



**City of Parramatta Council Section 94A
Development Contributions Plan (Former Hills LGA
Land)**

13 April 2017

Historical Notes		City of Parramatta Council Section 94A Development Contributions Plan (Former Hills LGA Land)	
Rev No	Effective Date	Plan Name	Relationship to other plans
0	13 April 2017	City of Parramatta Council Section 94A Development Contributions Plan (Former Hills LGA Land)	This Plan repealed The Hills Contributions Plan No. 7 – Southern Precincts and The Hills Section 94A Development Contribution Plan (as it related to land within City of Parramatta Council).

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Definitions

Term	Definition
Act	means the <i>Environmental Planning and Assessment Act 1979</i> (as amended from time to time)
Contribution Plans	means a development contribution plan prepared under either Section 94 or Section 94A of the <i>Environmental Planning and Assessment Act 1979</i>
Cost Summary Report	Means a report contained in Schedule A of Appendix B, setting out the anticipated cost of the development to which the relevant report relates.
Council	means City of Parramatta Council
Detailed Works Program	means the works set out in Appendix C
Development Contribution	means the monetary contribution imposed under Section 94A of the Act in a development consent or in a complying development certificate and is calculated as a fixed percentage of the cost of development as referred to in Schedule 2.
Land Application Map	means the map provided at Figure 1 of Appendix A
Plan	means the <i>City of Parramatta Council Section 94A Development Contributions Plan (Former Hills LGA Land)</i>
Public Facilities Location Maps	means the maps provided at Appendix D
Quantity Surveyors Report	means a report in the format contained in Schedule B of Appendix B, setting out the anticipated cost of the development to which the relevant report relates, prepared by a duly qualified quantity surveyor.
Regulation	means the <i>Environmental Planning and Assessment Regulation 2000</i> (as amended from time to time)
VPA	means a Voluntary Planning Agreement and has the meaning given in Section 93F of the <i>Environmental Planning & Assessment Act, 1979</i>

1. Part A – Summary schedules

The following summary schedules are included in this Plan:

- Schedule 1 – Summary works schedule
- Schedule 2 - Summary schedule of levy

Development contributions paid to council will be applied towards meeting the cost of the provision or augmentation of new public facilities. Schedule 1 provides a summary of new public facilities that Council intends to provide together with the estimated cost and the timing of delivery. Appendix C contains a detailed schedule of works.

Schedule 2 provides a summary of the development contribution levy that is applied to all types of development other than development that is exempt under Clause 3.6 of this Plan. Development contributions are calculated by applying the relevant levy against the estimated cost of the development.

Schedule 1: Summary works schedule

Public facilities	Estimated costs	Estimated timeframe
Community Facilities	\$943,000	2016/17-2020/21
Open Space & Recreation	\$3,425,000	
Roads & Shared Paths	\$3,996,000	
Natural Environment	\$500,000	
Public Domain	\$500,000	
Drainage & Water Quality	\$500,000	
Total value of program	\$9,864,000	

Schedule 2: Summary schedule of Development Contribution

Type of development	Development Contribution (Percentage levy based on cost of the development)
All development other than development that is exempt under Clause 3.6 of this Plan	0% up to and including \$100,000 0.5% more than \$100,000 up to and including \$200,000 1.0% in excess of \$200,000

2. Part B – Expected development and demand for public facilities

The relationship between expected development and the demand for public facilities is established through:

- The land to which this plan applies was previously subject to The Hills Shire Council Section 94 Contributions Plan No. 7 – Southern Precincts and The Hills Section 94A Contribution Plan, which enabled the provision of public amenities and services required to support growth within this area for an additional resident and workforce population.
- In relation to land now forming part of the City of Parramatta LGA, the majority of public amenities and services to be delivered within this area under Section 94 Contributions Plan No. 7 – Southern Precincts (The Hills Shire Council) have been provided with the exception of one (1) community facility, one (1) land acquisition, and two (2) cycleways. Similarly, there is one (1) open space embellishment, one (1) cycleway and two (2) traffic projects yet to be delivered under the Hills Section 94A Contribution Plan.
- In response to the *Local Government (Council Amalgamations) Proclamation 2016* and *Local Government (City of Parramatta and Cumberland) Proclamation 2016* notified on 12 May 2016, these outstanding works have been included within this Plan for future provision by City of Parramatta Council to service the population of this area.
- In addition to planned growth under Section 94 Contributions Plan No. 7 – Southern Precincts (The Hills Shire Council), there will also be additional incremental growth within the area as infill redevelopment occurs in the future. This incremental population growth will diminish the enjoyment and standard of public facilities for the existing population unless new facilities are provided or existing facilities are augmented.

The new public facilities to be provided to meet the expected future demand are set out in summary form in Schedule 1 in Part A of this Plan. Appendix C contains a detailed schedule of works and Appendix D contains the Public Facilities Location Maps.

3. Part C – Administration and operation of the Plan

3.1 What is the name of this Plan?

This Plan is called the City of Parramatta Council Section 94A Development Contributions Plan (Former Hills LGA Land).

3.2 Application of this Plan

This Plan applies to land within the local government area of Parramatta which was previously within the local government area of The Hills prior to the *Local Government (Council Amalgamations) Proclamation 2016* and *Local Government (City of Parramatta and Cumberland) Proclamation 2016* notified on 12 May 2016. The land to which this Plan applies is shown on the Land Application Map (see Figure 1, Appendix A).

This Plan applies to applications for development consent and applications for complying development certificates under Part 4 of the *Environmental Planning and Assessment Act 1979* (Act).

Where an existing Section 94 Plan applies to land (including Carlingford Precinct) and the development proposed is eligible to be levied under that Plan, the development shall be levied in accordance with the applicable Section 94 Plan, instead of this Plan.

If a development application has been made but not finally determined before this Plan comes into effect, the application will be determined in accordance with this Plan.

3.3 Repeal of other contributions plans applying to the land

This Plan repeals The Hills Shire Council Section 94 Contributions Plan No. 7 – Southern Precincts and The Hills Shire Council Section 94A Contributions Plan as it applies to the subject land.

3.4 When does this Plan commence?

This Plan was adopted by Council on 13 March 2017 and commenced on 13 April 2017.

3.5 What are the purposes of this Plan?

The primary purposes of this Plan are:

- To authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a development contribution pursuant to section 94A of the Act.
- To assist the council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area covered by this Plan.
- To publicly identify the purposes for which the development contributions are required.

3.6 Are there any exemptions to the development contribution?

The Plan will not impose development contributions in respect of development:

- where the proposed cost of carrying out the development is \$100,000 or less;
- for the purpose of disabled access;
- for the sole purpose of providing affordable housing;
- for the purpose of reducing a building's use of potable water (where supplied from water mains) or energy;

- for the sole purpose of the adaptive reuse of an item of environmental heritage;
- that has been the subject of a condition under section 94 under a previous development consent relating to the subdivision of the land on which the development is to be carried out.

3.7 Pooling of development contributions

Development contributions paid for different purposes may be pooled and applied (progressively or otherwise) for those purposes.

3.8 Construction certificates and the obligation of accredited certifiers

In accordance with clause 146 of the Regulation a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of development contributions has been satisfied.

3.9 How will development contributions be calculated?

The development contribution is calculated as follows:

$$\text{Development contribution} = A \times B$$

where

- A** If the cost of works is ≤ \$100,000 is 0 (zero)
 If the cost of works is >\$100,001 but ≤ \$200,000 is 0.5% (half a percent)
 If the cost of works is >\$200,001 is 1% (one percent)

- B** is the cost of the development

The cost of the development is determined in accordance with clause 25J of the Regulation.

In the absence of errors, the development contribution amount will be calculated based on the cost of works information relied upon at the time of determination.

3.10 Cost summary reports must accompany development applications or applications for complying development certificates

A development application or application for a complying development certificate must be accompanied by a Cost Summary Report (where development cost is less than \$3 million) or Quantity Surveyors Report (where the development cost is more than \$3 million) that provides the cost of development in accordance with clause 25J of the Regulation.

This information is to be provided at the time of lodgement of the application.

Appendix B outlines the matters to address in the preparation of cost estimates.

3.11 When is the development contribution payable?

A development contribution must be paid to Council prior to the issue of a construction certificate, complying development certificate or subdivision certificate.

In circumstances where either a construction certificate, subdivision certificate or complying development certificate is not required, Council can require the contribution to be paid prior to the commencement of works, or require the payment as a condition of deferred commencement.

3.12 How will the development contribution be adjusted?

The development contributions will be adjusted each quarter in accordance with the following:

$$\text{Adjusted Development Contribution} = A + B$$

where

A is the original development contribution required by the development consent

B is the adjustment amount which is =

$$\frac{\$A \times (\text{Current CPI} - \text{Previous CPI})}{(\text{Previous CPI})}$$

where:

Current CPI is the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics at the time of the review of the development contribution.

Previous CPI is the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics for the quarter for the quarter preceding the Current CPI.

Note: In the event that the Current CPI is less than the Previous CPI, the Current CPI shall be taken as not less than the Previous CPI.

3.13 Can deferred or periodic development contribution payments be made?

Council may (at its absolute discretion):

- Defer payment of any development contribution to such time as it thinks fit; or
- Permit payment of any development undertaken by way of instalments it thinks fit.

Where a deferred or periodic payment is accepted, 50% of the required development contribution will be required to be paid prior to the issue of a construction certificate (or complying development certificate or subdivision certificate where relevant), and the remaining 50% to be paid prior to the issue of any occupation certificate (interim or final) or as otherwise determined by Council.

Prior to the issue of the construction certificate (or complying development certificate or subdivision certificate where relevant) Council will require the applicant to provide a bank guarantee to Council's satisfaction for the outstanding balance.

The outstanding balance will continue to be indexed quarterly in accordance with movements in the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics. Interest will be charged on the outstanding balance at the time of the staged/final payment in line with industry recognised investment benchmarks.

3.14 Ministerial Directions under Section 94E of the Act

Conditions authorised by this Plan are subject to any direction given by the Minister under Section 94E of the Act. This Plan authorises the imposition of conditions in accordance with any such direction.

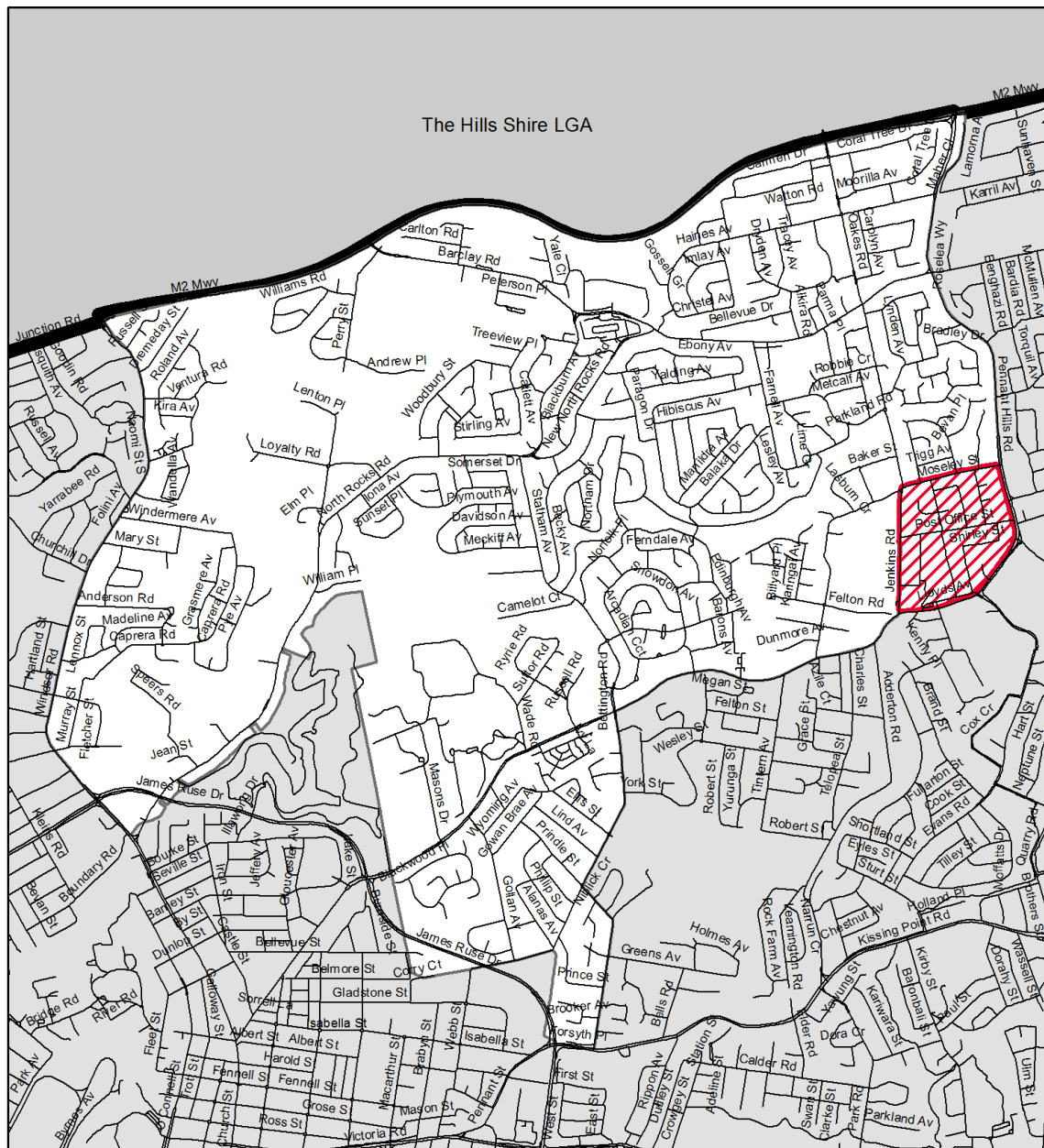
3.15 Complying development certificates and the obligation of accredited certifiers

In accordance with Section 94EC of the Act, if a complying development certificate has been granted, then this Plan requires an accredited certifier to issue a complying development certificate in respect of development to which this Plan applies subject to a condition requiring payment to Council of a development contribution in accordance with this Plan.

If a Ministerial direction under Section 94E of the Act is in force, this Plan authorises the certifying authority to issue a complying development certificate subject to a condition which is in accordance with that direction.

APPENDIX A

Land Application Map



0 500 1,000 1,500 2,000
Metres



Land subject to this Plan

Land also subject to The Hills Contributions Plan No 14 - Carlingford Precinct



City of Parramatta (Former Hills LGA Land) S.94A Contributions Plan

Land Application Map

Document Path: P:\Projects\LandUse\S.94A - Former Hills Shire Area\LAP.mxd

APPENDIX B

Procedure to determine the cost of development

Appendix B

Procedure to determine the cost of the development

A development application or application for a complying development certificate must be accompanied by an estimate of the cost of development prepared in accordance with clause 25J of the Regulation. The following should be provided at the time of lodgement:

- A Cost Summary Report for works with a value no greater than \$3 million.
- A Quantity Surveyor's Detailed Cost Report prepared by a registered Quantity Surveyor for works with a value greater than \$3 million.

Templates for the Cost Summary Report and the Quantity Surveyor's Detailed Cost Report are provided in Schedule A and B.

Council may review the cost of the development provided and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant.

To avoid doubt, section 25J of the Regulation sets out the process for determining the cost of the development. as is detailed below.

- (1) The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:*
 - (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,*
 - (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,*
 - (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.*
- (2) For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.*
- (3) The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*
 - (a) the cost of the land on which the development is to be carried out,*
 - (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,*
 - (c) the costs associated with marketing or financing the development (including interest on any loans),*
 - (d) the costs associated with legal work carried out or to be carried out in connection with the development,*
 - (e) project management costs associated with the development,*
 - (f) the cost of building insurance in respect of the development,*

- (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),*
 - (h) the costs of commercial stock inventory,*
 - (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law,*
 - (j) the costs of enabling access by disabled persons in respect of the development,*
 - (k) the costs of energy and water efficiency measures associated with the development,*
 - (l) the cost of any development that is provided as affordable housing,*
 - (m) the costs of any development that is the adaptive reuse of a heritage item.*
- (4) The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.*
- (5) To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.*



Schedule A

Cost Summary Report

Development cost no greater than \$3 million

DEVELOPMENT APPLICATION No.

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No.

CONSTRUCTION CERTIFICATE No. DATE:

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT DESCRIPTION:

DEVELOPMENT ADDRESS:

Parking / Garaging Area (m²)

Total Construction Area (exc. Parking / Garaging) (m²)

<input type="text"/>
<input type="text"/>

Description of Cost	Applicant's Genuine Estimate
Demolition	\$
Site preparation (e.g. clearing vegetation, decontamination or remediation)	\$
Excavation	\$
Preliminaries (e.g. scaffolding, hoarding, fencing, site sheds, waste management)	\$
Construction and Engineering Costs	\$
Change of Use	\$
Subdivision (planning, executing & registering, inc. covenants & easements)	\$
Services (e.g. plumbing, mechanical, fire, lift)	\$
External works (e.g. landscaping, driveways, parking, pools)	\$
External services (e.g. gas, telephone, electricity connection to mains)	\$
Other (specify)	\$
Margin	\$
Goods and Services Tax	\$
TOTAL	\$

Note: If works do not form part of your application, inset "N/A"

I certify that I have:

- provided the genuine costs of the development proposed by this application and these costs are based on industry recognised prices;
- included GST in the calculation of development costs;
- calculated the development costs in accordance with the definition of development costs in Section 25J of the Environmental Planning and Assessment Regulation 2000, at current prices;
- acknowledged that Council may review the information provided and may seek further information or make its own fee determination.**

Signed:

Name:

Position:

Date:

Contact Number:

Contact Address:

Schedule B



Registered* Quantity Surveyor's Detailed Cost Report

Development cost in excess of \$3 million
*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No.

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No.

CONSTRUCTION CERTIFICATE No. DATE:

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT DESCRIPTION:

DEVELOPMENT ADDRESS:

DEVELOPMENT DETAILS:	
Gross Floor Area – Commercial	m ²
Gross Floor Area – Residential	m ²
Gross Floor Area – Retail	m ²
Gross Floor Area – Car Parking	m ²
Gross Floor Area – Other	m ²
Total Gross Floor Area	m ²
Total Site Area	m ²
Total Car Parking Spaces	
Total Development Cost	\$
Total Construction Cost	\$
Total GST	\$

ESTIMATE DETAILS:	
Excavation	\$
Cost per square metre of site area	\$/m ²
Demolition and Site Preparation	\$
Cost per square metre of site area	\$/m ²
Construction – Commercial	\$
Cost per square metre of commercial area	\$/m ²
Construction – Residential	\$
Cost per square metre of residential area	\$/m ²
Construction – Retail	\$
Cost per square metre of retail area	\$/m ²
Car Park	\$
Cost per square metre of site area	\$/m ²
Cost per space	\$/space
Fit-out – Commercial	\$
Cost per m ² of commercial area	\$/m ²
Fit-out – Residential	\$
Cost per m ² of residential area	\$/m ²
Fit-out – Retail	\$
Cost per m ² of retail area	\$/m ²
Professional Fees	\$
% of Development Cost	%
% of Construction Cost	%

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors;
- calculated the development costs in accordance with the definition of development costs in Section 25J of the Environmental Planning and Assessment Regulation 2000, at current prices;
- included GST in the calculation of development cost;
- measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1 (Appendix A2);
- **acknowledged that Council may review the information provided and may seek further information or make its own fee determination.**

Signed: _____

Contact Number: _____

Name: _____

Contact Address: _____

Position: _____

Date: _____

APPENDIX C

Detailed Works Programme

WORKS PROGRAM 2016/17 to 2020/21						
Facility Category	Program	Project	Location/Map Reference	Strategic Justification	S94A Funding	Facility Category Total
Community Facilities	New community facility servicing the Carlingford, North Rocks and Northmead catchment area.	New Community Facility approx. 200sqm comprising meeting room, kitchen, office storage and amenities at John Wearn Reserve or similar location	Map Reference 1 or alternative location servicing Carlingford, North Rocks and Northmead catchment area.	Corporate Plan Principal Activity D3.1: Providing high quality services and engaging with the local community	\$443,000	\$943,000
	Community Facility Upgrades/Renewal	On an opportunity basis provide for new/augmented community facility/facilities within Plan area.	Plan area wide	Corporate Plan Principal Activity D3.1: Providing high quality services and engaging with the local community.	\$500,000	
Open Space & Recreation	Land Acquisition for Open Space/Green Corridor	Acquire land at 219A North Rocks Road, North Rocks or similar within the area to which the plan applies	Map Ref 2 or alternate location within the Plan area	Corporate Plan Principal Activity D1.2: Provide strategic planning and asset management for high quality open space including parks, reserves, playgrounds and sporting grounds.	\$2,890,000	\$3,425,000
	Park Embellishment	Further embellishment of Speers Road Reserve.	Map Ref 3	Corporate Plan Principal Activity D1.2: Provide strategic planning and asset management for high quality open space	\$35,000 <i>(Note \$42,756 previously spent by The</i>	

				including parks, reserves, playgrounds and sporting grounds.	<i>Hills shire Council prior to Local Government amalgamation)</i>	
	Open Space and Recreation Upgrades/Renewal	On an opportunity basis provide for new/augmented open space and recreation facility/facilities within Plan area.	Plan area wide	Corporate Plan Principal Activity D1.2: Provide strategic planning and asset management for high quality open space including parks, reserves, playgrounds and sporting grounds.	\$500,000	
Roads & Shared Paths	Roads	Traffic Signals at North Rocks Road & Loyalty Road, North Rocks	Map Ref 4	Corporate Plan Principal Activity C1.8: Implementing a range of programs focused on safer local roads, minimising traffic congestion and the regular turnover of traffic in commercial centres.	\$641,000	\$3,996,000
	Roads	Traffic Signals at Windsor Road & Windmere Avenue, Northmead	Map Ref 5	Corporate Plan Principal Activity C1.8: Implementing a range of programs focused on safer local roads, minimising traffic congestion and the regular turnover of traffic in commercial centres.	\$1,680,000	
	Shared Paths	Cycleway along Darling Mills Creek, Northmead	Map Ref 6	Corporate Plan Principal Activity C1.1: Develop and implement River City	\$315,000	

				network of pathways to improve connectivity.		
	Shared Paths	Cycleway along tributary to Hunts Creek adjacent to Northam Drive, North Rocks. Forming part of Hunts Creek Cycleway to Lake Parramatta.	Map Ref 7	Corporate Plan Principal Activity C1.1: Develop and implement River City network of pathways to improve connectivity.	\$257,000	
	Shared Paths	Cycleway along Hunts Creek, between Bettington Road and Jenkins Road (connecting to Oakes Road), Carlingford and North Rocks	Map Ref 8	Corporate Plan Principal Activity C1.1: Develop and implement River City network of pathways to improve connectivity.	\$603,000	
	Road and Shared Paths Upgrades/Renewal	On an opportunity basis provide for new/augmented roads and/or shared paths within Plan area.	Plan area wide	Corporate Plan Principal Activity C1.1: Develop and implement River City network of pathways to improve connectivity.	\$500,000	
Natural Environment	Enhancement of Natural Areas/City of Trees/Bushland Walking Tracks	On an opportunity basis provide for enhancement of the natural area within Plan area, including tree planting, bushland walking tracks and creek/bushland regeneration	Plan area wide	Corporate Plan Principal Activity B1.2: Providing asset management services for Council's bushland and waterways.	\$500,000	\$500,000

Public Domain	Public Domain Improvements	On an opportunity basis provide for public domain improvements to local and neighbourhood centres	Plan area wide	Corporate Plan Principal Activity D4.5: Delivering the Better Neighbourhood Program to enhance neighbourhood centres as high quality, attractive, distinctive and viable places.	\$500,000	\$500,000
Drainage and Water Quality	Water Quality Improvements/Drainage construction	On an opportunity basis provide for new/augmented drainage construction or water quality improvement systems.	Plan area wide		\$500,000	\$500,000
					TOTAL	\$9,864,000

APPENDIX D

Public Facilities Location Maps



**City of Parramatta
(Former Hills LGA Land)
S.94A Contributions Plan**

Works Program Map



Land subject to this Plan
Land also subject to The Hills
Contributions Plan No 14 -
Carlingford Precinct

Works Program



Community Facilities

1. New community facility serving the
Carlingford, North Rocks and
Northmead catchment area



Land Acquisition

2. Land acquisition for open space/
green corridor



Park Embellishment

3. Speers Rd Reserve Embellishment



Traffic Signals

4. North Rocks Rd/Loyalty Rd,
North Rocks
5. Windsor Rd/Windermere Rd,
Northmead



Cycleways / Shared Paths

6. Darling Mills Ck, Northmead
7. Northam Drive, North Rocks
8. Oakes Rd to Bettington Rd
(Hunts Ck)

**The following Area-Wide Works Program
items are not mapped:**

- Community Facility upgrades/renewal
- Open Space and Recreation upgrades/renewal
- Road and Shared Paths upgrades/renewal
- Enhancement of Natural Areas/
City of Trees/Bushland walking tracks
- Public Domain Improvements
- Water Quality Improvements/
Drainage Construction

Cadastre



Base Data © Land and Property
Information (LPI)
Updated 01/10/2016 City of Parramatta



0 200 400 600 800 1,000
Metres

1 :20,000 @ A3

Projection: MGA 1994
MGA Zone 56

