



Cumberland Local Infrastructure Contributions Plan 2020

January 2020

Summary

Council, as a consent authority and in accordance with Part 7 of the Environmental Planning and Assessment Act 1979, has developed the Cumberland Local Infrastructure Contributions Plan (plan), allowing the collection of levies and rates on approved development. The contributions collected are applied by Council to deliver a range of local infrastructure works that will support future population growth in the Cumberland LGA.

Section 7.11 rates apply to residential and mixed development, and reflect the contribution to be applied at the date that this plan commenced.

Section 7.11 rates to be applied

Dwelling type	Rate	Development Type
Per person / per bedroom	\$6,077	Boarding houses, hostels
Per secondary dwelling* or senior independent living	\$9,116	*Owner occupied granny flats, independent senior living units
Per studio or 1 bedroom dwelling	\$9,723	All remaining residential development
Per 2 bedroom dwelling	\$15,679	All remaining residential development
Per 3 bedroom dwelling	\$20,000 (capped)	All remaining residential development

* owner occupied development application for second dwelling

Section 7.12 levies can apply to mixed and non-residential development and reflect the contribution to be applied at the date that this plan commenced.

Section 7.12 levies to be applied

Construction cost	Rate	Application to Development Type
Up to and including \$100,000	Nil	Does not include residential development
\$100,001 - \$199,999	0.5%	As outlined in section 4.1 of this plan and Table 13 of this plan. Cost of works to be accepted by Council for levy application
\$200,000 plus	1%	As outlined in section 4.1 of this plan and Table 13 of this plan. Cost of works to be accepted by Council for levy application

Site specific contribution plans and rates are also identified for the Pemulwuy release area and the Neil Street precinct in Merrylands.

Applicants and accredited certifiers are to inquire at the Council for information on the latest contribution rates and to confirm which rate or levy to apply.

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1. Introduction

1.1 Context

Cumberland LGA was formed in 2016 and extends from Pemulwuy in the west to Lidcombe in the east. In 2018, the area had a population of approximately 242,000 people.

It is anticipated that the area will continue to accommodate further urban development, aligned with strategies, plans and policies by the NSW Government and Cumberland Council. This urban development is expected to cater for over 55,000 additional residents and 13,000 additional workers. The development will spread throughout the area, with mixed use redevelopment focused around transport nodes and smaller scale infill residential development in other areas.

This new residential and business community can only be achieved and sustained through the provision of new, expanded and transformed local infrastructure.

Council, as a consent authority and in accordance with Part 7 of the Environmental Planning and Assessment Act 1979, has developed the Cumberland Local Infrastructure Contribution Plan (plan), allowing the collection of levies and rates on approved development.

The main purpose of this plan is to authorise Council or an accredited certifier to impose conditions on Development Consent or Complying Development Certificates requiring section 7.11 contributions or section 7.12 fixed levies from development.

The contributions collected are applied by Council to deliver the schedule of works or for the acquisition of land.

This plan will continue to apply site specific contribution plans and rates for the Pemulwuy release area and the Neil Street Precinct in Merrylands.

1.2 Dictionary

Words and phrases used in this plan have the same meaning as the terms defined in the relevant Local Environmental Plan applying to the development site,¹ or the Environmental Planning and Assessment Act, except as provided for below.

In this plan, the following words and phrases have the following meanings:

Apportionment means the portion of the cost of infrastructure attributed to new development

Affordable Housing has the same meaning as in State Environmental Planning Policy (Affordable Rental Housing) 2009

¹ At the time this plan was prepared, the relevant plans were Holroyd Local Environmental Plan 2013, Parramatta Local Environmental Plan 2011, or Auburn Local Environmental Plan 2010. Cumberland Council was also preparing a comprehensive Cumberland Local Environmental Plan.

Boarding House has the same meaning as in the LEP, but also includes a registered business and listed on title

CDC means complying development certificate

Consent Authority has the same meaning as in the EP&A Act, but also includes an accredited certifier responsible for issuing a complying development certificate

Council means Cumberland Council

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

EP&A Regulation means the NSW Environmental Planning and Assessment Regulation 2000

Granny Flat has the same means as in the LEP, and, in addition, refers to an owner occupied development application

GFA means Gross Floor Area

Heritage Item means a building, work, place, relic, tree, object or archaeological site which is identified as a heritage item within an environmental planning instrument that applies to the land

IPART means Independent Pricing and Regulatory Tribunal

LATM means Local Area Traffic Management

LEP means Local Environment Plan of which may consider Holroyd, Parramatta, Auburn or Cumberland²

LGA means local government area

Local infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services

Material or Public Benefit Offer means a benefit valued and enjoyed by the public and provided by the developer that is separate to development responsibility

Nexus means the relationship between the demand for local infrastructure and the increase in population

Planning Agreement means an agreement under section 7.4 of the Environmental Planning and Assessment Act 1979

SEPP means State Environmental Planning Policy

Social Housing Provider has the same meaning as that contained in State Environmental Planning Policy (Affordable Rental Housing) 2009

² At the time this plan was prepared, Cumberland Council was preparing a comprehensive Cumberland Local Environmental Plan.

2. Community profile and expected infrastructure demand

2.1 Area context

Cumberland LGA is located 25 kilometres west of the Sydney CBD. It is bounded by the LGAs of Parramatta in the north, Strathfield in the east, Canterbury-Bankstown and Fairfield City in the south and, Blacktown in the west. At its closest point, the LGA is located two kilometres from the Parramatta CBD.

The LGA has an area of 72 square kilometres, with a mix of land uses including residential, industrial and retail / commercial land uses.

Residential development comprises a diverse mix of detached dwellings, villas and town houses, secondary dwellings, dual occupancies and apartments. Industrial, warehousing and logistics activities dominate in the south western areas around Smithfield and Yennora. There are a number of commercial and retail centres mainly focused around transport hubs across the LGA.

Cumberland LGA has an extensive train and road network. It is along these transport corridors that the majority of future residential development is expected. The M4 Motorway and Parramatta Road also traverse the LGA.

2.2 Expected development

2.2.1 Housing

Cumberland has been experiencing very high rates of residential development, mainly in the form of small to medium sized apartment blocks near train stations. This rate of growth is likely to continue due to sustained levels of housing demand.

Most of the Cumberland LGA is zoned for residential purposes (refer **Figure 1**). The main areas of further development opportunity are in Merrylands, Auburn (north and south), Wentworthville and Lidcombe. Other centres along the rail corridors with development potential include Granville, Toongabbie and Pendle Hill. In addition to the benefit of a train station, there is older housing stock that is desirable for redevelopment and some obsolete industrial and commercial land that has potential for modernisation.

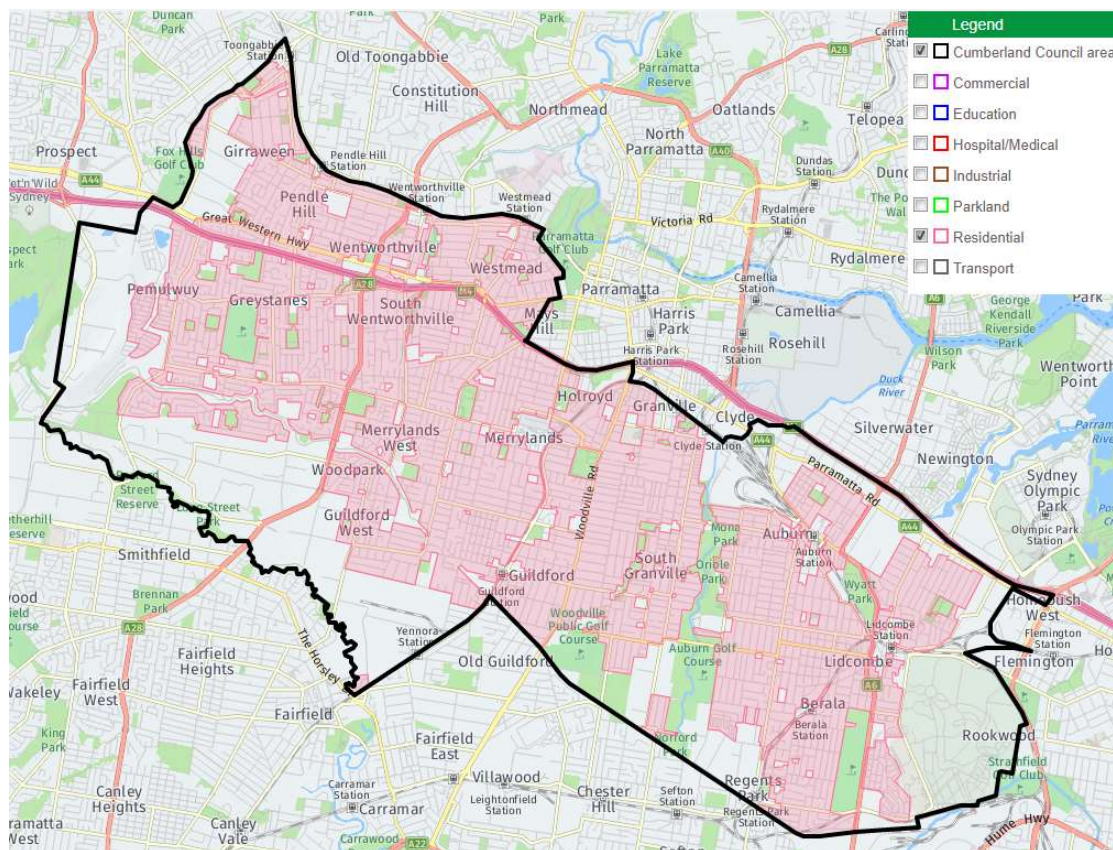


Figure 1: Residential areas

Source: Australian Bureau of Statistics, Mesh Block Categories 2011. Compiled and presented in economy.id by .id, the population experts.

Table 1 below shows the increase in number of dwellings between 2011 and 2016. The highest increase in the type of housing was for medium and high density dwellings. Over the 5-year period, Cumberland added an average of 1,000 dwellings each year to its dwelling stock.

Table 1: Dwelling structure comparison 2011-2016

Dwelling type	2016		2011		Change
	No.	%	No.	%	
Separate house	39,937	55.4	40,398	60.2	-461
Medium density	17,811	24.7	16,396	24.4	+1,414
High density	13,461	18.7	10,039	15.0	+3,422
Caravans, cabin, houseboat	74	0.1	15	0.0	+59
Other	420	0.6	210	0.3	+209
Not stated	376	0.5	74	0.1	+302
Total Private Dwellings	72,079	100.0	67,133	100.0	+4,945

Source: Australian Bureau of Statistics, Census of Population and Housing 2011 and 2016. Compiled and presented by .id, the population experts.

This rate of dwelling growth is anticipated to continue, with timing subject to economic growth and development market conditions.

The number of dwellings in the Cumberland LGA is forecast to grow by 23,000 between 2018 and 2036, with an average of over 1,200 dwellings per year. **Table 2** shows the breakdown of this anticipated growth by small area. The highlighted cells show the areas likely to experience the greatest growth. These include Merrylands, Auburn (north and south), Lidcombe (north), Wentworthville and Pendle Hill.

Table 2: Forecast dwellings and development 2018 - 2036

Dwelling type	2018 No.	2036 No.	Change between 2018 – 2036 No.
Auburn (North)	3,934	7,096	+3,162
Auburn (South)	8,311	10,119	+1,808
Berala	3,064	3,634	+570
Girraween - Toongabbie	3,239	3,912	+673
Granville	3,835	4,231	+396
Greystanes	7,981	8,638	+657
Guildford (East)	4,859	5,961	+1,102
Guildford (West) - Yennora	3,009	3,484	+475
Guildford West - Woodpark - Smithfield	2,207	2,456	+249
Lidcombe (North)	3,718	5,686	+1,968
Lidcombe (South) - Rookwood	3,346	4,444	+1,098
Merrylands	13,859	19,448	+5,589
Pendle Hill	2,237	3,961	+1,724
Regents Park	1,558	1,791	+233
South Granville - Chester Hill	2,149	2,441	+292
South Wentworthville	2,390	2,862	+472
Wentworthville	3,565	5,487	+1,922
Westmead - Mays Hill	3,224	3,950	+726
Total	76,485	99,601	23,116

Source: Population and household forecasts prepared by .id, the population experts, September 2017.

2.2.2 Occupancy rates

For the purpose of the calculating of contribution rates and infrastructure demand credits under this plan, the occupancy rates in **Table 3** reflect the rates recorded at the 2016 Census, will be used.

Table 3: Occupancy rates

Residential development type	Occupancy rate
Boarding houses and group homes	1 person per room
0 and 1 bedroom dwellings	1.6 persons per dwelling
2 bedroom dwellings	2.58 persons per dwelling
3 or more bedroom dwellings	3.57 persons per dwelling
Dwelling house and single vacant allotments	3.57 persons per dwelling

Source: Profile.id, February 2018

2.3 Non-residential development

In 2016, there were approximately 70,500 workers in the Cumberland LGA. Twenty seven percent of workers both live and work in the LGA.

Although manufacturing is the largest industry, employing 15,850 jobs, the industry lost 939 positions between 2011 and 2016. With the trend towards greater automation in this industry, this is likely to influence the number of type of employment numbers.

With the exception of manufacturing, all industry sectors of employment grew between 2011 and 2016 (total 5,700 jobs). Retail is the next highest, followed by construction, wholesale, transport, postal, warehousing and then education, health and social services. The greatest increases were in construction and retail.

Figure 2 shows the location of industrial, employment and business zoned land in the Cumberland LGA. Employment is predominately located in the remaining industrial areas of Smithfield, Yennora, Guildford West Lidcombe, North, Auburn, Sefton and Regents Park. There are significant concentrations of jobs at the Boral lands, Girraween, Toongabbie, Wentworthville, Westmead and Merrylands. Many of the employment areas in Cumberland will experience redevelopment, influenced by available employment land across Sydney, access to infrastructure and emerging trends for employment lands locally and globally. **Figure 3** shows where jobs are located in the LGA.

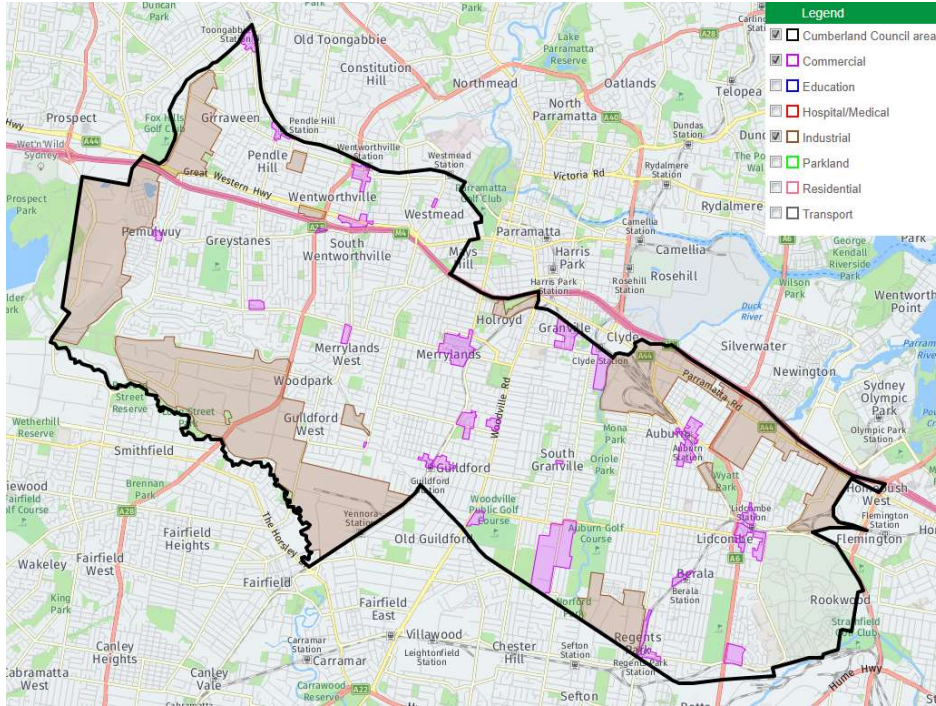


Figure 2: Employment areas and business centres

Source: Australian Bureau of Statistics, Mesh Block Categories 2011. Compiled and presented in economy.id by .id, the population experts.

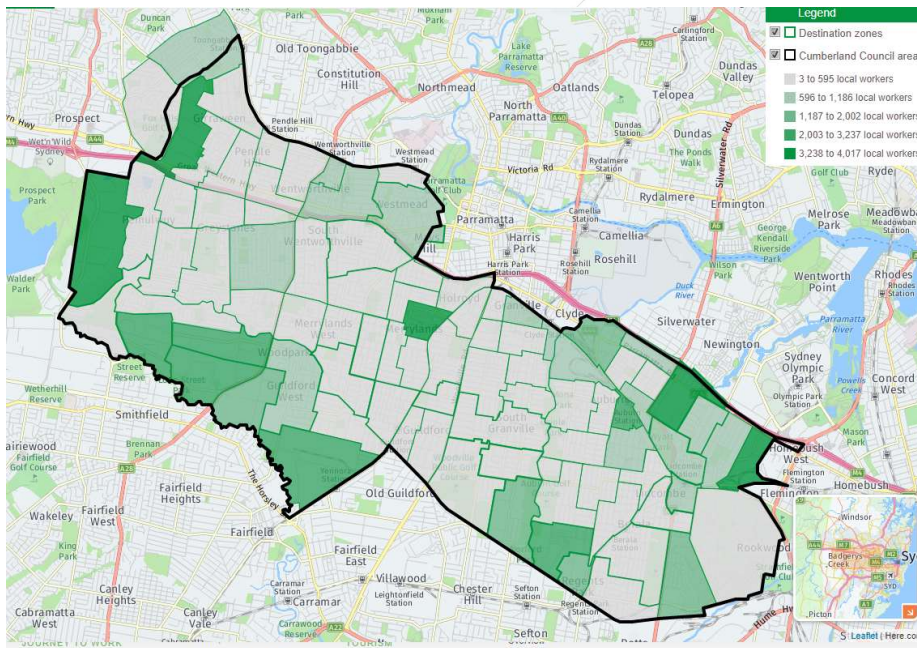


Figure 3: Location of jobs

Source: Australian Bureau of Statistics, Census of Population and Housing 2016. Compiled and presented in economy.id by .id, the population experts.

2.3.1 Expected population

Table 4 below summarises the expected future growth in population for the Cumberland LGA between 2018 and 2036. Areas of greatest growth are shown by the highlighted cells. The population of Pemulwuy has been excluded from the analysis, as the Pemulwuy contribution plan will continue to apply for this area.

Table 4: Population forecast 2018 - 2036

Suburb	Forecast year		Change
	2018	2036	No.
Auburn (North)	12,967	21,040	+8,073
Auburn (South)	29,630	34,955	+5,325
Berala	9,587	10,942	+1,355
Girraween - Toongabbie	9,874	11,104	+1,230
Granville	11,869	12,635	+766
Greystanes	23,795	24,919	+1,123
Guildford (East)	15,712	18,294	+2,583
Guildford West - Yennora	8,500	9,340	+840
Guildford West – Woodpark – Smithfield	6,854	7,183	+329
Lidcombe (North)	11,747	17,031	+5,284
Lidcombe (South) – Rookwood	10,705	13,123	+2,418
Merrylands - Holroyd	34,435	47,554	+13,118
Merrylands West	6,862	7,728	+866
Pendle Hill	6,412	11,074	+4,662
Regents Park	4,591	5,074	+483
South Granville – Chester Hill	6,699	7,049	+350
South Wentworthville	7,169	8,074	+906
Wentworthville	10,103	14,369	+4,266
Westmead – Mays Hill	9,572	11,170	+1,598
Total	242,524	297,992	+55,468

Source: Compiled and presented by .id, the population experts, September 2017

The data show that some suburbs are likely to experience modest population growth, while others will likely grow rapidly. Significant growth across the LGA is expected in the first five years of the plan period (i.e. between 2019 and 2024). It is expected that over 26,000 people are likely to be added to the population within that time. This is expected through a substantial

in-migration of young adults (20 - 24 year olds), seeking affordable home owning and rental opportunities.³

2.4 Demographic characteristics

2.4.1 Population and age structure

A summary of the current age profile of the Cumberland LGA population is shown in **Table 5**. The statistics show that the age structure is generally similar to that of Greater Sydney, although there are specific trends unique to Cumberland.

Table 5: Age group profile 2016

Age group (years)	2016 population	%	Greater Sydney %
0 - 4	16,880	7.8	6.4
5 - 14	27,485	12.7	12.2
15 - 24	29,686	13.7	13.1
25 - 34	42,159	19.5	16
35 - 44	30,457	14.1	14.5
45 - 54	24,714	11.4	13
55 - 64	20,585	9.5	10.8
65 - 74	13,408	6.2	7.7
75 - 84	7,435	3.4	4.2
85+	3,282	1.5	2.0
Total population	216,091	100.0	100.0

Source: ABS Census of population and housing 2016. Compiled and presented by .id, the population experts, September 2017

The data also show that the population of Cumberland LGA has a higher proportion of young children (0 – 9 years) and adults in their twenties and thirties than the Greater Sydney average. There is a much lower proportion of older residents in the LGA. All age groups over the age of 40 is lower to that of Greater Sydney. The age distribution suggests a large proportion of younger families that may be attracted to the area due to its relative affordability compared with other areas.

The future age profile is anticipated to be similar to the current age profile, except there is likely to be relatively greater proportions of older people, and lower proportions of young working age people (refer **Table 6**).

³ Source: Forecast i.d. September 2017

Table 6: Anticipated changes in age groups

Age group (years)	2018		2036		Change
	No.	%	No.	%	
Babies and pre-schoolers (0 to 4)	19,943	8.2	24,303	8.0	+4,360
Primary schoolers (5 to 11)	23,049	9.5	28,691	9.4	+5,642
Secondary schoolers (12 to 17)	16,239	6.7	22,692	7.4	+6,452
Tertiary education and independence (18 to 24)	25,354	10.5	31,087	10.2	+5,733
Young workforce (25 to 34)	47,545	19.6	52,157	17.1	+4,612
Parents and homebuilders (35 to 49)	48,309	19.9	60,713	19.9	+12,404
Older workers and pre-retirees (50 to 59)	24,845	10.2	32,816	10.8	+7,971
Empty nesters and retirees (60 to 69)	18,647	7.7	24,140	7.9	+5,494
Seniors (70 to 84)	14,828	6.1	22,768	7.5	+7,940
Elderly aged (85 and over)	3,765	1.6	5,446	1.8	+1,681
Total persons	242,524	100.0	304,811	100.0	+62,288

Population and household forecasts, 2016 to 2036, prepared by [.id.](#), the population experts, September 2017

2.4.2 Language and cultural diversity

The population of Cumberland LGA is one of the most culturally diverse in the Sydney region. In 2016, 52.2% of people were born overseas and 49.7% were from a non-English speaking background compared with 36.7% and 29.3% respectively in Greater Sydney.

The most common countries of birth were India (6.6%), China (6.5%) and Lebanon (4.9%). Other countries of birth each with a proportion of the population accounting for greater than 2% (over 4,000 people) include Afghanistan, Nepal, Sri Lanka, Vietnam, Pakistan and South Korea.

In Cumberland, 66% of people speak a language other than English. The dominant language in the area is Arabic, with 15.2% (32,772 people) speaking this language at home. Other commonly spoken languages include Mandarin, Cantonese, Persian/Dari, Tamil, Turkish, Nepali, Korean, Hindi and Urdu.

2.4.3 Labour force and education

At the time of the 2016 Census, 55.9% of Cumberland residents aged 15+ years were employed, which is lower than the Greater Sydney average of 61.6%. The unemployment rate was 9.5%, which is significantly higher than the 6% rate for Greater Sydney.

Of those employed, 63% worked full-time and 34% part-time. The most common occupations were professionals (18.9%), technicians and trades (15.4%) and clerical and administration (14.2%).

Compared to Greater Sydney, the Cumberland population has a lower proportion of people holding formal qualifications that may include a Bachelor or higher degree, Advance Diploma or Diploma, or vocational qualifications. It also has a higher proportion of people with no formal qualifications. Overall, 43% of the population aged over 15 years held educational qualifications and 47.5% have no qualifications compared with 52.7% and 37.7% respectively for Greater Sydney.

2.4.4 Income

The 2016 Census analysis of income levels shows that there is a lower proportion of people earning a high income (more than \$1,750 per week or more) and a higher proportion of people of low income (less than \$500 per week).

Overall, 6.3% of the population earned a high income, and 46% earned a low income compared with 14.4% and 36.1% respectively for Greater Sydney.

The median household weekly income is \$1,379 compared to \$1,750 for Greater Sydney.

2.4.5 Relative disadvantage

The SEIFA Index of Disadvantage measures the relative level of socio-economic disadvantage based on a range of Census characteristics. The index is derived from attributes that reflect disadvantage such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations. It is a widely used indicator of the relative level of disadvantage in one area compared to others.

A higher score on the index means a lower level of disadvantage. A lower score on the index means a higher level of disadvantage. A higher number indicates a higher socio-economic status.

The percentile measure indicates the approximate position of an area in a ranked list of Australia's suburbs and localities. It provides an indication of where the area sits within the whole nation. For instance, a percentile of 50 indicates that approximately 50% of Australia's suburbs have a SEIFA index lower than this area (more disadvantaged), while 50% are higher. The SEIFA index for Greater Sydney is 1026, which represents the 52nd percentile score.

The Cumberland population is, on average, relatively disadvantaged. At the 2016 Census, the Cumberland LGA recorded a SEIFA index of 926, which corresponded to the 17th percentile of Australian suburbs. Five areas recorded a SEIFA score in the 10th percentile or lower. These areas were South Granville - Chester Hill, Guildford (East), Guildford, Guildford (West) – Yennora, and Granville.

2.5 Implications for local infrastructure

These demographic characteristics will have the following impacts on the planning for local infrastructure in Cumberland:

- The population's relative disadvantage would indicate a very high need for facilities and programs supporting community wellbeing. There will be a continued high demand for multi-purpose community facilities and libraries
- The relatively low incomes will require a range of affordable leisure and recreation facilities to be provided
- The bulk of the additional population will be accommodated in higher density dwellings with little or no private open space. There will therefore be an even greater demand for ground level public domain areas and publicly accessible open spaces to allow the new populations to meet and participate in recreation activities
- Other local infrastructure to support transport and economic access will also be required to better meet the needs of the growing residential and employment population

3. Local infrastructure provided under this plan

The local infrastructure to be provided by development contributions received under this plan is listed below, and includes:

- Open space and recreation land and works, including playing fields, playgrounds, landscaping and equipment
- Community facilities works, including library floor space, childcare services, community centre floor space
- Roads and transport works in and around centres, including traffic control and LATM facilities, roundabouts, new local roads and cycleways
- Public domain improvements in and around centres to support economic regeneration, including streetscape works, landscaping and street furniture

The costs of administering this plan will also be met by contributions imposed under this plan.

A summary of the costs of local infrastructure to be met by development approved under this plan is shown in **Table 7**.

Table 7: Summary of infrastructure costs

Facility Type	Total cost of works	Cost from Development
Open Space	\$ 194,811,800	\$ 151,959,483
Community Facilities	\$ 90,359,500	\$ 54,985,933
Roads	\$ 123,116,750	\$ 110,257,750
Public Domain	\$ 29,145,300	\$ 14,572,650
Totals	\$ 437,433,350	\$ 331,775,816

The plan principally applies to contributions authorised by this plan to be imposed on developments under section 7.11 of the EP&A Act.

There are specific requirements for section 7.11 contributions as distinct from section 7.12 levies, including the following:

- Contributions can only be imposed if the consent authority considers that the development 'will or is likely to require the provision of or increase the demand for public amenities and public services within the area' (s7.11(1))
- Contributions toward recoupment of facilities can only be imposed if the facilities were provided 'in preparation for or to facilitate the carrying out of development in the area' and the development will 'benefit from the provision of those public amenities or public services' (s7.11(3))
- Contributions that are imposed must be reasonable (s7.11(2) and (4)), and that a developer may appeal to the Land and Environment Court on the grounds that contributions imposed on a development are unreasonable in the particular circumstances of the case (s7.13(3))

These requirements mean that a contributions plan that authorises section 7.11 contributions should show that the contribution rates are reasonable by explaining the relationship between the anticipated developments and the infrastructure included in the plan that is needed to meet the demands of those developments.

So that the contributions that are imposed are reasonable, the section 7.11 contribution rates in this plan have been calculated having regard to the principles of nexus and fair cost apportionment. This has included consideration of:

- Facility and land use strategies that have identified future infrastructure needs
- Whether the infrastructure serves existing or new populations, or both
- Population catchment that the proposed infrastructure has been designed to serve

This part of the plan explains the expected development in the Cumberland LGA, the infrastructure necessary to support this development, and the way in which the section 7.11 contribution rates have been calculated.

3.1 Infrastructure calculation, schedule and nexus

The delivery of new local infrastructure to support the future development and increased populations in Cumberland will include the acquisition of land and carrying out of capital works. Council is also anticipating future expenditure in administering this plan so that it remains valid and the contribution rates remain reasonable.

The following sections describe the scope and total costs of the various items of local infrastructure that is included in this plan. Further detail on specific items, their estimated costs and staging, and location maps are included in **Appendix A**.

The schedule has been based on various strategic and technical studies, mostly focused on the need for various types of local infrastructure, such as recreation and community facilities.

3.1.1 Open space and recreation

Objectives

Provide new and augment existing open space and recreation facilities to support the demands generated by future residential development in Cumberland.

Needs assessment and infrastructure strategy

Council currently provides a range of open space and recreation facilities, including:

- Local and district level parks and playgrounds
- Sporting fields and outdoor courts
- Aquatic recreation facilities
- Linear open space that provide linkages between open space areas and other destinations

Future development in the Cumberland LGA is expected to take place through:

- The conversion of already developed land from one use to another (e.g. a residential use replacing a commercial use), and/or
- Denser development of the same land use on the same parcel of land (e.g. residential flat buildings replacing detached dwelling houses)

The intensification of land use has significant implications in the terms of planning for the open space infrastructure needs of the future developments.

- Developable land is decreasing in urban areas, meaning the price will continue to increase and the opportunities to acquire land at a reasonable cost diminishes
- A large proportion of the people living in future developments will be apartment-dwellers who will have access to a limited amount of private open space. Increasingly, apartments are being occupied by couples with children and lone person households. The availability of high-quality open space areas that are within walking distance will be important to their quality of life
- Due to increases in population, demand for open space and recreation facilities will grow
- Population characteristics are varied across Cumberland LGA, including the distribution of age groups, household types and cultural backgrounds

The incoming population will increase the demand for and use of open space and recreation facilities. There will be pressure on the existing facilities and an exacerbation of current deficiencies. Open space and recreation studies⁴ have identified there is open space with some capacity to accommodate additional use in the short term, but it will not be sufficient to accommodate the needs for the expected growth. There is also the consideration of non-Cumberland residents that are accessing these facilities.

There are almost 700 hectares of public open space in the Cumberland LGA. The breakdown of this area by different functional categories and service catchments is shown in **Table 8**.

Table 8: Open space provision by hierarchy

Hierarchy	Description	Total No. of parks	Total area (ha)	% of total open space
Regional open space	Services at least one local government area. Users will be prepared to travel significant distances to access regional open space. Typical size 5+ha Typical distance to most houses: 5-10 km	19	330.51	47.2
District open space	Typically service catchments of less than one local government area, or several neighbourhoods. Typical size: 2-5 ha Typical distance to most houses: 2km	52	265.59	37.9

⁴ Holroyd Open Space Recreation and Public Domain Study 2013, Parkland Environmental Planners and McGregor Coxall and Draft Cumberland Open Space and Recreation Strategy Report (CRED) March 2019

Hierarchy	Description	Total No. of parks	Total area (ha)	% of total open space
Local open space	Caters to a local neighbourhood area where users predominately walk or cycle to the facility. Typical size: up to 1 ha Typical distance to most houses: 400m	69	67.9	9.7
Local high density	In high density areas with limited access to private open space, high quality smaller local open space should be provided in close proximity to dwellings. Typical size: 0.1-0.5 ha Typical distance to most houses: 200m	136	32.68	4.7
Pocket parks	Small parcels of open space such as single blocks of land designed to increase open space in developed areas, or 'leftover' land such as from road closures or development on irregular blocks. Typical size: < 1000m ²	57	3.6	0.5

Source: Draft Cumberland Open Space and Recreation Strategy Report (CRED) March 2019

From a general planning perspective, it would be desirable for the new population to be provided with the same level and standard of open space as that enjoyed by the existing population. However it is simply impractical to do this, given the very high price of land.

Using sportsgrounds as an example, the current community enjoys a level of provision of around 1.48 hectares of open space for every 1,000 residents. The anticipated population growth would require an extra 62 hectares of land for sports purposes. Assuming Council pursued a strategy of acquiring sportsground sites on the relatively cheaper industrial lands in the south western areas of the LGA, the land would be purchased at an average rate of \$4 million per hectare⁵. In this scenario, the total land acquisition costs for new sportsfields to meet future needs would be \$248 million, or \$4000 for each additional resident. This does not include the substantial costs of remediating and preparing the site and embellishing the land for active recreation purposes.

The imposition of such a high contribution on new developments would likely make them unfeasible, leading to an overall slowing of housing supply and put upward pressure on the price of existing housing stock. Council will instead pursue a more reasonable approach that will:

- Acquire, or negotiate with developers to provide, a limited number of local open space areas in strategic locations
- Increase the recreation carrying capacity of existing open space and recreation facilities on Council and other public land, by making better use of the current assets

⁵ Assuming a cost of \$400/m² for industrial land, equating to \$4 million per hectare

The strategies and opportunities to make better use of Council's assets include the following:

- Improved design and planning of the existing so that increases in capacity, quality, diversity, usability and accessibility of open space can be achieved
- Flexible and multi-use arrangements wherever possible
- Improving the connections and crossing points, upgrading or providing new linear linkages and access paths (footpaths and cycleways) and implementing the District Plan's 'Green Grid'
- Providing greater opportunities for walking and passive recreation through new and upgraded paths through publicly owned land
- Increasing the weekly time available for active recreation by converting turf areas into synthetic surfaces, providing floodlighting and improving field/court drainage
- Partnering with schools and other institutions to make available open space and sport facilities on their lands for public use

In summary, the recreational facilities for which contributions are sought under this plan include:

- 2.6 ha (approximate) land and embellishment works for local parks
- 1.5 ha land (approximate) and works for additional sport fields and facilities
- Embellishment works for sport fields and informal recreation spaces

A complete list of the infrastructure works to accommodate the new population is provided in the Works Schedule (**Appendix A**).

Nexus and apportionment

The additional open space land and works to embellish the new open spaces are to accommodate new demand generated by the residents of new development. It is reasonable that the costs of the infrastructure are met by all residential developments that are likely to result in a net increase in population.

There are a number of items that are being apportioned to both new and existing residents in the Cumberland LGA. The items are discussed below.

- The works to increase the carrying capacity of existing sportsfields and passive recreation parks will be apportioned 19% to new development. The apportionment represents the number of additional residents as a proportion of total projected population in the Cumberland LGA at the end of the plan (2033). The only exceptions are the redevelopment works at Wyatt Park and Duck River that are required as a result of new development
- The cost to upgrade the existing pools will be apportioned 19% to new development. The upgrades are needed by both existing and growth populations. This apportionment of 19% represents the number of additional residents as a proportion of total projected population in the Cumberland LGA at the end of the plan (2033)

- The construction of a regional skatepark facility is being apportioned partly to new demand created by the population growth. There is an existing deficiency of 3.5 youth spaces⁶. The forecast population growth will create additional demand for 1.1 facility to 2026 and 2 to 2036. Council is planning two facilities currently, meaning there will be a total future deficit of three facilities by 2036. To accommodate the existing need and future demand three additional small or 1 regional facility is proposed to be provided with the future new population to contribute for 2/3 of the cost of future facility.

The balance of the costs for the apportioned works will be met by Council through alternate funding sources.

Contribution rates calculation

Table 9 below summarises the social infrastructure costs and contributions. A detailed breakdown of these costs can be found in **Appendix A**.

Table 9: Summary of open space infrastructure costs and contributions per resident

Infrastructure	Apportioned cost	Contribution per additional resident
Strategic land acquisition	\$70,458,800	\$1,270.26
Capital works: sports	\$54,788,721	\$993.58
Capital works: parks	\$20,941,646	\$377.54
Aquatic centres	\$5,770,316	\$104.03
Total	\$151,959,483	\$2,745.41

Contribution rates are calculated on the expected net additional resident population in the area. This involves dividing the total apportioned costs of land acquisition and capital works by the projected total number of residents that are expected will live in the respective Cumberland LGA catchment.

The contribution formula for open space and recreation facilities in respect to each open space and recreation item can be expressed as follows:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

\$INF = the estimated cost of providing each of the infrastructure items required to meet the demand of development (refer **Table 7**).

⁶ Source: Draft Cumberland Open Space and Recreation Strategy (CRED) March 2019

P = The expected total number of residents that will generate the demand for the infrastructure (i.e. The new population 55,468 or the total future population 297,992 in Cumberland – refer to **Appendix A** for values for each infrastructure item).

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in **Table 17**.

3.1.2 Community facilities

Objectives

Provide new and augment existing community facilities to support the demands generated by future development in Cumberland LGA.

Needs assessment and infrastructure strategy

Council currently provides the following community facilities and services:

- Library services
- Child services and childcare
- Community centres, halls and meeting spaces
- Youth facilities
- Arts and cultural space

The intensification of land use has implications for the current services provided by Council. Some facilities and services have capacity to absorb some of the demand that will be generated by the incoming population. Other facilities are already operating at or over capacity and will be unable to cater for the expected population growth.

Council has recently undertaken an audit of all Council community facilities to establish the location and extent of deficiencies.

Council currently runs two central libraries (Auburn and Merrylands) and six branch libraries (Lidcombe, Regents Park, Granville, Guildford, Greystanes and Wentworthville). Apart from Merrylands Library, all libraries are currently undersized when compared to the standard State Library recommended provision⁷. The proposed population growth will result in all libraries being significantly undersized by 2036.

In the area of community and youth spaces run by Council, these are a combination of:

- A small number of staffed, activated multipurpose facilities

⁷ Cumberland Council comparison of existing floor space compared to standard of approximately 55m²/1000 persons

- A high number of small, older spaces that are not flexible or adaptable for multipurpose use

Council intends to move toward more multipurpose community hubs with co-located services. There are some locations where a new facility is proposed to be provided by demolition and reconstruction of the existing. This approach is proposed to replace the existing library and community facilities at Lidcombe, Wentworthville, Guildford and Granville.

In the area of children and family services, Cumberland Council owns and operates 17 education and care services that deliver a variety of programs. They include:

- Long Day Preschool
- Occasional Care
- Family Day Care
- Out of School Hours Care (OOSH) located at Guildford West, Parramatta West, Pemulwuy, Pendle Hill, Merrylands and Greystanes

The private sector also provides a level of childcare in the LGA, however there is a shortage of 0-2 year old places due to the increased staffing ratios applicable to this type of care. Cumberland Council's care and education services cater to 2.1% of the 0- 4 year population within the LGA⁸. To maintain this rate of provision, Council will need to provide an additional 106 long day care places by 2026. It is acknowledged that the private sector provides a significant proportion of childcare needs. There is a continuing need for Council to provide places in the 0-2 years age, as the greater staffing and additional licensing requirements can be financial disincentives for the private sector providers.

To maintain the current levels of all facilities and services enjoyed by existing residents, the following works are proposed:

- An additional 6,558 m² of community floor space at locations to be determined
- An additional 3,171 m² of additional library floor space at locations to be determined
- 2 new 60 place long day care centre
- 1 new arts and cultural facility
- Works to increase the use of existing community floor space, including the reconfiguration of floor space and access

Nexus and apportionment

The facilities to be provided will service both an existing deficiency within the Cumberland LGA and new demand created by development. The exceptions are the two proposed childcare facility items that are to be provided to cater for the additional demand from future residents.

⁸ Source: ABS 2016 – Cumberland Council

Community floor space

Applying a planning benchmark of 80m² floor area per 1,000 people, a population growth of 55,468 people will generate a demand for 4,437m² of community space. The balance of the cost to provide the remaining 2,121m² will be funded by alternate means.

Library floorspace

Applying a planning benchmark of 35m² per 1,000 people⁹, a population growth of 55,468 people will generate a demand for 1,941m² of library space. The balance of the cost to provide the remaining 1,230m² will be funded by alternate means.

Arts and cultural facility

Council intends to provide a new arts and cultural facility. The provision rate for such a multipurpose performing arts/cultural centre¹⁰ is 1 per 30,000 persons. The demand generated by the new population will require one additional centre. Council intends to provide additional space to accommodate a population of 100,000+ people to cater for existing deficiency and new demand. The new population will demand 1/3 of the proposed future facility.

Contribution rates calculation

The calculation of the contribution rate assumes the entire Cumberland LGA is a single service catchment.

Table 10 below summarises the social infrastructure costs and contributions. A detailed breakdown of these costs can be found in **Appendix A**.

Table 10: Summary of community infrastructure costs and contributions per resident

	Apportioned cost	Contribution per additional resident
Community centres	\$24,403,500	\$439.96
Libraries	\$9,899,100	\$178.47
Childcare centres	\$6,600,000	\$118.99
Arts and culture	\$8,083,333	\$145.73
Increase capacity centre program	\$6,000,000	\$108.17
Total	\$54,985,933	\$991.31

Contribution rates are calculated on the expected net additional resident population in the area. This involves dividing the total costs of capital works by the projected servicing population for each case.

The contribution formula for community infrastructure can be expressed as:

⁹ Excludes the 20m² per 1000 people space recommended for circulation, State Library benchmark is 55m² per 1000 people

¹⁰ Growth Centres Commission benchmark standard

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF \times AF\%}{P} \right)$$

Where:

$\$INF$ = the estimated cost of providing each of the infrastructure items required to meet the development (refer **Table 7**).

$AF\%$ = The apportionment factor reflecting the proportion of demand attributable to the demand population, as discussed in 'Nexus and apportionment' above.

P = The expected total number of residents that will generate the demand for the social infrastructure (i.e. Either the total future Cumberland residents = 297,992 or the total new residents only = 55,468).

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in **Table 17**.

3.1.3 Roads and transport

Objectives

To provide a variety of roads and transport works to meet the additional demand created by future residential development across the Cumberland LGA.

Needs assessment and infrastructure strategy

Roads and transport works will be required to:

- Ensure that the local road network can cater for the increase traffic generated as a result of future development
- Cater for an expected increase in demand for pedestrian, cycle and public transport access

Additional development expected in Cumberland LGA over the next 15 years will create extra vehicle trips on the existing road network. The 16,000+ dwellings over that time is expected to generate in the order of 80,000 additional daily vehicle trips on the road network¹¹. In order for the road network to continue to operate at a satisfactory level of service, the extra traffic will

¹¹ Based on an average of 5 daily trips per dwelling, recognising there will be a mix of dwelling types ranging from low density detached houses (RMS assumes a daily trip rate of 10.7 trips per dwelling) to high density apartments (RMS assumes a daily vehicle trip rate of 2-3 trips per dwelling for suburban developments). RMS assumptions found in Technical Direction TDT 2013/04A dated August 2013.

require new road connections, the widening of existing road links, the provision of LATM¹² devices and the upgrade of existing intersections.

Traffic and transport plans have identified a number of access improvements to meet the needs of the future development and the increased population. The works included in this plan are considered the highest priority items to address traffic volumes and flows. The works will either be fully or partly funded by development contributions.

The types of works to be provided include intersection improvements (roundabouts and traffic signals), new roads and laneways and new pedestrian links.

Some of the new roads and intersection improvements will require the acquisition of land.

Nexus and apportionment

Roads and traffic management

The roadworks that will increase the carrying capacity of the network are required for the demand created by the future residents in the Cumberland LGA. It is reasonable that for the purpose of determining the contribution rate, these costs of the infrastructure works are met by the future demand population.

Where the works are to augment the existing network to address deficiencies and provide additional road capacity, it is reasonable for the purpose of determining the contribution rate that the costs of the infrastructure works are met by all the future (existing and new) population.

Footpaths / shared pathways

Council is committed to providing new footpaths in local centres that will improve the walkability to public transport, particularly train stations and bus stops. The works will augment the existing network and will benefit all the future population. It is reasonable for the purposes of determining the contribution rate, that the cost of infrastructure is apportioned to all the future (existing and new) population.

Contribution rates calculation

Table 11 below summarises the roads and transport infrastructure costs and contributions. A detailed breakdown of these costs can be found in **Appendix A**.

Table 11: Summary of public domain infrastructure costs and contributions per resident

	Apportioned cost	Contribution per additional resident
Local traffic infrastructure	\$92,316,750	\$1,664.32
Duck River crossing	\$15,000,000	\$270.43
Local access infrastructure	\$2,941,000	\$53.02
Total	\$110,257,750	\$1,987.77

¹² Local Area Traffic Management devices may include signals, road humps, crossings and the like.

The contribution formula for residential development can be expressed as:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

$\$INF_{Res}$ = the estimated cost of providing each of the infrastructure items required to meet the demands of residential development in Cumberland (refer **Table 7**).

P = The expected number of residents that will generate the demand for the infrastructure (Either the new demand = 55,468 or the total future population = 297,992 – refer **Appendix A**).

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in **Table 17**.

3.1.4 Public domain and streetscape

Objectives

To provide public domain and streetscape facilities in Cumberland's centres to meet the needs of the future population.

Needs assessment and infrastructure strategy

The quality of the public domain in the Cumberland area is inconsistent. In some of the larger centres, such as Auburn, there has been significant works completed. In Merrylands, however, public domain improvements have been made to some parts of the centre while other sections of public domain areas have not been recently upgraded.

The anticipated increase in population will create demand in the public domain of most local centres due to the increased levels of pedestrian activity. Additional works will be required to provide a higher standard to improve the level of comfort, convenience and amenity of public areas for people.

Generally, Council intends to increase the level of amenity in most local centres through the improvement of pedestrian pavements, the widening of pedestrian areas, the implementation of street furniture, lighting and landscaping.

Nexus and apportionment

Larger and more usable public domain will be important for growth populations as these facilities will help offset the lack of private open space available in the apartments they will be living in. The infrastructure works will be provided in Merrylands and Lidcombe, as well as other local centres in the LGA.

As the works in and around the centres and surrounds are primarily needed to meet the demand from new residents, it is reasonable that the contribution rate calculation assumes that the costs are met entirely by the future demand population.

Contribution rates calculation

Table 12 below summarises the public domain and streetscape infrastructure costs and contributions. A detailed breakdown of these costs can be found in **Appendix A**.

Table 12: Summary of public domain infrastructure costs and contributions per resident

	Apportioned cost	Contribution per additional resident
Merrylands centre	\$5,150,000	\$92.85
Lidcombe centre	\$3,900,000	\$70.31
Local centres	\$5,522,650	\$99.56
Total	\$14,572,650	\$262.72

The contribution formula for residential development can be expressed as:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

\$INF = the estimated cost of providing each of the infrastructure items required to meet the demands of residential development (refer **Table 7**).

P = The expected number of residents that will generate the demand for the infrastructure (i.e. 55,468 people).

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in **Table 17**.

3.1.5 Plan administration

Objectives

The contributions plan will take many years to implement. There will be a need to monitor and update the assumptions underpinning this plan so that the contribution rates remain reasonable.

Strategy

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council is required to manage, monitor and maintain the contributions plan. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions
- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules
- Monitoring and programming works identified in the works schedules
- Determining the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined
- Reviewing and determining the suitability of any works in kind and material public benefits proposed by a developer
- Preparing and making available the accountability information as required by the EP&A Regulation
- Providing advice to applicants and the general public regarding the operation of the plan
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan

Nexus, apportionment and contribution rates calculation

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in that area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark¹³ of an allowance equivalent to 1.5% of the cost of construction works identified in this plan. This allowance has been built into the contributions formulae for each infrastructure type.

¹³ Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs*, page 63

4. Contributions plan framework

4.1 Application on types of development

Subject to the exemptions identified, this plan applies to:

- (a) Residential development (including subdivision).
- (b) All other development

Type (a) developments will be subject to condition requiring a monetary contribution imposed under section 7.11 of the EP&A Act.

Type (b) developments will be subject to a condition requiring the payment of a levy under section 7.12 of the EP&A Act.

Where a single development application comprises a mix of type (a) and (b) developments, either a section 7.11 contribution or a section 7.12 levy will be imposed. The contribution method which produces the greater amount will be the method applied to that application.

For masterplanned precinct or multi staged development applications, contributions will be applied on the individual staged development application. For applications where the masterplanned precinct seeks subdivision and lead in work as a first stage of development, a section 7.12 levy may be applied.

Further information is provided in **Table 13**.

Table 13: Development types and the contributions types that apply

Development	Contribution type that applies	Relevant table in this plan
Residential only		
Residential subdivision	Section 7.11 contribution	Table 14
Apartments, units	Section 7.11 contribution	Table 14
Mixed use development, precinct, master planned	Section 7.11 contribution or section 7.12 levy ⁽¹⁾ ⁽³⁾	Table 14 or Table 15
Dual occupancies, manor houses, multi dwelling housing	Section 7.11 contribution	Table 14
Secondary dwellings, granny flats	Section 7.11 contribution	Table 14
Boarding houses, group homes, hostels	Section 7.11 contribution	Table 14
Seniors living housing (independent living units)	Section 7.11 contribution	Table 14
Seniors living housing (integrated facilities and residential care facilities)	Section 7.12 levy ⁽¹⁾	Table 15
Non-residential		

Development	Contribution type that applies	Relevant table in this plan
Industrial and business park development	Section 7.12 levy ⁽¹⁾	Table 15
Retail shops, business premises, commercial premises, offices	Section 7.12 levy ⁽¹⁾	Table 15
Change of internal fitout	Section 7.12 levy ⁽¹⁾⁽²⁾	Table 15
Educational establishments	Section 7.12 levy ⁽¹⁾	Table 15
Tourist and visitor accommodation	Section 7.12 levy ⁽¹⁾	Table 15
Change from one non-residential use to another with or without fitout	Section 7.12 levy ⁽¹⁾⁽²⁾	Table 15
Mixed use development, shop top housing, masterplans, precinct planning	Section 7.11 contribution or section 7.12 levy ⁽¹⁾⁽³⁾	Table 14 or Table 15
Car parking (per space)	To be negotiated as required	-
Other development		
All other development	Section 7.12 levy ⁽¹⁾	Table 15

(1) Development with a cost exceeding \$100,000 only

(2) Required where development involves an enlargement, expansion, technology advancement, engineering or intensification of a current use of land or site, as required under 25J(3)(g) of the EP&A Regulation

(3) The contribution type used will be the type that yields the highest contribution amount, refer to section 4.1 of the plan for details

4.2 Contribution exemption

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

- Development for the purpose of the adaptive re-use of a Heritage Item
- Development for the purpose of demolition of a dwelling house and the erection of a replacement dwelling house where the existing number of bedrooms is three or more, or where the number of bedrooms has not increased
- Development proposed by or on behalf of the Council on land that is classified community land under the Local Government Act 1993
- Development for the purposes of any form of seniors housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 where the developer and land owner is a Social Housing Provider
- Housing developed or provided by a Social Housing Provider, for the provision of social housing
- Affordable housing whereby a restriction has been registered or is conditioned to be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that requires (i) the dwellings proposed to be used for the purposes of Affordable Housing will be used for the purposes of Affordable Housing, and

- (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, for a period of not less than 30 years
- Development exempted from section 7.11 contributions or section 7.12 levies by way of a direction made by the Minister administering the Environmental Planning and Assessment Act 1979

No exemption from paying contributions in respect of an application for a complying development certificate may be granted under this policy by an accredited certifier without the prior written agreement of Council.

4.3 Contribution rates and levies

The monetary contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan.

The section 7.11 rates shown in **Table 14** reflect the contribution rates at the date that this plan commenced. These rates are regularly adjusted for inflation and fluctuations in land values. **Table 15** is the levy to apply when applying a section 7.12 levy.

Applicants and accredited certifiers are to inquire at the Council for information on the latest contribution rates and to confirm which rate or levy to apply.

In the case of mixed use developments that comprise both residential and non-residential components:

- If application of a section 7.12 levy to the whole development yields a higher contribution amount than application of a section 7.11 contribution rate, then a section 7.12 levy shall be imposed on the whole development
- If application of a section 7.12 levy to the whole development yields a lower contribution amount than application of a section 7.11 contribution, then a section 7.11 contribution rate shall be imposed only on the component of the development that comprises residential accommodation

In the case of masterplanned precinct or multi staged development applications, contributions are calculated and payable on staged development applications for those works.

Table 14: Section 7.11 rates to be applied

Dwelling type	Rate	Development type
Per person / per bedroom	\$6,077	Boarding houses, hostels
Per secondary dwelling* or senior independent living	\$9,116	*Owner occupied granny flats, independent senior living units
Per studio or 1 bedroom dwelling	\$9,723	All remaining residential development
Per 2 bedroom dwelling	\$15,679	All remaining residential development
Per 3 bedroom dwelling	\$20,000 (capped)	All remaining residential development

* Owner occupied development application for second dwelling

Table 15: Section 7.12 levies to be applied

Construction cost	Rate	Application to Development Type
Up to and including \$100,000	Nil	Not applicable to residential / mixed use development
\$100,001 - \$199,999	0.5%	As outlined in section 4.1 of this plan and Table 13 of this plan. Cost of works to be accepted by Council for levy application
\$200,000 plus	1%	As outlined in section 4.1 of this plan and Table 13 of this plan. Cost of works to be accepted by Council for levy application

Table 16 contains the contribution allocation of rates collected for the various categories of infrastructure under this plan. Contributions received will be distributed to these cost centres in accordance with this plan.

Table 16: Summary of contribution rates by infrastructure category

Project Theme	Per Person	Per secondary dwelling** or seniors independent living dwelling	Per studio or 1 bedroom dwelling	Per 2 bedroom dwelling	Per 3 or more bedroom dwelling or lot
Open space and recreation	\$ 2,745	\$ 4,118	\$ 4,393	\$ 7,083	\$ 9,801
Community facilities	\$ 991	\$ 1,487	\$ 1,586	\$ 2,558	\$ 3,539
Roads and traffic	\$ 1,988	\$ 2,982	\$ 3,180	\$ 5,128	\$ 7,096
Public Domain	\$ 263	\$ 394	\$ 420	\$ 678	\$ 938
*Plan management and administration	\$ 89.81	\$ 135	\$ 144	\$ 232	\$ 321
Total	\$ 6,077	\$ 9,116	\$ 9,723	\$ 15,679	\$ 21,695

4.4 Calculating a contribution under this plan

Council can only apply section 7.11 or section 7.12 to a development application (excluding master plan, precinct plans or staged development applications), as outlined in **Table 13**.

For mixed use development application, only Council can determine if section 7.11 or 7.12 will apply to the development application.

For masterplanned precincts, Council will apply contributions at each development application stage, or as prescribed within a Planning Agreement. As part of the masterplanned or staged development application, Council will require a staging plan, indicative construction cost and development potential application for consideration of future application of contributions.

4.4.1 Calculating a section 7.11 contribution

The contributions that apply to the development is calculated using the rates shown in **Table 14**, **less any allowances for assumed infrastructure demand arising from existing developments**, if applicable (existing credit).

The occupancy rates included in **Table 17** reflect the estimate of future infrastructure demand for proposed dwellings, as well as the estimate of existing demand allowances (or demand credits) for existing development.

Table 17: Assumed occupancy rates for calculating contributions and demand credits

Residential development type	Occupancy rate
Group homes and hostels	1 person per bed
Secondary dwellings	1.5 persons per dwelling
Boarding houses	1.5 persons per room
0 and 1 bedroom dwellings	1.6 persons per dwelling
2 bedroom dwellings	2.58 persons per dwelling
3 or more bedroom dwellings	3.57 persons per dwelling
Dwelling house and single vacant allotments	3.57 persons per dwelling

Source: Profile.id, February 2018

Where development is subject to more than one of the section 7.11 contributions listed in **Table 14**, the total contribution will be the sum of all the contributions that apply to that development.

Worked example 1

A proposed development in the Wentworthville Town Centre involving demolition of 500 square metres of existing retail GFA and construction of a mixed use development containing 30 x 2-bedroom apartments and 300 square metres of ground floor retail GFA, would be calculated as follows:

30 x 2 bedroom dwellings	=	30 x \$15,679 (refer to Table 4) = \$470,370
Plus 300m ² ground floor retail	=	\$0 (no increase in the retail GFA – it is a loss)
<u>less</u> 1 dwelling house (3 bedroom)	=	\$20,000
Total contribution	=	\$450,370

Worked example 2

A proposed shop top dwelling development in Pendle Hill comprises of shop GFA of 250m² and two 2 bedroom dwellings (200m² GFA). Council will determine the contribution required for the two dwellings (residential component) and the alternate section 7.12 levy for the proposed cost of mixed development to determine which contribution will apply. The cost of the whole development is proposed as \$1,850,000. An existing 2 bedroom dwelling on the allotment is to be demolished.

The contribution for a two 2-bedroom shop top dwelling will be calculated as follows:

2 x 2 bedroom dwellings	=	2x \$15,679 = \$31,358
Plus 250m ² ground floor retail	=	\$0 (non-residential development)
<u>less</u> 1 dwelling house (2 bedroom)	=	\$15,679
Section 7.11 contribution	=	\$15,679
The section 7.12 levy for the development is \$1,690,000 x 1% = \$16,900		
Using the higher contribution amount, the contribution for this development application would therefore be: \$16,900		

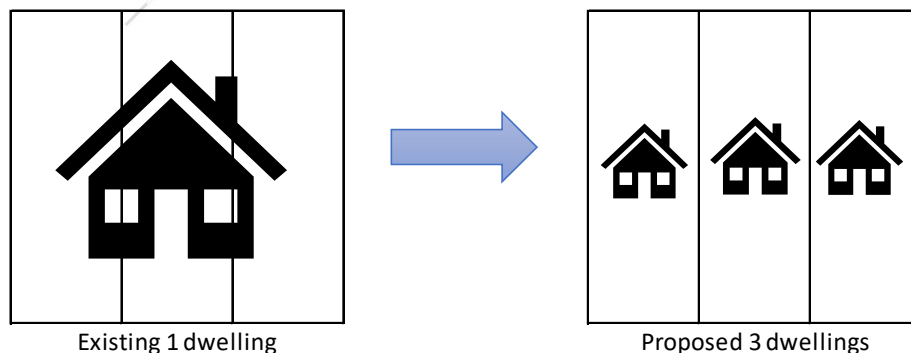
Small lot housing

Cumberland LGA contains areas with small lot subdivisions where housing has been constructed across the small lots. In recent times, this older housing is being demolished to be replaced by a single dwelling on each smaller lot (refer to **Figure 4**).

In this case, a credit of the existing dwelling will only apply to one of the smaller lots, and only if the application is a knock down rebuild. The lot to receive the credit is to be identified by the applicant. However, if the application is a knock down only, and then the lots are sold on as vacant lots, then no credit will apply to any of the lots.

A credit will only apply when the original house is knocked down prior to the issuing of a construction certificate for rebuild.

Figure 4: Small lot housing



4.4.2 Calculating a section 7.12 fixed levy

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate as per legislation by the proposed cost of the development.

There is no allowance for assumed existing infrastructure demand in the calculation of any section 7.12 levy, meaning no credit is applied or reduction for existing infrastructure/dwelling is applied.

Worked example 3

A proposed warehouse development in Lidcombe involves the demolition of existing improvements and the construction of a building, car parking and landscaping with the cost of construction of \$4.5 million. The section 7.12 levy would be calculated as follows:

\$4.5 million X 1%	=	\$45,000
Total contribution	=	\$45,000

Worked example 4

Council receives a masterplan development application, including precinct subdivision and lead in works as the first stage. Council is likely to apply a section 7.12 levy. Each application received afterwards will be evaluated on the development type as to whether rates or levies will apply.

5. Contributions plan administration

5.1 Name and commencement of plan

This plan is called Cumberland Local Infrastructure Contributions Plan.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

5.2 Purposes of this plan

The main purpose of this plan is to authorise the Council, when granting consent to an application to carry out development to which this plan applies, or an accredited certifier, when issuing a CDC for development to which this plan applies, to require a contribution under either section 7.11 or section 7.12 of the EP&A Act. This contribution is to be made towards the provision, extension or augmentation of local infrastructure that are required as a consequence of development in the Cumberland LGA, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- Provide the framework for the efficient and equitable determination, collection and management of local infrastructure contributions in Cumberland LGA
- Establish the relationship between the expected development and proposed local infrastructure to demonstrate that the contributions required under this plan are reasonable
- Ensure the existing community is not unreasonable burdened by the provision of local infrastructure required for future communities and development
- Allow the opportunity for local infrastructure to be provided by land developers via Planning Agreements or as Works In Kind Agreements
- Identify the dedication and development of future public land by landowners at no cost to Council
- Ensure Council's management of local infrastructure contributions complies with relevant legislation and practice notes

5.3 Land that applies to this plan

This plan applies to the Cumberland LGA, as shown in **Figure 5**, with the exception of site specific locations outlined in section 6 of this plan. At the commencement of this plan, contribution plans, including Holroyd Contribution Plan, Auburn Contribution Plan and the Parramatta Contribution Plan (Amendment 5) will no longer apply to that land. This plan does not affect any conditions of consent that were granted under a predecessor plan.

This plan may not be the only contribution plan that applies to this land. Council or a planning authority may develop site specific or asset specific contributions plans that may apply in addition to land and development within the Cumberland LGA.

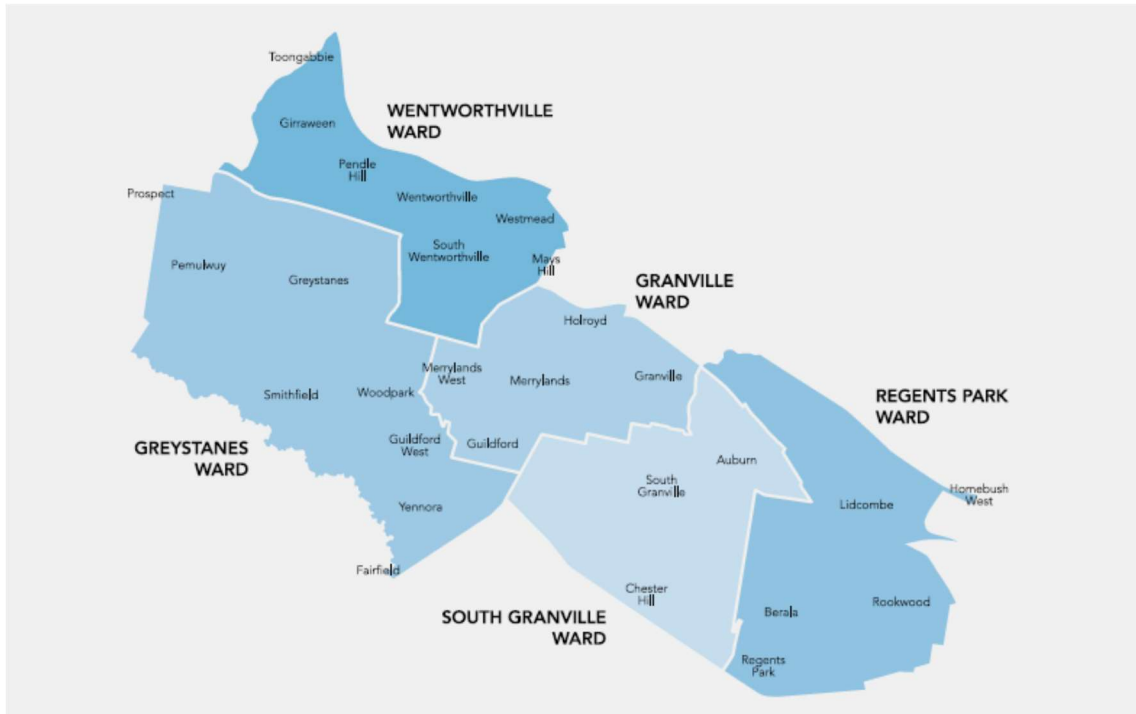


Figure 5: Application area of Cumberland Local Infrastructure Contributions Plan

5.4 Savings and transitional arrangements

Applications for development consent that were made before this plan commenced will be determined against the contributions plan that applied at the date the application was lodged.

When development consent includes a condition requiring payment of a development contribution and that condition is affected by a proposed application to modify the consent, the contribution shall be amended as if the contribution plan referenced within the condition is still in force.

To the extent that more than one contributions plan has (or will) apply to land over time, a Planning Agreement may nominate which contribution plan, if any, regard is to be given.

Should a new or revised policy be adopted by Council that contradicts this plan, the most recent and adopted policy will apply, as determined at the time of consent.

5.5 Use of contributions

Council will allocate section 7.11 contributions received to the future provision of local infrastructure identified in this plan schedule of works or for future land acquisition at the

identified value or cost. Any amendments to the allocation of section 7.11 contributions require the endorsement of Council.

Council will pool section 7.12 levies to deliver infrastructure or acquire land that will benefit the public. A report on the future expenditure or allocation of levies for public infrastructure requires the endorsement of Council.

Contributions imposed on developments under previous plans and paid to or held by Council will be applied to catchment areas where works or land acquisitions are identified. The future expenditure of these funds requires the endorsement of Council.

5.6 Audit and acquittal

In accordance with EP&A Regulation, a contributions register will be maintained by Council. 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

Council also maintains a Planning Agreement and Works In Kind Agreement register. A copy of these documents are available on Council's website.

5.7 Legislation

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring a contribution under either section 7.11 or section 7.12 of the EP&A Act on that approval for:

- The provision, extension or augmentation of local infrastructure to be provided by Council; and / or
- The recoupment of the previous costs incurred by Council in providing existing local infrastructure

A section 7.12 levy cannot be applied in relation to a development application, if a section 7.11 contribution has been applied in relation to the development for the same application.

The types of development subject to either a rate or levy, and the application to different development types, are identified in **Table 13** of this plan.

Council may be required to develop site specific or environmental planning contribution plans for the future application of rates or levies for land which this plan applies. If and when these plans are developed, Council will identify how this plan will align with the application of future contributions plans, policies or directions.

5.8 Timing of payments

Monetary contributions are required to be paid by a condition imposed on the development consent in accordance with this plan.

The condition will provide for payment as follows:

- For development where no further approvals are required:
 - ✓ is before the development consent is issued
- For development involving subdivision or staged development:
 - ✓ the contribution must be paid prior to the release of the subdivision certificate (line plan) or prior to the release of the first construction certificate, whichever comes first, for each of the stages or as otherwise negotiated under a Planning Agreement
- For development not involving subdivision, but where a construction certificate is required:
 - ✓ the contribution must be paid prior to the release of the construction certificate for the commencement of any work
- For works authorised under a CDC:
 - ✓ the contributions are to be paid prior to any work authorised by the certificate commences, as required by section 136L of the EP&A Regulation

At the time of payment, it will be necessary for monetary contributions amounts to be updated in accordance with the relevant indexes. Most recent rates are available on Council's website. It is the certifier's responsibility that the applicable rate is applied at the time of consent. Any shortfall or non-payment is identified as non-compliance and statutory enforcement will apply.

Developments that are exempt from paying contributions are still required to obtain a letter from Council confirming exemption and detailing the development description.

5.9 Deferred payment

Council will assess an application received by an applicant seeking a deferred payment. It is up to the applicant to justify the need to defer contribution payments. General concerns relating to the property market will not be an acceptable justification.

Council's policy position on the deferred payment of section 7.11 contributions is as follows:

- Deferral applications may only apply to development applications (i.e. not complying development certificates) and monetary contributions imposed under this plan. As such, accredited certifiers determining a complying development certificate cannot permit a deferred payment
- An applicant requesting deferred payment needs to apply in writing to Council, prior to the grant of development consent. All requests are considered on their merits having regard to (but not exclusively) the type of development for which the contribution is sought, the rate of development occurring within the area, the number of current projects the applicant has within Cumberland and related financial constraints of the applicant, the number of

deferred payments sought by the applicant, and the impending need to construct the works for which section 7.11 contributions are applied

- Deferred payment applications will only be allowed in respect of section 7.11 contributions, and will not be considered for section 7.12 levies
- Deferred payments will not be considered with applications to modify a development consent
- Deferred payment will only be considered for B2 or B4 zoning
- Deferred payment, when allowed, will be granted for a maximum period of 12 months from the date that payment is otherwise required
- A bank guarantee must be issued to Council for 110% of the value of the contribution prior to the issuing of a construction certificate
- Should contributions not be paid by the due date, the bank guarantee may be called up by Council
- Interest is charged on deferred contributions. Council will also charge an administrative fee for deferred payment. The interest rate and administrative fee levied for the deferred payment of contributions are reviewed annually and appear in Council's Schedule of Fee and Charges
- The bank guarantee deposited with Council will not be released until such time as the original contribution, indexation and other fees and charges that relate to the development have been paid

5.10 Periodic payment

Council will assess an applicant request for a periodic payment. It is up to the applicant to justify the request for a periodic payment. General concerns relating to the property market will not be an acceptable justification.

Council's policy position on periodic payment of contributions is as follows:

- Periodic payments will only be allowed in respect of section 7.11 contributions and will not be considered for section 7.12 levies
- Periodic payment applications may only apply to development applications (ie. not complying development certificates) and monetary contributions imposed under this plan. As such, accredited certifiers determining a complying development certificate cannot permit a periodic payment
- An applicant requesting periodic payment will need to apply in writing to Council, prior to the grant of development consent. All requests are considered on their merits having regard to (but not exclusively) the type of development for which the contribution is sought, the rate of development occurring within the area, the number of current projects the applicant has in Cumberland and related financial constraints, the number of deferred or periodic payments sought by the applicant, and the impending need to construct the works for which section 7.11 contributions are applied
- Periodic payments will not be considered with applications to modify a development consent

- Periodic payment will only be considered for B2 or B4 zoning
- Council will only accept a payment of 50% of the total contribution payable, prior to issuing the first construction certificate, and then the remaining 50% to be paid prior to the issuing of the first occupation certificate or two years from the first payment date, whichever comes first
- Payments are subject to indexation
- A bank guarantee must be issued to Council for 100% of the remaining periodic payment amount and received at the time of the first periodic payment and prior to issuing a construction certificate
- Should the second payment not be received by the due date, the bank guarantee may be called upon by Council
- The bank guarantee deposited with Council will not be released until such time as the original contribution, indexation and other fees and charges that relate to the development have been paid

5.11 Refunds

Council is not obliged under legislation to refund contributions, in part or whole, that have been paid. Refunds will not be considered for contributions paid pursuant to a Planning Agreement or a Works In Kind Agreement. Refunds will not be considered in respect of deferred or periodic payments.

Refunds will be considered by Council, at its discretion, in the following circumstances:

- Where, in the opinion of Council, the contribution was miscalculated and a greater contribution than what should have been paid was paid
- Where contributions have been paid, and prior to the development being constructed, an application to modify the consent has been approved which reduces the contribution payable under this plan to an amount that is less than the contribution already paid

The quantum of any refunds will not make any allowance for interest, Council's fees and charges, or indexation. It will only apply to the overpayment value as at the date of payment.

5.12 Planning Agreements and Works In Kind Agreements

As part of a development application, an applicant may offer to enter into a Planning Agreement or a Works In Kind Agreement, in part or full satisfaction of a monetary contribution otherwise required under this plan. A Works In Kind Agreement must deliver an item listed within the Appendix A Schedule of Works. An 'offer' must be received prior to determination of a development application. Offers will not be considered via a modification application. Offers may not be considered in respect of applications for complying development certificates.

In considering whether to accept an offer to enter into a Planning Agreement or a Works In Kind Agreement, Council will consider whether the proposed works or land dedication will constrain the future provision of facilities identified in the works schedule, or conflict with Council's priorities in operational plans, including this plan.

The information provided in the section outlines Council's process to commence negotiations. It in no way should be interpreted as fettering Council's discretion to consider and approve or reject an offer. Council may determine to reject or not proceed with an offer.

Public notification for Planning Agreements and Works in Kind Agreements are required by other statutory and policy provisions.

5.12.1 Calculation of offsets to monetary contributions

The value of an agreed works in kind can be applied as an offset against monetary contributions or levies required to be paid under any section 7.11 or 7.12 contributions condition of consent that is issued in respect of development on land within the Cumberland LGA.

An offset amount may not always be 100% allocated against contributions payable. Council will only consider an offset value against contributions that will meet the demand of the future community, rather than service existing residents or for works that are the responsibility of the developer to permit and service the development.

The maximum value of the monetary contributions offset is equal to or less than the value attributed to items within the Schedule of Works, including indexation. The developer is not entitled to a credit, refund or reimbursement for expenditure above the monetary contribution or asset value.

When calculating the cost of works, they are not to consider or include:

- Insurance
- Project management, fees, margins and the like
- Traffic management
- Environmental management
- Design documentation and approval certification
- Replacement, vandalism, illegal dumping or incidents
- Unidentified findings, remediation or rehabilitation costs
- Testing and site audits
- Legal, land or title transactions and administration
- Inspections

The works must meet a minimum standard as obliged by Council or other relevant authorities.

Council will not consider agreements seeking a monetary contribution offset for public asset works that are to service existing residents, unreasonable, factored as double dipping, are generally considered the responsibility of the development or the development site, or conditioned in consent. This includes, but is not limited to:

- Street interface works (new or upgrades)
- Rehabilitation works

- Environmental or water management works
- Intersection and traffic management works (new and upgrades)
- Accessibility and safety design works
- Drainage works (new or upgrades)
- Road surface (upgrades, reseal or improvements)
- Maintenance, rectification or defect periods

Agreements will require insurance such as bonds, bank guarantees or agreement on title paid prior to the issuing of a construction certificate to the value of 150% of contribution payable.

Plans and cost estimates of proposed works, or a valuation by a registered valuer of the land proposed to be dedicated, are to be prepared by suitably qualified professionals and submitted by the applicant.

Council will not accept the appointment of private certifiers for land to be dedicated to Council or public works delivered by agreement.

5.13 Land dedication at no cost to Council

This plan authorises the consent authority, other than an accredited certifier, when granting consent to an application to carry out development to which this plan applies, to impose a condition under section 7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of local infrastructure to be provided by Council.

Council may, at its discretion, offset the value of land against the total monetary contributions, but only land ascribed a value under this plan shall be entitled to an offset.

Where Council requires dedication of land or the creation of an interest in land as a condition of development consent, and such dedication or interest is not covered by this plan (for example, to create a splay corner to achieve improved sight lines or the creation of an easement or right of way) such dedication / interest creation shall be at no cost to Council. However, the dedication is to be disregarded for the purpose of calculating the floor space ratio, which shall continue to be calculated on the area of land pre dedication.

5.14 Section 7.11 contribution cap for residential development

The Minister for Planning in 2012 issued a Direction to Council capping section 94 (as section 7.11 was then known) in most areas of Cumberland LGA.

The Direction requires that:

A council (or planning panel) must not grant development consent ... subject to a condition under [the former] section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:

(a) in the case of a development consent that authorises one or more dwellings, exceeds \$20,000 for each dwelling authorised by the consent, or

(b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20,000 for each residential lot authorised to be created by the development consent.

That Direction, however, exempts certain areas from capped contributions. These areas are listed in Schedule 1 of the Direction, and include:

Land within the [then] Holroyd City Local Government Area identified as the Neil Street Precinct in the Neil Street Precinct Section 94 Development Contributions Plan 2007.¹⁴

Some of the contribution rates for larger dwellings in the Cumberland LGA may exceed the \$20,000 per dwelling cap. Therefore, to meet the Minister's requirements, the section 7.11 contribution rate or indexed rate, which will apply to development outside of the Neil Street Precinct, will not exceed \$20,000. Should the cap be removed via Ministerial Direction, then Council will apply the indexed rate, from the date the cap was reached.

The Neil Street Precinct area is shown in **Figure 6**.



Figure 6: Neil Street precinct, Merrylands

Source: Google maps

¹⁴ Despite the plan having been repealed, the Direction remains current because it applies to land identified in a contributions plan (whether current or not)

5.15 Section 7.12 fixed levies

This section of the plan applies only in respect to the calculation of section 7.12 levies for all other development not captured as residential development.

5.15.1 Determining the proposed cost of carrying out a development

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

Clause 25J of the EP&A Regulation sets out how the proposed cost of carrying out development is determined.

5.15.2 Cost Summary Report must accompany a development application or complying development certificate

Where a section 7.12 levy is required under this plan in relation to a development application or a complying development certificate, the application is to be accompanied by a cost summary report prepared at the applicant's cost, setting out the breakdown and an estimate of the proposed cost of carrying out the development.

Council has an obligation to validate the cost summary report using a standard costing guide or another generally accepted costing method, before accepting the cost summary.

In the event that the cost of the development proposed under either a development application or complying development certificate as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant's cost, engage a quantity surveyor to review a Cost Summary Report submitted by an applicant.

5.15.3 Qualified person to provide a cost summary report

The persons approved by the Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant's estimate of the proposed cost of carrying out the development is less than \$200,000 – any building industry professional; or
- where the proposed cost of carrying out the development is \$200,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Sample cost summary reports are available on Council's website.

5.16 CPI indexation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant change in land values, this plan authorises that contributions rates and the contribution amounts included in consents will be adjusted over time.

5.16.1 CPI adjustments to section 7.11 rates

Council will, without the necessity of preparing a new or amending contributions plan, make changes to the contribution rates set out in this plan to reflect quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics.

The latest contribution rates will be published on the Council's website.

5.16.2 Condition of consent CPI adjustments to section 7.11 rates and section 7.12 levy

A section 7.11 monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Similarly, the proposed cost of carrying out development the subject of a section 7.12 levy is to be indexed in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

5.17 Obligations and procedures for accredited certifiers

5.17.1 Complying development certificates

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- The accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- The amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- The terms of the condition be in accordance with this section

5.17.2 Procedure for determining the contribution amount

The procedure for an accredited certifier to determine the amount of the monetary contribution for complying development is as follows:

- Only if specified in writing in the application for a CDC, and prior to the issuing of any approval, the applicant has requested a demand credit under section 7.11(6) of the EP&A Act and an exemption or part or whole of the development considered under section 4.2 of this plan, the accredited certifier must:
 - ✓ Make a request in writing to Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and

- ✓ In calculating the monetary contribution, comply with the Council's written advice or, if no such advice has been received prior to the granting of the CDC, refuse the applicant's request
- Determine the unadjusted contributions in accordance with the rates or levies as they apply and any advice issued by the Council
- Adjust the calculated contribution to reflect the indexed cost of the provision of infrastructure, as per this plan
- In the application of section 7.12 levies, Council requires cost summary reports. Refer to section 4.4.2 in relation to the administration of assessment for compliance

All contributions must be paid prior to any work authorised by this complying development certificate commences, as required by section 136L of the EP&A Regulation.

Deferred payments of contributions for CDC will not be considered or accepted under any terms by Council.

The certifier must advise the client that the rate payable is at the date payment is received by Council and that indexation may apply in accordance with section 5.16.2 of this plan.

5.17.3 Construction certificates

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC complying or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with section 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

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

6. Site specific contribution plans

Council may apply site specific or infrastructure specific contribution plans in addition to or excluding this plan.

It is the responsibility of the assessor to ensure that all plans are applied to the development. This section of the plan will be amended should any changes occur in the future.

6.1 Neil Street precinct, Merrylands

The Neil Street Precinct was consolidated into the Holroyd Contribution Plan in 2013. The Holroyd Plan identified the works and rates that applied to this precinct. It is recognised that the rates are greater than the capped \$20,000 and can be applied as per Ministerial Direction 2012.

The Holroyd Development Contributions Plan 2013 rates for Neil Street precinct will continue to apply under this plan until such time as the last occupational certificate is issued. The rates to apply will include both residential and non residential rates. Information on the contribution rates to be applied are provided in **Table 18**.

All other administration and operation matters related to this precinct will apply as per this plan, including indexation, planning agreements and deferrals.

Table 18: Contribution rates to be applied for Neil Street precinct, Merrylands

Residential (as at 1 August 2019)

	Open Space	Community Facilities	Roads and Transport	Public Domain	Drainage	Admin & Studies	Total
Per person	\$ 4,153.85	\$ 877.74	\$ 902.44	\$ 723.04	\$ 3,635.54	\$ 98.78	\$ 10,391.39
1 bedroom	\$ 5,649.21	\$ 1,193.73	\$ 1,227.32	\$ 983.33	\$ 4,944.33	\$ 134.34	\$ 14,132.26
2 bedroom	\$ 9,553.83	\$ 2,018.81	\$ 2,075.61	\$ 1,662.99	\$ 8,361.74	\$ 227.19	\$ 23,900.17
3 bedroom	\$ 13,375.36	\$ 2,826.33	\$ 2,905.85	\$ 2,328.19	\$ 11,706.43	\$ 318.06	\$ 33,460.22
new lot	\$ 13,375.36	\$ 2,826.33	\$ 2,905.85	\$ 2,328.19	\$ 11,706.43	\$ 318.06	\$ 33,460.22

Non Residential (as at 1 August 2019)

Neil Street Precinct	Roads & Transport	Public Domain	Drainage	Admin & Studies	Total (per m ² gross floor area)
Rate / M2 GFA	\$190.26	\$18.29	\$91.98	\$2.50	\$303.03

6.2 Pemulwuy precinct

The Pemulwuy contributions plan will continue to apply until the final subdivision development application is issued for and contributions are received by Council for the lands or their respective subdivided titles as provided in Table 19.

Table 19: List of remaining site to be developed under the Pemulwuy plan

Address, Pemulwuy	Lot	DP
Warin Avenue	668	1148337
Wlnnima Circuit	123	1223098
Winnima Circuit	122	1223098
Winnima Circuit	101	1223098
Butu Wargun Drive	13	1162280
Butu Wargun Drive	12	1162280
Driftway Drive	4012	1154533

All other lands within the Pemulwuy precinct are now identified and administered under this plan.

Appendix A: Schedule of works

The **Schedule of Works** table provides the following information

1. Project code
2. Project description
3. Estimated cost
4. Apportionment
5. Cost to be met by contributions
6. Timeframe



Open space and recreation

Code	Project description	Estimated construction cost	Apportionment	Cost to be met by contributions	Timeframe
Sport (grounds, fields, courts and facilities)					
SF001	Upgrades to local sports facilities to increase utilisation, aligned with population growth as outlined in this plan	\$12,000,000	19%	\$2,233,671	Ongoing
SF002	Court sports multipurpose conversion and new	\$1,800,000	19%	\$335,051	Ongoing
SF003	Skate Park - 1 Regional or 3 local	\$950,000	66%	\$627,000	Short
SF004	Duck River Redevelopment – 100% apportionment excluding drainage works valued at \$2,000,000	\$12,500,000	100%	\$10,450,000	Ongoing
SF005	Wyatt Park Masterplan redevelopment	\$14,500,000	100%	\$14,500,000	Staged
SF006	New high intensity sports facility (synthetic / indoor)	\$3,000,000	100%	\$3,000,000	Medium
SF007	Holroyd Sportsground redevelopment	\$950,000	100%	\$950,000	Medium
SF008	Regional - Gipps Road / Hyland Sportsground	\$8,000,000	100%	\$8,000,000	Short
SF009	New local sportsfield conversion	\$4,540,000	100%	\$4,540,000	Long
SF010	Oriole / Webb Playing Field redevelopment	\$4,500,000	100%	\$4,500,000	Short
SF011	Greystanes Sportsground redevelopment	\$698,000	100%	\$698,000	Medium
SF012	Auburn Golf Course extension	\$130,000	100%	\$130,000	Long
SF013	Guilfoyle Park redevelopment	\$1,450,000	100%	\$1,450,000	Medium
SF014	Philips Park, Auburn	\$750,000	100%	\$750,000	Medium
SF015	Chadwick Reserve	\$2,625,000	100%	\$2,625,000	Medium

Code	Project description	Estimated construction cost	Apportionment	Cost to be met by contributions	Timeframe
Parks and Passive Open Space					
POS001	Upgrades to local playgrounds to increase utilisation, aligned with population growth as outlined in this plan	\$5,000,000	19%	\$930,696	Ongoing
POS002	Holroyd Gardens upgrade	\$598,000	100%	\$598,000	Short
POS003	Central Gardens upgrade	\$267,000	100%	\$267,000	Short
POS004	Girraween Park upgrade	\$440,000	100%	\$440,000	Short
POS005	Civic Park redevelopment	\$5,870,000	100%	\$5,870,000	Medium
POS006	Mujar Reserve redevelopment	\$1,500,000	100%	\$1,500,000	Medium
POS007	Sydney Smith redevelopment	\$1,505,000	100%	\$1,505,000	Short
POS008	Targo Road Park upgrade	\$230,000	100%	\$230,000	Medium
POS009	Pine Road Park expansion	\$600,000	100%	\$600,000	Medium
POS010	Mountford Avenue Park upgrade	\$600,000	100%	\$600,000	Long
POS011	Remembrance Park redevelopment	\$2,950,000	100%	\$2,950,000	Short
POS012	Jack and Jill reserve expansion	\$700,000	100%	\$700,000	Medium
POS013	Auburn Park redevelopment	\$2,300,000	100%	\$2,300,000	Short
POS014	Pendle Hill (Wyena Road) new park land	\$2,450,000	100%	\$2,450,000	Long
Aquatics Facilities					
AF001	Swim Centre redevelopment	\$31,000,000	19%	\$5,770,316	Ongoing

Community facilities

Code	Project description	Estimated construction cost	Apportionment	Cost to be met by contributions	Timeframe
Community Facilities					
CF001	Upgrades to local community and child care centres to increase carrying capacity	\$6,000,000	100%	\$6,000,000	Ongoing
CF002	New community facilities floor space – 6558sqm	\$36,069,000	68%	\$24,403,500	Ongoing
CF003	New library facility floor space – 3171 sqm	\$17,440,500	57%	\$9,899,100	Ongoing
CF004	Child Care Centre x 2 60 place centres	\$6,600,000	100%	\$6,600,000	Medium
CF005	Arts and Cultural Centre	\$24,250,000	33%	\$8,083,333	Long

Note: The community, libraries and arts and cultural facilities covered under the Cumberland Local Infrastructure Contributions Plan will align with the Summary of Major Projects as identified in the Cumberland Community Facilities Strategy 2019 - 2029

Roads and transport

Code	Project description	Estimated construction cost	Apportionment	Cost to be met by contributions	Timeframe
Public Domain					
RT001	Local traffic management infrastructure	\$92,316,750	100%	\$92,316,750	Ongoing
RT002	Duck Creek Crossing	\$15,000,000	100%	\$15,000,000	Long
RT003	Passive access – new and redevelopment	\$15,800,000	19%	\$2,941,000	Ongoing

Public domain

Code	Project description	Estimated construction cost	Apportionment	Cost to be met by contributions	Timeframe
Public Domain					
PD001	Merrylands Centre redevelopment	\$10,300,000	50%	\$5,150,000	Short
PD002	Lidcombe Town Centre redevelopment	\$7,800,000	50%	\$3,900,000	Medium
PD003	Small local centre upgrades	\$11,045,300	50%	\$5,522,650	Ongoing

Land acquisition

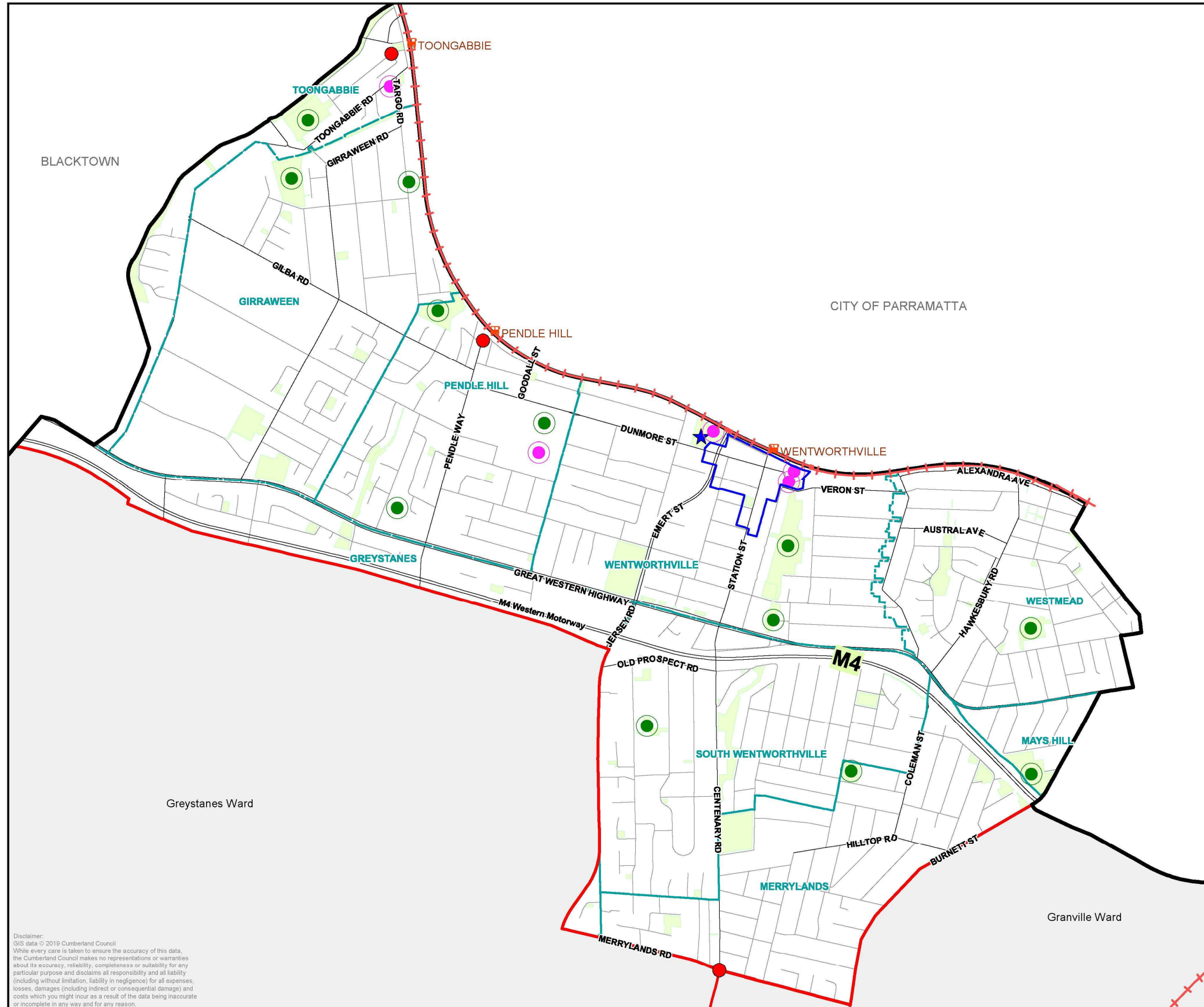
Council will withhold property addresses, if identified, due to transparency and probity. Some sites are identified on Council's land reservation list or have been previously rezoned. Any future land rezoning will be carried out in consultation with private land owners.

CODE	Land location / Purpose	Approximate size (sqm)	Apportionment	Cost to be met by Contributions
LA001	Merrylands land acquisition (recoupment)	n/a	100%	\$10,500,000
LA002	Toongabbie - CV Kelly expansion	1,200	100%	\$1,000,000
LA003	Pendle Hill - Civic Park expansion	3,000	100%	\$2,500,000
LA004	North catchment – Local Neighbourhood park	1,500	100%	\$5,980,000
LA005	South Wentworthville – Mugar reserve expansion	2,100	100%	\$2,300,000
LA006	Pendle Hill – Wyena Road catchment – new park / expansion	1,100	100%	\$2,100,000
LA007	Toongabbie – Targo Road catchment – new park / expansion	1,300	100%	\$2,450,000
LA008	Auburn – Oriole / Webbs Playing Field	4,000	100%	\$5,100,000
LA009	Auburn – Progress Park expansion	5,000	100%	\$5,950,000
LA010	Auburn – Auburn Golf Course expansion	1,600	100%	\$1,700,000
LA011	Auburn – Pine Road Park expansion	1,800	100%	\$3,150,000
LA012	Guildford – Mountford Avenue Park expansion	1,800	100%	\$3,150,000
LA013	Auburn – Town Centre Parks and urban spaces		100%	\$5,000,000
LA014	Lidcombe – Chadwick reserve expansion	1,800	100%	\$2,625,000
LA015	Town Centres public domains		100%	\$4,950,000
LA016	Berala – Jack and Jill reserve expansion		100%	\$1,250,000
LA017	Auburn Park expansion – Stage 2		100%	\$1,000,000

Infrastructure maps by Ward



Cumberland Infrastructure Contributions Plan - Ward Wentworthville



LEGEND

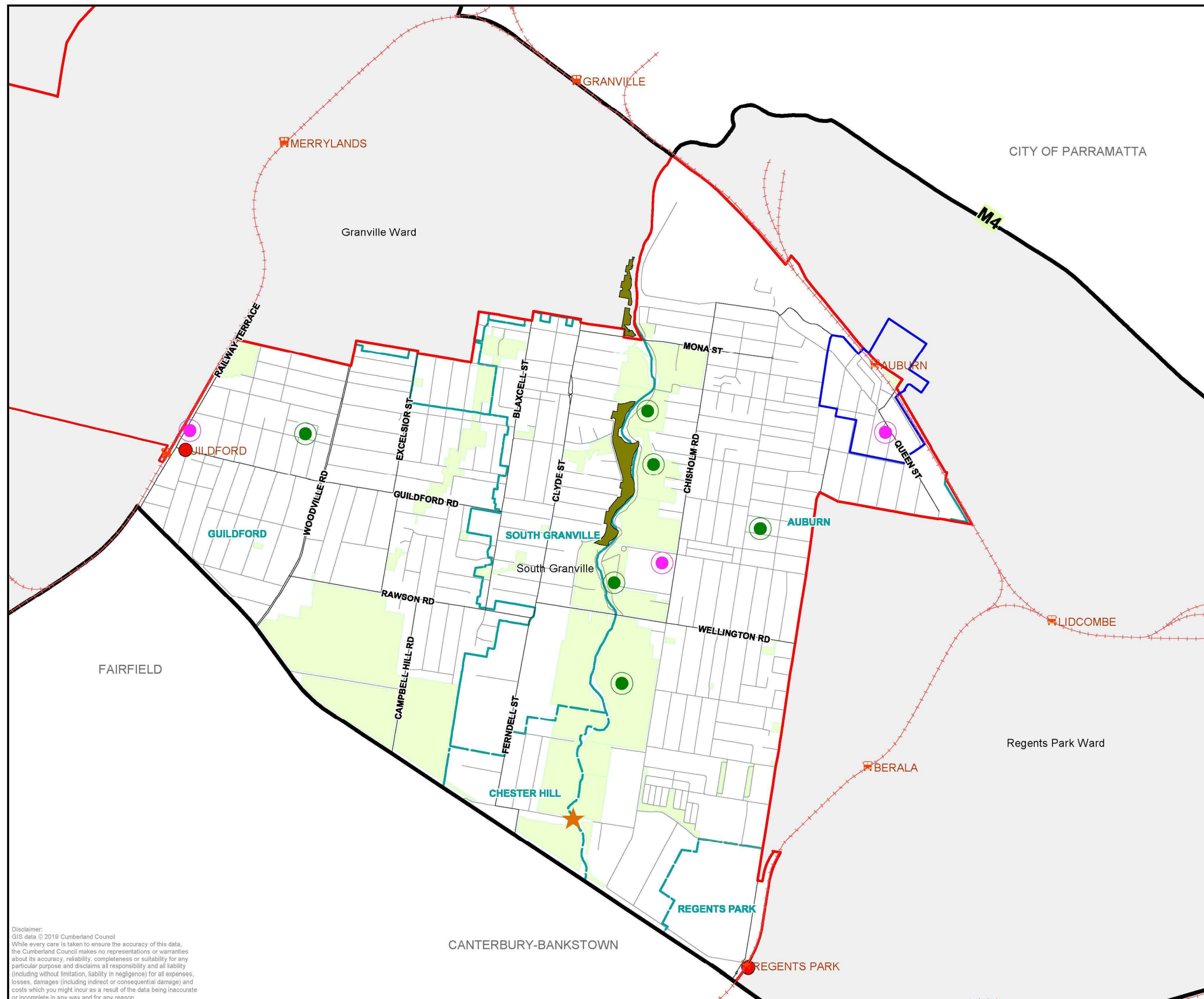
- Swimming Centres
- Community Centre / Libraries
- Open Space and Recreation
- Parks
- Cumberland Suburbs
- Cumberland Council Boundary
- Ward Boundary
- Town Centre Boundary
- Roads
- Railway Line
- Railway Station



Map projection: UTM
 Coordinate System:
 GDA/MGA 1994 Zone 56
 File Name: Draft Cumberland
 Infrastructure Contributions Plan
 - Ward Wentworthville
 Date: 22/08/2019

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Cumberland Infrastructure Contributions Plan - Ward South Granville



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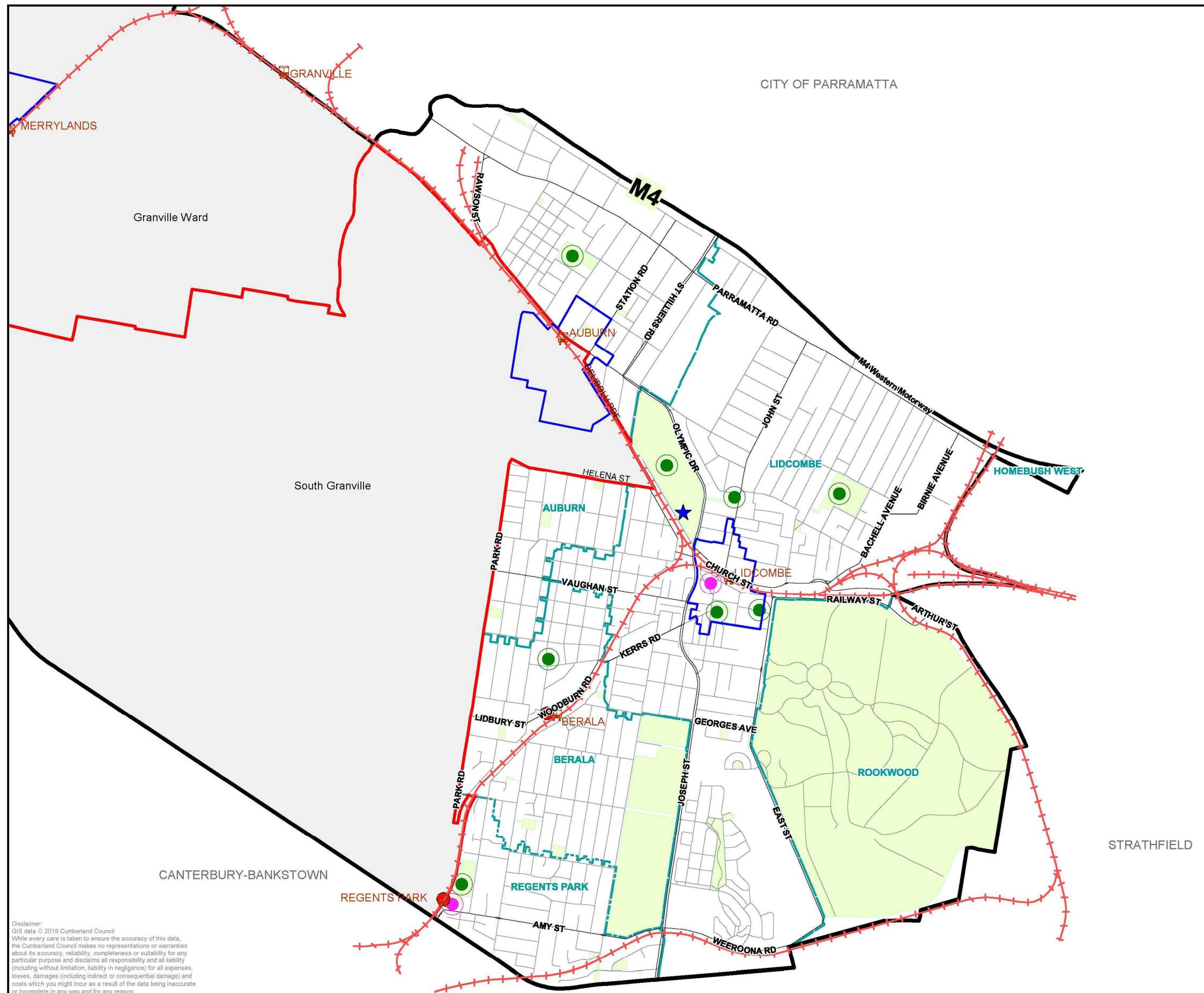
- Bridge
- Swimming Centres
- Public Domain
- Community Centre / Libraries
- Duck River Master Plan
- Open Space and Recreation
- Parks
- Cumberland Suburbs
- Cumberland Council Boundary
- Ward Boundary
- Town Centre Boundary
- Roads
- Railway Line
- Railway Station



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Cumberland Infrastructure Contributions Plan - Ward Regents Park



LEGEND

- Swimming Centres
- Public Domain
- Community Centre / Libraries
- Open Space and Recreation
- Parks
- Cumberland Suburbs
- Cumberland Council Boundary
- Ward Boundary
- Town Centre Boundary
- Roads
- Railway Line
- Railway Station



Map projection: UTM
 Coordinate System:
 GDA/MGA 1994 Zone 56













File Name: Draft Cumberland
 Infrastructure Contributions Plan
 - Ward Regents Park

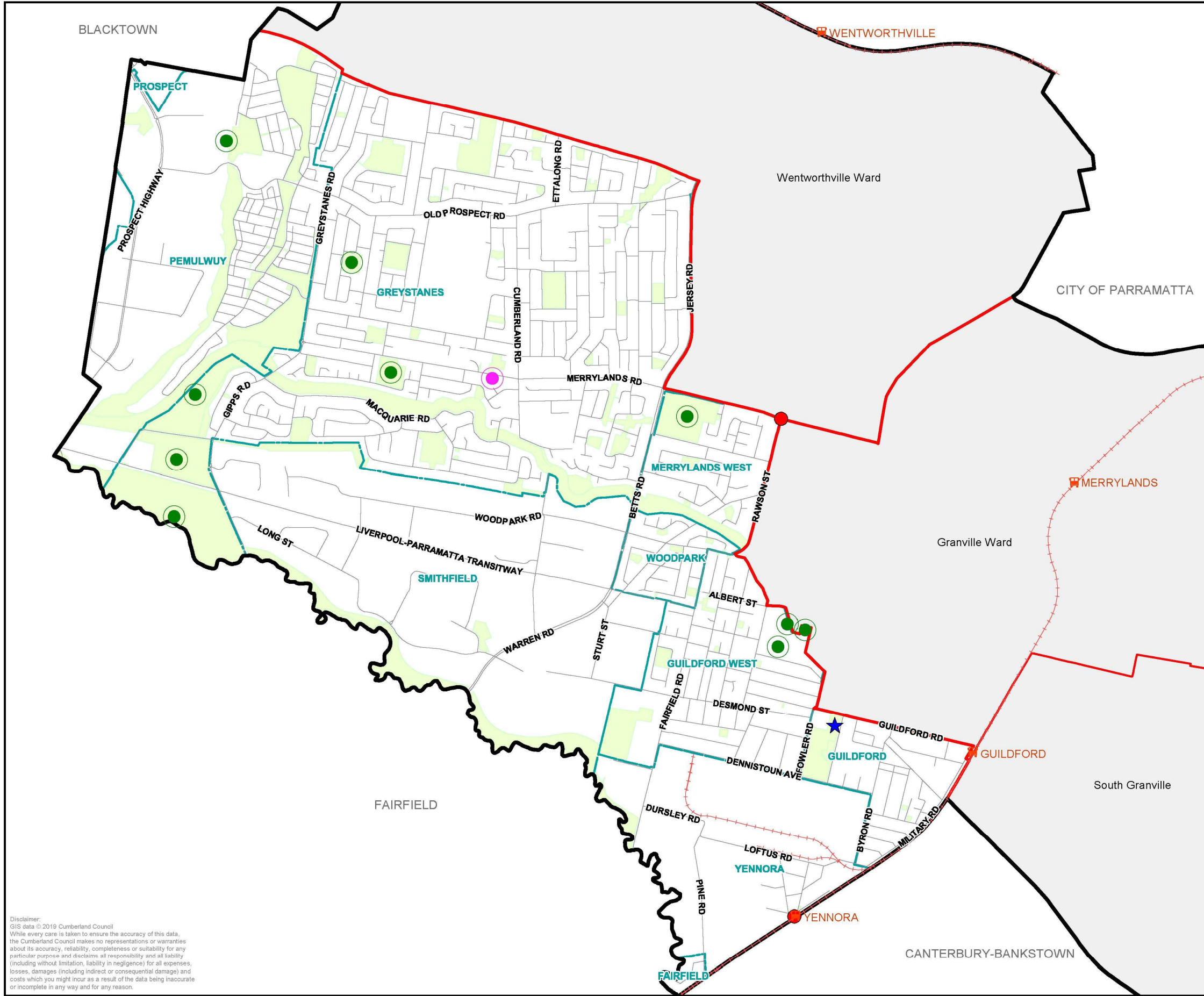
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Cumberland Infrastructure Contributions Plan - Ward Greystanes

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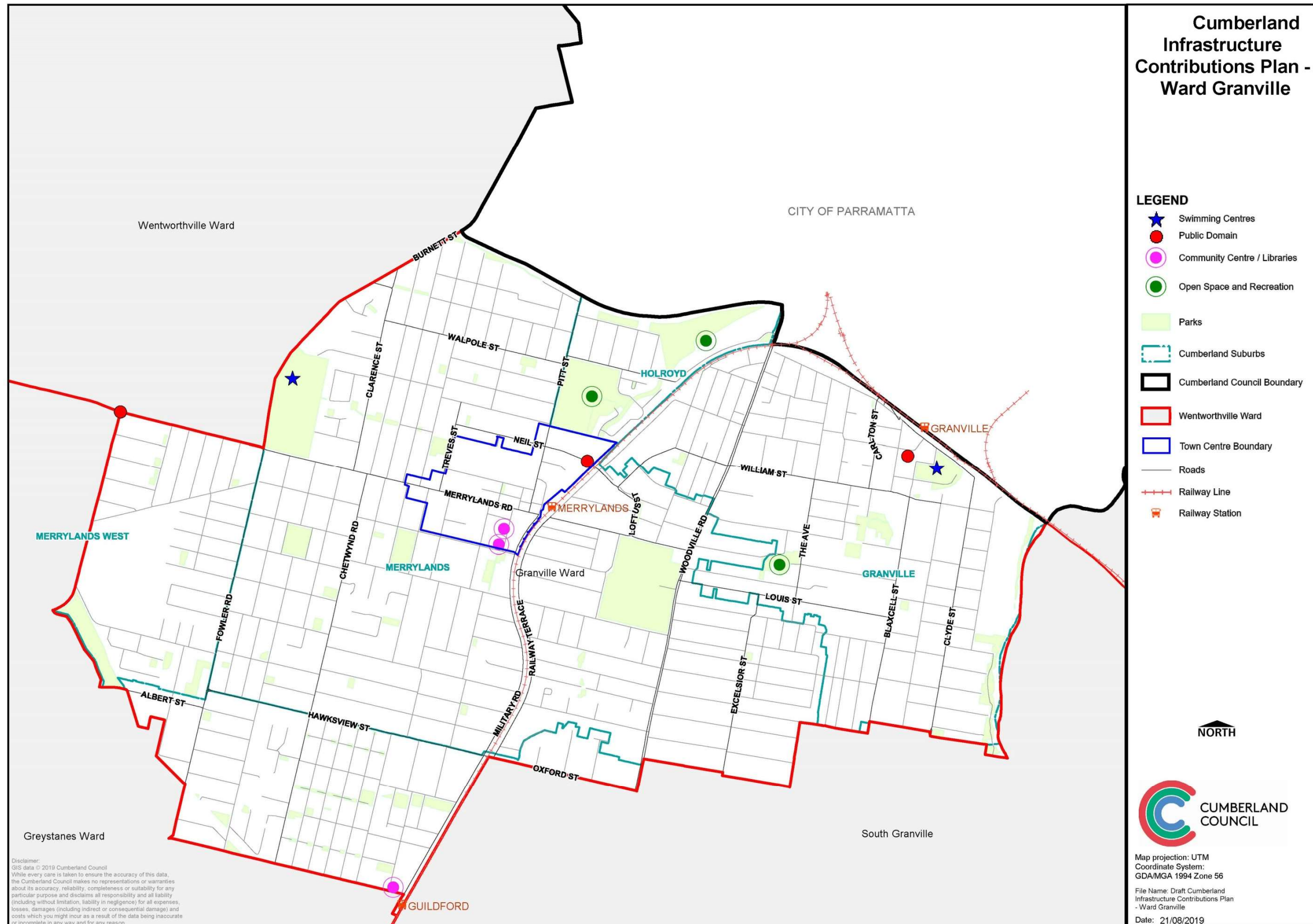
-  Swimming Centres
-  Public Domain
-  Community Centre / Libraries
-  Open Space and Recreation
-  Parks
-  Cumberland Suburbs
-  Cumberland Council Boundary
-  Ward Boundary
-  Town Centre Boundary
-  Roads
-  Railway Line
-  Railway Station



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File Name: Draft Cumberland Infrastructure Contributions Plan - Ward Greystanes
Date: 22/08/2019



Cumberland Infrastructure Contributions Plan - Ward Granville

LEGEND

- ★ Swimming Centres
- Public Domain
- Community Centre / Libraries
- Open Space and Recreation
- Parks
- ▭ Cumberland Suburbs
- ▭ Cumberland Council Boundary
- ▭ Wentworthville Ward
- ▭ Town Centre Boundary
- Roads
- +— Railway Line
- 🚂 Railway Station



Map projection: UTM
Coordinate System: GDA/MGA 1994 Zone 56
File Name: Draft Cumberland Infrastructure Contributions Plan - Ward Granville
Date: 21/08/2019

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