

Requirements for the approval of common infrastructure works pre-funded by developers

Under the provisions of Clause 3.10 of the City's North Forrestdale Development Contribution Plan (DCP) No.3, included within Town Planning Scheme No.4, a developer can apply for approval to prefund a Common Infrastructure item.

Common Infrastructure items funded through DCP No.3 are detailed under Clause 3.6.3 and as per the adopted Infrastructure Cost Schedule (ICS).

As per Clause 3.10, a prefunding agreement is required to be approved by the City prior to the commencement of works.

This includes all Common Infrastructure works, whether related to the design and/or construction phase of a project.

Approval of civil, landscaping or subdivisional works by the City does not infer prefunding approval or reimbursement under DCP No.3.

The City has the authority to refuse reimbursement or accept handover of a Common Infrastructure item where prefunding approval has not been obtained from the City in advance of works being undertaken.

Prefunding of a Common Infrastructure item by a developer can be necessary or desirable for a number of reasons i.e. a condition of subdivision, for access and/or servicing arrangements, community needs, cost effectiveness or the early provision of infrastructure for the betterment of the development.

Please refer to the "Prefunding of Common Infrastructure Other than Land" flowchart (page 3) for a general guide on the provisions adopted under Clause 3.10 of DCP No.3.

The City as manager of DCP No.3 has delegation to approve, defer or refuse prefunding arrangements with consideration to the principle objectives of DCP No.3, being the equitable cost sharing of Common

Infrastructure provision in a cost effective and timely manner.

Prefunding Application

In order to initiate the prefunding process, an application should be submitted to the City's Project Manager Contribution Arrangements for consideration. The information required as part of a prefunding application varies in relation to the specific Common Infrastructure item. Some standard requirements are listed below but additional information may be required:

- Scope of works
- Quotation
- Evidence of tender/quotation process to obtain fair market price
- Assessment of quotation to adopted ICS cost estimate
- Timing of works/contract
- State or other agency approval/consultation
- Consultation with affected landowners
- Proposed timeline for key milestones i.e. design approvals/site inspection

Following submission of the application to the City, the City will undertake an assessment as per the provisions of Clause 3.10 and, as detailed on the "Prefunding of Common Infrastructure Other than Land" flowchart.

As per the provisions of Clause 3.10, the City has 60 days to consider a prefunding application but as a matter of principle the City endeavours to process all applications in a timely manner.

It is advisable for applicants to meet with the City's Project Manager Contribution Arrangements prior to submitting an application.

The prefunding process is independent to any civil works or subdivisional approvals that may be sought or issued. Therefore, it is important to note that any engineering approval does not provide exemption from the prefunding approval process of DCP No.3.

Prefunding Agreement

Where a prefunding agreement is accepted by the City, the applicant is required to undertake works as per the agreement. Any variation to the prefunding agreement, whether it is to the scope or cost of works, must be formally referred to the City's Project Manager Contribution Arrangements for approval prior to acceptance.

Prefunding Finalisation & Reimbursement

A final claim is required to be submitted within 12 months of the completion of works. Additional information such as invoice/remittance slips, as-constructed drawings, practical completion certificates, any state/other agency approvals or other documentation requested by the City should support the final claim submission

Key Points

- An application for the authority to prefund a Common Infrastructure item should be formally submitted to the City in writing with consideration of the approval process timeframes;
- The City should approve a prefunding agreement prior to the commencement of works;
- Prior to the acceptance of any variations to the prefunding agreement, the applicant should formally refer the variation to the City for approval;
- Civil works, landscaping or subdivisional works approvals from the City do not infer prefunding approval or reimbursement under DCP No.3;
- A final claim for reimbursement is required to be submitted to the City within 12 months of the completion of works, such a claim must include but not limited to the as-constructed drawings, invoice and payment remittance/invoices.

Exemption

In the event the funding provision for a Common Infrastructure item is a "contribution" to the cost and not 100% funded, i.e. matters for which a per linear metre rate is adopted in the ICS, a prefunding agreement is not required.

As the principle behind a "contribution" is not full reimbursement then the actual cost to provide the Common Infrastructure item is not a matter requiring the City's pre-approval under DCP No. 3.

However, in order to obtain the specified DCP No.3 "contribution", the Common Infrastructure item must be fully implemented to the specifications required by the DCP No.3 i.e. District Dual Use Paths are required to be construction to a width of 2.5 metres in order to obtain the total linear metre contribution adopted under the ICS applicable at the time of construction.

Further Information

The City's Project Manager Contribution Arrangements is available to meet and discuss a developer's prefunding proposals and the relevant provisions of the City's DCP No.3.

Developers have found this process a constructive and worthwhile exercise in obtaining the timely and efficient implementation of Common Infrastructure items and related reimbursements through the City's DCP No.3.

For further information, refer to the Planning section of the City's website where the following information is available:

- Town Planning Scheme No. 4
- Local Planning Policies
- Information Sheets
- Schedule of Fees and Charges
- Application for Development Approval
- Development Application Checklist
- Contact the City's Planning Services for further information.

Please note the information contained within this brochure is intended as a guide only. It is recommended that advice and assistance of City's Planning Services staff be sought prior to lodgement of a development application. The City of Armadale disclaims any liability for any damages sustained by a person acting on the basis of this information.