

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

Attendance

Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member)
	Director General, Department of Planning
Mayor Carol Adams	Local government representative
Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	WAPC appointee
Mr Henty Farrar	Nominee of the Regional Minister
Mr Ian Holloway	Professions representative
Ms Elizabeth Taylor	Community representative

Officers

Ms Pam Baskin	Department of Planning Planning Manager, Regional Policy and Strategy (Item 10.7)
Ms Gemma Basley	Senior Planner, Perth and Peel Planning (Item 9.2)
Mr Shau Chong	Planning Manager, Perth and Peel Planning (Items 6.2 and 10.6)
Ms Natalie Cox	Planning Manager, Perth and Peel Planning (Items 6.1, 6.2, 10.5, 10.6, 10.9 and 10.12)
Mr Paul Ellenbroek	Planning Manager, Strategy Policy and Projects (Items 10.2 and 10.4)
Mr Ben Harvey	Director, Strategy Policy (Items 10.1 and 10.3)
Ms Katherine Howard	Senior Planning Officer, Strategy Policy and Projects (Item 9.1)
Ms Cath Meaghan	Planning Director, Regional Planning and Strategy (Item 10.7)
Ms Vivienne Panizza	Planning Manager, Strategy Policy and Projects (Item 9.1)
Mr Emille Van Heyningen	Planning Manager, Perth and Peel Planning (Item 10.13)

Observers

Mr David Lane	Helcom Australia Pty Ltd (Item 6.1)
Mr John Symonds	Hanson Construction Materials Pty Ltd (Item 6.1)
Ms Carlie Eldridge	City of Vincent (Item 6.2)
Cr Dudley Maier	City of Vincent (Item 6.2)
Ms Daniella Mrdja	City of Vincent (Item 6.2)

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

Presenters

Mr Steve Allering	Allering & Associates (Item 6.1)
Hon Alannah MacTiernan	Mayor, City of Vincent (Item 6.2)
Mr Eugene Ferraro	Ferraro Planning and Development Consultancy (Item 6.3)
Mr Roy Trewarn	Mundaring Gospel Trust (Item 6.3)
Mr Bill Wallis	Mundaring Gospel Trust (Item 6.3)
Mr Steve Allering	Allering & Associates (Item 6.4)
Mr John Green	Helena Valley Residential Resorts Pty Ltd (Item 6.4)
Mr John Wood	Allering & Associates (Item 6.4)
Ms Susanne Webster	Property Owner (Item 6.5)
Mr Andrew Pawluk	West Coast Plan (Item 6.6)
Mr John Siamos	Georgiou Capital Pty Ltd (Item 6.6)
Committee Support	
Ms Kay Yamaguchi	Corporate Travel Officer
Ms Christina Sanders	Committee Support Officer - Department of Planning

7482.1 Declaration of Opening

The Presiding Member declared the meeting open at 9.02 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7482.2 Apologies

Nil.

7482.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

7482.4 Disclosure of Interests

Nil.

7482.5 Declaration of Due Consideration

No declarations were made.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.6 Deputations and Presentations

7482.6.1 **City of Vincent – Draft Local Planning Strategy and Local Planning Scheme No. 2 - For Consent to Advertise**

Presenter Steve Allering

Mr Steve Allering gave a powerpoint presentation seeking to ensure that the Draft City of Vincent Local Planning Strategy and Local Planning Scheme contain provisions that allow for the continued operations of the Hanson and Holcim concrete batching plants in East Perth indefinitely.

A copy of the presentation has been placed on file.

7482.6.2 **City of Vincent – Draft Local Planning Strategy and Local Planning Scheme No. 2 - For Consent to Advertise**

Presenter Alannah MacTiernan

The Hon Alannah MacTiernan gave a verbal presentation outlining the City's concerns relating to a number of proposed modifications to the Local Planning Scheme No. 2.

She tabled discussion notes for members' information which outlined the City's comments and recommendations on six of the proposed modifications.

A copy of the tabled notes has been placed on file.

7482.6.3 **Shire of Mundaring Draft Local Planning Strategy and Draft Local Planning Scheme No. 4 - For Final Approval**

Presenters Eugene Ferraro
Bill Wallis
Roy Trewarn

Messrs Ferraro, Wallis and Trewarn gave a powerpoint presentation opposing the recommendation by the Shire of Mundaring to dismiss submissions opposing the prohibition of places of worship in the Rural Residential Zone and tabled copies of the presentation for members' interest.

A copy of the presentation has been placed on file.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.6.4 Shire of Mundaring Draft Local Planning Strategy and Draft Local Planning Scheme No. 4 - For Final Approval

Presenters John Wood
Jon Green
Steve Allering

Messrs Wood, Green and Allering gave a verbal presentation outlining their support for a Special Use Zone and commented on the demand for lifestyle villages and housing affordability, including the need for a planning framework to support these.

482.6.5 Shire of Mundaring Draft Local Planning Strategy and Draft Local Planning Scheme No. 4 - For Final Approval

Presenter Susanne Webster

Ms Webster gave a powerpoint presentation on the above, requesting that her property is included in the rezoning regardless of any future subdivision.

Supplementary information had been forwarded to members prior to the meeting and Ms Webster tabled maps for members' information.

Copies of the presentation, supplementary information and tabled map have been placed on file.

7482.6.6 City of Swan Local Planning Scheme Amendment No.67 - For Final Approval

Presenters Andrew Pawluk
John Siamos

Messrs Pawluk and Siamos gave a powerpoint presentation outlining their support for Amendment 67 to the City of Swan Local Planning Scheme and the Additional Use amendment.

A briefing note had been circulated to members prior to the meeting.

Copies of the presentation and briefing note have been placed on file.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.7 Announcements by the Chairperson of the Board and communication from the WAPC

The Chairman advised that items 10.1 and 10.3 had been withdrawn from the Agenda, as they will be considered at the WAPC meeting later today.

The Chairman further advised that he had had discussions with the Hon Minister for Planning regarding budgets and has been directed by the Minister and Treasurer to look at the functions of the Department of Planning and the WAPC committees to rationalise costs and improve effectiveness. This will necessitate a change to the number and scheduling of meetings of WAPC committees (other than the WAPC itself) as follows:

- Regional Planning Committee meetings have been reduced to three per year and will occur mainly by teleconference or items dealt with out of session;
- The Infrastructure Coordination Committee meetings have been reduced from five to three per year;
- The Central Perth Planning Committee meetings have been reduced from five to three per year (or perhaps as required);
- The Statutory Planning Committee meetings have been reduced to three every six weeks commencing 1 July 2013. For example, there will be two SPC meetings in July (2nd and 4th Tuesday), one in August (2nd Tuesday), two in September, one in October etc;
- Changes are likely to also be made to the Executive, Finance & Property Committee meetings.

There will be cut backs on travel and an increase in delegations of authority on some items to officers, Executive Directors or the Director General to reduce the workload and administration tasks associated with WAPC committee meetings.

Members of all committees will receive formal notification shortly by mail.

7482.8 Confirmation of Minutes

7482.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 14 May 2013

Mr Farrar requested a change to the minutes under 7481.5 Declaration of Due Consideration and asked that the following wording replace the text that is currently in the minutes:

“Mr Farrar noted that he had not had sufficient time to read the schemes and amendments associated with the items under committee consideration.”

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

Resolved

Moved by Ms Taylor, seconded by Mayor Adams

1. *That the sentence under Item 7481.5 Declaration of Due Consideration be replaced with "Mr Farrar noted that he had not had sufficient time to read the schemes and amendments associated with the items under committee consideration."*
2. *That the minutes of the Statutory Planning Committee meeting held on Tuesday 14 May 2013 as amended, be confirmed as a true and correct record of the proceedings.*

The motion was put and carried.

7482.9 Reports

The Chair advised that, in accordance with the wishes of Statutory Planning Committee members, the following items would be fully discussed:

Item 9.1, 10.4, 10.6, 10.7, 10.9, 10.11 and 10.13.

All the recommendations associated with Items 9.2-9.5 inclusive, 10.2, 10.5, 10.8, 10.10 and 10.12 would be endorsed en bloc.

Items 10.1 and 10.3 had been withdrawn.

Resolved

Moved by Ms Burrows, seconded Mr Holloway

That the Western Australian Planning Commission resolves to endorse en bloc all recommendations associated with Items 9.2-9.5 inclusive, 10.2, 10.5, 10.8, 10.10 and 10.12.

The motion was put and carried.

Moved to Item 9.2.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.9.1

Update of Planning Bulletin 67: Guidelines for Wind Farm Development

File 553/01/01/0008
Report Number SPC/423
Agenda Part A
Reporting Officer Manager, Policy Coordination

Officer's Recommendation

That the Western Australian Planning Commission resolves to approve the updated Planning Bulletin 67: Guidelines for Wind Farm Development.

There was considerable discussion on this item and changes were requested to pages 28, 42, 51 of the Agenda papers.

Resolved

Moved by Mr Farrar, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to approve the updated Planning Bulletin 67: Guidelines for Wind Farm Development, subject to

- 1. the changes requested to pages 28, 42 and 51 of the Agenda papers; and*
- 2. tenure arrangements for development of a wind farm, for example leasehold, easement, freehold subdivision or other options, be considered.*

The motion was put and carried.

The votes were recorded as follows:

***For: Mayor Adams, Ms Burrows,
Mr Farrar, Ms Taylor***

Against: Ms Bartle, Mr Holloway

There was further discussion on the content of the bulletin including the impact of wind farms on agricultural land and a change was recommended on page 50 of the Agenda papers.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

The Chair advised of his intention to move a motion which would revoke the previous decision of the committee and recommended that this matter be deferred to the next meeting of the SPC in order that the Department of Agriculture and the Department of Regional Development and Lands may be consulted.

In accordance with clause 11.1(1) of the Standing Orders 2009, Mr Holloway and Mayor Adams supported the motion to revoke the previous decision.

Resolved

Moved by Mr Holloway, seconded by Mayor Adams

That by an absolute majority, the Western Australian Planning Commission resolves to:

- 1. revoke its decision of 28 May 2013 as follows:*

“Moved by Mr Farrar, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to approve the updated Planning Bulletin 67: Guidelines for Wind Farm Development, subject to

- 1. the changes requested to pages 28, 42 and 51 of the Agenda papers; and*
- 2. tenure arrangements for development of a wind farm, for example leasehold, easement, freehold subdivision or other options, be considered.”*

- 2. adopt the following alternate motion:*

“Moved by Ms Taylor, seconded by Mr Farrar

That the Western Australian Planning Commission resolves:

- 1. to defer discussion on the Update of Planning Bulletin 67: Guidelines for Wind Farm Development to allow input from Statutory Planning Committee Members;*

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

liaison with the Department of Lands and the Department of Agriculture; and consultation with departments and the statutory planning section to ascertain whether there are any further refinements required to the policy;

- 2. upon the above consultation being done, the Planning Bulletin 67: Guidelines for Wind Farm Development be represented to the Statutory Planning Committee for consideration."*

The motion was put and carried by an absolute majority.

Moved to Item 10.4.

7482.9.2 Survey Strata Application: Lot 63 (No. 5) Sydney Street, North Perth

File 150-13
Report Number SPC/424
Agenda Part C
Reporting Officer Acting Manager - Metropolitan Planning Central

Resolved

Moved by Ms Burrows, seconded Mr Holloway

That the Western Australian Planning Commission resolves to approve the application for survey-strata subdivision of Lot 63 (No. 50) Sydney Street, North Perth as shown on the plan date-stamped 15 February 2013. This decision is valid for three years subject to the following condition(s) and advice:

CONDITIONS:

- 1. The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)*
- 2. The land being filled, stabilised, drained and/or graded as required to ensure that*

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

- a) *lots can accommodate their intended development; and*
 - b) *finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and*
 - c) *stormwater is contained on-site, or appropriately treated and connected to the local drainage system (Local Government)*
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- 3. *Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)*
 - 4. *Planning Approval being received for the construction of dwellings on lots smaller than 350m². (Local Government)*
 - 5. *Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)*
 - 6. *Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)*
 - 7. *Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)*
 - 8. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply to the survey strata lots shown on the approved plan of subdivision, which may include the*

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. (Western Power)

ADVICE:

1. *With regard to Condition No. 1 the applicant is advised that the Local Government will only support vehicle access to both lots via the common property and utilising a single crossover.*
2. *In regard to Condition 3 planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.*
3. *In regard to Condition/s 5 and 6, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the Water Agencies (Powers) Act 1984 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.*
4. *In regard to Condition 8, Western Power provides only one underground point of electricity supply per freehold lot.*

The motion was put and carried.

7482.9.3

Layout Plan Amendments – Mapping Data Conversion

File	DP/11/00058/1
Report Number	SPC/425
Agenda Part	D
Reporting Officer	Planning Manager – Aboriginal Communities

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

Resolved

Moved by Ms Burrows, seconded Mr Holloway

That the Western Australian Planning Commission resolves to:

- 1. endorse the Amendments to Layout Plans listed in Attachment 1;*
- 2. ratify the draft Layout Plans listed in Attachment 2.*

The motion was put and carried.

7482.9.4

Beagle Bay Layout Plan 1 – For Endorsement

File 057/1/1/25P77V
Report Number SPC/426
Agenda Part D
Reporting Officer Manager Planning – Aboriginal Communities

Resolved

Moved by Ms Burrows, seconded Mr Holloway

That the Western Australian Planning Commission resolves to endorse the Beagle Bay Layout Plan 1.

The motion was put and carried.

7482.9.5

Bidyadanga Layout Plan 3 – For Endorsement

File A2467716
Report Number SPC/427
Agenda Part D
Reporting Officer Manager Planning – Aboriginal Communities

Resolved

Moved by Ms Burrows, seconded Mr Holloway

That the Western Australian Planning Commission resolves to endorse the Bidyadanga Layout Plan 3.

The motion was put and carried.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.10 Confidential Items

7482.10.1 Amendments to State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport

File DP/10/01638/1
Report Number SPC/428
Agenda Part A
Reporting Officer Senior Planning Officer, Strategic Policy

This item was withdrawn as it is being considered by the Western Australian Planning Commission.

7482.10.2 Delegation of Built Strata Applications to Local Government: Planning Bulletin (Xx/2013) and Local Government Reporting

File DP/11/02217/1
Report Number SPC/429
Agenda Part A
Reporting Officer Planning Manager, Strategic Policy

THIS ITEM IS CONFIDENTIAL

7482.10.3 Amendments and Readvertising of State Planning Policy 5.3 – Land Use Planning in the Vicinity of Jandakot Airport

File 855/1/1/2P78V
Report Number SPC/430
Agenda Part A
Reporting Officer Senior Planning Officer, Strategic Policy

This item was withdrawn as it is being considered by the Western Australian Planning Commission.

7482.10.4 Liveable Neighbourhoods (LN) Review – Update

File DP/11/0026011
Report Number SPC/431
Agenda Part A
Reporting Officer Planning Manager, Strategic Policy

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.6.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

**7482.10.5 City of Canning Town Planning Scheme No. 40
Amendment No.195 - For Final Approval**

File TPS/0937
Report Number SPC/432
Agenda Part B
Reporting Officer Planning Manager - Schemes,
Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

**7482.10.6 City of Vincent – Draft Local Planning Strategy and
Local Planning Scheme No. 2 - For Consent to
Advertise**

File TPS/0114/1
Report Number SPC/433
Agenda Part B
Reporting Officer Manager, Schemes, Strategies and
Amendments

THIS ITEM IS CONFIDENTIAL

**7482.10.7 Shire of Mundaring Draft Local Planning Strategy and
Draft Local Planning Scheme No. 4 - For Final Approval**

File TPS/0175/1
Report Number SPC/434
Agenda Part E
Reporting Officer Planning Manager - Wheatbelt

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.9.

**7482.10.8 Shire of Katanning Resolution to Prepare a New Local
Planning Scheme No. 5**

File TPS/1098
Report Number SPC/435
Agenda Part B
Reporting Officer Regional Manager - Great Southern
Planning

THIS ITEM IS CONFIDENTIAL

**7482.10.9 City of Swan Local Planning Scheme Amendment No.67
- For Final Approval**

File TPS/0844
Report Number SPC/436
Agenda Part B
Reporting Officer Planning Manager - Schemes,
Strategies & Amendments

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.11.

7482.10.10 State Administrative Tribunal Review: Invitation to Reconsider Decision - Boundary Realignment of Two Lots for Residential/Rural Purpose.

File 146176
Report Number SPC/437
Agenda Part D
Reporting Officer Senior Planning Officer - Planning Appeals

THIS ITEM IS CONFIDENTIAL

7482.10.11 Shire of Carnarvon Town Planning Scheme No 10 Amendment 63 - For Final Approval

File TPS/0978/1
Report Number SPC/438
Agenda Part E
Reporting Officer Manager Statutory Planning

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.13.

7482.10.12 Town of Bassendean - Revised Local Planning Strategy - For Consent to Advertise

File DP/12/00093/1
Report Number SPC/439
Agenda Part E
Reporting Officer Planning Manager

THIS ITEM IS CONFIDENTIAL

7482.10.13 Single House, Stables, Single Shed for Rural Purposes and Keeping of Animals - Lot 4 Perry Road, Pinjar

File 30-50293-1
Report Number SPC/440
Agenda Part G
Reporting Officer Senior Planning Officer, Metro Planning North West

THIS ITEM IS CONFIDENTIAL

7482.11 General Business

Nil.

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7477.9.2	City of Mandurah – Endorsement of City Centre Precinct Plan	To request Committee Support to arrange for the City of Mandurah to address the SPC and to include a site visit to coincide with an SPC meeting to be held in Mandurah. (Subsequently resolved on 28/5/13) to omit the SPC meeting in Mandurah and to hold the site visit on a date when a cancelled SPC meeting would occur and to include a site visit to Preston Beach)	13/8/12
7477.11.1	The Wheatbelt – Towns of York and Toodyay	To request Committee Support to arrange a site visit with regard to water and bush fire issues and in relation to future approvals for rural living subdivisions due to lack of water resources, and a possible need for consolidation of the local towns. (to be combined with 7477.11.2) (Subsequently resolved on 28/5/13 to hold the site visit on a date when a cancelled SPC meeting would occur)	8/10/13
7477.11.2	Avon Arc Study	To request Committee Support to invite Avon Arc to advise the Committee on issues such as sustainability, identifying priority areas, royalties for regions and capability. (to be combined with 7477.11.1) (as above)	8/10/13
7477.11.3	Private Arrangements for obtaining money for public open space by agreement	To request the Department to prepare a report to the WAPC regarding these types of arrangements.	TBA

Statutory Planning Committee

Minutes
of ordinary meeting 7482
held on Tuesday 28 May 2013

7482.9.1	Update of Planning Bulletin 67: Guidelines for Wind Farm Development	To request the Department to liaise with the Department of Lands and the Department of Agriculture and consult with departments and the statutory planning section to ascertain whether there are any further refinements required to the policy. To incorporate comments from SPC members and to represent the policy to a future SPC meeting.	TBA
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7482.13 Closure

The next ordinary meeting is scheduled for 9.00 am on Tuesday 11 June 2013.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 12.10 pm.

PRESIDING MEMBER _____

DATE _____