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AMENDMENT C363 CENTRAL ROAD DRYSDALE DCP

SUPPLEMENTARY EXPERT EVIDENCE STATEMENT

PAUL SHIPP, DIRECTOR, URBAN ENTERPRISE

MCLEODS DEVELOPMENTS PTY LTD

6 AUGUST 2020



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CONTENTS	
1. QUALIFICATIONS	3
2. ENGAGEMENT	4
2.1. INSTRUCTIONS	4
2.2. INFORMATION REVIEWED	4
2.3. STRUCTURE OF STATEMENT	5
3. AMENDMENT C363	6
3.1. SUBJECT LAND	6
3.2. AMENDMENT C363	6
4. DEVELOPMENT CONTRIBUTIONS PLAN	7
4.1. INTRODUCTION	7
4.2. CONTEXT	7
4.3. METHODOLOGY	7
4.4. DEVELOPMENT OUTCOMES AND DEMAND UNITS	9
4.5. INFRASTRUCTURE REQUIRED	9
4.6. INFRASTRUCTURE COSTS AND LEVY CALCULATIONS	10
4.7. PROPOSED CHANGES TO EXHIBITED DCP	12
5. ISSUES RAISED IN SUBMISSIONS	15
5.1. INTRODUCTION	15
5.2. SUBMISSION 10/61	15
5.3. SUBMISSION 15	16
5.4. SUBMISSION 27	18
5.5. SUBMISSION 33	19
5.6. JUNE AND JULY SUBMISSIONS	19
6. CONCLUSIONS	20
APPENDICES	21
APPENDIX A REQUIREMENTS OF PLANNING PANELS VICTORIA – EXPERT EVIDENCE	22

FIGURES

F1. SUBJECT LAND	6
F2. EXHIBITED DCP INFRASTRUCTURE ITEM MAP	10
F3. CHARGE AREA MAP	11

TABLES

T1. TECHNICAL REPORTS INFORMING THE DCP	8
T2. LAND BUDGET	9
T3. EXHIBITED DCP INFRASTRUCTURE COST SUMMARY	10
T4. EXHIBITED DCP DEVELOPMENT AND COMMUNITY INFRASTRUCTURE LEVIES	11
T5. COMPARISON OF EXHIBITED AND REVISED DCP LEVIES	13
T6. ISSUES RAISED IN SUBMISSION 10 AND 61	15

1. QUALIFICATIONS

1. My name is Paul Shipp and I am a Director of Urban Enterprise Pty Ltd, of Level 1, 302-304 Barkly Street, Brunswick.
2. Urban Enterprise is a firm of urban planners, urban economists and tourism planners. The firm has 30 years experience providing consultancy services to all levels of Government and a wide range of private sector organisations in Victoria and in other States of Australia.
3. I am a qualified urban planner and economist with 15 years experience and specialise in the field of development contributions.
4. I have been involved in the preparation and review of many Development Contributions Plans, Infrastructure Contributions Plans and public open space contributions for Councils and developers across Melbourne and regional Victoria.
5. I have appeared as an expert witness on numerous occasions in respect of development contributions at Planning Panel and Advisory Committee hearings.
6. My educational qualifications and memberships of professional associations include:
 - Bachelor of Urban Planning and Development, University of Melbourne;
 - Master of Commerce, RMIT University;
 - Member and Registered Planner (RPIA), Planning Institute of Australia; and
 - Member, Victorian Planning and Environmental Law Association.

2. ENGAGEMENT

2.1. INSTRUCTIONS

7. I have been instructed by Maddocks Lawyers on behalf of McLeods Developments Pty Ltd (**McLeods**) to prepare an expert evidence statement to present at the Planning Panel hearing in relation to this matter.
8. My instructions are to:
 - Provide an overview of the preparation and strategic basis for the DCP, including the methodology used in the preparation of the DCP;
 - Respond to issues raised by submissions related to the DCP, as relevant to my expertise;
 - Outline any recommended changes to the Amendment and DCP in response to the submissions;
 - Respond to issues raised in late submissions as relevant to my expertise; and
 - Explain changes made between the Exhibited DCP and the version of the DCP circulated with Council's Part A Submission.

2.2. INFORMATION REVIEWED

9. I have reviewed the amendment documentation and other relevant documents, including:
 - The exhibited Amendment C363 documentation (the **Amendment**);
 - Central Road Drysdale Draft Development Contributions Plan, August 2019 (**Exhibited DCP**);
 - Submissions made to the Amendment which raise issues relevant to the DCP (numbers 10, 15, 27, 33 and a late submission by a resident of the Bellarine Springs Retirement Village);
 - Four further 'late' submissions to the Amendment that were not available at the time my original statement was prepared (one made by the Bellarine Catchment Network and three made by affected residents)(the **June and July submissions**);
 - The Ministerial Direction on the Preparation and Content of Development Contributions Plans, 11 October 2016 (**Ministerial Direction**);
 - Development Contributions Plan Guidelines, Department of Environment, Land, Water and Planning, March 2007 (**DCP Guidelines**); and
 - The Planning and Environment Act 1987 (as relevant to development contributions) (the **Act**).
10. I am familiar with the site and the surrounding area.
11. A copy of the relevant information that is required to accord with the Planning Panels Victoria – Expert Evidence is attached at Appendix A to this report.

2.3. STRUCTURE OF STATEMENT

12. My statement includes the following sections:

- In Section 3, I provide a brief overview of the Amendment and the study area.
- In Section 4, I provide details of the preparation of the Exhibited DCP, including the strategic basis and methodology used, along with an overview of changes to the DCP that have been made in consultation with Council since the DCP was exhibited.
- In Section 5, I provide my responses to issues raised in submissions to the Amendment relevant to the DCP.
- In Section 6, I set out my conclusions in respect of the Amendment.

3. AMENDMENT C363

3.1. SUBJECT LAND

13. Amendment C363 (the **Amendment**) applies to properties in the Rural Living Zone (RLZ) bounded by Jetty Road, Thomas Street, Wyndham Street and to the rear boundary of Central Road, Drysdale.
14. The Amendment also applies to land in the General Residential Zone at 1 Sheileen Court, 2-20 Sheileen Court and 23 Marsh Court, Drysdale, as shown in Figure 1.

F1. SUBJECT LAND



Source: C363 Explanatory Report.

3.2. AMENDMENT C363

15. The exhibited Amendment proposes to:
 - Rezone all the land in the RLZ to GRZ1;
 - Insert a new Schedule 44 to Clause 43.02 Design and Development Overlay (**DDO44**) that will apply to 1 Sheileen Court, 2-20 Sheileen Court and 23 Marsh Court Drysdale;
 - Insert a new Schedule 37 to Clause 43.04 Development Plan Overlay (**DPO37**) that will apply to the land being rezoned, except for 91-101 Central Road, Drysdale;
 - Insert a new Schedule 8 to Clause 45.06 Development Contributions Plan Overlay (**DCPO8**) that will apply to the land being rezoned, except for 91-101 Central Road, Drysdale; and
 - Amend Clause 72.04 Schedule to Documents Incorporated in this Planning Scheme to include the DCP.

4. DEVELOPMENT CONTRIBUTIONS PLAN

4.1. INTRODUCTION

16. Urban Enterprise was engaged by McLeods to prepare a Development Contributions Plan (DCP) for the subject land. I was the lead author of the DCP.
17. The DCP was prepared by Urban Enterprise in conjunction with City of Greater Geelong (Council) officers. The background technical information to inform the DCP was commissioned and coordinated by McLeods.

4.2. CONTEXT

18. A DCP is a statutory mechanism which is commonly applied as part of a Planning Scheme Amendment which rezones land for urban development. The Planning and Environment Act 1987 provides for the introduction of a DCP in a Planning Scheme.
19. DCPs are Incorporated Documents in the relevant Planning Scheme and are implemented through a Schedule to the Development Contributions Plan Overlay (DCPO).
20. The role of a DCP and associated DCPO is to identify the shared infrastructure required to support development of a precinct and to equitably apportion the cost of that infrastructure between current and future users of the infrastructure.
21. DCPs provide a transparent mechanism through which developers can contribute to the delivery of public infrastructure in a staged manner, with residents of the new development able to access necessary infrastructure in a timely fashion.
22. DCPs are particularly important in areas of fragmented landownership to provide confidence that all contributions made to public infrastructure will be equalised across landowners.
23. In the case of the subject land, land ownership is relatively fragmented. The DCP ensures that all developers within the subject land make an equal contribution to infrastructure. The DCPO applies to all land in the Amendment area, with the exception of 91-101 Central Road, Drysdale and the land identified in paragraph 14 (the land already zoned GRZ1).

4.3. METHODOLOGY

24. The methodology used to prepare the DCP is consistent with the preparation of other DCPs throughout the state and in line with the DCP Guidelines, Ministerial Direction and the Planning and Environment Act 1987.
25. The method can be summarised as follows:
 - Define the Main Catchment Area for the DCP;
 - Review the characteristics and yield of the proposed development of the subject land;
 - Convert the proposed development yield into common demand units;

- Review technical studies which identify the need for public infrastructure to support the development and identify items suitable for inclusion in the DCP;
- Classify DCP infrastructure items as either within the Development Infrastructure Levy (DIL) or Community Infrastructure Levy (CIL);
- Identify the location, standard of provision, strategic justification, provision trigger and estimated cost of each DCP item;
- Identify the catchment area served by each DCP item and identify the need for apportionment of costs beyond the Main Catchment Area for the DCP (external apportionment);
- For each item, divide the item cost by the number of demand units within the relevant catchment area to derive a levy for each item;
- Add the levies within each levy type (DIL and CIL); and
- Identify charge areas within which all development is required to pay a common levy.

26. The method above was informed by the technical reports shown in Table 1.

T1. TECHNICAL REPORTS INFORMING THE DCP

No.	Report title	Author and date	DCP information
1	Property Land Budget,	St Quentins, July 2019	Land budget and development yield
2	Jetty Road / Central Road Drysdale Landscape Masterplan Report	Tract, July 2019	Location, size and role of open space required
3	Traffic and Transport Assessment, Central Road, Drysdale Subdivision	Cardno	Road and intersection items, scope of work and cost estimates
4	Central Road Drysdale – Stormwater Management Plan	Water Technology, May 2019	Location and scope of drainage items.
5	Valuation Report, Various Land Parcels – Central & Jetty Road	Westlink, February 2018	Area and value of land acquisition to be funded by the DCP.
6	Opinion of Probable Cost – Based on Landscape Masterplan	Tract, July 2019	Cost estimates for open space items.
7	Preliminary Estimate of Basin Construction	St Quentin, September 2018	Cost estimates for drainage items.

Source: Urban Enterprise.

4.4. DEVELOPMENT OUTCOMES AND DEMAND UNITS

27. A summary of the land budget for the subject land is shown in Table 2. The subject land has a total area of 41.576 hectares, 36.765 hectares of which is defined as Net Developable Area (NDA).

T2. LAND BUDGET

LAND BUDGET	AREA (HA)
Total Site Area	41.576
Drainage Easement	0.437
Retarding Basins	1.585
Land required for roads	0.51
Public Open Space (unencumbered)	2.739 (7.45% of NDA)
Net Developable Area	36.765

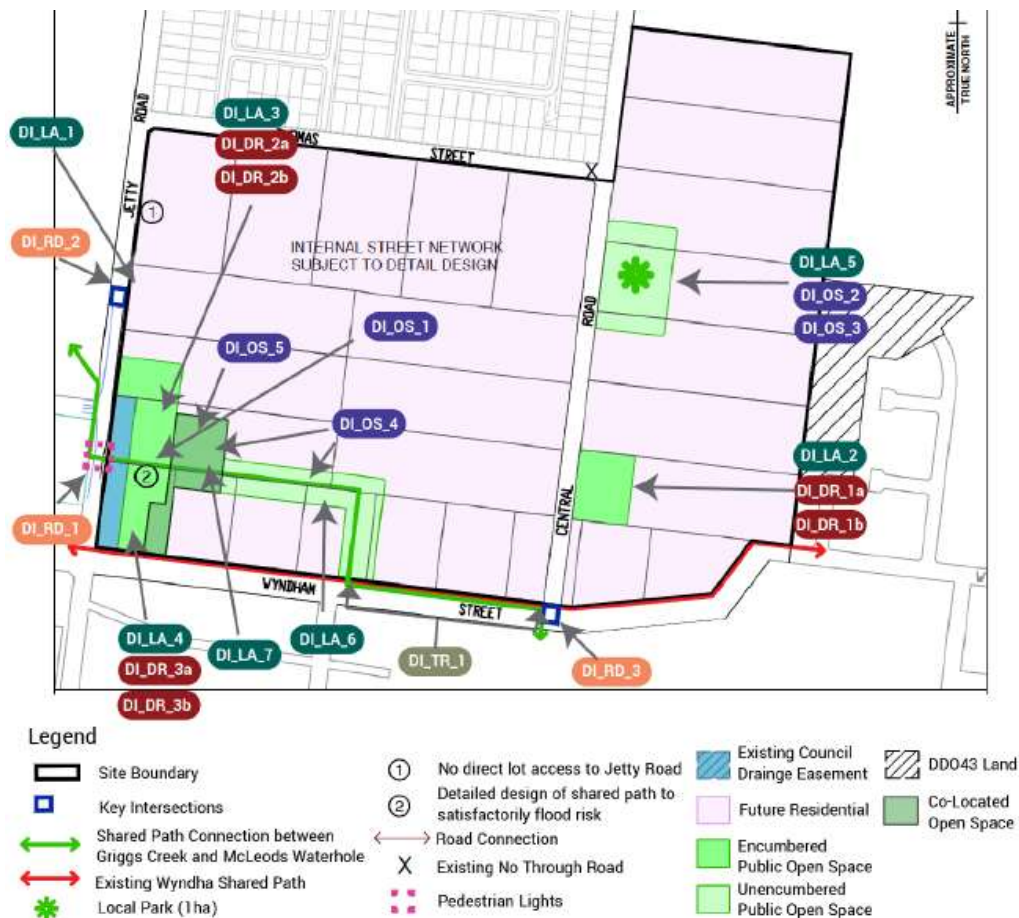
Source: Central Road Drysdale Draft DCP, August 2019; Property Land Budget, Tract, July 2019

28. All Net Developable Area is proposed to be developed for residential purposes.
29. In DCPs, the level of demand that a particular land parcel will generate for each infrastructure item is expressed in terms of **demand units**. The demand unit used for this DCP is net developable hectares of land. That is, one net developable hectare of land is equal to one demand unit.

4.5. INFRASTRUCTURE REQUIRED

30. The types of infrastructure that can be included in a DCP Development Infrastructure Levy (DIL) is defined by the Ministerial Direction. This includes roads, intersections, public transport, open space, drainage, and associated land.
31. The types of infrastructure that can be included in a DCP Community Infrastructure Levy (CIL) is not defined, however these commonly include community centres, libraries and sports pavilions.
32. Based on a review of technical reports, the following infrastructure items were included in the Exhibited DCP:
- 24 development infrastructure items, comprising 5 roads and trails items, 9 drainage items, 9 open space items and 1 planning item.
 - One community infrastructure item, being a contribution to the construction of a new Regional Community and Learning Hub in Drysdale.
33. A map showing the location of infrastructure items is provided in Figure 1.

F2. EXHIBITED DCP INFRASTRUCTURE ITEM MAP



Source: Exhibited DCP, p.9.

4.6. INFRASTRUCTURE COSTS AND LEVY CALCULATIONS

34. The Exhibited DCP infrastructure items have a combined cost of approximately \$12.5m apportioned to the DCP area. A summary is shown in Table 3.

T3. EXHIBITED DCP INFRASTRUCTURE COST SUMMARY

Infrastructure category	Cost of Exhibited DCP items apportioned to MCA
Roads and Trails	\$1,240,416.12
Drainage	\$3,441,418.06
Public Open Space	\$6,983,763.12
Other Items	\$265,000.00
Community Infrastructure	\$557,039.51
Total	\$12,487,636.81

Source: DCP08 Exhibited.

35. When the cost of each individual infrastructure item is divided by the number of demand units within its catchment, the resulting levies are shown in Table 4.

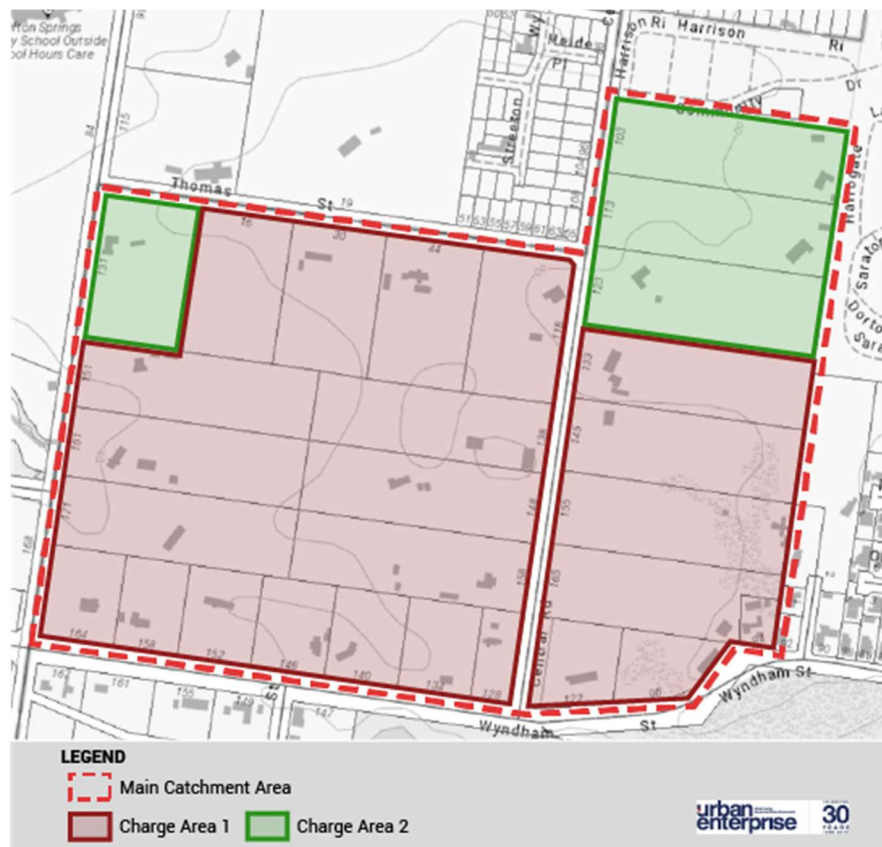
36. Two Charge Areas are included in the DCP with separate levies. This is because some land (Charge Area 2) does not benefit from the drainage infrastructure items in the DCP (due to a pre-existing Special Charge Scheme relating to drainage applying to these properties). Figure 3 shows a map of the charge areas.

T4. EXHIBITED DCP DEVELOPMENT AND COMMUNITY INFRASTRUCTURE LEVIES

Category	Charge Area 1 Levies	Charge Area 2 Levies
Roads and Trails	\$33,738.75	\$33,738.75
Drainage	\$119,688.06	\$0.00*
Public Open Space	\$189,955.14	\$189,955.14
Other items	\$7,207.88	\$7,207.88
Total Development Infrastructure Levy (DIL) per ha NDA	\$350,589.82	\$230,901.76
Community Infrastructure Levy (CIL) per dwelling	\$1,012.80	\$1,012.80

Source: Exhibited DCP08.

F3. CHARGE AREA MAP



Source: Exhibited DCP.

4.7. PROPOSED CHANGES TO EXHIBITED DCP

37. Since exhibition of the DCP, two main changes to the Exhibited DCP have been made in conjunction with Council officers (and are reflected in version 1.8 of the DCP which formed part of Council's Part A submission) relating to:
- The removal of GST from the cost estimates of certain drainage items; and
 - The removal of open space land items from the DCP.
38. Two other minor issues also require clarification, including:
- A proposed correction to the provision trigger for item DI_LA_3; and
 - A correction to the tracked changes annotation for Figure 3 in version 1.8 of the DCP.

Removal of GST

39. DCP costs exclude GST on the basis that the default responsibility for delivery of DCP infrastructure items rests with local governments, which are exempt from payment of GST.
40. Costs shown in the Exhibited DCP correctly exclude GST for all items, except for three drainage items which incorrectly include GST. The items are DI_DR_1a, DI_DR_2a and DI_DR_3a.
41. I have prepared a tracked changes version of the DCP which corrects this error and recalculates all levies. The implications for the DCP levies are a reduction in the DIL for Charge Area 1 of \$3,017.06 per hectare, or approximately 1% of the Exhibited DIL.

Removal of Open Space Land

42. Passive and linear open space land and improvements were included in the Exhibited DCP. The total land for open space in the precinct equates to 7.45% of the NDA.
43. The Schedule to Clause 53.01 of the Greater Geelong Planning Scheme requires a 10% open space contribution for residential subdivisions of 10 or more lots, and this standard is commonly applied to urban growth areas across the municipality.
44. In order to account for the 2.55% difference between the usual 10% contribution and the land provision in the precinct of 7.45%, the Exhibited DCP included item DI_OS_6 which was to be a monetary contribution equivalent to the land value of 2.55% of the NDA of the precinct (approximately \$1.25m). It was initially intended to allocate this monetary contribution to a specific active open space improvement project in the vicinity of the DCP area to meet the needs of the future residents of the precinct.
45. I am now instructed that Council prefers open space land to be secured through Clause 53.01 of the Greater Geelong Planning Scheme and not included in the DCP. In my opinion, this is a suitable alternative and therefore I have made the necessary changes to the DCP in version 1.8 which was circulated with Council's Part A submission. The changes are tracked on version 1.8 and are summarised as follows:

- a. Removal of open space land items (DI_LA_5, 6 and 7) from the infrastructure maps in Figures 3 and 4;
 - b. Removal of open space land items and DI_OS_6 (the open space cash contribution) from the list of infrastructure items in Table 3;
 - c. Changes to the text of section 5.5 to describe how open space land will be delivered under clause 53.01, and to clarify that the amount of open space land contributed by various landowners will be equalised through the provisions of Clause 53.01 and formalised through section 173 agreements where required;
 - d. Consequential changes to Table 5 and 6 which show the DCP levy amounts for each item, each infrastructure category and in total;
 - e. Removal of project sheets for the open space land items from Appendix B; and
 - f. Minor text edits throughout the document to reflect the above changes.
46. Open space improvements (items DI_OS_1, 2, 3 4 and 5) remain in the DCP. This is because the precinct is in relatively fragmented landownership and there is an uneven distribution of open space projects across the precinct. If the items were not included in the DCP, it would be left to individual development proponents to fund the improvements falling within their land, which in my view would be an inequitable outcome.
47. The result of removing open space land items from the DCP is that the Development Infrastructure Levy for both charge areas is reduced by \$136,383.51 per hectare. This amount is essentially 'moved' to a different statutory mechanism – the contribution itself remains unchanged.
48. Table 5 shows a comparison of the levies in the Exhibited DCP against the levies in version 1.8 of the DCP, taking into account the changes to the drainage and open space levies described above. The resulting Development Infrastructure Levies are:
- Charge Area 1: \$211,189.26 per hectare;
 - Charge Area 2: \$94,518.26 per hectare.

T5. COMPARISON OF EXHIBITED AND REVISED DCP LEVIES

Category	Charge Area 1 - DIL			Charge Area 2 - DIL		
	Exhibited	Revised v1.8	Difference	Exhibited	Revised v1.8	Difference
Roads	\$33,738.75	\$33,738.75	\$0.00	\$33,738.75	\$33,738.75	\$0.00
Drainage	\$119,688.06	\$116,671.00	-\$3,017.06	\$0.00	\$0.00	\$0.00
POS	\$189,955.14	\$53,571.63	-\$136,383.51	\$189,955.14	\$53,571.63	-\$136,383.51
Other	\$7,207.88	\$7,207.88	\$0.00	\$7,207.88	\$7,207.88	\$0.00
Total	\$350,589.82	\$211,189.26	-\$139,400.56	\$230,901.77	\$94,518.26	-\$136,383.51

Source: Urban Enterprise, Exhibited DCP and version 1.8.

Other changes

49. Two other changes are to be noted:

- a. The Exhibited DCP included a text error in Table 3 (page 12). The 'delivery trigger' for drainage item DI_LA_3 refers to the "first residential allotment in the Central Road RB drainage catchment". The trigger should be updated to reference the "first residential allotment in the Jetty Road RB drainage catchment."
- b. The tracked changes version of version 1.8 of the DCP which formed part of Council's Part A submission shows a horizontal red line indicating that the first map under Figure 3 (Location of Infrastructure Items) has been replaced by the second map. The red line should be on the second map which is the deleted map. This issue does not flow through to the 'clean' version of version 1.8 which correctly shows Figure 3 with all open space land items removed.

5. ISSUES RAISED IN SUBMISSIONS

5.1. INTRODUCTION

50. Of the 76 submissions made to the Amendment, four submissions raise issues about the DCP. In this section I respond to each of the issues raised in these submissions that are relevant to the DCP. I also provide comments on the four late submissions received by Council in June and July 2020 and referred to the Panel.

5.2. SUBMISSION 10/61

51. Both submissions 10 and 61 raise the same issues in respect of the DCP. The submissions pose a series of questions as to how the DCP will be implemented – I have summarised these in Table 6, along with my response to each.

52. In my opinion, no changes to the DCP are necessary as a result of these two submissions.

T6. ISSUES RAISED IN SUBMISSION 10 AND 61

#	Question	Response
1	Is the DIL and CIL cost GST inclusive and will it be invoiced to land owners on development?	DCP costs exclude GST on the basis that the default responsibility for delivery of DCP infrastructure items rests with local governments, which are exempt from payment of GST. Any development proponent must pay levies prior to the issue of a statement of compliance for any proposed subdivision within the DCP area.
2	Is the open space contribution included in the DIL?	Open space improvements are included in the DIL. Open space land will be secured through Clause 53.01 of the Planning Scheme and is not included in the DIL in version 1.8 of the DCP.
3	Will there be a tender process or a secondary assessment of Cardno's cost estimates?	The cost estimates included in the DCP form the basis for the calculation of DCP levies and for the value of any credits to be issued for works provided by developers 'in-kind'. It is a matter for Council or a developer providing works in-kind as to how they procure the delivery of the works and at what price. Although the actual cost of delivery of the infrastructure may vary, based on my experience the estimates are reasonable for the purposes of the DCP.
4	Will the council have a 3rd party supplier check the budgeted / forecasted amounts?	In my experience, DCP infrastructure costs are only usually peer reviewed if Council or a submitter raises concerns with the appropriateness of the estimate. Based on my experience, the estimates in the exhibited document are reasonable for the purposes of the DCP.

#	Question	Response
5	Can the council guarantee transparency and accuracy of the proposed budget?	Council is responsible for reporting annually to the Minister for Planning on levies collected and works delivered in accordance with the Ministerial Direction.
6	The council is required to consider the valuation of my current home that stands where the proposed 1ha park will be built. Will there be compensation or remuneration offered for the removal of my home?	Land for the Central Road 1ha reserve is 'credited open space' and therefore will form part of the open space contribution required under clause 53.01. At the time of subdivision of the affected land, the open space contribution for that subdivision will be determined by Council in accordance with Clause 53.01, taking into account any part of the Central Road reserve land that is provided.

Source: Urban Enterprise, 2020.

5.3. SUBMISSION 15

53. Submission 15 was made on behalf of the owner of 91-101 Central Road and 103-111 Central Road, Drysdale and states that "the owner is Clifton Springs (Holdings) Pty Ltd. 91-101 Central Road is occupied by an existing Retirement Village. 103-111 Central Road is occupied by a single dwelling and is pending planning approval for the extension to the existing retirement village."

54. The submission raises two main issues relating to the DCP.

55. **Firstly**, the submission seeks changes to the DCP and/or DCPO to specify exemptions from levy payments associated with the proposed retirement village extension through the following points:

If a Planning Permit for a retirement village is issued prior to the gazettal of the DCP and DCPO, then development pursuant to the Planning Permit should be exempt from paying Development Contributions.

If the DCP does apply to the site, then subsequent subdivision should be exempt from paying Development Contributions.

Amend Section 7.5, dot point 1, of the DCP to confirm that Development Contributions do not apply to a subdivision which is in accordance with a development approved pursuant to a Planning Permit prior to the DCPO.

Amend Clause 4.0 of Schedule 8 to the Development Contributions Plan Overlay (DCPO8) to exclude "Development (including any extensions) or subdivision of any retirement village at 103-111 Central Road, Drysdale.

56. The payment of DCP levies is triggered by a planning permit application for subdivision or development. If a planning permit is approved prior to the gazettal of the Amendment, no levies will be payable in respect of development which occurs in accordance with the permit.

57. Given this, it is my view that it is not necessary to specify an exemption for permitted development.

58. In respect of subdivisions which follow a previously approved planning permit, it is standard practice that any subdivision of land subject to a DCPO is required to make a development contribution in accordance with the relevant DCP.

59. The Exhibited DCP levies are calculated on the basis that all land in the precinct will ultimately be developed for residential purposes and that all development will make a contribution based on the levies shown in the DCPO, including the land referred to in the submission. In my view, it would not be equitable to exempt any potential subdivision on the basis that a planning permit has already been issued.
60. Subdivision of land generally results in or formalises the creation of additional residential lots. These lots are occupied by residents which require the provision of a range of infrastructure.
61. In my view, it is appropriate for any subdivision which occurs following gazettal of the Amendment to make a development contribution in accordance with the DCP, regardless of whether a planning permit for the use and/or development has been previously issued.
62. I do not consider that any of the changes to the DCP or DCPO suggested in the submission are warranted.

63. **Secondly**, the submission states that:

There is insufficient nexus with future residents of a retirement village and infrastructure items such as playgrounds, public open space and pedestrian links due to the provision of on-site facilities including retarding basin, open spaces, including tennis court, sports pavilion and lawn bowls.

There should be no CIL for a retirement village or alternatively a reduced rate due to the provision of facilities at the existing retirement village. The higher density of dwellings in a retirement village is also noted as a concern.

64. I note that the infrastructure assessments, and therefore the DCP, have been prepared on the assumption that the property referred to in the submission will be developed for standard residential purposes. Although a planning permit application for an extension to the retirement village has been made, alternative development proposals may also be made, such as standard residential development.
65. Therefore, in my view, the DCP should apply to the subject site regardless of the nature of a current application.
66. In respect of the question of nexus, I note the following:
- Recreation and community facilities provided in retirement villages often offer a 'trade-off' to residents whose private properties in the village usually have limited private open space compared with standard density residential lots;
 - The provision of communal recreation facilities as part of the retirement village is at the discretion of the operator and does not replace the need for broader public infrastructure external to the site, such as those funded through the DCP. This is especially the case for projects which create access to a broader network of roads, trails and open spaces; and
 - The late submission to the Amendment (a petition of residents, many of which reside in the existing retirement village) provided support for the Amendment. One of the stated reasons for the support was that "local residents will have greater access to more open spaces and public land, enabling more recreational opportunities", indicating a desire for additional open space

and recreation facilities to be provided over and above those available within the existing retirement village.

- I also note that the site is located within Charge Area 2 and if therefore not required to make a drainage contribution under the DCP.
67. In my view, there is sufficient nexus between the subject site – regardless of whether it is developed for standard density or retirement units – and the infrastructure included in the DCP to satisfy the requirements of the Planning and Environment Act 1987 and the DCP Guidelines.
68. In respect of the issue raised in the submission regarding the Community Infrastructure Levy, I note the following:
- The Exhibited DCP includes a CIL which is calculated on the basis of an estimated 550 dwellings being constructed in the precinct at standard residential densities (approximately 15 dwellings per hectare of NDA), including on the subject site; and
 - Funds collected by Council will contribute to the construction of the Drysdale Regional Community and Learning Hub which will provide benefit to residents across the broader Drysdale – Clifton Springs area.
69. It is my expectation that any extension to the retirement village could result in twice as many ‘dwellings’ on the site as would likely be the case if the site was developed for standard density residential lots.
70. Given that the CIL was calculated on the basis of the total number of dwellings in the precinct as a proportion of the total number of dwellings that would require and benefit from the Regional Community and Learning Hub, I agree that a lower CIL rate should apply to any retirement dwellings constructed in the precinct.
71. In my view, a CIL for dwellings within a retirement village of 50% of the full CIL rate would be appropriate. I expect that this would result in the same revenue for Council regardless of whether the site is developed for standard density or retirement dwellings, and would result in a more equitable outcome for future residents of the retirement village.

5.4. SUBMISSION 27

72. Submission 27 requests amendments to the Development Plan shown in the exhibited Schedule 37 to the DPO to remove an area of ‘encumbered open space’ from Property 12 and for subsequent changes to be made to the DCP.
73. The area shown as ‘encumbered open space’ on the Development Plan corresponds with the area of land that forms item DI_LA_4. The acquisition of this land for drainage purposes is to be funded through the DCP. The item has a DCP value of \$567,000 which is reflective of unencumbered land value.
74. DI_LA_4 was included in the DCP as it is required from a drainage perspective to facilitate development across the precinct. Including the land area in the DCP also enables the landowner to be compensated at market value for the land.

75. The most suitable location of drainage basins and the ultimate development layout is a matter for others and falls outside my expertise.

5.5. SUBMISSION 33

76. Submission 33 raises the issue that:

“There is very little infrastructure to support this proposal and increase in population e.g public transport (buses don’t even go up Central Rd.), no local swimming pool, footpaths, bike paths around town, sporting facilities for seniors.”

77. In my view, the DCP provides a suitable mechanism to ensure the delivery of a range of roads, trails, open spaces, drainage and community infrastructure to support the proposed development.
78. Although the development is unlikely to trigger the need for any new sporting facilities in its own right, in my view it is appropriate for Council to apply any monetary public open space contributions collected in accordance with Clause 53.01 to active recreation projects designed to meet the needs of both the future residents of the subject land and the broader Drysdale – Clifton Springs area.

5.6. JUNE AND JULY SUBMISSIONS

79. I have reviewed four late submissions received by Council in June and July of 2020.
80. Three of the June and July submissions provide support for the Amendment and do not raise any issues in relation to the DCP.
81. One of the submissions – made by the Bellarine Catchment Network – objects to the Amendment and raises several issues relating to ecology, trees and stormwater. None of the issues raised are relevant to my expertise or directly relevant to the DCP.
82. In my view, no issues are raised in the June and July submissions which require a response from me, and no changes to the DCP are required.

6. CONCLUSIONS

83. My conclusions in respect of the Amendment are as follows:

- a. The DCP was prepared following a method that is commonly applied to Development Contributions Plans in Victoria and is consistent with the Planning and Environment Act, Ministerial Direction and DCP Guidelines.
- b. The strategic and technical basis for the DCP is sound and is based on detailed infrastructure assessments and cost estimates.
- c. The DCP will facilitate the delivery of a range of necessary infrastructure to support the development of the precinct and meet the needs of the future community.
- d. Two further changes to the revised DCP (version 1.8) are proposed as described in my statement to correct the delivery trigger for DI_LA_3 and to apply a reduced Community Infrastructure Levy for dwellings constructed as part of a Retirement Village.
- e. Subject to the above changes, the revised DCP is suitable for incorporation into the Greater Geelong Planning Scheme.

DECLARATION

I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance that I regard as relevant have to my knowledge been withheld from the Panel.



Paul Shipp

Director, Urban Enterprise Pty Ltd

BUPD, MCom, RPIA.

APPENDICES

APPENDIX A REQUIREMENTS OF PLANNING PANELS VICTORIA – EXPERT EVIDENCE

NAME

Paul Shipp, Director, Urban Enterprise Pty Ltd.

ADDRESS

Level 1/302-304 Barkly Street, Brunswick, Vic 3056.

QUALIFICATIONS

- Bachelor of Urban Planning and Development, University of Melbourne;
- Master of Commerce, RMIT University.

PROFESSIONAL AFFILIATIONS

- Registered Planner, Planning Institute of Australia;
- Member, Victorian Planning and Environmental Law Association.

EXPERIENCE

I have 15 years experience as a planner and urban economist and specialise in the fields of development contributions and urban economics.

Urban Enterprise has a track record of successfully preparing Development Contributions Plans for Councils as well as negotiating development contribution arrangements with Councils on behalf of developers.

I have been involved in the preparation and review of many Development Contributions Plans, Infrastructure Contributions Plans and public open space contributions for Councils and developers across Melbourne and regional Victoria.

I have appeared as an expert witness on numerous occasions in respect of development contributions at Planning Panel and Advisory Committee hearings.

AREAS OF EXPERTISE

Areas of expertise include strategic urban planning, development contributions and urban economics.

EXPERTISE TO PREPARE THIS REPORT

My experience in urban planning and urban economics over the past 15 years has provided the tools to develop a specialisation in development contributions. I have prepared numerous Development Contributions Plans and have provided advice to public and private sectors in regards to development contributions.

I am therefore qualified to prepare this report and expert witness statement.

INSTRUCTIONS

My instructions were to:

- Provide an overview of the preparation and strategic basis for the DCP, including the methodology used in the preparation of the DCP;
- Respond to issues raised by submissions related to the DCP, as relevant to my expertise;
- Outline any recommended changes to the Amendment and DCP in response to the submissions;
- Respond to issues raised in late submissions as relevant to my expertise; and
- Explain changes made between the Exhibited DCP and the version of the DCP circulated with Council's Part A Submission.

FACTS, MATTERS AND ASSUMPTIONS RELIED UPON

I have relied on the following for my assessment:

- The exhibited Amendment C363 documentation (the **Amendment**);
- Central Road Drysdale Draft Development Contributions Plan, August 2019 (**Exhibited DCP**);
- Submissions made to the Amendment which raise issues relevant to the DCP (numbers 10, 15, 27, 33 and a late submission by a resident of the Bellarine Springs Retirement Village);
- Four further 'late' submissions to the Amendment that were not available at the time my original statement was prepared (one made by the Bellarine Catchment Network and three made by affected residents)(the **June and July submissions**);
- The Ministerial Direction on the Preparation and Content of Development Contributions Plans, 11 October 2016 (**Ministerial Direction**);
- Development Contributions Plan Guidelines, Department of Environment, Land, Water and Planning, March 2007 (**DCP Guidelines**); and
- The Planning and Environment Act 1987 (as relevant to development contributions) (the **Act**).
- My familiarity with the site and the surrounding area; and
- Relevant experience.

DOCUMENTS TAKEN INTO ACCOUNT

See above.

IDENTITY OF PERSONS UNDERTAKING THE WORK

Paul A. Shipp

SUMMARY OF OPINIONS

Refer to Section 6: Conclusions.

