

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

Attendance

Members

Mayor Carol Adams	Local Government nominee
Ms Sue Burrows	Nominee of the Director General, Department of Planning
Mr Henty Farrar	Regional Minister's nominee
Mr Ian Holloway	Professional representative
Mr Eric Lumsden	Director General, Department of Planning (Presiding Member)
Cr Corinne MacRae	WAPC nominee (Presiding Member Item 9.6 only)

Officers

Mr Chris Bebich	Planning Manager, Murdoch Activity Centre
Ms Natalie Cox	A/g Planning Manager Schemes and Amendment
Mr Rob Cull	Senior Planner Metro Planning North East
Mr Chris Hair	Principal Urban Designer
Mr Mat Selby	Planning Director Metropolitan Planning Central
Mr Mark Szabo	A/g Director Schemes and Appeals
Mr Nick Welch	Senior Planning Officer Regional Planning and Strategy

Presenters

Mr Jeff Breen	Chief Executive Officer, Shire of Ashburton (Item 6.2)
Mr Len Buckeridge	Builder / Architect (Item 6.1)
Dr Mews	Owner (Item 6.1)
Mr Simon O'Hara	Statewest Surveying and Planning for Landowner (Item 6.3)
Mr Rob Paull	Planning Consultant Shire of Ashburton (Item 6.2)
Ms Gloria Posselt	Landowner (Item 6.3)
Mr Greg Rowe	Town Planning Consultant (Item 6.1)
Mr Ray Thomas	Landowner's Partner (Item 6.3)

Committee Support

Ms Christina Sanders	Committee Support Officer - Department of Planning
----------------------	--

Due to the absence of the Presiding Member and in accordance with clause 3.6 of the Standing Orders 2009, a member was chosen to preside over the meeting.

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

**Cr MacRae nominated Mr Lumsden.
Mr Lumsden accepted the nomination.**

Resolved

Moved by Cr MacRae, seconded by Mayor Adams

That Mr Lumsden preside over the meeting of the Statutory Planning Committee in the absence of the Presiding Member.

The motion was put and carried.

7447.1 Declaration of Opening

The Presiding Member declared the meeting open at 10.04 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7447.2 Apologies

Ms Elizabeth Taylor Community representative

7447.3 Members on Leave of Absence and Applications for Leave of Absence

Mr Prattley has submitted application for a leave of absence for the Statutory Planning Committee meeting scheduled for 25 October 2011.

The motion was put and carried.

7447.4 Disclosure of Interests

Mr Lumsden advised that he had had a meeting with Mr Greg Rowe regarding the item relating to subdivision to create two lots for residential purpose – Lot 136 Brockman Avenue, Dalkeith (Item 10.7 in the Agenda papers). He noted that he would remain for the deputation on this item at item 6.1, but would leave the room during discussion and resolution of that item.

[Please note that Item 10.7 was incorrectly allocated as a Confidential item and has been moved to Item 9.6 in the Non-Confidential section.]

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Sue Burrows	9.6	13	Impartiality

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

Ms Burrows noted that she had provided administrative advice to the consultant as to which officer and section of the organisation would be dealing with the application for Lot 136 Brockman Avenue, Dalkeith.

Resolved

Moved by Mayor Adams, seconded by Cr MacRae

In accordance with clause 6.10(7) of the Standing Orders 2009, members of the Statutory Planning Committee agree that the member listed above, who has disclosed an impartiality interest, is permitted to participate in discussion and voting on the item.

The motion was put and carried.

7447.5 Declaration of Due Consideration

No declarations were made.

7447.6 Deputations and Presentations

7447.6.1 Subdivision to Create 2 Lot(s) for Residential Purpose - Lot 136 Brockman Avenue, Dalkeith

Presenters Mr Greg Rowe
Dr Mews

Mr Rowe spoke on the town planning aspects relating to the above subdivision application and outlined the reasons he believes that the subdivision of Lot 136 Brockman Avenue, Dalkeith should be approved. He tabled additional documentation, a copy of which has been placed on file.

Dr Mews added her personal reasons for seeking the application for the subdivision.

Mr Lumsden left the meeting at 10.19 am following the deputation.

**Mr Henty nominated Cr MacRae as temporary Chair.
Cr MacRae accepted the nomination.**

Resolved

Moved by Mr Farrar, seconded by Ms Burrows

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

That Cr MacRae preside over the meeting of the Statutory Planning Committee in the absence of the Presiding Member for Item 9.6 of the Agenda.

The motion was put and carried.

Moved to Item 9.6.

**7447.6.2 Ashburton North Strategic Industrial Area (ANSIA)
Structure Plan and Shire of Ashburton Amendment
10**

Presenters Mr Jeff Breen
 Mr Rob Paull

Mr Lumsden returned at 10.32 am and resumed the Chair.

Mr Jeff Breen and Mr Rob Paul gave a presentation on the ANSIA Structure Plan and Shire of Ashburton Amendment 10.

A copy of the presentation has been placed on file.

**7447.6.3 Shire of Northam Local Planning Scheme No. 3
Amendment No. 28 – For Final Approval**

Presenters Mr Simon O'Hara
 Ms Gloria Posselt
 Mr Ray Thomas

Ms Posselt gave a brief history of the property that has been in her family for a number of years and the impact that road developments have had on the land. She tabled four additional documents, copies of which have been placed on file.

Mr Thomas and Mr O'Hara provided further detail in support of the case for rezoning the land and against the recommended buffer.

Following questions from Committee Members, Mr O'Hara undertook to provide the response from the Civil Aviation Safety Authority regarding the required clear zones.

**7447.7 Announcements by the Chairperson of the Board and
communication from the WAPC**

Nil.

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

7447.8 Confirmation of Minutes

7447.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 11 October 2011

Resolved

Moved by Cr MacRae, seconded by Mayor Adams

That the minutes of the Statutory Planning Committee meeting held on Tuesday 11 October 2011, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7447.9 Reports

7447.9.1 Murdoch Activity Centre Main Street and Mixed Use Precinct Detailed Area Plan and Design Guidelines

File SPN/0277 & 755/02/17/0004P0003
Report Number SPC/53
Agenda Part A
Reporting Officer Planning Manager Murdoch Activity Centre

An amended recommendation was tabled and a copy has been placed on file, together with a copy of the powerpoint presentation prepared by Mr Bebich. Mr Bebich noted that the changed recommendation was required to remove outdated plans.

Resolved

Moved by Mr Holloway, seconded by Cr MacRae

That the Western Australian Planning Commission resolves to endorse the:

- (i) *Murdoch Activity Centre Main Street and Mixed Use Precinct Design Guidelines: Background and Detailed Area Plan Report (October 2011) subject to removing text references to preliminary staging plans in Chapter 5 – Proposed Staging and Development – and*

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

*removing the preliminary
staging plans in Appendix C;*

- (ii) *Murdoch Activity Centre Mixed
Use Precinct and Main Street
Design Guidelines (October
2011);*

*to guide planning and development of the
area.*

The motion was put and carried.

7447.9.2

Endorsement of Outline Development Plan – Lot 14 Murray River Drive, South Yunderup

File SPN/0267/1
Report Number SPC/54
Agenda Part C
Reporting Officer Planning Manager, Peel

Officer's Recommendation

That the Western Australian Planning Commission
resolves to:

1. endorse a modified version of the Outline
Development Plan for Lot 14 Murray River Drive,
South Yunderup (plan no 2163-12G-01) dated 7
October 2011 (Attachment 4) subject to the
following modification:
 - a) an additional provision being added to the
Outline Development Plan identifying the
requirement to prepare and implement a
Mosquito Management Plan as a condition of
subdivision approval to the satisfaction and
specification of the Shire of Murray;
2. advise the Shire of Murray of its decision and further
advise that the endorsed Outline Development Plan
has been simplified to consist of a single annotated
plan, rather than comprising numerous additional
statutory provisions that need to be cross-
referenced in a separate report.

Resolved

Moved by Ms Burrows, seconded by Cr MacRae

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

That the Western Australian Planning Commission resolves to:

1. *endorse a modified version of the Outline Development Plan for Lot 14 Murray River Drive, South Yunderup (plan no 2163-12G-01) dated 7 October 2011 (Attachment 4) subject to the following modification:*
 - a) *an additional provision being added to the Outline Development Plan identifying the requirement to prepare and implement a Mosquito Management Plan as a condition of subdivision approval to the satisfaction and specification of the Shire of Murray;*
 - b) *an additional provision relating to cash in lieu be noted on the Outline Development Plan;*
2. *advise the Shire of Murray of its decision and further advise that the endorsed Outline Development Plan has been simplified to consist of a single annotated plan, rather than comprising numerous additional statutory provisions that need to be cross-referenced in a separate report.*

The motion was put and carried.

7447.9.3

Endorsement of Caversham Local Structure Plan

File	SPN/0202/1
Report Number	SPC/55
Agenda Part	C
Reporting Officer	Planning officer

Officer's Recommendation

That the Western Australian Planning Commission resolves to:

1. endorse the Caversham Structure Plan, subject to the schedule of modifications as follows:

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

- Structure plan annotation 4 to be modified to refer to the current 500 metre buffer, measured from the windrow on site. Annotation 4(b) is not supported by the WAPC and is required to be deleted.
 - a) The proposed buffer to the Willorraine Poultry Farm on Lots 12 & 13 Bennett Street to be increased to 500 metres, measured from the cadastral boundary.
 - b) Structure plan annotation 6 to be modified to refer to the 500 metre buffer, measured from the cadastral boundary of the poultry farm. Annotation 6(b) is not supported by the WAPC and is required to be deleted.
 - c) The POS schedule depicted on the structure plan is to be removed. A POS schedule in accordance with Table 11 of Liveable Neighbourhoods is to be prepared and included in the text of the structure plan document.
 - d) The location and distribution of POS is to be reviewed. POS areas shown adjacent to the Reid Highway, and backing onto residential land are not supported due to poor access, amenity and functionality.
- The structure plan legend is to be modified to introduce a reference to the boundary of the 30 metre deep building envelope depicted on the transition lots.
- The deductions from the gross subdivisible area are to be modified as follows:
 - * The area of the transition lots comprising the 30 metre deep building envelope is not supported as a deduction from the gross subdivisible area. The area of the transition lots outside the 30 metre deep building envelope is supported as a deduction from the gross subdivisible area.
 - * The structure plan is to be annotated to state that if in future the area of the transition lots that is outside the 30 metre

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

building envelope becomes available for development, then a POS contribution will be required for this area of land.

- The areas of POS & drainage located adjacent to Waldeck Road (shown hatched on the structure plan) are not considered to perform any recreation function and are to be depicted only as drainage.
 - The proponent is to formalise the memorandum of understanding between the City of Swan and the Department of Education prior to the Western Australian Commission's final endorsement of the Caversham structure plan;
2. note the technical appendices accompanying the Caversham structure plan as supporting documents to guide the assessment of subdivision and development for this area;
 3. advise the City of Swan of its decision accordingly.

Resolved

Moved by Mr Holloway, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to:

1. *endorse the Caversham Structure Plan, subject to the schedule of modifications as follows:*
 - *Structure plan annotation 4 to be modified to refer to the current 500 metre buffer, measured from the windrow on site. Annotation 4(b) is not supported by the WAPC and is required to be deleted.*
 - a) *The proposed buffer to the Willorraine Poultry Farm on Lots 12 & 13 Bennett Street to be increased to 500 metres, measured from the cadastral boundary.*

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

- b) *Structure plan annotation 6 to be modified to refer to the 500 metre buffer, measured from the cadastral boundary of the poultry farm. Annotation 6(b) is not supported by the WAPC and is required to be deleted.*
- c) *The POS schedule depicted on the structure plan is to be removed. A POS schedule in accordance with Table 11 of Liveable Neighbourhoods is to be prepared and included in the text of the structure plan document.*
- d) *The location and distribution of POS is to be reviewed. POS areas shown adjacent to the Reid Highway, and backing onto residential land are not supported due to poor access, amenity and functionality.*
- *The structure plan legend is to be modified to introduce a reference to the boundary of the 30 metre deep building envelope depicted on the transition lots.*
 - *The deductions from the gross subdivisible area are to be modified as follows:*
 - * The area of the transition lots comprising the 30 metre deep building envelope is not supported as a deduction from the gross subdivisible area. The area of the transition lots outside the 30 metre deep building envelope is supported as a deduction from the gross subdivisible area.*
 - * The structure plan is to be annotated to state that if in*

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

future the area of the transition lots that is outside the 30 metre building envelope becomes available for development, then a POS contribution will be required for this area of land.

- *The areas of POS & drainage located adjacent to Waldeck Road (shown hatched on the structure plan) are not considered to perform any recreation function and are to be depicted only as drainage.*
- *The proponent is to formalise the memorandum of understanding between the City of Swan and the Department of Education or provide letters of intent prior to the Western Australian Commission's final endorsement of the Caversham structure plan;*

2. *note the technical appendices accompanying the Caversham structure plan as supporting documents to guide the assessment of subdivision and development for this area;*
3. *advise the City of Swan of its decision accordingly;*
4. *in consideration of the Structure Plan the Committee notes with concern the visual impact of the fence, but notes the City of Swan supports the Structure Plan, so it should satisfy itself as to the visual impact.*

The motion was put and carried.

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

7447.9.4

Development Application for the Demolition of a Single Storey Dwelling and Construction of a Replacement Two Storey Dwelling - Lot 323 Starling Street Hamilton Hill

File 23-50395-1
Report Number SPC/56
Agenda Part G
Reporting Officer Planning Manager Metro Planning South West

Resolved

Moved by Cr MacRae, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to refuse the development application to demolish a single storey dwelling and construction of a replacement two storey dwelling at Lot 323 Starling Street Hamilton Hill for the following reasons:

1. *the subject land is largely reserved 'Primary Regional Roads' (Roe Highway) in the Metropolitan Region Scheme. The proposed residential development is inconsistent with this reservation;*
2. *the proposed development is contrary to the orderly and proper planning for the Roe Highway Stage 9.*

The motion was put and carried.

7447.9.5

Endorsement of Ashburton North Strategic Industrial Area Structure Plan

File TPS/0474
Report Number SPC/57
Agenda Part G
Reporting Officer A/Director Northern Regions

Resolved

Moved by Mr Farrar, seconded by Mr Holloway

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

That the Western Australian Planning Commission resolves to endorse the Ashburton North Strategic Industrial Area Structure Plan (ANSIA Structure Plan) as modified by the Shire of Ashburton.

The motion was put and carried.

Moved to item 10.1.

7447.9.6 Subdivision to Create 2 Lot(s) for Residential Purpose - Lot 136 Brockman Avenue, Dalkeith

File 144461
Report Number SPC/64
Agenda Part H
Reporting Officer Planning Manager, Metropolitan Central

Resolved

Moved by Cr MacRae, seconded by Mr Farrar

That the Western Australian Planning Commission resolves to refuse the application for subdivision of Lot 136 Brockman Avenue, Dalkeith for the following reasons:

1. *the proposed subdivision does not comply with the City of Nedlands Town Planning Scheme No. 2 and WAPC DC Policy DC 2.2 (Residential Subdivision) by reason of the proposed minimum and average lot sizes being below the site area requirements under the R10 Residential Density Code that applies to the subject land;*
2. *approval to the proposed subdivision would set an undesirable precedent for subdivision of similar lots in the locality.*

The motion was put and carried.

Mayor Adams voted against the motion.

Moved to Item 6.2.

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

7447.10 Confidential Items

**7447.10.1 City of Cockburn - Town Planning Scheme No.3
Amendment No.83 - For Final Approval**

File TPS/0242
Report Number SPC/58
Agenda Part B
Reporting Officer A/Planning Manager, Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

**7447.10.2 City of Nedlands - Town Planning Scheme No.2
Amendment No.192 - For Final Approval Following
Readvertising**

File TPS/0283
Report Number SPC/59
Agenda Part B
Reporting Officer A/Planning Manager, Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

**7447.10.3 City of Albany - Local Planning Scheme Amendment
No 161 - For Final Approval**

File TPS/0442/1
Report Number SPC/60
Agenda Part E
Reporting Officer Planning Manager

THIS ITEM IS CONFIDENTIAL

**7447.10.4 Shire of Northam - Local Planning Scheme No 3
Amendment 28 For Final Approval**

File TPS/0447/1
Report Number SPC/61
Agenda Part E
Reporting Officer Director, Southern Regions

THIS ITEM IS CONFIDENTIAL

**7447.10.5 Shire of Ashburton Local Planning Scheme No. 7 -
Local Planning Scheme Amendment No. 10 - For
Final Approval**

File TPS/0474
Report Number SPC/62
Agenda Part G
Reporting Officer A/Director Northern Regions

Statutory Planning Committee

Minutes
of ordinary meeting 7447
held on Tuesday 25 October 2011

THIS ITEM IS CONFIDENTIAL

7447.10.6 Endorsement of Local Structure Plan: Lot 510 and Pt Lot 511 Kurra Street, Newman

File 388-11
Report Number SPC/63
Agenda Part H
Reporting Officer Director Northern Regions

THIS ITEM IS CONFIDENTIAL

7447.11 General Business

Nil.

7447.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7348	<i>Directions 2031</i>	Planning Director – <i>Directions 2031</i> to brief the Committee following the workshop held on 3 October 2011.	Oct / Nov 2011

7447.13 Closure

The next ordinary meeting is scheduled for 10.00 am on Tuesday 8 November 2011.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 12.11 pm.

PRESIDING MEMBER _____

DATE _____