



The Council of the City of Cockburn

Special Council Meeting
Agenda

Thursday, 27 November 2025



PO Box 1215, Bibra Lake
Western Australia 6965

Cnr Rockingham Road and
Coleville Crescent, Spearwood

Telephone: (08) 9411 3444

Notice of Meeting

Pursuant to Clause 2.5 of Council's Standing Orders, a Special Meeting of Council has been called for Thursday 27 November 2025.

The meeting is to be conducted at 7:45pm in the City of Cockburn Council Chambers, Administration Building, Coleville Crescent, Spearwood.

Purpose of Meeting

Developer Contribution Plans

A handwritten signature in black ink, appearing to read 'D. Simms', is positioned above the name of the Chief Executive Officer.

Daniel Simms
Chief Executive Officer

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Agenda

1. Declaration of Meeting

The Presiding Member acknowledged the Whadjup Peoples of the Nyungar Nation, who are the traditional custodians of the land on which the meeting was being held, and paid respect to their Elders both past and present and extended that respect to First Nations Peoples present.

2. Appointment of Presiding Member (If required)

3. Disclaimer

The Presiding Member will read the Disclaimer:

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position.

Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)

5. Apologies & Leave of Absence

6. Public Question Time

7. Deputations

8. Declaration by Members Who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting

9. Purpose of Meeting

Development Contribution Plans

10 Reports - CEO (and Delegates)

10.1 Sustainable Development and Safety

10.1.1 Development Contribution Plan 13 - Exercise of Clause 5.3.11.5

Executive	Director Sustainable Development and Safety
Author	Service Manager Strategic Planning
Attachments	N/A

RECOMMENDATION

That Council:

- (1) EXERCISES clause 5.3.11.5 of Town Planning Scheme No.3 to apply a lesser Development Contribution Plan rate for the 2025 annual review than the independent certification recommends for Development Contribution Plan 13 (DCP13), with the rate to be not more than the WALGA (Local Government Index) applied to the annual rate update and escalated each quarter until the next annual review;
- (2) NOTES in applying the lesser rate it:
 - a) seeks to be aligned in principle to how DCP13 was originally constructed.
 - b) sees the attractiveness of Cockburn as a place to invest and develop continue
 - c) seeks additional funding sources where available to supplement the DCP13 shortfall
 - d) will still see an increase from the current day rate; and
- (3) REQUESTS the CEO to initiate a major (5 year) review of DCP 13 in 2026 with an aim of reducing the portion of DCP listed infrastructure required to be funded by Municipal Funds.

Background

Development contribution provisions (DCP) have been contained in Town Planning Scheme No.3 (TPS3) for a number of years.

The current provisions primarily reflect the wording from State Planning Policy 3.6 Infrastructure Contributions (SPP3.6) with some additions which clarify and deal with specific issues related to the City of Cockburn.

Some of the provisions are 'non-discretionary' in that they provide no flexibility to the administrator of the scheme. In 2020 a discretionary provision was added to provide Council the opportunity to apply flexibility in relation to the rates charged. This is clause 5.3.11.5 which reads:

'Notwithstanding clauses 5.3.11.1, 5.3.11.2(ii), 5.3.11.3 and 5.3.11.4, where the development contribution plan relates to community infrastructure, the local government may adopt a lesser rate than the independent certification recommends and make up the shortfall in accordance with clause 5.3.17.1'.

The purpose of this report is to inform Council's consideration on whether to exercise this clause which is not covered by the delegations to the Chief Executive Officer, in relation to the next review of Development Contribution Plan 13 (DCP13).

Up until the 2023/24 Financial Year, it was previously understood indexation was part of the delegation and applied to the DCP13 rate using the delegation to the Chief Executive Officer. The recommendations of this report are identical to the resolution adopted by Council at the [12 November 2024 Ordinary Council Meeting \(Item 14.1.5\)](#) with the addition of Recommendation 3.

At the [11 November 2025 Ordinary Council Meeting \(Item 14.1.1\)](#) Council deferred this matter to enable a DCP Workshop and further Elected Member review of a more detailed comparison of indexation increases.

Submission

N/A

Report

What are Development Contribution Plans

Development Contributions Plans are mechanisms used to ensure developers contribute fairly to the cost of infrastructure required to support new developments and subdivisions. These contributions, which can be in the form of payments or 'in-kind' works, play a vital role in funding essential community infrastructure in Cockburn.

This includes roads, drainage systems, community and recreation centres, sporting facilities, libraries, and other amenities benefiting the broader community. DCPs allow for the equitable sharing of these cost between developers within Cockburn.

The ability to implement a DCP stems from State Planning Policy 3.6 – Infrastructure Contributions (SPP3.6) and is incorporated into the City of Cockburn Town Planning Scheme No.3 (TPS3).

Each year, the City is required to conduct an annual review of the infrastructure costs included in its DCPs. This review ensures that the costs, which are often based on estimates, remain current and reflect market conditions. The review involves engaging an independent appropriately qualified and experienced professional to verify the estimated costs. Once certified, this independent review can be provided to developers upon request.

Extent of Development Contribution Plan 13

DCP13 is the City's largest and most extensively applied DCP, for community infrastructure applying to all residential development in the City of Cockburn. Critically it is applied in the same manner to a developer of a large housing estate, as it is to an existing Cockburn landowner seeking to subdivide their backyard. Both are 'developers'.

It was originally drafted around 2009, and after extensive consultation, gazetted in August 2011. At the time, it was the first such DCP to be approved under the 2009 State Planning Policy. The adopted lifespan of DCP13 was until 30 June 2031 (far longer than the policy intended), based on a future total of 52,442 dwellings (at 2031), with just under \$150M of infrastructure to deliver.

As developments at Cockburn Coast and Treeby were rezoned, additional infrastructure was added. This was for a future total of 64,417 dwellings (as at 2031) with just over \$220M of infrastructure to deliver. All 29 items remain in DCP13, none have been deleted.

Notably, the amount of growth which has resulted is approximately 55% of what was forecast to have occurred by now. Over the lifespan of DCP13, the first decade was primarily single houses, whereas the last decade was assumed as primarily apartments. What we are clearly seeing is a mismatch with what was initially forecasted by demographers and what types of development have/are now occurring.

Progress on delivering DCP13

Significant progress has been made in delivering on the DCP13 commitments however, all items had originally been anticipated to be completed by 2021. As at 2025, 14 of the 29 items are complete.

Completion of infrastructure was important as it meant the 'actual cost' to be collected via the DCP was known and fixed, instead of being based on estimates and the continuing risk of construction increases.

Some of this is reflective of the enormous construction market cost increases since 2019. It would be unfair to not also acknowledge, many of the items have substantially changed in scope since 2009, meaning the local government has taken on more cost than originally planned (as the DCP will only fund the original scope).

The City recently participated in the Parliamentary Inquiry into local government sustainability. One of the matters noted was development contributions given their importance as a funding stream towards community infrastructure.

There are governance obligations when managing these DCP that are critical to observe but were seemingly created with little regard to how community needs or the construction industry might change over time.

Maintaining attractiveness of Cockburn as a place to invest and develop

When DCP13 was established, it was envisaged to be generally be in the order of 1–2% of the value of each new lot created by developers.

There was industry feedback at the time this would be acceptable. It is worth noting 2009 was a time where housing affordability was also a critical concern in the development and broader communities.

This warrants a reflection on how this concern was treated when DCP13 was set up, as well as changes the State has made to the overarching policy about infrastructure contributions and how this might influence Council's direction today.

In recent years, the State has introduced a "capped rate" for newer community infrastructure DCP of \$5,000 per lot. This is contained within SPP 3.6.

Taking one of Cockburn's popular greenfield development areas, Hammond Park as an example, the current rates are still consistent with these two amounts as shown in the table below:

Hammond Park land listings September 2025	Current listing price	1% of listing price	2% of listing price	Current DCP 13 rate (due for review in 2025)
Lot 107 Menzie Road (375m ²)	\$430,000	\$4,300	\$8,600	\$5,543.99
Lot 129 Calypso Drive (315m ²)	\$395,000	\$3,950	\$7,900	
Lot 64 Tallerack Road (375m ²)	\$430,000	\$4,300	\$8,600	

This consistency seems to also apply in one of Cockburn's more established suburbs, Hamilton Hill as shown in the table below

Hamilton Hill land sales recorded August 2025	Current listing price	1% of listing price	2% of listing price	Current DCP 13 rate (due for review in 2025)
16A Lucius Road (457m ²)	\$975,000	\$9,750	\$19,500	\$4,684.21
1B Bailey Street (221m ²)	\$750,000	\$7,500	\$15,000	

The DCP13 rate in practice is not applied as a percentage of the land sale price and rather a rate is set per lot/dwelling. This is because DCP13 is there to partially fund the community infrastructure needs for these new lots and the people who will live there, rather than the value of the property.

Comparison of Indexation Increases

The implications of adopting the WALGA LG Index or otherwise has been modelled by the City, including the impact of the contribution changes for each suburb based on the proposed 'capped' and 'uncapped' indexation outcome.

The differences are significant with the rate in some suburbs up to 300% higher than the recommended 'capped' value.

The suburbs most heavily affected, are those that include localised items (i.e. larger infrastructure costs often over a smaller catchment), or where development has not proceeded at the pace originally anticipated.

The sharp spikes and volatility of the uncapped rates is further highlighted when you compare the changes that have occurred since 2020 (when the capped WALGA

indexation was first applied). This brings into question both the reasonableness and the reliability of solely relying on the uncapped Quantity Surveyor figures.

It is front of mind to officers the Quantity Surveyor figures are for the estimated cost to build the infrastructure items, which is only a discrete element of what calculates the 'per suburb rate'. Using these are the primary input to reviewing the rate is fraught with difficulty.

It was in response to these very concerns that Council first initiated, and the then Minister for Planning approved the insertion of clause 5.3.11.5 (via [Scheme Amendment #148](#)) in June 2020.

It's important to note that in addition to being responsible for delivering all 29 DCP 13 items by 2031, any shortfall of the developer's share not collected within this timeframe becomes the City's responsibility to resolve. This can be done by a variety of ways but is most commonly done via municipal funds and grants.

In the interim, any contribution obtained (capped or otherwise) reduces the City's future burden. This is because if the infrastructure is not delivered within the lifetime of the DCP, the City may be required to return funds not used for their collected purpose.

The City has commenced preparations for a major review of DCP13 in early 2026. This represents a key opportunity to both reset the dwelling forecasts, including the need being generated in particular catchments, and what remaining items the City can reasonably deliver within the remaining DCP timeframe.

Any adjustments will require Ministerial approval of a complex Scheme Amendment proposal, which could take 2-3 years to complete. Indexation must be applied annually. A decision cannot be deferred pending the outcome of that process.

Summary

After 2031, the City will lose the ability to levy developers for DCP13 – unless it sought to extend the lifespan of the DCP (via scheme amendment).

Whether this would be approved would be up to the Minister for Planning and should not be presumed given the current lifespan far exceeded the State Planning Policy's intent. In the interim, efforts need to continue on delivery of the remaining DCP13 items.

Therefore, it is recommended to apply a lesser rate than the independent certification recommendations, not exceeding the WALGA (LGI) rate for the annual review (with quarterly escalation).

Some of the upcoming milestones in the administration program for DCPs is the financial auditing and the Annual Status Reports which will document progression against the capital expenditure planning, residential growth and balance of the DCP reserves. These could not be completed without the annual review being done.

Strategic Plans/Policy Implications

Local Economy

A sustainable and diverse local economy that attracts increased investment and provides local employment.

- A City that is 'easy to do business with'.
- Increased Investment, economic growth and local employment.

Community, Lifestyle and Security

A vibrant healthy, safe, inclusive, and connected community.

- Accessible and inclusive community, recreation and cultural services and facilities that enrich our community.

City Growth and Moving Around

A growing City that is easy to move around and provides great places to live.

- An attractive, socially connected and diverse built environment.

Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

Development Contribution rates are based on estimates (both of growth forecasts and construction costs for remaining infrastructure items). The reliance on estimates is less than ideal, making forward budget planning difficult for both Council and to a lesser extent, developers dealing with the City.

Development Contribution Plan 13 has a lifespan till 30 June 2031, which is a 20-year period from its commencement. Originally the infrastructure was intended for delivery in the first 11 years of operation, which has now passed. In part, this would have mitigated the risk of using estimates for construction costs.

Adopting a 'lesser rate' brings an obligation to find another source of funding to provide the remaining infrastructure. In the City's Long Term Financial Plan (LTFP), an amount has been allocated towards community infrastructure projects, as well as an estimate of external funding sources like DCP13.

The assumption in the LTFP is a static amount across the years for the DCP, noting it is difficult to predict the variances in DCP income over the years. With a revised capital expenditure plan in development, this can inform the outgoing DCP funds towards items as they are completed.

In preparing the LTFP, there is a recognition of the projects in all our development contribution plans.

Legal Implications

The City's Town Planning Scheme No.3 enables a lesser rate in the situation of DCP13 to be adopted by Council. This clause is only able to be applied to DCP where the City is a participant (i.e. we have a municipal share to provide) and the DCP is for community infrastructure.

Community Consultation

The City is not required to consult on the annual rate review of DCPs, but it needs to undertake that review.

Advertising of each DCP occurs as part of a scheme amendment process to introduce a DCP into the City's planning scheme. This includes a draft cost and important aspects like the infrastructure item details and the methodology for calculations.

Once the reviewed rate is determined, it is published to the City's website and becomes the new rate to be applied. Before DCP rates are updated, the outcomes of the review are not publicised with developers. Rates are updated in the later part of the calendar year, generally as all required inputs are received and able to be reviewed.

There is not a 'fixed date', other than to be mindful of the last date of publication.

Risk Management Implications

Council has the discretion to exercise clause 5.3.11.5 of the Scheme, however there is no 'obligation' to do so.

Over the years, since DCP13's gazettal, Council has adopted a number of budgets and project plans for capital infrastructure related to DCP13 items.

Very strong progress has been made in delivering and/or progressing the project planning for many of the items, often well beyond the original project envisioned. Our community enjoys and benefits from some wonderful community facilities as a result.

On the other hand, there are still some facilities that have not progressed. This means their final cost is still uncertain (creating risk of the City not collecting sufficient DCP funds).

These items are costed annually based on estimates. There is a direct correlation between how much Council has invested in planning these projects and the reliability of the estimated costs.

Predictably as time goes on, costs also will generally rise, widening the gap between what the DCP will contribute and what Council will need to fund by other means.

In the context of the above level of risk to DCP funding already exercised, there is limited additional risk taken on by exercising clause 5.3.11.5 of the Scheme to apply a lesser rate.

If Council chooses not to apply this lesser rate, this will see higher charges applied to persons and companies undertaking development in Cockburn.

This would be all developers, not simply the larger firms, but also a landowner who might be doing a two-lot subdivision in an older suburb. There is a risk these higher rates would be disputed as well as have the impact of slowing development.

Decreased development has a direct impact on the DCP reserve. Without incoming revenue, the DCP reserve is unable to pay towards projects as they reach completion (this means the local government must fund and carry this share till the DCP receives incoming revenue). This lack of momentum may also delay further project delivery.

Maintaining at least some momentum in development in Cockburn (and the related DCP revenue) could be achieved by applying a lesser rate as per the recommendation.

Unless Council resolves otherwise, to ensure compliance with its annual reporting requirements the City will have to apply the uncapped quantity surveyor rate.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) *Local Government Act 1995*

Nil

11. Confidential Business

Nil

12. Closure of Meeting