

4F CAMERON/ROLAND ROADS (LOT PT 69), PARKERVILLE/STONEVILLE  
 LOCAL SUBDIVISION AND INFRASTRUCTURE PLAN  
 SR:PLANNING - EAST LSIP/3/265

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LANDOWNER: PERTH DIOCESAN TRUSTEES, ANGLICAN  
 CHURCH OF AUSTRALIA DIOCESE OF PERTH  
 APPLICANT: KOLTASZ SMITH AND PARTNERS  
 LOCATION: SEE LOCATION PLAN ATTACHED  
 ZONING: TPS 3 - SPECIAL PURPOSE/COMPREHENSIVE  
 TOWNSITE DEVELOPMENT  
 MRS - RURAL  
 AREA: 574.4 HA

1.0 PREAMBLE

1987/88: Seven possible growth options for the Shire over the next twenty years were considered by Council and the community as a prerequisite to the preparation of TPS 3.

Option 4, aimed at maintaining the integrity of the existing settlements and a new settlement to be located to the north of the Shire in the vicinity of Cameron Road was favoured. This notion was considered attractive as a means of providing for urban growth in a manner perceived to have least impact on the valued Hills environment.

The new settlement was also seen as imposing minimal pressure on Great Eastern Highway at Greenmount Hill and simultaneously making a substantial contribution to the viability of the proposed Hills Spine Road. It presented an opportunity to plan and develop in an environmentally sensitive manner, and at the same time accommodate smaller lots to provide variety and choice to the Hills residents.

Aug 1990: A draft TPS 3 which identified the subject lot (574.4 ha) and the adjacent lot Pt Lot 81 (492 ha) for a new townsite and tourism/residential development respectively was exhibited for informal public comment. The community and Council supported the proposal.

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- 1991/92: Based on the comments received during the informal exhibition of TPS 3, a final document was prepared and submitted to the Minister seeking consent for formal exhibition. The document was further modified to comply with certain prerequisites set by the Minister. The subject land and the adjacent Lot Pt Lot 81 were, however, accepted by the Minister for inclusion in the final exhibition of TPS 3.
- Apr 1993: During the formal advertising period of TPS 3, Council considered a submission accompanied by an Outline Development Plan (ODP) for the subject land prepared by Koltasz Smith and Partners (Town Planners and Project Managers).
- Council received the submission and advised the applicants that it will be considered by Council after the closing date of the TPS 3 submissions along with other such submissions which may be received.
- Aug 1993: Council considered all submissions received on TPS 3 and reaffirmed the advertised zoning for the subject land. Detailed consideration was, however, not given to the applicants' proposal as the primary intent of a Town Planning Scheme is to establish the zoning and associated provisions for the use and development of land.
- Mar 1994: TPS 3 gazetted.
- May 1994: Council gave detailed consideration to the ODP submitted in April 1993 and advised the applicants to submit an LSIP and Technical Guidelines complying with certain prerequisites.
- Jul 1995: The applicants submitted a revised ODP as a precursor to the preparation of the LSIP. They considered that this was necessary given some modifications sought by Council and the stricter parameters applying to on-site effluent treatment and disposal than that applied at the preparation of the original ODP.

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Aug 1995: Council considered the revised ODP and resolved to advise the applicants of the Technical requirements that have to be complied with and required that special consideration be given to the following:

- (i) a commitment on the on-going management of the sewage treatment plant and reticulation network supported by the Water Authority of W.A.;
- (ii) the use of treated waste water on POS;
- (iii) the latest technology be used for the effluent disposal system from the outset;
- (iv) any overflow from the treated effluent storage area to be discharged to non-sensitive areas by means of leach drains as proposed for the Mundaring Waste Water Treatment Plant;
- (v) all Special Residential lots (R2.5 and R5) to have designated building envelopes.;
- (vi) the high school site to be scheduled in the staging of the development to be operational in the first five years;
- (vii) road network around the primary school site to be reviewed;
- (viii) stormwater management and nutrient stripping to be given careful consideration;
- (ix) solar orientation for buildings to be achieved where practical.

Dec 1995: The applicants sought guidance from Council on the scope of works necessary to progress the ODP to the LSIP stage. They sought such guidance on the basis that there is a considerable degree of detailed investigation necessary, particularly in relation to environmental and engineering issues associated with effluent disposal, stormwater management and nutrient management.

Council considered this request and resolved the criteria necessary for acceptance of the scope of works.

Mar 1997: Council considered the LSIP and resolved that it be modified and exhibited for public comment for a period of 28 days. It was also resolved that the proposal be referred back to Committee and Council along with a summary of the submissions received.

## 2.0 EXECUTIVE SUMMARY

An Executive Summary of the LSIP provided by the applicants is included in **APPENDIX I**. A full copy of the LSIP document was previously forwarded to Councillors.

## 3.0 TOWN PLANNING SCHEME NO. 3 REQUIREMENTS

### 3.1 Statutory Requirements

Schedule 1 of TPS 3 stipulates the prescribed use/purpose of the subject land as "Comprehensive Townsite Development". The permissibility of uses and special conditions specified in that Schedule for this property are as follows:

"SA - Rural Landscape Living, Residential and incidental commercial and community uses as determined by Council.

- (1) As a prerequisite to subdivision the following requirements shall be complied with:
  - (a) The land identified for residential purposes in the Local Subdivision and Infrastructure Plan shall be re-zoned first from Rural to Urban in the Metropolitan Region Scheme.
  - (b) A Local Subdivision and Infrastructure Plan (LSIP) and Technical Guidelines shall be submitted to and approved by the Council in accordance with the provisions and procedures in the Scheme.

## Item 4F contd/5

- (c) Provision shall be made for rural living lots along the boundaries of the subject land abutting the Rural Landscape Living zone. The size of the lots shall be determined by Council but in any case shall not be less than 2 hectares in area.
  - (d) Provision shall be made for residential lots and such lots shall comply with the residential codes determined by Council.
  - (e) Provision shall be made for a neighbourhood commercial centre, community facilities and schools in accordance with a plan and arrangements submitted to and approved by the Council.
- (2) The provisions for the use and development of any lot shall be determined by the Council. Without limiting the generality of the foregoing the provisions in the Scheme for a:
- (a) Rural Landscape Living zone shall apply to rural living lots of 1 hectare in area and above;
  - (b) Residential zone, including the special applications of Residential Planning Codes shall apply to residential lots below 1 hectare in area; and
  - (c) Local Centre zone shall apply to the neighbourhood Commercial Centre."

### 3.2 Current status of LSIP in terms of adoption procedure of TPS 3

The adoption procedure for the LSIP as contained in Clause 4.49 is included in **APPENDIX II**.

Subclauses (1) to (6) have been complied with. To progress the LSIP to finalisation subclauses (7) to (11) have now to be followed.

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3.3 Appeal Provision for Concerned Landowner

Clause 4.49(12) of TPS 3 provides a right of appeal to the landowner. This clause is reproduced below in a simplified form:

If the Council and the landowner are unable to reach agreement

- (i) on the content of the proposed LSIP;  
or
- (ii) the requirements of a proposed LSIP;  
or
- (iii) on an amendment of an approved LSIP which is not substantial;

the landowner may serve notice on the Council that, within a specified period being not less than 35 days, the Council is required to make a formal determination on the contents or requirements of the proposed LSIP or the amendment of the approved LSIP as the case may be, and where the Council thereafter:

- (a) rejects the proposed LSIP under subclause (1) or subclause (7) hereof, or refuses to approve the non-substantial amendment; or
- (b) approves the approved LSIP or the amendment to an approved LSIP subject to conditions that are unacceptable to the landowner; or
- (c) fails to make a decision within the period specified in the notice given in accordance with this subclause;

the landowner may appeal in accordance with the provisions of Part V of the Act.

#### 4.0 LAND USE DISTRIBUTION

An extract from the LSIP report provided by the proponent is provided below:

Table 5.1 (**APPENDIX III**) provides an overall land use distribution for the LSIP. As can be seen from the table, non-urban land and open space accounts for approximately 38% of the gross site area. Residential uses account for only 40% of the site area while peripheral special rural lots account for a further 18%. Community based land uses, including the schools and commercial precincts account for approximately 4% of the site.

The high proportion of the site set aside for non urban purposes is a further reflection of the sensitivity of the LSIP to the physical and landscape values of Lot 69.

The LSIP provides for two principal residential lot sizes namely R5 Special Residential (2000m<sup>2</sup>) and R12.5 Single Residential (800m<sup>2</sup> average) occupying approximately 14.4% and 23.6% respectively of the total site area.

A small lot village based principally on the R30 code with lots in the order of 350m<sup>2</sup> to 400m<sup>2</sup> is also proposed adjacent to the village centre and in close proximity of retail, commercial and community facilities as well as major open spaces. Provision has also been adjoining the village centre for an aged persons site.

#### 5.0 RESIDENTIAL COMPONENTS OF LSIP

A breakdown of the residential components of the LSIP provided by the proponent is in Table 2 (**APPENDIX IV**).

Provision has been made in the LSIP for 1709 dwelling units comprising 1505 low density lots and 204 medium density lots.

#### 6.0 SUBMISSIONS RECEIVED

A total of 49 submissions were received at the conclusion of the public comment period.

A schedule of submissions received incorporating an index and the recommended response to each submission is included at the end of this report.

7.0 PLANNING SERVICE REPORT

A summary of the main objections and responses to these concerns are provided below:

Part 1

Management of sewage and lakes.

Comment

It is acknowledged that the proposal would require formal assessment under Section 48A of the EPA Act as a prerequisite to re-zoning under the Metropolitan Region Scheme from Rural to Urban.

The proponents have allowed for a 10 hectare lake to contain all recycled water generated from the Waste Water Treatment Plant. If the EPA and the Water and Rivers Commission allow discharge off-site the lake may be deleted or reduced in size.

The aesthetic impact of the lake can be improved by sensitive design of the wall and appropriate landscaping.

Point 2

Size of lots and total number proposed.

Comment

When TPS 3 was prepared a conscious effort was made to retain the integrity of the existing settlements in the Shire by allowing for minimal expansion. At the same time it was also determined to provide for two new growth areas, namely the subject land and Lot 81. An extract of the Scheme Report (page 57) that formed an integral part of TPS 3 is provided below to further clarify this situation.

"The large land holdings numbered Lot 81 and Lot Pt 69 have potential for large scale development, such as a town site, golf-course/residential estate or similar and is identified as Special Purpose. Comprehensive Development of these lots would be permitted subject to special criteria set by Council. Such criteria would include the requirement for transitional rural living and landscape protection buffer areas adjacent to the national park, existing rural living areas and along water courses.

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If one were to disregard environmental compatibility, it should be noted that by allowing for 10% public open space, roads, a primary school site, an oval and a local centre for every 4000 persons, it is possible to accommodate a population of approximately 12,000 on Lot 81 and 16,000 on Lot Pt 69 under the R12.5 Code (800m<sup>2</sup> average lot/700m<sup>2</sup> minimum lot size). However, such densities are neither proposed nor recommended.

It can be seen from the above that these lots are of sufficient size to accommodate a conservative population of about 5000 to 7000 persons between them and at the same time achieve forms of urban development compatible with the surrounding rural areas.

Lot 81 could be developed for a golf course residential estate or such other similar recreation and tourist oriented facilities. Lot Pt 69 has potential for development as a satellite town site with features such as pedestrian/vehicular separation; discrete residential cells, planned road hierarchy discouraging extraneous traffic, tree lined streets, transition of lot sizes from 800m<sup>2</sup> to 2 hectares, sites for aged or dependent persons housing, a centrally located local centre incorporating schools and community facilities and such other criteria as Council deems appropriate.

Lot 81 is proposed as a Special Purpose zone to permit comprehensive tourist/residential development. Similarly Lot Pt 69 is proposed as a Special Purpose zone for comprehensive townsite development.

The land between and adjacent to these large parcels is proposed RLL and RLL 2 and would provide an extended buffer around future urban development, as well as rounding off the existing substantial rural-residential community."

It should also be noted that between May 1994 and March 1997 Council considered various aspects of this proposal on five occasions and endorsed the lot sizes and the density proposed in the current LSIP.

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In August 1995 Council supported the provision of 1525 lots ranging in density between R12.5 and 3 hectares and 225 lots with an R30 density. The population at that time was estimated to be 4837 persons.

The current estimated population for the subject land is as follows:

(a)	Rural Landscape Living lots	(52)	147 persons
(b)	Residential R2.5 lots	(12)	34 persons
(c)	Residential R5 lots	(263)	752 persons
(d)	Residential R10 lots	(173)	490 persons
(e)	Residential R12.5 lots	(1005)	2844 persons
(f)	Residential R30 lots	(129)	258 persons
(g)	Retirement Units	(75)	150 persons

The LSIP has made provision for 1505 low density lots ((a) to (e) above) and 204 medium density lots ((f) and (g) above). The total estimated population is 4625 which is less than the total (4837) previously agreed to by Council.

One must also acknowledge that land is a valuable non-renewable resource and efficient use must be made of it. By creating a townsite of the density proposed with R12.5 lots on denuded land not only will the amenity be improved but also a much needed choice of accommodation types will be provided for the hills residents.

Point 3

Roads and Infrastructure.

Comment

The proponents have acknowledged in the Technical Guidelines of the LSIP of their obligation to negotiate with Council to determine the cost-sharing arrangements relating to the planning, design, construction and/or upgrading of the external road network to provide access to the development site and to reach agreement between the two parties on the infrastructure contribution to be made to Council.

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To determine the infrastructure contribution, agreement shall be reached on the proportion of the total estimated costs for the infrastructure provision to be paid by the proponent. On the basis of this calculation, the contribution payable by the proponent shall be calculated on a per lot basis, indexed to CPI movements and made pro-rata to Council as a prerequisite to any subdivision of land within the LSIP area.

The requirement for cost contributions shall form a condition on subdivision approval. In this regard it is pointed out that some form of upgrading will be required to parts of Brooking Road, Roland Road, Beacon Road, Brindle Road, Stoneville Road, Cameron Road and provision made for the Brooking Road by-pass and the Hills Spine Route link to Toodyay Road.

Discussions on this matter are already taking place between Officers of the Eastern Metropolitan Regional Council, Western Australian Planning Commission, Shire of Swan and the Shire of Mundaring.

### Part 4

Permeability of layout and impact on La Grange.

### Comment

The permeability of the layout should be improved by modifying the LSIP to provide a direct road connection across the linear POS corridor between the central village precinct and the south-eastern village area. In doing so a portion of the distributor road in proximity to La Grange be deleted and the lots abutting La Grange increased to a minimum 1 hectare in area.

### Point 5

It is important to retain the lifestyle in the hills.

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### Comment

The basic philosophy of TPS 3 is to maintain the hills lifestyle by allowing for minimal urban expansion of the existing settlements and maintaining rural landscape living buffers in between. This was made possible because the subject land and the adjacent Lot 81 were set aside to accommodate new settlements. They are intended to be new settlements in their own right and have rural landscape living areas in between these two settlements and in between other existing settlements such as Parkerville and Stoneville. The development of the subject land as proposed upholds the principles and philosophy of TPS 3.

## **7.0 CONCLUSION**

The layout in the LSIP has been designed in a manner that upholds the environmental characteristics of the land and the provisions of Council's TPS 3. The LSIP is therefore supported subject to conditions recommended in the Service Recommendation.

## **8.0 SERVICE RECOMMENDATION**

8.1 That pursuant to Clause 4.49(7)(iii) of TPS 3, Council resolve to approve LSIP 265 subject to the following modifications being undertaken to the satisfaction of the Executive Manager, Planning and Development Services of Council.

(a) The requirements of the various government authorities such as the Department of Environmental Protection, Department of Conservation and Land Management, Water Corporation, Bush Fires Board, Water and Rivers Commission, Health Department of W.A. recommendations contained in the Schedule of Submissions attached to this report shall be included in the Technical Guidelines to the satisfaction of Council's Executive Manager, Planning and Development Services.

(b) The subdivision layout of the LSIP shall be modified:

(i) to provide a direct road connection across the linear POS corridor between the central village precinct and the south-eastern village area;

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- (ii) by increasing the size of the lots abutting La Grange to not less than 1 hectare in area;
- (iii) where necessary to complement the external road network proposed;
- (iv) to identify building envelopes and tree preservation areas in the RLL lots and a notation made in the Technical Guidelines that building envelopes and tree preservation areas will be identified for the R5 (2000m<sup>2</sup>) lots as a prerequisite to subdivision.

8.2 That the Schedule of Submissions of LSIP 265 and the recommended response to each of those submissions prepared by Council staff and contained in the Planning, Building and Health Committee minutes of 2nd December 1997 be adopted.

8.3 That subject to compliance with the requirements in 8.1 above, Council send to the W.A. Planning Commission:

- (a) a copy of the plan including any modifications;
- (b) a copy of the LSIP report incorporating the Technical Guidelines;
- (c) the Schedule of Submissions received with Council's responses to each submission referred to in 8.2 above;

and request the Commission to adopt the Plan, the LSIP report and the Technical Guidelines.

RFG Inc  
Submission  
has not  
been included  
in this Report.

8.4 That notwithstanding the above recommendation of Council:

- (a) the applicant shall note that approval of the detailed design and specifications for the Waste Water Treatment Plant and the associated woodlot and lake by the Water Corporation, Department of Environmental Protection, the Water and Rivers Commission, the Health Department of W.A. and Council staff shall be a prerequisite to Council's support for subdivision of any of the residential and local centre lots in the LSIP area;
- (b) any vegetation affected by the Waste Water Treatment Plant and the associated woodlot area be addressed by an "environmentally sensitive approach";
- (c) the applicant shall note that approval of this LSIP (proposed subdivision) is subject to the Water Corporation assuming full responsibility for the operation and on-going maintenance of the plant. The Shire of Mundaring will not accept any responsibility for the financial, operational and on-going maintenance of the plant.

**PREAMBLE TO COMMITTEE RECOMMENDATION**

*The President, Secretary and some members of the Parkerville Ratepayers and Residents Association were in attendance and reiterated the concerns expressed in their submissions.*

7.40 p.m. Cr James left the room returning at 7.45 p.m

7.45 p.m. Cr James returned.

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**COMMITTEE RECOMMENDATION P557**

*That the matter lie on the table until the February 1998 Planning, Building and Health Committee meeting to enable the following to be undertaken:*

- *hydrological audit;*
- *negotiation on the gradational buffer on the western section along Roland Road;*
- *the special residential lots immediately adjoining La Grange on the east to be increased in size and designated Rural Landscape Living;*
- *redesign of roads in the central eastern section;*
- *investigation of the water storage lake;*
- *discussions with the Department of Environmental Protection; and;*
- *negotiation of the quantum of the lots under 2000m<sup>2</sup>*

*(Cr Ellery - Cr Zaknich)*

**8.05 p.m.** *Cr Zaknich left the room. Cr Atkins acting as deputy.*