



AGENDA ATTACHMENTS

Strategic Planning and Transport Committee

Wednesday, 21 August 2019, 6.00 pm

**SPT1908-1 REQUEST FOR SCHEME AMENDMENT -59 ELLEN STREET,
FREMANTLE - ADDITIONAL USE FOR VETERINARY HOSPITAL
ATTACHMENT 1 – APPLICANT’S REQUEST**

Proposal for Veterinary Clinic

59 Ellen St, Fremantle

OVERVIEW

My wife and I wish to establish a family-run vet hospital in Fremantle. We are Fremantle locals, living in Beaconsfield.

59 Ellen St is a site that would be excellent for this undertaking. The site previously operated as a medical centre for many years. Veterinary premises have similar business requirements to medical centres. I believe a vet hospital at this site would provide a much-needed service to the people (and animals) of Fremantle, as well as creating local jobs.

TEMPORARY ‘HOME BUSINESS’ APPROVAL

With temporary approval from the Fremantle Council and in-principle support for a scheme amendment, we would be willing to purchase the site and begin limited services as a home business. This would allow us to generate income and establish clientele while we undertake the process of scheme amendment. We would initially offer consultations, mobile services, treatments and day surgery. We have developed a floorplan that would support this limited service within the 50m² space limitation of a home business.

We hope that the scheme amendment would be complete in time to support the natural growth of the business.

NUMBER OF STAFF

My wife and I are both experienced veterinarians. During the initial phase of the business, we would live on site and employ a receptionist and a nurse during work hours.

We envisage that with time and the correct approvals the business would grow to a 4-vet practice. Typically, that number of vets would be supported by 4 other staff, such as vet nurses & receptionists. Staff hours would be distributed across the work week.

CORE BUSINESS

The business would provide veterinary services such as health examinations, vaccinations and surgeries. It may also be possible to provide on-call emergency services for animals with urgent issues.

Hospitalisation of animals will be occasionally required.

CURRENT SCALE / SIZE OF THE BUSINESS

This would be a new business started by my family and expanded with demand. Hopefully we would be able to create new employment opportunities for other locals.

CHANGES TO SITE

The site is already configured as a medical centre. The external features required of a veterinary clinic are already in place because of its prior use. The existing features which do not require significant changes are:

- On-site parking bays (16)
- Disabled access ramp
- Reticulation

- External security system and lighting
- Fencing

Gardens will be revived and new plants added. Some external features require painting and maintenance. This would be conducted with respect to the heritage appeal of the site.

SIGNAGE

External signage will be erected. This will consist of a wall mounted low-intensity backlit sign with the word “Vet” on the northern façade, along with the hospital name underneath. The hospital name will also be mounted on the eastern brick wall. Lettering will be 500mm high. See attached signage diagram.

EXPECTED IMPACT ON TRAFFIC / PARKING / ACCESS AND EGRESS

The impact on traffic and parking would be significantly less than the previously existing medical clinic. Generally, veterinarians see fewer patients per hour than a similar-size medical centre. The site has 16 existing off-street parking spaces which would easily accommodate the expected demand.

There are two street accesses and both are low-speed roads. Ord St can get quite busy with traffic in the mornings and afternoons, however these would not coincide with any peaks of activity at the clinic. I would expect no significant impairment of traffic flow. Further, I would not expect any noticeable increase in traffic due to the proposed clinic.

The building is constructed of brick, which will greatly dampen any noise, and we will ensure that animal areas are appropriately sound-proofed. Please note that a staff member will always be present and animals will not be left alone overnight. There should never be a situation where an animal is making excessive noise. Noise-reducing insulation will be installed in the walls and ceilings as required.

EXPECTED IMPACT ON CURRENT BUILDING AND IMPROVEMENTS

My wife and I love heritage properties and would seek to keep the visual amenity as authentic as possible. We live in a heritage property in nearby Beaconsfield. Some signage would be required, however this would be done in a tasteful and respectful way. The building already features improvements typical of veterinary clinics and medical centres, i.e. disabled access, client toilets, pharmacy, reception and waiting area, plumbing to consult rooms and treatment areas, laundry, security system, commercial air-conditioning. These features would be retained.

Some areas of the current building have been carpeted, which would be replaced with a modern vinyl flooring to protect the original wooden floorboards underneath.

EXPECTED REQUIREMENTS FOR FURTHER IMPROVEMENTS TO THE BUILDING STRUCTURE

I do not anticipate needing to make any major changes to the building structure, as the structural components required for a veterinary clinic are so similar to a medical centre.

EXPECTED MODIFICATIONS / INSTALLATIONS / EXTENSIONS TO THE CURRENT BUILDING

A minor fit-out would be required to equip the necessary spaces.

EXPECTED MOVEMENT OF PEOPLE (FOOT-TRAFFIC) ON SITE AND AROUND THE BUILDING

Initially, the business would operate in a scaled-down manner in line with the requirements for home businesses.

Once the scheme amendment has been completed, I anticipate that patients and their owners would typically arrive by car and move into the clinic via the existing walkway which leads to an existing reception area. Consultation would usually be by appointment, with allowances for urgent matters.

Owners and their animals would be called into consulting rooms in turn, examined, diagnosed and treated as required. Most animals would go home immediately following consultations, however some may require surgery. This may be scheduled immediately or at a later time depending on the urgency.

Opening hours would likely be 8:30am to 6pm Monday to Friday and 8:30am to 1pm Saturday. Procedures would be implemented to minimise operational noise.

HERITAGE CONSIDERATIONS

We have a strong desire to maintain the heritage appeal of this building. The site is already configured as a medical centre. Elements such as the consulting rooms and reception area are already in place. No structural works are required to fit the building out as a veterinary hospital. Some additional fittings and equipment will be required, however these will be freestanding and not detract from the heritage appeal.

FURTHER INFORMATION

I believe this proposal would be a great thing for Fremantle, and enhance the amenity of the area. The current building has been empty for several years and is now a target for vagrants. I would be happy to elaborate on any aspect of this proposal if required, and can be contacted by mobile anytime.

Justification for variations / discretions (Appendix A)

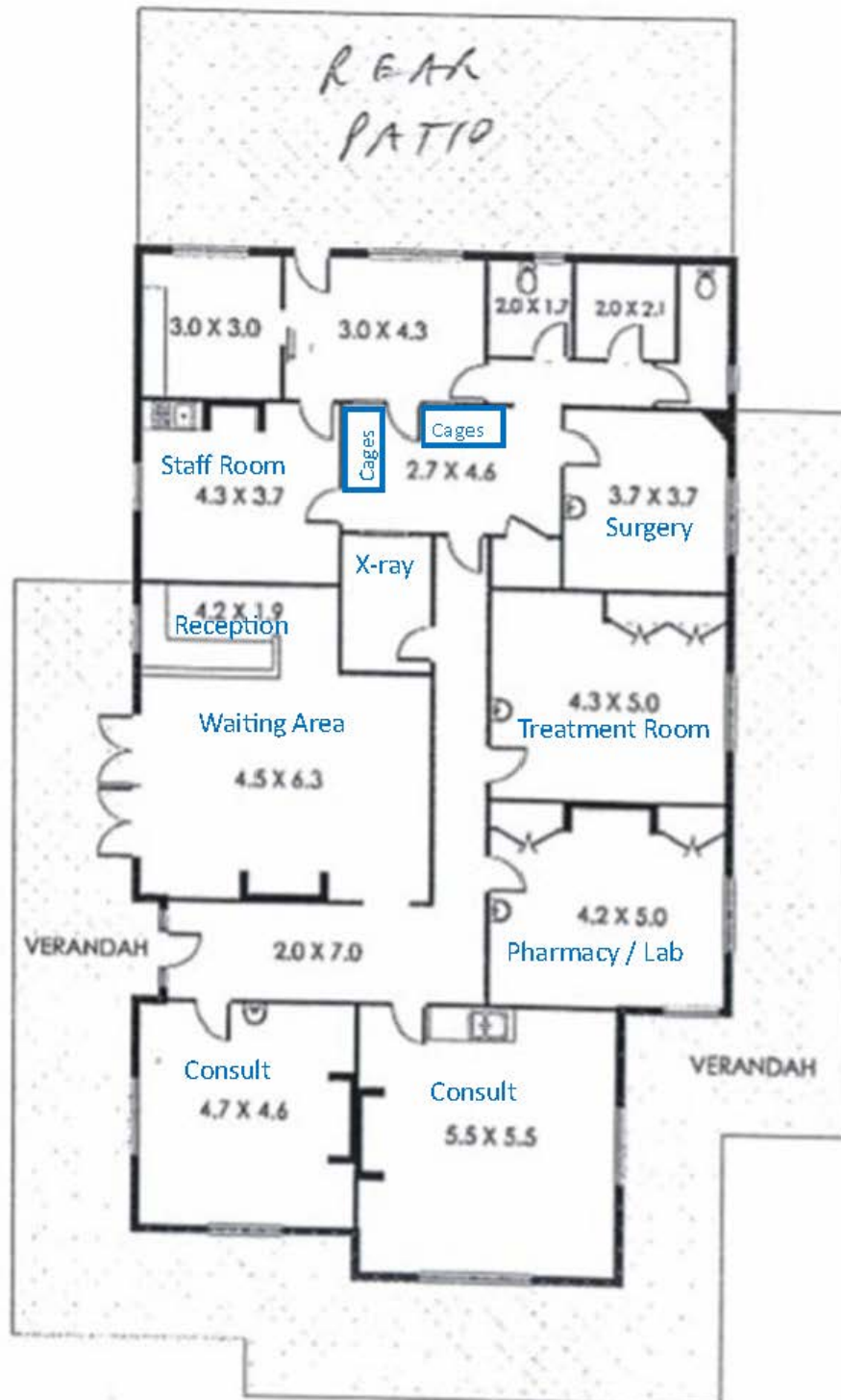
Design Element

- | | |
|----------------------------------|------------------------------------|
| 1. Parking
(16 bays exist). | Requirement is 4 per consult room |
| 2. Height | Existing building to be unchanged. |
| 3. Context | Existing building to be unchanged. |
| 4. Streetscape | Existing building to be unchanged. |
| 5. Site planning and design | Existing building to be unchanged. |
| 6. Building design | Existing building to be unchanged. |
| 7. Special purpose dwellings | Existing building to be unchanged. |
| 8. Fencing | Existing building to be unchanged. |
| 9. Sustainability | Existing building to be unchanged. |
| 10. Boundary Walls | Existing building to be unchanged. |
| 11. Local area planning policies | Existing building to be unchanged. |

Regards,

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1 August 2019

ATTACHMENT 2 – PRELIMINARY CONCEPT LAYOUT PLAN



**SPT1908-2 STATE PLANNING POLICY 3.6 DEVELOPMENT
CONTRIBUTIONS FOR INFRASTRUCTURE - SUBMISSION ON
REVISED DRAFT**
ATTACHMENT 1 – CURRENT SPP 3.6



PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 3.6

**DEVELOPMENT CONTRIBUTIONS
FOR INFRASTRUCTURE**

PREPARED UNDER SECTION 26 OF THE *PLANNING AND
DEVELOPMENT ACT 2005* BY THE WESTERN AUSTRALIAN
PLANNING COMMISSION.

PLANNING AND DEVELOPMENT ACT 2005

State Planning Policy 3.6

DEVELOPMENT CONTRIBUTIONS FOR INFRASTRUCTURE

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- Appendix 3—Methodology for developing *community infrastructure* development contribution plans

PLANNING AND DEVELOPMENT ACT 2005

State Planning Policy 3.6

DEVELOPMENT CONTRIBUTIONS FOR INFRASTRUCTURE

1. CITATION

This state planning policy is made under section 26 of the *Planning and Development Act 2005*. This policy can be cited as *State Planning Policy 3.6 Development Contributions for Infrastructure*.

2. INTRODUCTION AND BACKGROUND

This policy sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established urban areas.

The careful planning and coordination of infrastructure is fundamental to the economic and social well-being of any community. New urban development and redevelopment needs to ensure the cost-efficient provision of infrastructure and facilities, such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health, community and recreation facilities. All of these utilities and services greatly influence the standard of living, mobility and lifestyle choices of a community.

Public infrastructure is funded through various sources including state government taxes, local government property rates, federal assistance grants, user and access charges, fees and charges, and development contributions. In Western Australia, development contributions for infrastructure have long been accepted as an essential part of the planning system. Land developers are responsible for the provision of standard infrastructure, including water supply, sewerage and drainage, roads and power, and for some community infrastructure, including public open space and primary school sites which are necessary for the development. The scope of such contributions is defined in a WAPC policy adopted in 1997 which is set out in *Planning Bulletin 18 Developer Contributions for Infrastructure*. Development contributions are usually by way of land, works, or payments towards the provision of infrastructure. Requirements for development contributions are imposed by way of conditions on subdivision, strata subdivision or development or, in areas of fragmented ownership where cost sharing arrangements are necessary, by development schemes or development contribution arrangements made under local government schemes. The WAPC adopted draft model provisions for local government schemes in 2000 which are set out in *Planning Bulletin 41 Draft Model Text Provisions for Development Contributions*, which are now superseded by appendix 2 to this policy.

In WA, as in other Australia states, local governments face increasing pressures on the services they provide. These pressures arise from population and economic growth, and increasing expectations of the community for new and upgraded infrastructure.

Examples of these pressures are—

- Greenfield development of land for urban purposes, where there are standard requirements for infrastructure and facilities which are imposed by the WAPC as conditions on the subdivision or strata subdivision of the land, but where local governments may require infrastructure or facilities over and above the common standards.
- Infill development and redevelopment, where common standard conditions of subdivision, strata subdivision or development still apply, but where significant changes in the type or intensity of land use may require new infrastructure and facilities or the augmentation of existing infrastructure and facilities beyond the normal scope of standard subdivision conditions.

The capacity of local governments to provide the additional infrastructure and facilities necessary to accommodate future growth and change is limited by the available financial resources. As a result, local governments are increasingly seeking to apply development contributions for the construction of infrastructure and facilities beyond the standard requirements, such as car parking, community centres, recreation centres, sporting facilities, libraries, child care centres, and other such facilities.

Local governments have indicated that they need more guidance on the scope and framework for development contributions of this nature. The development industry has also pointed to the need for greater consistency and transparency in charging developers because of the potential impacts on housing affordability and to avoid inequities arising from new residents subsidising existing residents.

This policy follows a joint study into development contributions undertaken by the Urban Development Institute of Australia (UDIA), Western Australia Local Government Association (WALGA) and the Department for Planning and Infrastructure (DPI). It replaces *Planning Bulletins 18* and *41* and sets out the standard development contributions for infrastructure applied by the WAPC on the subdivision, strata subdivision, or development of land. It also provides a consistent, accountable and transparent system for local governments to plan and charge for development contributions over and above the standard provisions through development contribution plans.

The policy has taken into account the recommendations of the Public Accounts Committee—*Inquiry into Developer Contributions for Costs Associated with Land Development* (2004). The inquiry, among other things, recommended that local governments should have the capacity to recoup infrastructure costs and that this should be by way of provisions in local planning schemes. Under this policy, local government planning schemes will set out the system of charging through development contribution plans. This provides an equitable system for planning and charging development contributions across defined areas, and provides certainty to developers, infrastructure providers and the community about the charges which apply and how the funds will be spent.

The key principle is that the 'beneficiary' pays. Sometimes benefits will be largely confined to the residents of a new development. Sometimes, the benefits will accrue to both existing and new residents. Consistent with this principle, developers will only fund the infrastructure and facilities which are reasonable and necessary for the development and to the extent that the infrastructure and facilities are necessary to service the development. Development contribution plans will, therefore, need to identify growth trends based on service catchment areas, translate these trends into the infrastructure and facilities necessary to meet these increasing needs within the catchment, and allocate the costs of meeting these needs to existing residents and new residents proportional to their contribution to the need for the infrastructure and facilities. This will ensure fairness and equity. It will mean that existing residents through councils and new residents (through developers) will share the burden of the cost of the additional infrastructure and facilities proportional to their need.

A fundamental prerequisite of these plans is that local governments will need to plan ahead. The development contribution plan must have a strategic basis and be linked to the local planning strategy and strategic infrastructure plan and program which identify the infrastructure and facilities required over the next 5-10 years and the cost and revenue sources for the provision of the infrastructure. In this way, those contributing towards the development contribution plan will be assured that the funds will contribute to the local government's longer term planning and programming of infrastructure in an integrated and coordinated way.

This policy set out the principles underlying development contributions and the form, content and process for the preparation of a development contribution plan under a local planning scheme. Also attached are standard WAPC requirements for development contributions (appendix 1), draft Model Scheme Text development contribution plan provisions (appendix 2) and a template for a local government strategic infrastructure plan and program (appendix 3).

3. APPLICATION OF THE POLICY

The policy applies throughout Western Australia.

4. OBJECTIVES OF THE POLICY

The objectives of this policy are—

- to promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;
- to ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;
- to ensure consistency and transparency in the system for apportioning, collecting and spending development contributions;
- to ensure the social well-being of communities arising from, or affected by, development.

5. POLICY MEASURES

5.1 Scope

Development contributions can be sought for items of infrastructure that are required to support the orderly development of an area. This includes the standard requirements for infrastructure contributions as outlined in appendix 1. In addition, local governments can seek contributions for the capital costs of *community infrastructure* which is defined as: *'the structures and facilities which help communities and neighbourhoods to function effectively, including—*

- *sporting and 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 this policy.'*

Development contributions can be sought for—

- a new item of infrastructure;
- land for infrastructure;
- an upgrade in the standard of provision of an existing item of infrastructure;

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- an extension to existing infrastructure;
- the total replacement of infrastructure once it has reached the end of its economic life;
- other costs reasonably associated with the preparation, implementation and administration of a development contribution plan.

The contributions are for the initial capital requirements only and not for ongoing maintenance and/or operating costs of the infrastructure.

5.2 Principles underlying development contributions

Development contributions must be levied in accordance with the following principles—

1. Need and the nexus

The need for the infrastructure included in the development contribution plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

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.

3. Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

4. Certainty

All development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development.

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.

6. Consistency

Development contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent.

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 that the calculation of the contributions is not reasonable in accordance with the procedures set out in the draft Model Scheme Text in appendix 2.

8. Accountable

There must be accountability in the manner in which development contributions are determined and expended.

5.3 Imposition of development contributions

Development contributions may relate to the requirements of public utility providers (such as water, sewerage, and electricity), state government requirements and the requirements of local government.

Where local governments are seeking development contributions beyond the standard provisions outlined in appendix 1, they must be supported by a development contribution plan which identifies the need for such infrastructure for the relevant development contribution area or by a voluntary agreement between a developer and the relevant local government. This need may not arise where there is one development and the need for the development contribution is created by that development. Any condition for contributions in this case must be consistent with the principles outlined in section 5.2.

There are three stages to the imposition of development contributions.

5.3.1 Development contributions are formulated and agreed.

The development contribution plan is used to prescribe the cost contributions for owners in a development contribution area. Areas requiring a development contribution plan, and the infrastructure needs and costs for such area, will generally be identified as part of the process of developing or amending planning schemes.

5.3.2. Development contributions are calculated and applied.

Development contributions are generally calculated and applied by way of conditions of subdivision, strata subdivision or development, particularly in greenfield areas. Development contributions may also be sought in infill and redevelopment areas at the time of subdivision, strata subdivision or development.

They may be calculated and applied as—

- standard conditions of subdivision or strata subdivision;
- conditions of development.

Alternatively, contributions can be implemented through voluntary legal agreements.

This applies to subdivisional works such as roads, drainage and the provision of power, water and telecommunications and other items outlined in appendix 1. They may also be applied as conditions of development. The calculation will be to apply the detail of the developer contribution plan to the development, including any offsets for the ceding of land or construction of infrastructure.

5.3.3. Development contributions become **due and payable**.

Development contributions become due and payable as part of the subdivision clearance process or prior to the commencement of development. Clearance of deposited plans, or strata plans as the case may be, to enable the issuance of titles, should not occur until full payment, as calculated and applied, has been finalised. Development contributions are only payable on the proportion of land within a plan being requested for clearance in a development.

5.4 *Characteristics of a development contribution plan*

Development contribution plans require that—

- there is a clear and sound basis with linkages to the local government's strategic and financial planning processes;
- there is justification for the infrastructure identified in the plan;
- the costs of infrastructure are appropriate;
- there is a commitment to providing the infrastructure in a reasonable period;
- the development contribution area to which the plan applies is appropriate;
- cost-sharing arrangements between owners in the development contribution area are fair and reasonable; and
- there is consultation with the owners affected by the plan.

Development contribution plans prescribe the cost contributions for land owners in a development contribution area. Development contributions can only be for the provision of capital items. The costs associated with design and construction of infrastructure (including land costs) and the cost of administration are considered capital items and can be included in the development contribution plan.

A development contribution plan does not have effect until it is incorporated into a local planning scheme. As it forms part of the scheme, the *Town Planning Regulations 1967*, including advertising procedures and the requirement for Ministerial approval, will apply to the making or amendment of a development contribution plan.

A development contribution plan is to be prepared for a development contribution area. This area must be identified on the scheme map and within the text. Draft Model Scheme Text provisions for development contributions can be found at appendix 2. Development contribution plans are to be incorporated into schemes via special control areas and set out in Schedule ZZ.

In interim situations, 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. 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 contributions towards the provision of community infrastructure.

The infrastructure costs and estimates are not to be incorporated in Schedule ZZ as part of the scheme but shall be formulated and advertised with the scheme report or scheme amendment report which introduces the development contribution plan and shall be reviewed annually.

Local governments may also enter into voluntary arrangements with developers for contributions for the provision of community infrastructure. Such agreements should reflect the principles outlined in section 5.2.

5.5 *Process for determining development contributions for community infrastructure*

Local government requirements for development contributions for community infrastructure should be calculated on the basis of—

1. the need for that infrastructure based on an analysis of the demand;
2. the nexus where the relationship between the need for infrastructure and the new development is clearly established;
3. catchment areas that the infrastructure would service, identifying both existing demand and new demand that is associated with the development; and
4. the cost of providing the infrastructure, which should be based on the latest or best estimates available to the local government and should include provision for regular adjustments to account for cost escalation over time.

Where a local government is seeking contributions for community infrastructure, these need to be supported by—

- a community infrastructure plan for the area, identifying the services and facilities required over the next 5 to 10 years (supported by demand analysis and identification of service catchments);
- a capital expenditure plan (with at least 5 out years), which identifies the capital costs of facilities and the revenue sources (including capital grants) and programs for provision;
- projected growth figures, including the number of new dwellings to be created at catchment level (suburb or district); and
- a methodology for determining the proportion of costs of community infrastructure to be attributed to growth and the proportion to be attributed to existing areas.

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The process for determining development contributions for community infrastructure is outlined at appendix 3.

5.6 Form of contributions

Conditions relating to development contribution requirements can be satisfied by—

- the ceding of land for roads, public open space, primary school sites, drainage and other reserves;
- construction of infrastructure works which are transferred to public authorities on completion;
- monetary contributions to acquire land or undertake works by or on behalf of public authorities; or
- a combination of the above.

5.7 Development contributions not to be imposed as a condition of rezoning

Local governments are not to impose development contributions beyond the scope of Western Australian Planning Commission policy as conditions or prerequisites for rezoning. The rezoning process is not to be used to impose unreasonable demands on land development outside the scope of Western Australian Planning Commission policy.

Development contributions must be formulated through an open and transparent process, with the opportunity to comment in accordance with the process specified in 5.3, or through development contribution plans or voluntary agreements that are transparent and follow the due planning process.

5.8 The application of a credit in a development contribution plan

A development contribution plan may identify infrastructure that—

- needs to be actioned with the first development in a development contribution area, such as a major road extension/connection;
- is predominantly located on the developer's land, such as construction of a recreation facility to service the larger development contribution area.

The local government may mandate that this work is undertaken, creating an in-kind contribution above that identified in the development contribution plan for that area (for example, the provision of physical infrastructure). In this instance the developer and the local government must negotiate a fair and reasonable outcome in relation to this credit. Appropriate negotiated outcomes may include—

- Where a developer has other land holdings in the area, the credit is held by the local government until it is required to be used by the developer to offset future contributions.
- Where a developer has no further holdings in the area, the amount is held by the local government as a credit to the developer until payments into the development contribution plan are received from subsequent developers. The credit is then reimbursed to the developer.
- Where the development contribution plan is in credit from developer contributions already received, the credit should be reimbursed on completion of the works/ceding of land.

Any indexing of the developer contribution scheme should be equally applied to such credits.

6. IMPLEMENTATION

Implementation of this policy will primarily be through local planning strategies, structure plans and local planning schemes and the day-to-day consideration of zoning, subdivision, strata subdivision and development proposals and applications, together with the actions and advice of agencies in carrying out their responsibilities.

7. REVIEW

This policy shall be reviewed within 3 years of the date that it is published in the *Government Gazette*.

Appendix 1—Standard development contribution requirements

Land contributions	Infrastructure works	Monetary contributions
<p>Public open space Public open space equivalent to 10 per cent of the gross subdivisible area, or alternatively, a cash-in-lieu contribution, in accordance with WAPC policies and the <i>Planning and Development Act 2005</i>.</p> <p>Foreshore reserves Certain land for foreshore reserves on the coast, rivers and lakes in accordance with WAPC policies.</p> <p>Primary schools Land for government primary schools.</p> <p>Roads Land for widening existing roads, where the proposal induces additional traffic movements and/or benefits from it; land for new local streets where required; land for district distributor roads in new development areas that expand the urban front or where linkages to these areas is justified; and/or land for primary distributor roads, including primary regional roads and railway reserves where justified by the subdivision. Other contributions as provided for in WAPC policies.</p>	<p>Public utilities Infrastructure for—</p> <ul style="list-style-type: none"> • water; • sewerage; • drainage works; • electricity supply infrastructure; and • other public utilities. <p>This covers on-site works as well as off-site capital works, such as major pump stations, trunk sewers or transmission lines that are necessary to, or contribute to, the subdivision and/or development, and the planning and implementation of urban water requirements. Note that these works are in addition to monetary charges by the Water Corporation and Western Power for off-site major infrastructure.</p> <p>Roads All roads and traffic works required within the subdivision and linked to a constructed public road. These roads provide access to individual lots and allow utility services to be reticulated in the road reserves; Footpaths, pedestrian access ways and shared paths, where required. Upgrading, construction and widening of existing roads and laneways to accommodate additional traffic generated by a subdivision and/or development; and/or new district distributor roads including earthworks for the whole road reserve, the construction of one carriageway comprised of two lanes and associated drainage works. In addition, where set out in a structure plan for the area, grade-separated pedestrian crossings and shared paths may be required as a contribution. Other contributions as provided for in WAPC policies.</p>	<p>Standard water, sewerage and drainage headworks charges for off-site major infrastructure works; and if an area is in fragmented ownership, monetary or in-kind contributions can be required in lieu of land or infrastructure works with reimbursement for other owners where costs are shared. Other contributions as provided for in WAPC policies.</p>

Appendix 2—Draft model text provisions for incorporation of development contribution plans into local planning schemes

6.1 Operation of special control areas

6.1.1 The following special control areas are shown on the scheme map—

- (a) development areas shown on the scheme map as DA with a number and included in schedule XX.
- (b) development contribution areas shown on the scheme map as DCA with a number and included in schedule YY.

6.1.2 In respect of a special control area shown on a scheme map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the scheme.

6.2 Development areas and structure plans

Insert here revised provisions on structure plans as set out in appendix 1 to the revised version of Planning Bulletin 37 (February 2000) (available at the offices of the Western Australian Planning Commission).

6.3 Development contribution areas

6.3.1 Interpretation

In clause 6.3, 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 6.3.10.

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

‘Development contribution area’ means shown on the scheme map as DCA with a number and included in schedule ZZ.

‘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 clause 6 of the scheme (as incorporated in schedule ZZ to this scheme).

‘Development contribution plan report’ means a report prepared and distributed in accordance with clause 6.3.10.

‘Infrastructure’ means the standard infrastructure items (services and facilities set out in appendix 1) 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 this policy.

‘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.

6.3.2 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.

6.3.3 Development contribution plan required

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

6.3.4 Development contribution plan part of scheme

The development contribution plan is incorporated in schedule ZZ as part of this scheme.

6.3.5 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.

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Comments

A development contribution plan is only enforceable once it is incorporated into the scheme. This has two major implications—

- *all advertising and other provisions under the Town Planning Regulations 1967 applicable to the making of schemes and amendments will apply; and*
- *any amendment to a development contribution plan will require a scheme amendment in order to become enforceable.*

6.3.6 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.

Comments

Apportionment of infrastructure costs based on area assumes that the land concerned has fairly common characteristics. Therefore, development contribution areas should be identified, as far as possible, with common characteristics so that cost contributions reflect future development potential. Where it is not possible to identify land with fairly common characteristics throughout the whole of the development contribution area, consideration may be given to dividing the area into contribution precincts or cells, or to apportioning infrastructure costs based upon land valuation (though the latter may have increased administrative and other costs).

6.3.7 Recommended content of development contribution plans

6.3.7.1 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.

Comments

A suggested outline of a development contribution plan is contained in schedule ZZ.

6.3.8 Period of development contribution plan

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

Comments

A development contribution plan must specify the period during which it is to operate. However, any extension of the period of operation of a development contribution plan requires a scheme amendment which will, in turn, require the approval of the Minister. The recommended maximum period is 5 years (to coincide with the scheme review), but a longer or shorter period may be appropriate depending upon the particular circumstances of the development contribution area (e.g. size of the development contribution area, number of owners and nature of the infrastructure to be funded). If the period is 10 years or longer, then reviews should occur at 5 year intervals (with the cost apportionment schedule to be reviewed at least annually).

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6.3.9 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 _____ 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.

6.3.10 Development contribution plan report and cost apportionment schedule

6.3.10.1 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.

6.3.10.2 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.

6.3.10.3 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 6.3.11.

Comment

A suggested outline of a cost apportionment schedule is attached at appendix 3. The cost apportionment schedule is adopted by the local government but does not form part of the scheme.

6.3.11 Cost contributions based on estimates

6.3.11.1 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.

6.3.11.2 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 6.3.12; 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.

6.3.11.3 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.

6.3.11.4 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.

6.3.11.5 Where an owner's cost contribution is adjusted under clause 6.3.11.4, 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.

6.3.11.6 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.

6.3.11.7 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.

6.3.12 Valuation

6.3.12.1 Clause 6.3.12 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

6.3.12.2 In clause 6.3.12—

'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 arms 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 attached to this scheme as schedule [X]. 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.

6.3.12.3 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.

6.3.12.4 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*.

6.3.13 Liability for cost contributions

6.3.13.1 An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of clause 6.3.

6.3.13.2 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.

6.3.13.3 Notwithstanding clause 6.3.13.2, 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.

6.3.13.4 Where a development contribution plan expires in accordance with clause 6.3.8, 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.

Comments

The local government may wish to give consideration to other forms of development, of a minor or incidental nature, that should be excluded for the purpose of triggering liability under clause 6.3.13 (e.g. the erection of a boundary fence).

6.3.14 Payment of cost contribution

6.3.14.1 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.

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

6.3.14.3 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.

6.3.15 Charge on land

6.3.15.1 The amount of any cost contribution for which an owner is liable under clause 6.3.13, 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.

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6.3.15.2 The local government, at the owner's expense and subject to such other conditions as the local government thinks fit, can withdraw a caveat lodged under clause 6.3.15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

6.3.15.3 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 6.3.15.

6.3.16 Administration of funds

6.3.16.1 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.

6.3.16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 6.3.16.1 is to be applied in the development contribution area to which the reserve account relates.

6.3.16.3 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.

6.3.17 Shortfall or excess in cost contributions

6.3.17.1 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 paragraph 6.3.17.1(a) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.

6.3.17.2 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.

6.3.18 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.

6.3.19 Arbitration

Subject to clauses 6.3.12.3 and 6.3.12.4, 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*.

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SCHEDULE X

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

10% (9)

Risk rate applied (8-9)

= % (10)

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

ie Risk = (7) multiplied by (10)/100+(10)

Balance after profit & risk factor (7-11)

\$ (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

\$ (21)

Balance after rates & taxes (20-21)

\$ (22)

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)

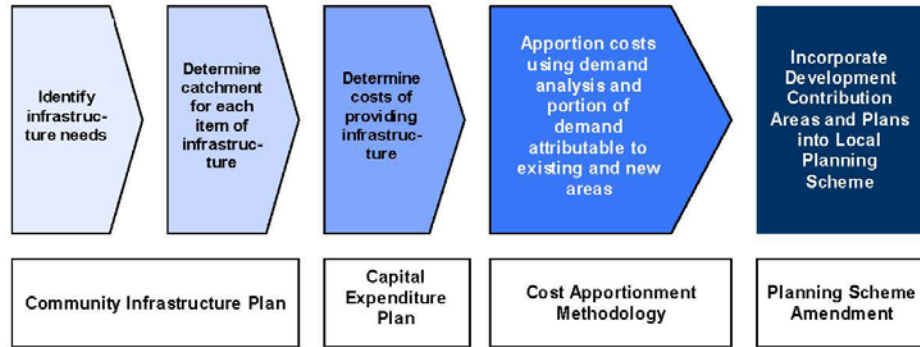
ASSESSED STATUTORY CONTRIBUTION PER SPP 3.6 (22+23) \$

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 (i).
- (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.

Appendix 3—Methodology for developing community infrastructure development contribution plans

Local governments need to establish a clear strategic framework for applying for development contributions for community infrastructure, which is infrastructure over and above standard developer contributions set out in appendix 1.



The framework should be supported by—

1. a **community infrastructure plan** for the area, identifying the services and facilities required over the next 5 to 10 years (supported by demand analysis and identification of service catchments). This should be supported by projected growth figures including the number of new dwellings to be created at catchment level (suburb or district);
2. a **capital expenditure plan (with at least five out years)** which identifies the capital costs of facilities and the revenue sources (including capital grants) and programs for provision;
3. **projected growth figures**, including the number of new dwellings to be created at catchment level (suburb or district); and
4. a **methodology** for determining the proportion of costs of community infrastructure to be attributed to growth and the proportion to be attributed to existing areas.

Community infrastructure development contribution plans

Development contribution plans must specify—

- (a) the development contribution area that a plan applies to. This should be indicated on the scheme map as a development contribution area;
- (b) the infrastructure and administrative costs to be funded through the plan. Only community infrastructure that is identified in the local government’s community infrastructure plan can be included in the development contribution plan;
- (c) the methodology for determining the cost contribution of each owner towards the infrastructure to be funded through the plan;
- (d) the priority and timing for the provision of infrastructure; and
- (e) the period during which it is to operate

A development contribution plan does not have effect until it has been incorporated into a local planning scheme as a schedule. An example of a plan can be found at attachment A3.1

Development contribution plans must comply with the principles specified in *State Planning Policy 3.6 Development Contributions for Infrastructure*.

Development contribution plans are to be supported by a cost apportionment schedule (see attachment A3.3) and a development contribution plan report (see attachment A3.2). These do not form part of the local planning scheme but need to be made available to landowners within 90 days of the gazettal of a development contribution plan.

Where a cost apportionment schedule contains estimated costs, these costs are to be reviewed by the local government at least annually. An owner may request that the local government have these estimated costs independently certified by an appropriately qualified person.

Where cost contributions have been calculated on the basis of estimated costs, a local government can either adjust the cost contribution of any owner in accordance with revised estimated costs (or final expenditure), or accept a cost contribution based on an estimated cost as a final cost contribution from an owner.

Owners become liable to pay their costs (once only) on the earlier of—

- subdivision or strata subdivision;
- development; or
- changing or extending a use.

Owners may pay their cost contributions by money, land or some other method acceptable to the local government. The amount of any unpaid cost contribution is a charge on the owner’s land and the local government may register a caveat against the certificate of title of the owner’s land.

Local governments are required to credit development contributions to a reserve account for the purpose of cost contributions only.

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ATTACHMENT A3.1
SCHEDULE ZZ

Note: This must be incorporated into the scheme.

COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION PLAN FOR DEVELOPMENT CONTRIBUTION AREA XX

Reference No.	DCPI
Area name:	DCA XX
Relationship to other planning instruments	The development contribution plan generally conforms to, the <i>Plan for the Future</i> , the <i>10 year Financial Management Plan</i> and the <i>Community Infrastructure Plan</i> .
Infrastructure and administrative items to be funded:	<p>1. District community centre—</p> <ul style="list-style-type: none"> • Single storey, xm², plot ratio floor area building with x parking spaces situated on lot x, x st, x suburb <ol style="list-style-type: none"> i. planning and design ii. site acquisition iii. earthworks and site (including servicing); iv. construction of facility (including associated tender) v. associated parking vi. associated landscaping <p>2. Administrative costs including—</p> <ul style="list-style-type: none"> • costs to prepare and (for standard items only) administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software or hardware for purpose of administering the plan) • costs to prepare and review estimates • costs to prepare the cost apportionment schedule • valuation costs
Method for calculating contributions	<p>The council's community infrastructure plan identified the needs that impact on the development contribution plan. The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the development contribution plan. 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.
Period of operation:	X years
Priority and timing:	District community centre year X
Review process	<p>The plan will be reviewed when considered appropriate, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown as schedule ZZ 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 MST clause 6.3.11.3 (appendix 2).</p>

DEVELOPMENT CONTRIBUTION PLAN REPORT

Note: This report does not form part of the scheme but provides the rationale and justification for the development contribution plan, the calculation of costs, and the cost apportionment schedule specifying the costs for each owner.

Development contribution area	The development contribution area is shown on the scheme map as: DCA 1
Purpose	<p>The purpose of this development contribution plan report is to—</p> <ol style="list-style-type: none"> (a) enable the applying 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.
Period of the plan	X years from June 30 20XX to June 30 20XX
Operation of the development contribution plan	The plan has been prepared in accordance with <i>State Planning Policy 3.6 Development Contributions for Infrastructure</i> . It will come into effect on the date of gazettal of the local planning scheme or amendment to the local planning scheme to incorporate the plan.
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.
Principles	<p>Development contributions will be applied in accordance with the following principles—</p> <ol style="list-style-type: none"> 1. 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). 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. 3. Equity Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need. 4. Certainty All development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development. 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. 6. Consistency Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent. 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 in accordance with the provisions set out in the draft Model Scheme Text in appendix 2. 8. Accountable There must be accountability in the manner in which development contributions are determined and expended.
Items included in the plan	<p>Administration costs</p> <ul style="list-style-type: none"> • costs to prepare and administer the development contribution plan • costs to prepare and review estimates • costs to prepare the cost apportionment schedule • valuation costs

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Infrastructure elements

- *list of infrastructure required and basis for its inclusion*

Details of the cost apportionment can be seen in the cost apportionment schedule.

Review

The development contribution plan will be reviewed when considered appropriate having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.

The estimated infrastructure costs as shown in the cost apportionment schedule 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 MST clause 6.3.11.3 (appendix 2) .

COST APPORTIONMENT SCHEDULE

Note: This schedule does not form part of the scheme

LANDOWNER CONTRIBUTIONS FOR DC1—AAAAAA	\$ est.
Land acquisition costs	
<i>District community centre</i>	\$
Planning and design costs	
<i>District community centre</i>	\$
	\$
Construction costs	
<i>District community centre</i>	\$
	\$
Landscaping costs	
<i>District community centre</i>	\$
	\$
Parking provisions	
<i>District community centre</i>	\$
	\$
etc	\$
Administration costs	
<i>Costs to prepare the plan (and for standard infrastructure items) and administer</i>	\$
<i>Costs to prepare and review estimates</i>	\$
<i>Costs to prepare the cost apportionment schedule</i>	\$
<i>Total projected demand for the district community centre</i>	XX,XXX
<i>Less demand from existing residents</i>	X,XXX
<i>Less demand from external users</i>	XXX
<i>Less future demand outside of the development contribution plan timeframe</i>	X,XXX
Total demand associated with development contribution plan	X,XXX

Lot description	Demand generated	Infrastructure requirement	Percent of total demand %
1
2
3
4
5
6

**ATTACHMENT 2 – CITY OF FREMANTLE SUBMISSION ON PREVIOUS DRAFT
SPP 3.6**

Enquiries: Louise Ainsworth
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Email: planning@fremantle.wa.gov.au

22 November 2016

Development Contributions Policy
WA Planning Commission
Locked Bag 2506
PERTH, WA 6001
By email to: SPP3.6@planning.wa.gov.au



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Dear Sir/Madam

REVISED SPP 3.6 - DEVELOPMENT CONTRIBUTIONS FOR INFRASTRUCTURE

Thank you for the opportunity to comment on the proposed revisions to *State Planning Policy 3.6 (SPP 3.6) Development Contributions for Infrastructure* and the accompanying Draft Guidelines and Scheme Text Provisions. The City supports the provision of a State Planning Policy (SPP) to address the issue of developer contributions and notes that the eight key principles underlying development contributions make sense, particularly the need to demonstrate need and nexus.

The addition of the Guidelines provides useful information and is welcomed; at the same time this review is an opportunity to improve the current version of the Policy. To that end the City's suggestions (see attachment) centre around improvements to definitions, structure, consistency and content both within documents and as they relate to each other.

Once again the City appreciates the opportunity to comment on the draft changes and trusts the feedback will be useful. We would be happy to discuss any issue.

Yours faithfully,



Paul Trotman
Director, Strategic Planning and Projects

Attachment 1: City of Fremantle Comments

Overall

1. The draft policy is entitled *Development Contributions for Infrastructure*. Through the draft policy there is some differentiation between community infrastructure and other infrastructure. However, these are not clearly defined and need to be; perhaps *Service Infrastructure* and *Community Infrastructure*.
2. Other terms require definition and/or the provision of examples to help explain. For example - what is meant by *Infrastructure important for liveability*? Is this what is commonly known as community infrastructure (as per 5.1 in SPP)? If not, why not use the term that is more broadly understood. And by *non-frontal* development do you mean *infill*?
3. The eight key principles underlying development contributions make sense, particularly the need to demonstrate need and nexus.
4. The introduction to each of the three documents (Policy, Guidelines and Scheme Provisions,) should reference the others and how they fit together. A diagram might be useful.
5. The status of the Guidelines needs to be clear. If there is anything binding in these documents should it be in the Policy, such as schedule 1 in the Guidelines? (See below for further discussion on this.)
6. There is repetition and inconsistent language between the documents which needs to be refined. For example the eight key principles are titled differently in each of the three documents i.e.:
 - o in the SPP they are titled (5.2): *Principles underlying development contributions*
 - o in the Guidelines they are titled (3.1): *Overall principles* shown as headings only and supplemented by (3.2) *Establishment principles*
 - o in the Scheme text provisions – (section 2(a-h)): they are called *Objectives for development contribution plans* and again set out in full.
7. The so called *Establishment principles* (Guidelines 3.2) largely duplicate, and in some cases contradict, the eight principles mentioned above. Consideration should be given to combining these to avoid confusion. i.e.:
 - o Establishment principles 1 & 2, re other mechanisms, might come before the need and nexus
 - o Affordability (3) could be a separate principle
 - o Importance to liveability (4) would be mentioned as part of demonstrating need and nexus
 - o Flexibility (5) needs to be discussed in the context of the consistency principle, otherwise they conflict
 - o Importance of delivery and construction (6) might be incorporated into a 'practicality' principle
 - o Proportional improvements (7) could be mentioned under both need and nexus and transparency

SPP 3.6

8. The Policy should make sense alone; currently it does not work without the Guidelines.
9. Guidelines section 3.3 *Categorisation of Development Contribution* items and the associated Schedule 1 are critical to the Policy and should be mentioned, if not fully included in it.
10. 5.4 *Characteristics of a Development Contribution Plan*: The crux of this is that a Development Contribution Plan (DCP) is required for Service Infrastructure (as per Appendix 1) where there is fragmented land ownership and cost apportionment through normal conditions of subdivision or development is difficult. This should be stated at the start of this section and repeated above Appendix 1.
11. Similarly a DCP for Community Infrastructure may be required where new (residential) development on many fronts will create demand for new and / or improved community infrastructure, and cost apportionment through normal conditions of subdivision or development is difficult.
12. Appendix 1 sets out standard acceptable Service Infrastructure items. It would be useful to have an Appendix 2 for Community Infrastructure items.
13. With both a Service Infrastructure and Community Infrastructure Appendix in place in the SPP, would Schedule 1 in the Guidelines become redundant?

Guidelines

14. The standing of the Guidelines and how they are to be applied is not clear.
15. Are there some things that are in the Guidelines that should be in the Policy and vice versa? E.g. the Categories?
16. The Categories should at least be mentioned in the Policy even if the main schedule remains in the Guidelines.
17. Category descriptions: while Categories C, D and E are expenditure items, Categories A and B relate to the same items of expenditure (Appendix 1) but in different situations.

Schedule 1 comments

18. Category descriptions
 - o Category A, suggested amendment: *Service Infrastructure as Appendix 1 in SPP –*
 - o The critical point is, *'For Category A (Appendix 1) items, where there is a single developer and contributions to Appendix 1 costs can be made as a normal condition of subdivision or development, a DCP is unlikely to be needed (i.e. 'no' in column 4). Where land is in fragmented ownership and there will be multiple developers, a DCP may be used to define and allocate (re)distribution of Appendix 1 costs – i.e. 'yes' in column 4.*
 - o If category B is to remain in the table, then the annotation *'only in limited cases of fragmented ownership etc.'*, is redundant because the words are repeating the situation the Category describes. This should be replaced with a simple 'yes.'

- *Category C* suggested amendments as follows: *Community Infrastructure* (not *infrastructure important for liveability*): ... from the earliest stages of development or where significant infill creates demand for new or improved community infrastructure (e.g. Cockburn & Kwinana).
 - *Category D*, Administrative items: suggest this is the last Category.
 - *Category E*, suggest this be included in *Category C* and marked as 'no' or optional.
19. Schedule 1 comments on specific items:
- Why are telecommunications and gas not considered as essential services and included in Appendix 1?
 - Try to build notes (e.g. B2, B4 into the body of table)
 - Items 10, 11, 12 and 13 could be 'yes' items where need and nexus is well demonstrated
 - Item 14 public transport: a 'no' on this item contradicts the government's aim to use value capture as a means of funding new infrastructure, CAT routes etc. This should be 'yes.'
 - 15 Land for public open space: should be 'yes'
 - 16 A, B & C Basic development and facilities for passive public open space: should be yes and could be in either SI or CI category
 - 19, 24: 'yes' if need and nexus can be demonstrated
 - 28, regional drainage: is regional drainage discretionary or essential? Should be yes
 - 29 a, b & c: yes if need and nexus is demonstrated
 - 33, why isolate this item and what about fees for other technical studies? Does item 50 cover these too?
 - 34 land for primary school is an Appendix 1 item, so why wouldn't it be a shared cost if required for infill?
 - 40, 41, Library, child care: why excluding fit out?
 - 42 seniors, youth health centre etc.: why is this 'no' if there's a demand?
 - 50, see note above: also should be yes
 - 57, CCTV: should be yes?
20. Templates
- Should the report template (Schedule 4) come first to reflect the process? (e.g. set up the context, rationale etc. first then go into the detail.
 - Refer to comments above re principles: the report should also refer to other methods considered, affordability, consistency/flexibility etc. as per suggested combined principles.
 - Schedule 2: The DCP template is useful; however, a place to reference where need and nexus is documented (e.g. Community Infrastructure Plan) might be a useful addition, as would a template for each item (as per City of Cockburn CI DCP)?

Scheme text provisions

21. The City supports the text provisions in section 2 being deemed provisions under Schedule 2 of the Regulations. This ensures consistent words across all Schemes irrespective of the age or stage or review.
22. It also means the provisions will have immediate effect in all Schemes at the same time, whereas using the model text would only take effect when Model Scheme Text is adopted at the time of the next Scheme review.
23. To this end Clauses 27 and 28 in the current Model Scheme Text should be included in the deemed provisions.
24. Regulations 70 – 73 should also remain in the Regulations as they stand.

ATTACHMENT 3 - REVISED DRAFT SPP 3.6

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Western Australia.*



Department of Planning,
Lands and Heritage



Draft
State Planning Policy 3.6
Infrastructure Contributions

July 2019

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1 CITATION

This is a draft State Planning Policy made under Part Three of the *Planning and Development Act 2005*. This policy can be cited as State Planning Policy 3.6 Infrastructure Contributions (SPP 3.6).

2 POLICY INTENT

The careful planning and coordination of infrastructure is fundamental to the economic and social well-being of any community. New development and redevelopment need to ensure the cost-efficient, and appropriately-timed provision of infrastructure and facilities such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health, community and recreation facilities.

The provision of essential infrastructure influences the standard of living, mobility and lifestyle choices of a community and underpins the ability to achieve compact, connected and consolidated urban growth. The delivery of essential infrastructure requires a co-ordinated commitment from State and local government, in partnership with the private sector.

The purpose of this policy is to set out the principles and requirements that apply to infrastructure contributions in new and established urban areas. It also provides a system that enables the coordination and delivery of infrastructure that will provide opportunities for development of new communities in greenfield locations, infill locations, activity centres, corridors and high-frequency public transport routes, industrial nodes and station precincts.

3 BACKGROUND

In Western Australia, contributions for infrastructure are an established part of the planning system. They may be levied by local governments under local planning schemes towards the cost of infrastructure necessary to accommodate urban growth. Contributions are generally levied directly through the subdivision and development process, or where there are multiple landowners, through Development Contribution Plans (DCPs).

Infrastructure contributions are just one of a number of ways that can be used to meet the physical and social infrastructure needs of growing urban communities. Where contributions are sought beyond the standard requirements for infrastructure, mechanisms such as DCPs may be considered in cases where other mechanisms and funding streams cannot achieve a co-ordinated approach to the delivery of necessary infrastructure.



4 APPLICATION OF THE POLICY

The policy applies throughout Western Australia across all development settings, including greenfield growth areas and existing urban areas; industrial areas; regional towns; and other land identified through strategic planning instruments to accommodate and facilitate population and economic growth.

The policy is supplemented by supporting Infrastructure Contribution Guidelines that provide additional information regarding the preparation and operation of DCPs in areas where coordinated development of infrastructure and cost-sharing is required.

5 POLICY OBJECTIVES

The objectives of this policy are:

- to promote the efficient and effective provision of public infrastructure and facilities that are essential to meet the demands arising from population growth and development
- to provide a system for the coordinated delivery of infrastructure necessary to facilitate new urban growth opportunities to achieve compact, consolidated towns and cities
- to ensure that the requirements for infrastructure contributions cater to all development settings to enable the development of sustainable communities
- to provide clarity on the acceptable methods of collecting and coordinating contributions for infrastructure
- to establish a system for apportioning, collecting and spending contributions for infrastructure that is transparent, equitable, accountable and consistent.

6 POLICY MEASURES

6.1 Principles underlying infrastructure contributions

Contributions for all infrastructure must be levied in accordance with the following principles:

- a) **Need and the nexus:** The need for the infrastructure 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 infrastructure contribution and the manner in which it is applied should be clear, transparent, and simple to understand and administer.
- c) **Equity:** Infrastructure contributions should be levied equitably from all identified stakeholders within a contribution area.
- d) **Certainty:** The scope, timing, and priority for delivering infrastructure items, and the cost of infrastructure contributions and methods of accounting for escalation, should be clearly identified and agreed.
- e) **Consistency:** The system for infrastructure contributions for apportioning, collecting and spending contributions should be consistent, efficient and transparent.
- f) **Accountable:** That there is accountability in the manner in which infrastructure contributions are determined and expended.



6.2 Types of Local Infrastructure

Local infrastructure is fundamental to the economic and social wellbeing of any community. For the purposes of this policy, local infrastructure includes:

- a) *Development Infrastructure* – infrastructure required to facilitate development and to support the orderly development or redevelopment of an area.
- b) *Community Infrastructure* – infrastructure required for communities and neighbourhoods to function effectively.

6.3 Where infrastructure contributions can be sought

Contributions can be sought from developers and landowners for infrastructure items to support the orderly development of an area to cater to additional demand from increased population, or to facilitate development and redevelopment of areas identified in strategic planning instruments for consolidated urban growth. This includes:

- a new item of infrastructure
- land for infrastructure
- an upgrade in the standard of provision of an existing item of infrastructure
- an extension to an existing item of infrastructure to avoid unnecessary duplication of facilities to meet the additional demand of new residents in a defined catchment.
- the total replacement of infrastructure once it has reached the end of its economic life
- other costs reasonably associated with the preparation, implementation and administration of a DCP.

The contributions are for the initial capital requirements only and not for ongoing maintenance or operating costs of the infrastructure, beyond that required of developers through the subdivision and development process.

6.4 Scope

Infrastructure contributions for local infrastructure can be sought for the following:

- a) *Development Infrastructure*: may be imposed through the subdivision and development process without the need for a DCP; items are listed in Schedule 1: Development Infrastructure – Standard Infrastructure Contribution Requirements. Standard Infrastructure items may be included in a DCP when cost-sharing arrangements are proposed.
- b) *Community Infrastructure*: items that may be considered for inclusion in a DCP are listed in Schedule 2: Community Infrastructure: Items for Inclusion in a Development Contribution Plan.

6.5 Form of infrastructure contributions

An infrastructure contribution may be provided by one or any combination of the following methods:

- ceding land for roads, public open space, primary school sites, drainage and/or other reserves
- constructing infrastructure works to be transferred to a relevant Government agency on completion (in-kind contributions)
- monetary contributions, to be used by the local government or Government agency or utility provider to acquire land or undertake works (either directly through the subdivision and development process, or through a DCP)

- some other method acceptable to the relevant Government agency or infrastructure provider
- a combination of the above.

6.6 Variable and maximum costs levied

Costs levied are either variable or capped, depending on the type of infrastructure:

- a) For *Development Infrastructure* – where a DCP applies, costs may be variable depending on the infrastructure requirements and location of the development area. Costs should be established based on industry benchmarks for specifications and standards for infrastructure items, where applicable.
- b) For *Community Infrastructure* – a maximum levy for local infrastructure of \$2,500 per dwelling shall apply, with items to be justified through a Community Infrastructure Plan. Where district and/or regional infrastructure is also proposed, consideration may be given to increasing the maximum levy by an additional \$1000 per dwelling, to a total of \$3,500 for a combination of local, district and regional Community Infrastructure, subject to adequate justification and the support of the Western Australian Planning Commission (WAPC).

A lesser amount may be imposed where infrastructure costs do not require the maximum amount to be applied, however, any amount exceeding the maximum levy cannot be imposed.

Local governments will be required to set priorities, following consultation with the community, on the delivery of Community Infrastructure to meet the demands of a growing population. It is expected that additional funding to deliver the full range of required



Community Infrastructure will come from other sources including general local government revenue, and State and Federal funding.

6.7 Imposition of infrastructure contributions

Contributions for Local Infrastructure are generally calculated and applied via the following mechanisms:

- a) *Standard Contributions* – consistent with the requirements of this policy (refer Schedule 1 for Standard Infrastructure Contribution requirements) and applied directly via standard conditions of subdivision, strata subdivision or development, or other methods detailed in the local planning scheme.
- b) *Development Contribution Plans* – where cost-sharing arrangements are proposed to deliver Development or Community Infrastructure consistent with the requirements of this policy (refer Schedule 1 for standard Development Infrastructure contribution requirements; and Schedule 2: Community Infrastructure items).
- c) *Developer Agreements* – in limited circumstances, and pursuant to a request from the landowner or developer.

6.71 Standard contributions

Standard contributions are made by developers, or landowners, for new or upgraded infrastructure and may relate to the requirements of public utility providers, State Government requirements and the requirements of local government.

This includes the accepted standard requirements for infrastructure contributions levied through the subdivision and development process (refer Schedule 1 - Standard Development Infrastructure Contribution requirements) including:

- land contributions for public open space, foreshore reserves, primary schools and roads
- infrastructure works for public utilities and roads
- monetary contributions for standard servicing and utility charges.

In existing urban areas, identified in strategic or statutory planning instruments to accommodate increased densities, upgrades to roads and streets may include infrastructure necessary to deliver integrated multi-modal transport and land use development outcomes. This includes infrastructure to support sustainable transport and streetscape upgrades, as defined in Schedule 1.

6.72 Development Contribution Plans

6.72.1 When a DCP is required

DCPs are an arrangement between a local government and a specified landowner(s) to share the costs involved with delivering new infrastructure within a specific area (Development Contribution Area or DCA).

Where a local government seeks infrastructure contributions beyond the standard development infrastructure outlined in Schedule 1, or where cost-sharing arrangements are proposed, it must be supported by a DCP. Standard infrastructure items can be included in a DCP where costs are to be equitably shared across landowners.

Infrastructure contributions can only be for the provision of capital items. The costs associated with design and construction of infrastructure (including land costs) and the cost of administration are considered capital items and can be included in the DCP.

6.72.2 Timing of DCPs to align with comprehensive planning

Where a structure plan, or similar planning instrument, has been prepared and cost-sharing arrangements are identified as being required to deliver infrastructure necessary for development, a DCP should be prepared concurrently with, or within six (6) months following approval of the structure plan, to ensure that the DCP has been prepared ahead of subdivision and development, and that all parties are aware of cost liabilities associated with the delivery of necessary infrastructure.

If cost-sharing arrangements are identified in a district structure plan, the timing of the preparation of the DCP will align with the preparation of a more detailed local structure plan, as the DCP preparation will require a sufficient level of detail usually contained in a local structure plan to identify the proposed shared infrastructure.

6.72.3 Requirements of a DCP

DCPs are to ensure:

- a) there is a clear and sound basis with linkages to the local government's strategic and financial planning processes – infrastructure items must be included in a local government strategic community plan and capital works program



- b) the need for that infrastructure, based on an analysis of the demand generated, and the nexus, and where the relationship between the need for infrastructure and the new development is clearly established
- c) there is justification for the infrastructure and construction standards identified in the DCP, and the authority responsible for providing the infrastructure must be identified
- d) the costs of infrastructure must be transparent, appropriate and reviewed at least annually
- e) estimated costs of infrastructure should be based on the recommended reference rates, or indices, detailed in the policy and supporting guidelines, and relevant references or industry standards used in estimating costs are stated in the DCP Report
- f) there is a commitment to providing the infrastructure in a reasonable period, and other commitments to funding are detailed in the DCP
- g) the DCA to which the DCP applies must be appropriate and within an identified growth area or location identified in a strategic planning document
- h) cost-sharing arrangements between owners in the DCP area must be transparent, fair and reasonable.

6.7.2.4 Form and content of a DCP

The DCP shall include or specify the following:

- a) the DCA to which the DCP applies including details of land or development to be excluded
- b) the infrastructure and administrative items to be funded through the DCP
- c) details of funding, including the percentage being funded by the DCP, and the percentage from other funding sources

- d) the method and formula to be applied in determining the cost contribution of each property owner in the DCA (or unit of charge as determined in the DCP)
- e) the priority and timing of staging and delivery of each item of infrastructure including the responsibility for delivery of infrastructure
- f) the term for which the DCP is to have effect
- g) the applicable review process for the DCP, the DCP Report, and infrastructure cost estimates, including the method to be used, indexing mechanisms for credits accrued by a developer or property owner, and land valuations
- h) the policies, plans and other supporting documents providing justification for the infrastructure items proposed for inclusion in the DCP.

To ensure consistency in the application of the development contribution system across Western Australia, and to provide certainty for system users, the DCP template in Schedule 3 should be used and will be incorporated into the local planning scheme. Any departure from the model format will need to be justified based on individual circumstances.

The content of each DCP shall be as specified in Schedule 4, including the setting of maximum contingencies, and must be accompanied by a Capital Expenditure Plan (CEP), a Cost Apportioning Schedule (CAS), and a DCP Report. Templates for DCP Reports and the CAS are included in the Guidelines for Infrastructure Contributions.

6.7.2.5 Management and administration of a DCP

The local government is to establish and maintain an interest-bearing reserve account, that will operate as the Development Contribution Fund (DCF), in accordance with the *Local Government Act 1995* for each DCA, into which cost contributions for that DCA will be credited, and from which all payments for the infrastructure and administrative items within that DCA will be made. The purpose of the reserve account and the use of money in the reserve account must be limited to the application of funds for the DCA.

Information on the interest earned on reserve accounts shall be made available to the public by the local government upon request, and any interest earned on cost contributions credited to a reserve account should be applied in the DCA to which the reserve account relates.

Administrative items may be included as a DCP item; however, they must relate directly to the work local government must do to prepare and implement the DCP. All administrative items shall be individually itemised in the DCP.

Costs that may be included are detailed in the Schedule 4 and may include: technical consultant fees for other studies, plans, reports, and project management associated with the development of land if required to inform the preparation of the DCP

6.7.2.6 Consultation requirements

Prior to undertaking advertising and consultation as part of the statutory requirements for an amendment to the local planning scheme, early consultation on the proposed content of the DCP should be undertaken with



relevant stakeholders, including key landowners in the DCA, providers of any infrastructure to be included in the DCP, and State Government planning agencies.

To ensure the principles of transparency and equity are maintained, the DCP Report, including the CAS, that provide detail of the infrastructure costs and estimates, and the priority and timing of the delivery of each item of infrastructure, shall be formulated and advertised concurrently with the Scheme Amendment Report.

6.7.2.7 Operative Scheme Provisions

A DCP does not have effect until it is incorporated into a local planning scheme. Prior to (or concurrent with) identification of the first DCA within a local government area, and associated formulation of a DCP, operative scheme provisions must be included in the relevant local planning scheme to provide the framework for formulating and implementing a DCP, as provided in the Planning and Development (Local Planning Schemes) Regulations 2015.

6.7.2.8 Delivery of infrastructure

Identification of infrastructure as a contribution item in a gazetted DCP implies an agreement by local government to deliver that infrastructure, and should align with the local government's long-term (10 year) financial plan. While it is acknowledged that some level of flexibility in delivery timeframes is a realistic requirement, it is important that local government adheres to the estimated delivery timeframes for infrastructure for which development contributions have been made to ensure that the principles of equity and accountability are upheld.

6.7.2.9 Prioritisation of infrastructure in a DCP

A DCP may identify infrastructure that:

- a) needs to be actioned with the first development in a DCA, such as a major road extension/connection
- b) is predominantly located on the property owners' land, such as construction of a recreation facility, or acquisition of public open space, to service the larger DCA.

6.7.2.10 Early acquisition of public purpose sites

The DCP should give priority to the acquisition of land for public purposes early in the development process, to ensure that those landowners whose land has been identified for a public purpose, such as public open space, are not disadvantaged or unduly impacted by the rate of development.

In the case of primary school sites, early consultation with the Department of Education is required through the local structure plan process to establish commitment to timing of purchase of the land. It is noted that primary school sites are not included in DCPs as the acquisition of land is a separate process undertaken by the Department of Education.

Consideration is to be given by the local government to requests from landowners for early acquisition of land in cases of hardship, where land is identified for public open space in the DCP area.

The Department of Planning, Lands and Heritage (Department) may, in certain circumstances, pre-fund a DCP for the purposes of acquiring land in hardship cases where the local government has provided evidence to the Department that it does not have the funds to acquire

the land. Once funds are available in the DCP fund, the Department will be reimbursed for the cost of acquiring land with interest.

6.7.2.11 Cost contributions based on estimates

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.

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

A local government shall provide all available information upon request, including: the DCP Report, the CAS, and supporting information such as valuation advice, all calculations and methodology used to determine the costs, or adjustment of costs.

When an owner objects to the amount of a cost contribution, the owner may give notice to the local government within 28 days after being informed of the cost contribution, and this must be accompanied by supporting evidence prepared by a suitably qualified person detailing the basis of the objection, and include proposed alternative costs for consideration. The review of the amount of the cost contribution shall be undertaken by a suitably qualified person (independent expert) agreed by the local government and the owner, at the owner's expense.

If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined by either any method agreed between the local government and the owner;



or if the local government and the owner cannot agree on a method, by arbitration in accordance with the Commercial Arbitration Act 1985, with the costs to be shared equally between the local government, on behalf of the DCP, and owner.

6.7.2.12 Contribution credits

Where a developer has pre-funded infrastructure within a DCA, or land has been ceded to allow early infrastructure delivery, the following shall apply:

- a) Where an owner has agreed, or been required to pre-fund an item of infrastructure, or to cede land early to allow early infrastructure delivery, this pre-funding is to be held as a credit against future contributions due from that owner, and the local government and an owner must negotiate a fair and reasonable outcome in relation to this credit.
- b) Where a developer has other land holdings in the development contribution area, the credit is held by the local government until it is required to be used by the developer to offset future contributions.
- c) Where a developer has no further holdings in the DCA, the amount is held by the local government as a credit to the developer until payments into the DCP are received from subsequent developers to cover the credited amount. The credit is then reimbursed to the developer as soon as circumstances permit.
- d) Where the DCP fund is in credit from developer contributions already received, the credit should be reimbursed as soon as the circumstances permit on completion of the works/ceding of land and having regard to the priority and timing of DCP works.

e) Contribution credits applied as a result of a pre-funding arrangement for the cost of the infrastructure item shall be:

- i) as identified in the CEP and CAS
 - ii) based on the infrastructure being constructed to the same standard as was costed in the CEP.
- f) The provision of infrastructure to a higher standard than this will require the relevant Government agency, or developer if on a voluntary basis, to meet the gap in costs.

g) If the actual amount of expenditure incurred when pre-funding an infrastructure item unexpectedly varies significantly from that identified in the CEP and CAS, the local government shall:

- i) establish why the variation exists and whether such costs are justified
- ii) determine whether the CEP and CAS need to be reviewed.

h) If a review of the CEP and CAS is required as a result of the cost contribution per unit of charge changing significantly, a formal review of the DCP is required to ensure the principle of equity is upheld.

i) The reimbursement of pre-funded works, and early ceding of land for acquisition, through the DCP should be given priority according to timing that the infrastructure was delivered, as soon as adequate funds have been collected in the DCP having regard to the priority and timing of DCP works.

j) Where a developer seeks to pre-fund works in advance to the priorities and scheduling identified in the DCP, there should be a broader demonstrated benefit to the DCP for indexation to be applied to

such works and applied to other owners' liabilities within the DCP. Indexation of pre-funding works should be discussed with the local government and detailed in the DCP report.

- k) Credits are only available for infrastructure items included as an item in a DCP, including land acquisition.
- l) Indexing shall apply to contribution credits to incorporate escalation. At the time the credit/liability is calculated, the Index agreed between the parties should be used until the liability is paid in full.

6.7.2.13 Review of infrastructure cost estimates

A review of infrastructure cost estimates should be undertaken at least annually.

An annual review may be undertaken by:

- i) applying the recommended Indexes detailed in this policy, or as published by the WAPC
- ii) reviewing each DCP component and undertaking a full annual review of cost estimates.

The method of the review of cost estimates should be detailed in the DCP.

The review of cost estimates and/or application of indexing should be undertaken by a suitably qualified professional.

There may be circumstances where there is a substantial reduction in the cost contribution liability, due to factors including an overestimation of contingencies



and component costs. In such cases, including where a liability has been paid in full, the local government, on behalf of the DCP fund shall:

- i) reconcile and adjust the liability for each unit of charge, and refund excess monies to owners that paid over the adjusted amount, as soon as circumstances permit
- ii) in cases where it is not reasonably practicable to identify owners and issue their entitled amount of refund, any excess in funds shall be held in the DCP fund until all cost contributions have been made or accounted for and applied to the provision of additional facilities or infrastructure improvements in that DCA.

6.7.2.14 Indexation

Indexing ensures cost contributions remain consistent with changing infrastructure costs. To achieve consistency in the use of indexing across local governments, the following indices are to be used, where appropriate, as reference rates for DCP components including administration, development and community infrastructure, and land.

Indexation may be used in the annual review of cost estimates and/or as applied to credits and shall be detailed in the DCP. Indexation may be used for updating final cost contributions as required after gazettal of the DCP. The WAPC, from time to time, may approve the use of alternative indexing to those listed in this policy.

Community Infrastructure

- Australian Bureau of Statistics (ABS) Producer Price Index for Non-Residential Building Construction
- Australian Bureau of Statistics (ABS) Construction Work Done, Australia

- WALGA Local Government Cost Index (Non-Residential Building Construction)

Development Infrastructure

- Australian Bureau of Statistics (ABS) Producer Price Index for Road and Bridge Construction
- Australian Bureau of Statistics (ABS) Engineering Construction Activity
- WALGA Local Government Cost Index (Road and Bridge Construction)

Land

- Valuation advice from a licenced valuer

Credits

- As per relevant index as detailed above; or
 - Reserve Bank of Australia (RBA) - Cash Rate
- If a local government considers that the indexation isn't keeping pace with the true costs of a particular item, then the local government should revise the cost estimates for that component/item, with the approval of the WAPC.

6.7.2.15 Monitoring and reporting

In addition to the annual review/ updating of costs, an annual report, or status report, is to be prepared by the local government providing an overview of progress of the delivery of infrastructure specified in the DCP including:

- the timing and estimated percentage delivery of an infrastructure item against that stated in the DCP, arising from review of the local government's Capital Expenditure Plan

- the financial position of the DCF (an audited annual statement of accounts for each DCA reserve account, as soon as practicable after the statement becomes available) including interest that has been accrued in the DCF
- a summary of the review of the estimated costs in the CAS, including any changes in funding and revenue sources, and include relevant indexation.

A model template for the annual report is provided in Schedule 5. It is intended that the annual reporting provide a snapshot, or high-level summary, of the progress of the DCP.

The annual report shall be published by the local government on its website; a copy is to be held at the offices of the local government; and the annual report and any supporting documentation will be made available for inspection by the Minister for Planning, the Department of Local Government or the Department of Planning, Lands and Heritage upon request.

6.7.3 Developer Agreements

Contributions may also be implemented in limited circumstances through Developer Agreements or by a voluntary agreement between a landowner or developer and the relevant local government, pursuant to a request from the landowner or developer. Limited circumstances include large-scale, single ownership projects with a long development timeframe, or in regional areas where a formal DCP is not considered by local government and contributing owners to be necessary to achieve desired infrastructure delivery outcomes.



Notwithstanding that Developer Agreements do not form part of the scheme, infrastructure contributions prepared under this arrangement should be consistent with the principles outlined in this policy and any decision to deviate from these principles, including the provision of facilities of a higher quality or specification than standard, should be a voluntary decision by all parties to the agreement.

- DCPs that have been prepared prior to the gazettal of this policy and are considered a seriously entertained proposal having been submitted to the WAPC for approval, are deemed to be DCPs prepared under the 2009 version of SPP 3.6.
- Any DCP prepared on, or after the day of gazettal of this policy will be subject to the standards detailed in this policy.

7 REVIEW OF POLICY

This policy shall be reviewed within three (3) years of the date that it is published in the Government Gazette.

8 DEFINITIONS/ INTERPRETATIONS

Definitions and interpretations for Infrastructure Contributions and DCPs, unless otherwise stated in a local planning scheme, should be as per the definitions and interpretations contained in the Planning and Development (Local Planning Schemes) Regulations 2015, Part 1, Part 7 and Schedule 1 Model Provisions.

6.10 Implementation

Implementation of this policy will be primarily through statutory instruments including structure plans, local planning schemes or improvement schemes and the day-to-day consideration of scheme amendment, subdivision, strata subdivision and development proposals and applications, together with the actions and advice of agencies in carrying out their responsibilities.

6.8 Infrastructure contributions not to be imposed as a condition of rezoning

Local governments are not to impose infrastructure contributions beyond the scope of WAPC policy as conditions or prerequisites for rezoning. Infrastructure contributions must be formulated through an open and transparent process, with the opportunity to provide comment, or through DCPs or voluntary agreements that are transparent and follow the due planning process.

6.9 Transitional arrangements

The following transitional arrangements apply:

- Existing DCPs will continue to remain valid for the lifespan of the DCP, however, all DCPs regardless of the approval dates, shall adhere to all operational, monitoring and reporting requirements of the LPS Regulations and SPP 3.6.
- Existing DCPs that do not have a lifespan or review period shall be amended no longer than three (3) years after this policy comes into effect, to include the anticipated lifespan of the DCP and priority and timing for delivery of infrastructure.

SCHEDULES

SCHEDULE 1: DEVELOPMENT INFRASTRUCTURE – STANDARD INFRASTRUCTURE CONTRIBUTION REQUIREMENTS

Infrastructure items that may be required as an infrastructure contribution in any development, setting imposed through the subdivision and development process, or contained within a Development Contribution Plan in cases where cost-sharing arrangements are proposed.

ITEM	STANDARD REQUIREMENT	DELIVERY METHOD
Public purposes		
1	Land for Public Open Space (Local and District) Public open space equivalent to 10% of the gross subdivisible area, or as proposed in approved Structure Plan or other adopted planning instrument, or alternatively, a cash-in-lieu contribution, in accordance with WAPC policies and the <i>Planning and Development Act 2005</i> .	Land or monetary contribution
2	Development of Public Open Space Basic Development – Development of public open space consistent with the requirements of Liveable Neighbourhoods – including full earthworks, basic reticulation, grassing of key areas, pathways that form part of the overall pedestrian and/or cycle network, trees, drainage, lighting, basic seating, and maintenance for two summers, and post-water monitoring and establishment period of infrastructure such as living streams where required by WAPC policy Additional facilities for public open space may be provided at the discretion of the landowner/developer and may include provision of basic playground equipment, water fountains/features, litter bins. Upgrading of existing POS areas where comprehensive planning has been undertaken and public realm upgrade requirements are set out in Structure Plan, or similar planning instrument, to align with objectives of strategic planning instruments.	Construction of infrastructure or monetary contribution
3	Foreshore reserves Land for foreshore reserves on the coast, rivers and lakes in accordance with WAPC policies	Land (ceded free of cost to the State as per WAPC policy) or if included in a DCP, monetary contribution based on need/nexus
4	Foreshore reserve management plan and/or upgrades As part of development of public open space	Delivery by and at discretion of developer/relevant government agency or if included in a DCP, monetary contribution based on need/nexus



	ITEM	STANDARD REQUIREMENT	DELIVERY METHOD
5	Wetlands	<p>Note: Wetlands are not suitable for inclusion in a DCP purely for environmental protection purposes. Such land should provide a community recreation benefit to be considered for inclusion, and any valuation of the land should reflect the lack of development potential resulting from its environmental constraints.</p> <p>Inclusion in a DCP can only be for recreation purposes as part of the overall public open space network consistent with the provisions of Liveable Neighbourhoods.</p> <p>May include initial rehabilitation works and costs for maintenance/ management that are required of landowners/ developers through the subdivision and development process.</p>	<p>Land (ceded free of cost to the State as per WAPC policy or as part of allowable 2% restricted public open space, if useable for recreational purposes)</p> <p>or</p> <p>monetary contribution based on demonstrated need/nexus</p>
6	Primary schools	Land for government primary schools identified in approved structure plan.	<p>Land (ceded free of cost to the State as per WAPC policy)</p> <p>or</p> <p>pro-rata contribution by landowners in catchment via condition of subdivision</p>
Movement network			
7	Primary distributor roads (proposed)	Land for primary distributor roads including primary regional roads and railway reserves only where justified by a new subdivision/ development i.e. in special circumstances where super-lots are created on the urban fringe to allow for future subdivision.	Delivery by relevant government agency
8	District distributor roads (proposed) - including intersection treatments	<p>In other circumstances, land to be acquired by appropriate authority.</p> <p>Where district distributors abut or are included within an area of subdivision or are required to connect to existing major roads outside the subdivision area but within the same landholding.</p> <p>Construction including earthworks for the whole road reserve, the construction of one carriageway comprised of two lanes and associated drainage works and shared paths or other works if shown in the structure plan.</p>	<p>Land and Construction of infrastructure</p> <p>or</p> <p>monetary contribution based on infrastructure demand</p>
9	Local /neighbourhood distributor and local roads (proposed)	Land for new local streets where required. All roads and traffic works required within a subdivision and linked to a constructed public road, including intersection treatments, and drainage. These roads provide access to individual lots and allow utility services to be reticulated in the road reserves.	<p>Land and Construction of infrastructure</p> <p>or</p> <p>monetary contribution based on infrastructure demand</p>
10	Existing roads (land for widening)	Where the proposal induced additional traffic movements and/ or benefits from it; and/or where development is a significant traffic generator.	<p>In other circumstances, land to be acquired by appropriate authority.</p> <p>Land (ceded free of cost to the State as per WAPC policy, or acquired by relevant government agency, or subject to injurious affection)</p> <p>or</p> <p>monetary contribution based on infrastructure demand</p>



	ITEM	STANDARD REQUIREMENT	DELIVERY METHOD
11	Existing roads (upgrades including intersection treatments)	Where existing roads are inadequate to accommodate traffic generated by proposal, and/or where development is a significant traffic generator. Upgrading, construction and widening of existing roads and laneways to accommodate additional demand generated by a subdivision or development.	Construction of infrastructure or monetary contribution based on infrastructure demand
12	Shared paths/cycle paths/footpaths/PAWs	Required as part of items 6-9, or if included in approved Structure Plan, or similar planning instrument.	Land and Construction of infrastructure or monetary contribution based on infrastructure demand
13	Sustainable transport	For existing urban areas and only where comprehensive planning has been undertaken and requirements are set out in Structure Plan, or similar planning instrument, and to align with objectives of strategic planning instruments: <ul style="list-style-type: none"> • includes works and undertakings for the purpose of providing public transport infrastructure and associated walking and cycling infrastructure, including public transport stops and shelters, signs and signals, public transport lanes, and any associated works/designs • streetscape and public realm upgrades - includes street furniture, trees, landscaping, planting, other elements to transition to 'Complete Streets' model 	Land and Construction of infrastructure or monetary contribution based on infrastructure demand
14	Grade separated and at grade pedestrian crossings	Only in limited circumstances where set out in Structure Plan for the area.	Land and Construction of infrastructure or if included in a DCP, monetary contribution based on
Utilities and services			
15	Public utilities (on site infrastructure)	Infrastructure for – <ul style="list-style-type: none"> • water • sewerage • drainage works • electricity supply infrastructure – initial provision and upgrades to existing services This covers on-site works as well as off-site capital works such as major pump stations, trunk sewers or transmission lines that are necessary to, or contribute to, the subdivision and/or development, and the planning and implementation of urban water requirements.	Land and Construction of infrastructure or if included in a DCP, monetary contribution based on infrastructure demand Note that these works are in addition to monetary charges by the Water Corporation and Western Power for off-site major infrastructure.



	ITEM	STANDARD REQUIREMENT	DELIVERY METHOD
16	Public utilities (off-site infrastructure works)	Where not pre-funded by government agency. Standard water, sewerage and drainage headworks charges for off-site major infrastructure works. Offsite wastewater supply infrastructure may include buffers. If an area is in fragmented ownership, monetary or in-kind contributions can be required in lieu of land or infrastructure works with reimbursement for other owners where costs are shared.	Land and Construction of infrastructure or if included in a DCP, monetary contribution based on infrastructure demand
17	Other contributions as provided for in WAPC policies.		

SCHEDULE 2: COMMUNITY INFRASTRUCTURE: ITEMS FOR INCLUSION IN A DEVELOPMENT CONTRIBUTION PLAN

Contributions for infrastructure items sought beyond *Development Infrastructure: Standard Infrastructure Contribution Requirements* (refer Schedule 1) where the demand for such facilities, and the need and nexus can be demonstrated. Contributions for Community Infrastructure can be levied up to a maximum of \$2,500 per dwelling for local infrastructure, with consideration given to increasing the maximum levy by an additional \$1000 per dwelling, to a total of \$3,500 for a combination of local, district and regional community infrastructure, subject to adequate justification and the support of the WAPC. Community infrastructure requires the preparation of a Development Contribution Plan.

	ITEM	STANDARD REQUIREMENT	DELIVERY METHOD
1	Specialist sporting facilities	For exclusive use by specialist sport or recreation club eg lawn bowls, aquatic centre, gymnasium, surf club, golf course, boating facilities.	Delivery by and at discretion of developer/relevant government agency or If included in a DCP, monetary contribution based on infrastructure demand
2	Local sports grounds and facilities (at local / neighbourhood parks)		Land and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand Note: Land for Public Open Space is a Standard Infrastructure Item under Schedule 1
3	Foreshire reserves		Land and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand Note: Land for Public Open Space is a Standard Infrastructure Item under Schedule 1
4	Multi-purpose district sport grounds and facilities and/or pavilion/building (at district open space)	Sports grounds – including grassed playing surfaces, multipurpose hard surface outdoor courts, lighting and fencing) Buildings/pavilion – including toilets, change rooms, basic kiosk facilities	Land (in some circumstances as part of provision of public open space) and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand Note: Land for Public Open Space is a Standard Infrastructure Item under Schedule 1.



	ITEM	STANDARD REQUIREMENT	DELIVERY METHOD
5	Multi-purpose District Community building and basic facilities	Includes meetings rooms, indoor recreation rooms, small scale flexible performance space, kitchen facilities, toilets	Land (in some circumstances as part of provision of public open space) and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand Note: Land for Public Open Space is a Standard Infrastructure Item under Schedule 1.
6	District library building and basic facilities	Excluding specialist interior fit-out and technology	Land (in some circumstances as part of provision of public open space) and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand
7	Indoor sports facility		Land (in some circumstances as part of provision of public open space) and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand
8	Child care/after school centre buildings and basic facilities	Community-run centres only, excluding interior fit-out and technology	Land (in some circumstances as part of provision of public open space) and Construction of infrastructure or If included in a DCP, monetary contribution based on infrastructure demand



SCHEDULE 3: DEVELOPMENT CONTRIBUTION PLAN TEMPLATE

Reference No.	DCA XX	DCP X
Area name	DCA XX	
Relationship to other planning instruments	The development contribution plan generally conforms to the Plan for the Future, the 10 year Financial Management Plan and the Community Infrastructure Plan.	
Infrastructure and administrative items to be funded	<ol style="list-style-type: none"> 1. District community centre <ul style="list-style-type: none"> • Single storey, xm² plot ratio floor area building with x parking spaces situated on lot x, x street, x suburb i. planning and design ii. site acquisition iii. earthworks and site (including servicing) iv. construction of facility (including associated tender) v. associated parking vi. associated landscaping 2. Administrative costs including: <ul style="list-style-type: none"> • costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software or hardware for purpose of administering the plan) • costs to prepare Annual Report and monitoring • costs to prepare and review cost estimates and the cost apportionment schedule • valuation costs 	
Method for calculating contributions	<p>The contributions outlined in this plan have been based on the need for community infrastructure and/or non-community infrastructure generated by additional development in the development contribution plan. The local government's Community Infrastructure Plan identifies the community infrastructure needs that impact on the development contribution plan. The method for calculating contributions 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 • future usage – the proportion of usage that will be generated by future development outside of the development contribution plan timeframe <p>$C = [ID \times CR] \times I$.</p> <p>Where C = Cost Contribution ID = Infrastructure Demand – calculated using cost Apportionment Schedule CR = Contribution Rate – as set out in the Cost Apportionment Schedule I = Indexation factor.</p>	



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DCP X	
Reference No.	
Period of operation	X years
Timing and priority	A summary of the estimated timing and priority for the delivery of each item of infrastructure- details to align with the Development Contribution Plan Report and the Council's long-term strategic plan and Infrastructure plan
Review process	The plan will be reviewed five (5) years from the date of gazettal of the local planning scheme or amendment to the local planning scheme to incorporate the plan, or earlier should the local government consider it appropriate having regard to the rate of development in the area and the degree of development potential still existing. The estimated Infrastructure costs shown in the cost apportionment schedule 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.
Reporting requirements	An annual report must be prepared by the responsible authority each financial year and published no later than three (3) months after the end of the financial year reported on in accordance with the template in Schedule 5.



SCHEDULE 4: DEVELOPMENT CONTRIBUTION PLANS – REQUIRED INFORMATION

SCHEDULE 4 – REQUIREMENTS AND CONTENT OF A DEVELOPMENT CONTRIBUTION PLAN	
Required Information for all DCPs	<p>A DCP must be accompanied by a DCP Report which is to contain a Capital Expenditure Plan (CEP) and a Cost Apportioning Schedule (CAS), and, which between them:</p> <ul style="list-style-type: none"> • identify the strategic basis for inclusion of each infrastructure item in the DCP • specify the details of priority, staging and timing for the provision of infrastructure • detail the methodology for land valuation, and or basis for a standard or specification used for items of infrastructure • set out in detail the calculation of the cost contribution for each owner, or other unit to be charged such as per dwelling, in the DCA, based on the methodology provided in the development contribution plan • include all supporting documentation, such as technical reports, that support or justify any aspect of the DCP to be included as Appendices to the DCP Report <p>These documents do not form part of the scheme but provide important justification for the content of each DCP. Templates are provided in the Infrastructure Contribution Guidelines detailing the recommended form and content of the DCP Report and CAS.</p> <p>The DCP Report (and Appendices) and CAS must be adopted for advertising to all owners at the same time the related scheme amendment is advertised for comment.</p>
Documentation to support Community Infrastructure items	<p>Where a local government is seeking contributions for community infrastructure, these need to be supported by:</p> <ul style="list-style-type: none"> • a community infrastructure plan for the area, identifying the services and facilities required over the next 5-10 years (supported by demand analysis and identification of service catchments) • a capital expenditure plan (with at least five (5) out years) which identifies the capital costs of facilities and the revenue sources (including capital grants) and programs for provision • projected growth figures, including the number of new dwellings to be created at catchment level (suburb or district) • a methodology for determining the proportion of costs of community infrastructure to be attributed to growth and the proportion to be attributed to existing areas.
Documentation to support Sustainable Transport items	<p>Where a local government is seeking contributions for Sustainable Infrastructure including public transport facilities, and streetscape upgrades, these need to be supported by:</p> <ul style="list-style-type: none"> • evidence that the subject area has been identified to accommodate consolidated growth and aligns with local or state strategic planning instruments • evidence that the comprehensive planning necessary for coordination of development or redevelopment has occurred <p><i>Where planned growth for an area is in accordance with the State Planning Framework and identified as a public transport priority route supporting higher densities, then consideration should be given to the transport modelling already undertaken prior to a request for additional modelling.</i></p>



SCHEDULE 4 – REQUIREMENTS AND CONTENT OF A DEVELOPMENT CONTRIBUTION PLAN	
Lifespan	<p>A DCP must specify the period of operation.</p> <p>For DCPs in a greenfield development setting, lifespan should be linked to completion of development or subdivision, and a maximum lifespan of 10 years applies. A lifespan of longer than 10 years for DCPs in greenfield settings will only be considered in limited circumstances, if justification for such a timeframe can be demonstrated and linked to a capital works and staging program, and subject to the principle of equity being upheld.</p> <p>For DCPs in an infill development setting, a lifespan of 10 years applies. A longer lifespan may be considered in limited circumstances for the delivery of city-wide community infrastructure or specific strategic urban projects, which will have a longer timeframe for delivery.</p> <p>Selected timeframe shall correspond with any related strategic and infrastructure planning, and financing cycles; reflects anticipated development growth rates; and provide certainty that the identified infrastructure items can be delivered within the stipulated timeframe of the DCP.</p>
Infrastructure items considered inappropriate for inclusion in a DCP	<p>Infrastructure items considered inappropriate for inclusion in a DCP, and where other funding mechanisms should be sought include:</p> <ul style="list-style-type: none"> • regional drainage • wetland management (including any rehabilitation) – note that maintenance/ management costs may be included as required of developers by Council's through the subdivision and development process. • high school + other education - land acquired by relevant government agency or provider • technical college (TAFE)/ university - land acquired by relevant government agency or provider • non-government schools - land acquired by relevant or provider • administration costs associated with office accommodation and facilities for staff undertaking DCP administration shall not be included • marketing features (eg estate boundary walls or fencing, entry statements, public art, signage, artificial lake or waterway with no drainage function) – an exception to this includes Industrial DCPs which may include features such as entry statements and signage in DCP costs • other – CCTV and business incubator units • regional sports grounds and facilities (at 'regional open space' designated in Region Scheme) - for local governments that are not subject to a region scheme, infrastructure at 'regional sports grounds' may be considered as 'district' grounds and facilities for the purposes of this policy • specialist community facilities (for exclusive use by specialist organisations eg interest/hobby clubs, performing arts facilities, health centre) • council offices / civic centre



SCHEDULE 4 – REQUIREMENTS AND CONTENT OF A DEVELOPMENT CONTRIBUTION PLAN	
<p>Infrastructure items considered inappropriate for inclusion in a DCP</p>	<p>Administrative items may be included as a DCP item, however, must relate directly to the work local government must do to prepare and implement the DCP:</p> <ul style="list-style-type: none"> • costs to prepare and review DCP cost estimates • costs to prepare DCP cost apportionment schedule • costs for undertaking valuations for DCP • fees for professional services directly linked to preparation and implementation of DCP (eg legal and accounting fees) • costs for computer software and/or hardware upgrades necessary to enable DCP preparation • proportion of staff salaries directly related to DCP administration – ‘management fees’ should directly relate to the cost of labour to manage the DCP, rather than a percentage of total DCP costs • financial institution fees and charges associated with administration of DCP funds • interest charged on loans taken out to pre-fund items included in DCP (established based on lending rates at the time DCP is prepared)
<p>Infrastructure items considered inappropriate for inclusion in a DCP</p>	<p>Consistent with industry standards, the estimated cost of items may include the following maximum contingency amounts for construction:</p> <ul style="list-style-type: none"> • community and recreation construction items – 15% of the estimated project cost • construction of roads or road intersections – 15% of the estimated project cost • construction of bridges – 20% of the estimated project cost



SCHEDULE 5: ANNUAL REPORT TEMPLATE FOR DEVELOPMENT CONTRIBUTIONS PLANS

Name of DCP -
Report date -
Financial Year -

Table 1: Summary of delivery of infrastructure

Item of Infrastructure	Scheduled delivery/ priority in DCP	Progress/status (% complete)	Expected delivery	Reasons for delay (if applicable)

Table 2: Financial position of DCF

	Received /value contributions collected or land area	DCF funds expended/ value	Current balance of DCF	Value of credits	Interest earned on DCF funds (if applicable)
Monetary component in levies (\$)					
Works in kind					
Land contribution					
TOTAL					

Has the DCF account be independently audited (Yes/No) (insert date)
Has a review of Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No)
(Frequency/ insert date)

ATTACHMENT 4- DRAFT SPP 3.6 GUIDELINES



Draft
State Planning Policy 3.6
**Infrastructure Contributions
Guidelines**

July 2019

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1 INTRODUCTION

1.1 Purpose of document

These Guidelines provide guidance on the practical application of the infrastructure contributions system in Western Australia and additional information on aspects of the infrastructure contributions system for Local Infrastructure as established in State Planning Policy 3.6 Infrastructure Contributions (SPP 3.6).

SPP 3.6 provides a consistent, accountable and transparent system for infrastructure contributions either as a standard item of infrastructure via the subdivision and development process or where infrastructure costs are to be shared, via Development Contribution Plans (DCPs). While these Guidelines provide an overview of how infrastructure contributions may be imposed, for the most part they address the preparation and operational aspects of DCPs.

Careful consideration should be given in determining the suitability and use of DCPs to deliver infrastructure, as this is just one of a number of mechanisms that can be used to meet the physical and social infrastructure needs of growing communities.

Although in some circumstances infrastructure contributions may recover the full costs of individual items where there is a clear nexus between the infrastructure and the development, they are not intended to cover the costs of delivering the full suite of infrastructure required to respond to pressures from urban growth. Infrastructure contributions must be seen as one element within the

strategic planning process, in which the infrastructure needs of a community are identified and strategies are devised and then implemented to meet those needs.

Other streams of funding need to be considered prior to seeking infrastructure contributions beyond that which is a standard contribution, including State Government taxes, local government property rates and special area rates, State and Federal grants, and user and access fees and charges.

1.2 Infrastructure Contributions system in Western Australia

Throughout Australia, governments face increasing pressure on the services they provide. These pressures arise from population and economic growth, and increasing expectations of the community for new and upgraded facilities.

Often, different development settings require specific infrastructure needs to accommodate and facilitate growth, including:

- greenfield development setting (new communities)
- infrastructure necessary to meet the needs of a sustainable community in the first 10 years of development
- infill development settings (redevelopment within existing communities) – where there is significant change in the type or intensity of land use to achieve urban consolidation objectives of the State Government, that may require new infrastructure and facilities, or upgrades or capacity increases of existing infrastructure and facilities

- regional growth areas – infrastructure required to meet specific needs and expectations of regional communities, including new infrastructure and facilities, or replacement and upgrades to existing infrastructure and facilities.

SPP 3.6 provides a system that allows infrastructure contributions to be applied to all land in different development contexts, including greenfield, infill, regional and industrial land, if they are consistent with its principles, objectives and requirements.

In Western Australia, contributions for infrastructure have long been accepted as an essential part of the planning system. Previous policy and advisory documents that have informed the infrastructure contribution system include:

- WAPC Planning Bulletin No.18 (1997) Developer Contributions for Infrastructure
- Planning Bulletin No.41 (2000) Draft Model Text Provisions for Development Contributions
- SPP 3.6 Development Contributions for Infrastructure (2009)
- Planning Bulletin 100 (PB 100) - background to the development contributions system in Western Australia, and the intent of the policy established in SPP 3.6 (2009).

The development of SPP 3.6 (2009) took into account the recommendations of the Public Accounts Committee – Inquiry into Developer Contributions for Costs Associated with Land Development (2004). The Inquiry recommended that local governments should have the capacity to recoup infrastructure costs and that this should be by way of provisions in local planning schemes.



The underlying principles for infrastructure contributions, the process and operation of DCPs, and the model provisions for schemes remain largely the same, with the current system including additional checks and balances for reporting and monitoring to ensure the system remains transparent and accountable.

The process for levying infrastructure contributions has evolved over the past 15 years, and while it is generally well understood and soundly based, the infrastructure contribution framework has needed to evolve to align with the strategic planning objectives for consolidated

urban growth patterns, and be applicable to a broader range of development settings in addition to greenfield areas, including existing urban areas that are expected to accommodate significant growth and infill targets.

INFRASTRUCTURE CONTRIBUTION FRAMEWORK			
Act and Regulations	Local Planning Schemes	State Planning Policy 3.6 Infrastructure Contributions	Infrastructure Contribution Guidelines
<p>The power to require infrastructure contributions derives from the <i>Planning and Development Act 2005</i> (as amended), and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (LPS Regulations).</p> <p>The LPS Regulations (including proposed amendments) include provisions relating to contributions for infrastructure as follows:</p> <ul style="list-style-type: none"> • Part 1 – Definitions • Part 7 – Development Contribution Plans – provisions relating to the requirement, content and effect of Development Contribution Areas and Plans; and the requirements for Reporting and Monitoring • Model Provisions – Part 5A Development Contribution Plans – Model Scheme provisions for the administration and operation of DCPs 	<p>Local Schemes are to incorporate provisions from Schedule 1 – Model Provisions – Part 5A Development Contribution Plans. (note: subject to amendments to the Regulations being finalised).</p> <p>Model provisions set out the statutory provisions to operate Development Contribution Areas and Plans including:</p> <ul style="list-style-type: none"> • principles • purpose • operation • monitoring and review • arbitration 	<p>Establishes the scope and process for contributions towards infrastructure required for urban development and community facilities.</p> <p>SPP 3.6 sets out:</p> <ul style="list-style-type: none"> • the principles underlying contributions for infrastructure • requirements for Local Infrastructure • imposition of infrastructure contributions • the Form, Content and Process for the preparation of a DCP • administration and operational requirements of DCPs <p>Includes:</p> <ul style="list-style-type: none"> • Schedule 1 – List of Development Infrastructure • Schedule 2 – List of Community Infrastructure • Schedule 3 – Development Contribution Plan Template • Schedule 4 – Required Information for Development Contribution Plan • Schedule 5 – Annual Reporting Template 	<p>The Guidelines are a companion document to SPP 3.6 to provide further guidance for users on how the infrastructure contributions system in Western Australia is to be applied, focussing on the preparation and operation of DCPs.</p> <p>The Guidelines are not statutorily enforceable, however, provide clarification and supporting information on fundamental aspects of SPP 3.6.</p> <p>The Guidelines set out:</p> <ul style="list-style-type: none"> • how the infrastructure contribution system works • the processes and considerations in the preparation of a DCP • an explanation of operational aspects of DCPs, including interim arrangements (Deed of Agreements) and guidance on the closing of a DCS <p>Includes:</p> <ul style="list-style-type: none"> • Appendix A – Development Contribution Plan Report Template • Appendix B – Cost Apportionment Schedule Template • Appendix C – Guide to Catchments and Standards • Appendix D – Deed of Agreement template



2 INFRASTRUCTURE CONTRIBUTIONS SYSTEM

2.1 Principles

Six overarching principles guide the process for determining infrastructure contributions and the preparation of DCPs:

1. Need and the nexus
2. Transparency
3. Equity
4. Certainty
5. Consistency
6. Accountable

These principles are the cornerstone of the infrastructure contributions system. They should apply to the way the need for any proposed infrastructure item is determined and to the method of calculating the level of contributions to be levied. It is essential that the overall principles form the basis for seeking infrastructure contributions, including the preparation of every DCP as required.

2.2 Local Infrastructure

Local infrastructure is primarily delivered by local governments, utility providers or a developer, and is fundamental to the economic and social well-being of all communities.

SPP 3.6 distinguishes between the different types of Local Infrastructure, namely:

- *Development Infrastructure* – infrastructure required to facilitate development and required to support the orderly development or redevelopment of an area
- *Community Infrastructure* – infrastructure required for communities and neighbourhoods to function effectively.

This is consistent with the existing references to types of Local Infrastructure, sometimes referred to as 'hard' and 'soft' infrastructure respectively.

This distinction is required given the different requirements that apply when preparing a DCP that includes Community Infrastructure.

2.3 Imposition of infrastructure contributions

Infrastructure contributions are legally enforceable contributions that a developer or property owner may be required to make to provide essential infrastructure works and facilities for new and existing communities. Contributions are generally calculated and applied via the following mechanisms:

(i) Standard Infrastructure Contributions

Infrastructure required as standard is contained in Schedule 1 of SPP 3.6 and includes land contributions, infrastructure works or monetary contributions. The requirements for such infrastructure is imposed via standard conditions of subdivision or development, under the *Planning and Development Act (2015)*, and can be defined as those items that are essential to the development of land.

The standard infrastructure contribution requirements include on-site physical infrastructure, such as water supply, sewerage and drainage, road and power; and some community infrastructure including public open space and primary school sites, which are recognised as an essential prerequisite to development. In addition, headworks contributions also apply and are charged by utility service providers such as the Water Corporation for water supply, sewerage and, where applicable, main drainage.

The items of infrastructure contained in Schedule 1 of SPP 3.6 have been consistently applied for over 20 years. A review of SPP 3.6 highlighted the need to also provide opportunities for sustainable transport options in areas experiencing transformational change. The application of contributions for sustainable transport is limited to infill development settings, and is intended to ensure appropriate infrastructure can be delivered to align with areas of increased density identified through strategic planning instruments.

Contributions for proposed works for sustainable transport considered necessary to support transformational change are required to be identified in a structure plan, or similar planning instrument, and must align with local and State planning frameworks that have been identified to accommodate growth.

(ii) Development Contribution Plans (DCPs)

Development Contribution Plans (DCPs) are used to levy contributions for planned infrastructure. A council collects development contribution levies through an approved DCP.



Infrastructure that would normally be required as standard (Schedule 1 of SPP 3.6) may be able to be included as an item in a DCP, so that costs can be shared across owners, and infrastructure can be delivered in a timely manner.

The capacity of local governments to provide the additional physical infrastructure and community facilities necessary to accommodate future growth and change is limited. As a result, local governments are increasingly seeking to use DCPs to fund the construction of infrastructure items and facilities beyond the standard requirements, particularly for Community Infrastructure such as community centres, recreation centres, sporting facilities, libraries, child care centres, and other such facilities.

Notwithstanding, the extent to which existing and future communities should be expected to contribute to the funding of community facilities should be limited, as it is considered that funding of such infrastructure should largely be sourced from other funding mechanisms.

Schedule 2 provides a list of Community Infrastructure that may be considered for inclusion in a DCP. To ensure consistency in the levying of contributions for Community Infrastructure across the metropolitan area, it is proposed that the levy be capped at \$2,500 per dwelling for Local Infrastructure. Where district and/or regional infrastructure is also proposed, consideration may be given to increasing the cap by an additional \$1000 per dwelling, to a total of \$3,500 for a combination of local, district and regional community infrastructure, subject to adequate justification and the support of the Western Australian Planning Commission (WAPC).

Flexibility has been provided to local governments to determine the type of infrastructure considered necessary to meet the needs and expectations of their local community. It is expected that the requirements for Community Infrastructure will differ depending on the needs of the existing and future communities, and this should be determined following consultation with the community.

Consideration will also need to be given to the extent to which a DCP can contribute to the funding of the required infrastructure, taking into consideration the maximum capped cost that can be imposed.

Levies for Development Infrastructure will continue to be variable, depending on the infrastructure requirements and location of the development area.

(iii) Developer Agreements

Developer Agreements may be considered in limited circumstances – usually large-scale projects under single ownership – and pursuant to a request from the landowner or developer. Developer Agreements are voluntary and fall outside the formal Infrastructure contributions system, and do not require State Government assessment or approval. Any agreement for infrastructure contributions via a Developer Agreement should be consistent with the principles outlined in SPP 3.6 and any decision to deviate from these principles, including the provision of facilities of a higher-quality or specification than standard, should be a voluntary decision by all parties to the agreement.

3 DEVELOPMENT CONTRIBUTION PLANS

3.1 Purpose

The purpose of preparing DCPs relating to specific Development Contribution Areas (DCA) is provided for in Part 7 of the LPS Regulations 2017, and is summarised as follows:

- to provide for the equitable sharing of the costs of infrastructure and administrative costs between owners
- to ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the DCA
- to coordinate the timely provision of infrastructure.

3.2 Statutory implementation

Under SPP 3.6, DCPs provide an equitable system for planning and charging infrastructure contributions across defined areas, and provide certainty to developers, infrastructure providers and the community about the charges which apply and how the funds will be spent.

A DCP does not have effect until it is incorporated into a local planning scheme. Each DCP must be associated with a specific DCA, identified as a Special Control Area under the scheme.

Prior to (or concurrent with) identification of the first DCA within a local government area, and associated formulation of a DCP for that DCA, scheme text provisions must be included in the relevant local planning scheme to provide the framework for formulating and administering a DCP.

Local Planning Policies (LPPs) prepared by local governments to address any aspect of infrastructure contributions, including the preparation, administration or operation of DCPs should be consistent with the intent and requirements of both SPP 3.6 and these supporting Guidelines.

3.3 Preparation of a Development Contribution Plan

3.3.1 General considerations

To meet DCP requirements, a local government should consider the following prior to and during formulation of a DCP.

Need and nexus

- The need for the infrastructure included in the DCP must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).
- There must also be a clear and sound basis for the proposed infrastructure with linkages to the local government's strategic and financial planning processes, with all assumptions documented and justified;

Beneficiary pays

- Contributions collected through a DCP will only fund the infrastructure and facilities which are reasonable and necessary for the new development and to the extent that the infrastructure and facilities are necessary to service the new development.
- To fund the proportion of infrastructure costs that cannot be recovered through the DCP (existing and future demand), additional funding and revenue sources need to be considered in addition to funding from the DCP.

Ensuring reasonable cost

- The infrastructure items to be funded through a DCP, and total cost of infrastructure contributions imposed, should be reasonable and align with the needs of the community and consider the impact on housing affordability.

Timing of infrastructure provision

- Items of infrastructure identified as being needed by the community should align with the DCP timeframe. Consideration should be given to the type of infrastructure needed and the development context in which it will be delivered.
- The authority responsible for providing the infrastructure must be identified in the DCP Report.
- Alternative funding contingencies should be considered to ensure timely provision of infrastructure if sufficient infrastructure contributions are not collected.
- Progress of delivery of infrastructure against DCP priority and timing estimates, and a high-level summary of the financial position of the DCP is to be reported on annually.

Consultation and transparency

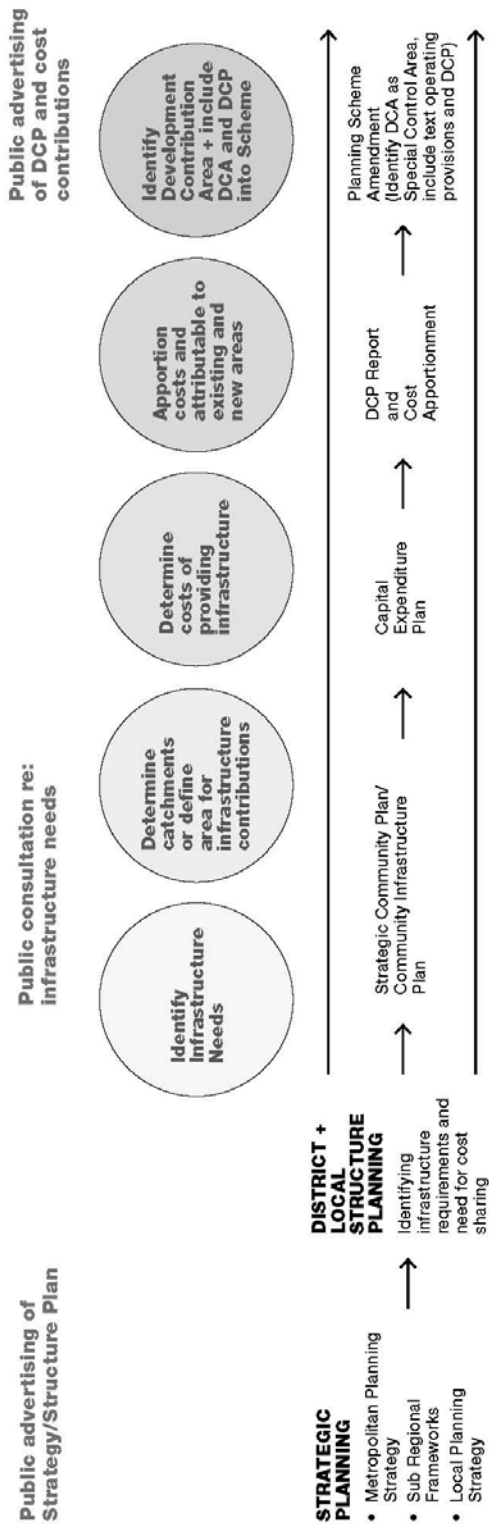
- The timing for the preparation and public advertising of a DCP should align with the comprehensive planning undertaken for an area, to ensure that all stakeholders are aware of their obligations for cost contributions to infrastructure prior to subdivision and development.
- All information and inputs that have informed the preparation of the DCPs, and apportionment of costs, shall be made available for review by contributing owners within the DCA.



Formulation requires resources and expertise

- Consideration should be given to ensuring the local government is equipped in time and expertise to prepare necessary DCPs prior to contributions being needed, or, outsourcing of resourcing should be considered.

Process for preparing development contribution plans





3.3.2 Content overview

Each DCP for either Development or Community Infrastructure, or both, is to be included in the relevant local planning scheme in the format provided at Schedule 3 of SPP 3.6.

Each DCP must also be accompanied by a DCP Report, that includes a Cost Apportionment Schedule (CAS), which together identify matters including:

- the strategic basis for inclusion of each infrastructure item in the DCP
- the details of each infrastructure item, including the construction standards identified in the DCP, the authority responsible for delivering the infrastructure, and the priority and timing for the provision of infrastructure
- the methodology by which the demand for proposed infrastructure is apportioned between existing development, future development beyond the lifespan of the DCP, and new development within the DCA
- the infrastructure contribution rate for each infrastructure network and the applicable unit of infrastructure demand
- set out in detail the calculation of the cost contribution for each owner in the DCA.

These documents do not form part of the Scheme, however, provide important justification for the content of each DCP, and should be advertised at the same time as the Scheme Amendment for the DCP.

To ensure consistency in application of the infrastructure contribution system across Western Australia, and to provide certainty for system users, it is preferred that the template DCP Report and CAS templates provided at Appendix C and D of these Guidelines are used.

Any departure from this format will need to be justified based on individual circumstances.

3.3.3 Defining the Development Contribution Area

Apportionment of infrastructure costs based on an area assumes that the land concerned has fairly common characteristics. Therefore, DCAs should be identified, as far as possible, with common characteristics so that cost contributions reflect future development potential.

Where it is not possible to identify land with fairly common characteristics throughout the whole of a DCA, consideration should be given to dividing the area into contribution precincts or cells. Land that has been identified as not generating demand for infrastructure should be excluded from the DCP area, and may include:

- a) roads designated under a region scheme as primary regional roads and other regional roads
- b) existing public open space
- c) areas identified as having environmental values (unless providing community recreation benefit) included in functional POS)
- d) existing and planned Government primary and secondary schools
- e) any other land specified in the DCP, including land and/or development that has been identified as not generating demand for infrastructure.

In infill or brownfield DCAs, it may be appropriate to also exclude the total land area of local roads, and the total land area of any non-residential development, from the total DCA. Such an approach will need to be considered and justified on a case by case basis.

A local government should give consideration to forms of development, of a minor or incidental nature, that should be excluded from triggering liability to pay a contribution (such as minor development, the clearing of land or erection of a boundary fence, or a change of use which does not generate additional infrastructure demand).

3.3.4 Establishing a lifespan

A DCP must specify the period during which it is to operate. The timeframe will depend on factors associated with the characteristics of each DCA.

The recommended lifespan is generally 10 years. A lifespan longer than 10 years may be considered appropriate in limited circumstances, if justification can be demonstrated. When considering an appropriate lifespan for a DCP, local government should aim to ensure that the selected timeframe corresponds with any related strategic and infrastructure planning, and financing cycles; that it reflects anticipated development growth rates; and that there is some certainty that the identified infrastructure items can be delivered within the chosen timeframes.

Any extension of the period of operation of an already existing DCP requires a scheme amendment which will, in turn, require the approval of the Minister for Planning.

3.3.5 Determine current and future infrastructure and administrative needs

Determining infrastructure needs and specifications for new communities (greenfield contexts) should be based on development industry standards, and include an analysis of existing provision, considering any necessary upgrading or replacing of existing infrastructure, and



through a calculation of future requirements, including type and capacity. The relative demand for infrastructure from existing and future populations will need to be determined in later cost apportionment stages.

DCP infrastructure items should not include infrastructure that would otherwise be delivered by individual developers and required via conditions of subdivision approval i.e. the construction of local roads or other infrastructure that is not a 'shared cost'. To ensure the overall DCP costs are not inflated, only the more significant items of infrastructure where costs are to be shared should be included in a DCP. The inclusion of local infrastructure delivered by a developer directly via the subdivision process as a DCP cost can negatively impact on housing affordability and project viability, and can result in issues arising in returning excess funds at the end of a DCP.

Confirming the need for Community Infrastructure Items is part of the more detailed planning process necessary for community infrastructure DCPs, outlined at section 3.3.11.

Predicting the additional infrastructure needs of infill areas may be more complex as these areas already have a basic level of infrastructure for everyday needs. Two types of infrastructure are required to facilitate and support urban consolidation policy objectives, including increased densities:

- **Lead infrastructure** is required upfront to increase the amenity of an area, such as street upgrades, public realm upgrades, and public transport improvements. There are many examples where the State Government has invested in upfront infrastructure to enable a redevelopment of an urban infill area, and has in some cases recouped money from this initial investment. Examples include Subiaco redevelopment with a new

underground train station, Scarborough with foreshore works, Elizabeth Quay and East Perth with an inlet.

Without this upfront infrastructure, the increase in density and population would be difficult to achieve.

- **Lag infrastructure** is provided after the population has increased, to meet an increased community need. Lag infrastructure in an urban infill context could include significant upgrades to local urban parks including skate parks, swimming pools and other community facilities. The provision of lag infrastructure, that is, once the population has increased, would generally be funded through local government property rates, or other mechanisms.

3.3.6 Establish infrastructure priority and timing

It is important to determine and specify in the planning scheme and DCP Report the priority and estimated timing of delivery for each infrastructure item.

Some flexibility is required when attempting to calculate timings for delivery of development. Notwithstanding, the general infrastructure priorities and estimated timing of delivery should be specified in the DCP that is inserted in the local planning scheme. Such timeframes and priorities may be identified in general terms i.e. 1-3 years (short term); 3-5 years (medium term) and 5-10 years (long term).

Regular reviews of the CEP and the Cost Apportionment Schedule (CAS) will identify in more detail if infrastructure delivery timing changes significantly enough to affect infrastructure costings, which may require a modification to the DCP itself through the formal amendment process.

3.3.7 Identification of required infrastructure in Capital Expenditure Plan

A Capital Expenditure Plan (CEP) is required in support of a DCP to clearly demonstrate the projected capital costs of delivery of each identified item of infrastructure, the timing of infrastructure delivery, and the revenue sources and programs by which these costs will be met. Infrastructure contributions can be sought for:

- capital costs of providing or replacing infrastructure, including land and construction costs
- costs of financing infrastructure, if delivered before all relevant contributions have been provided
- costs associated with design of an infrastructure item.

Contributions may not be sought for ongoing maintenance or operating costs of an item of infrastructure, or any other recurrent costs.

The CEP should establish the intended sources of funding for each infrastructure item. All potential sources must be explored, remembering that infrastructure contributions are only one of the ways in which infrastructure can be funded, and that contributions should not be seen as a replacement for other sources of capital. Infrastructure contributions are intended to supplement traditional sources of infrastructure funding including local government rates, State and Federal funding, reserve funds and grants.

The CEP should, however, only include external funding that is known to be available at the time the DCP is prepared. If additional external funding is obtained following commencement of the DCP, the CEP can be reviewed to reflect this, with a likely consequent reduction in infrastructure contributions. This is a preferable



scenario than if the availability of external funding was overestimated at the time of DCP preparation, with infrastructure contributions needing to be increased at a later date as a result.

3.3.8 Estimating infrastructure costs

The determination of infrastructure and administrative costs should be based on estimated timing of delivery of each infrastructure item, and the timing and lead times for each project should be documented to ensure clarity of costing assumptions whenever the document is reviewed.

Cost estimation should be undertaken:

- a) in the case of land to be acquired, the value of such land is to be determined by a licensed valuer to determine the fair market value of the land
- b) in all other cases, in accordance with the best and latest information available to the local government.

There is a range of industry standards that provide estimated costs of construction for a range of infrastructure. Common industry standards include Rawlinsons Construction Cost Guide or Cordell Cost Guides.

Cost estimates for infrastructure should be undertaken by a quantity surveyor or construction cost consultant or other suitably qualified expert, and should determine costs for each component.

It is expected that cost estimates will incorporate a level of contingency allowance. While such contingencies are a realistic aspect of project budgeting, it is important to recognise the impact on cost estimates of an over-conservative contingency allowance. Excessive contingencies will result in development contribution amounts being set higher than is needed, and a likely

excess of funds being available at the end of the life of the DCP. This impacts both project viability, and housing affordability.

While local governments are obliged to minimise risk in terms of the financial management of a DCP, and ensure the DCF adequately covers the DCP administration and operation, the local government should not profit from a DCP, and any excess funds should either be returned to the contributing owners within the DCA at the close of the DCF, or should be expended on the provision of additional facilities or improvements in that DCA (refer Model Scheme Provisions). Excess funds should not be incorporated or transferred into a local government general revenue account.

To maintain the principle of equity, it is important that any contingencies are set at realistic levels, consistent with development industry standards, and subject to monitoring as part of the overall CEP review process. A general guide to maximum contingencies is as follows. Contingencies set above the following should be justified in the DCP Report:

- Community and recreation construction items – 15 per cent of the estimated project cost
- Construction of roads or road intersections – 15 per cent of the estimated project cost
- Construction of bridges – 20 per cent of the estimated project cost.

Cost estimates also need to consider the preparation and ongoing administration required to operate the DCP. Administrative items that can be included are detailed in Schedule 4 of SPP 3.6 and must relate directly to the work local government must do to prepare and implement

the DCP, and can include legal, accounting, planning, engineering, and other professional advice and any associated fees. Certain financial institution fees, charges and interest rates may also be reflected in the relevant DCP.

Costs associated with any other technical consultant work undertaken as part of the land development process should not be included in a DCP, unless in limited cases of fragmented land-ownership where inclusion in a DCP is the only way to facilitate subdivision.

The inclusion of a management fee as an administration cost should not be applied on a percentage basis of overall cost of the DCP, and should directly relate to the real labour costs of administering the DCP and DCF.

3.3.9 Prepare Cost Apportionment Schedule (CAS)

The CAS accompanies each DCP Report and must be advertised along with the DCP, and published in final form within 90 days of gazettal of the DCP.

The CAS outlines the methodology by which costs are attributed proportionate to demand for infrastructure generated by existing/external development; future growth beyond the lifespan of the DCP, and that generated by the new development, which can be included in a DCP. It also establishes the total apportioned DCP infrastructure costs for each infrastructure network; the unit of charge to be used for calculating individual contributions; and the required contribution amount per unit of charge. All assumptions relating to the calculation of levies within the CAS must be documented and expressed in a way that can be clearly understood by all stakeholders (an example template CAS is provided at Appendix B).



Demand proportions

To ensure that the principles of need and nexus and equity (beneficiary pays) are upheld, the cost of an infrastructure item must be met by all those who generate its need. This may include the existing local community, future populations, and any users from outside the DCA itself.

The DCP may only include the proportion of infrastructure costs associated with demand generated by new development within the DCA. Costs that cannot be included in the DCP (existing demand and future development beyond the lifespan of the DCP) will need to be funded from alternative sources such as local government rates, State and Federal funding, reserve funds and grants.

It is worth noting that some infrastructure facilities will be designed with excess capacity to service future needs beyond the lifespan of a DCP. Just like any existing or external demand, the proportion of costs associated with this long-term demand should not be included when calculating required Infrastructure contributions.

Unit of charge

Infrastructure costs are apportioned by dividing the total cost of an item by each unit of charge (having already excluded those portions of total demand generated by existing, external and future communities). Each landowner's total infrastructure contribution will depend on how many demand units their development generates.

Units of charge may include: per dwelling, per lot, per hectare, or per m² of floorspace. It is recommended, for the purposes of most DCPs, that cost apportionment is based on a per dwelling unit of charge, rather than a per

land area unit. While this will result in higher contributions being paid by developers of higher-density development, it is considered to be the most equitable approach which best reflects actual demand for infrastructure. A high-density development is likely to produce more infrastructure users than a medium or low-density development would.

A DCA may include land zoned for a variety of residential and non-residential land uses. DCPs may include infrastructure such as public open space or community facilities where the demand is only generated from the residential land uses. DCPs may need to incorporate multiple methodologies, to reflect differing infrastructure demand generated by residential and non-residential land uses.

Development contribution calculation

Cost contributions are determined by multiplying the respective infrastructure contribution rate by the number of infrastructure units of charge, and then indexing this figure to take account of inflation or other matters relevant to the future capital cost of infrastructure.

These Guidelines do not set a standard or maximum contribution rate for Development Infrastructure. In a State as extensive and diverse as Western Australia, different local governments will deal with DCAs with widely varying infrastructure needs and associated costs, and to set a standard or maximum contribution rate for development Infrastructure would fail to reflect these variations.

Notwithstanding that Development Infrastructure will be variable, a capped rate for Community Infrastructure has been introduced to provide consistency across all local governments, while also providing flexibility in the type of infrastructure that may be required for different

communities. Further to a review of existing infrastructure contributions for Community Infrastructure across a number of local governments, a capped levy per dwelling is proposed. This is intended to provide certainty to the broader community and stakeholders regarding potential liabilities, and also ensures that new or upgraded community facilities are being delivered by a combination of methods including local government rates or other funding sources which may be more appropriate and efficient.

3.3.10 Prepare a DCP Report

A DCP Report should be prepared to accompany the DCP and include:

- a Cost Apportionment Schedule for the area (CAS), that outlines the methodology by which costs are attributed proportionate to existing and future growth
 - a Capital Expenditure Plan (CEP) (with at least five years) which identifies the capital costs of facilities and the revenue sources (including capital grants) and programs for provision
- which between them:
- identify the strategic basis for inclusion of each infrastructure item in the DCP
 - specify the details of priority, staging and timing for the provision of infrastructure
 - detail the methodology for land valuation, and or basis for a standard or specification used for items of infrastructure
 - set out in detail the calculation of the cost contribution for each owner, or other unit to be charged such as per dwelling, in the DCA, based on the methodology provided in the DCP



- include all supporting documentation, such as technical reports, that support or justify any aspect of the DCP to be included as Appendices to the DCP report.

These documents do not form part of the planning scheme, but provide important justification for the content of each DCP. Templates detailing the recommended form and content of the DCP Report and CAS are provided in Appendices A and B. The DCP Report, supporting documentation and CAS must be prepared and adopted for advertising to all owners at the same time that the related scheme amendment is advertised for comment. This is to ensure that all information considered essential for a DCP, including costs, has been prepared and advertised together so that both local government and owners within DCAs are aware of potential liabilities, prior to the scheme amendment being gazetted.

Once a DCP has been approved via the gazettal of the scheme amendment, the local government is to adopt and make available a DCP report and CAS to all owners in the DCA, including any updates, within 90 days of a DCP coming into effect.

The specified 90 days is to allow time for the documents to be finalised, adopted by local government, and published. It is not to be interpreted as an opportunity to complete or make significant modifications to the document. The DCP report and CAS detail should be substantially complete and align with the contents of the scheme amendment documents at the time of advertising and final endorsement by the Minister, to ensure transparency and accountability.

3.3.11 DCPs for Community Infrastructure

The preparation of a DCP for Community Infrastructure is the same as that for Development Infrastructure, however, additional information is required to support Community DCPs. To require infrastructure contributions for Community Infrastructure items, a local government must establish a clear strategic framework as justification. Schedule 2 of SPP 3.6 provides a list of Community Infrastructure that may be considered for inclusion in a DCP. Each local government will need to determine its infrastructure requirements based on the needs of existing and future communities, following consultation with the community. Consideration will also need to be given to the extent to which a DCP can contribute to the funding of the required infrastructure, taking into consideration the capped levy per dwelling that can be imposed.

In addition to the DCP Report being prepared that includes a CAS and CEP, and other supporting information detailed in Schedule 4 of SPP 3.6, DCPs for Community Infrastructure must also be supported by:

- a Strategic Community Plan/ Community Infrastructure Plan, identifying the services and facilities required over the life of the DCP (supported by demand analysis and identification of service catchments)
- a methodology for determining the proportion of costs of Community Infrastructure to be attributed to growth and the proportion to be attributed to existing areas (cost apportionment methodology).

Community Infrastructure items may only be included in a DCP if those items are first identified as being necessary in a local government's Strategic Community Plan and corresponding CIP.

In summary, preparation of a CIP requires completion of key tasks:

1. Documenting the demographic profile of the existing community
2. Analysing current infrastructure provision and standards
3. Establishing any gaps or excess in current infrastructure provision
4. Confirming current infrastructure needs in relation to existing community profile
5. Estimating future development and population growth
6. Projecting any shift in community demographic profile resulting from growth
7. Calculating future infrastructure needs according to future community profile
8. Establishing a list of necessary new or replacement infrastructure

Each DCP for Community Infrastructure must be supported by projected growth figures including the number of new dwellings to be created per catchment. The cost apportionment between each existing and future owner will rely on these figures so it is important that this analysis work is undertaken as accurately as possible.

Setting facility standards

Community Infrastructure planning requires not only the identification of which facilities are required, but the setting of standards for the construction and fit-out of those facilities.



A number of local governments have prepared Local Planning Policies setting out the applicable hierarchy, construction standards, and function of facilities, including ratios to determine the number, size and type of facilities in various locations, based on population or catchment distance. These policies may be useful in DCP preparation. A general guide to catchments and hierarchy and function of facilities is included in Appendix C of these Guidelines.

It is the position of the WAPC that infrastructure contributions for Community Infrastructure may be sought based on the cost of infrastructure constructed and fitted-out to a standard that would meet basic and reasonable community needs and expectations for such a facility.

It is at the discretion of the relevant Government agency to deliver infrastructure facilities to a higher standard than that necessary to meet basic needs, however the gap between the basic and higher delivery costs would need to be met by the relevant agency, and may not be included as an infrastructure contribution requirement.

Notwithstanding that levies for cost contributions for Community infrastructure are capped, the local government will still be required to provide adequate justification for inclusion of the infrastructure items contained in the DCP that are required to meet the needs to the growing population.

3.4 Endorsement and publication of a DCP

A DCP does not have effect until it is incorporated into a local planning scheme, either as part of a new scheme, or through an amendment to a scheme. Each DCA should be identified as a Special Control Area on the scheme map and in the scheme text, and a DCP for each DCA included as a schedule to the scheme text.

Any change to the proposed standards of infrastructure and facilities after a DCP is finalised and included in a local planning scheme can only be incorporated in a DCP through an amendment to that scheme (with associated formal scheme amendment processes, including public advertising).

While a DCP Report and accompanying CAs are not included in the planning scheme, and can therefore be reviewed without going through a formal amendment process, any changes to either of these documents that result in changes to the DCP itself will require the DCP to be formally amended.

3.5 Administration and operation of a DCP

The provisions for administration and operation of a DCP are provided in both SPP 3.6 and the Schedule 1 Model Provisions of LPS Regulations, and should be incorporated into local planning schemes. In summary, the following should be noted regarding the levying of infrastructure contributions by local governments:

Imposition of contribution

- Where there is an existing DCP included in a gazetted local planning scheme, a condition of subdivision will be applied to the effect that the relevant landowner should contribute towards the costs of providing infrastructure in accordance with the relevant DCP.
- Where a DCP has not yet been included in a local planning scheme via a gazetted amendment, but has been advertised as an amendment to the scheme, and the submissions have been considered by the local government and sent to the WAPC for final approval, the WAPC will support imposition of a condition of

subdivision or strata subdivision to the effect that the relevant landowner should contribute towards the costs of providing infrastructure in line with the DCP, once the relevant amendment has been gazetted.

This condition effectively anticipates some form of contribution being required, but acknowledges that the exact nature of that contribution cannot be known until the DCP has been endorsed by the Minister in its final form and included in a local planning scheme. Infrastructure contribution requirements are to be imposed on subdivision via one of the WAPC Model Subdivision Conditions. Further guidance regarding Deed of Agreements is provided in this document.

- In accordance with Part 7 of the LPS regulations, a local government shall not withhold its support for subdivision or strata subdivision, or refuse to approve a development application, solely for the reason that there is no gazetted DCP for the subject land or that there is no other arrangement with respect to an owner's contribution towards the provision of infrastructure. It is expected that local governments will prepare DCPs in a timely manner that aligns with the strategic planning of an area.

Trigger for liabilities

- The trigger for payment of infrastructure contributions include conditions of subdivision or development, as part of the subject subdivision clearance process; before the WAPC endorses its approval on the relevant deposited plan or strata plan; prior to commencement of the subject development or change of use; or other triggers for liabilities identified in the local scheme. Contributions are generally only payable for the portion of land within the plan being requested for clearance.



Method of payment

- The method by which an infrastructure contribution may be provided is detailed in SPP 3.6, and may include ceding or transfer of land; in-kind contributions (construction of infrastructure by the developer); monetary contributions; or other methods identified as acceptable to the local government including a contribution being made at a different time to that identified in the DCP and/or proposed to be paid in instalments. Agreements to such alternative arrangements are at the discretion of both parties.

Interim arrangements for DCP contributions

- In accordance with Part 7 of the LPS Regulations (2015), the WAPC or local government must not grant approval to either a subdivision or development application subject to a condition that requires a person to make a contribution to the provision of infrastructure or facilities for the area, if a DCP is "not in place" for the area ("not in place" being the granting of final approval and gazettal). Likewise, the WAPC or local government cannot refuse an application for subdivision or development unless the DCP has already been advertised.
- There may be circumstances where an interim arrangement for contribution of costs may be required. This typically occurs where a developer or land owner seeks approval to subdivide or develop land, after the DCP has been advertised, but prior to finalisation and gazettal. In these circumstances, a Deed of Agreement is often the mutually-agreed approach to ensuring that development and /or subdivision is not unduly held up, and the local government has confidence that the required contributions will be paid, and financial risk has been managed.

- In such circumstances, it is recommended that the condition of development/ subdivision approval includes reference to the requirement for the landowner to enter into a Deed of Agreement to contribute to the cost of providing community and/or development infrastructure; reference to the planning instrument the contributions are based on (i.e. draft DCP informed by structure plan or similar instrument); and reference to the requirement for the contributions to be consistent with State Planning Policy 3.6 Infrastructure Contributions.
- A Deed of Agreement should include, at a minimum:
 - A provisional cost contribution amount, mutually agreeable to both parties. The agreed amount should reflect a negotiated amount that both parties consider reasonable. If an amount is in dispute, the figure should reflect the average of the estimated contribution as determined by both parties. The WAPC is to become the clearing authority on the condition of subdivision or development requiring the landowner to enter into a Deed of Agreement.
 - The timing of reconciliation of final payment should occur after gazettal of the Scheme Amendment, and once final costs have been finalised (within 90 days of gazettal). Notice should be given of the final contribution amount, and reconciliation should occur within 60 days. Resolution of final costs and reconciliation of final liabilities will occur at gazettal of the scheme amendment, limiting risks to both parties.

- c) A sunset clause that defines a time period of the Deed, as agreed between the parties. A minimum 18-month period is recommended to allow time for the Scheme Amendment and DCP to be granted final approval and be gazetted.
- It is recommended that the template provided in Appendix D for a Deed of Agreement for interim arrangements is used by all local governments to ensure consistency and efficiency.

Estimated costs

- Where cost contributions have been calculated on the basis of estimated costs, a local government may either accept a monetary cost contribution based on an estimated cost as a final cost contribution from an owner, or adjust the required cost contribution of any owner in accordance with revised estimated costs resulting from certified and published annual CAS reviews. Payment of a cost contribution based on estimated costs in a manner acceptable to the local government constitutes full and final discharge of the owner's liability.

Monitoring and reporting

- Infrastructure costs should be reviewed at least annually to ensure the cost contributions are keeping pace with actual costs of infrastructure. This includes an audited annual statement of accounts for each DCA reserve account, and a summary of the review of estimated costs in the CAS, including any changes to funding sources



- At the end of each financial year, the local government is to prepare an Annual Report of the DCP that contains a high-level snapshot or “health check” of the progress of the DCP, including the delivery of infrastructure against anticipated timing, and financial position of the DCF.
 - The Annual Reporting template provided in Schedule 5 of SPP 3.6 is to be used and the report is to be published on the local government website, with a copy held at the offices of the local government. To ensure the principles of transparency and accountability are upheld, the report and any supporting documentation that has informed the high-level summary shall be made available for inspection by the Minister for Planning, the Department of Local Government, or the Department of Planning, Lands and Heritage.
- Closing a Development Contribution Fund Account**
- Once infrastructure in a DCP has been delivered, the DCF account will need to be closed. This should occur within 12 months following the delivery of all items of infrastructure.
 - If there are excess funds available when all cost contributions have been accounted for, the local government is to refund the excess funds to contributing owners for that DCA. If there are items of infrastructure that are not required, or it has been determined will not be delivered, the funds allocated to this infrastructure are considered excess funds and shall be returned to contributing owners within the DCA.
- The following steps are recommended to ensure all efforts have been made to refund excess monies, and to ensure the principles of accountability and equity have been upheld.
1. The local government is to notify the contributing landowners within the DCA of the intent to return excess funds at the close of the DCF.
 2. If contributing landowners cannot be identified and/or notified, the local government is to publicly advertise the intent to close the DCF for a period of 30 days, and for any entitlements to excess funds is to be submitted to the local government for consideration.
 3. If it is not reasonably practicable to identify contributing owners or allocate entitlement, the excess funds are to be spent on the provision of additional facilities or improvements within the DCA.
 4. The local government should make information publicly available regarding the details of any spending of excess funds.
- For Community Infrastructure DCPs, it may be difficult and impractical to return excess funds to contributing land owners, given the significant number of landowners. In such cases, the local government should advertise the intended use of the excess funds, and all funds are to be spent within the DCA.

Arbitration and appeals

- Provisions relating to dispute resolution are included in the Model Provisions, and should be included in individual local planning schemes along with the other infrastructure contribution-enabling provisions. The provisions are summarised as follows:

- With the exception of disputes relating to land valuation, any dispute between an owner and the local government regarding the cost contribution required to be made by an owner is to be dealt with initially by seeking a review of the amount by an independent expert, however if agreement cannot be reached, then by arbitration in accordance with the *Commercial Arbitration Act 1985*.
- Disputes relating to land valuations are initially dealt with between the owner and the local government by obtaining a review of the valuation by a licensed valuer. If agreement cannot be reached on the valuation figure, then 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*.



4 SUMMARY

The key principle in the application of infrastructure contributions is that the beneficiary pays. Sometimes benefits will be largely confined to the residents of a new development. Sometimes, the benefits will accrue to both existing and new residents. Consistent with this principle, contributions collected will only fund the infrastructure and facilities which are reasonable and necessary for the new development, and to the extent that the infrastructure and facilities are necessary to service the development.

Where cost-sharing of infrastructure has been identified as being necessary to facilitate orderly planning of an area, and where there are no other mechanisms considered suitable, a local government may want to prepare a DCP to enable infrastructure costs to be shared. DCPs need to identify growth trends based on service catchment areas, translate these trends into the infrastructure and facilities necessary to meet these increasing needs within the catchment, and allocate the costs to existing residents and new residents proportional to their demand generated for the infrastructure and facilities. This will help foster fairness and equity.

A fundamental prerequisite of these plans is that local government will need to plan ahead. The DCP must have a strategic basis and be linked to the local planning strategy and strategic infrastructure plan and program which identify the infrastructure and facilities required over the life of the DCP (generally up to 10 years for new greenfield development, or longer for the delivery of city-wide Community Infrastructure), and the cost and revenue

sources for the provision of the infrastructure. In this way, those contributing towards the DCP will be assured that the funds will contribute to the local government's longer-term planning and programming of infrastructure in an integrated and coordinated way.



APPENDICES

APPENDIX A: DEVELOPMENT CONTRIBUTION PLAN REPORT TEMPLATE

Note: This report does not form part of the planning scheme but provides the rationale and justification for the Development Contribution Plan (DCP), the calculation of costs, and the cost apportionment schedule specifying the costs for each owner.

(insert name) Development Contribution Plan Report

Development contribution area	<p>The Development Contribution Area is shown on the scheme map as: DCA X.</p> <p>The purpose of this DCP Report is to -</p> <ol style="list-style-type: none"> enable the applying of infrastructure contributions for the development of new, and the upgrade of existing infrastructure which is required as a result of increased demand generated in the DCA provide for the equitable sharing of the costs of infrastructure and administrative items between owners ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the DCA coordinate the timely provision of infrastructure. <p>This section should also include reference to any higher-order strategic plans/structure plans which have identified infrastructure proposed to be provided through the DCP.</p> <p>X years from June 30 20XX to June 30 20XX</p>
Period of the plan	<p>The plan has been prepared in accordance with State Planning Policy 3.6 Infrastructure Contributions. It will come into effect on the date of gazettal of the local planning scheme or amendment to the local planning scheme to incorporate the plan.</p> <p>The plan will operate in accordance with the provisions of section X of the local planning scheme.</p>
Operation of DCP	<p>Where an application for subdivision, strata subdivision, development or an extension of land use is lodged which relates to land to which this plan applies, the local government shall take the provisions of the plan into account in making a recommendation on or determining that application.</p>
Application requirements	



	<p>This section should list each of the administrative and infrastructure items, including land acquisition if required, and include a sufficient description of what each item is and the basis for its inclusion in the DCP.</p> <p>The need and nexus for each item is to be outlined clearly in this section. There may be a need for additional appendices to be included supporting information such as population projections, community infrastructure plans, traffic modelling or the like which has been used to demonstrate need and nexus for items.</p> <p>The section should also include reference to a Spatial Plan in an Appendix which shows the location of proposed infrastructure.</p> <p>Details of the cost apportionment can be seen in the cost apportionment schedule.</p> <p>Refer to Schedule of costs of each item of infrastructure and administrative items in Appendices. Schedule of costs should be detailed and give a clear description of what the total cost of each infrastructure item is comprised of, for example, all costs associated with the design and contribution of infrastructure, including cost of land acquisition of required and relevant contingencies.</p> <p>The schedule should include an asset ID for each infrastructure item which cross-references to the spatial plan showing the location of each item of infrastructure.</p>
<p>Items included in the plan</p>	
<p>Estimated costs</p>	<p>Detailed methodology of, and formula for, calculating an owner's cost contribution. Refer to Cost Apportionment Schedule in Appendices.</p> <p>Detail when infrastructure is expected to be provided and what triggers this is based on (eg. threshold of population or additional dwellings). Details of the priority and timing can be seen in the Capital Expenditure Plan contained in Appendices.</p> <p>This section is to outline how payment of contributions is to occur and should reference relevant scheme provisions.</p> <p>The section may also outline a local government's approach to dealing with payments of cost contributions as provided for by the local planning scheme provisions, including conditions and method of calculating offsets.</p> <p>The plan will be reviewed five years from the date of gazettal of the local planning scheme or amendment to the local planning scheme to incorporate the plan, or earlier should the local government consider it appropriate having regard to the rate of development in the area and the degree of development potential still existing.</p> <p>The estimated infrastructure costs as shown in the CAS 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.</p> <ol style="list-style-type: none"> 1. Spatial Plan depicting DCA and location of proposed infrastructure items 2. Schedule of Costs of infrastructure and administrative items 3. Cost Apportionment Schedule 4. Capital Expenditure Plan
<p>Method of calculating contribution</p>	
<p>Priority and timing of infrastructure delivery</p>	
<p>Payment of contributions</p>	
<p>Review</p>	
<p>Appendices</p>	



APPENDIX C: CATCHMENTS AND HIERARCHIES

TO BE FINALISED FOLLOWING ADVERTISING WITH STAKEHOLDERS

Catchments

- Local/neighbourhood: 5-15,000 residents
- District: 25-75,000 residents
- Regional: 75,000+ residents

Open space hierarchy

- Regional open space - means land defined under a region scheme, regional structure plan or sub-regional structure plan as a parks and recreation reserve or as regional open space reserve; to accommodate active and passive recreation such as major playing fields and/or regional conservation and environmental features.
- District open space - means an area of public open space notionally serving three neighbourhoods, generally between 2.5 to 7 hectares, which will accommodate a combination of informal play areas, formal playing fields and hard surfaces for organised sports. Accessibility catchment 2km.
- Neighbourhood Park - means an area of public open space, generally less than 5,000m², designed and located for local children's play, rest places, pedestrian connectivity, informal active recreation and play, and passive recreation. Accessibility catchment 800m.
- Local park means an area of public open space, generally between 0.4-1ha, designed and located for local children's play, rest places, pedestrian connectivity, informal active recreation and play, and passive recreation. Accessibility catchment 300m.

Cycle infrastructure

- Principal Share Paths (PSPs) – previously referred to as 'regional paths', located primarily along freeways and railways and are generally a State responsibility.



**APPENDIX D: DEED OF AGREEMENT FOR INTERIM ARRANGEMENTS TEMPLATE
TO BE FINALISED FOLLOWING ADVERTISING WITH STAKEHOLDERS**

**SPT1908-3 HILTON HERITAGE AREA LOCAL PLANNING POLICY (LPP 3.7)
- REVIEW OF FENCING PROVISIONS - OUTCOME OF
COMMUNITY ENGAGEMENT AND FINAL RECOMMENDATIONS
ATTACHMENT 1 – Community Consultation Report**



Community Engagement Report

July 2019

Alternate formats available on request.

Review of Front Fencing Rules – Hilton Heritage Area

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Review of Front Fencing Rules – Hilton Heritage Area

Introduction

Hilton was planned around 'garden suburb' principles and is recognised for its open streetscapes and green, leafy character. It is one of only a few examples of 'Garden City' planning within the Perth Metropolitan Area, and one of the most intact. Because of this it, is identified as a 'heritage area' under the City of Fremantle Local Planning Scheme.

Local Planning Policy 3.7 – Hilton Garden Suburb Precinct Heritage Area (LPP 3.7) includes design requirements for new buildings, including front fences, within the Hilton Heritage Area. This policy helps to ensure that the character of Hilton is retained and means all front (street) fences in the Hilton Heritage Area require planning approval, regardless of whether they comply.

Some community concern has been raised about whether the current rules strike the right balance between maintaining open streetscapes, and allowing sufficient security. In March 2019 Council resolved to endorse a set of modifications to LPP 3.7, for community consultation. This was to include the preparation of community engagement material including clear explanations and diagrams on the proposed changes.

Community Engagement

Community engagement was carried out from 21 June to 16 July 2019 via a survey and face-to-face methods. The survey was offered as an open (self-selected) engagement on My Say Freo, and to a randomised sample of 350 Hilton owners or occupiers. The randomised sample was sent by post, with the option to return by reply paid envelope or complete online with a special url.

A drop-in community information session was held on Saturday 6 July at Fremantle PCYC and attended by approximately 10 people. An information video was developed to assist to communicate the reason for the existing policy and proposed changes. This was hosted on the City's youtube channel and shared on My Say Freo and the City's social media. A fencing options brochure was also developed and (along with an information pack) available on My Say Freo and at the information session.

Staff attended the Hilton precinct group meeting on 18 June to discuss the upcoming engagement and it was also advertised in the City's Newsbites (e-newsletter and print advert in the Fremantle Herald), facebook, My Say Freo e-newsletter and on posters displayed at all supermarkets and cafes in Hilton.

Findings

Open engagement (self-selected participants on My Say Freo) - The My Say Freo page was visited by 311 people and 36 made submissions. Of these, 29 were property owners and 7 were residents.

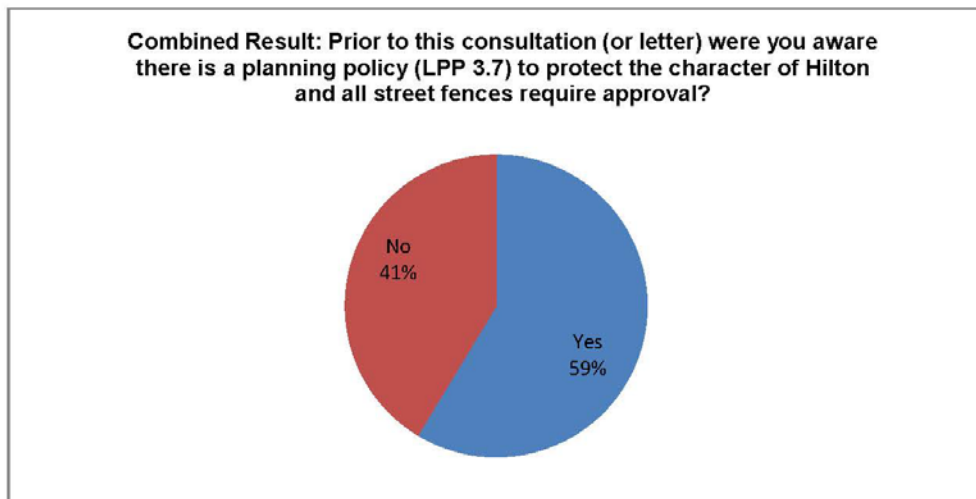
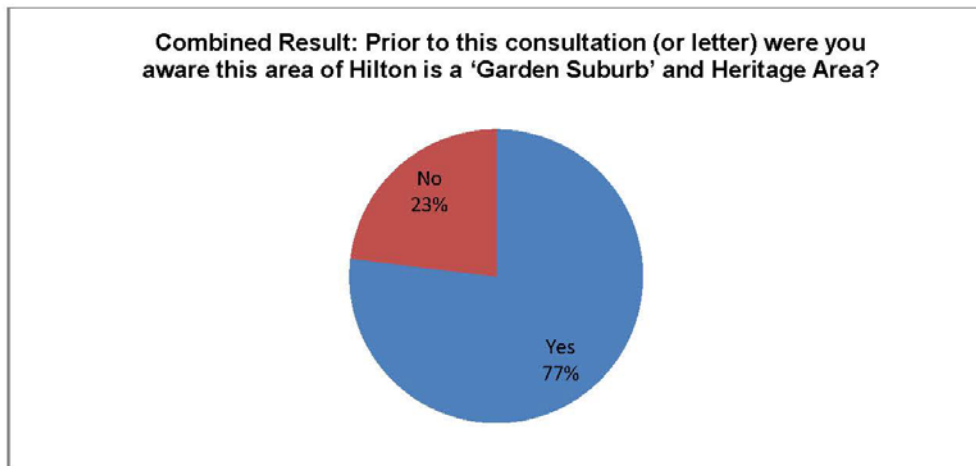
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Randomised sample - 350 letters were sent to a randomised selection of residents / owners in the Hilton heritage area. The randomised survey achieved a 19.5% response rate, with 68 responses returned in total, 51 by reply-paid post and 17 electronically. The combined findings and a comparison of the open engagement and random sample (only those who received a letter with special code) are presented below.

Awareness of Garden Suburb and LPP 3.7

The combined results showed 77% of respondents were aware that the specified area of Hilton (shown on a map) is a 'Garden Suburb' and Heritage Area. Less people (59% combined) were aware all street fences require approval. This was more apparent in the random sample. All findings are shown below.

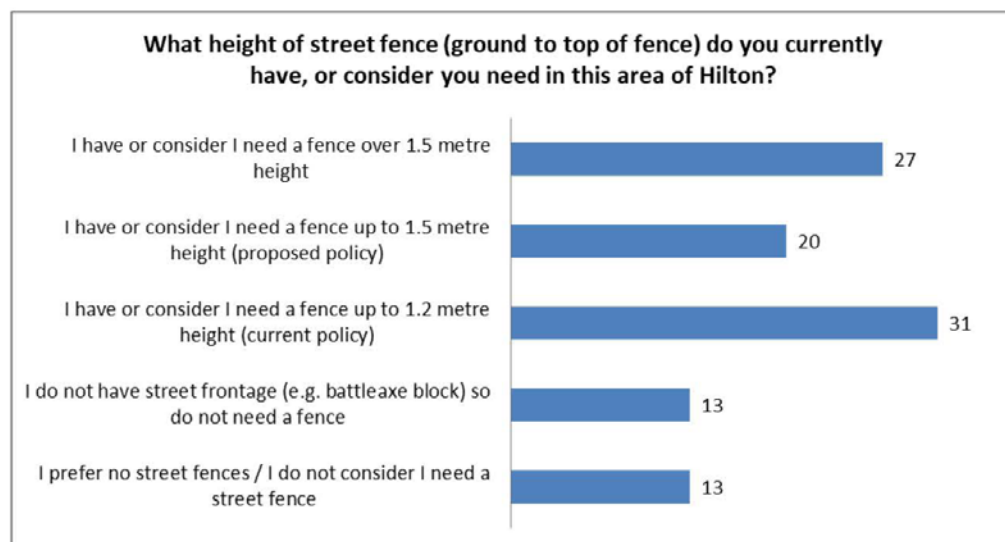


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	Open sample (My Say)		Random sample (Letters)	
	Yes	No	Yes	No
Prior to this consultation were you aware this area of Hilton is a 'Garden Suburb' and Heritage Area?	83%	17%	74%	26%
Prior to this consultation were you aware there is a planning policy (LPP 3.7) to protect the character of Hilton and all street fences require approval?	72%	28%	51%	48%

Height Preference

Overall a slight majority of respondents have or consider they need a fence up to 1.2 metres, which is consistent with the current policy. A significant number of respondents also have, or consider they need, a fence over 1.5 metres in height.



The open sample had a high proportion of people who have or consider they need a fence up to 1.2 metres in height. The random sample picked up a higher proportion of people without street frontage. Results from this group were more evenly spread, with an even split between people who have or consider they need both fences up to 1.2 metres and over 1.5 metres.

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What height of street fence (ground to top of fence) do you currently have, or consider you need in this area of Hilton?		
	Open	Random
I have or consider I need a fence over 1.5 metre height	10 (28%)	17 (25%)
I have or consider I need a fence up to 1.5 metre height (proposed policy)	8 (22%)	12 (17.5%)
I have or consider I need a fence up to 1.2 metre height (current policy)	14 (39%)	17 (25%)
I do not have street frontage (e.g. battle-axe block) so do not need a fence	1 (3%)	12* (17.5%)
I prefer no street fences / I do not consider I need a street fence	3 (8%)	10 (15%)

**Two of these respondents on battleaxe blocks said they would choose a fence height to 1.5 metres in comments.*

Respondents had the option to explain their choice in more detail. Reasons for each choice had similarities across both the open and random samples. They were:

- Higher fences than 1.5 metre wanted for crime prevention, keeping dogs in and increased privacy.
- Up to 1.2 metres wanted for maintaining Hilton's heritage and character and also for crime prevention.
- Up to 1.5 metre fences wanted for keeping dogs in, to deal with sloping blocks and crime prevention.
- No street fences preferred for neighbourhood connection and for maintaining Hilton's heritage / character.

	Open– key themes	Random sample – key themes
I have or consider I need a fence over 1.5 metre height	<ul style="list-style-type: none"> • Crime prevention & safety - to deter burglary, vandalism or trespassing. (6) • Dogs – to prevent them escaping. (4) • To suit neighbouring fences - adjoining properties have 1.8m fence. (3) • Increased privacy / amenity from headlights. (3) • Children – to play 	<ul style="list-style-type: none"> • Crime prevention & safety – to deter people entering yard to steal (4) • Dogs – to prevent them escaping. (4) • Privacy – particularly if front is yard. (4) • Needs 300mm wall as well. (2) • Children – to play safely. • To match neighbours.

Review of Front Fencing Rules – Hilton Heritage Area

	<p>safely. (2)</p> <ul style="list-style-type: none"> • Soundproofing from traffic on Carrington Street. (1) 	
<p>I have or consider I need a fence up to 1.5 metre height (proposed policy)</p>	<ul style="list-style-type: none"> • Dogs - to prevent them escaping. (6) • Topography – houses that are raised and sloped blocks need more height. The need for 300mm blocks also mentioned for these properties to prevent soil / water washing onto the path. (5) • Crime prevention & safety - to deter burglary, vandalism or trespassing as harder to hurdle. (4) • Increased privacy / amenity from headlights particularly on busy streets. (3) • Road Safety - Protection from road traffic including for children or future children. (2) 	<ul style="list-style-type: none"> • Hilton's heritage / character – this policy maintains. (3) • Crime prevention & safety – to deter people entering yard to steal (1) • Dogs – to prevent them escaping. (1) • Privacy – particularly if front is yard. (1) • Many non-compliant fences already. (1) • Needs 300mm wall as well. (1)
<p>I have or consider I need a fence up to 1.2 metre height (current policy)</p>	<ul style="list-style-type: none"> • Hilton's heritage / character - current policy maintains and height increase would damage this. (7) • Not needed for crime prevention & safety - 1.2m is sufficient even on exposed corner or for households with children and/or animals. (3) • Disappointed (3) - built to the current policy but would have preferred to go higher (2) and never had a choice why bother changing it (1). 	<ul style="list-style-type: none"> • Crime prevention & safety (6) - lower fences provide better security by having more 'eyes on the street', 1.2m provides adequate security. • Maintains Hilton's character / heritage and neighbourhood connection (5). • Children (3) – 1.2m is adequate. • Have a fence under the current policy but also don't mind extra height (1). • Any size should be allowed (1).

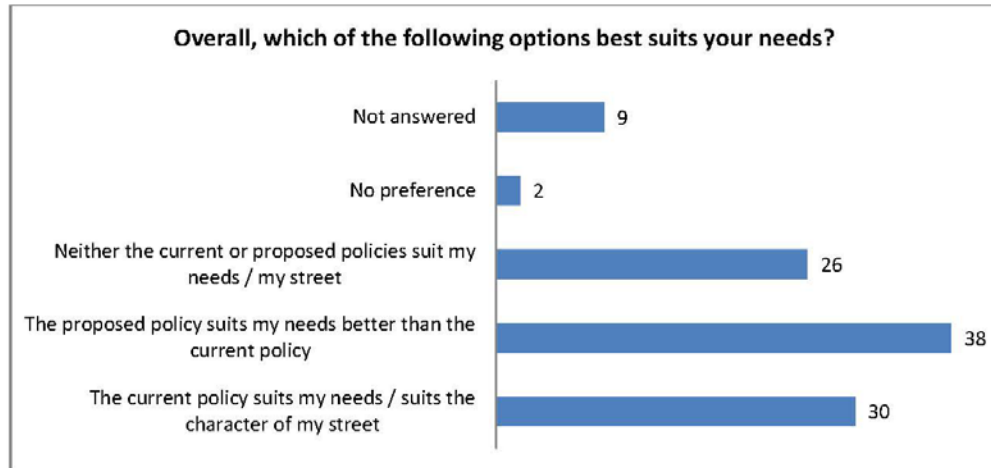
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		<ul style="list-style-type: none"> Property was purchased with a 1.2m fence otherwise probably wouldn't have one at all (1).
I do not have street frontage (e.g. battleaxe block) so do not need a fence	<ul style="list-style-type: none"> Neighbourhood connection (1). The character in the suburb with an open community is worth keeping as so many suburbs become locked-in lots with no green and an isolated atmosphere. 	<ul style="list-style-type: none"> Hilton's heritage / character – must be maintained. (1) Resource other areas to reduce need for high fencing for security. (1) If my house was at front of block I would consider 1.5m proposed policy. I prefer the 1.5m. (2) If I had a street front I would want over 1.5m for privacy and safety. (1)
I prefer no street fences / I do not consider I need a street fence	<ul style="list-style-type: none"> Neighbourhood connection (2) - Minimal fencing contributes to stronger community. Fences discourage communication, reduce the sense of community, and fragment habitat. Hilton's heritage / character – must be defended, whittling away the design values of this suburb one rule at a time must not be permitted. Maintain the current policy. (1) 	<ul style="list-style-type: none"> Neighbourhood connection – no fences friendly. Fences contribute to a sense of hostility / make suburb feel 'closed'. (3) Hilton's heritage / character – Fences are an eyesore. Many brick fences look bad in front of a non-brick house. Destroys character of street. (3) Crime prevention & safety - Fences can make property less secure as there are places to hide. Become a target for vandalism. (2) Prefer use of vegetation instead of fences. (1) Area outside fence becomes unkempt, a hazard for pedestrians. (1)

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Policy Preference

Respondents were asked to select which option best suits their needs overall. Although the majority of people stated earlier that they have or consider they need a 1.2 metre high fence, overall there was a preference for the proposed policy (36%), followed by the current policy (28.5%).



While the self-selected respondents were fairly evenly split with their preference, the random sample showed a slightly higher preference for the proposed policy.

Overall, which of the following best suits your needs?		
	Open	Random sample*
Not answered (hard copy survey)	-	9
No preference	-	2 (3%)
Neither the current or proposed policies suit my needs / my street	11 (31%)	15 (22%)
The proposed policy suits my needs better than the current policy	12 (33%)	26 (38%)
The current policy suits my needs / suits the character of my street	13 (36%)	17 (24%)

**one respondent selected more than one choice*

Respondents had the option to explain their choice in more detail. Reasons for each choice had similarities across both the open and random samples. They were:

Review of Front Fencing Rules – Hilton Heritage Area

- Current policy preferred for maintaining Hilton's character / heritage, for neighbourhood connection and as it is sufficient for crime prevention and safety.
- Proposed policy preferred for improving crime prevention and safety, improving privacy and balancing Hilton's character.
- Neither policy suitable because it needs to be 1.8 metres (with different variations), or a 300mm base should be allowed for 1.5 metre fences.

	Open sample – key themes	Random sample – key themes
Neither the current or proposed policies suit my needs / my street	<ul style="list-style-type: none"> • Need 1.8m (5) the following variations mentioned: <ul style="list-style-type: none"> ○ 1.8m with 50% visual permeability to be able to kick a ball in yard (1) ○ 1.8m required for security (2) ○ 1.8m required to match neighbour (1) ○ 1.8m required for dog (1) • Need 1.5m with 50% visual permeability and 300mm base – To retain soil and dogs / prevent dogs digging (2). • Need higher than 1.5m for privacy and security (1). • Greater than 1.5m – Required on Carrington Street (1). • Minimum 1.5m with 30% visual permeability and 300mm base for dogs (1). • My right to choose not council (1). • No variations – should be based on what others have (1). 	<ul style="list-style-type: none"> • Hilton's heritage / character – (2) Believe Heritage in my street minimal. Lived here 20 yrs no one told me. Represents some streetscapes not all. • Solid wall impinges on open suburb quality. (1) • Noise reduction requires solid construction. (1) • 1.5m should be able to have 300mm solid wall. (1) • Solid base and 1.5 or 1.7m panels needed to keep pets in. (1) • Some require retaining walls. (1) • Too restrictive.

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<p>The proposed policy suits my needs better than the current policy</p>	<ul style="list-style-type: none"> • Crime prevention & safety – would allow improved security. (4) • Flexibility – strikes the right balance with flexibility. (2) • Hilton's heritage / character – maintains this. (2) • Dogs / pets – 1.5m keeps them in. (2) • Does it matter? There are a number of properties in Hilton that already have front fencing over 1.5 metres. (1) 	<ul style="list-style-type: none"> • Crime prevention & safety – would improve this. (6) • Privacy – would provide this. (4) • Dogs – would keep dogs in. (3) • Should be allowed with 300mm solid wall. (2) • Hilton's heritage / character – maintains this. (1)
<p>The current policy suits my needs / suits the character of my street</p>	<ul style="list-style-type: none"> • Maintains Hilton's character / heritage and neighbourhood connection. (10) • Sufficient for crime prevention & safety - If someone wants to scale or look over a fence, they will do it whether it 30cms higher or not. I don't see a 1.5m being any more effective (than our current fence below 1.2m) to act a psychological barrier to prevent unwanted access and for us to "mark our property". (4). • Children - A happy compromise to temporarily and safely contain small children. You meet families when children play in the front yard. (3) • Dogs – 1.2m high enough to contain them. (2) 	<ul style="list-style-type: none"> • Maintains Hilton's character / heritage. Higher fences would destroy character. (7) • Neighbourhood connection. (3)

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	<ul style="list-style-type: none"> • If people need more screening, then they can still use vegetation. • Not need for a change of policy but need to make sure the policy is followed. • Height restrictions should remain but would be fine with the permeability rule changing from 50% to 30% (in part because a lot of fences are already less than 50% permeable). • I am open to supporting variations where they are applied for and considered but a blanket alteration to this policy I do not support. 	
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Balance between Security and Character

Respondents were asked whether they believed that the proposal strikes the right balance between increasing security and protecting the heritage character of Hilton.

As above this was mixed, with similar reasons. Full details can be seen in 'detailed submissions' below.

Next Steps

All submissions will be reviewed and a recommendation will be made to Council. All respondents will be contacted with the details of the Council meeting, and a follow up letter will be sent to the randomly selected owners / residents.

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Detailed Submissions (unedited, redacted for privacy)

Choice of fencing height- Please tell us why this suits your needs	
Open engagement	
I have or consider I need a fence up to 1.2 metre height (current policy)	Any height increase would damage the character of the area - there are a number of non-compliant fences that should also be addressed
I have or consider I need a fence up to 1.2 metre height (current policy)	Connection to the street is a key part of what makes Hilton Hilton. If people need more screening, then they can still use vegetation.
I have or consider I need a fence up to 1.2 metre height (current policy)	We didn't have a choice in fence height when we were building our front fence as it was governed by this policy. The policy is there to keep Hilton looking a certain way - for preservation of the heritage character and as a garden suburb. This is the appeal of Hilton and is certainly why I bought here. If this is the purpose of the policy then why change it to allow it to lose its character and appeal? It simply doesn't make sense
I have or consider I need a fence up to 1.2 metre height (current policy)	We constructed a fence to 1.2 metres. It's quite disappointing that due to timing we missed out on building to the height that we wished to but instead built to a policy height that is now being proposed to be changed. WTF!
I have or consider I need a fence up to 1.2 metre height (current policy)	We do currently have a front fence but would love to have a higher fence with automatic fence gate for the drive way to deter unwanted guests and provide more security.
I have or consider I need a fence up to 1.2 metre height (current policy)	I live on a large, exposed corner block on a busy intersection which includes very high pedestrian traffic (route to shops) and I feel that my 1.2m fence with 100% permeability provides plenty of security for my family, my child, my dog and my chickens (whose yard is in the front yard). The open and permeable streetscapes of Hilton are the reason that many people (including me) moved here.
I have or consider I need a fence up to 1.2 metre height (current policy)	WE have a front yard and a toddler so require a fence for both privacy and security. I really appreciate the openness in Hilton and think higher fences will reduce interaction. Our neighbour has a very high fence that is not permeable and it is dangerous to back out of the driveway. I'm always scared I could hit a child running ahead of their parents
I have or consider I need a fence up to 1.2 metre height (current policy)	I have a picket fence. It has been in place and part of the property for a significant length of time (decades)
I have or consider I need a fence up to 1.2 metre height (current policy)	We have kept the low picket fence and find we only need a fence to stop people cutting across our corner block and to limit access to our front veggie patch. Otherwise the fence is just for character.
I have or consider I need a fence over 1.5 metre height	I cant see the fairness in adjusting a policy like this. The people who built their fences did it under the current policy. What justifies a change? If it is because security concerns have become more important, then that is the same for all

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	residents. I dont live in Hilton. I live in South Fremantle.
I have or consider I need a fence over 1.5 metre height	Increasing number of home invasions a higher fence is needed to deter burgalary. Also due to more dog owners, which require a higher fence. We are only talking about an extra 30cm to 50cm added to current high policy. But this high can make a BIG difference to an house invader, or dog trying to get out.
I have or consider I need a fence over 1.5 metre height	My neighbors next door has 1.8m. I want to build the exact same fence as them. Would look out of place at a lower height.
I have or consider I need a fence over 1.5 metre height	I feel I need a fence over 1.5 meters high to match my neighbour's established fence line (1.8m). Their fence was erected in the mid 80's and thusly doesn't need to meet the current street scape/code. Also on numerous occasions we've had our property vandalized, our house broken into, and other unsuccessful attempts to break in. Also on numerous occasions our vehicle windows have been broken, to gain access. I feel none of this would have happened, had I been able to erect a sufficiently high fence, while also matching with my neighbour's. It feels as if the council doesn't take it's resident's safety into account when making these arbitrary decisions, rather keeping the name "garden suburb" but not reflecting it in truth.
I have or consider I need a fence over 1.5 metre height	Trespassing, theft, and "anti-social" behaviour remain problems in Hilton. A tall fence (1.5m-1.5m+) is more difficult to climb over and helps prevent issues. While an open feel and visibility is important for neighbourhood character, 50% visual permeability is not required to create an open feel, even above 1.5m. Most wooden stake / picket fences in Hilton are not 50% permeable, and yet provide sufficient visibility between house and street. I am concerned that a wooden 50% permeable fence will not be as strong as one that is 30-40% permeable, and not everyone wants a wire fence.

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<p>I have or consider I need a fence over 1.5 metre height</p>	<p>We live on the corner of Carrington Street and Lynn Street and own both [redacted] and [redacted] Carrington Street properties. The rear property ([redacted]) enjoys excellent privacy as the house is located on the rear of the block. [redacted] Carrington Street is situated at the front of the block and has all of its garden located in front of the house, facing directly onto Carrington Street. Outside of [redacted] Carrington Street there is a large area of grass, which is regularly and frequently used as a public car park by people who are using the playing fields opposite. This creates a lot of traffic and brings a lot of people to the outside of the property. Additionally, there is a lot of traffic past the property due to Carrington Street being a busy road with bus stops and constant traffic, as well as people walking to the shops etc. Carrington Street is also a noisy road. All of these factors impact on the usability, safety, security and privacy of the garden and house at [redacted] Carrington Street. A low and permeable fence enables clear visibility into the garden and house and makes it unsafe for children and dogs, as well as unusable for adults seeking some level of privacy on their property. A low and permeable fence also does nothing to assist with soundproofing the property against the constant traffic noise. Given these factors a solid, secure, non-permeable fence is required to ensure that passers by on this busy road can not see into the property, the occupiers can utilise the garden and the noise level from traffic can be reduced.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>Now Hilton getting more battleaxe blocks the front house needs a bit more privacy and place for children to play so higher fences are a must , and stop things go missing from the yard.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>Thats my choice not yours</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>We are on a corner block at a round-a-bout with 5 intersecting roads and we have a large verge. Traffic along our street is busy and in the evenings headlights shine straight into our lounge and front bedroom. We also have two dogs - one who is able to jump. All our yard is at the front, barely any yard out the back where the fence height with our neighbors is about 1.8m</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>I understand heritage style and character and the need for themed fencing to keep in line with the council's goals for the Hilton area, however, I have noticed many houses around the neighbourhood have higher fences facing the street and I would like to have a higher fence due to security and keeping in a dog (due to my lot backing on to Stock Road, there is a higher risk if my dog were to jump the fence).</p>
<p>I have or consider I need a fence up to 1.5 metre height (proposed policy)</p>	<p>Our house is on [redacted] Crescent a T junction of [redacted] [redacted], the end of a street in which people speed down to avoid [redacted]. I would like a higher fence to provide some protection from cars and buses flying past and to ensure</p>

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	<p>my children can't get out and onto quite a busy road. A higher base to a fence would also stop the headlights at night that go straight through our house from [REDACTED].</p>
<p>I have or consider I need a fence up to 1.5 metre height (proposed policy)</p>	<p>The Hilton fence style works well for both 1.2m and 1.5m given the visual permeability. I also feel that at the 1.2m height it is visually more appealing to have visual permeability of 30% between pickets. Therefore, regarding aesthetics for our garden suburb, I think fences in Hilton should have a choice of BOTH of the proposed options. So if folk want a 1.2m picket fence they can opt for a 30% visual permeability OR if folk want a 1.5m fence they opt for a 50% visual permeability. Both options would adhere to the garden aesthetic of our neighbourhood.</p>
<p>I have or consider I need a fence up to 1.5 metre height (proposed policy)</p>	<p>My current fence is basically 1.2 and very permeable with mesh. Some extra wire on the section that faces into intersection - for creepers in attempt to create at least some visual privacy for self and everyone else in/on and using the intersection. Front yard is well used as lost rear to subdivision.</p> <p>My needs on a busy corner are for security - barrier to intrusion ; lockable gates and fence that is not soo easy to climb (!!) or hurdle (which I have witnessed here) . Security of vehicle in drive. Safety for birds incl Forest Red Tail Cockatoos landing in my yard for water. Privacy .. as it is very busy w cars and pedestrians and many dogs. Retaining and stabilising garden soils and watering activities is also an issue - many gardens are elevated on the inside and fall away to the path - it would be useful and expedient to have height and a 300 barrier to retain soil and water - keeping it off the path and where it is meant to be. I would like the policy to also allow 1.5 or even 1.6 open on the boundary section between properties up to the 7 meter mark - my block is high on hill and intrinsically difficult to achieve privacy on all boundaries - NOT overlooking neighbours is a difficult preference to achieve - with all in mind.</p>
<p>I have or consider I need a fence up to 1.5 metre height (proposed policy)</p>	<p>We currently have a 1.2m fence , on a corner block on a busy street. With approximately 35 metres of fencing bounded by 2 roads, and a large dog, the height of our current fence is cause for safety concern. Whilst I wish to maintain the permeability of fencing that means we have many conversations with neighbours walking past, the safety of our dog, and future children from the road is a fear. I believe an increase to the limit of fencing height to 1.5m will provide the necessary balance between safety and the community feel that we value in our neighborhood.</p>

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I have or consider I need a fence up to 1.5 metre height (proposed policy)	We have a 900mm to 1200mm fence at the moment but would like a taller fence to secure our dog. We only have a small backyard due to subdivision, but have a big front yard and would like to let the dog run out the front and not risk her jumping the fence. Our block is on a big slope so the 1.2m height restrictions ends up at 900mm on the low side
I have or consider I need a fence up to 1.5 metre height (proposed policy)	With the propensity of infill in this suburb, my "yard" with grassed area is out the front, not the back. I have two dogs who I need to feel are safely enclosed. 1.5m is the minimum height I would want a fence for safety reasons in this regard.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	I chose 1.5 m for the height because we desired some security. We had our car broken into when there was no fence and we also have a cattle dog and felt 1.2 m was not higher enough to keep her in AND burglars out. Our house is raised up as we are on a slope so there is plenty of visibility from the house to the street.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	I'm on an sloping section with an elevated house so we need a fence that is 1.5 m higher to be able to stack it down the slope and also to deter people entering our property as we had a couple of break ins
I prefer no street fences / I do not consider I need a street fence	I believe minimal fencing contributes to a stronger community and more connected neighbourhood.
I prefer no street fences / I do not consider I need a street fence	I feel that fences are a way of separating your property from everything else. They discourage communication, reduce the sense of community, and fragment habitat. We need less fences/boundaries/walls in every aspect of life.
I prefer no street fences / I do not consider I need a street fence	I had a 1.2m picket fence at my property. I took it down during our renovation. I'm not sure I will replace it, if I do it will be picket fence in keeping with the character of the street. Let's be clear about this issue. 1. The policy should not change. 2. There is no broad support for changes to the policy. 3. The only reason the fencing policy is being reviewed is because of one or two vocal minority's, which is fine, but one person in particular was complaining. The heritage and design values of Hilton must be vigorously defended, whittling away the design values of the suburb one rule at a time must not be permitted. The subdivision of the blocks was a massive mistake and the overall loss of tree cover associated with rear block clearing and development has been detrimental to the suburb. As a long term resident of the suburb and on behalf of my young children and future generations to come. Maintain your fencing policy, do not raise them. Regards
I do not have street frontage (e.g. battleaxe block) so do not need a fence	As I am not having an area for a fence to the street, not sure if I am the person to be asked for a policy. The character in the suburb with an open community is worth keeping as so many suburbs become locked -in lots with no green and an isolated atmosphere. Even at the current

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	stage in Hilton, there are many lots that have fences higher and less permeable than the new proposal and would rather see a change here to retrofit to the original concept for the suburb.
Random sample	
I have or consider I need a fence up to 1.2 metre height (current policy)	I have a fence as per current local policy. I am very happy with it but I don't mind to have a slightly higher fence for the safety of my kids and dog.
I have or consider I need a fence up to 1.2 metre height (current policy)	Current fence of 1.2 metres
I have or consider I need a fence up to 1.2 metre height (current policy)	The current fence is adequate for security and keeping my young son off the road. I don't see how a higher front fence would improve security.
I have or consider I need a fence up to 1.2 metre height (current policy)	We have a 1.2m white picket fence - it suits the neighbourhood, keeps the dog in and makes the property look tidy
I have or consider I need a fence up to 1.2 metre height (current policy)	Was here when we bought it. If it wasn't we might not put one in. The fewer barriers the better (1) keeps people connected/interact with community (2) more eyes on the street so it is safer when walking at night.
I have or consider I need a fence up to 1.2 metre height (current policy)	I am lucky to have a livable backyard for my children to enjoy. Because of this I don't have a focus for security/privacy in my front yard.
I have or consider I need a fence up to 1.2 metre height (current policy)	I believe 1.2 metre's to 1.5 metre's should supply reasonable security for residents if fences are maintained.
I have or consider I need a fence up to 1.2 metre height (current policy)	Would like to see the scope not changed at all and left as its currently look and feel.
I have or consider I need a fence up to 1.2 metre height (current policy)	Any size fence should be allowed. Too many people walking around Hilton streets looking into properties. Security must come before a "garden suburb"
I have or consider I need a fence up to 1.2 metre height (current policy)	We have young children and a fence is important to us for the safety of our children
I have or consider I need a fence up to 1.2 metre height (current policy)	An open 1200mm fence should provide adequate security without undermining the character of the suburb

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<p>I have or consider I need a fence up to 1.2 metre height (current policy)</p>	<p>Our fence was here when we bought the property three years ago, it is a low white picket fence. Personally, we love having a low front fence as it makes a feel more connected to our neighbours and the Hilton community. We love to chat to our friends as they walk past, and we also feel safer knowing our neighbours can see what's happening in our front garden, and at the front of our house when we're not home.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>I need over the 1.5 meter height to match my neighbours. Also feel that the allowable base height should be 60cm. The change to allow 30% visibility is very good.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>I purchased a property with a wall that doesn't abide by current policy. It is also unfinished. I am not currently in a position to rebuild a fence. I have an excellent guard dog, however if the fences was lower, she would intimidate passersby. After having people enter my yard and taking property on several occasions, these are essential to making my family and me feel protected.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>High fences are required for property owners that have their garden at the front of the block towards the street. Small blocks, which are common these days, don't allow families to have a backyard, so there's a need to have a fence at the front of the property, that keeps everyone safe and secure and allows for privacy. Hilton has lots of families with dogs, and to be able to keep dogs and others safe - fences need to be a certain height, otherwise pets are easily able to escape by jumping over a fence that's too low.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>I have a small block where the back yard is at the side of the house so I need to block out the footpath from my yard.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>For security purposes and the number of streets with dogs I think the slightly higher fence option is better than less permeability</p>

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<p>I have or consider I need a fence over 1.5 metre height</p>	<p>Our land is a corner block with the house on an unusual aspect that faces the street intersection, 45Degrees to the street - i.e. it is not perpendicular to the street like most corner houses are. The effect of this is that we have enormous front perimeter, approximately 45m along 2 streets. 35m of the frontage has an open fence ranging from approx. 1.2-1.4m due to the sloping land. However, we also have a small section of fencing - approx. 6-7m that is a taller solid timber fence that ranges from 1.6-1.8m to provide a small amount of privacy screening from the road. Because we have an outdoor entertaining area in our front garden which our lounge room opens onto, we feel that some privacy screening is necessary. The lounge room and outdoor entertaining area was designed this way to maximise the northern winter sun. We are strong advocates for an policy that encourages open fences, however, also believe that common sense should also prevail to allow a small section of privacy screening to honour some privacy for residents. There are plenty of corner houses around the suburb that have a 1.8m solid perimeter fence down one side of their house, but these are permissible.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>Many residences already have a 300mm solid wall. I think ratepayers should not have to remove this wall if they fence to 1.5m (or higher). Thanks, have a great day :)</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>For some people there only garden and outdoor space is at the front of there house. Allow for support of subdivision, urban infill and a sustainable 'garden suburb' by letting people make use of this area. Safety and privacy are needed in a home, this in Hilton currently is not being experienced by residents due to local crime.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>Allows dogs in front yard</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>For protection use and I could not afford to have a modern fence.</p>
<p>I have or consider I need a fence over 1.5 metre height</p>	<p>1.5m plus height. max 1.7m limestone base and pillars wooden slats with 30% permeability between pillars</p>

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I have or consider I need a fence over 1.5 metre height	Sloping block fronting busy road opposite shopping centre which attracts many people - Security and theft prevention.
I have or consider I need a fence over 1.5 metre height	Would love a fence over 1.5 for privacy and safety for my kids to play in the front garden
I have or consider I need a fence over 1.5 metre height	Accommodate a drive for a second car
I have or consider I need a fence over 1.5 metre height	Some of my needs have been mentioned over leaf. I believe some of the proposals and examples as per brochure enhance and beautify the homes that have and are heritage listed but homes and duplexes built in the 70s onwards would be better suited to personal character of the building and enhance the look of progressing Hilton, as there are many of such examples throughout the suburb.
I have or consider I need a fence over 1.5 metre height	A minimum 1.5m is reasonable. There are many solid wall front fences in Hilton. The character of Hilton is wide and varied. The character and streetscapes are evolving as they should, to meet the needs of modern family life and circumstances.
I have or consider I need a fence over 1.5 metre height	Would consider a fence above 1.5m anything below would not help with security or noise.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	We live on Carrington Street, the traffic noise has become horrific in the past 18 months due to increased traffic and multiple speeding vehicles in a zone that needs to be reduced to a 50km/hr the surrounding houses have no bearing on us having a noise reducing fence as our neighbours are not in Heritage type building the heritage policy for fencing is a farce as the double story modern buildings have altered the entire neighbourhood THERE is no consistency
I have or consider I need a fence up to 1.5 metre height (proposed policy)	I have a big frontyard which I can not use due to any privacy. It is a waste of land and my money for water and maintenance. With higher fences- it should be use for beautiful garden setting with no worries about nosy passing people, dogs, stealing garden furniture and security.

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I have or consider I need a fence up to 1.5 metre height (proposed policy)	I think that the character of the Hilton garden suburb is beautiful, and one of the reasons we bought a house in Hilton. I feel as though the proposed changes are not that dramatic, though I would like for Hilton to keep it's unique character and are against fences above 1.5m and 50% visibility.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	There are so many fences of varying height and materials in Hilton already. Some walls are 1.8m+. There seems to be rules for some but not for others.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	I currently have a picket fence 1.2m high but would consider increasing the height in the future, but would keep it as a picket fence with visibility as I believe it makes our home pretty and keeps the heritage of the area.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	I would like to see Hilton maintain the transparency around fencing but increase the height.
I have or consider I need a fence up to 1.5 metre height (proposed policy)	We are generally supportive of the changes proposed by the council to the fencing policy. Especially the greater permeability combined with allowance to have up to a 1.5m fence. However, we don't understand why the low solid wall (300mm) would not be permitted for higher fences. This makes the design and build of slightly higher fences on sloping sites too restrictive. Unless there was an important reason, we think the council should consider simplifying the amendment to allow for the 300mm solid portion under either fencing option.
I prefer no street fences / I do not consider I need a street fence	I have established hedges so no need for fence. If I didn't have this I would probably want a low fence up to one metre or so to define the area. Sometimes fences make the property less secure because people can hide. For privacy I would prefer people were encouraged to use vegetation as borders rather than a constructed fence.
I do not have street frontage (e.g. battleaxe block) so do not need a fence	We live in a back block, but feel very strongly that the character of the suburb should not only be maintained, but staunchly improved, one property at a time.
I do not have street frontage (e.g. battleaxe block) so do not need a fence	When a Hilton block is subdivided, often or not the rear subdivision fence line of the existing house doesn't give you much room for garden space. The existing house often sits on the rear 2/3 of the block so ideally one would expect to be able to build a front fence with adequate screening so the owner can use the front yard.
I do not have street frontage (e.g. battleaxe block) so do not need a fence	If my house was at the front of the block I would consider a picket fence up to 1.5 metre height(proposed policy)

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I do not have street frontage (e.g. battleaxe block) so do not need a fence	If I had a house with a fence, I would want to have the option to install a fence over 1.5m height. This is primarily for security but also privacy (particularly with young children).
I do not have street frontage (e.g. battleaxe block) so do not need a fence	My needs are more 'concerns' in keeping the neighbourhood visually appealing as well as the safety precautions for all individual owners of street facing properties
I do not have street frontage (e.g. battleaxe block) so do not need a fence	Security is an issue in Hilton and good height fencing is a deterrent. However I agree that this can detract from the aesthetic of an area. Rather than worry about fencing so much, put more resources towards balancing the numbers of social housing to private a bit better. Hilton definitely has it's fair share of social housing which I feel needs to be reduced.

Policy preference - Please tell us more about what might suit your needs and why	
Open engagement	
The current policy suits my needs / suits the character of my street	In keeping the historic character. I can see people applying the maximum height and minimum visibility with the proposed changes.
The current policy suits my needs / suits the character of my street	Connection to the street is a key part of what makes Hilton Hilton. If people need more screening, then they can still use vegetation.
The current policy suits my needs / suits the character of my street	I feel safe and secure as is and prefer to keep the character of Hilton intact.
The current policy suits my needs / suits the character of my street	If someone wants to scale or look over a fence, they will do it whether it 30cms higher or not. If people want security, buy a security system as its cheaper than building a fence.
The current policy suits my needs / suits the character of my street	It keeps the character and the difference of 30cm is not providing a significant change for security as most use the gates or jump the low fences anyway. Thus, not need for a change of policy but need to make sure the policy is followed.

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<p>The current policy suits my needs / suits the character of my street</p>	<p>A 1.2m fence is a happy compromise to temporarily and safely contain small children or a dog, yet retain the vital openness, connectivity and permeability that is so essentially "Hilton garden suburb".</p>
<p>The current policy suits my needs / suits the character of my street</p>	<p>Many people in our area have minimal fencing and it really makes a big difference to the character and sense of community.</p>
<p>The current policy suits my needs / suits the character of my street</p>	<p>I think the current height restrictions are perfect as they facilitate the friendly and community oriented suburb that Hilton is. You meet families when their kids are playing in the front yard, you get to see all sorts of nice gardens and you have a greater opportunity to get to know neighbours. I think height restrictions should certainly remain but would be fine with the permeability rule changing from 50% to 30% (in part because a lot of fences are already less than 50% permeable). I think this would give that little bit extra privacy while maintaining the ability to talk to people over their fences.</p>
<p>The current policy suits my needs / suits the character of my street</p>	<p>The current policy reflects the character of the suburb. I am open to supporting variations where they are applied for and considered but a blanket alteration to this policy i do not support.</p>
<p>The current policy suits my needs / suits the character of my street</p>	<p>It is high enough so that the smallest of children and animals don't run on the streets, while it is still low enough to create a community feeling and a feeling of space</p>
<p>The current policy suits my needs / suits the character of my street</p>	<p>The height of 1.2 is high enough (our current fence is less) as a barrier to limit unwanted access (i dont see a 1.5m being any more effective) to act a psychological barrier to prevent unwanted access and for us to "mark our property". I really like the open garden feel and the low height allows this, even with part of the fence fully covered in vines.</p>
<p>The proposed policy suits my needs better than the current policy</p>	<p>Does it really matter as there are a number of properties in Hilton that already have front fencing over 1.5 metres. I think its unfair to the people, like ourselves, who have adhered to the current policy of 1.2 metres in height to change the height. Four years ago we wished to build our front front fence to 1.5 metres for security reasons and we couldn't, so why change it now?</p>

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The proposed policy suits my needs better than the current policy	The proposed policy would allow the fence that we desire - 1.5m with some permeability - achieving our need to keep our dog and future children safe from the road.
The proposed policy suits my needs better than the current policy	Relative to the existing policy, the proposed policy allows residents improved security while maintaining neighbourhood character.
The proposed policy suits my needs better than the current policy	1.5m but visually permeable sounds good, I don't like solid wall fences but the extra height as a mesh fence would work for us
The proposed policy suits my needs better than the current policy	The higher fence with automatic fence gate for the drive way to deter unwanted guests and provide more security would suit us better. Especially now with infill of the development of the old full size block. I personally wish the whole development would be looked at again especially if you want to retain your existing full block you should be able to redevelop the house and build an eco friendly new home that still looks like the existing houses especially with the Hampton style homes you can build now. This would be so good for the area to entice new families to the area and help boost the area business, schools etc because Hilton is in a fantastic location to do this and move forward.
The proposed policy suits my needs better than the current policy	I'll t provides greater flexibility
The proposed policy suits my needs better than the current policy	Extra flexibility within a sensible framework.
The proposed policy suits my needs better than the current policy	Higher fence heights allow for less digging down into my front yard and increased security for my house and pets in general.
The proposed policy suits my needs better than the current policy	I believe this is starting to find the right balance between security and heritage.
The proposed policy suits my needs better than the current policy	Because a higher fence will make the staggered fence we need for our sloping section more aesthetically looking and balanced with the elevation of our house

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Random sample	
The proposed policy suits my needs better than the current policy	I have no objection to tasteful front fences providing viably private front gardens.
The proposed policy suits my needs better than the current policy	A slightly higher fence would prevent my dog to jump the fence
The proposed policy suits my needs better than the current policy	I do not wish to make any changes to my fence
The proposed policy suits my needs better than the current policy	I think 1.2m maximum height is too low for security and for people with dogs.
The proposed policy suits my needs better than the current policy	I believe the the policy should be changed to allow for a fence heigh of 1.5m (and above). Only allowing for 1.2m is not enough.
The proposed policy suits my needs better than the current policy	Its an improvement of the old policy.
The proposed policy suits my needs better than the current policy	I have a dog and the extra height would be better, if he was out in the front garden with me.
The proposed policy suits my needs better than the current policy	As per previous statement I think higher fencing is safer solution
The proposed policy suits my needs better than the current policy	Open fence line is too insecure and open to easy access to house property.
The proposed policy suits my needs better than the current policy	I believe the 1.5m fences will provide more precautionary safety
The proposed policy suits my needs better than the current policy	Safety and privacy
The proposed policy suits my needs better than the current	To accommodate a drive for a second car

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policy	
The proposed policy suits my needs better than the current policy	1.2 is too restrictive and not secure enough in such a high burglary(?) area
The proposed policy suits my needs better than the current policy	*Although I do not want a fence!
The proposed policy suits my needs better than the current policy	My property is quite open and all of my neighbours directly across the road can see right into my living room. A small increase in height, although with the proposed permeability options would be ideal.
The current policy suits my needs / suits the character of my street	I don't believe fences 300mm higher would do significantly improve security. They would only damage the character of the neighbourhood, both aesthetically and socially.
The current policy suits my needs / suits the character of my street	If we allow a fortress mentality to continue with our homes, the community will lose a lot of it's societal values (friendliness, aesthetics and acceptable crime rates) without improving anything that a higher fence is perceived to fix.
The current policy suits my needs / suits the character of my street	My front yard is not my only outdoor space.
The current policy suits my needs / suits the character of my street	It has worked well until now, maybe flexibility to go a little higher would be good.
The current policy suits my needs / suits the character of my street	Because a policy is already in place that keeps the heritage look & feel. Please don't change it.
The current policy suits my needs / suits the character of my street	1.2 is more congruent with the street character.
The current policy suits my needs / suits the character of my street	Like the cottage style look in Hilton
The current policy suits my needs / suits the character of my street	I have a preference for low fences. However, I think the new policy and 30% permeability is easier to achieve (and more keeping with the reality of current fences in Hilton). I'm personally hesitant about raising fence heights and appreciate that fences higher than 1.2m will need 50% permeability.
The current policy suits my needs / suits the character of my street	I think the current policy is good for me but are not against the proposed changes.

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The current policy suits my needs / suits the character of my street	I understand people who have subdivided their property and have no backyard, need an enclosed space for their children to play in the front yard. However, these fences detract from the garden suburb feel and discourage community.
The current policy suits my needs / suits the character of my street	I prefer low fences or no fences for visibility. Fences detract from a sense of openness in the community.
The current policy suits my needs / suits the character of my street	I like the way my house looks from the street.
Neither the current or proposed policies suit my needs / my street	There are more important things to put energy into. Ban lawns/grow verge gardens/restore biodiversity.
Neither the current or proposed policies suit my needs / my street	In my view the solid wall (unless required due to slope) impinges on the generally open quality of the garden suburb character.
Neither the current or proposed policies suit my needs / my street	I have a fence that fronts the footpath to block out my side/back yard from people walking passed on the footpath
Neither the current or proposed policies suit my needs / my street	Noise reduction is not possible without a solid construction nor is it possible to maintain any security from intruders, passers by and rubbish our home is a forty plus year old ugly building and not of any heritage or view value
Neither the current or proposed policies suit my needs / my street	I believe that a blanket policy is problematic. It is more complex than a one size fits all approach, where the street fencing is dependent on individual needs and situations. I also believe that it is highly problematic institutionalising a fencing policy under the guise of adhering to the traditions of a 'garden suburb', when current land divisions and developments are approved that appear to turn a blind eye to the 'garden suburb' ideals and remove nearly all garden space. I feel that there are numerous examples of unique and interesting fencing in the suburb of Hilton that fit within the character of Hilton and continue to redefine the character of Hilton. Traditional notions of what a garden suburb is changing notions and understandings what a garden suburb can and should be need to be better defined and encouraged. Our current open fencing was designed to be open to our neighbours and to allow our garden to be visible. However, our higher fence is designed to enable us to extend our living into the garden. It has been done so moderately to allow some privacy for a small aspect of our enormous street frontage. We are strong advocates for an policy that encourages open fences, however, also believe that common sense should

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	also prevail to allow a small section of privacy screening to honour some privacy for residents. There are plenty of corner houses around the suburb that have a 1.8m solid perimeter fence down one side of their house, but these are permissible. Thank you for the opportunity to comment. I am happy to discuss this further.
Neither the current or proposed policies suit my needs / my street	1.5m fence should be able to have 300mm solid wall.
Neither the current or proposed policies suit my needs / my street	Solid base and pillars of limestone with 1.5 or 1.7m panel infill at 30% permeability needed to keep pets in.
Neither the current or proposed policies suit my needs / my street	Far too restrictive (or prescriptive)
Neither the current or proposed policies suit my needs / my street	Have large dogs, trade tools in vehicle, caravan, same premises attract regular police visits in street, in the pass have had intruders with police pursuit through yard, premiums been charged on Ins. for being in Hilton, 20 years ago no one informed me of heritage or green suburb issues for Lee Ave. Personally believe heritage homes in Lee Ave are minimal.
Neither the current or proposed policies suit my needs / my street	The current policy and the proposals only represent some streetscapes, but not all.
Neither the current or proposed policies suit my needs / my street	Some front yards require retaining walls. Therefore a fence on top would be higher than the limits (overall height)
Neither the current or proposed policies suit my needs / my street	1.8m would be better as Carrington is very busy and would help with noise. Also being next door to state housing 1.8m would help with security.

Do you think the proposal strikes the right balance between increasing security and protecting the heritage character of Hilton? Please tell us more:

Open

I dont believe that a ratepayer should have an application for a fence based on what their neighbours have. It is unfair and counterproductive. A policy like this would encourage people to build higher fences before their neighbours do. After several build a wall, the policy would presumably stop others from doing the same. It makes it an arbitrary decision based on first-in first served. I dont agree with this.

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<p>Don't think there's any need for change, but I think 1.5m should be the maximum. Would strongly oppose 1.8m. Also don't believe crime/security will be improved by higher fencing.</p>
<p>If it ain' broke.... :)</p>
<p>I don't believe that the proposal will contribute to increasing security in a substantial manor but do believe it will affect the character of Hilton. Security is gained by being connected and knowing your neighbours which more/higher/denser fences will prevent.</p>
<p>It is a step in the right direction, but I believe 1.8m with 50% permeability would be a better balance</p>
<p>No. You should be able to build a 1.5 metre or 1.8m fence</p>
<p>As I said above, if you give residents BOTH proposed options I think they both meet the needs of Hilton for security and maintaining heritage character.</p>
<p>While 1.5m is an improvement, I wish the policies would allow for matching street scape. I live on a street with only 6 houses so having 3 or more with the same height is pretty hard to achieve. Especially when there are so many fences I'm Hilton built recently that are above the current 1.2m.</p>
<p>I believe it's a step in the right direction, but I feel Hilton is a "garden suburb" in name only. There isn't much to reflect the name in actuality.</p>
<p>No, it is favouring security over aesthetics and there is no point having a policy in that case. Hilton will become like all the other suburbs, there will nothing especially appealing about it.</p>
<p>Nope as fences of 1.5 are not really a barrier if someone wants to break in.</p>
<p>It would increase security but block the view of the house so how can you view character if its hidden behind a wall, its not a balance.....its one or the other.</p>
<p>I like the Heritage of Hilton and hope its classification as such can be further utilised beyond the needs for fencing and security. I think with a little bit of tweaking the propovals reflect a good balance of heritage and character - and the fact of living in a suburb that has changed massively from 1950 - many more people and cars - less yard available - land given up to subdivision to accommodate increase population - the payoff is in terms of what is required on 21st century living</p>

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<p>Traffic noise in this suburb is increased with infill and is a very real matter - big vehicles and shift workers leaving 4am etc - so basically more high fencing does allow for design of (front yard) gardens that create shade/shelter/habitat - privacy AND that soak up some of the considerable vehicle noise that is created on a daily basis during sleeping hours between midnight to 5am</p>
<p>Firstly, I don't think you should conflate higher fences with more security. They aren't the same thing and less fencing can actually provide more surveillance and less crime. Secondly, I support people having a little more flexibility but the rules staying generally the same. This guideline is crucial to the character of Hilton.</p>
<p>Yes.</p>
<p>The proposal could go further in support of security without sacrificing neighbourhood quality and character. High quality fences higher than 1.5m (perhaps up to 2m), permeable around 30-40%, would sufficiently maintain the open feel and character of the suburb.</p>
<p>Not on the major roads in the suburb, such as South Street, Carrington Street and Winterfold Road, which are all public thoroughfares, busy bus routes and shopping areas and are impacted by constant pedestrian and vehicle traffic and traffic related noise.</p>
<p>Yes Being able to see through the fence is more important than the height. As long as it's see through 1.5m will be fine</p>
<p>Yes of course and the heritage character needs to be seriously looked at now as there are soo many mismatched homes in Hilton now. We have lived in the area for 19 years now and seen lots of changes but Hilton could be soo much better with the removal of he Heritage garden suburb</p>
<p>I understand the reason for not having solid high fences, but consideration at Council level needs to be given that due to high density, battle axe blocks and infill, our main family grassed yard is out the front of the property. For safety and security, and some level of privacy , I believe a balance can be had of some permeability and height that is outside of current policy</p>
<p>I don't think the proposal strikes the right balance.</p> <p>I am a long term Hilton resident (20 years), and I run my own landscaping business, with >50% of my work in Hilton [REDACTED]. Building fences, including front fences, is a significant proportion of my work. My house is a previous winner of the Fremantle Heritage Award (2010).</p> <p>I think raising the allowable fence height to 1.5m achieves little in terms of security, but has a major impact in terms of aesthetics and connectivity to the street. Construction of 1.5m fences will increase the "walled garden" trend and increase isolation from the streetscape. My experience with fence building in Hilton suggests that the 50% permeability requirement for 1.5m fences would be almost universally ignored, and 1.5m pickets with 30% (or less) permeability will be installed as standard.</p>

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<p>The average eye level of all females >16 years is ~151cm. Therefore a 150cm fence excludes a significant proportion of the population from viewing a front yard, which is one of the defining aspects of a visually permeable garden suburb. A 1.5m fence will also severely limit passive viewing of front yards from a passing car. (and can you do more realistic figures next time please, the current perspective figures appear to be hopelessly inaccurate, and don't convey the true impact of a 1.5m fence in any realistic way)</p> <p>There is a disturbing trend in Hilton of people allowing their dogs to patrol their front yards day and night. This leads to hyper-vigilance, anxiety and stress in the dogs, typically resulting in increased barking, aggression and neighbourly tensions (just ask me about it!). Increasing front fence heights will only increase this issue.</p> <p>I am firmly against a 1.5m fence, but if there must be a change, then I think there should be a much better trade-off for the suburb. My preference would be that a 1.5m fence is only permissible with a 100% permeability (wire mesh) thereby encouraging people to grow climbers, creepers and other greenery to enhance the garden suburb, rather than detract from it.</p> <p>Please save our suburb from the misguided attempts to secure an imagined "safety" from a noisy few.</p> <p>Thanks</p>
<p>Security is the number one around Hilton</p>
<p>Its better than the current requirements but not flexible enough.</p>
<p>I don't believe security will be increased with higher fences, it can have the opposite effect. It reduces eyes on the street, especially if the non permeable area increases. This can really negatively impact the community vibe in Hilton.</p>
<p>I feel like if we focussed more on social welfare, healthcare, education and a more equitable economy we wouldn't have this problem in the first place. It is extremely shortsighted to built a taller fence or wall to reduce crime rates, instead of promoting community.</p>
<p>I think it does, but I also think that it will encompass many of the existing fences in the suburb</p>
<p>Having higher fences doesn't increase security in most cases, as they shield intruders from being seen from the outside. Certainly such a modest increase would not make a difference. I think the relatively low security concerns pale in comparison to the concerned over losing the community spirit which is fostered by the lower fences. The heritage character of Hilton is also a charming reason to live hear, but not as important as the open sense of community.</p>

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<p>No. The proposal will not increase security. Thieve and trespassers will take what they want to take regardless. Crime statistics will not change.</p>
<p>Yes, it's a smart policy.</p>
<p>No, it should stay as it is as the proposal won't increase security and will wreck the character of Hilton (I shouldn't need to point this out, but research show that higher fences actually lower security)</p>
<p>In some respects, but these should be guidelines not rules, preference but not mandatory. Encouraging natural fencing options - shrubs and trees which also benefit the bird life in the area and increase funding for verge improvements.</p>
<p>Yes, but I wish it were higher in line with other suburbs around Perth. It can still have style and visibility without being a shorter height.</p>
<p>I see no change to alter current policy. also how is current and proposed policy enforced? thanks</p>
<p>The definition of permeability doesn't suit my needs because it doesn't include the standard white picket fence. This spacing is standard for a reason, its traditional and it looks the neatest. Bigger gaps required by your policy can look very messy and can give easier access to those wishing to enter your property illegally.</p>
<p>No. I think the 1.5m option is too high. It is enough to be too much of a visual barrier for kids and a limited barrier for adults that it takes away the openness between the street and house. I think having a more open street front (especially one that encourages front yard living through gardens, veggies patched and play areas) where neighbours can chat is great. Or just when your walking past I find the more there is a barrier it creates an us and them mentality, a modern suburbia where people want to be locked away. we shouldnt encourage this. I dont think the 50% permeability helps enough, full wire fences maybe. I dont think the extra 0.3m gives much more security for pets or kids, not enough to warrant changing the rules. The bottom 0.3m being solid I am fine with. I understand with subdivisions some people want to enclose the larger front yard but even if this was a new area, not one with an existing character, I think we should encourage garden living and the simple, small house look. Also can I have a job organising turning all the street verges into gardens full of local plants? Please</p>

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<p>I do think that allowing for higher fences and maintaining permeability is necessary, especially for those in front block who have kids or animals that need to be contained. I just don't understand the rational of eliminating the non permeable 300 mm section on the higher fence as this limits the design and structural soundness of structures when building on a sloping section</p>
<p>Random sample</p>
<p>Yes however I think it can go further on height and still maintain character.</p>
<p>Not unless you are imposing fines on the people who built fences that don't comply. Don't make it the problem of current owners. Can you please address this issue in your information for residents. In this case the previous owner is a builder/developer in Hilton.</p>
<p>Yes</p>
<p>Yes I do. Both factors are very important. Additionally, for dog owners a slightly higher fence provides a more secure area for the animals, and protects passers-by from dogs jumping up against the fences.</p>
<p>No, I think Incrising of 300 mm won't change the heritage character of Hilton. No more than 300 as per proposal please.</p>
<p>Unsure - I don't understand how these changes improve security.</p>
<p>No. Having some people install higher fences would damage the pleasing uniformity of the current design.</p>
<p>Yes, although current requirements are flexible enough</p>
<p>The heritage area is being destroyed by dividing up blocks, higher fences are a consequence of people wanting a private outdoor space.</p>
<p>Yes I do.</p>
<p>No, it falls in favour of security not protecting the character. It's not balanced.</p>
<p>I believe that the higher fence relates more to the home owner's privacy than to the house security.</p>
<p>Security first, all else second.</p>

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Yes I think increasing fence height is appropriate for security and visually is acceptable.
Yes - gives more security but also retains character
It seems reasonable
Not sure that the addition 300mm height can be demonstrated to substantially improve security relative to a 1200mm fence.
Yes, I do.
I believe it is fair to keep certain restrictions to the type of fence (being semi-permeable) is fair to keep the street look the same in Hilton. However, I do believe families need to be allowed to have a choice for a higher fence if they need it.
Since allowing subdivision in the area the heritage has gone. I live here and would never have considered council thought it was heritage.
yes
No, because the two policy options conflict. I don't think limitlessly high solid walls should be allowed, although I'm ok with increasing from 1.2 to 1.5max, and I think less visual permeability should be allowed hence a proposal including both of these aspects would be my preferred one...otherwise I would prefer what we have. (NB Very confusing to offer two different options for each aspect and then ask about just one policy proposal!)
I think by restricting the type of fence keeps the heritage character, but by still having the visible gap does not increase security, but a 1.5m solid brick wall would.
Yes
As one of the only few examples of Garden City Planning within the Perth Metro area, and one of the most intact. I'm more concerned about Hilton's verge tree scape. I am appalled by Western Power's annual butchering of the verge trees (jacaranda & flame) which renders them deformed. I believe the City of Fremantle should fully fund underground power in the Hilton Heritage Area. Thereafter, I would like professional arborists to reshape/repair these trees to improve the streetscape for locals and visitors alike. I'd like to see more visual evidence of my council rates spent on improving Hilton, as opposed to seemingly improving the main Fremantle city area.
if the dwelling is of significant heritage value for visibility then a compromise should be reached to answer all requirements however if the dwelling is of no heritage significance then an appropriate structure to give security and to hide the building should be agreed upon I see no balance in the developments that have been allowed in the immediate area lately

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No, look on to different suburs.They are getting nice, cleaner and still have their character. Hilton is suppose to be a Garden Suburb - but looks very neglected, the path are full of branches, nuts, unvanted domestic items. What kind of Heritage Area? The fall apart houses?
Yes
For some residents - houses on busy streets should be able to building noise blocking fences eg limestone
Its better than current policy but could be better still!
I am sure Council is trying to strike the right balance however a 1.5m fence makes it just as easy to jump the fence - due to the criminals who will try anything or jump fences. A 1.5m fence will not stop it. As for the heritage yes it would keep Hilton the garden suburb.
I am not sure how to answer this question. Like I said overleaf my opinion is dwellings look better without fences.
Yes it does protect the character of Hilton for being heritage area.
No. Need taller and less permeability for both security and keeping pets in. Under eye height but at least shoulder height.
Yes. We do value the 'garden suburb' principles and nature of Hilton, and enjoy the permeability factor and low height of existing fences in the neighbourhood. That said, we recognize that some people may feel they need a slightly higher fence or impermeable wall either for security or privacy reasons and support the choice the proposed change provides.
Yes
No. Some people value security (e.g a fence that is more than 1.5m in height) over the heritage character of the area. Residents should have the option to increase their fence height and permeability if desired.
No. There is far too much illegal activity in the area (drugs/theft/violence/malicious damage & juvenile abandonment [parenting]) that leaves open access to properties!!
Yes I do - see above comments
Yes
Yes. The visual permeability is a good balance, as the characteristics of each house won't be blocked out completely.

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No. A garden suburb requires visibility and openness. I think the current policy is sufficient and if people need privacy they should plant to keep in line with the garden feel of suburb. I am very opposed to the changes.
Yes, it seems to cover the best of both
Yes - see over (4)
I think the heritage character of Hilton is well maintained by the private home owners for the most. State housing, rental properties and multicomplex units??? SECURITY. Street lights and the occasional "Eyes of the Street" and Ranger and the latter two are only seen if they are on a call out and parked in the street. POLICE STATION GONE. Joe Citizen is the only security for himself and the community. Neighbourhood watch, house alarms, security screens, dead locks, security lights, tamper proof meter reader. Immobiliser. Dogs etc and adequate fencing help the home owner and rate payer feel SAFE
Security and privacy are equal. Visual permeability is irrelevant. The options must include solid walls as well. After all, they currently feature prominently around Hilton.
More or less, but we would be fine/agree to even higher fences than 1.5m
Yes
Yes, I like personally like the look!
Yes I do
The high fences that have been allowed make me feel less secure walking in the streets as people could hide behind them.
Yes
Yes I do, I believe increasing the height whilst keeping visibility keeps within a garden suburb, I agree with your proposed recommendations for change.
No there is too much fencing now. People should get to know their neighbours and stop locking themselves away. An open low picket fence should be the only option allowed.
Yes.
Yes, we think it does. Security is an extremely important consideration and therefore the fencing policy should be amended accordingly. Higher more permeable fences does provide this balance. The council also need to recognise that many fences in Hilton have been constructed without approval and do not comply with the current policy.
No
No

**SPT1908-4 DRAFT CITY OF FREMANTLE BIKE PLAN 2019 - 2024 -
OUTCOMES OF ADVERTISING AND FINAL APPROVAL**

**ATTACHMENT 1 – Bike Plan 2019-2024 Community Survey (Part 2
Engagement) Report**



Community Survey Report

July 2019

Alternate formats available on request.

Draft Bike Plan 2019-24

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Introduction

In 2018 community engagement was carried out to inform the review of the City's Bike Plan. We asked the community to share their experiences riding in and around Fremantle. We also wanted to hear from people not riding regularly, to understand why. The outcomes of this engagement were detailed in the initial engagement report (December 2018) and the input was incorporated into the draft Bike Plan 2019-24 in several ways:

1. Nine 'projects in the pipeline' which are under consideration, subject to budget and approvals, and include route and cycling infrastructure improvements.
2. Staged planning and design process proposed for new and improving existing bike routes, incorporating the Department of Transport's 'route hierarchy' of: Primary (off road paths/ routes); Secondary (protected on road lanes); and Local (low speed, low vehicle volume streets). Each route has an explanation for its timing. Working with the Department of Transport with these hierarchies will help with future grant funding.
3. Similar to the previous Bike Plan, the draft also includes programs and promotion activities to encourage riding, such as partnership with the Department of Transport's Your Move Program and community events.

Draft Bike Plan 2019-24

Community Engagement

Consultation was carried out on My Say Freo from 7 June to 1 July 2019. A community presentation was made at the One Planet Living Presentation on 13 June and the consultation was promoted on social media, in the local newspaper, via a media release, a poster and in the City's newsbytes e-newsletter and My Say Freo e-newsletters.

Findings

Over the phase two engagement period the My Say Freo page was visited by 439 people and 26 made submissions. Around 40 community members attended the One Planet Living Presentation to hear about the draft plan and ask questions. Most respondents were regular riders (85%) and nearly half participated in the phase one engagement (42%).

Key findings were:

- Over half had a high level of support or specifically made positive comments about the proposed hierarchy.
- Suggestions were made around specific locations such as Hampton Rd, Knutsford, Stevens St, Tydeman Rd. Another key comment was on connectivity out of Fremantle.
- An overall level of support for the programs and promotion.
- Other general positive comments on the community engagement and support for the Council reviewing and providing new bicycle infrastructure.

Proposed Hierarchy

What are your thoughts on the proposed primary, secondary and local route hierarchy in the cycling network (pages 4 to 7 in the draft plan)?

Regular riders

General positive comments (12) - Suits most of my needs, all fine, excellent, like the logic.

Location specific comments:

- Hampton Rd (3) - Should have a protected bike path due to the amount of heavy traffic that is dangerous and speed limit 60 (e.g. Dutch model with bike lane on protected side of parking bays, creating barrier between traffic). Would use Hampton Rd protected bike lanes daily to get to Leisure Centre, Arts Centre, north of Freo and over bridge, Hampton town centre and South Freo shopping centre (currently never ride along Hampton). Hampton Rd crossings continue to pose an impediment for connections to the city and needs either more space at intersections or a signal crossing near prison.

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- Knutsford (2) – could not imagine using this much going east as it is too steep from Parry St to Monument Hill. Looks good on paper but steep hills and a difficult crossing at High St / Ord St make it less attractive.
- Stevens St (2) bike path is an important route, particularly with the safety issues with the hill (car drivers seeing riders), it links several key locations, would use Stevens St to get to Freo and Fishing Boat Harbour or to Wood and then across to river crossing.
- Tydeman Rd (2). Entry route over Tydeman Rd should take priority over all, it's the biggest hazard. Safer connection required along Tydeman between Pearce and Queen Victoria Streets, safer connection required across Tydeman.
- Proposed connectivity through North Fremantle positive for local riders and people outside Fremantle to improve safety and ease.
- Possible upgrade of Carrington St to primary route.
- Key crossing for us will be Samson to Hilton across Stock Road.
- Like the idea of underpass at Montreal Street.
- Stirling Highway north / south path is too narrow for two-way and pedestrian traffic. Insufficient buffer between path and roadway.
- The upgrade to the Parry / Queen Victoria St intersection is a good opportunity for a fully protected intersection.
- While DoT may consider South St a primary route it is not attractive. A dedicated bike lane in each direction on one of the wide streets in White Gum Valley would be more preferable.
- Possibly add Market St and South Tce to Market St as secondary or local route.
- Look beyond the road network to incorporate laneways and routes across council land such as car parks and parks –e.g. a bike path through Fremantle Park around sports fields connecting to Leisure Centre and Arts Centre.

General comments:

- Connectivity beyond Fremantle (2) - My focus is on cycle routes leaving city area, connecting to Cottesloe / railway path Greater consideration needed to primary east-west routes.
- Keep the focus on safety of the Mum, Dad and kids who are riding into Freo to explore what Freo has to offer.
- Eliminating the 'sudden end' of marked bike lanes will benefit all.
- The critical aspect will be how the infrastructure is done. The secondary routes will be highly important. If done well they may carry as much traffic as the 'primary' routes.
- I am not convinced shared streets are working in the city centre.
- I would favour single direction paths on both sides of the street in the majority of cases.

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- Greater consideration needed to topography and choke points at intersections.

Non-regular riders

General positive comments (2). The proposed changes will help me ride more frequently to and from Fremantle.

- I would use Lefroy Rd and South Tce routes but they need to be properly separated from the road with curbing or raised pavement.
- Cycling in Fremantle city centre not much of a problem but Fremantle not well enough connected to cycling networks around Perth – highest priorities should be PSP links to train line and to the freeway preferably along South St so it can include Murdoch.
- Main things holding us back from cycling to school is poor cycle path across Queen Victoria bridge and lack of places to secure bikes (Henry St).
- I would not feel safe riding on anything other than primary route.
- Corner of Hampton Rd has not been included as an activity centre but is one.
- I'd like to ride more from South Beach into Freo, East Freo, North Freo if safety improved.

Programs and Promotion

What are your thoughts on the programs and promotion (pg 18 of the Plan)?

21 people responded with:

- Overall support for the programs and promotion (13).
- Don't attend this type of event or already cycle so they have no need (6), but most still supported the idea for others.
- Do not support programs and promotion as they would rather a focus on infrastructure or don't think these ideas alleviate the issues (2).

Other suggestions included working with Department of Transport to improve driver education, providing a brochure of the cycling network, educating motorists and pedestrians on locations of specific bike paths, providing secure bike parking in the city centre and ensuring that PSP and cycle lanes are not closed during events.

Other Comments

These were positive comments on the plan and process, inclusions for the document, queries about the proposed bridge replacement, more bike parking required and issues with traffic calming.

- **Positive comments on the plan and process** (6) - Strong consultation and solid outcomes, everyone involved should feel really proud of what they've achieved, good piece of planning, seems like a very worthwhile initiative, good

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goal and useful strategies, I really support the Council in reviewing and providing new bicycle infrastructure.

- **Suggestions for the document** (3) - Avoid using acronyms that are not defined within the document – e.g. BAZ. I think it would be good if the Bike Cordon Counts were included in the Bike Plan or referenced and linked to. They are really insightful and demonstrate the significant effect that providing better infrastructure can have. Hampton Town Centre between Wray Ave and South St is not marked as an Activity Centre. It should be. This area is changing rapidly over recent years there are ~35 to 40 businesses in this area.
- **Bridge over river** (2) - PSP is so narrow and tight. Would like to see that included in being made wider if bridge is ever widened. The plan needs to integrate the future traffic / train bridge replacement of Queen Victoria St.
- **More bike parking required** (2) - We need more bike parking areas in Fremantle. We need more bike park facilities (U bar things to lock your bike to) at South beach, Moore and Moore cafe and many other cafes and areas on the strip including the west end. Probably everywhere!
- **Issues with traffic calming devices** (2) - The recently trialed yellow strips fail because they are not aggressive enough. Those in large 4WDs are not impacted by these strips and these drivers are usually the ones who do not respect cyclists. Please remove 'speed' humps they are a hazard to cyclists for several reasons.

Other queries or comments included issues around Hampton Road, integration with the Cottesloe / Mosman Park cycle path, South Beach carpark, collaborative work with Cockburn, loosening helmet laws, swapping Wray Ave with Stevens St in priorities and that the Stock Rd crossing between Hilton and Samson will be excellent. The comments are detailed under the 'detailed submissions' section.

Next Steps

Based on the engagement in phase two some updates and improvements will be made to the Bike Plan. These include:

- **Document changes** - Inclusion of cordon count intersection information (areas of riding increase and where it has decreased). Slight wording improvements for clarity, mapping improvements, clarification on route descriptions.
- **Route updates** - New local route in North Fremantle reflecting the logical, most convenient existing route to the town centre and Fremantle Traffic Bridge connection. Marine Terrace and Douro Road as secondary routes, complementing the coastal off road path routes and connection to Hampton Road and South Fremantle shopping centre. Extension of the Wray Avenue activity area across Hampton Road to identify the mixed use/commercial land uses between Hampton Road and South Street.

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- **Other updates** - Including Carrington Street protected route feasibility study within the 5 year time frame. Recognition of emerging riding trends such as e-bikes and the need to design/provide infrastructure accordingly (e.g. bike parking and refuge island widths).

The updated Bike Plan 2019-24 will go to Council in August for final adoption.

Detailed Submissions

What are your thoughts on the proposed primary, secondary and local route hierarchy in the cycling network (pages 4 to 7 in the draft plan)?

Regular riders
It's important to me that the Stevens St bike path be built. The hills mean that car drivers sometimes don't notice cyclists in good time. This is also an important route in terms of connectivity to Sullivan Hall, Booyeembara Park, Fremantle Hospital and the city centre.
i like it, very good. Riding from Booragoon to Fremantle is my favourite ride, i especially like the green bike lanes on high street, but when you cross over the traffic lights into high street the lane is gone, the road side is blocked with parked cars. have to ride on pavement that is narrow and needs fixing, road too small for traffic heading into fremantle.
They suit most of my needs and most of the needs of my friends who ride. I'd probably add Market street and South terrace to Market Street (the cappuccino strip, basically) as a secondary or local route. I especially like the move towards greater connectivity through to North Fremantle. For local riders as well as people outside of Fremantle, I think this will improve the safety and ease of getting through that area considerably.
The routes I regularly use are more than adequate altho an underpass at Carrington/Leach Highway would be cycling heaven
Does not impact on me as I rarely ride into the city. My focus is joining cycle routes leaving the city area.
It looks well put together. For me, the key is connecting Fremantle with the new Cottesloe/railway line path. If you do that, you open up more commuting/ leisure rides that are safe. The Tydeman road part is an obstacle currently.

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<p>No The North Fremantle route into Fremantle is shown as running along Rule St via the river over the new bridge. This is a hilly route, narrow and with poor visibility. The reality of local use is via Thompson rd, crossing Stirling Hwy, into Queen Victoria st and over the old bridge. This route is flat and quicker. Thompson rd currently has markings showing a bike route. These are ineffective because they are usually not visible due to parking. A better solution needed to be found before there are any more serious accidents. It is disappointing the bike plan has adopted the alternate route without real understanding of the geography of the area, rather adopting the views of sectional interests.</p>
<p>Hierarchy seems reasonable, with possible upgrade of Carrington St to a Primary Route. The proposed network will service my typical cycling needs.</p>
<p>Yes eliminating the "sudden end" of marked bike lanes will benefit all. However I believe that the entry route over Tydeman Road should take priority over all other routes. Tydeman Road is still the biggest hazard to cycling in the City of Fremantle.</p>
<p>All fine - Yes</p>
<p>all good, I think it is important for Hampton road to have some kind of protected bike path. The amount of traffic and heavy traffic on that road is dangerous and the speed limit is 60 increasing the danger. It would be nice to have something along with the Dutch model where the bike lane is on the protected side of the parking bays, thus having a large barrier between traffic and bikes.</p>
<p>This network is not substantially different from that which I already use. Greater consideration needs to be given to both topography and choke points at intersections. The proposed new route from Knutsford to city is an example of a route that looks good on paper, but in practice the combination of steep hills and a difficult crossing at High Street/Ord Street will make it less attractive. Greater consideration needs to be given to increasing the primary routes East-West. While DOT may consider South Street a primary route it is not an attractive option. A dedicated bike lane in each direction on one of the wide streets through White Gum Valley would be far more preferable. Hampton road crossings continue to pose a major impediment for connections into the city and consideration either needs to be given to improving space for cyclists at existing intersections or installing a signal crossing near to the prison. This plan does not adequately address provisions for cyclists in the city centre. Having cycled much through the centre I am not convinced that the policy of 'shared streets' is working. In practice pedestrians and cyclists have to concede to buses and cars. I am frequently honked at as a cyclist. There is scope for some car free streets in the centre, as previously trialed. The City also needs to look beyond the road network to incorporate laneways and routes that take cycle paths across council land such as car parks and parks. A bike path through Fremantle Park (around the sports fields) connecting the Leisure Centre and Arts Centre with the City Centre would make a significant difference to linking key amenities and activity centres.</p>
<p>A Safer connection is required between Pearce St & Queen Victoria St (along Tydeman Rd) A Safer connection is required across Tydeman Rd</p>

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<p>I think this is a step in the right direction. I am a regular "to work" bike commuter, not cyclist eg lycra, and think that the more separate we keep cars and bikes on the busy roads the better. I think the emphasis needs to be kept on the safety of the Mum, Dad, and kids who are riding into Freo to explore what Freo has to offer.</p>
<p>Proposals are very good, will help to connect origins & destinations for cyclists Will there be programs to inform & educate both motorists & pedestrians on the locations of the specific bike paths the bike path network so that they can become aware that cyclists will be using them and that there will be an ongoing requirement to look out for cyclists and to share the shared paths ?</p>
<p>Map area D - Stirling highway nth/sth. Path on Stirling bridge is too narrow for 2 way and pedestrian traffic. With the number of large truckse travelling on the bridge there is insufficient buffer between the path and roadway.</p>
<p>Great network, the key crossing for my family is from Samson to Hilton (across stock road).</p>
<p>Overall an excellent set of recommendations. Congratulations. Yes would definitely use Hampton Road protected bike lanes regularly (daily) to get to places both to the north like Leisure Centre, Arts Centre, north end of Freo and over Freo Bridge and also to go south to Hampton Town Centre (between Wray and South St) and also to South Fremantle shopping centre - Peaches, IGA etc. We shop regularly at Sth Freo as it is actually not far (less than 2kms) BUT currently would NEVER ride down Hampton Road south of South St as it currently is. And because there is no other easy, direct way to get there by bike, we always drive. Would also definitely use Stevens St mostly to go west from Hampton down to get to Freo (along South Terrace) and Fishing Boat Harbour area. Less often would also go east on Stevens past Hampton Rd to get to various destinations and cafes to the east in WGV. I often ride along river to, so can see that a good new route for this using the proposed new bike network would be east up Stevens St to Wood St and then go north along Wood/Amherst/King St to Riverside Drive. Would also use Stevens to get onto Attfied/Chester to get to South Freo and versa. Or Stevens west onto South Terrace to go south but only IF South Terrace had bike lanes (currently I use footpath south of South St and would probably continue to do even if all the intersections are colourfully painted like they are currently being. Could not imagine using Knutsford much at all going east as its too steep from Parry St to top bit next to Monument Hill unfortunately.</p>
<p>Like the idea of the underpass at Montreal st, Amherst. To get over High st/Leach hwy.</p>
<p>I like the logic of the terminology: primary, secondary and local. The proposed network will help. The critical aspect with be how the infrastructure is done. The secondary routes will be highly important. If done well, they may carry as much cycle traffic as the "primary" routes. The separated designs of the secondary routes are good. You could also include cycle paths at the pedestrian grade, separated by the curb height (plus parked cars in some situations). I would favour single direction paths on both sides of the street in the majority of cases. Having paths on both sides enables a more logical and predicable flow especially at intersections. It will be important to include protected intersections. Unless this is done, much of the other improvements done mid-block will be wasted. The upgrade to the Parry Street / Queen Victoria Street intersection is a good opportunity for a fully protected intersection. This would be a first in WA, and will need some extra effort to get passed by Main Roads WA, but there are good precedents in other cities (including London).</p>

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I ride from Palmyra through East Fremantle to get to Fremantle. There are no proposed routes through that area. It has less traffic (and less hills!)

Non-regular riders

Yes, I would use Lefroy Rd and South Tce routes. However, these bike paths need to be properly separated from the road with curbing or a raised pavement (like what is done across Europe, eg. Amsterdam). On the northern end of Marine Tce, the bike path should be on the other side of the parked cars, or down the central reservation. Otherwise there is the risk of being hit by car doors.

While cycling around in the Fremantle town is not much of a problem, I believe that Fremantle is not well enough connected to cycling networks around Perth. In the past, when I had commuted regularly to Perth city for work, Fremantle and Cottesloe were the only suburbs on the way where I had to cycle in traffic - the rest of the way was a high-quality path. When I was commuting to Murdoch University, I rode along Lefroy and Winterfold roads amongst traffic. I believe that highest priorities for Fremantle should be to get PSP links to the train line path (this is listed, although I think that it should be the top priority), and to the Freeway - preferably along South street (and so it can include Murdoch) but the proposed Marmion st. link, or even link to the cycle path from Point Walter, would work OK too.

The proposed changes will help me ride more frequently to and from Fremantle. We live in North Fremantle and our kids attend Lance Holt. Some of the main things holding us back from regularly cycling to school are the poor cycle path across the queen victoria bridge and the lack of places to secure our bikes when we get to school. Passing other cyclists and pedestrians on the queen Victoria bridge is very nerve wracking for young kids and anyone with a toddler on the back of their bike. It's no better on the Fremantle traffic bridge either. Widening of those paths would be so helpful.
The proposed improvements to crossings on Tydeman Road would also be really helpful as my children are still early primary school age and it still feels like such a busy and unsafe road to cross at this stage.

I would not feel safe riding on other than a primary route unless the safety of the designated riding pathways was very much improved.
The corner of Hampton and South st is an activity centre area that has not been marked as one.
I would like to ride more from South Beach into Freo, East Freo and North Freo if road safety was improved.

What are your thoughts on the programs and promotion on page 18 of the Plan?

Regular riders

I like the idea of education campaigns to reduce car use, promote cycling and improve driver and cyclist awareness of safe road rules. More bike parking is helpful. The short answer is "yes I would" and "Yes they would".

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<p>i already ride to fremantle for events. I would like to see secure bike parking areas as theft is high. I currently leave my bike in the shop i bought it from in Fremantle if they are open. i recently attended an event where roads were closed and was not happy to see this closure alddo included the psp and cycle lanes. This ment I was in with traffic which was busy and i felt unsafe. You cant encourage people to ride to events if you close the cycle paths!</p>
<p>I think they're positive programs. I'm not sure they would impact much on my riding -- it is already my primary mode of transport -- but I think they will impact on others. I'd like to think I'd engage with CoF promotions of Your Move (as I'm a local primary school teacher) but I've to tried before -- when my partner used to lead DoT Your Move Schools team! -- and found it difficult to implement and coordinate anything effective with curriculum demands and other responsibilities. I can't think of any realistic way I could be supported by CoF for me to make a better effort, unfortunately -- it's a workplace conditions thing like so many other constraints. I think the Your Move corporate programs will have an impact. All the events and visitor stuff I strongly support as a rate-payer.</p>
<p>These would have no impact as I have been cycling for 35 years.</p>
<p>See answer above. Build the infrastructure, make it easy and people will ride. this is more important than the "promotion"</p>
<p>I feel completely disenfranchised from the process. I ride regularly from north Fremantle into Fremantle. Each time I am conscious of the problems and safety risks on Thompson rd. I see nothing in these programs or plans that will alleviate this.</p>
<p>I have no experience with these initiatives and would not expect to participate in them, but accept others may find them helpful. I support promotion & facilitation of commuting by bike and public transport. Can see that tourists may find access to free bike hire beneficial to explore our great city.</p>
<p>I would certainly like to be advised of bike facilities available in the city, as there doesn't seem to be much in the way of advertising these currently. Ride to work days, etc are all fine, however the focus needs to be maintained all year round and not just for bike week.</p>
<p>O.k - no I don't usually attend workshops</p>
<p>Yes I would attend, some of the programs seem ridiculous (free visitor bike hire) and others good (opportunity to expand your move).</p>
<p>Yes I have and will attend future events. A key program here is working with DoT and Licensing to include attention to cyclists within driver education and assessment programs.</p>
<p>Doubt I would attend</p>
<p>Preaching to converted in this area.</p>
<p>Yes I would definitely attend Bike Week programs and other community bike events It would also be great if a brochure of the City of Fremantle Cycling Network could be printed and made available to cyclists so that these new and upgraded bike paths can be readily used</p>
<p>Yes. Really like the idea of bike share and free visitor bike hire. Have made use of this with visitors.</p>

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Continue with all those programs. The most important step would be to encourage a bike-share system within the Fremantle area. This could be a docked or dock-less system, however it would be important to avoid the dock-less providers who have low quality bikes and do not control the parking. A good dock-less system has the ability to incentivise riders to park in areas acceptable to the City of Fremantle. (Helmets are a known problem for bike-share, dock-less providers may be able to side-step this issue more easily.)

Yes, I would attend where I could. They do motivate people to ride, and be part of the riding community.

Non-regular riders

Yes.

These events wouldn't encourage me to cycle any more than I already do

I think my kids would be really encouraged by the school move programs and would love to be celebrated for cycling to school and reducing the use of our car.

I support these programs. However, safe bike riding paths are my number 1 concern. Riding alongside busy road traffic is too dangerous for ANY rider I believe. Better bike paths, not programs, will encourage more cyclists.

Is there anything else you would like to tell us about the draft Bike Plan 2019-24?

It looks good - but I can't see myself putting my life at risk by using pathways that are not safe from passing motor vehicle traffic. More space and protection is needed for pathways. This would be an enormous help to our future health. Safe routes inbetween activity areas would be fantastic. I wish I could safely ride on Hampton rd and also South st. Freo could be the most amazing place to live a healthy life if this were possible. Many thanks for the work going into this project.

Great initiative, good goal and useful strategies.

i cant see any mention of the traffic bridge but the psp is so narrow and tight. Would like to see that included in being made wider if bridge is ever widened.

It's great work: stoing consultation and solid outcomes. Everyone involved should feel really proud of what they've achieved.

Good piece of planning, now, if there was a way to stop car parking on Wray Ave, that would be amazing I know the realities of the street layout preclude this but what a stunning change that would make!!

Issues not addressed were the difficulties in crossing Hampden Road especially at Knutsford St and the impact of container vehicles on Hampden Rd and Curtin Ave going north.
Also how will this plan integrate with the new cycle path being constructed through Cottesloe, Swanbourne, Mosman Park, North Freo etc? The road that leaves the port and joins Stirling Hwy is a high risk area as the left turning vehicles off the old traffic bridge travel north at high speed and because of the container trucks. There needs to be a safe

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<p>way for cyclists to cross this street especially with what will be increased numbers using this route with the new cycle path. The use of traffic calming devices such as the recently trialed yellow strips fail because they are not aggressive enough. Those in large 4WDs are not impacted by these strips and these drivers are usually the ones who do not respect cyclists. Try cycling down South Tce on the weekend and you will see what the problem is.</p>
<p>Seems like a very worthwhile initiative, particularly as Freos CBD is an obvious precinct for 'commercial vehicle access only', making it a more pleasurable pedestrian/ al fresco, cultural, retail experience. Not sure why cyclists on Marine Tce should be encouraged off the existing DUP on west side of Railway Line.</p>
<p>Any plan is always a great basis for a starting point, however lets see what it looks like after the all important funding is factored in!</p>
<p>I live in Hamilton Hill part of Greater Fremantle - I would love for Local government Fremantle and Cockburn to work together to provide safe cycling route from Hamilton Hill to Fremantle city. preferably Rockingham Road and or Carrington Road. Many Cyclists come from this area. I see cyclists riding to and from fremantle on Rockingham road daily. It's currently quite dangerous but it is a short direct route. It takes under 10 minutes to get to the South Fremantle bike paths</p>
<p>I would like to see a conversation around the loosening of helmet laws. With strong bike infrastructure, cycling would become safe, maybe Fremantle could become a trial for being allowed to not wear a helmet.</p>
<p>I really support the Council in reviewing and providing new bicycle infrastructure. Connectivity is a key issue. One aspect of this that is often overlooked are opportunities for cyclists to turn in all directions at points where paths connect - Ellen Street/Parry Street is one example of this. Also, as a side note, you might want to avoid using acronyms that are not defined within the document - when I looked up BAZ, it took me straight to a website from cycle action groups in other jurisdictions who argue, quite rightly in my opinion, that this does not really count as a significant addition to cycling infrastructure. We need dedicated cycle lanes and crossings, particularly if you are keen to pursue initiatives that encourage cycling to schools. I cycle frequently with my kids and they also cycle alone – having dedicated lanes and safe places to cross makes a big difference to their independence and mobility.</p>
<p>The plan needs to integrate the future traffic /train bridge replacement of Queen Victoria St</p>
<p>We need more bike parking areas in Fremantle.</p>
<p>Has a bike only access through the car park at South Beach been included in the bike path upgrades? Currently, this car park is very dangerous for cyclists, having to dodge around cars though the car park to connect the northern and southern shared bike paths which run into this car park. Generally motorists do not appear to look for cyclists or even realize that there are cyclists riding through. Thank you</p>
<p>Please remove "speed' humps they are hazzard to cyclists for several reasons.</p>
<p>Crossing from samson to hilton across stock road will be excellent!</p>

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1. "Hampton Town Centre" between Wray Ave and South St is not marked as an Activity Centre. It should be. This area is changing rapidly over recent years. It has a large number of health/medical services with Ellen Health Centre, Western Hearing, Western Diagnostics, Pharmacy, at least 2 physiotherapy businesses, dentist (general) and another specialist dentist, counselling services etc etc. There are in fact approx 35 to 40 business in this area including 3 cafes - the newest and most unique being the Cat Cafe which is bringing in customers from areas outside of Fremantle. It needs to be recognised and supported and have excellent cycling connections and facilities to encourage this as a way of safely accessing it.

2. I feel there is still a lack of safe, easy connections in the Bike Plan across the railway line to get to the bike path along the coast or to get to the riverside path. In fact I don't think I can see any in the Draft Plan.

3. In terms of EW priorities I think Wray Ave should be swapped with Stevens St. Wray doesn't connect to as much to the east and at least there are traffic lights at Hampton. Stevens connects lots of areas to east and west but there is nothing to help get across Hampton. Probably feel the same about Knutsford - its only short but also it is steep and only connects a smallish residential area. It is blocked to the east by Booyeembarra Park/Cemetery. Is it used much as a cycle way now?

4. I think it would be good if the Bike Cordon Counts were included in the Bike Plan or referenced and linked to. They are really insightful and demonstrate the significant effect that providing better infrastructure can have eg the 1320% increase seen on Hampton/Knutsford as a result of painting a white line on the road! One can only imagine what protected bike lanes will achieve. I only found a copy of these as an Attachment to Council minutes.

Love cycling on Hampton road now. It's a dream. However Douro road is really scary. Can something be done?
We need more bike park facilities (U bar things to lock your bike to) at South beach, Moore and Moore cafe and many other cafes and areas on the strip including the west end. Probably everywhere!

Thank you for the opportunity to provide input on the Fremantle Bike Plan. The following comments are broken down into CBD routes, neighbourhood routes and general comments.

CBD Routes

Market St should at least be local route. This is how people get from South Tce/ Parry St intersection to the train station and is well used at peak hour.

South Tce/ Parry St intersection heading into the CBD is a decision point. The RH turn is not appealing so less used as a route.

The intersection of Market Street and Cantonment is the easiest RH turn to make because traffic is slow and there is a turn lane. Cantonment is a great riding Street because it is flat and low speed. The connection to Parry and Queen Vic makes it a much better route through the CBD.

Parry St behind St Pats is not an appealing riding environment due to the higher car speeds and bike lane/ door zone clash.

The intersection of Market and Phillmore Streets at the train station is not appealing in RH turn direction due to buses and congestion at pedestrian crossing.

Provide a cycle lane on Adelaide street across the Queen St intersection so bikes have continuous passage into Kings Square shared zone.

Neighbourhood routes

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The Stirling Bridge is a key route for travel from Beaconsfield and other southern suburbs accessing North Freo Train Station, beach and future PSP. This should be on the bike plan. Also how does one get from bridge to psp/ train station? Jackson Street is local traffic, quiet and easily accessed across the Stirling Hwy/ Queen Vic intersection. Wood Street/ Duke St is a good example of filtered permeability. Local streets with low speed low volume traffic condition making them preferable for riding. The routes shown on the plan show Amherst/ king which is dictated by the proposed Stirling/ High roundabout entry that will cut off the wood st connection. Ultimately we ride Duke/ Wood will still be safer and nicer. The kind of street pattern that creates neighbourhoods (and higher property values).

Montreal Street is a gun barrel road without cycling provision. Could the footpath on east verge be upgraded?

Booyeembara has a cut-through route from Stevens Street to Montreal Street. It's reduces the hill climb on Stevens Street and distance in a south-east to north-west direction. It runs through the limestone tracks and the olive avenue. The only reason to mention it is that a co-located golf club and community centre is on the cards and it would be best to ensure this route is maintained.

York Street looks like a reasonable connection on plan as it connects to Clontarf however it has higher traffic volume and is not that appealing to cyclists north of Lefroy. Most would use quieter local streets. Eg. Central Avenue.

The Davis Park structure plan presents an opportunity to set up a cycle route with filtered permeability along Grosvenor St and for the whole heart of Beaconsfield development. On the bike plan Grosvenor St has been identified as a local route to the parallel to the major roads South and Lefroy. It looks like an opportunity to develop this intersection (and the rest of the Davis Park streets) to prioritise bike and pedestrian traffic. Bikes could then divert off Lefroy down Fifth Ave through Davis Park and on to Grosvenor for a local street route to the CBD. The current design is a standard suburban road and roundabout which doesn't represent the best practice for local street design.

Healy Road is the City of Cockburn's route to Fremantle. A route through the Clontarf hill reserve and up the OS green spine to Booyeembara would provide connection to the regional cycle route.

Does Atfield Street need safe active street attention? It is a quiet local street with lots of character. SAS I've seen involves large inappropriate ground graphics (and not much more) which would detract from the character of the street. One-way north bound outside Fremantle Primary School during pick-up/ drop off would be worthwhile.

strategic and general items

The City should allocate funds to research for bike urban design and get practitioners in to discuss strategies for improving the bike infrastructure in the City promoting Research and position Fremantle as an innovative bike city.

Review of DA for buildings to provide adequate bike parking. Especially for multi level residential. Safe and secure sheltered areas. are parking facilities appropriate for public/ visitor use? Do residents have bike parking and alternatives to car use.

It's a small thing but the diagram of the local street section has the car in front of the cyclist (they look like they're getting run over) bike should be shown in front of the car.

Try to reduce car parking in the city. Both by planning policy and by the number of car parking spaces provided for visitors. If driving is cheap and easy then people will continue to use that method of travel.

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Needs to be good, secure bike parking options in and around the city if you want people to ride in and leave their bikes. If riding to work, usually the workplace has secure options, but if riding for recreation and to spend time in Freo, there are not safe options to leave bikes, so would deter people from riding in. Bike racks with good CCTV, even enclosed cheap paying options would encourage people to ride in and feel happy to leave their bikes.