

BALLAN PRECINCT 5

DRAFT SHARED INFRASTRUCTURE FUNDING PLAN

DECEMBER 2024

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FILE

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VERSION

1

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1. INTRODUCTION

1.1. BACKGROUND

This Draft Shared Infrastructure Funding Plan (SIFP) has been prepared by Urban Enterprise on behalf of Welco, a landowner within the Ballan Precinct 5 (the **Precinct**).

1.2. PURPOSE

The SIFP has been prepared to guide the delivery of shared infrastructure in the Precinct by:

- Identifying the land parcels which are to be developed and quantifying the area and likely development yield of each parcel;
- Identifying shared infrastructure required to support development;
- Identifying the specifications, costs and justification for each shared item;
- Apportioning costs to each land parcel in the Precinct, and calculating levies payable to ensure delivery of shared infrastructure;
- Identifying any infrastructure items that can be directly provided by landowners without the need for cost sharing; and
- Describing the mechanisms by which the SIFP will be implemented, including collection of levies, delivery of infrastructure, responsibilities for works and administration of the document (such as indexation).

The SIFP will be used to inform a Section 173 Agreement which will formalise arrangements for infrastructure delivery between Council and each landowner in the Precinct.

2. THE PRECINCT

2.1. LOCATION

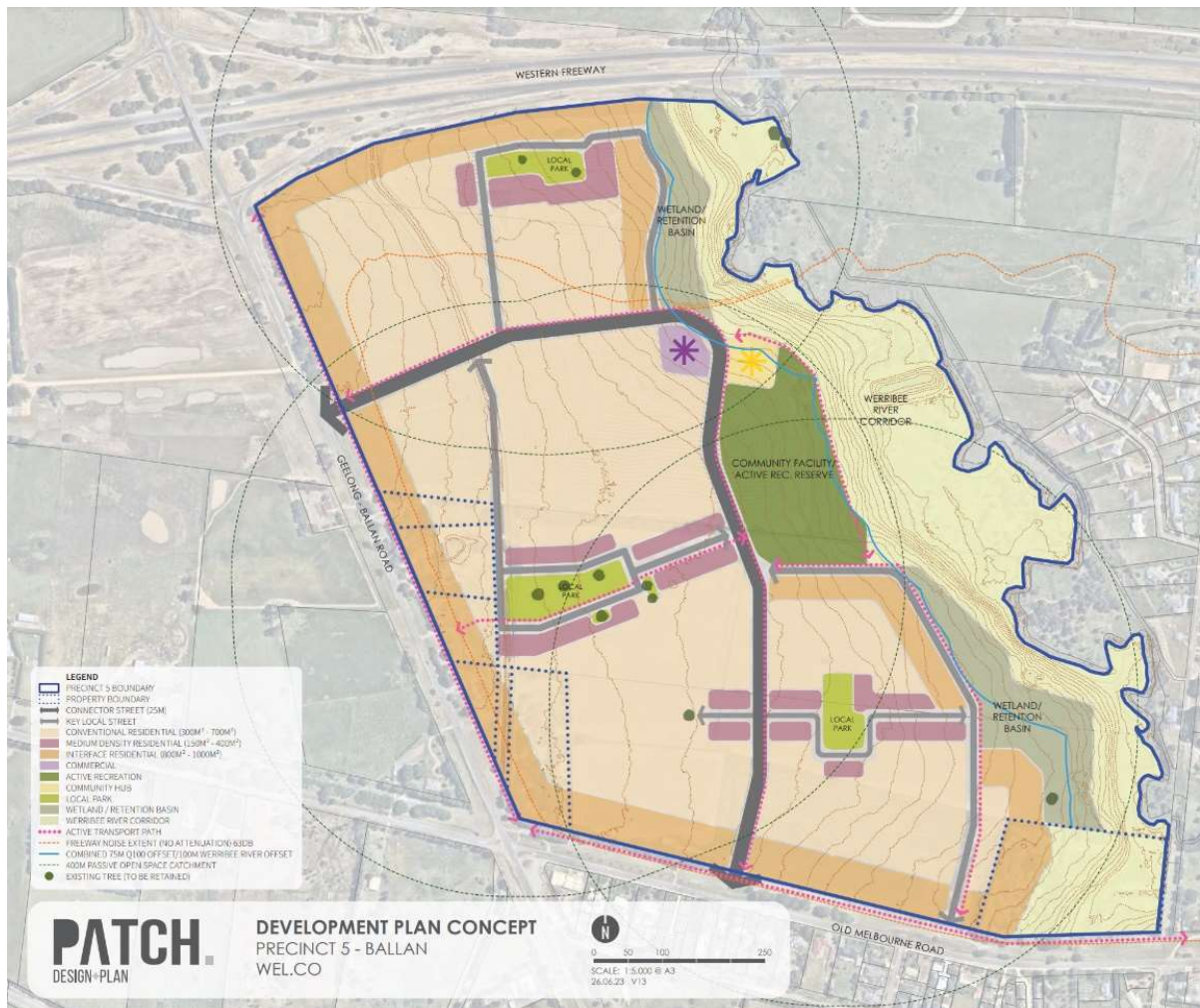
The **Precinct** refers to Precinct 5 of the Ballan Framework Plan, located to the north-west of the existing Ballan urban area and is generally bound by Old Melbourne Road to the south, Geelong-Ballan Road to the west, the Western Highway to the north and the Werribee River to the east.

The land is currently in the Rural Living Zone (RLZ) and is proposed to be rezoned to the Neighbourhood Residential Zone (NRZ).

2.2. DEVELOPMENT PLAN

The Draft Framework Plan is shown in Figure 1. The future land use is primarily urban residential, with some areas designated for commercial, open space, community, drainage and a river corridor reserve.

F1. BALLAN PRECINCT 5 DEVELOPMENT PLAN, VERSION 13



Source: Patch Design+Plan, 26 June 2023

2.3. LAND BUDGET

Table 1 shows the land budget for the Precinct by land use. The total Net Development Area (NDA) is 67.416 hectares. Appendix A contains a detailed land budget by property.

A total of 2.201 hectares of unencumbered passive open space is proposed, which equates to 3.16% of the Contribution Area¹.

T1. SUMMARY LAND USE BUDGET

Description	Area (ha)	% of Site Area	% of NDA
Site Area (inc. irrigation channel)	98.543		
Drainage			
Wetland/Retention Basin	5.061	5.14%	7.51%
<i>Sub-total Drainage</i>	<i>5.061</i>	<i>5.14%</i>	<i>7.51%</i>
Open Space			
<i>Uncredited / Encumbered</i>			
Werribee River Corridor	18.865	19.14%	27.98%
<i>Unencumbered Public Open Space</i>			
Active Open Space	4.500	4.57%	6.67%
Passive Open Space	2.201	2.23%	3.26%
<i>Sub-total Open Space</i>	<i>25.565</i>	<i>25.94%</i>	<i>37.92%</i>
Community			
Community Facility	0.500	0.51%	0.74%
<i>Sub-total Community</i>	<i>0.500</i>	<i>0.51%</i>	<i>0.74%</i>
Net Developable Area (NDA)	67.416	68.41%	

Source: Patch Design+Plan, 26 June 2023; Urban Enterprise.

2.4. YIELD

The Precinct is expected to ultimately accommodate approximately 937 dwellings at an average density of 13.9 dwellings per hectare.

¹ Contribution Area is the sum of Net Developable Area and passive open space areas (in this case, the Contribution Area is 69.617ha). Contribution Area is used as the base to calculate the proportion of otherwise developable area that is required as passive open space land.

3. SHARED INFRASTRUCTURE

3.1. OVERVIEW

Various technical reports have been prepared which identify infrastructure needed to support development of the Precinct, including roads, open space, drainage and community infrastructure.

Technical documents which informed this report are shown in Table 2.

T2. TECHNICAL SOURCE INFORMATION

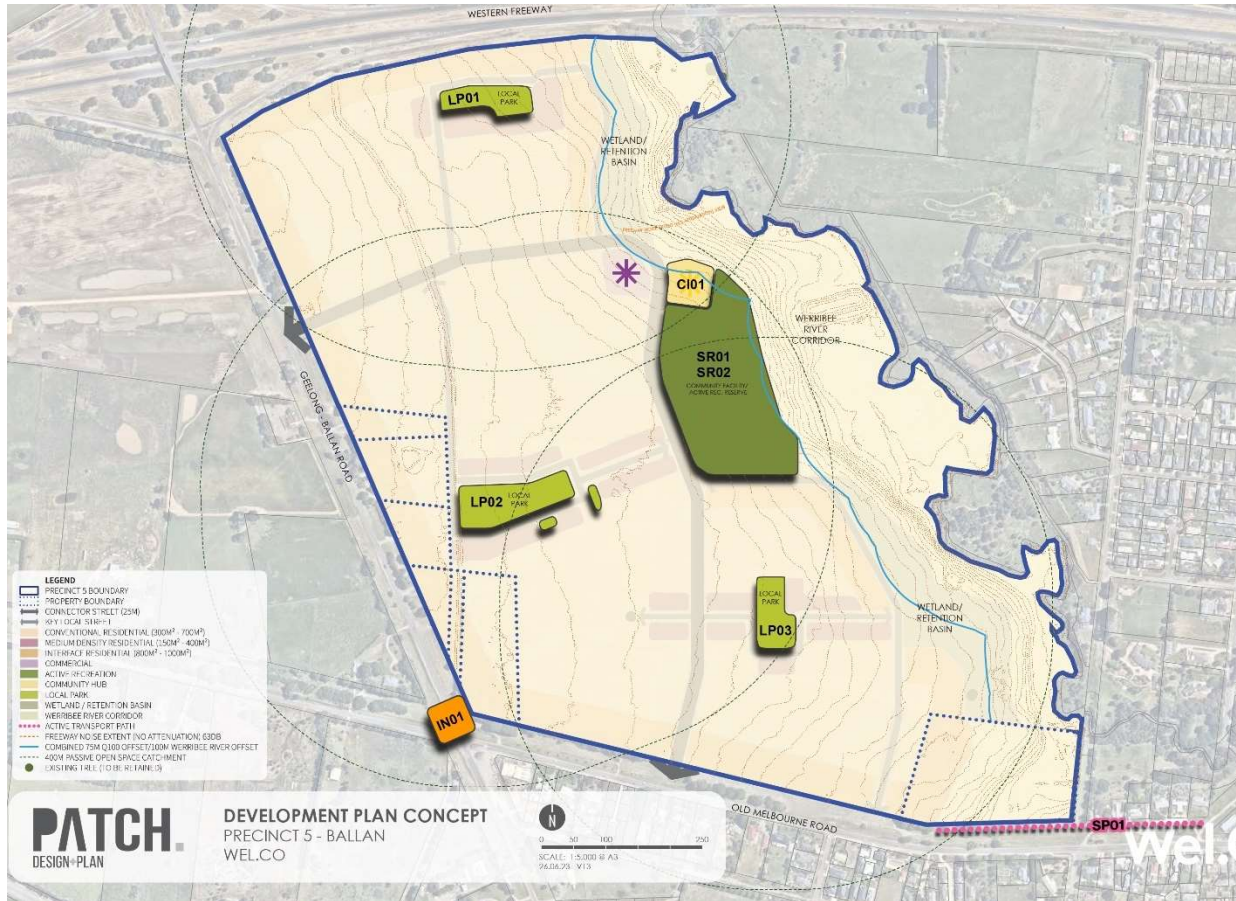
Category	Strategic Justification	Detailed Design and Costings
Transport	<ul style="list-style-type: none"> Traffic Engineering Assessment – Proposed Rezoning, Traffix Group (June 2023) 	<ul style="list-style-type: none"> Cost: Spiire Preliminary Cost Estimates, July 2023
Open Space	<ul style="list-style-type: none"> Precinct 5 Ballan Framework Plan – Review of Public Open Space Needs V2, ASR Research (30 June 2023) Apportioning Community Infrastructure Costs for the Precinct 5 Development Plan, ASR Research (30 June 2023) 	<ul style="list-style-type: none"> Cost (Active Open Space): Moorabool Shire Council cost estimate Cost (Local Open Space): Moorabool Shire Council cost estimate
Community	<ul style="list-style-type: none"> Precinct 5 Ballan Framework Plan – Review of Community Facilities and Education Needs, ASR Research (30 June 2023) Apportioning Community Infrastructure Costs for the Precinct 5 Development Plan, ASR Research (30 June 2023) 	<ul style="list-style-type: none"> Cost: Moorabool Shire Council cost estimate

Source: Urban Enterprise. Note: cost estimates provided by Council and agreed with Welco have not been reviewed by Urban Enterprise.

3.2. INFRASTRUCTURE ITEMS

Table 3 provides a summary list of all infrastructure items to be funded under the SIFP, including delivery responsibility. The location of the infrastructure items is shown in Figure 2 and identification of individual properties is shown in Appendix A.

F2. INFRASTRUCTURE MAP



Source: Urban Enterprise. Annotations made to Patch base plan (v13).

T3. INFRASTRUCTURE LIST SUMMARY

ID	Project Title - Description	Delivery Responsibility
Intersections		
IN01	Geelong-Ballan Road and Old Melbourne Road Intersection upgrade. This item will take the form of either an interim upgrade to be delivered by Property 1 consistent with the Traffic Engineering Assessment recommendation or an ultimate upgrade to be delivered by DTP using a financial contribution made under this SIFP to the same value of the interim upgrade as shown in this SIFP. Details to be determined in consultation with the Department of Transport and Planning and Council.	Property 1 or DTP (TBC)
Open Space		
LP01	Local Park #1 Embellishments of local park, including landscape works & features, mid-range shelter, play area & facilities (0.569 ha)	Property 1
LP02	Local Park #2 Embellishments of local park, including landscape works & features, mid-range shelter, play area & facilities (1.026 ha)	Property 1
LP03	Local Park #3 Embellishments of local park, including landscape works & features, mid-range shelter, play area & facilities (0.607 ha)	Property 1
Active Open Space		
SR01	Sports Reserve Land and construction of sports reserve (4.5 ha), including: <ul style="list-style-type: none"> • Full size AFL football oval <u>or</u> two soccer pitches, sand based with drainage and lighting; • Carpark; • Hard courts x3; • Playground (medium-large) including pump track / mini court etc, BBQ areas with shelter, toilets and art / sculptures. 	Property 1 ^(Note 1)
SR02	Sports Pavilion Construction of a 600sqm sports pavilion on the site of the sports reserve.	Property 1 ^(Note 2)
Shared Path		
SP01	External Shared Path Connection External shared path connecting internal shared path network along Old Melbourne Road to the Ballan township path network (400m from western boundary of tributary corridor within Precinct to corner Bradshaw and Inglis Streets, including allowance for bridge structure).	Property 1 ^(Note 3)
Community		
CI01	Community Facility Land (0.5 ha) and construction of community facility, including 2x kinder rooms, consulting suites for allied health / community support organisations and flexible community meeting spaces.	Land – Property 1 Construction – Council

Source: Urban Enterprise.

Note 1: given the scope of this facility is yet to be finalised, the cost to the proponent of the ultimate facility delivered is limited to a maximum of \$6.4m.

Note 2: given the scope of this facility is yet to be finalised, the cost to the proponent of the ultimate facility delivered is limited to a maximum of \$3.6m.

Note 3: given the scope of this path and tributary crossing is yet to be finalised, the cost to the proponent of the path ultimately delivered is limited to a maximum of \$1,050,000. A potential second shared path connection further to the north to connect to Hogan Road is shown on Urban Design Plans which form part of the amendment package. Any such connection is subject to environmental approvals from Melbourne Water and Council.

3.3. APPROACH TO FUNDING KEY INFRASTRUCTURE ITEMS

KEY INTERSECTIONS

This SIFP includes a contribution towards 1x arterial / arterial road intersection upgrade on the basis that an upgrade is required to service both the Precinct and surrounding development.

The item will take the form of either an interim upgrade to be delivered by Property 1 or an ultimate upgrade to be delivered by DTP using a financial contribution made under this SIFP to the same value of the interim works shown in this SIFP. Final details are to be determined in consultation with the Department of Transport and Planning and Council.

SHARED PATHS

This SIFP funds the construction of a shared path connection for walking and cycling required to connect the internal shared path network to the existing town path network, including across the tributary corridor at Old Melbourne Road.

Construction costs are \$375 per linear metre for 400 metres (including 15% contingency and 10% survey and design), plus an allowance for a 60m bridge structure at \$900,000.

The cost of shared paths located within the road reserve / cross section of new connector roads is to be funded as part of normal developer works.

ACTIVE OPEN SPACE

This SIFP funds land and construction of active open space infrastructure within the Precinct.

The following principles have been applied for active open space:

- Active open space infrastructure is not evenly distributed across the Precinct. The SIFP provides a way to equalise the cost of providing active open space infrastructure across all landowners;
- The SIFP separately itemises and funds the cost of constructing the sports reserve and pavilion; and
- Construction costs are based on estimates by Council.

PASSIVE OPEN SPACE

The SIFP does not include land for passive open space items – all passive open space land areas shown on the Development Plan are to be secured through the Moorabool Planning Scheme.

The average contribution of public open space (passive) in the Development Plan is 3.16% of the Contribution Land (POS + NDA).

In some cases, the proportion of land to be provided as public open space in accordance with the Development Plan may exceed the average contribution rate. In these cases, the relevant landowners will be compensated by Council for any over-provision which will be secured through the section 173 agreement which implements this SIFP. Where the proportion of land to be provided as public open space is less than the average contribution rate, the relevant landowners will be required to pay the balance of the contribution to Council.

4. CALCULATION OF LEVIES

4.1. OVERVIEW

This section provides details on how the cost of infrastructure items have been apportioned across the Precinct and how the overall development contributions levies have been calculated.

4.2. PROJECT COSTS

Each item in the infrastructure list has a cost specified for either capital works or land. These costs are listed in Table 5. The costs are expressed in 2023/24 values (July 2023) and will be indexed annually in accordance with the method specified in this SIFP.

4.3. COST APPORTIONMENT

The approach to apportioning the cost of each infrastructure item relies on the nexus principle. The Precinct is deemed to have a nexus with an infrastructure item if the residents within the Precinct are likely to make use of the infrastructure item.

All infrastructure items are required only to service the future community of the Precinct. The only possible exception is the contribution to intersection IN01 – this contribution is designed to have the flexibility to enable DTP to deliver a greater intersection scope which benefits both the Precinct and other areas / users if preferred and agreed.

4.4. CALCULATION OF LEVIES

DEMAND UNITS

In order to calculate a levy, the cost apportioned to the Precinct must be converted into a levy per demand unit. The most common demand unit type in residential growth areas is an area measure, such as Net Developable hectares.

In the Precinct, almost all land is proposed to be developed for residential purposes. Although some non-residential uses may be permitted in certain areas, the default land use and zoning is residential.

Therefore, in order to fairly levy developers while maintaining financial certainty for Council, a standard 'per hectare of net developable land' (i.e. NDA) demand unit is used for levies applied to all development in this SIFP. Table 4 shows the total number of demand units used to calculate levies.

T4. DEMAND UNITS

Levy Type	Unit	Demand Units
Development Infrastructure Levy	NDA	67.416

Source: Urban Enterprise

LEVIES

The total cost attributable to the Precinct for each infrastructure item is divided by the number of demand units for that item to calculate the levy for each item as shown in Table 5.

The levy amounts for each item are then aggregated to form an overall levy per demand unit for the Precinct.

T5. INFRASTRUCTURE LEVY CALCULATION BY ITEM (JULY 2023 DOLLARS)

ID	Description	Land Cost	Construction Cost	Total Cost	Apportionment to Precinct	Cost to Precinct	Demand Units	Levy per ha (July 2023)
Intersections								
IN01	Geelong-Ballan Road and Old Melbourne Road		\$1,936,700	\$1,936,700	100%	\$1,936,700	67.416	\$28,727.61
Subtotal		\$0	\$1,936,700	\$1,936,700		\$1,936,700		\$28,727.61
Open Space								
LP01	Local Park #1 (0.57 ha)		\$802,095	\$802,095	100%	\$802,095	67.416	\$11,897.69
LP02	Local Park #2 (1.03 ha)		\$1,538,022	\$1,538,022	100%	\$1,538,022	67.416	\$22,813.90
LP03	Local Park #3 (0.61 ha)		\$850,948	\$850,948	100%	\$850,948	67.416	\$12,622.34
Subtotal		\$0	\$3,191,065	\$3,191,065		\$3,191,065		\$47,333.94
Active Open Space								
SR01	Sport Reserve (4.5 ha)	\$1,743,000*	\$6,400,000	\$8,143,000	100%	\$8,143,000	67.416	\$120,787.35
SR02	Sports Pavilion		\$3,600,000	\$3,600,000	100%	\$3,600,000	67.416	\$53,399.79
Subtotal		\$1,743,000	\$10,000,000	\$11,743,000		\$11,743,000		\$174,187.14
Shared Path								
SP01	External Shared Path Connection		\$1,050,000	\$1,050,000	100%	\$1,050,000	67.416	\$15,574.94
Subtotal		\$0	\$1,050,000	\$1,050,000		\$1,050,000		\$15,574.94
Community								
CI01	Community Facility (0.5 ha)	\$262,500	\$6,000,000	\$6,262,500	100%	\$6,262,500	67.416	\$92,893.38
Subtotal		\$262,500	\$6,000,000	\$6,262,500		\$6,262,500		\$92,893.38
Total		\$2,005,500	\$22,177,765	\$24,183,265		\$24,183,265		\$358,717.00

Source: Urban Enterprise. * Land value is based on the broadhectare value of 3.32ha, not the full 4.5ha provision.

4.5. SUMMARY OF CONTRIBUTIONS

Table 6 shows a levy liability amount for each property based on the July 2023 levy of **\$358,717 per hectare**, along with an indicative WIK value and balance based on infrastructure values included in the infrastructure list.

T6. SUMMARY OF CONTRIBUTIONS

Property	NDA (ha)	Levy Liability	Indicative WIK Value	Monetary Payment (to Council)
1	60.895	\$21,844,072	\$18,183,265*	\$3,660,806
2	0.633	\$227,068	\$0.00	\$227,068
3	1.274	\$457,005	\$0.00	\$457,005
4	0.849	\$304,551	\$0.00	\$304,551
5	0.477	\$171,108	\$0.00	\$171,108
6	0.321	\$115,148	\$0.00	\$115,148
7	1.893	\$679,051	\$0.00	\$679,051
8	1.074	\$385,262	\$0.00	\$385,262
Total	67.42	\$24,183,265	\$18,183,265	\$6,000,000

For the purposes of Table 6, it is assumed that Property 1 will deliver IN01 as works in kind, however it is reiterated that delivery responsibility for this item is yet to be determined and will be delivered either as interim works by Property 1 or as ultimate works by DTP using a financial contribution from this SIFP.

For the purposes of Table 6, Council's assumed infrastructure delivery responsibility relates to the construction of CI01 – Community Facility. All infrastructure to be delivered by Council is funded by the monetary payments from landowners through levies.

5. IMPLEMENTATION AND ADMINISTRATION

5.1. SECTION 173 AGREEMENT

This SIFP will be implemented through s173 agreements with each landowner in the Precinct. Each agreement will be based on a model agreement prepared by Council which embeds the implementation principles of this plan, while also including details regarding levies payable for the relevant property, the infrastructure items to be funded, and the administrative and legal provisions contained within the SIFP, and delivery of infrastructure over time.

5.2. INDEXATION

Land values and construction costs listed are in July 2023 dollars. They will be indexed annually according to the following method. All levies and costs must be adjusted as follows:

- In relation to the costs associated with all infrastructure items other than land, the cost must be adjusted, and the contribution amounts recalculated according to the following method:
 - The capital costs of each infrastructure item must be adjusted by reference to the Producer Price Indexes Australia, Victoria (Table 17 Output of the Construction industries, subdivision and class index numbers - Road and Bridge Construction Victoria (for roads, bridges, trails, drainage and open space items) and Building Construction Victoria (for buildings and Planning Costs) published by the ABS (Series 6427.0)) or similar index;
 - The revised infrastructure costs and the adjustment of the contributions must be calculated as of 1 July in each year.
- In relation to the cost of land to be acquired under the SIFP, the land value must be adjusted by adopting a revised land value for each parcel to be acquired based on the same valuation principles each year. The land valuation should be undertaken on a broadhectare basis (i.e. a land value per hectare of land), assuming that the land is serviceable and within the Neighbourhood Residential Zone.
- Within 14 days of the adjustments being made, the responsible authority must publish a notice of the amended contributions on its website.

5.3. COLLECTION OF LEVIES

Any monetary levies owed will be collected by the Moorabool Shire Council as follows:

- For the subdivision of land, not more than 30 days prior to the issue of a Statement of Compliance under the Subdivision Act 1988 in respect of the subdivision creating any new lot (noting the liability is triggered at Statement of Compliance);
- In relation to the development of land not requiring subdivision, a planning permit condition must require the payment of the development contribution prior to the commencement of works unless there is an agreement with the Responsible Authority to secure the payment of the development contribution by some other means or other timeframe.

A statement of compliance must not be issued until the development contributions levy is paid (or equivalent works are provided in-kind).

Funds collected will be held in a specific Council account in accordance with the provisions of the Planning and Environment Act (1987). All monies held in this account will be used solely for the provision of infrastructure as itemised in this SIFP.

Council will be responsible for ongoing accounting and indexation of this SIFP.

5.4. METHOD OF PROVISION

Responsibility for the delivery of infrastructure works within the Precinct primarily resides with developer of the land as works in-kind projects, with a credit provided against their development contribution, subject to the agreement of the Council.

All items are expected to be provided as works in-kind, with the exception of CI01 which is to be delivered by Council using monetary contributions collected from developers through this SIFP, and potentially IN01 where the delivery responsibility is yet to be finalised.

PROJECT DELIVERY

It is the developers' responsibility to facilitate the delivery of all infrastructure projects required to service the development of the Precinct, except IN01 and CI01.

In exceptional circumstances, and provided the developer has demonstrated to Council's satisfaction that it has made all reasonable endeavours to facilitate delivery of the infrastructure projects, Council will initiate the delivery of the infrastructure projects based on the below criteria:

- Council will only facilitate an infrastructure project at a time when Council determines there are sufficient funds in Council's infrastructure contributions account, collected under the Shared Infrastructure Funding Plan, to meet the cost of delivering the infrastructure project(s); and that Council's delivery of any infrastructure project will be subject to:
 - Council's normal budgetary cycles; and
 - Normal legislative processes and timeframes for any acquisition of land required to facilitate the Infrastructure Project.

Council may enter into Section 173 Agreements, confirming specific credit and project timing, with landowners to formalise details of infrastructure items to be provided in-kind.

In determining whether to agree to the provision of works in lieu of cash, the Responsible Authority will have regard to the following:

- Only works or land identified in the SIFP can be provided in lieu of cash;
- Detailed design must be approved by the Responsible Authority and generally accord with the standards outlined unless agreed by the Responsible Authority and the developer; and
- The construction of works must be completed to the satisfaction of the Responsible Authority.

Where the Responsible Authority agrees that works are to be provided by a developer in lieu of cash contributions:

- The credit for the works provided shall equal the value identified in the SIFP taking into account the impact of indexation;
- The value of works provided in accordance with the principles outlined above, will be offset against the development contributions liable to be paid by the developer;
- The developer will not be required to make cash payments for contributions until the value of any credits for the provision of agreed works-in-kind are exhausted;
- Where credit for works-in-kind can't be offset against future levy payments, the developer shall be reimbursed by the Responsible Authority for any excess credit prior to the issue of a Statement of Compliance for the final stage of development of that developer's land;
- Where a developer chooses to bring forward works ahead of the scheduled time in the SIFP, this can be done provided the impact on the SIFP is cost and revenue neutral;
- Where a developer is in credit against their development contributions liability, this credit will be indexed annually in accordance with the annual increase in the development infrastructure levy.

LAND

The provision of land identified in this SIFP is suitable as works in-kind to offset against a landowner's development contribution. As with works-in-kind, the provision of land would be outlined in an agreement between the developer and the Responsible Authority pursuant to Section 173 of the Planning and Environment Act (1987). The value of the offset for providing land will equal the value shown in the SIFP, subject to indexation.

APPENDICES

APPENDIX A DETAILED LAND BUDGET AND PROPERTY MAP

Property Number	Total Area	Community	Uncredited Public Open Space		Credited Public Open Space		NDA (ha)
		Local community Facility (SIFP land)	Werribee River Corridor Reserve	Waterway and Drainage Reserve	Local Sports Reserve (SIFP land)	Local Network Park	
1	89.237	0.500	16.080	5.061	4.500	2.201	60.895
2	0.633	0	0	0	0	0	0.633
3	1.274	0	0	0	0	0	1.274
4	0.849	0	0	0	0	0	0.849
5	0.477	0	0	0	0	0	0.477
6	0.321	0	0	0	0	0	0.321
7	1.893	0	0	0	0	0	1.893
8	3.859	0	2.785	0	0	0	1.074
Total	98.543	0.500	18.865	5.061	4.500	2.201	67.416

Source: Patch Design+Plan, 26 June 2023; Urban Enterprise.

F3. PROPERTY IDENTIFICATION MAP

