





**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
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IN20/10812		Contribution Plans as these updates align with the Shire's draft Local Planning Strategy.		
Department of Mines, Industry Regulation and Safety Resource and Environmental Regulation IN20/12785	7.	The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.	The submission has been considered and the contents noted.	No modifications recommended.
Environmental Protection Authority IN20/15666	8.	<p>Thank you for referring the above scheme to the Environmental Protection Authority (EPA).</p> <p>After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986 (EP Act) and that it is not necessary to provide any advice or recommendations.</p> <p>Please note the following:</p> <ul style="list-style-type: none"> <li>• For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.</li> </ul> <p>There is no appeal right in respect of the EPA's decision to not assess the scheme.</p>	<p>The submission has been considered and the contents noted.</p> <p>Officers note that the Environmental Protection Authority provided the Shire with a copy of their decision not to assess these two amendments that was published on 4 February 2019.</p>	No modifications recommended.

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Water Corporation IN20/17281	9.	<p>The changes and additional detail to the Mundijong DSP with respect to the West Mundijong area are noted. The DCP provisions do not appear to impact directly on, or require changes to the Water Corporation's long term planning for water, sewerage and drainage for the Byford area. However, the industrial area footprint at the far northern end adjacent to Bishop Road intersects with a Water Corporation open drain (Oaklands Branch Drain 'F'). Oaklands 'F' forms part of the broader Mundijong Rural Drainage District. The open drain is located within a 10m wide reserve (Lot 1), which is owned by/vested with the Water Corporation.</p> <p>The West Mundijong DSP and the DCP should include a note that this section of drain and its hydraulic (flooding) requirements will need to be adequately accommodated in its current location and form, or provision made for the developer/s of the area to investigate the feasibility of relocating the drain to an alternative alignment acceptable to the Water Corporation.</p> <p>In this regard, the DWMS and any subsequent, more detailed Local Water Management Strategies for this area will need to determine the hydraulic levels in the drain, overland flow requirements, finished site fill levels, and any additional land required to be set aside in the area to accommodate flooding.</p>	<p>The submission has been considered and the contents noted. The portion of the submission that pertains to the Mundijong District structure plan is addressed in that Schedule of submissions.</p> <p>The West Mundijong DCP should include a note that this section of drain and its hydraulic (flooding) requirements will need to be adequately accommodated in its current location and form, or provision made for the developer/s of the area to investigate the feasibility of relocating the drain to an alternative alignment</p>	<p><b>Oakland Drain - Recommend text be added to the West Mundijong Industrial DCP to include a note that the Water Corporation open drain "Oaklands Branch Drain F" will need to be adequately accommodated in its current location and form, and that no provision has been made within the DCP relating to investigation or the feasibility of relocating the drain to an alternative alignment.</b></p>





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			<p>3.4 and have submitted a response to the Department of Planning, Lands &amp; Heritage in this regard</p> <p>From a DCP perspective, SPP 3.6 provides for major amendments to introduce or amend included infrastructure. Any additional requirement for POS/DOS which falls within DCA2 or DCA3, within the gazetted lifespan of the DCPs, can be addressed through this process in the future.</p>	
Department of Water and Environmental Protection	12.	<p>The Department of Water and Environmental Regulation (Department) supports the development of the district structure plan and scheme amendment as an important overarching planning document that guides future planning and development within the subject area.</p> <p>It is noted there may be challenges securing non potable supply for irrigation within</p>	Officers note that the comments provided by the Department were focused primarily on the District Structure	No modifications recommended.






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		 <p>Image 1: Land Ownership</p> <p><b>DISTRICT STRUCTURE PLAN</b></p> <p>The draft DSP identifies the land as ‘Development Investigation Area 2’ (DIA2), for which it specifies the following objectives:</p> <p>The purpose and intent of DIA2 is to explore the potential for urban expansion with consideration for innovative housing opportunities. A structure plan will be required which addresses the following matters:</p> <ul style="list-style-type: none"> <li>• Investigate opportunities for innovative housing typologies that have consideration for best practice sustainability;</li> <li>• Exemplar resource and energy efficiency;</li> <li>• Water minimisation;</li> <li>• Alternate construct methods.</li> <li>• Investigate current zoning and land uses;</li> <li>• Manage the transition of land uses most specifically to the north;</li> <li>• Better utilize available land;</li> <li>• Deliver innovative land use and housing diversity and choice;</li> <li>• Reduce the need for people to travel by car;</li> <li>• Identify infrastructure requirements;</li> </ul>	<p>Officers note that this submission is opposed to the extension of Norman road. Officers do not support the statements made in the submission.</p> <p>Officers agree that terminology used for road classifications should be consistent with Liveable Neighbourhoods.</p> <p>The Subregional Framework provides a spatial movement network emphasising the word indicative in spatially depicting the layout. It also provides for:</p> <p><i>“Byford–Cardup–Mundijong network Additional linkages will be provided between</i></p>	<p>submission at the end of this document.</p>

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		<p>• Servicing requirements; • Visual/landscape protection; • Bushfire hazard; • Interface with Bishop Road, Soldiers Road, the future extension of Tonkin Highway and the newly identified roads (Doley and Norman road extensions) required by the sub-regional framework; and • Any other requirements that may be determined by the Shire of Serpentine Jarrahdale or State government agencies.</p> <p>Note: No subdivision proposals will be permitted pre-2050 unless they provide convincing rationale for and solutions to the above matters</p> <p>More broadly, the site forms the northern-most extent of a large urban area, proximate to a planned transit node and district centre, with a high frequency transit corridor along its southern and eastern boundary. Additionally, the site is bisected by a planned 'district distributor' linking Norman Road to a planned extension of Doley Road along its western boundary.</p> <p><b>DEVELOPMENT CONTRIBUTION PLAN</b></p> <p>The draft DCP identifies major infrastructure items and estimated costs, and provides for cost-sharing arrangements to aid in the implementation of the DSP.</p> <p>Relevantly, the DCP identifies Bishop Road (from the future Tonkin Highway extension to Soldiers Road) and Soldiers Road (from Norman Road to Watkins Road) as contribution items. Notably, the DCP omits contributions for Soldiers Road north of Norman Road, the extension of Norman Road (including a grade-separated rail crossing at Bishop Road), and Doley Road.</p> <p><b>SUBMISSION 1: SUPPORT FOR INVESTIGATION AREA OBJECTIVES (DSP)</b></p> <p>▪ Submission 1: We generally support the criteria listed within the DSP for DIA2, with the exception of comments relating to the extension of Norman Road as outlined in the sections below.</p>	<p><i>road networks proposed in the existing Byford and Mundijong district structure plans and will include extension of Doley Road and realignment of the southern portion of Malarkey Road. Some refinement of east-west connections may be appropriate, including westward extension of Norman Road to connect to Bishop Road."</i></p> <p>The extension of Norman road is the logical edge to the planning of Mundijong. It provides for an interface between the urban area and the amenity of the larger lots north of this. It also will alleviate a</p>	

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		<p>SUBMISSION 2: REFERENCE OF THE EXTENSION OF NORMAN ROAD AS A 'REQUIREMENT' OF THE SUB-REGIONAL FRAMEWORK (DSP)</p> <p>The DSP makes reference to a purported 'requirement' of the Sub-regional Framework to extend Norman Road in its criteria for considering development proposals for the site and to justify the inclusion of the extension in the DSP more generally.</p> <p>Relevantly, the Sub-regional Framework (on page 46) states:</p> <p>Some refinement of east-west connections may be appropriate, including the westward extension of Norman Road to connect to Bishop Road</p> <p>It is important to consider this statement more critically, particularly to the extent that it does not amount to a requirement.</p> <p>First, it identifies 'some refinement of east-west connections may be appropriate'. This is distinct from a requirement, and places a clear burden on a proponent to justify the need and efficacy of such a proposal as it does not presuppose an outcome as being appropriate in and of itself. It needs to resolve a known issue and do so in an effective and efficient manner – it needs to serve a good purpose. Just as the identification of the subject site for future urban uses does not permit the construction of dwellings as-of-right without full and proper assessment under the planning framework, so to must changes to the district road network be given due consideration.</p> <p>Third, and last, the mention of Norman Road does not make the extension a foregone conclusion. Rather, it identifies it as one of the possible refinements that 'may' be considered. It does not erase the need for due consideration on its individual merits.</p>	<p>significant conflict of traffic on Bishop road at the intersection with Soldiers road where the school is.</p> <p>It is further noted that there is no need to grade-separate the crossing of Norman road until the Metronet passenger rail is extended to Mundijong.</p> <p>The above rationale is also supported by the recently adopted Serpentine Jarrahdale Local Planning Strategy currently being assessed by the Western Australian Planning Commission.</p> <p>Officers confirm that Norman road is not classed as a DCP road, as there is no</p>	



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		<p>Road (noting traffic could still optionally use Soldiers Road). This is, in effect, no different to the existing situation and therefore offers no improvement – in fact, it does little more than duplicate it, thus resulting in an inefficient use of infrastructure. Advice received from Transcore (attached) affirms this position. It does not appear to serve any good purpose, and it is unclear why it is shown. ▪ The DSP figure titled 'Mundijong Proposed Roads and Freight Network' depicts a grade separated crossing will ultimately be constructed over the road near the intersection of Norman Road and Soldiers Road. This will, presumably, require the intersection and connecting roads to be elevated by a number of meters. A westward extension of Norman Road through the site would therefore need to be elevated and will significantly impact residential amenity and road safety, particularly for vulnerable road users such as pedestrians and cyclists. As such, the elevation of the Norman Road extension will only serve to exacerbate its impact as a barrier, severing the site, and adding significant costs that will impact housing affordability. Retaining the existing 'T' intersection at Norman Road and Soldiers Road would alleviate this issue and minimise its impacts on future residential uses. ▪ The removal of a portion of Bishop Road (between the Doley Road extension and Soldiers Road) as a 'District Distributor' on the DSP Map conflicts with the Sub-regional Framework and does not appear to reflect logical transport behaviour. Namely, downgrading a portion of Bishop Road appears to artificially dictate traffic movements, introducing additional turns and more indirect routes to major attractors with associated negative impacts on legibility, when the logical route would be to continue along Bishop Road as indicated in the Subregional Framework. It is also noted the DSP Map indicates the down-graded portion will still be a 'high frequency transit corridor'. This is further confused by inconsistencies within and between the DSP and DCP that indicate Bishop Road will in fact retain a uniform classification of 'local distributor' for its entire length, indicating its function will not actually change as shown on the DSP Map. This is compounded by the fact Bishop Road will connect directly to the Tonkin</p>		
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		<p>movement network and the delivery of residential cells with an appropriate internal structure (e.g. not bisected by major roads and sufficient for the efficient delivery of urban uses).</p> <p>It is highly irregular and inefficient to duplicate high order roads within such close proximity as is proposed with the Norman Road extension. All other similarly classified roads in the DSP are spaced in excess of 800m (most in excess of 1km), as would be expected. The TIA prepared in support of the DSP also shows the Norman Road extension is not necessary to the proper function of the road network. Those roads spaced at 800m or more are similarly shown to be sufficient. This all serves to demonstrate the extension of Norman Road occupies an anomalous position, is wasteful, and does not contribute to the efficient or effective delivery of development.</p> <ul style="list-style-type: none"> <li>▪ Submission 4: The extension of Norman Road should be removed because it is an inefficient use of resources (noting it effectively duplicates Bishop Road) and is not needed for the proper function of the road network.</li> </ul> <p><b>SUBMISSION 5: IMPACTS OF THE EXTENSION OF NORMAN ROAD ON AMENITY AND EFFICIENT USE OF URBAN LAND (DSP)</b></p> <p>Consideration must be given the broader impacts of the proposed extension of Norman Road. The Shire has foreshadowed its position in this regard within its draft Local Planning Strategy (2019) that the 'extension of Norman Road through the site [could serve] as a potential boundary to the urban expansion'. Though no specific objective was identified, we infer this aims to protect the amenity of existing rural residential uses adjacently north of the site by imposing a hard boundary. We feel it is important to reiterate the following points that were set out in our submission on the Strategy dated 18 December 2019:</p>		

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		<p>Such an arrangement would effectively sterilise half of the site for urban uses on the premise that would provide the best possible outcome to maintain the character of the area. However, we believe an objectives-based approach is better suited to achieve the Shire's goals.</p> <p>Contextually, it is important to note that the site is identified for 'Urban Expansion' in the South Metropolitan Peel Sub Regional Planning Framework (2018), where it forms the northern tip of a major urban area and abuts a 'State Planning Investigation Area', being the rural residential estate located directly north. These factors, at a regional level, indicate a significant change in land use will occur in the area, being the introduction of a major urban centre into what is currently a rural area. The Shire's Strategy is laudable in its intent of safeguarding the character of its existing and planned future rural precincts, and the objectives set out in much of the Strategy provide a strong framework to guide the design and consideration of proposals in that regard. Furthermore, we agree that a change of this magnitude poses significant challenges for the Shire, and due consideration is warranted to protect the social capital of its existing and future communities. However, the prescription of a spatial response does not provide scope to consider truly responsive solutions.</p> <p>Additionally, we note the remainder of Development Investigation Area 2 (comprising in excess of 50% of the Area) is not impacted by any significant land use interface buffers. As such, this position appears somewhat anomalous and arbitrary in that it is being applied inconsistently and without regard to actual site conditions; instead responding to deficiencies being introduced by the DSP, when the cause of those deficiencies appears to serve no good purpose as detailed herein.</p> <p>Regard should also be given to the identification of the site as 'Urban Expansion' within the Subregional Framework, and particularly, how that is distinct from 'Urban Investigation' or 'Planning Investigation'. Investigation areas are typically subject to</p>		



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		<p>significant constraints and require further detailed planning to determine whether any change to current zonings is appropriate. Expansion areas, on the other hand, represent a logical expansion of existing urban centres where suitability is generally not a concern – they are, in effect, next in line for urban development. In this instance, it is also noted Development Investigation Area 2 is uniquely placed to deliver innovative housing models aimed at maximising sustainability in construction and ongoing use, and affordability in delivery and operation. It should be noted these innovations have not been imposed on the site, but rather spearheaded by our client in what will be an exemplar of a new housing model for Perth. Whilst</p> <p>regionally significant, the importance of this to the local community should not be underestimated, noting the Commonwealth Bank has reported nearby Byford as one of the top 10 post-codes in the nation for being in arrears on mortgages. The delivery of sustainable, affordable housing is an aspiration we believe should be properly considered and championed within the DSP, not undermined.</p> <p>Sterilising half of the subject site conflicts with the overarching objectives of Perth and Peel@3.5million (2018) and the Sub-regional Framework that together aim to provide for the efficient delivery of urban uses, noting the site is otherwise free of constraints and fit for purpose. Though there is no current shortage in the supply of urban land in Mundijong, a long-term view must be taken to ensure land that is suitable is used appropriately to avoid urban encroachment in the future. More specifically, it also significantly undermines the integrity and viability of delivering innovative housing on the site by introducing constraints that appear to serve no positive purpose and have been presented with no justification (rather, they appear to be presented with contradicting information as detailed elsewhere herein).</p>		

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		<ul style="list-style-type: none"> <li>▪ Submission 5: The extension of Norman Road should be removed because it presents barriers to the successful implementation of future urban uses and the delivery of an exemplary and innovative housing model.</li> </ul> <p>SUBMISSION 6: INCONSISTENCIES IN DEPICTED FUNCTIONS OF THE ROAD NETWORK (DSP &amp; DCP)</p> <p>The DSP Map depicts an extension of Norman Road between Soldiers Road and Doley Street as a 'district distributor' and a down-grading of Bishop Road in the same location. It is noted there are multiple conflicts within the DSP and DCP with regard to road classifications that make the framework unclear. For example:</p> <ul style="list-style-type: none"> <li>▪ Whilst the DSP Map does not show the relevant section of Bishop as a District Distributor, it does show it as part of a contiguous 'high frequency transit corridor'. It is unclear how the actual function of the road, in terms of traffic volumes and transport behaviours, will be controlled to divert movements away from the most logical route (i.e. continuing straight along the same road to reach the same destination, facilitating movements to and from Tonkin Highway) and instead toward the extension of Norman Road.</li> <li>▪ The DSP figure titled 'Mundijong Proposed Roads and Freight Network' depicts Bishop Road as 'local distributor' along its entire length. First, the classifications used in this figure differ to those on the DSP Map, such that the Map identifies the majority of Bishop Road as a 'district distributor' where the figure lacks this classification and instead designates 'local distributor'. This confuses the actual role the roads will play in the movement hierarchy (for example, Soldiers Road shares its classification under the DSP Map, but is shown as a higher order 'regional distributor' on the figure). It is also inconsistent in that it does not change</li> </ul>		

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		<p>the classification of Bishop Road in the way the Map depicts. This suggests its actual function will</p> <p>not change and therefore undermines both the purpose and legitimacy of the extension of Norman Road. ▪ The Transport Impact Assessment (2020) prepared to support the DSP notes the 'Soldiers Road/Norman Road' 'Doley Road/Norman Road' intersections are considered sufficient to accommodate future growth. However, these are not shown in the 'Intersection Sufficiency Map' and no details of technical analysis is provided for either that would allow for any review or interrogation to inform submissions on the merit of such a claim. Conversely, modelled traffic figures appear to demonstrate that the road network will function to an acceptable standard without the extension of Norman Road. Advice received from Transcore (attached) affirms this position. This undermines the purpose of including the extension of Norman Road altogether. ▪ The DCP does not include the extension of Norman Road (nor does it include the extension of Doley Road). Similarly to the 'Mundijong Proposed Roads and Freight Network' figure, it also fails to make a distinction in the classification of Bishop Road between the Doley Street extension and Soldiers Road, instead noting Bishop Road will have a minimum width of 35.6m for its entire length (sufficient to accommodate a dual-carriageway Integrator A street under Liveable Neighbourhoods (2009)). This again suggests the actual planned function of Bishop Street undermines the inclusion of the Norman Road extension.</p> <p>The various conflicts within and between the DSP and DCP with regard to the planned road network, and the extension of Norman Road and classification of Bishop Road in particular, undermine and obfuscate the strategy that these documents intend to present. As discussed elsewhere herein, this is exacerbated by a lack of commentary as to the roles these roads are expected to take, and how or</p>		

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		<p>in what circumstances they might be delivered. This poses significant challenges to the implementation of these documents as it is unclear what needs to be done.</p> <ul style="list-style-type: none"> <li>Submission 6: Inconsistencies within and between the DSP and DCP must be resolved to ensure a coherent framework is put in place to guide development, and both must clearly demonstrate the need for the Norman Road extension.</li> </ul> <p><b>SUBMISSION 7: NORMAN ROAD EXTENSION NOT PROPERLY ASSESSED &amp; NOT NEEDED (DSP)</b></p> <p>The Transport Impact Assessment (2020) (TIA) prepared in support of the DSP appears to provide no assessment of the impacts or justification for the extension of Norman Road, nor Doley Road for that matter, bringing into question the purpose and efficacy of the changes proposed to the road network.</p> <p>None of the modelling presented in the TIA includes the Norman Road or Doley Road extensions. Both are omitted from figures and the results set out under Section 5 and modelling contained within Appendix C of the TIA, and neither is costed in the DCP. The TIA nonetheless concludes the network is expected to operate at an acceptable level of service and with sufficient capacity. This clearly</p> <p>indicates the extension of Norman Road is not necessary and is not warranted. Advice received from Transcore (attached) affirms this position. Conversely, and as discussed elsewhere herein, the existing arrangement of Bishop Road/Soldiers Road/Norman Road is demonstrated to be sufficient and provide a logical and legible route for traffic movements, and that can accommodate the expected level of growth.</p> <p>As such, in the absence of a deficiency that needs to be resolved, it is unclear why the extension of Norman Road has been included, particularly given the costs and negative impacts on amenity associated with it (discussed elsewhere herein). And, if some other imperative has driven the inclusion of Norman Road, that has not been</p>		
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		<p>communicated and it has not been properly assessed or considered in the TIA, and no opportunity has been given for that purpose to be reviewed as part of this advertising process.</p> <ul style="list-style-type: none"> <li>Submission 7: The extension of Norman Road should be removed as the TIA prepared to support the DSP demonstrates it is not needed.</li> </ul> <p><b>SUBMISSION 8: DELIVERY OF NORMAN ROAD EXTENSION NOT COSTED (DCP)</b></p> <p>The 'Mundijong Proposed Roads and Freight Network' figure within the DSP depicts the extension of Norman Road as 'future local distributor' and shows the intersection with Soldiers Road is to be 'grade separated'. Neither the extension or grade separation is reflected in the DCP (nor is the Doley Road extension).</p> <p>Putting aside the costs of road upgrades, the cost of a grade separated crossing is highly significant. The two other grade separated crossings within the DCP total \$14 million and \$19 million each (average of \$16.5 million). Assuming similar costs for Norman Road, and given the total DCP costs of \$219 million, this additional grade separation alone could add in excess of 13% to the DCP. It is also noted the DCP includes comment that engineering constraints require the two planned grade separations to be constructed simultaneously. We assume similar constraints would exist for the Norman Road grade separation. These complexities and costs demand an appropriate level of planning and coordination.</p> <p>No comment is provided with the DCP to explain why the Norman Road extension, grade separated crossing, and Doley Road extension have been omitted. In the absence of any explanation, we can only assume this is because they are associated with a 'Development Investigation Area', and that the Shire is operating with a view to amending the framework to include these additional items once planning over</p>		



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		<ul style="list-style-type: none"> <li>▪ Submission 8: The extension of Norman Road and grade separated crossing should be considered within the context of SPP3.6, noting the extension of Norman Road does not appear to meet the test for need and nexus.</li> </ul> <p>SUBMISSION 9: POSSIBLE USE OF NORMAN ROAD EXTENSION BY INDUSTRIAL TRAFFIC (DSP)</p> <p>Although no purpose for the Norman Road extension is stated in the DSP, Officers of the Shire have previously informally advised this may seek to divert industrial traffic (trucks) away from the Bishop Road and Soldiers Road intersection and provide an alternate route to Tonkin Highway.</p> <p>The DSP should not seek to facilitate the use of urban roads as a thoroughfare for industrial traffic. Regardless of where that traffic is directed within the area, it will have an undue negative impact on amenity and road safety. Advice received from Transcore (attached) affirms this position. It should also be noted the route in which it would be directed would conflict with the logical position of a primary school to service DIA2 and any local centre uses, as guided by the principles of Liveable Neighbourhoods (2009). We also understand that Main Roads Western Australia has advised it is opposed to such an arrangement, and instead recommends that industrial traffic use South Western Highway and higher order roads to access Tonkin Highway – this appears to be a far more logical and desirable arrangement. It is inconsistent with the principles of proper and orderly planning that a district level planning framework would seek to facilitate the movement of industrial traffic/trucks through the heart of a planned urban residential area.</p> <ul style="list-style-type: none"> <li>▪ Submission 9: The extension of Norman Road may result in industrial traffic travelling through the middle of a planned urban residential centre, including a</li> </ul>		

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		<p>primary school and local centre uses. Industrial traffic should instead be routed to Tonkin Highway via South Western Highway and higher order connecting roads.</p> <p>The proposed extension of Norman Road appears to be an illogical and inefficient duplication of infrastructure that has no technical basis and for which there appears no need. Additionally, its delivery is not appropriately planned for under the DCP, and no commentary is provided to clarify its intended purpose (noting the TIA demonstrates it is not necessary for the function of the movement network). The extension will negatively impact amenity for future urban uses within the site, which it bisects, and will potentially undermine the integrity and viability of a planned exemplary innovative housing model aimed at significantly improving sustainability and affordability in the construction and ongoing operation of residential buildings.</p> <p>The anomalous status of the Norman Road extension must be resolved. The technical analysis used to inform the DSP and DCP demonstrates it is not needed; it serves no positive purpose and does not improve or substantially change the existing situation; and poses significant constraints to the efficient delivery of urban development. We believe the only reasonable action is to delete the Norman Road extension from the DSP.</p> <p>We look forward to continuing to work with the Shire on these matters in the future to help achieve its vision to create a diverse, sustainable, and distinct urban centre in Mundijong.</p>		







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E20/5999			<p>The Mundijong DSP has interpreted the SMPSRPF comment that “Some refinement of east-west connections may be appropriate, including westward extension of Norman Road to connect to Bishop Road” as being “required by the sub-regional framework”. Not only that, but the DSP has deleted the corresponding section of Bishop Road, which was actually shown as an arterial road in the SMPSRPF plan. Despite deletion of that section of Bishop Road as an arterial road, this deleted section of Bishop Road is still shown as a future high frequency transit corridor on the DSP plan (Figure 1). That is just one indication that the inclusion of the Norman Road extension was a late addition in the Mundijong DSP and its implications may not have not been adequately investigated.</p> <p>One of the appendices of the Mundijong DSP report is the <i>Transport Impact Assessment Mundijong Structure Plan</i> (Cardno, 5 December 2018). All of the traffic modelling in that TIA report does not include either the Doley Road extension or the Norman Road extension. Figure 5-4 (Intersection Sufficiency Map) of the TIA report summarises the results of the intersection evaluation undertaken and indicates “modified intersection sufficient” at the existing Norman Rd / Soldiers Rd T-intersection. Despite that, Figure 3-1 (Road Network Changes) of the TIA report shows those two road extensions as dashed lines with traffic lights required at the resulting Norman Rd / Soldiers Rd 4-way intersection. There is no evidence that any traffic modelling or analysis of these two road links and associated intersection requirements has been undertaken in the TIA report nor any assessments of impacts or benefits. The fact that the traffic modelling in the TIA did not include the Norman Road westward extension even suggests that the road network would operate satisfactorily without it and therefore this link is unnecessary and not warranted.</p> <p>The area north of Bishop Road between Soldiers Road and Tonkin Highway labelled DIA2 on the DSP plan (Figure 1) is identified as an Urban Expansion area on the SMPSRPF plan (Figure 2). Table 8 in section 3.2.1 of the DSP report indicates DIA2 will accommodate 2,220 dwellings and 7,311 residents out of the total 59,179 population capacity of this DSP area. The DSP report notes “It is important that precincts without existing LSPs endeavour to meet the targets identified in Table 8 to align not only with State planning expectations for infrastructure provision but also with the Mundijong Development Contribution Plan.”</p> <p>It is also noted that the Shire prepared a revised <i>Mundijong Urban Development Contribution Plan</i> (DCP) dated 08/05/20 but that appears to only relate to the existing Mundijong LSP areas and does not include the Development Investigation Areas (DIA1, DIA2 and DIA3) identified in the draft Mundijong DSP. The DCP does not include the Norman Road extension or the Doley Road extension through DIA2, nor Doley Road extension south of Bishop Road. The DCP appears to show Bishop Road upgraded and extended eastwards across Soldiers Road and the railway line (see Figure 3), presumably involving another railway crossing. Therefore the DCP is not consistent with the draft DSP in this area, and cannot be interpreted as an accurate representation of the DCP requirements for this part of the DSP area. This just reinforces the conclusion that inclusion of the Norman Road extension in the draft DSP appears to be a late addition and has not been sufficiently evaluated and its impacts not understood to justify its inclusion in the DSP.</p>	Ordinary Council Meeting - 16 November 2020	





**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>Contribution Plan (DCP) that seeks contributions for the development of a playing field at this site.</p> <p><b>PUBLIC OPEN SPACE DISTRIBUTION</b></p> <p>The Shire of Serpentine-Jarrahdale have planned the distribution of Public Open Space and recreational facilities throughout its municipality on the basis of the Community Infrastructure and Public Open Space Strategy (the Strategy) that was prepared in January 2017, attached at Appendix A. This document provides direction for the public open space and recreational needs of a growing population, beyond the year 2050, where the forecasts suggest that the population in the Shire will exceed 100,000.</p> <p>Of particular relevance to this submission are the requirements for the Mundijong &amp; Whitby townsites. The strategy forecasts the needs for various facilities as the population grows to 50,000 persons. On the basis, the key findings of the strategy indicate that, by 2050, the Mundijong-Whitby precinct will require:</p> <ul style="list-style-type: none"> <li>• 3 District Open Space areas, of between 5 – 20 hectares; and</li> <li>• 4 Neighbour Open Space areas, of between 1 – 5 hectares.</li> </ul> <p>It is also noted that the Strategy indicates these facilities must be within 2km OR a 5 minute drive, and within 400m OR a 5 minute walk for District and Neighbourhood Open space areas, respectively.</p> <p>Therefore, on the basis of the above requirements it is apparent that the provision of a District Open Space area at Lot 10 Keirnan Street is superfluous given the abundance of other open space options within the Mundijong-Whitby area, which are all in close proximity to the subject site. In particular, we note the large 63-hectare District Open Space area that is depicted on the District Structure Plan at the corner of Keirnan Street and South Western Highway. This particular site, being 63</p>	<p>lot, especially to avoid the space constraints we are starting to foresee for Mundijong.</p> <p>It is noted that the DSP includes provisions for the full build out to 2050, and as such the future provision of DOS at this site will remain in the DSP, being addressed further in the DSP submission responses.</p> <p>The Community Infrastructure Open Space Strategy is currently being updated as a result of the latest population estimates and the revised DSP. It is confirmed that this infrastructure is</p>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>hectares, is sufficient to cater for between 3 - 12 District Open Space areas on its own (on the basis they need to be between 5 – 20 hectares). It is within a 5 minute drive of most, if not all, of the Mundijong-Whitby locality. Furthermore, there are at 9 neighbourhood open space areas depicted within the same locality, which represents more than double the required neighbourhood spaces.</p> <p>All of this suggests that there is comfortably enough open space provided within the Mundijong-Whitby locality.</p> <p>This suggestion is supported by the Strategy. Following the setting out of the community infrastructure needs the Strategy subsequently sets out the implementation of these needs. Specifically, to the Mundijong-Whitby precinct, the Strategy indicates that District Open Space is required within Precinct A (with High School &amp; Primary School) – 2 fields, and within Precinct C – Keirnan Street 3 fields. Given the subject site is located within Precinct G of the Mundijong-Whitby Precinct, as identified with Local Planning Policy No. 29 – Mundijong-Whitby Planning Framework, it is clear that the strategy does not identify the need for District Open Space at the location proposed by the District Structure Plan and the Mundijong Urban DCP. Therefore, it seems inconsistent that section 2.4.3 of the Mundijong Urban DCP claims that the “Community Infrastructure and Open Space Strategy identifies a District sports oval to be co-located with the planned High School in Precinct G”. This is incorrect and as such we request an urgent review of this document to determine the basis for this assertion.</p> <p>Whilst it is acknowledged that the Strategy identifies a portion of Neighbourhood Open Space within Precinct G, it is noted that the District Structure Plan identifies another site for this purpose.</p> <p>Perhaps the only counter-argument is that a portion of District Open Space is required adjacent to the proposed High School site. In response to this, we note that</p>	<p>identified in the updated strategy.</p> <p>Notwithstanding the above, as a result of the submissions and further discussions with developers in the area, officers recommend the following changes to the DCP and the amendment:</p> <ul style="list-style-type: none"> <li>- The life of the DCP is recommended to be 14 years, rather than 20 years;</li> <li>- Population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of</li> </ul>	

**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>the WAPC's Development Control Policy 2.4 – School Sites only requires a maximum “Secondary” School site of 10 hectares or of 6 hectares to accommodate a High School site, which includes its own recreational spaces in addition to classrooms and other facilities. The site that is to accommodate the High School is already more than 10 hectares (11.76ha), so in our view, and additional space for playing fields and the need for a “Shared-use agreement’ between the Shire and the Department of Education, as suggested in the Mundijong Urban DCP is simply not required or necessary.</p> <p>In summary, our Client’s view that District and Neighbourhood Open Space requirements are more than adequately met without the need for a further open space site at Lot 10 Keirnan Street is firmly held on the basis that:</p> <ul style="list-style-type: none"> <li>• The planned District Open Space Facility at the corner of Keirnan Street &amp; South Western Highway, and other additional facilities are easily sufficient to service the needs of the Mundijong-Whitby locality;</li> <li>• The High School Site, adjacent to the west of Lot 10, is already between 1 and 5 hectares larger than required, so there is certainly no requirement for additional open space to facilitate the construction of that school;</li> <li>and • The Shire’s Community Infrastructure and Public Open Space Strategy concurs with this view given it does not recommend the provision of public open space or community infrastructure at the subject site.</li> </ul> <p><b>RECOMMENDATIONS</b></p> <p>In response to the above, our recommendation, in respect of Lot 10 Keirnan Street, Mundijong is that the following occur:</p> <ul style="list-style-type: none"> <li>• Amend the District Structure Plan Map from “District Open Space” to “Low (Suburban) R20 – 35”;</li> <li>• Remove any reference if/where it occurs within the District</li> </ul>	<p>Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200;</p> <ul style="list-style-type: none"> <li>- The development areas occurring within this period are expected to be primarily Whitby and the western edge of the DCA3;</li> <li>- The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the</li> </ul>	







**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
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2. The Shire's completed submission form to proposed Scheme Amendment 209 (Ref: PA/18/780) – Refer Appendix 1;

3. The Shire's completed submission form to proposed Mundijong District Structure Plan (Ref: PA/18/779) – Refer Appendix 2;

4. Separate advice letter on the Draft DSP and DCP from Mr. Len Kosova of LK Advisory dated 20 August 2020 – Refer Appendix 3;

5. Agricultural land capability report dated 28 August 2020 prepared by Land Assessment Pty Ltd – Refer Appendix 4;

6. Mundijong West Landowners Group (MWLG) schedule of members – Refer Appendix 5;

7. A letter to the Shire dated 18 June 2020 from WPG Landholdings Pty Ltd confirming all of the land owners between Mundijong, Gangemi, Leipold and King Roads are members of the Mundijong West Landowners Group and support the previously lodged LPS 3 submission proposing the West Mundijong Urban Precinct – Refer Appendix 6; and,

8. Our previously lodged submission dated 6 December 2019 on the Shire's Draft Local Planning Strategy (LPS) and Local Planning Scheme No. 3 (LPS 3) – Refer Appendix 7;

All components of this submission must therefore be considered in the Shire's assessment of the Draft Mundijong DSP, Amendment No. 209 and the associated Draft Urban DCP.

Fundamentally, our position is that there are material shortcomings and potentially fatal flaws in the recently advertised proposals, which can and should be resolved (partly or wholly) by expanding the Draft DSP and DCP areas to include the land

- Appendix 2 – A completed submission form to proposed Mundijong District Structure Plan
- Appendix 3 - Advice letter on the Draft DSP and DCP from Mr. Len Kosova of LK Advisory dated 20 August 2020
- Appendix 4 - Agricultural land capability report by Land Assessment Pty Ltd
- Appendix 5 - Mundijong West Landowners Group schedule of members
- Appendix 6 - A letter to the Shire from WPG Landholdings Pty Ltd confirming all of

**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>bounded by Mundijong, King, Leipold and Kargotich Roads, Oldbury, which we refer to as the proposed West Mundijong Urban Precinct (WMUP). Our comprehensive justification for this position is set out in the documents attached to this submission letter.</p> <p>As mentioned above, our previously lodged submission dated 6 December 2019 on the Shire's Draft LPS and LPS 3 is attached and contained as Appendix 7. As part of the proceedings in the Shire's consideration of this submission relating to the draft LPS and LPS 3, some pertinent and additional information elements arose post the aforementioned LPS and LPS 3 submission. In the interests of completeness of the various planning mechanisms being considered, these are listed below and are also attached for review as part of this submission to the DSP and DCP:</p> <ul style="list-style-type: none"> <li>• Appendix 4 - Agricultural land capability report dated 28 August 2020 prepared by Land Assessment Pty Ltd. This report was undertaken in response to claims from the Shire that the proposed WMUP held highly productive values for agricultural land. The detailed examination undertaken by Land Assessment Pty Ltd confirms that the proposed WMUP is neither a key agricultural asset nor highly productive agricultural land;</li> <li>• Appendix 5 - A Mundijong West Landowners Group (MWLG) has been formed. Appendix 5 contains a schedule confirming all members of this group.</li> <li>• Appendix 6 - A letter to the Shire dated 18 June 2020 from WPG Landholdings Pty Ltd confirming all of the land owners between Mundijong, Gangemi, Leipold and King Roads are members of the MWLG group and support the previously lodged LPS 3 submission proposing the WMUP.</li> </ul>	<p>the land owners between Mundijong, Gangemi, Leipold and King Roads are members of the Mundijong West Landowners Group and support the previously lodged LPS 3 submission proposing the West Mundijong Urban Precinct</p> <ul style="list-style-type: none"> <li>• Appendix 7 – A previously lodged submission on the Shire's Draft Local Planning Strategy and Local Planning Scheme No. 3.</li> </ul>	



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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p><b>1. Draft Mundijong DSP (Shire Ref: PA18/779)</b></p> <p>1.1 The Draft Mundijong DSP has a lengthy and complicated history, which can best be illustrated by the following timeline of events:</p> <p>2011 – WAPC approval of the Mundijong Whitby DSP, comprising the urban portion of the new Draft Mundijong DSP (i.e. east of the West Mundijong Industrial Area).</p> <p>2013 – Draft West Mundijong Industrial Area DSP adopted for advertising by Council (March). This structure plan has remained in draft form and has never been finally adopted.</p> <p>2017 – MRS Amendment gazetted to rezone the West Mundijong Industrial Area.</p> <p>2018 – Town Planning Scheme Amendment and DCP gazetted for the West Mundijong Industrial Area ('DCA 2') (February).</p> <p>2018 – Council (in May) endorsed for advertising the Draft Mundijong Local Development Strategy for the entire Mundijong locality. The Local Development Strategy comprised a Draft Mundijong DSP incorporating the 2011 Mundijong Whitby DSP and the 2013 Draft West Mundijong Industrial Area DSP, together with more detailed Concept and Precinct Plans.</p> <p>2018 – Council (on 17 December) adopted for advertising a revised Draft Mundijong DSP, Amendment No. 209 to Town Planning Scheme No. 2 (TPS 2) and the associated Draft Mundijong Urban and West Mundijong Industrial Area Development Contribution Plans. This is the Council decision which has been acted upon to initiate the recent advertising of the Draft Mundijong DSP, Scheme Amendment No. 209, and the related Urban and Industrial DCPs.</p> <p>1.2 In its recent advertising material regarding the Draft Mundijong DSP, the Shire states that:</p>	<p><u>1.2</u></p>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>a. Provision 1 of Development Area 1 and Provision 1 of Development Area 2 of the Shire's TPS 2 require a single DSP to be adopted to guide subdivision and development for the whole of Development Areas 1 and 2.</p> <p>b. The Draft DSP is not being prepared or determined under the 'deemed provisions' of the Scheme. Rather, it is being considered in accordance with the specific Development Area provisions of TPS 2.</p> <p>c. The Draft DSP is an informing, relevant and strategic document to guide the exercise of discretion for Structure Plans and Local Development Plans which fall under the auspices of the 'deemed provisions' of the Scheme.</p> <p>On the first point above, while it is true that Provision 1 of Development Areas 1 and 2 requires a single DSP to be prepared covering both areas, Provision 4 of Development Area 1 (Mundijong) also requires a structure plan for the area to comply with Part 4, Regulation 16 of the 'deemed provisions'.</p> <p>Regarding point b. above, it is unclear why the Shire would state the Draft DSP is not being prepared or determined under the 'deemed provisions' because – firstly, the Draft DSP was instigated by and is now being advertised in accordance with Council's December 2018 resolution (OCM148/12/18), which explicitly refers to:</p> <ul style="list-style-type: none"> <li>• Schedule 2, Part 4, Clause 17 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the 'deemed provisions');</li> <li>• The Draft DSP's compliance with clause 16(1) of the 'deemed provisions'; and</li> <li>• Advertising of the Draft DSP in accordance with clause 18 of the 'deemed provisions'.</li> </ul> <p>It is clear from Council's enabling resolution that the Draft DSP was indeed intended to be prepared and determined under the 'deemed provisions'. Therefore, if the Shire</p>	<p>A full response to the submission on the draft DSP will be provided within the DSP submission responses.</p>	

## NEW SUMMARY OF SUBMISSIONS

### Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

#### Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

Responsible Business Unit: Strategic Planning

Advertising Date: 21 May to 31 August 2020

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>is relying on that 17 December 2018 resolution as the basis for advertising the Draft DSP then it can only do so in accordance with the 'deemed provisions', because that is precisely what Council's resolution required.</p> <p>If the Shire no longer intends to prepare or determine the Draft DSP in accordance with the 'deemed provisions' then it could only do so under a new Council resolution that does not reference or require compliance with the 'deemed provisions'. From a governance and compliance viewpoint, doing so may void the current DSP advertising process, thus requiring the DSP to be advertised de novo.</p> <p>In relation to point c. above, the Draft DSP will itself need to fall under the auspices of the 'deemed provisions' if it is being advertised and determined in accordance with Council's resolution from 17 December 2018.</p> <p>1.3 Section 3.2.1 of the Draft Mundijong DSP identifies an estimated yield of 17,592 dwellings for Residential Precincts A – G. By contrast, the Draft Mundijong 'Traditional Infrastructure' DCP (incorporated in Amendment No. 209 to TPS 2) forecasts a lesser yield of (only) 16,746 dwellings for Precincts A – G; while the Draft 'Community Infrastructure' DCP (incorporated in Amendment No. 207 to TPS 2) forecasts an even lower yield again of 16,382 dwellings for those precincts.</p> <p>The estimated residential population resulting from these three different forecast dwelling yields is 50,840; 48,395; and 47,343, respectively, based on the Draft DSP's residential occupancy rate of 2.89 persons per household.</p> <p>Estimated dwelling yield and population forecasts for the areas designated in the Draft DSP as Rural Small Holdings and Development Investigation Areas (DIAs) 2 and 3 have deliberately not been included in the above figures, as the dwelling and population yields for both are either nominal (for the Rural Small Holdings) or</p>	<p><u>1.3 to 1.5</u> As a result of the submissions and further discussions with developers in the area, officers have revised the following aspects of the DCP and the DSP:</p> <ul style="list-style-type: none"> <li>- The life of the DCP is recommended to be 15 years, rather than 20 years. This will align with</li> </ul>	<p style="color: red;">Recommend DCP life, infrastructure inclusions and lot forecasts, be amended in line with the Shire submission at the end of this document.</p>



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		<p>premature to reliably calculate (in the case of DIAs 2 and 3) in the absence of any detailed planning.</p> <p>1.4 The dwelling yield inconsistencies described in 1.3 above are magnified when compared against the detailed constraints assessment contained in your submission on the Shire's Draft LPS and LPS 3. That assessment concluded that Precincts A – G would (only) yield around 13,056 dwellings with a resultant population of 37,731 persons – approximately 4,536 fewer lots and 13,109 fewer residents than stated in the Draft DSP.</p> <p>1.5 It is critical that the Shire reconciles the variance in estimated dwelling yields described in 1.3 and 1.4 above, as inconsistent or inaccurate dwelling yield estimates between the Draft Mundijong DSP, Draft 'Traditional Infrastructure' DCP and Draft 'Community Infrastructure' DCP will distort the district population forecasts, DCP contribution amounts, DCP cost apportionment and DCP income calculations.</p>	<p>the recommendations from the DPLH to reduce the CIDCP life to 15 years;</p> <p>- Population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200;</p>	

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			<ul style="list-style-type: none"> <li>- The development areas occurring within this period are expected to be primarily Whitby and the western edge of the DCA3;</li> <li>- The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the extent of road upgrades, which are detailed within the Shire's submission at the end of this document, and addressed as appropriate within each submission.</li> </ul>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>1.6 If the proposed WMUP were incorporated in the Draft DSP as Precinct M, in accordance with your submission on the Shire's Draft LPS and LPS 3, then it would add capacity for up to 6,500 additional dwellings and 18,784 residents.</p> <p>1.7 The planning arguments in support of Precinct M were comprehensively addressed in your LPS/LPS 3 submission and therefore do not need to be repeated in this advice. However, in the context of the Draft DSP and the related 'Traditional Infrastructure' and 'Community Infrastructure' DCPs, it is worth noting the following benefits of including Precinct M as a residential expansion area in the Draft DSP:</p>	<p>It is noted that the submitter has commented on the Community Infrastructure Development Contribution Plan (Amendment 207) which is a separate DCP and only accounts for residential development. Officers further note that any applicable revisions to the included lots, resulting from the recent reconciliation of population forecasts/anticipated lots, will be accounted for in the DCP which is to be published within 90 days of gazettal of Amendment 207.</p>	

## NEW SUMMARY OF SUBMISSIONS

### Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

#### Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

Responsible Business Unit: Strategic Planning

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>a. The addition of Precinct M would assist in resolving the identified dwelling yield inconsistencies;</p> <p>b. The addition of Precinct M would address any anticipated dwelling or population shortfalls inherent in the current Draft DSP and DCPs;</p> <p>c. Based on the comprehensive assessment included in your previous submission to the Shire, Precinct M is more developable, serviceable, accessible, coordinated, commercially viable, and less constrained than other DSP areas proposed for urbanisation.</p> <p>d. Precinct M would provide a much-needed contingency to achieve urbanisation of the greater Mundijong area if development within Precincts A – G does not proceed or does not proceed at the rate or density envisaged by the DSP or DCPs.</p> <p>In our opinion and experience, this is a very real possibility, given the:</p> <ul style="list-style-type: none"> <li>• Multiple, disparate land ownership throughout the Precincts where most of the urban development is proposed.</li> <li>• The absence of any Local Structure Planning for Precincts B, C, D, part E, F and G, which comprise approximately 60% of the total land area of Precincts A – G and approximately 70% of the anticipated dwelling yield.</li> <li>• The immense challenges, costs, time delays and complications associated with preparing and adopting Local Structure Plans for most of the DSP's proposed urban area. The only way this could practically be achieved is through pre-funding by the Shire and recovery of costs via local, Precinct-level DCPs, in addition to the district and Shire-wide DCPs. This added cost burden would impose a further barrier to development of that land, which in turn could jeopardise the urban structure upon which the entire DSP is premised; and</li> <li>• Substantial environmental, servicing and infrastructure constraints affecting much of the existing DSP area.</li> </ul>	<p><u>1.6 to 1.8</u></p> <p>It is noted that the submitter in essence, is requesting Council to expand the Draft DSP and DCP areas to include the land bounded by Mundijong, King, Leipold and Kargotich Roads, Oldbury.</p> <p>The Department of Planning, Lands &amp; Heritage have advised that only the areas currently included in the “Urban Development” zone can be included in the District Structure Plan. There is therefore no scope for expanding this area to incorporate the area as requested.</p> <p>The Shire intends to pre-fund certain items</p>	<p>No modifications recommended.</p>

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>1.8 We note the WMUP shares the same Rural zoning under the Metropolitan Region Scheme and the Shire's TPS 2 as DIAs 2 and 3. On this basis, as an interim and alternative approach to including the WMUP in the Draft DSP as a new residential Precinct M, the land could instead be designated as a new DIA 4 under the Draft DSP. This would provide WPG with an opportunity and incentive to carry out more detailed planning to prove-up the development potential of that area, without prejudicing the zoning or land use outcomes that could arise from that work. In our view, this represents an appropriate and balanced way forward for the Draft DSP.</p>	<p>of infrastructure, and that developers will also pre-fund some items. It is the intent that all items included in the DCP are built within the lifetime of the DCP. The Shire has the option to extend the life of the DCP, and make amendments to infrastructure at each five year review. This ensures the DCP keeps pace with development.</p>	
		<p><b>2. Draft Mundijong Urban DCP &amp; Amendment 209 to TPS2 (Shire Ref: PA18/780)</b></p>	<p>As a result of the submissions and further discussions with developers in the area, officers have revised the following aspects of both the DCP and the DSP:</p>	<p><b>Recommend DCP life, infrastructure inclusions and lot forecasts, be amended in line with the Shire submission at the</b></p>
		<p>2.1 The Draft Mundijong Urban DCP proposed by Amendment No. 209 to TPS 2 is a 'Traditional Infrastructure' DCP with a 20-year operating life. This DCP must be read in conjunction with the 'Community Infrastructure' DCP proposed by Amendment No. 207 to TPS 2, which Council adopted for final approval at its meeting on 18 May 2020 (OCM110/05/20). The combination of shared costs from both DCPs</p>		

**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

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		<p>represents the true impact of development contributions on land within the Mundijong Draft DSP.</p> <p>2.2 The 'Traditional Infrastructure' DCP proposed by Amendment No. 209 identifies \$218.65 million worth of infrastructure costs to be shared among Precincts A – G of the Draft DSP, equating to a development contribution rate of \$13,057 per lot (or dwelling), based on a total yield of 16,746 lots/dwellings.</p> <p>2.3 The 'Community Infrastructure' DCP proposed by Amendment No. 207 identifies \$120 million worth of community infrastructure costs to be delivered over a 30-year operating period. These community infrastructure costs are proposed to be apportioned as follows – approximately 56.4% (\$67.47 million) is to be funded from development within the Draft Mundijong DSP; 24.8% is to be funded from development within the Draft Byford DSP; 16.7% is to be funded by the Shire; with the balance 2.1% to be funded by development across the remainder of the Shire.</p> <p>2.4 Therefore, the combined value of infrastructure to be funded from the Draft Mundijong DSP (and almost exclusively from Precincts A – G) under both DCPs is \$286.12 million.</p> <p>2.5 At its May 2020 meeting, Council resolved to remove (to pursue as a separate Scheme Amendment) infrastructure items M03 (Kiernan Park Recreation Centre Extension) and S02 (Kiernan Park Outdoor Aquatic Centre (Stage 6)) from the Draft 'Community Infrastructure' DCP, which have a combined total cost of \$29.37 million. According to the Officer Report to Council, this resulted in the contribution rate for land within the Draft Mundijong DSP dropping from \$5,200 per lot (dwelling) to \$3,450 per lot (dwelling). However, this is only considered to be a temporary</p>	<ul style="list-style-type: none"> <li>- The life of the DCP is recommended to be 15 years, rather than 20 years. This will align with the recommendations from the DPLH to reduce the CIDCP life to 15 years;</li> <li>- Population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The</li> </ul>	<p style="color: red;">end of this document.</p>

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		<p>reduction, given the stated intent to still include these items in the 'Community Infrastructure' DCP via a subsequent Scheme Amendment.</p> <p>2.6 As a consequence of the above, the development contribution rate applicable for land within Precincts A – G of the Draft Mundijong DSP is expected to range from \$16,507 per lot (dwelling) to \$18,257 per lot, depending on the future inclusion, cost and apportionment of community infrastructure items M03 and S02. This has the potential to adversely affect the commercial viability of development within the DSP area, as the proposed contribution rate is likely to represent around 10% of the estimated average sale price for lots created in the Draft DSP area, based on a prevailing average lot price of approximately \$185,000 for a 450m2 lot in Whitby.</p> <p>Furthermore, this contribution rate is presented in static terms, and does not account for any:</p> <ul style="list-style-type: none"> <li>• cost escalation</li> <li>• reduction in the value of money over time</li> <li>• delays in the progress of development and payment of contributions</li> <li>• risk of lot yields not being achieved within the life of the DCP</li> </ul>	<p>anticipated increase in lots during this period is now anticipated to be 7,200;</p> <ul style="list-style-type: none"> <li>- The development areas occurring within this period are expected to be primarily Whitby and the western edge of the DCA3;</li> <li>- The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the extent of road upgrades, which are detailed within the Shire's submission at the end of this</li> </ul>	

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			<p>document, and addressed as appropriate within each submission.</p> <p>The anticipated cost per lot for DCA3 is now anticipated to be \$9,576.</p> <p>This figure, including the potential CIDCP payment, aligns with values currently operating in Byford, where the rate of development is currently increasing.</p> <p>It is noted in respect of 2.5, that any future amendment would fall under the provisions of new draft SPP 3.6 which determines a maximum DCP life of 10 years. Since the additional</p>	



**NEW SUMMARY OF SUBMISSIONS**

**Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209**

**Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780**

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			<p>infrastructure noted is not planned until beyond 2040, such an amendment would not be implemented before that time. It is therefore incorrect to add these costs to the current DCP value(s).</p> <p>It is further noted that the Mundijong Urban DCP reimburses developers for land associated with POS and drainage, which would otherwise be ceded free of charge under Liveable Neighbourhoods. The value of this credit is \$2,569 per lot, and this amount should be deducted from any Contribution totals when assessing the actual cost impost of the contributions.</p>	

## NEW SUMMARY OF SUBMISSIONS

### Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

#### Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

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		<p>2.7 From our assessment and experience, we have identified the following critical issues in the two DCPs relating to the Draft Mundijong DSP –</p> <p>a. Neither the ‘Traditional Infrastructure’ DCP Report nor the text to be inserted as Development Contribution Area 10C in Appendix 10 of TPS 2 (pursuant to Amendment No. 209) specify the timing or priority of infrastructure items, other than identifying (in Section 4.1 of the DCP Report) the Town Centre Distributor and Grade Separation as the sole priority infrastructure item.</p> <p>Stipulation of infrastructure timing and priority is a mandatory essential requirement of Draft State Planning Policy No. 3.6 (SPP 3.6) – Infrastructure Contributions and is needed to provide certainty and confidence to developers and future residents alike that the infrastructure items</p> <p>which contributions are being collected for will actually be delivered in a predictable order and timing committed to by Council.</p>	<p>Section 6.3.7 of SPP 3.6 (2009) under which this Amendment is prepared, provides that a development contribution plan is to specify the priority and timing for the provision of infrastructure. It is not a requirement or recommendation that such priority be included in the Amendment.</p> <p>SPP 3.6 provides that once a DCP/Amendment is gazetted, a DCP report must be produced within 90 days. At this time, when the DCP infrastructure inclusions are known, the Shire will work with the Mundijong Industry Reference group to inform a submission to</p>	<p style="color: red;">Timeline of provision - Officers recommend an Appendix be included in the final DCPs for West Mundijong Industrial and Mundijong Whitby Urban, to detail the agreed project timelines, once defined.</p>

### NEW SUMMARY OF SUBMISSIONS

#### Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

#### Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

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		<p>b. As stated in 1.3 earlier in this advice, there are inconsistencies between the dwelling yield and population forecasts stated in the Draft Mundijong DSP (17,592 dwellings), Draft Mundijong 'Traditional Infrastructure' DCP (16,746 dwellings), and Draft 'Community Infrastructure' DCP (16,382 dwellings).</p> <p>Based on a development contribution rate of \$16,507 per lot (dwelling) this equates to varying development contribution incomes of \$290.39 million, \$276.42 million, and \$270.41 million, respectively.</p> <p>This is significant considering the combined value of infrastructure to be funded from the Draft Mundijong DSP (almost entirely from Precincts A – G) is \$286.12 million. Hence, the yield forecast of 16,746 dwellings contained in the Draft Mundijong 'Traditional Infrastructure' DCP is likely to result in a substantial \$10 million funding shortfall. This shortfall increases to more than \$15 million if the estimated yield from the Draft 'Community Infrastructure' DCP is applied.</p> <p>However, the future DCP funding shortfall becomes even more severe if the revised yield calculation (of 13,056 dwellings) included in your submission on the Shire's Draft LPS and LPS 3 is applied, resulting in a colossal \$70 million funding deficit.</p>	<p>Council as to the order and timing of infrastructure.</p> <p>Once approved by Council, this will be included in the DCP report produced within the 90 day period.</p> <p>Details on the reconciliation of population and lot forecasts have been addressed previously within this submission.</p> <p>Officers note that this reconciliation will be reflected within both the revised DCP and the revised DSP, noting that the draft DSP extends to full build out at 2050.</p> <p>Officers also note that the DSP as originally advertised, included</p>	<p>Recommend DCP life, infrastructure inclusions and lot forecasts, be amended in line with the Shire submission at the end of this document.</p>

**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

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		<p>c. The Draft Mundijong 'Traditional Infrastructure' DCP does not include any income or expenditure projections to demonstrate infrastructure project funding or cashflow. As a result, the DCP assumes that all required infrastructure items will be delivered within the DCP's 20-year lifespan.</p> <p>To do so, any one or more of the following scenarios would need to occur –</p>	<p>for populations outside the proposed DCA3. A recommendation has been made within the DSP submission response that the DSP only includes the areas currently included in the "Urban Development" zone.</p> <p>The anticipated lot yield for the DCA is updated annually to reflect actual build and any changes or additions to included LSP areas, which the Shire believes is the most accurate approach.</p> <p>Income and expenditure projections are detailed within the Shire's Capital Expenditure Plan and</p>	<p>No modifications recommended,</p>

## NEW SUMMARY OF SUBMISSIONS

### Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

#### Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

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		<p>Scenario 1: The Shire would need to pre-fund most of the infrastructure at an enormous expense.</p> <p>Scenario 2: Some infrastructure items would need to be removed from the 20-year operating period of the DCP for funding and delivery in a separate, subsequent DCP.</p> <p>Scenario 3: All development contributions would need to be collected within the 20-year operating period.</p> <p>For Scenario 3 to occur, the DCP's forecast yield of 16,746 lots would need to be delivered at an average rate of 837 lots per annum for the next 20 years.</p> <p>This is rather unrealistic when considering the pattern and pace of historical development in the Shire, as outlined below.</p> <p>In reviewing the Shire's Annual Budgets and Financial Reports from 2014/15 to 2019/20, we note that the total number of rateable properties in all Residential GRV categories (Improved, Vacant and Minimum) across the whole Shire increased from 5,591 (year ended 30 June 2015) to 8,303 (year ended 30 June 2020) – an additional 2,712 properties, equating to an average annual increase of 542 rateable residential properties per annum. Hence, to match the DCP's ambitious average annual development rate, the production of residential lots within the Draft Mundijong DSP alone would need to be some 55% greater than the average annual residential lot production across the whole Shire for the past five years – and this would need to be sustained over the next 20 consecutive years.</p> <p>To overcome this growth rate challenge, several important and interdependent issues must be resolved, as follows:</p>	<p>are not required to be included within the DCP report. The Shire's CEP will be updated to reflect the DCP items at the prevailing CEP revision, once accurate costings and inclusions are available in the 90 day period post gazettal of the amendment</p> <p>The Shire is anticipating that the forecast lots and infrastructure inclusions (as recommended within this response to submissions) will be delivered within the proposed 14 year timeframe of the DCP.</p> <p>Given the area's forecast "hyper-growth", as has been</p>	

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		<ul style="list-style-type: none"> <li>• The District and Neighbourhood Centres proposed in the Draft DSP need to be physically created and visible to new buyers, as the amenities are essential attractors for buyers in a competitive local and district property market.</li> <li>• Comprehensive local structure planning will need to be completed for most of the Draft DSP area, before subdivision or development can occur and before any contribution will be paid from those areas.</li> <li>• The inherent challenges posed by multiple and uncoordinated land ownership throughout most of the Draft DCP area will need to be overcome, as history and experience have demonstrated that little or no development will occur in those areas until and unless those challenges are successfully resolved;</li> <li>• There must be early and coordinated delivery of critical district-level infrastructure as a stimulus for accelerated supply of residential lots/dwellings in the greater Mundijong area;</li> <li>• There must be a marked increase in demand for the residential product mix proposed by the Draft DSP/DCP and it must be commercially feasible for the development sector to supply new product to meet or exceed that demand;</li> <li>• Additional developable land must be made available in the greater Mundijong area to compensate for the reduction in dwelling yield forecast in your LPS/LPS3 submission;</li> <li>• The overall land base from which contributions are collected must increase to improve the feasibility of delivering on the infrastructure aspirations contained in the two aforementioned DCPs;</li> <li>• The additional contributing land referred to in the preceding point must be sufficiently large, de-constrained, accessible and appealing to the market, to encourage new development early in the DCPs life. This in turn will generate</li> </ul>	<p>demonstrated within other similar urban areas such as Byford and Baldivis, we do not believe comparing historic data is an effective forecasting tool. We also note an additional boost from local government housing stimulus measures, and Stage Government projects, such as the Tonkin Highway extension, Metronet and Westport.</p> <p>The Shire does not underestimate the challenges inherent in effectively managing such hyper-growth and agrees that many of the issues noted will need to be addressed to facilitate the</p>	

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		<p>payment of requisite development contributions which can then be directed to the early delivery of critical district-level infrastructure.</p> <p>In our opinion, inclusion of the proposed WMUP in the Draft DSP and DCPs would significantly contribute to resolving the above issues, for the reasons already covered in this advice and outlined in your earlier submission on the Shire's Draft LPS/LPS3.</p>	<p>anticipated rate of development.</p> <p>In order to meet the forecast population growth, the Shire will need to pre-fund significant amounts of infrastructure, which would be achieved through loans from the Municipal Fund (ratepayer funding) and other loans. We can only do this when there is a significant level of certainty around the ability to collect future contributions to repay those debts. That is, to deliver infrastructure early in order to meet the needs of the early community and to promote the Shire, and specifically Mundijong, as a place that will</p>	

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			<p>represent an effectively planned community, the Shire needs to deliver infrastructure.</p> <p>It is our experience in Byford that, where hyper-growth commenced in 2004, but contribution sharing arrangements did not commence until 2016, we now have significant shortfalls of infrastructure and significant issues to address. This has both delayed the provision of critical facilities, and placed the cost burden of delivering such infrastructure on the ratepayer base, rather than on those who had created the need. It is therefore critical that</p>	



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		<p>d. Appendix 4 of the Draft 'Community Infrastructure' DCP Report identifies the following expected population growth within the Mundijong DCP area (referred to as DCA 4 in Amendment No. 207 to TPS 2):</p>	<p>we have contribution arrangements in place early, and for the appropriate lifespan, to avoid a repeat of these issues.</p> <p>Grant funding and advocacy is an important part of our strategy to assist in reducing the cost within the DCP(s). Grant funding can only be sought for a confirmed project and as such, inclusion within the DCP is critical to the grant application and advocacy process.</p>	<p><b>Recommend DCP life, infrastructure inclusions and lot forecasts, be amended in line with the Shire</b></p>																
		<p>Table 1 – Expected Population Growth in the Mundijong DCP Area</p> <table border="1"> <thead> <tr> <th>2016</th> <th>2021</th> <th>2026</th> <th>2031</th> <th>2036</th> <th>2041</th> <th>2046</th> <th>2051</th> </tr> </thead> <tbody> <tr> <td>1,979</td> <td>3,680</td> <td>6,398</td> <td>12,380</td> <td>20,961</td> <td>28,007</td> <td>37,421</td> <td>50,000</td> </tr> </tbody> </table>	2016	2021	2026	2031	2036	2041	2046	2051	1,979	3,680	6,398	12,380	20,961	28,007	37,421	50,000	<p>Population estimates and build out progress have been extensively reviewed through consultation with developers, the</p>	
2016	2021	2026	2031	2036	2041	2046	2051													
1,979	3,680	6,398	12,380	20,961	28,007	37,421	50,000													



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		<p>2.8 If the proposed WMUP were incorporated in the Draft DSP as either Precinct M or DIA 4 then the 6,500 additional lots proposed in that Precinct could (subject to passing all relevant need and nexus tests and in accordance with Draft SPP 3.6) contribute a notional \$2,500/lot for local infrastructure or up to \$3,500/lot where district infrastructure is also involved. This would generate additional development contribution income ranging from \$16.25 million to \$22.75 million, thereby increasing the funding pool for delivery of traditional and community infrastructure items, whilst reducing the development contribution rate for all properties in the DSP.</p>	<p>The Shire is confident that the modified infrastructure inclusions and lots anticipated within the proposed 15 year timeframe of the DCP are realistic.</p>	<p>No modifications recommended.</p>
		<p>2.9 The absence of a detailed timing and priority schedule for traditional (in particular) and community infrastructure items under the Draft Mundijong DCPs will invariably give rise to the same paradox afflicting most DCPs of this size, scale and 20+ year</p>	<p>As discussed earlier in this submission, it is the Shire's intention to</p>	<p><b>Timeline of provision - Officers recommend an</b></p>

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		<p>time horizon, whereby new lots first need to be created to generate development contributions that will eventually fund the new infrastructure, but the new infrastructure first needs to be delivered to incentivise and cater for the subsequent creation of new lots.</p> <p>Adding the proposed WMUP to the Draft Mundijong DSP area will assist in resolving this dilemma, as your LPS/LPS 3 submission revealed the area is comparatively less constrained and easier to develop than much of the land contained in Precincts A – G. Therefore, the WMUP could serve as an important source of both development contributions and rate revenue to assist in managing prefunded infrastructure items and DCP cashflow.</p> <p>2.10 While it is acknowledged that future rates income is not a determining factor in planning decisions, it deserves to be noted that –</p> <p>a. The Minimum Residential GRV rate adopted by Council in its 2020/21 Budget is \$1,276 per rateable property, while the average Residential GRV rate equates to \$1,764 per rateable property.</p> <p>b. The estimated yield of 6,500 dwellings (i.e. rateable properties) from the proposed WMUP translates into an estimated annual rates revenue for the Shire (at full build-out) ranging from \$8.29 million – \$11.46 million.</p> <p>c. This potential rate revenue from the proposed WMUP is (only) approximately \$2 million less than the Shire’s total forecast Residential rates revenue of \$13.52 million in its 2020/21 Budget.</p> <p>We would urge the Shire to give detailed consideration to the matters raised in this advice if there is to be any prospect of achieving the infrastructure goals,</p>	<p>provide information on timing and priority within the official DCP produced within 90 days of gazettal of the Amendment.</p> <p>The principles of a DCP are that those driving the growth, pay for the associated infrastructure required as a result of the growth. It is not appropriate that the ratepayer fund such infrastructure.</p>	<p>Appendix be included in the final DCPs for West Mundijong Industrial and Mundijong Whitby Urban, to detail the agreed project timelines, once defined.</p> <p>No modifications recommended.</p>

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		<p>development aspirations and population targets proposed for the broader Mundijong urban area and the Shire as a whole.</p> <p>I would welcome the opportunity to discuss any aspect of this advice with you or the Shire.</p> <p>Please do not hesitate to contact me on 0439 044 967 or len@lkadvisory.com.au if you have any queries whatsoever regarding this matter.</p> <p>Yours sincerely, LEN KOSOVA</p>		
Peter Webb & Associates IN20/18800	16.	<p><b>Re: Submission on the draft (revised) Mundijong Urban District Structure Plan and Amendment No. 209 on behalf of DJM Mundijong Pty Ltd</b></p> <p>This is to advise that we act for DJM Mundijong Pty Ltd (DJMM), the Company which owns Lots 11 to 14 Keirnan Street, Mundijong. These landholdings are situated at the north western corner of the intersection of Keirnan Street and Soldiers Road, Mundijong. The subject landholdings are located within the boundaries defined as being subject to the draft District Structure Plan: Mundijong Urban (DSP) and proposed Amendment No. 209 to Town Planning Scheme No. 2 (TPS 2) and the accompanying Development Contribution Plan (DCP). The DSP, Amendment No. 209 and the DCP are currently the subject of an extended advertising period, which is scheduled to close on 31 August 2020.</p> <p>This submission is lodged on behalf of DJMM as part of this formal advertising process.</p> <p>The Council of the Shire would be aware that DJMM had submitted a Local Structure Plan (LSP) on 12 July 2019 for Sub-Precinct G, following an extensive pre-consultation process with Shire's Technical Officers on 12 June 2019. Following that lodgement and receipt of further written advice from the Shire, the</p>	The submission has been considered and the contents noted.	

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		<p>Council resolved to approve a modified boundary for the land required to be included in the LSP. Following that resolution, DJMM has invested considerably in revising all of the technical documentation to respond to the approved boundary for the LSP and in accordance with the endorsed Mundijong-Whitby DSP and the draft DSP. The revised LSP has now been resubmitted to the Shire and has recently been formally accepted, with the advertising process now underway. We extend our appreciation to the Shire's Planning Department for its efficient response and action in regard to progressing the LSP to the formal advertising process.</p> <p>In lodging this submission, we provide a general comment on the draft DSP as well as highlighting our concern over some of the infrastructure items listed in the Development Contribution Area 10C – Mundijong Urban in Amendment 209 and the accompanying DCP for DCA3, which is considered in many ways to not satisfactorily meet the fundamental principles of the WAPC SPP 3.6 – Development Contributions for Infrastructure and the seriously entertained draft revised SPP 3.6 (<b>SPP 3.6</b>).</p> <p><b>A. Draft District Structure Plan: Mundijong Urban</b></p> <p>The land forms part of the area defined in the draft DSP as 'LSP Area G – Mundijong North'.</p> <p>The recently submitted LSP for Sub-Precinct G2 is consistent with the broader strategic framework identified in the draft DSP.</p> <p>It is however noted that the DSP Map at Figure 1 illustrates a road network layout which is inconsistent with the road upgrade map included in the DCP for DCA3. This includes inconsistencies with the District Distributor road network, noting that the DSP Map does not include the Skyline Boulevard and Tinspar Avenue connection. These inconsistencies will presumably result in the WAPC being</p>	<p>Officers acknowledge the submission of a local structure plan for Precinct G2 (LSP).</p> <p>Officers agree that the DSP varies from the DCP map in respect of the Skyline/Bishop extension/connection.</p>	<p>Skyline Blvd - Recommend that Skyline Boulevard be amended on DCP road map, costs and text within the Mundijong Whitby Urban DCP, and text amended in Amendment 209, to reflect only the</p>

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		<p>unable to grant endorsement of the revised DSP, which casts doubt on the ability for Amendment 209 in its current form to be able to reach a successful conclusion.</p> <p><b>B. Amendment 209 to the currently operative Town Planning Scheme No. 2 and the Development Contribution Plan – Mundijong Urban</b></p>	<p>This will be addressed in the relevant DSP and DCP documents, however it is noted that if recommendations made within the Shire submission are accepted, there is no need and nexus within the DCA, for the portion of Skyline currently identified north of the Town Centre Distributor Road.</p> <p>It is therefore recommended that the DCP costs reflect only the portion of Skyline between Tinspar Avenue and the Town Centre Distributor road.</p>	<p>section between Tinspar Avenue and the Town Centre Distributor road.</p>

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		<p>On behalf of DJMM, we lodge this submission to raise concern with the advertised Amendment and DCP, noting in particular, the following major issues:</p> <ul style="list-style-type: none"> <li>- the proposed lifespan of the DCP;</li> <li>- the lack of justification to support the need for some of the infrastructure items based on the demand generated;</li> <li>- the lack of commitment to providing infrastructure in a reasonable period of time; and</li> <li>- the lack of commitment to seeking alternative funding sources so as to relieve the burden of requiring these costs to be paid by the current active developers in this location.</li> </ul> <p><b>1) DCP lifespan exceeds the recommendations of the current and draft SPP 3.6</b></p> <p>The lifespan for the DCP far exceeds the recommended ten (10) year timeframe of SPP 3.6. This is inconsistent with the recently advertised draft Local Planning Strategy (LPS) which clearly states that the Shire's strategic vision is established based on a ten (10) year planning and development framework.</p> <p>It is understood that the Shire must identify the total extent of infrastructure required to support the anticipated increase in residential population as established through a WAPC endorsed DSP. It is also however important that the Amendment and the current DCP list only the infrastructure items needed to support the forecasted population anticipated to be residing in this location over the recommended ten (10) year timeframe.</p> <p>The DCP is required under both the current SPP 3.6 and the draft SPP 3.6 (which is a seriously entertained planning proposal, expected to be finalised before the</p>	<p>Officers note the concern regarding the lifespan of this Mundijong Development Contribution Plan (DCP).</p> <p>As required under the transitional arrangements of draft SPP 3.6, this Amendment (being prepared prior to gazettal of the draft) is being prepared under</p>	<p><b>Recommend DCP life, infrastructure inclusions and lot forecasts, be amended in line with the Shire submission at the end of this document.</b></p>



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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>end of 2020) to have a maximum lifespan of 10 years. Extensions to that time period are only supported in limited circumstances, should reasonable justification be demonstrated. There is no justification evident in the advertised documentation to support such an extension of the lifespan of this DCP.</p> <p>The Amendment proposal and the current DCP therefore must be revised to include only the infrastructure needed to support the demand generated by the population anticipated to be residing in this location within ten (10) years of the DCP being formally introduced.</p> <p>Any infrastructure which the Shire cannot commit to deliver within the ten (10) year timeframe due to there not being any actual demand generated for that particular infrastructure item, should not be included in the DCP but rather introduced when that need is clearly demonstrated.</p> <p>The DCP is required to be reviewed annually and therefore infrastructure items can be added in consultation with the major stakeholders as the Shire reaches the stage of being able to commit to the delivery of that particular infrastructure within a reasonable timeframe.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principles of need and the nexus, equity and certainty.</p>	<p>the provisions of SPP 3.6 2009.</p> <p>SPP 3.6 2009 does not mandate a lifespan of a DCP and makes provision for 5 yearly reviews to occur for any DCP with a life exceeding 10 years.</p> <p>Notwithstanding the above, officers note that, as a result of the submissions and further discussions with developers in the area, officers have revised the following aspects of both the DCP and the DSP:</p> <ul style="list-style-type: none"> <li>- The life of the DCP is recommended to be 15 years, rather than 20 years. This will align with the</li> </ul>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
			<p>recommendations from the DPLH to reduce the CIDCP life to 15 years;</p> <ul style="list-style-type: none"><li>- Population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200;</li><li>- The development areas occurring</li></ul>	

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			<p>within this period are expected to be primarily Whitby and the western edge of the DCA3;</p> <ul style="list-style-type: none"> <li>- The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the extent of road upgrades, which are detailed within the Shire's submission at the end of this document, and addressed as appropriate within each submission.</li> </ul> <p>It is noted that Infrastructure items</p>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p><b>2) Infrastructure Items, Land and Other Items</b></p> <p>a) Road Network Upgrades DCP Map</p> <p>The inclusion of road upgrades in the DCP must be based on justification that the improvements are required as a direct result of the increased demand generated by the anticipated population using the identified road network.</p> <p>Should these roads be forecast to accommodate low volumes significantly less than what typically defines the function and characteristics of the identified route, then the inclusion of the required upgrades is questionable in terms of satisfying the principle of need and the nexus.</p> <p>The DCP states that it includes a number of local roads requiring upgrades, as these roads are described as 'local roads playing a district function'. However, the anticipated traffic volumes included in the accompanying traffic modelling does not in some instances reflect the function that this road is identified as performing. Therefore, the need for the upgrade is not clearly established.</p> <p>For example, there are a number of roads identified in the Traffic Impact Assessment (TIA) prepared by Cardno (June 2020) with a recommended road hierarchy function characteristic of 'Integrator B'. These roads are defined in</p>	<p>can only be added or amended through a Major Amendment to the town planning scheme. They cannot be implemented through the Annual Review process.</p> <p>The Traffic Impact Assessment models traffic volumes only up to 2031, whereas the DCP and Amendment (as advertised) projects these volumes to 2040 (the completion of the DCP).</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, many of the road network items are</p>	<p>Recommend DCP life, infrastructure inclusions and lot forecasts, be amended in line with the Shire submission at the end of this document.</p>

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		<p>Liveable Neighbourhoods as having an indicative traffic volume ranging between 7,000 and 15,000 vehicles per day (vpd). The estimated capacity identified in the TIA is far less than what is typically considered as a road performing this district function.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principle of need and the nexus.</p> <p><b>b) 2020 TIA: Table 3-1 summary and recommended road reservation widths</b></p> <p>At Table 3-1 of the updated TIA, the forecast daily traffic volumes on the roads proposed to be modified are identified. We provide the following comments in regard to the recommended road reservation widths identified in the TIA and the infrastructure items included in the DCP report.</p> <p>The following comments also refer to the independent review of the itemised costings included in the DCP undertaken by Cossill &amp; Webley (C&amp;W). A copy of the itemised costing spreadsheet is attached to this submission.</p> <p><b>c) Soldiers Road:</b></p> <p>Soldiers Road is identified as carrying an estimated traffic volume of 9082 vpd in 2031 in the TIA. The recommended road hierarchy classification is identified as 'Neighbourhood Connector A'.</p>	<p>recommended to be removed or reduced.</p> <p>The Shire maintains that the recommended DCP inclusions and build standards are appropriate for the anticipated volumes and are a direct result of growth attributable to the DCA.</p> <p>As noted above, the TIA extends to 2031 and volumes have been forecasted beyond that point.</p>	<p><b>Soldiers Road – recommend removal of Paterson St portion of the upgrade and road reserve identified at</b></p>

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		<p>The recommended road reserve width is 20m, which is the current width of the road reserve. The DCP item listed for Paterson/Soldiers Road states that land is required to achieve a 30m wide road reserve. This requirement for widening beyond the existing 20m is not substantiated through the accompanying current TIA.</p> <p>Paterson/Soldiers Road therefore does not appear to be required to be widened given the supporting technical TIA does not provide evidence to support such modifications as being needed to accommodate the forecasted population at the point when 'built-out' of the area has been achieved. Notwithstanding this, the Shire would be aware of the significant restriction of physically being capable of achieving any such widening of this carriageway due to the vegetation contained within the reservation on both sides of the roadway. This vegetation has significant environmental value, being protected within Bush Forever Site 365 and described as a 'Flora Road' by the Shire.</p> <p>The costs associated with road widening should therefore be removed.</p> <p><b>In addition to the inability and lack of substantiated need for the road to be widened, the review undertaken by C&amp;W confirms that the costs identified by the Shire in the DCP for the upgrades proposed to this road reserve are substantially inflated by approximately \$1.59M.</b></p>	<p>Officers note that the Paterson Road section of this upgrade has been completed. Only the Soldiers Road portion will be required which will maintain the existing reserve of 20m.</p> <p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal.</p> <p>Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to</p>	<p><b>20m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</b></p>

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		<p><b>d) Bishop Road (East):</b></p> <p>The DCP states that this road is to be widened to a minimum of 35.6m.</p> <p>The TIA states that the recommended width for this road in order to accommodate an estimated 7983 vpd in 2031 is 30m. The inconsistency between the DCP and the supporting TIA is a major concern. Presumably, the costs for the upgrading of Bishop Road (east) should reflect the recommended width listed in the supporting technical documentation.</p> <p>In addition, the review by C&amp;W has identified that the costings included in the DCP are significantly higher than the current rates. This has resulted in the DCP cost for the Bishop Road upgrade being substantially inflated, by \$555,648.00.</p>	<p>undertake this level of detail for projects which may not ultimately be approved and included.</p> <p>As noted above, the TIA extends to 2031 and volumes have been forecasted beyond that point.</p> <p>Officers note that Bishop Road will require a reserve of 30m from Kargotich Road through to Bett Road, and 20m Bett Road to Soldiers Road.</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, it has been recommended that the</p>	<p><b>Bishop Road – recommend removal of Bett Road to Soldiers Road portion of the upgrade and road reserve identified at 30m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</b></p>

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			<p>Mundijong Urban DCP funded portion of this project, extend from the Tonkin Highway reserve to Bett Road only.</p> <p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal.</p> <p>Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects which may not</p>	



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		<p><b>e) Taylor Road/Adams Street</b></p> <p>The road width identified for Adams Street is 30m which is consistent with the TIA recommendation.</p> <p>The need for a 30m wide road reserve is however questioned, noting in particular the forecast traffic volumes identified in the TIA and also the fact that a local centre is not to be developed at the intersection with Keirnan Street.</p> <p>It is noted that Adams Street is identified as performing an 'Integrator B' road function, notwithstanding that this road is forecast to only carry approximately 3,682 vpd by 2031. Similarly, Taylor Road is identified as carrying approximately 5,962 vpd by 2031 and is also identified as performing an 'Integrator B' road function. It would therefore appear that the function of Taylor Road/Adams Street is actually intended to perform a Neighbourhood Connector A and/or B role in the road network.</p> <p>In addition to this, it is noted that, at Section 2.2.3 of the DCP, it is stated that Taylor Road/Adams Street should be widened to 35m in proximity to the local centre proposed at the intersection with Kiernan Street. The local centre is no longer identified as being required at the intersection of Taylor Road and Kiernan Street. It has been shifted further north to the intersection of Taylor Road with the new Town Centre Distributor Road.</p> <p>We urge the Shire to review the costs associated with the upgrading of Taylor Road/Adams Street and in doing so, correctly identify the future function of the road and recommended road reserve width.</p>	<p>ultimately be approved and included.</p> <p>As noted above, the TIA extends to 2031 and volumes have been forecasted beyond that point.</p> <p>Officers note that Taylor Road / Adams Street will require a consistent reserve of 30m now that the local centre has been relocated.</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, it has been recommended that the Mundijong Urban DCP funded portion associated with the Adams Street section</p>	<p style="color: red;">Taylor Road / Adams Street – recommend removal of Adams Street upgrade and references to the local centre, and that the road reserve be identified at 30m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>

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		<p>In addition, the cost review undertaken by C&amp;W has identified a discrepancy of \$143,425.00.</p>	<p>of this project, be removed.</p> <p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal.</p> <p>Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects which may not ultimately be approved and included.</p>	

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		<p><b>f) Mundijong East/Watkins Road</b></p> <p>The required road width for Mundijong Road is inconsistent with the recommended road width identified in the TIA. The road width is recommended at 30m in the TIA. The DCP report states that the road width will typically be 25m wide and expanded to 35m in width between Kargotich Road and Paterson Street.</p> <p>The inconsistencies between the TIA and the DCP items creates uncertainty and must be resolved prior to the Amendment and DCP being adopted and forwarded to the WAPC with a supportive recommendation.</p> <p>We also note that the C&amp;W review has identified a cost discrepancy in the order of \$765,394.00.</p>	<p>As noted above, the TIA extends to 2031 and volumes have been forecasted beyond that point.</p> <p>Officers note that Mundijong Road East/Watkins Road will require a consistent reserve of 30m.</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, it has been recommended that this project be removed from the DCP and Amendment.</p>	<p>Mundijong East / Watkins Road – recommend removal of this project from the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>
		<p><b>g) Town Centre Distributor Road (New Whitby Road)</b></p>	<p>As noted above, the TIA extends to 2031 and volumes have</p>	<p>Town Centre Distributor Road – recommend the</p>

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		<p>The road width requirements are again inconsistent in the TIA and the DCP report. The level of uncertainty created by these inconsistencies is concerning and must be addressed.</p> <p>We note that the C&amp;W cost review has identified a cost discrepancy of \$1.59M.</p>	<p>been forecasted beyond that point.</p> <p>Officers note that this Road will require a consistent reserve of 30m.</p> <p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal.</p> <p>Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects</p>	<p>road reserve be identified at 30m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>

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		<p><b>h) North-South Road</b></p> <p>The C&amp;W cost review has identified a discrepancy of \$916,916.00.</p>	<p>which may not ultimately be approved and included.</p> <p>Officers note that North-South Road will require a consistent reserve of 30m.</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, it has been recommended that this project be amended to include only the section between Watkins Road and Galvin Road.</p> <p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment,</p>	<p>North South Spine Road – recommend removal of the upgrade portion north of Galvin Road, and that the road reserve be identified at 30m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>

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		<p><b>i) Galvin Road New (Evelyn Street/Galvin Road/Kiernan Street)</b></p> <p>Evelyn Street and Galvin Road are both identified in the TIA with relatively low traffic volume forecasts, being well below the identified function of these roads as 'Integrator B'.</p> <p>This leads to question as to whether the extent of upgrades proposed are based on demand generated by the population intended to reside in this location.</p> <p>We also note that the C&amp;W review has identified a discrepancy of \$1.05M.</p>	<p>within 90 days of the gazettal. Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects which may not ultimately be approved and included.</p> <p>As noted above, the TIA extends to 2031 and volumes have been forecasted beyond that point.</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year</p>	<p>Galvin Road – recommend removal of this project from within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>

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		<p><b>j) Skyline Boulevard</b></p> <p>The recommended width identified in the TIA and the proposed width included in the DCP are inconsistent.</p> <p>The TIA recommends a width of 25m. The DCP report states that the minimum width of this road is to be 30m. There is no connection between the technical investigation and the DCP.</p> <p>The C&amp;W cost review has identified a discrepancy of \$458,748.</p>	<p>DCP and revised population projections, it has been recommended that this project be removed from the DCP and the Amendment.</p> <p>Officers note that this Road will require a consistent reserve of 25m.</p> <p>Further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, it has been recommended that this project be amended to include only the section between Tinspar Avenue and Town Centre Distributor Road.</p>	<p>Skyline Boulevard – recommend removal of the upgrade portion north of Town Centre Distributor Road, and that the road reserve be identified at 25m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>

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		<p><b>k) Tinspar Avenue</b></p> <p>Again, the discrepancy between the TIA and the DCP report in regard to the recommended road width creates uncertainty.</p>	<p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal.</p> <p>Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects which may not ultimately be approved and included.</p> <p>As noted above, the TIA extends to 2031 and volumes have</p>	<p><b>Tinspar Avenue – recommend that the road reserve be</b></p>



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		<p>The TIA states that Tinspar Avenue is likely to have a forecast traffic volume in 2031 of 12,771 vpd and that it will perform the function of a Neighbourhood Connect A. The recommended width of this road is 25m.</p> <p>The DCP states that the minimum width for this road is to be 30m.</p> <p>It is unclear as to why there is such a significant variation which results in an increased cost for the DCP.</p> <p>The C&amp;W cost review has identified a discrepancy of \$1.6M.</p>	<p>been forecasted beyond that point.</p> <p>Officers note that this Road will require a consistent reserve of 25m.</p> <p>In respect of costs identified, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal.</p> <p>Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects</p>	<p>identified at 25m within the Amendment and Mundijong Whitby Urban DCP costs, map and text.</p>

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		<p><b>l) Intersection Treatments – South West Highway</b></p> <p>The proposed intersection treatments with South West Highway are considered sub-regional infrastructure items. This is because the South West Highway is a Primary Regional Road, which is a major road under the care and control of Main Roads WA. Alternative funding sources for all intersection treatments with the regional road network therefore must be sought and a contribution amount assigned to MRWA in the DCP. The current proposed DCP therefore does not satisfactorily meet the principle of equity.</p> <p><b>m) Grade-Separated Crossings</b></p> <p>The inclusion of the grade separated crossings (which are road crossings over a freight and regional transport rail line) should not be included in the DCP. The funding for these works falls under the responsibility of the state, not the local government and/or the developers of land contained within DCA3.</p> <p>The requirement for developers within the DCA3 to bear the burden of the costs associated with constructing this significant regional infrastructure is unjustified.</p> <p>This argument is particularly pertinent on review of the most recent updated TIA. The TIA states that the mesoscopic model identifies that all of the existing</p>	<p>which may not ultimately be approved and included.</p> <p>The cost of new road intersections into an existing MRWA road are at the cost of the developer. MRWA will only fund intersections from adjoining roads where the Primary Regional Road is being newly built and required to connect at that time.</p> <p>Officers agree that grade separated crossings should not be included in the DCP.</p>	<p>No modifications recommended</p> <p><b>Grade separated crossings - Recommend removal of grade separated crossings from the Amendment and Mundijong Whitby Urban DCP costs, map and text.</b></p>

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		<p>intersections will operate at an acceptable level of service for the 2031 scenario. The TIA further assesses the proposed intersection forms and confirms that these intersections will also be sufficient to accommodate future growth.</p> <p>The updated TIA therefore confirms that the proposed development of Mundijong as an urban area will not generate the demand for grade-separated crossings. The existing at-grade crossings are operational and are confirmed as being capable of supporting the demand generated by the additional traffic volumes attributed to the increased population residing in this location.</p> <p>Any need for these crossings is therefore a sub-regional infrastructure item. Alternative funding sources by the state government is therefore required to be sought for these particular items.</p> <p>We therefore request that the infrastructure item and the costs associated with the grade-separated crossings are removed from the DCP.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principles of need and the nexus and equity.</p> <p><b>3. Land for Road Reserves</b></p> <p>As noted above, the required upgrades for the road reserves listed under the DCP include widths above 20m, which additional widths do not correlate with the recommended road widths included at Table 3-1 of the recently prepared TIA.</p> <p>The recommended widths identified in the TIA are presumably the most current and therefore the DCP report should be adjusted accordingly. This will have a positive reductive impact on the costs included in the DCP, which will assist the Shire in ensuring urban development becomes a viable option for those landowners eager to progress land development.</p>	<p>Officers agree. Detail and recommendations relating to this is included in the above points and summarised in the table of road widths which is included in the Shire submission at</p>	

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		<p>The current proposed DCP therefore does not satisfactorily meet the principles of need and the nexus.</p> <p><b>4. District Open Space Improvements</b></p> <p>The timing for the development of the District Open Space (DOS) areas identified in the DCP far exceeds even the 20-year timeframe proposed for the DCP. For example, the Keirnan Park Stage 3 District Sporting Space is identified in the Shire's Community Infrastructure Implementation Plan as being infrastructure intended to be delivered in 30 years or more (approx. 2050).</p> <p>It is therefore reasonable to conclude that the DOS improvements are unlikely to be undertaken within the lifespan of the DCP and therefore the costs associated with the improvements should not be included at this time, if the DCP is to remain consistent with the principles of SPP 3.6.</p> <p>We urge the Shire to remove the costs in the DCP which are not identified as generating demand by the population anticipated to reside in this location within a 10-year timeframe. These items are best introduced on an 'as needed' basis, at the appropriate time (not just 'as needed' sometime in the distance future, as these items are incapable of being justified in terms of need and the nexus, equity, transparency and certainty). Residents should not be responsible for paying for infrastructure which will only benefit future generations residing in the area in 50 years from now, once the actual demand for that improvement is established.</p> <p>In addition, there is a need for the Shire to identify the percentage of costs to be contributed by the Department of Education for the shared use of the DOS areas. In this regard, it is clearly stated in the SPP 3.6 and carried over to the draft SPP 3.6 that infrastructure contributions through DCPs are to provide supplementary funding to traditional sources of infrastructure funding including government rates,</p>	<p>the end of this document.</p> <p>Officers note that the timeframes for items in the CIDCP has been amended post submissions on Amendment 207. All items included in the CIDCP are now due for completion by 2040. All the originally included DOS in the advertised Amendment is also anticipated to be required and completed by 2040.</p> <p>Notwithstanding the above, further to the Shire submission to reduce the DCP infrastructure in line with a 15 year DCP and revised population projections, it has</p>	<p style="color: red;">DOS - Recommend removal of DOS projects at Mundijong High School, Whitby North Primary School and Adam St/Cockram St Primary School from the Amendment and Mundijong Whitby Urban DCP costs, DOS map and text.</p>

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		<p>State and Federal funding, reserve funds and grants. The current DCP expects all of the infrastructure to be funded through the DCP. This approach is considered inappropriate and not in the best interests of encouraging the development of this new urban community in Mundijong.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principle of equity.</p>	<p>been recommended that the provision of DOS be reduced within the DCP.</p> <p>The Shire submission recommends removal of the following DOS projects:</p> <ul style="list-style-type: none"> <li>- Mundijong High School DSS;</li> <li>- Whitby North Primary School NOS;</li> <li>- Adam St/Cockram St Primary School NOS.</li> </ul> <p>In respect of the DoE portion for DOS being delivered via a Shared Use Agreement, operational and maintenance costs of infrastructure cannot be included in a DCP, only the original capital construction costs.</p>	

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			<p>The capital costs included in the DCP for Shared Use DOS include for one oval, and the land costs being shared between the SUA parties.</p> <p>This approach reflects some saving in the DCP for the SUA, but importantly, balances the risk that an SUA may not be achieved.</p> <p>Any future cost savings from a SUA agreement, will be reflected in the Annual DCP update.</p> <p>Grant funding and advocacy is an important part of our strategy to assist in reducing the cost within the DCP(s). Grant funding can only be sought for a</p>	

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		<p><b>5. Water Quality Management</b></p> <p>The justification for the inclusion of this administrative item is stated as being required to be funded by the developers rather than by the local government through other avenues does not directly relate to the preparation and implementation of the DCP. The DCP report states that the water monitoring undertaken is a requirement of the Mundijong-Whitby District Water Management Plan. The direct linkage to the undertaking of this monitoring as part of the standard infrastructure items included in the DCP is not established. Other funding mechanisms must be explored and adopted for this post development water monitoring program. The developers in Mundijong are required to undertake independent pre and post water monitoring investigations as part of the more detailed local structure planning and subdivision approval processes for their own landholdings.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principle of equity and accountability.</p> <p><b>6. Administration Costs and DSP revision determination under deemed provisions</b></p>	<p>confirmed project and as such, inclusion within the DCP is critical to the grant application and advocacy process.</p> <p>It is not the intent that the Water Monitoring requirement be directly related to infrastructure items within the DCP. The Water Monitoring is required because, without it, we are unable to support development of the scale anticipated, within the DCA. It therefore has a direct need and nexus with the DCA.</p> <p>The preparation of the scheme and the management thereof</p>	<p>No modifications recommended.</p> <p>No modifications recommended.</p>

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		<p>We question the appropriateness of attributing the costs of the review and update of the Mundijong District Structure Plan as an item included in the DCP.</p> <p>Firstly, we note that the Shire is required to prepare and update District Structure Plans for areas identified for urban and/or industrial development in the South Metropolitan Peel Sub Regional Framework (WAPC). A DSP forms part of the essential overarching planning framework for a local government area. The DSP is the higher-level strategic plan which informs the preparation of the more detailed local structure plans (LSPs) over landholdings within the DSP area, which LSPs are undertaken by individual landowners and/or developers. The costs of reviewing the endorsed DSP is therefore the administrative responsibility of the local government and not a cost included in the DCP.</p> <p>At Section 2.7 – Administration Items of the DCP report, it is stated that the expended and future costs involved with planning studies including (but not limited to) the Mundijong District Structure Plan and amendments, traffic studies and drainage studies are included in the DCP. These costs are associated with the preparation of the DSP and are therefore outside of the scope of the administration items able to be included in a DCP, as specified at Schedule 4 of the draft SPP 3.6. The items able to be included are those technical studies required to inform the costs included in the DCP.</p> <p>These costs are described at Schedule 4 of SPP 3.6 (draft) as being those which directly relate to the preparation and implementation of the DCP, including:</p> <ul style="list-style-type: none"> <li>- Costs to prepare and review DCP cost estimates;</li> <li>- Costs to prepare DCP cost apportionment schedule;</li> <li>- Costs for undertaking valuations for DCP;</li> </ul>	<p>are necessary steps in the planning process and therefore need to be included in the scheme costs. Municipal funds should not be used to subsidise specific development and new residents.</p>	



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		<ul style="list-style-type: none"> <li>- Fees for professional services directly linked to the preparation and implementation of the DCP (e.g. legal and accounting fees);</li> <li>- Costs for computer software and/or hardware upgrades necessary to enable DCP preparation;</li> <li>- Proportion of staff salaries directly related to DCP administration;</li> <li>- Financial institution fees and charges associated with the administration of DCP funds;</li> <li>- Interest charged on loans taken out to pre-fund items included in the DCP (established based on lending rates at the time DCP is prepared).</li> </ul> <p>We therefore object in the strongest possible terms to the inclusion of administration costs of the Shire which are noted in the DCP report as including the preparation and revisions to the DSP and which date back to 2011 (i.e. costs which date back to almost a decade ago).</p> <p>Secondly, at Section 1.1 – Background of the DCP Report, the Shire appears to be indicating the following justification as a means for attributing the costs of the standard required review of the 2011 endorsed Whitby-Mundijong DSP, to the DCP by stating that the DSP is prepared in accordance with Provision 1 of Development Area 1 and Development Area 2 of the Shire’s Town Planning Scheme No. 2.</p> <p>As a District Structure Plan, it is not being prepared or determined under the Deemed Provisions of the Scheme. Rather, it is being considered in accordance with the specific Development Area provisions.</p> <p>The proposed 2020 Council Approved Mundijong District Structure Plan (CAMDSP) is an informing, relevant and strategic document that enables the consideration and</p>	<p>The submission which relates to how the District Structure plan</p>	

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		<p>exercising of discretion for Structure Plans and Local Development Plans, which fall under the auspices of the deemed provision.'</p> <p>This is an incorrect interpretation of the Schedule 2, Part 4 - Structure Plans of the Deemed Provisions of Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>We are concerned over the statement in the DCP report that a District Structure Plan is not a document prepared or determined under the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. The review of the DSP is considered a 'structure plan' and is required to be prepared in accordance with the deemed provisions. This has previously been recognised by the Shire in formal Council Minutes. In particular, we refer to the previous Council Minutes (7 May 2018 and 17 December 2018) which clearly states that the DSP review has been drafted in accordance with the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. As such, following the adoption of the DSP by the Council of the Shire, the revised DSP is presumably intended to be sent to the WAPC for endorsement, in accordance with proper planning process. Should the revised DSP not be endorsed by the WAPC, proposed Amendment No. 209 which seeks to introduce DCA 3 to the currently operative TPS 2 is also presumably unable to be supported in its current form, as it is inconsistent with the endorsed Mundijong-Whitby DSP.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principles of need and the nexus, equity, transparency and accountability.</p> <p><b>7. Independent Review of Costings</b></p> <p>The independent review of the infrastructure costings undertaken by C&amp;W has estimated that the costs are inflated by a staggering \$8 million. The DCP is</p>	<p>is being determined, will be addressed within the DSP submission responses.</p> <p>This statement in regards to provision of costings required to be</p>	<p>No modifications recommended.</p>

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		<p>required to be submitted to the WAPC with an accurate and up to date cost schedule. We therefore request that the Shire adjust the costings to reflect the updated information provided and in addition to that reduction in cost of \$8 million, also remove the infrastructure items not able to be justified as being required in accordance with the fundamental principles of SPP 3.6.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principles of equity and accountability.</p>	<p>submitted to the WAPC is incorrect.</p> <p>Costings are not included within the Scheme Amendment.</p> <p>SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal. Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p> <p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects which may not ultimately be approved and included.</p>	



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		<p><b>8. The lack of apportionment</b></p> <p>It is stated in the draft SPP 3.6 Guidelines that ‘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.’</p> <p>In order to ensure the principles of need and the nexus and equity are upheld, the costs must be apportioned by all those that generate the need for each item of infrastructure. This includes the existing community and any users outside of the DCA area.</p> <p>We request that the Shire undertake the necessary review to determine the extent to which the infrastructure is required to be apportioned, as it is inequitable to assign the total cost to the future residential population of Mundijong Urban (DCA 3).</p> <p>The current proposed DCP therefore does not satisfactorily meet the principles of need and the nexus and equity.</p>	<p>inform the final DCP revision and save further administrative cost within the DCP.</p> <p>All upgrades included in the DCP are required as a direct result of growth within the DCA. There is therefore no requirement to apportion such infrastructure.</p> <p>Officers recognise that such an apportionment occurred within the CIDCP, however that was in recognition that Community Infrastructure was already under provided for the current population – hence the Shire took a portion of the cost.</p>	<p>No modifications recommended.</p>

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		<p><b>9. Priority Infrastructure</b></p> <p>A requirement of the SPP 3.6 is that it is important to determine and specify in the Planning Scheme and the DCP the priority and estimated timing of delivery for each infrastructure item.</p> <p>The text of the proposed amendment to the current Planning Scheme states under the heading of 'priority and timing of infrastructure provision': 'refer development contribution plan report (as revised from time to time)'.</p> <p>The DCP does not indicate a time period for any of the infrastructure required to be upgraded. Instead, it is stated that the infrastructure will be delivered on an 'as needs' basis.</p> <p>The priority infrastructure is then identified in the DCP report as being the 'Town Centre Distributor' and the 'Grade Separation'. The reasons for these two particular items being priorities is questionable and not explained in the DCP report.</p> <p>The absence of the timeframes on the delivery of each infrastructure item does not satisfactorily meet the SPP 3.6 principles of need and the nexus, certainty and accountability.</p>	<p>Current traditional facilities are adequate for the existing community, and therefore there is no apportionment of costs applicable in this DCP.</p> <p>SPP 3.6 provides that once a DCP/Amendment is gazetted, a DCP report must be produced within 90 days. At this time, when the DCP infrastructure inclusions are known, the Shire will work with the Byford Industry Reference group to inform a submission to Council as to the order and timing of infrastructure.</p> <p>Once approved by Council, this will be included in the DCP</p>	<p>Timeline of provision - Officers recommend an Appendix be included in the final DCPs for West Mundijong Industrial and Mundijong Whitby Urban, to detail the agreed project timelines, once defined.</p>

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### Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

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		<p><b>10. The estimated per lot contribution is \$13,057.00.</b></p> <p>This cost is not reflective of the current rates, as demonstrated in the attached C&amp;W costings review of the current market rates associated with each infrastructure item.</p> <p>The local government perception (in general) seems to be that these contribution costs are not significant in terms of profit margins for developers. This is not an accurate assumption. The current per lot contribution will have a dire impact on the ability for developers to invest in this location as urban development and the costs associated with construction of the subdivision will become an unviable option in meeting the objective of 'housing affordability'.</p> <p>DJMM is eager to progress development in Mundijong. A Local Structure Plan for Sub-Precinct G2 has just recently been formally accepted by the Shire for assessment and is now proceeding through the advertising process.</p> <p>The inclusion of the costs as proposed are currently unreasonable and will impact on housing affordability in this area. Should the costs not be refined to satisfy the principles of SPP 3.6, it will have a significant impact on the ability for DJMM to be able to progress to the construction of the intended urban development of its landholdings.</p> <p>The current proposed DCP therefore does not satisfactorily meet the principles of equity and certainty.</p>	<p>report produced within the 90 day period.</p> <p>As noted in previous responses, we are currently unable to provide comment on costings provided by C&amp;W without the ability to review the cost inclusions. That said, it is accepted that the costs currently provided are high level, and subject to more detailed costing within the 90 day from gazettal period. Officers would like to review the C&amp;W costs in this regard, if they can be provided.</p> <p>Officers note that the anticipated cost per lot, should all officer recommendations</p>	

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			<p>within this submission be accepted, will be reduced to c\$9,576.</p> <p>It is further noted that the Mundijong Urban DCP reimburses developers for land associated with POS and drainage, which would otherwise be ceded free of charge under Liveable Neighbourhoods. The value of this credit is (assuming all recommendations are accepted) is \$2,569 per lot, and this amount should be deducted from any Contribution totals when assessing the actual cost impost of the contributions.</p> <p>The submitter stated that the DCP does not</p>	



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			provide certainty, need and nexus or equity. Officers contend that to enable the delivery of the infrastructure and progress the local structure plan the DCP needs to be approved. Without such, there is no certainty that the needs of the new residents will be satisfied, and require residential rates to be increased unfairly to provide this infrastructure, as happened in Byford. Officers therefore do not agree with this contention.	
Peet Limited IN20/18835	17.	MUNDIJONG URBAN DEVELOPMENT CONTRIBUTION PLAN (AMENDMENT 209)  This submission has been made on behalf of the landowners within the Mundijong/Whitby urban cell, specifically the following landowners:	The submission has been considered and the contents noted.  Officers note that the Shire has been	

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		<p>• Gold Fusion Pty Ltd • Peet Mundijong Syndicate Limited • Qube Mundijong Development Ltd • Kerrboyle Pty Ltd</p> <p>• Qube Adams St Mundijong • Mundella Farms Pty Ltd • Wellstrand Pty Ltd • DJM Mundijong Pty Ltd</p> <p>Together, these landowners represent approximately 67% of land within the Mundijong-Whitby district cell. We provide this submission into relation to Shire of Serpentine-Jarrahdale's (the Shire) draft Mundijong Urban Development Contribution Plan and the proposed inclusion of an additional item to the approved West Mundijong DCP, which are advertised alongside proposed Amendment 209 to the Shire's Town Planning Scheme No 2 that is currently being advertised for public comment by the Shire.</p> <p>We appreciate the opportunity to provide a submission in relation to the draft DCP and have reviewed the document against other Development Contributions Plans that are operational within the Perth Metropolitan Area, and also against the recently advertised Draft State Planning Policy 3.6 – Infrastructure Contributions.</p> <p>It is important that the Shire progresses these frameworks and policies to provide certainty to the development outcomes that can be achieved and provide for the delivery of affordable land to the Perth metropolitan area. Without this certainty and affordability, development of the Mundijong/Whitby cell will be sterilised as a direct result of the policy development.</p> <p>The landowners advise that the current policy development, and proposed DCP, does not provide certainty to the development of the urban cell and will result in developers being unable to deliver the affordable land that is required in order to commence development in the cell.</p>	<p>negotiating with developers and the Department of Planning, Lands &amp; Heritage since 2011 regarding the Development Contributions Plan with little success or resolution of the main issues. The current DSP and DCP that were advertised and the recent announcements of infrastructure by the State government have significantly progressed many of the issues and provides a roadmap to the provision of infrastructure. Officers do not believe that deferring the DCP will provide resolution of the matters raised by the submitter or</p>	

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		<p>The landowners implore the Shire to defer consideration of the DCP and undertake meaningful engagement with the landowner group in order to utilise the collective resources to collaborate and develop a DCP framework that will enable the development objectives of the Shire to be achieved, in a manner which demonstrates compliance with all of the overarching principles of the State Planning Policy 3.6 (SPP 3.6).</p> <p>The primary concerns that are highlighted by the landowners are as follows:</p> <p>1) Planning Framework:</p> <p>a) The DCP has been prepared on the basis of a draft DSP that:</p> <p>i. Is inconsistent with the regional road and rail planning that is currently underway in the region. Until such time as these studies are complete and the outcomes known by the Shire and affected landowners, it is considered premature for the</p>	<p>provide the certainty that they are seeking. It will only result in new residents not being provided basic infrastructure and these costs being passed on the local government to pay through increased rates to the existing residents of the Shire. This unfair situation has been prevalent in Byford and should not be replicated in Mundijong.</p> <p>The DSP which is being advertised concurrently with this Amendment, considers and reflects</p>	<p>Grade separated rail crossings - Recommend removal of Grade Separated</p>
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		<p>draft DSP (and associated DCP) to identify proposed alignments for key district roads and propose a form/composition that cannot be substantiated at this point in time.</p> <p>ii. It includes significant infrastructure items such as grade separated crossings and proposed these be fully funded by landowners in the DCP area. This is inconsistent with the principles of State Planning Policy 3.6 (SPP 3.6) and sufficient justification has not been provided for the inclusion of these items in the context of SPP 3.6, including establishment of the need and nexus.</p>	<p>planning undertaken by State Government, as understood at this time. Whilst we accept that there is an element of uncertainty around this, this will always be the case and we are bound to direct and deliver development outcomes based on the most up to date information available at any time. We are unable to delay development approvals based on this information, and likewise/therefore should not delay this amendment, pending more certain outcomes.</p> <p>It is our experience in Byford that, where hyper-growth</p>	<p>Crossings from the Mundijong Urban DCP and Amendment 209</p>











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		<p>b) The quantum of infrastructure works associated with the road and rail planning framework is material in terms of the DCP. The landowners remain concerned that the DCP is progressing ahead of the resolution of these matters, noting:</p> <p>i. that Shire has been advised that Main Roads WA (MRWA) has completed investigative work to facilitate the realignment of the freight rail in conjunction with Tonkin Highway extension works. It is understood that recommendations have been made to the State Government and that a Business Case may be presented to Cabinet in the final quarter of 2020; and</p> <p>ii. the final stage of regional road planning studies by DPLH are underway, which will advise of forecast traffic volumes, alignments and road cross-sections have not been made available.</p> <p>Until such time as these studies are complete and the outcomes known by the Shire and affected landowners, it is considered premature for the draft DCP (and associated DSP) to identify proposed alignments for key district roads and propose a form/composition that cannot be substantiated at this point in time.</p> <p>The landowners note that a Traffic Impact Assessment dated 29 June 2020 was added to the Shire's website in recent weeks, without explicit communication that this was now available. The landowners have been unable to determine whether this Traffic Assessment is consistent with and supported by DPLH. The Traffic Impact Assessment also appears to be inconsistent with the DCP as advertised,</p>	<p><i>shall be subject to the provisions of the District Structure Plan."</i></p> <p>Officers do not agree that progressing these matters is premature and are of the opinion that the certainty that this brings is beneficial to all stakeholders and will proactively avoid many of the issues for Mundijong, that are being faced currently in Byford by not having a DCP at the onset of development.</p> <p>A significant amount of road planning has been undertaken and it is noted that the TIA extends to 2031 and volumes have been</p>	<p>Road reserves - Recommend that road widths in the DCPs and Amendment be aligned with those noted in the TIA, as per the table included in the Shire submission at the end of this document.</p> <p>Grade separated rail crossings - Recommend removal of Grade Separated Crossings from the Mundijong Whitby</p>





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			<p>- The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the extent of road upgrades, which are detailed within the Shire's submission at the end of this document, and addressed as appropriate within each submission.</p> <p>Officers agree that the DCP and Amendment should be updated with the latest road widths, as advised in the TIA.</p>	

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		<p>2. Alignment to SPP3.6:</p> <p>The landowners strongly object to the basis of preparation of the DCP and urge the Shire to review the draft in light of the seriously entertained and advertised Draft State Planning Policy 3.6 – Infrastructure Contributions and against the generally accepted guiding principles that relate to Developer Contributions Plans.</p> <p>The landowners note that Council was made aware of the need for this DCP to be consistent with Draft SPP 3.6 at its Ordinary Council Meeting on 19 August 2019. There has been no subsequent justification that validates the change in this position by the Shire.</p> <p>In response to recent landowner queries regarding the proposed DCP, Shire officer responses have quoted directly from Draft SPP3.6. The Landowners reiterate that the Draft SPP should form the basis for the preparation of the proposed DCP.</p> <p>Whilst the above matters raise the principle concerns of the landowners, the following provides a more comprehensive review of the DCP: 1. Review of Costs a. The landowner group engaged Cossill &amp; Webley consulting engineers to conduct a review of the cost estimates associated with road creation and upgrades, as provided within the DCP.</p>	<p>Officers agree that grade separated rail crossings should not be included in the DCP.</p> <p>As required under the transitional arrangements of draft SPP 3.6, this Amendment (being prepared prior to gazettal of the draft) is being prepared under the provisions of SPP 3.6 2009.</p> <p>This Amendment and DCP therefore aligns with the principles of draft SPP 3.6.</p> <p>In respect of costings, officers are unable to provide comment at this time, as only a</p>	<p>No recommended modifications</p>

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		<p>This review highlighted the opportunity to reduce costs by \$6m. A copy of this can be found in Annexure A.</p> <p>The landowner group reviewed costs assumptions that make up the 'District Open Space – Improvements' component and believe that costs within the numbers provided by RBB are already conservative and contain contingency. Therefore, the proposed DCP number in Annexure A excludes a further allowance for contingency.</p> <p>2. Need and Nexus</p> <p>The guiding principle of Need and Nexus requires that the need for the infrastructure in a development contribution plan must be clearly demonstrated</p>	<p>high level comparison of totals has been provided. It is therefore impossible to ascertain if the inclusions and exclusions are comparable without further detail.</p> <p>That said, it is accepted that the costs currently provided are high level, and subject to more detailed costing within the 90 day from gazettal period. Officers would like to review the C&amp;W costings in this regard, if they can be provided.</p> <p>As required under the transitional arrangements of draft SPP 3.6, this</p>	

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		<p>(need) and the connection between the development and the demand created should be clearly established (nexus).</p> <p>Within the DCP the Shire has advised that the region is forecasting “hyper growth”. The DCP Lifespan of 32 years has been established, which is materially inconsistent with the draft State Planning Policy 3.6 requirement of a maximum of a 10-year lifespan. The supporting justification for the increased timeframe is insufficient to support the increased timeframe.</p> <p>A timeframe of 20 years is inconsistent with the draft Local Planning Strategy that was recently advertised which provides for the vision for Serpentine Jarrahdale and sets out the 10-year planning and development framework for the Shire. This suggests that there is considerable uncertainty that exists in regard to the 20-year timeframe for implementation.</p> <p>Further, it is apparent that whilst the DCP has adopted a 20-year timeframe the DCP incorporates the ultimate infrastructure requirements for the cell, which will occur over a significantly longer timeframe.</p> <p>It is important to acknowledge that the imposition of a Developer Contribution arrangement introduces a cost that is directly borne by the purchaser of the dwelling. Where these costs are introduced to facilitate the provision of community facilities, this charge has a direct negative impact on the affordability and liveability of the new homeowner.</p> <p>This position fails the test of Need and Nexus, placing an inappropriate burden on new homeowners in the Mundijong locality.</p> <p>To address the need and nexus, it would be more appropriate to consider the level of population growth forecast within the next 10 years, and seek to deliver the infrastructure to a scale that is commensurate to a population of that size, as</p>	<p>Amendment (being prepared prior to gazettal of the draft) is being prepared under the provisions of SPP 3.6 2009.</p> <p>This Amendment and DCP therefore aligns with the principles of draft SPP 3.6 2009 which does not mandate a maximum lifespan of 10 years.</p> <p>The Shire notes that the hyper-growth forecast for the Mundijong Urban area is the justification for the recommended 14 year lifespan, noting that many of the original inclusions subject to recommendations within this submission response.</p>	

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		<p>opposed to deferring the delivery of infrastructure that is scaled to an ultimate population of 50,000 people in 32 years-time.</p> <p>3. Accountability</p> <p>The process to be followed for annual reviews should be greater defined within the DCP. Specific points for inclusion are: - For suitably qualified professionals to be engaged for no more than 2 consecutive years for the purpose of reviewing cost estimates; and - Any amendments to the scope or specification of CIDCP Items to be clearly articulated in a document that is advertised for public comment, prior to being endorsed/adopted.</p>	<p>The items included within the DCP are intended to be delivered within the life of the DCP and are not based upon the ultimate build out at 2050 for 50,000 residents.</p> <p>Officers note that it is at the will of the developer as to whether costs associated with contributions are directly passed on to the homebuyer.</p> <p>The process for annual reviews is determined within SPP 3.6 2009. No changes to scope or infrastructure inclusions may be made at the annual review. Such changes</p>	<p>No recommended modifications</p>



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		<p>The proposed DCP allows for indexation of costs, scope changes and cost reviews to be implemented without the need for advertising.</p> <p>The landowners request that the Shire establish an 'Advisory Committee' mechanism within the DCP. The City of Wanneroo has effectively implemented the Alkimos Eglinton DCP Advisory Committee in 2015 with great effect. The aims and functions of this committee are to:</p> <ul style="list-style-type: none"> <li>- Monitor the progress of the DCP fund;</li> <li>- Assist Council in reviewing and refining a range of elements of the DCP; and</li> <li>- To assist Council on the planning and development of infrastructure items included in the DCP.</li> </ul> <p>The member of that advisory group includes Elected Members, Council Officers and delegates from each major landowner/active developer.</p> <p>Implementation of such a mechanism would strengthen the DCP in regard to transparency and accountability.</p> <p>4. DCP Administration Costs</p> <p>Draft State Planning Policy 3.6 notes that administration costs 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 administration costs shall be individually itemised within the DCP.</p> <p>The proposed DCP is inconsistent with this requirement, noting the following extracts from the advertised document:</p>	<p>require a formal amendment process.</p> <p>The Shire currently engages with an advisory committee, known as the Mundijong Industry Reference Group (MIRG), which comprises the major landholders within the Mundijong Urban Area. This group has been engaged in the development of this DCP since its inception in 2011.</p> <p>The preparation of the scheme and the management thereof are necessary steps in the planning process and therefore need to be included in the scheme costs. Municipal funds should</p>	<p>No recommended modifications</p>

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		<ul style="list-style-type: none"> <li>• “SPP 3.6 explicitly allows all costs associated with the administration of a Development Contribution Plan to be recouped”</li> <li>• “The Shire has expended \$563,398 since 2011 towards the preparation of the Mundijong Urban Development Contribution Plan including District Structure Plan revisions and associated Traffic Studies as discussed with the Mundijong industry Reference Group. This value has been added to the total anticipated administration expenditure.</li> </ul> <p>The Landowners do not support the inclusion of the Shire’s historical costs, noting:</p> <ul style="list-style-type: none"> <li>• The inclusion of costs as early as 2011 is unreasonable;</li> <li>• The costs associated with District Structure Plan revisions are not relevant costs for incorporation within the DCP;</li> <li>• The traffic studies have been inconsistent with state planning requirements, and have created additional complexities and uncertainties for development of the region. It is not reasonable for such costs to be borne by the DCP.</li> </ul> <p>It is also noted that the administration of the DCP appears to have been included in addition to costs associated with the West Mundijong DCP and the Community Facilities DCP. The landowners request some transparency around the itemisation of the administration costs that are proposed by the Shire across its recently advertised DCP’s, and a reconciliation against industry benchmarks of c. 2.5% of costs.</p> <p>Further, the DCP administration cost should be further defined cognisant of the anticipated development activity, noting that the utilisation of a full-time resource in the early years is likely to be an inappropriate cost burden to the DCP.</p>	<p>not be used to subsidise specific development and new residents.</p> <p>The Shire has only one full time resource in relation to the administration of DCPs (DCP Coordinator), whose cost is split across the 4 DCPs, in ratios which reflect the average amount of time spent on each.</p> <p>A portion of salaries for supporting personnel for the DCP is also allocated (such as Finance Officer, Infrastructure Engineer, etc.)</p> <p>It is noted that the administration cost is based on actual costs</p>	

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		<p>The CIDCP should be amended to appropriately incorporate a reasonable and transparent forecast of administration charges.</p> <p>5. Timeframes for Delivery of Infrastructure</p> <p>The timeframes and prioritisation of the proposed infrastructure items has not been included within the advertised DCP.</p> <p>Further, section 6.9.5 provides for a developer who prefunds infrastructure to use this credit to offset future DCP liabilities. The clause prevents the payment of any recoupment to developers until they have completed the subdivision of all land held</p>	<p>incurred (wages plus consultants costs, legal fees etc), plus forecasts based on the year ahead.</p> <p>The Shire will not publish the individual salaries of its employees, but will publish yearly the total amount spent under each category of wages, legal fees, consultants fees, etc. This information is audited yearly to ensure accurate representation of costs.</p> <p>Section 6.3.7 of SPP 3.6 (2009) under which this Amendment is prepared, provides that a development contribution plan is to specify the priority and</p>	<p><b>Timeline of provision - Officers recommend an Appendix be included in the final DCPs for West Mundijong Industrial</b></p>

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		<p>with the DCP area. This places unreasonable financial burdens on a developer and will constrain the development of the region as developers will be unable to hold the cost of large infrastructure items for the duration of their development.</p> <p>As such, this clause will place the likelihood of Council being required to deliver a significant portion of the infrastructure within the region. Consistent with SPP 3.6, each item contained within the DCP should be noted within the Shire's capital works program as a result of this position.</p>	<p>timing for the provision of infrastructure. It is not a requirement or recommendation that such priority be included in the Amendment.</p> <p>SPP 3.6 provides that once a DCP/Amendment is gazetted, a DCP report must be produced within 90 days. At this time, when the DCP infrastructure inclusions are known, the Shire will work with the Mundijong Industry Reference group to inform a submission to Council as to the order and timing of infrastructure.</p> <p>Once approved by Council, this will be included in the DCP</p>	<p>and Mundijong Whitby Urban, to detail the agreed project timelines, once defined.</p>

## NEW SUMMARY OF SUBMISSIONS

## Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209

## Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

Responsible Business Unit: Strategic Planning

Advertising Date: 21 May to 31 August 2020

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>The landowners require the following clause be inserted within the DCP, consistent with the seriously entertained version of SPP 3.6:</p> <ul style="list-style-type: none"> <li>• “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”</li> </ul>	<p>report produced within the 90 day period.</p> <p>Officers note that the clause referenced is not applicable to this Amendment of DCP, as both are subject to SPP 3.6 2009.</p> <p>Officers do however, support some greater clarity as to the management of credits, to reflect the new SPP3.6 which is proposed to be introduced. This sets out the following new SPP provisions:</p> <p>6.7.2.12 c) and d):</p> <p><i>c) Where a developer has no further holdings in the DCA, the amount is held by the local government as a credit to the</i></p>	<p><b>Recommend that the following wording replace the current clause in the Mundijong Whitby Urban DCP and West Mundijong Industrial DCP:</b></p> <p><i>“If a developer has completed development of all their land within the DCP area, and they have a residual credit owed to them, the Developer may apply for this residual credit to be paid out by any available DCP funds. Such decision will be at the discretion of Council, based upon the State Planning Policy 3.6 and the current circumstances of the DCP. This</i></p>

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			<p><i>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.</i></p> <p><i>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.</i></p> <p>The common question in respect of 6.7.2.12c) is what “as</p>	<p><i>includes the date at which the credit was realised, the status of current priority infrastructure and any new priority infrastructure.”</i></p>

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			<p><i>soon as circumstances permit”</i> practically means.</p> <p>Compared to 6.7.2.12d), the Shire has current priority infrastructure identified under DCA1 as Abernethy Road and Thomas Road. Amendment 208 seeks to identify new priority infrastructure of San Simeon Boulevard and Indigo Parkway, and de-emphasise Thomas Road as priority infrastructure.</p> <p>It is considered reasonable that new priority infrastructure needs to be considered alongside pre-existing credits, and would not</p>	

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			<p>automatically overtake pre-existing credits - rather, the circumstances of the DCP would need to be considered and balanced in respect of credit timing vs infrastructure need. Officers would also seek to align decision making, reflective of the prevailing State Planning Policy 3.6 framework. Reflecting the SPP is what Departmental officers suggest also, given this underpins the overall governance framework for developer contributions.</p>	



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		<p>6. Inconsistencies and omissions</p> <p>The landowners note that there are a number of inconsistencies and omissions within the document that need to be clarified or reviewed:</p> <ul style="list-style-type: none"> <li>• The land required to permit embankment batters for bridge infrastructure has not been included. Such embankments are a cost of the bridge, and as such should not be excluded;</li> <li>• The Department of Education will be required to contribute to the cost of shared playing fields. Where co-location is proposed, and a reduction in land area for the adjoining school is reduced as a result of this co-location, a contribution needs to be allowed for within the DCP;</li> <li>• Section 2.2.10.1 notes that the estimate includes compensation costs associated with the shutdown of the rail due to disruption from works. This does not appear to be appropriately and transparently quantified within the cost estimates appended to the DCP;</li> <li>• More detailed breakdowns of the cost estimates are a range of items need to be provided for the purpose of transparency, particularly in relation to the cost of ovals in the district open space;</li> <li>• The exclusion of the land acquisition of embankment batters should be reviewed in the event that the grade separations are retained within the DCP</li> </ul>	<p>Officers agree that all costs associated with grade separated crossings, including land for embankments and batters, be removed from the DCP.</p> <p>In respect of the DoE portion for DOS being delivered via a Shared Use Agreement, operational and maintenance costs of infrastructure cannot be included in a DCP, only the original capital construction costs.</p> <p>The capital costs included in the DCP for Shared Use DOS include for one oval, and the land costs being shared between the SUA parties.</p>	<p style="color: red;">Grade separated rail crossings - Recommend removal of Grade Separated Crossings from the Mundijong Urban DCP and Amendment 209</p>

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			<p>This approach reflects some saving in the DCP for the SUA, but importantly, balances the risk that an SUA may not be achieved. Any future cost savings from a SUA agreement, will be reflected in the Annual DCP update.</p> <p>In respect of costs identified for infrastructure projects, SPP 3.6 provides that a DCP must be provided in support of a newly gazetted Amendment, within 90 days of the gazettal. Infrastructure items or inclusions still require detailed design and costing, which will be completed during the 90 day window.</p>	

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		<p>7. Kiernan Street Sporting Precinct Funding</p> <p>The DCP should be amended prior to adoption to adjust for the impact following the recent announcement of State Government Funding for the Kiernan Street Sporting Precinct. This funding source should be identified as one of the key sources to deliver proposed Kiernan Street Sporting Precinct in its preliminary form, and as a result should reduce the cost borne by the DCP, in accordance with Draft SPP 3.6.</p> <p>The landowners encourage the Shire to amend the document to ensure it complies with industry best practice and to improve the consistency and alignment of the DCP with its strategic planning documents to promote further urban development within the Shire.</p> <p>Given the above, the Landowners request a deferral of the endorsement of the DCP, with a series of independently facilitated workshops to be commenced in order to collaborate and resolve the fundamental concerns that the landowners currently hold.</p>	<p>The Shire is of the opinion that it is an inefficient use of developer funds to undertake this level of detail for projects which may not ultimately be approved and included.</p> <p>Officers note that only a portion of costs associated with the Keirnan Park Recreational Precinct are included for within the DCP.</p> <p>Any funds received from grants or other sources, will be reflected within the DCP costs at the next available review.</p> <p>This has always been the case and therefore does not require a</p>	<p>No modifications recommended.</p>





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		<p>8. Road Network</p> <p>9. Skyline Boulevard</p> <p>10. Whitby District Centre</p> <p>11. Rail infrastructure generally</p> <p>12. Mundijong Town Site</p> <p>13. Land Between Galvin Road and Mundijong Road</p> <p>14. Watkins / Galvin Grade Separation</p> <p>State Policy and Developer Contributions</p> <p>We note the Shire's previous advice that it is employing the transitional provisions of the draft State Planning Policy 3.6 ("current draft SPP"), and have developed and will assess the DCP and Amendment against the 2009 State Planning Policy 3.6 ("2009 SPP").</p> <p>This is discussed further in subsequent sections of this submission. However it is noted that many concerns originally relating to the current draft SPP, are equally applicable when assessing against the 2009 SPP. This is also discussed subsequently in this submission.</p> <p>Reviewing the DCP</p> <p>The DCP is an important part of a well-planned community, particularly where multiple landowners can coordinate costs to ensure an area of development is greater than the sum of its parts.</p> <p>Ultimately, it is the purchasers of dwellings that pay for these contributions. In fact they are obliged to do so.</p>		

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Consequently it is important to state that the review of the DCP is not questioning whether individual facilities or DCP items would be of benefit to the community. The relevant test is whether they are so vital to a growing community that purchasers should be obliged to pay for them.

This is particularly important in the Shire, where areas of new development will predominantly provide for first home buyers. Affordability is therefore a substantial consideration, and imposing additional, obligatory costs could mean the difference between investment in home ownership, and continued renting.

For these important reasons, we believe that any DCP warrants close scrutiny.

#### Summary

The DCP has taken some time to prepare, and is therefore much anticipated as an opportunity to provide certainty for purchasers (and, in the interim, landowners).

In that spirit, we are grateful for the opportunity to provide comment, and would be happy to provide clarification and additional information if requested by the Shire.

Should you have any queries please do not hesitate to contact the undersigned at [ross@robertsday.com.au](mailto:ross@robertsday.com.au).

Yours sincerely,

ROBERTSDAY

ROSS DUCKHAM

SENIOR ASSOCIATE

ATT Position Summary

Collation of Recommendations

**NEW SUMMARY OF SUBMISSIONS****Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209****Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780****Responsible Business Unit: Strategic Planning****Advertising Date: 21 May to 31 August 2020**

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		<p>Previous Comments on Extended Timeframe CC GOLD FUSION PTY LTD</p> <p>Mundijong Urban Development Contribution Plan and Amendment 209: Position Summary</p> <p>PRINCIPLES AND APPROACH</p> <p>1. SPP3.6: 2009 version and current draft version</p> <ul style="list-style-type: none"> <li>• We note transitional provisions used as justification to draw on the 2009 version of the SPP</li> <li>• Accordingly, for the most part (and unless stated otherwise), this review has considered the DCP based on <ul style="list-style-type: none"> <li>o The principles of 2009 version (i.e. need and nexus, transparency, equity, certainty, efficiency, consistency, right of consultation and arbitration, and accountable; refer to section 5.2 of the 2009 version)</li> <li>o The provisions of 2009 version</li> <li>o Other relevant planning considerations</li> </ul> </li> <li>• We would also contend that it would be flawed to consider the transitional provisions an opportunity to carte-blanche flout the planning intent of the seriously entertained current draft SPP. In short, there must be limits to how the provisions can be employed. These should be considered on a case-by-case basis, but an overriding objective is to ensure the use of the transitional provisions does not render implementation of the current draft SPP meaningless or impossible in the medium term.</li> </ul>	<p>Officers understand the comments put forward by the submitter and note that, where clauses within the new SPP 3.6 are not in conflict with those in SPP 3.6 2009, there is the ability to operate to the new principles. On some occasions, where there is conflict, we are bound, under the transitional arrangements, to follow the original principles.</p> <p>It is noted that this Amendment and DCP have been under development since 2014 and a significant</p>	
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		<p>2. Timeframe</p> <ul style="list-style-type: none"> <li>• Clause 6.3.8 of the 2009 SPP states that the recommended duration of a DCP is five years, but that this can be extended if justified by circumstances. However, it is difficult to consider any circumstances that would justify a DCP being prepared for quadruple the length anticipated by the SPP.</li> <li>• Any extension of timeframe beyond accepted limits is locking in obligations for both purchasers and the Shire for a more distant – and less certain – point in the future</li> <li>• This inevitably carries with it substantial risk for all parties.</li> <li>• The Shire’s citing of its future projections as “hypergrowth” is a somewhat loaded and, arguably, not entirely accurate term. It would appear to be based on percentage growth, rather than growth in absolute terms.</li> <li>• Even if it were accepted to be an accurate depiction, in a “hypergrowth” scenario it would be prudent to keep timeframes short, so that, if planned demand does not match projections, they will not diverge substantially to the disadvantage of the community and homebuyers.</li> <li>• It should be noted that all landowners in the cell are required to completely redraft their major planning guidance (local structure plans) every ten years, and by their nature (and the Shire’s measure) all local structure plan areas are “hypergrowth” areas. It is difficult to see any justification for this principle not to be equally applicable to the DCP especially when unlike an LSP (which is “due regard”), the contributions are obligatory and inflexible in their application</li> <li>• There is also the question of equity, specifically that those buying in to the cell now (and directly or indirectly paying the DCP contribution) will not reasonably</li> </ul>	<p>Officers note that the hypergrowth of the area results in two significant issues in regards to the DCP. Firstly, much of the growth is expected to happen early in the DCP life, which will require delivery of much of the infrastructure within the first ten years. Reducing the life of the DCP, whilst maintaining this need for infrastructure, only serves to increase the per unit contribution, as there are less lots over which to share the cost.</p> <p>Secondly, we anticipate that strong growth will continue beyond 10 years. The need and nexus</p>	<p style="color: red;">Period of operation: Recommend the Amendment 209 and Mundijong Urban DCP be amended to reflect a completion date of 2034.</p>

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		<p>expect to enjoy its benefits if it is funding infrastructure to be provided two decades into the future.</p> <ul style="list-style-type: none"> <li>• There is scope to review the DCP regularly, but if substantial changes are needed, any review would be just as resource intensive as a new DCP. It is difficult to see any advantage to the approach proposed, only additional risk to all parties.</li> <li>• Our previous comments on the Community DCP on this principle are applicable to this DCP also, and have been appended to this submission.</li> <li>• In summary the extended timeframe carries substantial risks and (at a minimum) is considered to threaten the principles of need and nexus, equity, certainty, efficiency and accountability – five of the seven principles if the 2009 SPP</li> </ul> <p>Recommendation: Limit the duration of the DCP strictly to ten years, and adjust items included accordingly.</p>	<p>principle would mean that any infrastructure built, would be limited to an ultimate standard/capacity at the end of the DCP timeframe. It is not efficient for infrastructure to be built in the knowledge it will not be sufficient to cope with beyond 10 year demand, thus requiring developers to further fund costly upgrades or additional infrastructure.</p> <p>Notwithstanding the above, the Shire has reviewed the population growth projections alongside the infrastructure needs, and now recommends that a DCP life of 14 years provides the optimal</p>	

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		<p>3. Connect with Strategic Documents and Funding Sources</p> <ul style="list-style-type: none"> <li>• Clause 5.4 of the 2009 SPP states that “Development contribution plans require that... there is a clear and sound basis with linkages to the local government’s strategic and financial planning processes”</li> <li>• One major impediment to achieving this requirement is that most strategic documents cover about ten years, and items proposed beyond that horizon cannot be included in strategic documentation</li> <li>• This creates doubt around whether Council is well positioned to coordinate and deliver the DCP items over a twenty year time frame.</li> <li>• At this stage the connection of specific items to key strategic planning documents is not clear, either because of vague wording, or that the strategic documentation does not appear to be publicly available online. <ul style="list-style-type: none"> <li>o Corporate Strategic Planning (wording not specific to items)</li> <li>o Capital Works Planning (unable to be found online)</li> <li>o Asset Management Planning (unable to be found online)</li> </ul> </li> <li>• In accordance with the 2009 SPP, items not included in any strategic planning documentation should be excluded from the DCP</li> <li>• Similarly, any items of regional or greater significance, and/or directly or indirectly relying on state funding or state decision making on major infrastructure (such as passenger rail) should be excluded from the DCP.</li> </ul>	<p>balance of the issues noted above.</p> <p>Income and expenditure projections are detailed within the Shire’s Capital Expenditure Plan and are not required to be included within the DCP report. The Shire’s CEP will be updated to reflect the DCP items at the prevailing CEP revision, once accurate costings and inclusions are available in the 90 day period post gazettal of the amendment</p> <p>The Shire is anticipating that the forecast lots and infrastructure inclusions (as</p>	<p>No modifications recommended.</p>

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		<ul style="list-style-type: none"> <li>• Otherwise the Shire is obliging homebuyers to pay additional costs to the Shire with no certainty that the funds will ever be expended for their stated purpose – this would patently fail the accountability and certainty principles of the 2009 SPP</li> <li>• To be clear this includes any items relating to the existing and proposed rail lines or services running through or around the district cell.</li> </ul> <p>Recommendation: no items should be included in Mundijong Urban DCP unless included in and in accordance with the Shire’s strategic corporate planning, and any other state or Commonwealth government commitments which are prerequisites of major infrastructure.</p>	<p>recommended within this response to submissions) will be delivered within the proposed 14 year timeframe of the DCP.</p> <p>In order to meet the forecast population growth, the Shire will need to pre-fund significant amounts of infrastructure, which would be achieved through loans from the Municipal Fund (ratepayer funding) and other loans. We can only do this when there is a significant level of certainty around the ability to collect future contributions to repay those debts. That is, to deliver infrastructure early in order to meet the needs of the early</p>	

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			<p>community and to promote the Shire, and specifically Mundijong, as a place that will represent an effectively planned community, the Shire needs to deliver infrastructure.</p> <p>It is our experience in Byford that, where hyper-growth commenced in 2004, but contribution sharing arrangements did not commence until 2016, we now have significant shortfalls of infrastructure and significant issues to address. This has both delayed the provision of critical facilities, and placed the cost burden of delivering such infrastructure on the</p>	

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		4. Details to be included in TPS	<p>ratepayer base, rather than on those who had created the need. It is therefore critical that we have contribution arrangements in place early, and for the appropriate lifespan, to avoid a repeat of these issues.</p> <p>Grant funding and advocacy is an important part of our strategy to assist in reducing the cost within the DCP(s). Grant funding can only be sought for a confirmed project and as such, inclusion within the DCP is critical to the grant application and advocacy process.</p> <p>Section 6.3.7 of SPP 3.6 (2009) under which</p>	<p><b>Timeline of provision - Officers</b></p>

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#### Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780

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		<ul style="list-style-type: none"> <li>• Page 16 of the 2009 SPP includes a template for text to suitably incorporate the DCP into the scheme</li> <li>• This template includes a section providing for the timing and priorities for provision of DCP items</li> <li>• This stipulation is also provided for in the draft SPP</li> <li>• Furthermore, given the specific inclusion in the 2009 SPP, and the accountability principle that is fundamental to the 2009 SPP, the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Clause 71 (4) (d) should similarly be read to require timing and priority to be included in the Scheme also.</li> <li>• Failure to include these items in the scheme when both the 2009 and 2019 versions of the SPP stipulate inclusion, makes the DCP and the Shire less accountable for expenditure and administration, and in turn erodes certainty on the timing and provision of infrastructure.</li> <li>• Conversely, its inclusion costs nothing additional to the Shire, except a more firm commitment to deliver the DCP items as stated</li> </ul> <p>Recommendation: include priorities and timing for items in the TPS Amendment text, to ensure transparency, accountability and certainty.</p>	<p>this Amendment is prepared, provides that a development contribution plan is to specify the priority and timing for the provision of infrastructure. It is not a requirement or recommendation that such priority be included in the Amendment.</p> <p>SPP 3.6 provides that once a DCP/Amendment is gazetted, a DCP report must be produced within 90 days. At this time, when the DCP infrastructure inclusions are known, the Shire will work with the Mundijong Industry Reference group to inform a submission to Council as to the order</p>	<p style="color: red;">recommend an Appendix be included in the final DCPs for West Mundijong Industrial and Mundijong Whitby Urban, to detail the agreed project timelines, once defined.</p>



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		<p>SPECIFIC CONTENT OF DCP</p> <p>5. Draft Mundijong-Whitby District Structure Plan</p> <ul style="list-style-type: none"> <li>• The DCP is based on and connected to the draft Mundijong-Whitby District Structure Plan (DSP). This document in itself carries a number of flaws and matters requiring modification. These are addressed in a separate submission, however those that have the greatest impact on the DCP are summarised here.</li> <li>• Status of DSP</li> <li>• The draft district structure plan has been advertised in parallel with the DCP.</li> <li>• Consequently it is not endorsed by the WAPC and does not provide sufficient certainty to be used as the basis for the DCP, costings and contributions obligations</li> <li>• The DSP itself as advertised raises some questions about structure, assumptions, future development, demand and infrastructure need.</li> <li>• Consequently the need and nexus for the DCP cannot be sufficiently established, eroding a major pillar of the DCP according to the 2009 SPP.</li> </ul>	<p>and timing of infrastructure.</p> <p>Once approved by Council, this will be included in the DCP report produced within the 90 day period.</p> <p>In December 2018 Council resolved to progress amendments to the DSP. Procedurally these were to be advertised in accordance with the Deemed Provisions, however it was unclear as to whether adoption was ultimately intended under the head of power provided by the Deemed Provisions, or under the head of power provided by TPS2.</p>	<p>No modifications recommended.</p>

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		<ul style="list-style-type: none"> <li>• Logically, the DSP should be finalised before the DCP is further progressed.</li> <li>• Connections to South West Highway</li> <li>• Update of DSP documents is urgently needed to confirm two connections to South West Highway from the Whitby estate. Traffic modelling is unclear in this respect (at present the Traffic Impact Assessment advertised with the DSP literally depicts different models on the same page)</li> <li>• We note that the Shire and WAPC have expressed strong support for two connections from Whitby estate to South West Highway (including, for example, in the previous DSP, existing LSP and recently endorsed ACP)</li> <li>• It is extremely important that these connections are retained in forward planning. We believe this is the Shires intent. Documentation needs to be updated to reflect this. Accurate modelling based on two connections will have implications for infrastructure demand, design, and cost.</li> <li>• These matters also overlap with the committed Tonkin Highway extension, discussed below</li> <li>• Household Size</li> <li>• The stated average household size for the DSP of 2.89 persons per dwelling is a substantial variation from 2.21 persons per dwelling in the WAPC's 'Outer Metropolitan Perth and Peel Sub-Regional Strategy' (South-East region), resulting in an increase in projected population by over 30%.</li> <li>• This variance results in a similar variance in projected demand, and planned provision of infrastructure</li> </ul>	<p>Officers discussed this issue with the Department of Planning Lands and Heritage, and it was pointed out that the Deemed Provisions reference Structure Plans, which typically are the step just before subdivision and development takes place. In respect of this proposal however, it is a District Structure Plan, and still requires a following process of a Structure Plan to be prepared, before subdivision and development occurs. Officers therefore recommend that Council continue with the head of power used in the 2011 Mundijong Whitby DSP, which is</p>	

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		<ul style="list-style-type: none"> <li>• Furthermore, this disparity will only increase if the widespread, long term trend of reducing household sizes continues over the next two decades</li> <li>• Tonkin Highway</li> <li>• The State government has committed to plans to extend Tonkin Highway from Thomas Road to South West Highway. The estimated construction timeframe for the project is early 2022 to early 2024.</li> <li>• This Tonkin Highway connection will act as a bypass and redirect regional and heavy haulage traffic out of the Mundijong urban area and off the distributor roads.</li> <li>• This will reduce traffic and impacts on the urban road network through the cell.</li> <li>• It is noted that the TIA included with the DSP is dated 2018 (i.e. it predates the announcement of a funding commitment to Tonkin Highway extension). This fundamental – and now certain – change to the regional transport network will have substantial impacts on traffic volumes movement patterns, and therefore infrastructure requirements for the district cell.</li> <li>• Given the timing of the report, the commitment to Tonkin Highway cannot have been accounted for. The modelling of the movement network, in the absence of such a major addition, is fundamentally flawed.</li> </ul> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Given issues identified in the DSP, which is being advertised in parallel with the DCP, delay further progress of the DCP until the DSP is better resolved.</li> <li>• Shire to update DSP, supporting documents and DC to unambiguously depict two connections between South West Highway and the Precinct A (Whitby Estate)</li> </ul>	<p>provided under Provision 1 of Development Area's 1 and 2 of Shire of Serpentine Jarrahdale Town Planning Scheme No. 2. This states:</p> <p><i>“A single District Structure Plan is to be adopted to guide subdivision and development and will cover the areas of Development Areas No. 1 and 2. Any Local Structure Plans subsequently adopted within the area of the District Structure Plan shall be subject to the provisions of the District Structure Plan.”</i></p> <p>Population estimates and build out progress have been extensively</p>	

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		<ul style="list-style-type: none"> <li>• Shire to adjust forecast growth and infrastructure planning to reflect the household size in the WAPC's 'Outer Metropolitan Perth and Peel Sub-Regional Strategy' (South-East region)</li> <li>• Shire to update traffic modelling and confirm proposed road upgrades and new roads have taken into account the future redirection of heavy haulage traffic onto the Tonkin Highway extension off South West Highway</li> </ul>	<p>reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200.</p> <p>The Tonkin Highway has been included in State and Local Government planning for many years, and as such as been considered within the TIA and the DSP. The funding of Tonkin Highway has not affected any items</p>	



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		<ul style="list-style-type: none"> <li>Additional residential population from the development of these investigation areas could alter infrastructure requirements and/or contribution rates. How would this be addressed through the DCP?</li> </ul> <p>Recommendation: Shire to provide comment on contingency plans for the DCP should development occur in the Development Investigation Areas located outside the DCA boundary</p> <p>7. District Sporting Spaces</p>	<p>satisfy the need and nexus principle for inclusion in the DCP. Should development occur in future, outside these areas, for which a need and nexus can be demonstrated, this would be addressed through a separate amendment to the scheme for either a new DCA or an extension to the current DCA – as has occurred within the Byford Urban Area (DCA1), with the recommended area now including Lot 33 Hopkinson Road, which has recently been rezoned to urban.</p> <p>The intent of the CIDCP is to capture</p>	<p>No modifications recommended.</p>

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		<ul style="list-style-type: none"> <li>• Table 3 of the Shire’s Community Infrastructure Implementation Plan (CIIP) outlines that land acquisition for Whitby, Kiernan Park and Mundijong District Sporting Spaces should be 100% funded through the Mundijong Urban DCP and that funding for building costs should be shared between the Shire and contributions collected through the Community Infrastructure DCP (CIDCP).</li> <li>• The proposed Mundijong Urban DCP includes items for both land acquisition and construction of the playing fields, including earthworks, grassing and irrigation.</li> <li>• It is unclear what is meant by “building costs” in the CIIP, whether it refers to built structures or construction of the playing fields. If it is the latter, and the intent of the CIIP is being implemented, then it would seem that the construction costs for the playing fields are being collected twice, once through the CIDCP and once through the Mundijong DCP. Clarification should be provided to ensure funds are not being doubled up across multiple contribution plans.</li> </ul> <p>Recommendation: In respect of District Sporting Spaces, the Shire should provide more transparent wording and descriptions in the Mundijong Urban DCP so it is clear what the contributions will go towards and whether other contributions from other DCPs will help fund the same or related infrastructure.</p> <p>8. Road Network</p> <ul style="list-style-type: none"> <li>• The DCP proposes the construction of multiple road upgrades and/or new roads, however the DCP report does not provide any links between population growth and demand for the new/upgraded roads. If the data/evidence is within a separate</li> </ul>	<p>costs associated with above ground infrastructure (such as buildings and lights), and the traditional infrastructure DCP being the at-ground or below infrastructure. The traditional DCP therefore captures costs of land and creation of an oval (for example), with the CIDCP funding pavilions and lights for example. There is therefore no double up in costs, although the different components of the same projects are reflected in each DCP.</p> <p>The requirement and technical detail for the newly proposed road infrastructure is</p>	<p>No modifications recommended.</p>





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		<p>Recommendation: Provide more clarity and transparency in road planning, connecting it to projected population growth, to ensure that sufficient need and nexus is demonstrated in the DCP.</p> <p>9. Skyline Boulevard</p> <ul style="list-style-type: none"> <li>• A small portion of Skyline Boulevard at the southern end of the road, between Tinspar Avenue and Keirnan Street has not been included in the DCP.</li> <li>• It provides a connection over the brook, and connectivity to other areas within the district cell. Its provision is consistent with the endorsed Whitby Local Structure Plan.</li> <li>• This should be included as part of Skyline Boulevard in the DCP</li> <li>• Similarly, there is a proposed northern connection to Norman Rd in the Whitby LSP. Given substantial constraints elsewhere, this would significantly improve connectivity between the district cell (and the district centre, and land to the north and north-west.</li> <li>• Its inclusion is important to avoid bottlenecks reduce the amount of traffic on South West Highway, and mitigate any challenges in connecting from the district centre over the rail line and on to Soldiers Road (and therefore north to Byford) given the known issues with level changes, land-take, and an efficient connection</li> </ul>	<p>population forecasts, a number of road upgrades have been removed from the DCP. These are noted in the Shire submission at the end of this document.</p> <p>Officers agree that the Tinspar / Skyline connection is a critical link which will be required to cope with forecast volumes by 2034.</p> <p>The potential connection of Skyline to Norman Road would not be required by 2034 and will therefore not be included within the DCP.</p>	<p style="color: red;">Recommend inclusions of the Tinspar Avenue and Skyline Boulevard connection up to the East-West Road.</p>

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		<p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Shire to update DCP to include the excluded southern portion of Skyline Boulevard, which connects between Tinspar Avenue and Keirnan Street.</li> <li>• Shire to investigate and include extension of Skyline Boulevard to Norman Road, as an addition district cell connection and DCP item</li> </ul> <p>10. Whitby District Centre</p> <ul style="list-style-type: none"> <li>• The Mundijong District Structure Plan outlines prospects for a single supermarket and a single DDS at the Whitby District Centre.</li> <li>• This is contrary to the approved Activity Centre Plan for the Whitby District Centre, which allows for two major supermarkets as well as one DDS.</li> <li>• The DSP assuming a smaller scale centre at Whitby than the approved ACP will have an impact on the position of Whitby in the hierarchy of centres, particularly in comparison to Byford, with consequent flawed assumptions regarding catchment sizes and travel to both centres.</li> <li>• This will in turn impact road usage and should be considered / corrected to ensure the DCP is accurately catering for the Whitby District Centre.</li> </ul> <p>Recommendation: Shire to review and update DCP to ensure it appropriately reflects the approved ACP for the Whitby District Centre, and any downstream implications for infrastructure provision and contributions.</p>	<p>The District Structure Plan is a high-level, conceptual document that shows the general land uses and not the finer detail as per the activity centre plan / local structure plan. Officers acknowledge that the land uses and detail designated within activity centre plans / local structure plans are more accurate and to a greater level of detail, and that the District Structure Plan does not intend to change the designations of this more detailed plan.</p>	<p>No modifications recommended.</p>

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		<p>11. Rail Infrastructure Generally</p> <ul style="list-style-type: none"> <li>• Within the cell, substantial upgrades are proposed for infrastructure directly and indirectly related to rail services and lines.</li> <li>• It is noted that the DSP proposes the relocation of the freight rail to the west of the urban cell, along the Tonkin Highway alignment</li> <li>• Urban passenger services are currently being extended to Byford but there are no plans for further extension (for at least 30 years).</li> <li>• This leaves the rail line splitting the cell only being used for the Australind service, twice daily in each direction.</li> <li>• Overall, use of the rail line will likely drop significantly, reducing the need and nexus for investment in rail-related infrastructure.</li> <li>• For any rail-related investment, it is considered very difficult to justify funding solely by the district cell. Rail investments are inherently regional in nature and should be funded through the state government, for example via the Metropolitan Region Improvement Tax.</li> </ul>	<p>The traffic studies that inform the DCP are based on population estimates and it is not considered that any amendments to the traffic network are required.</p> <p>Officers agree that all grade-separated crossings should be removed from the DCP.</p>	<p>Recommend removal of grade separated crossings from the Amendment and Mundijong Urban DCP.</p>

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		<ul style="list-style-type: none"> <li>• In summary, the rail line will be used less in the future, and in any event is an inherently regional infrastructure asset. The need and nexus of these items arguably cannot meet either of these tests to justify inclusion in the DCP.</li> </ul> <p>Recommendation: Removal all rail-related infrastructure items from the DCP</p> <p>12. Mundijong Town Site</p> <ul style="list-style-type: none"> <li>• It is understood that there are several constraints which could limit the potential for further subdivision and/or development within the existing Mundijong town site (Precinct F), namely fragmented ownership and limited capacity within the existing sewer infrastructure network.</li> <li>• Notwithstanding these limitations, Table 2 of the DCP report outlines an estimated lot/dwelling yield of 1,985 for Precinct F.</li> <li>• If this yield does not come to fruition, it will impact population growth and demand for infrastructure.</li> <li>• The Shire should confirm whether the estimated yield has taken into consideration the constraints to further development.</li> <li>• If not, it is pertinent to highlight that a lower yield development scenario should be considered, with a corresponding scaled back infrastructure provision to match.</li> </ul> <p>Recommendation: Shire to review estimated development yields for Mundijong town site (Precinct F) to ensure they accurately reflect actual development potential given the substantial land fragmentation, and update DCP if a lower yield drops out of this exercise.</p>	<p>Officers note that population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200;</p> <p>Officers agree that the development areas of Mundijong are</p>	<p style="color: red;">Recommend the lot forecasts included in the DCP be aligned to the new estimates for 2034.</p>

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			<p>uncertain and there are constraints across some areas.</p> <p>The development areas now expected to occur within this period are expected to be primarily Whitby and the western edge of the DCA3. Due to the uncertainty that exists, the overall lot forecast has been reduced, however all development occurring within the DCA will be required to contribute. This ensures that contributions are captured from wherever in the DCA the development is occurring.</p>	

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		<p>13. Land Between Galvin Road and Mundijong Road</p> <ul style="list-style-type: none"> <li>• The urban land south of Galvin Road and north of Mundijong Road (Precinct C) is shown as being Medium-High R40-R100 classification under the Council Approved Mundijong District Structure Plan. As per the yield estimate and land area figures from Table 2 of the DCP report, Precinct C should be achieving a density target of 15 dwellings per hectare.</li> <li>• As with the Mundijong town site, it could be argued this is an ambitious target and the question raised whether it is appropriate for the Shire to consider a development scenario with a lesser density and scaled back infrastructure, to ensure the provision matches demand.</li> </ul> <p>Recommendation: Shire to review estimated development yields for Precinct C to ensure they accurately reflect actual development potential and update DCP if a lower yield drops out of this exercise</p>	<p>Lot yields are reconciled years at each DCP annual review.</p> <p>Officers note that population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200;</p> <p>Officers agree that the development areas of</p>	<p>Recommend the lot forecasts included in the DCP be aligned to the new estimates for 2034.</p>

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			<p>Mundijong are uncertain and there are constraints across some areas.</p> <p>The development areas now expected to occur within this period are expected to be primarily Whitby and the western edge of the DCA3. Due to the uncertainty that exists, the overall lot forecast has been reduced, however all development occurring within the DCA will be required to contribute. This ensures that contributions are captured from wherever in the DCA the development is occurring.</p>	





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		<p>whether its ultimate construction will benefit the community enough to warrant paying for the infrastructure.</p> <p>Recommendation: Notwithstanding general comments about rail infrastructure under item 11 of this submission, removal of the southern rail crossing from the DCP and adjustment of costs appropriately.</p> <p>Collation of Recommendations contained in Position Summary</p> <ol style="list-style-type: none"> <li>1. Notwithstanding the Shire is drawing on the transitional provisions of the current draft SPP, the Shire should acknowledge that the current draft SPP is best practice and adopt the principles and measures proposed in the newer policy unless specifically precluded from doing so.</li> <li>2. Limit the duration of the DCP strictly to ten years, and adjust items included accordingly.</li> <li>3. No items should be included in Mundijong Urban DCP unless included in and in accordance with the Shire's strategic corporate planning, and any other state or Commonwealth government commitments which are prerequisites of major infrastructure.</li> <li>4. Include priorities and timing for items in the TPS Amendment text, to ensure transparency, accountability and certainty.</li> <li>5. In relation to the draft district structure plan: <ol style="list-style-type: none"> <li>a. Given issues identified in the DSP, which is being advertised in parallel with the DCP, delay further progress of the DCP until the DSP is better resolved.</li> </ol> </li> </ol>	<p>All points within this summary have been addressed above.</p>	

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		<p>b. Shire to update DSP, supporting documents and DC to unambiguously depict two connections between South West Highway and the Precinct A (Whitby Estate)</p> <p>c. Shire to adjust forecast growth and infrastructure planning to reflect the household size in the WAPC's 'Outer Metropolitan Perth and Peel Sub-Regional Strategy' (South-East region)</p> <p>d. Shire to update traffic modelling and confirm proposed road upgrades and new roads have taken into account the future redirection of heavy haulage traffic onto the Tonkin Highway extension off South West Highway</p> <p>6. Shire to provide comment on contingency plans for the DCP should development occur in the Development Investigation Areas located outside the DCA boundary.</p> <p>7. In respect of District Sporting Spaces, the Shire should provide more transparent wording and descriptions in the Mundijong Urban DCP so it is clear what the contributions will go towards and whether other contributions from other DCPs will help fund the same or related infrastructure.</p> <p>8. Provide more clarity and transparency in road planning, connecting it to projected population growth, to ensure that sufficient need and nexus is demonstrated in the DCP.</p> <p>9. In respect of Skyline Boulevard</p> <p>a. Shire to update DCP to include the excluded southern portion of Skyline Boulevard, which connects between Tinspar Avenue and Keirnan Street.</p> <p>b. Shire to investigate and include extension of Skyline Boulevard to Norman Road, as an addition district cell connection and DCP item</p>		

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		<p>10. Shire to review and update DCP to ensure it appropriately reflects the approved ACP for the Whitby District Centre, and any downstream implications for infrastructure provision and contributions.</p> <p>11. Removal all rail-related infrastructure items from the DCP</p> <p>12. Shire to review estimated development yields for Mundijong town site (Precinct F) to ensure they accurately reflect actual development potential given the substantial land fragmentation, and update DCP if a lower yield drops out of this exercise.</p> <p>13. Shire to review estimated development yields for Precinct C to ensure they accurately reflect actual development potential and update DCP if a lower yield drops out of this exercise.</p> <p>14. Notwithstanding general comments about rail infrastructure under item 11 of this submission, removal of the southern rail crossing from the DCP and adjustment of costs appropriately.</p> <p>Attachment: PREVIOUS COMMENTS ON EXTENDED TIMEFRAME FOR DCP Commentary on Community DCP in relation to a timeframe greater than ten years.</p> <ul style="list-style-type: none"> <li>• The proposed life of the Development Contribution Areas (DCAs) to 2051 is a major concern which requires some explanation to appropriately articulate.</li> <li>• Section 2.0 of draft SPP3.6 requires timely provision of facilities. Furthermore, guidance presumes a term of 10 years maximum for a DCP, and any extension of term needs to be well justified. The proposed term of 30 years is therefore a substantial variation to draft SPP3.6.</li> </ul>	<p>As noted above, the DCP life is recommended to be reduced to 14 years.</p> <p>Population forecasts and DCP inclusions have been revised accordingly.</p>	

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		<ul style="list-style-type: none"> <li>• As will be outlined, this represents a risk not just for landowners and future purchasers, but also a substantial risk to Council itself.</li> <li>• The key issues we have identified in relation to the extended timeframe are as follows: <ul style="list-style-type: none"> <li>o Lack of Certainty</li> <li>o Council risk</li> <li>o Purchaser risk</li> <li>o Nexus</li> </ul> </li> <li>• Lack of Certainty: facilities planned for a cost of production of facilities (therefore DCP contributions) subject to change over three decades owing to a number of factors, any of which can disrupt budgets and delivery. These include <ul style="list-style-type: none"> <li>o Certainty of population growth projections, particularly given Profile.id modelling and projections only extend to 2036</li> <li>o Within overall population growth, certainty of future demographic structure (e.g. age profile, ethnicity) influencing demand for particular facilities. This is not reflected in the facilities proposed; indeed one item to be delivered in 2043 – 23 years from now – is justified by the “relatively young demographic profile of the area”</li> <li>o Certainty of demand: even if population projections are accurate, and demographic structure is accurate, the needs of these demographic groups could change substantially in 30 years. For example 30 years ago few will have predicted the rise in skating facilities or soccer’s popularity</li> </ul> </li> </ul>	Points noted have been addressed above.	

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		<p>o Finally, even if all the preceding projections are accurate, the standard (and cost) of construction of facilities required could change considerably. As an example, in the last 30 years train stations have been required to provide a ramp for disabled access, then one elevator, and now two elevators. This could not have been foreseen (and budgeted for) three decades ago.</p> <p>o We consider that the cumulative impact of these factors alone is sufficient to limit the timeframe to ten years as a prudent risk management response.</p> <ul style="list-style-type: none"> <li>• Council Risk is reflective of the commitments inherent in the 30 year plan outlined by Council. If Council is collecting contributions for these items, it can expect to be held accountable for their delivery regardless of any changing circumstances.</li> </ul> <p>o Clause 6.7.2.8 of draft SPP3.6 states that “identification of infrastructure as a contribution item in a gazetted DCP implies an agreement by local government to deliver that infrastructure” (p 6). As will be shown, this implied agreement, extended over 30 years, carries with it substantial financial risk for the Shire and its ratepayers</p> <p>o Budgeting for contributions sufficiently to seek a set amount from landowners conveys a sense of certainty that is not reflective of the substantial risk over the next 30 years</p> <p>o Setting this amounts for items and collecting this money now locks in commitment from the Shire</p> <p>o If any factors outlined under “Lack of Certainty” above change, Council could be substantially exposed to risk, proposing facilities that are demonstrably not fit for community need when delivered in 30 years’ time (which would then raise questions about nexus), or, worse, based on underestimated costings that are now</p>		

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		<p>obsolete due to regulatory changes (such as changes in building codes, or increased obligations for disabled access)</p> <p>o It is noted that the contingency amounts proposed in costings appear to generally comply with the 15% guidance provided by draft SPP3.6. This guidance is based on shorter term projects, not taking into account the uncertainty described above. To be clear we will not support any additional contingency in costings because of an extended timeframe. This risk will therefore have to be borne entirely by Council.</p> <p>o It is also noted that this risk includes both capital costs and ongoing maintenance and depreciation costs, which could result in a financial millstone for Council for a substantial period if not properly appreciated</p> <p>o Finally, it is understandable that other stakeholders and agencies (state and federal government) are unwilling to commit to funding of community infrastructure in three decades' time. Therefore there is an inability to thoroughly source alternative funding for projects, leaving substantially more cost to be borne by homebuyers through the Community DCP.</p> <p>o The apparent failure by the Shire to fully appreciate and consider the substantial risk to be borne by Council (and, therefore, the Shire's ratepayers) in prescribing community facilities over a long term with is alarming, and of grave concern. A far more responsible course of action is required.</p> <ul style="list-style-type: none"> <li>• Purchaser Risk relates to many of the items outlined above, and inevitable subsequent actions by Council in response to the high risk path proposed which will have an impact on the future community.</li> </ul> <p>o Inevitably, if Council takes this high risk approach, the purchaser bears the risk of infrastructure items being delayed should costs blow out and Council find itself</p>		

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		<p>unable to deliver on its promises. Consequently, promised community benefit will not be provided, to the detriment of residents and ratepayers.</p> <ul style="list-style-type: none"> <li>o Compounding this, in its present form, the Shire has provided no guarantee on timing for community facilities in the scheme amendment.</li> <li>o Additionally, much of the infrastructure included in the Community DCP is not identified in any Shire corporate strategic planning documents that have been made available (which generally only extend ten years in any event), creating greater uncertainty for purchasers and the future community.</li> <li>• Nexus is a fundamental element not just of the DCP process but of the planning system and its legal basis. Where this is not established, the Shire may find conditions of subdivision approval requiring contributions successfully challenged on appeal, even if imposed in accordance with the local planning scheme. In this instance a 30 year timeframe raises obvious questions on nexus.</li> <li>o Most notably, those buying the dwellings and paying the contribution will benefit from construction and operation of facilities</li> <li>o Specifically, buyers generally live in homes for 7-10 years before moving again.</li> <li>o The cost of the Community DCP is not reflected in the value of the property, so on re-sale this cost will not be automatically transferred to the next purchaser – it is lost because the facilities have not materialised.</li> <li>o Because this value is not carried forward, the nexus is broken.</li> <li>o Therefore any extension beyond ten years threatens the connection between contributor and benefactor, i.e. the planning nexus</li> </ul>		

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		<ul style="list-style-type: none"> <li>• In considering the appropriate timeframe for the DCP, it is worth considering how local structure plans are now administered. Specifically they are               <ul style="list-style-type: none"> <li>o The result of comprehensive planning</li> <li>o Valid for ten years</li> <li>o Able to be renewed regularly in line with contemporary practice and policy</li> <li>o Able to be reviewed in the interim</li> <li>o Inclusive of areas regularly normalised and then subject to conventional controls</li> </ul> </li> <li>• Structure plans (as “due regard” rather than statutory documents that are not based on comprehensive costing and budgeting, and do not require specific funds on this basis) are also more flexible than DCPs so arguably should have a longer lifespan</li> <li>• If this ten year limit is appropriate for a flexible document, it is unclear why it is not appropriate for a less flexible requirement based on detailed costings and assumptions, that also binds Council spending and delivery of facilities.</li> <li>• This is particularly pertinent given               <ul style="list-style-type: none"> <li>o Council’s corporate strategic documents (e.g. Capital Works Planning, Asset Management Plan, Strategic Plan, required by draft SPP 3.6 to be synchronised with the Community DCP) generally only extend ten years, and</li> <li>o The local planning scheme – and for that matter SPP3.6 – will likely be substantially reviewed several times in the next thirty years.</li> </ul> </li> </ul>		



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		<ul style="list-style-type: none"> <li>• In summary the proposal to extend the Community DCP is extremely concerning, especially given the risk Council is exposing itself to, which it does not appear to appreciate.</li> </ul> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Extend Community DCP only to 2031, being approximately 10 years, in keeping with the stipulations of SPP3.6. Should exceptional justification be provided, an extension to 2036 (i.e. 15 years) may be acceptable subject to other issues raised being comprehensively resolved.</li> <li>• Link delivery of items to dwellings constructed or lots sold primarily, and timeframes as a secondary consideration, to better manage risk and transparency for all parties</li> </ul>		
Shire of Serpentine Jarrahdale Strategic Planning Department	19.	<p>As a result of the submissions and further discussions with developers in the area, officers recommend a number of changes to the DCP and the amendment.</p> <p>The life of the DCP is recommended to be 15 years, rather than 20 years. This will align with the recommendations from the DPLH to reduce the CIDCP life to 15 years;</p>		<p style="color: red;">Period of operation: Recommend the Amendment 209 and Mundijong Urban DCP be amended to reflect</p>

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		<p>Population estimates and build out progress have been extensively reviewed through consultation with developers, the Department of Education and review of Forecast ID estimates, in line with the new DCP end date of 2034. The anticipated increase in lots during this period is now anticipated to be 7,200. The development areas occurring within this period are expected to be primarily Whitby and the western edge of the DCA3;</p> <p>The revised anticipated population and growth areas, have substantially reduced the need for provision of DOS and the extent of road upgrades.</p> <p>These changes, which relate to the Mundijong Urban DCP area (DCA3) only, are as follows:</p> <ul style="list-style-type: none"> <li>- DSS: Mundijong High School Precinct G to be removed;</li> <li>- NOS: Whitby North Primary to be removed;</li> <li>- NOS: Adam St/Cockram St Precinct E1 to be removed;</li> <li>- Paterson St/Soldiers Road: Paterson St section to be removed;</li> <li>- Bishop Road (East): section east of Bett Rd to be removed;</li> <li>- Taylor Road/Adams St: Adams St section to be removed;</li> <li>- Mundijong Road (East)/Watkins Rd: to be removed;</li> <li>- North South Spine Road: Removal of section north of Galvin Road;</li> <li>- Galvin Road: to be removed;</li> <li>- Skyline Boulevard: removal of section north of Town Centre Road;</li> </ul>		<p>a completion date of 2034.</p> <p>Population estimates: Recommend the lots included in the Mundijong Urban DCP be set at 7,200.</p> <p>Infrastructure: Recommend that the following projects be removed from the Amendment and Mundijong Urban DCP:</p> <ul style="list-style-type: none"> <li>- DSS Mundijong High School;</li> <li>- NOS Whitby North Primary School</li> <li>- NOS Adam St/Cockram St;</li> </ul>



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		<p>Officers believe that the categorisation of DCP roads should align with terminology used in Liveable Neighbourhoods, in order to give better clarity.</p> <p>For example; Instead of “X Road – Local Distributor”, this would be “X Road – Integrator B”</p> <p>This would also remove the requirement to detail the specific road treatment within the inclusions, and enable the DCP to align with any changes to the Liveable Neighbourhoods standards without the need for a scheme amendment, which may cause delays and additional cost to developers.</p> <p>For example: Instead of “Complete road construction based on a single lane split carriageway with central median, including intersection treatments and traffic control devices as required”, this would be “Complete road construction to achieve an Integrator B road standard, in accordance with Liveable Neighbourhoods, including intersection treatments and traffic control devices as required”.</p> <p>Detail on the classifications for the proposed DCP roads is included in the table below.</p>		<ul style="list-style-type: none"> <li>- North South Road: removal of section north of Galvin Road;</li> <li>- Skyline Blvd: removal of section north of Town Centre Rd.</li> </ul> <p>Road categorisation: Recommend removal of specific road build scope from the DCPs and Amendment 209.</p> <p>Road categorisation: Recommend DCP roads be identified as follows within the Amendment and DCPs:</p> <ul style="list-style-type: none"> <li>- Bishop Road: Integrator B</li> </ul>

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**Amendment to Town Planning Scheme No. 2 – Scheme Amendments No 209**

**Mundijong Whitby Urban Traditional Infrastructure Development Contribution Plan / PA18/780**

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		<p>A number of road width changes (from the previous DCP revisions) have occurred as a result of the latest TIA modelling and forecasting to 2034. The associated</p>		<ul style="list-style-type: none"> <li>- Industrial North</li> <li>South Spine:</li> <li>Industrial Road;</li> <li>- Kargotich Road:</li> <li>Integrator B;</li> <li>- Mundijong Road (West):</li> <li>Integrator B;</li> <li>- Bishop Road (East):</li> <li>Integrator B;</li> <li>- North South Road: Integrator B;</li> <li>- Skyline Blvd: Neighbourhood Connector A;</li> <li>- Soldiers Rd: Neighbourhood Connector A;</li> <li>- Taylor Road: Integrator B;</li> <li>- Tinspar Ave: Neighbourhood Connector A.</li> </ul> <p>Road reserves: Recommend DCP</p>



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		<p>Officers recommend that the annual review of the West Mundijong Industrial and Mundijong Urban DCPs, which enables review of costings, indexing of costs and reconciliation of yields and funds (though no scope amendments are allowed without an amendment), be formalised within the DCP to be carried out in consultation with the Mundijong Industry Reference Group. This will provide visibility and certainty for the development community, and also serve as an opportunity to review the timeline for provision of infrastructure within the DCP, with those who have knowledge of where the development for the year ahead, is most likely to occur. It is noted that, in respect of any updates to the infrastructure provision timeline, approval and adoption by Council will be required, before any amendments are reflected in the DCP.</p> <p>There are a number of recommendations made within the submission responses for the Mundijong DSP. The Amendment report references information within the DSP, including Maps. Where recommendations for amendments to the DSP are approved by Council, officers recommend that the relevant text and maps in the Amendment report, be aligned with the revised information.</p>		<p>That wording be inserted into the DCP in respect of the requirement to review the Annual DCP reviews in collaboration with the relevant Industry Reference Group(s).</p> <p>DSP amendments: Recommend that any amendments approved by Council to the DSP, be reflected in the relevant text and maps, within the Amendment 209 and the DCP report.</p>
<b>Landowners/Residents</b>				
A Khan	1.	Thank you for the opportunity to comment on the draft district structure plan and associated development contribution plan for Mundijong.	Officers thank the submitter for the time	No recommended modifications





