



# TOOLERN PARK

**DEVELOPMENT CONTRIBUTIONS PLAN**  
AUGUST 2014  
AMENDED DECEMBER 2023

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Version	Date	Incorporated into the planning scheme by amendment	Description of changes
1	May 2010	C83	N/A
2	June 2017	GC75	Incorporate changes associated with Community Infrastructure Levy (CIL) increase.
3	December 2023	VC249	Incorporate changes associated with small second dwelling exemption

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*Note: Any reference to the Metropolitan Planning Authority (MPA) in this document is a reference to the Growth Areas Authority (GAA) as defined under the Planning & Environment Act 1987.*

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## 1.0 INTRODUCTION

### 1.1 Purpose

The Toolern Park Development Contributions Plan has been prepared by the Metropolitan Planning Authority with the assistance of Melton City Council, Government agencies, service authorities and major stakeholders.

The Toolern Park Development Contributions Plan:

- Outlines projects required to ensure that future residents, visitors and workers within the Toolern Park area can be provided with timely access to services and transport necessary to support a quality, affordable lifestyle
- Establishes a framework for development proponents to make a financial contribution towards the cost of identified infrastructure projects
- Ensures that the cost of providing new infrastructure and services is shared equitably between various development proponents and the wider community
- Provides the details of the calculation of financial contributions that must be made by future developments towards the nominated projects
- Provides developers, investors and local communities with certainty about development contribution requirements and how they will be administered.

### 1.2 Report Basis

The Development Contributions Plan document comprises three parts:

#### PART 1

Part 1 explains the strategic basis for the Development Contributions Plan, which includes information about the Toolern Park Precinct Structure Plan and justification for the various infrastructure projects included in the Development Contributions Plan.



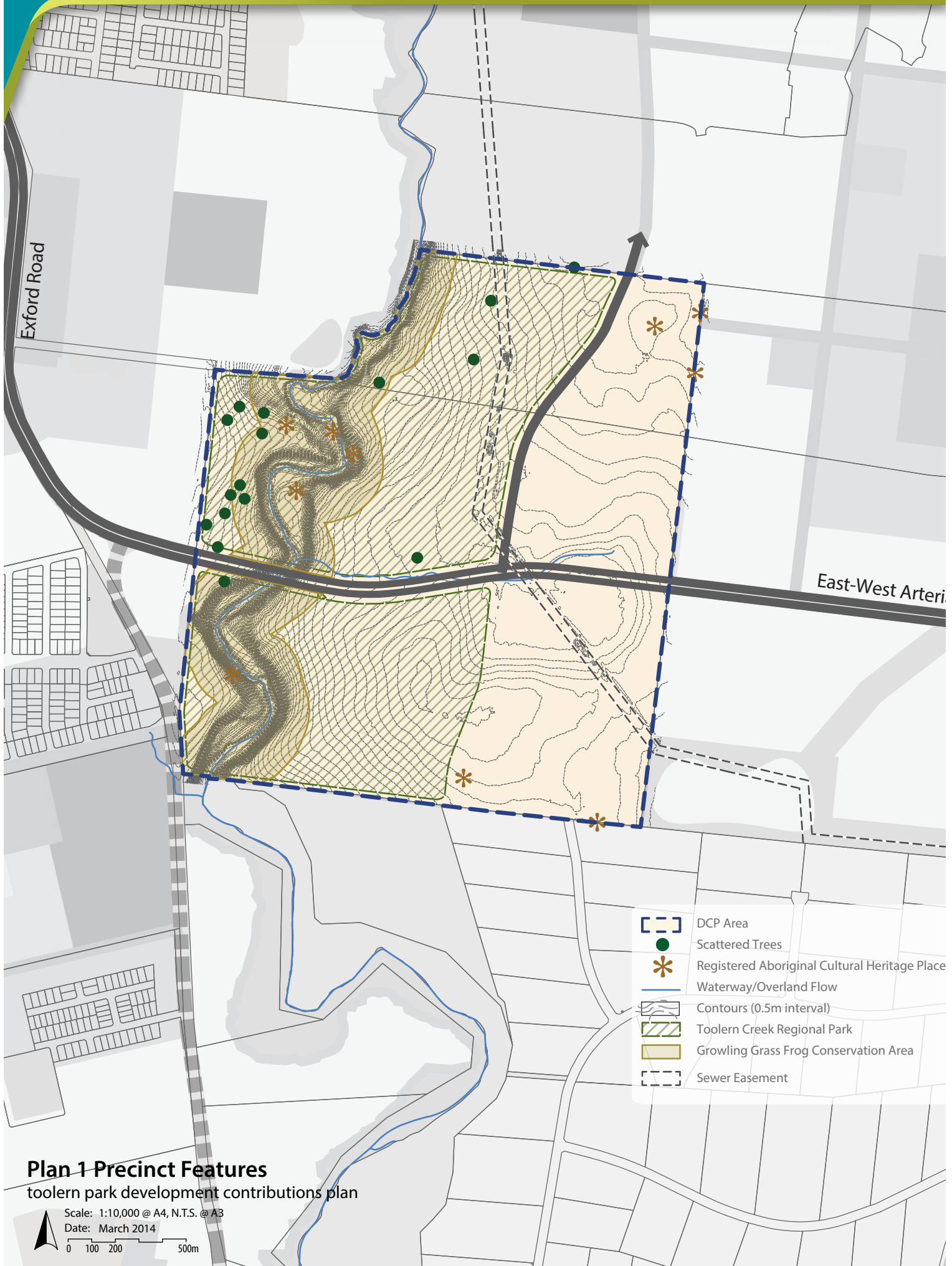
#### PART 2

Part 2 sets out how the development contributions are calculated and how costs are apportioned.



#### PART 3

Part 3 focuses on administration and implementation of the Development Contributions Plan.



### 1.3 Strategic Basis

The strategic basis for the Development Contributions Plan is established by the State and Local Planning Policy Framework of the Melton Planning Scheme. Key documents are:

- Growth Corridor Plans
- Municipal Strategic Statement
- Toolern Park Precinct Structure Plan
- Toolern Park Precinct Structure Plan supporting documents

These documents set out a broad, long term vision for the sustainable development of the Toolern Park Development Contributions Plan area and its surrounds.

The Toolern Park Precinct Structure Plan has been developed following a comprehensive planning process which establishes the future direction of development within the precinct.

### 1.4 Planning and Environment Act 1987

The Development Contributions Plan has been prepared in accordance with Part 3B of the *Planning and Environment Act 1987* (the Act) and has been developed in line with the State and Local Planning Policy Framework of the Melton Planning Scheme as well as Victorian Government Guidelines. It is consistent with the Minister for Planning's Direction on Development Contributions made under Section 46M(1) of the Act and has had regard to the Victorian Government's Development Contribution Plan Guidelines.

The Development Contributions Plan provides for the charging of a Development Infrastructure Levy pursuant to Section 46J(a) of the Act towards works, services or facilities. It also provides for the charging of a Community Infrastructure Levy pursuant to Section 46J(b) of the Act as some items are classified as community infrastructure under the Act, the Minister's Direction on Development Contributions and the Development Contributions Plan Guidelines.

The Development Contributions Plan forms part of the Melton Planning Scheme pursuant to Section 46I of the Act and is an incorporated document under Clause 81 of the Melton Planning Scheme.

The Development Contributions Plan is implemented in the Melton Planning Scheme through Schedule 6 to the Development Contributions Plan Overlay which applies to the area shown on Plan 3.

### 1.5 Toolern Park Precinct Structure Plan

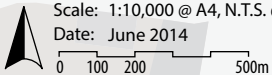
The PSP applies to almost 107 hectares of land, bordered to the east, north and west by the gazetted Toolern Precinct Structure Plan (PSP 31). Toolern Park PSP shares its southern boundary with the Strathtulloh Estate, a low density residential area within a Green Wedge Zone (GWZ). Approximately 60% of the precinct area falls within the boundaries of the Toolern Creek Park. The remainder of the precinct provides a Net Developable Area of 33.92 hectares, designated for residential and other urban uses.

The Toolern Park Precinct Structure Plan establishes the future urban structure of the new community which includes a range of networks comprising transport, open space and active recreation, social infrastructure and residential neighbourhoods (as illustrated on Plan 2).



**Plan 2 Future Urban Structure**  
 toolern park development contributions plan

Scale: 1:10,000 @ A4, N.T.S. @ A3  
 Date: June 2014



- DCP Area
- Arterial Road
- Connector Street
- Access Street - Level 2
- Conventional Residential
- Medium Density Residential
- Toolern Creek Regional Park
- Growing Grass Frog - Category 1 Habitat
- Playing Fields (within Regional Park)
- Unencumbered Passive Open Space
- Encumbered Open Space
- Potential Residential (subject to land capability assessment)
- Sewerage Easement



The need for the infrastructure set out in this Development Contributions Plan has been determined according to the anticipated development scenario for Toolern Park as described in the Toolern Park Precinct Structure Plan. The Development Contributions Plan has a strong relationship to the Precinct Structure Plan, as the Toolern Park Precinct Structure Plan provides the rationale and justification for infrastructure items that have been included within the Development Contributions Plan. Accordingly, the Development Contributions Plan is an implementation based planning tool which identifies the infrastructure items required by the new community and apportions the cost of this infrastructure in an equitable manner across the plan area.

## 1.6 The area to which the Development Contributions Plan applies

In accordance with Section 46K(1)(a) of the Act the Toolern Park Development Contributions Plan applies to land shown on Plan 3. The area is also clearly shown on Development Contributions Plan Overlay (DCPO) Schedule 6 in the Melton Planning Scheme.

The Toolern Park Development Contributions Plan applies to the same area as the Toolern Park Precinct Structure Plan and is characterised by one common Main Catchment Area (MCA). The MCA defines the main catchment area for various infrastructure projects required with the Toolern Park Precinct Structure Plan. The MCA is a geographic area from which a given item of infrastructure will draw most of its use.

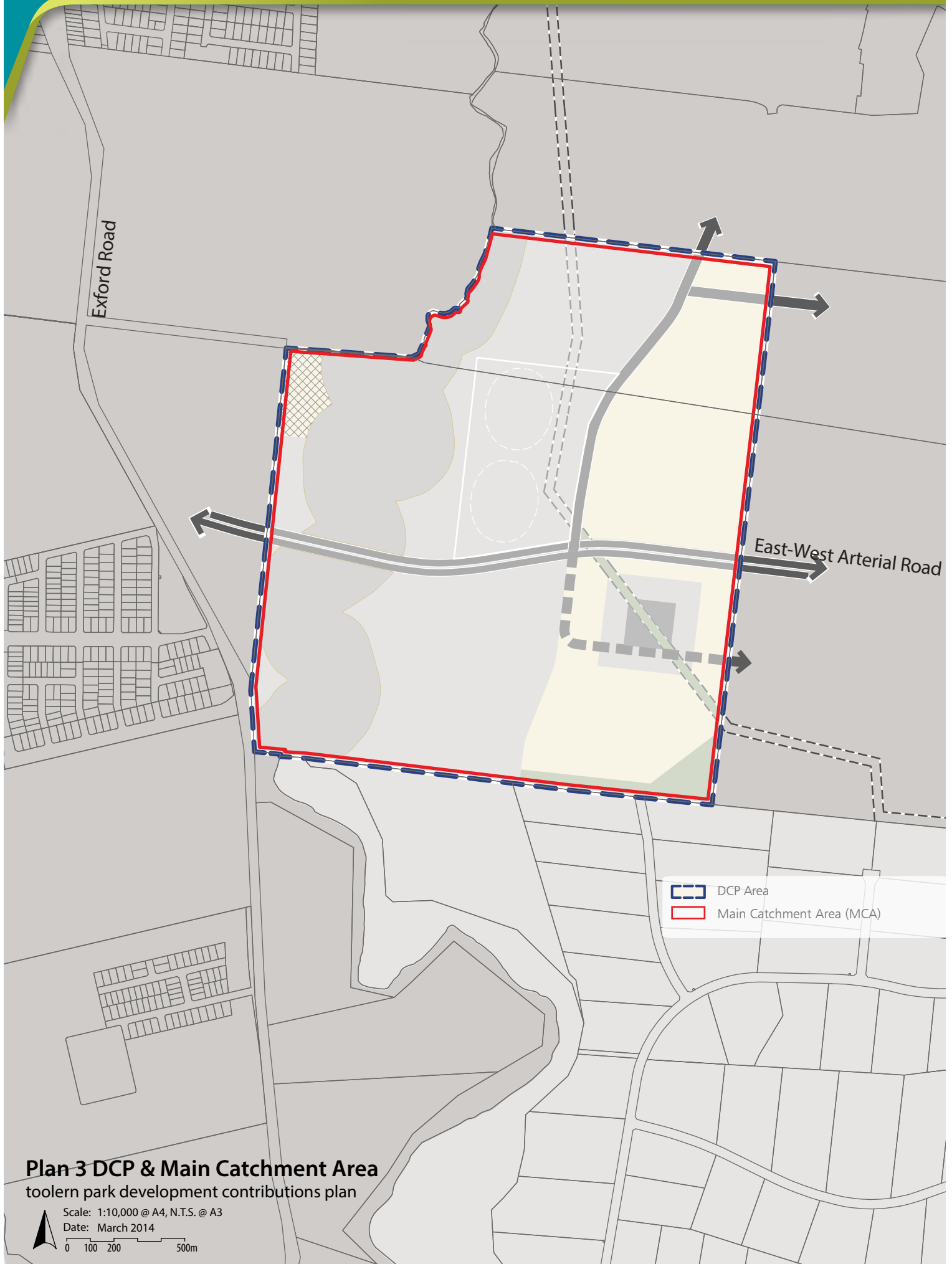
In selecting items, consideration has been given to ensure they are not already wholly funded through another contribution mechanism, such as a mandatory infrastructure construction requirement as set out in Table 4 of the Toolern Park Precinct Structure Plan, an existing local development contributions plan, an agreement under Section 173 of the Act, or as a condition on an existing planning permit.

## 1.7 Project Identification

The Development Contributions Plan uses a project identification system of project category and sequential number in its tables and plans.

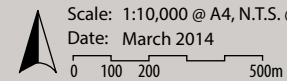
The project categories are summarised as:

- IT – Transport (Intersections)
- CI – Community
- AR – Active Recreation



**Plan 3 DCP & Main Catchment Area**  
toolern park development contributions plan

Scale: 1:10,000 @ A4, N.T.S. @ A3  
Date: March 2014



## 2.0 INFRASTRUCTURE PROJECT JUSTIFICATION

### 2.1 Introduction

The need for infrastructure included in the Development Contributions Plan has been determined on the basis of the development scenario as described in the Toolern Park Precinct Structure Plan and its supporting documents.

Items can be included in a Development Contributions Plan if the proposed development of an area is likely to create the need for infrastructure by its future community. New development does not have to trigger the need for new items in its own right. Furthermore, an item can be included in a Development Contributions Plan regardless of whether it is within or outside the Development Contributions Plan area.

Before inclusion in this Development Contributions Plan, all items have been assessed to ensure they have a relationship or nexus to proposed development in the Toolern Park Precinct Structure Plan area. The cost apportionment methodology adopted in this Development Contributions Plan relies on the nexus principle. A new development is deemed to have a nexus with an item if it is expected to make use of that item.

A summary of how each item relates to projected growth area development is set out below and individual item use apportionments are identified in Table 6.

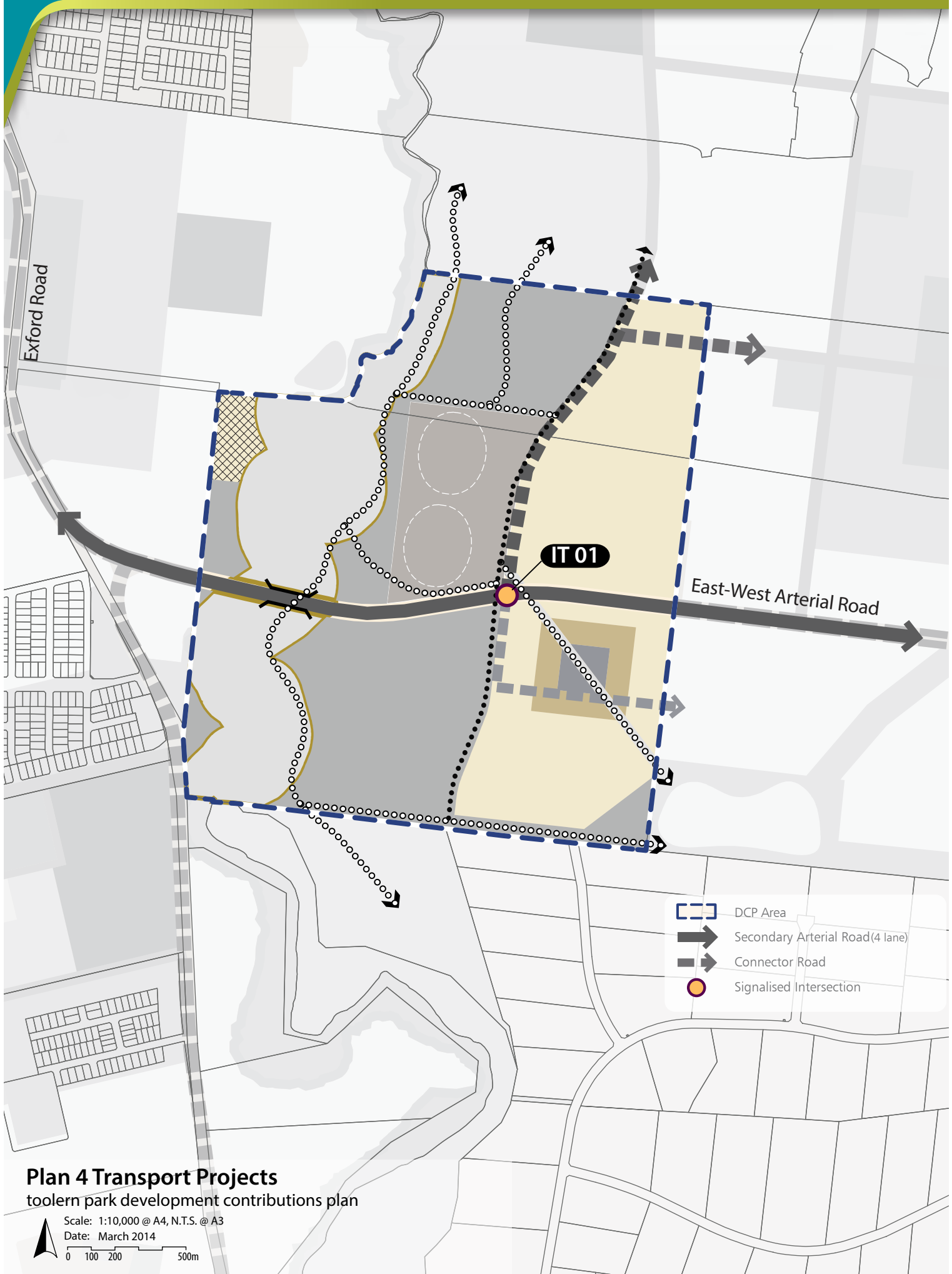
The items that have been included in this Development Contributions Plan all have the following characteristics; namely they:

- Are essential to the health, safety and well-being of the community
- Will be used by a broad cross-section of the community
- Reflect the vision and strategic aspirations as expressed in the Toolern Park Precinct Structure Plan
- Are not recurrent items
- Are the basis for the future development of an integrated network.

### 2.2 Items not included in the Development Contributions Plan

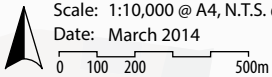
The following items are not included in the Development Contributions Plan, as they are considered to be normal to the construction of a development and are not considered to warrant cost sharing arrangements beyond those set out in this Development Contributions Plan; they must be provided by developers as a matter of course and/or pursuant to agreements with servicing agencies in implementing the Toolern Park Precinct Structure Plan:

- Internal streets and connector streets and associated traffic management measures, including streets on the edge of the Toolern Park Precinct Structure Plan, except where specified as development contributions plan projects
- Intersections connecting the development to the existing road network, except where specified as development contributions plan projects
- Water, sewerage, underground power, gas, telecommunications services
- Local pathways and connections to the regional and/or district pathway network
- Basic levelling, provision of biodiversity offsets, water tapping and landscaping of local passive open space
- Passive public open space reserve master plans and any agreed associated works required by the Precinct Structure Plan
- Council's plan checking and supervision costs
- Bus stops.



**Plan 4 Transport Projects**  
toolern park development contributions plan

Scale: 1:10,000 @ A4, N.T.S. @ A3  
Date: March 2014



The items listed above may be further addressed and defined by an agreement under Section 173 of the Act and/or conditions in planning permits.

## 2.3 Infrastructure Projects

The following three types of projects are included in the DCP (refer to Plans 4 and 5):

- Transport
- Community
- Active Recreation

### 2.3.1 Transport

The key transport related project in the Development Contributions Plan is based on the transport network depicted in Plan 4, and constitutes the construction of a major controlled intersection and associated works.

Land acquisition and construction for arterial road works and bridges associated with the development of the precinct have been considered as part of the gazetted Toolern Development Contributions Plan.

**Table 1:** Transport Projects

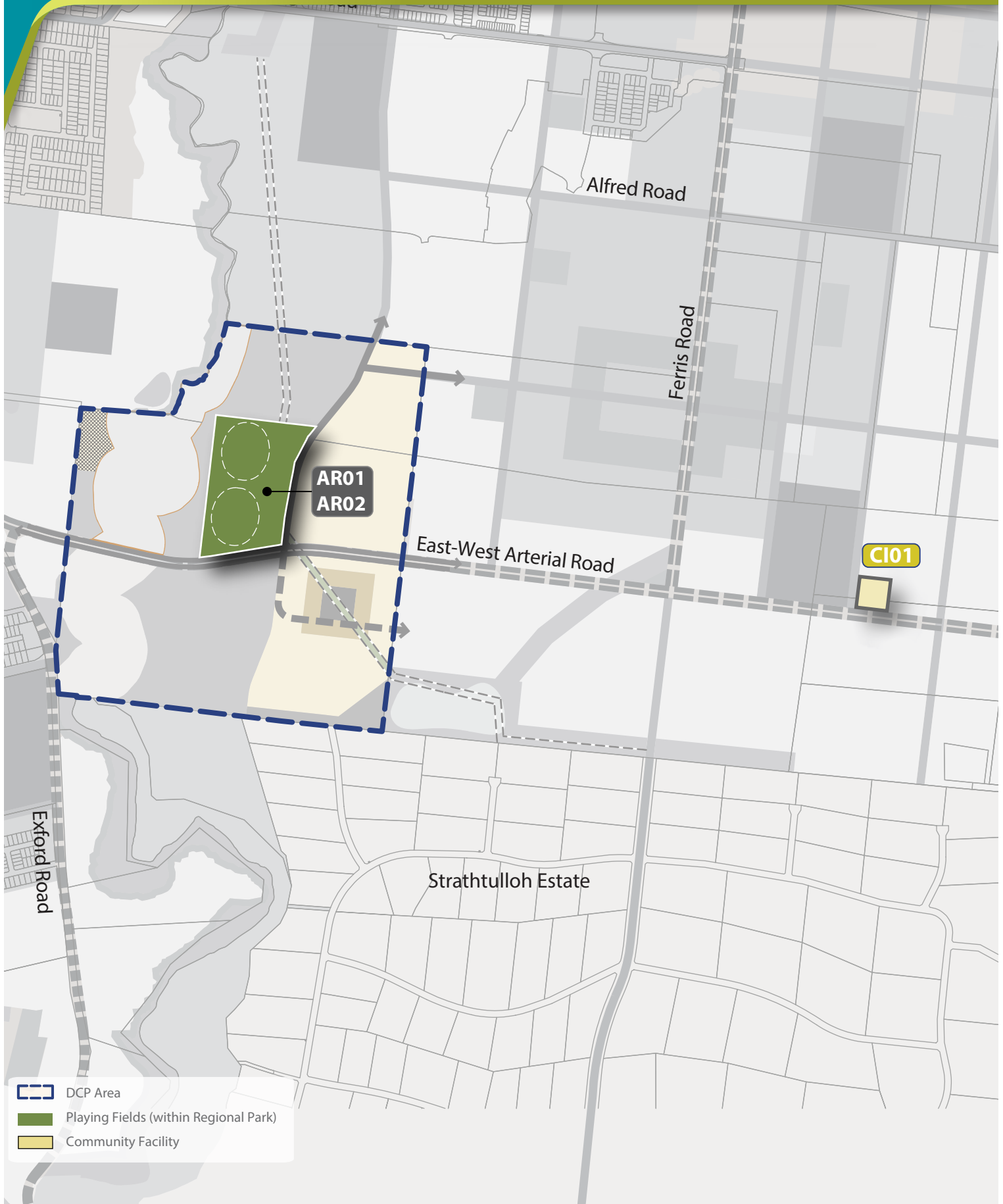
DCP PROJECT NUMBER	DESCRIPTION	TOTAL PROJECT COST \$ 2014
IT01	<b>East West Arterial and Toolern Park Road: Intersection (interim layout)</b> Construction of a signalised 4-way intersection and slip lanes. Land purchase of 0.46 hectares. (Remaining 1.03ha is funded through the Toolern PSP).	\$ 3,485,948
<b>TOTAL</b>		<b>\$ 3,485,948</b>

### 2.3.2 Community

The needs analysis undertaken by Melton City Council and ASR Research determined the requirement for community facilities to meet the needs of the future community. The project is funded by the Development Contributions Plan, as shown on Plan 5, and includes:

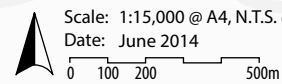
**Table 2:** Community Projects

DCP PROJECT NUMBER	DESCRIPTION	TOTAL PROJECT COST \$ 2014
CI01	<b>Multipurpose Community Centre (Community Hub 3)</b> Expansion of multipurpose community centre, including community rooms and additional facilities to cater for childcare and maternal child health.	\$ 1,842,120
<b>TOTAL</b>		<b>\$ 1,842,120</b>



**Plan 5 Community & Active Recreation**  
toolern park development contributions plan

Scale: 1:15,000 @ A4, N.T.S. @ A3  
Date: June 2014



### 2.3.3 Active Recreation

The needs analysis undertaken by Melton City Council and ASR Research determined a number of facilities required to be built on the various active open space areas to meet the needs of the future community. These projects are funded by the Development Contributions Plan, as shown on Plan 5, and include:

**Table 3:** Active Recreation Projects

DCP PROJECT NUMBER	DESCRIPTION	TOTAL PROJECT COST \$ 2014
AR01	<b>Sports Reserves (Toolern Park)</b> Construction of two sporting fields, including car parking and landscaping.	\$ 3,219,995
AR02	<b>Pavilion (Toolern Park)</b> Construction of a pavilion to serve sports reserves in Toolern Park (AR01).	\$ 2,717,483
<b>TOTAL</b>		<b>\$ 5,937,478</b>

Passive open space contributions are required under Clause 52.01 of the Melton Planning Scheme in the area to which this Development Contributions Plan applies.

## 2.4 Project Timing

Each item in the Development Contributions Plan has an assumed indicative provision trigger specified in Table 6. The timing of the provision of the items in this Development Contributions Plan is consistent with information available at the time that the Development Contributions Plan was prepared. Council, as the Development Agency, will monitor and assess the required timing for individual items and have regard to its capital works program, and areas external to the Development Contributions Plan Area and the indicative provision triggers specified in Table 6. The Development Agency may seek an amendment to the Development Contributions Plan to adjust indicative provision triggers as part of the five-year review (or earlier if justified). Any adjustment would also need to be consistent with any implementation agreement entered into under Section 173 of the Act.

The Collecting Agency may consider alternative to the priority delivery of works or land where:

- Infrastructure is to be constructed / provided by development proponents as works or land in kind, as agreed by the Collecting Agency
- Network priorities require the delivery of works or land to facilitate broader road network connections
- Community needs determine the delivery of works or land for community facilities or active open space.

All items in the Development Contributions Plan will be provided as soon as is practicable and as soon as sufficient contributions are available, consistent with Section 4.1 and acknowledging the Development Agency's capacities to provide the balance of funds not recovered by this Development Contributions Plan.

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## 2.5 Distinction between Development Infrastructure and Community Infrastructure

In accordance with the Act and Ministerial Directions on Development Contributions pursuant to Section 46M of the Act, the Development Contributions Plan makes a distinction between 'development' and 'community' infrastructure.

The timing of payment of contributions is linked to the type of infrastructure in question.

The community infrastructure levy contributions are to be paid by the home builder at the time of building approval (unless an alternative time is agreed between the Collecting Agency and a development proponent). Community infrastructure levy contributions will be paid for at a 'per-dwelling' rate. The Act currently stipulates that the amount that may be contributed under a community infrastructure levy is no more than \$1,150 per dwelling. The Governor in Council may from time to time by Order published in the Government Gazette vary the maximum amount that may be collected by the Community Infrastructure Levy.

Amended  
by GC75

Inserted  
by GC75

### Variation to the Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

The collecting agency must publish the adjusted amount of the CIL payable under this DCP on its website.

The projects listed in Table 4 are deemed to be community infrastructure projects:

**Table 4:** Community Infrastructure Levy Projects

DCP PROJECT NUMBER	DESCRIPTION	TOTAL PROJECT COST \$ 2014
AR02	Pavilion (Toolern Park) Construction of a pavilion to serve sports reserves in Toolern Park (AR01).	\$ 2,717,483
<b>TOTAL</b>		<b>\$ 2,717,483</b>

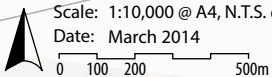
All other infrastructure projects are classified as development infrastructure projects.

Contributions relating to development infrastructure are to be made by developers at the time of subdivision. If subdivision is not applicable payments must be made prior to construction of buildings and works. Refer to Section 4.1 for more detail.



**Plan 6 Land Budget**  
toolern park development contributions plan

Scale: 1:10,000 @ A4, N.T.S. @ A3  
Date: March 2014



## 3.0 CALCULATION OF CONTRIBUTIONS

The general cost apportionment method includes the following steps:

- Calculation of the Net Developable Area (NDA) and demand units (refer Tables 5 and 6)
- Calculation of project costs (refer Table 6)
- Identification and allowance for external use (refer Table 7)
- Cost apportionment and catchments (refer Table 7)
- Identification of development types required to pay the levy (Refer to Table 7)
- Summary of costs payable for each infrastructure project (refer Table 8)
- The development infrastructure charge per hectare for each development type and the community infrastructure levy per dwelling (refer Table 9).

### 3.1 Calculation of Net Developable Area and Demand Units

The following section sets out how Net Developable Area is calculated and outlines the development projections anticipated in the area.

#### 3.1.1 Net Developable Area

In this Development Contributions Plan, all development infrastructure contributions are payable on the Net Developable Area of land on any given development site.

For the purposes of this Development Contributions Plan, Net Developable Area is defined as the total amount of land within the area of the Toolern Park Precinct Structure Plan that is made available for the development of housing and employment buildings, including lots, all connector and local streets. It is the total precinct area minus land for community facilities, schools, educational facilities, open space, encumbered land and arterial roads. Any additional small local parks defined at the subdivision stage are included in the NDA.

The NDA for the Development Contributions Plan has been assessed as set out in Table 5.

#### 3.1.2 Land Budget and Demand Units

The 'net developable hectare' is the demand unit for this Development Contributions Plan.

'Urban development' is the one development type included in this Development Contributions Plan. Urban development is defined broadly to include all forms of development, including residential subdivision and development within local convenience centres. Urban development also includes any non-residential uses within the residential area such as a place of worship, education centre, retirement village, nursing home, child care centre, medical centre, convenience store or any other approved use. Toolern Park Development Contributions Plan area contains a total of 33.92 Net Developable Hectares, equal to the Net Developable Area.

### 3.1.3 Property Specific Calculations

The Net Developable Area used to calculate the contributions with the Development Contributions Plan has been based on an assessment of individual properties. The NDA for each property is listed in the Property Specific Land Budget (Appendix 1). The property-specific NDA and rates listed in this Development Contributions Plan determine the total contribution for each property.

**Table 5:** Summary Land Use Budget

DESCRIPTION	TOOLERN PARK		
	Hectares	% of Total Area	% of NDA
<b>TOTAL PRECINCT AREA (ha)</b>	<b>106.66</b>	<b>100.0%</b>	
<b>TRANSPORT</b>			
4 Lane Arterial Roads	3.87	3.63%	11.41%
Intersection	1.49	1.40%	4.39%
<b>SUB-TOTAL</b>	<b>5.36</b>	<b>5.03%</b>	<b>15.80%</b>
<b>OPEN SPACE</b>			
<b>ENCUMBERED LAND AVAILABLE FOR RECREATION</b>			
Water / Sewer Pipe Easement	0.96	0.90%	2.83%
Waterway / Drainage Line / Wetland / retarding	2.07	1.94%	6.10%
<b>SUB-TOTAL</b>	<b>3.03</b>	<b>2.84%</b>	<b>8.93%</b>
<b>UNENCUMBERED LAND AVAILABLE FOR RECREATION</b>			
Playing Fields	0.00	0.0%	0.00%
Passive Open Space	0.75	0.7%	2.21%
<b>SUBTOTAL</b>	<b>0.75</b>	<b>0.7%</b>	<b>2.21%</b>
<b>TOTALS OPEN SPACE</b>	<b>3.78</b>	<b>3.5%</b>	<b>11.14%</b>
<b>TOOLERN REGIONAL PARK BREAKDOWN</b>			
Toolern Regional Park	31.40	29.44%	
Regional Active Recreation	9.00	8.44%	
Growling Grass Frog Conservation	23.20	21.75%	
<b>SUBTOTAL</b>	<b>63.60</b>	<b>59.63%</b>	
<b>NET DEVELOPABLE AREA (NDA) ha</b>	<b>33.92</b>	<b>31.80%</b>	

#### Residential Lot Yield Breakdown

DESCRIPTION	TOOLERN PARK		
	NRA (Ha)	Dwell / NRHa	Dwellings
<b>RESIDENTIAL</b>			
Residential - Conventional Density Residential	31.40	15	471
Residential - Medium Density	2.52	25	63
<b>SUBTOTAL AGAINST NET RESIDENTIAL AREA (NRA)</b>	<b>33.92</b>	<b>15.74</b>	<b>534</b>
<b>COMBINED RES/ RETAIL / EMP / OTHER</b>			
	<b>NDA (Ha)</b>	<b>Dwell / NDHa</b>	<b>Dwellings</b>
<b>TOTALS RESIDENTIAL YIELD AGAINST NDA</b>	<b>33.92</b>	<b>15.74</b>	<b>534</b>

## 3.2 Calculation of Contributions Charges

### 3.2.1 Calculation of Costs

Each infrastructure project has been assigned a land and/or construction cost. These costs are listed in Table 6. The costs are expressed in 2013 dollars and will be adjusted annually in accordance with the method specified in Section 4.3 of this Development Contributions Plan.

Intersection construction costs have been determined using standardised intersection construction costing sheets developed by the Metropolitan Planning Authority as part of the preparation of the Wyndham North Development Contributions Plan (2013).

All active recreation and community construction costs have been using recent infrastructure costing sheets established by Melton City Council in the development of like facilities in Burnside Heights.

### 3.2.2 Valuation of Land

The area of land to be acquired through the DCP is identified by detailed intersection functional layout plans (Appendix 2) and based on information in the Toolern Park Precinct Structure Plan. Charter Keck Cramer, as a registered valuer, prepared a Valuation Report for the 2013 update to the Toolern Development Contributions Plan, which determined the 'per hectare' value for Charge Area 2 in that DCP, directly adjacent to Toolern Park, to be \$450,000. This value has been used to calculate the cost of the land component for all relevant projects included in this DCP.

### 3.2.3 Cost Apportionment

This Development Contributions Plan apportions a charge to new development according to its projected share of use of an identified infrastructure item. Since development contributions charges are levied 'up-front', a measure of actual use by individual development sites is not possible. Therefore costs must be shared in accordance with the estimated share of use.

This Development Contributions Plan calculates what each new development should pay towards provision of the identified infrastructure item. This is the total cost of the item (after deducting other funding sources and making allowance for any external demand) divided by total demand units within its Main Catchment Area. To support this approach, a Main Catchment Area has been determined for each item.

The balance of the cost of the items not recovered under this Development Contributions Plan will be funded from alternative sources.

### 3.2.4 Main Catchment Areas

The Main Catchment Area (MCA) is the geographic area from which a given item of infrastructure will draw most of its use. The PSP contains one common MCA covering the entire precinct.

The 'per net developable hectare' contributions will not and must not be amended to respond to minor changes to land budgets that may result from the subdivision process. In other words, the Development Contributions Plan is permanently linked to the calculation of the Net Developable Area set out in Appendix 1.

For the purposes of this Development Contributions Plan, the Net Developable Area calculations may only change if the Collecting Agency for any particular item of infrastructure agrees to a variation to the Summary Land Use Budget and associated tables. Appendix 1 should be used to determine the number of developable hectares (for Development Contributions Plan purposes) on individual parcels.

### **3.2.5 External Use**

No allowance has been made for other use external to the MCA for specific projects.

### **3.2.6 Non-Government Schools**

The development of land for a non-government school is exempt from the requirement to pay a development infrastructure levy and a community infrastructure levy under the Development Contributions Plan.

Amended  
by VC249

### **3.2.7 Small second dwelling**

The development of land for a small second dwelling is exempt from the requirement to pay a development infrastructure levy and a community infrastructure levy under the Development Contributions Plan.

### **3.2.8 Schedule of Costs**

Table 7 calculates the amount of contributions payable by the MCA for each infrastructure item.

### **3.2.9 Summary of Charges per Hectare**

Table 7 shows the quantum of funds to be contributed by the Main Catchment Area towards each infrastructure project. The total adds up to the total amount of funds recoverable under the Development Contributions Plan.

Table 9 sets out a summary of costs for the Main Catchment Area.

**Table 6:** Infrastructure Project Justification

DCP PROJECT NUMBER	INFRASTRUCTURE CATEGORY	DEVELOPMENT AGENCY	DESCRIPTION	LAND AREA (HA)	ESTIMATED PROJECT COST \$ 2014			INDICATIVE PROVISION TRIGGER	SUITABLE FOR IN-KIND DELIVERY	STRATEGIC JUSTIFICATION
					LAND	CONSTRUCTION	TOTAL			
IT01	Development	Melton City Council	<b>East West Arterial and Toolern Park Road: Intersection (interim layout)</b> Construction of a signalised 4-way intersection and slip lanes, requiring additional land purchase of 0.46 hectares. (Remaining 1.03ha is funded through the Toolern PSP).	0.46	\$ 207,000	\$ 3,485,948	\$ 3,692,948	As required by traffic/access demand	Yes	Transport Modelling Report, Growth Area Planning Toolern Precinct Plans, Veitch Lister Consulting, 30 September 2008; Toolern Precinct Structure Plan Transport and Movement Study, Booz&Co, February 2008.
AR01	Development	Melton City Council	<b>Sports Reserves (Toolern Park)</b> Construction of two sporting fields, including car parking and landscaping.	0.00	\$ -	\$ 3,219,995	\$ 3,219,995	Facility to be constructed when population growth creates the need	No	Toolern Growth Area Social Infrastructure Estimates, ASR Research, January 2009.
AR02	Community	Melton City Council	<b>Pavilion (Toolern Park)</b> Construction of a pavilion to serve sports reserves in Toolern Park (AR01).	0.00	\$ -	\$ 2,717,483	\$ 2,717,483	Facility to be constructed when population growth creates the need	No	Toolern Growth Area Social Infrastructure Estimates, ASR Research, January 2009.
C101	Development	Melton City Council	<b>Multipurpose Community Centre (Community Hub 3)</b> Expansion of multipurpose community centre, including community rooms and additional facilities to cater for childcare and maternal child health.	0.00	\$ -	\$ 1,842,120	\$ 1,842,120	Facility to be constructed when population growth creates the need	No	Toolern Growth Area Social Infrastructure Estimates, ASR Research, January 2009.
<b>TOTAL</b>				<b>0.46</b>	<b>\$ 207,000</b>	<b>\$ 11,265,546</b>	<b>\$ 11,472,546</b>			

**Table 7:** Calculation of Costs

DCP PROJECT NUMBER	INFRASTRUCTURE CATEGORY	DESCRIPTION	ESTIMATED LAND COST \$2014	ESTIMATED CONSTRUCTION COST \$2014	TOTAL PROJECT COST \$2014	PROPORTION OF COST ATTRIBUTABLE TO THE MCA %	TOTAL COST ATTRIBUTABLE TO MAIN CATCHMENT AREA \$2014	DEVELOPMENT TYPES MAKING CONTRIBUTION	NUMBER OF NET DEVELOPABLE HECTARES IN MCA	CONTRIBUTION PER NET DEVELOPABLE HECTARE \$2014	CONTRIBUTION PER DWELLING \$2014
IT01	Development	<b>East West Arterial and Toolern Park Road: Intersection (interim layout)</b> Construction of a signalised 4-way intersection and slip lanes, requiring additional land purchase of 0.46 hectares. (Remaining 1.03ha is funded through the Toolern PSP).	\$ 207,000	\$ 3,485,948	\$ 3,692,948	100.0%	\$ 3,692,948	Residential	33.92	\$ 108,872.29	\$ 7,258.15
AR01	Development	<b>Sports Reserves (Toolern Park)</b> Construction of two sporting fields, including car parking and landscaping.	\$ -	\$ 3,219,995	\$ 3,219,995	100.0%	\$ 3,219,995	Residential	33.92	\$ 94,929.10	\$ 6,328.61
AR02	Community	<b>Pavilion (Toolern Park)</b> Construction of a pavilion to serve sports reserves in Toolern Park (AR01).	\$ -	\$ 2,717,483	\$ 2,717,483	100.0%	\$ 2,717,483	Residential	33.92	\$ 80,114.47	\$ 5,340.96
C101	Development	<b>Multipurpose Community Centre (Community Hub 3)</b> Expansion of multipurpose community centre, including community rooms and additional facilities to cater for childcare and maternal child health.	\$ -	\$ 1,842,120	\$ 1,842,120	100.0%	\$ 1,842,120	Residential	33.92	\$ 54,307.78	\$ 3,620.52
<b>TOTAL</b>			<b>\$ 207,000</b>	<b>\$ 11,265,546</b>	<b>\$ 11,472,546</b>		<b>\$ 11,472,546</b>				

**Table 8:** Project costs recovered by the DCP

DCP PROJECT NUMBER	INFRASTRUCTURE CATEGORY	DESCRIPTION	TOTAL PROJECT COST \$2014	TOTAL COST TO BE RECOVERED BY THE DCP \$2014
IT01	Development	<b>East West Arterial and Toolern Park Road: Intersection (interim layout)</b> Construction of a signalised 4-way intersection and slip lanes, requiring additional land purchase of 0.46 hectares. (Remaining 1.03ha is funded through the Toolern PSP).	\$ 3,692,948	\$ 3,692,948
AR01	Development	<b>Sports Reserves (Toolern Park)</b> Construction of two sporting fields, including car parking and landscaping.	\$ 3,219,995	\$ 3,219,995
AR02	Community	<b>Pavilion (Toolern Park)</b> Construction of a pavilion to serve sports reserves in Toolern Park (AR01).	\$ 2,717,483	\$ Funded by CIL
CI01	Development	<b>Multipurpose Community Centre (Community Hub 3)</b> Expansion of multipurpose community centre, including community rooms and additional facilities to cater for childcare and maternal child health.	\$ 1,842,120	\$ 1,842,120
<b>TOTAL</b>			<b>\$ 11,472,546</b>	<b>\$ 8,755,063</b>
<b>TOTAL WITH \$1,150 CIL LEGISLATIVE CAP APPLIED</b>			<b>\$ 11,472,546</b>	<b>\$ 9,235,663</b>
<b>% RECOVERABLE</b>				<b>80.5%</b>

Amended by GC75

**Table 9:** Summary of charges

DCP PROJECT NUMBER	INFRASTRUCTURE CATEGORY	DESCRIPTION	RESIDENTIAL DEVELOPMENT INFRASTRUCTURE LEVY PER NET DEVELOPABLE HECTARE \$2014	COMMUNITY INFRASTRUCTURE LEVY PER DWELLING \$2014
IT01	Development	<b>East West Arterial and Toolern Park Road: Intersection (interim layout)</b> Construction of a signalised 4-way intersection and slip lanes, requiring additional land purchase of 0.46 hectares. (Remaining 1.03ha is funded through the Toolern PSP).	\$ 108,872.29	\$ -
AR01	Development	<b>Sports Reserves (Toolern Park)</b> Construction of two sporting fields, including car parking and landscaping.	\$ 94,929.10	\$ -
AR02	Community	<b>Pavilion (Toolern Park)</b> Construction of a pavilion to serve sports reserves in Toolern Park (AR01).	\$ Funded by CIL	\$ 5,089.86
CI01	Development	<b>Multipurpose Community Centre (Community Hub 3)</b> Expansion of multipurpose community centre, including community rooms and additional facilities to cater for childcare and maternal child health.	\$ 54,307.78	\$ -
<b>TOTAL</b>			<b>\$ 258,109.17</b>	<b>\$ 5,089.86</b>
<b>COMMUNITY INFRASTRUCTURE LEVY AFTER LEGISLATIVE CAP IS APPLIED</b>				<b>\$ 1,150.00</b>

Amended by GC75

**Table 10:** Items suitable for delivery of works in kind

DCP PROJECT NO.	DESCRIPTION	TOTAL PROJECT COST \$ 2014
IT01	<b>East West Arterial and Toolern Park Road: Intersection (interim layout)</b> Construction of a signalised 4-way intersection and slip lanes, requiring additional land purchase of 0.46 hectares. (Remaining 1.03ha is funded through the Toolern PSP).	\$ 3,485,949
<b>TOTAL</b>		<b>\$ 3,485,949</b>



## 4.0 DEVELOPMENT CONTRIBUTIONS PLAN ADMINISTRATION

This section sets how the Development Contributions Plan will be administered and includes the timing of payment, provision of works and land in kind and how the Development Contributions Plan fund will be managed in terms of reporting, indexation and review periods.

The Toolern Park Development Contributions Plan Development Infrastructure Levy applies to subdivision and/or development of land.

The Toolern Park Development Contributions Plan Community Infrastructure Levy applies to the construction of a dwelling and must be paid prior to the issue of a Building Permit in respect of any dwelling.

Melton City Council will be both the Collecting Agency and the Development Agency for the purposes of this Development Contributions Plan.

### 4.1 Payment of Contributions Levies and Payment Timing

#### 4.1.1 Development Infrastructure Levy

##### **For subdivision of land**

A development infrastructure levy must be paid to the Collecting Agency for the land within the following specified time, namely after certification of the relevant plan of subdivision but not more than 21 days prior to the issue of a Statement of Compliance in respect of that plan or included in an implementation agreement under Section 173 of the Act.

Where the subdivision is to be developed in stages, the infrastructure levy for the stage to be developed only may be paid to the Collecting Agency within 21 days prior to the issue of a Statement of Compliance in respect of that stage provided that a Schedule of Development Contributions is submitted with each stage of the plan of subdivision. This Schedule must show the amount of the development contributions payable for each stage and value of the contributions in respect of prior stages to the satisfaction of the Collecting Agency or included in an implementation agreement under Section 173 of the Act.

If the Collecting Agency agrees to works and/or provision of land in lieu of the payment of the infrastructure levy, the land owner must enter into an agreement under Section 173 of the Act in respect of the proposed works and/or provision of land in kind to specific requirements.

##### **For development of land where no subdivision is proposed**

Provided an infrastructure levy has not already been paid on subject land, an infrastructure levy must be paid to the Collecting Agency in accordance with the provisions of the approved Development Contributions Plan for each demand unit (Net Developable Hectare) proposed to be developed prior to the commencement of any development (i.e. development includes buildings, car park, access ways landscaping and ancillary components). The Collecting Agency may require that Development Infrastructure Levy contributions be made at either the planning permit or building permit stage.

If the Collecting Agency agrees to works and/or provision of land in lieu of the payment of the infrastructure levy, the land owner must enter into an agreement under Section 173 of the Act or other arrangement acceptable to the Collecting Agency proposed in respect of the proposed works and/or land to be provided in kind.

### **Where no planning permit is required**

The following requirement applies where no planning permit is required. The land may only be used and developed subject to the following requirements being met:

- Unless some other arrangement has been agreed to by the Collecting Agency in a Section 173 agreement, prior to the commencement of any development, the Development Infrastructure Levy must be paid to the Collecting Agency in accordance with the provisions of the Development Contribution Plan for the land.

If the Collecting Agency agrees to works and/or provision of land in lieu of the payment of the infrastructure levy, the land owner must enter into an agreement under Section 173 of the Act in respect of the proposed works or provision of land which are proposed to be provided in kind.

#### **4.1.2 Community Infrastructure Levy**

Contributions relating to community infrastructure are to be made by the home-builder prior to issue of a building permit. However, development proponents are encouraged to pay the levy prior to the issue of a Statement of Compliance to reduce the administrative burden of collection from individual home builders.

Levies for 'residential buildings' will be calculated at the rate for a single dwelling. In all other forms of accommodation, the dwelling is the individual unit (such as each dwelling in a residential village, retirement village, serviced apartments, etc). Corrective institutions are exempt.

The Community Infrastructure Levy is not payable for a dwelling on a lot which was created prior to the date that this Development Contributions Plan was first incorporated into the Melton Planning Scheme.

#### **4.1.3 Works in Kind**

The Collecting Agency may permit development proponents to undertake works in lieu of cash payments, providing that:

- The works constitute projects funded by the Development Contributions Plan
- The Collecting Agency agrees that the timing of the works would be consistent with priorities in this Development Contributions Plan
- The development proponent complies with appropriate tendering, documentation, supervision and related provisions
- Works must be provided to a standard that generally accords with the Development Contributions Plan, unless an alternative is agreed by the Collecting Agency and the Development Agency
- Detailed design must be approved by the Collecting Agency and the Development Agency and must generally accord with the standards outlined in the Development Contributions Plan unless an alternative is agreed by the Collecting Agency and the Development Agency
- The construction of works must be completed to the satisfaction of the Collecting Agency and the Development Agency
- There should be no negative financial impact on the Development Contributions Plan to the satisfaction of the Collecting Agency
- In particular, the works will only be accepted in lieu of a financial contribution required by the Development Contributions Plan to the extent that they constitute part or all of the design of the infrastructure item and reduce the cost to complete that design, to the satisfaction of the Collecting Agency. Temporary works will not be accepted as works in kind.

Where the Collecting Agency agrees that works are to be provided by a development proponent in lieu of cash contribution (subject to the arrangements specified above):

- The credit for the works provided (unless an alternative approach is agreed with the Collecting Agency) shall equal the final cost of the works up to the maximum identified in the Development Contributions Plan, taking into account the impact of indexation, or to an alternative figure approved by the Collecting Agency
- The value of works provided in accordance with the principle outlined above will be offset against the development contributions liable to be paid by the development proponent
- No further financial contributions will be required until the agreed value of any credits are used.

Infrastructure projects suitable for delivery of works in kind are listed in Table 10.

#### 4.1.4 Credit for Over Provision

Where the Collecting Agency agrees that a development proponent can deliver an infrastructure item (either works and/or land), as an in kind contribution, the situation may arise where the developer's actual contracted liabilities exceed the amounts provided for in the Development Contributions Plan for the individual project. Unless the arrangement with the Collecting Agency allows for it, the actual cost of the project over the amount specified in the Development Contributions Plan is not recoverable from the Collecting Agency.

#### 4.1.5 Non Government Schools

Where land is subdivided or developed for the purpose of a non-government school and the use of that land is subsequently for a purpose other than a non-government school, the owner of that land must pay to the Collecting Agency development contributions in accordance with the provision of this Development Contributions Plan. The Development Infrastructure Levy and, where applicable, the Community Infrastructure Levy must be paid within 28 days of the date of the commencement of the construction of any buildings or works for that alternative use.

#### 4.1.6 Public Open Space Contributions

This Development Contributions Plan does not provide funding for passive local open space. Passive open space is provided through Clause 52.01 of the Melton Planning Scheme.

### 4.2 Funds Administration

The administration of the contributions made under the Development Contributions Plan will be transparent and development contributions charges will be held until required for provision of the items in that class. Details of funds received and expenditures will be held by the Collecting Agency in accordance with the provisions of the *Local Government Act 1993* and the Act.

The administration of contributions made under the Development Contributions Plan will be transparent and demonstrate the:

- Amount and timing of funds collected
- Source of the funds collected
- Amount and timing of expenditure on specific projects
- Project on which the expenditure was made
- Account balances for individual project classes
- Details of works-in-kind arrangements for project provision
- Pooling or quarantining of funds to deliver specific projects where applicable.

The Collecting Agency will provide for regular monitoring, reporting and review of the monies received and expended in accordance with this Development Contributions Plan.

The Collecting Agency will establish interest bearing accounts and all monies held in these accounts will be used solely for the provision of infrastructure as itemised in this Development Contributions Plan, as required under Section 46Q(2) of the Act.

Should the Collecting Agency resolve to not proceed with any of the infrastructure projects listed in this Development Contributions Plan, the funds collected for these items will be used for the provision of alternative works in the same infrastructure class as specified in this Development Contributions Plan. Such funds may also be used for the provision of additional works, services or facilities where approved by the Minister responsible for the Act, or will be refunded to owners of land subject to these infrastructure charges.

### **4.3 Construction and Land Value Costs Indexation**

Capital costs of all infrastructure items including land are in 2013 dollars and will be adjusted by the Collecting Agency annually for inflation.

In relation to the costs associated with infrastructure items other than land, the cost must be adjusted according to the following method:

- Road and intersections - the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson's Australian Construction Handbook
- All other infrastructure items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson's Australian Construction Handbook

Land values will be adjusted on 1 July each year following valuations undertaken by a registered valuer.

Within 14 days of the adjustments being made, the Collecting Agency will publish the amended capital costs for each infrastructure item on the Collecting Agency's website.

Community Infrastructure Levy projects are indexed but the value of the contribution may not exceed the maximum as set by the Act.

If in future the Community Infrastructure Levy is amended then the levy applicable to the release of any remaining dwellings may be adjusted in accordance with the revised legislative and regulatory approach as directed by the Minister for Planning.

### **4.4 Development Contributions Plan Review Period**

This Development Contributions Plan adopts a long-term outlook for development. It takes into account planned future development in Toolern Park. A 'full development' horizon of land within the current Urban Growth Boundary to the year 2046 has been adopted for this Development Contributions Plan.

This Development Contributions Plan commenced on the date when it was first incorporated into the Melton Planning Scheme through Amendment C122.

This Development Contributions Plan will end when development within the Development Contributions Plan area is complete, which is projected to be the year 2046 and when the Development Contributions Plan is removed from the Planning Scheme.

The Development Contributions Plan is expected to be revised and updated every five years (or more frequently if required). This will require an amendment to the Melton Planning Scheme to replace this document with an alternative, revised document. Any review will need to have regard to any arrangements (e.g. Section 173 agreements under the Act) for the implementation of this Development Contributions Plan.

#### **4.5 Collecting Agency (Agency Responsible for Collecting Infrastructure Levy)**

Melton City Council is the Collecting Agency pursuant to Section 46K(1)(fa) of the Act which means that it is the public authority to whom all levies are payable. As the Collecting Agency, Melton City Council is responsible for the administration of this Development Contributions Plan and also its enforcement pursuant to Section 46QC of the Act.

#### **4.6 Development Agency (Agency Responsible for Works)**

Melton City Council is the Development Agency and is responsible for the provision of the designated infrastructure projects which are funded under the Development Contributions Plan and the timing of all works.

## 5.0 IMPLEMENTATION STRATEGY

This section provides further details regarding how the Collecting Agency intends to implement this Development Contributions Plan. In particular, this section clearly identifies the rationale for the implementation strategy and details the various measures that have been adopted to reduce the risk posed by this Development Contributions Plans to all parties.

### 5.1 Rationale for the Implementation Strategy

This implementation strategy has been included to provide certainty to both the Collecting Agency and development proponents. The implementation strategy recognises the complexities associated with infrastructure provision and funding and seeks to minimise risk to the Collection Agency, Development Agency, development proponents and the future community.

This implementation strategy has been formulated by:

- Assessing the Toolern Park Precinct Structure Plan
- Having regard to the development context
- Agreeing the land value and indexing it appropriately (where possible)
- Identifying preferred implementation mechanisms to achieve the above outcomes and reducing the risk associated with the Development Contributions Plan to ensure that it will delivered as intended

### 5.2 Implementation Mechanism

Under Section 46P of the Act, the Collecting Agency may accept (with the consent of the Development Agency where the Collecting Agency is not also the Development Agency) the provision of land, works, services or facilities by the applicant in part or full satisfaction of the amount of levy payment. This can be agreement with the Collection Agency before or at the time the application for the permit is made or before the development is carried out.

To coordinate the provision of infrastructure, Schedule 6 to the Urban Growth Zone for the Toolern Park Precinct Structure Plan requires an application for subdivision to be accompanied by an infrastructure plan to the satisfaction of the Responsibility Authority. The Public Infrastructure and Land Plan needs to show the location, type, staging and timing of infrastructure on the land as identified in the Toolern Park Precinct Structure Plan or reasonably required as a result of the subdivision of the land and address the following:

- Stormwater drainage works
- Road works internal or external to the land consistent with any relevant traffic report or assessment
- The reserving or encumbrance of land for infrastructure, including for public open space and community facilities
- Any infrastructure works which an applicant proposes to provide in lieu of development contributions in accordance with the Toolern Park Development Contributions Plan
- The effects of the provision of infrastructure on the land or any other land
- Any other relevant matter related to the provision of infrastructure reasonably required by the Responsible Authority.

Through the approval of these agreements, Melton City Council (acting as the Collecting Agency) will consider if and what infrastructure should be provided as works-in-kind under this Development Contributions Plan in accordance with Section 46P of the Act. The agreement must include a list of the Development Contribution Plan infrastructure projects which the Collecting Agency has agreed in writing to allow to be provided as works and/or land in lieu.

### Appendix 1: Property Specific Land Budget

PROPERTY NUMBER	TOTAL AREA (HECTARES)		TRANSPORT		ENCUMBERED LAND AVAILABLE FOR RECREATION			UNENCUMBERED LAND AVAILABLE FOR RECREATION		TOOLERN REGIONAL PARK BREAKDOWN				TOTAL NET DEVELOPABLE AREA (HECTARES)	KEY PERCENTAGES				OPEN SPACE DEL TARGET %	DIFFERENCE % NDA	DIFFERENCE AREA HA
	ROAD / WIDENING	INTERSECTION	WATER / SEWER	PIPE EASEMENT	WATERWAY / DRAINAGE LINE / WETLAND / RETARDING	PLAYING FIELDS	PASSIVE OPEN SPACE	TOOLERN REGIONAL PARK	REGIONAL ACTIVE RECREATION	GROWLING GRASS FROG CONSERVATION AREA	NET DEVP AREA % OF PRECINCT	ACTIVE OS % NDA	PASSIVE OS % NDA		TOTAL PASS & ACTIVE OS %						
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.24	0.99	2.99	7.76	36.99%	0.00%	0.00%	0.00%	2.21%	-2.21%	-0.172		
2	3.87	1.49	0.96	0.96	2.07	0.00	0.75	22.16	8.01	20.21	26.16	30.53%	0.00%	2.87%	2.87%	2.21%	0.66%	0.172			
<b>SUB-TOTAL</b>	<b>3.87</b>	<b>1.49</b>	<b>0.96</b>	<b>0.96</b>	<b>2.07</b>	<b>0.00</b>	<b>0.75</b>	<b>31.40</b>	<b>9.00</b>	<b>23.20</b>	<b>33.92</b>	<b>31.80%</b>	<b>0.00%</b>	<b>2.21%</b>	<b>2.21%</b>	<b>2.21%</b>	<b>0.00%</b>	<b>0.000</b>			
<b>TOTAL</b>	<b>3.87</b>	<b>1.49</b>	<b>0.96</b>	<b>0.96</b>	<b>2.07</b>	<b>0.00</b>	<b>0.75</b>	<b>31.40</b>	<b>9.00</b>	<b>23.20</b>	<b>33.92</b>	<b>31.80%</b>	<b>0.00%</b>	<b>2.21%</b>	<b>2.21%</b>	<b>2.21%</b>	<b>0.00%</b>	<b>0.000</b>			

Note: Only 0.46ha of the land required for the intersection is funded through this DCP with the remaining 1.03ha funded through the Toolern PSP.







**Hub 3 Toolern Community Centre - Expansion to provide for future Toolern Park PSP population**

Infrastructure item	Description	component	Units or dimension m	unit rate \$/m	cost \$	keep in	remove
Community Centre	Lower order Kindergarten plus Community Space	One Kindergarten Room ( 33 spaces)	100	2500	\$250,000	\$250,000	
		Outside licensed space with play equipment	240	900	\$216,000	\$216,000	
		Bathroom /wet areas staff and children	80	3500	\$280,000	\$280,000	
		Kitchen	25	3500	\$87,500	\$87,500	
		Office Space/MCH	28	2200	\$61,600	\$61,600	
		Storage	25	1200	\$30,000	\$30,000	
		Community Space	120	2500	\$300,000	\$300,000	
		Community Space Storage	40	1200	\$48,000	\$48,000	
		Disabled toilet	20	3800	\$76,000	\$76,000	
		Public Toilets	50	3500	\$175,000	\$175,000	
		Administration	18	2200	\$39,600	\$39,600	
		Cleaners	12	1500	\$18,000	\$18,000	
		Circulation	75.8	1500	\$113,700	\$113,700	
		Car Park 40 spaces	40	2900	\$116,000	\$116,000	
		Footpaths	120	110	\$13,200	\$13,200	
		LED Solar Lighting to car park and paths	8	5000	\$40,000	\$40,000	
		Drainage infrastructure & WSUD Allowance	1	15000	\$15,000	\$15,000	
		landscape - topsoil and turf 0.4mx2000m	2000	30	\$60,000	\$60,000	
		Plantings tube stock and groundcovers	4000	12	\$48,000	\$48,000	
		Maintenance and establishment for horticultural wks.	13	400	\$5,200	\$5,200	
subtotal					\$ 1,992,800.00	\$1,535,100	\$457,700

Site establishment 5%	\$ 99,640.00	\$99,640
Survey and Design 10%	\$ 199,280.00	\$199,280
Supervision & project mgt 10%	\$ 199,280.00	\$199,280

Total Construction Value	\$ 2,491,000.00	\$1,535,100
Contingency 20%	\$ 498,200.00	\$307,020
Total Estimated Cost (excl. GST)	\$ 2,989,200.00	\$1,842,120
		\$955,900

Provided by Council to MPA on the 30 June 2014. Based on discussions with M Heaney and M Milbourne of Melton City Council

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