housing Contribution Scheme

COUNCIL DECISION

Motion: **Moved: Clr Macnaught** **Seconded: Clr Ammoun**

That Council:

1. Notes this Report, the draft Western Sydney Affordable Housing Contribution Scheme prepared by the Western Sydney Planning Partnership, and the response to the Questions on Notice.
2. Does not endorse the draft Scheme.
3. Thanks the Western Sydney Planning Partnership for their work on this proposal, but does not participate further in its advancement.
4. Waive 7.11/7.12 contributions for multi storey residential and commercial developments within Liverpool city centre for projects that are completed within 4 years of today.
5. Write to the state government asking them to waive land tax during the CC to OC stage of development in Liverpool and other LGA's that waive contributions as per the above.
6. Write to the Federal government asking them to allow home owners who purchase residential multi-dwelling units as per the above scenario to claim back their GST paid on residential units.
7. Waive all contributions for the development of granny flats.
8. Allow contributions for all projects to be paid on occupation certificate rather than construction certificate.
9. Write to the State Government to amend the SEPP to say that any affordable housing under a bonus remains affordable housing in perpetuity.

On being put to the meeting the motion was declared CARRIED.

Division called:

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Hadid, Clr Harle, Clr Karnib, Deputy Mayor Macnaught and Clr Rhodes

14

Vote against: Cllr Green*

***Note:** Cllr Green did not vote for or against the motion. Therefore, in accordance with Clause 11.4 of Council's Code of Meeting Practice (as shown below), she is recorded as voting against the motion:

"A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion."

Note: Cllr Kaliyanda had retired from the meeting and did not vote on this item.

PLAN 10

**Liverpool Traffic Committee Minutes - July 2024 -
Item 9 - Lismore Street, Hoxton Park**

Strategic Objective	Liveable, Sustainable, Resilient Promote and advocate for an integrated transport network with improved transport options and connectivity
File Ref	235551.2024
Report By	Patrick Bastawrous - Team Leader Transport Management
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes associated with 'Item 9' of the Liverpool Local Traffic Committee Meeting held on 17 July 2024. At the meeting, the Committee endorsed the immediate installation of the recommended devices to address safety and access concerns along Lismore Street, Hoxton Park.

This report refers to a single item raised at the Liverpool Traffic Committee held 17 July 2024. The adoption of the full minutes of the LTC will be presented to a future Council Meeting.

Council is requested to adopt the recommendations of 'Item 9 – Lismore Street, Hoxton Park Turn Restrictions'. A copy of the minutes along with the relevant plans are included in Attachment 1.

RECOMMENDATION

That Council adopts the following Committee recommendations:

1. The installation of the additional speed humps along Lismore Street, Hoxton Park, as indicated in Attachment 1.
2. Signposted right and left turn bans (buses and residents excepted), as indicated in Attachment 1.
3. The immediate implementation of the turn restrictions to address safety concerns, with traffic impacts monitored as part of the TMP process.
4. Preparation of a Traffic Management Plan assessing the impacts of the right turn bans to be submitted to TfNSW for approval.
5. An update, including proposed physical restrictions, to be submitted to a future Traffic Committee Meeting.

REPORT

At its June 2023 Ordinary meeting, Council approved, on the recommendation of the May 2023 Traffic Committee Meeting, installation of a midblock asphalt speed hump in Lismore Street as well as the installation of a kerb blister at the intersection of Pacific Palms Circuit and Lismore Street to address traffic speeding. Council also approved the proposed extension of First Avenue to Nineteenth Avenue, subject to availability of funding.

Since then, Council has been receiving ongoing concerns regarding speeding, volumes of through traffic and pedestrian safety.

Following a sight visit which confirmed the extent of the concerns, it was advised that Council Staff would seek endorsement of additional traffic calming measures to further address the volume and safety concerns along the street.

In June 2024, a Community Consultation was undertaken with the following items proposed to the local community:

1. Two additional speed cushions. The proposed layout is shown on the concept plan indicated in Attachment 9.
2. Removing the ability for drivers to turn right from First Avenue onto Lismore Street.
3. Removing the ability for drivers to turn right from Pacific Palms Circuit onto Lismore Street.
4. Timed turning movement restrictions for the turning movements mentioned above (options 2&3) during busy periods.

These options all seek to deter through traffic by making the road less desirable as a 'shortcut' between Hoxton Park Road and Kurrajong Road.

Based on the outcome of the Community Consultation, there was unanimous support for the implementation of option 2 and 3 being the restriction of vehicular access to the street via Right Turn Bans.

IMMEDIATE SAFETY CONCERNS

There have been a number of crashes on the street, most of which have not been reported to the police, however our consultation corroborates their occurrence. This includes an incident during the consultation period. This has raised immediate safety concerns causing residents to take matters into their own hands by attempting to block the street with rubbish bins.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation have been included in Council's budget for the current year and long-term financial plan.

Item	Description	Funding, Indicative Cost and Timing
9	Lismore Street, Hoxton Park – Turn Restrictions	Funding – Council's Capital Budget Program Indicative Cost – \$5,000 Timing – End of August 2024

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	Promote an integrated and user friendly public transport service. Support the delivery of a range of transport options. Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.
Social	There is no social impact as the devices were supported by the local residents as part of community consultation'
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	NSW Roads Act 1993 and Traffic Management Act
Risk	The risk is deemed to be Low. Safety risk is low impact because this is only for signage to be installed pending approval of Traffic Management Plan by TfNSW. Low traffic volume will lead to increased safety.

ATTACHMENTS

1. LTC Item 9 - Lismore Street, Hoxton Park - Turn Restriction

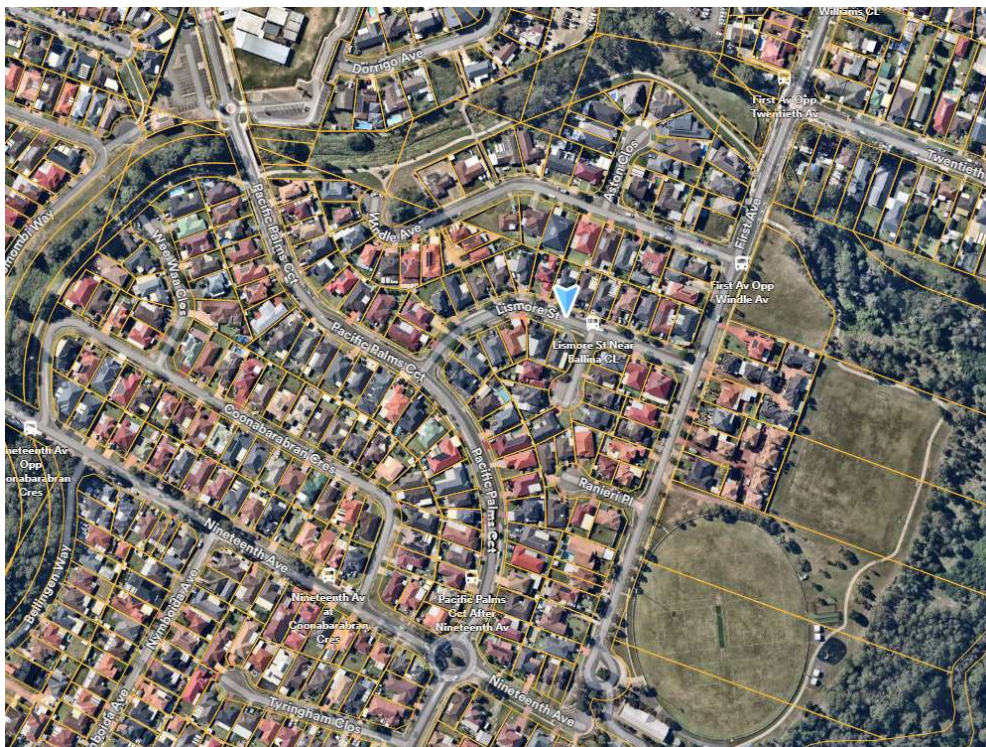
ITEM 9	Lismore Street, Hoxton Park – Proposed Traffic Facilities
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REPORT BACKGROUND

Council has received concerns from residents of Lismore Street regarding multiple safety issues and traffic volumes along Lismore Street, Hoxton Park.

The following report outlines the concerns and proposed treatments for the Committees support.

LOCATION



(Location Plan)

ASSESSMENT

- Road Classification:
 - o Local Road
- Road Width:
 - o 9.5m
- General Layout:
 - o Two-way, east-west movements permitted.
- Crash Data:
 - o Awaiting on Police information
- Volume Data:
 - o 5-day AADT of 5883 vehicle trips.

- Speed Data:
 - o Weekly 85th percentile of 48km/h
- Intersecting Roads:
 - o First Avenue to the east and Pacific Palms Circuit to the west.
- Bus Routes:
 - o Service 854 runs approximately every 15 minutes in peak periods and every hour in the off peak.
- Any Parking Restrictions:
 - o Unrestricted parking on both sides with Indented bays provided on the north side of the road.

At its June 2023 Ordinary meeting, Council approved, on the recommendation of the May 2023 Traffic Committee Meeting, installation of a midblock asphalt speed hump in Lismore Street as well as the installation of a kerb blister at the intersection of Pacific Palms Circuit and Lismore Street to address traffic speeding. Council also approved the proposed extension of First Avenue to Nineteenth Avenue, subject to availability of funding.

Since then, Council has been receiving ongoing concerns regarding speeding, volumes of through traffic and pedestrian safety.

Following a sight visit which confirmed the extent of the concerns, it was advised that Council Staff would seek endorsement of additional traffic calming measures to further address the volume and safety concerns along the street.

In June 2024, a Community Consultation was undertaken with the following items proposed to the local community:

1. Two additional speed cushions. The proposed layout is shown on the concept plan indicated in Attachment 9.
2. Removing the ability for drivers to turn right from First Avenue onto Lismore Street.
3. Removing the ability for drivers to turn right from Pacific Palms Circuit onto Lismore Street.
4. Timed turning movement restrictions for the turning movements mentioned above (options 2&3) during busy periods.

These options all seek to deter through traffic by making the road less desirable as a 'short-cut' between Hoxton Park Road and Kurrajong Road.

Based on the outcome of the Community Consultation, there was unanimous support for the implementation of option 2 and 3 being the restriction of vehicular access to the street via Right Turn Bans.

IMMEDIATE SAFETY CONCERNS

There have been a number of crashes on the street, most of which have not been reported to the police, however our consultation corroborates their occurrence. This includes an incident during the consultation period. This has raised immediate safety concerns causing residents to take matters into their own hands by attempting to block the street with rubbish bins.

PROPOSAL

Council Traffic Staff propose to take the following approaches:

- Short Term:
 - Two additional speed humps to reduce vehicle speeds even further.
 - Signposted right turn bans (buses and residents excepted)
- Medium Term:
 - Intersection upgrades to reinforce right turn bans.

In order to facilitate the intersection upgrades, a Traffic Management Plan (TMP) will need to be prepared and forwarded to Transport for NSW (TfNSW) for approval which identifies the impact of the redistributed traffic. This will include monitoring the impact of the signposted turning restrictions.

PEDESTRIAN AND CYCLING IMPACT STATEMENT

This proposal will improve pedestrian safety by reducing traffic volumes through the street and enabling more opportunities for pedestrians to cross.

BUS ROUTE IMPACT STATEMENT

This proposal will have no impact on Bus Routes along Lismore Street, however it should be noted that the removal of buses from the street would enable a more effective intersection treatment restricting right turn movements.

CONSULTATION

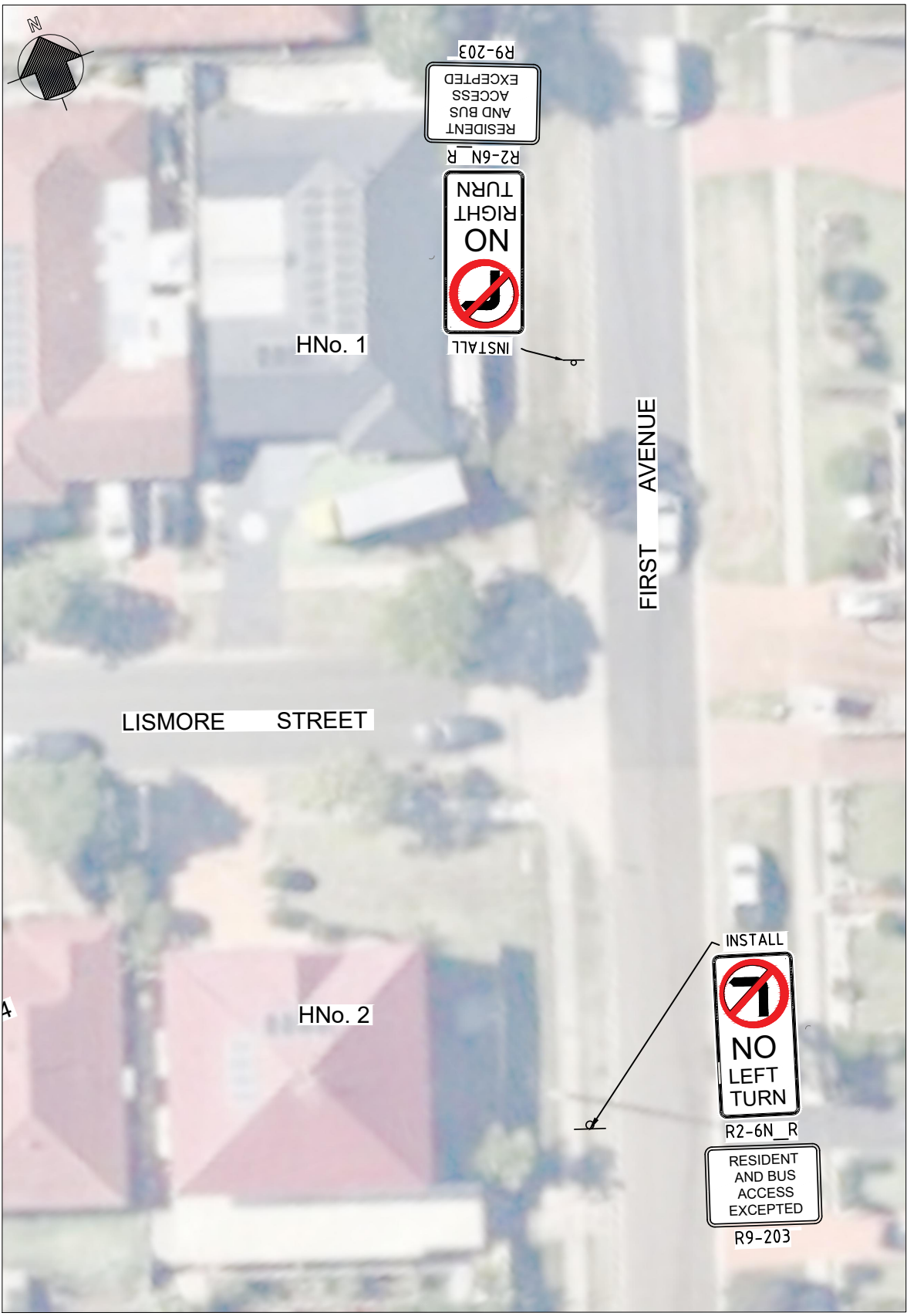
Consultation letters have been distributed to 33 properties within the immediate vicinity of the location providing notification of the proposed changes.

A total of 33 submissions were received with the majority supporting options 2 and 3, with a minor number additionally in favour of option 1.

RECOMMENDATIONS

The Committee supports:

1. The installation of the additional speed humps along Lismore Street, Hoxton Park, as indicated in Attachment 9.
2. Signposted right and left turn bans (buses and residents excepted), as indicated in Attachment 9.
3. The immediate implementation of the turn restrictions to address safety concerns, with traffic impacts monitored as part of the TMP process.
4. Preparation of a TMP assessing the impacts of the right turn bans to be submitted to TfNSW for approval.
5. An update, including proposed physical restrictions, to be submitted to a future Traffic Committee Meeting.



CONCEPT PLAN - PROPOSED TURNING RESTRICTIONS INTO LISMORE STREET

SCALE 1:150

SITE LAYOUT PLAN - PROPOSED TEMPORARY ADVANCE SIGNS



CFD 03

Liverpool Animal Shelter Rossmore Grange

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	232466.2024
Report By	Steve Simat - Senior Manager Commercial Development Noelle Warwar - Manager Community Standards
Approved By	Shayne Mallard - Director City Futures

EXECUTIVE SUMMARY

Under the Companion Animal Act 1998 Councils in NSW have responsibilities to ensure the welfare and control of companion animals. Responsibilities include handling stray, lost and impounded animals including providing facilities for their care and rehoming if feasible.

There is significant supply shortage of third-party animal shelter providers, and many councils are becoming exposed to a scenario where they are unable to shelter impounded animals and meet their obligations under the Companion Animals Act 1998. Liverpool City Council has experienced a 35% increase in the number of kennels required since 2020 with this expected to increase with the proportionate increase in population within the LGA.

In response, on the 25 May 2022 Council endorsed the Rossmore Grange Master Plan to amend the local environmental plan to permit development consent for an animal boarding or training establishment at 40 Ramsey Road, Rossmore Grange. This followed previous resolutions dated the 27 October 2020 to prepare a planning proposal for the site and a further determination on the 26 May 2021 to endorse a gateway determination.

Council has recently engaged:

- Heritage consultants to undertake Aboriginal and Heritage Assessments on the site in accordance with the master plan and gateway determination requirements,
- Architects to prepare concept designs for two options, including a 60-dog kennel option with expansion capability to 120 dog kennels with a cat expansion area,
- Quantity Surveyors to prepare preliminary cost plans for the proposed options and
- Land Servicing Costs Engineers given the size and un-serviced nature of the land

Along with the detailed site investigations to enable the development of an Animal Shelter, Council is also investigating other commercial opportunities that may assist in financing the shelter, including land development options within Rossmore Grange, and looking at commercial arrangements with other neighbouring councils to potentially house animals on a fee for service or capital contribution basis.

RECOMMENDATION

That Council:

1. Notes the progress report on establishing a Liverpool Council animal shelter at Rossmore Grange.
2. Defers further consideration of this matter until a fully budgeted and detailed report is presented to a future council meeting.

REPORT

Current trends show that the number of stray dogs at the Liverpool Animal Shelter have steadily increased since 2020. Where Council required up to 40 kennels at one time before 2020, demand has increased significantly with fewer animals being reclaimed by owners and more animals staying longer. Current arrangement is with Rossmore Vet Animal shelter cost was \$312,500 for 2023/2024 with Council regularly required to accommodate 54 animals simultaneously, representing a 35% increase in the number of kennels required. It is expected with the increase in population that the number of animals needing to be housed will increase in proportion with the population.

Council in a report dated 27 October 2020 endorsed the recommendation that Rossmore Grange (being lot 1016 in Deposited 258344) as the preferred site for the Liverpool Animal Shelter. Included in the resolution was a direction for the acting chief executive officer to progress an amendment to the plan of management and prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to permit with development consent an animal boarding and/or training establishment on the site, noting that further reports would be presented to Council.

On 26th May 2021, a report was presented to Council that the Liverpool Planning Panel on the 31 March 2021 had not supported the Planning Proposal however Council staff considered there was sufficient justification to progress the planning proposal to a gateway determination, which would require an amendment to schedule 1 of the Liverpool Local Environmental Plan 2008 to allow animal boarding or training establishment as the land use permitted with consent at 40 Ramsay Road, Rossmore.

A gateway determination was issued on the 16 September 2021 with Council to undertake public exhibition and community consultation in accordance with the conditions of the gateway determination.

It was noted within the report to Council that further reports would be required as part of the gateway determination.

On 25 May 2022, a further report was presented to Council on Rossmore Grange master plan following a decision of 27 April 2022 to proceed with amendment 93 to amend the Liverpool Local Environmental Plan 2008 to permit with development consent an animal boarding or training establishment on the site. Council also approved the development of a master plan and plan of management for Rossmore Grange to comply with the Local Government Act 1993.

In accordance with previous recommendations and to facilitate the preparation of a development application and feasibility study Council has engaged:

- “Extent” to undertake an Aboriginal Heritage Assessment and Non-Aboriginal Heritage Assessment.
- Figgis & Jefferson Tapa Architects to prepare concept designs for a 60-dog kennel option with expansion capability to 120 dog kennel options, as well as future cat expansion, and
- Wilde and Woollard to prepare preliminary cost plans for the proposed options
- ATL to provide servicing costs, including potable water, wastewater, electrical, and telecommunications and gas.

Liverpool City Council, like many other councils, is exploring options to design and construct an animal shelter as it enables Council to manage costs, improve on animal welfare, and meet community expectations. It is noted that in the process of exploring a Liverpool City Council owned and operated shelter, consultation has occurred with several other councils who have either commissioned new animal shelters or are currently exploring options to accommodate animals.

Along with the detailed site investigations to enable the development of an Animal Shelter, Council is also investigating other commercial opportunities that may assist in financing the shelter, including land development options within Rossmore Grange, and as noted above potential commercial arrangements with other neighbouring councils to house animals on a fee for service or capital contribution basis

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Raise awareness in the community about the available services and facilities.
Civic Leadership	Provide information about Council's services, roles and decision-making processes. Deliver services that are customer focused. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Companion Animal Act 1998
Risk	The risk is deemed to be Medium.

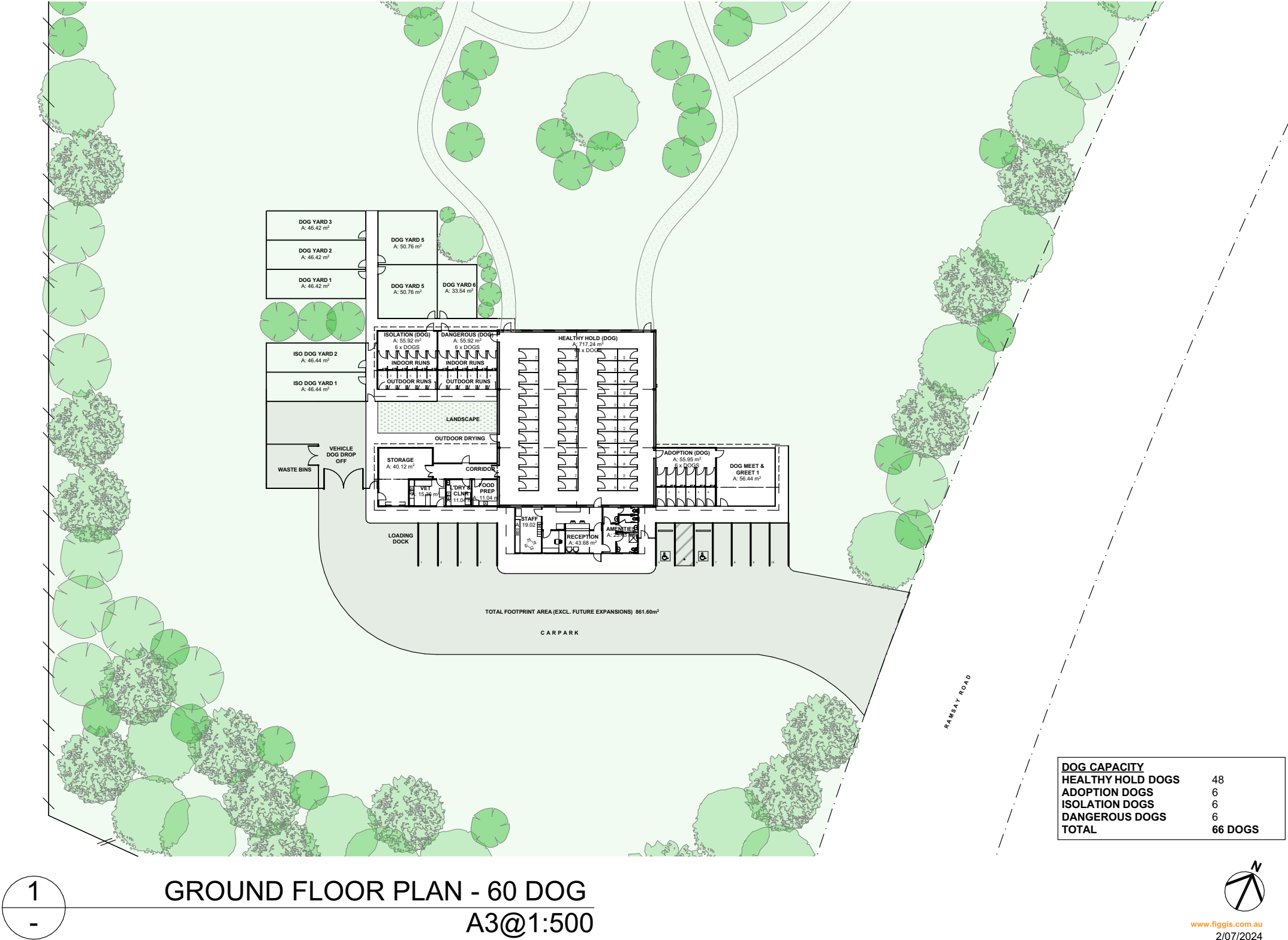
ATTACHMENTS

1. SITE PLAN - 60 DOG _REV A
2. GROUND FLOOR PLAN - 60 DOG_REV A
3. SITE PLAN - 126 DOG plus cat
4. GROUND FLOOR PLAN - 126 plus cat DOG

PROJECT ANIMAL SHELTER
ROSSMORE GRANGE, 45 Ramsay Rd, Rossmore NSW 2557



PROJECT **ANIMAL SHELTER**
ROSSMORE GRANGE, 45 Ramsay Rd, Rossmore NSW 2557



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**NOT FOR
CONSTRUCTION**

0m
SCALE
Nominated Architect: Jeffrey Chan NSW ARB No. 10967

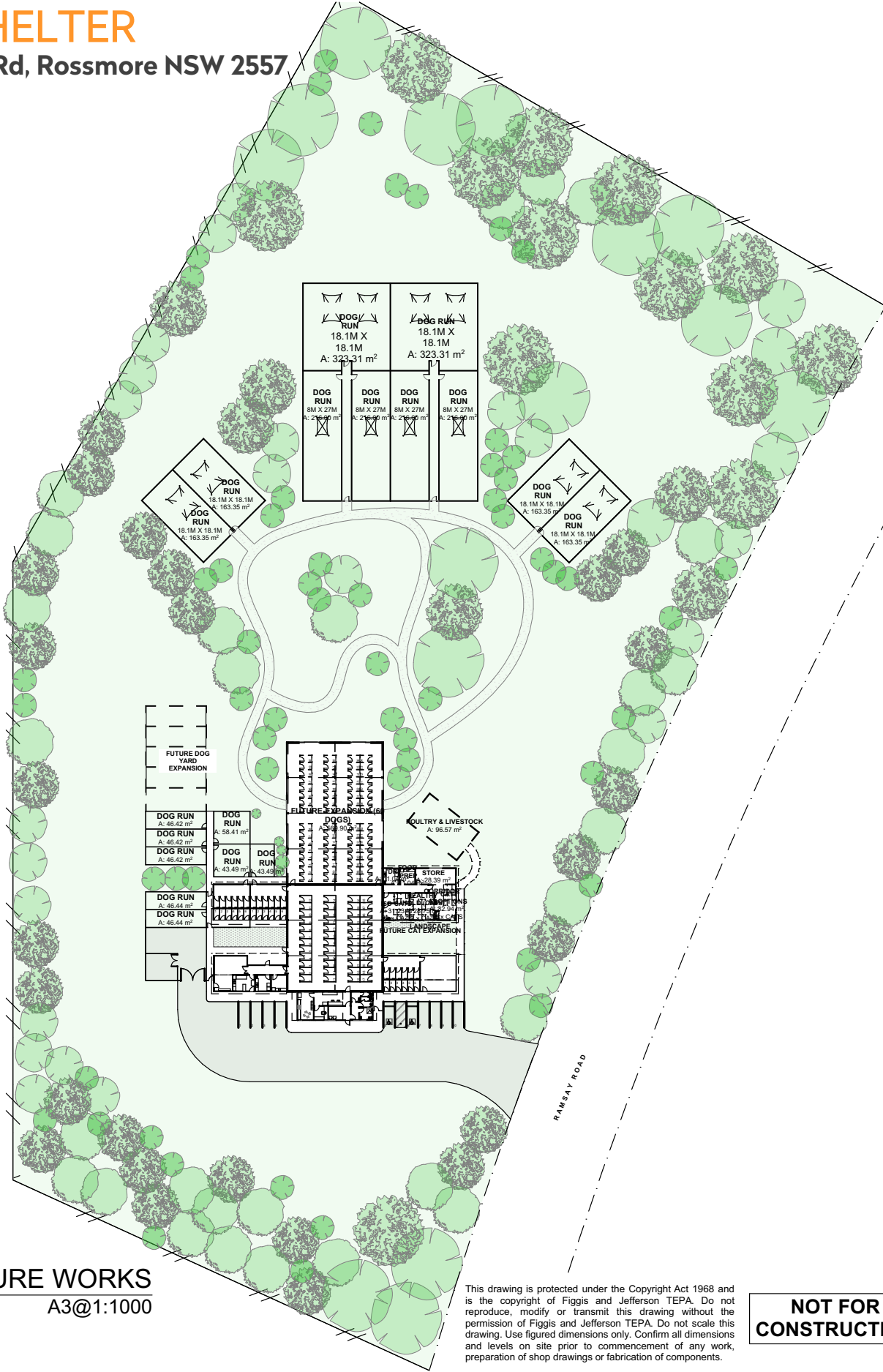


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#Pln SK 104 Rev. A



PROJECT **ANIMAL SHELTER**
ROSSMORE GRANGE, 45 Ramsay Rd, Rossmore NSW 2557




DOG CAPACITY	
HEALTHY HOLD DOGS	48
ADOPTION DOGS	6
ISOLATION DOGS	6
DANGEROUS DOGS	6
TOTAL	66 DOGS
FUTURE EXPANSION	
	60 DOGS
TOTAL	126 DOGS

FUTURE CATS	
HEALTHY HOLD DOGS	32
ADOPTION DOGS	16
ISOLATION DOGS	20
TOTAL	68 CATS

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SITE PLAN - FUTURE WORKS
A3@1:1000

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NOT FOR
CONSTRUCTION



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0m
SCALE

Nominated Architect: Jeffrey Chan NSW ARB No. 10967



**FIGGIS +
JEFFERSON
TEPA**
ARCHITECTS

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