

DEVELOPMENT CONTRIBUTION PLAN 4 REPORT

Anstey Keane Precinct (Forrestdale) Urban
Development Area as identified on Scheme
Special Control Area Map 3

May 2021

This report has been prepared in accordance with Town Planning Scheme No.4 and State Planning Policy 3.6. The report provides the rationale and justification for the development contribution plan, the calculation of costs, and the Infrastructure Cost Schedule specifying the costs for each owner. Development Contribution Plan 4 is included in Schedule 9B of Town Planning Scheme No.4.

The Values of the City of Armadale



We demonstrate personal responsibility for the safety and wellbeing of everyone around us. Everything we do relies upon the safety of our workforce and the community. We care about the safe management of the environment.



We are honest, consistent, open and transparent in our dealings with our stakeholders and are committed to building mutual trust and respect.



We set high performance expectations and hold ourselves accountable for the quality of our work and the results we achieve as individuals, as team members and as an organisation.



We are sincere, fair and forthright, treating others with dignity and respecting their individual differences, feelings and contributions.



We show pride, enthusiasm and dedication in everything that we do. We are committed to delivering high quality service and advice.

Contents

1. INTRODUCTION	5
2. OVERVIEW	5
2.1 Development Contribution Area	5
2.3. Period of Plan.....	6
2.4. Application Requirements.....	6
2.5. Principles.....	6
3. INFRASTRUCTURE ITEMS	8
3.1 Community Infrastructure - Sporting and Community Facilities - Senior Size Playing Field - Land Acquisition.....	8
3.1.1 Proposal.....	8
3.1.2 Need and Nexus	8
3.1.3 Scope.....	10
3.2 Movement Network – Anstey Road Widening and Construction	10
3.2.1 Proposal.....	10
3.2.2 Need and Nexus	11
3.2.3 Scope.....	11
3.3 Movement Network – Keane Road Construction	11
3.3.1 Proposal.....	11
3.3.2 Need and Nexus	12
3.3.3 Scope.....	12
3.4 Movement Network – Shared Path Network	12
3.4.1 Proposal.....	12
3.4.2 Need and Nexus	12
3.4.3 Scope.....	12
3.5 Baileys Branch Drain Surrounds – Betterment of Baileys Branch Drain Immediate Surrounds	12
3.5.1 Proposal.....	12
3.5.2 Need and Nexus	13
3.5.3 Scope.....	14
3.6 Waste Water Pump Station Land	14
3.6.1 Proposal.....	14
3.6.2 Need and Nexus	14
3.6.3 Scope.....	14
3.7 ATCO High Pressure Gas Pipeline	14
3.7.1 Proposal.....	14
3.7.2 Need and Nexus	15

3.7.3 Scope.....	15
4. ESTIMATED COSTS	15
4.1. Infrastructure Costs	15
4.2 Administration Costs	18
4.3 Acquisition of Land for Common Infrastructure Works.....	19
4.3.1 Valuation Provisions Information	19
4.3.2 Compulsory Acquisition	19
4.3.3 Assessed Value	19
4.3.4 Valuation Principles	20
4.3.5 Variance and Solatium	20
4.3.6 Acquisition Prior to Gazettal.....	21
5.0 METHOD FOR CALCULATING CONTRIBUTIONS	21
5.1 Approach.....	21
5.2 Cost Contribution Calculation	21
5.3 Cost Contribution Due	22
6.0 PRIORITY AND TIMING OF INFRASTRUCTURE.....	22
7.0. PAYMENT OF CONTRIBUTION	23
7.1 Liability for Cost Contributions.....	23
7.2 Credits for Infrastructure.....	23
7.3 Provision of Land for Infrastructure	23
7.4 Collection and Enforcement.....	24
7.5 Administration of Funds	24
7.6 Shortfall in Cost Contributions	24
7.7 Excess in Cost Contributions	24
8.0 PREFUNDING OF COMMON INFRASTRUCTURE WORKS	24
8.1 Application Required	24
8.2 Records and Disputes.....	24
8.3 Timeframe to Lodge Claim.....	25
8.4 Treatment of Claim	25
8.5 Credit against Cost Contribution Due.....	25
8.6 Refund of Excess Credits.....	25
9.0 REVIEW	25
9.1 Timeframe.....	26
9.2 Matters to be considered	26
9.3 Advertising.....	26
9.4 Treatment of Objections	27

10.0 DEFINITIONS.....	27
11.0 SOURCES AND ACKNOWLEDGMENTS.....	28
12.0 APPENDICES	28

1. INTRODUCTION

This report has been prepared in accordance with Part 5A of Town Planning Scheme No.4 (the Scheme) and State Planning Policy 3.6 to set out in detail the calculation of the Cost Contribution for each Owner in Development Contribution Area (DCA) 4.

Development Contribution Plan (DCP) 4 was prepared by the City in conjunction with the major Owners in the area and other key stakeholders. The plan will operate in accordance with the provisions of DCP 4 in Schedule 9B and applicable provisions of Part 5A of the Scheme. Where the provisions of DCP 4 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of DCP 4 in Schedule 9B prevail to the extent of any inconsistency.

This report should be read in conjunction with DCP 4 in Schedule 9B of the Scheme and the DCP 4 Infrastructure Costs Schedule (ICS). Schedule 9B specifies the projects that are to be funded by DCP 4. The ICS is appurtenant to the Scheme and DCP 4, and containing the estimated cost of Infrastructure and Administration of DCP 4, contribution cost, land area deductions and land area summary, as periodically reviewed. The ICS provides further detail of the DCP projects included in Schedule 9B.

2. OVERVIEW

2.1 Development Contribution Area

The DCS is shown on the Scheme Special Control Area Map 3 as DCA 4 and is commonly known as the Anstey Keane Precinct, Forrestdale. The area is bound by Keane Road to the north-east, Armadale Road to the south and Bush Forever Site No. 342 to the north-west.

DCP 4 is intended to apply to all land within the Anstey Keane Precinct which is capable of being developed to an urban standard beyond the currently prevailing rural uses. Owners are required to contribute to infrastructure that is attributable to the subdivision and development of the precinct and their land.

Effective urbanisation within the Precinct requires the cost efficient provision of infrastructure and facilities, such as utilities, roads, open space and sporting and community facilities. This physical and social infrastructure greatly benefits the standard of living, mobility and lifestyle choices of the community and supports the community's economic and social wellbeing.

DCPs enable a user pays approach to the provision of required infrastructure and facilities under a need and nexus approach. Items included in DCPs have a connection between development and the demand created by the development.

Landowner contributions shall be made through monetary payment or, at the discretion of the City, offset by undertaking works-in-kind or ceding land. The requirement to provide a contribution arises as per Clause 5A.5 of the Scheme.

DCP costs have been distributed either:

- a) over entire Anstey-Keane Precinct, or
- b) over a defined precincts that reflect the Structure Plan precincts,

depending on whether the subject infrastructure item benefits all of the landowners or just those within the defined precinct, having regard to the principles underlying development contributions described in the State Planning Policy (SPP) 3.6.

2.2 Purpose

Elaborating on Part 5A.2 of the Scheme, the purpose of DCP 4 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) support the coordination and timely provision of infrastructure.

The DCP generally conforms to the Southern River Forrestdale Brookdale Wungong District Structure Plan, structure plans for the precinct and the local government's Community Infrastructure Plan (CIP), Local Planning Strategy, Corporate Business Plan and Strategic Community Plan.

2.3. Period of Plan

As per Clause 4.5 of DCP 4 in Schedule 9B of the Scheme, DCP 4 is proposed to operate for a period of 12 years from the date of gazettal of the town planning scheme amendment that adds DCP 4 into the Scheme, by which time development within Development Contribution Area 4 is expected to be largely complete. The proposed timeframe aims to account for uncertainty regarding the staging and completion of subdivision and / or development across the whole precinct. Amendment No. 102 added DCP 4 into the Scheme and was gazetted on 22 February 2021.

The local government may in the future need to consider extending the period of operation, through an amendment to the Scheme, in the event that growth does not occur as rapidly as expected, or if new growth areas occur. The local government may also terminate DCP 4 earlier, through an amendment to the Scheme, if growth occurs quicker than expected and all contributions have been settled. All land within Development Contribution Area 4 is subject to the requirements of the DCP 4 until the plan expires or is revoked or terminated.

The City is committed to providing the Infrastructure items, including the acquisition of land for Infrastructure, as soon as feasible taking into considering the rate of development and funds collected in DCP 4.

2.4. Application Requirements

Where a subdivision, strata subdivision or development application or an extension of land use is lodged which relates to land to which DCP 4 applies, the local government shall have regard to the provisions of the plan in making a recommendation on or determining that application.

2.5. Principles

As per State Planning Policy 3.6, DCP 4 has been prepared in accordance with the following principles:

1. **Need and 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). The Local Government's Community Infrastructure Plan has identified the need for new community infrastructure resulting from projected growth of the Anstey Keane Precinct.
2. **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. The DCP, by incorporating calculation equations that form part of the scheme, ensures that the methodology for calculating contributions is clear, transparent and relatively simple.
3. **Equity;** development contributions should be levied from all developments within a Development Contribution Area, based on their relative contribution to need. The DCP is proposed to be applied fair and reasonably to all development within the Anstey-Keane Urban Precinct in accordance with the DCP.
4. **Certainty;** all development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development. The infrastructure to which contributions are required is set out in the DCP, along with the methodology for calculating an owner's contributions. Accounting for the escalation or reduction of costs over time is set out in the DCP Report and will be based on advice from suitably qualified persons in the preparation of cost estimates.
5. **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. The infrastructure items included in the DCP have been carefully considered against the Local Government's ability to fund the recurrent operational costs and the infrastructure is to be included in the City's Long Term Financial Plan.
6. **Consistency;** development contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent. A consistent methodology has been applied to the calculation of contributions across the Development Contribution Area, along with the identification of infrastructure. In DCP 4 the cost of all items are apportioned over the entire Development Contribution Area other than the Costs of Precinct 2 Local Drainage and POS – Baileys Branch Drain Realignment with these costs apportioned only over certain lots in Precinct 2 where the appropriate need and nexus exists for this item.
7. **Right of Consultation and Arbitration;** land owners and developers 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 contributions is not reasonable. The Local Government is required to undertake public consultation as part of the Scheme Amendment process. DCP 4 also includes a review process that includes requirements on the Local Government to consult with an owner affected by the review and invite such an owner to submit comments. Pre-consultation with developers occurred when DCP 4 was being prepared with developers submitting an initial draft of DCP 4 for the City to consider.
8. **Accountable;** there must be accountability in the manner in which development contributions are determined and expended. The Local Government is accountable for both determination and expenditure of development contributions under the provisions of the scheme. In this regard, the DCP provides review process, the Local Government may only expend funds for the purpose of carrying out administration and infrastructure items identified in the DCP, and the Local Government is required to undertake an annual audit of accounts.

3. INFRASTRUCTURE ITEMS

3.1 Community Infrastructure - Sporting and Community Facilities - Senior Size Playing Field - Land Acquisition

3.1.1 Proposal

The City's Community Infrastructure Plan (CIP), including its updates and interim reviews, classifies the facilities required to service the City's population over the next twenty years through a detailed analysis of population growth and settlement patterns, community profile and trends, existing community facility provision, facility service catchments and locally appropriate facility provision standards.

Appropriate justification for the Sporting and Community facilities proposed for development within the Anstey Keane Precinct is provided in this report and previous reports to Council and will continue to be a basis for consideration of updates to the City's CIP and Long Term Financial Plan (LTFP).

An appropriately located local level senior sized playing field and multiple use community and sporting facility will be required to serve the needs of the proposed Anstey Keane Precinct. More specifically, a sporting and recreation open space with one senior sized multiple use playing field and multiple use community and sporting buildings and structures and associated facilities.

The development includes land acquisition, construction of the playing field and multiple use sporting and community pavilion centre, and the construction of associated supporting infrastructure and structures such as sports lighting, landscaping, paths, car parking, play spaces, multiple games area, practice cricket nets and seating.

3.1.2 Need and Nexus

Fit-for-purpose community infrastructure is an important element of a community's urban fabric and quality of life. Community infrastructure has the ability to enhance sense of place, contribute to the built form, provide physical activity and recreation opportunities, improve community cohesion and create safer neighbourhoods. The provision of quality community infrastructure is particularly important in new developments such as the Anstey Keane Precinct where higher density smaller lots will be prominent and there is a greater reliance on community spaces to accommodate activities that were previously accommodated within private properties.

The following analysis provides further justification for the provision of local level community infrastructure within the Anstey Keane Precinct. The need for community infrastructure is based upon standards of provision within City of Armadale's CIP 2011-2031 (2010) and the Western Australian Planning Commission's Liveable Neighbourhoods Policy (2015). The standards derived from these documents have been applied to the urban development within the Anstey Keane Precinct to determine the community infrastructure required.

3.1.2.1 Demographic Profile

The Anstey Keane Precinct is set to yield between 1,300 and 1,400 dwellings which when applying the average forecast household size of similar City of Armadale growth areas (3.12 persons per dwelling {Informed Decisions, 2016. Average Household Size Study}), equates to a population of between 4,056 and 4,368.

The Anstey Keane Precinct is located within the suburb of Forrestdale which in 2016 had a population of 1,115 persons living in 428 dwellings. By 2036, the Forrestdale population is forecast to grow to 5919. This constitutes an increase of over 400% and the population growth within Forrestdale is attributable to the Anstey Keane Precinct. Therefore, it is important that adequate and fit-for-purpose community and sporting infrastructure is delivered within the precinct in response to development of the Precinct and to cater specifically for the Precinct's future community.

3.1.2.2 Site Context

The Anstey Keane Precinct is bound by Armadale Road, Keane Road, Forrestdale Business Park, and Bush Forever site No. 342. Armadale Road is a Primary Regional Road in the MRS with an average daily traffic count of 19,377 vehicles and Keane Road is expected to cater for high industrial traffic volumes as the Forrestdale Business Park develops. Both roads are significant transport routes. Due to the size and heavy vehicular transport focus of both roads, they create barriers around the Anstey Keane Precinct resulting in poor pedestrian legibility and accessibility in and out of the precinct. In order to provide the future Anstey Keane community with accessible community infrastructure, it should be located within the Anstey Keane Precinct.

3.1.2.3 Existing Community Infrastructure

Analysis found that sporting provision in the surrounding suburbs of the Anstey Keane Precinct was at capacity and could not accommodate additional growth. The closest existing community infrastructure to the Anstey Keane Precinct is the Forrestdale Sports Hub (Alfred and William Skeet Playing Fields) located south of Armadale Road. The sports clubs and relevant playing fields within the Hub are reaching capacity, and are unable to accommodate the Anstey Keane population growth forecast in the Precinct.

In addition to the Hub reaching capacity, its distance and separation by Armadale Road to the Anstey Keane Precinct restricts its ability to meet the needs of the future Anstey Keane Precinct community.

3.1.2.4 Anstey Keane Population Demand

Future population growth within Forrestdale can be attributed almost solely to the Anstey Keane precinct. Given the location of the precinct and inability of existing infrastructure to cater for an increased population demand, adequate and fit for purpose community infrastructure must be provided within the precinct.

The City provides major community infrastructure such as open space and community buildings through a variety of mechanisms including development contributions. Community infrastructure also relates to smaller scale community infrastructure such as play spaces, shared use pathways and recreation open spaces.

The City's CIP 2011-2031 together with the Western Australian Planning Commission's Liveable Neighbourhoods Policy drives the requirements for major community infrastructure within the municipality. The Community infrastructure Plan 2011-2031 categorises community infrastructure into four distinct levels:

Hierarchy	Population Catchment	Distance Catchment
Local	5,000 people	3km/5 minute drive
District	5,000- 20,000 people	<5km/5-10 minute drive
Municipal	Entire City of Armadale	Entire City
Regional	Beyond the City's boundaries	Beyond boundaries

The Anstey Keane Precinct forecast population of 4,000 to 5,000 people will require community infrastructure on a local level.

3.1.3 Scope

The community infrastructure required within the Anstey Keane precinct has been established through the application of benchmarks and criteria set out within the City's Standards of Provision for Community Infrastructure. The Standards of Provision for Community Infrastructure requires the provision of a local level senior sized playing field (including an associated sports pavilion and change rooms) and a local level community centre at a ratio of 1: 4 000 persons. The required community infrastructure to be located within the site includes:

3.1.3.1 Infrastructure Item 1a - Sporting and Community Facilities - Senior Size Playing Field - Land Acquisition

Full costs to acquire land for a minimum of 4.9ha of Public Open Space at a location approved by the City within Development Contribution Area 4.

3.1.3.2 Infrastructure Item 1b - Sporting and Community Facilities - Senior Size Playing Field – Construction

Full costs to construct a minimum of 4.9ha of public open space, including a senior sized multi use playing field area, to the specifications and dimensions approved by the City and at a location approved by the City within Development Contribution Area 4, minus contributions from other sources if and when they become available and including, fill and earthworks; service relocation or reconfigurations; sports flood lighting to Australian Standards; irrigation; drainage; turf; landscaping; toilets; off-street car parking; cricket nets; multi-use games area; play space; shelters; 1.0m of perimeter road pavement widening and on-street car bays; technical reports; project management; design; and other associated project costs.

3.1.3.3 Infrastructure Item 1c - Sporting and Community Facilities - Sporting and Community Buildings and other Structures – Construction

Full costs to construct sporting and community buildings and structures at the public open space included under Infrastructure Items 1a and 1b minus contributions from other sources if and when they become available, including a multi-use community and sporting facility with a minimum 1200m² floor area and including, Club Rooms; Activity / Function Spaces; Meeting Rooms; Kitchen Facilities; Kiosk; Bin Store; Car parking; Change Rooms & Toilets; Umpire Room; First Aid Room; Internal Storage Spaces; External Storage Spaces; Covered Terrace and Veranda Areas; Technical reports; Project management; Design; and other associated project costs.

3.2 Movement Network – Anstey Road Widening and Construction

3.2.1 Proposal

Currently Anstey Road is a local road (classified as an Access Road) providing local access within the Anstey-Keane Precinct. It is constructed as a single carriageway, two-lane rural road. Discussions between the Development WA and City of Armadale in relation to the Forrestdale Business Park West, has seen agreement to Anstey Road being closed off south of Keane Road, to avoid industrial traffic travelling through the urban precinct.

Preliminary analysis of future traffic volumes indicates that about half the length of Anstey Road, north of Armadale Road (up to the southern boundary of the proposed primary school site) is likely to carry more than 3,000vpd. Consequently, this section will be upgraded to Neighbourhood Connector A (NCA) standard. Anticipated volumes diminish from this point, to less than 1,000 vpd, to the point where Anstey Road is to be closed off.

The scope of works for this infrastructure item has been undertaken for the portion of Anstey Road which extends from Armadale Road to the primary school site.

3.2.2 Need and Nexus

The upgrading of Anstey Road is a requirement of the urban development of the Anstey-Keane Precinct based on traffic modelling undertaken for the Precinct.

3.2.3 Scope

Full cost to upgrade Anstey Road, including road widening land, from Armadale Road to the Primary School as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule. The following works apply:

- Land acquisition for road widening on each side of the road as shown in the Infrastructure Cost Schedule and Extent of Widening Plan;
- Construction to a Neighbourhood Connector A standard;
- 2 x roundabouts (RAB);
- Landscaping;
- 1.8m Footpath on eastern side (2.5m shared path on western side included under separate item);
- Relocation of Services, including Water Reticulation (excludes Serpentine Canning Link Main DN1400), Atco Gas Main (excludes ATCO High Pressure Gas Main) and Telstra;
- Closure and landscaping of redundant portion;
- Undergrounding of power lines adjacent to playing field (undergrounding of the remainder of the powerlines is to be funded by abutting developers).

3.3 Movement Network – Keane Road Construction

3.3.1 Proposal

Currently Keane Road is a local road providing local access for the Anstey-Keane Precinct and Forrestdale Business Park West (FBPW). It is constructed as a single carriageway, two-lane rural road and requires upgrading. The upgrade was first proposed as result of the development of Forrestdale Business Park West that preceded approval of the urbanisation of the Anstey Keane Precinct.

Following the approval of urbanisation of the Anstey Keane Precinct it was identified and agreed that it was reasonable for DCP 4 to make contribution to the upgrade of Keane Road in line with demand being generated from the precinct. At the time when public advertising of DCP 4 concluded and was adopted by Council, the quantum of the contribution for Keane Road was still under investigation with the final decision deferred to final approval of DCP 4 ICS.

The broad principle that has been applied to determine the contribution centres on a contribution that is in line with the order of magnitude of that which the Anstey Keane Precinct landowners would have

borne, had the precinct been developed for residential purposes in isolation, with no cost contribution being payable from landowners on the opposite side of Keane Road (FBPW).

The methodology that has been used has assisted in the delineation of need, nexus and equity, as required under SPP 3.6 and on this basis, a hypothetical road network scenario was investigated where: Keane Road is upgraded to Residential Access Street C in accordance with Liveable Neighbourhoods (as amended), excluding costs associated with realigning the road or upgrading of the Armadale Road intersection. This is the approach that was approved by the WAPC / Minister and included in Clause 4.3.5 of DCP 4 in Schedule 9B of Town Planning Scheme No. 4 and is therefore also be reflected in the DCP 4 ICS and Report.

3.3.2 Need and Nexus

Keane Road will be used by vehicles from the Anstey Keane Precinct.

3.3.3 Scope

Contribution towards upgrading Keane Road as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule, with the contribution calculated being equivalent to the standard of a Residential Access Street C in accordance with Liveable Neighbourhoods (as amended), excluding costs associated with realigning the road or upgrading of the Armadale Road intersection.

3.4 Movement Network – Shared Path Network

3.4.1 Proposal

A shared path network is required to connect future residents with community infrastructure (school and open space) within the Anstey Keane Precinct and externally, as identified on the attached Shared Use Path Plan. The shared path will be located within the pipeline corridor through to Armadale Road and within the relocated Bailey's Drain Corridor, also extending to Armadale Road. Shared paths will also be constructed as part of the Neighbourhood Connector road network.

3.4.2 Need and Nexus

The need is generated by the residential subdivision and development of the Anstey Keane Precinct. The path network is required to provide access to key destinations within the precinct and to the wider area via Armadale Road PSP and Keane Road and for enhanced amenity for the areas future community. The network has been designed to provide an easily legible and convenient loop within the precinct and direct access onto the external network and provides for a network over constrained and fragmented land.

3.4.3 Scope

Fixed maximum contribution towards a shared path network within the Anstey Keane Urban Precinct as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule. A 2.5m – 3.0m wide shared path is detailed in the attached Shared Use Path Plan.

3.5 Baileys Branch Drain Surrounds – Betterment of Baileys Branch Drain Immediate Surrounds

3.5.1 Proposal

In the course of the preparation of a structure plan and accompanying LWMS for this Precinct it became evident that a coordinated POS, drainage and earthworks strategy was required to facilitate subdivision and development, including reconfiguration of the existing Water Corporation Bailey's

Branch Drain to accommodate drainage and integration within a residential environment. This resulted in the preparation of a structure plan, supporting concept plan and technical reports which consolidated the 1 year, 5 year and 100 year stormwater events within a generally 30m - 40m wide Baileys Branch Drain corridor which widens further in some areas to accommodate drainage and POS requirements from within the structure plan area. This has created an unequal distribution of POS and drainage areas across Precinct 2.

In the absence of a coordinated POS and drainage strategy, there is a risk that numerous, small, unusable areas of POS will be provided by individual landowners and the existing Water Corporation Bailey's Branch Drain will be retained in its current unsatisfactory state for a residential development. The DCP represents an opportunity to help deliver a more equitable approach to POS and drainage for the benefit of the future development of the entire precinct.

Within precinct 2 the majority landowner is the Department of Communities which is developing the land in partnership with developer LWP. The DoC / LWP landholdings accommodate the bulk of the POS and drainage required to serve Precinct 2, which results in DoC / LWP over supplying POS and drainage and other lots not contributing POS and not needing to accommodate drainage onsite. In order to address this inequity, it is proposed that a mechanism is included within the DCP to reimburse Developers for the concentration of POS along the Baileys Branch Drain.

In order to ensure a fair and equitable arrangement for the concentration of POS along the Baileys Branch Drain in Precinct 2, it is proposed to include a requirement in DCP 4 for a contribution towards the betterment of the Baileys Branch Drain immediate Surrounds. The contribution is representative of POS not provided from six lots (Lots 6 Allen, 8 Allen, 52 Anstey, 84 Anstey, 86 Anstey & 87 Anstey Road) within Precinct 2 and the construction of POS along the Baileys Branch Drain. The contribution towards this item is only proposed to come from the landowners Lots 6 Allen, 8 Allen, 52 Anstey, 84 Anstey, 86 Anstey & 87 Anstey Road, with POS in other land / precincts being dealt with and or distributed appropriately through structure planning.

3.5.2 Need and Nexus

Overall Precinct Public Open Space Requirements

It was demonstrated in the preliminary POS calculations for the Precinct (dated 14 November 18), that the following POS is to be provided within the overall Precinct based on a 10% requirement:

- Required POS (10%) – 8.47ha
- Unrestricted POS – minimum 80% - 6.78ha
- Restricted POS – maximum 20% - 1.69ha

POS Calculation

- A 4.91ha senior sized oval equates to approximately 5.8% unrestricted POS of the required 10% POS contribution for the overall Precinct.
- Each LSP area is therefore required to provide and develop 4.2% POS in addition to the senior sized oval which may consist of a minimum of 2.2% unrestricted POS and a maximum of 2% restricted POS, as determined by specific site characteristics.

As detailed in the LWMS, there is a need to consolidate land along the realigned Bailey's Branch Drain corridor to accommodate drainage and POS. The consolidation of this land will also help deliver a more useable multiple use corridor that will assist to enhance areas amenity for residents within the precinct.

3.5.3 Scope

Partial contribution only towards improvements to the Baileys Branch Drain immediate surrounds that deliver a multiple use corridor as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.

The contribution is based on the cost and development of land that would need to otherwise be provided on lots with a shortfall of POS located within Precinct 2 of DCA 4 as detailed in the table below:

Lot	POS Deficit (m2)
Lot 6 Allen	836
Lot 8 Allen	84
Lot 52 Anstey Remaining	488
Lot 52 Anstey Pt1	183
Lot 52 Anstey Pt2	187
Lot 84 Anstey	382
Lot 86 Anstey	248
Lot 87 Anstey	206
Total	2126

3.6 Waste Water Pump Station Land

3.6.1 Proposal

The Balannup WWPS – L – Type 90 is required to pump waste water from the whole of the Precinct. As the land requirement for pump stations is not included in the Water Corporations headworks charge, the Developers have requested that there be certainty on the funding of the site. Whilst not Local Government infrastructure, the WWPS is required to facilitate / allow subdivision and development.

3.6.2 Need and Nexus

The pump station is required to facilitate residential subdivision and development and will service the whole Anstey Keane Precinct. It will be located central to the Anstey Keane Precinct and accessible to all future subdividers, subject to arrangements to be made between landowners.

3.6.3 Scope

Contribution towards the acquisition of land for a sewer pump station as detailed on the approved structure plan. Land acquisition comprises of 1,377m² for a WWPS.

3.7 ATCO High Pressure Gas Pipeline

3.7.1 Proposal

Contribution towards the upgrade of the ATCO Gas Pipeline in Anstey Road as it pertains to the Anstey Keane Precinct (Forrestdale). Whilst not Local Government infrastructure, relocation of the pipeline is required to facilitate subdivision and development.

3.7.2 Need and Nexus

ATCO require works to be undertaken on the high pressure gas main in order to mitigate risks that are a result of the proposed land use changes, in particular the proposed primary school in the vicinity. The works are required to facilitate development to progress.

3.7.3 Scope

Contribution towards the upgrade of the ATCO Gas Pipeline in Anstey Road as it pertains to the Anstey Keane Precinct (Forrestdale). Involves the relay 1100m of DN300 HP Steel into the verge or other approved location within the Anstey Road Reserve.

4. ESTIMATED COSTS

4.1. Infrastructure Costs

The estimates outlined in this report are current estimates verified by suitably qualified persons. The following table outlines the cost estimates for the respective infrastructure:

1a Community Infrastructure
Item 1a
Sporting and Community Facilities - Senior Size Playing Field - Land Acquisition
Cost
\$4,823,577 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current allocation.
Method of Provision
Works to be fully funded by the DCP and apportioned across whole of Anstey Keane Precinct.
Sources
Valuations from Herron Todd White & Acumentis December 2020

1b and 1c Community Infrastructure
Item 1b and 1c
Sporting and Community Facilities - Senior Size Playing Field Construction & Sporting and Community Buildings and other Structures Construction
Cost
\$9,181,744 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current cost allocation.
Method of Provision
Works to be fully funded by the DCP and apportioned across whole of Anstey Keane Precinct.

Sources
Rider Levett Bucknall Indicative Cost Estimate (January 2019) and Construction Cost Index Forecast (CCIF) Perth, Western Australia 2019 and 2020 (2 nd Quarter 2020) City of Armadale Technical Services, Community Services and City Projects

2a Movement Network
Item 2a
Infrastructure Item – Movement Network – Anstey Road Widening and Construction
Cost
Land Acquisitions: \$356,230 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current allocation. Construction: \$4,747,971 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current allocation.
Method of Provision
Works to be fully funded by the DCP and apportioned across whole of Anstey Keane Precinct.
Sources
JDSi Indicative Cost Estimate & City of Armadale Technical Services (November 2020) Valuations from Herron Todd White & Acumentis December 2020

2b Movement Network
Item 2b
Infrastructure Item – Movement Network – Keane Road Construction
Cost
Land Acquisition: \$40,953 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current allocation. Maximum Contribution to Construction: \$2,455,138 (May 2021) - Fixed contribution. Only indexing may be applied at each review of the ICS.
Method of Provision

The contribution is to be fully funded by the DCP and apportioned across whole of Anstey Keane Precinct.

Sources

Valuations from Herron Todd White & Acumentis (December 2020)
Cedar Woods & JDSI Consulting Engineers (June 2020)

2c Movement Network

Item 2c

Infrastructure Item – Movement Network – Shared Path Network

Cost

\$733,150 (May 2021) - Fixed contribution. Only indexing may be applied at each review of the ICS.

Method of Provision

Works to be fully funded by the DCP and apportioned across whole of Anstey Keane Precinct.

Sources

City of Armadale Technical Services and Construction Cost Index Forecast (CCIF) Perth, Western Australia 2019 and 2020 (2nd Quarter 2020)

3a Betterment of the Baileys Branch Drain Surrounds

Item 3a

Infrastructure Item – Baileys Branch Drain Surrounds – Betterment of the Baileys Branch Drain Immediate Surrounds

Cost

\$447,922 (May 2021) - Fixed contribution. Only indexing may be applied to the allocation for betterment at each review of the ICS. Land values reviewed at each review of the ICS.

Method of Provision

Partial fixed contribution only apportioned only across Lots 6 Allen, 8 Allen, Parts of Lot 52 Anstey, 84 Anstey, 86 Anstey and 87 Anstey Road in Precinct 2 of the Anstey Keane Precinct.

Sources

Emerge Associates - Landscape Preliminary Order Of Cost – October 2018 and Construction Cost Index Forecast (CCIF) Perth, Western Australia 2019 and 2020 (2nd Quarter 2020)

Valuations from Herron Todd White & Acumentis (December 2020)

4a Utilities

Item 4a

4a Infrastructure Item – Utilities – Waste Water Pump Station Land
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Cost

Land Acquisition: \$136,323 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current allocation.
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Method of Provision

Land Acquisition to be fully funded by the DCP and apportioned across whole of Anstey-Keane Precinct.

Sources

Valuations from Herron Todd White & Acumentis (December 2020)

4b Utilities

Item 4b

4b Infrastructure Item – Utilities – High Pressure Gas Pipeline

Cost

\$2,869,250 (May 2021) - Costs will be reviewed in accordance with the DCP and any updated costs that are included in the DCP4 ICS will apply. Refer to DCP4 ICS for current allocation.
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Method of Provision

Works to be fully funded by the DCP and apportioned across whole of Anstey Keane Precinct.
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Sources

ATCO / JDSi Consulting Engineers (March2021 / November 2020)
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4.2 Administration Costs

Administration Costs as specified in the Infrastructure Cost Schedule associated with administering DCP 4 including but not limited to: legal expenses, valuation fees, design costs, estimation and certification of costs, audit fees, consultant and contract services, project management, financing costs including interest charges for loans, proportion of City staff salaries, technical support and office

expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court of Tribunal or arbitration or any compensation paid or payable for or in respect of the provision of any of the infrastructure, land or facilities included in the Plan, whether incurred before or after the incorporation of the DCP in Schedule 9B.

The local government may raise loans for the purpose of providing the finance necessary for the implementation of Infrastructure Works at a timing and order of prioritisation determined by the local government with any interest or charges incurred in raising loans or carrying out such work deemed to be an Administration Cost.

4.3 Acquisition of Land for Common Infrastructure Works

4.3.1 Valuation Provisions Information

The provisions of Clauses 5A.9.2 to 5A.9.6 of the scheme do not apply to DCP 4. The following variations apply to the acquisition of land for Infrastructure Works, calculation of costs and valuation of land within Development Contribution Area 4, as also detailed in Clauses 4.4.3 to 4.4.7 of DCP 4 in Schedule 9B of Town Planning Scheme No. 4.

4.3.2 Compulsory Acquisition

Where land has been compulsorily acquired and a lawful claim for compensation has been served on the Council, the Council may claim compensation for betterment under Section 184 of the Planning and Development Act 2005 and the value attributed to the betterment of the land the subject of the claim shall be set off against any compensation otherwise payable to the claimant under the Land Administration Act 1997 or any re-enactment of its provisions related to compulsory acquisition and compensation.

4.3.3 Assessed Value

- a) The Council may at any time ascertain the value of any land in DCP 4 for the purpose of estimating infrastructure costs, payments and cost contributions.
- b) If it is necessary, for any purpose to ascertain the value of any land, such value should be determined by two licensed valuers appointed from time to time by the local government herein referred to as “the Valuation Panel”. The members of the Valuation Panel may confer as to value, and if they are unable to arrive at a consensus value, they shall confer with the Chief Executive Officer of the local government (“CEO”) or the officer to whom the CEO delegates that function from time to time. If the valuers with the officer cannot arrive at a consensus value then the officer shall select a value which represents the median value between the two values nominated by the valuers on the Valuation Panel and will be advertised under the next following paragraph (c) (“the Assessed Value”).
- c) The Valuation Panel may determine more than one Assessed Value in the DCP area, where the local government or the Panel identifies that there are significant differences in land values within Development Contribution Area 4.
- d) As soon as possible after the Assessed Value or Assessed Values have been ascertained it should be advertised for a period of not less than 28 days to allow for submissions to be made in regard to the proposed Assessed Value or Assessed Values. Assessed Values may be advertised concurrently as part of a DCP 4 review carried out in accordance with Clause 4.8.1 of DCP 4 in Schedule 9B of the Scheme.

An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field being objected to.

- e) The local government shall as soon as possible consider all submissions made on an Assessed Value and may refer any submission to the Valuation Panel for comment, but where a submission is accompanied by expert valuation advice based on the valuation principles contained in DCP 4, it should be referred by the local government to the Valuation Panel for comment.
- f) Having considered the submissions and any comment from the Valuation Panel, the local government shall fix upon the Assessed Value or Assessed Values to be applied under DCP 4 and Infrastructure Cost Schedule until the next Assessed Value or Assessed Values has been determined.
- g) It is intended that any Assessed Value or Assessed Values should apply for no more than 13 months but while an Assessed Value remains current it shall stand as the value of land within DCP 4 and Infrastructure Cost Schedule for all purposes under DCP 4 and Part 5A of the scheme and the Infrastructure Cost Schedule.
- h) Where land is ceded or acquired for a Infrastructure Work, otherwise than by compulsory taking, for the purpose of determining the amount to be paid to the owner from whom the land is acquired, the value of the land shall be calculated according to the same Assessed Value as was applied to the Cost Contribution paid or payable by that owner on the clearance by the local government of the subdivision of land in the same deposited plan as contains the land acquired.

4.3.4 Valuation Principles

In ascertaining the Assessed Value or Assessed Values under DCP 4, all land shall be valued in its broad acre form as depicted on 1 January 2019, ignoring any services or infrastructure provided in accordance with the provisions of the relevant Structure Plan and applying the following principles:

- i. regard is to be had to the land classifications and zonings existing at the date of valuation;
- ii. the date of valuation is to be the date on which the local government nominates;
- iii. ignoring any improvements or works on the land;
- iv. the land should be valued without regard to the Infrastructure work and the purpose for which the land is acquired shall not be taken into consideration;
- v. in selecting relevant sales evidence, regard should be had first to values derived from land in the same area, and if there is not adequate evidence, from nearby or similar land in the area, in priority to any other sales evidence;
- vi. the method of valuation shall otherwise be in accordance with normal fair market valuation principles.

4.3.5 Variance and Solatium

- a) When calculating or reviewing Contribution Costs and the Infrastructure Cost Schedule, the local government will have regard to the value of the land required for Infrastructure Works and include an amount of 10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in DCP 4 account to acquire land for

Infrastructure Works to meet its obligations for appropriate payment to such owners, and ensure the Infrastructure Works can be completed in a manner that minimises the need for external borrowing. The local government may also apply a further amount above the Assessed Value to recognise any compulsory taking of land, compensations and/or acquisition of structures.

- b) Where land is acquired in the circumstances contemplated in subclause 4.3.3(h) of this Report, the Council shall pay to the owner an additional amount not more than 10% of the amount calculated under that Clause.

4.3.6 Acquisition Prior to Gazettal

Where land required for Infrastructure Works is ceded to the Crown or acquired by the local government prior to the Minister granting final approval and publication of the DCP 4 Amendment in the Government Gazette, the appointment of the Valuation Panel by the local government under of DCP 4, or adoption of the Infrastructure Cost Schedule by the Council, the land shall be valued in accordance with the clauses 4.3.1 to 4.3.5 of this Report by the Valuation Panel and the date of valuation shall be the date the land for the Infrastructure Work is acquired by the local government or the local government issues its clearance to the deposited plan that contains the Infrastructure work land, whichever is the earlier.

5.0 METHOD FOR CALCULATING CONTRIBUTIONS

The method for calculating contributions is included in Section 4.4 of DCP 4 in Schedule 9B of Town Planning Scheme No. 4 and reflected below.

5.1 Approach

Contributions for infrastructure items will be calculated on a Developable Area (HA) basis.

5.2 Cost Contribution Calculation

The contribution to be made by each Owner to the implementation of the Infrastructure and Administration Costs shall be a Cost Contribution, based on a per hectare basis calculated by the Local Government as follows:

Infrastructure Items per hectare calculation

- a) Calculation for entire Development Contribution Area Base Rate

Infrastructure Items per hectare Base Rate (E) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next:

Cost of infrastructure items where the costs are to be shared across the entire Development Contribution Area 4 as detailed in the Infrastructure Cost Schedule (A) + (plus) Administrative Costs (B) minus Base Rate contributions collected (C) / (divide) total Developable Area remaining (ha) for Development Contribution Area 4 (D).

$$A + B - C / D = E$$

- b) Calculation for Additional Rate for applicable areas within Development Contribution Area 4

Infrastructure Items per hectare Additional Rate (I) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next:

Cost of infrastructure items where the costs are to be shared across part of Development Contribution Area 4 as detailed in the Infrastructure Cost Schedule (F) minus Additional Rate contributions collected (G) / (divide) total Developable Area remaining (ha) for the part of Development Contribution Area 4 over which the costs are to be shared (H).

$$F - G / H = I$$

5.3 Cost Contribution Due

The Cost Contribution due by owners shall be based on the Developable Area of an owners land parcel and calculated as follows:

1. Cost Contribution due by owners that is applicable to all Developable Area within Development Contribution Area 4:

Developable Area (ha) of an owners land parcel x (multiply) Infrastructure items per hectare Base Rate

2. Additional Cost Contribution due by owners that is applicable to Developable Area within Development Contribution Area 4 where an Additional Rate also applies as specified in the Infrastructure Cost Schedule calculated as follows:

Developable Area (ha) of an owners land parcel where an additional Cost Contribution applies x (multiply) Infrastructure items per hectare Additional Rate

6.0 PRIORITY AND TIMING OF INFRASTRUCTURE

In relation to community infrastructure, thresholds inform when the provision of such infrastructure will occur and are important in ensuring that residents to a new growth area have access to a certain level of infrastructure. Therefore, the population threshold that indicates when construction begins will be clarified during the initial planning and development stages of a community. The timing for whole or part construction should be based on the following broad thresholds:

- When 30 per cent of the forecast lots have been created in the catchment, local and neighbourhood level facilities will, at a minimum, be in the design phase; and
- When 50 per cent of the forecast lots have been created in the catchment, district facilities will, at a minimum, be in the design phase.

In the instance where growth far exceeds forecasts in new development areas where there is no existing community infrastructure, the development of core community infrastructure such as community centres/sports pavilions and sports playing fields should be prioritised. It is imperative that new communities in isolated development areas have access to community infrastructure to assist in develop a sense of belonging and community cohesion.

It is anticipated that infrastructure other than community infrastructure will be prefunded by developers and constructed as development progresses, with consideration being given to Anstey Road and the Waste Water Pumping Station land as initial infrastructure items. The City may still

consider and enter into arrangements with Developers regarding the prefunding of community infrastructure.

Attached is a Forward Financial Plan for DCP 4 based on some general assumptions and information provided by developers at the time this report was prepared. The Forward Financial Plan provides an indication on the priority and timing of Infrastructure. Notwithstanding, the Local Government will use its best endeavours to provide Infrastructure, including the acquisition of land for Infrastructure, as soon as necessary and possible. The DCP 4 Forward Financial Plan will accordingly be reviewed at least annually taking into consideration the rate of development in Development Contribution Area 4, costs to date, availability of land, funds collected in DCP 4, the need for infrastructure and other applicable forecasting, including the Local Government and Developers ability to prefund infrastructure.

7.0. PAYMENT OF CONTRIBUTION

Provisions related to the payment of contributions are included in Schedule 9B and part 5A of Town Planning Scheme No. 4 and reflected below.

7.1 Liability for Cost Contributions

An Owner's liability to pay the Owner's Cost Contribution to the local government arises as per Clause 5A.5 of the Scheme.

7.2 Credits for Infrastructure

Upon application from an Owner and at the discretion of the Local Government, a credit may be recorded in respect to any Owner which if approved by the Local Government may be used as payment of future Cost Contribution required from that Owner or the Owner may apply for reimbursement, which shall be paid out without any interest payment, when the local government deems sufficient funds have accumulated to cover any such claims, the outstanding and anticipated Infrastructure Works costs are estimated to be fully recoverable from the anticipated future subdivision and development and having regard to the priority and timing of Infrastructure works. Where a credit has not been approved by the Local Government an Owner shall pay any Cost Contribution due direct to the City.

Where several subdividers have accumulated credits or outstanding reimbursements, the local government may satisfy refunds in staged payments in proportion to the credit amounts held by each subdivider.

7.3 Provision of Land for Infrastructure

Where the Infrastructure Cost Schedule includes a land component for a Infrastructure on the relevant lot for which a Cost Contribution is due, an Owner shall cede to the Crown or transfer to the local government the required Infrastructure land at the first stage of subdivision and/or development for that particular landholding or by prior agreement at an alternative date agreed by the local government. The value of the land will be determined in accordance with DCP 4 and Owners will be paid once the land is ceded to the Crown or transferred to the local government and is already included in DCP 4 and sufficient funds have been collected in the DCP 4 account and / or having regard to the timing and priority of infrastructure works.

7.4 Collection and Enforcement

The local government will collect and enforce the payment of contribution as per Clause 5A.6 of the Scheme. In addition to Clause 5A.6 of the Scheme, any overdue Cost Contribution shall be a liquidated debt due to the local government by the Owner of such land (including the subdivider of the land) and may be recovered by the local government in a court of competent civil jurisdiction.

7.5 Administration of Funds

The administration of funds by the local government will be as per Clause 5A.7 of the Scheme.

7.6 Shortfall in Cost Contributions

If there is a shortfall in the total of Cost Contributions will be considered as per Clause 5A.8.1.

7.7 Excess in Cost Contributions

Clause 5A.8.2 of the scheme does not apply to DCP 4. If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in the Development Contribution Area, the local government is to refund the excess funds to the contributing owners and or use all or some of the excess funds for improvements to infrastructure included in DCP 4 and subject to agreement from the majority of the contributing Owners.

If, however, it is not reasonably practicable to identify Owners and their entitled amount of refund and consult with Owners, any excess in funds shall be applied to the provision of additional improvements to Infrastructure included in DCP 4.

The local government should make information publically available regarding any spend of excess funds.

8.0 PREFUNDING OF COMMON INFRASTRUCTURE WORKS

8.1 Application Required

An owner of land within the Development Contribution Area may, with the prior written approval of the local government, undertake implementation of any of the Infrastructure works referred to in Clause 4.3 of DCP 4. Where an owner wishes to undertake implementation of Infrastructure works, with the exception of land required for a Infrastructure work, the owner shall, before commencing to carry out such works, first lodge a prefunding application for the cost of the Infrastructure works with the local government, which reserves the right to review and accept or reject the prefunding application, and to permit or prevent the owner from carrying out the works until such time as the owner's prefunding application has been agreed. The local government will endeavour to respond to an owner's prefunding application within sixty (60) days.

8.2 Records and Disputes

If the local government agrees that an owner can pre-fund the Infrastructure works, the owner shall at all times maintain proper and itemised records of all relevant expenditure, including receipts and invoices and provide copies of the same to the local government on request. Where the cost of carrying out such works exceeds the amount of the prefunding application originally agreed to by the local government, the local government may accept or reject the additional cost or any part thereof.

Any dispute regarding the entitlement of the owner to additional reimbursement from the Development Contribution Area account, except for any land required for a Infrastructure work, shall

in the first instance be discussed at a meeting attended by the Owner and local government representatives who shall endeavour to reach agreement.

Any dispute not settled at the meeting regarding the entitlement of the owner to additional reimbursement from the Development Contribution Area account, except for any land required for a Infrastructure work, shall be then referred to the arbitration of a single arbitrator in the manner provided by the Commercial Arbitration Act 1985 and if the parties are unable to agree upon the arbitrator he may be nominated by the President for the time being of the Law Society of Western Australia (or its successor) on the application of any party. The arbitrator shall be bound by the provisions of Part 5A of the scheme, DCP 4 and the Infrastructure Cost Schedule.

8.3 Timeframe to Lodge Claim

An owner who undertakes pre-funded works or provides land for infrastructure should lodge a first and final claim for credit or reimbursement that includes relevant records within one year of completing the agreed works, unless agreed otherwise by the local government. If a claim for credit or reimbursement is not lodged within one year, the local government may determine that the time period for claiming credit or reimbursement has expired and it is no longer liable for payment of the prefunded works or land.

8.4 Treatment of Claim

Where the local government accepts a claim for a credit or an entitlement to re-imbursement for the carrying out the implementation of Infrastructure works, the local government shall record the extent of the claim and if necessary adjust the Infrastructure Cost Schedule accordingly or defer the adjustment to the next review undertaken as per of DCP 4.

8.5 Credit against Cost Contribution Due

Where an owner seeks a credit for a contribution to Infrastructure works (whether by the provision of land or the construction of any works) against their Cost Contribution liability and the local government has previously agreed to the carrying out of such works by that owner on that basis, then the credit to be given to the owner will be calculated on the basis of the cost agreed by the local government under Clauses 8.1 and 8.2 of this report provided the credit is sought before the period identified in Clause 8.3 of this report.

8.6 Refund of Excess Credits

Notwithstanding subclause 8.4 of this report, where an owner has pre-funded Infrastructure works and the credit allowed by the local government exceeds the obligation for payment towards Contribution Costs by the owner under DCP 4 and Infrastructure Cost Schedule, the owner should be refunded the excess after the local government has received sufficient contributions from other owners in Development Contribution Area 4 towards meeting the anticipated Infrastructure works and having regard to the priority and timing of Infrastructure works.

9.0 REVIEW

Provisions related to reviews are also included in Schedule 9B of Town Planning Scheme No. 4.

9.1 Timeframe

DCP 4 will be reviewed at least every 5 years from the date of gazettal or when considered appropriate having regard to the rate of development in the area since the last review and the degree of development potential still existing.

The estimated Infrastructure Costs, Assessed Values and Infrastructure Cost Schedule will be reviewed and updated at least annually. The Review will reflect changes in material prices, design costs, design requirements, specifications, labour requirements, Assessed Values and other expenditure associated with DCP 4 and actual and forecast future development patterns in the area. In some instances the costs will be indexed based on the Local Government Cost Index (LGCI) or another appropriate index and they may be reviewed and certified by a suitably qualified person. The local government's priority and timing for infrastructure will also be reviewed at least annually.

9.2 Matters to be considered

The local government shall, at the time it reviews Contribution Costs and the Infrastructure Cost Schedule review:

- a) The estimated and actual cost of infrastructure;
- b) the remaining area of the Development Contribution Area which is capable of being developed;
- c) Assessed Values;

having regard for the actual lots produced in the Development Contribution Area since the last review, the remaining Infrastructure works, any amendments to Structure Plans and any other factors the local government considers relevant.

When calculating or reviewing cost for land required for Infrastructure Works, the local government will have regard to the value of the land required for Infrastructure Works and include an amount of 10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in the DCP to acquire land for Common Infrastructure Works to meet its obligations for appropriate payment to such owners, and ensure the Infrastructure Works can be completed in a manner that minimises the need for external borrowing and also represents an offer of good will to such owner in exchange for their cooperation to acquire land required for Infrastructure Works. The local government may also apply a further amount above the Assessed Value to recognize any compulsory taking of land and/or acquisition of structures.

The local government, in reviewing the various elements pursuant to Clauses 9.1 and 9.2 of this Report, may revise or amend any of those elements and any Contribution Costs payable by an owner of land in the Development Contribution Area.

9.3 Advertising

Following a review of the DCP or Infrastructure Cost Schedule, including Assessed Values, the local government shall notify by way of public advertising the outcome of the review advising of the availability of details concerning the review and inviting comment. A period of no less than 28 days shall be allowed from the date such advertising commenced for an owner affected by the review to submit comments on the review.

9.4 Treatment of Objections

- a) An owner who lodges an objection shall submit with the objection supporting evidence from a suitably qualified person in the specific field of the cost revision being objected to and can only object to those elements that have been altered as part of the review.
- b) Any objection received by the local government shall be:
 - i. discussed at a meeting between suitably qualified representatives of the Owner and the local government who shall endeavour to reach agreement; then
 - ii. assessed and determined by the local government; and
 - iii. if the objecting Owner objects to the local government's determination it should be referred by the local government or Owner to the arbitration of a single arbitrator in the manner provided by the Commercial Arbitration Act, 1985. The arbitrator shall be bound by the provisions of Part 5A, DCP 4 and Infrastructure Cost Schedule.
- c) If the parties are unable to agree upon the arbitrator, the arbitrator may be nominated by the President for the time being of the Law Society of Western Australia (or its successor) on the application of any party. The costs of each party involved in the arbitration process will be borne by that party, however, in the case where the arbitrator believes an objection to be frivolous or where a party has unnecessarily frustrated the process of arbitration, the Arbitrator may at his discretion, award costs against the erring party.
- d) If objections are received under Clause 9.4 (b)(iii) of this Report the local government may adopt a revised Infrastructure Cost Schedule and Cost Contribution using a value being the average of that identified by the local government and by the Owner until such time as the arbitration is determined.
- e) When a dispute has been determined by arbitration under subclause 9.4 (b)(iii) of this Report, the Infrastructure Cost Schedule shall be amended in accordance with the decision of the arbitrator and the Cost Contribution per lot recalculated.
- f) Objections to advertised Assessed Values shall be dealt with under Clause 4.4.5 (d) of DCP 4 in Schedule 9B of the Scheme.

10.0 DEFINITIONS

Assessed Value means a land value obtained in accordance with the procedures described in clauses 4.4.5 to 4.4.6 of DCP 4.

Developable Area is defined as a total area of land minus land area deductions as detailed in the DCP 4 Infrastructure Cost Schedule. The Existing House Land deduction as noted in the DCP can be adjusted at the discretion of the City at the time when a Cost Contribution becomes due for a lot affected by such an Existing House Land deduction. Such an adjustment may be determined as necessary where an Existing House Land lot is subdivided or developed beyond the potential assumed in the Land Area Deductions summary. Such an adjustment will then be incorporated into the next review of the DCP 4 Infrastructure Cost Schedule.

DCP 4 means DCP 4 contained in Schedule 9B of the City of Armadale Town Panning Scheme No. 4.

DCP Report means a report appurtenant to the Scheme and DCP 4, and containing information and instructions on the operation of DCP 4, as periodically reviewed in accordance with DCP 4.

Infrastructure Cost Schedule means a schedule appurtenant to the Scheme and DCP 4, and containing the estimated cost of Infrastructure and Administration of DCP 4, contribution cost, land area deductions and land area summary, as periodically reviewed in accordance with DCP 4.

11.0 SOURCES AND ACKNOWLEDGMENTS

- a) State Planning Policy 3.6 Development Contributions for Infrastructure
- b) City of Armadale, 2013. Community Infrastructure Plan 2011-2031
- c) Informed Decisions, 2016. Average Household Size Study
- d) Informed Decisions, 2017. 2018 Estimated Residential Population: Forrestdale
- e) Informed Decisions, 2017. 2036 Population Forecast: Forrestdale
- f) Main Roads, 2018. Traffic Count Map
- g) Middle, Middle and Smith, 2015. Impacts of Decreasing Backyard Sizes in Perth Greenfields Developments: Full Research Report. Centre for Sport and Recreation, Curtin University
- h) Ward Thompson, Catharine 2011, Linking landscape and health: The recurring theme.
- i) Western Australian Planning Commission, 2015. Liveable Neighbourhoods

Acknowledgment and thanks is offered to all those involved in the preparation, approval and / or implementation of DCP 4, including:

- a) City of Armadale Council
- b) Various staff from all the City's Directorates
- c) Minister for Planning
- d) Western Australian Planning Commission
- e) Department of Planning, Lands and Heritage
- f) Major landowners within Development Contribution Area 4, in particular major landowners Cedar Woods Property, LWP Property Group / Housing Authority & Yolk Property Group
- g) Taylor Burrell Barnett Planning Consultants
- h) JDSi Consulting Engineers
- i) Acumentis Valuers
- j) Herron Todd White Valuers
- k) Rider Levett Bucknall Quantity Surveyors
- l) Development WA
- m) ATCO Gas

The above list may not be exhaustive and aims to acknowledge those with key involvement. Other organisations and people not mentioned above may be involved throughout the life of DCP 4. Any omission was unintentional.

12.0 APPENDICES

- A. Location Plans and DCA 4 Plan
- B. Precincts and Deductions Plan
- C. Infrastructure Items Plan
- D. Infrastructure Cost Schedule

- E. Infrastructure Cost Estimates
- F. Infrastructure Concept Plans
- G. Shared Use Path Plan
- H. Valuations Summary
- I. DCP 4 Long Term Financial Plan