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WESTERN AUSTRALIAN
PLANNING COMMISSION

I. INTRODUCTION

Land may be included in the Urban Deferred Zone under a regional planning scheme. This zone provides a strong indication that the land is physically and locationally suitable for urban purposes, although certain requirements have to be met before the Commission will agree to the land being transferred to the Urban zone.

Where information is available to satisfy the Commission that land is suitable for urban development and all servicing considerations have been adequately addressed, land may be included within the Urban Zone without proceeding through the intervening stage of Urban Deferment.

Under Clause 27 of the Metropolitan Region Scheme, land included within the Urban Deferred Zone may be transferred to the Urban Zone by resolution of the Commission notified in the Government Gazette. Clause 35 allows for an appeal within 60 days of the Commission's refusal to lift Urban Deferment. These guidelines describe the basis for lifting of Urban Deferment.

These guidelines apply to land within the Perth Metropolitan Region and to land zoned Urban Deferred in regional planning schemes made under Section 18 of the *Western Australian Planning Commission Act 1985*.

These guidelines supercede Metropolitan Region Planning Authority Policy 4 *The Urban Deferred Zone* November 1982.

2. CRITERIA FOR LIFTING URBAN DEFERMENT

The transfer of land from the Urban Deferred Zone to the Urban Zone may be initiated by the landowner, the local government or any public authority.

Before agreeing to the transfer of land from the Urban Deferred Zone to the Urban Zone the Commission will require evidence that:

- the land is capable of being provided with essential services and agreement has been reached between the developers and service providers with regard to the staging and financing of services;
- planning is sufficiently advanced to depict an acceptable overall design to guide future development;

- the proposed urban development represents a logical progression of development;
- regional requirements (such as regional roads, open space and public purposes) have been satisfied or provision made for them; and
- any constraints to urban development can be satisfactorily addressed.

Proposals to lift Urban Deferment will be referred to the local government and the relevant Regional or District Planning Committee of the Commission for comment.

The proposal, together with supporting information and justification in accordance with Section 5 of these Guidelines, will generally be considered and determined by the Commission.

3. SUBDIVISION AND DEVELOPMENT OF URBAN DEFERRED LAND

There is a presumption against any subdivision or development which will make the assembly of land and the provision of services and facilities for urban development more costly and difficult.

Local government town planning schemes are required to be consistent with the regional planning scheme. Provisions within a town planning scheme for land zoned Urban Deferred under a regional planning scheme should reflect the limitations of the Urban Deferred Zone.

Land zoned Urban Deferred under a regional planning scheme should generally be zoned Rural or, where appropriate provisions restrict development until Urban Deferment is lifted under the regional planning scheme, Urban Development in the district planning scheme.

4. ENVIRONMENTAL REQUIREMENT

Recent and future amendments have been, and will be, subject to the provisions of Section 48A of the *Environmental Protection Act 1986*. Any land zoned Urban Deferred since the enactment of the *Planning Legislation Amendment Act 1996* in August 1996 will have been subject to environmental review, should such review have been deemed necessary by the Environmental Protection Authority. Any land proposed to be zoned Urban Deferred by amendment to the regional planning scheme in the future will also be considered for environmental assessment.

Transferring land from the Urban Deferred Zone to the Urban Zone does not constitute an amendment to the regional planning scheme. Therefore sections 33E and 33H of the *Metropolitan Region Town Planning Scheme Act 1959*, regarding environmental assessment of amendments pursuant to Section 48A of the Environmental Protection Act, does not apply to transfers under Clause 27 of the Scheme.

Where land was included in the Urban Deferred Zone prior to the promulgation of the Planning Legislation Amendment Act the Commission will seek the advice and a report from the EPA under Section 16(j) of the Environmental Protection Act prior to considering the lifting of Urban Deferment to ensure that environmental issues have been identified.

Where land has not been assessed under the regional planning scheme yet significant environmental issues have been identified any necessary environmental review should be undertaken as part of the process of amending the district planning scheme.

5. INFORMATION REQUIREMENTS

Applicants should submit a detailed structure plan indicating the future development and servicing of the land prior to seeking the lifting of Urban Deferment. The content of the structure plan should take account of matters identified in the Commission's *Guidelines for the Preparation of Local Structure Plans for Urban Release Areas (1992)*. In any event such a plan should address the issues listed below. For small amendments the Commission may be prepared to consider a proposal to lift Urban Deferment in the absence of a comprehensive structure plan however the provision of the following information may be required:

5.1 Justification

- a clear description, explanation and justification for the proposed change;
- evidence, in terms of the development of nearby property and the provision of existing infrastructure services, that the proposed change represents a logical extension of urban development;
- details relating to the specific characteristics of the land and pertaining to its proposed use.

5.2 Land and ownership

- the land to which the amendment applies;
- ownership details;
- clearly annotated plan(s) depicting the land involved and other features as appropriate;
- the extent of agreement of landowners to the lifting of Urban Deferment.

5.3 Natural environment

- an accurate description of the land including the natural environment;
- description of the physical conditions of the land;
- identification of the means by which natural features (such as foreshores, wetlands, remnant vegetation) will be protected;

- identification of any environmental issues which may impact on future development (such as noise, water catchment, contaminated land and air pollution).

5.4 Services

- information regarding the way in which the land will be serviced by water, drainage, sewer, power and other optional services;
- information regarding the servicing of the area by road including information regarding how the development will be accommodated within the regional road system;
- information regarding the planned availability of public transport.

5.5 Employment

- where the land is remote from a developed urban front an employment strategy should be provided to indicate where the resulting community's employment will be located and the degree of employment self-sufficiency that could be achieved.

5.6 Public Uses

- details regarding the areas required for school sites (primary and secondary), public utilities and community facilities.

5.7 Consultation

- details regarding any consultations undertaken with relevant service providers and agreement reached.

6. PUBLIC INFORMATION

It is not a requirement of the legislation to advertise the Commission's intent to lift Urban Deferment or to seek public comment.

Planning issues associated with the rezoning of land for urban development are considered at the time of rezoning to Urban Deferred through Section 33 or 33A of the Metropolitan Region Town Planning Scheme Act scheme amendment process and public consultation will occur during the process of amending the town planning scheme and during the preparation of any structure plans for an area.

A notice will be placed in the Government Gazette advising the Commission's resolution to lift Urban Deferment.

Following the lifting of Urban Deferment the Commission will take all reasonable steps to notify landowners in writing.