

Proposed Amendment No. 168 to Shire of Serpentine
Jarrahdale Town Planning
Scheme No. 2 –
Byford Development
Contribution Arrangement

Prepared for Shire of Serpentine Jarrahdale

September 2010

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Form 1C

Planning and Development Act 2005 (as amended)

RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

Shire of Serpentine Jarrahdale Town Planning Scheme No. 2

RESOLVED that the local government, in pursuance of section 75 of the *Planning and Development Act 2005* (as amended), amend the above Town Planning Scheme by:

(a) Adding the following text into Appendix 16 of the Scheme:

'Appendix 16A – Byford Development Contribution Area – Scheme Development Contribution Plan

Development contribution area name	Byford
Reference number on Scheme Map(s)	DCA 1
Boundary of development contribution area	Refer Scheme Map(s)
Items	Thomas Road: Land required to achieve the proposed 50m road reserve; Earthworks for the whole road reserve; The construction and upgrade of one carriageway; Associated drainage works including water sensitive measures; Traffic control devices including one set of traffic lights and four intersection treatments incorporating slip lanes and associated works; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, management.

Abernethy Road: Land required to achieve the proposed 30m road reserve; Earthworks for the whole road reserve: Complete road construction based on a single lane split carriageway with central median. Associated drainage works including water sensitive measures: Traffic control devices including two sets of traffic lights and four roundabouts; Shared paths; Utility removal, relocation and insertion; and including Associated costs design, administration, management. Orton Road: Land required to achieve the proposed 30m road reserve; Earthworks for the whole road reserve; Complete road construction based on a single lane split carriageway with central median. Associated drainage works including water sensitive measures: Traffic control devices including three roundabouts; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration. management. Kardan Boulevard: Land required over and above a standard 20m road reserve to achieve the required road width of 25 metres from Abernethy Road to Fawcett Road and 30 metres from Fawcett Road to Thomas Road; Earthworks for the whole road reserve: Complete road construction based on a single lane split carriageway with central median. Associated drainage works including water sensitive measures; Shared paths: Utility removal, relocation and insertion; and Associated costs including design, administration. management. San Simeon Boulevard: Land required over and above a standard 20m road reserve width to achieve the required road width of 25 metres from Thomas Road to Larsen Road and 30 metres from Larsen Road to Abernethy Road; Earthworks for the whole road reserve; Complete road construction based on a single lane split carriageway with central median. Associated drainage works including water sensitive measures; Shared paths; Utility removal, relocation and insertion; and

	 Associated costs including design, administration, management.
	 Doley Road: Land required over and above a standard 20m road reserve width to achieve the required 30m road reserve; Earthworks for the whole road reserve; Complete road construction based on a single lane split carriageway with central median. Associated drainage works including water sensitive measures; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, management.
	 Warrington Road: Earthworks for the whole road reserve; Complete road construction based on an undivided single carriageway; Associated drainage works including water sensitive measures; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, management. Note: No land is required over and above a standard 20m road reserve for Warrington Road
	Land for public open space and drainage: All land required for public open space and/or drainage purposes.
	Bridle Trails: Land, construction and associated costs for new bridle trails.
	Water Monitoring: All expended and estimated future costs associated with the water monitoring programme required by the Byford Townsite Drainage and Water Management Plan.
	Administrative: All expended and estimated future costs associated with administration planning and development in Byford, including: Planning studies; Traffic studies; Prainage studies; Road design costs; Borrowing costs (including loan repayments); and Scheme Management Costs (including administration and management of the DCA).
Contribution methodology	 Standard residential subdivision or development – the number of additional dwellings/lots being created at the time of subdivision/development multiplied by the applicable development contribution rate.

	 Non-standard residential subdivision or development – the number of additional dwellings, residential units or similar created at the time of subdivision/development multiplied by the applicable development contribution rate. Non-residential subdivision or development – the R20 subdivision/development potential of the site (minus the equivalent of one lot or dwelling) multiplied by the applicable development contribution rate. Mixed-use development – the R20 subdivision/development potential of the site, or the actual number of lots/dwellings being created at the time of subdivision/development, which ever is the greater (minus the equivalent of one lot or dwelling), multiplied by the applicable development contribution rate.
Period of operation	15 years
Priority and timing of infrastructure provision	Refer development contribution plan report'

(b) Amending the Scheme Map(s) by including Byford within the DCA 1 development contribution area special control area, as indicated on the Scheme Amendment map.

Dated this	day of	20	
			Chief Executive Officer

REPORT – AMENDMENT NO. 168

FILE NO: A1862

PART OF AGENDA

MINISTER FOR PLANNING

PROPOSAL TO AMEND A TOWN PLANNING SCHEME

1. Local Government: Shire of Serpentine Jarrahdale

2. Description of Scheme: Shire of Serpentine Jarrahdale Town Planning Scheme No. 2

3. Type of Scheme: District Planning Scheme

4. Serial Number: Amendment No. 168

5. Proposal:

- 1. Include Byford within a development contribution area special control area.
- 2. Insert a Scheme development contribution plan for the Byford development contribution area special control area into Appendix 16 of the Scheme.
- 6. Report by: Shire of Serpentine Jarrahdale

1 Introduction

The Shire of Serpentine Jarrahdale seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Honourable Minister for Planning to the proposed Scheme Amendment.

1.1 Overview of Proposal

The proposed Scheme Amendment seeks to:

- 1. Include Byford within a development contribution area special control area (SCA).
- 2. Insert a Scheme development contribution plan (DCP) for the Byford development contribution area SCA into Appendix 16 of the Scheme.

The Amendment will facilitate the establishment of a DCA for Byford.

1.2 Context of Amendment

The Byford District Structure Plan (DSP) has been prepared to guide the preparation of more detailed local structure plans (LSPs); facilitating subdivision and development within the Byford area. Infrastructure and land for public purposes will be required to cater for this development.

Due to the existence of multiple landholdings within the Byford DSP area, the Shire has decided to prepare a DCA to share the cost of this infrastructure and land required to support the development of the area.

As subdivision and development has already occurred in Byford, the Shire has been entering into legal agreements with individual landowners as a method of sourcing interim contributions. This approach will be discontinued when the DCA is finalised, with additional contributions being sought or refunds provided to developers where required.

1.3 Relationship to Amendment No. 167

In parallel with this Scheme Amendment, the Shire is progressing Amendment No. 167. This Amendment proposes to update the Shire's Town Planning Scheme No. 2 (TPS 2) provisions with regard to development contributions to generally reflect the most recent model provisions prepared by the WAPC, as contained within State Planning Policy No. 3.6 – Development Contributions for Infrastructure (SPP 3.6).

Amendment No. 168, subject of this report, will need to be finalised either in conjunction with or following the finalisation of Amendment No. 167. This approach is required as the form and function of the Byford DCA specific provisions are based on the revised administrative and operational provisions of Amendment No. 167.

1.4 Structure of Report

This Scheme Amendment Report is structured in the following manner:

- Section 2 identifies the location of the Byford development area and presents the Byford DSP.
- Section 3 identifies the general principles adopted by the Shire Council to guide the preparation of the Byford DCA.
- Section 4 explains the second part of the Scheme Amendment, being to include the Byford area within a SCA for development contributions.
- Section 5 explains the third part of the Scheme Amendment, being the insertion of a Scheme DCP into the Appendices section of TPS 2. In addition, the infrastructure, land and other items to be included in the DCA are outlined.



2 Site Context

2.1 Location

The Byford development area is located within the Shire of Serpentine Jarrahdale, and is generally bound by the Thomas Road to the north, the existing Byford Townsite to the northeast, South West Highway to the southeast, Cardup Siding Road to the south and Hopkinson Road to the west (see Figure 1).

Figure 1 – Byford Development Area

2.2 Byford District Structure Plan

The Byford DSP has been prepared for the Byford development area. The DSP is used as a basis for more detailed planning in the form of LSPs prepared for individual precincts. A copy of the Byford DSP Map is contained in Figure 2.

Figure 2 – Byford District Structure Plan Map





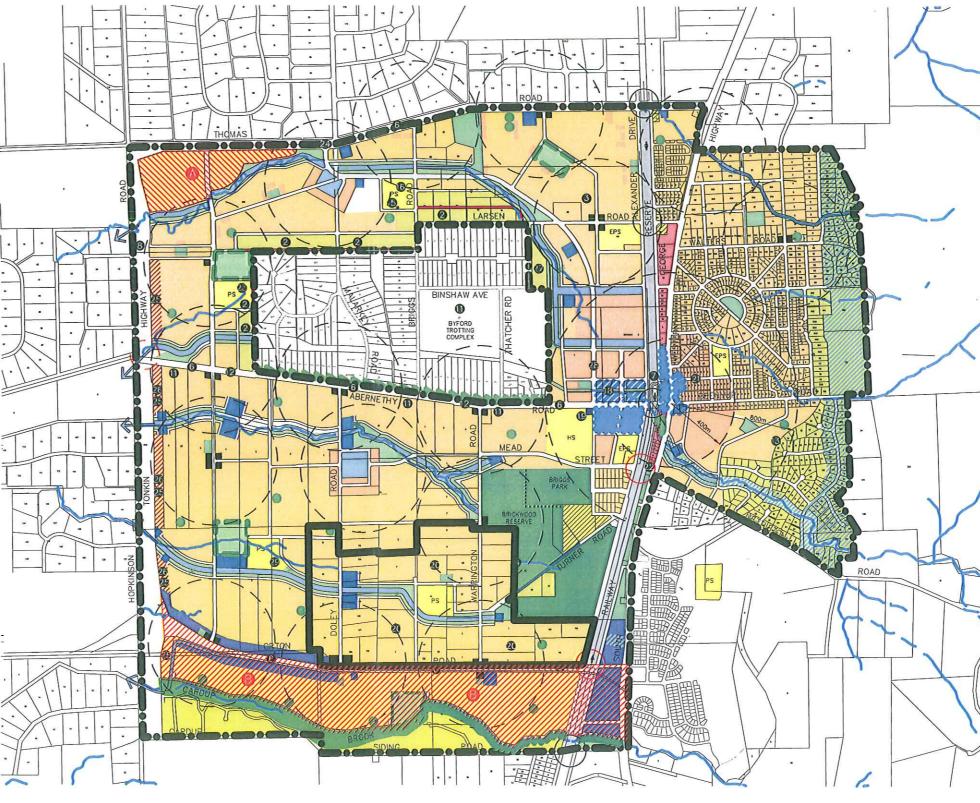
LEGEND

BYFORD DEVELOPMENT AREA



This is a District Structure Plan and shall be used as a basis for more detailed planning when read in conjunction with other documents and the Byford Structure Plan report

> This Plan should be read in conjunction with Schedule 1 - Operative Part



3 General Principles

At its Special Meeting of 15 December 2009, the Shire of Serpentine Jarrahdale Council endorsed a set of general principles to guide the preparation of the Byford DCA. The principles address matters of:

- Timeframes;
- Infrastructure and costs to be included and excluded; and
- Calculation methodologies.

A copy of the minutes of the Special Council Meeting are contained at Appendix A.

This Scheme Amendment has been prepared based on the principles adopted by Council.



4 Byford Development Contribution Area Special Control Area

4.1 Special Control Area

The model planning scheme provisions for development contributions contained within SPP 3.6 are premised on development contribution areas being established as SCAs under planning schemes. It will therefore be necessary to amend the TPS 2 Scheme Maps to include the Byford development contribution area within a SCA. This will provide the statutory basis for the collection of development contributions in Byford.

4.2 Precincts

Appendix 16 of TPS 2 currently contains Plan No. 16A, which divides the Byford development contribution area into four precincts. The plan will be referred to in the Byford DCP report to identify the infrastructure and land items which will be applicable to each precinct. Plan 16A will remain in the Scheme and not be modified as part of this Scheme Amendment.



5 Development Contributions

5.1 Items

Development contributions are proposed to be collected for various infrastructure, land and administrative items within the Byford DCA, as summarised below. Additional detail on these items is contained within the Byford DCP report, attached at Appendix B.

5.1.1 Roads

Land, earthworks, paving/surfacing, drainage, traffic control devices, shared paths, utilities and associated costs for the upgrading and/or construction of:

- Thomas Road;
- Abernethy Road;
- Orton Road;
- Kardan Boulevard;
- San Simeon Boulevard;
- Doley Road; and
- Warrington Road.

5.1.2 Land for Public Open Space and Drainage

All land required for public open space and/or drainage purposes.

5.1.3 Bridle Trails

Land, construction and associated costs for new bridle trails.

5.1.4 Water Monitoring

All costs associated with the water monitoring programme required by the Byford Townsite Drainage and Water Management Plan (DWMP).

5.1.5 Administrative

All expended and estimated future costs associated with administration planning and development in Byford, including:

- Planning studies;
- Traffic studies;
- Drainage studies;
- Road design costs;
- Borrowing costs (including loan repayments); and
- Scheme Management Costs (including administration and management of the DCA).

5.2 Scheme Development Contribution Plan

In accordance with the new Scheme provisions for DCAs (as proposed by Amendment No. 167), a Scheme DCP is required to be inserted into TPS 2. The Scheme DCP will be located within Appendix 16 of the Scheme, and will detail the following matters:

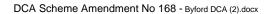
- The development contribution area to which the DCP applies (the Byford development contribution area);
- The items to be funded through the DCP;
- The method of determining cost contributions for landowners (see part "a" of the proposed Scheme Amendment and the DCP report contained in Appendix B for a detailed understanding of the methodology);
- A system of establishing priorities for infrastructure provision (see part "a" of the proposed Scheme Amendment and the DCP report contained in Appendix B); and
- The period of operation of the DCP (proposed for 15 years due to the size of the Byford development area and the existing development intentions of landowners).

5.3 Development Contribution Plan Report

A draft DCP report has been prepared to accompany the Scheme Amendment, but will not form part of the Scheme.

The report sets out in detail the calculation of the cost contributions for landowners in the development contribution area based upon the methodology identified within the Scheme DCP.

It is intended that this Scheme Amendment and the DCP report be advertised concurrently.



6 Conclusion

The proposed Scheme Amendment will facilitate the provision of certain items of common infrastructure within the Byford development contribution area and an appropriate sharing of the costs of such infrastructure, as well as land and other administrative costs.

The finalisation of a DCA for Byford will formalise a contribution arrangement which has been operating on the basis of individual interim agreements for an extended period of time.

On this basis, it is respectfully requested that the WAPC support and the Honourable Minister for Planning approve the Amendment.



SCHEME AMENDMENT

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF SERPENTINE JARRAHDALE

The Council of the Shire Of Serpentine Jarrahdale, under and by virtue of the power conferred upon it in that behalf by the Planning and Development Act 2005 (as amended), hereby amends Town Planning Scheme No. 2 by:

(a) Adding the following text into Appendix 16 of the Scheme:

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	 Abernethy Road: Land required to achieve the proposed 30m road reserve; Earthworks for the whole road reserve; Complete road construction based on a single lane split carriageway with central median. Associated drainage works including water sensitive measures; Traffic control devices including two sets of traffic lights and four roundabouts; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, management.

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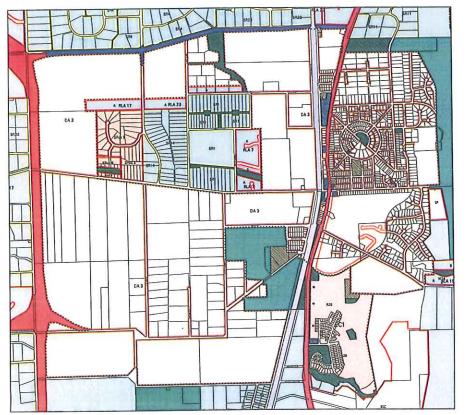
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	contribution rate.
Period of operation	15 years
Priority and timing of infrastructure provision	Refer development contribution plan report'

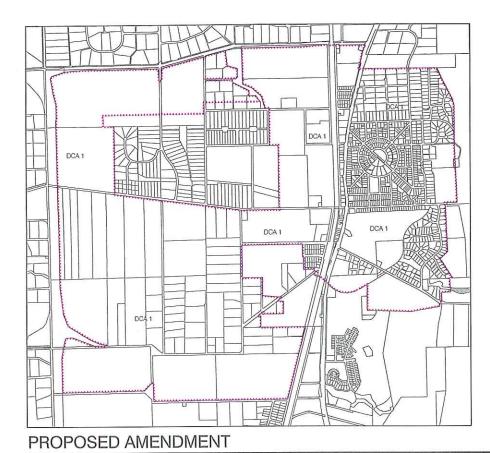
(b) Amending the Scheme Map(s) by including Byford within the DCA 1 development contribution area special control area, as indicated on the Scheme Amendment map.



SHIRE OF SERPENTINE JARRAHDALE **TOWN PLANNING SCHEME NO.2 AMENDMENT NO. 168**



EXISTING SCHEME MAP



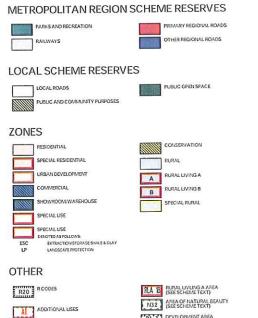
DATE 21.07.2010 DWG NO 001

DA 3 DEVELOPMENT AREA (SEE SCHEME TEXT)

NOZONE

HISTORIC/SCIENTIFIC BUILDING OR OBJEC (SEE SCHEME TEXT)

REFER TO CLAUSE 5.4 (RESIDENTIAL PLANNING CODES)



LEGEND

SCHEME BOUNDARY

RLA 12 RURAL LIVING A AREA (SEE SCHEME TEXT)

SRB SPECIAL RURAL AREA (SEE SCHEME TEXT) DCA 1 DEVELOPMENT CONTRIBUTION AREA (SEE SCHEME TEXT)

SPBS 5 SPECIAL RESIDENTIAL AREAS (SEE SCHEME TEXT)

Initiate Scheme Amendment		
Adopted by resolution of the Council of the S Council held on 7 September 2010.	Shire of Serpentine Jarrahdale at the Special Meeting of the	
PRESIDENT	CHIEF EXECUTIVE OFFICER	
Final Approval		
Adopted for final approval by resolution of the Council held on	ne Shire of Serpentine Jarrahdale at the Ordinary Meeting of 20 .	
	ne Jarrahdale was hereunto affixed by authority of a	
	PRESIDENT	
	CHIEF EXECUTIVE OFFICER	
RECOMMENDED/SUBMITTED		
FOR FINAL APPROVAL	DELEGATED UNDER S.16 OF THE PLANNING AND DEVELOPMENT ACT 2005	
	DATE	
FINAL APPROVAL GRANTED	MINISTER FOR PLANNING	
	 DATE	