



DEVELOPER CONTRIBUTION PLAN FOR STORMWATER DRAINAGE

**DARWIN CBD
CP 2015/04 SWD – Policy Area D**

April 2015

Prepared by

City of Darwin

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DEVELOPER CONTRIBUTION PLAN FOR STORMWATER DRAINAGE –DARWIN CBD POLICY AREA D

1. DEFINITIONS

Unless otherwise defined in this Contribution Plan, the terms used have the same meaning as given to them in the Planning Act.

The following terms have the following meanings:

“Act” means the *Planning Act (NT)* or any Act amending or in substitution for the Act

“Allotment” means any parcel of land (or portion thereof) within the Policy Area on which a Development occurs.

“Contribution” means a contribution payable under this Plan.

“Contribution Rate” means the contribution rate, expressed in dollars as a rate per square metre and calculated in accordance with Section 8 and adjusted in accordance with Section 10 of this Plan.

“Council”: means the City of Darwin.

“Developer”: means the holder of an estate in fee simple in or lease from the Crown of an Allotment who undertakes a Development of an Allotment.

“Development”: means: in relation to land, an activity that involves:

- (a) Establishment of, or a change in the use of an Allotment only where Council is of the opinion that the proposed establishment or change in use of the Allotment will, or is likely to, impact anticipated future usage on infrastructure;
- (b) The subdivision or consolidation of an allotment, including:
 - i) Excavation or land filling;
 - ii) The clearing of native vegetation;
 - iii) The construction of a building, or the carrying out of physical works on an Allotment which requires a development permit, where the building or physical works constitute greater than 25% of the Allotment area (including impervious areas such as paving);
 - iv) The construction or upgrading of hardstand car parking; and
 - v) Any other operation that affects the physical character of an Allotment

“Infrastructure” means storm water drainage infrastructure including pits, pipes, headwalls and other elements of storm water infrastructure as depicted in drawing 5077-46-09 contained in **Attachment 1**.

“Policy Area”: means the area described in Section 3 of this Plan.

“Plan”: means this Contribution Plan.

2. INTRODUCTION

A Developer will be required to contribute towards the provision of the Infrastructure at the Contribution Rate and otherwise in accordance with the provisions of this Plan.

3. POLICY AREA TO WHICH THIS CONTRIBUTION PLAN RELATES

The Policy Area relating to this Contribution Plan is the storm water catchment area shown in **Attachment 1**.

Existing Council reserves and road reserves are not considered for the purpose of calculating developer contributions under this plan.

4. WHEN THIS CONTRIBUTION PLAN TAKES EFFECT

This Plan takes effect on the publication of notice in the Gazette, specifying that the Plan has been made, or such later date as may be specified in the notice.

5. DESCRIPTION OF INFRASTRUCTURE REQUIRED IN POLICY AREA

In order to accommodate the existing and potential Development within the Policy Area, the existing storm water drainage systems within the Policy Area require capital works upgrading.

Infrastructure is therefore required to provide a stormwater drainage system to cater for expected future storm water flows within the Policy Area.

Infrastructure is intended to be constructed at the following locations within the Policy Area:

1. Mitchell Street;
2. Smith Street;
3. Mclachlan Street; and
4. Dashwood Crescent;

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A plan showing the location of the Infrastructure to be provided within the Policy Area is contained in **Attachment 1**.

A plan showing the Policy Area in relation to the CBD of Darwin is contained in **Attachment 3**.

6. STATEMENT OF INTENDED ORDER OF WORKS RELATING TO INFRASTRUCTURE

Council intends to undertake works relating to the development of the Infrastructure in the following order:

- a) Mitchell Street: Pits, pipework and other elements of stormwater infrastructure between Daly Street and McLachlan Street and reconstruction of pits and pipework adjacent Lot 5335 depicted in Attachment 1;
- b) Smith Street: Disconnection of existing pipe running from Smith Street to Daly Street, new pipes catering for Smith Street down to Dashwood Crescent and other elements of storm water infrastructure depicted in Attachment 1;
- c) McLachlan Street: Upgrade with new pits and pipeworks and other elements of storm water infrastructure depicted in Attachment 1.

Council may change the order and timing of the intended works, depending on the location and intensity of developments that occur and the rate of increasing demand placed on existing infrastructure.

7. ESTIMATE OF AND METHOD OF CALCULATING THE CAPITAL COST OF WORKS RELATING TO INFRASTRUCTURE

The capital cost estimates in **Attachment 2** for works relating to the Infrastructure have been calculated by reference to the most appropriate and cost-effective form of construction.

Council has determined the appropriate design of the Infrastructure and then obtained an estimate based on the quantities of elements in the design and rates for implementation. The cost estimate is calculated from the design of the Infrastructure and is prepared by a qualified quantity surveyor based in the Northern Territory.

The Infrastructure will be provided in accordance with Council requirements, Australian Standards and relevant Austroads publications.

A cost summary for each section of the Infrastructure is provided in **Attachment 2**.

These estimated construction costs include GST and are current at July 2014.

8. GENERAL FORMULA FOR DETERMINATION OF DEVELOPER CONTRIBUTIONS

The formula for determination of Contributions ensures that the contribution payable by a Developer is relative to the proportion of anticipated future usage of the Infrastructure attributable to the Development and is as follows:

$$CR = \frac{T}{TDA}$$

Where:

CR = The Contribution Rate expressed in dollars as a rate per square metre of an Allotment (*) and in this Plan being \$24.99/m².

T = Total cost of the Infrastructure taken from **Attachment 2** being \$4,544,760.

TDA = Total Developable Area within the Policy Area being 181,853 square metres.

CR is then multiplied by the total square metres of an Allotment (*) to determine the contribution payable in respect of the Development.

(*) When applying the above formula, the number of square metres of an Allotment is to include the entire area of an Allotment to be developed and:

- (i) not just that part of an Allotment on which a Development is to occur; and
- (ii) include, for example (but not limited to) in the instance of a subdivision or unit title Development, areas set aside for roads, common property, open space and drainage and other reserves within the area of any Allotment to be subdivided.

Note: In the case of an extension to an existing building or the carrying out of an extension to physical works on an Allotment (including impervious areas such as pavers), that is over 25% of the Allotment area, CR shall be multiplied by the total area of the Allotment.

Note: A Contribution will not be payable where a Contribution has already been fully paid in respect of a Subdivision or Consolidation of the same Allotment under this Plan.

9. CALCULATION OF CONTRIBUTION RATE

The Infrastructure is required to meet the stormwater drainage requirements within the Policy Area as the result of anticipated development.

10. ADJUSTMENT OF CONTRIBUTION RATE

For the purpose of the formula in Section 8, "CR" will be adjusted annually on 1 July in each year ("the Adjustment Date") with the first Adjustment Date being 1 July 2015, in accordance with the following formula:

$$CR = CR^1 \times (1.0 + (Z/100))$$

Where:

CR = the adjusted Contribution Rate payable as and from the Adjustment Date.

CR¹ = the Contribution Rate payable immediately prior to the Adjustment Date.

Z = the percentage change in the All Groups Consumer Price Index for Darwin ("the Index") as published by the Australian Bureau of Statistics between the end of the quarter immediately preceding the date on which this Plan takes effect or the last Adjustment Date, whichever is the later, and the end of the quarter immediately preceding the Adjustment Date. If the Index ceases to be published then the index which is substituted for it by the Australian Bureau of Statistics or the Commonwealth of Australia will be the Index for the purposes of this paragraph.

11. POSSIBLE WORKS PERFORMED BY THE DEVELOPER

Should the Developer, as part of a Development on the land outlined in this Plan, propose to construct infrastructure within the Policy Area that is included in the Infrastructure identified in this Plan, the amount of money spent by the Developer in constructing infrastructure, may be off-set against the Contribution otherwise payable under this Plan. Any off-set shall be at the discretion of the General Manager Infrastructure, City of Darwin.

The scope of works to be undertaken by the Developer and value of these works must be agreed to by both the Developer and Council, prior to the commencement of any such works.

12. TIMING OF PAYMENT OF DEVELOPER CONTRIBUTION

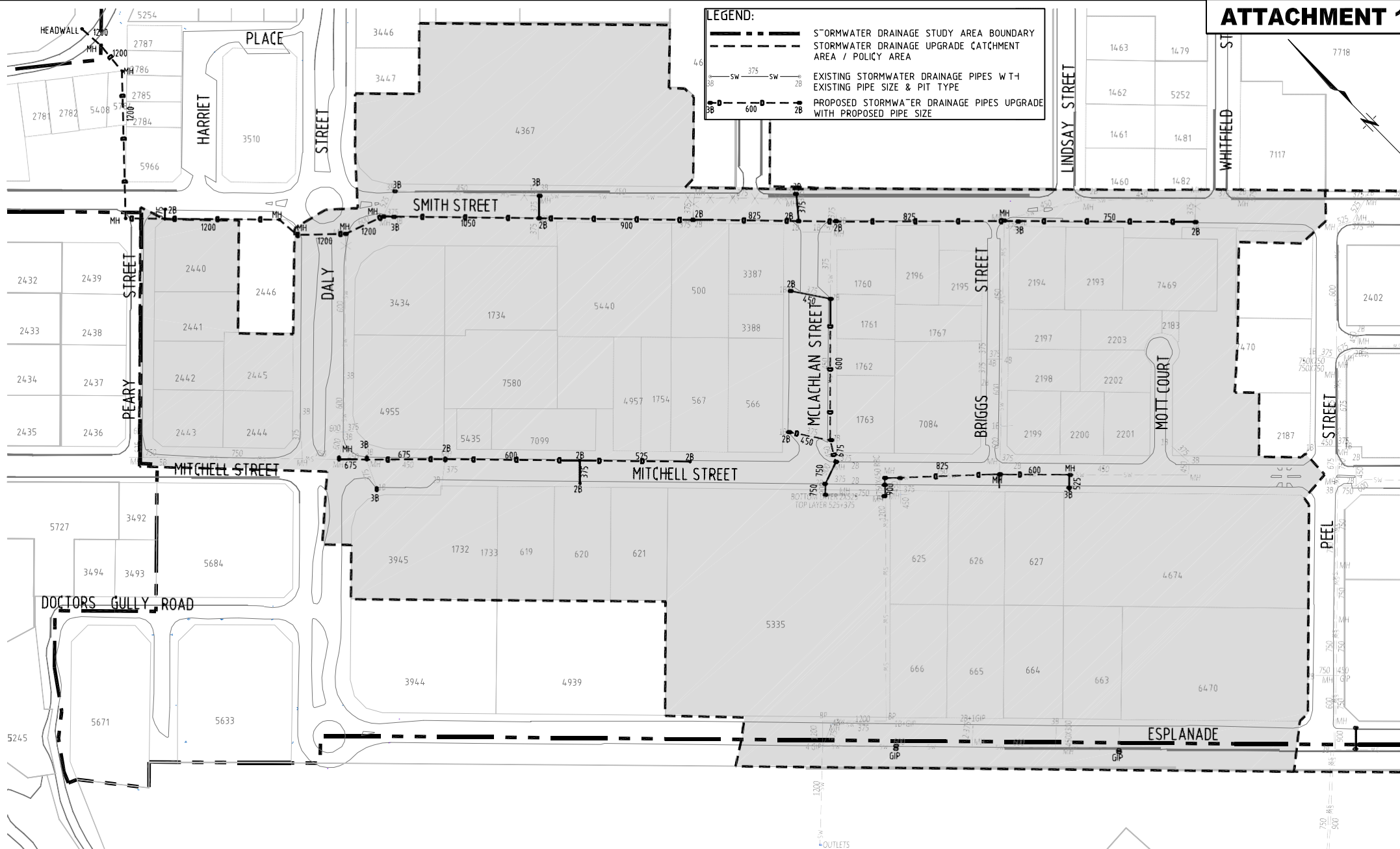
Contributions shall be payable on completion of the Development and in the case of:

- (a) the subdivision of an Allotment, before separate titles issue in accordance with the relevant plan of subdivision; and

- (b) in any other case, before commencement of the use or occupancy of the buildings or improvements to which the Development relates.

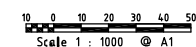
Council shall not provide clearance for the relevant conditions of any Development Permit until the Contribution is paid to Council.

Attachments



POLICY AREA D UPGRADE WORKS LAYOUT PLAN

NOT FOR CONSTRUCTION



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Attachment 2 - Cost Summary

Estimate – Policy Area D

Summary of Works

Road Construction	\$961,055.70
Stormwater Drainage	\$1,820,405.40
Traffic Management	\$244,231.90
ESTIMATED NET COST:	\$3,025,693.00

Miscellaneous

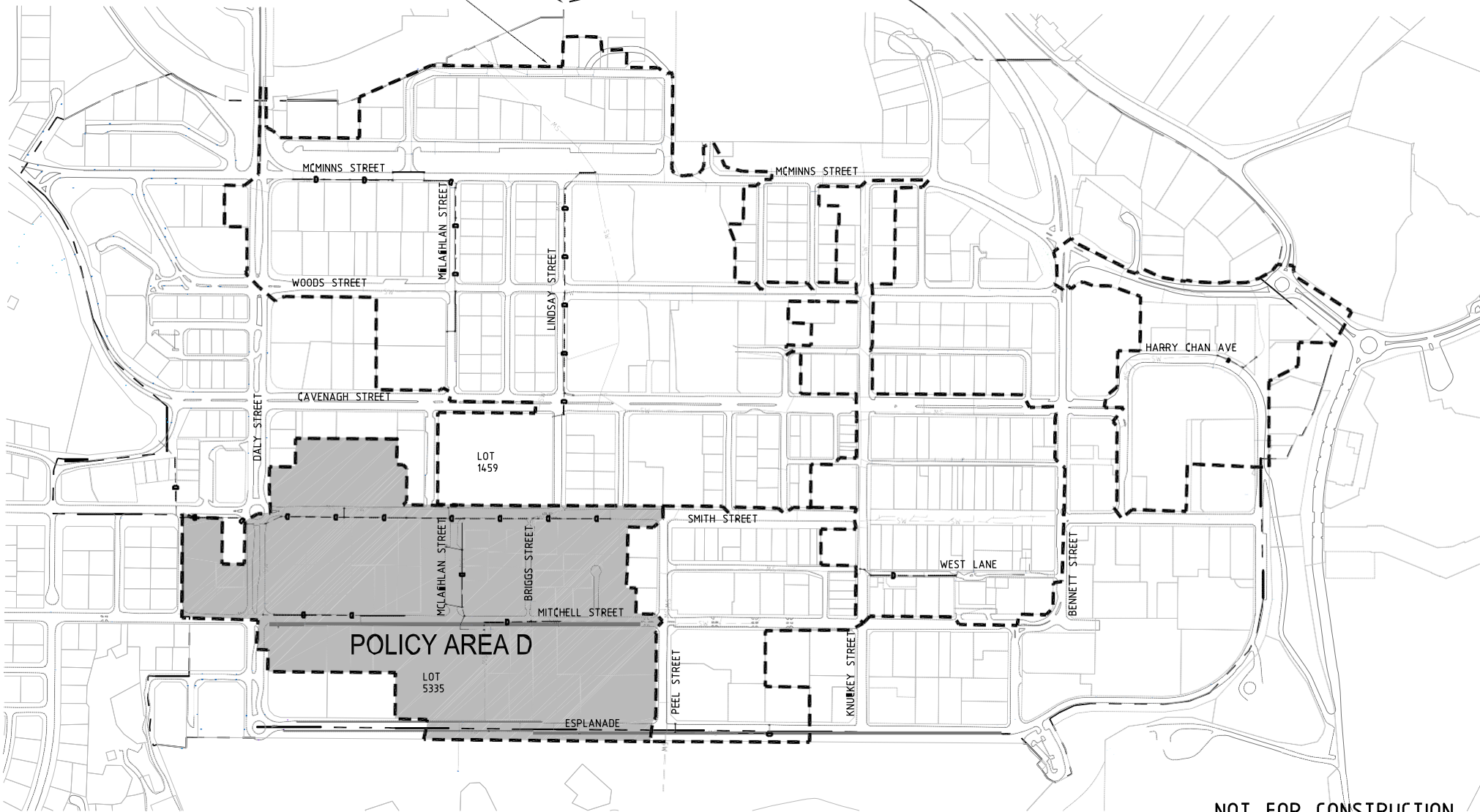
Establishment	\$318,324.60
Survey	\$118,209.30
Design and documentation	\$103,433.00
Project Management/Supervision	\$221,640.10
Contingency	\$757,460.00
Goods and Services Tax (included in rates)	incl
ESTIMATED TOTAL COST:	\$4,544,760.00

LEGEND:

- STORMWATER DRAINAGE STUDY AREA BOUNDARY
- STORMWATER DRAINAGE UPGRADE CATCHMENT AREA/POLICY AREA
- SW --- SW EXISTING STORMWATER DRAINAGE PIPES
- CONCEPTUAL STORMWATER DRAINAGE PIPES UPGRADE

STORMWATER DRAINAGE
STUDY AREA BOUNDARY

STORMWATER CATCHMENT
AREAS / POLICY AREAS



NOT FOR CONSTRUCTION

COD CAD FILE: K:\Design Office Projects 13-14\Darwin CBD Stormwater Contribution Plan\5077-46-08 Policy Area D Attach 3.dwg

AMENDMENTS			
No.	DESCRIPTION	DATE	INITIAL
0	FINAL		

WARNING
ALL REASONABLE CARE HAS BEEN TAKEN TO ACCURATELY SHOW THE POSITION OF EXISTING SERVICES. HOWEVER, THE POSITION OF SUCH SERVICES SHOULD BE PROVEN ON SITE AND NO GUARANTEE CAN BE GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DRAWN ZV	DESIGNED CARDNO
SCALE NOT TO SCALE	CHECKED
APPROVED	DATE AUG '14
SHEET 8 OF 11	

DARWIN CBD, NORTHERN TERRITORY
STORMWATER DRAINAGE CONTRIBUTION PLAN
POLICY AREA 'D' IN RELATION TO DARWIN CBD

