



Byford Development Contribution Plan Report

Prepared by Shire of Serpentine
Jarrahdale

September 2010

DRAFT

TABLE OF CONTENTS

1	Introduction.....	1
1.1	Background	1
1.2	Purpose of Development Contribution Arrangement	2
1.3	Purpose of Development Contribution Plan Report	2
1.4	Status.....	2
1.5	Principles	2
1.6	Area of Operation	3
1.7	Strategic Basis.....	4
2	Infrastructure, Land and Other Items	5
2.1	Land Value	5
2.2	Roads	5
2.2.1	Thomas Road – District Distributor	6
2.2.2	Abernethy Road – Local Road	6
2.2.3	Orton Road – Local Road.....	7
2.2.4	Kardan Boulevard – Local Road	8
2.2.5	San Simeon Boulevard – Local Road	8
2.2.6	Doley Road – Local Road.....	9
2.2.7	Warrington Road – Local Road	10
2.2.8	Road Items Not Included	10
2.3	Land for Public Open Space and/or Drainage	11
2.3.1	Estimated Amount of Land for Public Open Space and Drainage	12
2.3.2	Estimated Cost	14
2.3.3	Items Not Included.....	14
2.4	Bridle Trails.....	14
2.5	Water Monitoring	15
2.6	Administrative Items	16
2.7	Total Cost	17
3	Development Contribution Methodology.....	18
3.1	Precincts	18
3.2	Estimation of Lot/Dwelling Potential	20
3.3	Identifying the Contribution Rate for Each Precinct	22
3.4	Calculating the Contribution Rate for Landowners/Developers	24
3.4.1	Standard Residential Subdivision or Development	24
3.4.2	Non-Standard Residential Subdivision or Development	24
3.4.3	Non-Residential Subdivision or Development	24
3.4.4	Mixed Use Development	25
3.5	Future Subdivision/Development Potential	25
3.6	Exemptions.....	25
3.7	Interim Arrangements and Transition to a Finalised Contribution Arrangement.....	26
4	Priority and Timing of Provision.....	27
5	Period of Operation and Review	28
6	Operational Matters.....	29
6.1	Estimation of Costs.....	29
6.2	Land Valuation.....	29
6.3	Liability for Contributions	29

TABLE OF CONTENTS CONTINUED

6.4	Payment of Contributions	29
6.5	Arbitration	29
6.6	Implementation	29
6.7	Form of Contributions	29
6.8	Credits	29
7	Examples of Calculation	31
7.1	Example 1.....	31
7.2	Example 2.....	31
7.3	Example 3.....	31
7.4	Example 4.....	32
7.5	Example 4.....	33
APPENDICES:	1
Appendix A	Thomas Road – Costing Spreadsheet	
Appendix B	Abernethy Road – Costing Spreadsheet	
Appendix C	Orton Road – Costing Spreadsheet	
Appendix D	Kardan Boulevard – Costing Spreadsheet	
Appendix E	San Simeon Boulevard – Costing Spreadsheet	
Appendix F	Doley Road – Costing Spreadsheet	
Appendix G	Warrington Road – Costing Spreadsheet	
Appendix H	Bridle Trail – Costing Spreadsheet	
Appendix I	Water Monitoring – Costing Spreadsheet	
Appendix J	Administrative Items – Costing Spreadsheet	

1 Introduction

1.1 Background

The Byford development area is located within the Shire of Serpentine Jarrahdale, and is generally bound by Thomas Road to the north, the existing Byford Townsite to the east, South Western Highway to the southeast, Cardup Siding Road to the south and Hopkinson Road to the west.

The Byford District Structure Plan (DSP) has been prepared to guide the preparation of more detailed local structure plans (LSPs) facilitating subdivision and development within the Byford area. Infrastructure and land for public purposes will be required to cater for this development.

A copy of the Byford DSP Map is contained in Figure 1.

DRAFT

- LEGEND**
- STRUCTURE PLAN AREA
 - CONVEYANCE/RESERVATION ROAD
 - PROPOSED BOUNDARY
 - RURAL RESIDENTIAL
 - RESIDENTIAL (R20)
 - RESIDENTIAL (R30-R50)
 - LAND SUBJECT TO FURTHER STUDY (SEE NOTES 23 & 26 WHERE APPLICABLE)
 - TOUR CENTRE (TOUR CENTRE SUBJECT TO LOCAL STRUCTURE PLAN AND DETAILED AREA PLAN AND DESIGN DEVELOPMENTS)
 - NEIGHBOURHOOD CENTRE
 - HIGHWAY COMMERCIAL
 - COMMUNITY PURPOSE
 - NEIGHBOURHOOD NODE
 - SCHOOLS
 - PS - Existing Primary School
 - PS - Primary School
 - HS - High School
 - MIXED BUSINESS
 - MULTIPLE USE CORRIDOR (MUC)
 - WATERWAY
 - DRAINAGE BASIN INDICATIVE LOCATION
 - FUTURE ROADS
 - EXISTING VIS REGIONAL PARKS AND RECREATION RESERVE
 - EXISTING LOCAL PUBLIC OPEN SPACE
 - PROPOSED LOCAL PARK (Approx. 3000m²)
 - PROPOSED LOCAL PARK WITH N MUC
 - PROPOSED NEIGHBOURHOOD PARK (Approx. 4000m²)
 - PROPOSED NEIGHBOURHOOD PARK WITH N MUC
 - DISTRICT RECREATION (Approx. 4+0)
 - CONSERVATION
 - FORESHORE RESERVE
 - PUBLIC PURPOSES
 - BUFFER BETWEEN EXISTING EXCLUSIVE EQUESTRIAN RESERVES AND RESIDENTIAL AREA INCLUDED WITH EXISTING LOTS
 - AREA OF LANDSCAPE SENSITIVITY
 - DRAINAGE DIRECTION FLOW
 - UNCONSTRUCTED ROAD / BRIDLE PATH
 - TURNER ROAD - POSSIBLE CLOSURE SUBJECT TO FURTHER INVESTIGATION BY COUNCIL
 - PAVING CROSSINGS
 - POTENTIAL PAW CROSSINGS SUBJECT TO FURTHER INVESTIGATION
 - POSSIBLE FUTURE GRADE SEPARATED CROSSING
 - POSSIBLE FUTURE PALWAY STATION
 - LAND SUBJECT TO FURTHER STUDY TO ADDRESS THE REQUIREMENTS FOR DRAINAGE AND RELATED STRUCTURE PLANNING CONSIDERATION TO BE GIVEN TO THE REFERRED ADJACENT OF THE HIGHWAY COMMERCIAL RESIDENTIAL FORD RESERVATION
 - LAND SUBJECT TO FURTHER STUDY - PLANNING TO BE FURTHER SUBJECT TO RESOLUTION OF ALIGNMENT OF ORION ROADS

This is a District Structure Plan and shall be used as a basis for more detailed planning when read in conjunction with other documents and the Byford Structure Plan report

This Plan should be read in conjunction with Schedule 1 - Operative Part

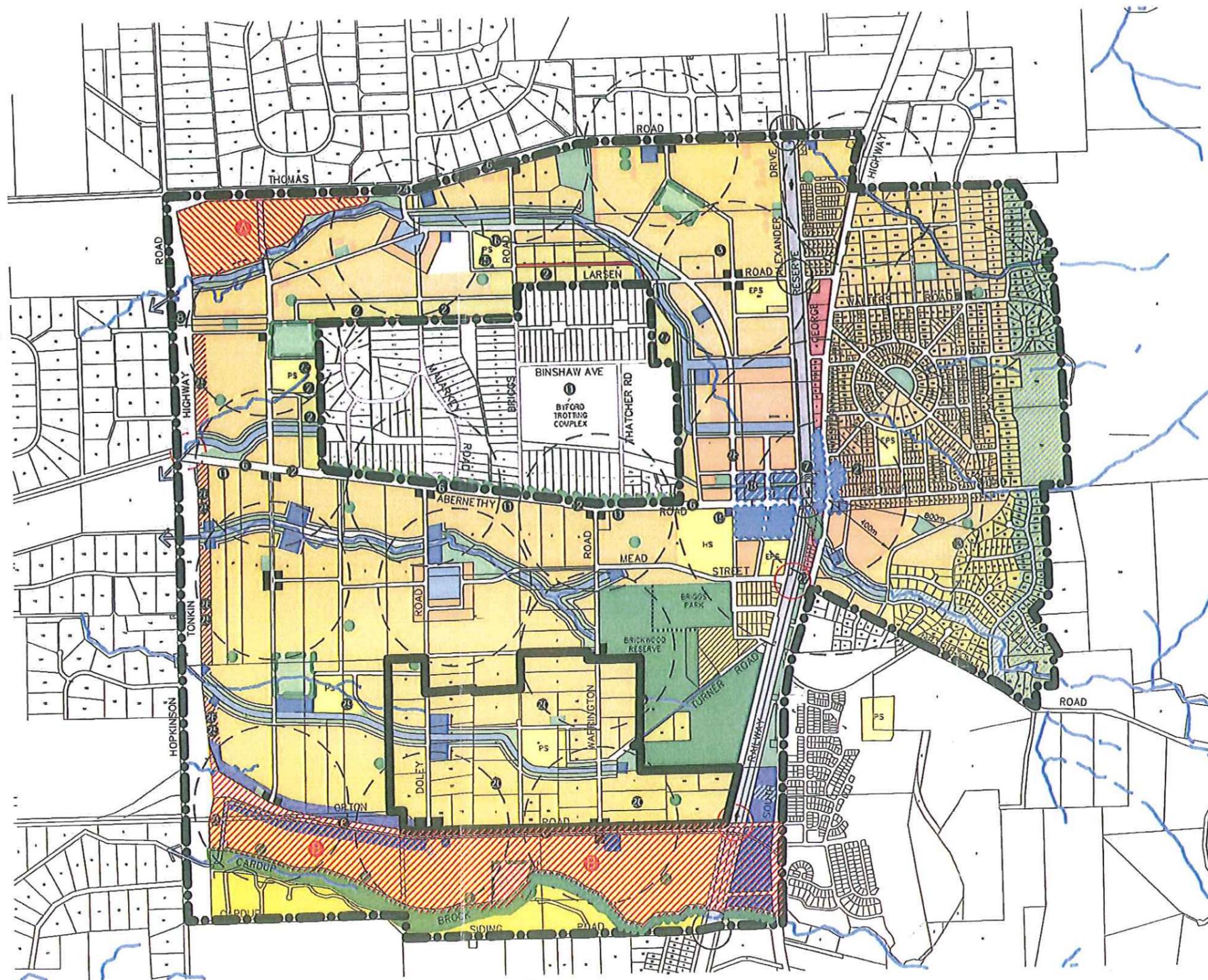


FIGURE 1: BYFORD DISTRICT STRUCTURE PLAN

DATE 10.08.2010
DWG NO 004

REV B
SCALE NTS



1.2 Purpose of Development Contribution Arrangement

Due to the existence of multiple landholdings within the Byford DSP area, the Shire has decided to prepare a development contribution arrangement (DCA) to share the cost of infrastructure, land and other items required to support the development of the area.

1.3 Purpose of Development Contribution Plan Report

This development contribution plan (DCP) report has been prepared to set out in detail:

- The infrastructure, land and other items for which development contributions are to be collected.
- How land values are calculated and the valuation methodology applied.
- The costings infrastructure and other items.
- The cost contribution rates applicable to individual precincts within the Byford development contribution area.
- The methodology to calculate development contributions applicable to landowners/developers and the operational aspects of the methodology.
- Principles for the priority and timing of infrastructure provision and land acquisition.
- The period of operation and review of the DCA.
- Various other operational matters.
- Examples of how development contributions will be calculated.

1.4 Status

This DCP report has been prepared pursuant to Clause 10.3.10 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2).

The report should be read in conjunction with Clause 10.3 of proposed Scheme Amendment No. 167 to TPS 2, the Scheme DCP set out in Appendix 16 of TPS 2, the Byford District Structure Plan (DSP), and any relevant precinct-level LSP.

This DCP report does not form part of TPS 2.

1.5 Principles

This DCP report has been prepared pursuant to the guiding principles for development contribution plans, as set out in Clause 10.3.6 of TPS 2 and detailed below:

(a) Need and the nexus

The need for the infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

(b) Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

(c) Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

INTRODUCTION

(d) Certainty

All development contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.

(e) Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs

(f) Consistency

Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent.

(g) Right of consultation and review

Owners have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.

(h) Accountable

There must be accountability in the manner in which development contributions are determined and expended.

(i) Risk Minimisation

The financial risk to the local government and other stakeholders is to be mitigated through the minimisation of items included.

1.6 Area of Operation

The DCP report applies to the Byford development contribution area special control area (SCA) (see Figure 2), as indicated on the TPS 2 Scheme Maps and detailed within Part 10 of TPS 2.



LEGEND

DCA 1 BYFORD DEVELOPMENT CONTRIBUTION AREA

FIGURE 2: BYFORD DEVELOPMENT CONTRIBUTION AREA

DATE 10.08.2010
DWG NO 003

REV B
SCALE NTS



1.7 Strategic Basis

The Byford DSP guides the preparation of LSPs, which facilitate the eventual subdivision and development of land within the Byford. This subdivision and development necessitates the provision of new and upgraded infrastructure, land for public open space and drainage purposes. In this context, the Byford DSP forms the strategic basis for the DCP report and broader DCA for Byford.

DRAFT

2 Infrastructure, Land and Other Items

This section of the DCP report identifies the infrastructure, land and other items for which development contributions will be collected in Byford. These items include:

- District distributor and local roads playing a district function;
- Land for public open space and drainage;
- Selected bridle trails;
- Water monitoring costs; and
- Administration costs.

2.1 Land Value

Many of these items include a land component. To determine the total cost of the items, a land value therefore needs to be identified. Pursuant to Clause 10.3.12 of Amendment No 167 to TPS 2, the rate for the purpose of calculating the value of land for public open space, drainage and infrastructure, as at August 2010, is **\$550,000 per hectare**. This estimate is based on advice received from various developers during the preparation of the DCA.

The Shire is currently engaging a valuer to complete a formal land valuation for Byford. It is intended that the land value be updated once the formal valuation has been completed. This is expected to occur prior to or during advertising of the DCP report.

Pursuant to Clause 10.3.11 of Amendment No. 167 to TPS 2, the land value will be reviewed at least annually.

For the purposes of TPS 2, the Scheme DCP for Byford and the Byford DCP report, one englobo land value will apply to the entire Byford development contribution area, irrespective of precinct or structure plan classification or similar. This approach is considered to be the most simple, effective and equitable method of addressing land valuation.

2.2 Roads

The upgrading, construction and land acquisition of the following roads are included within the DCA:

- Thomas Road;
- Abernethy Road;
- Orton Road;
- Kardan Boulevard;
- San Simeon Boulevard;
- Doley Road; and
- Warrington Road.

Figure 3 provides a graphical representation of the general extent to which the roads will be upgraded and/or constructed through the DCA.

LEGEND:

GENERAL EXTENT OF ROAD UPGRADE AND/OR CONSTRUCTION

-  THOMAS ROAD 50m road reserve
-  ABERNETHY ROAD 30m road reserve
-  ORTON ROAD 30m road reserve
-  KARDAN BOULEVARD 30m road reserve
-  KARDAN BOULEVARD 25m road reserve
-  SAN SIMEON BOULEVARD 30m road reserve
-  SAN SIMEON BOULEVARD 25m road reserve
-  DOLEY ROAD 30m road reserve
-  WARRINGTON ROAD 20m road reserve

TRAFFIC CONTROL DEVICES

-  TRAFFIC LIGHT
-  ROUND ABOUT
-  INTERSECTION TREATMENT
SLIP LANES AND ASSOCIATED WORKS

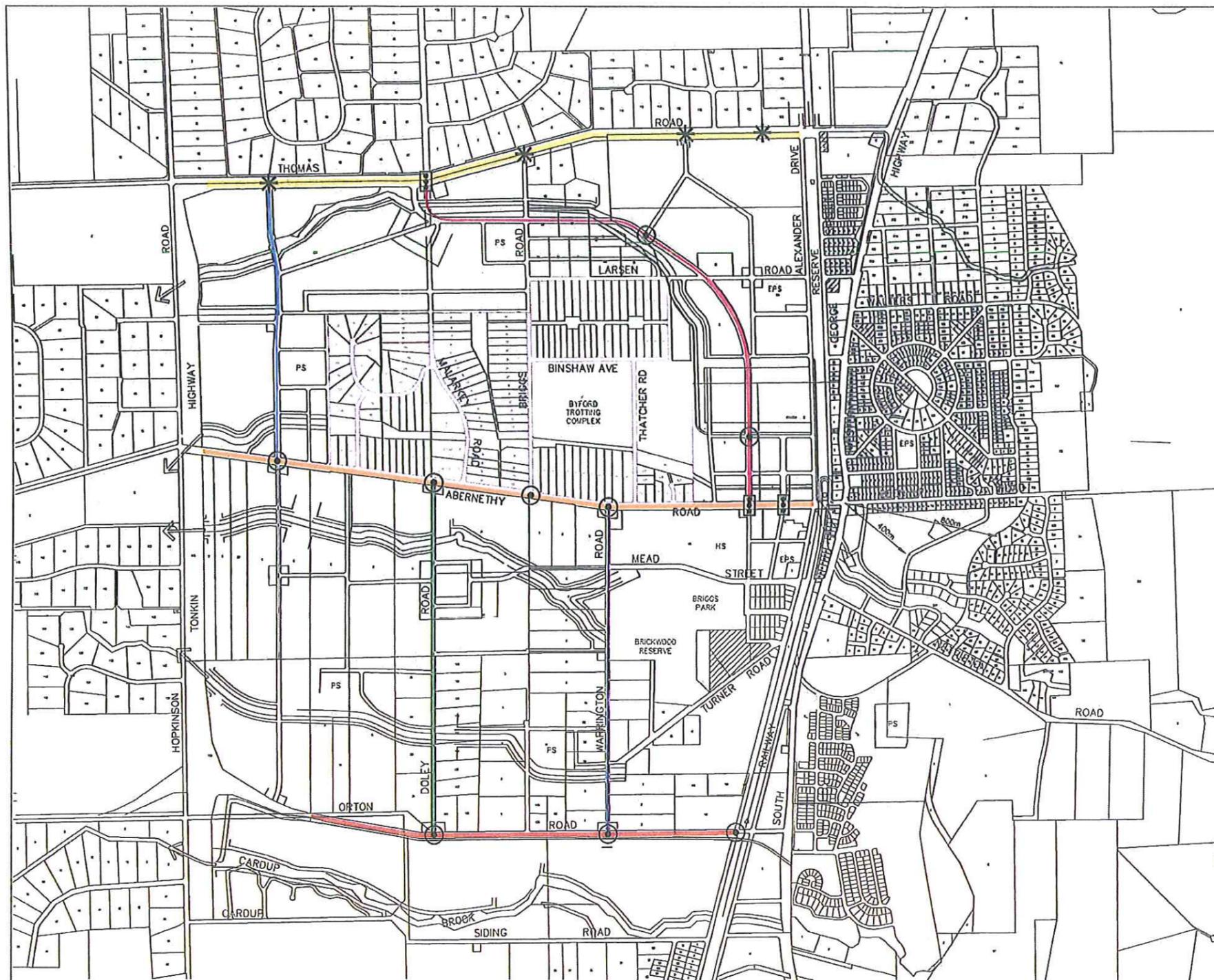


FIGURE 3: ROADS TO BE UPGRADED AND/OR CONSTRUCTED THROUGH THE DEVELOPMENT CONTRIBUTION ARRANGEMENT (AND TRAFFIC CONTROL DEVICES)

DATE 10.08.2010
DWG NO 001

REV B
SCALE NTS



2.2.1 Thomas Road – District Distributor

Thomas Road borders a significant portion of the Byford DSP area to the north. Under the Metropolitan Region Scheme (MRS), the road is reserved as an Other Regional Road and is identified as a district distributor. The portion of Thomas Road abutting the Byford DSP is under control of the Shire.

The road currently exists, but will require changes in width, alignment and configuration to support development envisaged under the DSP.

The width of the Thomas Road reserve will be 50m.

The upgrade of Thomas Road will occur between the Tonkin Highway Metropolitan Region Scheme (MRS) Primary Regional Road Reserve and the railway reserve to the east. The detailed design of Thomas Road is still to be determined in conjunction with relevant State agencies.

In accordance with State Planning Policy No. 3.6 – Development Contributions for Infrastructure (SPP 3.6), the following items are included within the DCA for Thomas Road:

- Land required to achieve the proposed 50m road reserve;
- Earthworks for the whole road reserve;
- The construction and upgrade of one carriageway;
- Associated drainage works including water sensitive measures;
- Traffic control devices including one set of traffic lights and four intersection treatments incorporating slip lanes and associated works;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for Thomas Road will be **\$10,280,242.07**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix A.

The following items are not included in the DCA for Thomas Road:

- Modifications to the current railway crossing configuration, as this may change in the future when detailed planning is undertaken by the Public Transport Authority for the future electrification of the railway line to Byford;
- Any upgrades to Thomas Road east of the railway crossing up to the dual carriageway near South Western Highway; and
- Any intersection treatment with Tonkin Highway. Tonkin Highway is a Primary Regional Road under the MRS and is a responsibility of Main Roads.

2.2.2 Abernethy Road – Local Road

Abernethy Road is located centrally within the Byford DSP area, providing an east-west connection and linking in with the proposed expansion of the Byford Town Centre. Abernethy Road is a Shire controlled road and is not reserved under the MRS. The existing state of Abernethy Road is rural in nature, with a narrow single carriageway allowing for one lane in either direction. The road is not proposed to provide a direct connection to the future extension of Tonkin Highway, but may bridge over Tonkin Highway in the future.

The width of Abernethy Road will be 30m.

The upgrade of Abernethy Road will occur between the Tonkin Highway MRS Primary Regional Road reserve and the railway crossing to the east.

In accordance with SPP 3.6, the following items are included in the DCA for Abernethy Road:

- Land required to achieve the proposed 30m road reserve;
- Earthworks for the whole road reserve;
- Complete road construction based on a single lane split carriageway with central median;
- Associated drainage works including water sensitive measures;
- Traffic control devices including two sets of traffic lights and four roundabouts;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for Abernethy Road will be **\$15,715,211.07**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix B.

The following items are not included in the DCA for Abernethy Road:

- Minor intersections treatments into Abernethy Road from the adjoining subdivisional road network. These will be subject to a standard truncation requirement;
- Modifications to the current railway crossing configuration; as this may change in the future when detailed planning is undertaken by the Public Transport Authority for the future electrification of the railway line to Byford; and
- Any grade separated crossing treatments such as a possible fly over bridge or other intersection treatments with Tonkin Highway. Tonkin Highway is a Primary Regional Road under the MRS and is a responsibility of Main Roads.

2.2.3 Orton Road – Local Road

Orton Road is located in the southern portion of the DSP area, running east-west between Hopkinson Road and Warrington Road. Orton Road is a Shire controlled road and is not reserved under the MRS.

The existing state of Orton Road is rural in nature, with a narrow single carriageway allowing for one lane in either direction. The Byford DSP indicates that the road is to be realigned to the west of Doley Road and be extended from Warrington Road to Soldiers Road. Other changes to the alignment of the road are proposed towards Tonkin Highway and the road is proposed to connect into Tonkin Highway.

The width of Orton Road will be 30m.

The upgrade and construction of Orton Road will occur between the Tonkin Highway MRS Primary Regional Road reserve and Soldiers Road.

In accordance with SPP 3.6, the following items are included in the DCA for Orton Road:

- Land required to achieve the proposed 30m road reserve;
- Earthworks for the whole road reserve;
- Complete road construction based on a single lane split carriageway with central median;
- Associated drainage works including water sensitive measures;
- Traffic control devices including three roundabouts;
- Shared paths;

- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for Orton Road will be **\$10,612,806.23**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix C.

The following items are not included in the DCA for Orton Road:

- Minor intersections treatments into Orton Road from the adjoining subdivisional road network. These will be subject to a standard truncation requirement; and
- Any intersection treatment with Tonkin Highway. Tonkin Highway is a Primary Regional Road under the MRS and is a responsibility of Main Roads.

2.2.4 Kardan Boulevard – Local Road

Kardan Boulevard is located in the north-west portion of the DSP area, providing a north-south connection between Abernethy Road and Thomas Road. Construction of the road is proposed by the Byford DSP as it will provide an important connection for district traffic and public transport movements.

In light of Kardan Boulevard's role, the Shire has required a road width of 25 metres from Abernethy Road to Fawcett Road and 30 metres from Fawcett Road to Thomas Road.

The construction of Kardan Boulevard will occur between Thomas Road and Abernethy Road.

In accordance with SPP 3.6, the following items are included in the DCA for Kardan Boulevard:

- Land required over and above a standard 20m road reserve width to achieve the required 25 or 30m road reserve;
- Earthworks for the whole road reserve;
- Complete road construction based on a single lane split carriageway with central median;
- Associated drainage works including water sensitive measures;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for Kardan Boulevard will be **\$3,200,709.42**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix D.

The following items are not included in the DCA for Kardan Boulevard:

- Minor intersections treatments into Kardan Boulevard from the adjoining subdivisional road network. These will be subject to a standard truncation requirement;
- Land required to achieve a standard 20m road reserve, which will be ceded free of cost as part of the subdivision process.

2.2.5 San Simeon Boulevard – Local Road

San Simeon Boulevard is located in the northern portion of the DSP area, providing a northwest-southeast connection between Thomas Road and Abernethy Road. The road is also commonly referred to as the Thomas Road deviation and is identified by the DSP. San Simeon Boulevard will play an important district role by providing a direct connection for residents and traffic into the Byford Town Centre. The road will provide a direct access option to and from the Town Centre and assist in limiting vehicle movements through the Byford Trotting Complex.

In light of San Simeon's role, the Shire has required a road width of 25 metres from Thomas Road to Larsen Road and 30 metres from Larsen Road to Abernethy Road. A 25 metre road reserve is proposed in areas adjacent to public open space and 30 metre in built up areas (i.e. the proposed town centre).

The construction of San Simeon Boulevard will occur between Thomas Road and Abernethy Road.

In accordance with SPP 3.6, the following items are included in the DCA for San Simeon Boulevard:

- Land required over and above a standard 20m road reserve width to achieve the required 25m road reserve;
- Earthworks for the whole road reserve;
- Complete road construction based on a single lane split carriageway with central median;
- Associated drainage works including water sensitive measures;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for San Simeon Boulevard will be **\$7,597,823.99**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix E.

The following items are not included in the DCA for San Simeon Boulevard:

- Minor intersections treatments into San Simeon Boulevard from the adjoining subdivisional road network. These will be subject to a standard truncation requirement;
- Land required to achieve a standard 20m road reserve, which will be ceded free of cost as part of the subdivision process.

2.2.6 Doley Road – Local Road

Doley Road is located in the southern portion of the DSP area, providing a north-south connection between Abernethy Road and Orton Road. Doley Road will play an important district role by providing vehicle access into the proposed local centre, which will cater for a wide catchment population. The Road is identified in the Byford DSP.

In light of this role, the Shire has required a road width of 30m for Doley Road.

The construction of Doley Road will occur between Abernethy Road and Orton Road.

In accordance with SPP 3.6, the following items are included in the DCA for Doley Road:

- Land required over and above a standard 20m road reserve width to achieve the required 30m road reserve;
- Earthworks for the whole road reserve;
- Complete road construction based on a single lane split carriageway with central median;
- Associated drainage works including water sensitive measures;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for Doley Road will be **\$4,454,327.68**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix F.

The following items are not included in the DCA for Doley Road:

- Minor intersections treatments into Doley Road from the adjoining subdivisional road network. These will be subject to a standard truncation requirement;
- Land required to achieve a standard 20m road reserve, which will be ceded free of cost as part of the subdivision process.

2.2.7 Warrington Road – Local Road

Warrington Road is located in the southern portion of the DSP area, providing a north-south connection between Abernethy Road and Orton Road. The Road is identified in the Byford DSP and passes through an area of highly fragmented landownership. Warrington Road has been included within the Byford DCA to ensure a coordinated upgrade catering for increased traffic volumes.

The width of Warrington Road will be 20m.

The upgrade and construction of Warrington Road will occur between Abernethy Road and Orton Road.

In accordance with SPP 3.6, the following items are included in the DCA for Warrington Road:

- Earthworks for the whole road reserve;
- Complete road construction based on an undivided single carriageway;
- Associated drainage works including water sensitive measures;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design, administration, management.

The total cost for Warrington Road will be **\$2,482,456.43**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix G.

The following items are not included in the DCA for Warrington Road:

- Minor intersections treatments into Warrington Road from the adjoining subdivisional road network. These will be subject to a standard truncation requirement;
- Any land required to achieve a standard 20m road reserve, which will be ceded free of cost as part of the subdivision process or use of the existing road reserve.

2.2.8 Road Items Not Included

Road Reserve Improvements

The amenity of urban areas can be substantially enhanced through public realm improvement works such as vegetation, hard landscaping, public art and higher design standards of infrastructure. Road reserves provide significant opportunities for amenity enhancement, especially in the case of wider reserves such as distributor roads and in the instance of split-carriageways.

Within the DSP area, Thomas Road, Abernethy Road, Orton Road and the other distributor roads have the ability to incorporate significant improvement works.

The WAPC is unlikely to support the inclusion of road reserve amenity improvement works within a DCA, as it is not provided for within State Policy. In addition, there is not a clear nexus between development in a new urban area and its associated increase in traffic, and the need for general road reserve improvements.

It should however be noted that most developers undertake works to provide attractive streetscapes as a marketing feature, especially in the context of distributor and connector roads leading into new estates. As such, road reserve improvement, such as hard and soft landscaping and higher design standards of infrastructure, are not included in the DCA.

Kardan Boulevard South of Abernethy Road

As detailed above, Kardan Boulevard to the north of Abernethy Road is included within the Byford DCA. The portion of Kardan Boulevard between Abernethy Road and Orton Road is not however included. This approach has been based on the following reasons:

- The road will be 20m wide, which is generally the maximum standard width for a local road to be ceded through the subdivision process;
- The road passes through two consolidated landholdings. Full construction will be undertaken by the landowners through the subdivision process; and
- The road is not expected to provide a district traffic function.

2.3 Land for Public Open Space and/or Drainage

A significant amount of land will be provided within the Byford DSP area for:

- Public open space;
- Dual-function public open space and drainage land; and
- Drainage purposes.

This land includes:

- A mix of multiple-use corridors with a dual drainage and recreation function;
- Local and neighbourhood parks;
- Larger district-level playing fields; and
- Land purely for drainage purposes.

In the context of planning undertaken for Byford, it is difficult in many instances to clearly identify and distinguish between land required for recreation, and land required for drainage. This is due to:

- The existence of multiple-use corridors and other public open space entailing a dual drainage and recreation function.
- Numerous LSPs being prepared based on different public open space credit calculation methodologies based on different versions of Liveable Neighbourhoods.
- Deposited plans of subdivision being endorsed containing combined reserves for drainage and recreation.
- Early structure planning and subdivision being based on the adopted Byford Urban Stormwater Management Strategy. This Strategy has now been replaced with the Byford Townsite Drainage and Water Management Plan, which is guiding more recent LSPs and subdivision applications.

To ensure compliance with Clause 10.3.6 of Amendment No. 167 to TPS 2, containing the guiding principles for development contribution plans, all land required for public open space and drainage is included in the DCA. This will ensure transparency, equity in terms of land required for district benefit and simplicity goals are achieved.

LEGEND:

- ① Redgum
- ② Australand
- ③ Byford Meadows
- ④ Corona North
- ⑤ Byford Central
- ⑥ Goldtune
- ⑦ Byford Town Centre
- ⑧ Corona West
- ⑨ Byford West
- ⑩ Aspen
- ⑪ The Glades
- ⑫ St Thomas Estate
- ⑬ Sunrays
- ⑭ Doley Road Precinct
- ⑮ Briggs Road Precinct
- ⑯ Stanley Road Precinct
- ⑰ Mead Street
- ⑱ Old Quarter

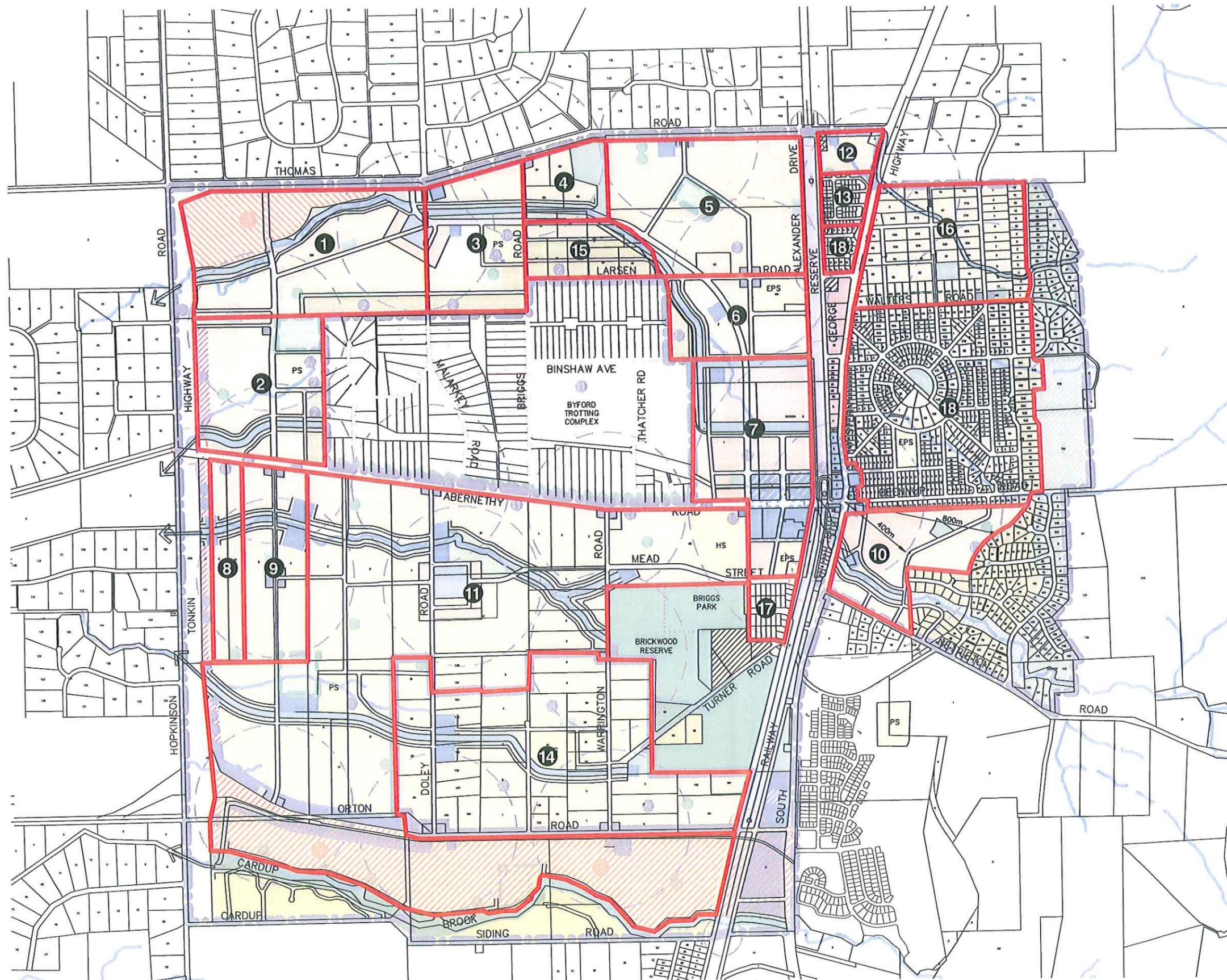


FIGURE 4
LOCAL STRUCTURE PLAN AREAS AND AREAS NOT YET SUBJECT TO A LOCAL STRUCTURE PLAN



2.3.1 Estimated Amount of Land for Public Open Space and Drainage

A significant amount of detailed planning has been completed for the Byford DSP area, in the form of LSPs. This level of planning allows for the specific identification of land areas required for drainage and/or public open space.

There are however several areas within Byford which have not yet been subject to the preparation of LSPs, including the Doley Road, Mead Street, Briggs Road and Stanley Road areas (see Figure 4). To ensure that appropriate funds are collected to allow for the future purchase of land required for public open space and drainage within these areas, it has been necessary to determine an estimated amount for each precinct.

The following methodology has been applied:

1. A review of LSPs and spatial data has been undertaken to identify the total amount of land covered by each LSP and the total amount of land required for public open space and drainage.
2. From these totals, the percentage of land required for public open space and drainage has been calculated.
3. Spatial data has been used to identify the total land area of areas in Byford for which LSPs have yet to be prepared.
4. The percentage identified in step 2 has then been applied to the total identified in step 3 to generate an estimated amount of land required for public open space and drainage in these areas.
5. The public open space and drainage land areas identified in step 1 and step 4 are then added to identify a total estimate of land required for public open space and drainage within the Byford DCA.

Based on this methodology, it has been estimated that 131.4364ha land will be required for public open space and drainage in the Byford DCA.

Figure 4 – Local Structure Plan Areas and Areas Not yet Subject to a Local Structure Plan

INFRASTRUCTURE, LAND AND OTHER ITEMS

The following tables provide a detailed breakdown of the calculations:

Local Structure Plan Area	Public Open Space Land (ha)	Drainage Land (ha)	Total Public Open Space and Drainage Land (ha)	Total Site Area (ha)	Source
Redgum	10.09	0.871	10.961	68.55	LSP March 2010
Australand	8.54	0.32	8.86	52.6424	LSP Oct 2008
Byford Meadows	2.42	1.6017	4.0217	29.4	LSP July 2006
The Reserve	0.6877	0.4733	1.161	8.7759	LSP Oct 2009
Byford Central	6.3	1.17	7.47	65	LSP Jan 2006
Goldtune	3.47	1.03	4.5	28.85	LSP Jun 2009
Byford Town Centre	5.75	1.25	7	78.29	LSP Apr 2010
Grange Meadows	2.2		2.2	16.6	LSP Apr 2010
Byford West	3.1233	0.9525	4.0758	31.56	LSP Mar 2010
Aspen	3.8		3.8	32.3	LSP Oct 2009
The Glades	40.6805	9.9973	50.6778	329.4532	LSP Jul 2009
St Thomas Estate		1.1868	1.1868	5.4582	GIS
Sunrays	0.373		0.373	6.35	GIS
Totals (ha)	87.4345	18.8526	104.7273	753.2297	
Percentage of Total Public Open Space and Drainage of Total Site Area (%)			13.90376667		

Areas Not Yet Subject To A Local Structure Plan	Total Site Area (ha)	Applied Percentage (%)	Estimated Total Public Open Space and Drainage Land (ha)
Doley Road Precinct	119.72	13.90376667	16.64558946
Briggs Road Precinct	18.77	13.90376667	2.609737005
Stanley Road Precinct	48.83	13.90376667	6.789209266
Mead Street	4.779449	13.90376667	0.664523437
		Total (ha)	26.70905917

Estimated Total Public Open Space and Drainage Land for Byford DCA (ha)	131.4363592
--	--------------------

Notes:

- The specific breakdown of land required for public open space and drainage could not be sourced for the Corona West, Aspen, St Thomas Estate and Sunrays sites.
- The St Thomas Estate and Sunrays sites were not subject to LSPs. Public open space and drainage land calculations were therefore undertaken on the basis of spatial data.
- The existing Byford Townsite (ie. DCA Precinct C) is not subject to public open space and drainage land contributions and has therefore not been included in the above calculations.
- Lot 7 Abernethy Road (adjacent to the proposed Tonkin Hwy reserve) is not included as it is assumed that this land will be or is in the process of being purchased by Water Corporation.

LEGEND:

 Unconstructed Road / Bridle Path

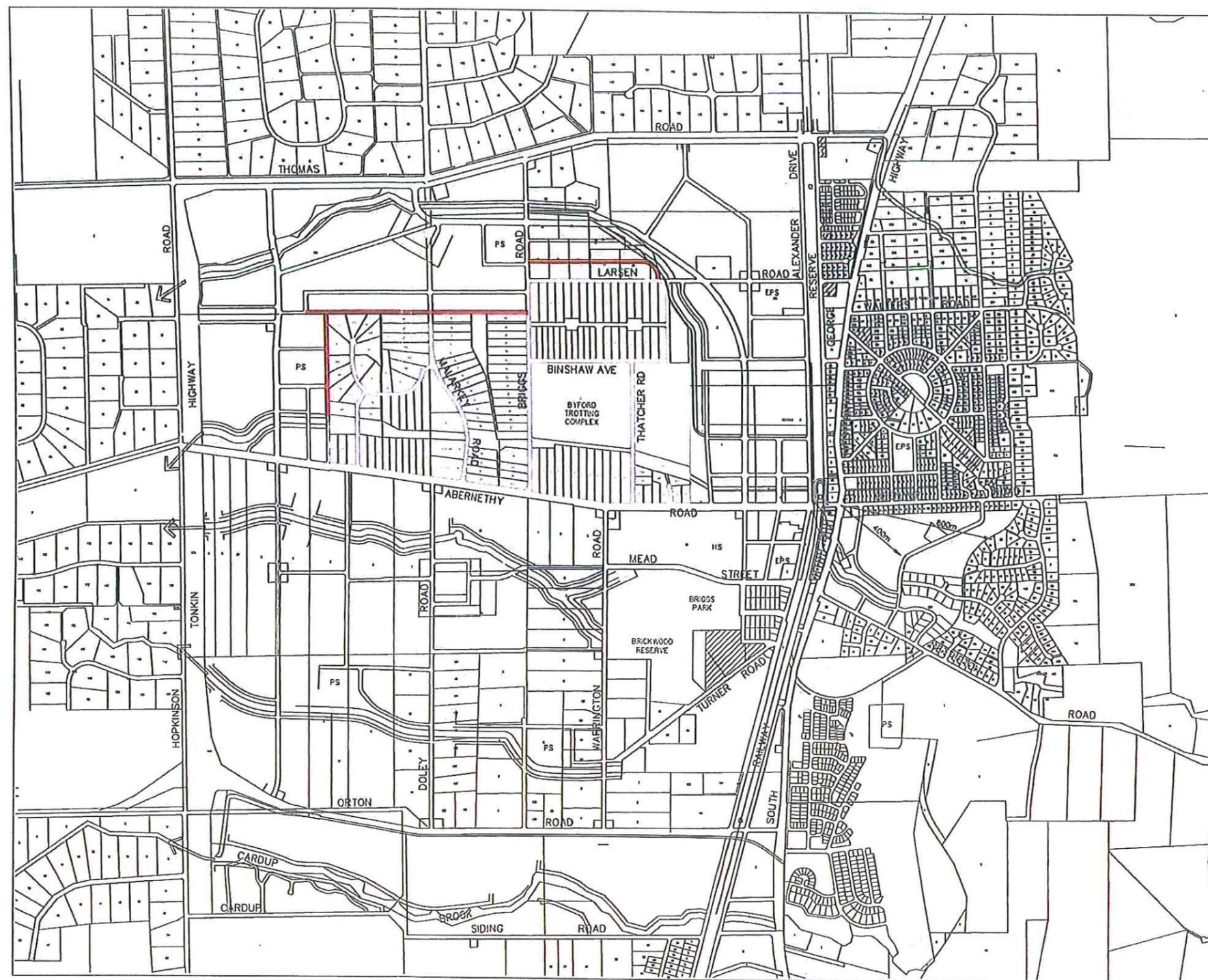


FIGURE 5: BRIDLE TRAILS PROPOSED BY THE BYFORD DISTRICT STRUCTURE PLAN

DATE 10.08.2010
DWG NO 005

REV B
SCALE NTS



2.3.2 Estimated Cost

Based upon the land value detailed in section 2.1 of this report, the total estimated cost of creditable public open space in the Byford DCA is **\$72,290,020.00**, as detailed in the table below:

Total estimated amount of public open space	Land value	Total estimated cost
131.4364ha	\$550,000/ha	\$72,290,020.00

2.3.3 Items Not Included

State Policy provides a clear indication that the development of public open space to a minimum standard, and maintenance for a minimum period of time, is at the developer's expense. As such, the development and initial maintenance of public open space is not included within the Byford DCA, and will be a responsibility of the subdivider.

In addition, land identified as having conservation value, for example Bush Forever sites and conservation category wetlands, are excluded from the DCA. Foreshore reserves are also excluded from the DCA in accordance with Liveable Neighbourhoods, which states that they will be ceded free of cost.

It should be noted that the Shire Council has resolved not to require public open space contributions from subdivision and development in the existing Byford Townsite, identified as DCP Area C on Plan 16A of Appendix 16 of TPS 2.

Whilst the DCA includes land for drainage purposes, it does not include drainage works themselves (ie. earthworks, drainage infrastructure such as piping, pits, mechanical treatments, water sensitive design treatments or similar). These are considered to be subdivisional works, generally required by local water management strategies and urban water management plans, and are also very difficult to calculate given the varying nature of drainage infrastructure provided and proposed throughout Byford.

2.4 Multiple Use Trails (Bridle Trails)

An extension of the existing bridle trail network in proximity to the Byford Trotting Complex is proposed under the Byford DSP, as detailed in Figure 5.

The trails provide an important role in facilitating safe access and movement of horses in proximity to the Trotting Complex and where semi-rural development abuts proposed urban development. The trails will also assist in establishing an appropriate interface between semi-rural and urban development.

Land, construction and associated costs for the 2.3km of new bridle trails are proposed to be included in the DCA, including the following:

- Land required to achieve the proposed 10m wide trails;
- Earthworks including clearing, excavation and filling;
- Associated drainage works;
- Surfacing including limestone and crushed rock;
- Signage;
- Access control measures including gates;
- Associated costs including design, administration and management.

The total cost for bridle trails will be **\$978,985.77**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix H.

Figure 5 – Bridle Trails Proposed by the Byford District Structure Plan

2.5 Water Monitoring

The Byford Townsite Drainage and Water Management Plan (DWMP) establishes a framework for new urban development, such that established stormwater water quantity and quality design objectives can be achieved and the concerns and risks identified by the Department of Water and the Water Corporation can be addressed. The DWMP reinforces the Shire's commitment to ensuring that water sensitive urban design principles are incorporated into new urban development.

During the course of the review of the Byford DSP in September 2006, the Water Corporation raised a number of concerns regarding regional drainage planning for the Byford area. In November 2006, a "round-table" forum was convened with the then Department for Planning and Infrastructure, Department of Water, the Shire and the Water Corporation to discuss regional drainage requirements and to determine an appropriate path forward. The Department of Water subsequently engaged consultants SKM to prepare the Byford Flood Plain Management Strategy and then later engaged consultants GHD to further progress this work in the form of a DWMP. In February 2008, a draft DWMP for Byford was released by the Department of Water for public comment. The DWMP was published as a final document in September 2008.

Since the publishing of the final DWMP, all LSPs, detailed area plans, subdivision and engineering drawing applications have been assessed against the water quantity and quality design objectives outlined in the DWMP.

The DWMP provides a summary of monitoring requirements and responsibilities (an extract is provided below):

Responsible Agency	Timing	Monitoring Requirement
Developers	Period of 3 years pre-development (minimum of 18 months with at least 2 winters with approval of DoW)	<p>Monitor key criteria for maintenance of hydrologic regimes, buffers and ecological corridors/linkages of environmental assets</p> <p>Monitor local superficial aquifer groundwater levels</p> <p>Monitor flow and water quality (including nutrients, TSS, and gross pollutants) at regular intervals (monthly)</p> <p>Monitor peak flows (snapshots) within developments and wetlands</p>
	Period of 3 years post-development, including at least 1 year following completion of the majority (80%) of developments	<p>Monitor key criteria for maintenance of hydrologic regimes, buffers and ecological corridors/linkages of environmental assets</p> <p>Monitor local superficial aquifer groundwater levels</p> <p>Monitor flow and water quality (including nutrients, TSS, and gross pollutants) at regular intervals (monthly)</p> <p>Monitor peak flows (snapshots) within developments and wetlands</p> <p>Monitor behavioural patterns with respect to non-structural measures for water quality management</p> <p>Monitor performance of new drainage systems</p>
DoW	Ongoing	<p>Monitor efficacy of water conservation measures and achievement of water consumption targets</p> <p>Monitor regional surface water flows and quality</p> <p>Monitor confined aquifer groundwater levels and regional superficial aquifer groundwater levels and quality</p> <p>Monitor groundwater abstraction in the DSP area</p> <p>Monitor surface water quality and flows at strategic locations in main drains and waterways</p> <p>Monitor structural BMPs for efficacy with advice from the BMP technical reference group</p> <p>Monitor performance of new drainage systems across catchments and property boundaries</p>
SJ Shire – with funding from developer contributions scheme	From 3 years post-development	<p>Monitor key criteria for maintenance of hydrologic regimes, buffers and ecological corridors/linkages of environmental assets</p> <p>Monitor local superficial aquifer groundwater levels</p> <p>Monitor water quality and flows within developments and wetlands</p> <p>Monitor behavioural patterns with respect to non-structural measures for water quality management</p>
DEC	Ongoing	Evaluate health of significant environmental assets

Water quality and quantity monitoring within developments and wetlands will be implemented by the Shire. The draft Byford DSP Area Sampling and Analysis Plan prepared by the Shire identifies the sampling and analysis requirements. It is proposed that monitoring be carried out over a 16 year period. There will be 5 monitoring events run over an annual period with monthly sampling. Monitoring will be completed in year 0, 4, 8, 12 and 16. Alternatively, monitoring may be carried out as a percentage of build-out (ie. 0, 25, 50, 75 and 100 percent). No monitoring has been carried out to date.

Both approaches will allow longer-term trends in water quality and quantity to be identified and monitored as the Byford DSP area is fully developed. Suitable remediation works or structural controls may be implemented to rectify any identified problems.

It is likely that subdivision and development would not be approved within the Byford area without the approval and ongoing implementation of the Byford Townsite DWMP. As such, it is considered reasonable that the all costs of, and associated with, the required water monitoring be funded by developers within Byford.

The total cost for required water monitoring will be **\$506,361.40**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix I.

2.6 Administrative Items

The Shire contributes a significant amount of financial and human resources towards planning, including the preparation of LPSs. For the most part, financial resources and the cost of human resources are sourced from general municipal funds. As such, all ratepayers within the Shire are contributing towards planning to facilitate the subdivision and development of a certain portion of the Shire, usually in private ownership. It is considered reasonable that the Shire be reimbursed for these expenses (expended and future) through the collection of development contributions.

In addition, there is no obligation on the Shire to prepare and administer a DCA. The existence of a DCA is however in the interests of the landowners and developers in an area to facilitate the achievement of a more equitable outcome in the absence of any alternative arrangement.

In summary, the following administrative items are included in the DCA:

- Planning studies (including the Byford Structure Plan, Byford DCA, Byford Town Centre LSP);
- Traffic studies;
- Drainage studies (including water management strategies);
- Road design costs;
- Borrowing costs (including loan repayments); and
- Scheme Management Costs (including administration and management of the DCA).

The total cost for administrative items will be **\$5,843,660.16**. A detailed breakdown of the costs is contained within a spreadsheet at Appendix J.

2.7 Total Cost

The following table provides a summary of the total cost for all infrastructure, land and other items within the DCA.

Item	Cost
Thomas Road	\$10,280,242.07
Abernethy Road	\$15,715,211.07
Orton Road	\$10,612,806.23
San Simeon Boulevard	\$7,597,823.99
Kardan Boulevard	\$3,200,709.42
Doley Road	\$4,454,327.68
Warrington Road	\$2,482,456.43
Land for public open space and drainage	\$72,290,020.00
Selected bridle trails	\$978,985.77
Water monitoring costs	\$506,361.40
Administration costs	\$5,843,660.16
Total	<u>\$133,962,604.22</u>

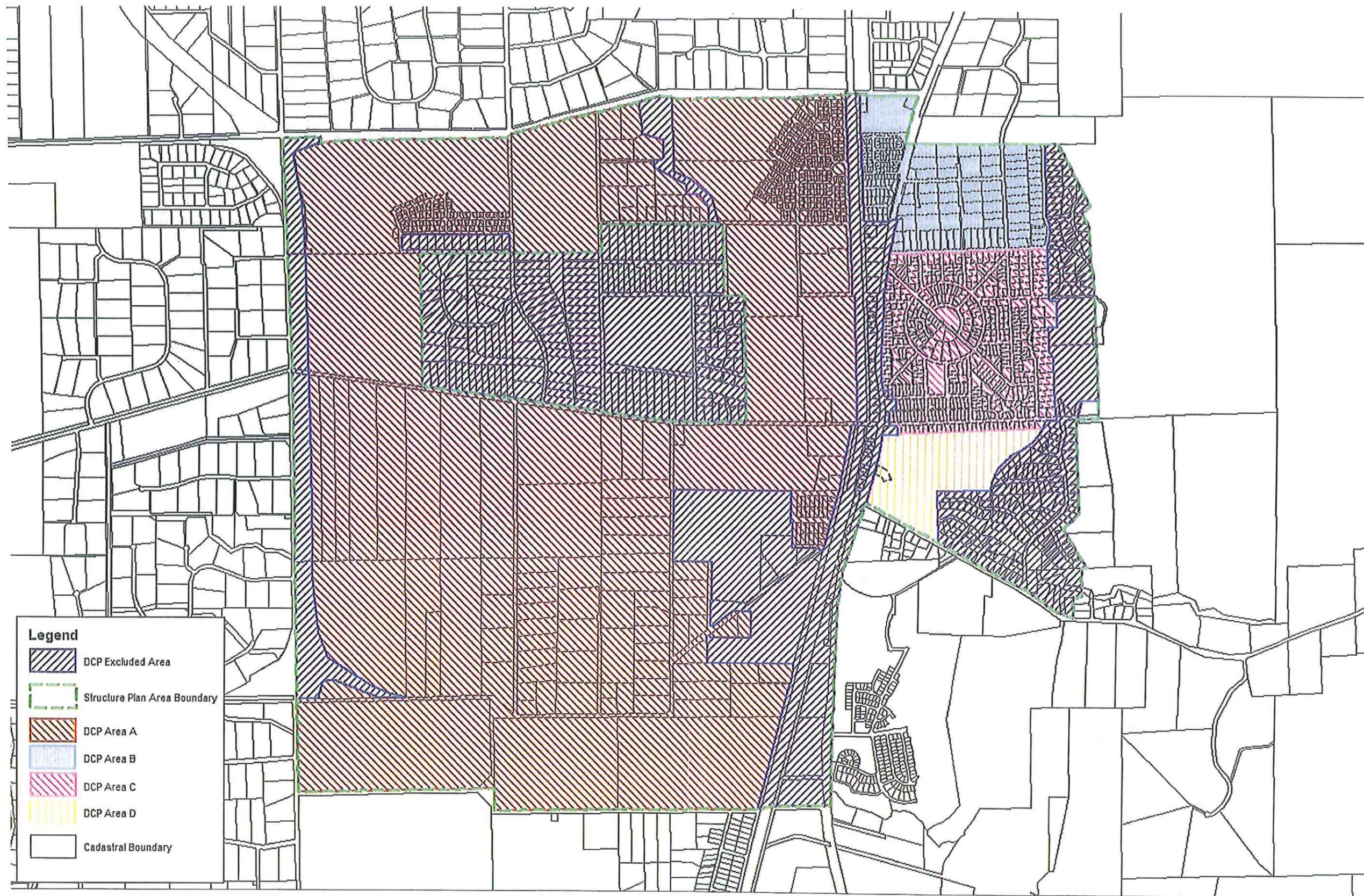


FIGURE 6 – PLAN 16A OF APPENDIX 16 OF TOWN PLANNING SCHEME NO. 2 – BYFORD DEVELOPMENT CONTRIBUTION AREA PRECINCTS

DATE 10.08.2010
DWG NO 006

REV B
SCALE 1:20,000



3 Development Contribution Methodology

This section of the DCP report sets out the methodology for determining the development contributions applicable within certain precincts of the Byford development contribution area. In a general sense, the development contribution area is divided into precincts and development contributions will be made on a per lot or dwelling basis. Additional detail and clarification on the operation of the methodology is provided in the following sections.

3.1 Precincts

The Byford development contribution area is divided into four precincts, as indicated in Plan 16A of Appendix 16 of TPS 2 (see Figure 6). Development within each precinct will be required contribute to a certain set of infrastructure and land items based on the perceived need for and use of those items within the precinct.

Figure 6 – Plan 16A of Appendix 16 of Town Planning Scheme No. 2 – Byford Development Contribution Area Precincts

DRAFT

DEVELOPMENT CONTRIBUTION METHODOLOGY

The following matrix identifies the precincts and what items they are required to contribute toward:

Precinct/Item	A	B	C	D
Thomas Road	✓	✓	✓	✓
Abernethy Road	✓	✓	✓	✓
Orton Road	✓	✓	✓	✓
Kardan Boulevard	✓			
San Simeon Boulevard	✓			
Doley Road	✓			
Warrington Road	✓			
Land for Public Open Space and/or Drainage	✓	✓		✓
Bridle Trails	✓			
Water Monitoring	✓	✓	✓	✓
Administrative items	✓	✓	✓	✓

Precincts B, C and D will not be required to contribute towards Kardan Boulevard, San Simeon Boulevard, Doley Road or Warrington Road. All of these roads are located within Precinct A and are considered to predominately cater for vehicular traffic within new development areas west of the railway reserve.

Council has resolved to not require public open space contributions from subdivision and development in the existing Byford Townsite, identified as DCP Area C. This is due to the absence of a public open space strategy or structure plan identifying strategic locations for additional recreation lands. A strategy or structure plan is necessary as it is difficult to achieve reasonably sized and consolidated areas of public open space in the context of small and fragmented landholdings.

Furthermore, in the absence of an LSP and detailed drainage investigations, it has not been possible to determine the drainage requirements for Precinct C. The area will therefore not be required to contribute toward land for drainage purposes. This situation may be reviewed in the future pending further detailed planning and detailed investigations into drainage requirements. Should it be determined that drainage land is required to facilitate subdivision and development, the DCA can be reviewed at that stage.

Precincts A, B and D will be required to contribute toward land for public open space and/or drainage. This land is required to cater for the recreational and drainage demands of development and has been identified on the Byford DSP and LSPs.

Precincts B, C and D will not be required to contribute towards bridle trails. The bridle trails are wholly located in Precinct A and are primarily required to facilitate the urbanisation of this precinct and ensure the continued safe use of the Byford Trotting Complex.

Due to the district function of Orton Road linking with Tonkin Highway, Abernethy Road providing access to the Town Centre and Thomas Road providing a connection between South Western Highway and Tonkin Highway, all precincts are required to contribute towards these items.

All precincts will be required to contribute towards water monitoring and administrative costs. These items are required to facilitate the preparation of the Byford DSP and subsequently facilitate the preparation of LSPs and allow for subdivision and development to occur.

3.2 Estimation of Lot/Dwelling Potential

The development contribution methodology is based on a per lot/dwelling basis. Therefore it is necessary to estimate the potential number of additional lots/dwellings to be created in the Byford area. This estimate will be used to determine the development contribution rates per lot/dwelling.

The following methodology has been applied:

1. A review of LSPs and spatial data has been undertaken to identify the estimated total lot/dwelling yield for each area covered by an LSP or approved subdivision application.
2. The lot/dwelling estimates for broad acre (ie. existing rural) areas not yet subject to LSPs have been determined through identifying their total land area, deducting 40 percent of this land area (accounting for land required for public purposes such as roads, public open space and drainage), and then determining the subdivision/development potential of the remaining land area based on an R20 residential density of 500m².
3. The lot/dwelling estimates for infill sites (ie. existing urban) not yet subject to LSPs were determined through manual calculations of the development potential of each landholding based on an R20 residential density of 500m².
4. By adding the lot/dwelling yields calculated in steps 1-2, the total estimated lot/dwelling yield for the Byford DCA has been identified.

Based on this methodology, it has been estimated that **11,582** lots/dwellings will be created within the Byford DCA area.

The following table provides a detailed breakdown of the calculations:

DRAFT

DEVELOPMENT CONTRIBUTION METHODOLOGY

Local Structure Plan Area	DCA Precinct	Estimated Lot/Dwelling Yield	Total Site Area	Source
Redgum	A	555	68.55	LSP March 2010
Australand	A	405	52.6424	LSP Oct 2008
Byford Meadows	A	300	29.4	LSP July 2006
The Reserve	A	196	8.7759	LSP Oct 2009
Byford Central	A	700	65	LSP Jan 2006
Goldtune	A	293	28.85	LSP Jun 2009
Byford Town Centre	A	1146	78.29	LSP Apr 2010
Grange Meadows	A	213	16.6	LSP Apr 2010
Byford West	A	350	31.56	LSP Mar 2010
Aspen	D	580	32.3	LSP Oct 2009
The Glades	A	3315	329.4532	LSP Jul 2009
St Thomas Estate	B	60	5.4582	GIS
Sunrays	B	79	6.35	GIS
Areas Not Yet Subject To A Local Structure Plan	DCA Precinct	Estimated Lot/Dwelling Yield	Total Site Area	Source
Doley Road Precinct	A	1436	119.72	Total site area minus 40% (land for public purposes) divided by 500m ² (R20)
Briggs Road Precinct	A	56	18.77	Total site area minus 40% (land for public purposes) divided by 500m ² (R20)
Stanley Road Precinct	B	616	NA	Manual calculations
Mead Street	A	96	4.779449	Total site area divided by 500m ² (R20) assuming no additional land for public purposes
Old Quarter	C	1186	NA	Manual calculations
Total Estimated Lot/Dwelling Yield		11582		

Notes:

- Land for public purposes (ie. public open space, drainage and similar) is expected to be provided within the Doley and Briggs Road precincts. As such, a 40 percent deduction has been applied to the total site area of each precinct.
- It is assumed that no land will be provided for public purposes within the Mead Street precinct given its existing development pattern. As such, a 40 percent deduction has not been utilised.
- In the absence of finalised LSPs depicting residential densities, an R20 code has been utilised to determine the lot/dwelling estimates for the Doley Road, Briggs Road and Mead Street precincts.

DEVELOPMENT CONTRIBUTION METHODOLOGY

- Due to the nature of infill development proposed for the Stanley Road and Old Quarter precincts, lot/dwelling estimates have been made on the basis of manual calculations of the subdivision/development potential of each lot.

The following table identifies the total estimated lot/dwelling yield for each of the Byford DCA precincts:

DCA Precinct	Estimated Lot/Dwelling Yield
A	9,061
B	755
C	1186
D	580
Total	11,582

3.3 Identifying the Contribution Rate for Each Precinct

As previously identified, the Byford development contribution area is divided into four precincts. Each precinct will contribute toward certain infrastructure and cost items. Each precinct will therefore have a different contribution rate.

To determine the contribution rate for each precinct, it is first necessary to identify the total number of lot/dwellings which will be contributing to each item. From this, the contribution rate per lot/dwelling for each infrastructure item or cost can be determined. A breakdown is provided in the following table:

Item	Estimated total cost	Contributing Precincts	Estimated number of contributing lots/dwellings	Contribution rate per lot/dwelling for infrastructure item or cost
Thomas Road	\$10,280,242.07	All	11,582	\$887.61
Abernethy Road	\$15,715,211.07	All	11,582	\$1,356.87
Orton Road	\$10,612,806.23	All	11,582	\$916.32
Kardan Boulevard	\$3,200,709.42	A	9,061	\$353.24
San Simeon Boulevard	\$7,597,823.99	A	9,061	\$838.52
Doley Road	\$4,454,327.68	A	9,061	\$491.60
Warrington Road	\$2,482,456.43	A	9,061	\$273.97
Public Open Space	\$72,290,020.00	A, B and D	10,396	\$6,953.64
Bridle Trails	\$978,985.77	A	9,061	\$108.04
Water Monitoring	\$506,361.40	All	11,582	\$43.72
Administrative items	\$5,843,660.16	All	11,582	\$504.55

DEVELOPMENT CONTRIBUTION METHODOLOGY

The infrastructure and cost contribution rates per lot/dwelling applicable to each precinct can then be calculated, by adding the cost of each applicable item. The table below identified the development contribution rate per lot/dwelling for each precinct.

Items	Contribution rate per lot/dwelling	Precincts and applicability			
		A	B	C	D
Thomas Road	\$887.61	✓	✓	✓	✓
Abernethy Road	\$1,356.87	✓	✓	✓	✓
Orton Road	\$916.32	✓	✓	✓	✓
Kardan Boulevard	\$353.24	✓			
San Simeon Boulevard	\$838.52	✓			
Doley Road	\$491.60	✓			
Warrington Road	\$273.97	✓			
Public Open Space and Recreation	\$6,953.64	✓	✓		✓
Bridle Trails	\$108.04	✓			
Water Monitoring	\$43.72	✓	✓	✓	✓
Administration Costs	\$504.55	✓	✓	✓	✓
	Development contribution rate per lot/dwelling for each precinct	\$12,728.08	\$10,662.71	\$3,709.07	\$10,662.71

3.4 Calculating the Contribution Rate for Landowners/Developers

Various types of residential and non-residential subdivision and development will occur within Byford. The following sections identify how the methodology applies to each of these scenarios.

3.4.1 Standard Residential Subdivision or Development

In the instance of standard residential subdivision or development, development contributions will be determined in the following manner:

*Precinct contribution rate per lot/dwelling × number of additional lots or dwellings
being created*

=

Required development contribution

The calculation methodology works on the additional number of lots/dwellings being created. This approach is based upon each original lot either having, or having the potential to entail a single dwelling without the requirement for substantial infrastructure upgrades. The creation of the first dwelling or lot would therefore in effect, retain the status quo and not necessitate a contribution toward infrastructure upgrades, land and other items.

3.4.2 Non-Standard Residential Subdivision or Development

There may be instances in the Byford DSP area where the large-scale permanent residential development of a site is proposed without any standard residential subdivision and/or development (ie. a lifestyle village, retirement village, caravan park, park home park or similar).

Development contributions will be required from such forms of non-standard residential development on a per dwelling/residential unit or similar basis as they are considered to place the same or similar demands on infrastructure and public open space as per standard residential subdivision/development.

3.4.3 Non-Residential Subdivision or Development

Portions of land within the Byford area are expected to be developed for non-residential purposes, including retail/commercial, community purpose (or similar) and private schools. All forms of development contribute toward a need for new and improved infrastructure. Non-residential development is no different in this regard.

Non-residential subdivision or development will be required to contribute toward land for public open space and drainage. The multiple use corridors in Byford provide both a drainage and recreation function, and will provide a means of access to non-residential developments.

Development contributions for non-residential subdivision or development will be calculated based upon the number of dwellings/lots that could have been created/developed at an R20 density (ie. the R20 subdivision/development potential of the site), minus the equivalent of the first lot created in a subdivision or first dwelling created in a development.

*Precinct contribution rate per lot/dwelling × R20 subdivision/development potential of
the site – the equivalent of one lot or one dwelling*

=

Required development contribution

3.4.4 Mixed Use Development

In the context of mixed use development, the contribution rate is based upon the number of dwellings/lots that could have been created/developed at an R20 density, or the actual number of residential dwellings/lots being created at the time of subdivision/development, whichever is the greater, minus the equivalent of the first lot created in a subdivision or first dwelling created in a development.

Calculation based on the R20 site calculation:

Precinct contribution rate per lot/dwelling × R20 subdivision/development potential of the site – the equivalent of one lot or one dwelling

=

Required development contribution

Calculation based on the number of dwellings:

Precinct contribution rate per lot/dwelling × actual number of residential lots/dwellings being created – the first dwelling being created

=

Required development contribution

Calculation examples are provided in section 7 of this report.

3.5 Future Subdivision/Development Potential

It is acknowledged that land within the Byford area may be developed to a density lower than that envisaged by the Byford DSP. Such development may however allow for additional subdivision and/or development in the future.

Contributions will be required for the creation of additional lots/dwellings post-initial development at the time that those additional lots/dwellings are created. Such additional contributions will be required in accordance with the DCA.

3.6 Exemptions

Clause 10.3.13.3 of TPS 2 details various situations in which a development contribution is not required.

3.7 Interim Arrangements and Transition to a Finalised Contribution Arrangement

In the absence of a finalised DCA for Byford, the Shire has been entering into interim arrangements with subdividing and developing landowners in Byford. These arrangements involve the use of legal agreements to facilitate the collection of interim development contributions, and have been based on a per lot/dwelling methodology. The Shire has prepared a series of Local Planning Policies addressing the matter of interim development contributions for Byford.

These policies outline the Shire's position and expectation in regards to the legal agreements generally necessitated through conditions of subdivision or development. Broadly the primary purpose of the policies is to:

- Provide guidance to subdividers as to the required content of the requisite legal agreement;
- Outline the Shire's position with regard to off-setting cost contributions through the provision of land and infrastructure envisaged to be included within the DCA for Byford;
- Ensure that subdividers acknowledge the risks of entering into an interim agreement (i.e. envisaged items not forming part of the finalised DCA for Byford); and
- Describe how the Shire will apply current cost estimates, provide sufficient security to cover its financial interests and ultimately collect contributions from subdividers who have already developed as per rates depicted at the time the DCA for Byford is finalised.

In the interests of ensuring a simple transition between the legal agreements and a formal DCA for Byford, the per lot/dwelling methodology is considered most appropriate for the Byford DCA.

DRAFT

4 Priority and Timing of Provision

At its Special Meeting of 15 December 2009, Council adopted key principles to guide the identification of priorities for the provision of infrastructure and land acquisition, including:

- Minimising financial risk to the Shire – This can be achieved through the early acquisition of land required for public purposes (public open space, roads etc.).
- Ensuring a constant turnover of funds – By ensuring the continuous spending of development contributions collected, the Shire minimises the negative consequences of inflation.
- Prioritising the purchase of land identified for public purposes which encompasses all of, or a substantial portion of one landholding – Many of these landholdings are essentially “quarantined” from subdivision and/or development and would be difficult to sell to a private buyer.
- Constructing infrastructure on an “as needs” basis – This is especially apparent in the context of road upgrades.
- Undertaking works and land acquisition in areas of fragmented ownership – This assists in the successful and coordinated development of these areas. In areas of consolidated ownership, most infrastructure and land is provided by the developer in lieu of providing cost contributions.

The identification of priorities will be undertaken on an annual basis as a minimum, in parallel with forward financial planning and annual budgeting processes.

DRAFT

5 Period of Operation and Review

The DCP will operate for a period of 15 years from date of gazettal of the related scheme amendment to incorporate the Scheme DCP into TPS 2.

The DCP will be reviewed not less than annually, allowing for more frequent reviews to be completed on an as-required basis having regard to cost increases, the rate of subsequent development in the area since the last review and the degree of development potential still existing.

The estimated costs will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs referred to in clause 10.3.11.3 of TPS 2.

Where the costing and details of the DCP report are:

- indexed on a standard basis;
- revised based on construction cost increases/decreases;
- revised based on land value increases/decreases; and
- revised based on revisions to the likely lot/dwelling outcome;

and not subject to material change, the revised DCP report may not be advertised for public comment, but will remain available for public inspection.

DRAFT

6 Operational Matters

This section of the DCP report addresses various operational matters associated with the Byford DCA.

6.1 Estimation of Costs

This matter is dealt with in Clause 10.3.11 of TPS 2.

6.2 Land Valuation

This matter is dealt with in Clause 10.3.12 of TPS 2.

6.3 Liability for Contributions

This matter is dealt with in Clause 10.3.13 of TPS 2.

6.4 Payment of Contributions

This matter is dealt with in Clauses 10.3.14 of TPS 2.

6.5 Arbitration

This matter is dealt with in Clause 10.3.19 of TPS 2.

6.6 Implementation

Development contributions may be calculated and applied as conditions of subdivision, strata subdivision and development.

6.7 Form of Contributions

Pursuant to Clause 10.3.14 of TPS 2, conditions relating to development contribution requirements can, to the satisfaction of the Shire, be satisfied by:

- The ceding of land;
- The construction of infrastructure works which are transferred to public authorities on completion;
- The provision of monetary contributions to acquire land or undertake works by the Shire, public authorities or others; or
- A combination of the above.

6.8 Credits

There may be instances in which infrastructure and land is required upfront during initial development within the Byford development area.

The Shire may mandate that this work is undertaken creating an in kind contribution beyond that identified in the DCP for that area. In this instance, the landowner and the Shire will negotiate in relation to a credit. Appropriate negotiated outcomes may include:

OPERATIONAL MATTERS

- Where a landowner has other land holdings in the area, the credit is held until it is required to be used by the landowner to offset future contributions;
- Where a landowner has no further holdings in the area, the amount is held as a credit to the landowner until payments into the development contribution plan are received from subsequent landowners. The credit is then reimbursed to the landowner;
- Where the DCA is in credit from development contributions already received, the credit can be reimbursed on completion of the works/ceding of land; or
- Another arrangement as agreed to by the landowner and Shire.

Indexing of the development contribution rate will be equally applied to credits.

DRAFT

EXAMPLES OF CALCULATION

7 Examples of Calculation

The following examples are provided to explain the method of calculating the development contribution applicable to a certain development scenario.

7.1 Example 1

A residential subdivision creating 50 additional lots within precinct A.

Precinct	Development contribution rate per lot/dwelling	Number of additional lots/dwellings	Total development contribution
A	\$12,728.08	50	\$636.404

7.2 Example 2

A residential subdivision creating 100 additional lots within precinct A and providing 1 hectare of public open space.

Precinct	Development contribution rate per lot/dwelling	Number of additional lots/dwellings	Total development contribution
A	\$12,728.08	100	\$1,272,808
Public open space and drainage land credit	Amount of public open space and drainage land being provided	Land value per hectare	Credit amount
✓	1ha	\$550,000	\$550,000
		Total development contribution (contribution minus credit)	\$722,808

7.3 Example 3

A commercial development on a 4000m² lot within precinct B.

$$4000\text{m}^2 \text{ (lot size)} / 500\text{m}^2 \text{ (average lot size under the R20 residential density code)} - \text{one lot}$$

=

7 lots/dwellings (yield calculation for the purposes of determining development contribution for commercial development)

Precinct	Development contribution rate per lot/dwelling	Number of additional lots/dwellings	Total development contribution
B	\$10,662.71	7	\$74,638.97

EXAMPLES OF CALCULATION

7.4 Example 4

A mixed-use development on an 8000m² lot incorporating six residential dwellings within precinct C.

In the context of mixed use development, the contribution rate is based upon the subdivision/development potential of the subject site based on a residential density code of R20 or the number of lots/dwellings created, whichever is the greater.

Calculation 1 – Subdivision/development potential of the site based on a residential density code of R20:

$$8000\text{m}^2 \text{ (lot size)} / 500\text{m}^2 \text{ (average lot size under the R20 residential density code)}$$

$$=$$

$$16 \text{ lots/dwellings}$$

Or

Calculation 2 – The number of dwellings created.

$$=$$

$$6 \text{ residential dwellings}$$

The contribution rate will be based upon 15 lots/dwellings being created, as this is the greater of calculations 1 and 2 (minus one lot/dwelling).

Precinct	Development contribution rate per lot/dwelling	Number of additional lots/dwellings	Total development contribution
C	\$3,709.07	15	\$55,636.05

EXAMPLES OF CALCULATION

7.5 Example 5

A mixed-use development on a 5,000m² lot incorporating seven residential dwellings within precinct A, and providing 1000m² of public open space, 150m² for the widening of Orton Road and constructing a portion of Orton Road to the value of \$575,000 (as agreed by the Shire).

Calculation 1 – Subdivision/development potential of the site based on a residential density code of R20:

$$\begin{aligned} & 5000\text{m}^2 \text{ (lot size)} / 500\text{m}^2 \text{ (average lot size under the R20 residential density code)} \\ & = \\ & 10 \text{ lots/dwellings} \end{aligned}$$

Calculation 2 – The number of dwellings created.

$$= 7 \text{ residential dwellings}$$

The contribution rate will be based upon 9 lots/dwellings being created, as this is the greater of calculations 1 and 2 (minus one lot/dwelling)

Precinct	Development contribution rate per lot/dwelling	Number of additional lots/dwellings	Total development contribution
A	\$12,728.08	70	\$890,965.60
Public open space and drainage land credit	Amount of public open space and drainage land being provided	Land value per hectare	Credit amount
✓	0.1ha	\$550,000	\$55,000
Orton Road widening land credit	Amount of Orton Road widening land being provided	Land value per hectare	Credit amount
✓	0.015ha	\$550,000	\$8,250
Construction of a portion of Orton Road	Cost of Orton Road construction		Credit Amount
✓	\$575,000		\$575,000
		Total development contribution (contribution minus credit)	\$252,715.60