

Cash-in-Lieu of Public Open Space

Public open space in Western Australia

The City of Vincent is committed to enhancing its natural environment for the benefit of its current and future community. However as the population increases, so will the pressure placed on Vincent’s public open spaces. Collecting cash-in-lieu of public open space (POS) through the subdivision process will help the City to protect and enhance its natural environment.

This can be achieved by implementing the Western Australian Planning Commission’s (WAPC) [Development Control Policy 2.3 Public Open Space in Residential Areas](#) (DC 2.3). This Policy states that for residential subdivision, 10 per cent of the gross subdivisible area shall be given up free of cost by the subdivider for POS purposes.

When is a public open space contribution required?

Land for POS may be required for applications proposing five or more lots. This includes lots used to build single houses, townhouses, units, and apartments.

Providing land is not always sensible because:

- the land area may be too small for practical use, or
- there may be existing POS already available in the locality for current needs and future demand.

In these instances, a financial contribution or ‘cash-in-lieu’ of POS may be required.

What will my cash contribution be spent on?

Cash-in-lieu of POS is guided by the *Planning and Development Act 2005*.

Cash-in-lieu funds may be used for:

- the purchase of land for parks, recreation grounds or open spaces generally, in the locality in which the subdivision is situated;
- repaying loans raised by the local government for the purchase of such land; or
- the improvement or development of a park, recreation grounds or open spaces generally.

Will my contribution benefit my property?

Funds spent will benefit the properties that contribute to them. The City’s Public Open Space Strategy (2018) includes the following guide:

Classification	Description	Catchment
Local	Local open space is usually small parklands that service the recreation needs of the immediate residential population. Primarily used for recreation and may include nature space.	0.4ha to 1ha Within 400 metres or 5-minute walk
Neighbourhood	Neighbourhood open space serves as the recreational and social focus of a community. Residents are attracted by the variety of features and facilities and opportunities to socialise.	1ha to 5ha Central to surrounding neighbourhoods, 10 minute walk
District	Consists of sufficient space to accommodate a variety of concurrent uses, including organised sports, children’s play, picnicking, exercising dogs, social gatherings and individual activities.	5ha to 15+ha Within 2 kilometres or 5-minute drive
Regional	Regional Open Space serves one or more geographical or social regions and is likely to attract visitors from outside any one local government area.	Size is variable and dependent on function



The City considers the size, scale, form and function of the new POS area or improvements to any existing POS. Typically, lower costs, small-scale improvements to a local POS site will be at closer to where the cash-in-lieu funds were provided.

The purchase of large new POS areas or upgrades to existing POS of a larger scale and cost may be further away from the site where the cash-in-lieu funds were provided but will still be of benefit and accessible to occupants of the lots for which cash-in-lieu was contributed.

How the cash-in-lieu contribution amount determined?

The value of cash-in-lieu is determined as a percentage of the market value of the parent lot from which the subdivision occurs. The percentage relates to the equivalent percentage of land that would otherwise be provided as POS. Section 155 of the Planning and Development Act 2005 sets out provisions in relation to valuation of land.

The local government will, at the expense of the subdivider, seek a valuation of the land from the Valuer General's Office or a licensed valuer.

When will I be notified if cash-in-lieu of public open space is applicable?

The City will notify applicants as early as reasonably possible.

If a development application is lodged before the subdivision application, the City will undertake a full assessment and include an advice note on the approval notice.

If applicable, the advice note will include the condition that will be imposed on the impending subdivision application when it is lodged with the City.

Whilst this is not a formal condition, applicants can have their land valued and satisfy the impending condition immediately after receiving their development approval. This may save time and money for the owner / applicant.

The City may not always have the opportunity to notify applicants that their proposal is subject to a cash-in-lieu of POS condition. This may occur when an application for subdivision is lodged with the WAPC. In these instances, the City will provide a recommendation to the WAPC who will determine whether the condition is included.

How do I pay the cash contribution?

The cash contribution amount is based on the value of the land.

When ready, the Applicant can email the City (mail@vincent.wa.gov.au) to request the land is valued for the purpose of satisfying the relevant condition.

The land valuation will be determined by Landgate. The applicant is to pay for the assessment, noting the following:

- Landgate charges \$230 per hour for land to be valued. The works take approximately 10 hours, depending on the complexity of the site.*
- Any land improvements (i.e., site works) undertaken before the land valuation has occurred will be considered as part of the land valuation price. Land improvements may increase the value of the land.
- The City will not release the land valuation report until the works invoice has been paid by the owner / applicant.
- Once the cash-in-lieu contribution amount has been paid and confirmed by the City, the owner / applicant can lodge their subdivision clearance / Form 15C application with the City.

**Correct information as at May 2023.*



Do you have more questions?

A Duty Planner is available to talk to at the City's Administration Office Monday to Friday, 8.30am to 5.00pm, in person or on the phone.

Phone: 9273 6000

Email: mail@vincent.wa.gov.au

Address: Main Administration Building, 244 Vincent Street, Leederville 6007, WA

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