

DEVELOPMENT GUIDE PLAN

**LOTS 870, 876 & 877 JOHN STREET
LOTS 873-875 MORRIS ROAD
MILPARA**

PREPARED FOR HYSNEX PTY LTD

JULY 2011

ENDORSEMENT PAGE

This structure plan is prepared under the provisions of the City of Albany Local
Planning Scheme No. 2

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE
WESTERN AUSTRALIAN PLANNING COMMISSION ON:

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1 INTRODUCTION

1.1 Applicability

The Development Guide Plan (DGP) applies to Lots 870, 867 and 877 John Street and Lots 873 – 875 Morris Road, Milpara (herein referred to as the 'DGP Site')

1.2 Intent

The intent of the DGP is to allow for the development of the DGP Site for industrial land uses, in accordance with the requirements implemented within Amendment No.285 to the City of Albany Town Planning Scheme No.3 (TPS 3).

1.3 Outcomes

The Development Guide Plan seeks to ensure that future subdivision and development of the site for industrial uses shall have regard to the following issues:

- Connection of appropriate services, including water and sewer;
- Connection to local and neighbourhood movement networks and pedestrian and cycling networks;
- Retention and protection of remnant vegetation and priority species;
- Suitable setback of development to surrounding sensitive land uses, including residential houses and other uses (including provision of landscaping buffers);
- Appropriate management of run-off and drainage implications of industrial development; and
- Appropriate fire management, with particular respect of vegetation to be retained and protected.

2 HISTORY

2.1 Amendment No.285 (3)

Amendment No.285 (3) to City of Albany Town Planning Scheme No.3 (TPS 3) is currently awaiting modifications to the Scheme Amendment as requested by the Minister for Planning. Upon receipt of the modifications by the City of Albany, the Amendment No. 285 (3) will be referred to the Minister for Planning for Final Approval.

The purpose of Amendment No.285 (3) is to rezone the DGP Site from 'Rural' to 'Light Industrial' by the City of Albany Town Planning Scheme No.3. Importantly, the Amendment implements the requirement for the adoption and endorsement of a DGP prior to the subdivision and/or development of the DGP Site.

During the Amendment process, the Western Australian Planning Commission (WAPC) originally requested that the Precinct Plan be included within the Amendment. However, upon their subsequent review and consideration of the draft DGP to be re-advertised by the City of Albany, it was decided that both the Precinct Plan and DGP would be included within the Amendment documentation to detail the intent of the subdivision and development proposed in the DGP Site.



2.2 Previous Development Guide Plan

The current DGP has resulted from a high degree of liaison and consultation by the relevant State and Local Government authorities and agencies, which has occurred during the Amendment process. When Amendment No.285 (3) was originally submitted with the City of Albany, it also included a DGP for the DGP Site. Previous versions of the DGP sought the following:

- The proposed full development of Lot 870, with remnant vegetation to be included within roads reserves and lots where possible to minimise clearing;
- Lot sizes between 1,800 – 2,200sqm;
- All access to the DGP Site to be from John Street and Rufus Street; and
- A reduced Precinct A to address land use separation and buffers associated with surrounding residential and other sensitive land uses to the proposed industrial development.

The DGP has already been advertised as part of the Amendment process. A number of the outcomes proposed in the previous DGP were not acceptable to various State Government authorities and agencies. The current form of the DGP reflects those submissions received (and subsequent consultation between respective State and Local Government authorities and agencies) during the Amendment process.

The current form of the DGP reflects that which is to be approved as part of Amendment No.285 (3). Originally, the Amendment was only to include a Precinct Plan. However, upon reflection and on the advice of the WAPC, it was necessary to include a DGP to show the intent for the industrial development of the DGP Site within the Amendment.

3 OVERARCHING DOCUMENTS

3.1 City of Albany Town Planning Scheme No.3

City of Albany Town Planning Scheme No.3 provides all of the requirements for the future subdivision and development of the site. As outlined in Section 3.2 below, the City of Albany Town Planning Scheme No.3 is currently being amended through Amendment No.285 to implement specific controls applicable to the site and ensure the future light industrial development of the site takes into account a number of key constraints, as further outlined in this document.

3.2 Amendment No.285 (3) to City of Albany Town Planning Scheme No.3

As identified earlier, Amendment No.285 to City of Albany (TPS 3) is currently awaiting modifications to the Scheme Amendment as requested by the Minister for Planning. This Amendment implements Clause 5.28 within the Scheme, as well as Schedule VII, which implements specific conditions relating to the development of Light Industrial zones. The site is identified as Light Industrial Zone No.1. The Special Provisions require that subdivision and development of the DGP Site shall generally be in accordance with a DGP endorsed by the Chief Executive Officer and endorsed by the WAPC. The purpose of this DGP is to meet this requirement.



Most pertinent to this DGP are the requirements outlined in Special Provision 2 b), which state:

- The Development Guide Plan is to have regard to the following:
 - The proposed road layout and impacts on the district distributor road system;
 - The requirement for a north-south neighbourhood connector;
 - Restrictions on vehicular access;
 - The proposed pedestrian and cycling layout and impacts on the existing network;
 - Topographic conditions, particularly drainage implications;
 - Landscaping and re-vegetation requirements;
 - Distribution of uses; and
 - Designation of Development Exclusion Zone – 'Vegetation Retention and Protection' and 'Landscape Buffer'.

Also outlined in the Special Provisions of Light Industrial Zone No.1 is the permissibility of uses, which is defined by Precincts. Included within Amendment No.285 is a Precinct Plan. This plan delineates the types of industrial development that can occur within the rezoning area. The predominant purpose of the Precinct Plan is to implement sufficient buffers from industrial land uses to the surrounding 'Residential' zoned land, located opposite on Morris Road and neighbouring the western boundary of the site. Therefore, within Precinct A, potential land uses are more limited and subject to greater controls than the uses that can occur within Precinct B. Future subdivision and/or development of the DGP shall be consistent with the permissibility uses identified by the Precinct Plan and adopted by the WAPC and City of Albany.

4 DEVELOPMENT GUIDE PLAN

The Development Guide Plan which has been reviewed and considered acceptable by the City of Albany and WAPC is attached to this document. The DGP is proposed to be re-advertised following Council approval.

4.1 Lot Sizes

As depicted on the DGP, it is proposed to have lot sizes varying between 2,000 – 2,500sqm. The size of the lots will be dependent on market demand and proposed land uses. Lots are to have a minimum width of 28m, which has been determined as the minimum width suitable for the effective use of industrial lots.

4.2 Staging

Subdivision and development of the DGP site will occur in Lots 870 and 877 in the first instance. The subdivision of the remainder of the DGP Site will occur in a westerly then northerly direction. Subdivision applications for the whole DGP site will be required to demonstrate proposed staging applicable to the industrial development.

4.3 Servicing

All subdivision and/or development that occurs on the DGP Site will be required to be connected to reticulated water, sewer, telecommunications and electricity. Liaison will occur with service providers as to the required upgrades to



infrastructure required to service future subdivision and development of the DGP Site at the time of subdivision.

4.4 Road Layout and Connectivity

During the Amendment process, liaison has occurred with the City of Albany, WAPC and Main Roads Western Australia regarding the road layout for future subdivision and development on the DGP Site. A Traffic Impact Study has been prepared to support the DGP and has been endorsed by the City of Albany.

4.4.1 Internal Road Network

The internal road reserves are proposed to be 20m in width, with a constructed surface to the engineering standards of the City of Albany. Intersections have been designed to incorporate a 20m corner radius. Temporary cul-de-sacs are proposed on the eastern boundary of the property, with a turning radius of 9m. The single permanent cul-de-sac included on Lot 873 is to have a minimum radius of 18m.

Restrictions on vehicular access have been imposed on specific sections of the DGP (refer to attached plan).

4.4.2 External Road Network

In the short to medium term, all access to the DGP Site will be from John Street. As development extends to the north of the DGP Site, liaison will be required to occur with the City of Albany as to whether it supports the construction of the connection through to Henry Street via Want Street.

Contributions to and upgrades of the road network will be discussed with the City of Albany and Main Roads Western Australia at the time of subdivision

4.4.3 Road Connections

Provision has been made on the DGP for the development of the 'Future Neighbourhood Connector'. This will connect through the DGP Site from the intersection of Morris Road/Want Street and to the southwest corner of the DGP Site, with a future connection to be constructed to Newbey Street. The purpose of this connection is to reduce use of the John Street/Chester Pass Road intersection, which is not constructed to an appropriate standard.

However the Council resolved that the following notation should be identified on the DGP:

"Continuation of north-south distributor to connect with Henry Street, through Want Street, will be considered at a later stage after a traffic study addressing the local traffic impacts are undertaken which includes extensive public consultation. In the interim period the area of road reserve north of the cul-de-sac head should be planted as per the adjacent landscape buffer, and include a barrier to prevent vehicles accessing the subject land from Morris Street (a dual use path to accommodated pedestrian access may be required as a condition of subdivision)".

Contribution to the upgrades and construction of the external road network will be discussed with the City of Albany and Main Roads Western Australia at the time of subdivision.

4.5 Pedestrian and Cycling Connectivity

The DGP identifies an indicative cycling and pedestrian layout for the site. The following pedestrian and cycling network is proposed:



- 2.5m wide Shared Use Path (SUP) to be constructed on John Street from Chester Pass Road to the western boundary of the DGP Site. The intent of this SUP is to provide connectivity to the regional path network for cycling access; and
- 1.5m footpaths to be constructed where depicted on the DGP. The intent of this network will be provide local pedestrian access to proposed lots on main internal roads.

It is believed that the proposed pedestrian and cycling network will traffic conflict and ensure good connectivity throughout the DGP Site.

4.6 Drainage and Water Management

An Industrial Water Management Strategy was submitted with Amendment No.285 to TPS 3. All drainage and water management is to be undertaken in accordance with the recommendations of the Industrial Water Management Strategy, which included:

- Water quality is improved/maintained relative to pre-development standards;
- 1:1 yr ARI, 1:10 yr ARI and 1:100yr ARI post development events are attenuated on the site and released as per pre-development and existing stormwater infrastructure downstream;
- Rainwater tanks be plumbed to buildings for non-potable water use;
- Retain the health of natural drainage systems and protect ecosystem health;
- Ensure that stormwater systems are designed for easy maintenance;
- Protect building from flooding and waterlogging;
- Revegetation of buffer zones to improve amenity and provide separation to industrial land uses; and
- Implement a Construction Management Plan at the time of subdivision and/or development to ensure that environmental risks are mitigated during the construction process.
- As per the requirements of the DGP, drainage requirements will further investigated during the subdivision and development processes, as per the requirements of the Industrial Water Management Strategy.

An Industrial Water Management Plan (or Urban Water Management Plan) will be required to be submitted with any subdivision application for the DGP Site, in accordance with the requirements of the Department of Water's Better Urban Water Management guidelines.

4.7 Buffers to Sensitive Land Uses

A Technical Buffer Assessment has been prepared and included within Amendment No.285 (3) to TPS 3. The Technical Buffer Assessment had the following recommendations in relation to the industrial development of the DGP Site:

- A recommended buffer distance of 150m to adjoining residential land uses in which light industrial uses will be limited to those uses which have limited odour, dust and noise emissions; and
- A fully vegetated buffer is implemented between light industrial uses and residential land uses, to be a minimum of 30m in width.

To implement the recommendations of the Technical Buffer Assessment, the following measures have been implemented within the DGP:

- A 'Development Exclusion Zone – Landscape Buffer' adjoins the northern and western boundaries of the DGP Site. The total setback to residential land uses is to be 40m in width. 20m of the buffer will be fully vegetated



in most circumstances, with the remainder of the buffer composed of road reserve and associated infrastructure. The 'Development Exclusion Zone – Landscape Buffer' is discussed in **Section 4.9** of this report; and

- Two development Precincts, Precinct A and Precinct B are denoted on the DGP. Development within these Precincts will be required to be in accordance with the requirements of City of Albany Town Planning Scheme No.3. Development within Precinct A is subject to a greater degree of limitations resultant from the need to buffer adjoining/nearby residential land uses. Precinct B is setback in excess of 150m and is subject to lesser restrictions, but will still be developed for light industrial land uses. This setback reflects the minimum 150m setback recommended by Opus International Consultants in its Technical Buffer Assessment.

The DGP seeks to implement sufficient buffers to the surrounding residential development and other sensitive land uses.

4.8 Vegetation Retention and Protection

A Flora and Fauna Assessment (including a Spring Survey) has been prepared for this DGP and has been endorsed by the City of Albany. Additional information was requested by the WAPC in relation to the protection of Lot 870 and as a result of this request, an onsite meeting was held with the relevant agencies to determine the significance and presence of remnant vegetation and priority species in Lot 870. Further liaison occurred between Bio Diverse Solutions, the Department of Environment and Conservation (DEC), WAPC and the City of Albany to address the following issues:

- The need to protect Declared Rare Flora Priority 4 species *Stylidium plantagineum*;
- The need to protect good quality vegetation; and
- The need to establish an environmental corridor to link remnant vegetation and priority species on Lot 870 to large remnant vegetation areas to the south.

To address the requirements of the Flora and Fauna Survey (and Spring Survey), the DGP proposes to implement the following measures:

- The implementation of the 'Development Exclusion Zone – Vegetation Retention and Protection'. This zone incorporates the majority of Declared Rare Flora Priority 4 species *Stylidium plantagineum* and a large area of good quality vegetation on Lot 870;
- The 'Development Exclusion Zone – Vegetation Retention and Protection' also extends to the south through Lot 870. This forms an environmental corridor linking with larger areas of remnant vegetation to the south;
- During the subdivision and/or development process the 'Development Exclusion Zone – Vegetation Retention and Protection' will be required to be demarcated prior to works occurring; and
- During the subdivision and/or development processes, it is encouraged that remnant trees, vegetation and priority species are retained in road verges, landscaping etc. However, this is not mandatory.

Whilst the Amendment has been endorsed by the City of Albany, final approval of the Amendment is yet to occur, subject to receipt of the requested modifications by the Minister for Planning.



4.9 Landscaping

It is also proposed to include a 'Development Exclusion Zone – Landscape Buffer' in the DPG site. This land is required to be revegetated with endemic species at the time of future subdivision and/or development. The purpose of the buffer is to provide suitable setbacks to the adjoining/adjacent residential and other sensitive land uses. The tenure of this land will be as follows:

- Where possible, the landscape buffer will be included within individual lots and demarcated at the time of subdivision and/or development. Management of the land will then be required by the owner of the future lots; and
- In circumstances where the land cannot be tied to a specific lot, it will be ceded to the Crown free of cost and vested in the City of Albany for future management. This generally applies to the areas of the landscape buffer included on the western boundary of the DGP Site.

In addition to the 'Development Exclusion Zone – Landscape Buffer', future industrial uses will be required to implement landscaping on individual lots and street verges in accordance with the requirements of the City of Albany Town Planning Scheme No.3 or any future Planning Scheme superceding it.

4.10 Fire Management

During the preparation of Amendment No.285 (3) some concerns were raised regarding the fire management of the DGP Site, with particular regard to Lot 870 and surrounds. Should a Fire Management Plan be required to be prepared at the subdivision to address these concerns, this can be undertaken. A Fire Management Plan will be prepared should an approval be forthcoming at the time of subdivision.

5 CONCLUSION

The purpose of this DGP is to describe and outline the requirements applicable to the subdivision and/or development of the DGP Site. It seeks to ensure that future industrial development on the DGP Site is consistent with surrounding land uses and leads to a high quality outcome for future development. As per the requirements outlined on the DGP (refer to attached plan), subdivision and/or development shall have regard to the following:

- a) All lots to be connected to reticulated water and sewer, electricity and telecommunications;
- b) Appropriate setbacks to residential development and other sensitive land uses to be provided within the industrial development;
- c) Appropriate management of urban water run-off and drainage within the industrial development;
- d) Appropriate fire management principles and mechanisms, including minimising impacts upon Vegetation Retention and Protection Zones, to be implemented within the industrial development;
- e) Vehicular/movement network (local and neighbourhood level), including pedestrian and cycling connections to be provided within and beyond the industrial development;
- f) The 'Development Exclusion Zone – Vegetation Retention and Protection' and 'Development Exclusion Zone – Landscape Buffer' to be surveyed and



demarcated prior to subdivision and/or development. No further development and clearing will be permitted in these areas;

- g) The protection of remnant vegetation outside Development Exclusion Zones in road reserves and within lots wherever practicable;
- h) The protection and maintenance of an ecological corridor through the 'Development Exclusion Zone - Vegetation Retention and Protection';
- i) Building finished floor levels to be in accordance with the City of Albany Subdivision Guidelines (2009); and
- j) Landscaping requirements for individual industrial lots to be in accordance with the City of Albany Town Planning Scheme No. 3, or any future Planning Scheme superseding it.

A notation will also be included on the DGP as follows:

"Continuation of north-south distributor to connect with Henry Street, through Want Street, will be considered at a later stage after a traffic study addressing the local traffic impacts are undertaken which includes extensive public consultation. In the interim period the area of road reserve north of the cul-de-sac head should be planted as per the adjacent landscape buffer, and include a barrier to prevent vehicles accessing the subject land from Morris Street (a dual use path to accommodated pedestrian access may be required as a condition of subdivision)".

In accordance with the requirements outlined in City of Albany Town Planning Scheme No.3, it is respectfully requested that the DGP is adopted by the City of Albany and endorsed by the WAPC.

