

Statutory Planning Committee

Minutes
of ordinary meeting 7490
held on Tuesday 22 October 2013

Attendance

Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member) Director General, Department of Planning
Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	WAPC appointee
Mr Ian Holloway	Professions representative
Ms Elizabeth Taylor	Community representative

Officers

Ms Anika Chhabra	Department of Planning Senior Planning Officer, Perth and Peel Planning (Items 6.2 and 6.3 refers Item 9.4)
Ms Sara Cosstick	Planning Manager, Perth and Peel Planning (Items 6.1 and 6.8 refers Item 9.5)
Mr Ken Dawson	Planning Manager, Regional Planning and Strategy (Items 6.5 and 6.6 refers Item 10.1)
Mr Ben Hesketh	Senior Planning Officer, Perth and Peel Planning (Items 6.1 and 6.8 refers Item 9.5)
Ms Kelsey Lewis	Senior Planning Officer, Regional Planning and Strategy, Albany (Item 6.8 refers Item 9.11)
Ms Kym Petani	Director Metro North West / Acting Director Metro North East (Items 6.1 and 6.8 refers Item 9.5)
Mr Paul Sewell	Planning Manager, Perth and Peel Planning (Items 6.2 and 6.7 refers Items 9.4)
Mr Nick Welch	Senior Planning Officer, Regional Planning and Strategy (Items 6.5 and 6.6 refers Item 10.1)

Observers

Mr Harold Clough	McRae Investments (Items 6.1 and 6.8 refers Items 9.2 and 9.5 respectively)
Mr Ben Rasheed	Marlin Bullsbrook Pty Ltd (Item 6.1 refers Item 9.2)
Mr Michael Rasheed	Marlin Bullsbrook Pty Ltd (Item 6.1 refers Item 9.2)
Mr Justin Hansen	Development Planning Strategies (Item 6.2 refers Item 9.4)
Mr Damien Shepherd	Stockland (Item 6.2 refers Item 9.4)
Mr Sam Gill	Eastcourt Property Group (Item 6.7 refers Item 9.4)

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Mr Humphrey Park Hardy Bowen (Item 6.8 refers Item 9.5)
Mr Hendrick Van Aswgen Hardy Bowen (Item 6.8 refers Item 9.5)

Presenters

Mr Darren Evans Rowe Group (Item 6.1 refers Item 9.2)
Mr Greg Rowe Rowe Group (Item 6.1 refers Item 9.2)

Mr Frank Arangio Development Planning Strategies
(Item 6.2 refers Item 9.4)
Mr Colin Dutton Stockland (Item 6.2 refers Item 9.4)

Mr Trevor Taylor Land owner (Item 6.3 refers Item 9.8)

Mr Michael Jennings Land owner (Item 6.4 refers Item 9.11)
Mr Stephen Jennings Land owner (Item 6.4 refers Item 9.11)

Mr Tristan Cribb LandCorp (Item 6.5 refers Item 10.1)
Mr Gerard Treacy Department of State Development
(Item 6.5 refers Item 10.1)

Mr Rob Paull Shire of Ashburton (Item 6.6 refers Item 10.1)

Ms Jane Bennett CLE Town Planning & Design (Item 6.7 refers Item 9.4)

Mr Gary Park Hardy Bowen (Item 6.8 refers Item 9.5)

Committee Support

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

7490.1 Declaration of Opening

The Presiding Member declared the meeting open at 9.03 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7490.2 Apologies

Nil.

7490.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

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7490.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Sue Burrows	10.3	22	Impartiality

Ms Burrows wished it noted that she participated, in her former employment, in the original proposal for the City of Subiaco Local Planning Scheme Amendment No. 13.

7490.5 Declaration of Due Consideration

No declarations were made.

Moved to Item 7490.7.

7490.6 Deputations and Presentations

7490.6.1 **Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11 (refers Item 9.5)**
Presenters Mr Daniel Evans
Mr Greg Rowe

Mr Evans addressed Members with regard to their request for the buffer to be amended from 1000m to 500m:

- approval for 500m buffer by the City of Swan and the Department of Environment to cater for all impacts associated with the Midland Brick quarry as a maximum buffer (see tabled email from TNL Consultants Pty Ltd, TNLC Blasting Geomechanics);
- agreement in principle for a 500m buffer from Midland Brick (see tabled email from Mr Greg Smith of Bricks West).

Mr Rowe requests that the buffer zone in Structure Plan be modified from 1000m to 500m to allow their applicant's project to proceed.

The Chairman:

- advised that if the WAPC is to approve a buffer reduction, that any decision relating to the Structure Plan must be in alignment and complementary to the City of Swan's Excavation Licence approval;
- noted that there is to be a formal agreement between the parties;
- noted that the proponent is agreeable to accepting a memorial on titles;

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- advised that he considered there was a need to arrange a meeting of all interested parties:
 - City of Swan
 - Midland Brick
 - Greg Rowe & Associates
 - Applicants
 - Executive Director Perth and Peel
 - Acting Director Metro North East
- to reach an agreed outcome between the City of Swan, applicants and Midland Brick to ensure alignment of any approval by the WAPC and the City of Swan Extractive Licence and reinforced by all parties.

Two tabled emails have been placed on file.

7490.6.2

Endorsement of the Banjup Quarry Local Structure Plan - Lots 9004 Armadale Road, 9002 Jandakot Road & 132 Fraser Road, Banjup (refers Item 9.4)

Presenter Mr Frank Arangio / Colin xx

Mr Arangio addressed the Committee on behalf of their client, Stockland, for the potential of a third access to the north of the site (which would create tee junctions); giving a better outcome to Stockland.

The City of Cockburn considers the siting of a third access may create a potential impact on mixed use development due to possible commercial traffic going through the residential area.

7490.6.3

Request to Endorse Deposited Plan Lots 117 & 118 Thompson Crescent, Lake Clifton (refers Item 9.8)

Presenter Mr Trevor Taylor

Mr Taylor, the owner of Lots 117 and 118 Thomson Crescent, requested the Commission's assistance to deal with his grievances with the non-negotiable and ever-increasing charges set by Western Power for the removal of the overhead powerlines and the laying of underground powerlines to their own lots as well as neighbouring Lots 116 and 119.

The Chairman advised Mr Taylor that the Commission is not in a position to direct Western Power as to what charges they make and advised him to continue to lobby Western Power to be more transparent in the application of costs.

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7490.6.4 **Subdivision to Create Three Lots for Farming, Conservation and Homestead Purpose - Lot 14 Woodlands Road, Porongurup - Shire of Plantagenet (refers Item 9.11)**

Presenters Mr Stephen Jennings
 Mr Michael Jennings

Mr Jennings, owner of Lot 14 Woodlands Road, requested the Committee to not support the Officer's Recommendation as it is his consideration that the subdivision complies with bushfire management precautions, DC Policy 3.4, SPP 2.5 and the Shire of Plantagenet's Local Planning Strategy.

A copy of Mr Jennings' notes has been placed on file.

7490.6.5 **Shire of Ashburton Local Planning Scheme No. 7 - Local Planning Scheme Amendment No. 17 - For Final Approval (refers Item 10.1)**

Presenters Mr Tristan Cribb
 Mr Gerard Treacy

Messrs Treacy and Cribb respectively addressed the Committee and requested that the Shire of Ashburton resolves to re-include the Scarborough LNG Site into the full rezoning of the area to strategic industry.

7490.6.6 **Shire of Ashburton Local Planning Scheme No. 7 - Local Planning Scheme Amendment No. 17 - For Final Approval (refers Item 10.1)**

Presenter Mr Rob Paull

Mr Paull gave a power point presentation and advised Members that Amendment 17, in its adopted form along with the Structure Plan, reflects a sound and responsive town planning process.

Mr Paull advised that the re-inclusion of the Scarborough LNG site would bring social and economic impacts on the Shire of Onslow whereas the impact by the Chevron development would have a financial impact on the Shire of Ashburton.

The conditions of the Development Plan do not provide statutory means to implement the necessary requirements.

A copy of the presentation has been placed on file.

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7490.6.7 **Endorsement of the Banjup Quarry Local Structure Plan - Lots 9004 Armadale Road, 9002 Jandakot Road & 132 Fraser Road, Banjup (refers Item 9.4)**

Presenter Ms Jane Bennett

Ms Bennett gave a powerpoint presentation in support of the Structure Plan and addressed the need for an additional access point which is critical to the medium density development, and recommended that the third access road be situated centrally to the Lot 1 eastern boundary as it would improve access permeability.

A copy of the presentation has been placed on file.

7490.6.8 **Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11 (refers Item 9.5)**

Presenter Mr Gary Park

Mr Park advised that his client did not support the Officer's Recommendation which was considered to contain:

- an inadequate Management Plan;
- excessive terms of approval;
- inappropriate and insufficient buffers which produced an unfair impact on other landowners.

The Chairman advised Mr Park that he considered arranging a meeting of all interested parties :

- City of Swan
- Midland Brick
- Greg Rowe & Associates
- Applicants
- Executive Director Perth and Peel
- Acting Director Metro North East

to reach an agreed outcome between the City of Swan, applicants and Midland Brick to ensure alignment of any approval by the WAPC and the City of Swan Extractive Licence and reinforced by all parties.

Moved to 7490.9.

7490.7 Announcements by the Chairperson of the Board and communication from the WAPC

The Chairman advised that In 2014 the Statutory Planning Committee meetings will continue to be held twice monthly and that one meeting per month will deal with a Review of Statutory Policies and Guidance Statements.

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7490.8 Confirmation of Minutes

7490.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 24 September 2013

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the minutes of the Statutory Planning Committee meeting held on Tuesday 24 September 2013, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

Moved to 7490.6.

7490.9 Reports

Members agreed to endorse, en-bloc, all the recommendations associated with Items 7490.9.1, 7490.9.2, 7490.9.3, 7490.9.6, 7490.9.7, 7490.9.9, 7490.9.10 and Items 7490.10.1 to 7490.10.10 inclusive.

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Statutory Planning Committee resolves to endorse, en-bloc, all the recommendations associated with Items 7490.9.1, 7490.9.2, 7490.9.3, 7490.9.6, 7490.9.7, 7490.9.9, 7490.9.10 and Items 7490.10.1 to 7490.10.10 inclusive.

The motion was put and carried.

Moved to item 9.4

7490.9.1 Kupartiya Layout Plan 1 – For Endorsement

File	057/01-01-25
Report Number	SPC/519
Agenda Part	D
Reporting Officer	Manager Planning – Aboriginal Communities

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

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

The motion was put and carried.

7490.9.2

Freehold Subdivision to Create Two Residential Lots at Lot 150 Blackwood Drive, Mount Nasura

File 148288
Report Number SPC/520
Agenda Part C
Reporting Officer Planning Manager, Metropolitan South-East, 7Perth and Peel Planning

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 150 Blackwood Drive, Mount Nasura as shown on the plan date-stamped 27 June 2013. This decision is valid for three years subject to the following condition(s) and advice:

CONDITIONS:

Subdivisional Works

1. *Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and*

In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report.

(Local Government)

2. *Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings,*

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specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:

- (a) lots can accommodate their intended use; 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.*

(Local Government)

3. *The land being filled, stabilised, drained and/or graded as required to ensure that*

- (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)

4. *The existing dwelling being retained is to comply with the requirements of the Residential Design Codes.*

(Local Government)

Servicing

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 to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision.*

(Western Power)

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Miscellaneous

7. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
(Local Government)*

ADVICE:

1. *With regard to Condition 5, 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.*
2. *With regard to Condition 6, Western Power provides only one underground point of electricity supply per freehold lot.*
3. *With regard to Condition 7, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.*
4. *The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.*

The motion was put and carried.

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7490.9.3 **Modification of Seascapes Outline Development Plan – City of Mandurah**

File 808/6/13/2PV9
Report Number SPC/521
Agenda Part C
Reporting Officer Planning Manager, Peel Region

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to:

1. *endorse the modifications to the Seascapes Estate Outline Development Plan dated 12/09/2013, subject to modifications as follows:*
 - a) *the intersection of Torwood Edge/Gretel Drive being shown to accommodate vehicle movements, with references to bollards being deleted from the plan and legend; and*
 - b) *the two ODP plans, Seascapes Estate ODP and Proposed Structure Plan being consolidated into a single ODP;*
2. *advise the City of Mandurah of its decision accordingly.*

The motion was put and carried.

7490.9.4 **Endorsement of the Banjup Quarry LSP - Lots 9004 Armadale Road, 9002 Jandakot Road and 132 Fraser Road, Banjup**

File SPN/0521
Report Number SPC/522
Agenda Part C
Reporting Officer Planning Director, Perth and Peel Planning

Resolved

Moved by Ms Taylor, seconded by Ms Bartle

That the Western Australian Planning Commission resolves to:

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1. *endorse the version of the Banjup Quarry Local Structure Plan (LSP) dated September 2013, inclusive of the proposed residential development within the Core Area (20 - 25 Aircraft Noise Exposure Forecast (ANEF) contour) of the Jandakot Airport 2029/30 Australian Noise Exposure Forecast Plan Policy Areas, subject to the modifications referenced in Attachment 4: Schedule of Modifications (Banjup Quarry LSP) (attached);*
2. *advise the City of Cockburn of 1. above and that it is the Commission's expectation that residential densities proposed by the local structure plan will be achieved at the subsequent subdivision and development stages.*

The motion was put and carried.

7490.9.5

Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11

File SPN/0037
Report Number SPC/523
Agenda Part C
Reporting Officer Planning Manager, Metropolitan Planning North East

Officer's Recommendation

That the Western Australian Planning Commission resolves to

1. endorse the City of Swan Local Structure Plan No. 11 (being the Structure Plan Map and Section 10: Statutory Provisions) subject to the schedule of modifications as follows:
 - a) The Structure Plan Map and Statutory Provisions being modified to include the following notations/requirements:
 - i. The structure plan area comprises a maximum of 219 lots, with no lot being less than 2 hectares.
 - ii. No further subdivision seeking to create lots less than 2ha will be

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supported unless a reticulated water supply is provided and a sub-regional structure plan and local rural strategy prepared and endorsed by the WAPC for the locality, providing for further subdivision.

- b) The existing Stock Road reserve being retained as a connection to Great Northern Highway and identified as a potential future road connection to the west. The WAPC is prepared to support the reduction of the existing reservation width to 25 metres and deviation within the structure plan area to reflect the proposed lot layout/road network.
- c) Further details being provided regarding the implementation/enforcement of the higher construction standards in accordance with AS 3959 Construction of buildings in bushfire-prone areas and details of an effective statutory mechanism ensuring the higher construction standards. This information will be required to be provided prior to the consideration of any related subdivision application.
- d) The statutory provisions (section 10.3) being modified to clearly identify the requirement for dwellings to be constructed in accordance with AS 3959 Construction of buildings in bushfire-prone areas.
- e) The statutory provisions, structure plan map and staging plan being modified to identify that subdivision of proposed Lots 1-8 will not be supported until such time as the future connection to the north is provided to ensure the provision of two vehicular access routes which connect to the public road network. The subdivision of these lots without this connection is not supported by the WAPC as it would result in the creation of a cul-de-sac road in excess of 1 kilometre in length inconsistent with the requirements of

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Planning for Bush Fire Protection (Edition 2).

- f) The proposed buffer to the Midland Brick Clay Quarry being increased to 1000m where future blasting has been identified as being required. The WAPC will not support subdivision within this area until such time as the Department of Mines and Petroleum advises the WAPC that blasting operations have ceased and are no longer required to extract the clay resource;
 - g) The structure plan map and statutory provisions being modified to clearly identify the buffer areas relating to the Midland Brick Clay Quarry and the restriction on subdivision/development until such time as the corresponding stage of the quarry has been closed and the resource on the site exhausted;
- 2. note the structure plan text and technical appendices as supporting documents to guide the assessment of subdivision and development applications;
 - 3. note the surplus Stock Road reserve land must be formally closed prior to being amalgamated into adjoining lots.

The Acting Director Metro North East tabled two emails from:

- 1. Mr Andrew Harris, Department of Mines and Petroleum
- 2. Mr Garry Price, Midland Brick

The Committee noted the email from Mr Greg Smith of Bricks West, tabled at Item 6.1, wherein Midland Brick states it now agrees in principle to a 500m buffer and also noted the comments made in the email from Mr Harris of the Department of Minerals and Petroleum to the Department of Planning. Members agreed that the excavation licence and buffer issues still needed more discussion and requested that the officer's recommendation be set aside to enable a meeting to be convened at the City of Swan to reach formal agreement between all the parties involved. The attendees are to include:

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- the CEO from the City of Swan
- Midland Brick
- Greg Rowe & Associates
- the applicants
- the WAPC Chairman
- Ms Taylor representing the Statutory Planning Committee
- the Department of Planning's Executive Director of Perth and Peel Planning
- the Acting Director of Metro North East

Resolved

Moved by Ms Burrows, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to defer consideration of Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11 to enable a meeting to be facilitated at the City of Swan between:

- the CEO of the City of Swan
- Midland Brick
- Greg Rowe & Associates
- the applicants
- the WAPC Chairman
- Ms Taylor representing the Statutory Planning Committee
- Department of Planning's Executive Director of Perth and Peel Planning

This meeting will serve to enable frank and open discussion between all relevant parties to ensure a formal agreement as to appropriate conditions being met for a buffer area of 500m to be facilitated and to align any approval of the Structure Plan and the approval for Midland Extractive Industry Licence.

The motion was put and carried.

Moved to Item 9.8

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7490.9.6 Shires of Beverley & Brookton Local Planning Strategy – Final Approval

File DP/11/00145/1
Report Number SPC524/
Agenda Part E
Reporting Officer Manager, Wheatbelt Region

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to:

- 1. endorse the Shires of Brookton and Beverley Local Planning Strategy, subject to the modifications listed in the attached Schedule of Modifications being carried out, as being consistent with 12A(3) of the Town Planning Regulations 1967 (as amended);*
- 2. advise the Shires to publish a notice of the Local Planning Strategy and the Commission's endorsement of the strategy, in accordance with section 12B(4) of the Town Planning Regulations 1967 (as amended).*

The motion was put and carried.

7490.9.7 Consent to Advertise - Shire of Chittering Local Planning Strategy

File DPI/09/01425/1
Report Number SPC/525
Agenda Part E
Reporting Officer Manager, Wheatbelt Region

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to certify that the Shire of Chittering Local Planning Strategy is consistent with regulation 12A(3) of the Town Planning Regulations, 1967 (as amended) and should be advertised for not less than 21 days, subject to the attached schedule of modifications.

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The motion was put and carried.

7490.9.8

Request to Endorse Deposited Plan Lots 117 & 118 Thompson Crescent, Lake Clifton

File 142116
Report Number SPC/526
Agenda Part G
Reporting Officer Senior Planning Officer

Officer's Recommendation

That the Western Australian Planning Commission resolves to advise the applicant and Western Power that it is not prepared to endorse the Deposited Plan until the following works, in relation to Condition 10, have been undertaken at the applicant's cost and to the specifications of Western Power:

1. removal of the existing overhead distribution line, poles and pole-top transformer;
2. installation of a 50kVA transformer adjacent to Thompson Crescent; and
3. each proposed new lot, Lots 1 to 4 on the plan dated stamped 20 May 2010, being provided with a connection to underground power from Thompson Crescent.

Members discussed the need for further clarity from Western Power and agreed that a letter should be drafted from the WAPC Chairman to the applicant and Western Power on the inequity of provision of underground power and requesting better transparency.

Moved by Mr Holloway, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to

1. *advise the applicant and Western Power that it is not prepared to endorse the Deposited Plan until the following works, in relation to Condition 10, have been undertaken at the applicant's cost and to the specifications of Western Power:*

- 1.1 *removal of the existing overhead distribution line, poles and pole-top*

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- transformer;*
- 1.2 installation of a 50kVA transformer adjacent to Thompson Crescent; and*
 - 1.3 each proposed new lot, Lots 1 to 4 on the plan dated stamped 20 May 2010, being provided with a connection to underground power from Thompson Crescent;*
- 2. advise the applicant and Western Power of the Commission's concerns relating to the inequitable approach to the costs of providing underground power.*

The motion was put and carried.

Moved to Item 9.11.

7490.9.9 Reconsideration: Subdivision to Create Two Lots for Residential Purpose: Lot 201 James Street, Pinjarra
File 146984
Report Number SP/C/527
Agenda Part G
Reporting Officer Planning Manager, Peel

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 201 James Street, Pinjarra as shown on the plan date-stamped 6 Nov 2012 subject to the following conditions and advice. This decision is valid for three years.

CONDITIONS:

- 1. The plan of subdivision is to be modified so that the rear boundary of proposed Lot 1 is relocated approximately 5.8 metres from the rear of the existing dwelling as marked on the approved plan dated 6 Nov 2012 (attached).
(Western Australian Planning Commission)*
- 2. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of the proposed Lot 2.*

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Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

- *'This lot is located on a floodway and may be adversely affected by major flooding' (Local Government)*
- 3. *The roof overhang onto Lot 2 being shown on the Deposited Plan as constructed and as prescribed 'Intrusion Easement', pursuant to section 136C of the Transfer of Land Act 1893. (Local Government)*
- 4. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia. (Local Government)*
- 5. *Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) 1 and 2 at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)*
- 6. *The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government)*
- 7. *The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)*
- 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 underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Western Power)*

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9. *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)*
10. *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)*

ADVICE NOTES:

1. *The applicant is advised that the subject land is within the defined 1 in 100 year floodplain / fringe for the Murray Drainage and Water Management Plan, where development would normally be permitted subject to a specified minimum habitable floor level above the relevant 1 in 100 year flood level to provide adequate flood protection. The Department of Water advises that a minimum habitable floor level of 8.95m AHD is recommended for development on lots 1 and 2.*
2. *In regard to Condition 4, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.*
3. *In regard to Condition 5, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.*
4. *In regard to Condition 8, Western Power provides only one underground point of electricity supply per freehold lot.*
5. *In regard to Condition/s 9 & 10, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On*

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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.

The motion was put and carried.

7490.9.10

**Proposed Six Two-Bedroom Multiple Dwellings for
The Department of Housing: Lots 1 and 202 Kenton
Way, Calista**

File 26-50187-1
Report Number SPC/528
Agenda Part G
Reporting Officer Senior Planning Officer

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to approve the proposed development, subject to the following conditions:

- 1. Prior to the commencement of development works a Certificate of Title (pursuant to Western Australian Planning Commission subdivision approval 143973), being obtained for the proposed Lot 2 Kenton Way, Calista on which the proposed development is to be constructed.*
- 2. The car parking bays, driveways and points of egress and ingress are to be designed, constructed, drained and marked in accordance with AS2890.1 to the satisfaction of the Western Australian Planning Commission.*
- 3. All stormwater drainage from roofed and paved areas shall be contained and disposed of on site to the satisfaction of the Western Australian Planning Commission.*

The motion was put and carried.

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7490.9.11

Subdivision to Create Three Lots for Farming, Conservation and Homestead Purpose - Lot 14 Woodlands Road, Porongurup - Shire of Plantagenet

File 147938
Report Number SPC/529
Agenda Part H
Reporting Officer Planning Officer, Great Southern Team

Officer's Recommendation

That the Western Australian Planning Commission resolves to refuse the subdivision of Lot 14 Woodlands Road Porongurup for the following reasons;

1. The proposed subdivision is contrary to Development Control Policy 3.4 Subdivision of Rural Land as the balance lot is not suitable for the continuation of an agricultural rural land use.
2. The proposed subdivision is contrary to the objectives of State Planning Policy 2.5 as it would result in the ad hoc fragmentation of rural land, and increase potential for land use conflict.
3. The proposed subdivision is contrary to State Planning Policy 2.5 as it creates rural living lots on land that has not been identified for closer settlement in an endorsed local planning strategy or zoned in the local planning scheme.
-
4. Approval to the subdivision would create an undesirable precedent for the further subdivision of other lots of a similar size in the Rural Zone in this locality causing unplanned breakdown of landholdings.
5. The proposal would result in the introduction of additional housing in an area of extreme bushfire hazard which is inconsistent with State Planning Policy 3.4 Natural Hazards and Disasters and the Planning for Bush Fire Protection guidelines 2010.

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Members discussed the very concise and informative presentation given by the landowner of Lot 14 and agreed that this item should be deferred to enable more information to be presented to the Committee.

Moved by Ms Taylor, seconded by Ms Bartle

That the Western Australian Planning Commission resolves to defer consideration of Subdivision to Create Three Lots for Farming, Conservation and Homestead Purpose – Lot 14 Woodlands Road, Porongurup (Shire of Plantagenet) to enable further discussion between the WAPC Chairman, the Executive Director of Regional Planning and Strategy, the Director General of the Department of Parks and Wildlife and a representative from the Shire of Plantagenet.

The motion was put and carried.

7490.10 Confidential Items

7490.10.1 Shire of Ashburton Local Planning Scheme No. 7 - Local Planning Scheme Amendment No. 17 - For Final Approval

File TPS/0804
Report Number SPC/530
Agenda Part B
Reporting Officer Senior Planning Officer

THIS ITEM IS CONFIDENTIAL

7490.10.2 City of Nedlands - Local Planning Scheme Amendment No. 191 - For Final Approval

File TPS/0101
Report Number SPC/531
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

Statutory Planning Committee

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7490.10.3 City of Subiaco - Local Planning Scheme Amendment No. 13 - For Final Approval

File 853/2/12/7P13
Report Number SPC/532
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7490.10.4 City of Melville - Local Planning Scheme Amendment No. 55 - For Final Approval

File 853/2/17/12P55
Report Number SPC/533
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7490.10.5 City of Canning - Local Planning Scheme Amendment No. 164 - For Final Approval

File TPS/0320/1
Report Number SPC/534
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7490.10.6 Shire of Serpentine Jarrahdale Local Planning Scheme Amendment No. 172 - For Final Approval

File TPS0971/1
Report Number SPC/535
Agenda Part B
Reporting Officer Manager, Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

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7490.10.7 Shire of Chapman Valley Local Planning Scheme No. 2 - For Final Approval

File TPS/0391
Report Number SPC/536
Agenda Part B
Reporting Officer Planning Manager, Central Regions,
Regional Planning and Strategy

THIS ITEM IS CONFIDENTIAL

7490.10.8 Shire of Morawa Local Planning Scheme 3 – Resolution to Prepare a Scheme

File TPS/1214/1
Report Number SPC/537
Agenda Part E
Reporting Officer Senior Planning Officer

THIS ITEM IS CONFIDENTIAL

7490.10.9 Shire of Corrowa Local Planning Scheme 3 – Resolution to Prepare a Scheme

File TPS/1192/1
Report Number SPC/538
Agenda Part E
Reporting Officer Senior Planning Officer, Central
Regions

THIS ITEM IS CONFIDENTIAL

7490.10.10 Shire of Cue Local Planning Scheme 2 – Resolution to Prepare a Scheme

File TPS/1220/1
Report Number SPC/539
Agenda Part E
Reporting Officer Senior Planning Officer, Central
Regions

THIS ITEM IS CONFIDENTIAL

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7490.11 General Business

7490.11.1 Growers Mart – Drovers Place Precinct

THIS ITEM IS CONFIDENTIAL

7490.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
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
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

7490.13 Closure

The next ordinary meeting is scheduled for 9.00 am on 12 November 2013.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 11:00 am.

PRESIDING MEMBER _____

DATE _____