

Special Infrastructure Contributions Guidelines

Draft

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The Department acknowledges the traditional custodians of the land and pays respect to elders past, present and future.

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1. Introduction

Purpose of this Guideline

Infrastructure is the foundation of cities and regions. It helps transform a collection of houses, shops or factories into a community, providing a sense of place.

Ensuring that new growth makes a contribution to infrastructure is a key concept of the planning system in NSW. The development contributions framework under the planning legislation recognises different types of contributions mechanisms for infrastructure.

Special Infrastructure Contributions (SICs) are a key part of the State developer contributions framework and operate under Division 7.1 Subdivision 4 of the *Environmental Planning and Assessment Act 1979*.

A SIC is paid by developers to help fund key elements of state and regional infrastructure in growing areas of Greater Sydney and regional NSW.

The Department of Planning, Industry and Environment (the Department) is responsible for the operation and management of the SIC framework, including the preparation of SIC Determinations, Ministerial Directions and Orders, the collection of SIC revenue, investment prioritisation and distribution of funds for infrastructure delivery.

The purpose of these Guidelines is to give greater clarity about:

- The purpose and objectives of the SIC framework applying to current SICs (particularly how to manage expenditure) and the development and implementation of prospective SICs.
- The key principles guiding the State Government in implementing and administering the SIC framework.
- The method for determining a new SIC.
- The process for allocating SIC revenue to infrastructure investment once a SIC has been determined.

2. Structure of the Guideline

This Guideline clarifies the role of SIC within a place-based planning system and establishes the key principles underpinning the SIC framework. This Guideline also provides information on the procedures followed by the Department in managing the SIC program.

This Guideline is structured as follows:

1. Introduction and purpose of the Guideline
2. Structure of the Guideline
3. Purpose of SICs in the planning system
4. Governance, oversight and program assurance
5. Steps to implementing a SIC
6. Key principles of the SIC framework
7. Key components of a SIC:
 - a. Locations where the SIC applies
 - b. Detail of the supporting strategic land use planning context
 - c. Types of development subject to a SIC
 - d. SIC Infrastructure list
 - e. Infrastructure costs and cost apportionment
 - f. Method to calculate the SIC
 - g. Timing of payments and administration
8. Public consultation and transparency
9. Expending SIC revenue
10. State Planning Agreements.

The Guidelines will be reviewed and updated in response to changing government policy, advice from local government and feedback from the community. Suggestions, comments and feedback are welcome and can be made at any time by contacting the Department or via the Department's website at www.planning.nsw.gov.au.

3. The purpose of SICs in the planning system

The NSW Government is focussed on creating great places through collaborative engagement and integrated design; planning supported by infrastructure investment in the right place at the right time.

The Department is collaborating with local councils as they prepare long-term land use and infrastructure plans for growth areas in NSW. Local knowledge and expertise will be used to define a vision for places and communities and will guide planning decisions and infrastructure investment.

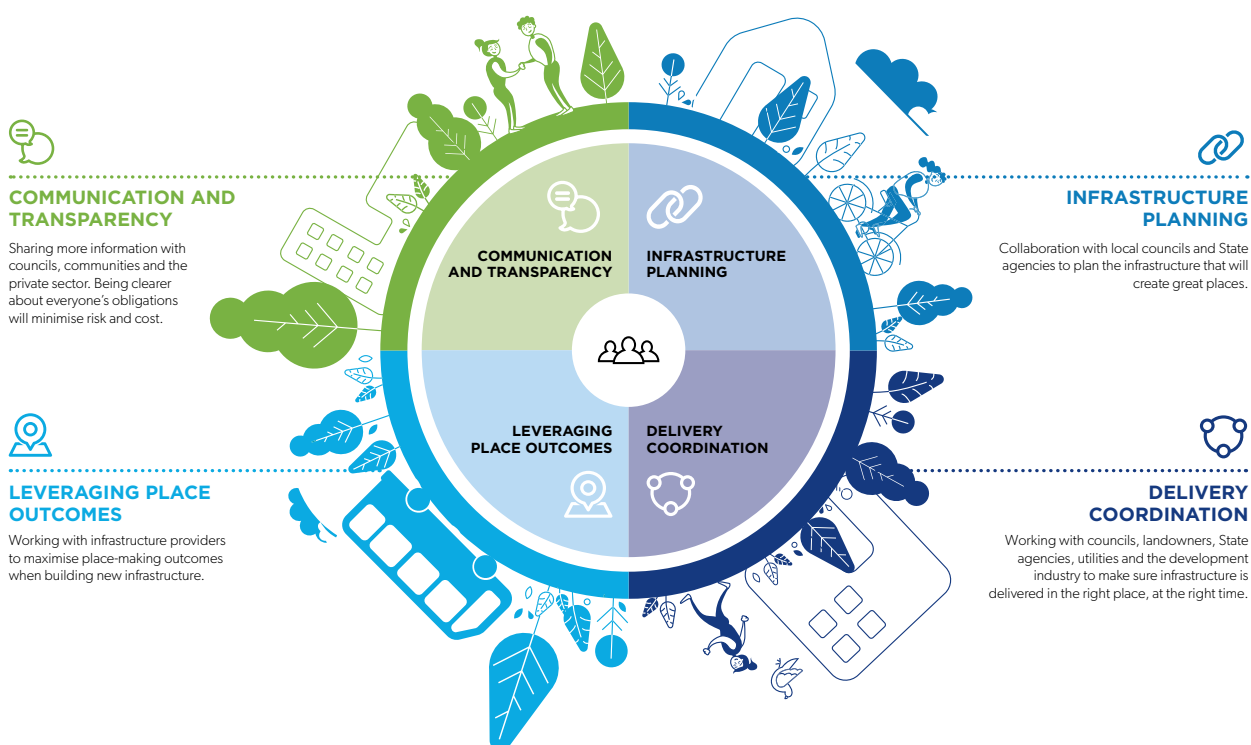
SICs will be part of this coordination process by supporting new infrastructure in high growth areas as part of the land-use planning system. They provide a source of funding to State and local governments, and a basis for partnering with the private sector on the delivery of infrastructure. The SIC aims to help achieve the

objectives for a place, facilitate development and protect public safety and amenity.

The Department works closely with government agencies and councils who are responsible for delivering and maintaining State and regional infrastructure during the development of a SIC and when scheduling SIC-funded infrastructure investments.

This partnership is part of a wider collaboration with local councils, utility providers and the development industry to coordinate capital investment in growth areas and to deliver infrastructure that supports housing and employment growth. Types of infrastructure that are typically funded by the SIC include (but are not limited to), road upgrades, school or education facilities, health infrastructure and emergency services facilities.

DELIVERY AND INFRASTRUCTURE



4. Governance, Oversight and Program Assurance

The SIC framework is broadly aligned to the Infrastructure NSW *Infrastructure Investor Assurance Framework*.

Similar to the concepts that underpin the Infrastructure Investor Framework, the Department will be guided by the following when developing a SIC:

- **Governance and oversight** Major decisions relating to the SIC will be overseen and informed by collaboration with NSW government agencies. Where appropriate other infrastructure and service agencies will be invited to advise on proposals.
- **Service need and alignment to government policy** The SIC will help deliver on an established Government policy, in relation to growth, renewal or major infrastructure investment associated with new housing or employment.
- **Needs analysis and outcomes** The SIC should be critical to meeting service need for a defined area such as a region or sub-region. Strategic land use plans will form the basis of the needs analysis and define the outcomes to be achieved by future infrastructure investment.
- **Investment decision** Projects to be funded by the SIC should demonstrate economic, social and environmental benefit. Delivery agencies who receive SIC funding will adhere to the Government's budget-setting and assurance processes in relation to expenditure and procurement of infrastructure.
- **Delivery** Agencies will be responsible for the delivery of infrastructure including managing risk, budget and schedule. The Department will oversee SIC funding allocation and disbursement and monitor progress in the delivery of the SIC program.
- **Benefits realisation** The Department will monitor the program to prioritise investment of SIC revenue towards projects that will achieve the stated objectives of the SIC and the broader strategic planning context.

5. Steps to implementing a SIC

The SIC implementation process is guided by the statutory framework of the *Environmental Planning and Assessment Act 1979*, and supported by the Department's SIC preparation, program management, governance, assurance and delivery framework outlined in this Guideline.

A SIC framework is put in place through the making of three instruments:

- **SIC Determination** The legal instrument that defines the level and nature of the Special Infrastructure Contribution and identifies:
 - the cost and items of infrastructure to be funded
 - the kinds of development required to make a contribution
 - the method of calculating a SIC
 - requirements for payment and timing of the contribution.
- **Ministerial Direction** Applies to consent authorities and imposes the requirement to place a SIC condition on development consents within Special Contribution Areas, and for developers to make contributions towards State and regional infrastructure.

- **Ministerial Order** Establishes the Special Contributions Area through an amendment to the *Environmental Planning and Assessment Act 1979* to include a map of the Special Contributions Area (SCA) boundary in Schedule 4 of the Act.

Before a SIC is finalised, if the cost of the infrastructure exceeds \$30 million the Minister will consult with the Treasurer on the proposed level and nature of the contribution, and the expected SIC revenue and expenditure program in relation to State capital planning and budget processes. Once approved by the Minister, the SIC Determination is published in the *Government Gazette of the State of New South Wales*. At this time, the SIC can be applied to new development consents.

Periodic reviews of the SIC Determination will allow for ongoing alignment to strategic land use planning, updated planning assumptions or changes to infrastructure requirements.

6. Key principles of the SIC framework

SICs will be applied in specific circumstances that relate to new growth areas or urban renewal. The SIC framework should seek to be fair, reasonable and simple. The key principles underpinning the SIC framework and informing this Guideline are:

Principle 1 - The SIC will relate to new growth and urban renewal

- The SIC will support the objectives of the broader planning system, such as a major State or council led rezoning, land release or urban renewal process.
- A SIC will be applied only to new development and growth.
- SIC revenue will be used to provide land and/or capital works that support new growth.

Principle 2 - The SIC will support the achievement of place objectives

- SIC revenue will be spent on the infrastructure identified in this Guideline.
- SIC revenue will be invested in State and regional infrastructure projects that contribute to the identified place outcomes and strategic objectives for a place.
- SIC revenue will be invested in projects that are consistent with infrastructure or service requirements identified in relevant State or local planning strategies.
- Over the planning cycle, the amount of the SIC revenue collected in a SCA will be used to fund SIC infrastructure that supports and services that SCA.

Principle 3 - The SIC will be reasonable and fairly apportioned

- The contribution will be determined according to the share of the cost of infrastructure used by the development being charged.

- The SIC will maintain a reasonable balance between funding infrastructure and facilitating private sector investment in development.
- The SIC will not duplicate charges for infrastructure covered by local contributions.

Principle 4 - The SIC will be relevant, current and outcome-focused

- The SIC will be regularly reviewed to reflect infrastructure needs and strategic priorities.
- SIC expenditure will be scheduled for a SIC area when sufficient funds for delivery and construction have accumulated (or earlier if budget allows).
- SIC expenditure will be programmed in accordance with an understood and accepted investment decision framework.
- SIC expenditure will align to capital planning programs managed by other State agencies, State-owned corporations and councils.

Principle 5 - The SIC will be transparent and predictable

- The SIC will be clear and simple; providing clarity on financial obligations of the development industry and landowners.
- A set of standard SIC instruments will be used across NSW. They will apply to greenfield residential, infill residential and industrial/commercial development.
- Stakeholders will be consulted before a SIC is made. Consultation could occur by publishing (and seeking feedback on) an initial proposed approach and/or a final Determination.
- Introduction of a SIC will include transition arrangements, in consideration of implications for development outcomes and timing.
- SIC revenue and expenditure of funds will be published for transparency.

7. Key components of a SIC

A SIC will include mandatory information as required by the *Environmental Planning and Assessment Act 1979*. It will also include information that demonstrates adherence to the principles set out in this Guideline.

In order to achieve consistency and simplicity, three standard SIC instruments will generally be applied across NSW. These will relate to greenfield, infill and industrial/commercial developments.

Each SIC will include the following information:

- a. location where the SIC applies
- b. detail of the supporting strategic land use planning context
- c. types of development subject to a SIC
- d. the SIC infrastructure list
- e. infrastructure costs and apportionment
- f. method to calculate the SIC
- g. when the SIC is payable.

a. Location where the SIC applies

A location or area where the SIC applies is called a Special Contributions Area (SCA). A SCA can be declared over any location where an integrated land use and infrastructure planning process identifies the need for additional state and regional infrastructure linked to development outcomes. Where possible, the boundary of the SCA will support multiple high growth areas. This will assist with simplicity, consistency and clarity.

A SCA will be applied where:

- There is sufficient new demand for new State and regional infrastructure to justify introducing a SIC.
- The SIC will be able to generate sufficient revenue to support place outcomes and strategic objectives.

b. Detail of the supporting strategic land use planning context

Each SIC is aligned to the broader strategic land use planning context, forecasting likely infrastructure needs - based on planning assumptions - and allocating a share of the cost of that infrastructure to forecast growth. Elements of the land use planning process that inform the preparation of a SIC include:

- The boundary and extent of the land use planning area and its relationship to the SCA.
- The range, types and locations of intended future land uses.
- The proposed development and urban design outcomes, including proposed planning controls where available.
- The proposed structure plan including the spatial relationships and alignment of key infrastructure.
- Supporting technical information such as site analysis, land valuation and economic analysis, and infrastructure scoping studies.

c. Types of development subject to a SIC

A SIC establishes a financial contribution for new developments that generate a need for additional State and/or regional infrastructure. The SIC will apply only to land rezoned after the SIC takes effect.

A land-use strategy can facilitate a range of planning outcomes, so a SIC must contemplate a range of development types that will contribute to the cost of infrastructure. This includes residential, commercial and industrial development, and subdivisions.

Some development types will be exempt from a SIC charge. Depending on the nature of development expected in the SCA, this could include certain types of developments, development under certain types of zoning,

types of development approvals or for temporary developments that are necessary to support the Government's broader strategic objectives. Examples of development typically not required to make a contribution include public schools, emergency services, affordable housing, open space and public recreation facilities.

Land that may not be required to make a contribution includes flood-prone land, public utility easements, public roads and transport corridors.

All exemptions and exclusions will be published in supplementary guidance, for clarity.

Exemptions and exclusions may vary across SIC Determinations to cater to the specific needs of each place.

d. SIC Infrastructure list

Infrastructure that can be funded under a SIC must be consistent with the strategic land use planning context, be related to development being charged and support the objectives for a place. Table 1 identifies the state and regional infrastructure categories and components that can be included in an infrastructure schedule within a SIC. Note that a SIC will not necessarily provide funding towards all the categories of infrastructure identified below.

Table 1 – SIC Infrastructure

Category	SIC infrastructure
Transport	<ul style="list-style-type: none"> • Roads being land and/or works for State and regional roads (new roads and upgrades to existing roads and intersections), including active transport components. • Bus infrastructure being land and/or works for bus interchanges, transit routes and bus stops (infrastructure to be owned by a public authority, but services may be operated by a contractor appointed by the state government). • Active transport infrastructure aligned with regional networks identified in a relevant adopted strategy or plan (e.g. Green Grid, Principal Bicycle Network or Regional Cycle Plan).
Open space and green infrastructure	<ul style="list-style-type: none"> • Land acquisition for regional open space in greenfield locations, and land and/or works for regional open space in urban renewal locations (including works for regional recreation facilities, tree planting and strategies for urban canopy). • Regional green infrastructure in the form of open space connections or linear parks where identified in a relevant state strategy or an adopted local recreation study where they form part of a regional network.
Education facilities	<ul style="list-style-type: none"> • Education facilities and land covering public primary schools, special schools, high schools and TAFEs. • Land acquisition in greenfield locations for new education facilities. • Land and/or works in urban renewal locations to contribute towards new education facilities or expansion of existing facilities (based on the additional expected student population).
Health facilities	<ul style="list-style-type: none"> • Health facilities and land for regional and community health facilities. • Land acquisition in greenfield locations for new or expanded health facilities. • Land and/or works in urban renewal locations to contribute towards new health facilities or expansion of existing facilities.

Table 1 – SIC Infrastructure (CONT.)

Category	SIC infrastructure
Justice and emergency services facilities	<ul style="list-style-type: none"> Justice and emergency services land and facilities covering police stations, court facilities, fire and rescue and ambulance facilities. Land acquisition in greenfield locations for new or expanded justice and emergency services facilities. Land and/or works in urban renewal locations to contribute towards new justice and emergency services facilities or expansion of existing facilities.
Biodiversity	<ul style="list-style-type: none"> Biodiversity certification offsets for specific land release areas.
Public space, community and cultural facilities	<ul style="list-style-type: none"> Regionally significant public space and community or cultural facilities (such as regional libraries and regional sporting facilities). Land acquisition in greenfield locations. Land and/or works in urban renewal locations to contribute towards new facilities or expansion of existing facilities.
Planning and delivery	<ul style="list-style-type: none"> A contribution towards the strategic land use and infrastructure planning costs, and the cost of preparing, administering and monitoring the SIC system. This is generally a maximum of 1.5% of the cost of infrastructure.

An integrated infrastructure planning process considers the full range of infrastructure to support desired place outcomes. The draft SIC infrastructure list forms part of the package of information in the SIC consultation and exhibition process. Feedback from consultation on the draft SIC will inform the preparation of a final infrastructure schedule which is reflected in a SIC Determination.

Key information used to identify the infrastructure to be nominated in a SIC includes:

- Technical studies Analysis of growth scenarios, economic feasibility and key assessments including transport, open space and community infrastructure. This considers the existing infrastructure capacity and forecast future infrastructure requirements.
- Design studies Urban design and public realm studies to provide the spatial context and inform infrastructure needs.
- Agency and council advice Input and feedback from State agencies and councils on growth-related infrastructure needs, including relevant cost information where available.

- Existing Government strategies and plans This includes statutory planning instruments and land-use planning and infrastructure strategies and policies.

e. Infrastructure costs and cost apportionment

The SIC aims to balance the funding of infrastructure with broader development objectives and provides funding towards infrastructure related to growth in the SCA.

Where an infrastructure item is only partly required to service growth with the remainder required to service either existing demand, background growth, or growth from outside the SCA, the cost of the infrastructure will be apportioned to users outside of the SCA (i.e. the cost will be recovered from other sources than the SIC).

The mechanism for calculating apportionment varies according to infrastructure type.

Table 2 – Approach to apportionment

Infrastructure type	Approach
Education, health, justice, community, cultural and emergency services facilities	<ul style="list-style-type: none"> Advice is sought from relevant agencies during the planning stage on infrastructure requirements. Boundaries of the planning area and the catchments for education, health, justice, community, cultural and emergency services facilities planning often do not coincide with the SCA. Where the need for new or upgraded facilities is identified and a link to growth in the precinct is established the SIC can contribute towards the facility. Apportionment is based on the proportion of the cost of the facility serving growth as a component of the overall facility's service catchment.
Open Space and open space connections	<ul style="list-style-type: none"> The availability of and need for open space and active transport connections is analysed during the planning stage. Technical studies will identify the need and opportunities for new and/or improved regional open and public spaces forming part of a regional network. The costs and apportionment are based on the purpose of the park and its catchment.
Biodiversity	<ul style="list-style-type: none"> Any applicable biodiversity offset will be subject to the requirements identified in the wider biodiversity policy and specific land release areas.
Transport (roads, public transport and active transport infrastructure)	<ul style="list-style-type: none"> Transport analysis will identify the proportion of new and upgraded transport infrastructure generated by growth compared to other demands, usually through traffic modelling across the growth horizon. For example, where modelling indicates that 75% of traffic on an item of road infrastructure is due to growth in the SCA, the SIC will recover 75% of the cost of that item.
Funding for investigations	<ul style="list-style-type: none"> The SIC can recover funding for investigations such as scoping studies, concept design and business case preparation to assist agencies and councils in progressing the item towards delivery.

Cost estimates for the SIC infrastructure are derived from three primary sources:

- Delivery agencies' or councils' strategic cost estimates where available.
- Costs identified in an executed planning agreement (for example, where a developer is delivering an item as works-in-kind).
- Quantity surveyor and/or licensed land valuer advice for items where information is not available from the relevant developer, delivery agency or council.

SIC Infrastructure costs include project overheads and on-costs.

Sufficient contingency must be allowed for unexpected costs or cost escalation. Contingencies vary according to the infrastructure type, the quality of information available and the standard practices of the responsible delivery agency.

As a general guide, the following criteria and benchmarks are used to inform a consistent approach to costs and contingencies at the early infrastructure identification stage, where advice from a quantity surveyor is required:

- **Roads** Delivery agency or council estimate, or a benchmark of 40% where other information is not available.
- **Active transport** Benchmark 40% within a road, or 30% elsewhere.
- **Open space embellishment** Benchmark 30%.
- **Social infrastructure and community facilities** Benchmark 20%.

These benchmark rates reflect the general nature of the high-level strategic information available at the planning stage. Alternate contingencies may be developed for individual projects as more information becomes available to reflect project-specific risk factors, a unique design or project scope.

f. Method to calculate the SIC

Applying a consistent charging approach across all SICs will improve predictability, simplicity and certainty. Equally, it is important to ensure that a SIC can be applied to a range of land uses that generate infrastructure demand and this can require a range of SIC calculation methods to be utilised. The standard calculation method approaches are:

- A charge per net developable hectare in greenfield areas.
- A charge per dwelling and/or gross floor area in urban infill areas.

In some exceptional cases, a charge based on percentage of the capital investment value (CIV) will be considered to further simplify the calculation method.

The Department will seek to ensure a SIC does not unreasonably impact on development feasibility and will, prior to implementing a SIC, investigate the impact of the SIC charge on general development viability.

Table 3 below provides a general overview of the approach to a SIC feasibility analysis.

Table 3 – Approach to SIC Feasibility

Item	Approach
Planning uplift	<ul style="list-style-type: none"> • When sites are rezoned, there can be some increase in land values. This uplift will vary across a SCA and may make a SIC more feasible. A statistical analysis is used to identify an average or representative SIC feasibility thresholds post-uplift, across the SCA.
Development and construction costs	<ul style="list-style-type: none"> • Industry benchmarks will generally be used to determine average development costs across the SCA.
Affordable housing	<ul style="list-style-type: none"> • The impact of any affordable housing contributions (in place under State Environmental Planning Policy 70) is considered before setting a SIC rate.
Local developer contributions	<ul style="list-style-type: none"> • It will be assumed that local developer contributions will be imposed on development to which a SIC applies. The higher of the adopted local contributions charge or the rate cap will be used. Advice is sought from councils on any proposed updates to local contributions plans at the time of the SIC feasibility study.

If development feasibility is to be impacted, consideration is given to strategic development priorities, and the SIC may be adjusted to:

- Reduce the scope of infrastructure to align with the revenue forecast to be received under a feasible SIC charge.
- Cap the SIC charge.
- Consider a percentage-based cost recovery target for the SIC.

In some situations, the government may consider growth areas for early release and rezoning on the basis that the release will incur no additional cost to government in relation to State or regional infrastructure. In this instance the SIC rate will be set with an assumption the developers have considered feasibility before making the offer to develop.

The SIC will provide clarity on costs as early as possible in the development cycle. In addition to the public consultation process outlined in Part 8, SIC rates may be introduced in stages. Where appropriate, the Department will apply incrementally increasing rates each year from the date of implementation until a time when the full SIC rate will apply. These transitional rates will be outlined in the SIC determination.

The base SIC rate will be increased at the start of each financial year.

g. Timing of payments and administration

The timing of a SIC payment can have significant implications on development feasibility and cash-flow. However, the timing of the SIC payment should also align to relevant stages of the land-use planning system. Therefore, the payment should be required as late as possible in the development process but no later than the issuing of final development consents.

A SIC is generally payable at the subdivision or construction certificate stage, depending on the type of development making the contribution. The development consent will specify when the SIC must be paid.

Developers can also propose to meet their obligations under a SIC by providing SIC infrastructure in lieu of paying a charge. This is known as 'works in kind' (WIK).

If agreed by the Minister or the relevant delegated authority, the planned cost of the WIK infrastructure (or actual cost, whichever is lesser), will be set off against the relevant SIC charge for the development.

Before accepting a WIK proposal, the Minister or Minister's delegate will consider the priority of the infrastructure and the value for money represented by the proposed alternative delivery method.

In relation to monetary contributions, a SIC Certificate of Payment is issued when SIC's obligations are satisfied. In relation to WIK, the obligation is met when the obligations are fulfilled in accordance with a works-in-kind agreement between the developer and the Minister or the relevant delegated authority.

SIC financial contributions are paid into a special deposits account known as the '*Special Contributions Area Infrastructure Fund*.' The Secretary of the Department administers the Fund in consultation with the NSW Treasury.

8. Public consultation and transparency

Public consultation and opportunities for feedback will occur before a SIC is implemented. The Department will consider a range of public consultation opportunities such as:

- Publish draft proposals (proposed SIC, SCA and infrastructure list).
- Release draft determination, direction and order (proposed statutory instruments).
- Organise community feedback session and industry engagement workshops.

Feedback will be sought on all aspects of the proposed SIC, including the contribution, the SCA, the infrastructure list and the types of development that will be required to make a contribution.

All submissions received during the public consultation period will be made available on the Department's website.

A range of supplementary materials and publications will be made available for all SICs. These are:

- User guides, including information about amendments to the SIC, how to apply for works-in-kind and how to nominate a project for SIC investment.
- Financial reports, detailing SIC annual revenue and total revenue.
- SIC project delivery including investment prioritisation and selection.

9. Expending SIC revenue

The principles of nexus and apportionment appropriately constrain the SIC's ability to fully recover the full cost of new infrastructure even in areas with the highest rates of growth. The SIC is therefore not a commitment to the delivery of any infrastructure item.

However, the SIC is derived according to a reasonable assumption of infrastructure needs and costs, fairly apportioned to the users of that infrastructure. SIC revenue is to be directed to the infrastructure required to support the new or growing communities to which it applies.

SIC revenue will be programmed for disbursement as soon as practical. Where possible, SIC funding will be aligned to capital planning programs, to create a forward pipeline of asset delivery. Councils, State-owned corporations and the private sector will be consulted on investment programming, through Infrastructure Coordination Committees and local collaboration frameworks.

This will minimise delays in the development process and help to progress land-use plans from conception to completion.

The SIC funding cycle will only commence when sufficient revenue is collected in a SCA and there is sufficient confidence that a substantial delivery program can be committed to.

SIC revenue can take some years to accumulate to an adequate level to fund a major capital investment program. SIC funding can be disbursed to discrete project components including the preparation of business cases, strategic planning, concept design, detailed design or construction funding. In some cases, SIC funding will be made available for planning and business cases; in others the SIC will fund the project through to construction.

Where appropriate, delivery programs and investment decisions will be considered according to the objectives and priorities of the whole SCA.

The SIC program will inform the broader Government expenditure and capital allocation programs.

The SIC expenditure program is supported by:

- A project nomination and selection process with clear objectives and a statement of intended benefits.
- Alignment with the investment decision process of the NSW Treasury and the Infrastructure NSW Infrastructure Investor Assurance Framework.
- Oversight and scrutiny by key Government agencies.
- Advice and feedback from stakeholders including local councils, utility providers and developers.
- Annual reporting on program investments, expenditure and revenue.

Investment programs will need to be prioritised according to the broader objectives for the area to which the SIC applies. The primary considerations for the effective programming and coordination of infrastructure for a place include:

- The land use planning strategy for the relevant area.
- Monitoring of development activity in an area, including dwelling or employment

land completion and the pipeline of new development approvals.

- Assumptions about growth, demographic changes and infrastructure demand forecasts.
- Broader infrastructure planning for the place, including State government, local council, utility provider and private sector investment planning.

Investment decisions will be aligned to a SIC-specific prioritisation process and the Infrastructure NSW Infrastructure Investor Assurance Framework as outlined in Part 4 of this Guideline.

Information about SIC revenue and funds allocation will be published annually on the Department of Planning, Industry and Environment's website. This will:

- Improve collaboration between infrastructure providers, state and local governments and the private sector on development and growth management.
- Better inform investment decisions across public and private sectors.
- Improve confidence in the SIC program.

The information will be further supported by ongoing improvements to ePlanning. A web-based map browser will allow users to access information on projects funded from the SIC.

10. State Planning Agreements

In some cases, a development proponent will seek to progress a major development proposal prior to a SIC being implemented. In these instances, the assessing authority may approve the proposal, subject to conditions including satisfactory provision being made by the proponent for the provision of State and regional infrastructure.

To meet their obligations under the planning approval, the proponent may offer to enter into a Planning Agreement with the Minister for Planning and Public Spaces or the relevant delegated authority. The State Planning

Agreement could, for example, commit the proponent to dedicating an infrastructure asset to a State agency or to making a financial contribution towards the provision of State and regional infrastructure.

State Planning Agreements will generally apply to major re-zoning in areas of high growth or renewal, unless a SIC is contemplated or already in place. Planning Agreements can still be considered where a SIC is in place if it provides a better infrastructure or planning outcome in the opinion of the Minister or delegate.

11. Have your say

The Department is committed to ensuring a transparent and predictable SIC program to meet the community needs of each contribution area.

The SIC aims to effectively and efficiently collect contributions towards state and regional infrastructure that relates to development growth and in doing so will:

- Align with new place-based models for planning.
- Generate funding for a pipeline of state/regional infrastructure that relates to development growth.

The Department invites your feedback. This will help us better understand the views of stakeholders and the community and will assist us to finalise the Guidelines.

Submissions can be made via the Department's website:

www.planningportal.nsw.gov.au/exhibition

You may also post your submission to:

Executive Director

Planning Policy

Department of Planning, Industry and Environment

GPO Box 39, SYDNEY, NSW 2001.

All submissions will be made public in line with our objective to promote an open and transparent planning system. If you do not want your name published, please state this clearly at the top of your submission. The Department will publish all individual submissions and a submission report shortly after the exhibition period has ended.

The Department will provide regular updates on the SIC program via its website, and will provide ongoing opportunities for councils, agencies, development industry and the broader community to participate in the design of the SIC program.

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