

8.5 Roland Road (Lot 69), Stoneville & Beacon Road (Lot 9502) Parkerville - Request for Lifting of Urban Deferred Zone in the Metropolitan Region Scheme

Date of Report	4 August 2008
Location / Address	See ATTACHMENT 5
Landowner	Perth Diocesan Trustees and Diamo Nominees
Applicant	Perth Diocesan Trustees and Diamo Nominees
Zoning	TPS 3 – Lot 69 Roland Road – ‘Special Purpose – Comprehensive Townsite Development’ TPS 3 – Lot 9502 Beacon Road – ‘Special Purpose – Tourism/Residential’ MRS – Urban Deferred and Rural
Area	675.91 ha
Ward	East & Central
Author	John Devereux Manager Planning Services
Senior Officer	Mark Luzi Executive Manager Statutory Services
Disclosure of Any Interest	Nil

SUMMARY:

This report considers the lifting of the Urban Deferred zone under the Metropolitan Region Scheme (MRS) affecting the Stoneville townsite (Lot 69 Roland Road, Stoneville) and the Parkerville townsite (Lot 9502 Beacon Road, Parkerville). The Stoneville and Parkerville townsites comprise a total area of 675.91 hectares. However, only the portions of the Townsites, currently zoned Urban Deferred, are proposed to now be zoned Urban.

The MRS does not require that the change of zoning from Urban Deferred to Urban undergo a formal advertising or environmental assessment process given this occurred when the townsites were previously rezoned from Rural to Urban Deferred. At that time, the main issue precluding the Urban zoning proceeding was the lack of viable wastewater treatment solutions for the townsites. As there are now a number of possible solutions there are no remaining constraints to the Urban zoning of the townsites.

BACKGROUND:

- ❑ The proposed lifting of the Urban Deferred Zone under the Metropolitan Region Scheme by way of two MRS Amendments is the next required step in the progress of the development of the two new Townsites areas within the Shire.

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- ❑ The support of these townsites has been ongoing for almost two decades and the MRS Amendments are in accordance with the previous strategic decisions of the State Government and the Shire of Mundaring to support the townsites.
- ❑ The proposed MRS Urban zoning of the new Stoneville and Parkerville townsites will bring the MRS into conformity with the Shire of Mundaring Town Planning Scheme No. 3 (TPS3), which already zones the sites for townsite development. In this regard, under TPS 3 the Stoneville townsite is zoned 'Special Purpose – Comprehensive Townsite Development' and the Parkerville townsite is zoned 'Special Purpose – Tourism/Residential'. Therefore, no amendments are required to TPS3 arising from the proposed MRS Amendments.
- ❑ Both townsites were previously proposed to be rezoned to Urban in 2001 however, the Western Australian Planning Commission (WAPC) resolved instead to zone the sites "Urban Deferred" pending confirmation that a wastewater treatment solution was available to service the proposed developments. This was identified as the only significant constraint to the urban zoning and development of the townsites.
- ❑ In response to the WAPC's requirements, investigations have been undertaken by consultants, Cardno and Greg Rowe & Associates, to confirm that a wastewater treatment solution for both townsites is available and in fact there are various options which could be pursued. A Wastewater Treatment Options Report has been prepared and submitted in support of the MRS Amendments and has been developed in consultation with the Water Corporation of Western Australian. The Water Corporation has indicated there is no objection to the rezonings proceeding on the basis of the findings of the reports. Similarly there is no objection from the WA Health Department or the Department of Environment and Conservation to either Amendment given the technical work that has now been undertaken.
- ❑ In accordance with the requirements of the Water Corporation, one wastewater treatment facility will be developed to service the needs of both townsites. The final details of the solution will depend on the option pursued and will be resolved prior to urban subdivision or development being submitted for approval. The Shire will seek to be consulted in determining that solution if there is any land being affected which it manages.
- ❑ A Deed of Agreement exists between the two townsite landowners, the Shire and the State Government which precludes applications for urban subdivision or development within the townsites until all the necessary approvals for the wastewater facility are in place. However, it does not preclude rezoning of the land under the MRS once it can be demonstrated that treatment solutions exist.

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- Local Subdivision and Infrastructure Plans (LSIP's) have been prepared for the Stoneville and Parkerville townsites. The LSIP's have been supported by the Shire of Mundaring but will be revised and updated, as required, to reflect contemporary urban design principles once the land is rezoned and development timeframes confirmed. As part of this process, the site and final solution for wastewater disposal will be determined. In the interim, the Wastewater Options Report includes an option for a contemporary system which ensures the treatment plant and disposal can all be accommodated within land under the ownership of the two townsite developers.

STATUTORY / LEGAL IMPLICATIONS:

- Shire of Mundaring Town Planning Scheme
- Planning and Development Act 2005
- Metropolitan Region Scheme

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The development of the two town sites will facilitate rates growth within the Shire.

STRATEGIC IMPLICATIONS:

Nil

SUSTAINABILITY IMPLICATIONS:

- Economically, the proposed Townsite developments will facilitate rates growth within the Shire.
- Environmentally, the development of the town sites has allowed for areas of POS in excess of 10%.
- Socially, the Townsite developments will allow for an increased range of housing stock within the local area.

COMMENT:

In the late 1980's, two land areas within the Shire of Mundaring were identified for future townsite development. The proposed townsites were referred to as "Stoneville" and "Parkerville", and were located at Lot 69 Roland Road, Stoneville and Lot 81 Beacon Road, Parkerville, respectively.

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In the late 1990's applications were made to the Western Australian Planning Commission (WAPC) requesting that the sites for the two townsites be rezoned from "Rural" to "Urban" under the Metropolitan Region Scheme (MRS).

At this time, both sites were zoned for development under the Shire of Mundaring's Town Planning Scheme No. 3 (TPS 3). Stoneville was zoned "Special Use – Comprehensive Townsite Development" and Parkerville "Special Use – Tourism/Residential" given tourism facilities were also proposed at Parkerville. These zonings followed the Shire's extensive consultation with the local community and assessment of the preferred form of future development in the Shire which would recognise and preserve the existing townsite principles but also provide for the urban growth predicted for the Shire. Concentration of future residents into the two identified townsites was seen as providing the most appropriate form of development to meet these objectives and the State Government supported the designation of the sites for future development in the Shire's new TPS3 accordingly when it was finalised in 1994.

In support of the zoning under TPS 3, Draft Local Subdivision and Infrastructure Plans (LSIP's) were prepared by consultants acting on behalf of the respective landowners of each of the townsites. The Stoneville LSIP covered some 574 hectares of land and proposed 1700 residential lots of varying sizes with schools, a commercial centre and extensive areas of open space. The Parkerville LSIP covered some 492 hectares of land and proposed 740 residential lots of varying sizes with a tourist centre, country club, chalet accommodation, local commercial centre, vineyard and restaurant and, like Stoneville, extensive areas of open space. Both townsites proposed their own wastewater treatment facility.

The draft LSIP's and the zonings supported under TPS3 also formed the basis for MRS Amendment 1019/33 which was initiated by the WAPC in 1999. This amendment proposed the rezoning of both townsites from "Rural" to "Urban". The townsites were considered as separate proposals under the same amendment but a number of factors were common to both. The WAPC and other Government agencies also provided input into the LSIP's which resulted in modified plans being adopted by the Shire.

The EPA determined that the impact of the two townsites was not so severe as to require a formal assessment but provided advice on both.

Following advertising of Amendment 1019/33 in mid 2000, hearings were held and submissions analysed. Support was provided by the Shire. The WAPC also supported the two townsites on the basis that they provided the best option for preserving the existing hills land use patterns.

In finalising Amendment 1019/33, the WAPC was satisfied that all major relevant issues had been addressed with the exception of a wastewater solution for the townsites. In this regard, in the Report on the MRS Submissions, the Commission states:

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“The question of sewerage and waste water solution is more vexing. There is no opportunity to connect to the Water Corporation’s reticulated sewer system and the area is outside the Water Corporation’s license area. Given the residential densities proposed in the LSIP for the area, the soil types and the environmental sensitivity, there is no opportunity to use conventional septic tank systems. The waste water treatment system proposed in the LSIP has been subject to criticism on technical, environmental and amenity grounds. The provision of basic infrastructure is fundamental to the Commission’s decision to bring land into the Urban zone of the MRS.

A possible approach is to modify the amendment to transfer the land from the Rural zone to the Urban Deferred zone pending the provision of a solution to the problem of waste water treatment, to the Commission’s satisfaction.

Before the Urban Deferred zone is lifted, a solution to the problem of waste water treatment should be provided.”

Accordingly, both townsites were zoned ‘Urban Deferred’ until the WAPC could be satisfied, based on advice from the Water Corporation, that an acceptable wastewater treatment solution exists.

Since the MRS was amended in 2001 to designate both townsites for future development, the area has been added into the Water Corporation’s license area overcoming one of the concerns of the WAPC. The Water Corporation have agreed in principle to take over the management of the facility provided it meets their design requirements and only one common facility is proposed to service both townsites. Accordingly, the owners of the Stoneville Townsite, the Perth Diocesan Trustees (PDT), have independently commissioned a report by Cardno outlining various options for wastewater treatment and disposal. This report has been submitted to the Water Corporation who now accepts that there are several wastewater treatment solutions available to service the Stoneville and Parkerville townsites.

At the time of the assessment of MRS Amendment 1019/33, a legal agreement was entered into between the PDT, the Western Australian Planning Commission and the Shire. Under Clause 6 of this agreement the WAPC covenants with PDT “that it shall use its best endeavours to progress any amendment associated with the townsite”. The proprietors of the Parkerville Townsite entered into a similar agreement for the Parkerville Townsite. These agreements remain in place.

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Justification for the Amendments

Justification reports in support of the proposed lifting of the Urban Deferred Zone affecting the Stoneville and Parkerville townsites have been submitted to the WAPC. These reports acknowledge that both townsites have long been recognised as suitable for, and supported for, urban development. This is reflected in the current Urban Deferred zonings under the MRS and townsite zonings under the Shire's Town Planning Scheme, and their delineation as townsites in Network City and the North Eastern Hills Settlement Pattern Plan.

The proposed townsites represent a logical progression and appropriate form of development. The Council has always expressed a desire to retain the identity and character associated with living in the region; however, it is also necessary to accommodate growth. The Council has previously determined that the most sustainable way to accommodate this growth is through confining such development to two new townsites. The proposed townsites will alleviate the pressure on existing settlements for subdivision and residential infill. Both townsites have been earmarked for development for over a decade and the form of development proposed is consistent with the strategic planning framework governing growth and development in the area.

In this regard, Structure Planning is sufficiently advanced to depict the intended form of development however, both townsite owners have agreed to review the LSIP designs as appropriate following the Amendment of the MRS having regard to contemporary market and design requirements and community aspirations.

Similarly, previous technical work undertaken to support the MRS amendment in 1999 confirmed that both townsites are capable of being serviced with the exception of effluent disposal.

Regional requirements such as roads, public open space and public purpose land have been provided for. The LSIP's also provide for areas of conservation, public open space and community facilities including educational and aged care facilities.

All of the required environmental, economic and social factors associated with the townsites' development were satisfied as part of the WAPC's previous assessment of the proposal to transfer the "Urban Deferred" land from the "Rural" to the "Urban" zone in 2001.

Several possible options for wastewater treatment and disposal have been developed and analysed which would serve the needs of the Stoneville and Parkerville Townsites. The Water Corporation has reviewed these options as have Shire staff. The technical details of the options have not been canvassed in this report given that it is considered that the technical expertise rests with the Water Corporation, Health Department and DEC. It is noted that each of these agencies support the Amendment. The Shire will however, seek to have a role in determining the final technical solution proposed and the townsite owners agree

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that this would be appropriate. The Shire has the ability through the approval role in terms of the revised LSIP's to ensure that the final technical solution proposed is to the Shire's satisfaction prior to endorsement of the LSIP's (and therefore urban development proceeding).

Furthermore the Deed between the landowners, the Shire and State Government requires that development of the townsites will not commence until the Shire and the relevant expert authorities are satisfied with the wastewater option chosen. Specifically the Deed precludes the owners from making application for urban subdivision or development of the townsites until such time as adequate progress has been made for a wastewater treatment facility to be provided and all of the necessary approvals from the DEC, Department of Water and Office of Water Regulation have been obtained for the treatment facility to the satisfaction of the WAPC.

Both of the townsite owners have also agreed to caveat their Titles in favour of the Water Corporation with the caveat precluding subdivision approval for urban development of the townsites until the preferred wastewater treatment option is agreed and more detailed designs have been undertaken for the option chosen.

In summary, the Water Corporation, and the other relevant Government agencies, have agreed that a wastewater treatment solution now exists for the two townsites. Therefore the sole constraint to Urban zonings for the townsites under the MRS has been satisfied, and the rezonings are sought accordingly.

CONCLUSION:

The lifting of the Urban Deferred Zone over both townsites is consistent with past decisions of the Council reflected in the current Scheme zonings of the land. The Shire previously supported the townsites being zoned Urban but the Government of the time deferred this decision pending further work being undertaken on a wastewater treatment solution. This work has now substantially progressed to the point of demonstrating that several solutions exist and a preferred option can be determined and progressed during the Local Structure Planning process and prior to townsite development commencing.

In this regard, the main pre-requisite previously imposed by the Western Australian Planning Commission to the lifting of the Urban Deferred zone affecting the Stoneville and Parkerville townsites has been satisfied.

VOTING REQUIREMENT:

Simple Majority

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OFFICER RECOMMENDATION

That the Council -

1. Advises the Western Australian Planning Commission it supports the request for the lifting of the Urban Deferred zone affecting the Stoneville townsite (Lot 69 Roland Road, Stoneville) and the Parkerville townsite (Lot 9502 Beacon Road, Parkerville).
2. Advises the landowners support for the lifting of the Urban Deferred zone is on the basis that the Local Subdivision and Infrastructure Plans prepared for both townsites be reviewed prior to townsite development commencing.
3. Advises the landowners and the Water Corporation the Shire wishes to be involved in the decision making process to determine the final wastewater solution chosen and will seek written confirmation from the Corporation that this will occur.