

13. REPORTS

13.1 CHIEF EXECUTIVE OFFICE

Nil.

13.2 PLANNING AND SUSTAINABILITY

13.2.1 SOUTHERN RIVER PRECINCT ONE - DEVELOPMENT CONTRIBUTION PLAN REPORT - FINALISATION

Director: C Terelinck
Author's Declaration Nil.
of Interest:
Reference: Nil.
Application No: PF09/00015
Applicant: City of Gosnells
Owner: Various
Location: Southern River Precinct 1
Zoning: MRS: Urban
TPS No. 6: Residential Development
Review Rights: Yes, pursuant to Part 6 of Town Planning Scheme No. 6
Area: Southern River Precinct 1 – 68.8638ha
Previous Ref: OCM 24 March 2015 (Resolution 102-107)
OCM 13 August 2013 (Resolutions 343 and 344)
Appendices: 13.2.1A Adopted Scheme Amendment Map
13.2.1B Adopted Amendment No. 108 Schedule
13.2.1C Adopted Development Contribution Plan Report
13.2.1D Modified Amendment No. 108 Schedule
13.2.1E Modified Development Contribution Plan Report

PURPOSE OF REPORT

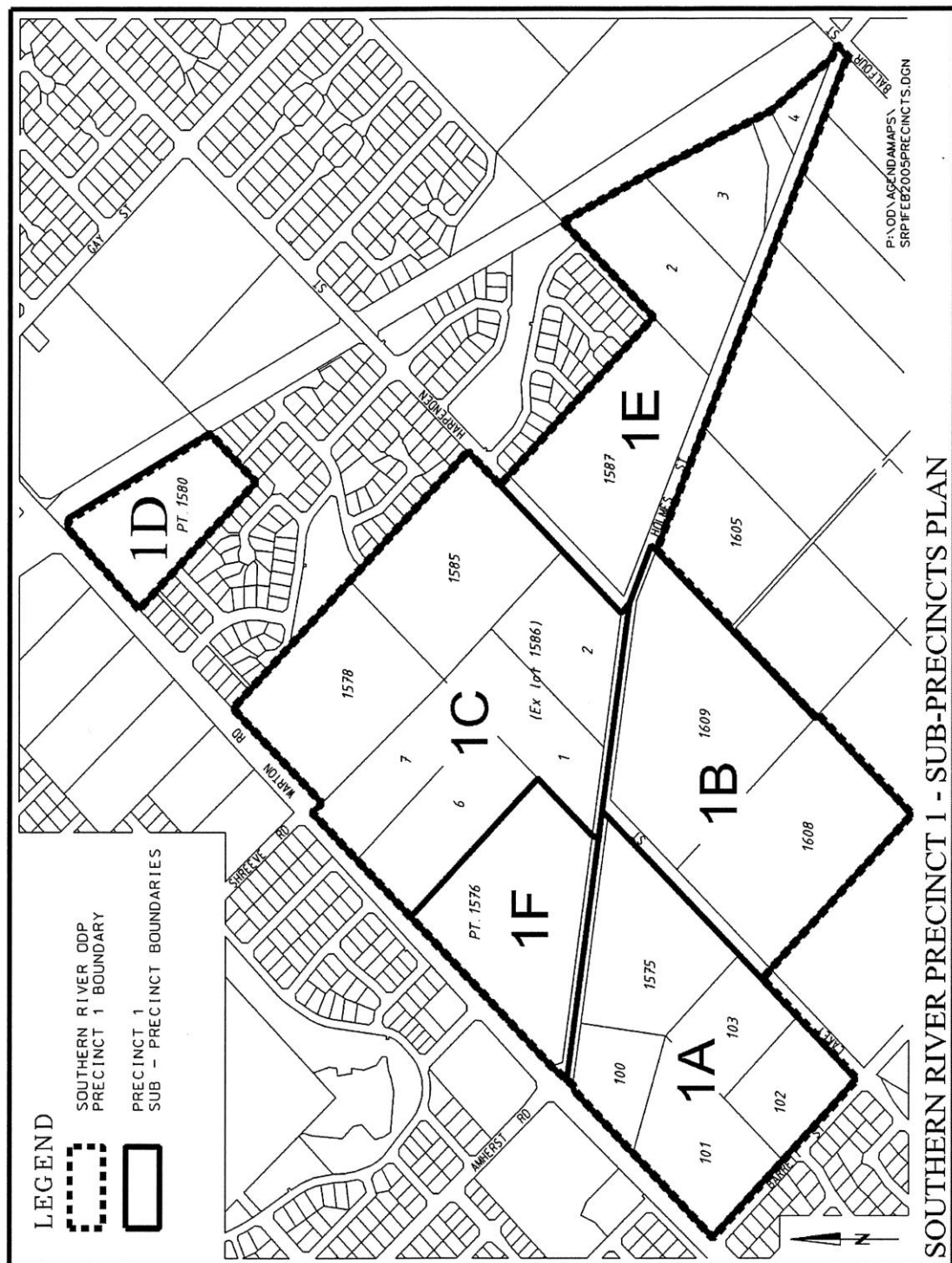
For Council to adopt a modified Development Contribution Plan Report (DCPR) for Southern River Precinct 1 Development Contribution Area (DCA).

BACKGROUND

The DCA for Southern River Precinct 1 is made up six of sub precincts which were created to identify discrete structure planning cells. Since 2005, structure plans have been approved for all six sub-precincts, most of which are now fully developed with residential housing and two commercial sites along Warton Road.

The sub-precinct plan for Southern River Precinct 1 follows.

Item 13.2.1 Continued



The requirement for a Development Contribution Plan (DCP) was identified early in the planning process for Southern River Precinct 1. On 8 November 2011, Council initiated Amendment No. 108 to:

Item 13.2.1 Continued

- Establish a Development Contribution Plan (DCP) for the provision of Common Infrastructure Works (CIW's) for Southern River Precinct 1.
- Introduce a draft DCPR which sets out the intended operation of the DCP.

On 1 July 2013, the WAPC gave its consent for the City to advertise the DCP for Precinct 1. Advertising for public comment was undertaken during September and October 2013 for a period of 42 days.

Following advertising, protracted discussions ensued between the City and the Western Australian Planning Commission (WAPC) pertaining to the DCP's compliance with State Planning Policy 3.6 - Development Contributions for Infrastructure. Subsequently, changes were agreed upon and made to the operational parameters and general formatting of the DCPR consistent with this policy.

On 24 March 2015, Council resolved (Resolutions 103-105) to adopt Amendment No. 108 and associated DCPR and forwarded the amendment to the WAPC and the Minister for Planning for final approval. The adopted Scheme Amendment Map, Amendment No. 108 Schedule, and DCPR are contained in Appendices 13.2.1A, 13.2.1B and 13.2.1C respectively.

On 16 December 2015, the Minister granted conditional approval to the amendment and required the following modifications to be made and the documents returned to the WAPC within 42 days of the Minister's decision:

- Modify the amendment schedule to more accurately reflect the operational parameters of the DCP.
- Remove the Post Development Water Monitoring cost item from the DCP.

The documents were modified and returned to the WAPC to comply with the Minister's timeframe and the amendment was subsequently approved on 28 January 2016. To formally complete the process, Council is required to modify the DCPR to reflect the Ministerial changes to the amendment. The modified amendment text is contained in Appendix 13.2.1D.

DISCUSSION

Review of the Development Contribution Plan Report

The most notable change to Amendment No. 108 is the removal of the Post Development Water Monitoring cost item from the DCP. The WAPC considered that this item was inconsistent with its guiding policy on DCPs (State Planning Policy 3.6 - Development Contributions for Infrastructure) and therefore should be removed.

The removal of the Post Development Water Monitoring cost item from the DCP will have the effect of reducing the CIW costs in the DCPR by \$50,000.

The City has undertaken an additional review of the DCPR and the following changes are also required:

Item 13.2.1 Continued

- An increase in the total net contribution area from 42.2236ha to 43.8862ha as a result of refinements to individual sub-precincts via structure planning. This has provided more defined contribution areas.
- A decrease in the cost of CIW's by \$123,100 as a result of the purchase of land by the City for the widening of Warton Road.
- Minor changes to the text to reflect the Ministerial changes to the amendment and to generally update the DCPR.

The modified DCPR is contained in Appendix 13.2.1E with changes highlighted in yellow.

The proposed changes to the DCPR will have the effect of reducing the development contribution rate and therefore the cost contribution payable by developers.

Land Acquisition for Warton Road

To facilitate the construction of Warton Road to a dual carriageway, land in Precinct 1 has been acquired for road widening. The majority of this land was ceded free of cost at the time lots were developed, with the intention that it be included in the DCP as a CIW.

Subsequently, this land was included in the DCP and it is anticipated that landowners will either be reimbursed the proportionate cost of the value of that land, or have their final contribution payment offset by this amount.

Land that was formerly part of Lots 6 and 7 and acquired for the widening of Warton Road was purchased by the City, as it had not been ceded at the time it was required to facilitate road construction.

As such, the cost schedule in the DCPR will need to be amended to reflect the actual cost to purchase this land. The modified DCPR is contained in Appendix 13.2.1E.

CONCLUSION

It is recommended that Council adopts the modified DCPR, as contained in Appendix 13.2.1E, so as to ensure consistency with the recently gazetted amendment to Town Planning Scheme No. 6 and to reflect the review of the DCPR by the City and the Minister's approval.

FINANCIAL IMPLICATIONS

The financial integrity of the DCP will to a large extent rely on the adjustment of preliminary contributions made under legal agreements and the collection of additional contributions to satisfy these financial obligations. This is to be undertaken once the DCP has been finalised.

STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6
- *Planning and Development Act 2005*
- State Planning Policy 3.6 - Development Contributions for Infrastructure.

*Item 13.2.1 Continued***VOTING REQUIREMENTS**

Simple Majority required.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**86 Moved Cr G Dewhurst Seconded Cr J Brown**

That Council, pursuant to Clause 6.4.10.1 of Town Planning Scheme No. 6, adopts the modified Development Contribution Plan Report, as contained in Appendix 13.2.1E.

CARRIED 10/0

FOR: *Cr J Brown, Cr G Dewhurst, Cr D Goode, Cr D Griffiths, Cr P Griffiths, Cr T Healy, Cr T Lynes, Cr R Mitchell, Cr L Storer and Cr O Searle.*

AGAINST: *Nil.*