

3.3 Northern Coastal Growth Corridor Development Contributions

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Responsible Officer:	Director, Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	7

Issue

To consider the outcomes of the public consultation on Draft Local Planning Policy 3.3: Northern Coastal Growth Corridor Development Contributions (LPP 3.3) and to consider initiating Amendment No. 122 to District Planning Scheme No. 2 (DPS 2) to incorporate Development Contribution Plans for Alkimos Eglinton and Yanchep Two Rocks.

Background

Administration prepared LPP 3.3 in 2010 to address the issue of development contributions in the Northern Coastal Growth Corridor (NCGC) while a Development Contribution Plan (DCP) was being prepared and to ensure that development did not proceed without a legally binding imposition on active developers to contribute towards community facilities.

Put simply, LPP 3.3 proposed the application of a condition on all subdivision applications within the NCGC that would require the applicant to enter into a legal agreement committing to pay a cost contribution towards community facilities once this amount was determined by the City as part of the preparation of the DCP for the NCGC. The Policy also included a model agreement that could be readily applied to each application when required.

LPP 3.3 (along with the draft NCGC Community Facilities Plan) was considered by Council at its meeting of 21 September 2010 (Items PS02-09/10) where it was resolved:

“That Council pursuant to Clause 8.11.3.1(a) of District Planning Scheme No. 2 ADVERTISES draft Local Planning Policy 3.3: Northern Coastal Growth Corridor Development Contributions, as contained in Attachment 1, for public comment for a period of 42 days, by way of:

- 1. Advertisements in a local newspaper for two consecutive weeks;*
- 2. Display on the City’s website; and*
- 3. Letters sent to and a workshop conducted with relevant stakeholders, as determined by the Director Planning and Sustainability.”*

Consultation

Both LPP 3.3 and the Community Facilities Plan (CFP) were advertised for public comment for a period of six weeks from 12 October to 22 November 2010 by way of:

- Advertisements placed in the 12 and 19 October 2010 editions of the 'Wanneroo Times' and 'North Coast Times' Community Newspapers;
- Copies of the public notice and the draft documents publicly displayed at the City's Administration Building, Wanneroo Library, Girrawheen Library, Clarkson Library and Yanchep-Two Rocks Library;
- Copies of the public notice and the draft documents displayed on the City's website for the duration of the public comment period; and

- Letters to key stakeholders advising of the draft documents along with an invitation to attend a stakeholder information session.

A stakeholder information session was held on 5 November 2010 to provide an overview of both documents and an opportunity for stakeholders to ask any questions regarding the proposals. A number of questions and issues were raised at that session, indicating stakeholders needed more time to prepare their submissions on both draft documents. Consequently, the closure date for submissions was extended to 20 December 2010, resulting in a cumulative public comment period of 11 weeks.

A total of 13 submissions were received during the advertising period from planning consultants and landowners active in the NCGC.

Overall, LPP 3.3 was not supported by stakeholders for the following reasons:

- it was proposing a legal agreement that was not considered to be voluntary;
- it was seeking developer agreement to make future contributions without knowing the contribution amount;
- it was inconsistent with the principles of State Planning Policy 3.6 (SPP 3.6) - primarily those of need & nexus and equity - and the basic prerequisites of Development Contribution Plans as set out in SPP 3.6;
- submitters felt that the proposed legal agreement should be delayed until the full costs and apportionment details have been determined (i.e. a DCP has been prepared); and
- it was considered inequitable to combine contributions into one 'account' for application across the entire NCGC, given that the District Structure Plans (DSPs) for Alkimos Eglinton and Yanchep Two Rocks each require a development contribution to be made specific to the relevant DSP area.

It was clear from the submissions that opposition to the draft LPP 3.3 related primarily to the principles underpinning that Policy, rather than any particular provision of the Policy.

Therefore, as discussed at the Council Forum on 5 July 2011, Administration proposed to abandon LPP 3.3 in its advertised form (as contained in **Attachment 1**) and instead continue discussions with stakeholders to arrive at an interim approach to development contributions in parallel with further consultation surrounding the DCP framework itself.

Administration has invested considerable resources and effort in engaging with affected landowners over the past 12 months, to arrive at a comprehensive DCP framework that now has the support of those landowners. This consultation and collaboration has included countless discussions, communication and negotiation with landowners individually, collectively and in their two groups (Alkimos Eglinton and Yanchep Two Rocks). This has included detailed landowner workshops held on 5 November 2010, 8 April 2011, 18 July 2011, 19 July 2011 and 14 October 2011.

A summary of all submissions received and Administration's responses and recommendations to each, is provided in the Schedule of Submissions included as **Attachment 4**.

The final DCP framework is now complete and outlined below for Council's consideration.

Detail

The final DCP framework is made up of three distinct elements, as follows:

1. Development Contribution Plans;
2. Amendment to District Planning Scheme No. 2 (DPS 2);

3. An interim approach to development contributions, as set out in a revised LPP 3.3

Each of these three elements is discussed in detail below.

1. Development Contribution Plans

As discussed at the Council Forum on 5 July 2011, separate DCPs are proposed to be prepared for Alkimos Eglinton and Yanchep Two Rocks, each with a similar framework.

Details of the proposed DCPs are outlined below, based on the requirements of SPP 3.6, with further supporting information detailed in the Development Contribution Plan Report included at **Attachment 6**.

Development Contribution Area (DCA)

Two distinct contribution areas have been identified within the NCGC:

- Alkimos Eglinton DCA; and
- Yanchep Two Rocks DCA.

These development contribution areas reflect the boundaries of the District Structure Plans for Alkimos Eglinton and Yanchep Two Rocks and contain all land within the NCGC that is capable of being developed with residential dwellings.

Period of operation

The following timeframes are proposed to apply for each of the DCPs from the date of gazettal of Amendment No. 122 to District Planning Scheme No. 2 (DPS 2):

- Alkimos Eglinton DCP - 20 years;
- Yanchep Two Rocks DCP - 20 years

These timeframes represent the maximum period that could reasonably be applied, whilst still maintaining a nexus between the contributing lots and the facilities to be delivered. Build out for both DCAs is projected to occur beyond the proposed 20 year timeframe. Subsequent DCPs will therefore be required for both DCAs to enable the collection of contributions for facilities required beyond the period of the initial DCPs.

Facilities and administrative costs to be funded through the plan

SPP 3.6 only allows the collection of contributions towards the costs of land acquisition, facility construction and administration of the DCP. Both proposed DCPs accord with these requirements, as discussed below.

Facility Costs

SPP 3.6 states that only facilities identified in the local government's CFP may be included in the DCP. Accordingly, the list of facilities proposed to be funded through the DCPs is consistent with the NCGC CFP, which has been advertised for public comment and is being presented for final approval as the subject of a separate report to Council. In this regard it is worth noting that while the CFP identifies all the community facilities likely to be required for the NCGC to full build-out, not all of those facilities are proposed to be funded through the DCPs.

For Alkimos Eglinton, a total of six (6) district facilities are proposed within the initial 20 year period of that DCP, at a total cost of \$47.5 million (based on 2011 costs). This equates to approximately \$63,206 per hectare or \$3,392 per lot.

For Yanchep Two Rocks, a total of eight (8) district facilities are proposed within the first 20 year period of that DCP, at a total cost of \$53.5 million. This equates to approximately \$57,418 per hectare or \$2,362 per lot.

The facility costs mentioned above have been determined by qualified quantity surveyors.

Land Costs

Englobo land values for Alkimos Eglinton and Yanchep Two Rocks have been determined separately by independent qualified valuers and applied to facilities where the acquisition of land is the only mechanism of securing the land for the facility. Facilities that are generally located within regional recreation reserves, foreshore reserves or public open space do not incorporate land costs in the estimate, as that land will need to be given up free of cost by the developer through the normal subdivision approval process.

The only exception to this approach is the District Public Open Space proposed for the Yanchep Metropolitan Centre which has been the subject of negotiation between the City and the developer regarding its early provision. The DCPs do not universally propose to include land costs for public open space as there is considered sufficient capacity within the statutory 10% public open space (POS) given up through subdivision to meet the land requirement for these facilities.

However, in the case of the Yanchep District Open Space, negotiations with the developer have required the land to be acquired ahead of when it might otherwise be provided through the normal subdivision process and it is therefore proposed that land costs be included in the DCP for this public open space only. Should it be determined as part of future reviews of the DCP that the land for other POS sites cannot be secured through the normal subdivision process, then costs for land acquisition can be included in the cost estimate for additional POS facilities at that stage.

Administrative Costs

Administrative costs to be funded through the DCP include those costs involved in the preparation, administration and review of the DCP, any arbitration and valuation costs incurred with respect to the DCP and any advice and representation costs including legal, accounting, planning, engineering or other professional advice and representation.

Full detail of administrative items to be included in the Development Contribution Plan cannot yet be confirmed, but will be finalised following gazettal of the DCP as part of the final endorsement of the cost apportionment schedule.

Priority and timing for the provision of facilities

The priority and timing for the delivery of community facilities in the DCPs accords with that outlined in the CFP and DCP Report.

The methodology for determining cost contributions

The DCPs only propose to include land capable of being developed for residential dwellings at urban densities in the DCAs. Land zoned 'rural' and 'rural residential' is excluded from the DCPs.

Both DCPs propose to utilise the *Per Hectare* model of calculating development contributions, which is based on the total area of developable land subject to a subdivision application, rather than the number of lots or dwellings proposed to be created as a result of that subdivision.

The cost per hectare is calculated by dividing the total cost of the facilities to be funded through the DCP by the total area of developable land (i.e. gross land area minus statutory and non-statutory deductions) projected to be contributing to those facilities in each DCA.

The DCPs propose that 100% of the cost of delivering the necessary facilities be met by future growth in recognition of the fact that the need for the new facilities arises directly as a result of residential growth in the NCGC.

2. Amendment to District Planning Scheme No. 2 (DPS 2)

DCPs do not have effect until they are incorporated into a local planning scheme. Administration is therefore proposing to amend DPS 2 to incorporate the proposed DCPs.

The proposed amendment to DPS 2 comprises the following:

- (i) Modifications to Clause 5.5.1 to introduce two new special control areas relating to the Alkimos Eglinton and Yanchep Two Rocks Development Contribution Areas;
- (ii) Modifications to "Schedule 16 - Special Control Areas" to introduce two new special control areas relating to the Alkimos Eglinton and Yanchep Two Rocks Development Contribution Areas
- (iii) Introducing three new Schedules under the Scheme pertaining to:
 - a. text provisions relating to the operation of the new DCPs;
 - b. Alkimos Eglinton DCP; and
 - c. Yanchep Two Rocks DCP.
- (iv) Amendments to the Scheme Map in accordance with the above (see **Attachment 7**).

3. Interim approach to development contributions / Revised LPP 3.3

The issue of how contributions are to be addressed during the period until gazettal of the DCP has been the subject of considerable discussion between Administration and landowners since LPP 3.3 was first advertised for public comment.

The payment of voluntary contributions based on agreed contribution amounts has been agreed between landowners as being the most appropriate means of addressing the issue. To this end, the following interim contribution amounts were agreed by landowners as being appropriate:

- Alkimos Eglinton - \$2,000 per lot
- Yanchep Two Rocks - \$1,750 per lot

Administration supports the payment of the interim contributions mentioned above, and it is proposed to implement this interim approach through the application of a revised and simplified LPP 3.3 that eliminates the need for a legal agreement approach as originally proposed, and instead simply outlines the subdivision condition to be recommended to the Western Australian Planning Commission (WAPC) for imposition on all subdivision applications within the NCGC, and the applicable interim cost contribution to be paid to the City by each developer, in order to satisfy that condition.

A 'tracked changes' version of LPP 3.3 showing the changes made between the original advertised version of the policy and the revised proposal is included as **Attachment 2**. These changes respond to comments raised in the submissions received during public advertising (refer **Attachment 4**) and subsequent discussions with landowners on the matter of interim contributions.

Comment

1. Development Contribution Plans

Stakeholder Support

Whilst landowner agreement has been reached on most aspects of the proposed DCP, some elements elicited differing views, depending on the individual circumstances of each landowner.

The two elements that do not have the full support of all landowners are the DCP timeframes and the proposal for cost contributions to pay for 100% of the cost of delivering the facilities. These two elements are discussed below.

- *DCP timeframe*

Various timeframe options have been explored for the DCPs as follows:

1. A fixed timeframe through to full build-out (i.e. AE = 30yrs, YTR = 50yrs);
This option ensures that contributions are collected from all landowners for all facilities, but has a weaker nexus between contributing landowners and the facilities to be delivered. Some landowners did not support an approach where they would potentially be required to contribute now for a facility that will not be delivered for another 20, 30 or 40 years.
2. Shorter fixed timeframes (i.e. AE = 20yrs, YTR = 20 yrs);
This option provides a stronger nexus than option 1, but contributions will only be collected for the facilities proposed to be delivered within the timeframe of each DCP. Subsequent DCPs (post the initial 20 year time horizon) will therefore be required and they will likely have higher contribution rates than the initial DCPs.
3. A rolling 10 year DCP timeframe;
This option provides the strongest nexus between collection of contributions and facility provision and was supported by most landowners. However this option would result in a fluctuating contribution rate from year to year that would create ongoing inequity and uncertainty in terms of cost impacts, and would also be the most difficult option to administer.

Graphs comparing the implications of each option on the development contribution amount, are included at **Attachment 5**.

Option 1 was initially the City's preferred option, however discussions with the Department of Planning on the matter indicated that long timeframes are not likely to be supported by the WAPC. The maximum timeframe considered acceptable by the Commission to date is 20 years. In light of this advice, Administration has prepared the final DCP framework based on Option 2, with the initial DCPs proposed to operate for a period of 20 years.

- *Cost contributions based on 100% of the cost of delivering the facilities*

Some landowners argued that the DCP should recognise future grants that would be applicable to the delivery of facilities as well as potential savings resulting from co-location of facilities. It was felt that if 100% of the cost of those facilities was developer funded, then there would be no impetus on the City to seek offset grant funding.

Administration is of the firm view that it is premature to recognise (and therefore attempt to rely on) additional funding sources provided at the discretion of state and federal governments, when there is no guarantee that funding would even be available or approved, the location and design of each facility is still purely conceptual, and there is a significant amount of planning still to be done before the actual design and location (and potential co-location) of the facilities can be confirmed.

To include an assumed grant or saving in the DCP at this stage of the process would impose a substantial, unnecessary and avoidable risk on Council having to meet any future shortfall of costs resulting from a future variance from the assumed cost model. To illustrate this risk, it is noted that Commonwealth grant funding often varies between election cycles and is influenced by the ruling political party, whilst at State level there is rarely any certainty regarding the likeliness of attracting funding under the Community Sporting and Recreation Facilities Fund, particularly as the State Government typically receives considerably more requests for assistance under that Fund than can be met from the funds available. Therefore, the preferred approach is to assume no savings or additional funding sources from the outset, and instead include any future grant funding or cost savings in the ongoing review of the DCPs.

To address the prospect of the City applying for future grants, it is proposed to include text within the scheme amendment to permit the establishment of a consultative committee for each of the DCAs comprising of landowners, City Administration, Elected Members and any other stakeholders considered appropriate by Council. The committee would make recommendations to Council in relation to the timing and arrangements of DCP works and could also identify and pursue additional funding sources, as a means of reducing development contribution amounts or increasing facility specifications.

Costs

Administration has been mindful of the need to contain the unit costs imposed on developers, as those costs will inevitably be passed on to future purchasers of the lots produced during the DCPs operation. The cost contribution amounts have therefore contained as much as possible to ensure the DCPs have as little impact as possible on housing affordability in the NCGC.

The original cost estimate to implement the CFP presented to the Council Forum on 5 July 2011, whilst not unreasonable, was considered by stakeholders to be too high to be acceptable. Administration has therefore worked with stakeholders to minimise costs by amending the cost estimates and reducing the number of facilities to be funded through the DCPs, as outlined below:

- Amend the cost estimate;

Administration sought feedback from all stakeholders on the facility models and associated cost report. Stakeholder comments resulted in the removal of cost allowances for public art and fitout of the facilities from the cost estimate. The removal of these allowances was primarily in the interest of minimising costs and, as such, Council may be required to fund these elements in future, at the time of construction of each facility, as is ordinarily and already the case.

- Reduce the number of facilities in the DCP;

A key strategy discussed with stakeholders to reduce the cost contribution was to remove regional facilities from the DCP. The regional facilities proposed in the CFP made up the majority of the overall cost, making it a key factor in the initial cost contribution figures being unacceptable to stakeholders. Removing the regional facilities from the DCP significantly reduced the cost contribution figures and addressed other concerns within the stakeholder group related to nexus and catchment that were proving difficult to resolve.

The removal of regional facilities is considered acceptable by Administration for the following reasons:

- (i) The removal of these facilities from the DCP significantly reduces the cost contribution amounts to what is more likely to be approved by the WAPC;
- (ii) The provision of district level facilities, whilst not a substitute for the timely and strategic delivery of higher-level regional facilities, could be done in a way that would facilitate a future upgrade to regional status, providing that the location of the facility and the land area upon which it is situated, are suitable for accommodating such a transition in status; and
- (iii) Regional facilities are more likely to be the subject of targeted grant applications and alternate funding sources, as is current practice.

The provision of these regional facilities will need to be progressed in accordance with the methodology used for the provision of all other facilities not subject to contribution arrangements. Hence, unless alternative funding sources can be secured for the provision of regional facilities, those facilities will either not be provided by the City or will need to be funded by Council at considerable expense.

2. Amendment to District Planning Scheme No. 2 (DPS 2)

Scheme amendments to incorporate DCPs must ensure that the DCAs are shown on the Scheme Map as well as identified in the Scheme Text. To this end, SPP 3.6 contains model scheme text provisions to facilitate the implementation of development contributions.

The proposed amendment to DPS 2 has been prepared generally in accordance with SPP 3.6, but modified slightly to reflect the structure of DPS 2. It shows the DCAs on the Scheme Map as two new Special Control Areas (SCAs), with the model scheme text from SPP 3.6 and the DCPs inserted into three new schedules of DPS 2.

The facility costs, estimates, timing and apportionment schedule (as included in the Development Contribution Plan Report) are not incorporated into the Scheme but are required to be advertised with the Scheme Amendment Report and must be endorsed by Council within 90 days following gazettal of the DCP. The costs and apportionment schedule are then to be reviewed annually and subsequently endorsed by Council outside of the scheme amendment process. This avoids the need to amend the Scheme whenever costs are reviewed or the timing of facility delivery updated.

3. Interim approach to development contributions / Revised LPP 3.3

The proposed interim approach to contributions is seen as the best way of ensuring that developers in the NCGC seeking approval of subdivisions prior to the gazettal of the DCP are not excused from making a contribution towards the provision of these facilities.

The figures agreed between landowners and Administration as being appropriate represent an amount less than the figures proposed to be implemented through the DCP. This is in recognition of the fact that this is a voluntary payment and there is presently no legal requirement for the landowners to make such a payment.

It is not proposed to reconcile any difference between the interim cost contributions paid and the final cost contribution on gazettal of the DCP, because the amount of land likely to be developed ahead of gazettal of the DCPs, and therefore attract an interim contribution payment, will be insignificant relative to the amount of developable land remaining in the NCGC that will be available to collect contributions from towards community facilities.

The changes made to LPP 3.3 to facilitate this interim arrangement are in direct response to comments made during advertising and subsequent consultation with affected stakeholders. It is therefore considered appropriate to adopt the revised LPP 3.3 (as contained in **Attachment 3**) in accordance with sub-clause 8.11.3.1 (c) of DPS 2, without the need for additional public advertising.

Statutory Compliance

Development Contribution Plans must generally accord with the provisions of SPP 3.6: Development Contributions for Infrastructure. The proposed scheme amendment to incorporate the DCPs will follow the statutory process outlined in the Planning and Development Act 2005.

It is proposed to adopt LPP 3.3 in accordance with sub-clause 8.11.3.1 (c) of DPS 2.

Strategic Implications

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

"2 Social

2.2 Improve the City's identity and community well-being through arts, culture, leisure and recreation"

"3 Economic

3.3 Provision of timely and coordinated regional infrastructure"

"4 Governance

4.4 Maintain long-term financial stability"

Policy Implications

As part of this proposal, Draft LPP 3.3 is presented for final adoption by Council following public advertising.

Financial Implications

By implementing a contribution arrangement and collecting contributions, Council is committing to the delivery of the facilities identified in the DCP at the times specified therein, and takes on the risks associated with this, including potentially having to make up any shortfall in funding at the time of construction and/or to construct the facility at the required point in time, regardless of whether sufficient funds have been collected at that time to do so.

In any event, the administration of the DCPs will be managed closely to ensure it is 'cost-neutral' to the City, with any additional or borrowing costs incurred by Council (including interest on any new loans) being recouped through future ongoing reviews of the DCPs.

Contributions are required to be deposited into a reserve account until they are required, and may only be used for the purposes outlined in the DCP. Surplus funds at the end of the life of the DCP must be either returned to those developers that paid the funds or, where that is not possible, used to fund the provision of additional facilities or improvements in the relevant development contribution area.

It should also be noted that developer contributions collected under this proposed arrangement will be used to fund the acquisition of land (where necessary) and construction of new community facilities, and not for operating costs associated with the City's running of these facilities. As such, those operating costs will need to be factored into the City's 10 year financial plan and relevant annual budgets in future.

Voting Requirements

Simple Majority

Recommendation

That Council:

1. **NOTES the Summary of Submissions received in respect of draft Local Planning Policy 3.3: Northern Coastal Growth Corridor Development Contributions and ENDORSES Administration's responses to and recommendations on those submissions, as included in Attachment 4;**
2. **Pursuant to Clause 8.11.3.1 (c) of District Planning Scheme No. 2 ADOPTS Local Planning Policy 3.3: Northern Coastal Growth Corridor Development Contributions included in Attachment 3;**
3. **Pursuant to Clauses 8.11.3.1 (d) and (e) of District Planning Scheme No. 2 PUBLISHES notice of its adoption of Local Planning Policy 3.3: Northern Coastal Growth Corridor Development Contributions in the Wanneroo Times and North Coast Times Community newspapers, FORWARDS a copy of the adopted Policy to the Western Australia Planning Commission for its information, and ADVISES submitters of Council's decision;**
4. **Pursuant to Section 75 of the Planning and Development Act 2005 ADOPTS Amendment No. 122 to District Planning Scheme No. 2 for the purpose of:**
 - (i) **Inserting a new subclause 5.5.1 (b) as follows:**

“(b) Alkimos Eglinton Special Control Area, and marked as SCA (b) on the Scheme Map.”
 - (ii) **Inserting a new subclause 5.5.1 (c) as follows:**

“(c) Yanchep Two Rocks Special Control Area, and marked as SCA (c) on the Scheme Map.”

- (iii) Inserting two new areas into Schedule 16 “Special Control Areas”, as follows:

SPECIAL CONTROL AREA	SPECIAL PROVISIONS
SCA (b) Alkimos / Eglinton	1. Subdivision within this Special Control Area is subject to the provisions set out in Schedules 18 and 19 of the Scheme.
SCA (c) Yanchep / Two Rocks	1. Subdivision within this Special Control Area is subject to the provisions set out in Schedules 18 and 20 of the Scheme.

- (iv) Inserting a new Schedule 18 “Development Contribution Areas” as follows:

1.0 Interpretation

In Schedule 18, unless the context otherwise requires—

‘Administrative costs’ means such costs as are reasonably incurred for the preparation and (with respect to standard infrastructure items) implementation of the development contribution plan.

‘Administrative items’ means the administrative matters required to be carried out by or on behalf of the local government in order to prepare and (with respect to standard infrastructure items) implement the development contribution plan, including legal, accounting, planning, engineering, and other professional advice.

‘Cost apportionment schedule’ means a schedule prepared and distributed in accordance with Clause 10.0.

‘Cost contribution’ means the contribution to the cost of infrastructure and administrative costs.

‘Development contribution area’ means the area shown on the scheme map as SCA (b) and SCA (c) and included in Schedules 19 and 20.

‘Development contribution plan’ means a development contribution plan prepared in accordance with the provisions of *State Planning Policy 3.6 Development Contributions for Infrastructure* and the provisions of this Schedule 18 of the scheme (as incorporated in Schedule 19 and 20 to this scheme).

‘Development contribution plan report’ means a report prepared and distributed in accordance with clause 10.0.

'Infrastructure' means the standard infrastructure items (services and facilities set out in Appendix 1 of *State Planning Policy 3.6 Development Contributions for Infrastructure*) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of *State Planning Policy 3.6 Development Contributions for Infrastructure*.

'Infrastructure costs' means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

'Local government' means the local government or local governments in which the development contribution area is located or through which the services and facilities are provided.

'Owner' means an owner of land that is located within a development contribution area.

2.0 Purpose

The purpose of having development contribution areas is to:

- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
- (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- (c) coordinate the timely provision of Infrastructure.

3.0 Development contribution plan required

A development contribution plan is required to be prepared for each development contribution area.

4.0 Development contribution plan part of scheme

The development contribution plans are incorporated in Schedules 19 and 20 as part of this scheme.

5.0 Subdivision, strata subdivision and development

The local government shall not withhold its support for subdivision, strata subdivision or refuse to approve a development solely for the reason that a development contribution plan is not in effect, there is no approval to advertise a development contribution plan, or that there is no other arrangement with respect to an owner's contribution towards the provision of community infrastructure.

6.0 Guiding principles for development contribution plans

The development contribution plan for any development contribution area is to be prepared in accordance with the following principles:

- (a) **Need and the nexus**
The need for the infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).
- (b) **Transparency**
Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.
- (c) **Equity**
Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.
- (d) **Certainty**
All development contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.
- (e) **Efficiency**
Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.
- (f) **Consistency**
Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent.
- (g) **Right of consultation and review**
Owners have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.
- (h) **Accountable**
There must be accountability in the manner in which development contributions are determined and expended.

7.0 Recommended content of development contribution plans

7.1 The development contribution plan is to specify—

- (a) the development contribution area to which the development contribution plan applies;
- (b) the infrastructure and administrative items to be funded through the development contribution plan;
- (c) the method of determining the cost contribution of each owner; and
- (d) the priority and timing for the provision of infrastructure.

8.0 Period of development contribution plan

A development contribution plan shall specify the period during which it is to operate.

9.0 Land excluded

In calculating both the area of an owner's land and the total area of land in a development contribution area, the area of land provided in that development contribution area for:

- (a) roads designated under the Metropolitan Region Scheme as primary regional roads and other regional roads;
- (b) existing public open space;
- (c) existing government primary and secondary schools; and
- (d) such other land as is set out in the development contribution plan;

is to be excluded.

10.0 Development contribution plan report and cost apportionment schedule

10.1 Within 90 days of the development contribution plan coming into effect, the local government is to adopt and make available a development contribution plan report and cost apportionment schedule to all owners in the development contribution area.

10.2 The development contribution plan report and the cost apportionment schedule shall set out in detail the calculation of the cost contribution for each owner in the development contribution area, based on the methodology provided in the development contribution plan, and shall take into account any proposed staging of the development.

10.3 The development contribution plan report and the cost apportionment schedule do not form part of the scheme, but once adopted by the local government they are subject to review as provided under clause 11.0.

11.0 Cost contributions based on estimates

11.1 The determination of Infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary.

11.2 Where a cost apportionment schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government—

- (a) in the case of land to be acquired, in accordance with clause 12.0; and
- (b) in all other cases, in accordance with the best and latest information available to the local government, until the expenditure on the relevant item of infrastructure or administrative costs has occurred.

- 11.3 The local government is to have such estimated costs independently certified by appropriate qualified persons and must provide such independent certification to an owner when requested to do so.
- 11.4 Where any cost contribution has been calculated on the basis of an estimated cost, the local government—
- (a) is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and
 - (b) may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.
- 11.5 Where an owner's cost contribution is adjusted under clause 11.4, the local government, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.
- 11.6 If an owner objects to the amount of a cost contribution, the owner may give notice to the local government requesting a review of the amount of the cost contribution by an appropriate qualified person ('independent expert') agreed by the local government and the owner at the owner's expense, within 28 days after being informed of the cost contribution.
- 11.7 If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined—
- (a) by any method agreed between the local government and the owner; or
 - (b) if the local government and the owner cannot agree on a method pursuant to (a) or on an independent expert, by arbitration in accordance with the Commercial Arbitration Act 1985, with the costs to be shared equally between the local government and owner.

12 Valuation

12.1 Clause 12.0 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

12.2 In clause 12.0:

'Value' means the fair market value of land, at a specified date, which is defined as the capital sum that would be negotiated in an arm's length transaction in an open and unrestricted market, assuming the highest and best use of the land with all its potential and limitations (other than the limitation arising from the transaction for which the land is being valued), wherein the parties act knowledgeably, prudently and without compulsion to buy or sell.

The net land value is to be determined by a static feasibility valuation model, using the working sheet model outlined in Clause 20 of this Schedule. As part of that feasibility an appropriate profit and risk factor is to be determined from which a 10 per cent profit factor is to be excluded from the calculation.

'Valuer' means a licensed valuer agreed by the local government and the owner, or, where the local government and the owner are unable to reach agreement, by a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

- 12.3** If an owner objects to a valuation made by the valuer, the owner may give notice to the local government requesting a review of the amount of the value, at the owner's expense, within 28 days after being informed of the value.
- 12.4** If, following a review, the valuer's determination of the value of the land is still not a figure acceptable to the owner, the value is to be determined—
- (a)** by any method agreed between the local government and the owner; or
 - (b)** if the local government and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the Planning and Development Act 2005.

13.0 Liability for cost contributions

- 13.1** An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of Schedule 18.
- 13.2** An owner's liability to pay the owner's cost contribution to the local government arises on the earlier of—
- (a)** the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;
 - (b)** the commencement of any development on the owner's land within the development contribution area;
 - (c)** the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area; or
 - (d)** the approval of a change or extension of use by the local government on the owner's land within the development contribution area.

The liability arises only once upon the earliest of the above listed events.

- 13.3** Notwithstanding clause 13.2, an owner's liability to pay the owner's cost contribution does not arise if the owner commences development of the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided or strata subdivided since the coming into effect of the development contribution plan.
- 13.4** Where a development contribution plan expires in accordance with clause 8.0, an owner's liability to pay the owner's cost contribution under that development contribution plan shall be deemed to continue in effect and be carried over into any subsequent development contribution plan which includes the owner's land, subject to such liability.

14.0 Payment of cost contribution

14.1 The owner, with the agreement of the local government, is to pay the owner's cost contribution by:

- (a) cheque or cash;**
- (b) transferring to the local government or a public authority land in satisfaction of the cost contribution;**
- (c) the provision of physical infrastructure;**
- (d) some other method acceptable to the local government; or**
- (e) any combination of these methods.**

14.2 The owner, with the agreement of the local government, may pay the owner's cost contribution in a lump sum, by instalments or in such other manner acceptable to the local government.

14.3 Payment by an owner of the cost contribution, including a cost contribution based upon estimated costs in a manner acceptable to the local government, constitutes full and final discharge of the owner's liability under the development contribution plan and the local government shall provide certification in writing to the owner of such discharge if requested by the owner.

15.0 Charge on land

15.1 The amount of any cost contribution for which an owner is liable under clause 13.0, but has not paid, is a charge on the owner's land to which the cost contribution relates, and the local government may lodge a caveat, at the owner's expense, against the owner's certificate of title to that land.

15.2 The local government, at the owner's expense and subject to other conditions as the local government thinks fit, can withdraw a caveat lodged under clause 15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

15.3 If the cost contribution is paid in full, the local government, if requested to do so by the owner and at the expense of the owner, is to withdraw any caveat lodged under Clause 15.0.

16.0 Administration of funds

16.1 The local government is to establish and maintain a reserve account in accordance with the Local Government Act 1995 for each development contribution area into which cost contributions for that development contribution area will be credited and from which all payments for the infrastructure costs and administrative costs within that development contribution area will be paid.

The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that development contribution area.

16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 16.1 is to be applied in the development contribution area to which the reserve account relates.

16.3 The local government is to publish an audited annual statement of accounts for that development contribution area as soon as practicable after the audited annual statement of accounts becomes available.

17.0 Shortfall or excess in cost contributions

17.1 If there is a shortfall in the total of cost contributions when all cost contributions have been made or accounted for in a particular development contribution area, the local government may—

(a) make good the shortfall;

(b) enter into agreements with owners to fund the shortfall; or

(c) raise loans or borrow from a financial institution, but nothing in subclause 17.1(a) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.

17.2 If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for in a particular development contribution area, the local government is to refund the excess funds to contributing owners for that development contribution area. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied to the provision of additional facilities or improvements in that development contribution area.

18.0 Powers of the local government

The local government in implementing the development contribution plan has the power to—

(a) acquire any land or buildings within the scheme area under the provisions of the Planning and Development Act 2005; and

(b) deal with or dispose of any land which it has acquired under the provisions of the Planning and Development Act 2005 in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

19.0 Arbitration

Subject to clauses 12.3 and 12.4, any dispute between an owner and the local government in connection with the cost contribution required to be made by an owner is to be resolved by arbitration in accordance with the Commercial Arbitration Act 1985.

20.0 Statutory Static Feasibility Assessment Model***Gross realisation***

Net lot yield @ average market value per lot
 "X" lots @ "\$Y" per lot \$ (1)

Less GST @ standard / normal rates

(1) Multiplied by GST rate / (100+GST rate) \$ (2)
 (1-2) \$ (3)

Less selling, marketing, advertising & settlement fees

@ market % multiplied by (1) \$ (4)

Add back Input Tax Credit on selling fees

(4) Multiplied by GST rate / (100+GST rate) \$ (5)

(4-5) \$ (6)

Balance after selling costs etc & Input Tax Credit (3-6) \$ (7)

Less adjusted profit & risk allowance as per SPP 3.6

Market determined profit & risk allowance % (8)

Less fixed profit allowance per SPP3.6 $\frac{10\%}{\%}$ (9)

Risk rate applied (8-9) = % (10)

EXPLANATION: (10) to be expressed as a whole number eg 15% = 15

i.e. Risk = (7) multiplied by (10) / (100 + (10)) \$ (11)

Balance after profit & risk factor (7-11) \$ (12)

Less development costs @ "X" lots multiplied by "\$Z" per lot \$ (13)

Add back Input Tax Credit on (13)

(13) Multiplied by GST rate / (100+GST rate) \$ (14)

Development cost after Input Tax Credit (13-14) \$ (15)

Add interest on net development costs (15)

For 1/2 development & 1/2 selling term

@ Applicable market rates

(15) Multiplied by % rate \$ (16)

(15+16) \$ (17)

Balance after deduction of development costs & interest (12-17) \$ (18)

Less interest on land value, rates & taxes and stamp duty

Assessed over 1/2 development and 1/2 selling term

@ Applicable market rates

(18) Multiplied by % rate/(100+%rate) \$ (19)

Balance after interest on the land (18-19) \$ (20)

Less rates & taxes

Balance after rates & taxes (20-21) \$ (21)

Less Stamp Duty @ current statutory rates

(22) Multiplied by stamp duty rate / (100+stamp duty rate) \$ (23)

Residual Land Value prior to GST considerations (22-23) \$ (24)

Add GST (24) + GST at prevailing statutory rate \$ (25)

ASSESSED STATUTORY CONTRIBUTION PER SPP 3.6 (22+23) \$

The Static Feasibility Model is based upon:

- (i) The number of lots yielded from the land will have a gross sale price which, when multiplied by the number of lots created, establishes the Gross Realisation.**
- (ii) GST will be calculated by the standard/normal method.**
- (iii) Selling, marketing, advertising and settlement fees expressed as a percentage shall be added and then expressed as a total percentage against the gross realisation.**
- (iv) The adjusted risk component applied in the model is the established market profit and risk at the date of valuation less the fixed 10 per cent profit applied in SPP 3.6.**
- (v) Development costs will be established as an appropriate servicing cost per lot at the date of valuation, multiplied by the lots realised from the land.**
- (vi) Interest against the development costs will be established by the application of bank lending rates for such projects at the date of valuation.**
- (vii) Interest against the land in development will be established by the application of bank lending rates for such development acquisitions at the date of valuation.**
- (viii) Rates and taxes will be applied for the full term of acquisition, development and sale.**
- (ix) Stamp Duty will be applied at the statutory rate as applicable at the date of valuation.**
- (x) GST will be applied at the appropriate rate adopted at the date of valuation.**

21.0 Consultative Committee

Council may form a Consultative Committee for each or all of the Development Contribution Areas comprising of Landowners, representatives of Council and the Western Australian Planning Commission and any other persons considered appropriate by Council to make recommendations to Council in respect to timing, funding and arrangements for works undertaken in accordance with Development Contribution Plans.

- (v) Inserting a new Schedule 19 "Alkimos Eglinton Development Contributions Plan" as follows:**

Reference No.	SCHEDULE 19 Alkimos Eglinton Development Contributions Plan – Community Facilities.
Area Name:	Alkimos Eglinton Development Contribution Area; identified as SCA (b) on the Scheme Map.
Relationship to other planning instruments:	The development contribution plan generally conforms to the <i>Alkimos Eglinton District Structure Plan</i>, the <i>Northern Coastal Growth Corridor Community Facilities Plan</i> and the <i>City of Wanneroo 10-Year Strategic Financial Management Plan</i>.
Infrastructure and administrative items to be funded:	<p><u>District Facilities</u></p> <ul style="list-style-type: none"> • Surf Life Saving Club, Alkimos South Coastal Village; • Public Open Space (Active), Alkimos East; • Multipurpose Hard Courts, Alkimos East; • Library, Alkimos Secondary Centre; • Community Centre, Alkimos Secondary Centre; • Indoor Recreation Centre, Alkimos Secondary Centre. <p><u>Administrative Costs</u></p> <ul style="list-style-type: none"> • Costs to prepare and administer the plan during the period of operation; • Costs to prepare and review estimates; • Costs to prepare the cost apportionment schedule; • Valuation costs; and • Costs to service loans established by Council to fund early provision of facilities.
Method for calculating contributions:	<p>The Council’s Northern Coastal Growth Corridor Community Facilities Plan Report identifies the needs that impact on the Development Contribution Plan. The contributions outlined in the Development Contribution Plan Report have been based on the need for facilities generated by additional development in the development contribution area. This calculation excludes the:</p> <ul style="list-style-type: none"> • demand for a facility that is generated by the current population; • demand created by external usage - the proportion of use drawn from outside of the main catchment area; and • future usage - the proportion of usage that will be generated by future development outside of the development contribution plan timeframe. <p>The methodology for determining contributions is in accordance with the following formula:</p> <ul style="list-style-type: none"> • $CPH = TC / NCA$ • $CC = CPH \times GSA$ <p>Where: CPH = Cost per hectare (\$/ha) TC = Total cost of delivering community facilities (\$) NCA = Net contributing area (ha) CC = Cost Contribution Amount (\$) GSA= Gross area of proposed subdivision (ha)</p>

Period of operation:	20 years from the date of gazettal.
Priority and timing:	In accordance with the Development Contribution Plan Report and the Northern Coastal Growth Corridor Community Facilities Plan.
Review process:	Given the rapid rate of development expected in the area, the population projections, facility requirements, and estimated infrastructure costs (as shown in the Northern Coastal Growth Corridor Community Facilities Plan) will be reviewed at least annually to reflect changes in funding and revenue sources. Costs will be indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs referred to in Clause 11.3 of Schedule 18 of the Scheme.

(vi) Inserting a new Schedule 20 “Yanchep Two Rocks Development Contributions Plan” as follows:

Reference No.	SCHEDULE 20 Yanchep Two Rocks Development Contributions Plan – Community Facilities
Area Name:	Yanchep Two Rocks Development Contribution Area; identified as SCA (b) on the Scheme (Amendment) Map.
Relationship to other planning instruments:	The development contribution plan generally conforms to the <i>Yanchep Two Rocks District Structure Plan</i>, the <i>Northern Coastal Growth Corridor Community Facilities Plan</i> and the <i>City of Wanneroo 10-Year Strategic Financial Management Plan</i>.
Infrastructure and administrative items to be funded:	<p><u>District Facilities</u></p> <ul style="list-style-type: none"> • Surf Life Saving Club, Yanchep Lagoon; • Multipurpose Hard Courts, Yanchep DSP Centre ‘C’; • Community Centre, Yanchep DSP Centre ‘C’; • Coastal Node Facilities, Capricorn Coastal Node; • Public Open Space (Active), Yanchep Metropolitan Centre; • Coastal Node Facilities, Yanchep DSP Centre ‘K’; • Library, Yanchep DSP Centre ‘K’; • Community Centre, Yanchep DSP Centre ‘K’; <p><u>Administrative Costs</u></p> <ul style="list-style-type: none"> • Costs to prepare and administer the plan during the period of operation; • Costs to prepare and review estimates; • Costs to prepare the cost apportionment schedule; • Valuation costs; and • Costs to service loans established by Council to fund early provision of facilities.
Method for calculating contributions:	The Council’s Northern Coastal Growth Corridor Community Facilities Plan identifies the needs that impact on the Development Contribution Plan. The contributions outlined in the Development Contribution Plan have been based on the need for facilities generated by additional development in the development contribution area. This calculation

	<p>excludes the:</p> <ul style="list-style-type: none"> • demand for a facility that is generated by the current population; • demand created by external usage - the proportion of use drawn from outside of the main catchment area; and • future usage - the proportion of usage that will be generated by future development outside of the development contribution plan timeframe. <p>The methodology for determining contributions is in accordance with the following formula:</p> <ul style="list-style-type: none"> • $CPH = TC / NCA$ • $CC = CPH \times GSA$ <p>Where: CPH = Cost per hectare (\$/ha) TC = Total cost of delivering community facilities (\$) NCA = Net contributing area (ha) CC = Cost Contribution Amount (\$) GSA = Gross area of proposed subdivision (ha)</p>
Period of operation:	20 years from the date of gazettal.
Priority and timing:	In accordance with the Development Contribution Plan Report and the Northern Coastal Growth Corridor Community Facilities Plan.
Review process:	Given the rapid rate of development expected in the area, the population projections, facility requirements, and estimated infrastructure costs (as shown in the Northern Coastal Growth Corridor Community Facilities Plan) will be reviewed at least annually to reflect changes in funding and revenue sources. Costs will be indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs referred to in Clause 11.3 of Schedule 18 of the Scheme.

(vii) Amending the Scheme Map to apply the Special Control Areas as shown on the Scheme (Amendment) Map contained in Attachment 7.

5. REFERS Amendment No. 122 to District Planning Scheme No. 2 to the Environmental Protection Authority (EPA) for comment pursuant to Section 81 of the Planning and Development Act 2005; and should the EPA advise that the amendment does not require assessment, ADVERTISES the amendment for public comment for a period of 42 days, pursuant to Regulation 25(2) of the Town Planning Regulations 1967; and
6. FORWARDS a copy of Amendment No. 122 to District Planning Scheme No. 2 to the Western Australian Planning Commission.

Attachments:

- | | | |
|--|-----------|---------|
| 1. Attachment 1 - DRAFT Local Planning Policy 3.3 | 11/126847 | |
| 2. Attachment 2 - Revised LPP 3.3 w/ Tracked Changes | 11/126848 | |
| 3. Attachment 3 - Final LPP 3.3 Northern Coastal Growth Corridor Development Contributions | 11/126850 | Minuted |
| 4. Attachment 4 - Summary of Submissions LPP 3.3 | 11/127041 | Minuted |
| 5. Attachment 5 - 10yr vs Fixed Window Comparison | 11/127447 | |
| 6. Attachment 6 - Development Contribution Plan Report | 11/127806 | |
| 7. Attachment 7 - Scheme (Amendment) Map | 11/128675 | Minuted |

AUTHORISATION	Adopted [insert date of adoption]
REVIEW	Next scheduled review 201X.

Part 1

POLICY OPERATION

Policy Development

This Policy has been prepared under the provisions of Section 8.11 of the City of Wanneroo District Planning Scheme No. 2.

Application and Purpose

This Policy applies to all land within the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plan areas (collectively known as the "Northern Coastal Growth Corridor").

Both the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plans include provision for a Development Contributions Plan (DCP) to be implemented to ensure the timely delivery of necessary infrastructure and facilities as follows:

- Alkimos Eglinton (Part 1, Section 7.10, Strategy 1)
"LSPs to demonstrate how funding arrangements, including the endorsed Alkimos Eglinton Developer Contribution Plan, are to be implemented, in order to provide for the efficient and equitable delivery of infrastructure and services."
- Yanchep Two Rocks (Part 1, Section 7.10, Strategy 4)
"LSP's shall demonstrate how funding arrangements, including the agreed Yanchep – Two Rocks Developer Contribution Plan, are to be implemented in order to provide for the efficient and equitable delivery of infrastructure and services. "

At the time of preparing this Policy, a DCP for the District Structure Plan areas has not been finalised and therefore the quantum of costs for the provision of common infrastructure is not yet known. Consequently, the method for apportionment of costs between developing landowners and the individual cost contributions has not yet been determined.

The purpose of this Policy is to provide an interim arrangement to facilitate developer contributions towards common infrastructure for any application for

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Development Contributions**



subdivision of land within the area covered by this Policy, until such time as a DCP comes into effect.

Objective

To provide a framework for the efficient, equitable and timely provision of common infrastructure and facilities within the northern growth corridor.

Draft

Part 2

GENERAL POLICY PROVISIONS

1. Subject Area

- 1.1. This Policy applies to the entire City of Wanneroo northern coastal growth corridor, comprising the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plans, as depicted in Schedule 1.
- 1.2. The Policy applies to the combined area of the two DSP areas in its entirety and not separately to each of the DSP areas.

2. Implementation

- 2.1. When providing a response to the Western Australian Planning Commission on applications for subdivision of land within the Policy area, the City shall recommend that the following condition be imposed:

"The subdivider entering into a legal agreement with the City of Wanneroo for payment of development contributions in accordance with the Alkimos/Eglinton Yanchep/Two Rocks [DELETE WHICHEVER IS INAPPLICABLE] District Structure Plan"

- 2.2. The City will only accept fulfilment of the above condition on the proponent entering into the standard legal agreement included as Schedule 2 to this Policy.
- 2.3. All costs associated with execution of the legal agreement required to satisfy the above-mentioned subdivision condition shall be met by the proponent.

3. Review

- 3.1. This Policy will be reviewed (for the purpose of its provisions being superseded) once the DCP for the Policy area has come into effect; or by 30 June 2011, whichever occurs first.

Definitions

Development Contribution Plan means the arrangement that is proposed to be established for the equitable apportionment of costs within the Policy area.

Common Infrastructure means the standard infrastructure items and community facilities as set out in *State Planning Policy 3.6 – Development Contributions for Infrastructure (SPP 3.6)* and includes recreational facilities, community centres, child care and after school centres, libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be required within the Policy area.

Conditions – means the conditions imposed by the WAPC on its Subdivision Approval.

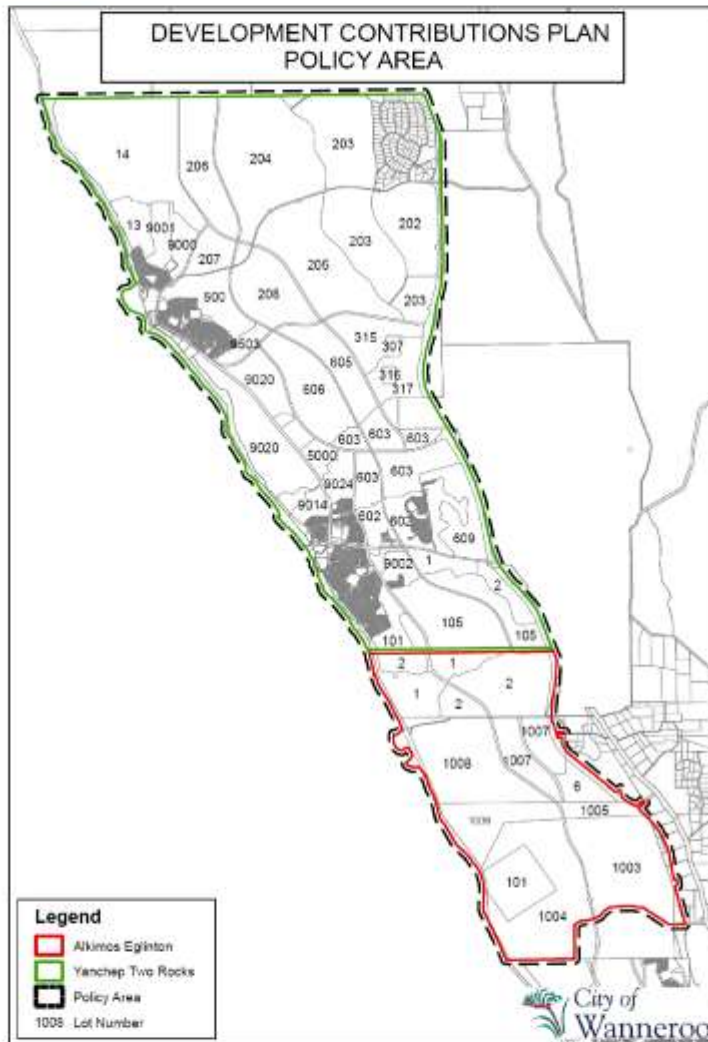
Costs – means the costs associated with providing the common infrastructure required within the Policy area and includes administrative costs and infrastructure costs, as defined by SPP 3.6.

Cost Contributions – means the Developer's proportionate contribution to the costs of infrastructure and administrative costs.

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Development Contributions



Schedule 1
POLICY MAP



Schedule 2
STANDARD LEGAL AGREEMENT

THIS DEED is made this [insert date] day of [insert month] 20[insert year].

BETWEEN:

[Insert company name, ACN number, company address
and company state] ("Owner"))
)

AND

CITY OF WANNEROO of Locked Bag 1, Wanneroo in the)
said State ("City"))

RECITALS:

A. The Owner is registered as the proprietor of an estate in fee simple of land being:

- (a) Lot [insert lot number] on Deposited Plan [insert deposited plan number] and being the whole of the land comprised in Certificate of Title Volume [insert certificate of title volume number] Folio [insert certificate of title folio number]; and
- (b) Lot [insert lot number] on Deposited Plan [insert deposited plan number] and being the whole of the land comprised in Certificate of Title Volume [insert certificate of title volume number] Folio [insert certificate of title folio number].

("Land")

- B. The Land is situated within an area that is subject to the provisions of the [insert structure plan name] District Structure Plan (“**Structure Plan**”).
- C. The Owner wishes to carry out a staged subdivision of the Land.
- D. The Owner has lodged with the WAPC an application for the subdivision of the Land under Application [insert application number] to create the lots as comprised in Deposited Plans [insert deposited plan number/s] as part of stage [insert stage number] of the subdivision of the Land (“**Stage [insert stage number]**”), which application was approved on [insert application approval date] subject to conditions including the following (“**Approval**”):
- [Insert applicable subdivision condition]
- (“**Condition [insert condition number]**”)
- E. The Structure Plan does not as at the date of this deed include any mechanism which would enable the City to determine the amount of any contribution to common infrastructure for the Structure Plan Area referred to in Condition [insert condition number] of the Approval payable by each owner within the area of the Structure Plan (“**Costs**”).
- F. It is agreed by the City and the Owner that the Cost Contribution payable by the Owner under the Structure Plan shall be payable as soon as the Cost Contribution for each of the owners within the Structure Plan area is determined and the City issues a letter of request for the Cost Contribution to the Owner for payment.

- G. As the Cost Contribution for the Land is yet to be finalised, the City has agreed to provide clearance in respect of Condition [insert condition number] subject to the Owner entering into a deed with the City agreeing:
- (a) to pay the Cost Contribution on finalisation of the calculation of the Cost Contribution in accordance with the method for calculation and apportionment of Costs determined for the Structure Plan Area by the City in consultation with the WAPC and landowners; and
 - (b) that in the event the Cost Contribution has not been determined by 30 June 2011 the City shall be entitled to lodge an absolute caveat over the certificate of title to the Land or any balance lot created by the subdivision of the Land with the obligation to pay the Cost Contribution for the Land.
- H. The Owner has agreed to enter into this deed with the City to secure the Owner's obligation to pay the Cost Contribution which contribution shall be calculated in respect of the whole of the subdivisible area of the Land.
- I. The Owner enters into this Deed with the City to satisfy Condition [insert condition number] of the Approval and the City's requirements.

OPERATIVE PART:

I. DEFINITIONS

In this deed the following words and phrases shall have the following meanings:

- (a) **"Costs"** means the costs associated with providing the common infrastructure required within the Structure Plan Area and includes "Administrative costs" and "Infrastructure costs", as defined by SPP 3.6

- (b) **“Conditions”** means the conditions imposed by the WAPC pursuant to the Approval.
- (c) **“Cost Contribution”** means the Owner’s contribution to the costs of infrastructure and administrative costs for Stage [insert stage number] of the subdivision of the Land.
- (d) **“DPS 2”** means District Planning Scheme No. 2 of the City of Wanneroo.
- (e) **“Infrastructure”** has the same meaning given to it in *State Planning Policy 3.6 – Development Contributions for Infrastructure* (SPP 3.6), and means the standard infrastructure items (services and facilities set out in Appendix 1 of that Policy) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be required within the Structure Plan Area.
- (f) **“Landowners”** means each of the owners of land within the Structure Plan Area.
- (g) **“Method of Calculation”** means a method of calculation used to determine the Cost Contribution for the Structure Plan Area calculated by apportioning the costs of the Infrastructure between the Landowners in the same proportion as the area of subdivisible land owned bears to the gross subdividable area of land within the Structure Plan Area.
- (h) **“Stage [insert development stage]”** means the land comprised in Deposited Plans [insert deposited plan number/s] annexed hereto as Annexure “A”.

- (i) **“Structure Plan Area”** means the area of land the subject of the Structure Plan.
- (j) **“WAPC”** means the Western Australian Planning Commission.

2. **OWNER’S COVENANTS: PAYMENT OF COST CONTRIBUTION**

The Owner COVENANTS AND AGREES with the City that:

- (a) unless otherwise agreed to by the City, the Owner shall pay to the City the Cost Contribution for the Land in accordance with the Method of Calculation approved by the City following consultation with the WAPC and landowners;
- (b) the Cost Contribution for the Land as determined by the Method of Calculation is payable by the Owner in respect of the whole of the Land subject of the Approval as denoted on the plan annexed hereto as Annexure “A” [insert approved subdivision plan] regardless of any areas which may be subdivided out of the Land prior to payment of the Cost Contribution payable by the Owner;
- (c) interest will be charged and is payable by the Owner at the rate that applies from time to time on judgement debts at the rate specified pursuant to Order 61 Rule 23(2) of the *Supreme Court Rules 1971* (WA) as amended on all or any outstanding amount of the Owner’s Cost Contribution from the date the Owner is required to pay the Owner’s Cost Contribution under paragraph (d) of this clause 2 until such time as the Cost Contribution is paid by the Owner in accordance with the provisions of this deed and/or the Structure Plan; and

- (d) it shall pay to the City the Cost Contribution owing on the whole of the Land upon finalisation of the calculation of the Cost Contribution and within 14 days of receipt thereafter of a request from the City for payment of the Cost Contribution (“Request”).

3. **OWNER’S ACKNOWLEDGMENT: COST CONTRIBUTION**

The Owner ACKNOWLEDGES AND AGREES that the Cost Contribution payable by the Owner in respect of Infrastructure works carried out in connection with the Structure Plan will be determined by the City following consultation with the WAPC and landowners and may include the items as specified in SPP 3.6.

4. **COSTS OF SUBDIVISION NOT INCLUDED IN COST CONTRIBUTION**

The Owner ACKNOWLEDGES AND AGREES with the City that in the event the Owner seeks to subdivide the Land or any part thereof either by carrying out a green title, strata or survey strata subdivision of the Land, any costs associated with that subdivision of the Land shall be borne solely by the Owner.

5. **NO DISPOSAL OF ENGLOBO LAND AND/OR BALANCE LOTS**

Until such time as the Cost Contribution has been paid to the City the Owner COVENANTS with the City that it will not sell, transfer, lease, charge, assign or otherwise dispose of the Land in its englobo form or any balance lot to be created by any stage of the subdivision of the Land to any person without the prior written consent of the City, which consent shall not be withheld if the person to whom any such right or interest in the Land or any balance lot is to be granted has first executed a Deed of covenant (or in the case of mortgagee, an undertaking in a

form satisfactory to the City) at the cost of the Owner or that person, whereby that person covenants to observe and perform such of the covenants conditions and stipulations herein contained (including this covenant) as the City shall require, as if that person had been a party to this Deed.

6. **ARRANGEMENTS IF COST CONTRIBUTION IS NOT DETERMINED BY 30 JUNE 2011**

The City and the Owner COVENANT AND AGREE that in the event the Cost Contribution is not determined by 30 June 2011 the Owner must provide to the City sufficient security to the reasonable satisfaction of the City as security for the payment of the Cost Contribution by the Owner ("Security").

7. **PROVISION OF SUFFICIENT SECURITY**

The City and the Owner COVENANT AND AGREE:

- (a) for the purpose of clarity, in the event the Owner wishes to provide the Security in the form of a bank guarantee, the following will apply:
- (i) the bank guarantee must be an unconditional and irrevocable undertaking from a bank or financial institution authorised to carry on banking in Australia under the Banking Act 1959;
 - (ii) the bank guarantee must authorise the City to draw on the bank guarantee if the Owner fails to pay the Costs Contribution within the time specified in this Deed; and
 - (iii) the bank guarantee must be in favour of the City and in a form that is satisfactory to the City, acting reasonably, and secures the payment of an amount satisfactory to the City and which the City

reasonably considers to be an approximate estimation of the Cost Contribution payable for the Land;

- (b) for the purpose of clarity, in the event the Owner wishes to provide security in the form of a charge and caveat over land owned by the Owner in fee simple, the following will be applicable:
- (i) the City may require the land offered as Security to be valued at the Owner's cost by a reputable valuer, who must provide such valuation to the City as his or her client ("**Valuation**");
 - (ii) if the value of the land offered as Security as set out in the Valuation is less than the estimated Cost Contribution as determined by the City acting reasonably; the Owner shall be required to provide additional security to the City either by way of a bank guarantee or additional land to ensure that the total value of the Security is equal to or exceeds the estimated Cost Contribution;
 - (iii) if the land offered as Security is encumbered by a mortgage or charge, the City may require full particulars of the extent of such mortgage or charge and such mortgagee or charge holder may be required to:
 - (A) covenant with the City not to increase the amount of the mortgage or charge without the prior written approval of the City; and
 - (B) provide a written undertaking in a form satisfactory to the City;

- (iv) such charge may be required to be recorded by an agreement executed by the Owner and the City, and prepared by the City's solicitors at the Owner's cost.

8. **CHARGE AND CAVEAT**

The Owner and the City AGREE that in the event:

- (a) the Cost Contribution has not been determined by 30 June 2011 and the Owner elects to provide the Security by way of a caveat over the Land or a part thereof; or
- (b) the Cost Contribution has been determined but has not been paid by the Owner in accordance with clause 2 of this deed;

the Owner CHARGES the Land and any balance lot created from the completion of a stage(s) of the subdivision of the Land in favour of the City with the payment of the Cost Contributions due from the Owner and for the purpose of securing the due and punctual observance and performance by the Owner of all the covenants conditions and stipulations herein contained AUTHORIZES the City to lodge an absolute caveat at the Western Australian Land Information Authority against the certificate of title to the Land or any balance lot created from the completion of a stage(s) of subdivision of the Land in order to protect the rights and interests of the City under this Deed.

9. **CITY'S COVENANTS AND ACKNOWLEDGEMENTS**

The City COVENANTS AND AGREES with the Owner that if the City lodges a caveat over the Land or a balance lot created from the completion of a stage(s) of subdivision of the Land the City will at the written request of the Owner and at

the Owner's cost provide it with a duly executed withdrawal of any caveat lodged pursuant to the terms of this Deed upon the payment by the Owner of its Cost Contribution.

10. COSTS

The Owner shall pay all reasonable costs of and incidental to the preparation execution and stamping of this Deed, including the City's solicitor's costs, and all stamp duties payable hereon and the costs of preparation and lodgement of the caveat referred to in clause 8 of this deed and any withdrawal and replacement thereof.

11. COST CONTRIBUTION PAYABLE FOR STAGE [INSERT APPLICABLE DEVELOPMENT STAGE NUMBER] ONLY

For the avoidance of doubt the City and the Owner agree that:

- (a) the Cost Contribution payable by the Owner pursuant to clause 2 of this Deed relates to the Cost Contribution payable by the Owner in respect of Stage [insert applicable development stage] of the subdivision of the Land;
- (b) the Owner shall be required to pay a contribution to common infrastructure for the Structure Plan Area in respect of any future stages of the subdivision of the Land either prior to seeking clearance in respect of a stage of the subdivision of the Land if the Costs have been determined, or, if the Costs are not known at the time that clearance in respect of a stage of subdivision is sought, on the determination of the Costs; and

- (c) if the Owner seeks clearance in respect of any further stage of subdivision of the Land and the Costs have not been determined at that time, the Owner shall enter into a deed with the City in the form of this Deed to secure the payment of the contribution to Costs for that stage following the determination of the Costs contribution.

12. **SUPPLEMENTAL TO POWERS UNDER DPS 2**

The Owner and the City AGREE that this Deed is supplemental to the provisions of DPS 2 and further agree that notwithstanding any term of this Deed the City's rights and powers pursuant to DPS 2 are preserved.

13. **DISPUTE RESOLUTION**

Any dispute between the City and the Owner which arises in connection with this deed is to be determined by a single arbitrator under the provision of the *Commercial Arbitration Act 1985* and the City and Owner may each be represented by a legal practitioner.

14. **INTERPRETATION**

In this Deed:

Headings have been inserted for guidance only and shall be deemed not to form part of the context.

Reference to the parties includes their personal representatives, successors and lawful assigns.

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**Local Planning Policy 3.3: Northern Coastal Growth Corridor
Development Contributions**



Where a reference to a party includes more than one person the rights and obligations of those persons shall be joint and several.

The Schedule and Annexures (if any) form part of this Deed.

Draft

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Local Planning Policy Framework
Local Planning Policy 3.3: Northern Coastal Growth Corridor
Development Contributions



MORTGAGEE CONSENT

[Insert mortgagee] ([insert ACN number]) hereby undertakes that in the event that it is ever in a position to exercise its rights pursuant to Mortgage [insert mortgage number] ("Mortgage") to deal with the Land described in this Deed or any part thereof, it will not sell the Land or any part thereof in exercise of its power of sale without first obtaining the execution of an agreement or covenant between any proposed purchaser and the City of Wanneroo whereby the proposed purchaser covenants to perform and observe the covenants contained in the Deed where the performance on the part of the Owner remains to be or continues to be performed or observed.

Similarly, [insert mortgagee] will not assign any of the Mortgage or any rights thereunder without first procuring the execution by the proposed assignee of a similar undertaking to the one given in this letter.

In the event the Mortgage becomes enforceable and [insert mortgagee] wishes to exercise its powers under the Mortgage, in consideration of [insert mortgagee] fulfilling its obligations pursuant to this consent, the City of Wanneroo agrees that it will promptly, upon receipt of a request of [insert mortgagee], do all things necessary to withdraw any caveat it has lodged against the Land.

DATED this [insert date] day of [insert month] 20[insert year]

EXECUTED BY [insert mortgagee] (ACN)
[insert ACN] pursuant to Section 127 of)
the Corporations Act:)

Name of Director

Signature of Director

Name of Director/Secretary
(Delete whichever designation is incorrect)

Signature of Director/Secretary

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 Development Contributions**



EXECUTED by the parties as a Deed:

EXECUTED BY [insert company name])
 ([insert ACN]) pursuant to Section 127(1) of)
 the Corporations Act:)

 Name of Director

 Signature of Director

 Name of Director/Secretary

 Signature of Director/Secretary

THE COMMON SEAL of the CITY OF)
 WANNEROO was hereunto affixed by)
 authority of a resolution of the Council)
 in the presence of:)

 MAYOR (Print Full Name)

 CHIEF EXECUTIVE OFFICER (Print Full Name)

11 22891 DRAFT - LOCAL PLANNING POLICY 3.3 - NORTHERN COASTAL GROWTH CORRIDOR DEVELOPMENT CONTRIBUTIONS.DOC

AUTHORISATION	Adopted [insert date of adoption]
REVIEW	Next scheduled review 201X.

Part 1

POLICY OPERATION

Policy Development

This Policy has been prepared under the provisions of Section 8.11 of the City of Wanneroo District Planning Scheme No. 2.

Application and Purpose

This Policy applies to all land within the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plan areas (collectively known as the 'Northern Coastal Growth Corridor').

Both the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plans include provision for a Development Contributions Plan (DCP) to be implemented to ensure the timely delivery of necessary infrastructure and facilities as follows:

- Alkimos Eglinton (Part 1, Section 7.10, Strategy 1)
"LSPs to demonstrate how funding arrangements, including the endorsed Alkimos Eglinton Developer Contribution Plan, are to be implemented, in order to provide for the efficient and equitable delivery of infrastructure and services."
- Yanchep Two Rocks (Part 1, Section 7.10, Strategy 4)
"LSP's shall demonstrate how funding arrangements, including the agreed Yanchep – Two Rocks Developer Contribution Plan, are to be implemented in order to provide for the efficient and equitable delivery of infrastructure and services."

At the time of preparing this Policy, a DCP for the District Structure Plan areas has not been finalised and therefore the quantum of costs for the provision of common infrastructure is not yet known. Consequently, the method for apportionment of costs between developing landowners and the individual cost contributions has not yet been determined.

The purpose of this Policy is to provide an interim arrangement to facilitate ~~development~~ contributions towards common infrastructure for any application for

Deleted: developer

subdivision of land within the area covered by this Policy, until such time as a DCP comes into effect.

The Policy will apply only to the subdivision of land for the purpose of creating residential lots and will not include superlot subdivision.

Objective

To provide a framework for the efficient, equitable and timely provision of common infrastructure and facilities within the northern coastal growth corridor.

Draft



Part 2
GENERAL POLICY PROVISIONS

1. Subject Area

- 1.1. This Policy applies to the entire City of Wanneroo northern coastal growth corridor, comprising the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plans, as depicted in Schedule 1.
- 1.2. The Policy applies to the combined area of the two DSP areas in its entirety and not separately to each of the DSP areas.

2. Implementation

- 2.1. When providing a response to the Western Australian Planning Commission on applications for subdivision of land within the Policy area, the City shall recommend that the following condition be imposed:

"Arrangements being made to the satisfaction of the City of Wanneroo for payment, by the subdivider, of development contributions for community facilities, in accordance with the Alkimos/Eglinton Yanchep/Two Rocks [DELETE WHICHEVER IS INAPPLICABLE] District Structure Plan."

Deleted: The subdivider entering into a legal agreement with
Deleted: for
Deleted: "

- 2.2. The City will only accept fulfilment of the above condition on receipt of payment of an 'interim contribution'.

Deleted: the proponent entering into the standard legal agreement included as Schedule 2 to this Policy

- 2.3. The 'interim contribution' amount shall be as follows.

- 2.3.1. Alkimos/Eglinton - \$2,000 per lot
- 2.3.2. Yanchep/Two Rocks - \$1,750 per lot.

Deleted: ->-All costs associated with execution of the legal agreement required to satisfy the above-mentioned subdivision condition shall be met by the proponent.]]

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- 2.4. Payment made by an owner in accordance with Clause 2.2 of this Policy will be considered to constitute full and final discharge of the owner's liability under the future DCP only for those lots for which the City's clearance is granted. Lots remaining uncleared at the time of Council endorsement of the final DCP costs and apportionment schedule (subsequent to the gazettal of the DCP) will be subject to the final cost contribution amount in accordance with that DCP.

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- 2.5. No reconciliation will be made of any difference between the interim contribution amount stated in Clause 2.3 of this Policy and the final contribution amount required by the DCP.

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~~2.6. Funds collected in accordance with this Policy shall only be used for the purpose specified in the draft DCP relevant to the subject land, as if they had been collected in accordance with that DCP.~~

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3. Review

3.1. This Policy will be reviewed (for the purpose of ~~being revoked~~) once the DCP for the Policy area has come into effect.

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Draft

Definitions

Development Contribution Plan means the arrangement that is proposed to be established for the equitable apportionment of costs within the Policy area.

Common Infrastructure means the standard infrastructure items and community facilities as set out in *State Planning Policy 3.6 – Development Contributions for Infrastructure (SPP 3.6)* and includes recreational facilities, community centres, child care and after school centres, libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be required within the Policy area.

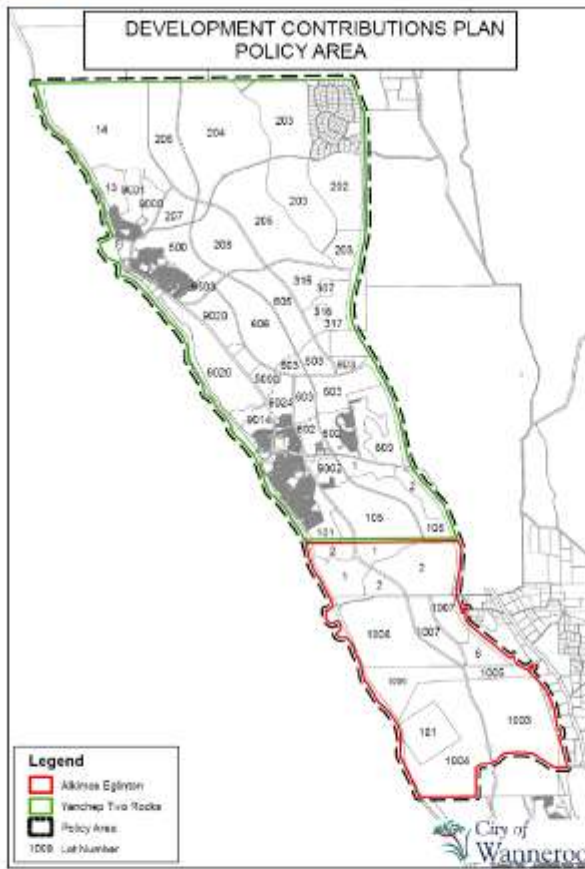
Conditions – means the conditions imposed by the WAPC on its Subdivision Approval.

Costs – means the costs associated with providing the common infrastructure required within the Policy area and includes administrative costs and infrastructure costs, as defined by SPP 3.6.

Cost Contributions – means the Developer's proportionate contribution to the costs of infrastructure and administrative costs.



Schedule 1
POLICY MAP



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Schedule 07
STANDARD LEGAL AGREEMENT¶
¶
¶
¶
¶
THIS DEED is made this [insert date] day
of [insert month] 20[insert year] ¶
¶
BETWEEN:¶
¶
¶
¶
AND:¶
¶
¶
RECITALS:¶
¶
A. The Owner is registered as the
proprietor of an estate in fee simple of land
being ¶
¶
->-Lot [insert lot number] on Deposited
Plan [insert deposited plan number] and
being the whole of the land comprised in
Certificate of Title Volume [insert
certificate of title volume number] Folio
[insert certificate of title folio number], and¶
¶
->-Lot [insert lot number] on Deposited
Plan [insert deposited plan number] and
being the whole of the land comprised in
Certificate of Title Volume [insert
certificate of title volume number] Folio
[insert certificate of title folio number] ¶
¶
(*Land*)¶
¶
B. The Land is situated within an area that
is subject to the provisions of the [insert
structure plan name] District Structure Plan
(*Structure Plan*) ¶
¶
C. The Owner wishes to carry out a staged
subdivision of the Land. ¶
¶
D. The Owner has lodged with the WAFC
an application for the subdivision of the
Land under Application [insert application
number] to create the lots as comprised in
Deposited Plan [insert deposited plan
number] as part of stage [insert stage
number] of the subdivision of the Land
(*Stage [insert stage number]*) which
application was approved on [insert
application approval date] subject to
conditions including the following
(*Approval*)¶
¶
[insert applicable subdivision conditions]¶
¶
(*Condition [insert condition number]*)¶
¶

AUTHORISATION	Adopted [insert date of adoption]
REVIEW	Next scheduled review 201X.

Part 1

POLICY OPERATION

Policy Development

This Policy has been prepared under the provisions of Section 8.11 of the City of Wanneroo District Planning Scheme No. 2.

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Both the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plans include provision for a Development Contributions Plan (DCP) to be implemented to ensure the timely delivery of necessary infrastructure and facilities as follows:

- Alkimos Eglinton (Part 1, Section 7.10, Strategy 1)
"LSPs to demonstrate how funding arrangements, including the endorsed Alkimos Eglinton Developer Contribution Plan, are to be implemented, in order to provide for the efficient and equitable delivery of infrastructure and services."
- Yanchep Two Rocks (Part 1, Section 7.10, Strategy 4)
"LSP's shall demonstrate how funding arrangements, including the agreed Yanchep – Two Rocks Developer Contribution Plan, are to be implemented in order to provide for the efficient and equitable delivery of infrastructure and services."

At the time of preparing this Policy, a DCP for the District Structure Plan areas has not been finalised and therefore the quantum of costs for the provision of common infrastructure is not yet known. Consequently, the method for apportionment of costs between developing landowners and the individual cost contributions has not yet been determined.

The purpose of this Policy is to provide an interim arrangement to facilitate development contributions towards common infrastructure for any application for

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Development Contributions



subdivision of land within the area covered by this Policy, until such time as a DCP comes into effect.

The Policy will apply only to the subdivision of land for the purpose of creating residential lots and will not include superlot subdivision.

Objective

To provide a framework for the efficient, equitable and timely provision of common infrastructure and facilities within the northern coastal growth corridor.

Part 2

GENERAL POLICY PROVISIONS

1. Subject Area

- 1.1. This Policy applies to the entire City of Wanneroo northern coastal growth corridor, comprising the Alkimos/Eglinton and Yanchep/Two Rocks District Structure Plans, as depicted in Schedule 1.
- 1.2. The Policy applies to the combined area of the two DSP areas in its entirety and not separately to each of the DSP areas.

2. Implementation

- 2.1. When providing a response to the Western Australian Planning Commission on applications for subdivision of land within the Policy area, the City shall recommend that the following condition be imposed:

"Arrangements being made to the satisfaction of the City of Wanneroo for payment, by the subdivider, of development contributions for community facilities, in accordance with the Alkimos/Eglinton Yanchep/Two Rocks [DELETE WHICHEVER IS INAPPLICABLE] District Structure Plan."

- 2.2. The City will only accept fulfilment of the above condition on receipt of payment of an 'interim contribution'.
- 2.3. The 'interim contribution' amount shall be as follows:
 - 2.3.1. Alkimos/Eglinton - \$2,000 per lot
 - 2.3.2. Yanchep/Two Rocks - \$1,750 per lot.
- 2.4. Payment made by an owner in accordance with Clause 2.2 of this Policy will be considered to constitute full and final discharge of the owner's liability under the future DCP only for those lots for which the City's clearance is granted. Lots remaining uncleared at the time of Council endorsement of the final DCP costs and apportionment schedule (subsequent to the gazettal of the DCP) will be subject to the final cost contribution amount in accordance with that DCP.
- 2.5. No reconciliation will be made of any difference between the interim contribution amount stated in Clause 2.3 of this Policy and the final contribution amount required by the DCP.

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- 2.6. Funds collected in accordance with this Policy shall only be used for the purpose specified in the draft DCP relevant to the subject land, as if they had been collected in accordance with that DCP.

3. Review

- 3.1. This Policy will be reviewed (for the purpose of being revoked) once the DCP for the Policy area has come into effect.

Definitions

Development Contribution Plan means the arrangement that is proposed to be established for the equitable apportionment of costs within the Policy area.

Common Infrastructure means the standard infrastructure items and community facilities as set out in *State Planning Policy 3.6 – Development Contributions for Infrastructure (SPP 3.6)* and includes recreational facilities, community centres, child care and after school centres, libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be required within the Policy area.

Conditions – means the conditions imposed by the WAPC on its Subdivision Approval.

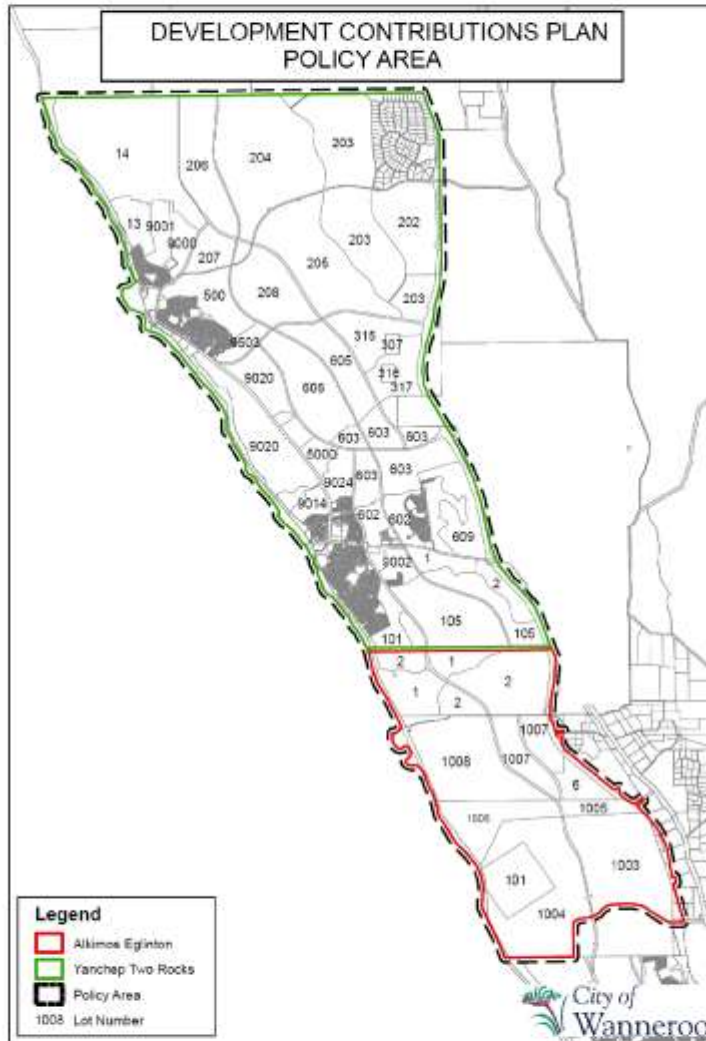
Costs – means the costs associated with providing the common infrastructure required within the Policy area and includes administrative costs and infrastructure costs, as defined by SPP 3.6.

Cost Contributions – means the Developer's proportionate contribution to the costs of infrastructure and administrative costs.

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Development Contributions



Schedule 1
POLICY MAP



SUMMARY OF SUBMISSIONS

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
1	Draft LPP 3.3 is not consistent with the SPP 3.6. SPP3.6 requires development contributions to be secured through voluntary agreements when a development contribution plan does not exist within the town planning scheme. A condition of subdivision (as proposed in LPP3.3) is not considered to be a voluntary agreement where the quantum of costs is still unknown. The terms SHALL and REQUIRE, as stated in the policy in relation to a subdivision condition is not consistent with a voluntary agreement.	<ul style="list-style-type: none"> Chappell Lambert Everett – Australand Holdings Ltd; Taylor, Burrell and Barnett (TBB) – Yanchep Beach Joint Venture; Taylor, Burrell and Barnett – Peet Limited; Atlantis Cove Pty Ltd & others; Stockland 	<p>The proposal to utilise a legal agreement as a means of securing subdivision approval was not supported by submitters.</p> <p>It is therefore proposed to be abandoned and replaced with a preliminary contribution approach that has been discussed and agreed with all stakeholders.</p>	<p>In Clause 2.1, remove the following text:</p> <p><i>“ The subdivider entering into a legal agreement with the City of Wanneroo for payment of development contributions in accordance with the Alkimos Eglinton Yanchep/Two Rocks [DELETE WHICHEVER IS INAPPLICABLE] District Structure Plan”</i></p> <p>and replace it with the following text:</p> <p><i>“Arrangements being made to the satisfaction of the City of Wanneroo for payment, by the subdivider, of development contributions for community facilities, in accordance with the Alkimos Eglinton Yanchep/Two Rocks [DELETE WHICHEVER IS INAPPLICABLE] District Structure Plan”</i></p> <p>In Clause 2.2, remove the text <i>“the proponent entering into the standard legal agreement included as Schedule 2 of this Policy”</i> and replace it with <i>“receipt of payment of an ‘interim contribution’”</i>.</p>

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
				<p>In Clause 2.3, delete all existing text and replace it with: <i>"The 'interim contribution' amount shall be as follows:</i> 2.3.1 Alkimos/Eglinton - \$2,000 per lot 2.3.2 Yanchep/Two Rocks - \$1,750 per lot.</p> <p>In Clause 3.1, replace the phrase <i>"it's provisions being superseded"</i> with the word <i>"obsolete"</i>.</p> <p>Delete Schedule 2.</p>
2	<p>SPP 3.6 requires voluntary agreements to be consistent with the policy principles of accountability and certainty. Draft LPP 3.3 isn't accountable or certain due to the contribution amount not being known. It constitutes signing a blank cheque in order to obtain subdivision clearance. Such an agreement should be delayed until detailed costs have been determined and these costs are proposed to be apportioned between subdividers.</p>	<ul style="list-style-type: none"> • Chappell Lambert Everett – Australand Holdings Ltd • Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; • Stockland; Masterplan consultants – P & N Landreach Pty Ltd; • Delfin Lend Lease; • Atlantis Cove Pty Ltd & others; • Urban Development Institute of Australia; • Taylor, Burrell and Barnett – Peet Limited 	<p>See response to Issue 1.</p>	<p>See proposed change in response to Issue 1.</p>

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
3	<p>LPP3.3 is inconsistent with the following key principles of SPP 3.6 in regards to:</p> <ul style="list-style-type: none"> - Principal 1: Need and Nexus - Principal 4: Certainty - Timeframe - Transparency - Payment (three stages of establishing and paying contributions) <p>Further, the City has not completed the basic prerequisites of a DCP as set out in Section 5.5 of SPP 3.6. involving the development of:</p> <ul style="list-style-type: none"> - Community Infrastructure Plan - Capital Expenditure Plan - Projected Growth Figures - Methodology of determining the proportions of costs 	<p>Urban Development Institute of Australia; Delfin Lend Lease; Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Taylor, Burrell and Barnett – Peet Limited; Atlantis Cove Pty Ltd & others.</p>	<p>Draft LPP 3.3 is not intended to address all of the key principles and requirements of SPP 3.6 as it is not a full and comprehensive DCP. These details have been comprehensively worked through in consultation with stakeholders as part of the development of the Development Contribution Plan for the northern coastal growth corridor.</p>	<p>None.</p>
4	<p>It is unreasonable, and contrary to Clause 5.4 of SPP 3.6, for Council to disallow subdivision approval because a development contribution plan is not in place and the developer is not willing to enter into a flawed legal agreement.</p>	<p>Atlantis Cove Pty Ltd & others.</p>	<p>See response to Issue 1.</p>	<p>See proposed change in response to Issue 1.</p>
	Payment and collection of contributions			
5	<p>It is queried whether contributions will be able to be staged based on subdivision approval?</p>	<p>Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Urban Development Institute of Australia</p>	<p>Yes. Contributions are required to be made at the time of subdivision clearance which only applies to that particular stage of subdivision.</p>	<p>None.</p>

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
6	<p>In order for LPP3.3 to obtain formal adoption it must state:</p> <ul style="list-style-type: none"> - The amounts to be collected - How the amounts have been derived - The accounts the monies will be placed in - What the money is to be spent on (must be for relevant area from which it was collected) - When it is to be spent - Money shouldn't to be spent on maintenance or upgrade or existing facilities. <p>Currently the interim agreement does not state any of this and is therefore not supported.</p>	<p>Masterplan consultants – P & N Landreach Pty Ltd; Atlantis Cove Pty Ltd, & others,</p>	<p>See response to Issue 3.</p>	<p>None.</p>
7	<p>Schedule 2 Item E provides for the owner to pay the contribution as soon as it is determined and the City requests payment. Contributions are generally paid at the time of seeking clearances for a deposited plan. It is considered inequitable to seek early payment as proposed on the basis that not all land which is conditionally approved for subdivision actually gets subdivided.</p>	<p>Stockland Taylor, Burrell and Barnett – Yanchep Beach Joint Venture</p>	<p>It is no longer proposed to include a standard legal agreement to require future contributions.</p>	<p>None.</p>
8	<p>If the final cost projection is lower than the original projection, will the City provide the developers with a credit / refund? If so this should be included in the DCP along with a draft mechanism.</p>	<p>Stockland; Capricorn Village Joint Venture</p>	<p>It is not proposed to reconcile any difference between the interim contribution amount and the final cost contribution amount determined by a gazetted DCP, therefore no credit or refund will apply.</p>	<p>Insert a new clause 2.4 as follows: <i>"Payment made by an owner in accordance with Clause 2.2 of this Policy will be considered to constitute full and final discharge of the owner's liability under the future DCP only for those lots for which the City's clearance is granted. Lots remaining uncleared at the time of Council endorsement of the final DCP costs and apportionment schedule (subsequent to gazettal of the DCP)</i></p>

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
				<i>will be subject to the final cost contribution amount in accordance with that DCP."</i> Insert a new clause 2.5 as follows: <i>"No reconciliation will be made of any difference between the preliminary contribution amount stated in Clause 2.3 of this Policy and the final contribution amount required by the DCP."</i>
9	Credits need to be considered for developers who provide interim facilities, if a facility is provided ahead of schedule, or if additional facilities or amenities are provided? This should be included in the DCP including detail on how it will operate.	Taylor, Burrell and Barnett – Peet Limited; Capricorn Village Joint Venture	This issue is unrelated to the Draft LPP 3.3.	None.
10	Provide developers with the option of providing facilities in lieu of cash provided those facilities have been identified in the DCP.	Landcorp; Woodsome Management; Delfin Lend Lease	See response to Issue 3.	None.
11	A cap should be placed on the funds that the City's development contribution account can accumulate. If the cap is breached then the excess money needs to be invested in community infrastructure.	Capricorn Village Joint Venture	It is not considered that there will be excess money accumulated in the account as this would increase risk to the Council. It is intended that as soon as funds become available for facilities that they be spent as per the requirements of the CFP/DCP. Additional funds at the expiry of the DCP will need to be refunded or used on Scheme works in accordance with SPP3.6.	None.
12	The interest earned on the City's development contribution account should be credited back to the developers, as early developers will not benefit from these	Capricorn Village Joint Venture	The interest earned is a necessary component which assists in defraying the inflationary effects on future Capital works. The interest is	None.

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
	facilities and don't receive possible interest		credited to the particular "scheme" reserve and can only be used for the agreed purpose. It is therefore not considered appropriate for interest to be credited back to developers.	
13	Developers initiating and securing grant funds to contribute to infrastructure costs should be awarded a credit for their effort.	Capricorn Village Joint Venture	See response to Issue 3.	None.
14	In order to reduce the financial risk placed on the developers, it is proposed that the legal agreement be simplified so that developers are required to make an immediate contribution based on an estimated value of the Development Contribution Plan. This will allow developers to factor a fixed value into their lot pricing and margins.	Capricorn Village Joint Venture	See response to issue 1	See proposed change in response to Issue 1.
15	For regional facilities landowners from outside a particular development should be required to have to contribute to such a facility, as there catchment is regional and other developers gain a benefit from their development. The mechanism should be a separate agreement with effected landowners for specific regional facilities to ensure they contribute to facilities they will benefit from.	Woodsome Management	See reponse to Issue 3.	None.
16	Will a refund be given if facilities are determined not to be needed after future provision reviews?	Woodsome Management	See response to Issue 3.	None.
17	No details on how the collection of funds will ensure that there is adequate funding in reserve to construct the facility at the point in time when demand requires it. I.e. will the early collection of funds be able	Delfin Lend Lease	This is a risk inherent in the DCP approach that needs to be managed. The City is unable to collect additional contributions from developers who have already	None.

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
	to address the increased costs associated with facilities planned for the future.		contributed; therefore it is critical that good administration and review processes are in place, with adequate resources made available to administer the DCP. An implementation and review section is included in the final DCP to address this and other issues.	
18	It is queried whether it is intended that the final policy/DCP apply to both DSP areas in their entirety, or whether this applies only to the interim policy. It is considered inequitable to combine contributions into one 'account' for application across the entire NCGC. Further, a policy that covers the entire NCGC is queried when each DSP requires a development contribution to be made specific to the relevant DSP area.	Allantis Cove Pty Ltd, & others,	Contributions made under LPP 3.3 would apply specifically to the DSP area in which the contributing land resides, in accordance with the proposed DCP.	None.
19	If a developer on sells their property the current agreement doesn't require the new owner to contribute to community infrastructure. Woodsome has suggested that conditions within the Town Planning Scheme be amended to indicate it applies to the land not the owner	Stockland; Woodsome Management	The proposed DCP is enforced through a Special Control Area which links the requirement to contribute with the land not the owner.	None.
20	Draft LPP3.3 does not explicitly state that contributions for community infrastructure would not apply retrospectively to developments with existing and valid subdivision approvals already in place. The draft LPP needs to state its position on this matter.	Urban Development Institute of Australia, Chappell Lambert Everett – Australand Holdings Ltd, Taylor, Burrell and Barnett – Yanchep Beach Joint Venture, Stockland, Atlantis Cove Pty Ltd, & others	Noted. It is not considered necessary for this to be included in the revised LPP3.3 as there is no mechanism for retrospective contributions to be collected.	None.
	Process			

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
21	The entire DCP document needs to be produced and distributed in order for an agreement to be reached.	Masterplan consultants – P & N Landreach Pty Ltd; Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Chappell Lambert Everett – Australand Holdings Ltd; Allantis Cove Pty Ltd & others	See response to Issue 3	None.
22	Ensure an appropriate, evidence and evaluation based approach is taken to determining the content and context of the CFP and DCP	Stockland	Noted. See response to Issue 3.	None.
23	Clarify if the DCP and its methodology would be subject to community and landowner engagement, prior to the city extracting contributions from landowners.	Taylor, Burrell and Barnett – Yanchep Beach Joint Venture	Yes. The development, advertisement and finalisation of the final policy and DCP has already been subject to an extensive consultation process with affected landowners.	None.
24	Will the interim Policy play a role after the DCP is finalised. If not it is recommended that the Draft Policy be amended to state it's an interim arrangement and has a finite lifespan.	Taylor, Burrell and Barnett – Yanchep Beach Joint Venture	LPP 3.3 shall only apply until such time as the DCPs for Alkimos Eglinton and Yanchep Twp Rocks are gazetted and come into effect.	None.
25	It is requested that the review and finalisation of LPP 3.3 and Community Facilities Plan be more inclusive to ensure final results are amenable to all.	Woodsome Management	See response to Issue 23.	None.
	Superlots			
26	Will 'Superlot' subdivisions attract a developer contribution? LPP3.3 needs to be clear how such applications are to be treated with respect to development controls.	Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Allantis Cove Pty Ltd & others; Woodsome Management	No, superlot subdivisions will not attract a development contribution. Draft LPP 3.3 will be amended to clarify this.	Include the following text with the "Application and Purpose" section of the Policy: <i>"The Policy will apply only to the subdivision of land for the purpose of</i>

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
				<i>creating residential lots and will not include superlot subdivision."</i>
27	It needs to be made clear that the land that is encumbered by the agreement is only those lot/s that the proposed subdivision relates to.	Capricorn Village Joint Venture	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
	Contribution rates			
28	Do not support developers being required to contribute 100% to facilities that are going to be co located with school facilities? Shouldn't the Department of Education therefore contribute to these co located facilities or development?	Taylor, Burrell and Barnett – Yanchep Beach Joint Venture, Capricorn Village Joint Venture	See response to Issue 3.	None.
29	Due to the recent development South of the Alkimos Eglinton DSP area, it is likely that the population will utilise regional facilities within the DSP area. Therefore a differential contribution rate needs to be considered (not the outlined 100%) other funding mechanisms need to be explored.	Taylor, Burrell and Barnett – Peet Limited; Landcorp; Delfin Lend Lease	This comment is not relevant to LPP 3.3.	None.
30	The City needs to determine payment times and contribution rates before an agreement can be met.	Woodsome Management	See response to Issue 1.	None.

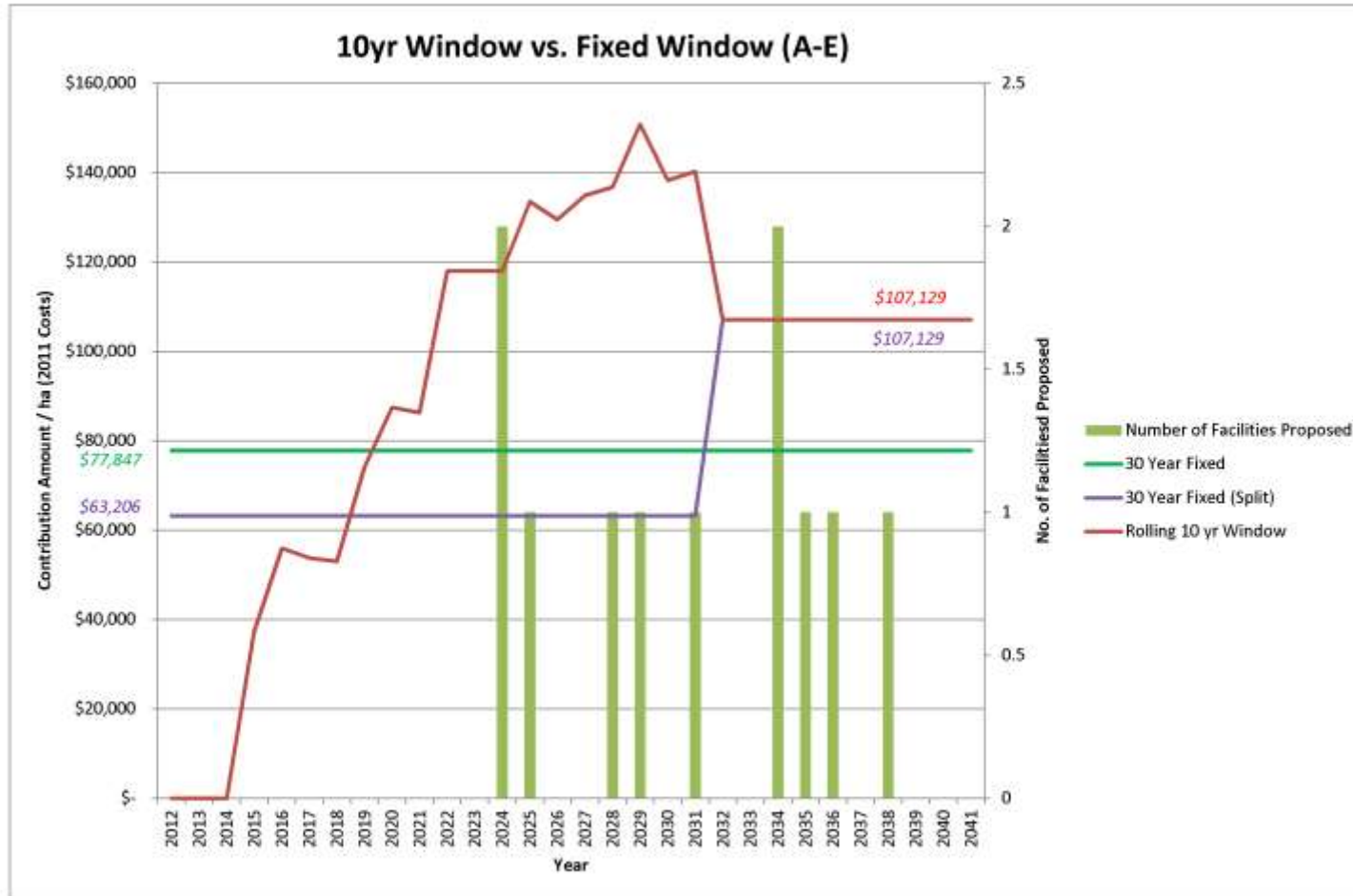
	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
31	Do not support the requirement of developers to pay 100% of infrastructure development costs, particularly when numerous funding options are available to the City. The future DCP and draft CFP need to be amended to recognise other funding sources, which should be explored and listed.	Stockland; Urban Development Institute of Australia; Landcorp; Capricorn Village Joint Venture; Woodsome Management; Delfin Lend Lease	See response to Issue 28.	None.
	Legal Agreement and Implementation			
32	Legality of including a legal agreement in a policy is questioned. The City should be negotiating individually with each landowner.	Woodsome Management	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
33	No information supplied on the framework of how the system of legal agreements and collection and expenditure of development contributions will be administered, monitored or reported on. (Implementation Strategy)	Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Masterplan consultants – P & N Landreach Pty Ltd; Stockland; Taylor, Burrell and Barnett – Peet Limited	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant. Full details of how the DCP will be administered is outside the scope of LPP 3.3.	None.
34	Implementation strategy should be based on: <ul style="list-style-type: none"> - Assessing the risk posed by the DCP/LSP layout - Having regard to the development context - Assessing the need for finance requirements - Agreeing the land value and indexing it appropriately - Seeking direct delivery of infrastructure and land by development proponents - Identifying preferred mechanisms 	Delfin Lend Lease	Noted.	None.

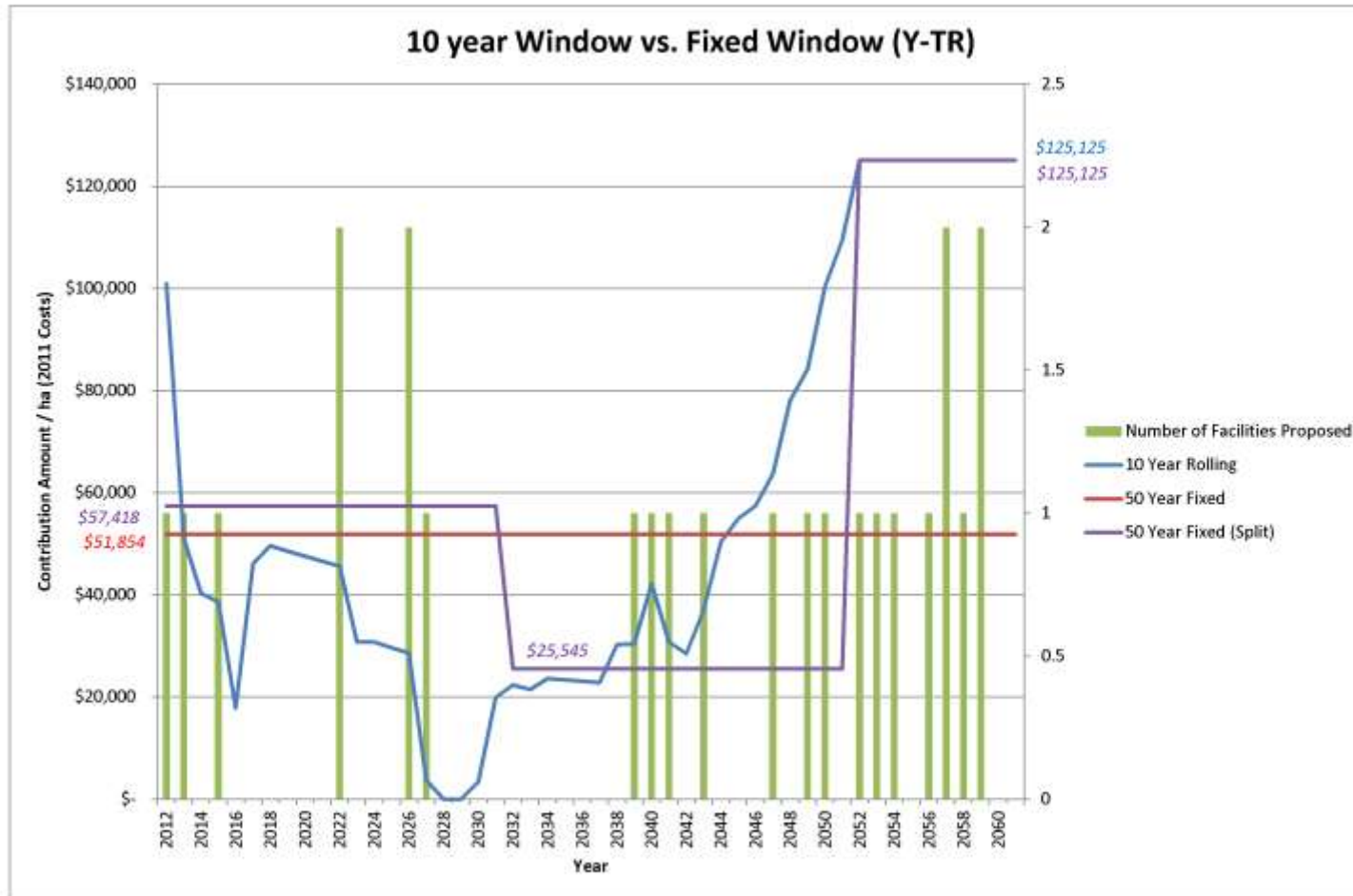
	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
	<p>to achieve the above outcomes and reducing the risk associated with the DCP to ensure it is delivered as intended</p> <ul style="list-style-type: none"> - Providing adequate resources to administer the DCP 			
35	Entitlement of the city to sterilise land by lodging absolute caveat is considered inequitable, unreasonable and contrary to SPP3.6.	Taylor, Burrell and Barnett – Peet Limited; Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Urban Development Institute of Australia; Stockland; Capricorn Village Joint Village; Atlantis Cove Pty Ltd & others	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
36	The NCGC is being developed by significant development companies that are aware of their obligations re: development contributions. It is considered unnecessary to use a legal agreement as a prerequisite to secure clearance.	Atlantis Cove Pty Ltd & others	Noted. With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
37	Legal agreement is flawed in that there is no consistent base against which to measure what it is suppose to cover.	Atlantis Cove Pty Ltd & others	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
38	There is a risk of a precedent being set where one landowner agrees to a certain level of commitment by signing the legal agreement. This may be used as a precedent by council to require all landowners to contribute on the same basis.	Atlantis Cove Pty Ltd & others	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
39	Suggested that instead of the City developing a Standard Legal Proforma with all developers, it should negotiate individual agreements with each developer. Such agreements are better suited to larger publicly listed entities.	Stockland; Taylor, Burrell and Barnett – Peet Limited; Woodsome Management	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant. The City's revised proposal to securing development contributions in the period until the finalisation of the DCP has been developed in full consultation with stakeholders and therefore represents a combined vision.	None.
40	To prevent lengthy delays to the clearance and titles process it is proposed that a standardised legal agreement be utilised that does not have to be vetted by McLeods before being signed by the City of Wanneroo.	Capricorn Village Joint Venture	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
41	A pro forma legal agreement is not considered the most appropriate tool as it may not suit all landowners.	Stockland	With the proposed removal of the legal agreement from draft LPP 3.3, this comment is no longer relevant.	None.
	Land Acquisition			
42	Clarification is sought on how the acquisition of land for facilities will be treated. Will it form part of the 10% POS contribution or will it be acquired by the City, with the cost incorporated into the DCP?	Capricorn Village Joint Village	This comment is not relevant to LPP 3.3.	None.
	Financial Modelling and Funding			
43	The developer contribution plan doesn't contain any detailed (clear) financial models, plan on estimated total cost of infrastructure. How will costs be split between developers (percentage of cost)	Roberts Day – Fini Group Pty Ltd; Landcorp	See response to Issue 3	None.
44	Believe total costs need to include: land acquisition, open space and road re alignments	Delfin Lend Lease; Atlantis Cove Pty Ltd, & others,	This has been addressed as part of the development of the final DCP. Contributions will apply only to	None.

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
			Community Facilities and will not extend to include road widening, extensions or realignments unless required specifically to access the facility, in which case they will be included in the facility cost.	
45	Seek clarification on why financial contributions need to be made to facilities that are proposed to form part of a larger facility (e.g. district art gallery as part of community centre)	Capricorn Village Joint Village	This comment is not relevant to LPP 3.3	None.
	Policy Deadline			
46	Timeframe of complying with Interim Policy / Plan (June 30 th) is considered short. The deadline is considered highly optimistic due to the complex nature of DCP agreements. The need for an interim policy is also questioned, since it is proposed that the final DCP will be complete as of the 30 th June 2011. There would be minimal loss of contributions to the City to this time. Or is the need for an interim document present because the final DCP will not be complete until well after the above date?	Taylor, Burrell and Barnett – Peet Limited; Chappell Lambert Everett – Australand Holdings Ltd; Taylor, Burrell and Barnett – Yanchep Beach Joint Venture; Masterplan consultants – P & N Landreach Pty Ltd; Urban Development Institute of Australia; Stockland; Allantis Cove Pty Ltd & others	The City has prepared a revised proposal to securing development contributions in the period until the finalisation of the DCP in full consultation with stakeholders. This comment is therefore no longer relevant.	None.
47	There is no onus on the City to finalise the scheme within the agreed timeframe. Therefore resulting in developers entering an agreement with high risk and uncertainty.	Capricorn Village Joint Venture	Disagree. The onus is on the City to finalise DCP arrangements in regard to community expectation and ongoing interest in the development of the growth corridor.	None.
	General Comments			
48	Clarify if the DCP applies to all infrastructure or just community infrastructure. The policy needs to clearly state what infrastructure the policy intends	Roberts Day – Fini Group Pty Ltd	LPP3.3 and the final DCP is intended to apply only to community facilities as outlined in the CFP.	Insert new clause 2.6 as follows: <i>"Funds collected in accordance with this Policy shall only be used for the purpose specified in the draft DCP"</i>

	ISSUE	SUBMITTER	RESPONSE	RECOMMENDED MODIFICATION
	to apply to.			<i>relevant to the subject land, as if they had been collected in accordance with that DCP".</i>
49	Believe that the Two Rocks Town Centre Structure Plan area should be excluded from the Developer Contribution area due to the increased level of community infrastructure that will be provided by the developer compared to others.	Roberts Day – Fini Group Pty Ltd	Disagree. Centres generate activity and include a residential component that creates a need for community facilities. The provision of local facilities by the developer does not extinguish the need to contribute to district and regional level facilities.	None.
50	DCP should be subject to a review every two years. Where the actual cost is less than the estimated cost a credit adjustment should apply.	Capricorn Village Joint Venture	The final DCP will include an implementation and review section that will address this issue.	None.
51	Recommends that the WAPC's endorsement of Local Planning Policy 4.4 be sought prior to adoption of LPP 3.3.	Capricorn Village Joint Village	It is not certain why LPP4.4: Urban Water Management is relevant to the adoption of LPP 3.3. If the comment was intended to refer to LPP4.2: Structure Planning, then it is relevant to advise that the City has had discussions with the Department of Planning on draft LPP 3.3 and the revised approach to the management of development contributions prior to presenting back to Council on this matter.	None.







DEVELOPMENT CONTRIBUTION PLAN REPORT

This Development Contribution Plan Report has been prepared in accordance with State Planning Policy 3.6: Development Contributions for Infrastructure (SPP 3.6). It sets out in detail the calculation of the Cost Contribution for each Owner in the Development Contribution Area based on the methodology provided in the Development Contribution Plan, and provides all relevant information in support of the Development Contribution Plan.

1. Development Contribution Area (DCA)

The Northern Coastal Growth Corridor (NCGC) of the City of Wanneroo is made up of two district areas – Alkimos Eglinton and Yanchep Two Rocks. Both of these areas have been subject to district structure planning processes which identified the need for contribution arrangements to be put in place to share the costs of significant community facilities.

Two distinct contribution areas have been identified within the NCGC:

- Alkimos Eglinton DCA - shown on the scheme (amendment) map as SCA (b); and
- Yanchep Two Rocks DCA – shown on the scheme (amendment) map as SCA (c).

These development contribution areas are consistent with the boundaries of the relevant District Structure Plans for Alkimos Eglinton and Yanchep Two Rocks and consist of all land within the NCGC capable of being developed to accommodate residential dwellings that will contribute towards the need for future community facilities.

2. Purpose

The purpose of this Development Contribution Plan Report is to:

- a) enable the application of development contributions for the development of new, and the upgrade of existing infrastructure, which is required as a result of increased demand generated in the development contribution area;
- b) provide for the equitable sharing of the costs of infrastructure and administrative items between owners;
- c) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- d) coordinate the timely provision of infrastructure.

3. Period of the Plan

The Alkimos Eglinton Development Contribution Plan is proposed to operate for a period of 20 years from the date of gazettal of Amendment No. 122 to District Planning Scheme No. 2 (DPS 2).



Northern Coastal Growth Corridor Development Contribution Plan Report

The Yanchep Two Rocks Development Contribution Plan is proposed to operate for a period of 20 years from the date of gazettal of Amendment No. 122 to DPS 2.

Subsequent DCPs will be required to address contributions for facilities proposed beyond these timeframes.

4. Operation of the Development Contribution Plan

The Plan has been prepared in accordance with State Planning Policy 3.6: Development Contributions for Infrastructure (SPP 3.6). It will come into effect on the date of gazettal of Amendment No. 122 to DPS 2 that seeks to incorporate the development contribution arrangement.

In accordance with the provisions of SPP 3.6, "where a local government has received consent to advertise a development contribution plan, land within that development contribution area will be considered to be subject to a development contribution plan. Development contributions can be calculated but cannot be collected prior to the gazettal of the plan".

In agreement with all landowners on the NCGC, in the period between advertisement and final gazettal of the DCP, the City will require payment of an interim contribution in order to satisfy subdivision conditions imposed by the WAPC relating to development contributions. The details of the interim contribution arrangement are separate to the formal DCP and are outlined in a Council Policy on the matter.

5. Application requirements

Where a subdivision, strata subdivision or development application or an extension of land use is lodged which relates to land to which this plan applies, Council shall take the provisions of the plan into account in making a recommendation on or determining that application.

6. Principles

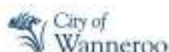
Development contributions will be applied in accordance with the following principles:

1.1. Need and the nexus

The Northern Coastal Growth Corridor Community Facilities Plan (CFP) details the facilities required as a result of projected development within the development contribution area. As the development contribution area is largely void of existing residential development, the nexus between required facilities and projected development has been clearly established.

1.2. Transparency

The method for calculating the development contribution amount and the manner in which it is applied has been the subject of extensive consultation with landowners and developers in the development contribution area. Further, as the mechanism for determining the development contribution is to be incorporated into the City of Wanneroo District Planning Scheme No. 2 (DPS 2) through an amendment to that Scheme, it will be subject to public assessment and scrutiny through the statutory public advertising process. As a result, the final result will be clear, transparent and simple to understand and administer.



Northern Coastal Growth Corridor Development Contribution Plan Report

1.3. Equity

The development contribution arrangements are proposed to apply to all developable land within each development contribution area, with contributions to be levied based on a relative contribution to need. Contributions within each DCA will be limited to district facilities within that area. Regional facilities, where the catchment extends across the district boundary or outside of the northern coastal growth corridor, are not proposed to be included in the DCP. Their provision will be outside of any formal, scheme enforced cost sharing arrangement.

1.4. Certainty

The development contribution plan clearly outlines the facilities for which contributions are proposed to be collected and the timeframe for their delivery. Information pertaining to the review and indexation of costs forms part of this development contribution plan.

1.5. Efficiency

Development contributions are sought for up-front capital costs only and exclude operational costs. Ongoing maintenance and operational costs for the life of the facilities will be primarily met by the City of Wanneroo.

1.6. Consistency

Development contributions are proposed to be applied uniformly across each development contribution area, based on the methodology outlined in this development contribution plan.

1.7. Right of consultation and arbitration

The development contribution plan has been prepared in full consultation with land owners and developers in the development contribution area. All planning methodologies and cost estimates have been made available for review by stakeholders at all stages of their preparation. Further opportunity for review will be made available as part of the scheme amendment process.

1.8. Accountable

The City is accountable for both the determination and expenditure of development contributions under the provisions of the Scheme.

7. Process for Determining Development Contributions

Both development contribution plans propose to utilise the *Per Hectare* model of calculating development contributions, which involves the levy of a contribution based on the total area of developable land subject to a subdivision application, rather than the number of lots or dwellings proposed to be created as a result of that subdivision.

This model encourages higher density development and is considered appropriate for use in the development contribution area as there is limited existing development and an underlying objective in both district structure plans to achieve higher residential densities than what has previously been delivered in the North West Corridor.

The *Per Hectare* model utilises 'net contributing area' rather than 'gross contributing area' as the contributing area in recognition of the fact that 'net contributing area' best represents the area of land that will contribute to the need for community facilities.

Determination of Contributing Area

'Net contributing area' is calculated as follows:



Northern Coastal Growth Corridor
Development Contribution Plan Report

- i. Gross land area, less the area of:
 - o existing development or land with valid subdivision approvals not conditional on the payment of development contributions;
 - o land reserved under the Metropolitan Region Scheme for Parks and Recreation;
 - o land reserved under the Metropolitan Region Scheme for Public Purpose;
 - o land designated under the Metropolitan Region Scheme as 'Primary Regional Roads', 'Other Regional Roads' or 'Railways'; and
 - o land designated under the Metropolitan Region Scheme as 'industrial'.
- ii. A deduction of 30% of the total area determined in point (i), to account for non-developable land uses such as local roads, primary schools and POS identified during future detailed design processes; and
- iii. A further deduction of 5% of the total area determined in point (i) to account for other land uses (e.g. commercial, business, service industrial) that do not have a residential component and therefore do not contribute to the need for community facilities.

It is important to note that the Development Contribution Plan only proposes to include land capable of being developed for residential dwellings at urban densities in the development contribution areas. Land zoned 'rural' and 'rural residential' will be excluded from the DCP.

Maps outlining the extent of contributing area within each DCA are included at **Attachment 2**.

Determination of Cost Contribution

The methodology for determining development contributions is in accordance with the following formula:

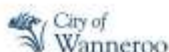
$$\bullet \text{ CPH} = \frac{\text{TC}}{\text{NCA}}$$

$$\bullet \text{ CC} = \text{CPH} \times \text{GSA}$$

Where:

CPH = Cost per hectare (\$/ha)
 TC = Total cost of delivering community facilities (\$)
 NCA = Net contributing area (ha)
 CC = Cost Contribution Amount (\$)
 GSA = Gross area of proposed subdivision (ha)

The Cost Apportionment Schedule, included at **Attachment 4**, outlines in detail the contributing area for each landholding and how the cost of delivering community facilities is proposed to be apportioned between landowners in each of the DCAs.



Northern Coastal Growth Corridor Development Contribution Plan Report

7.1. Supporting Information

In accordance with Clause 5.5 of SPP 3.6 the following information is provided in support of the methodology used to determine development contributions.

Catchment Areas

The Northern Coastal Growth Corridor Community Facilities Plan and the Development Contribution Plan have only addressed the need for facilities with district and regional catchments and do not address the need for local facilities. It is expected that they will be provided by individual developers outside the scope of the contribution arrangement.

Two district catchments have been identified within the Northern Coastal Growth Corridor in accordance with the Agreed Alkimos Eglinton and Yanchep Two Rocks District Structure Plans. These catchments translate directly to the Development Contribution Areas being applied to the Development Contribution Plans.

These district catchments translate to the provision of District facilities, which are higher order facilities that serve multiple neighbourhoods and local catchments, but are not likely to have the wider draw from other district areas. Contributions for district level facilities are only proposed to be sought from developable land within the development contribution area in which the facility is proposed to be located.

One regional catchment was identified that extends beyond each individual district catchment, and potentially outside the Northern Coastal Growth Corridor. Facilities with this catchment are not proposed to be funded through development contribution plans.

Cost of Infrastructure Items

Given that there is essentially no existing development or community within the development contribution area, it has not been possible to determine the exact scope of facilities required, as their final location and nature has not yet been determined. This detail will be identified as more detailed planning is undertaken for each development area.

Consequently, the preferred approach to facility provision has focussed on delivering broad multipurpose facilities that can adapt to changing future uses and avoid costly duplication of purpose built facilities. Inherent in this approach is the use of co-location and integration, the creation of community hubs and the acknowledgement of the role that community facilities play in anchoring development with an activity centre or community focal point.

This approach has allowed the City to develop standard models for each of the facilities identified in the Community Facilities Plan that represent the City's requirements for community use. These models have been developed using existing facility examples with various elements modified to represent best practice or to resolve management issues inherent in those facilities used as a basis for model development. The models were also used by a Quantity Surveyor as a basis for determining the cost estimates incorporated into this Development Contribution Plan Report.

The final cost estimate for each facility is inclusive of a construction cost estimate, external works and services, plus allowances for planning, design and construction contingencies. Land costs, where applicable, have been the subject of a separate valuation process.



Northern Coastal Growth Corridor Development Contribution Plan Report

The cost estimates will be revised as part of a regular review of the Development Contribution Plan and refined as more detailed planning is undertaken on the location, level of co-location and integration, and ultimate design of individual facilities.

Review of the Development Contribution Plan, including the cost estimates, is proposed to occur annually. Cost estimates will be adjusted to reflect changes in funding, revenue sources and advances in detailed planning and subsequently indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs referred to in Clause 11.3 of Schedule 18 of the Scheme (as proposed to be introduced by Amendment No 122 to DPS 2).

Community Infrastructure Plan

The City prepared the Northern Coastal Growth Corridor Community Facilities Plan which details the need for community facilities resulting from projected population growth. This plan has been approved by Council for the purpose of advertising, has been subject to public comment and consultation with key stakeholders and is proposed to be presented to Council for final approval as a concurrent process to the initiation of a scheme amendment for the Development Contribution Plans.

Capital Infrastructure Plan

The Development Contribution Plan has been designed to relate directly to the *City of Wanneroo 10-Year Strategic Financial Management Plan* such that the facilities identified in the Development Contribution Plan are reflected in the Financial Management Plan and vice versa. Furthermore, the review period proposed for the Development Contribution Plan will coincide with the annual review of the Financial Plan to ensure that new facilities required to be delivered under the contribution arrangement are identified in the Financial Management Plan and the City's Capital Works Program.

This will also provide a mechanism for alternate funding sources to be considered and incorporated into the funding model for each facility where possible.

An overview of the capital expenditure resulting from the operation of the DCP that will need to be reflected in the City's Strategic Financial Management Plan is included at **Attachment 3**, noting that these figures will be subject to ongoing review.

Projected Growth Figures

The projected growth in dwellings for the development contribution area has been sourced from the District Structure Plans for Alkimos Eglinton and Yanchep Two Rocks as the data contained with these reports was considered to best reflect the intentions of land developers in regard to future rollout of urban development.

Furthermore, these figures provided population and dwelling projections through to expected build-out of the development contribution area in 2058, unlike most other sources that only looked forward to 2031. This allowed the City to better understand the ultimate community facility requirements of the contribution area.

Full details of projected growth are included in the Northern Coastal Growth Corridor Community Facilities Plan, however a summary is included at **Attachment 1**.



Northern Coastal Growth Corridor Development Contribution Plan Report

Methodology for Determining Proportion of Cost to be Attributed to Future Growth vs. Existing Areas

The Development Contribution Plan proposes that 100% of the cost of delivering the necessary facilities be met by future growth. The rationale behind this approach is as follows:

- The Development Contribution Area is largely void of existing residential development or population;
- The population that does exist was sufficiently served by community facilities up until the point where additional residential growth started to be experienced. This new population has put pressure on existing facilities to meet community needs. New facilities are now required as a result of this additional residential growth.
- None of the facilities identified in the Northern Coastal Growth Corridor Community Facilities Plan would be delivered if this additional residential growth wasn't projected to occur. It can therefore be clearly stated that the need for new facilities arises directly as a result of current and projected residential growth.
- The catchment of each of the district facilities proposed in the Northern Coastal Growth Corridor Community Facilities Plan is confined to the district in which it is located.
- The need for the facilities has been determined following analysis of the projected population within the Development Contribution Area only. Any additional need resulting from residential areas outside the development contribution area is considered to be inconsequential.
- None of the facilities proposed to be delivered through the contribution arrangement are considered necessary to support community activity in existing developed areas. Current demand in these areas is already met through the existing provision of district facilities within the coastal ward of the City of Wanneroo and regional level facilities in the greater City of Wanneroo and the City of Joondalup.

The 100% funding liability may be offset by external grants or other funding sources in order to reduce the contribution amount required under a Development Contribution Plan, however other contributions have not been included in the funding model as part of the Development Contribution Plan as their successful application cannot be guaranteed or assumed until more detail is known of the nature, scale and location of the facilities proposed.

It is expected that the inclusion of grant funding would form part of an ongoing review of the Development Contribution Plan. In this regard, Council may establish a Consultative Committee for each of the DCAs comprising of landowners, City Administration and Council representatives and any other persons considered appropriate by Council to make recommendations to Council in respect to the timing and arrangements of DCP works. If established, a key role of this Committee could be to identify and pursue additional funding sources.

8. Items Included in the Plan

The Development Contribution Plan applies only to district level facilities needed within the Development Contribution Areas as determined by the *Northern Coastal Growth Corridor Community Facilities Plan*.



Northern Coastal Growth Corridor
Development Contribution Plan Report

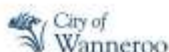
8.1. Infrastructure Items

Alkimos Eglinton Development Contribution Area – SCA (b)

Infrastructure Item	Cost (2011)
District Facilities	
Alkimos South Coastal Village	
Surf Life Saving Club	\$7,243,572
East Alkimos	
Public Open Space (Active)	\$10,787,631
Multipurpose Hard Courts	\$2,175,984
Alkimos Secondary Centre	
Community Centre	\$5,641,538
Library	\$8,429,518
Indoor Recreation Centre	\$13,209,953
TOTAL FACILITY COST (In 2011 costs)	\$47,488,196

Yanchep Two Rocks Development Contribution Area – SCA (c)

Infrastructure Item	Cost (2011)
District Facilities	
Yanchep Lagoon	
Surf Life Saving Club	\$6,920,676
Yanchep DSP Centre 'C'	
Multipurpose Hard Courts	\$2,175,984
Community Centre	\$5,493,278
Capricorn Coastal Node	
Coastal Node Facilities	\$2,139,600
Yanchep Metropolitan Centre	
Public Open Space (Active)	\$20,608,467 (incl land costs)
Yanchep DSP Centre 'K'	
Coastal Node Facilities	\$2,139,600
Library	\$8,184,630
Community Centre	\$5,493,278
TOTAL FACILITY COST (In 2011 costs)	\$53,155,513



Northern Coastal Growth Corridor Development Contribution Plan Report

Full details of how these costs are apportioned within the development contribution area can be seen in the cost apportionment schedule at **Attachment 4**.

8.2. Administrative Items

Under Development Contribution Plan No.2, "Administrative Items" include:

- i. preparation, administration and review of the Development Contribution Plan;
- ii. preparation and review of the Development Contribution Plan and Costs Apportionment Schedule;
- iii. any arbitration and valuation with respect to this Plan; and
- iv. advice and representation with respect to this Plan including legal, accounting, planning, engineering and other professional advice and representation.

Full details of administrative items to be included in the Development Contribution Plan will be confirmed on final endorsement of the Cost Apportionment Schedule following gazettal of the DCP.

9. Review

Various elements of the DCP are subject to ongoing review, as a result of both the general operation of the DCPs and the requirements of SPP 3.6. It is proposed that the DCP and associated CFP be reviewed (at a minimum) in accordance with the following schedule:

- Annually
 - DCP Cost Estimates;
 - DCP Cost Indexation;
 - Contributing Land Area;
 - Cost per Hectare; and
 - Actual population growth vs. projected population growth
- 5-yearly
 - CFP Assumptions and Recommendations
 - Full DCP Review.

Cost Estimates & Indexation

The estimated infrastructure costs shown Section 8.1 of this report and how those costs are apportioned will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs referred to in Clause 11.3 of Schedule 18 of the Scheme (as proposed to be introduced by Amendment No 122 to DPS 2).

Contributing Land Area

The 'contributing land area' is determined by deducting various land uses from the overall developable area, as outlined in Section 7 of this report. The area of most of these land uses is fixed by the Metropolitan Regional Scheme (however this may change from time to time as a result of gazetted amendments) with the exception of the area of existing development which will change as land is progressively developed. The contributing land



**Northern Coastal Growth Corridor
Development Contribution Plan Report**

area will therefore need to be regularly reviewed to reflect the current level of development and any gazetted changes made to the Metropolitan Region Scheme.

Contribution Amount

The cost per hectare on which each landowner's contribution amount is based will be reviewed annually (or as required) as a result of the above changes to the costs and contribution area.



Northern Coastal Growth Corridor
Development Contribution Plan Report

ATTACHMENT 1 – POPULATION AND DWELLING PROJECTIONS

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Aikimos Eglinton Population	0	1,113	2,226	3,338	4,451	5,564	6,677	7,800	9,520	11,440	13,260	15,080	16,900	18,720	20,540	22,360
Yanchep Two Rocks Population	5,200	6,312	7,425	8,538	9,651	10,764	11,876	13,000	15,800	18,200	20,800	23,400	26,000	29,250	32,500	35,750
TOTAL DCA POPULATION	5,200	7,425	9,651	11,876	14,102	16,328	18,553	20,800	25,220	29,640	34,060	38,480	42,900	47,970	53,040	58,110

	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
	24,180	26,000	28,080	30,160	32,240	34,320	36,400	38,220	40,040	41,860	43,680	45,500	47,320	49,140	50,960	52,780
	39,000	42,250	45,500	48,750	52,000	55,250	58,500	61,750	65,000	69,456	73,912	78,369	82,825	87,282	91,738	96,200
	63,180	68,250	73,580	78,910	84,240	89,570	94,900	99,970	105,040	111,316	117,592	123,869	130,145	136,422	142,698	148,980

	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056
	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600	54,600
	101,184	105,175	111,152	116,136	121,121	126,100	130,325	134,550	138,775	143,000	146,900	150,800	154,700	158,600	161,720	164,840
	155,784	160,775	165,752	170,736	175,721	180,700	184,925	189,150	193,375	197,600	201,500	205,400	209,300	213,200	216,320	219,440

	2057	2058	2059
	54,600	54,600	54,600
	167,960	171,080	174,200
	222,560	225,680	228,800



Northern Coastal Growth Corridor
Development Contribution Plan Report

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Aikimos Eglinton Dwellings	0	428	856	1,284	1,712	2,140	2,568	3,000	3,700	4,400	5,100	5,800	6,500	7,200	7,900	8,600	9,300
Yanchep Two Rocks Dwellings	2,000	2,428	2,856	3,284	3,712	4,140	4,568	5,000	5,000	7,000	8,000	9,000	10,000	11,250	12,500	13,750	15,000
TOTAL DCA DWELLINGS	2,000	2,856	3,712	4,568	5,424	6,280	7,136	8,000	9,700	11,400	13,100	14,800	16,500	18,450	20,400	22,350	24,300

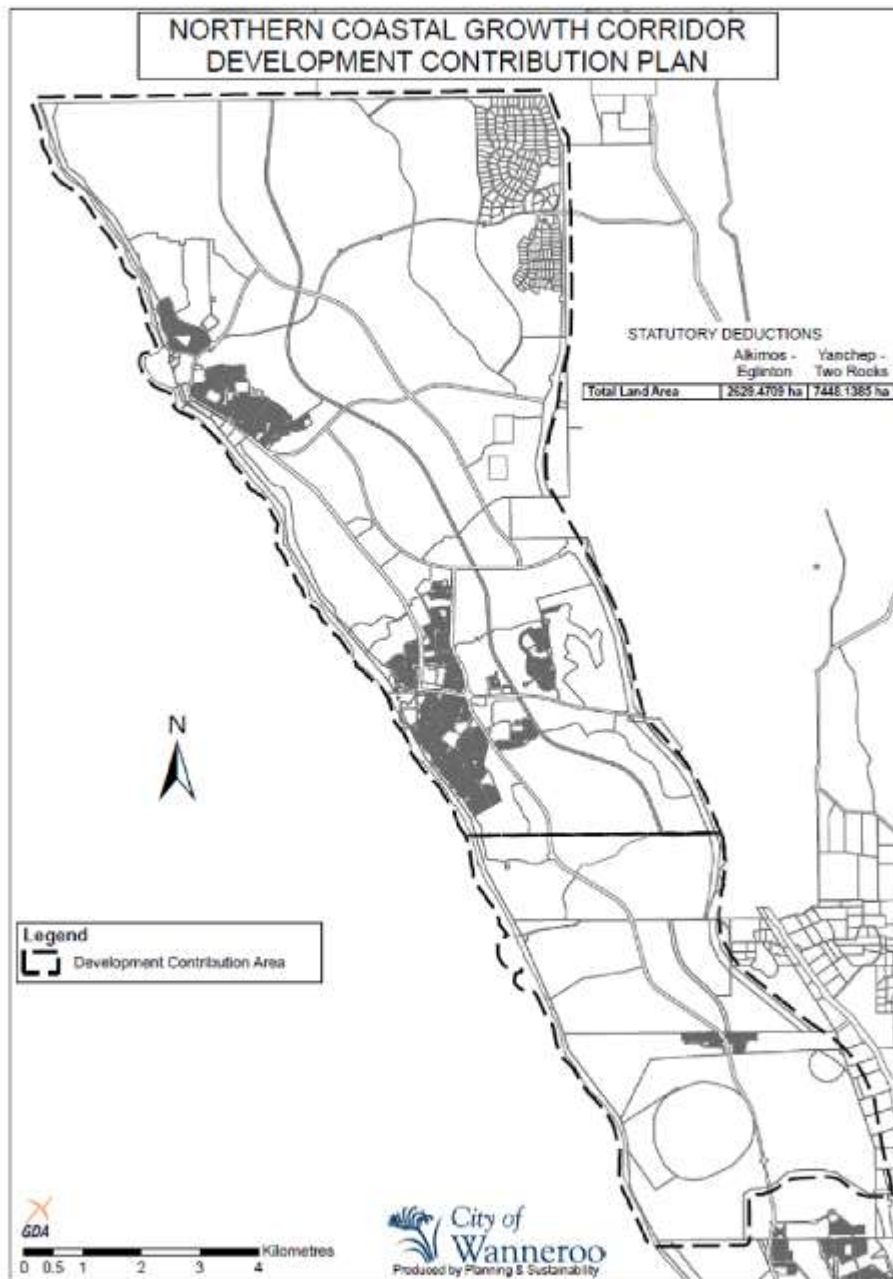
2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
10,000	10,800	11,600	12,400	13,200	14,000	14,700	15,400	16,100	16,800	17,500	18,200	18,900	19,600	20,300	21,000	21,000
16,250	17,800	18,750	20,000	21,250	22,500	23,750	25,000	26,714	28,428	30,142	31,856	33,570	35,284	37,000	38,917	40,837
26,250	28,300	30,360	32,400	34,450	36,500	38,450	40,400	42,814	45,228	47,642	50,056	52,470	54,884	57,300	59,917	61,837

2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059
21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000
42,751	44,668	46,585	48,500	50,125	51,750	53,375	55,000	56,500	58,000	59,500	61,000	62,200	63,400	64,600	65,800	67,000
63,751	65,668	67,585	69,500	71,125	72,750	74,375	76,000	77,500	79,000	80,500	82,000	83,200	84,400	85,600	86,800	88,000



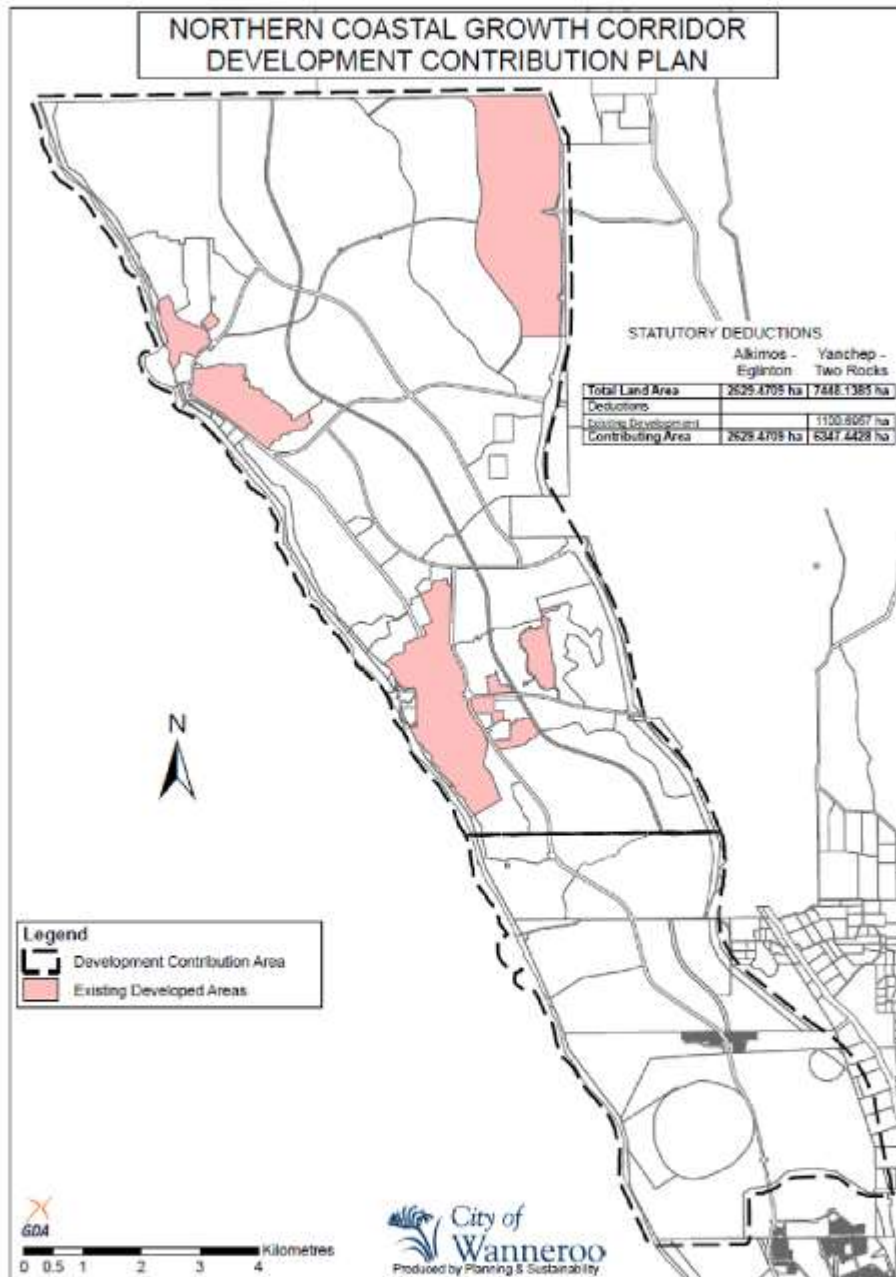
Northern Coastal Growth Corridor
Development Contribution Plan

ATTACHMENT 2 – DETERMINATION OF CONTRIBUTING AREA



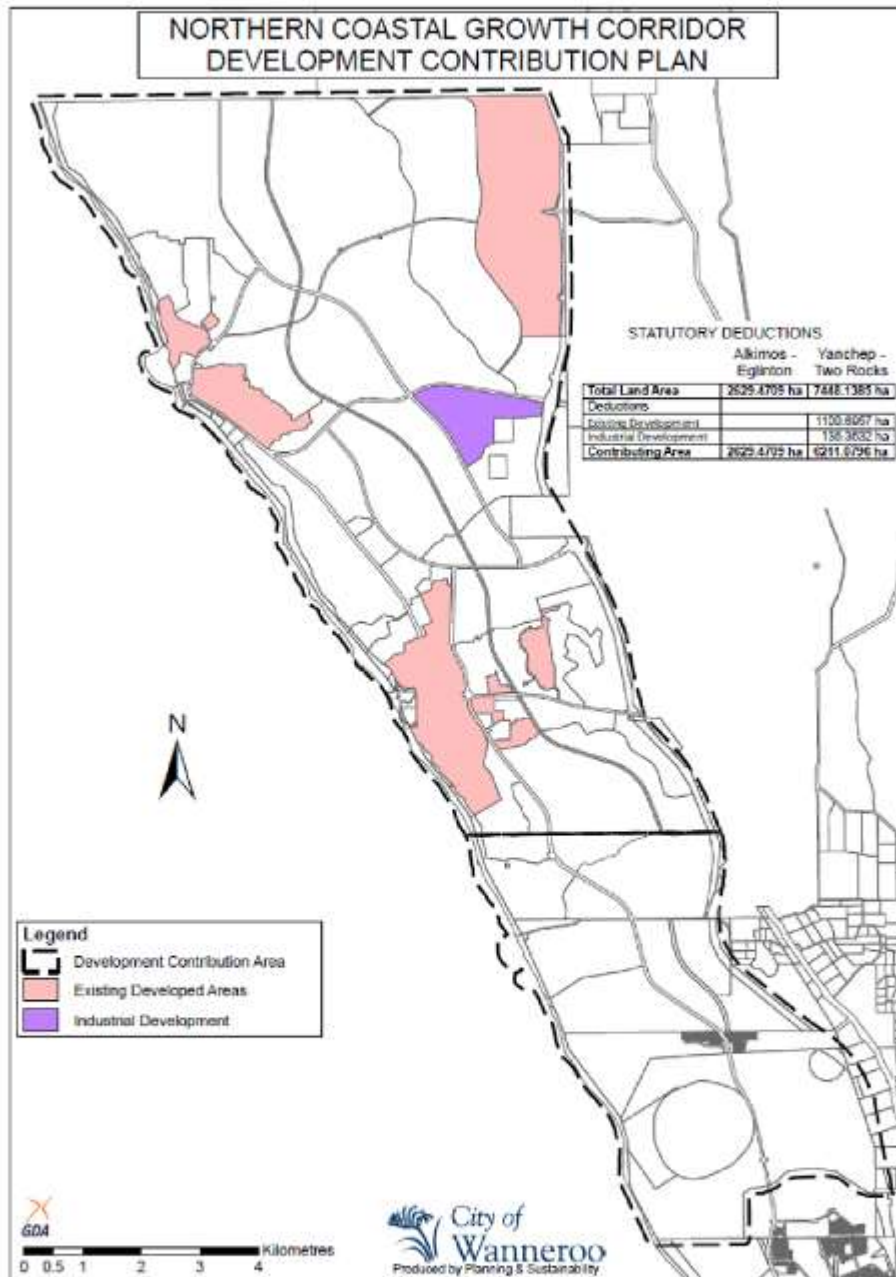


Northern Coastal Growth Corridor
Development Contribution Plan



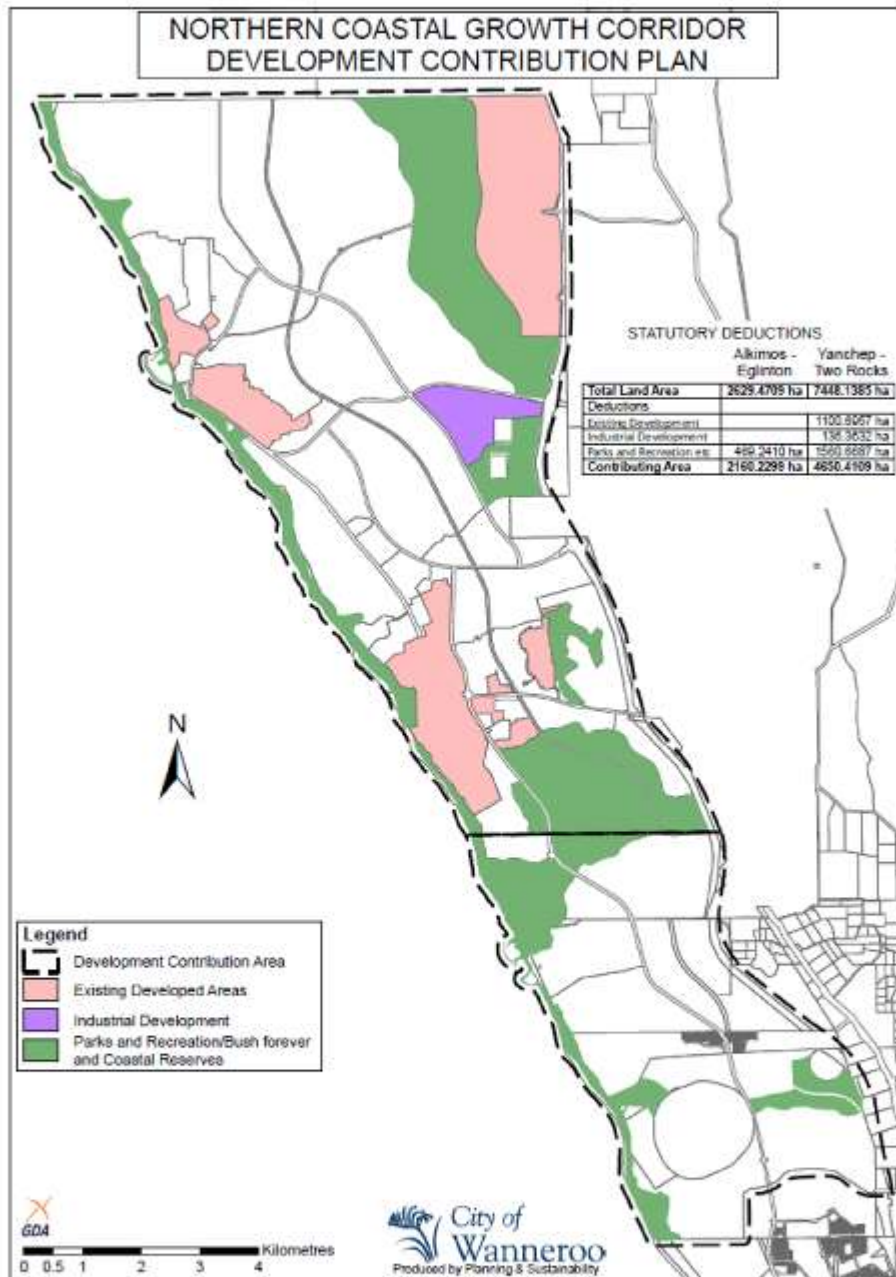


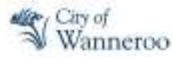
Northern Coastal Growth Corridor
Development Contribution Plan



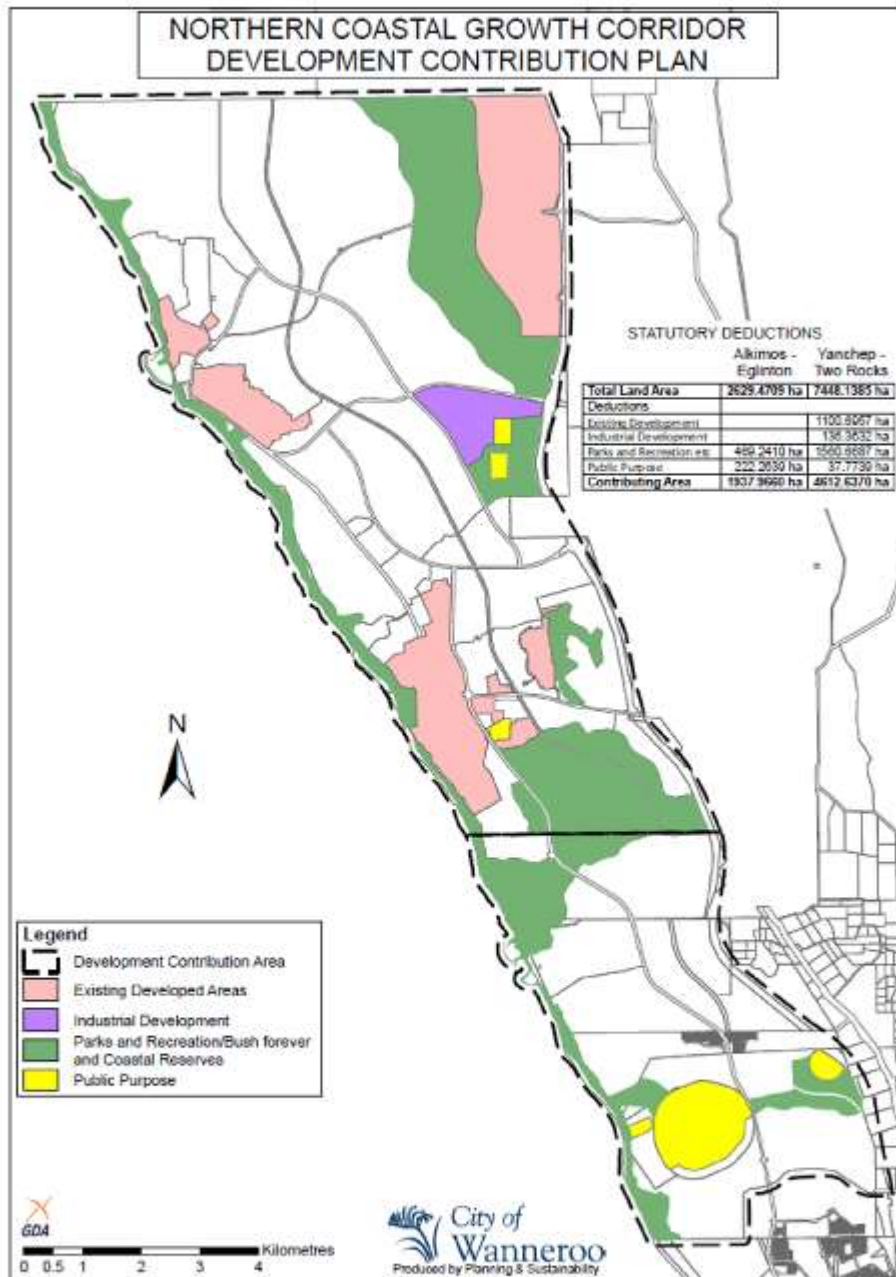


Northern Coastal Growth Corridor
Development Contribution Plan



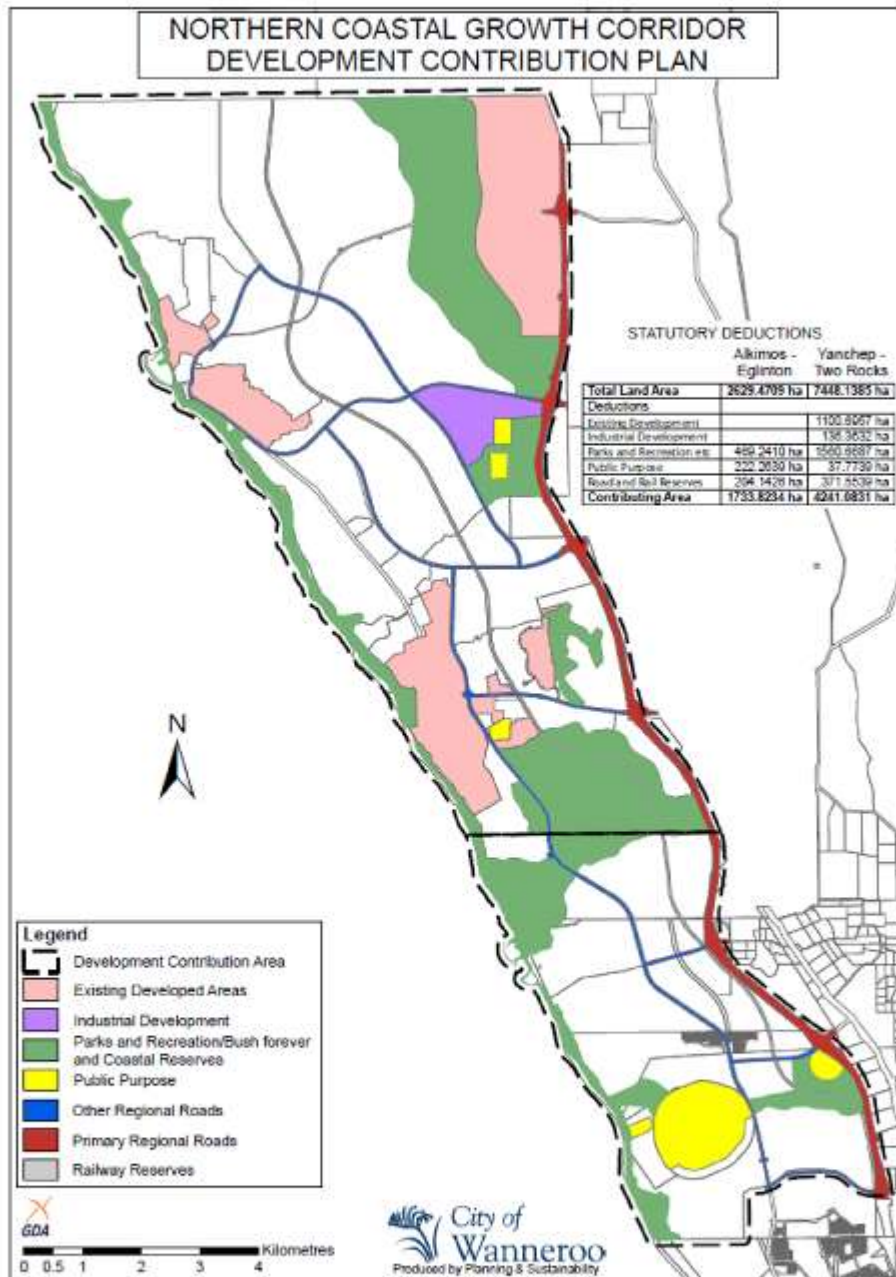


Northern Coastal Growth Corridor
Development Contribution Plan



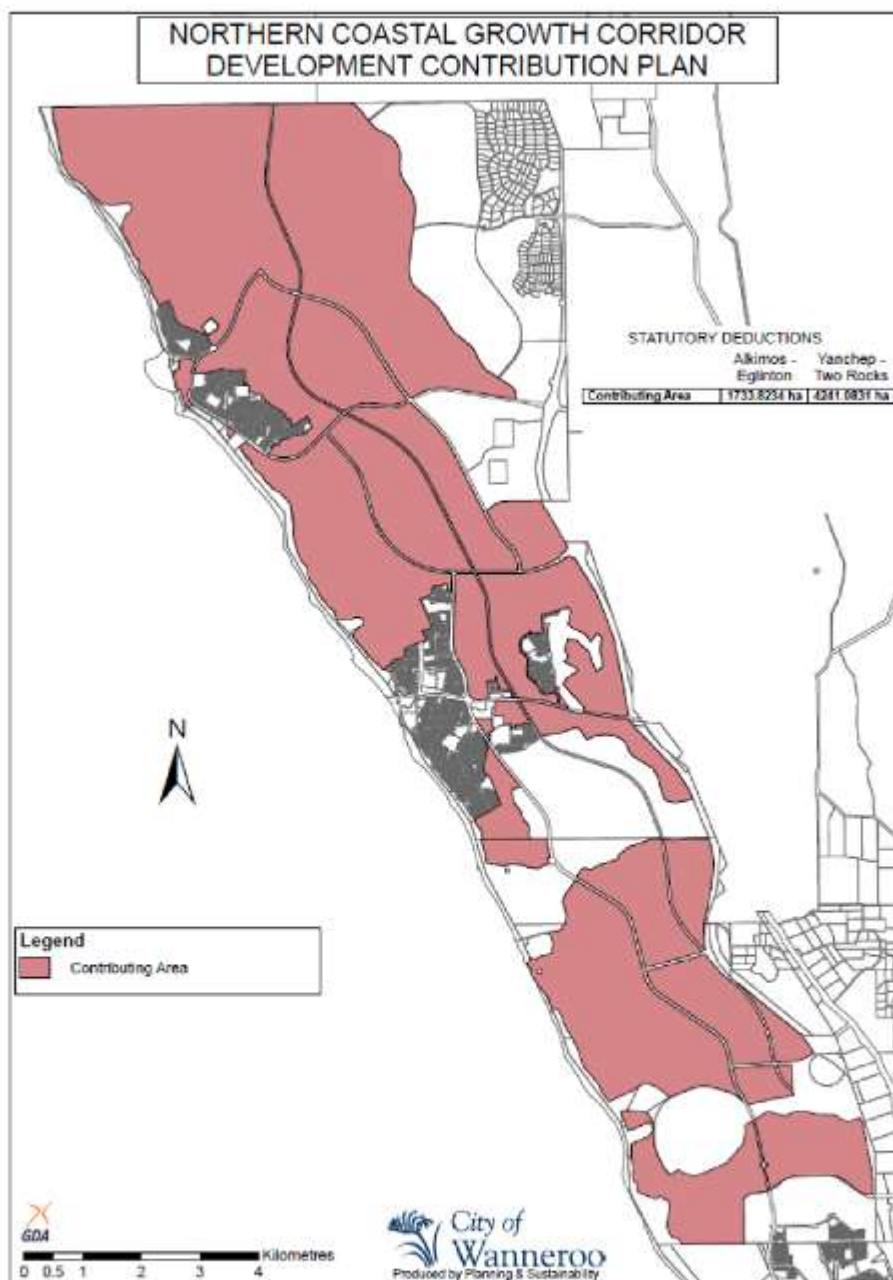


Northern Coastal Growth Corridor
Development Contribution Plan





Northern Coastal Growth Corridor
Development Contribution Plan





Northern Coastal Growth Corridor
Development Contribution Plan

ATTACHMENT 3 - CAPITAL EXPENDITURE PLAN

ALKIMOS EGLINTON DEVELOPMENT CONTRIBUTIONS ARRANGEMENT

Infrastructure Item	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	TOTAL	
15 Senior Centre + Changeooms (South Eglington)																						
BMC Skate Plaza (Alimos Secondary Centre)																						
BMC Skate Plaza (Eglington Coastal Node)																						
Public Open Space (East Alimos)													\$10,797,631									
Multipurpose Hard Courts (East Alimos)													\$2,175,984									
Surf Life Saving Club (Alimos South Coastal Village)													\$7,343,672									
Community Centre (Alimos Regional Centre)																	\$5,641,538					
Library (Alimos Regional Centre)																		\$6,429,516				
Indoor Recreation Centre (Alimos Secondary Centre)																				\$13,209,603		
TOTAL FACILITY COST (in 2011 costs)													\$12,963,616	\$7,343,672			\$5,641,538	\$6,429,516		\$13,209,603		\$47,488,196



Northern Coastal Growth Corridor
Development Contribution Plan

YANCHEP TWO ROCKS DEVELOPMENT CONTRIBUTION ARRANGEMENT

Infrastructure Item	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2031/32	TOTAL
Patio Open Space (Yanchep Metropolitan Centre)	\$20,000,467																			
Beach Activity Node (Capricorn Coastal Node)		\$2,199,600																		
Surf Life Saving Club (Yanchep Lagoon)				\$6,920,676																
Multipurpose Hard Courts (Yanchep DSP Centre 'C')									\$2,175,984											
Community Centre (Yanchep DSP Centre 'G')									\$6,495,278											
Library (Yanchep DSP Centre 'K')															\$9,164,030					
Community Centre (Yanchep DSP Centre 'K')															\$6,495,278					
Beach Activity Node (Yanchep DSP Centre 'K')																\$2,139,600				
TOTAL FACILITY COST (in 2011 costs)	\$28,000,467	\$2,199,600		\$6,920,676					\$7,469,262						\$13,677,560	\$2,199,600				\$63,166,513



Northern Coastal Growth Corridor
Development Contribution Plan

ATTACHMENT 4 - COST APPORTIONMENT SCHEDULE

ALKIMOS EGLINTON DEVELOPMENT CONTRIBUTION AREA

Address	Locality	Title (Lot/Folio)	Owner	Legal Lot Size (ha)	Gross Dev Cont Area (ha)	Net Dev Cont Area (ha) (Gross minus 35%)	Proportion of Overall Developable Area
2610 Mannion Avenue	ALKIMOS	Lot 9003 DP: 69493	Water Corporation of WA	350.3168	266.6437	173.3184	15.38%
2611 Mannion Avenue	ALKIMOS	Lot 9002 DP: 69492	Landcorp	224.4112	183.1639	119.0595	10.56%
2611 Mannion Avenue	ALKIMOS	Lot 9002 DP: 69492	Landcorp	99.0058	77.4100	50.3185	4.46%
2931 Mannion Avenue	ALKIMOS	Lot 9003 DP: 67189	Peat Alkimos Pty Ltd	241.2345	198.4445	128.9889	11.45%
80L Romeo Road	ALKIMOS	Lot 1012 DP: 69492	Water Corporation of WA	220.9328	28.4279	18.4781	1.64%
82L Romeo Road	ALKIMOS	Lot 9001 DP: 69492	Water Corporation of WA	61.9324	45.3385	29.4700	2.61%
18 Taranga Place	EGLINTON	Lot 8 D: 26989	Estate of Late Lindsay Spiers	67.1974	62.2214	40.4439	3.59%
250 Pipidiny Road	EGLINTON	Lot 2 P: 56558	Landcorp	47.8726	47.8435	31.0983	2.76%
250 Pipidiny Road	EGLINTON	Lot 2 P: 56558	Landcorp	52.3504	52.3403	34.0212	3.02%
250 Pipidiny Road	EGLINTON	Lot 2 P: 56558	Landcorp	241.9602	236.4757	153.7092	13.64%
285 Pipidiny Road	EGLINTON	Lot 15 P: 17935	Western Australian Planning Commission	13.3326	13.1223	8.5295	0.76%
3100 Mannion Avenue	EGLINTON	Lot 2 DP: 65848	Eglinton Estates PTY LTD	198.1834	192.9351	125.4078	11.13%
317 Pipidiny Road	EGLINTON	Lot 1007 DP: 61239	Eglinton Estates PTY LTD	180.6314	165.2429	107.4079	9.53%
405 Pipidiny Road	EGLINTON	Lot 8100 DP: 65848	Eglinton Estates PTY LTD	170.9995	158.0241	102.7157	9.11%
450 Pipidiny Road	EGLINTON	Lot 8 D: 27890	Western Australian Planning Commission	15.3194	2.2053	1.4334	0.13%
501L Pipidiny Road	EGLINTON	No Data	Landcorp	10.9446	3.9843	2.5886	0.23%
TOTAL				2226.2251	1733.8234	1126.9852	100.00%
%age of Lot Developable						60.82%	



Northern Coastal Growth Corridor
Development Contribution Plan

YANCHEP TWO ROCKS DEVELOPMENT CONTRIBUTION AREA

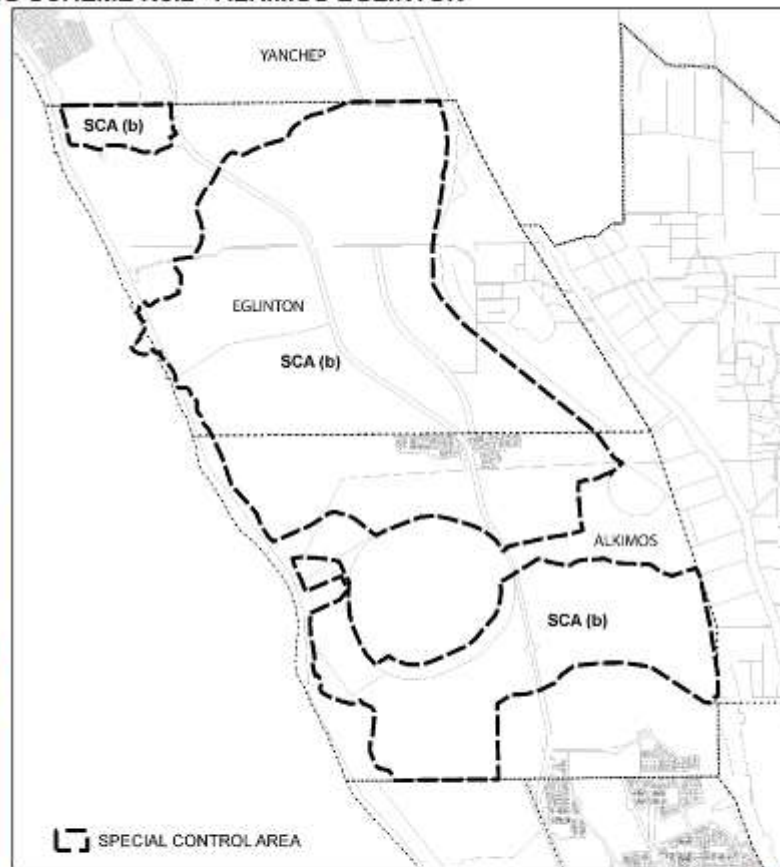
Address	Locality	Title (Lot/Folio)	Owner	Legal Lot Size (ha)	Gross Dev Cont Area (ha)	Net Dev Cont Area (ha) (GDA minus 35%)	Proportion of Overall Developable Area
3523 Marnion Avenue	YANCHEP	Lot 101 P: 21521	Landcorp	72.8828	71.1016	46.2180	1.68%
108 Blackwood Meander	YANCHEP	Lot 9004 DP: 68142	Australand Industrial No.140 PTY LTD	20.0738	15.7856	10.2606	0.37%
131 Yanchep Beach Road	YANCHEP	Lot 9001 DP: 54264	Yanchep Beach Estates PTY LTD	14.6618	7.5962	4.9375	0.18%
300 Yanchep Beach Road	YANCHEP	Lot 808 DP: 55818	Peet Limited	151.4284	151.3443	98.3738	3.57%
144 St Andrews Drive	YANCHEP	Lot 490 DP: 43846	Sun City Ltd	60.1660	2.3493	1.5270	0.06%
250 Yanchep Beach Road	YANCHEP	Lot 602 DP: 56101	Yanchep Beach Joint Venture	110.9373	110.9373	72.1092	2.62%
301 Yanchep Beach Road	YANCHEP	Lot 1 DP: 63668	Australand Industrial No.140 PTY LTD	57.8195	57.7979	37.5896	1.36%
351 Yanchep Beach Road	YANCHEP	Lot 2 DP: 63668	Yanchep Beach Joint Venture	58.5216	58.4159	37.9703	1.38%
361 Yanchep Beach Road	YANCHEP	Lot 200 D: 96819	Dancea Nominees Pty Ltd	0.5718	0.2497	0.1623	0.01%
1 Indian Ocean Drive (Part)	YANCHEP	Lot 11544 DP: 217799	State of Western Australia	61.8139	51.6056	33.5436	1.22%
599 Two Rocks Road	YANCHEP	Lot 9030 DP: 71039	Capricorn Investment Group & Yanchep Sun City	13.9008	13.8994	9.0346	0.33%
599 Two Rocks Road	YANCHEP	Lot 9030 DP: 71039	Capricorn Investment Group & Yanchep Sun City	13.1714	13.1669	8.5505	0.31%
10 Enterprise Avenue	TWO ROCKS	Lot 50 P: 14500	Fini Group Pty Ltd	13.5207	13.5207	8.7865	0.32%
110 Sovereign Drive	TWO ROCKS	Lot 12871 P: 21928	COW Managed	36.7840	4.2123	2.7380	0.10%
130 Listford Avenue	TWO ROCKS	Lot 9000 DP: 63343	Capricorn Investment Group & Yanchep Sun City	79.6320	79.6029	51.7419	1.88%
146 Toropango Avenue	TWO ROCKS	Lot 603 DP: 58922	Yanchep Beach Joint Venture	246.4150	245.9203	159.0482	5.80%
146 Toropango Avenue	TWO ROCKS	Lot 603 DP: 58922	Yanchep Beach Joint Venture	86.1733	86.1733	56.0126	2.03%
230 Listford Avenue	TWO ROCKS	Lot 14 DP: 39563	Atlantis and Two Rocks PTY LTD	588.4106	580.8933	377.5611	13.70%
230 Toropango Avenue	TWO ROCKS	Lot 605 DP: 55818	Tokyu Corporation	243.4482	243.3508	158.1750	5.74%
251 Shearwater Avenue	TWO ROCKS	Lot 605 DP: 55818	Tokyu Corporation	159.3320	159.2807	103.5325	3.76%
251 Toropango Avenue	TWO ROCKS	Lot 5000 DP: 61205	Tokyu Corporation	40.7952	40.7702	26.5065	0.96%
256 Shearwater Avenue	TWO ROCKS	Lot 315 P: 21918	Tokyu Corporation	135.6380	0.0000	0.0000	0.00%
339 Two Rocks Road	TWO ROCKS	Lot 8 D: 71034	Dancea Nominees P/L T/F Dix Vaz Family	9.2380	9.2351	6.0028	0.22%
340L Two Rocks Road	TWO ROCKS	Lot 13321 P: 21931	COW Managed	40.8760	3.6633	2.3811	0.09%
342 Breakwater Drive	TWO ROCKS	Lot 204 P: 21921	Atlantis Cove PTY LTD	544.5096	544.5096	353.9312	12.84%
409 Toropango Avenue	TWO ROCKS	Lot 9020 DP: 61205	Tokyu Corporation	139.4494	139.4073	90.6147	3.29%
409 Toropango Avenue	TWO ROCKS	Lot 9020 DP: 61205	Tokyu Corporation	255.3718	246.5840	160.2861	5.81%
50 Two Rocks Road	TWO ROCKS	Lot 8989 DP: 213232	Pyford Court PTY LTD	4.6670	1.5700	1.0205	0.04%
510 Two Rocks Road	TWO ROCKS	Lot 2 P: 10424	Capricorn Investment Group & Yanchep Sun City	22.2064	21.5824	14.0156	0.51%
511 Shearwater Avenue	TWO ROCKS	Lot 205 P: 21923	Tokyu Corporation	234.2054	234.2054	152.2335	5.52%
512 Shearwater Avenue	TWO ROCKS	Lot 205 P: 21920	Tokyu Corporation	401.6810	401.6810	261.0027	9.47%
602 Two Rocks Road	TWO ROCKS	Lot 9028 DP: 60291	Capricorn Investment Group & Yanchep Sun City	34.5364	34.5242	22.4407	0.81%
603 Shearwater Avenue	TWO ROCKS	Lot 207 P: 21927	Capricorn Investment Group & Yanchep Sun City	58.8252	58.7331	38.1765	1.38%
710 Shearwater Avenue	TWO ROCKS	Lot 205 P: 21922	Two Rocks Investments PTY LTD	245.9222	245.8009	159.7706	5.80%
75 Darnepette Drive	TWO ROCKS	Lot 9001 DP: 63343	Capricorn Investment Group & Yanchep Sun City	63.7274	63.7014	41.4059	1.50%
79 Listford Avenue	TWO ROCKS	Lot 500 DP: 39466	Capricorn Investment Group & Yanchep Sun City	142.3734	142.3734	92.5427	3.36%
8 Listford Avenue	TWO ROCKS	Lot 1000 P: 10133	Fini Group Pty Ltd	3.4942	3.4842	2.2712	0.08%
89 Darnepette Drive	TWO ROCKS	Lot 13 DP: 39563	Capricorn Investment Group & Yanchep Sun City	77.9840	77.9678	50.6791	1.84%
99 Listford Avenue	TWO ROCKS	Lot 332 DP: 21929	City of Wimmeroo - Drainage	0.3544	0.3544	0.2304	0.01%
49L Darnepette Drive	TWO ROCKS	Ree: 11932	State of Western Australia - Trigonometrical Station	0.4047	0.4047	0.2831	0.01%



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81 Lisford Avenue	TWO ROCKS	Lot: 1 DP: 80150	Telstra Corporation Ltd	0.0219	0.0219	0.0142	0.00%
59 Lisford Avenue	TWO ROCKS	Lot: 200 DP: 53407	City of Wanneroo	0.9685	0.9685	0.6425	0.02%
Breakwater Drive	TWO ROCKS	Road Reserve	Breakwater Drive - Local Road	2.3373	2.3373	1.5182	0.06%
TOTAL				4558.0744	4241.0831	2756.7040	100.00%
%age of Lot Developable						60.48%	

AMENDMENT 122 TO DISTRICT PLANNING SCHEME No.2 - ALKIMOS EGLINTON



LEGEND

METROPOLITAN REGION SCHEME RESERVES

- PARKS & RECREATION
- RAILWAYS
- STATE FORESTS
- WATER CATCHMENT
- CIVIC AND CULTURAL
- WATERWAYS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE
- DENOTED AS FOLLOWS:
- HS HIGH SCHOOL
- WSD WATER AUTHORITY OF WA

LOCAL SCHEME RESERVES

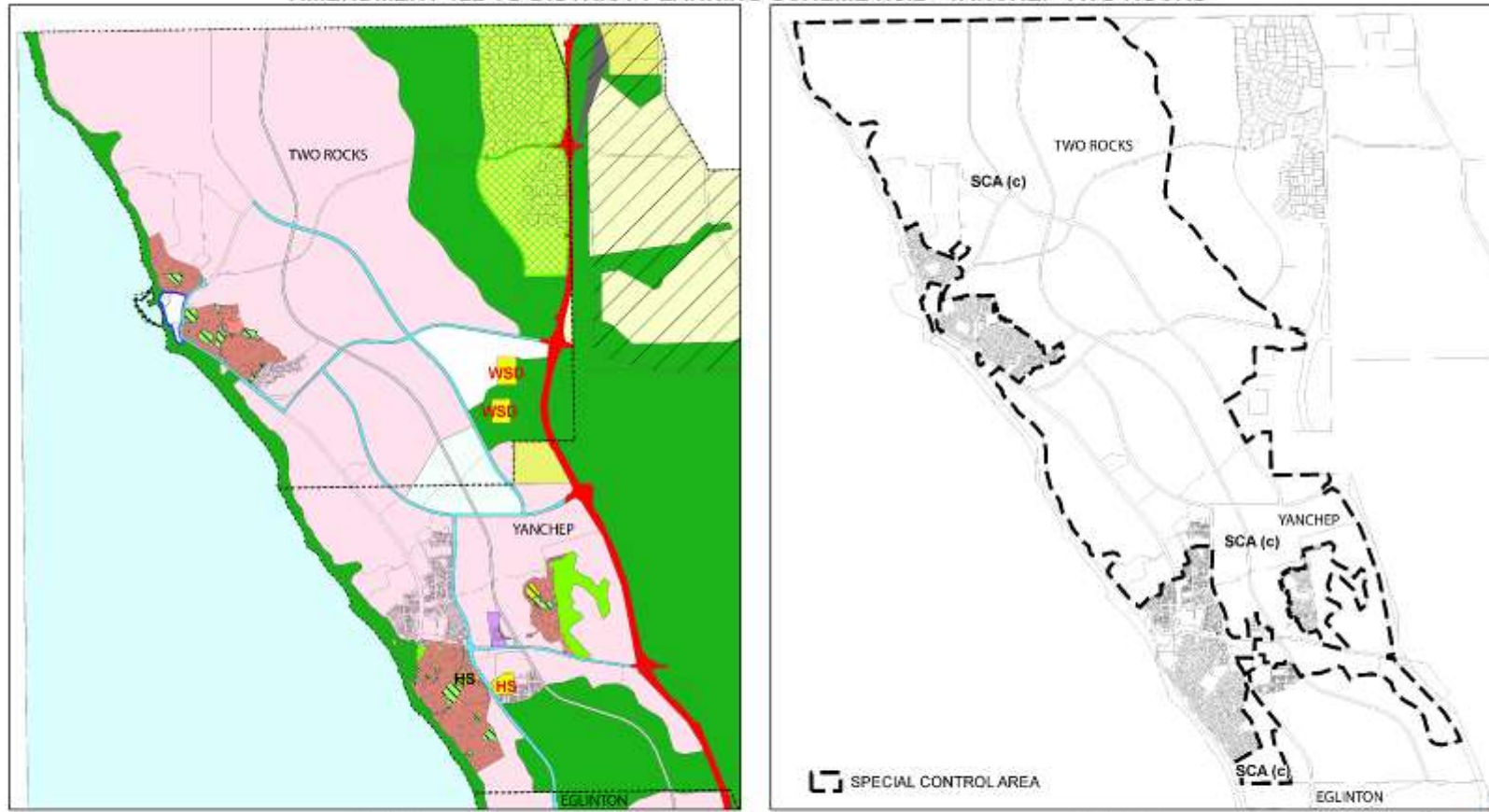
- PARKS & RECREATION
- PUBLIC USE
- DENOTED AS FOLLOWS:
- HS HIGH SCHOOL

ZONES

- RESIDENTIAL
- BUSINESS
- COMMERCIAL
- SERVICE INDUSTRIAL
- PRIVATE CLUBS & RECREATION
- CENTRE
- URBAN DEVELOPMENT
- INDUSTRIAL DEVELOPMENT
- GENERAL RURAL
- RURAL COMMUNITY
- MARINA



AMENDMENT 122 TO DISTRICT PLANNING SCHEME No.2 - YANCHEP TWO ROCKS



LEGEND

METROPOLITAN REGION SCHEME RESERVES

- PARKS & RECREATION
- RAILWAYS
- STATE FORESTS
- WATER CATCHMENT
- CIVIC AND CULTURAL
- WATERWAYS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE
- DENOTED AS FOLLOWS:
- HS HIGH SCHOOL
- WSD WATER AUTHORITY OF WA

LOCAL SCHEME RESERVES

- PARKS & RECREATION
- PUBLIC USE
- DENOTED AS FOLLOWS:
- HS HIGH SCHOOL

ZONES

- RESIDENTIAL
- BUSINESS
- COMMERCIAL
- SERVICE INDUSTRIAL
- PRIVATE CLUBS & RECREATION
- CENTRE
- URBAN DEVELOPMENT
- INDUSTRIAL DEVELOPMENT
- GENERAL RURAL
- RURAL COMMUNITY
- MARINA


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