

TABLE OF RECOMMENDATIONS**Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure and Mundijong Industrial Development Contribution Plans (PA18/780: E20/12316)****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020****Table of Recommended Modifications – Amendment 209**

Item	Submissions/issues	Proposed Modifications
Oakland Drain	Mundijong Industrial area: This section of drain and its hydraulic (flooding) requirements will need to be adequately accommodated in its current location and form, or provision made for the developer/s of the area to investigate the feasibility of relocating the drain to an alternative alignment acceptable to the Water Corporation.	That text be added to the West Mundijong Industrial DCP to include a note that the Water Corporation open drain “Oaklands Branch Drain F” will need to be adequately accommodated in its current location and form, and that no provision has been made within the DCP relating to investigation or the feasibility of relocating the drain to an alternative alignment.
Intersections with MRWA Roads	Current wording in the DCP suggests that MRWA always fund intersections with state roads, which is not the case.	That the text within the Mundijong Whitby Urban DCP and Amendment 209 for Bishop Road be changed to read: “The following items have not been included in the Mundijong Whitby Urban Development Contributions Plan for Bishop Road - Intersection treatment with Tonkin Highway.”
Timing of infrastructure	Section 6.3.7 of SPP 3.6 (2009) under which this Amendment is prepared, provides that a development contribution plan is to specify the priority and timing for the provision of infrastructure. SPP notes that a DCP must be prepared within 90 days of gazettal of an amendment. Officers recommend	That an Appendix be included in the final DCPs for West Mundijong Industrial and Mundijong Whitby Urban (to be published within 90 days of gazettal of the amendment), which details the agreed project timelines (as approved by Council).
Grade separated crossings	The inclusion of the grade separated crossings (which are road crossings over a freight and regional transport rail line) should not be included in the DCP. The funding for these works falls under the responsibility of	Removal of grade separated crossings from the Amendment 209 and Mundijong Whitby Urban DCP costs, map and text.

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	the state, not the local government and/or the developers of land contained within DCA3.	
Period of operation:	The DPLH have advised that they recommend the previously submitted CIDCP to be reduced to a 15 year lifespan. It is anticipated that a similar requirement will be placed upon Amendment 209 for the Mundijong Whitby Urban DCA/DCP.	That the Amendment 209 and Mundijong Whitby Urban DCP be amended to reflect a completion date of 2034, to align with the CIDCP (and Byford Traditional DCP).
Population forecasts	Population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates. Subject to the previous recommendation regarding the reduced period of operation, the anticipated increase in lots during this period is now anticipated to be 7,200.	That the lots over which infrastructure costs are shared, within the Mundijong Whitby Urban DCP, be set at 7,200.
Infrastructure included	The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the extent of road upgrades required.	<p>That the following projects be <i>removed</i> from Amendment 209 and Mundijong Whitby Urban DCP:</p> <ul style="list-style-type: none"> • DSS Mundijong High School; • NOS Whitby North Primary School • NOS Adam St/Cockram St; • Mundijong Rd East/Watkins Rd; • Galvin Rd. <p>That the following projects be <i>amended</i> within Amendment 209 and the Mundijong Whitby Urban DCP:</p>

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		<ul style="list-style-type: none"> • Paterson St/Soldiers Rd upgrade: removal of Paterson St section; • Bishop Rd East: removal of portion to east of Bett Rd; • Taylor Rd/Adams St: Adams St portion to be removed; • North South Road: removal of section north of Galvin Road; • Skyline Blvd: removal of section north of Town Centre Rd.
Road categorisations	Officers believe that the categorisation of DCP roads should align with terminology used in Liveable Neighbourhoods, in order to give better clarity.	<p>Recommend DCP roads be identified as follows within Amendment 209 and the Mundijong Whitby Urban and West Mundijong Industrial DCPs:</p> <ul style="list-style-type: none"> • Bishop Road: Integrator B • Industrial North South Spine: Industrial Road; • Kargotich Road: Integrator B; • Mundijong Road (West): Integrator B; • Bishop Road (East): Integrator B; • North South Road: Integrator B; • Skyline Blvd: Neighbourhood Connector A; • Soldiers Rd: Neighbourhood Connector A; • Taylor Road: Integrator B; • Tinspar Ave: Neighbourhood Connector A.

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Road upgrade scope details	Aligning the road categories with Liveable Neighbourhoods would negate the need to detail the specific road treatment within the DCP and the amendment. This would also ensure that if the standards change, a new major amendment to the Town Planning Scheme, would not be not required.	Removal of specific road build scope from the West Mundijong Industrial and Mundijong Whitby Urban DCPs and Amendment 209.
Road Reserves	A number of road width changes (from the previous DCP revisions) have occurred as a result of the latest TIA modelling and forecasting to 2034. The associated reserves and land costs require adjusting within the Amendment and the DCPs to be in line with the latest advice.	<p>That road reserves be amended as follows, within Amendment 209 and the Mundijong Whitby Urban and West Mundijong Industrial DCPs:</p> <ul style="list-style-type: none"> • Bishop Road: 30m • Industrial North South Spine: 30m; • Kargotich Road: 30m; • Mundijong Road (West): 30m; • Bishop Road (East): 30m; • North South Road: 30m; • Skyline Blvd: 25m; • Soldiers Rd: 20m; • Taylor Road: 30m; • Tinspar Ave: 25m.

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<p>Reimbursement of credits</p>	<p>To provide clarity in respect of the payment of credits and request alignment with the wording proposed in the revised draft SPP 3.6..</p> <p>Officers support some greater clarity as to the management of credits, to reflect the new SPP3.6 which is proposed to be introduced. This sets out the following new SPP provisions:</p> <p>6.7.2.12 c) and d):</p> <p><i>c) Where a developer has no further holdings in the DCA, the amount is held by the local government as a credit to the developer until payments into the DCP are received from subsequent developers to cover the credited amount. The credit is then reimbursed to the developer as soon as circumstances permit.</i></p> <p><i>d) Where the DCP fund is in credit from developer contributions already received, the credit should be reimbursed as soon as the circumstances permit on completion of the works/ceding of land and having regard to the priority and timing of DCP works.</i></p> <p>The common question in respect of 6.7.2.12c) is what “as soon as circumstances permit” practically means.</p> <p>Compared to 6.7.2.12d), the Shire has current priority infrastructure identified under DCA1 as Abernethy Road and Thomas Road. Amendment 208 seeks to identify new priority infrastructure of San Simeon</p>	<p>Recommend the clause within both the Mundijong Whitby Urban Traditional Infrastructure DCP and the West Mundijong Industrial DCP, relating to reimbursement of credits, be amended to reflect the following wording:</p> <p><i>“If a developer has completed development of all their land within the DCP area, and they have a residual credit owed to them, the Developer may apply for this residual credit to be paid out by any available DCP funds. Such decision will be at the discretion of Council, based upon the State Planning Policy 3.6 and the current circumstances of the DCP. This includes the date at which the credit was realised, the status of current priority infrastructure and any new priority infrastructure.”</i></p>
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	<p>Boulevard and Indigo Parkway, and de-emphasise Thomas Road as priority infrastructure.</p> <p>It is considered reasonable that new priority infrastructure needs to be considered alongside pre-existing credits, and would not automatically overtake pre-existing credits - rather, the circumstances of the DCP would need to be considered and balanced in respect of credit timing vs infrastructure need. Officers would also seek to align decision making, reflective of the prevailing State Planning Policy 3.6 framework. Reflecting the SPP is what Departmental officers suggest also, given this underpins the overall governance framework for developer contributions.</p>	
<p>Annual reviews of the DCPs</p>	<p>Officers recommend that the annual review of the West Mundijong Industrial and Mundijong Whitby Urban DCPs, which enables review of costings, indexing of costs and reconciliation of yields and funds (though no scope amendments are allowed without an amendment), be formalised within the DCP to be carried out in consultation with the Mundijong Industry Reference Group.</p>	<p>That wording be inserted into the DCP in respect of the requirement to review the Annual DCP reviews in collaboration with the relevant Industry Reference Group(s).</p>
<p>Amendments to the Mundijong DSP</p>	<p>There are a number of recommendations made within the submission responses for the Mundijong DSP. The Amendment report references information within the DSP, including Maps. Where recommendations for amendments to the DSP are approved by Council, officers recommend that the relevant text and maps in</p>	<p>That any amendments approved by Council to the Mundijong DSP, be reflected in the relevant text and maps, within Amendment 209 and the Mundijong Whitby Urban DCP report.</p>

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	the Amendment report, be aligned with the revised information.	
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