

LIVERPOOL CONTRIBUTIONS PLAN 2021 - EAST LEPPINGTON



Adopted: 26 June 2024

Effective: 17 July 2024

Content Manager: 129994.2024

Foreword

In 2021, Liverpool City Council (“Council”) commissioned a review of the *Liverpool Contributions Plan 2014 – East Leppington* (“EL CP 2014”) to ascertain whether the contributions being collected were still in line with updated population projections for the Precinct, as well as any changes in the amount and cost of works or land. Under the EL CP 2014, contributions were capped at \$30,000 per lot.

The review identified a need to increase the contribution rate based on changes to property prices and increased material costs and recommended a revised rate of \$66,365 per lot.

As a result of the review, Council prepared an updated Contributions Plan for East Leppington – *Liverpool Contributions Plan 2021 – East Leppington* (“draft Plan”) – which was subsequently submitted to the Independent Pricing and Regulatory Tribunal (IPART) for review and assessment on 6 October 2021.

On 16 January 2024, the IPART completed their review of the draft Plan and forwarded their recommendations to the Minister for Planning and Public Spaces (“Minister”) for consideration.

On 28 March 2024, the Minister’s nominee wrote to Council advising that the draft Plan was acceptable for adoption by Council with no further amendments.

On 26 June 2024, Council adopted the IPART-reviewed *Liverpool Contributions Plan 2021 – East Leppington* without any amendments (Item PLAN 03) and resolved to:

1. Publicly notify the decision to adopt the IPART-reviewed *Liverpool Contributions Plan 2021 – East Leppington* and repeal of the *Liverpool Contributions Plan 2014 – East Leppington* on Council’s website for a period of 14 days.
2. Publish the IPART-reviewed *Liverpool Contributions Plan 2021 – East Leppington* on Council’s website following completion of the 14-day public notification period for the Plan to take effect.
3. Acknowledge the IPART recommendation to regularly review all works costs in the *Liverpool Contributions Plan 2021 – East Leppington* as plan implementation progresses.

Recommendation 1 of the Council Resolution was carried out between 2 July 2024 and 16 July 2024, and Recommendation 2 of the Council Resolution – the *Liverpool Contributions Plan 2021 – East Leppington* taking effect – occurred on **17 July 2024**.

As such, all development within the East Leppington Precinct is now subject to the *Liverpool Contributions Plan 2021 – East Leppington* from 17 July 2024 and contributions are calculated in accordance with this Plan.

At the time the cost of works were calculated and considered for the *Liverpool Contributions Plan 2021 – East Leppington* (December 2020), the CPI was indexed at 118. The CPI 118 is the starting CPI baseline that applies to this Plan.

Liverpool Contributions Plan 2021 – East Leppington

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1 Summary of the Plan

1.1 Preamble

East Leppington is an urban release area in Sydney's South West Growth Centre that traverses land in Camden, Campbelltown, and Liverpool local government areas.

A range of new and augmented infrastructure needs to be planned, programmed, funded, and delivered in order to sustain this planned development.

The infrastructure will be delivered and coordinated by a number of parties including State Government public authorities, State owned corporations, Local Government and private developers.

Councils typically fund the provision of local infrastructure through a combination of developer contributions under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, general revenue (from rates and other charges), and grants from the State or Commonwealth government. Much of the capital cost of local infrastructure in new urban areas like East Leppington is funded by section 7.11 developer contributions as there is often a clear relationship between the need for new or upgraded infrastructure and population growth attributable to the new development.

As a result, the *Liverpool Contributions Plan 2021 – East Leppington* (the Plan) has been prepared to authorise the imposition of developer contributions on Residential and Non-residential development in East Leppington under Section 7.11 of the EP&A Act.

The Plan addresses the provision of those local infrastructure (public amenities and public services) to be delivered in East Leppington by or on behalf of Liverpool City Council (Council). The provision of local infrastructure in the Plan is estimated to cost approximately \$79,855,805 million and includes:

- Open space and recreation facilities such as informal / passive parks, sporting fields / active recreation and open space along riparian corridors;
- Traffic and transport management facilities, such as upgrades to existing roads, new roads and intersections; and
- Water cycle management facilities, such as detention basins stormwater channels and streetscape raingardens.

When this Plan was first established in 2014, a Ministerial Direction¹ put in place a cap of \$30,000 for each dwelling or lot required to pay a contribution. This Plan has now been assessed by IPART² and, consistent with the Ministerial nominee's associated advice, can now charge the full contribution rate outlined in Table 1.2-1.

This Plan was adopted by Council on 26 June 2024 and came into effect on 17 July 2024.

¹ The Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012

² The Independent Pricing and Regulatory Tribunal is in charge of reviewing Contributions Plans that levy above \$30,000 for greenfield areas and \$20,000 for infill areas.

1.2 Summary of contribution rates and works schedule costs

Table 1.2-1 shows the total value of works and land to be funded by contributions anticipated under this Plan as well as the applicable contribution rates. Part 1.3 provides a sample calculation intended to illustrate how these values are used to calculate a developer contribution. All costs in this Plan are expressed in January 2021 dollar values.

Table 1.2-1 Monetary Contribution Rates (January 2021 quarter values)

ESSENTIAL INFRASTRUCTURE		NON-RESIDENTIAL DEVELOPMENT	RESIDENTIAL DEVELOPMENT	
Item	Item Cost apportioned to East Leppington	\$ per hectare of NDA	\$ per residential lot for a detached dwelling	\$ per attached dwelling, semi-attached dwellings and multi-dwelling housing
Open Space				
Land	\$10,339,325		\$10,087	\$7,714
Works	\$5,519,476		\$5,385	\$4,118
Subtotal	\$15,858,801		\$15,472	\$11,832
Traffic and Transport (Roads)				
Land	\$2,650,368	\$33,461	\$2,533	\$1,937
Works	\$9,430,599	\$119,061	\$9,015	\$6,894
Subtotal	\$12,080,967	\$152,522	\$11,548	\$8,831
Water Cycle Management (Drainage)		ALL DEVELOPMENT \$ per hectare of NDA		
Land	\$15,999,950	\$202,096		
Works	\$35,164,370	\$444,163		
Subtotal	\$51,164,320	\$646,259		
Plan Administration				
Allowance	\$751,717	\$9,495		
Subtotal	\$751,717	\$9,495		
TOTAL	\$79,855,805			

The total contribution cost has been apportioned based on the development detailed in the above table. However, other residential development, including seniors living, secondary dwellings and shop top housing will also generate demand on local infrastructure. As such, all other residential development will be calculated at a per person x average occupancy rate (see Table 3.3-3)

1.3 Sample calculation

Residential Development Scenario

The residential contribution equals the sum of the following 4 contribution categories:

1. The open space contribution per dwelling, plus
2. The transport contribution per dwelling, plus
3. The water cycle management infrastructure contribution per hectare of NDA, plus
4. The plan administration contribution per hectare of NDA.

Contributions for open space, community facilities and transport infrastructure are levied based on the number of people expected to reside in the new dwelling, while contributions for stormwater infrastructure and plan administration are levied by the area (NDA) of the development.

This approach best aligns the contribution payable by a development to its estimated share of the demand for the different kinds of infrastructure in the Plan.

Below is an example of how to calculate the contribution payable by development.

Consider a scenario where a developer has 0.3 hectares (NDA) and applies to develop 5 low density dwelling houses on this land.

The total contribution under this Plan

$$\begin{aligned} &= (\text{Open space contribution in \$ per residential lot for a detached dwelling} \times \# \text{ of lots}) + \\ &\quad (\text{Roads contribution in \$ per residential lot for a detached dwelling} \times \# \text{ of lots}) + \\ &\quad (\text{Drainage contribution in \$ per hectare of NDA}) + \\ &\quad (\text{Plan administration contribution in \$ per hectare of NDA}) \\ &= (15,472 \times 5) + (11,548 \times 5) + (646,259 \times 0.3) + (9,495 \times 0.3) \\ &= \$331,826 \end{aligned}$$

This equals a contribution of \$66,365 per dwelling, on average, for this development.

Commercial Development Scenario

The non-residential contribution equals the sum of the following 3 contribution categories:

1. The transport contribution per NDA, plus
2. The water cycle management infrastructure contribution per NDA, plus
3. The plan administration contribution per NDA.

Below is an example of how to calculate the contribution payable by development.

Consider a scenario where a developer applies to develop a 0.5 hectare (NDA) site for business/commercial purposes.

The total contribution under this Plan

$$\begin{aligned} &= (\text{Roads contribution in \$ per hectare of NDA}) + \\ &\quad (\text{Drainage contribution in \$ per hectare of NDA}) + \\ &\quad (\text{Plan administration contribution in \$ per hectare of NDA}) \\ &= (\$152,522 \times 0.5) + (\$646,259 \times 0.5) + (9,495 \times 0.5) \\ &= \$404,138 \end{aligned}$$

1.4 Plan Overview

Section 7.11 of the EP&A Act allows a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services to meet the development.

Where the consent authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan has been prepared to authorise the imposition of Section 7.11 developer contributions on development expected to occur in the East Leppington Liverpool Part Precinct. This is the portion of East Leppington situated in the Liverpool LGA and is referred to as the 'Precinct' in this Plan.

This Plan has been prepared:

- in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2021 (EP&A Regulation); and
- having regard to the latest Practice Notes issued by the NSW Department of Planning, Industry and Environment (DPIE).

1.5 Structure of the Plan

The Plan is structured in the following parts:

Part 1 (this part) contains an introduction and a summary schedule.

Part 2 contains provisions that describe the contributions framework, essential Plan details, and how section 7.11 contributions in the Precinct will be imposed, settled and managed.

Part 3 documents the expected development in the Precinct and the likely demand for infrastructure arising from that development.

Part 4 discusses infrastructure costs and delivery, and for each infrastructure category, describes the relationship between development and infrastructure. This Part also contains contributions formulas, location maps and work schedules describing the proposed infrastructure addressed by the Plan.

References and Appendices.

As a guide, Table 1.5-1 lists the minimum requirements³ for section 7.11 contributions plans alongside its location in this document.

Table 1.5-1 Minimum requirements for a 7.11 Plan and their location in this document

EP&A Regulation requirements	Location in this document
(a) The purpose of the plan	2.3
(b) The land to which the plan applies	2.2
(c) The relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet that development	Part 3
(d) The formulas to be used for determining the section 7.11 contributions required for different categories of public amenities and services	4.2.3 4.3.3 4.4.5

³ As set out in Division 1C Clause 27 of the EP&A Regulation.

	4.5.2
(e) The section 7.11 contribution rates for different types of development, as specified in a schedule to the plan	1.2
(g) The council's policy concerning the timing of the payment of monetary section 7.11 contributions, and the imposition of section 7.11 conditions that allow deferred or periodic payment	2.9.1
(h) A map showing the specific public amenities and services proposed to be provided by the council, supported by a works schedule that contains an estimate of their cost and staging (whether by reference to dates or thresholds)	Part 4
(i) If the plan authorises monetary section 7.11 contributions paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions, particularised by reference to the works schedule.	2.13 Part 4

2 Administration and operation of the Plan

2.1 Name of the Plan

This Plan is called the Liverpool Contributions Plan 2021 - East Leppington Precinct (the Plan).

2.2 Land to which the Plan Applies

This Plan applies generally to all of the land situated within the East Leppington Precinct that is also within the Liverpool local government area (LGA), referred to as the 'Precinct' in this document.

This Plan applies to all of the land identified in Figure 2.2-1.

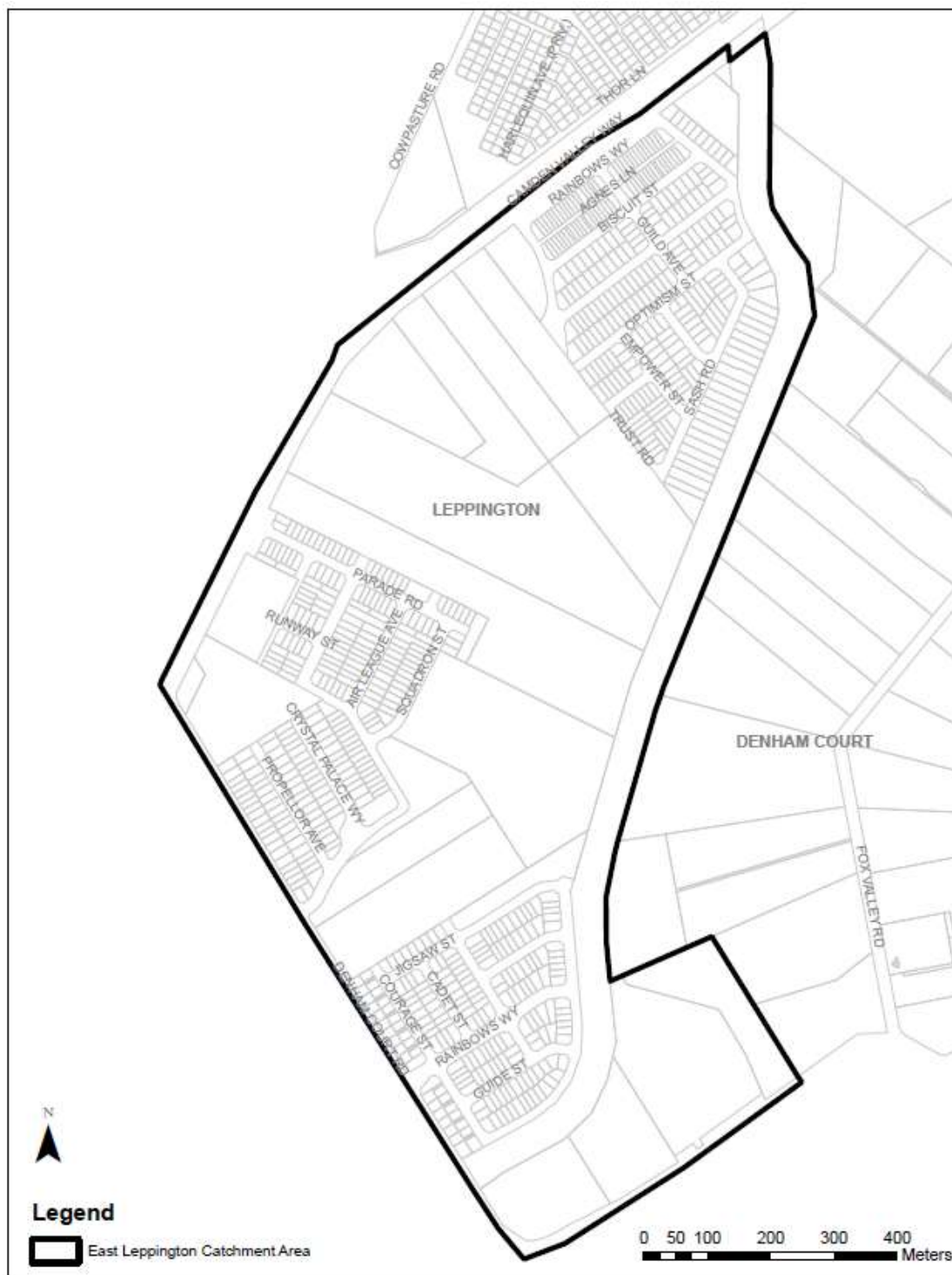


Figure 2.2-1 Application map of the Liverpool Contributions Plan 2021 - East Leppington

2.3 Purpose of the Plan

The purposes of the Plan are to:

- Provide an administrative framework under which specific public amenities and services strategies to serve the Precinct may be implemented and coordinated.
- Ensure that adequate public amenities and services are provided for as part of any new development in the Precinct.
- To authorise the Council or accredited certifiers to impose conditions under section 7.11 of the EP&A Act when granting consent to development on land to which this Plan applies.
- Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions relating to the Precinct on an equitable basis.
- Ensure that the existing community is not burdened by the provision of public amenities and services required as a result of future development in the Precinct.
- Enable the Council to be both publicly and financially accountable in its assessment and administration of the Plan.

2.4 Adoption of the Plan

This Plan was adopted by Council on 26 June 2024 and is in effect from 17 July 2024.

The Plan applies to development applications determined after the date on which the Plan came into effect.

2.5 Definitions used in this Plan

Except where indicated in this clause, the definitions of terms used in this Plan are the definitions included in the EP&A Act, EP&A Regulation and the Standard Instrument – Principal Local Environmental Plan and are adopted by this Plan.

In this clause, 'existing' means at the date on which this Plan came into effect.

In this Plan, the following words and phrases have been given the meanings provided in Appendix A: Glossary.

2.6 Relationship to other Plans

Prior to *Liverpool Contributions Plan 2021 – East Leppington Precinct* coming into effect, the land to which this Plan applies was subject to the *Liverpool Contributions Plan 2014 – East Leppington*. This Plan repeals the *Liverpool Contributions Plan 2014 – East Leppington* and applies to development applications determined after the date on which the Plan came into effect.

Table 2.6-1 Plans previously applicable to the land identified in Figure 2.2-1

	Plan name	Note
1	Liverpool Contributions Plan 2009 section 2.9	The Precinct was previously a part of section 2.9 of the Liverpool Contributions Plan 2009. This section was replaced by the Liverpool Contributions Plan 2014 – East Leppington when it took effect on 3 June 2015.
2	Liverpool Contributions Plan 2014 - East Leppington	This Plan took effect on 3 June 2015 and was amended in June 2020 to implement: <ul style="list-style-type: none">• Council's 11 December 2019 resolution regarding instalment payment for secondary dwellings and

		<p>clarified relationship between Complying Development Certificates (CDCs) and developer contributions</p> <ul style="list-style-type: none"> • Council's 29 April 2020 resolution on payment timing in response to COVID-19. <p>This Plan was replaced by the Liverpool Contributions Plan 2021 - East Leppington when it took effect on [17 July 2024.</p>
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The land to which this Plan applies is not otherwise subject to any contributions plans made under Subdivision 3 of Division 6 of Part 4 of the EP&A Act.

This Plan does not limit or otherwise affect any requirements for the payment of Special Infrastructure Contributions pursuant to Subdivision 4 of Division 6 of Part 4 of the EP&A Act.

2.7 Authority to require contributions

2.7.1 Monetary contributions

This Plan authorises the Council, when granting consent to an application to carry out development to which this Plan applies, to impose a condition under Section 7.11 of the EP&A Act requiring the payment of a monetary contribution to the Council towards:

- the provision of public amenities and public services as specified in the Works Schedule to meet the demands of the development; and/or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

This Plan requires the Council or an accredited certifier, when determining an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 7.11 of the EP&A Act requiring the payment of a monetary contribution towards:

- the provision of public amenities and public services as specified in the Works Schedule to meet the demands of the development; and / or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

2.7.2 Land contributions

This Plan authorises the Council, by imposition of a condition of development consent, to require in connection with any development on land to which this Plan applies (and in addition to any monetary contribution that may be sought) the dedication free of cost to the Council of any part of the development site that is land that is to be acquired under this Plan.

The extent of land that may be required in the consent shall not exceed the amount of land the value of which does not exceed the monetary contribution otherwise authorised by this Plan.

The monetary development contribution otherwise authorised by this Plan shall be reduced by an amount corresponding to the value of the land required to be dedicated.

Where the value of the land exceeds the monetary development contribution otherwise authorised, the developer may offer to enter into a voluntary planning agreement dealing with an appropriate settle-up in exchange for the dedication of the remainder.

Further information on land contributions is included in clauses 2.9.5 and 2.11 of this Plan.

2.7.3 Obligations of accredited certifiers

In relation to an application made to an accredited certifier for a complying development certificate:

- the accredited certifier must, if a complying development certificate is issued, impose a condition requiring a development contribution, if such a contribution is authorised by this Plan; and
- any such contribution may only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this Plan in respect of the development.

It is the responsibility of the principal certifying authority to accurately calculate and apply the local infrastructure contribution charges to complying development certificates. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

2.7.4 Variation to contributions authorised by this Plan and contributions for unanticipated development

Council retains the right to reduce the development contribution otherwise calculated in accordance with the provisions of this Plan.

A developer's request for variation to a contribution calculated in accordance with this Plan must be supported by written justification included with the development application. Such request will be considered as part of the assessment of the application.

There may be circumstances when development is proposed that was not anticipated when this Plan was made and that is not specifically identified to be levied under this Plan, but which would if carried out result in the provision of, or increase the demand for, the public amenities and services included in this Plan. In these circumstances, Council will calculate a reasonable contribution proportionate to the demand for amenities and services generated by the unanticipated development and impose that contribution on the consent for that development.

Notwithstanding the above, an Accredited Certifier other than the Council must not:

- vary, waive or modify a development contribution calculated in accordance with this Plan, or
- impose any contribution other than a monetary contribution specifically authorised by this Plan

2.8 Types of development to be levied

Except as provided for by this clause, this Plan applies to:

- Residential Accommodation development, insofar as the Plan authorises the imposition of a requirement for a development contribution for the types of public amenities and public services described in clauses 4.2 to 4.5 of this Plan; and
- All other development, insofar as the Plan authorises the imposition of a requirement for a development contribution for the types of public amenities and public services described in clauses 4.3 to 4.5 of this Plan.

This Plan does not apply to development:

- for the sole purpose of affordable housing;
- for the sole purpose of the adaptive reuse of an item of environmental heritage;
- for the purposes of public infrastructure provided by or on behalf of State Government or the Council;

- for the purposes of public amenities or public services under this Plan or another contributions plan prepared under section 7.13 of the EP&A Act;
- for works to be carried out by Sydney Water, Endeavour Energy or equivalent water, sewer or energy provider; or
- that in the opinion of Council does not increase the demand for the categories of public amenities or public services addressed by this Plan.

2.9 Payment of Contributions

2.9.1 Timing of Payment

Unless specified by changes to the Act, Regulation or Planning Circular, Council requires contributions to be satisfied in full, as follows:

a. Development applications involving subdivision only

Monetary contributions are required to be paid prior to the release of the subdivision certificate whether by Council or an accredited certifier (in the case of strata subdivision). Any dedication of land to Council, in lieu of a monetary contribution, shall be shown on the plan of subdivision.

b. Development applications involving building work only

Monetary contributions are required to be paid to Council prior to the issuing of the construction certificate, whether by Council or an accredited certifier. Dedication of land to Council, in lieu of monetary contribution, shall be shown on a plan of subdivision, to be registered prior to the issue of an occupation certificate.

c. Development applications involving subdivision and building work (for example, dual occupancy and integrated housing)

Monetary contributions are required to be paid to Council prior to the release of the construction certificate or subdivision certificate, whichever occurs first, whether by Council or an accredited certifier. Any dedication of land to Council, in lieu of monetary contribution, shall be shown on a plan of subdivision, to be registered prior to issue of an occupation certificate.

d. Development applications where no building works are proposed

Monetary contributions are required to be paid to Council prior to occupation / commencement of the development. Any dedication of land to Council, in lieu of monetary contribution, shall be shown on a plan of subdivision to be registered prior to issue of an occupation certificate.

Note: Council implemented a Covid-19 response measure that allowed the deferral of 50% of the contributions required for development that did not involve CDCs or subdivision. This measure applied for any development applications lodged or approved between 16 April 2020 and 31 December 2020. An application lodged or determined between those dates is still eligible for the deferral.

2.9.2 Obligations of Accredited Certifiers

It is the responsibility of an accredited certifier issuing a post consent certificate (including construction certificate, subdivision works certificate and occupation certificate) to certify that the relevant contributions have been paid to Council prior to the issue of the certificate. The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that relevant contributions have been paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 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 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.

2.9.3 Deferred Payments

Council will allow payment of contributions to be deferred in the following cases only:

- where the applicant has the intention and ability to dedicate land or provide a material public benefit in part or to full satisfaction of a condition imposed by development consent, and that offer of land or material public benefit is acceptable to the Council; or
- in other circumstances, to be outlined in writing by the applicant and determined formally by Council on the merits of the case.

In the circumstances where deferred payments are accepted, the debtor must lodge with Council an unconditional bank guarantee for the amount to be deferred. Bank guarantees will be accepted on the following conditions:

- The guarantee must carry specific wording outlining the purpose for which those contributions were due, for example, "drainage contributions for Stage 3".
- The guarantee will be for the contribution amount plus the estimated amount of compound interest foregone by Council for the anticipated period of deferral (Refer to formula in clause 2.9.4 below).
- Council may call up the guarantee at any time without reference to the applicant, however, the guarantee will generally be called up only when cash payment has not been received, and land is not dedicated or material public benefit not provided by the end of the period of deferral.
- The period of deferral must be for a limited time only as agreed where land is to be dedicated or a material public benefit is to be provided. The period of deferral may be extended subject to providing a further bank guarantee for the extended period in accordance with the above terms.

Council will discharge the bank guarantee when payment is made in full by cash payment, land transfer or by completion of Works in Kind.

2.9.4 Formula for Bank Guarantee Amounts

The following formula to be applied to all bank guarantees for contributions is:

Guarantee Amount = $P + P (CI \times Y)$, where:

P = Contribution due;

CI = Compound interest rate comprising of Council's estimate over the period plus 3 percent (allowance for fluctuations); and

Y = Period of deferral (years).

2.9.5 Methods of settling contribution requirements

Contributions may be made by one or a combination of the methods described below.

Monetary contribution

A monetary contribution is the most common method of settling contribution requirements. However, Council may consider the transfer of land to Council or providing Works in Kind, but only where the offered land and or works are included in this Plan's Works Schedule (Part 4 of this Plan).

Transfer of land

An applicant may transfer land to Council in part or in full satisfaction of a contribution requirement. The land may be for open space, community facilities, drainage or roads and must be land, which is included in this Plan's Works Schedule (Part 4 of this Plan). The value of the land will be determined by an independent valuer appointed by Council.

Where land which is the subject of a development application contains land identified for acquisition under this Plan, Council may as a condition of consent require that land to be dedicated free of charge to Council. Monetary contributions will be adjusted accordingly to reflect the value of the land to be dedicated in lieu of payment of cash.

Works in Kind

Applicants are encouraged to provide Works in Kind in part or full satisfaction of a contribution. The works must be included in this Plan's Works Schedule (Part 4 of this Plan). The value of contingency for individual works will be paid where it can be proven to Council's satisfaction that unforeseen circumstances have given rise to additional costs.

Prior to proceeding with the works, applicants will be required to provide details of the works to be undertaken (including a development application), financial guarantees, bank guarantees and administration. A Works in Kind Agreement must be in place prior to commencing the works in accordance with the Council's Developer Contributions Works in Kind Policy.

Applicants may provide land or works included in Part 4 of this Plan in excess of that required for the development. The value of the works will be determined in accordance with Council's Works in Kind Procedure, available from Council's administration office.

2.9.6 Goods and Services Tax

No Goods and Services Tax (GST) is applicable to the payment of contributions made under section 7.11 of the EP&A Act. This exemption applies to both cash contributions and land or works in lieu of contributions.

2.10 Contributions demand credits for existing development

No credit will be given in the calculation of contributions for infrastructure attributable to development that existed at the time this Plan was prepared.

2.11 Adjustment to Contribution Rates and Contribution Amounts

2.11.1 Overview

The purpose of this clause is to ensure that the monetary contribution rates imposed at the time of development consent reflect the current costs of provision of the facilities included in this Plan.

To convert the cost of facilities included in the Plan to a current cost, the monetary contribution rates shown in Part 1 of this Plan are to be adjusted in accordance with the provisions set out below:

- at the time of imposing a condition on a development consent requiring payment of the monetary contribution; and again
- at the time that the monetary contribution is to be paid pursuant to the condition imposed on that same development consent.

The adjusted contribution rates will also be published quarterly on the Council's website www.liverpool.nsw.gov.au.

This process is distinct and separate from clause 2.12, which deals with future reviews of this Plan. Future reviews will not affect any consent granted in accordance with this Plan and such reviews are required to be publicly exhibited.

2.11.2 Adjustment methods

The Consumer Price Index (CPI) is the most commonly used index for adjusting contribution rates. However, it is not a suitable index for adjusting contributions relating to land that is yet to be acquired as land prices do not correlate with movements in the prices of goods and services, especially in urban release areas. As a result, Council will prepare and regularly publish a customised Land Value Index (LVI), generally consistent with in the contributions management arrangements it applies to other land release areas within the Liverpool LGA.

In accordance with the provisions of clause 32(3) of the EP&A Act Regulation, Council, without the necessity of preparing a new or amending contributions plan, will adjust the monetary development contribution rates set out in this Plan to reflect quarterly changes to both:

- the CPI (for all Works Schedule items identified in this Plan apart from the items comprising land yet to be acquired); and
- the customised LVI (for Works Schedule items identified in this Plan involving land yet to be acquired).

2.11.3 Works Schedule items other than land

The monetary contributions rates for Works Schedule items as set out in Part 4 of this Plan will be adjusted to reflect quarterly variations in the Consumer Price Index (All Groups - Sydney) from the date that the Plan came into effect.

Contribution at time of development consent

$$C_2 = \frac{C_1 \times \text{CPI}_2}{\text{CPI}_1}$$

Contribution at time of payment

$$C_3 = \frac{C_2 \times \text{CPI}_3}{\text{CPI}_2}$$

Where:

C_1 = Contribution of rate for works as shown in this Plan

C_2 = Contribution rate for works as included or to be included in the conditions imposed on the development consent

C_3 = Contribution rate for works at the time that the contribution is to be paid

CPI_1 = *Consumer Price Index (All Groups - Sydney)* result at the time that the Plan was prepared - i.e. June 2021

CPI_2 = *Consumer Price Index (All Groups - Sydney)* result for the quarter immediately prior to the date of granting the relevant development consent

CPI_3 = *Consumer Price Index (All Groups - Sydney)* result for the quarter immediately prior to the date that the contribution is to be paid

2.11.4 Land

The monetary contributions rates for Works Schedule items that relate to land as set out in Part 4 of this Plan will be adjusted in accordance to reflect quarterly variations in the Land Value Index (published on the Liverpool City Council website) from the date that the Plan came into effect.

The adjustments shall be made at the time of granting development consent so as to determine the appropriate contribution to be included on any relevant consent. A further adjustment will be made at the time of payment to reflect any further changes between the date of consent and payment of contribution.

Contribution at time of development consent

$$C_2 = \frac{C_1 \times LVI_2}{LVI_1}$$

Contribution at time of payment

$$C_3 = \frac{C_2 \times LVI_3}{LVI_2}$$

Where:

- C_1 = Land component of contributions as shown in this Plan
- C_2 = Land component of contributions subject of the conditions imposed on the development consent
- C_3 = Land component of contributions at the time that the contribution is to be paid
- LVI_1 = Land Value Index at the time that the Plan was prepared - i.e. [insert number(s)]
- LVI_2 = Land Value Index at the time of granting the relevant development consent
- LVI_3 = The latest Land Value Index at time that the contribution is to be paid

2.11.5 Calculation of land Value Index

The Land Value Index is a measure to reflect the changes in land values during the life of the Plan from the date of the adoption of the Plan.

The land costs included in the Works Schedule in Part 4 of this Plan are based on estimates provided in the report prepared by AEC Group Ltd. and titled Land Valuations for the East Leppington Precinct.

2.12 Review of Plan and contributions rates

Council will review this Plan on a regular basis.

The review process will canvass, as a minimum, the following issues (where data is available):

- development activity in terms of latest information on net additional dwellings and populations;
- likely total development activity to be experienced during the remainder of the Precinct's development;
- progress in the delivery of public amenities and services identified in Part 6 of this Plan;

- modification of facility concepts, changes in anticipated facility costs, facility timing and land values;
- annual contributions received and expenditure information; and
- any other factors likely to affect the delivery of works identified in this Plan.

Pursuant to clause 32(3) of the EP&A Regulation, Council may make only minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections and amendments to rates resulting from changes in the indexes adopted by this Plan.

Amendments beyond those authorised under clause 32 of the EP&A Regulation require the preparation of a new draft plan which in turn must meet the requirements of the EP&A Act and EP&A Regulation (including public exhibition of the draft plan for a period of at least 28 days). The nature of the proposed amendments and reasons for same would be clearly outlined as part of the exhibition.

Amendments requiring public exhibition would include adjustments to contribution rates taking account of more recent information and, where relevant, the following:

- actual costs of completed works;
- reviewed costs of yet to be completed works and land acquisition;
- adjustment in projected project management and contingency costs associated with works; and
- plan management and administration costs.

Plan reviews of the type described above will not affect any development contributions obligation required under any consent that is granted under this Plan.

2.13 Pooling of Funds

Council's ability to forward fund services and amenities identified in this Plan is very limited. Consequently, their provision is largely contingent upon the availability of contributions funds.

To provide a strategy for the orderly delivery of the public services and amenities, this Plan authorises monetary contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes. The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the Works Schedule in Part 4.

In any case of the Council deciding whether to pool and progressively apply contributions funds, the Council will have to first be satisfied that such action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

2.14 Delivery of the Infrastructure

Aside from providing infrastructure identified in this Plan using contributions collected, Council encourages its provision as works-in-kind in conjunction with the civil works undertaken as part of land subdivision. A range of local infrastructure not addressed by this Plan will also be required to be undertaken directly by the developer as conditions of consent under section 4.17(1)(f) of the EP&A Act. These include the delivery of streets to the half-road, and 'non-trunk' reticulation works such as lot-scale OSD basins, rainwater tanks, construction of kerb, gutter and piping in local roads, installation of drainage pits and grates, and pipe connections to the trunk drainage network.

3 Demand for Public Amenities and Public Services

3.1 Infrastructure demand arising from expected development

The extent of public amenities and services required for the future development of an area is usually based on standards or benchmarks rates (e.g. per capita provision).

The incoming population is directly related to the expected number and type of residential dwellings and extent of non-residential development floor space in an area.

A list of infrastructure requirements to meet that development has been quantified in the infrastructure studies referred to in Table 3.2-2, derived by the application of the provision standards to the estimate of expected dwellings and population (Table 3.3-3, Table 3.3-4).

This connection between expected dwellings and population, infrastructure standards, and the resultant infrastructure items and costs directly informs the contribution requirements in this Plan.

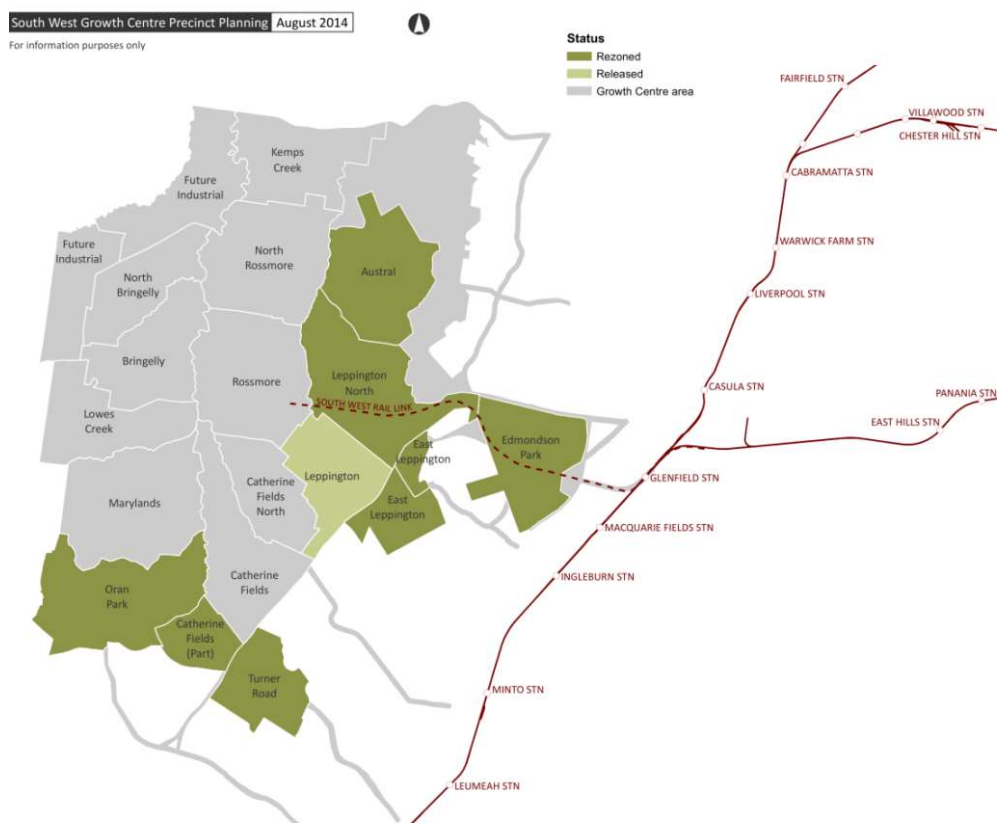
3.2 Development and infrastructure planning context

3.2.1 Growth Centres Structure Planning

The NSW State Government has undertaken planning for the development of land in the South West Growth Centre, of which East Leppington forms part.

To facilitate planning and orderly development of the South West Growth Centre, this area has been divided into seventeen precincts. The locations of the early release precincts, including East Leppington, are shown in Figure 3.2-1.

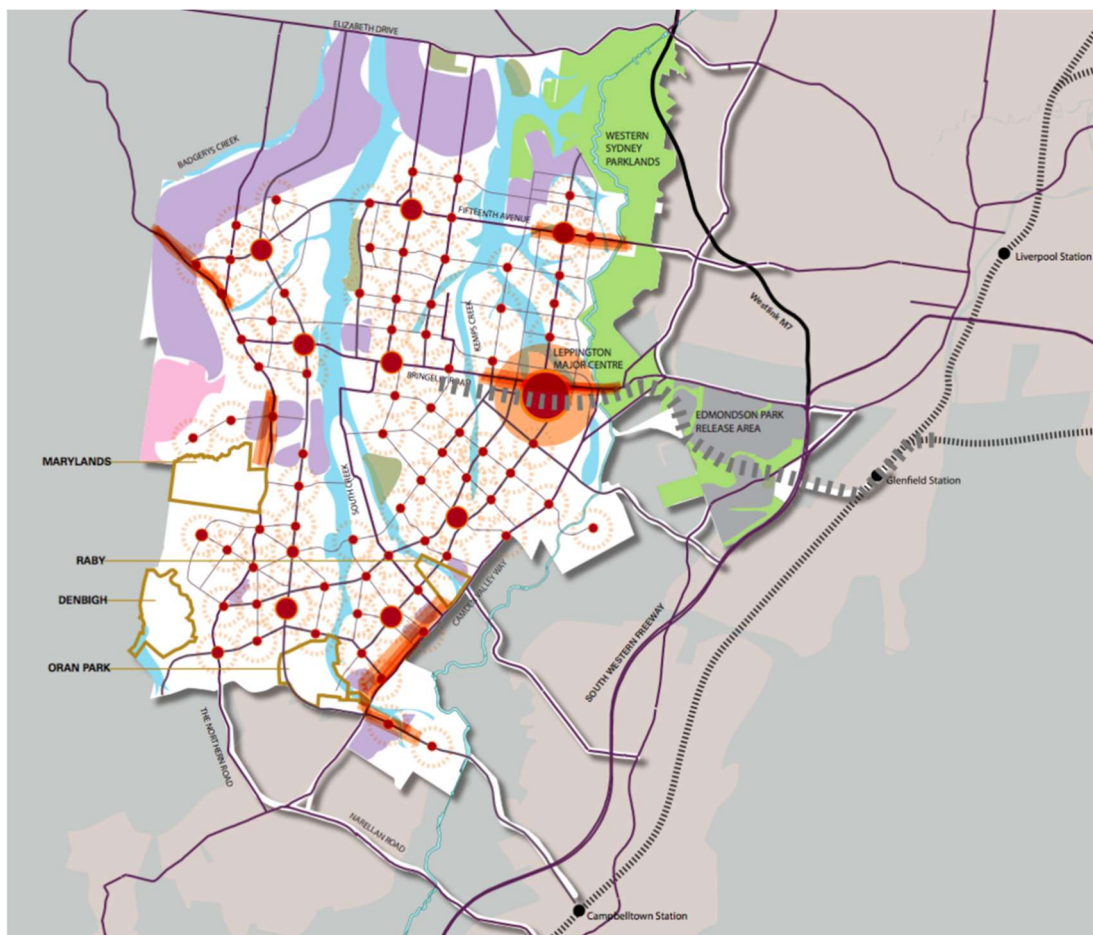
Figure 3.2-1 South West Growth Centre precincts



Source: East Leppington: Final Precinct Planning Report, 2012, Department of Planning, Industry and Environment

A structure plan has been prepared for the Growth Centre, a copy of which is included as Figure 3.2-2. Apart from the development of local neighbourhood centres, the structure plan proposes ten (10) new town or village centres. The largest of these is the planned Major Town Centre at Leppington that will be located in the Leppington North Precinct in the adjoining Camden LGA. Other infrastructure investment is underway to support the future Leppington Major Centre, including a new rail line from Glenfield via Edmondson Park.

Figure 3.2-2 South West Growth Centre Structure Plan



Source: South West Growth Centre Structure Plan Edition 3, prepared by Department of Planning

The East Leppington Precinct was released for precinct planning purposes by the Minister for Planning in November 2011. Table 3.2-1 provides context for East Leppington Precinct and the portion subject to this Plan in terms of the planned dwellings and population.

Table 3.2-1 Estimated dwelling and population

District	Area (ha)	Additional dwellings	Projected population
South West Growth Centre (17 Precincts)	17,000	110,000	300,000
East Leppington Precinct	463	4,386	14,497
East Leppington Precinct (Liverpool)*	106	1,128	3,485

*The Contributions Plan adopts the values of 1,128 and 3,485 for total additional dwellings and projected population, respectively. See Table 3.3-4 for more detail.

Source: Growth Centres Commission (Structure Plan Explanatory Note); Indicative Layout Plan, Department of Planning, Industry and Environment

3.2.2 East Leppington Precinct Planning

The East Leppington Precinct falls within three different local government areas, namely, Camden, Campbelltown and Liverpool with more than 50% of the development being contained in Campbelltown Council’s local government area. This Plan deals with that part

of the East Leppington Precinct which falls within the Liverpool LGA and for which Liverpool City Council will serve as the consent authority. Liverpool City Council will also be the manager of the new local public infrastructure that will be required to be delivered in its jurisdiction.

A [package of information](#) on anticipated development and required infrastructure has been prepared for Liverpool City Council’s portion of East Leppington. The relevant information includes:

- Indicative Layout Plan (ILP) for the Liverpool part of the Precinct (Figure 3.3-1). This will guide the planning and assessment of the Precinct.
- Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to facilitate the formal rezoning of the land to enable urban development.
- Development Control Plan for the Liverpool Growth Centre Precincts (including Liverpool Growth Centre Precincts DCP Schedule 3 East Leppington).
- This contributions plan prepared by Liverpool City Council.
- Infrastructure Delivery Plan (IDP). The IDP collates information from existing background studies for the East Leppington Precinct, and provides an overview for the staged delivery of infrastructure and services in the Precinct.

Research and studies have informed the preparation of the Precinct’s public infrastructure needs and costs. Key information sources that have underpinned infrastructure planning and costing in this Plan in particular, are listed included in Table 3.2-2.

Table 3.2-2 Studies supporting infrastructure planning and costing

Public amenity or service	Studies informing infrastructure need and cost
Land acquisition for public amenities or services	AEC, Land Valuations for the East Leppington Precinct, December 2020.
Open space and recreation facilities	Elton Consulting, Social Infrastructure and Open Space Assessment East Leppington Precinct, prepared for NSW Department of Planning and Infrastructure, June 2013
Roads and transport works	Cardno, Traffic Assessment East Leppington, prepared for NSW Department of Planning and Infrastructure, June 2013 Cardno, Green Travel Strategy East Leppington, prepared for NSW Department of Planning and Infrastructure, June 2013
Stormwater drainage works	Cardno, Water Cycle Management Report East Leppington, prepared for NSW Department of Planning and Infrastructure, June 2013
Centres	SGS (Spiller, Gibbons and Swan), Employment and Retail Centres Study East Leppington, prepared for NSW Department of Planning and Infrastructure, March 2013

Substantial research has been applied to the derivation of the Plan’s works schedule and the planning for the location of all facilities has been completed. The process used to quantify and cost the development infrastructure for the Precinct ensured a rigorous and independent verification procedure has been used to confirm the cost assumptions. This included preliminary infrastructure costing from Cardno which were then checked by an independent quantity surveyor and property valuer to set the final cost assumptions. These were then checked again by AECOM in preparing the detailed Section 7.11 calculations.

Following the life of the Plan, it is anticipated the Plan may be amended due to:

- Council preparing concept and detailed design for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds.

- Where alternatives to the works schedule are proposed in conjunction with the development of areas and the alternatives are approved by the Council, the contribution applicable to a development application may be reviewed and the works schedule in this Plan may be updated.

As a result of Liverpool City Council:

- Completing detailed design studies, particularly on the delivery of water management infrastructure; and
- Land valuation costs being updated to January 2021 quarter values,
the Plan's costs have been updated and supersedes the preliminary costs reflected in 2014.

3.3 Expected development outcomes

3.3.1 Existing development

Current land use within the East Leppington Precinct comprises generally rural residential land and small lot agricultural activities including market gardens, grazing and poultry farms. Several businesses such as childcare centres and commercial greenhouses are currently in operation along Camden Valley Way.

Existing infrastructure and essential services within the East Leppington Precinct is consistent with the current predominantly rural land use. As such, there is limited existing infrastructure available in the Precinct to facilitate the proposed new urban development.

Considering the extent of additional infrastructure to be delivered to the East Leppington Precinct, there needs to be willingness and cooperation between agencies, landowners and developers for the development to proceed in an orderly and economic way. This will require a joint approach and communication and understanding of the issues which is further discussed in the IDP.

3.3.2 Net Developable Area

The capacity for land development is restricted by a number of factors, including:

- natural constraints such as riparian and flood prone lands;
- man-made constraints such as existing infrastructure, easements and other legal restrictions, and existing infrastructure such as gas and transmission lines.

In addition to the constraints, there are future constraints. For example, certain land is needed to be set aside or reserved for public purposes such as roads, government buildings, education and health facilities.

Taking these matters into consideration allows a calculation of the amount of 'economic' land that is available for development. This 'Net Developable Area' (or NDA) is the development that will generate the demand for the urban infrastructure such as roads and drains that are required to sustain it.

The East Leppington Precinct has an estimated total NDA of approximately 75.59 hectares. The 'Equivalent NDA' (that is, total NDA adjusted to reflect the lower residential development potential of Environment zoned lands and higher potential of some areas) is used to calculate contributions under this Plan. Equivalent NDA for the Precincts is approximately 79.17 hectares and makes allowance for higher and lesser densities.

The precinct's NDA and equivalent NDA are shown in Table 3.3-1.

Table 3.3-1 The Precinct's total NDA and equivalent NDA

Land Use	NDA (ha)	Equivalent NDA assuming 15dw/ha	Apportioned % of Equivalent NDA
Environmental Living (5 dwellings/ha)	9.48	3.16	
Very Low Density Residential (12.5 dw/ha)	3.28	2.73	
Very Low Density Residential (8.3dw/ha)	3.10	1.72	
Lower Density Residential (15 dw/ha)	40.38	40.38	
Medium Density Residential (25 dw/ha)*	17.75	29.58	
Sub Total Residential	74	77.57	97.98%
Neighbourhood Centre**	1.60	1.60	
Sub Total Non-Residential	1.60	1.60	2.02%
TOTAL	75.59	79.17	100%

*The Liverpool Contributions Plan 2014 – East Leppington incorrectly calculated the equivalent NDA for medium density residential as 19.97. It has been corrected and updated in this version of the Plan.

** The Liverpool Contributions Plan 2014 – East Leppington incorrectly provides 2.0 as the Neighbourhood Centre's equivalent NDA. This has been corrected and updated in this version of the Plan. Although equivalent NDA is used to reflect various densities across a range of residential land uses, the Neighbourhood Centre does not have any residential component, so the equivalent NDA conversion cannot apply.

3.3.3 Overview of expected development

The Indicative Layout Plan (ILP) in Figure 3.3-1 provides an overview of the Precinct's expected development. The outcomes set to be achieved by the ILP is outlined in

Table 3.3-2.

Figure 3.3-1 East Leppington Liverpool Part Precinct Indicative Layout Plan

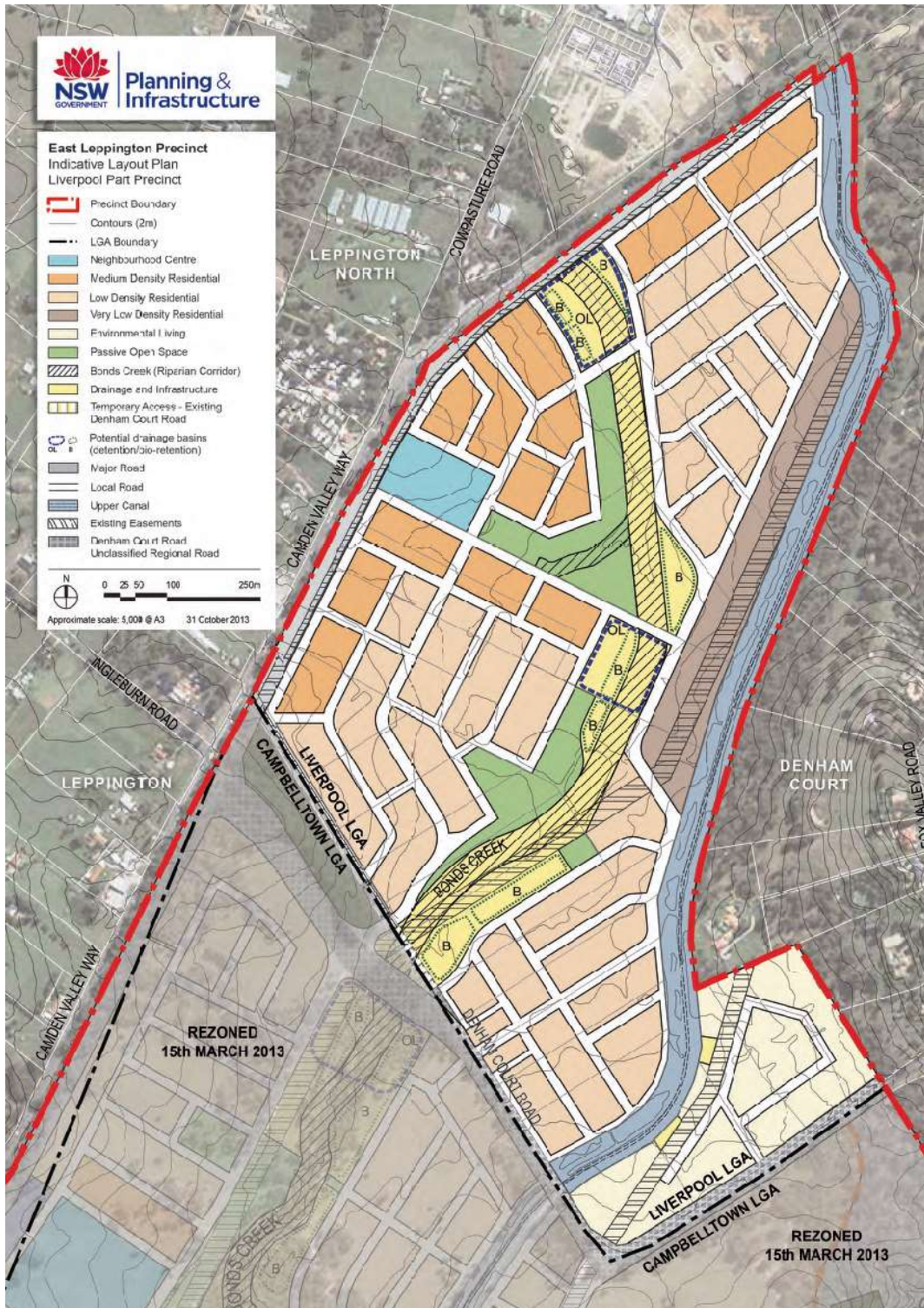


Table 3.3-2 Outcomes of the Precinct's Indicative Layout Plan

ILP Feature	Description
Residential areas	<ul style="list-style-type: none"> Capacity for 1,129 dwellings and 3,485 people. A mix of housing types ranging from town houses and terrace style houses to single dwellings on both large and small blocks.

	<ul style="list-style-type: none"> Minimum residential densities to encourage efficient use of land and infrastructure. Medium density residential areas concentrated around the Neighbourhood Centre, Camden Valley Way and open space areas. Very Low Density Residential and Environmental Living areas allowing houses on large lots to respond to existing constraints including topography and infrastructure easements or to provide a transition to adjoining rural residential development.
Activity Centres	<ul style="list-style-type: none"> A Neighbourhood Centre with the capacity for up to 2,500m² of retail floor space is located near the Camden Valley Way and Cowpasture Road intersection.
Road network	<ul style="list-style-type: none"> Upgrades to Camden Valley Way proposed by TfNSW due for completion by 2016. Denham Court Road will require widening based on the predicted traffic volumes. Realignment with Ingleburn Road is also underway. Alternative access points will be provided along Denham Court Road. The Access point along Camden Valley Way is consistent with the signalised intersection proposed by RMS as part of the Camden Valley Way upgrade. The local road network is generally in the form of a grid network and responds to the existing constraints and topography. There will be one vehicular crossing over the Upper Canal at the existing Denham Court Road crossing. There will be two vehicular crossings over the realigned Bonds Creek.
Open space and riparian corridor	<ul style="list-style-type: none"> 6 hectares of parks contiguous with the Bonds Creek corridor to meet the recreational needs of the Precinct.
Pedestrian and cycleway network	<ul style="list-style-type: none"> Pedestrian paths and cycle ways within the open space network are located along the riparian corridors. Pedestrian bridge crossings will be provided over Bonds Creek providing additional access. On road cycle lanes and off-road pedestrian/shared paths are provided on all roads.
Public transport	<ul style="list-style-type: none"> The road network provides opportunities for bus routes within walking distance of at least 90% of homes, to provide access to Leppington Major Centre, and to other regional destinations. Local road network is suitable for a bus route.
Protection of the environment	<ul style="list-style-type: none"> Riparian corridors along the existing part of Bonds Creek will be retained and/or progressively rehabilitated. The rest of the creek corridor will be reconstructed to emulate a former naturalised creek system. Where possible, the full extent of riparian corridors is incorporated into drainage and open space reserves and will be publicly owned. Where parts of the riparian corridors are not bought into public ownership, the Growth Centres SEPP has a Riparian Protection Area Map and provisions to ensure that riparian corridors are restored and managed in the future. Non-Certified Existing Native Vegetation is retained and protected to meet the requirements of the Biodiversity Certification

Heritage	<ul style="list-style-type: none"> ▪ State-heritage listed Sydney Catchment Authority's Upper Canal is retained and protected. ▪ Detailed investigations are required for all heritage items and areas prior to development proceeding.
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3.3.4 Dwelling occupancy rates and anticipated residential population

The amount and mix of expected residential development will inform an estimate of the population of an area. The need for social infrastructure is usually based on per capita benchmarks. Section 7.11 contributions are levied on a development-by-development basis and in order for the contribution to be reasonable, there needs to be an assumption of how many people are likely to live in the proposed development.

Elton's Social Infrastructure and Open Space Assessment undertook an analysis of average households sizes in nearby areas to establish occupancy rate assumptions for the projected population (Table 3.3-3).

Table 3.3-3 Dwelling occupancy rates assumed in this Plan

Dwelling type	Occupancy rate per dwelling
Low density residential (Detached dwelling, detached dual occupancy)	3.4
Medium density residential (Semi-detached, town house, terrace, attached dual occupancy)	2.6
Large lots	3.4
Residential flat building unit, apartment, Secondary Dwelling	1.8
Seniors living dwelling	1.5

The anticipated population in the Precinct is shown in Table 3.3-4. These figures have been determined on the basis of the assumed average occupancy rates for various types of residential development.

Table 3.3-4 Anticipated resident population

Dwelling type	Anticipated dwellings	Assumed dwelling occupancy rate	Anticipated Population
Low density residential	605	3.4	2,057
Medium density residential	438	2.6	1,139
Large Lots	85	3.4	289
Expected net additional dwellings / population	1,128*		3,485

*Table 5-2 of the [East Leppington Precinct Planning Report](#) gives 1,129 as a figure. However, this Contributions Plan adopts 1,128 as the total number of projected dwellings, as it is the total value, given the projected number of dwellings for each of the three dwelling types.

3.3.5 Anticipated non-residential floor space

Non-residential floor space in the Precinct is anticipated to be limited to the neighbourhood centre. This is wholly made up of retail space totalling 2,500 m².

4 Strategy plans

4.1 Infrastructure costs and delivery generally

4.1.1 Apportionment of the infrastructure costs to expected development

The quantum and costs of public services and amenities required as a result of the Precinct's expected development are informed by the precinct planning studies in Table 3.2-2. The relationship between the expected types of development and the demand for additional public facilities, as well as their apportionment across the Precinct are discussed by category in Part 0.

Developer contributions for the infrastructure identified in this Plan is determined by dividing the total cost of the infrastructure by the contribution catchment. This process ensures that fair apportionment of facility costs is calculated for development expected to occur under this Plan.

The contribution catchments for each infrastructure type are:

- in the case of open space and recreation, the expected additional resident population of the Precinct;
- in the case of water management, the total NDA of the Precinct;
- in the case of traffic and transport, the expected additional resident population of the Precinct for residential development and the total NDA of the Precinct for non-residential development; and
- in the case of plan administration, the total NDA of the Precinct.

The infrastructure included in this Plan has been sized to reflect the demand generated by the expected development under this Plan.

4.1.2 Proposed infrastructure staging

The staging and prioritisation of infrastructure in this Plan is as follows:

1) Trunk drainage

This refers to the main spine of drainage running alongside Bonds Creek, which is a major drainage channel in the Precinct and includes online detention basins.

2) Infrastructure related / adjacent to the trunk drainage infrastructure

These refer to bio-retention basins co-located with passive open space infrastructure along Bonds Creek which includes pedestrian and vehicular creek crossings. This also refers to local parks and shared paths and cycleways along the Precinct's main spine.

3) Intersections with major roads as determined by Transport for NSW (TfNSW)

These refer to intersections roadworks and traffic signals from the Precinct to major roads like Camden Valley Way and Denham Court Road.

4) Collector road network

This includes any traffic management infrastructure like roundabouts necessary for the establishment of the Precinct's collector road network. Additionally, shared paths and off-street cycleways running along the collector road network will also be delivered.

5) Local roads adjacent to development sites

Local streets adjacent to development are developed on a half-road basis as a condition of consent for development to be completed.

These are general in scope but are informed principles of orderly development within the Precinct. The staging and prioritisation of works is regularly reviewed by Council and responds to development trends and community needs.

4.1.3 Infrastructure maps and schedules

The infrastructure referred to in the Plan are identified in the maps in the following sections. This map can be viewed at a large scale and shows all the infrastructure items on the one map in relation to property boundaries and the proposed local streets using [Council's online mapping service](#). Appendix B: Contributions Plan Infrastructure Items also illustrates all the required infrastructure in one map.

The cost schedules in this section are based on these infrastructure provision maps and extracted from the following MS Excel spreadsheet:

[Liverpool CP 2021 East Leppington Infrastructure Schedule.xlsx](#)

The spreadsheet also contains details on the components of each infrastructure, as well as the assumptions informing the calculation of costs included in this Part. Refer to the source spreadsheet file for more information on works and land items included in this Plan.

4.2 Open Space and Recreation Infrastructure

4.2.1 Existing Open Space and Recreation Provision

The Precinct contains no existing community facilities, services or open space which might be used or adapted for use by the future population of East Leppington.

Some local level facilities and open space areas are located in adjacent areas. However, the Social Infrastructure and Open Space Assessment identifies several reasons why these will not meet the needs of the future East Leppington population. This means that future demand for local level facilities, services and open space will need to be addressed by new social infrastructure to be provided within the Precinct.

The need for district and regional level facilities, services and open space will be met by existing facilities and regional open space and by those proposed to be developed within the North Leppington Precinct. There will be no need to provide any district nor regional facilities or open space within the Precinct.

4.2.2 Open Space requirements and provision

The Social infrastructure and open Space Assessment details open space requirements for the Precinct. The ILP provides 5.91 hectares of open space at a rate of 1.69 hectares per 1,000 people.

The details of total open space provision for the Precinct by hierarchy and by type of open space is set out in Table 4.2-1 and mapped in Figure 4.2-1 (alongside the proposed water management infrastructure).

Table 4.2-1 Open Space Provision

Type of district and local open space	Hectares of open space to be provided
Informal / passive parks Shown in this Plan as "Open Space (Local Parks) – OSC"	1.7
Open space along riparian corridor Shown in this Plan as "Open Space (Passive) – OSa"	4.1
Total	5.9

Figure 4.2-1 Proposed Provision of Open Space infrastructure



East Leppington - Contribution Plan Items (Open Space)

Source: Geocortex, Liverpool City Council, 2021

Local Parks

Local parks should have a range of play spaces and opportunities and cater to older children and young people as well as the traditional playground for young children. This might also include a grassed area for ball games, with seats and shelter and may contain a practice wall, fitness equipment, and other elements.

These are 0.2 hectares to 0.5 hectares in size and are to be provided within 400-500m walking distance of 90% of dwellings.

Passive open space

In terms of informal/passive recreation, the ILP for East Leppington has identified significant land areas that will be set aside as riparian corridors, conservation areas and detention basins. These have potential to meet some of the passive recreation needs of the future population.

Before conservation areas, riparian corridors, buffers and detention basins can be accepted as areas of open space, it will need to be confirmed that they are usable and capable of providing quality recreation settings, and that it will be appropriate for them to contain embellishments such as barbecue and picnic facilities, seating, playgrounds, pathways etc.

4.2.3 Calculation of contributions for Open Space and Recreation Infrastructure

Contributions toward open space and recreation infrastructure will only be collected from residential development.

Monetary contributions are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots (whether or not that development also comprises non-residential floor space) is calculated as follows:

$$\text{Contribution per person (\$)} = \sum \frac{\$INF}{TP}$$

Where:

$\$INF$ = the estimated cost (or if the infrastructure is existing, the indexed, completed cost) of providing the Plan's open space and recreation infrastructure (refer 4.2.4 Open Space and Recreation Infrastructure cost schedules).

TP = the estimated resident population (in persons) that will generate demand for the infrastructure - that is, the expected net additional population of the Precinct (refer Table 3.3-4)

The contribution per person (\$) can then be used to calculate the monetary contribution for different residential development types as follows:

$$\text{Contribution per residential lot / unit (\$)} = \frac{\text{Contribution per person (\$)}}{X} \times \text{Estimated occupancy rate}$$

The estimated occupancy rates have been provided in Table 3.3-3 and the contribution amount per residential lot / unit (\$) have been provided in Table 1.2-1.

4.2.4 Open Space and Recreation Infrastructure cost schedules

Land

Item	Area (Ha)	Total Cost
Open Space (Local Parks)		
OSc1	0.3500	\$1,715,000
	0.8401	\$924,110
OSc2	0.5712	\$628,320
	1.7613	\$3,267,430
Open Space (Passive)		
OSa1	0.1193	\$357,900
	0.3774	\$452,880
OSa2	0.0061	\$18,300
	1.4631	\$1,609,410
OSa3	0.0567	\$113,400
	0.3827	\$459,240
OSa4	0.7094	\$1,347,860
	0.8374	\$1,004,880
OSa5	0.1348	\$525,720
	0.0621	\$74,520
	4.149	\$5,964,110
Subtotal	5.9103	\$9,231,540
Contingency	12%	\$1,107,785
Total		\$10,339,325

Works

Item	Area (Ha)	Cost	Design Costs	Demolition Allowance	Total Cost
Open Space (Local Parks)					
OSc1	1.1901	\$929,158	\$116,145		\$1,045,303
OSc2	0.5712	\$570,767	\$63,419		\$634,186
Total	1.7613	\$1,499,925	\$179,564		\$1,679,489
Open Space (Passive)					
OSa1	0.4966	\$370,292	\$41,144		\$411,436
OSa2	1.4692	\$1,095,520	\$121,724		\$1,217,244
OSa3	0.4394	\$317,642	\$36,405		\$354,047
OSa4	1.5468	\$1,153,382	\$128,154		\$1,281,536
OSa5	0.1969	\$163,133	\$32,626		\$195,759
Total	4.1489	\$3,099,969	\$360,053		\$3,460,022
Total	5.9102	\$4,599,894	\$539,617		\$5,139,511

Construction Contingency 7%	\$359,766
Plan of Management	\$20,199
Total	\$5,519,476

4.3 Water Cycle Management Infrastructure

4.3.1 Existing Water Courses and Water Management

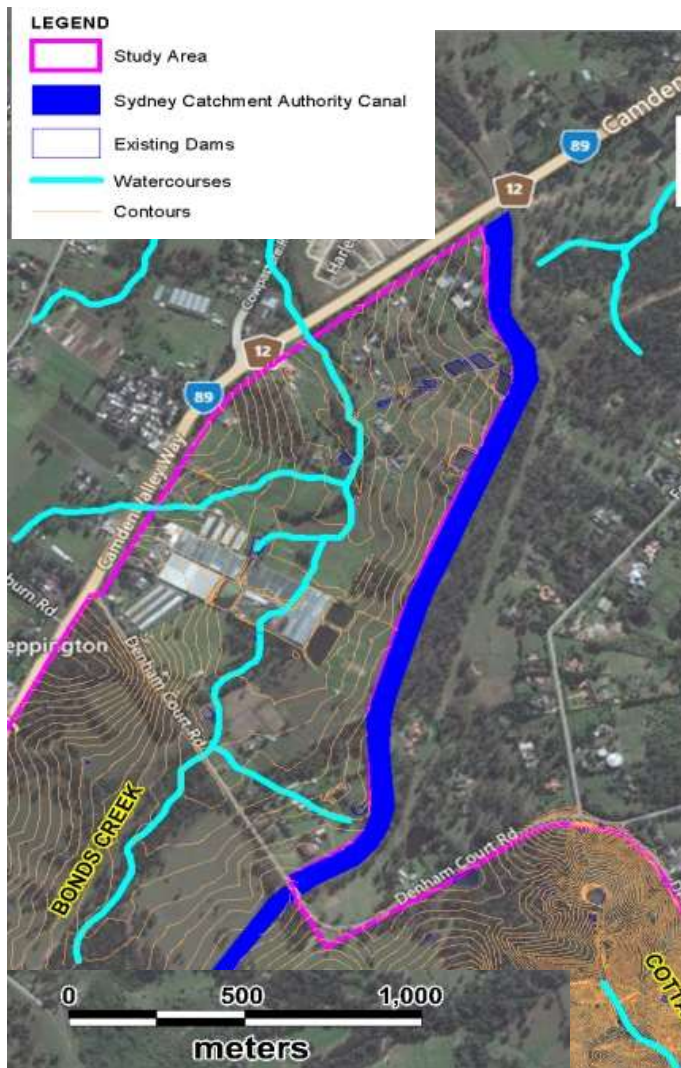
The main land use within the Precinct is currently agriculture. There are some dams spread across the study area in drainage depressions.

There are two main Creeks within the study area. Cottage Creek located along the eastern boundary and Bonds Creek flowing from southwest to northeast centrally through the Precinct.

A Sydney Catchment Authority (SCA) canal flows from southwest to northeast in direction along the east of the Liverpool part of East Leppington Precinct.

Topographical information indicates surface water in the east of the Precinct is conveyed to Cottage Creek, with the remaining being conveyed to Bonds Creek. A number of existing culverts convey overland flow beneath the SCA canal. The proposed study area is shown in Figure 4.3-1 and indicates the main watercourses within the catchment.

Figure 4.3-1 Existing Water Courses and Water Management



Source: Cardno, 2012, East Leppington Water Cycle Management Report

4.3.2 Proposed water cycle management infrastructure

A Water Sensitive Urban Design (WSUD) approach has been developed to manage stormwater runoff in the East Leppington Precinct. The Water Cycle Management Report establishes the framework for the management of stormwater quantity and quality related to the expected urban development of the Precinct.

The strategy informs where water management controls are to be located in the ILP and document requirements for the preparation of a site-specific Development Control Plan (DCP).

Retarding basins are required in order to maintain the existing flood behaviour downstream of the Precinct.

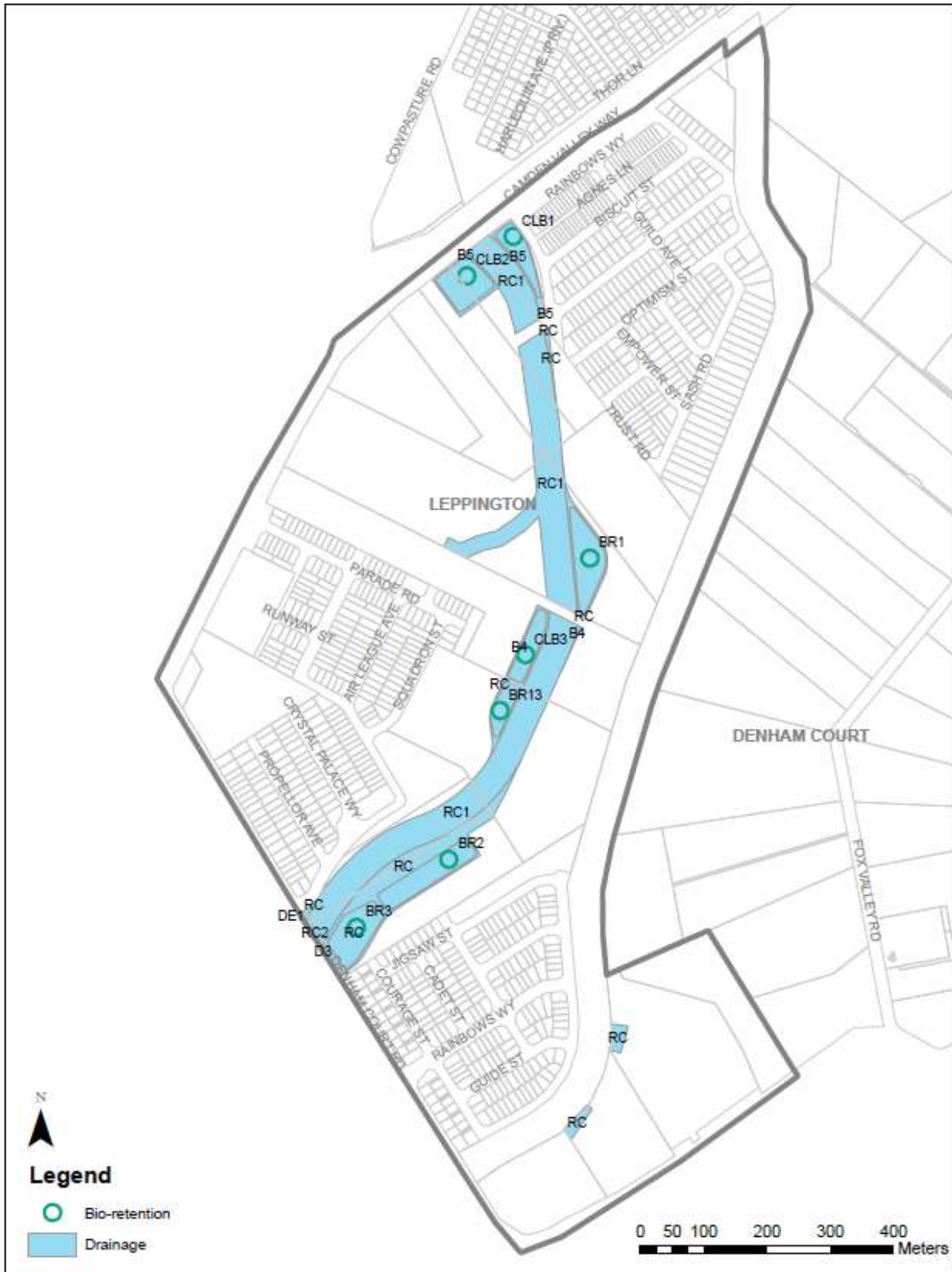
A portion of the Study Area within the Liverpool LGA may not be developed at the same time as those areas upstream of Denham Court Road. Retarding Basin B3 has been designed in order to attenuate peak flows during the 100 year ARI event to below pre-development levels and achieve negligible changes to flooding downstream of Denham Court Road.

Under ultimate developed conditions, a constructed naturalised channel along with two on-line basins are proposed within the Liverpool LGA and extends from Denham Court Road to Camden Valley Way. The flooding assessment indicates general decreases in flood depth would be expected with a significant reduction in flood extents contained within the proposed channel in comparison to existing conditions.

The Water Cycle Management report has demonstrated that flood behaviour and water quality can be appropriately managed within the East Leppington Precinct and can be accommodated within the proposed ILP.

The locations of proposed trunk infrastructure that comprises stormwater channels and basins for the East Leppington Precinct (Liverpool LGA) are shown in Figure 4.3-2.

Figure 4.3-2 Proposed Provision of Water Cycle Management Infrastructure



East Leppington - Contribution Plan Items (Drainage)

Source: Geocortex, Liverpool City Council, 2021

4.3.3 Calculation of contributions for Water Cycle Management Infrastructure

Contributions toward water management infrastructure will be collected from both residential and non-residential development.

Monetary contributions are determined on a per hectare basis of NDA.

The monetary contribution per hectare of NDA is calculated as follows:

$$\text{Contribution per hectare of NDA (\$)} = \sum \frac{\$INF}{eNDA}$$

Where:

$\$INF$ = the estimated cost (or if the infrastructure is existing, the indexed, completed cost) of providing the Plan's water management infrastructure (refer 4.3.4 Water Management Infrastructure cost schedules).

$eNDA$ = the total equivalent NDA that will generate demand for water management infrastructure (in hectares). Refer to Table 3.3-1.

The contribution rate per hectare of NDA towards water management infrastructure has been provided in Table 1.2-1.

To determine the total contribution for water management infrastructure, multiply the contribution rate per hectare by the amount of NDA (in hectares) on the site of the proposed development.

4.3.4 Water Management Infrastructure cost schedules

Land

Item	Area Ha	Total Cost
Bio-retention basins		
BR1	0.5554	\$2,166,060
BR13	0.2	\$280,000
BR2	0.5547	\$610,170
BR3	0.509	\$559,900
Total	1.8191	\$3,616,130
Bio-retention basins (co-located)		
CLB1	0.269	\$322,800
CLB2	0.4545	\$1,908,900
CLB3	0.2915	\$349,800
Total	1.015	\$2,581,500
Drainage Infrastructure		
D3	0.0554	\$66,480
DE1	0.0135	\$52,650
Total	0.0689	\$119,130
Drainage lands		
RC1	6.1434	\$5,529,060
RC2	0.0478	\$66,920
RC	1.3531	\$1,759,030

Total	7.5443	\$7,355,010
Online Detention Basins		
B4	0.1088	\$130,560
B5	0.2197	\$483,340
Total	0.3285	\$613,900
Subtotal	10.7758	\$14,285,670
Contingency	12%	\$1,714,280.40
Total		\$15,999,950

Works

Item	Area Ha	Total Cost
Bio-retention basins		
BR1	0.5554	\$2,085,674
BR13	0.2	\$2,922,261
BR2	0.5547	\$1,770,506
BR3	0.509	\$1,770,506
Total	1.8191	\$8,548,947
Bio-retention basins (co-located)		
CLB1	0.269	\$4,240,038
CLB2	0.4545	\$2,469,592
CLB3	0.2915	\$2,882,092
Total	1.015	\$9,591,722
Drainage Infrastructure		
D3	0.0554	\$65,888
DE1	0.0135	\$16,111
Total	0.0689	\$81,999
Drainage lands		
RC1	6.1434	\$7,306,405
RC2	0.0478	\$56,839
RC	1.3531	\$1,609,216
Total	7.5443	\$8,972,460
Online Detention Basins		
B4	0.1088	\$2,045,505
B5	0.2197	\$2,045,505
Total	0.3285	\$4,091,010
Subtotal	10.7758	\$31,286,138
Construction Contingency	7%	\$2,190,030
Fill Disposal Allowance		\$1,688,202
Total Cost		\$35,164,370

4.4 Traffic and Transport Infrastructure

4.4.1 Existing Traffic and Transport Provision

There are only minimal existing public transport services and walking/cycling facilities in the area, but this is set to be transformed with the completion of the South West Rail Link. The limited existing (or absent) provision for walking and cycling will also not be appropriate to future demands.

4.4.2 Traffic and Transport requirements and provision

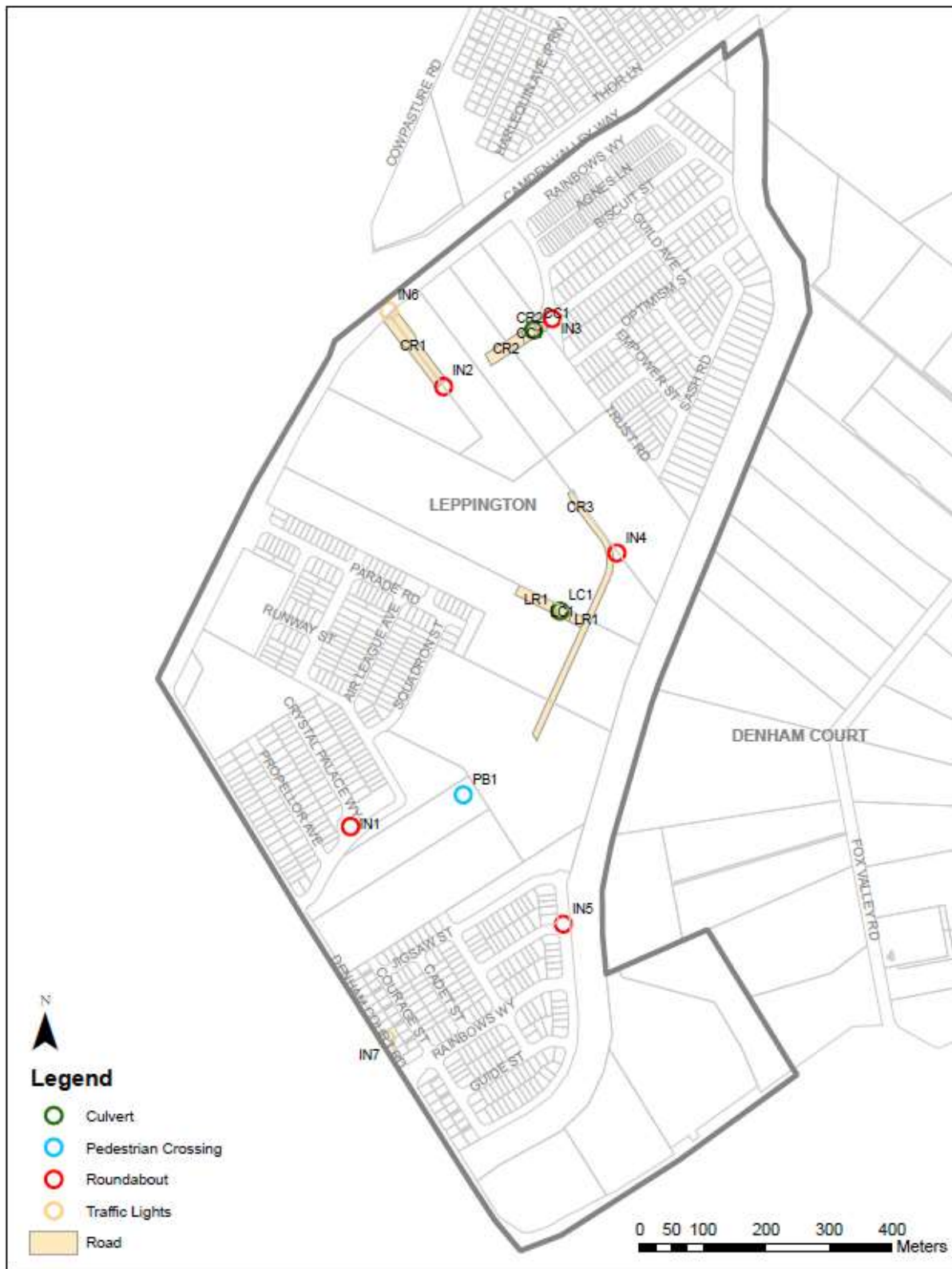
Occupants of expected development in the Precinct require a transport network comprising:

- facilities for private vehicles, including roads and intersections;
- facilities for public transport, including rail and bus facilities focused on the planned Leppington railway station in the North Leppington Precinct; and
- facilities for walking and cycling.

The Transport and Traffic Report outlines the land acquisitions and works items required in providing East Leppington's transport network. An accompanying Green Travel Strategy has also been developed to ensure sustainable transport options are prioritised and public transport; walking and cycling facilities are provided and promoted.

Figure 4.4-1 sets out the Transport and Traffic infrastructure items required.

Figure 4.4-1 Proposed provision of Transport and Traffic Infrastructure



East Leppington - Contribution Plan Items (Traffic)

Source: Geocortex, Liverpool City Council, 2021

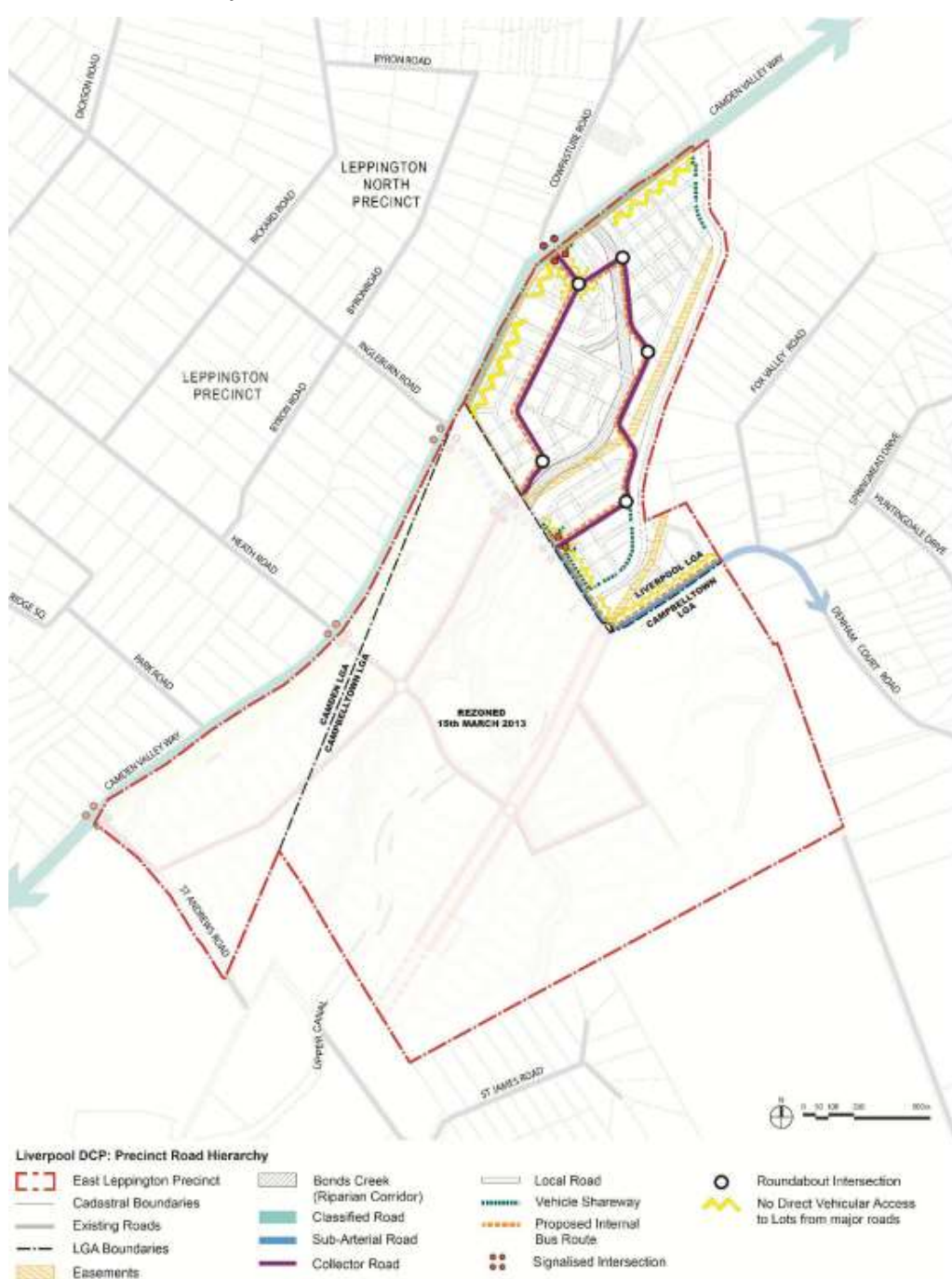
4.4.3 Roads and Public Transport

As seen in Figure 4.4-1, the following road infrastructure are to be provided:

- Collector roads
- Intersection controls such as roundabouts for local streets and collector roads
- Traffic signals to Camden Valley Way and Denham Court Road
- Vehicular creek crossings (bridges) as a result of Bonds Creek running through the Precinct
- Bus shelters based on the proposed internal bus route and stops (Note: The proposed bus routes are indicative only and do not secure the operation of bus services on these roads.)

This is in accordance with the Precinct road hierarchy indicated in the Liverpool Growth Centre Precincts Development Control Plan (DCP) in Figure 4.4-2.

Figure 4.4-2 Precinct Road Hierarchy



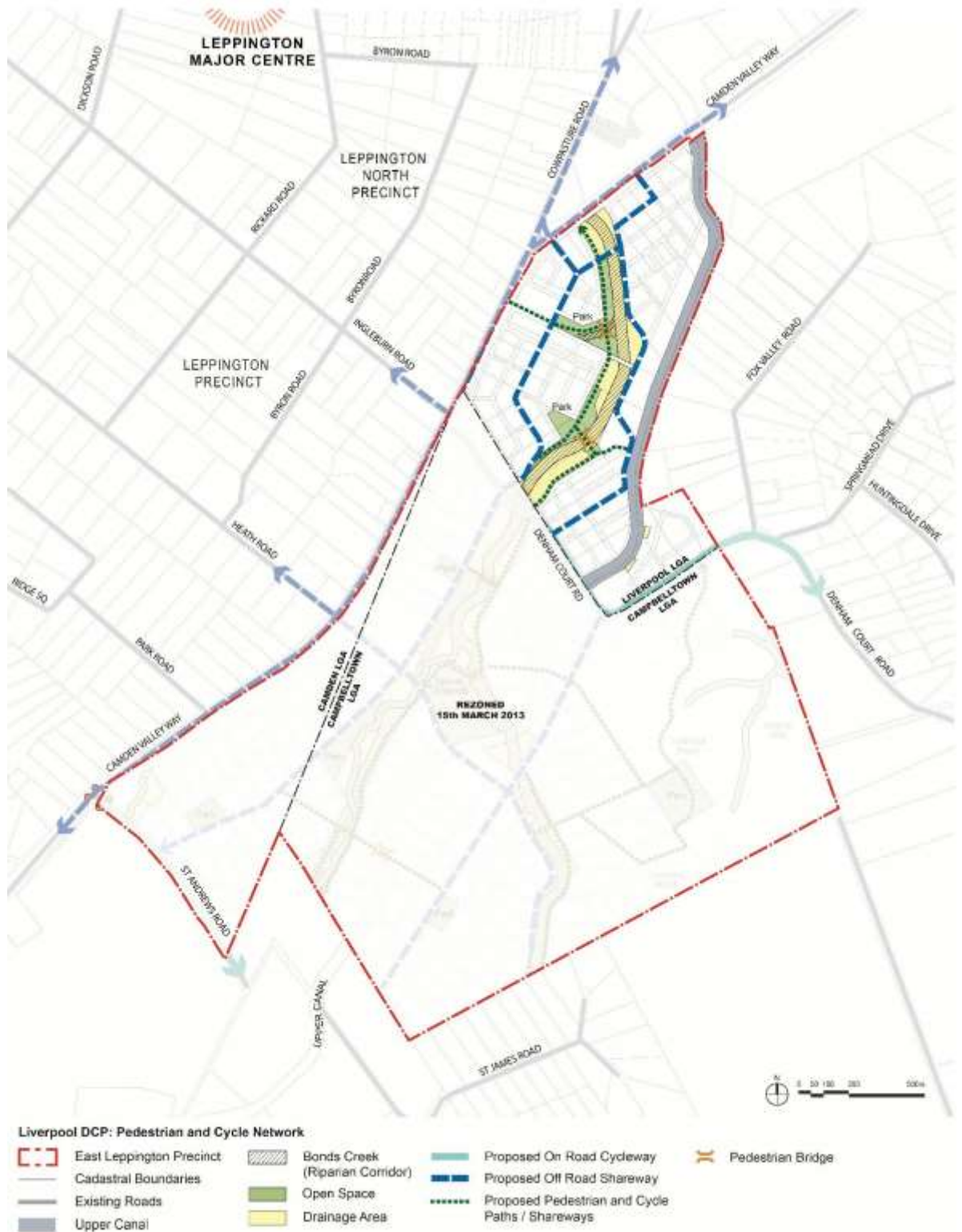
4.4.4 Pedestrian and cycleway network

As seen in Figure 4.4-1, the following pedestrian and cycleway infrastructure are to be provided:

- Pedestrian bridge crossings across Bonds Creek
- Off road cycleways and pedestrian paths along Bonds Creek and the Precinct's open space and drainage network
- Off road shareways adjacent the Precinct's two main collector roads

This is in accordance with the pedestrian and cycleway network indicated in the Liverpool Growth Centre Precincts Development Control Plan (DCP) in Figure 4.4-3.

Figure 4.4-3 Pedestrian and Cycleway Network



4.4.5 Calculation of contributions for Traffic and Transport infrastructure

Contributions toward traffic and transport infrastructure will be collected from both residential and non-residential development.

This Plan determines contributions for traffic and transport infrastructure by first apportioning the costs between residential and non-residential development based on the proportion of equivalent NDA of each development type. This apportioned percentage is provided in Table 3.3-1.

It then levies:

- Residential development on a per person basis, factored up to a per dwelling amount; and
- Non-residential development on a per hectare of NDA basis.

The per resident (and thus, per dwelling) approach for residential development best reflects the demand for traffic and transport infrastructure by the additional population. The approach of determining contributions for non-residential development using the NDA is considered reasonable because the land use mix and employment numbers attributable to the different non-residential land uses expected in the Precinct have been assessed only at a strategic network level at the time of preparing this Plan.

Formula for residential development

The monetary contribution per person in a development containing residential dwellings or lots (whether or not that development also comprises non-residential floor space) is calculated as follows:

$$\text{Contribution per person (\$)} = \sum \frac{\$INF}{TP}$$

Where:

$\$INF$ = the apportioned share to residential development (97.98%) of the estimated cost (or if the infrastructure is existing, the indexed, completed cost) of providing the Plan's traffic and transport infrastructure (4.4.6 Transport and Traffic Infrastructure cost schedules).

TP = the estimated resident population (in persons) that will generate demand for the infrastructure - that is, the expected net additional population of the Precinct (Table 3.3-1)

The contribution per person (\$) can then be used to calculate the monetary contribution for different residential development types as follows:

$$\text{Contribution per residential lot / unit (\$)} = \frac{\text{Contribution per person (\$)}}{\text{Estimated occupancy rate}} \times$$

The estimated occupancy rates have been provided in Table 3.3-3 and the contribution amount per residential lot / unit (\$) have been provided in Table 1.2-1.

To determine the total residential contribution for traffic and transport infrastructure, multiply the contribution per residential lot / unit by the number of proposed dwellings on the site of the proposed development.

Formula for non-residential development

The monetary contribution per hectare of NDA is calculated as follows:

$$\text{Contribution per hectare of NDA (\$)} = \sum \frac{\$INF}{eNDA}$$

Where:

$\$INF$ = the apportioned share to non-residential development (2.02%) of the estimated cost (or if the infrastructure is existing, the indexed, completed cost) of providing the Plan's traffic and transport (4.4.6 Transport and Traffic Infrastructure cost schedules).

eNDA = the total non-residential equivalent NDA that will generate demand for infrastructure (in hectares). Refer to Table 3.3-1.

The contribution rate per hectare of NDA towards transport and traffic infrastructure has been provided in Table 1.2-1.

To determine the total non-residential contribution for transport and traffic infrastructure, multiply the contribution rate per hectare by the amount of NDA (in hectares) on the site of the proposed development.

Note: The determination of reasonable contribution rates for transport facilities in development contributions plans is often based on the number of vehicle trips generated by development. Apportionment to the different classes of development (that is, residential, commercial, employment, etc.) of the costs of facilities that are determined on a per trip basis is then derived by calculating the degree to which the traffic generated by each land use class will use the different road links and intersections included in the contributions plan.

However, at the time of preparing this Plan, there has been limited knowledge of likely trip origins and destinations by different development classes available to inform this method of apportionment.

4.4.6 Transport and Traffic Infrastructure cost schedules

Land

Item No	Item	Area Ha	Total Cost
Collector Roads			
CR1	New road from CVW (full road)	0.3	\$1,440,000
CR2	New road (full road)	0.15	\$180,000
CR3	Collector Road (half road)	0.365	\$438,000
Local Roads			
LR1	New road (full road)	0.152	\$182,400
CC1	Collector Road - Creek Crossing	0.05	\$70,000
LC1	Local Road - Creek Crossing	0.04	\$56,000
Subtotal			\$2,366,400
Land Acquisition Contingency		12%	\$283,968
Total			\$2,650,368

Works

Item No	Item	Length (m)	Total Cost
CR1	New road from CVW (full road)	150	\$618,022
CR2	New road (full road)	75	\$309,011
CR3	Collector Road (half road)	365	\$850,122
LR1	New road (full road)	95	\$329,096
Roads Total			\$2,106,251
CC1	Collector Road - Creek Crossing	25	\$1,667,140
LC1	Local Road - Creek Crossing	25	\$1,667,140
Bridges Total			\$3,334,280
IN1, IN2, IN3, IN4, IN5	Roundabouts		\$656,982
IN6, IN7	Traffic Signals		\$625,177

	Link to Camden Valley Way		\$1,111,426
	Intersection Total		\$2,393,585
PB1	Pedestrian - Crossing	40	\$416,785
	Pedestrian Total		\$416,785
	Bus Shelters		\$88,447
	Bus Shelters Total		\$88,447
	Recommended Off Road Cycleway	190	\$63,018
	Recommended Off Road Shared Path	1,240	\$411,278
	Cycleway Total	4,806*	\$474,296
	Subtotal	7,610	\$8,813,644
	Construction Contingency	7%	\$616,955
	Total		\$9,430,599

*This total value includes the cycleways running alongside Collector roads

4.5 Plan Administration Costs

4.5.1 What are Plan administration costs?

Councils incur significant costs in the preparation and administration of contributions plans.

Council staff are deployed to:

- prepare and review contributions plans;
- account for contributions receipts and expenditure; and
- co-ordinate the implementation of contributions plans and works, including involvement in negotiating Works in Kind and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time in order to determine the value of land to be acquired, the design and cost of works, as well as to review the development and demand assumptions of the contributions plan. Council is also required to engage the services of legal professionals from time to time to assist it in the administration of this Plan.

As these costs arise directly as a result of the development in the Plan area, it is reasonable that the costs associated with preparing and administering this Plan be recouped through contributions from development.

Costs associated with the ongoing administration and management of the Plan will be levied on all applications that are required to pay a development contribution.

Costs included in this Plan for these purposes are based on the recommended rate by IPART, being 1.5% of the total cost of works.

4.5.2 Calculation of contributions for plan administration costs

Contributions toward plan administration costs will be collected from both residential and non-residential development.

Monetary contributions are determined on a per hectare of NDA basis.

The monetary contribution per hectare of NDA is calculated as follows:

$$\text{Contribution per hectare of NDA (\$)} = \sum \frac{\$Admin}{eNDA}$$

Where:

\$Admin = 1.5% of capital works costs in accordance with IPART's benchmark (refer Part 1.2 Summary of contribution rates and works schedule costs – Works Schedule)

eNDA = the total equivalent NDA to which this Plan applies (in hectares). Refer to Table 3.3-1.

The contribution rate per hectare of NDA towards plan administration has been provided in Table 1.2-1.

To determine the total contribution for plan administration, multiply the contribution rate per hectare by the amount of NDA (in hectares) on the site of the proposed development.

5 Background Information

AEC, 2020, Land Valuations for the East Leppington Precinct (reflecting January 2021 quarter values)

AEC, 2021, Proposed 2021 East Leppington Contribution Plan - Report

AECOM, 2013, East Leppington Precinct - Infrastructure Delivery Plan

CARDNO, May 2013, Water Cycle Management Report, East Leppington

CARDNO, May 2013, Traffic Assessment, East Leppington

ELTON CONSULTING, 2013 Social Infrastructure and Open Space Assessment - East Leppington Precinct

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT, 2012, Draft East Leppington Precinct Planning Report

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT, 2012, East Leppington Precinct Southwest Growth Centre Land Zoning Map

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT, December 2013, East Leppington Precinct Plan – Liverpool Part – Post Exhibition Planning Report

SPILLER GIBBONS SWAN, 2012, East Leppington Employment & Retail Study Final Report

Appendix A: Glossary

Bank Guarantee means an irrevocable and unconditional undertaking without any expiry or end date in favour of the Council to pay an amount or amounts of money to the Council on demand issued by an Australian bank, non-bank financial institution, or insurance company subject to prudential supervision by the Australian Prudential Regulatory Authority and has a credit rating of 'A' or above (as assessed by Standard and Poor's) or 'A2' or above (as assessed by Moody's Investors Service) or 'A' or above (as assessed by Fitch Ratings)

Attributable cost means the estimated cost for each item in the works schedules set out in Part 4 of this Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

Council means Liverpool City Council

CPI means the *Consumer Price Index (All Groups - Sydney)* published by the Australia Statistician.

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

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

Equivalent Net Developable Area (Equivalent NDA or eNDA) is an adjustment of Net Developable Area values to reflect the lower residential development potential of higher and lesser densities.

ILP means East Leppington Indicative Layout Plan.

LGA means local government area.

Net Developable Area (NDA) means the area of land to which a development application relates and includes the area of any land that the development consent authorises, or requires, to be used as a road, or reserved or dedicated as a public road but excludes:

- existing roads to be used as part of the proposed road network;
- existing educational establishments (as defined in the *Standard Instrument - Principal LEP*);
- any part of the land that is below the level of a 1:100 ARI flood event, if that part of the land is unsuitable for development by virtue of it being at or below that level;
- any land that the development consent authorises, or requires, to be reserved, dedicated or otherwise set aside as, or for the purpose of, any of the following:
 - (a) a government school (within the meaning of the Education Act 1990);
 - (b) a tertiary institution, including a university or TAFE establishment, that provides formal education and is constituted by or under an Act.
 - (c) an emergency services facility;
 - (d) a health services facility owned and operated by a public authority;
 - (e) a golf course;
 - (f) a passenger transport facility;

- (g) a public reserve or a drainage reserve (within the meaning of the Local Government Act 1993);
- (h) a public transport corridor (other than a road corridor);
- (i) a public utility undertaking;
- (j) roads or other public amenities or public services, in connection with which development contributions have been imposed under section 7.11 or section 7.12 of the Act or may be imposed in accordance with a contributions plan approved under section 7.18 of the EP&A Act;
- (k) roads or other infrastructure in connection with which special infrastructure contributions have been, or may be, imposed in accordance with section 7.24 of the EP&A Act;

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

Precinct or **Liverpool Precinct** refers to the East Leppington Liverpool Part Precinct and the area of land shown in Figure 2.2-1 of this Plan.

Residential Accommodation has the same meaning as in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Social Infrastructure Assessment means the report - *Social Infrastructure and Open Space Assessment, East Leppington Precinct* prepared by Elton Consulting, June 2013.

Special Infrastructure Contribution means a contribution referred to in section 7.24 of the EP&A Act.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 means the State Environmental Planning Policy amended from time to time.

Works in kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan as a means of either fully or partly satisfying a condition of consent requiring development contributions to be made.

Works schedule means the schedule of the specific public facilities for which contributions may be required as set out in Part 4 of this Plan.

