



SCHEME AMENDMENT NO. 47

PROPOSED REZONING

CRAWFORD COURT PRECINCT

JANUARY 2012

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF YORK

TOWN PLANNING SCHEME NO. 2

AMENDMENT NO. 47

The Shire of York under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Rezoning the Crawford Court Precinct encompassing Lots 1, 2, 3, 5, 6 and 7 Crawford Court, Lots 279-282 Herbert Road, Lot 283 Northam-York Road and Lot 4 Attfield Road, York from Rural-Residential to Residential R2.5.
2. Deleting that portion of the Scheme Text which deals with the Panmure (Boothill) Rural Residential precinct, in order to reflect the proposed rezoning.
3. Amending the Scheme map accordingly.

ADOPTION

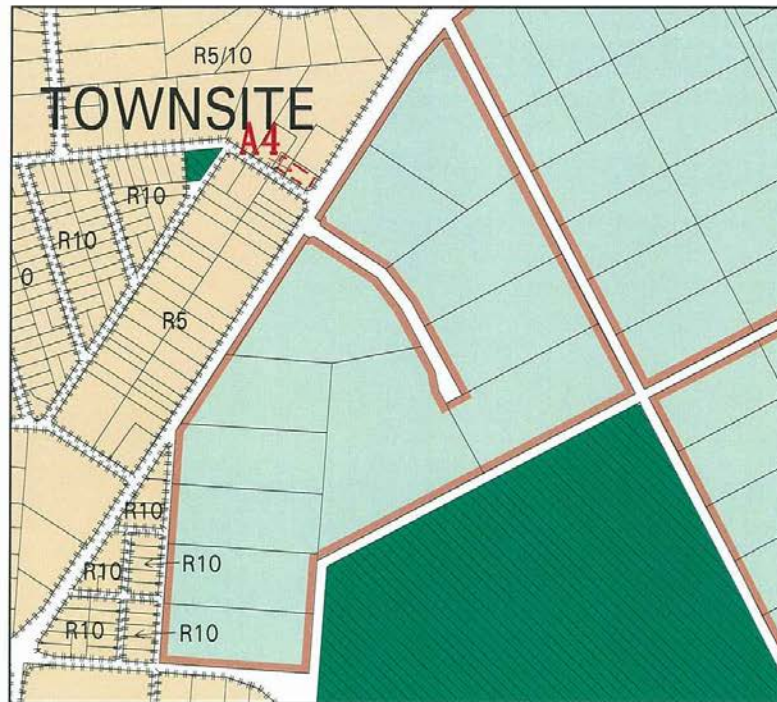
Adopted by resolution of the Council of the Shire of York at the _____
Meeting of the Council held on the ____ day of _____ 2012.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

SHIRE OF YORK TOWN PLANNING SCHEME NO. 2







EXISTING ZONING



EXISTING ZONING

LEGEND

York Z 2

-  RURAL RESIDENTIAL
-  RECREATION AND OPEN SPACE
-  RESIDENTIAL
-  ROAD
-  LPS Rcodes - Enquiry data
-  LPS Cadastre - Capture data



Government of Western Australia
Department for Planning and Infrastructure

SHIRE OF YORK
TOWN PLANNING SCHEME NO 2
AMENDMENT NO. 47






Scale 1:10000
0 125m

PROPOSED ZONING



SCHEME AMENDMENT MAP

LEGEND

-  LPS Cadastre - Capture data
- York Z 2
-  RESIDENTIAL
-  TPS Amendment Rcodes



Government of Western Australia
Department for Planning and Infrastructure

SHIRE OF YORK
TOWN PLANNING SCHEME NO 2
AMENDMENT NO. 47



Scale 1:10000

0 125 m

PROPOSAL TO AMEND A TOWN PLANNING SCHEME

- | | |
|--|--|
| 1. LOCAL AUTHORITY: | Shire of York |
| 2. DESCRIPTION OF TOWN PLANNING SCHEME: | Shire of York Town Planning Scheme No. 2 |
| 3. SERIAL NUMBER OF AMENDMENT: | Amendment No. 47 |
| 4. PURPOSE: | To rezone the Crawford Court Precinct from Rural Residential to Residential R2.5 zone as depicted on the scheme amendment plan. |
| 5. REPORT BY: | Shire of York |

SHIRE OF YORK
TOWN PLANNING SCHEME AMENDMENT NO. 47 REPORT

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1. Introduction

On 31 August 2011 Council received a request on behalf of the owner's of Lot 283 Northam-York Road, York to rezone the property from 'Rural-Residential' to 'Residential R2.5' to enable subdivision of the property to lots with a minimum lot size of 4000m².

The Shire of York considered it more appropriate to rezone the precinct in preference to a single lot or 'spot' rezoning and initial consultation with the landowners in the precinct indicates that the majority of landowners are in favour of an overall rezoning.

This Scheme Amendment proposes to amend the York Town Planning Scheme No. 2 (TPS2) by:

- rezoning the Crawford Court Precinct from Rural Residential to Residential R2.5;
- amending that portion of the Scheme Text which deals with this Rural Residential precinct, in order to reflect the proposed rezoning; and
- amending the scheme mapping accordingly.

The purpose of this report is to provide a planning rationale and justification for that proposal and demonstrate that it will be both beneficial and without adverse impacts.

1.1 Existing Zoning

The subject area is currently zoned Rural-Residential under the Shire of York's Town Planning Scheme No. 2 (TPS2).

1.2 Existing Scheme Text

Schedule 6 of TPS 2 sets out particular requirements for localities that are zoned Rural Residential. The following section of Schedule 6 is applicable to the precinct:

| AREA | REQUIREMENTS |
|--|---|
| Panmure (Boothill) Lots 6, 283 Northam Road; Lots 1 – 5, 7 Crawford Court; Lots 279 – 282 Herbert Road. Amd 9 GG 17/10/03 | <ol style="list-style-type: none">1. It is the intention of local government that this area be primarily restricted to residential and associated hobby farming use on the existing lots.2. Local government will require that new buildings are sited near existing buildings and/or trees and may require the planting of additional trees as a condition of development.3. Commercial horse training and breeding will not be permitted.4. The plan of subdivision shall be the existing cadastral pattern, and the local government will not recommend subdivision with a lot size of less than 2.0 hectares or the rezoning of land which would lead to such subdivision. |

2. Site Analysis

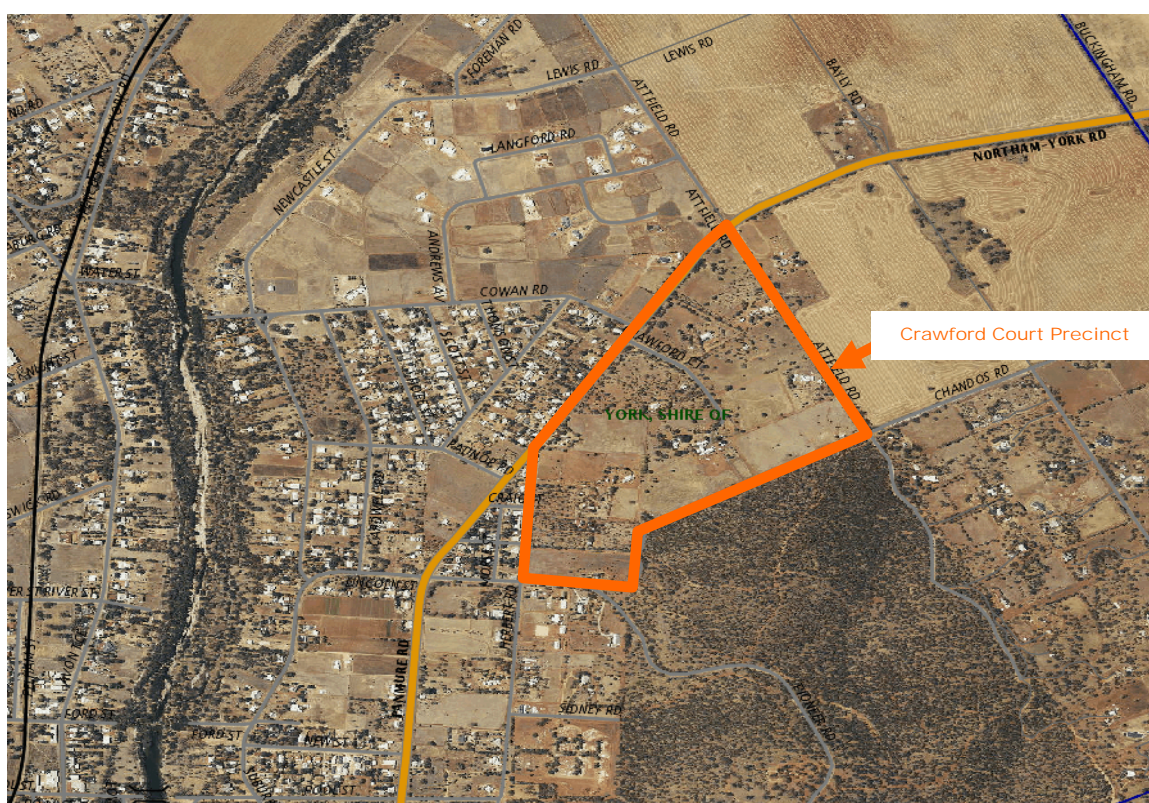
2.1 Location

The Crawford Court Precinct is an area bounded by Northam-York Road, Attfield Road, Steere Street and the Mount Brown Reserve, on the eastern flank of the townsite. The area comprises 12 existing lots – Lots 1, 2, 3, 5, 6 and 7 Crawford Court, Lots 279-282 Herbert Road, Lot 283 Northam-York Road and Lot 4 Attfield Road with a cumulative area of 38.16 hectares. Individual lot areas are shown in the table below.

| No. | Street No. | Lot No. | Street | Size (ha) |
|-------|------------|---------|-------------------|--------------|
| 1 | 4 | 1 | Crawford Court | 3.69 |
| 2 | 13 | 7 | Crawford Court | 2.54 |
| 3 | 102 | 6 | Attfield Road | 3.56 |
| 4 | 8 | 3 | Crawford Court | 3.66 |
| 5 | 23 | 5 | Crawford Court | 3.42 |
| 6 | 34 | 2 | Crawford Court | 5.88 |
| 7 | 3 | 282 | Herbert Road | 2.46 |
| 8 | 21 | 281 | Herbert Road | 2.42 |
| 9 | | 280 | Herbert Road | 2.42 |
| 10 | | 279 | Herbert Road | 2.42 |
| 11 | 2995 | 283 | Northam-York Road | 2.40 |
| 12 | 122 | 4 | Attfield Road | 3.29 |
| Total | | | | 38.16 |

Theoretically approximately 92 lots could be created as a result of the scheme amendment. However, due to the existing pattern of development and environmental constraints the lot yield is expected to be much less, and that the release of lots would occur over an extended period of time (i.e. 10-15 years).

The location of the Crawford Court Precinct is shown on the Location Plan below.



2.2 Current Land Uses

In the Crawford Court Precinct, all but two of the properties have dwellings constructed and are permanently occupied. The majority of lots have a number of ancillary structures associated with residential and hobby farm activities.

Lot 2 Crawford Court is currently used as part of the Avon Waste activities, however, discussions with the owners indicate that they wish to relocate when more suitable industrial land becomes available.

2.3 Surrounding Land Uses

On the western side of Panmure Road (Northam-York Road) and south of Herbert Road land is zoned residential with a coding of R5 and R5/R10. There is some infill development where existing lots are being subdivided, particularly following the removal of the ODP requirement for less than 3 lots in the Local Planning Strategy.

The flats to the north of the Crawford Court precinct are used for the grazing of cattle and to the east of Chandos Road there are the increasing steep slopes of Mt Brown Reserve.

Mt Brown Reserve is currently managed by the Shire of York and is used for passive recreation activities, such as bushwalking and wildflower tours. There is a lookout at the top of the mountain frequented by tourists to York.

2.4 Topography

In the Crawford Court precinct the land comprises low to steep gradients with shallow to moderate red earths over rock outcrops. The assessment of any future subdivision applications will need to take into consideration location of future dwellings to minimise earthworks and the location of on-site sewerage management facilities.

2.5 Drainage

The precinct is within a catchment leading to discharge points into the Avon River. All drainage runs from the slopes of Mt Brown westwards towards the Northam-York Road. Drainage is a major issue that will need to be addressed as the area is developed.

Defined gullies lie within private property with some evidence of erosion problems due to over-clearing and minimal mitigation to control stormwater flows. The most evident erosion occurs on the roadsides where erosion from stormwater will require remediation.

Any subdivision and development will require additional works to be carried out on the land. In this regard, use of various stormwater management technologies will be required to retard high velocity run off, provide increased surface areas, and revegetation to assist in arresting erosion of soils. Measures do not need to be expensive but will need to be implemented strategically to be effective.

Under the proposed zoning, the keeping of grazing animals will no longer be a permitted landuse. This restriction will decrease the damage caused by erosion in area where

animals have been grazing, such as streamlines, remnant vegetation and revegetated areas.

Overall, the intent is to retain as much storm water runoff on the properties as possible and reduce the discharge into the residential development to the west of Northam-York Road.

It is proposed to share the cost of drainage works amongst the landowners/developers through developer contributions as discussed later in this report.

2.6 Road Network

There is a basic road network surrounding the Crawford Court precinct, with the main access being via Crawford Court, which is accessed from the Northam-York Road. The roads are generally built to a rural standard, which comprises narrow road pavements and open drains on both sides of the road. In places the open drains are not very deep or well defined, and as a result some erosion has occurred.

The Northam-York Road, which is also known as the Northam-Cranbrook Road, is under the management of Main Roads WA. Main Roads is unlikely to permit additional access points. Therefore, any subdivision should limit the number of lots fronting Northam-York Road, in the interests of road safety.

An extension of Crawford Court to Chandos Road and connecting to Steere Road may be necessary to provide for minor traffic circulation and alternate access for emergency vehicles.

Upgrading of the other roads may be a requirement of the Council in order to improved road safety and drainage.

It is proposed to share the cost of new roads or road upgrades amongst the landowners/developers through developer contributions as discussed later in this report.

2.7 Services

The Precinct is serviced by scheme water and above-ground electricity, and there is a Water Corporation pumping station in the north-east corner of the precinct, off Attfield Street.

In accordance with the draft Country Sewerage Policy, any newly created lots as a result of this scheme amendment will exceed 2000m² to ensure capability for on site sewerage management. Anecdotally, there is no evidence that the soil does not have the capability for on site sewerage management, particularly as there are no significant watercourses in the precinct or groundwater issues. However, the Department of Health have requested the submission of a site specific geotechnical report under winter conditions by a qualified consultant to demonstrate that the sites are capable of disposing wastewater. Any new systems will require a setback from any natural drainage lines to reduce the risk of pollution of the Avon River.

2.8 Remnant Vegetation

In the Crawford Court precinct there is sparse natural vegetation cover with most of the properties being open country with some grazing. As discussed above, drainage works will result in the revegetation and protection of existing vegetation of watercourses.

2.9 Fire Management

The threat of bushfire must also be considered in the development of the precinct. The threat of damage to the properties in the Crawford Court Precinct is from bushfires that start or pass through the adjoining Mt Brown Reserve. However, it should be noted that Mt Brown Reserve is actively managed to reduce bushfire threat by the Shire of York in conjunction with the Fire and Emergency Services Authority of WA.

Chandos Road (unconstructed) lies between the Precinct and the bushland and has been designated as a buffer/strategic fire break between the two land uses and will be upgraded to accommodate fire fighting vehicles.

It is proposed to share the cost of the upgrading works amongst landowners/ developers through developer contributions as discussed later in this report.

3. Local Planning Strategy

The Crawford Court Precinct is located in an area identified in the Strategy as 'Future Residential Development (east of the Avon River) as a Low Density Residential Area'.

The Objective of the area is:

"To ensure any further residential development is compatible with existing development patterns and does not compromise the residential objectives for west of the Avon River."

The relevant Strategies are as follows:

- d. *Any rezoning of recoding proposal for land within the precinct are to address the following criteria in the Scheme Amendment report:*
 - *Land subject of the rezoning is adjacent to an existing urban area and represents the logical expansion of the urban area;*
 - *Site analysis and assessment of the capability of the land to accommodate the proposed development and use;*
 - *Risk assessment of the impact of development on the land and water, including flooding, soil erosion, landslip, drainage, vegetation and any other form of environmental impact and appropriate provisions to ensure these are minimised and addressed;*
 - *Appropriateness of the intended size of the amendment area and justification for the number of lots, including:*
 - *Analysis of other residential land that may be available within York*
 - *Population projections to support the number of lots proposed*

- *Provision for local employment*
- *Outline development plan incorporating staging of development and developer contributions*
- *Availability for essential services including:*
 - *The capacity of the existing sewerage system to be able to accommodate additional load;*
 - *Viability of extension of sewer into the precinct;*
 - *Viability of extension of reticulated water;*
 - *Viability of extension of power (including underground power)*
- *The scenic landscape values of the area, and the developments integration with these, particularly along the Great Southern Highway and the visual impact of development on the main entry to York.*
- *The interface between the urban expansion area and the adjoining rural land uses.*
- e. *Support residential development that is consistent with existing zoning and draft Country Sewerage Policy provisions.*
- f. *Residential intensification development that is consistent with existing zoning and draft Country Sewerage Policy provisions.*
- g. *Support the proposed Low Density Residential Expansion area (refer Map 2) as this logically rounds off the existing residential area. An Outline Development Plan, to the requirements of the Shire, will need to be prepared to support this expansion.*

The relevant Actions for the Crawford Court Precinct were as follows:

48. *Require landowners within the proposed Low Density Residential Expansion area to undertake a structure planning exercise (with the view to preparing an ODP) to identify opportunities and constraints and provide guidance for future servicing and development including urban water management and identification and retention of native vegetation and any other matter deemed relevant by the Shire.*

Notwithstanding the above requirement to prepare an Outline Development Plan, this requirement to prepare an Outline Development Plan may be waived in the case of subdivisions resulting in the creation of not more than three lots, if in the opinion of Council, the proposal:
 - a) *Is unlikely to have any significant environmental impact; and*
 - b) *Does not require and is unlikely to create the requirement for additional services and infrastructure; and*
 - c) *Does not prejudice the subsequent preparation and adoption of an Outline Development Plan; and*
 - d) *Is consistent with the objectives and provisions of the zone.*
49. *Amend the scheme to make provision for such planning when development is proposed including provisions for the preparation of an Outline Development Plan and developer contributions."*

This report has been prepared taking into consideration the provisions of the Strategy. It is not the Shire's intention to prepare an overall Outline Development Plan for the

precinct as previous experience has indicated that the landowners want flexibility in developing their land. Notwithstanding this, issues such as drainage and access will be planned and managed on a precinct basis through plans and developer contributions. Individual ODP's will be required for subdivision that will result in the creation of more than three (3) lots in accordance with the provisions of the Strategy.

4. Crawford Court Precinct History

At its Ordinary Council meeting held on the 20 November 2006, Council resolved to receive a draft Outline Development Plan (ODP) for the Crawford Court precinct and advertise it for public comment for a period of 28 days. That draft proposed limited subdivision of the lots zoned Rural Residential, down to a minimum lot size of 1 hectare. The only exception to that lot size was for one smaller lot, to allow the excision of the heritage cottage on Lot 283. It was noted in the ODP report that a Scheme Amendment would be required, in order to amend the R-Coding accordingly.

After the conclusion of public advertising, the draft ODP was referred back to Council at its Ordinary Council meeting held on 19 February 2007. At the meeting, Council resolved as follows:

"The Council:

- 1. Modify the Crawford Court Precinct documentation with the acceptable submission and formally advertise the revised document for a period of 28 days;*
- 2. Rezone those western portions of lots 279-283 as Residential R5, as a transitional buffer between Herbert Road development and the 1 hectare lots; and*
- 3. Initiate Scheme Amendment No. 18 to amend the requirements of Schedule 6 of Town Planning Scheme No. 2 in relation to lots identified in the Crawford Court Outline Development Plan and amend the Scheme Amendment taking into account the changes proposed in Condition 2."*

The following month, at its Special Council meeting held on 23 March 2007, Council resolved to rescind motions 2 and 3 above. The amended ODP documentation was subsequently modified and readvertised.

On 18 June 2007 Council adopted the ODP and resolved to request the Western Australian Planning Commission to approve and endorse the Plan prior to a Scheme Amendment to amend the density coding being initiated.

Council resolved to initiate Amendment No. 18 at its meeting of 21 July 2008. That Scheme Amendment was a text amendment that proposed changes to Schedule No. 6 of TPS2, which would include the reference to a 1 hectare minimum lot size.

After advertising, Amendment No. 18 was adopted for final approval, without modification, at the Ordinary Council meeting on the 20th October 2008. The Minister for Planning subsequently refused Amendment No 18 because:

- "Advertisement of the ODP had indicated that the majority of people within the Crawford Court Precinct did not want to subdivide and objections were received on the basis that more intensive development would be in conflict with the rural character of the area; and*

- *The following issues had not been resolved: drainage, transitory location between urban areas and Mt Brown and lack of services.”*

5. Proposed Scheme Amendment

The proposal is to amend TPS2 by:

- rezoning the Crawford Court precinct from Rural Residential R2.5;
- amending Schedule 6 by removing the provisions relating to the Panmure (Boothill) Rural Residential area; and
- amending the scheme mapping accordingly.

5.1 Planning Rationale

The following planning rationale is provided in support of the proposal:

- The proposal conforms with the intent of the Local Planning Strategy, which identifies the Precinct as Low Density Residential Expansion.
- A Low Density Residential designation implies unsewered development with lot sizes upwards of 2000m². As the proposal is for an R2.5 coding, the proposed lot sizes exceed R5 minimum which was anticipated under the Local Planning Strategy.
- The land subject of the rezoning is adjacent to an existing urban area, on the opposite side of the Northam-York Road, and therefore represents the logical expansion of the urban area.
- Lot sizes of a minimum of 4000m² will provide a suitable transition area between Mt Brown Reserve, rural land uses and the existing urban area.
- Initial consultation with the landowners shows that the majority are in favour of the rezoning. However, do not wish to have an overall Outline Development Plan imposed on them.
- Any subsequent subdivision application would need to consider the scenic landscape values of the area. Vegetation planted by owners of the new lots would complement the existing landscape.
- Urban water management and road upgrades can be addressed through developer contributions on a precinct base.
- Bushfire management and retention of native vegetation can be addressed at subdivision stage.

6. Developer Contributions

Road contributions will be required for costs towards new roads or for existing road upgrading and/or widening by any landowner applying for subdivision within the precinct. All construction costs for internal roads, including drainage and other associated works, within a subdivision will be the responsibility of the developer.

Developers will also be required to contribute towards drainage works where appropriate. Contributions may be ceding of land to the Shire or as an easement, or monetary towards construction costs, depending on the circumstances.

A contribution towards public open space will be required and will be allocated in accordance with Council's Recreation and Open Space Policy. Where no land is required for the servicing of this development a cash-in-lieu contribution shall apply. Open space may be contributed for drainage purposes.

A Developer Contributions Plan has been prepared. Refer to Appendix 1.

7. Conclusion

The rezoning is in accordance with the York Local Planning Strategy and the lot size proposed is consistent with other residential properties located on the western side of Northam-York Road (Panmure Road).

Urban water management, bushfire management and retention of native vegetation will be environmental issues that will need to be considered and may constrain subdivision of some lots. Sharing of costs by landowners for drainage and road upgrades through developer contributions will achieve an improved environmental outcome.

Theoretically approximately 92 lots could be created as a result of the scheme amendment. However, due to the existing pattern of development and the environmental constraints the lot yield is expected to be much less, and that the release of lots would occur over an extended period of time (i.e. 10-15 years).

The majority of landowners in the Crawford Court Precinct support the rezoning of the precinct from Rural-Residential to Residential R2.5 to enable subdivision of the existing lots to a minimum lot size of 4000m². It will enable landowners the opportunity in the future to subdivide and sell all or part of their properties.

CRAWFORD COURT DEVELOPER CONTRIBUTIONS PLAN

This Development Contribution Plan applies to the Crawford Court development contribution area as identified on the scheme map as: DCA F.

Other than for minor proposals or as otherwise determined by Council, the Council will require developers/subdividers to meet or contribute to off-site infrastructure, services and facilities as a result of impacts and/or demands arising from their proposal. The Council may include a condition of a development approval, request a condition for a subdivision approval or negotiate an agreement (or similar) through a scheme amendment, structure plan or development guide plan, a requirement for the provision of:

- land to be dedicated to the Council;
- infrastructure works;
- monetary payment (either a cash payment or other means acceptable to Council e.g. bank guarantee).

State Planning Policy 3.6 – Development Contributions for Infrastructure

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

The objectives of the policy are:

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

Appendix 1 of the Policy provides standard development contribution requirements that have been utilised in formulating this Policy.

York Town Planning Scheme No. 2

Part VI of the York Town Planning Scheme No. 2 provides for the Shire of York to make agreements and recover expenses incurred in order to implement, enforce and give effect to the scheme.

Development contributions may be made for standard infrastructure such as roads, water, power, sewer and public open space through the subdivision process.

In the case of the Crawford Court Precinct, it is proposed to levy development contributions for standard infrastructure for:

- (a) Land and monetary contributions – public open space, roads and road widening; and
- (b) Infrastructure works and monetary contributions – drainage, roads and other traffic works, footpaths, pedestrian accessways and dual-use paths, road upgrades, construction and widening.

Development contributions will relate only to the provision of infrastructure and not for the ongoing maintenance of the said infrastructure. The contributions will be levied equitably across the Crawford Court Precinct development contribution area.

It is intended that the Shire of York will request imposition of conditions on any subdivision approval issued by the Western Australian Planning Commission requiring development contributions.

1. ROAD CONTRIBUTIONS

1.1 *Land contributions*

- 1.1.1 Land may be required and ceded free of cost for widening existing roads, where the proposal induces additional traffic movements and/or benefits from it; land for new local streets required; land for district distributor roads in new development areas that expand urban front or where linkages to these areas is justified; and/or land for primary distributor roads, including primary regional roads and railway reserves where justified by the subdivision.

1.2 *Infrastructure works*

- 1.2.1 All roads and traffic works required within the subdivision and linked to a constructed public road. These roads provide access to individual lots and allow utility services to be reticulated in the road reserves.
- 1.2.2 Footpaths, pedestrian access ways and shared paths, where required.
- 1.2.3 Upgrading, construction and widening of existing roads and laneways to accommodate additional traffic generated by a subdivision and/or development; and/or new district distributor roads including earthworks for the whole road reserve, the construction of one carriageway comprised of two lanes and associated drainage works.

1.3 *Policy provisions*

- 1.3.1 When determining a development application, if in the opinion of Council the development generates the requirement for a road and/or footpath upgrade, the Council will seek a financial contribution to be made towards the upgrading of the road and/or footpath network.
- 1.3.2 In making recommendations to the Western Australian Planning Commission on applications for subdivision where at least one additional lot will be created from the parent lot(s), the Council will consider seeking a financial contribution to be made towards the upgrading of the road and/or footpath network.

- 1.3.3 When determining a development application, if in the opinion of Council the development generates the requirement for a road and/or footpath upgrade, the Council will seek a financial contribution to be made towards the upgrading of the road and/or footpath network.
- 1.3.4 Contributions towards the upgrading of the road and footpath network will be based on the standards contained in Table 1 of this Policy. The standards will be reviewed as necessary.
- 1.3.5 The road and footpath upgrading contribution will be a pro-rata calculation of 50% of the road/footpath as contained in Table 1, based on the per kilometre / per metre frontage of the parent lot(s) to the road. Where a secondary street exists, the Council reserves the right to seek a contribution for the secondary street in addition to the primary street frontage, however the Council will take into account traffic movements and existing rights of entry.
- 1.3.6 If a subdivision requires that the created lots be provided with constructed road access that does not currently exist, this policy shall not supersede any requirements for the developer to pay full construction costs to provide this road access.
- 1.3.7 Nothing in this policy shall prohibit Council from seeking the construction of a footpath (or dual-use path if applicable) network within a subdivision at the developer's expense.
- 1.3.8 In terms of expenditure of the financial contributions made as part of the subdivision of land, the following principles shall apply:
- 1.3.9 Should the applicant not construct the road, the construction/upgrading of the road(s) will occur in accordance with the approved Shire Works Program; and
- 1.3.10 The upgrading of the footpath network shall occur within three (3) years following completion of all subdivisions affecting a particular area, or prior to this date as determined by Council.
- 1.3.11 The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the subdivision or development.

Note: This section does not apply to Main Roads. Main Roads WA may request works for upgrade to Northam-York Road (Panmure Road) where applicable.

2. DRAINAGE CONTRIBUTIONS

2.1 *Land contributions*

- 2.1.1 Developers may also be required to contribute towards drainage works where appropriate. Contributions may be ceding of land to the Shire or as an easement, or monetary towards construction costs, depending on the circumstances.

2.2 *Infrastructure contributions*

- 2.2.1 Infrastructure for on-site and off-site drainage works, including capital works that are necessary to, or contribute to, the subdivision and/or development, and the planning and implementation of urban water requirements.

2.3 *Policy provisions*

- 2.3.1 When determining a development application, if in the opinion of Council the development generates the requirement for the establishment of a drainage system and/or upgrade, the Council will seek a financial contribution to be made towards the upgrading of the drainage system.
- 2.3.2 In making recommendations to the Western Australian Planning Commission on applications for subdivision where at least one additional lot will be created from the parent lot(s), the Council will consider seeking a financial contribution to be made towards the upgrading of the local drainage network.
- 2.3.3 When determining a development application, if in the opinion of Council the development generates the requirement for a drainage upgrade, the Council will seek a financial contribution to be made towards the upgrading of the drainage network.
- 2.3.4 Contributions towards the upgrading of the drainage network will be based on the standards contained in Table 2 of this Policy. The standards will be reviewed as necessary.

3. OPEN SPACE CONTRIBUTIONS

Public open space equivalent to 10 per cent of the gross subdivisible area, or alternatively, a cash-in-lieu contribution, in accordance with WAPC policies and the *Planning and Development Act 2005*.

TABLE 1 – ROAD CONTRIBUTIONS

1. Contributions for sealed roads in Residential areas

| | |
|--|--|
| Re-Seal of Road (occurs every 15 years) | \$28,000 per km (a) |
| Reconstruction of road every forty years (Includes removal and replacement of kerbing) | \$140,000 per km (b) |
| Total Whole of Life Road Works (For the purposes of a subdivision, whole of life is the cost of upgrading works over a 40 year period) | \$196,000 per km (c) ($c = a \times 2 + b$) |
| Total Road Works per lineal metre | \$196 per metre |

In calculating the contribution for residential lots, it will be 50% of the lineal metre calculation based on the frontage of the property to the road, where there is an opportunity for subdivision on the opposite side of the road. Each year this figure is to be revised for CPI increases and changes to the cost of materials.

2. Contributions per lineal metre for footpath upgrading

| | |
|---|-------------------------|
| Construction of standard residential dual use path (hot mix construction with one-coat seal) | \$90 per lineal metre** |
|---|-------------------------|

** This figure is for a standard residential dual use path only. This figure does not apply to situations where a footpath may be constructed of some other material (i.e. brick paving) or where a higher standard of footpath is required (i.e. in the case of industrial areas where a higher standard of footpath is required to carry heavy loads). Where a footpath requires a higher standard of construction, other than a residential dual use path, the Shire will calculate the appropriate per lineal metre cost based on the construction standards required.

SCHEME AMENDMENT NO. 47 – CRAWFORD COURT

SCHEDULE OF SUBMISSIONS

| No. | Name Address | Description of Affected Property | Summary of Submission | Council's Recommendation | Commission's Recommendation |
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| 1. | Western Power | Precinct | No objections, however, there are overhead powerlines and/or underground cables adjacent to or traversing across the proposed area of works. | Noted. | |
| 2. | Telstra | Precinct | At present, Telstra Corporation Limited has no objection. I have added it to our database and look forward to further documentation as the development progresses. A network extension will be required for any development within the area concerned, the owner/developer will have to submit an application before construction is due to start. | Noted. | |
| 3. | WAPC | Precinct | Receipt is acknowledged of the documents. Local Governments are reminded that LPS amendments need to be accompanied by sufficient rationale to enable the WAPC to fully understand the purpose of the amendment. Council is further advised that the documents will need to be modified prior to final approval as follows: 1. The Resolution Deciding to | Noted. Modifications enacted. | |

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| | | | <p>Amend a Local Planning Scheme should be signed and dated by the Chief Executive Officer as per the example attached.</p> <p>2. The inclusion of the text amendment page which precedes the scheme (amendment) maps and adoption pages as per the example attached.</p> | | |
| 4. | Department of Education | Precinct | The Department of Education has reviewed the proposal for rezoning from Rural Residential to Residential 2.5 and advises that it has no objection to this Amendment. | Noted. | |
| 5. | Main Roads WA | Precinct | <p>It is not the function of highways and main roads to provide a basis for subdivision. The safety and uninterrupted passage of through traffic must be given the highest priority. Access from any new subdivisions should be rationalised wherever possible. Main Roads will therefore not support multiple accesses onto Northam-Cranbrook Road. We look forward to liaising with the Shire during the preparation of any plans for this area.</p> | <p>Noted.</p> <p>Additional comments were requested from Main Roads in light of the submissions received. The Shire was advised as follows:</p> <ul style="list-style-type: none"> Each individual application for subdivision will be assessed with regards to proposed access. In general however MRWA's position is that if access is possible from a local road then it will not support access to a MRWA controlled road. It is suggested that landowners consult with MRWA during preparation of the subdivision design. | |

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| | | | | <ul style="list-style-type: none"> There are currently no proposals to review speed limits along Northam-York Road in the vicinity of Crawford Court. | |
| 6. | Department of Mines and Petroleum | Precinct | <p>The Geological Survey of Western Australia (GSWA), a division within DMP has reviewed the proposed Scheme Amendment with respect to access and development of mineral, petroleum and geothermal resources in the area.</p> <p>GSWA has no comments to offer on the proposed Scheme Amendment.</p> | Noted. | |
| 7. | Kingsley Dixon, 19 Jubilee Crescent, City Beach 6015 | 2497 Northam Rd, York | <p>I would like to recommend that an important component of the scheme amendment is the need to regulate traffic flow along the Northam Road to ensure vehicle safety entering and existing Crawford Court.</p> <p>Following discussions with neighbours along Northam Road we would request that safe use of this section of Northam Road would benefit from installation of a 50 kph precinct where the 60 kph zone current resides – from Crawford Court south.</p> <p>A 50 kph limit would improve safety particular with the large number of trucks now using the road (up to 120 per day) during wheat haulage and hay haulage season and the greater distance they require for breaking.</p> | Refer to Main Roads comments who advised that there are currently no proposals to review speed limits. | |
| 8. | Lionel Johnson, 46 | 46 Bouverie Rd, | I have noted the contents and do not | Refer to comments from Main | |

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| | Bouverie Rd, York | York | <p>have any issues with the scheme amendment except to have some concerns about the potential increase in traffic.</p> <p>I would therefore recommend that with the amendment from Rural to Residential 2.5 that there is the need to better regulate traffic flow along the Northam-York Road to ensure vehicle safety entering and exiting Crawford Court and Attfield Street.</p> <p>I have spoken to a number of residents around this vicinity that safety use of this section of the Northam-York Road would benefit from a change in the speed limit from 60 kph to 50 kph – from Attfield Street south.</p> <p>The change in the speed limit will make it a lot safer for all residents in our area particularly with many large trucks using this road.</p> | Roads and comments on earlier submissions regarding traffic concerns. | |
| 9. | Walter and Adelphe King, PO Box 299, York | 4 Crawford Court, York | <p>In the light of the Shire's amendment that will change our precinct from rural to R25, and with the continued expansion of dwellings in the York Estates subdivision, the potential increase in traffic on the Northam-York Road is of some concern to us. We feel this needs to be brought to your attention.</p> <p>It is already quite hazardous coming north from town and waiting in the centre of the road to turn right into Crawford Court with heavy haulage</p> | Refer to comments from Main Roads and comments on earlier submissions regarding traffic concerns. | |

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| | | | <p>vehicles hurtling over the hill from York.</p> <p>Would the Shire and Main Roads please consider the following recommendations:</p> <ul style="list-style-type: none"> • Could the whole length of Panmure/Northam-York Road to Attfield Road be declared a 50 kph zone. • Could the 60 kph zone coming south from Attfield Road be reduced to 50 kph before the difficult entry from Attfield Road. <p>These reduced speeds would make the area safer for all users.</p> | | |
| 10. | State Heritage Office | Precinct | I wish to advise that we have no objection to the proposal, as it does not appear to impact upon any place of State cultural heritage significance. | Noted. | |
| 11. | Department of Health | Precinct | The Department of Health has no objection to the rezoning proposal. However, subdivision application must be supported with a site specific geotechnical report of the site under winter conditions by a qualified consultant to demonstrate that the site is capable of disposing wastewater. | Noted. Requirement to be included in scheme amendment documentation. | |
| 12. | A C Dodds, 24 Herbert Road, York | 24 Herbert Rd, York | It is my understanding that the bushland to the east of Lots 279-282 Herbert Road is classed as a nature reserve, even is this not an official grading, the large lots in question form a very affective buffer to the spread of suburbia. | There are no changes proposed to the reserve. The R-Coding of 2.5 will enable group dwellings to be constructed. However will not permit multiple dwellings. This approach is considered | |

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| | | | <p>But if the present proposal to amend the present zoning from Rural Residential to R2.5 it should be for single house only and not include grouped dwelling as set out in the "Residential Codes" to help retain the bushes integrity.</p> <p>The above restriction on the R2.5 zoning would also protect the bushland outlook that the present residents enjoy.</p> <p>Early this week a semi-trailer, I think from Stratco, delivered steel sections to a residence in Herbert Rd. Entering from Steere Rd, but had difficulty in exiting via Craig St, from one 6 metre pavement onto another of similar width.</p> <p>In addition, vehicular access from Herbert Rd onto and crossing Northam Rd should be investigated. Steere Rd crossing is a death trap because of the curve in Northam Rd. Further Herbert road width of 6m may not cope with additional traffic of a total of perhaps 18 to 20 cars, between Craig St and Steere Rd.</p> <p>Therefore may approval of this zone change is guarded and sceptical, when other past developments in York are recalled.</p> | <p>appropriate for the precinct.</p> <p>The larger 4000m² lots proposed will continue to transition from the smaller town centre lots to Mt Brown and is not considered that development will visually impact on the vistas to Mt Brown.</p> <p>The subdivision is consistent with the York Local Planning Strategy for expansion of the residential areas.</p> <p>Refer to comments from Main Roads and comments on earlier submissions regarding traffic concerns.</p> | |
| 13. | Water Corporation | Precinct | <p>The Corporation has no objections to the proposed amendment. The following advice is provided regarding servicing arrangements, which may</p> | <p>Noted. Discussions to continue with the Water Corporation.</p> | |

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| | | | <p>affect the timing of subdivision and development.</p> <p><u>Water</u></p> <p>Current reserve storage capacity at the York water tanks is approaching operational limits. The Corporation has scheduled construction of a new 4ML tank at the York West tank site, which is expected to be built around 2016, subject to operational demand monitoring and availability of capital funding at that time.</p> <p>The Corporation is currently undertaking a capacity review of the York water supply system. Further, more detailed water distribution main planning will take place through 2012 and 2013, which will clarify the preferred water servicing arrangements for this and other development sites around the town.</p> <p><u>Wastewater</u></p> <p>The subject land is remote from the town's sewerage system and the Corporation has not planned to extend wastewater service to this area. In view of the proposed large lot sizes, it is expected that wastewater will be handled via on-site treatment systems.</p> | | |
| 14. | J & P Wieske and D & R Bird, 11 Vermilion Blvd, Brookdale 6112 | Lot 283 Northam-York Rd, York | As requested by the shire we wish to make a submission in regard to the Scheme Amendment 47. We the undersigned are the owners of Lot 283 Northam-York Rd and we would | These property owners initiated the request for a rezoning of their property alone. However, it was considered strategically more | |

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| | | | <p>like to register our support for the approval by council to prepare the scheme amendment documentation with the intention of rezoning the Crawford Court Precinct from 'Rural Residential' to 'Residential R2.5'. We believe that this move is well overdue and it is our opinion that this scheme amendment will provide an excellent choice of properties to the market in the York area. Given its location, it will prove to be a location of choice with people who wish to call York home.</p> <p>In giving our support to the scheme amendment we do wish to make one point. When we purchased the property we were told by shire that it was proposing 2000m² lots and we based our development costs on this lot yield. Now that council has gone down the road of 4000m² lots we will support it as, from our point of view, this is the best we are likely to get and we are forced to compromise on what was originally indicated. Having said this, our return will be greatly reduced and we will have to wear this. The point we wish to make is that seeing we will be faced with a very slim margin of return with this lower yield, we think it only appropriate that shire make the development costs as low as possible. To achieve this, our main request would be that we not be required to do an ODP. In the report, point 48, we are aware that an ODP is</p> | <p>appropriate to rezone the whole precinct.</p> <p>The Planning Strategy was recently amended to enable subdivision of properties creating not more than 3 lots to be undertaken without the preparation and approval of an ODP.</p> <p>It is disagreed that the owner's property will be the smallest yield from future subdivisions, as many property owners have indicated that they would gradually subdivide their property into 2 or 3 lots.</p> <p>Subdivisions of creating more than 3 lots have the potential to create traffic, drainage and other issues that need to be carefully planned to ensure that they are managed and do not impact on neighbouring properties or the locality.</p> <p>A precinct-based ODP was drafted by the shire and circulated for comment to landowners. The draft ODP was met with strong opposition and was discontinued. This experience shows that an overall approach is not appropriate for the Crawford Court precinct as landowners</p> | |
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| | | | <p>not required for developments with a creation of not more than 3 lots, however we consider this to be a bit of a smokescreen as our lot would have to be the smallest and we have a potential yield of 5 lots. In other words it is more likely that none of the developments will create 3 lots or less.</p> <p>We believe that under this arrangement (scheme amendment 47) it would be only fair that each individual landowner subdivides their land when and how they wish to shires approval. Doing an ODP for 5 lots is what we would consider to be way over the top and an unnecessary financial impost. We trust that you can see our reasoning for this request and for you to give it full consideration.</p> | <p>do not wish to be locked into a particular subdivision pattern that relies on other landowners also developing. Therefore, it is recommended that the requirement for an ODP for subdivisions creating more than 3 lots is not altered.</p> | |
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