

**2.8: OUTLINE DEVELOPMENT PLAN – LOTS 1-10, 12, 13, 66, 507, 526  
LANCASTER ROAD AND LOT 300 TIMEWELL ROAD, MCKAIL**

<b>Land Description</b>	: Lots 1-10, 12, 13, 66, 507 and 526 Lancaster Road and Lot 300 Timewell Road, McKail
<b>Proponent</b>	: Ayton Baesjou Planning
<b>Owner/s</b>	: M R Antoniak, A S Daubney, P G Burnett, F P & S E Shelton, M J & F R Klau, H D & M A Thobaven, V M McAndrew, B I & M R Thomas, M H Miller, J R & G M Fagg, C H & D A McWhirter, R M & B Ballantyne, Crown Land, Vegate Pty Ltd-Directors Harry Arialdo Capararo and Nunziato Vincuillo, Lancaster Park Pty Ltd.
<b>Business Entity Name</b>	: Vegate Pty Ltd, Lancaster Park Pty Ltd.
<b>Attachment(s)</b>	: Draft Outline Development Plan
<b>Councillor Workstation</b>	: Copy of OCM 16/06/2009 – Item 11.2.3
<b>Responsible Officer(s)</b>	: Executive Director Planning and Development Services (D Putland)

**Maps and Diagrams:**



**IN BRIEF**

- Consider whether to adopt the draft Outline Development Plan for the purpose of public advertising.
- The Albany Local Planning Strategy identifies the subject land as part of a Future Urban Priority Development 1 Area, which indicates that it is of short-term strategic importance.
- The draft Outline Development Plan is consistent with contemporary planning principles and State policies that deal with growth and development.
- Staff would recommend that Council adopt the draft Outline Development Plan for the purpose of public advertising.

**ITEM 2.8: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY**

**SECONDED: COUNCILLOR GREGSON**

**THAT Council ADOPTS the draft Outline Development Plan for Lots 1-10, 12, 13, 66, 507 and 526 Lancaster Road and Lot 300 Timewell Road, McKail, for the purpose of public advertising.**

**CARRIED 11-1**

**Record of Vote:**

Against the Motion: Councillor Bostock

**BACKGROUND**

1. In September 2009, a Scheme amendment (No. 277) to rezone Lots 1-10, 12, 13, 66, 507 and 526 Lancaster Road and Lot 300 Timewell Road, McKail from the 'Rural' and 'Special Rural' zones to the 'Residential Development' zone was supported by Council. The proposal was subsequently granted final approval by the Minister for Planning and Infrastructure in July 2010 and Gazetted in August 2010.
2. An Outline Development Plan has been prepared in accordance with Clause 5.5 of Town Planning Scheme No. 3 to facilitate the subdivision and development of the subject lots.
3. Council is now required to consider the draft Outline Development Plan and determine whether to adopt it for the purpose of public advertising.

**DISCUSSION**

4. The subject lots cover a total area of approximately 70ha to the north and south of Lancaster Road and approximately 6km north-west of the Albany central area. Lots 1-10, and 12 are large rural-residential properties of approximately 4000m<sup>2</sup>. Lot 13 is approximately 8000m<sup>2</sup> in area. All are developed with a single dwelling and associated outbuildings.
5. Lot 66 is a vacant Public Right of Way and presents as a 20m wide unconstructed road reserve section giving access to Lot 526.
6. Lots 300, 507 and 526 are larger cleared lots, which are primarily used for grazing purposes. Lot 300 is developed with a collection of sheds and stables, Lot 507 with a shed and feed silos adjacent to the intersection of Lancaster and Timewell Roads, while Lot 526 remains undeveloped.
7. The majority of the surrounding land is zoned 'Rural', with the exception of Lot 124 Gladville Road to the north, which is zoned 'Residential Development' and subject to a separate Outline Development Plan application, Lot 113 Gladville Road to the east, which is zoned 'Special Residential', Lot 1 Lancaster Road (Harold Reid Paceway) to the south-east, which is zoned 'Places of Public Assembly', and Lots 251-254 Lancaster Road to the south, which are zoned 'Special Rural'.
8. The Albany Local Planning Strategy (ALPS) identifies the subject land as part of a Future Urban Priority Development 1 Area, which indicates that it is of short-term strategic importance.

9. The draft Outline Development Plan will facilitate the subdivision and development of the subject lots to a full urban standard, with R20 and R30 residential lots and associated public open space. A location for a local activity centre has also been identified in the south-eastern corner of the site.
10. Overall, the draft Outline Development Plan is consistent with contemporary planning principles and State policies that deal with growth and development.
11. Staff recommend that Council adopt the draft Outline Development Plan for the purpose of public advertising.

### **GOVERNMENT CONSULTATION**

12. Should Council adopt the draft Outline Development Plan for the purpose of public advertising, it will be referred to all relevant Government agencies for assessment and comment.

### **PUBLIC CONSULTATION / ENGAGEMENT**

13. Should Council resolve to adopt the draft Precinct Plan for the purpose of public advertising, it will be advertised in accordance with Clause 6.9.2(A) of Town Planning Scheme (TPS) No. 3 (see paragraph 15 below).

### **STATUTORY IMPLICATIONS**

14. Clauses 5.5.1 to 5.5.3 of TPS No. 3 set out the processes to develop an Outline Development Plan to facilitate the subdivision and development of land within Development Zones.

*“5.5.1 Before granting approval for any of these uses permitted within the Development Zones subject to Council approval under Table No. 1 or endorsing an application for subdivision the Council will require the submission to, and approval by, the Western Australian Planning Commission of an Outline Development Plan for such areas as are the subject of an application to develop or subdivide being not less than the area shown within the outer edge of the green border of the part of the scheme map containing the subject land, together with other areas determined by the Council having regard to:*

- (a) the major road systems under the Scheme;*
- (b) topographic conditions;*
- (c) land holdings adjacent to or in the vicinity of the subject land;*
- (d) the necessity of providing civic and public facilities;*
- (e) preservation of the environment.*

*5.5.2 Outline Development Plans shall be prepared for areas as described under clause 5.5.1 by either the owners of the land involved or by the Council and shall be submitted by the Council to the Western Australian Planning Commission.*

*5.5.3 Outline Development Plans shall show the principles under which it is proposed to develop or subdivide the land and as a minimum requirement shall show –*

- (a) *the location and width of the distributor road system proposed;*
  - (b) *the approximate location and quantity of shopping, civic and public facilities proposed together with an analysis of the factors used in determination of such facilities;*
  - (c) *the distribution of the recreational and open space areas proposed;*
  - (d) *the population and residential densities proposed;*
  - (e) *the physical condition of the land having regard to the need for deep sewerage and/or main drainage.”*
15. Clauses 6.6.1 and 6.9.2(A) set out the processes for the creation and adoption of a Town Planning Scheme Policy. An Outline Development Plan must be considered as a Town Planning Scheme Policy for purposes of advertising and referral and adoption by Council.
- “6.9.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the Control of Development.*
- 6.9.2 A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:*
- (A) *The Council having prepared and having resolved to adopt the Draft Town Planning Scheme Policy, shall advertise a summary of the Draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the Draft Policy may be inspected and where, in what form, and during what period (not being less than 21 days) representations may be made to the Council.”*

## **STRATEGIC IMPLICATIONS**

16. The ALPS identifies the subject land as part of a Future Urban Priority Development 1 Area, which indicates that it is of short-term strategic importance.

## **POLICY IMPLICATIONS**

17. Council is required to have regard to any Western Australian Planning Commission Statements of Planning Policy (SPP) that apply to the scheme amendment. Any amendment to the Town Planning Scheme will be assessed by the Western Australian Planning Commission to ensure consistency with the following State and Regional Policies.

### **SPP 1 – State Planning Framework**

The Policy establishes state-wide key land use planning principles and informs the Commission, Local Government and others involved in the planning process in relation to sustainable land use and development across the State. It is designed to ensure there is coordination and integrated decision-making across all spheres of planning.

**18. SPP 3 – Urban Growth and Settlement**

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

**RISK IDENTIFICATION & MITIGATION**

19. The risk identification and categorisation relies on the City’s Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Not adopting the draft Outline Development Plan will prevent the development of the land, as the requirements of Clause 5.5 of Town Planning Scheme No. 3 would not be fulfilled.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Mitigation is entirely dependent on Council’s decision.</i>

**FINANCIAL IMPLICATIONS**

20. The appropriate planning fee has been received and staff have processed the application within existing budget lines.

21. Subdivision in accordance with this Outline Development Plan will have additional financial implications for the City of Albany. The cost of this development is unknown, as the detailed engineering design will be completed at the subdivision stage, but are likely to be significant. The financial costs to the City will necessarily include regular maintenance, and end of life renewal costs. The road and drainage infrastructure as well as Public Open Space areas are provided by the developer at the time of subdivision and maintained by them for a fixed period of time. The initial maintenance when the infrastructure is new is generally minimal. However, after the initial period the ongoing maintenance and replacement responsibility is transferred to the City.

**LEGAL IMPLICATIONS**

22. There are no legal implications in relation to this item.

**ALTERNATE OPTIONS**

23. Council has the following options:

- Adopt the draft Outline Development Plan for the purpose of public advertising, without modification;
- Adopt the draft Outline Development Plan for the purpose of public advertising, subject to modification; or
- Not adopt the draft Outline Development Plan for the purpose of public advertising.

**SUMMARY CONCLUSION**

24. The adoption of the draft Outline Development Plan will be necessary to address the requirements of Clause 5.5 of Town Planning Scheme No. 3.
25. The draft Precinct Plan is consistent with the objectives of the *Albany Local Planning Strategy* and State Planning Policies 1 and 3. It is therefore considered appropriate that Council adopts the draft Outline Development Plan for the purpose of public advertising.

<b>Consulted References</b>	WA Planning Commission (WAPC) State Planning Policy (SPP's) SPP1 & SPP 3
<b>File Number (Name of Ward)</b>	ODP010 (West Ward)