

Evidence of Chris McNeill: Amendment C387 to the Greater Geelong Planning Scheme

Prepared for Stockland (Stockland Land Lease Management Pty Ltd), SOHO Living (Curlewis Bellarine Pty Ltd) and APD Projects (Curlewis Land Pty Ltd).



Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Wurundjeri Woi Wurrung people, of the Kulin Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

Contact	Chris McNeill Director	cmcn@ethosurban.com
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This document has been prepared by:

Chris McNeill	05/04/2024
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Version No.	Date of issue	Prepared By
1.0 (FINAL)	08/04/2024	CMcN

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1.0 Introduction

Professional Details

1.1 My name is John Christopher McNeill. I practice as Director, Economics at Ethos Urban's Melbourne office located at Level 8, 30 Collins Street, Melbourne.

Area of Expertise

1.2 I hold a degree in Economics from Monash University.

1.3 My area of professional expertise is urban economics and the economic analysis of urban policy. This includes expertise in residential land analysis and greenfield development which I have undertaken for a wide range of public and private sector clients throughout Australia.

1.4 My opinions expressed herein are, to the context relevant, made by me in reliance upon my above expertise.

1.5 I am a Fellow of the Victorian Planning and Environmental Law Association.

Background

1.6 Stockland (Stockland Land Lease Management Pty Ltd), SOHO Living (Curlewis Bellarine Pty Ltd) and APD Projects (Curlewis Land Pty Ltd) control the majority of the land area affected by Amendment C387 to the Greater Geelong Planning Scheme. Together, the three companies are referred to as the 'Developer Group'.

1.7 Amendment C387 aims to facilitate residential development of land directly west of Drysdale, Clifton Springs and Curlews in an area known as Jetty Road Urban Growth Area Stage 2.

1.8 The Developer Group lodged a request to rezone the Jetty Road Urban Growth Area Stage 2 area in December 2020.

1.9 The area directly east is known as the Jetty Road Urban Growth Area Stage 1 area and was rezoned in December 2009 pursuant to Greater Geelong Planning Scheme Amendments C52 and C230. The Stage 1 area is now fully developed and accommodates over 1,700 dwellings, associated community facilities and a shopping centre.

Instructions

1.10 I have been instructed in this matter by Norton Rose Fulbright acting on behalf of the Developer Group.

1.11 My instructions are to:

- Review the draft Amendment documents and background materials;
- Consider the appropriateness of the proposed Amendment, from a developer contributions perspective;
- If instructed, prepare an expert witness statement considering development contributions matters; and
- If instructed, appear at the Panel hearing in the week commencing 22 April 2024 to present my expert evidence.

1.12 Subsequent instructions asked me to consider (in relation to the proposed road reserve at the western interface of Property 15) whether:

- the shared footpath within the road reserve should be located on the eastern side, rather than the western side as shown in the City of Greater Geelong's C387ggee Development Plan Overlay Schedule 46 Background Landscape Report (November 2022); and

- the land provided for the shared footpath should be credited to the developer of Property 15 as unencumbered public open space.

Preparation

1.13 In preparing this statement:

- a I am aware that, as a witness giving evidence (by report, or otherwise) in a proceeding as an expert, I have a duty to assist the Panel and that this duty overrides any obligation that I may have to any party to the proceeding or to any person who is liable for my fee or expenses in this matter;
- b I have neither received nor accepted any instructions to adopt or reject any particular opinion in preparing this report;
- c I have made all the enquiries which I believe are desirable and appropriate and that no matters of significance which I regard as relevant have, to my knowledge, been withheld from the Advisory Committee; and
- d I have considered the relevant documents disclosed by the parties to this proceeding, as well as the documents listed in this report.

1.14 Materials relied upon in preparing my evidence include:

- Explanatory Report (Amendment C387 to the Greater Geelong Planning Scheme) and other amendment documentation
- Jetty Road Urban Growth Area Stage 2 Development Contributions Plan, Urban Enterprise (October 2023)
- Jetty Road Growth Area Stage 1 Development contributions Plan, Urban Enterprise (September 2011)
- Submission by the Developer Group, Bursill Consulting (18 December 2023)
- Consideration of Submissions, Greater Geelong City Council, Amendment C387 Delegate Authority Report (8 February 2023)
- Urban Development Program 2022 Report, Department of Transport and Planning
- Regional Population Growth (Cat. No. 3218.0), Australian Bureau of Statistics (2024)
- DCP Valuations, Westside Consulting (31 August 2023 and 22 March 2024)
- Development Plan Overlay Schedule 46 Background Landscape Report (November 2022)

2.0 Background

Amendment

- 2.1 Proposed Amendment C387 to the Greater Geelong Planning Scheme seeks to facilitate the planned residential development of land on the western edge of Drysdale-Clifton Springs-Curlewis. The proposed amendment area is referred to as the Jetty Road Urban Growth Area Stage 2 in the Greater Geelong Planning Scheme. In his evidence statement, the amendment area is also referred to as the Jetty Road Stage 2 area.
- 2.2 Jetty Road Urban Growth Area Stage 2 will see residential development progress (primarily) to the west of the Jetty Road Urban Growth Area (Stage 1) area which has delivered over 1700 lots. Construction of dwellings in the Stage 1 area is substantially advanced with a limited number of dispersed vacant lots remaining through the Stage 1 area.
- 2.3 Amendment C387 proposes to:
- Rezone 150 hectares of Farming and Rural Living zoned land to the General Residential Zone;
 - Apply the Development Contributions Plan Overlay and Development Plan Overlay; and
 - Apply the Environmental Audit Overlay to several parcels of land to manage potentially contaminated land.
- 2.4 Amendment C387 has been prepared by the City of Greater Geelong, which is the planning authority for this amendment.

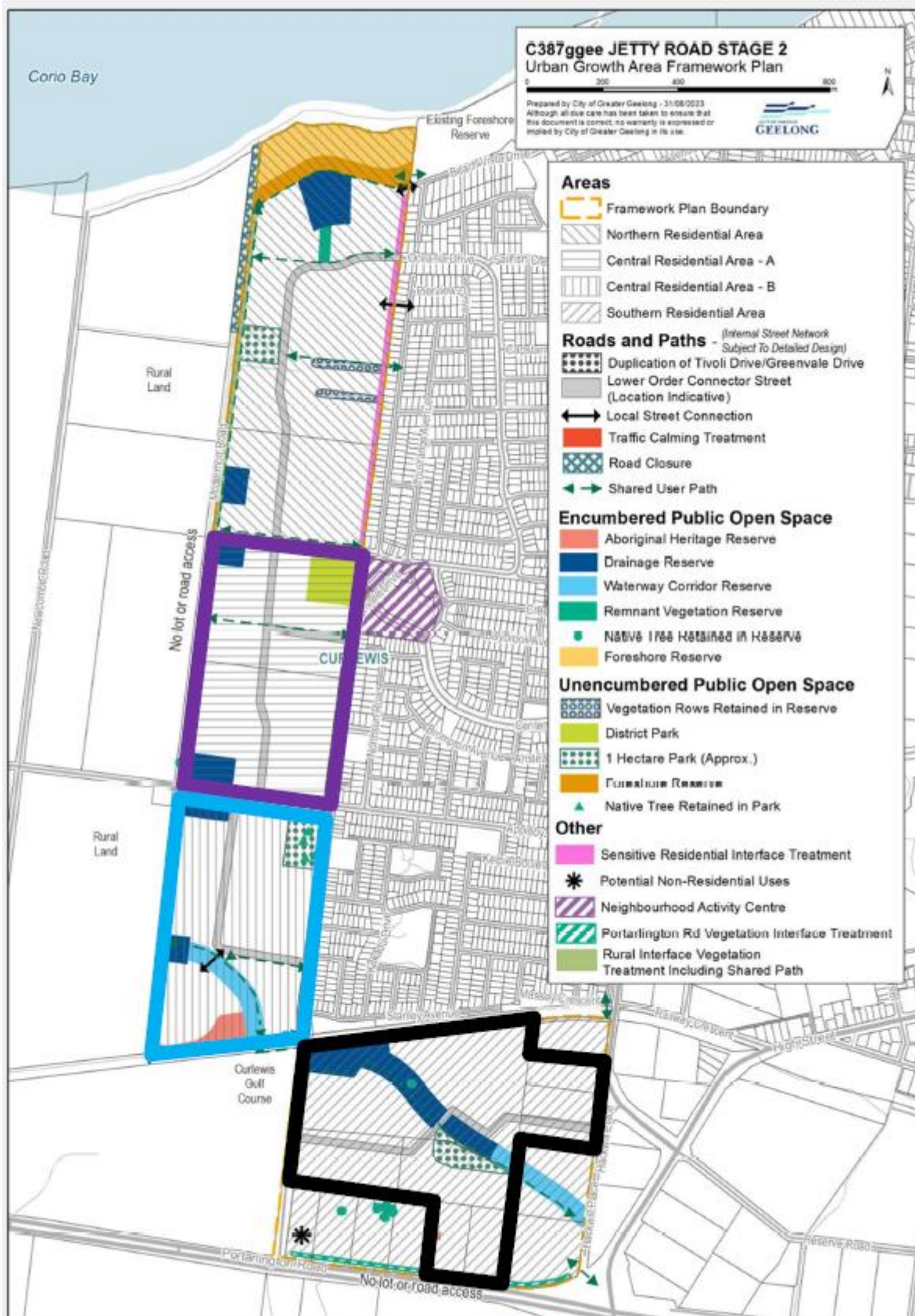
Amendment Area

- 2.5 The Jetty Road Stage 2 area contains 20 land titles spread over 150 hectares.
- 2.6 The amendment area can be described as comprising two sub precincts; a Rural Living Zone precinct south of the Bellarine Rail Trail and an active Farming Zone precinct north of the Bellarine Rail Trail extending to Port Phillip Bay.
- 2.7 The farming precinct consists of 5 titles and four landowners and has a total area of 96.7 hectares. The precinct extends north to Port Phillip Bay, south to the Bellarine Rail Trail and Curlewis Golf Course and west to McDermott Road which marks the extent of the Drysdale-Clifton Springs-Curlewis protected settlement boundary. Single dwellings are developed on the two northernmost parcels. Land located west of McDermott Road and north of the Curlewis Golf Course comprises cleared farming zone land.
- 2.8 The rural living precinct is generally square in shape with an overall area of 51.5 hectares. It is bounded by the Bellarine Rail Trail to the north, Portarlinton Road to the south, Jetty Road and Hackwill Place to the east and Curlewis Golf Course to the west. The precinct includes 15 individual parcels most of which are typical rural residential lots containing a mix of dwelling types, sheds and outbuildings, along with planted trees and landscaped garden areas. Each property has its own access to either Tivoli Drive, Jetty Road, Hackwill Place or Portarlinton Road.

Land Ownership

- 2.9 The Landowner Group controls three significant parcels of land, described as follows:
- Stockland, which controls two parcels of land, totalling 26.00ha in area (outlined in purple in Figure 1)
 - SOHO Living, which controls one parcel of land, totalling 25.86ha in area (outlined in blue in Figure 1)
 - APD Projects, which controls eight parcels of land, totalling 34.42ha in area (outlined in black in Figure 1).

Figure 1: Landowner Group Identification



Source: Landowner Submission, dated 18 December 2023

3.0 Strategic Justification

- 3.1 Amendment C387 will facilitate the rezoning of approximately 150ha of land for the purposes of residential development Amendment C387, and provide for approximately 2,000 dwellings.
- 3.2 From an economic perspective, the rezoning will provide much needed additional residential land supply to the Greater Geelong market, and to the Bellarine Peninsula submarket in particular.
- 3.3 The 2022 report of the Urban Development (UDP), the Victorian Government's official measurement of residential land supply, provides specific reporting in relation to Greater Geelong.
- 3.4 The UDP noted that *"in Geelong there is capacity for 18,900 residential lots (8 to 9 years supply) of zoned land and an additional 42,700 residential lots (19 to 21 years supply) of land planned to be rezoned"*. The land that is the subject of Amendment C387 is part of the supply yet to be rezoned.
- 3.5 The population of Greater Geelong as at 30 June 2023 was 282,800 persons, an increase of 6,200 persons over the previous 12 months (Australian Bureau of Statistics).
- 3.6 In terms of the location of zoned residential land supply, the UDP records that in 2022 the principal areas of supply were located as follows:
- 9,720 lots in Armstrong Creek
 - 2,481 lots in Lara West
 - 1,000 lots in other locations
- 3.7 The majority of future (unzoned) supply is situated in the Northern Growth Area and Western Growth Area.
- 3.8 The addition of (approximate) 2,000 dwellings in the Jetty Road Stage 2 area will provide an important source of land supply at a time when residual supply at Armstrong Creek begins to tighten and before the Northern and Western Growth Areas can emerge as major contributors to Greater Geelong's supply framework. Additionally, as the final significant release of greenfield supply on the Bellarine Peninsula, the Jetty Road Stage 2 area will supplement remaining land stocks and assist in limiting upward pressure on prices.

4.0 Proposed Development Contributions Plan

Overview

- 4.1 The Jetty Road Urban Growth Area Stage 2 Development Contributions Plan (Stage 2 DCP) has been prepared by consulting firm, Urban Enterprise and is dated October 2023.
- 4.2 The Stage 2 DCP is intended to formalise the funding of shared infrastructure to support the development of the Jetty Road Stage 2 precinct.
- 4.3 From a total area of 150.35ha, the Stage 2 DCP establishes a land budget of 120.28ha and net developable area of 120.21ha, having accounted for take outs such as Transport (4.47ha), Waterways and Drainage (12.62ha), Encumbered Open Space (6.11ha) and Unencumbered Open Space (6.93ha).
- 4.4 Overall, the Stage 2 DCP expects the precinct to yield approximately 2,000 dwellings at an average density of 16.6 dwellings per hectare.
- 4.5 The Stage 2 DCP seeks to fund 25 projects through the Development Infrastructure Levy (DIL) and one project by the Community Infrastructure Levy (CIL). DIL projects include transport projects, open space projects, drainage projects, a children's and community hub and planning costs. The CIL project relates to a regional community and learning hub.
- 4.6 All infrastructure included in the DCP serves the entire DCP main catchment area with the exception of drainage for which three separate charge areas have been established. The Stockland and SOHO Living land areas are in Charge Area 2, while the APD Project land is in charge Area 3.
- 4.7 In total, the Stage 2 DCP plans to raise \$64.17m of which \$53.51m relates to the construction cost of DIL related projects and \$10.69m relates to land acquisition. A further \$11.29m is expected to be raised from the CIL for the regional and community and learning hub.
- 4.8 A number of projects funded by the DIL, including two road projects, three pedestrian projects, four open space projects, two drainage projects and the children's and community hub projects, are partly funded by the Jetty Road Stage 1 DCP or directly by Council.
- 4.9 As an observation, the methodology applied and construct of the DCP is generally consistent with accepted practice.

Specific matters raised by Landowners Group

In its submission to the exhibition of Amendment C387, the Landowner Group raised nine specific issues in relation to the Stage 2 DCP. These are considered below with a summary of the issue raised, the response by Council, and my own response, expressed as an 'opinion'.

Issue C1

Submitter Issue

- 4.10 The Developer Group submitted that the Coriyule Drain (Project DR-02) should be removed from the DCP as the drain was constructed to address an issue relating to impacts from the Stage 1 Development

and has already been funded by Council.

4.11 The Developer Group also queried the escalation applied to the project.

Council Response

4.12 Council's response is provided as follows:

Representatives of landowners were consulted during development of the Coriyule Rd drain project and apportionment of costs to Jetty Rd Stage 2 were understood. Works were completed over multiple financial years. \$2M was allocated in the 2019/20 budget, with the balance in following year(s).

The drain was constructed in two stages. The Jetty Rd Stage 2 DCP seeks to recover costs associated with stage 2 only. The drain (DR-02) is external to the DCP Main Catchment Area and provides an outfall to the bay via Coriyule Rd and Scarborough Rd as indicated in Figure 6:



There is direct nexus between the infrastructure works and benefit to Stage 2 consistent with the findings of the Afflux Consulting report. While the drain is existing infrastructure the costs were always envisioned to be partly funded by the Jetty Rd Stage 2 area.

In response to the claim 'Other parts of the catchment include rural residential development, a service station, roads, the golf course of 44 hectares which includes accommodation development, Council's major sports reserve of 28 hectares and other rural land', none of these features are directly connected to the drain, as such derive no benefit. Drainage matters are addressed in the exhibited Afflux engineering report.

Cost of the actual delivery of the phase 2 drain was \$3,667,601. This was conservatively assumed to have a June 2022 base value. This value was then indexed by the Rawlinsons BPI from June 2022 into June 2023 (using March quarter index values, given that the March quarter is the latest available index at the July 1 indexation time).

Mar-22 = 132.33

Mar-23 = 142.22

Index factor = 1.0747

The final resulting value included in the DCP is \$3,941,708.

Rawlinsons BPI has been applied to index the construction costs for items (including those already delivered) in order to be consistent with the indexation methodology of the both the Stage 1 and Stage 2 DCPs.

Opinion

4.13 Project DR-02 is identified in the Stage 2 DCP as having a construction cost \$3,941,708, of which 62.67% (\$2,470,137) is apportioned to the Stage 2 DCP; specifically Charge Areas 2 and 3. This results in a charge of

\$28,799.55 per hectare.

- 4.14 Drainage and engineering related issues are not within my area of expertise and, accordingly, I am unable to offer an opinion on the extent to which the project addresses issues relating to impacts from the Stage 1 development or (as Council claims) the extent to which the Jetty Rd Stage 2 DCP seeks to recover costs associated with stage 2 only the project provides benefit to.
- 4.15 I note that 37.37% of the project cost is externally apportioned. A review of the Jetty Road Stage 1 DCP (Urban Enterprise, September 2011), indicates that no drainage related projects were included in that DCP. Therefore, it is not clear to me whether landowners in the Stage 1 area contributed to the DR-02 project through another means or whether the need for the project was identified subsequent to the development of Stage 1.
- 4.16 In principle, I agree that the Stage 2 DCP should only contribute towards DR-02 to the extent that it benefits from the project. If the project was undertaken due to impacts from the Stage 1 development and no additional impacts will derive from the Stage 2 Development, the project should not be included in the Jetty Road Stage 2 DCP. In this regard I note that Landowner Group submission understanding that the design investigation for the pipe when the project was undertaken based on the Jetty Road Stage 2 area as an undeveloped catchment. If this is the case, and the Stage 2 area includes retardation to limit discharge to pre-development flow rates, I cannot understand the rationale for the projects inclusion as a Stage 2 DCP item.
- 4.17 Separate to this core issue, I am comfortable with the indexation method applied to the project costs.

Issue C2

Submitter Issue

- 4.18 APD Projects submitted that changes should be made to the DCP costs for the Southern Wetland (Project DR-04) by reducing the area required for batters. Requested changes included:
- Reduction in land area taken for the Southern Wetland.
 - Subsequent increase in the Net Developable Area
 - Adjustment in the civil and landscape costs to reflect the reduced earthworks and landscape areas due to the smaller wetland footprint.
 - Land valuation should be amended to reflect the reduced land area.

Council Response

- 4.19 Council responded as follows:

A response to waterway/wetland design, including batters is provided in the DPO46 section. Changing the batter design is not supported.

The design and cost adopted for the DCP have been based on the PDF file received from Council on 8/9/23, which was issued by Stantec on 1/9/2023.

The PDF file is title 2023.08.31 13588-14 DCP Cost Estimates.pdf

The cost for this item in the detailed cost provided by Stantec is \$10,518,900.71, noting DR-04 total cost is \$10,518,900.71 + \$813,750 (for CHMP related soil screening works) = \$11,332,650.71

Opinion

- 4.20 The question of whether the batter design should be changed is outside my area of expertise.
- 4.21 As a general principle however, I believe that should a redesign be available that is compliant with accepted standards and practice, it should be seriously considered as, in the interests of housing affordability, reductions in the cost of development should be pursued whenever possible.
- 4.22 In this context, I note that the DIL applying to Charge Area 3 is \$670,230.06 per hectare, compared to \$238,129.48 per hectare for Charge Area 1 and \$258,070.21 per hectare for Charge Area 2. This represents a DIL rate per hectare that it at the higher end of development contribution. It is noted that drainage-

related projects represent \$417,160.73 per hectare for Charge Area 3 compared to \$11,221.52 per hectare for Charge Area 1 and \$31,162.16 per hectare for Charge Area 2.

- 4.23 A review of the SMEC document 'Comparison of Plans for Exhibited Drainage Reserve and Alternative Proposal' (Appendix B to my evidence) indicates that the alternative proposal would see a reduction of 0.54ha in the area identified as Additional Drainage Reserve. The reduction would occur entirely on Property 16. Note: the area required for the designated Waterway Encumbrance Corridor (40m corridor) would remain the same.
- 4.24 The impact of the alternative proposal would be:
- A reduction in the land area required for project DR-04-L resulting in a decrease of land acquisition costs
 - A potential reduction in construction-related costs for project DR-04
 - An increase in the Net Developable Area (0.54ha) over which to apportion DCP costs.
 - An increase in the Net Developable Area on which additional dwellings can be constructed.

Issue C3

Submitter Issue

- 4.25 APD Projects submitted that the Southern Wetland (Project DR-04) should be amended to include the correct land area and the correct landscape costs.

Council Response

- 4.26 Council's response is provided as follows:

The DCP is prepared on the basis of land budget information utilised for the Land Valuation Package dated 23/8/23. A subsequent revised land budget was circulated on 30/8/23 which is not reflected in the exhibited DCP. This update included a change to the land area allocated as 'Drainage Reserve' for DR-04.

The DCP will be updated to reflect the latest land budget information. The DCP area for the purpose of NDA (Property 16 – Waterways and Drainage) is 4.133ha.

Regarding the DCP area for the purpose of land valuation, due to misunderstanding of the CCMA waterway designation, the 'unencumbered drainage land' area is proposed to be reduced by the difference between the land required by the drainage asset and the 40m waterway encumbrance. The Westlink Land Valuation Report will also require amending. Refer to Submission 52.2 below for an expanded response.

The construction cost associated with DR-04 was adopted from the PDF file (titled 2023.08.31 13588-14 DCP Cost Estimates.pdf) received from Council on 8/9/23, which was issued by Stantec on 1/9/2023.

The DCP does not reflect 'incorrect' costs, given that the landscape costs referred to (prepared by SMEC) were not issued to Urban Enterprise at the time the DCP was prepared.

NOTE:

In further considering the submission, Council sought clarification on: (1) whether the costings include all works from Tivoli Dr to Hackwill Place/ Portarlinton Rd; and (2) whether the additional SMEC landscaping costs are included or not.

Bursill Consulting replied as follows:

- *SMEC advise that the civil cost included the works on APD parcels 16 and 18.*
- *The costs excluded parcel 23. That is a section of constructed waterway.*
- *SMEC have completed a preliminary costing for the open waterway between the APD land and Hackwill Place and we expect the cost to be in the order of \$700,000.*
- *SMEC will provide an OPC for the missing component. This will be based on the same methodology and costs as that use for the exhibited version.*

- *The landscape costs, per the SMEC letter (14 December 2023) provided with submission, were deficient and need to be adjusted upwards.*

Opinion

4.27 Based on Council's response to this matter, I understand this matter will be resolved.

Issue C4

Submitter Issue

4.28 APD Projects submitted that the land valuation methodology for the Southern Wetland (Project DR-04-L) should follow the site specific methodology as the land is otherwise developable as a residential superlot which would produce a value similar to that which would apply to a school site.

Council Response

4.29 Council's response is provided as follows:

The land valuation report was prepared on a basis consistent with the 'method for calculating estimated value of inner public purpose land' within the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans.

The land valuation report (dated 31 August 2023) considers the land relevant to the land for DR-04 to be "irregular in shape". Therefore, "for the purposes of this valuation, the highest and best use of each irregular section of public land has been determined based on the broad hectare value of the property within which the irregular public land area is situated.

Opinion

- 4.30 The Landowner Group has submitted that the southern wetland area could be readily developed as a superlot and that the site specific methodology should have been applied rather than the broadhectare methodology which is normally applied for a slither of land, like a road widening.
- 4.31 I have reviewed the Stage 2 DCP, the proposed alternative design layout (SMEC) and the DCP Valuation Reports undertaken by Westlink Consulting (31 August 2023 and 22 March 2024).
- 4.32 In the 22 March 2024 Valuation Report, a clear distinction is made in the Land Use Budget Table (page 7) between land in the Drainage Reserve and land in the Drainage Reserve but outside the 40m corridor. For Property 16 the land areas are 2.303ha and 1.543ha respectively.
- 4.33 These areas are broadly consistent with, but do not perfectly align with land areas in the exhibited drainage reserve.
- 4.34 For the purposes of the valuation (2 March 2024), the land to be acquired for DCP-related projects has been considered irregular in shape and land is valued at \$1.8m per hectare.
- 4.35 As valuation issues are outside my area of expertise, I do not offer an opinion on the valuation figures adopted by Westlink Consulting.
- 4.36 My review instead considers the potential of the Drainage Reserve land outside the 40m corridor to have made a meaningful contribution in terms of housing provision. In this regard, I have regard to the exhibited version of DR-04 and the alternative design (SMEC).
- 4.37 The approximate dimensions of land in the Drainage Reserve but outside the 40m corridor for the two scenarios is set out in the documents provided by SMEC and provided as Appendix C to this evidence statement.
- 4.38 The scale and dimensions of residential lots in the Jetty Road Stage 1 area varies. As a broad observation however, a typical lot is in the order of 450m², with a frontage of approximately 14m and a depth of 32m. Smaller lots are typically in the order of 240m², with a frontage of 8m and depth of approximately 30m. Lot configuration can vary due to a range of conditions. I note that residential lots of these dimensions have been commonplace in Greater Geelong and in Greater Melbourne for many years. In some

instances, smaller lots in Melbourne's growth areas are configured with a depth of approximately 25m.

- 4.39 In this regard it is suggested that under the Exhibited Drainage Reserve a significant part of the area outside the 40m corridor area could make a meaningful contribution to housing; specifically in the area south of the 40m corridor where the north-south depth of properties ranges from 50-60m in the western area, to 21-25m in the eastern part of the wide part of the reserve.
- 4.40 Under the Alternative Drainage Reserve Proposal, the ability to provide a significant component in the area outside the 40m reserve is less significant, and largely limited to the western area of the reserve where the north-south depth of land is in the order of 40m.

Issue C5

Submitter Issue

- 4.41 APD Projects submitted that forward financing costs associated with the early delivery of enabling infrastructure for the Southern Development Area should be included in the relevant DCP projects as an additional line item.

Council Response

- 4.42 Council's response is provided as follows:

The DCP does not include any financing costs attributed to the early delivery of infrastructure. Inclusion of these costs is possible but would require clear justification. Financing costs are not normally included where the works are 'typical' in terms of scope, timing and triggers.

Opinion

- 4.43 APD Projects has submitted that three projects (RD-03, DR04 and OS-05) will require early delivery and that the financing costs associated with early delivery should be included in the DCP as an additional DCP project.

- 4.44 Effectively, it is argued that this infrastructure represents enabling infrastructure without which other landowners in Charge Area 3 will not be able to commence development.

- 4.45 Costs associated with the enabling infrastructure include:

- RD-03 Tivoli Drive: \$2,876,126
- DR-04 Southern Wetland/Drainage: \$11,332,651
- OS-05 Park: \$1,157, 638
- Combined these costs total \$15,366,415.

Note: the Landowner Submission bases its costs for DR-04 on a total of \$10,518,000.71 and omits a figure of \$813,750 included in the Stantec Cost Sheet for Cultural Heritage Management Plan related soil screening works, but adds \$1,094,312.5 for missing landscape costs.

- 4.46 The Landowner Submission calculates that financing costs associated with the enabling infrastructure would total \$1,312,119. This would obviously vary dependent on additions and/or exclusions in the scope of DR-04.
- 4.47 Financing costs as a DCP item usually relate to matters that can be considered a special case. For example, in the Minta Farm DCP, an early works item related to financing costs associated with the construction of Bells Road, which performs a regional function.
- 4.48 In this instance, if the works will provide opportunity for other landowners in the Charge Area 3 sub-precinct to commence development upon completion of the projects, there is merit in considering an early works package as enabling infrastructure. If so, a separate DCP project could be included based on the financing costs associated with bringing the infrastructure forward. In this context, regard should be had for the very significant costs associated with DR-04. A calculation of financing costs will not be

possible until costs associated with DR-04 are finalised.

Issue C6

Submitter Issue

- 4.49 The Developer Group submitted that the DCP costs for projects DR-01 and DR-03 have been incorrectly allocated and should be swapped to reflect correct project costing as submitted by Stantec.

Council Response

- 4.50 Council's response is provided as follows:

The cost adopted for the DCP have been based on the PDF file title 2023.08.31 13588-14 DCP Cost Estimates.pdf, or the associated Excel file if no cost is provided in the PDF (e.g. for DR-01).

The costs within the DCP are consistent with the PDF file for DR-03.

The email from Stantec (dated 1/9/23) provided both a PDF and Excel version of the costs and indicated that both files were consistent in their information. On review, the Excel document has a different final value for DR-03 to the PDF.

Stantec to confirm which is the correct value of the two different values provided.

Opinion

- 4.51 I understand this issue has now been resolved with Council.

Issue C7

Submitter Issue

- 4.52 Stockland and SOHO Living submitted that the construction of Coriyule Road including traffic calming treatment measures should be included in the DCP and project costs apportioned 50% each to properties 14 and 15. The approach was suggested to facilitate early and complete construction of the road and traffic calming and avoid disjointed development.
- 4.53 Stantec has estimated that project costs would be approximately \$1,789,000.

Council Response

- 4.54 Council's response is provided as follows:

Construction works associated with Coriyule Road were not included in the DCP on the basis that cost sharing is not required for the local road network. Local roads can be included, however there would need to be clear justification for inclusion, and consideration of the equity for affected landowners (including elsewhere in the Growth Area).

Furthermore, the Traffix Group report (Nov 2022) preliminary plan for traffic calming is not final and subject to detailed assessment and review by Council traffic engineers, to ensure the treatment properly discourages east-west use.

Opinion

- 4.55 Coriyule Road is likely to act as an important east-west road through the Jetty Road Stage 2 area, including east along Appleby Street (in the Stage 1 area) to Jetty Road. It is likely Coriyule Road will act as a key access point for the staged development of both the Stockland (property 14) and SOHO Living (property 15) sites.
- 4.56 Accordingly, Stockland and SOHO Living have submitted that the construction of Coriyule Road, including traffic calming treatment, be included in the DCP and project costs apportioned 50% each to

properties 14 and 15.

- 4.57 Inclusion in the DCP would provide several advantages including the 'complete' construction of the road at the earliest stage that one party or the other determines to commence construction. It would also formalise the streets construction as part of formal planning for the precinct, and avoid the potential for the road to be constructed in part or in stages.
- 4.58 It is possible a commercial agreement between the two parties (Stockland and SOHO Living) may achieve a similar outcome.

Issue C8

Submitter Issue

- 4.59 The Developer Group sought clarification regarding how the cost of the Foreshore Works (Project OS-01) has been calculated.

Council Response

- 4.60 Council's response is provided as follows:

The Stage 1 DCP apportioned the entirety of the Foreshore upgrades (stage 1 and 2) across the whole Jetty Road Urban Growth Area.

The costs prepared by Stantec refer to the Stage 2 works (remaining works), valued at \$3,064,812.50.

The scope of the Stage 1 works (completed works) is equivalent to \$853,521.81 in base Stage 1 DCP values (2011 dollars).

The value of the completed works were indexed in to current values (June 2023) by using the BPI index values for Mar-11 and Mar-23. The resulting value in current dollars is \$1,231,738.93

Mar-11 = 98.55

Mar-23 = 142.22

Index Factor = 1.4431

The total value adopted for the OS-01 project in the Stage 2 DCP is:

\$3,064,812.50 + \$1,231,738.93 = \$4,296,551.43

Opinion

- 4.61 I understand the rationale of Council's response to the submission and note that the combined Stage 1 (indexed) and Stage 2 project total of \$4,296,551 is apportioned to Stage at 50.06% or \$2,150,710.

Issue C9

Submitter Issue

- 4.62 The Developer Group sought redrafting of the DCP Overlay Schedule to ensure projects completed prior to the introduction of the DCP are indexed in accordance with the Consumer Price Index (CPI).

Council Response

- 4.63 Council's response is provided as follows:

Rawlinsons BPI was applied for the indexation of construction costs in order to be consistent with the indexation methodology of the Stage 1 DCP.

Note that CF-01-L has been indexed into current dollars using CPI in accordance with the methodology of the Stage 1 DCP (which was linked to the provisions of an earlier s173 agreement regarding land values).

The method of indexing of land items in the Stage 2 DCP requires annual revaluation to be consistent with standard practice. The indexation method could refer specifically to indexation by CPI for CF-01-L; however this type of indexation was not considered suitable for construction items, including for items already delivered.

Opinion

- 4.64 For the purpose of this exercise, I have reviewed the difference between the Consumer Price Index (Melbourne) and Rawlinsons Building Price Index (BPI (Melbourne) between June 2011 and March 2023. The CPI measure records an increase of 33.8% over the period, while Rawlinsons BPI records an increase of 44.3% over the period.
- 4.65 Development infrastructure levy amounts are indexed on 1 July each year in accordance with the method of adjustment specified in the relevant DCP incorporated document. In my experience, most indexation measures in DCP's reference a specific building-related index, such as the Rawlinsons BPI.
- 4.66 It is also noted the Jetty Road Stage 1 DCP is based on Rawlinsons BPI.
- 4.67 Accordingly, I believe the index referenced in the Stage 2 DCP is appropriate.

Additional Matters

- 4.68 I have also been asked to consider (in relation to the proposed road reserve at the western interface of Property 15) whether:
- The shared footpath within the road reserve should be located on the eastern side, rather than the western side as shown in the City of Greater Geelong's C387ggee Development Plan Overlay Schedule 46 Background Landscape Report (November 2022); and
 - The land provided for the shared footpath should be credited to the developer of Property 15 as unencumbered public open space.
- 4.69 I note that I am not a planner or urban designer and, therefore, do not provide an opinion on the location of the shared footpath.
- 4.70 I believe there is merit in crediting the shared footpath as unencumbered open space (and subject to the provisions of Clause 53.01). I note however that the same principle should then be applied to other properties, such as those adjoining Interface 2 and Interface 3.

5.0 Declaration

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



Chris McNeill
Director
Ethos Urban

17th February 2023

Appendix A Curriculum Vitae

Chris McNeill

Director, Economic

B.Econ, VPELA (Fellow)

EXPERT EVIDENCE – ECONOMICS



Chris is a demographer and urban economist with more than 25 years of experience. He is armed with a deep knowledge of Australia's urban landscape and is a regular conference presenter and expert witness in matters relating to urban planning and development.

Chris has a Bachelor of Economics degree and post-graduate Certificate qualifications in international business from the Siemens business school in Germany. He is a Member of the Victorian Planning and Environmental Law Association and a former Sessional Member of Planning Panels Victoria.

His experience as a panelist extended from 2005 to 2013 during which time he chaired a number of significant Panels and Advisory Committees.

Since 2007, Chris has been a regular expert witness at the Victorian Civil and Administrative Tribunal (VCAT) and Planning Panels Victoria.

His evidence work generally specialises in residential and industrial land supply and demand assessments, infrastructure matters and the economics of urban policy.

Chris' urban economics experience covers a range of projects in urban and regional economic development and land use planning; industry sector analysis; residential, commercial, industrial and retail location and development; development contributions plan analysis and review; community infrastructure planning; urban policy analysis and concept feasibility testing.

A snapshot of Chris' project experience includes:

- **Expert evidence:** To a significant number of independent Panels tasked to consider the recognition of land within settlement boundaries, or the rezoning of land for a new or alternative urban use.
- **Expert evidence:** To independent Panels in relation to the impact of proposed regulatory charges or levies on development cost and timing.
- **Expert evidence:** To independent Panels and VCAT in relation to adequacy of residential and/or industrial land supply in specific regions or urban areas.
- **Expert evidence:** At VCAT in relation to the viability of land remaining in a farming zone based on land prices.
- **Expert evidence:** In relation to proposed housing strategies.
- **Expert evidence:** In relation to proposed economic land use strategies.

Appendix B Comparison of Plans for Exhibited Drainage Reserve and Alternative Proposal



MDG VS REV F SMEC WETLAND			
PROPERTY	AREA (Hectare)	DESIGNATED WATERWAY ENCUMBRANCE (40m CORRIDOR)	ADDITIONAL DRAINAGE RESERVE
PROPERTY 16	3.59	2.43	1.17
PROPERTY 18	0.074	0.006	0.068
PROPERTY 23	1.17	0.90	0.24
PROPERTY 24	TBC	0.045	TBC
TOTAL	4.834	3.381	1.478

LEGEND

--- EXISTING WATERWAY CENTRE LINE

— EXISTING PROPERTY BOUNDARIES

40m WIDE CORRIDOR PROPERTIES 16-18 - 2.49ha

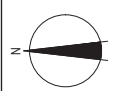
40m WIDE CORRIDOR PROPERTIES 23-24 - 0.95ha

AREA OF WETLAND OUTSIDE 40m CORRIDOR PROPERTIES 16-18 - 1.23ha

AREA OF WETLAND OUTSIDE 40m CORRIDOR PROPERTIES 23-24 - 0.24ha

REV	DATE	REVISION / DESCRIPTION	DRAWN	CHECKED	DATE	SCALE
A	02/02/24	FOR INFORMATION	MS/BR/RO	MS/BR/RO		
B	03/02/24	AMENDED LEGEND	MS/BR/RO	MS/BR/RO		

FOR INFORMATION



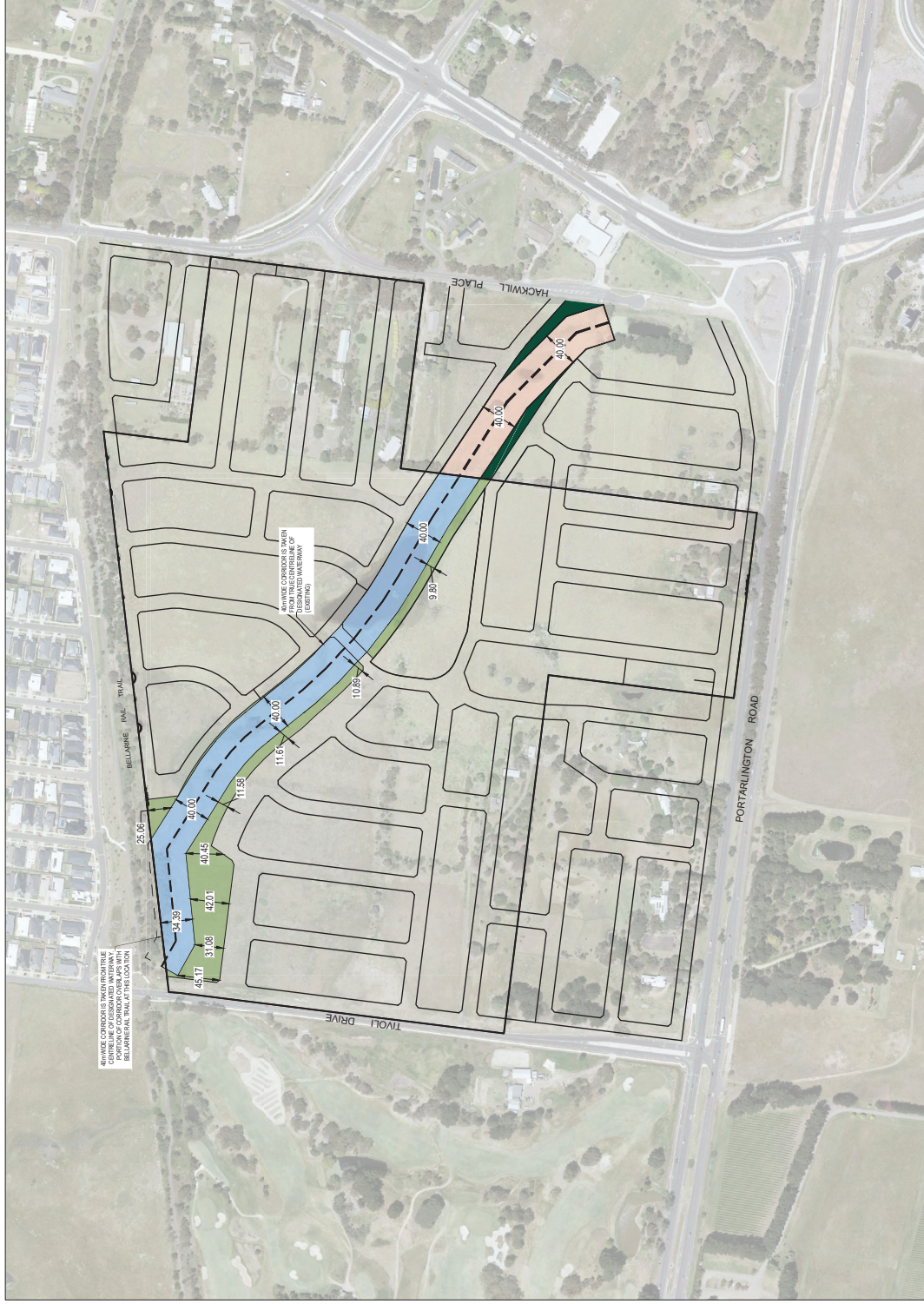
SMEC

 Member of the Suez Canal Group






 East: Federal Hill, 337 Midway Street

 West: 161-171, 175-179, 181-183, 185-187, 189-191, 193-195, 197-199, 201-203, 205-207, 209-211, 213-215, 217-219, 221-223, 225-227, 229-231, 233-235, 237-239, 241-243, 245-247, 249-251, 253-255, 257-259, 261-263, 265-267, 269-271, 273-275, 277-279, 281-283, 285-287, 289-291, 293-295, 297-299, 301-303, 305-307, 309-311, 313-315, 317-319, 321-323, 325-327, 329-331, 333-335, 337-339, 341-343, 345-347, 349-351, 353-355, 357-359, 361-363, 365-367, 369-371, 373-375, 377-379, 381-383, 385-387, 389-391, 393-395, 397-399, 401-403, 405-407, 409-411, 413-415, 417-419, 421-423, 425-427, 429-431, 433-435, 437-439, 441-443, 445-447, 449-451, 453-455, 457-459, 461-463, 465-467, 469-471, 473-475, 477-479, 481-483, 485-487, 489-491, 493-495, 497-499, 501-503, 505-507, 509-511, 513-515, 517-519, 521-523, 525-527, 529-531, 533-535, 537-539, 541-543, 545-547, 549-551, 553-555, 557-559, 561-563, 565-567, 569-571, 573-575, 577-579, 581-583, 585-587, 589-591, 593-595, 597-599, 601-603, 605-607, 609-611, 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Appendix C Exhibited Drainage Reserve and Alternative Proposal (with dimensions)







LEGEND

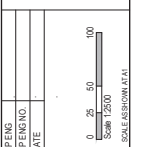
-  EXISTING WATERWAY CENTRE LINE
-  40m WIDE CORRIDOR PROPERTIES 16-18 - 2.49ha
-  40m WIDE CORRIDOR PROPERTIES 23-24 - 0.95ha
-  AREA OF WETLAND OUTSIDE 40m CORRIDOR PROPERTIES 16-18 - 1.23ha
-  AREA OF WETLAND OUTSIDE 40m CORRIDOR PROPERTIES 23-24 - 0.24ha

REV	DATE	REVISION / REVISION DESCRIPTION	DRAWN	CHECKED	DATE	SCALE
1	02/24	ISSUED FOR INFORMATION	MUSIRAO	MUSIRAO	02/24	1:2500

FOR INFO	FOR INFO	FOR INFO	FOR INFO

FOR INFORMATION



SMEC
 Member of the Stantec Group
 East: Federal Hill, 33 Malabar Street
 Adelaide SA 5000
 Phone: 08 8233 3100

APD Projects

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