

Cardinia Shire Council

Pakenham South Employment Infrastructure Contributions Plan



May 2023

Version history	
Report title	Pakenham South Employment Infrastructure Contributions Plan

Version	Date	Comments
Version 1 - Incorporated	02/08/2024	Cardinia Planning Scheme Incorporated Document (Amendment C273).
Version 2 - Reformatted	25/10/2024	This document has been converted into an accessible format. The document has been updated following its gazettal by the Minister for Planning. No changes to the content have occurred. For the gazetted version, please refer to the Department of Transport and Planning's website.

Prepared by

Cardinia Shire Council

Acknowledgements

Victorian Planning Authority (VPA)

Accessibility

Council/VPA has made every effort to ensure this digital document meets accessibility guidelines as defined under the WCAG2 Level AA requirements. However, due to the importance and complexity of some of the figures, Council recommends anyone having difficulties viewing or interpreting non text components of this document seek assistance.

Acknowledgement of Country

Cardinia Shire Council wishes to acknowledge the Bunurong and Wurundjeri peoples as the Traditional Owners of the land that makes up Cardinia Shire and pays respect to their Elders, past and present.

Cardinia Shire's name is derived from the Bunurong word 'kar-din-yarr', meaning 'look to the rising sun' or 'close to the sunrise'. Council's logo, which includes a motif of the rising sun, reflects this meaning.

Cardinia Shire Council acknowledges the right of Indigenous Australians, and indeed all Australians, to live according to their values and customs, subject to the law.

Council is committed to developing and strengthening relationships through reconciliation and supports the reconciliation process, which promotes mutual respect and understanding of the indigenous people and of all ethnic groups and their history and culture in our community.

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1. Summary

1.1. Monetary component

The following table summarises the monetary component of the infrastructure contribution imposed under this Infrastructure Contributions Plan (ICP) for each class of development.

The monetary component consists of a:

- **standard levy** that is calculated by multiplying the net developable area (NDA) by the standard levy rate.

Details of the infrastructure construction projects that will be funded by the monetary component and their apportionment are provided in Section 3 of this ICP.

Details of the standard levy rates are provided in Section 5 of this ICP.

Table 1: Monetary Component ICP Levy Summary

CLASS OF DEVELOPMENT	NET DEVELOPABLE AREA (HECTARES)	LEVY RATE	TOTAL LEVY TO BE PAID
STANDARD LEVY			
Commercial and Industrial	168.41	\$129,862.00	\$21,870,059
Total	168.41		\$21,870,059

Note: Discrepancy in numbers due to rounding of decimal point. Table 13 takes precedence.

1.2. Land component

The following table specifies the ICP land contribution percentage for each class of development.

The ICP land contribution percentage for a class of development is calculated by dividing the total area of public purpose land specified in this ICP that is attributable to that class of development by the total area of the contribution land in the ICP plan area of this ICP in that class of development.

Details of the public purposes that this land will be used and developed for, is specified in Section 4 of this ICP.

Table 2: ICP Land Contribution Percentage

CLASS OF DEVELOPMENT	ICP LAND CONTRIBUTION PERCENTAGE
Commercial and industrial	4.77%

The land component of the infrastructure contribution in relation to a parcel of land in the ICP plan area is:

- any inner public purpose land that forms part of the parcel of land; and
- any land equalisation amount in relation to the parcel of land.

Table 3 specifies for each parcel of land in the ICP plan area:

- the area of inner public purpose land to be provided by the parcel
- land credit amount or the land equalisation amount in relation to the parcel; and
- outer land attributable to this ICP.

Table 3: Land Credit and Equalisation Amounts

PARCEL ID	INNER PUBLIC PURPOSE LAND (HA)	LAND CREDIT AMOUNT (TOTAL \$)	LAND EQUALISATION AMOUNT (TOTAL \$)	LAND EQUALISATION AMOUNT (\$ PER NDHA)
1	1.7900	\$1,636,465.06	\$0.00	\$0.00
2	1.5400	\$2,936,697.06	\$0.00	\$0.00
3	0.0300	\$0.00	\$70,466.58	\$72,645.96
4	0.6900	\$0.00	\$2,100,402.57	\$85,278.22
5	3.9800	\$0.00	\$2,402,292.96	\$25,263.36
TOTALS PSP Pakenham South Employment	8.0300	\$4,573,162.12	\$4,573,162.12	\$0.00

Plan 1: ICP Plan Area and Classes of Development



2. Introduction

The Pakenham South Employment Infrastructure Contributions Plan (the 'ICP') has been prepared by Cardinia Shire Council with the assistance of Victorian Planning Authority (VPA), service authorities and other stakeholders.

This ICP has been incorporated in the Cardinia Planning Scheme for the purposes of imposing infrastructure contributions on development proponents to contribute to the provision of works, services or facilities and the provision of land for public purposes.

The infrastructure contribution imposed under this ICP in relation to the development of land in the ICP plan area consists of a monetary component and a land component.

The ICP:

- Establishes the statutory mechanism for development proponents to make a monetary contribution towards the cost of infrastructure projects identified in Pakenham South Employment Precinct Structure Plan (PSP);
- Establishes the statutory mechanism for development proponents to provide land to be used and developed for the public purposes identified in the Pakenham South Employment PSP;
- Lists the individual infrastructure projects identified in the Pakenham South Employment PSP; and
- Has been prepared in accordance with Part 3AB of the *Planning and Environment Act 1987*, the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* and the *Infrastructure Contributions Plan Guidelines*.

2.1. Document structure

This document comprises the sections described below.

Sections 1 & 2	• Summarises the key details of this ICP • Describes the strategic basis for this ICP
Section 3	• Identifies the monetary component projects to be contributed to by this ICP
Section 4	• Identifies the public purpose land provision for this ICP
Section 5	• Discusses the administration and implementation of this ICP
Sections 6 & Above	• Provides additional detailed information

2.2. Planning and Environment Act 1987

This ICP has been prepared in accordance with Part 3AB of the *Planning and Environment Act 1987* (the Act), it is consistent with the *Minister for Planning's Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* made under section 46GJ of the Act.

In accordance with section 46GG of the Act, this ICP has been incorporated in the Cardinia Planning Scheme for the purposes of imposing infrastructure contributions to fund the provision of works, services or facilities and the provision of land for public purposes. This ICP is implemented in the Cardinia Planning Scheme through Schedule 2 of Clause 45.11 to the Infrastructure Contributions Overlay and is an incorporated document under Clause 72.04 Incorporated Documents.

2.3. Strategic planning and justification

This ICP has been prepared in conjunction with the Pakenham South Employment PSP.

The Pakenham South Employment PSP sets out the vision for how land should be developed, illustrates the future urban structure and describes the outcomes to be achieved by the future development. The PSP also identifies the infrastructure projects required as well as providing the rationale and justification for the infrastructure items. The background reports for the PSP provide an overview of the planning process for the Pakenham South Employment ICP area.

The PSP has confirmed:

- All road and intersection projects required to service the new community;
- The local parks required to service the new community;
- The public purpose land required for the above; and
- The parcel specific land budget detailing the encumbrances, the Net Developable Area (NDA) and the contribution land.

2.4. Timeframe and review period

This ICP adopts a long-term outlook for development. It takes into account planned future development in the area. This ICP commences on the date of incorporation into the Cardinia Planning Scheme. This ICP will end when development within the ICP area is complete, which is projected to be 20 years from the date of gazettal, or when this ICP is removed from the Cardinia Planning Scheme.

This ICP is expected to be reviewed and updated every five years (or more frequently if required). This review may result in minor changes or have no changes at all, alternatively this may require an amendment to the Cardinia Planning Scheme to replace this document with an alternative, revised document.

2.5. Area to which this Infrastructure Contribution Plan applies (ICP Plan Area)

This ICP applies to 184.68 total gross hectares of land as shown in Plan 1, this is the ICP plan area.

The class of development of land in relation to which an infrastructure contribution is to be imposed under this plan is 'commercial and industrial'.

The class of development is identified in Plan 1, the Net Developable Area (NDA) and contribution land is summarised in Table 4.

Table 4: Development Classes and Areas

CLASS OF DEVELOPMENT	NET DEVELOPABLE AREA (HECTARES)	CONTRIBUTION LAND (HECTARES)
Commercial and Industrial	168.41	12.79
Total for ICP plan area	168.41	12.79

Note: Discrepancy in numbers due to rounding of decimal point. Table 13 takes precedence.

The Monetary Component of the infrastructure contribution is payable on the net developable area. The Land Component of the infrastructure contribution is calculated based on the contribution land.

Plan 2: Standard Levy Transport Construction Projects



3. Monetary component project identification

The strategic need for infrastructure included in this ICP has been determined, and been subject to consultation, as part of the preparation of the Pakenham South Employment PSP.

Items can only be included in an ICP if they are consistent with the Allowable Items listed in the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans*. Only items listed in this ICP can be contributed to by the monetary component (standard and supplementary levies) of the infrastructure contribution imposed under this ICP. Infrastructure not listed must be funded via other funding mechanisms.

The monetary component will contribute towards infrastructure projects of transport construction (refer to Plans 2 and 3 and Tables 5 and 6).

Tables 5 and 6 also include staging for when the infrastructure projects are expected to be delivered. The infrastructure projects have been identified as short (S), medium (M) and long (L) term stages:

- Short (S): 0-5 years approx.
- Medium (M): 5-10 years approx.
- Long (L): 10 years and beyond

3.1. Cost apportionment and related infrastructure agreements

As per Table 5 no projects within the ICP have been identified for apportionment external to the ICP area.

3.2. Transport construction projects

The transport construction projects included in this ICP are based on the transport network depicted in Plan 2, as identified by the Pakenham South Employment PSP.

The transport construction projects contributed to by the monetary component of this ICP are listed in the following tables.

Table 5 describes the transport construction projects contributed to by the standard levy, the expected staging, the apportionment to this ICP, any external funding source(s) for items not fully apportioned to this ICP, the total estimated cost and the estimated cost per net developable hectare.

Table 5: Standard Levy Transport Construction Projects

ICP PROJECT NUMBER	PROJECT TITLE AND PROJECT DESCRIPTION	STAGING	INTERNAL APPORTIONMENT	APPORTIONMENT FUNDING SOURCE
INTERSECTION PROJECTS				
IN-01	Greenhills Road / Healesville-Koo Wee Rup Road intersection: Provision of land (ultimate) and construction of intersection (interim treatment). Major Roads Project Victoria delivering whole of intersection (excluding additional lane on Greenhills Road and south west left turn slip lane) ICP will deliver the left turn and slip lanes, additional southern carriageway in Greenhills Road and one right turn in to Greenhills Road (modification only) (interim treatment) (not delivered by MRPV)	S-M	75%	N/A
IN-02	Greenhills Road / Commercial Drive intersection: Provision of land (ultimate treatment) and construction of 4 leg roundabout at existing T intersection	S	100%	N/A
IN-03	Greenhills Road / North- South Road intersection: Provision of land (ultimate treatment) and construction of 4 leg roundabout (interim treatment)	M	100%	N/A
IN-04	Greenhills Road / McGregor Road signalised T intersection (interim treatment): Provision of land (ultimate treatment) and upgrade of intersection to signalised T intersection (interim treatment)	S-M	100%	N/A
IN-05	McGregor Road / East West Road intersection: Provision of land (ultimate treatment) and construction of roundabout to ultimate standard	L	100%	N/A
RD-01	Greenhills Road from Commercial Drive to Healesville-Koo Wee Rup Road (between intersection extents): Construction of second carriageway within 34 metre road reserve south of existing carriageway, between Commercial Drive and Healesville-Koo Wee Rup Road	S-M	100%	N/A
P-01	Construction of Greenhills Road two way bike lane (between intersection extents): Construction of two-way bike lane on south side of ultimate second carriageway of Greenhills Road	M	100%	N/A

3.3. Project staging

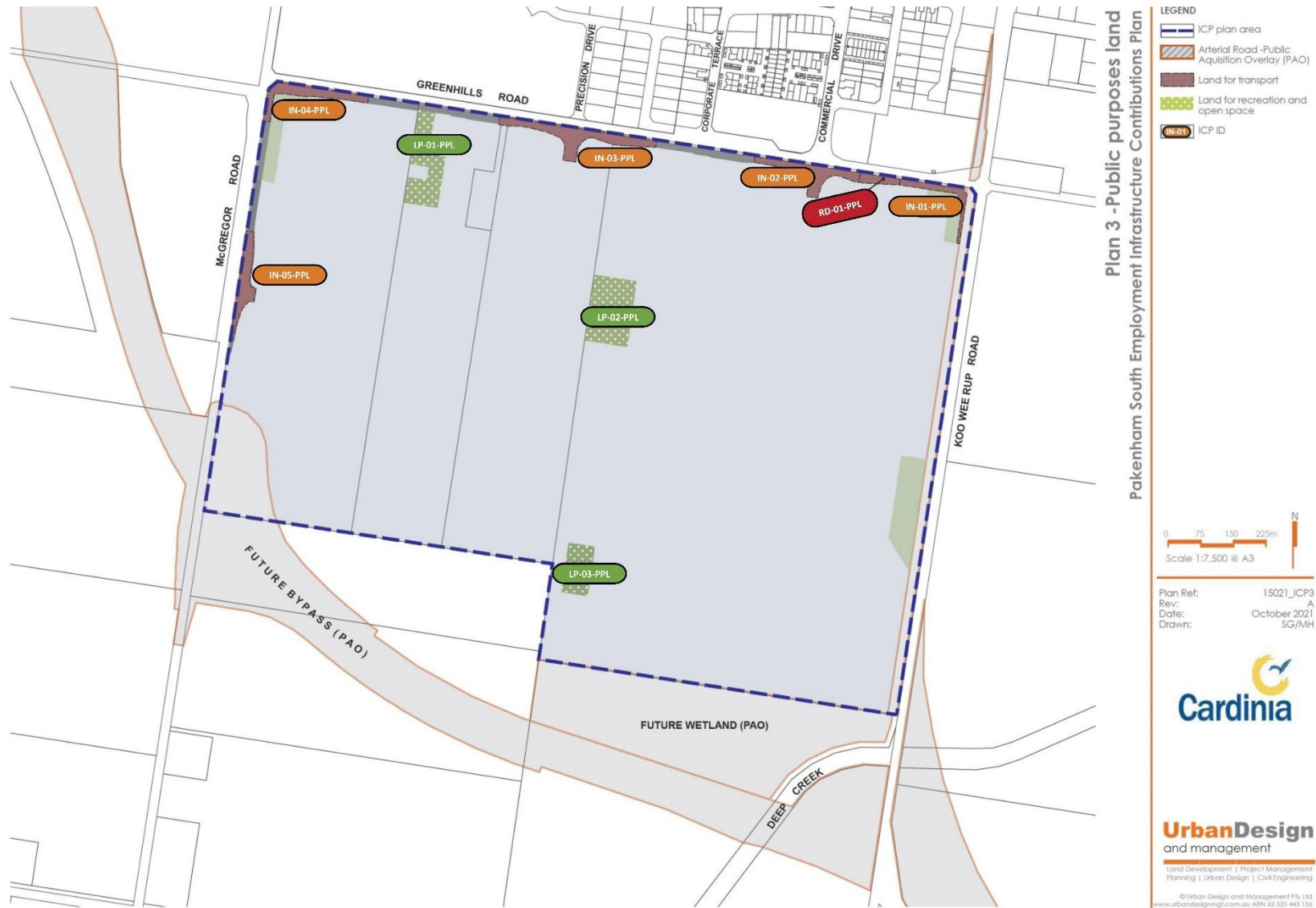
The expected staging of each infrastructure construction item is set out in Tables 5 and 6 and is based on information available at the time that the ICP was prepared. The Collecting and Development Agencies will monitor and assess the required timing for infrastructure projects and have regard to strategic resource plans, the development of the PSP and areas external to the ICP.

The Collecting and Development Agencies may consider alternative staging where:

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

All items in this ICP will be provided as soon as is practicable and as soon as sufficient contributions are available, consistent with this ICP and acknowledging the Development Agency's capacity to provide the balance of funds not collected by this ICP.

Plan 3: Public Purposes Land



4. Public purpose land provision

The public purpose land included in this ICP has been determined, and been subject to consultation, as part of the preparation of the Pakenham South Employment PSP.

Public purpose land specified in an ICP may only be used or developed for an allowable public purpose specified in Annexure 1 to the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans*. Public purpose land may be:

- inner public purpose land (IPPL) - land within the ICP plan area that is specified in the ICP as land to be set aside for public purposes; or
- outer public purpose land (OPPL) - land outside of the ICP plan area that is specified in the ICP as land to be acquired for public purposes.

Only items listed in this ICP can be provided for by the land component of this ICP. Public purpose land not listed must be funded via other funding mechanisms.

4.1. Inner and outer public purpose land

Plan 3 shows the location of public purposes land (both inner and outer) as well as the type of allowable public purposes for which it may be used and developed.

Table 6 specifies for each public purpose land (both inner and outer) the type of allowable public purposes for which it may be used and developed, the area and the expected staging. The staging for public purposes land is the same as the monetary component specified in section 3.

The IPPL forming part of each parcel of land is specified in Table 9.

Table 6: Inner public purpose land

ICP PROJECT ID	PROJECT TITLE AND DESCRIPTION	INNER PUBLIC PURPOSE LAND AREA (HA)	STAGING
TRANSPORT			
RD-01-PPL	Road: Greenhills Road from Commercial Drive to Healesville-Koo Wee Rup Road (between intersection extents): Purchase of land for second carriageway within 34 metre road reserve south of existing road reserve, between Commercial Drive and Healesville-Koo Wee Rup Road.	1.53	S-M
IN-01-PPL	Intersection: Greenhills Road / Healesville-Koo Wee Rup Road – Purchase of land (ultimate). Major Roads Project Victoria delivering whole of intersection (excluding additional lane on Greenhills Road and south west left turn slip lane).	0.32	S-M
IN-02-PPL	Intersection: Greenhills Road / Commercial Drive – Purchase of land (ultimate treatment) for roundabout at existing T intersection (interim treatment).	0.64	S
IN-03-PPL	Intersection: Greenhills Road / North- South Road – Purchase of land (ultimate treatment) for roundabout (interim treatment).	0.94	M
IN-04-PPL	Intersection: Greenhills Road / McGregor Road – Purchase of land (ultimate treatment) for upgrade of intersection to signalised T intersection (interim treatment).	0.58	S-M
IN-05-PPL	Intersection: McGregor Road / East West Road – Purchase of land (ultimate treatment) for roundabout to ultimate standard.	0.57	L
Sub-Total		4.59	
COMMUNITY AND RECREATION			
LP-01-PPL	Local Park Purchase of land for open space adjacent to Local Convenience Centre	1.19	M
LP-02-PPL	Local Park Purchase of land for central open space	1.54	M
LP-03-PPL	Local Park Purchase of land for southern open space	0.71	M
Sub-Total		3.44	
Total		8.03	

Public Open Space Contributions

The overall open space contribution for this ICP is identified in Land Budget Table 12 and Table 13. This ICP provides for the provision of public purpose land for local parks. The construction of local parks is considered developer works and separate from this ICP.

4.2. Land component

The following table summarises for each class of development specified in this ICP:

- The total area of contribution land
- The total area of transport inner public purpose land
- The total area of community and recreation inner public purpose land
- The total area of inner public purpose land
- The total area of outer public purpose land
- The ICP land contribution percentage.

Table 7: Public Purposes Land Summary

CLASS OF DEVELOPMENT	TOTAL CONTRIBUTION LAND (HA)	CLASS OF DEVELOPMENT PROPORTION OF PRECINCT	TRANSPORT PUBLIC PURPOSES LAND (HA)	RESIDENTIAL COMMUNITY & RECREATION PUBLIC PURPOSES LAND (HA)	EMPLOYMENT COMMUNITY AND RECREATION PUBLIC PURPOSES LAND (HA)	TOTAL OUTER PUBLIC PURPOSE LAND (HA)	TOTAL PUBLIC PURPOSES LAND (HA)	TOTAL ICP CONTRIBUTION PERCENTAGE
Residential (ha)	0.00	0%	0.0000	0.0000	0.0000	0.0000	0.0000	0
Commercial and Industrial (ha)	168.41	100%	4.5900	0.0000	3.4400	0.0000	8.0300	4.77%
Total	168.41		4.5900	0.0000	3.4400	0.0000	8.0300	4.77%

The ICP land contribution percentage for a class of development is calculated by dividing the total area of public purpose land specified in this ICP that is attributable to that class of development by the total area of the contribution land in the ICP plan area in that class of development.

Where the need for a type of public purposes land is attributable to more than one class of development (for example, transport public purpose

land), each development class's share of the public purpose land is equal to its proportion of the total contribution land.

As public purpose land cannot be evenly distributed across all parcels, 1.0547ha (0 ha residential and 1.0547ha commercial and industrial) of inner public purpose land and 0 ha of outer public purpose land identified in Table 9, will be equalised by parcels that are required to provide less than the ICP land contribution percentage identified in Table 7.

Table 8 summarises for each class of development specified in this ICP:

- total amount of IPPL (in hectares) that is provided over the ICP land contribution percentage;
- the total value of the credits for the IPPL over the ICP land contribution percentage;
- the total estimated value for any OPPL, the total land equalisation to be paid (IPPL credits plus OPPL estimated value);
- the total amount of IPPL that is equal to or less than the ICP land contribution percentage (this is IPPL (ha) to be directly provided by each parcel and this land is not entitled to a credit); and

- the land equalisation rate (total land equalisation value divided by the total IPPL under the ICP land contribution percentage).

The land equalisation rate (\$ per ha) is used to determine the land equalisation amount specified in Table 9. The land equalisation amount is required to be paid by parcels which have a land contribution percentage that is less than the ICP land contribution percentage.

Table 8: ICP Land Equalisation Rate

CLASS OF DEVELOPMENT	TOTAL IPPL (HA) EQUAL TO OR LESS THAN ICP LAND CONTRIBUTION PERCENTAGE	TOTAL IPPL (HA) OVER ICP LAND CONTRIBUTION PERCENTAGE	TOTAL IPPL LAND CREDIT AMOUNT (FOR 'OVER' LAND)	TOTAL OUTER LAND ESTIMATED VALUE	TOTAL LAND EQUALISATION TO BE PAID	LAND EQUALISATION RATE (\$ PER HA)
Residential (ha)	-	-	-	-	-	\$4,336,187.08
Commercial and Industrial (ha)	8.03	1.0547	\$4,573,162.12	-	\$4,573,162.12	
Total	8.03	1.0547	\$4,573,162.12	-	\$4,573,162.12	

Table 9 specifies for each parcel of land in the ICP plan area:

- the area of IPPL forming part of the parcel
- the type of public purpose for which that IPPL may be used and developed
- the parcel contribution percentage
- the number of hectares that the parcel contribution percentage is above (land credit) or below (land equalisation) the ICP land contribution percentage
- a land credit amount or land equalisation amount
- the land equalisation amount expressed as a rate per net developable hectares in the parcel.

Table 9: Public Purpose Land Credit & Equalisation Amount

PSP PARCEL ID	TOTAL CONTRIBUTION AREA (HECTARES)	Land Use	ICP Land Contribution Percentage (Hectares)	Public Purpose Land				Parcel Contribution Percentage (Hectares)	Land Credit Amount		Land Equalisation Amount		
				Transport (Hectares)	Residential Community and Recreation (Hectares)	Commercial and Industrial Community and Recreation	Parcel Contribution - Total (Hectares)		Hectares	Total \$	Hectares	Total \$	\$ per NDHa
1	29.1700	Employment	1.3909	1.7900	0.0000	0.0000	1.7900	6.14%	0.3991	\$1,636,465	0.0000	\$0.00	\$0.00
2	18.5500	Employment	0.8845	0.3500	0.0000	1.1900	1.5400	8.30%	0.6555	\$2,936,697	0.0000	\$0.00	\$0.00
3	0.9700	Employment	0.0463	0.0300	0.0000	0.0000	0.0300	3.09%	0.0000	\$0.00	0.0163	\$70,466	\$72,645.96
4	24.6300	Employment	1.1744	0.6900	0.0000	0.0000	0.6900	2.80%	0.0000	\$0.00	0.4844	\$2,100,402	\$85,278.22
5	95.0900	Employment	4.5340	1.7300	0.0000	2.2500	3.9800	4.19%	0.0000	\$0.00	0.5540	\$2,402,292	\$25,263.36
SUB-TOTAL	168.4100		8.0300	4.5900	0.0000	3.4400	8.0300		1.0547	\$4,573,162	1.0547	\$4,573,162	
TOTALS PSP Pakenham South Employment	168.4100		8.0300	4.5900	0.0000	3.4400	8.0300		1.0547	\$4,573,162	1.0547	\$4,573,162	
Residential Total	0.0000		0.0000	0.0000	0.0000		0.0000		0.0000	\$0.00	0.0000	0.00	
Commercial & Industrial Total	168.4100		8.0300	4.5900		3.4400	8.0300		1.0547	\$4,573,162	1.0547	\$4,573,162	
Equalisation rate										\$4,336,187			

5. Contributions and administration

5.1. Collecting agency

Cardinia Shire Council is the collecting agency for the purposes of Part 3AB of the *Planning and Environment Act 1987* (the Act) and this ICP. The monetary component and any land equalisation amount of an infrastructure contribution imposed under this ICP must be paid to the collecting agency. As the collecting agency, Cardinia Shire Council is responsible for the administration and enforcement of this ICP, including the payment of land credit amounts, in accordance with Part 3AB of the Act.

5.2. Development agency

Cardinia Shire Council is the development agency for the purposes of Part 3AB of the Act and this ICP. The development agency is responsible provision of the infrastructure projects and acquisition of outer public purpose land identified in this ICP. As the development agency, Cardinia Shire Council is also responsible for the proper administration of this ICP in accordance with Part 3AB of the Act.

5.3. Net developable area

The monetary component of Metropolitan Greenfield Growth Area ICPs are payable on the Net Developable Area (NDA) of land on any given development site (NDA is defined in Appendix 1 Definitions).

To align with the classes of development specified in this ICP, the NDA is divided into:

- Net Developable Area Residential (NDA-R) – the NDA for the residential class of development
- Net Developable Area Employment (NDA-E) – the NDA for the commercial and industrial class of development.

The NDA for this ICP has been calculated in Table 12 and Table 13. Table 12 is the summary land use budget which summarises the land requirements and net developable area for the ICP plan area as a whole. Table 13 is the parcel specific land use budget which specifies the net developable area and land requirements for each parcel of land in the ICP plan area.

For the purposes of this ICP, the number of net developable hectares will only change if the Collecting Agency agrees to a variation to the parcel specific land budget and associated tables in the PSP and ICP.

5.4. Contribution land

The land component of the infrastructure contribution is calculated based on the contribution land.

The contribution land specified in this ICP is the land in the ICP plan area in respect of which an infrastructure contribution is to be imposed under this plan if any of that land is developed. It excludes encumbered land, land already used or developed for a public purpose and land that is exempt from paying an infrastructure contribution under the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans*. It includes the Net Developable Area and Inner Public Purpose Land.

The contribution land in the ICP plan area is specified in Table 12 and Table 13.

5.5. Levy rates and classes of development

Annexure 1 to the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* specifies standard levy rates for two classes development for Metropolitan Greenfield Growth Areas – ‘residential development’ and ‘commercial and industrial development’

Table 10 specifies the standard levy rate for each class of development.

- the classes of development

- the standard levy rate that applies to each class of development

Table 10: Classes of Development & Standard Levy Rates

CLASS OF DEVELOPMENT	Transport construction	Community & Recreation construction	Total standard levy rate
Residential	\$129,862	\$94,308	\$224,170
Commercial and Industrial	\$129,862	\$0	\$129,862

5.6. Estimated value of public purpose land

A land credit amount specified in this ICP is based on the estimated value of the inner public purpose land in that parcel of land determined in accordance with Part 3AB of the Act and the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* and the *Infrastructure Contributions Plan Guidelines* (Ministerial Direction).

The component of a land equalisation amount specified in this ICP that relates to any outer public purpose land is based on the estimated value of the outer public purpose land determined in accordance with the method specified in the Ministerial Direction.

The component of a land equalisation amount specified in this ICP that relates to any inner public purpose land is based on the estimated value of land credit amounts for inner public purpose land.

The estimated value of inner public purpose land in a parcel of land is required to be calculated when the parcel contribution percentage of that land is more than the ICP land contribution percentage for the class of development.

The parcels of land with a land contribution percentage that is more than the ICP public land contribution percentage are identified in Table 09.

5.7. Payment of contributions

5.7.1. Timing of payment of monetary component and land equalisation amounts

Subdivision of land

If the development of the land involves a plan under the *Subdivision Act 1988*, the monetary component (standard levy and supplementary levy) and any land equalisation amount of an infrastructure contribution must be paid to the Collecting Agency for the land after certification of the relevant plan of subdivision but cannot be required more than 21 days prior to the issue of a Statement of Compliance with respect to that plan.

If the subdivision is to be developed in stages, only the monetary component and any land equalisation amount for the stage to be developed is required paid to the Collecting Agency within 21 days prior to the issue of a Statement of Compliance for that stage, provided that a Schedule of Infrastructure Contributions is submitted with each stage of the plan of subdivision. The Schedule must show the amount of the infrastructure contributions payable for each stage and the value of the contributions for prior stages to the satisfaction of the Collecting Agency.

If the Collecting Agency agrees to works in lieu of payment of the monetary component, the land owner must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* in respect of the proposed works in lieu.

Development of land where no subdivision is proposed

Provided an infrastructure contribution has not yet been collected for development of the subject land, the monetary component and any land equalisation amount of an infrastructure contribution must be paid to the Collecting Agency before the issue of a building permit for each net developable hectare proposed to be developed prior to the commencement of any development (development includes buildings, car park, access ways, landscaping and ancillary components). If the

Collecting Agency agrees to works in lieu of payment of the monetary component, the land owner must enter into an agreement, or other suitable arrangement, under Section 173 of the *Planning and Environment Act 1987* in respect of the proposed works or provision of land in lieu.

Where no building permit is required

Where no building permit is required, the monetary component and any land equalisation amount of an infrastructure contribution must be paid to the Collecting Agency prior to the commencement of any development in accordance with a permit issued under the Act, unless otherwise agreed by the Collecting Agency in a Section 173 agreement.

If the Collecting Agency agrees to works in lieu of payment of the monetary component, the land owner must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* in respect of the proposed works or provision of land in lieu.

5.7.2. Inner public purpose land

If any land component of an infrastructure contribution includes inner public purpose land, that inner public purpose land must be provided in accordance with section 46GV of the Act.

5.8. Payment of land credit amounts

A person is entitled to be paid the land credit amount specified in this ICP in relation to a parcel of land if:

- on development of that parcel the person must, in accordance with section 46GV(4) of the Act, provide inner public purpose land forming part of that parcel to the collecting agency or a development agency; and
- the parcel contribution percentage of the parcel of land to be developed is more than the ICP land contribution percentage for that class of development.

The land credit amount is to be paid by the Collecting Agency to the landowner at a time to be agreed, but not before lodgement of a subdivision plan. This may be formalised in a section 173 agreement if the Collecting Agency and landowner agree.

5.9. Development exempt from contributions

Some classes of development are exempt from infrastructure contributions. Where land is subdivided or developed for an exempt purpose, as listed below, and the land is subsequently used for a purpose other than as one of those exempt uses, the owner of that land must pay to the Collecting Agency infrastructure contributions in accordance with the provisions of this ICP. The 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.

5.9.1. Schools

The development of land for government and non-government schools are exempt from the requirement to pay an infrastructure contribution levy in accordance with the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans*.

5.9.2. Housing

Any housing to be provided by or on behalf of the Department of Health & Human Services (DHHS) is exempt from the requirement to pay an infrastructure contributions levy in accordance with the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans*.

5.10. Works in kind

Under section 46GX of the Act, the Collecting Agency may accept the provision of works, services or facilities by an applicant in part or full satisfaction of the monetary component of an infrastructure contribution payable by the applicant to the collecting agency ('works in kind').

Before accepting the provision of works in kind, the collecting agency must obtain the agreement of the development agency or agencies specified in this ICP.

The collecting agency should only accept the provision of works in kind if:

- The works in kind constitute part or all of the delivery of an infrastructure project(s) identified in this ICP, to the satisfaction of the collecting agency and development agency.
- The Collection Agency and Development Agency have agreed that the timing of the works in kind is consistent with priorities in this ICP (alternatively a credit for works may be delayed to align with clearly identified and published development priorities).
- The works in kind are defined and agreed in a section 173 agreement.
- The detailed design of the works in kind is to the satisfaction of the Development Agency and any others identified in permit conditions.

If the Collecting and Development Agencies accept the provision of works in kind:

- The value of the works in kind will be negotiated between the Collecting Agency and the applicant;
- The monetary component the infrastructure contribution payable by the applicant will be offset by the agreed value of the works in kind; and
- The land component and any land equalisation amounts or land credit amounts cannot be accepted as works in kind.

5.10.1. Interim and temporary works

Interim and temporary works are not considered as eligible for works in kind credits against this ICP, unless agreed to by the Collecting and Development Agencies.

5.11. Works in kind reimbursement

If the Collecting Agency agrees to accept works under section 46GX of the Act and the value of those works is greater than the monetary component of the infrastructure contribution payable by the applicant, the applicant is entitled to be reimbursed the difference between the two amounts.

The details of a reimbursement must be negotiated with and agreed to by the Collecting Agency and Development Agency.

5.12. Funds administration

The contributions made under this ICP will be held by the Collecting Agency until required for the provision of infrastructure projects. Details of contributions received, and expenditures will be held by the Collecting Agency in accordance with the provisions of the *Local Government Act 1989*, the *Planning and Environment Act 1987* and the *Ministerial Reporting Requirements for Infrastructure Contributions Plans*.

5.13. Annual indexation of standard levy rates

The standard levy rates specified in this ICP will be indexed in accordance with the indexation method specified in Annexure 1 of the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* on 1 July each year.

The indices used in the indexation method are set out in Table 11.

Table 11: Indices

CLASS OF INFRASTRUCTURE	INDEX
Community and recreation construction	Australian Bureau of Statistics Producer Price Indexes Non-Residential Building Construction Index, Victoria (Catalogue 6427.0, Table 17 Output of the Construction Industries)
Transport construction	Australian Bureau of Statistics Producer Price Indexes Road & Bridge Construction Index, Victoria (Catalogue 6427.0, Table 17 Output of the Construction Industries)

5.14. Adjustment of land credit and land amounts

The land credit amounts specified in this ICP will be adjusted in accordance with the method of adjustment specified in Annexure 1 of the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* on 1 July each year.

5.15. Adjustment of land equalisation amounts

The land equalisation amounts specified in this ICP will be adjusted in accordance with the method of adjustment specified in Annexure 1 of the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans* on 1 July each year.

6. APPENDIX 1 - Definitions

Collecting Agency	The Minister, public authority or municipal council specified in an infrastructure contributions plan as the entity that an infrastructure levy is payable to in accordance with Part 3AB of the <i>Planning and Environment Act 1987</i> .
Contribution Land	Is the land in the ICP plan area of an infrastructure contribution plan in respect of which an infrastructure contribution is to be imposed under the plan if any of that land is developed. This excludes encumbered land, existing public purposes land and land that is exempt from paying a contribution. It includes Net Developable Area and Inner Public Purpose Land
Development Agency	The Minister, public authority or municipal council specified in an infrastructure contributions plan as the entity responsible for works, services or facilities and public purpose land specified in this ICP plan.
Gross Developable Area	Total precinct area excluding encumbered land, arterial roads and other roads with four or more lanes.

Inner Public Purpose Land	Land within the ICP plan area that is specified in this ICP as land to be set aside for public purposes.
Net Developable Area (NDA)	Land within a precinct available for development. This excludes encumbered land, arterial roads, railway corridors, schools and community facilities and public open space. It includes lots, local streets and connector streets. Net Developable Area may be expressed in terms of hectare units (for example NDHa).
Land Budget Table	A table setting out the ICP plan area, contribution land, net developable area and the classes of development.
Outer Public Purpose Land	Land outside of the ICP plan area that is specified in this ICP as land to be acquired for public purposes.
Works in Kind	Any works, services or facilities accepted by the collecting agency in a part or full satisfaction of the monetary component of an infrastructure contribution.

7. APPENDIX 2 - Land

Plan 4: Land Use Budget



Table 12: Summary Land Use Budget

DESCRIPTION			
	HECTARES	% OF TOTAL	% OF NDA
TOTAL PRECINCT AREA (HA)	184.64		
Transport			
Arterial Road - Public Acquisition Overlay	5.62	3.04%	3.34%
Arterial Road - New / Widening / Intersection Flaring (ICP land)	4.59	2.49%	2.73%
Sub-total Transport	10.21	5.5%	6.06%
Open Space			
Service Open Space			
Waterway and Drainage Reserve	2.58	1.40%	1.53%
Sub-total Service Open Space	2.58	1.40%	1.53%
Credited Open Space			
Local Network Park (ICP land)	3.44	1.9%	2.04%
Sub-total Credited Open Space	3.44	1.9%	2.04%
Total All Open Space	6.02	3.3%	3.57%
Total Net Developable Area - (NDA) ha	168.41	91.21%	
Net Developable Area - Residential - (NDAR) ha	0.00	0.00%	
Net Developable Area - Employment - (NDAE) ha	168.41	91.21%	
Employment Local Open Space (expressed as % of NDAE)	Hectares	% of NDAE	
Local Network Park (ICP land)	3.44	2.04%	
Sub-total	3.44	2.04%	
Total Open Space	3.44	2.04%	

Table 13: Parcel Specific Land Use Budget

PSP PROPERTY ID	TOTAL AREA GROSS (HECTARES)	Transport		Open Space		Total Net Developable Area (Hectares)	Total Contributions Land (Hectares)
		Arterial Road		Service (Uncredited) Open Space	Credited Open Space		
		Arterial Road - Public Acquisition	Arterial Road - New / Widening / Intersection	Waterway and Drainage Reserve	Local Network Park (ICP land)		
1	34.82	3.09	1.79	0.77	-	29.17	1.79
2	20.09	-	0.35	-	1.19	18.55	1.54
3	1.00	-	0.03	-	-	0.97	0.03
4	25.32	-	0.69	-	-	24.63	0.69
5	103.41	2.53	1.73	1.81	2.25	95.09	3.98
SUB-TOTAL	184.64	5.62	4.59	2.58	3.44	168.41	8.03
TOTALS PSP Pakenham South Employment	184.64	5.62	4.59	2.58	3.44	168.41	8.03
Residential	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Employment	184.64	5.62	4.59	2.58	3.44	168.41	8.03

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