

	Negotiating with Developers in Growth Areas Policy
Version No	1.0, 18 November 2014
Endorsement	General Manager, Planning & Development, 19 November 2014 Policy Review Panel, 26 November 2014
Authorisation	Council, 16 December 2014
Expiry date	16 December 2016
Responsible officer	Planning and Environment Services Manager
Policy owner	Major Developments Coordinator

1. Purpose

To assist the Major Developments Coordinator and the PSP Steering Committee in making decisions on the facilitation of development, in particular through negotiations with developers regarding the acquisition of land outside of the subject development area.

2. Scope

This policy applies to Council's PSP Steering Committee, Planning & Environment Services Manager and Major Developments Coordinator.

3. Definitions

Word/Term	Definition
Development Contributions Plan (DCP)	Document that sets out the contribution to fund infrastructure and services. Refer to Part 3B of the <i>Planning & Environment Act 1987</i> . Each DCP is an incorporated document in the Melton Planning Scheme.
Development Infrastructure Levy (DIL)	The DCP requires that new development pay a per hectare levy (DIL) to fund infrastructure identified in the relevant DCP.
Precinct Structure Plan (PSP) Steering Committee	A group of Council officers who monitor, review and make recommendations in regards to the planning and delivery of PSPs and DCPs.
Priority List (PL)	A list prepared by the PSP Steering Committee that identifies timing for each DCP project. The PL are approved and reviewed on an annual basis.

4. Policy

When considering a request from a developer to facilitate development (for example, by acquiring land from adjoining properties), Council officers will consider the following criteria:

1. Does the project benefit multiple landholders in the PSP?
2. Does the project have significant benefits for the existing community?

3. Would development in the PSP be limited if the infrastructure was not delivered in the short term?
4. Is the timing consistent with Council's priority list?
5. What is the financial impact on Council?
6. Are there reasonable alternatives which could achieve a similar outcome?

Upon the Major Developments Coordinator receiving a request to facilitate development, a panel will be formed of a minimum of three members of the PSP Steering Committee.

The panel will consist of the Major Developments Coordinator and two other representatives from the PSP Steering Committee. The panel will use the matrix below to assess proposals for facilitation.

Weighting

1 = Desirable

2 = Important

3 = Essential

Rating

1 – 5 = values are low to high in how well it satisfies the principle

Proposal for Facilitation – Panel Assessment					
Principle		Comment	Weighting 1-3	Rating 1-5	Total (weighting x rating)
1	Does the project benefit multiple landholders in the PSP?		2		
2	Does the project have significant wider benefits for the existing community?		1		
3	Would development in the PSP be limited if the infrastructure was not delivered in the short term?		2		
4	Is the timing consistent with Council's priority list?		3		
5	What is the financial impact on Council?		3		
6	Have reasonable alternatives to achieve the same outcome been considered?		1		

Each panel member will complete the matrix and the scores will be combined. If the panel cannot reach agreement on the proposal, it will be referred to the General Manager Planning & Development for a final decision.

Score between 12-25

Council will not facilitate infrastructure delivery. The developer can initiate private negotiations with adjoining landowners if necessary.

Score between 25 – 50

Council will facilitate delivery of the infrastructure project & require the developer to cover the relevant costs (including legal fees, land surveyor fees, Titles Office fees etc).

Score between 50 – 60

Council will facilitate delivery of the infrastructure project & cover the costs of doing so. In this scenario, a recommendation will then be forwarded to the General Manager Planning and Development, as the proposal will incur Council expenditure. Note that any expenditure of funds may require further consideration through the budget and new initiatives process.

In situations where there is an error in the DCP with significant consequences for the delivery of DC funded projects, Council officers may, at the recommendation of the PSP Steering Committee and with the approval of the General Manager Planning and Development, consider requests for facilitation of development outside of this policy framework.

5. Responsibility /Accountability

5.1	General Manager Planning & Development
	<ul style="list-style-type: none"> Responsible for making recommendations for further budgetary consideration where Council funds are proposed to be spent.
5.2	Planning & Environment Services Manager and Major Developments Coordinator
	<ul style="list-style-type: none"> Responsible for the implementation of Development Contributions Plans and negotiations with developers.
5.3	Panel
	<ul style="list-style-type: none"> Responsible for implementing the policy and reporting any issues to the PSP Steering Committee.

6. References and links to legislation and other documents

Name	Location
Toolern Development Contributions Plan	All Plans have been incorporated into the Melton Planning Scheme. http://www.melton.vic.gov.au/Services/Building_planning_transport/Strategic_planning/Precinct_Structure_Plans
Melton North Development Contributions Plan	
Rockbank North Development Contributions Plan	
Taylors Hill West Development Contributions Plan	
Diggers Rest Development Contributions Plan	
Toolern Park Development Contributions Plan	