



SCHEME AMENDMENT NO. 49

PROPOSED REZONING SPRINGBETT RESERVE

JUNE 2012

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
SHIRE OF YORK
TOWN PLANNING SCHEME NO. 2
AMENDMENT NO. 49

RESOLVED that the Council pursuant to Section 75 of the Planning and Development Act 2005 amend the above local planning scheme by:

1. Rezoning Lots 497 and 606 Spencer's Brook Road, York known Springbett Reserve (No. 121), York from Reserve (Public Purposes) to Development; and
2. Amend the Scheme Map accordingly.

Dated this _____ day of _____ 2012.

.....
CHIEF EXECUTIVE OFFICER

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 Lots 497 and 606 Spencer's Brook Road, York known Springbett Reserve (No. 121), York from Reserve (Public Purposes) to Development; and
2. Amend the Scheme Map accordingly.

ADOPTION

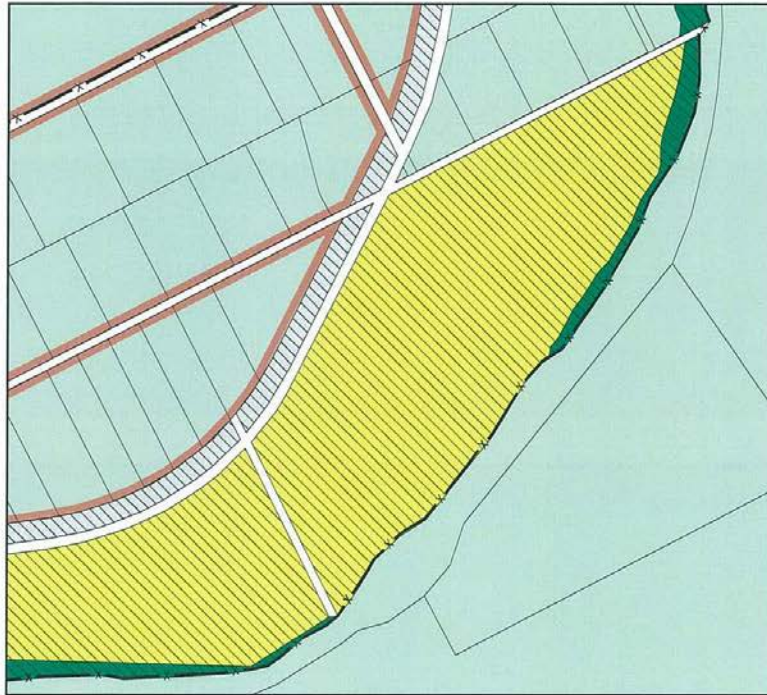
Adopted by resolution of the Council of the Shire of York at the _____ Meeting of the _____ day of _____ 2012.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

SHIRE OF YORK TOWN PLANNING SCHEME NO. 2

EXISTING ZONING



EXISTING ZONING

LEGEND

York Z 2

 RECREATION AND OPEN SPACE


 RURAL RESIDENTIAL

 PUBLIC PURPOSES

 RAILWAY

 GENERAL AGRICULTURE

 ROAD

 LPS Town Bdy Land Act - Enquiry data

 LPS Cadastre - Capture data



Government of Western Australia
Department for Planning and Infrastructure

SHIRE OF YORK

TOWN PLANNING SCHEME NO 2

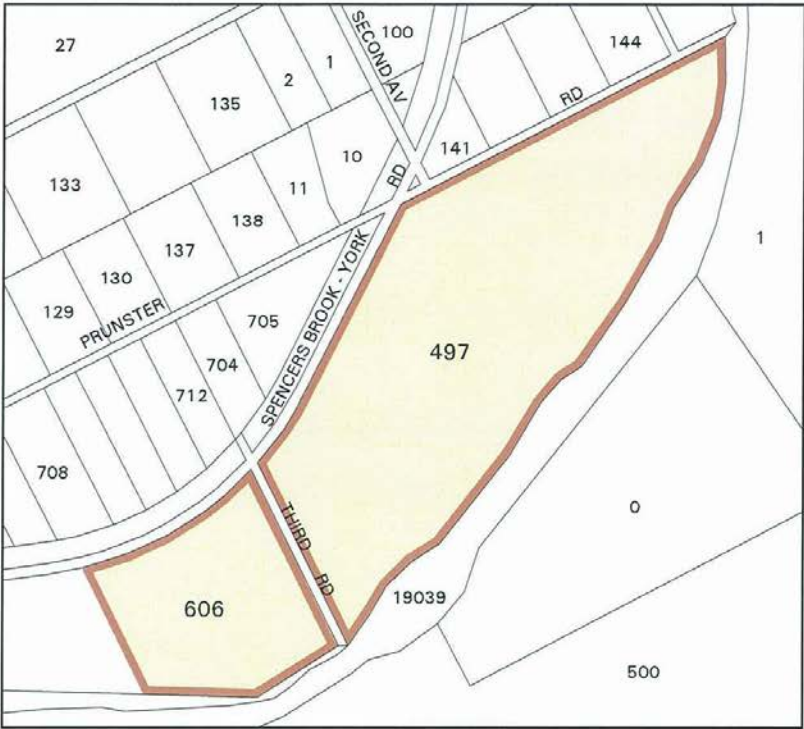
AMENDMENT NO. 49



Scale 1:12000

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PROPOSED ZONING



SCHEME AMENDMENT MAP

LEGEND

-  LPS Cadastre - Capture data
- York Z 2
-  DEVELOPMENT



Government of Western Australia
Department for Planning and Infrastructure

SHIRE OF YORK
TOWN PLANNING SCHEME NO 2
AMENDMENT NO. 49



Scale 1:12000

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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. 49 |
| 4. PURPOSE: | To rezone Reserve 121 known as the Springbett Reserve from Public Purposes to Development as depicted on the scheme amendment plan. |
| 5. REPORT BY: | Shire of York |

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1. Introduction

On 20 February 2012, Council resolved at its Ordinary Meeting to initiate a scheme amendment to rezone the old Springbett Reserve (Reserve 121) on Spencer's Brook Road, York from Public Purposes to Development.

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

- Rezoning Lots 497 and 606 Spencer's Brook Road, York known Springbett Reserve (No. 121), York from Reserve (Public Purposes) to Development; and
- Amend the Scheme Map accordingly.

The proposed Development zone will allow for the staged development of the land for light industrial, service industrial and larger style home business/industrials following the scheme amendment, detailed structure planning and subdivision approval.

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 reserved for Public Purposes under the Shire of York's Town Planning Scheme No. 2 (TPS2).

1.2 Existing Scheme Text

The land is reserved under the Scheme for Public Purposes. Section 2.1 of the Scheme applies:

"The land shown as Scheme Reserves on the Scheme Map, hereinafter called "Local Reserves", are lands reserved under the Scheme for the purposes shown on the Scheme Map and are listed hereunder.

PUBLIC PURPOSE

RECREATION AND OPEN SPACE

STATE FOREST

RAILWAY

ROAD"

1.3 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 us to identify appropriately located and serviced industrial land.
- Any subsequent subdivision application would need to consider the scenic landscape and environmental values of the area.

- Urban water management and road upgrades can be addressed through developer contributions.

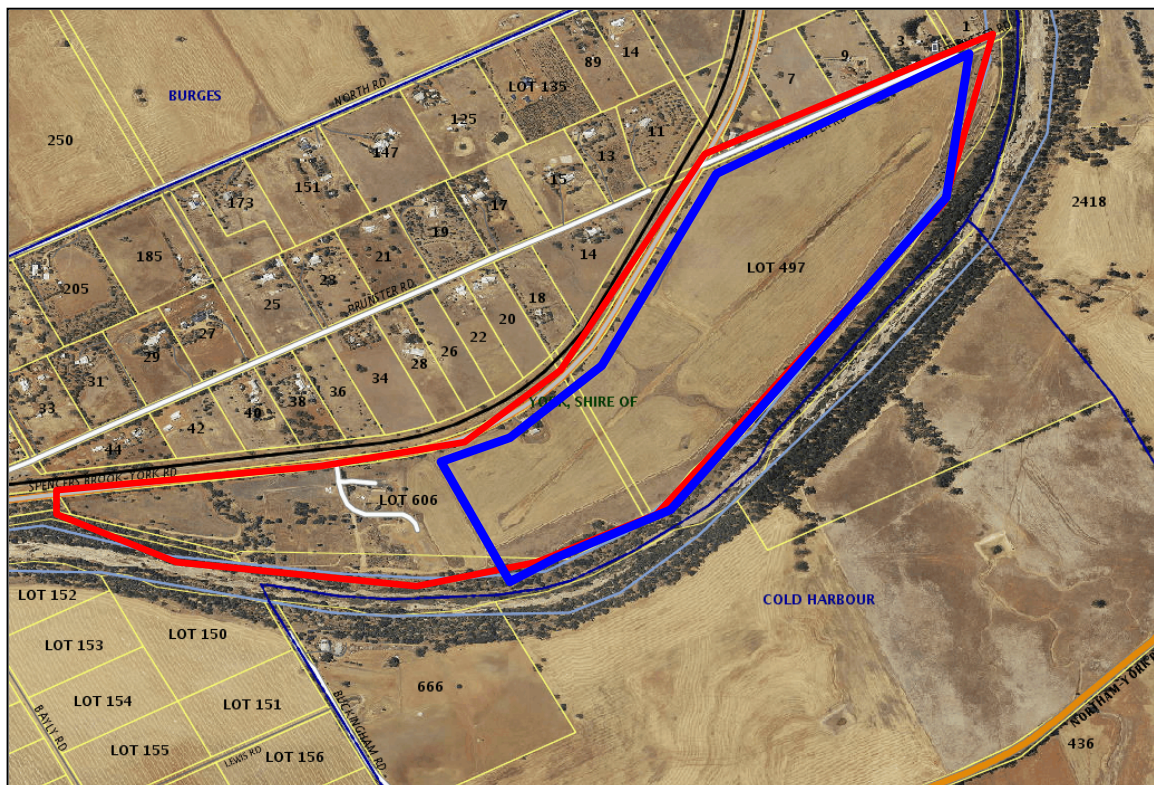
2. Site Analysis

2.1 Location

The subject development area comprises 2 lots: Lot 497 and Lot 606 with an area of approximately 54 hectares.

The site is within 10 kilometres of the York town centre, 25 kilometres from Northam and within an hour's drive from the centre of Perth.

The location of the Springbett Reserve is indicated in red on the Location Plan below and the portion to be rezoned is shown in blue.



2.2 Current Land Uses

The land is generally vacant and is leased partially for cropping with the old airfield traversing both lots. Lot 606 has a municipal waste transfer station operated by the Shire of York situated on the centre of the Spencer's Brook frontage. It is proposed to rezone the portion of the reserve north of the transfer station.

A portion of the site is currently subject to a scheme amendment (No. 37) to excise 5974m² for Rural Residential purposes. With sufficient buffers, it is not expected that any future uses will impact on the amenity of the new rural-residential lot. The landowners may also be invited to participate in this rezoning.

The area is likely to cater for light industry, service industry, manufacturing and small depot-type uses requiring a variety of size allotments from 2000m² to 1-5 hectares. Based on 5000m², the lot yield could be approximately 80 lots.

The development would be staged commencing from the land closest to the town centre.

A buffer would be required from the Avon River and may include a reserve to maintain public access to the river in the form of a cycle/multi-use pathway, and may also link to existing trails from York to Northam and within the equine precinct.

It is not considered that heavy industries would be appropriate for York or the location. The Shire of York may consider providing a seed project by relocating its existing depot to the new area.

2.3 Surrounding Land Uses

The site is bordered by the Avon River and Spencers Brook Road on the eastern and western boundaries. Several dwellings on rural lifestyle lots are to the north and the south.

On the western side of Spencers Brook Road is a rural-residential estate within the Equine Precinct, which also includes the historic York Racecourse.

2.4 Buffers

There are two main areas that will require buffers – firstly, the Avon River for environmental protection, and secondly, the rural-residential area of the adjacent Equine Precinct.

The site is subject to the provisions of the Western Australian Planning Commission's Statement of Planning Policy No. 4 – State Industrial Buffer Policy. A combination of on and off site buffers may be appropriate.

2.4.1 On-site Buffers

Clause 3.1 of the Policy states that light and service industry and technology parks should retain all emissions and hazards on-site or at least within the zone or park area. On-site buffer areas should be sufficient to address local amenity. Local governments should ensure that sufficient setback distances (including the treatment of setbacks, e.g. landscaping) are included in their town planning schemes to retain residual emissions and risks within site boundaries. Easements to provide protection for infrastructure such as drainage lines, transmission lines and gas and petroleum pipes should also be shown as these are one form of on-site buffer. Provisions should also be included to ensure acceptable levels of visual amenity.

2.4.2 Off-Site Buffer Areas

Off-site buffer areas may be required for the following categories of industry, major infrastructure and special uses—

- hazardous industry;
- noxious industry;
- resource processing industry;
- extractive industry;
- rural industry;
- medium and general industry;
- major sporting venues; and
- noisy sports such as speedway or drag racing.

Off-site buffer areas should be defined and secured as early as possible in the planning stages for new facilities and the expansion/upgrading of existing facilities to ensure the protection and long-term security of the industry/infrastructure, including associated road/rail/pipeline transport routes. Off-site buffer areas should also be determined and secured for established industry and infrastructure where there are existing or potential land use conflicts with the facility.

Industry and infrastructure normally comply with adopted environmental and planning criteria through a combination of –

- appropriate management practices which should not unreasonably inhibit industry capacity or infrastructure usage; and
- off-site buffer areas.

The size of the buffer area is dependent on the management practices used. The balance is normally based on a weighing up of the economic viability of incorporating management practices versus the availability and cost of securing a buffer area. The final combination of management practices and off-site buffer areas to comply with the environmental and planning criteria will often involve negotiation between the developer, the Department of Environmental Protection, other adjacent landowners, industry or infrastructure operators (existing and potential) and planning authorities (Western Australian Planning Commission and local governments).

2.4.3 Environmental Criteria

The following types of environmental criteria shall be applied on a site or area-specific basis by the developer for the purpose of determining the size of buffer areas and for protecting buffer areas from inappropriate uses. These include—

- risk (individual and societal);
- air quality (e.g. dust, sulphur dioxide);
- noise; and
- odour.

Avon River

Buffers from the Avon River will be determined by the requirements of the Environmental Protection Authority and in accordance with a Local Water Management Plan to be prepared to inform the Outline Development Plan. It could be assumed that a minimum of a 50 metre buffer to the river may be required, which could also be considered as an open space contribution.

Equine Precinct

The EPA's Guidance for the Assessment of Environmental Factors No. 3 (June 2005) – 'Separation Distances between Industrial and Sensitive Land Uses' indicates that the provision of a 200 metre separation distance as a buffer (either on or off site) would be sufficient for the proposed development to cater for a mix of industries.

It is proposed to locate a mix of uses within the development zone with uses that have no potential for impact located closest to Spencer's-Brook Road to provide an adequate buffer to residences from industries that have the potential to emit noise, which is considered the most likely impact and reason for provision of a buffer.

2.5 Topography

The site is relatively flat with a grade of less than 5% and falls away to the Avon River. The land adjoining the river is either within the floodway or flood fringe. Below is an excerpt from the Department of Water mapping for the Avon River indicating the 1 in 25, 1 in 50 and 1 in 100 year flood mapping. This land may be suitable for dedication as public open space for use as multi-purpose trails (discussed later in this report).



The assessment of any future subdivision applications will need to take into consideration location of future buildings to minimise earthworks and the location of a central on-site sewerage management facility.

2.6 Drainage

The site adjoins the Avon River and the land falls gently from the road to the river.

Any subdivision and development, including roads, 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, capture gross pollutants, provide increased surface areas, and revegetation to assist in arresting erosion of soils. Overall, the intent is to retain as much storm water runoff on the properties as possible and reduce the discharge into the Avon River.

A Local Water Management Strategy (LWMS) will be required as part of the Outline Development Plan, which contains the level of information that reflects the level of risk to water resources. The LWMS should be approved by the Department of Water prior to the finalisation of the Outline Development Plan. Consideration in the strategy should be given to the separation of uncontaminated and contaminated stormwater treatment of oils and fuels etc, disposal of industrial process waste waters, waterways management and the impact of development on downstream receiving environments. Reference should be made to the Stormwater Management Manual of WA, Better Urban Water Management, and Developing a Local Water Management Strategy (Interim).

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

2.7 Road Network

The main access to the site is from Spencers Brook Road. This is a sub-arterial road maintained by the Shire of York. The road is constructed of pavement consisting of two lanes but is narrow with open drains on both sides of the road.

Any subdivision or development should be designed to have centralised ingress and egress points to minimise impacts on traffic movements on Spencers Brook Road.

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.

2.8 Services

The site can be serviced by scheme water and above-ground electricity. However, there will be a need for on-site sewerage management. If the site is developed as a whole, it would be recommended that a central on-site sewerage management system be constructed to serve the site.

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 or groundwater issues. A Land Capability Assessment may be required

as part of the preparation of the Outline Development Plan, which will inform the design of the estate and setback requirements.

2.9 Remnant and Riparian Vegetation

The site is generally cleared from farming activities, such as cropping and grazing. Some riparian vegetation may exist that should be protected, and if possible enhanced through dedication as public open space and protection measures.

As discussed above, drainage works should result in the revegetation and protection of existing vegetation of watercourses.

2.10 Fire Management

Due to the low level of vegetation on site, the fire risk is considered low and does not require assessment. Fire breaks will be required in accordance with the Shire of York's Local Laws and could be in the form of perimeter roads/accessways.

3. Local Planning Strategy

The York Local Planning Strategy identifies the need for suitably zoned and serviced industrial land to attract new industries to the Shire and to allow future industrial and rural industry expansion.

The general objectives of the Strategy are to:

"Economic

1. *Encourage the development and diversification of businesses that will strengthen and broaden the economic base of the Shire and provide employment opportunities for the community.*
2. *Encourage tourism that is complementary to the character of the shire and is compatible with the lifestyle and aspirations of the community.*
3. *Protect broad acre agricultural areas from inappropriate development and intrusion by urban and semi-rural uses.*

Environmental

4. *Protect and enhance the Shire's key environmental values that support the continuation of biodiversity, the lifestyle of the community and the viability of ecosystem dependent businesses.*
5. *Promote natural resource management as a cooperative mechanism to protect and enhance the Shire's key environment values.*

Sustainable Settlements

6. *Ensure that the York townsite is the major settlement within the shire, is sustainable and well planned with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space and has a transport network that is efficient and safe.*
7. *Manage growth and development of other existing settlements in response to the social and economic needs of the community and in recognition of relevant environmental values and constraints.*

Servicing and Infrastructure

8. *Coordinate new development with the efficient, economic and timely provision of infrastructure and services.*
9. *Encourage the development of a transport network that provides efficient and effective access to the Perth Metropolitan and Wheatbelt regions and within the shire.*

Heritage and Cultural

10. *Protect and promote objects and places of outstanding natural, historical, architectural, scientific, indigenous and cultural significance, in consultation with the local community, the State and Federal governments.*
11. *Ensure that York's status as one of the designated historic towns is sustained and its heritage values recognised by the wider community."*

The proposed is consistent with the general objectives of the Strategy, particularly with regards to the economic, environment and sustainable settlements objectives. It is imperative that the economic base continues to grow to support the substantial expected population growth of York.

The Objective specifically identified for Industrial and Rural Industries is:

"Encourage development and diversification of industry that will strengthen and broaden the economic base of the Shire and provide employment opportunities for the community whilst minimising impacts on existing landowners."

The relevant Strategies are as follows:

- a. *Provide suitably zoned and serviced industrial land to attract new industries to the Shire and to allow for future industrial and rural industry expansion.*

Although there are two sites identified in the Planning Strategy, the sites are unsuitable for a number of reasons (see below). The site the subject of this scheme amendment is considered the most suitable site for development in the near future, particularly considered that the existing industrial area is at capacity and there is not only need, but want, for industrial land to enable local business to expand and for new businesses to establish.

- b. *Encourage locating the new industrial area to the south east of the townsite, along the Quairading-York railway line (refer Map 2).*

The land identified in the Strategy south east of the town site is in private ownership. Both landowners are not interested in pursuing development of their land for industrial purposes in the near future, if at all. Additionally, the topography of the site on the southern side of the Great Southern Highway is steep with a gradient of land exceeding 5%, making it unsuitable for industrial development due to increased earthwork and infrastructure costs.

- c. *Ensure that the proposed industrial area is large enough to cater for existing and new industries, particularly able to cater for expanded hay, wheat and grain exports and any proposed intermodal hub facility.*

The proposed industrial area will provide sufficient land to cater to the needs of York for an estimated 10-15 years. Lot sizes will be variable to cater for the needs of traditional and new industries. An intermodal hub is not planned as part of this development.

- d. *Ensure that any new industrial area is appropriately planned for through requiring the preparation of an Outline Development Plan (ODP) prior to*

supporting industrial development. Key issues in undertaking structure planning include access, servicing and infrastructure requirements, integration with existing and future transport infrastructure, has a suitable interface with adjoining land uses, provision and identification of suitable buffers, landscaping requirements to minimise any potential impacts, urban water management and identification, retention of native vegetation and any other matter deemed relevant by the Shire to ensure that the development does not have any additional impact. The ODP will include an analysis of the impacts to ensure they are consistent and contained within the buffers of the existing and/or proposed uses.

An Outline Development Plan will be prepared that will address the key issues outlined in this objective and in accordance with the provisions of the York Town Planning Scheme No. 2. The ODP will also detail permissible uses in accordance with the requirements of the Development zone.

- e. *Seek the appropriate use of existing industrial zoned land that is considered surplus to the Shire's future needs and/or is considered inappropriately located.*

It is envisaged that the existing industrial area will be rezoned to a Mixed Business zone or similar and that a gradual transition will occur. Council is currently considering the relocation of the Shire depot to the development zone, which will provide additional land in the existing area. Larger home businesses and occupations, such as persons involved in the construction industry, currently occupying residential and rural-residential properties will also be encouraged to relocate.

- f. *Seek the relocation of the CBH grain handling facility to the proposed industrial area.*

CBH is currently expanding the existing facility and to Council's knowledge, does not have plans to relocate. This objective was developed when it was anticipated that one of the two sites identified in the Strategy would be developed as the new industrial area.

- g. *Support the proposed expansion of rural industries such as Gilmac hay processing facility within the proposed industrial area and other allied industries.*

The Shire supports the expansion, and establishment, of any industries in York that are considered appropriate and will result in a good outcome for York. If requested, support will be provided to Gilmac if they wish to expand.

- h. *Seek the retention of existing transport infrastructure to facilitate expansion of industry i.e. retention of Quairading-York rail spur line that is proposed to be closed.*

Not applicable to this proposal. However, The Shire of York is strongly opposing the closure of any Tier 3 Railways.

- i. *Ensure that new industrial and rural industry development have adequate buffers and are landscaped appropriately to minimise any potential impact.*

Buffers will be required to residences and river. A mix of on and off site buffers will be used. Refer to Section 2.4 of this report for discussion regarding buffers.

The relevant Actions are:

- 52. *Undertake a feasibility study to locate the industrial area in its preferred location, to the south east of the townsite, along the Quairading-York railway*

line (refer Map 2). The study may consider alternative sites, should all or part of this location be no longer deemed suitable, such as the Town Expansion Precinct. The feasibility study will also take into account the outcomes of any relevant studies such as the Shire of York Transport Study and the proposed intermodal hub facility and require liaison with the Department of Environment and Conservation in regard to the impact a proposed industrial area may have on Hedley Creek and consideration of the ability of the site to be seweraged to accommodate 'wet' industry.

The original sites identified in the Strategy have been deemed unsuitable for reasons above. The alternate site identified, and subject to this scheme amendment, is not affected by the Transport Study and is not within the Hedley Creek catchment. The site will not be served by a reticulated sewerage system and may either rely on individual on-site sewerage management systems or a centralised sewerage treatment system. Further investigation will be required.

53. *In consultation with the Environmental Protection Authority and the Department of Environment and Conservation, determine the appropriate generic buffers for existing and proposed developments, including CBH and Gilmac Hay, and illustrate these on the appropriate local planning strategy maps.*

As indicated in this report, buffers will be required for the development, on and off site, which will be identified on future strategy mapping.

54. *Amend the scheme to zone land identified in the Shire for future industrial development and include provisions for such development including the need for an outline development plan as a prerequisite for development.*

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 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.*

An ODP will be developed for the site to guide appropriate development.

55. *Facilitate an investigation into the long-term use options for the existing industrial area, with the preferred option of redeveloping it for residential purposes. A contaminated site assessment study will need to be conducted to assist in determining the viability of potential land use options. All costs associated with this investigation, including a contaminated site assessment, will be borne by the landowners of the existing industrial area.*

It is envisaged that the existing industrial area will undergo a gradual transition to a mixed business, and eventually a residential zone. Contaminated site studies will be required if residential (other sensitive land uses) proposed. This action will be the subject of future studies.

56. *Review, and if necessary, support amendments to, the existing zoning and town planning scheme provisions of the existing industrial area to provide guidance on future development, which may include the need for an outline development plan and developer contributions.*

This action will be the subject of future studies.

57. *Investigate all options to minimise the amount of heavy traffic and service vehicles passing through Blandstown including considering the closure of Wheeler Street.*

This action will be the subject of future studies.

58. *Investigate the need for economic development expertise to promote economic growth."*

This action will be the subject of future studies.

The proposed scheme amendment is consistent with the objectives and actions of the York Local Planning Strategy, particularly as it will result in the provision of suitably located, serviced and zoned land that will have the capacity to meet the future business and employment needs of York.

4. Avon Arc Sub-Regional Strategy 2001

The Avon Arc Sub-Regional Strategy with regards to industrial land is to identify options for industrial development within the Avon Arc.

The appropriate actions to achieve the strategy have been identified as:

- Provision of industrial land to be assessed by its impact on the natural environment, economic benefit and community acceptance.
- Siting of industrial land needs to consider:
 - available infrastructure;
 - proximity to existing power supplies;
 - proximity to an employment base;
 - proximity to major constructed transport routes, be it road or rail; and
 - environmental impact.
- Facilitate the timely provision of serviced industrial land before development pressures.

The identification, rezoning and use of Springbett Reserve as for industrial and business purposes is consistent with the Strategy due to its proximity to York and Northam and to constructed road transport routes. Environmental issues can be mitigated through proper management and the infrastructure is available for services, such as power, telecommunications and water supply.

5. York Town Planning Scheme No. 2

The site is currently reserved for Public Purposes under the Scheme.

It is proposed to rezone the site to 'Development' to enable a mix of light and service industrial and rural industry uses. Buffer uses may also include larger home businesses and occupations.

The Zoning Table in the Scheme currently contains provisions for Residential, Town Centre, Mixed Business, Rural Townsite, Industrial, Rural Residential, Rural Smallholding, General Agriculture and Development zones. The Development zone is a new zone as a result of Amendment 29 and does not have any permissible uses until such time an Outline Development (Structure) Plan is approved.

It is considered that the Development Zone is most appropriate for the subject site as it will provide flexibility to cater for a number of complementary uses, such as:

- rural and animal related industries, including equine related industries (particularly considered the site is adjacent to the rural-residential equine precinct);
- larger home businesses and occupations that are currently situated on residential and rural-residential properties, such as builders, plumbers, and concreters;
- light industry and service industrial uses, such as the automotive, agricultural and construction industries;
- Shire depot;
- Agricultural and road construction machinery demonstrations, sales and servicing; and
- Warehousing, assembling and manufacturing for the building and mining industries.

6. Outline Development Plan (Structure Plan)

An Outline Development (Structure) Plan will need to be prepared to guide development on the site to ensure that issues such as buffers, infrastructure provision, stormwater management, pollution prevention and use is appropriate.

A land use table for the estate will be developed as part of the ODP process to ensure that suitable uses are located appropriately within the estate. It is envisaged that uses such as light and service industrial, mechanical workshops, depots for the construction and resource industry, rural industry sales and servicing and the like. The use table needs to be flexible to cater for all appropriate industries that may be interested in located in the estate.

Design Requirements and Guidelines should be developed for the estate to provide “easy to apply” criteria aimed at ensuring a consistently high standard of development throughout the life of the project. An emphasis in quality development will maintain the value of business investment to the economic benefit of existing and prospective landowners.

The key objectives to be addressed by the Guidelines are suggested as follows:

- to achieve an attractive and consistent estate which acknowledges the goal of conserving and complimenting the natural environment by emphasising sustainable stormwater management and complimentary landscaping, as well as functional and efficient buildings;
- to achieve greater sustainability in the built form through energy and water efficient design and fit outs;

- to achieve a degree of consistency and compatibility in the built form and landscaping, whilst allowing for individuality and a well presented corporate image; and
- to avoid unsightly and poorly planned development and thus protect and enhance the investment of all owners within the estate.

7. 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 estate. 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.

8. Conclusion

Research shows that the current industrial area is at capacity and a number of informal conversations with existing business owners have revealed that they would relocate to grow their business if suitable industrial land was available. Additionally, new businesses could locate in York providing local employment opportunities, for example Hutchison Builders who are relocating to the Avon Valley Industrial Park in Northam. Companies such as Komatsu have also expressed an interest in utilising the land for educational purposes.

It is unlikely that appropriate development and uses will result in an impact on the amenity of nearby residents. Environmental constraints can be managed through design and buffers. The site has a grade of less than 5%, which makes it suitable for industrial development.

The rezoning of Springbett Reserve is in accordance with the York Local Planning Strategy and will result in development and diversification of industry that will strengthen and broaden the economic base of York.

FINAL APPROVAL

Adopted for final approval by resolution of the Shire of York at the Meeting of the Council held on day of 2012 and the Common Seal of the Shire of York was hereto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

Delegated under S16 of the Planning and Development Act 2005

.....
For CHAIRPERSON OF WESTERN AUSTRALIAN PLANNING COMMISSION

DATE

Final Approval Granted

.....
MINISTER FOR PLANNING

DATE

APPENDIX 1

SPRINGBETT RESERVE DEVELOPER CONTRIBUTIONS PLAN

This Development Contribution Plan applies to the Springbett Reserve 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 Springbett Reserve, 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 Springbett Reserve 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**
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** 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.