
Statutory Planning Committee

Minutes
of ordinary meeting 7497
held on Tuesday 11 March 2014

Attendance**Members**

Mr Eric Lumsden	WAPC Chairman (Presiding Member) (arrived 9.20 am)
Ms Sue Burrows	WAPC appointee
Mr Martin Clifford	Regional Minister's nominee (Deputy)
Mr Ian Holloway	Professions representative (arrived 9.04 am)
Mr Duncan Ord	Acting Director General, Department of Planning
Ms Elizabeth Taylor	Community representative (Presiding Member) (to 9.20 am)

Officers

Ms Pam Baskind	Department of Planning Planning Manager, Regional Planning and Strategy (Item 9.3)
Ms Stephanie Clegg	Senior Planning Officer, Regional Planning and Strategy (Item 9.3)
Mr Andrew Cook	Senior Planning Officer, Perth and Peel Planning (Item 9.4)
Mr Robert Cull	Senior Planning Officer, Perth and Peel Planning (Item
Mr Ken Dawson	Planning Manager, Regional Planning and Strategy (Item 10.5)
Ms Rebecca Fuller	Senior Planning Officer, Schemes and Amendments (Item
Ms Kym Petani	Director Metro North West / Acting Director Metro North East (Item 9.4)
Ms Elisabeth Tamouridou	Planning Officer, Metro Planning (Item 9.4)
Mr Emille van Heyningen	Planning Manager, Perth and Peel Planning (Item 9.4)
Mr Philip Woodward	Planning Director, Regional Planning and Strategy (Item 10.5)

Committee Support

Ms Christina Sanders	Committee Support Officer - Department of Planning
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7497.1 Declaration of Opening

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 as the Chairman would be unavoidably late to the meeting.

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**Mr Ord nominated Ms Taylor
Ms Taylor accepted the nomination.**

Resolved

Moved by Mr Ord, seconded by Ms Burrows

That Ms Taylor preside over the meeting of the Statutory Planning Committee in the absence of the Presiding Member.

The motion was put and carried.

The Presiding Member declared the meeting open at 9.00 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7497.2 Apologies

Ms Megan Bartle WAPC appointee

7497.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

7497.4 Disclosure of Interests

Nil.

7497.5 Declaration of Due Consideration

No declarations were made.

7497.6 Deputations and Presentations

Nil.

Moved to item 8.

7497.7 Announcements by the Chairperson of the Board and communication from the WAPC

Held over pending arrival of the WAPC Chairman. (There were subsequently no announcements.)

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7497.8 Confirmation of Minutes

7497.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 25 February 2014

Resolved

Moved by Mr Clifford, seconded by Ms Burrows

That the minutes of the Statutory Planning Committee meeting held on Tuesday 25 February 2014, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7497.9 Reports

Members agreed to endorse en bloc, the recommendations associated with Items 7497.9.1 and 9.2.

Resolved

Moved by Mr Ord, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to endorse, en bloc, recommendations 9.1 and 9.2.

The motion was put and carried.

Members agreed to endorse en bloc, the recommendations associated with Items 7497.9.5 to 9.8, 10.4 and 10.6.

Resolved

Moved by Mr Clifford, seconded by Mr Ord

That the Western Australian Planning Commission resolves to endorse, en bloc, recommendations 9.5 to 9.8, 10.4 and 10.6.

Moved to Item 9.3.

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7497.9.1 City of Greater Geraldton R-Codes Policy to Vary State Planning Policy 3.1 Residential Design Codes

File 857/3/21/1PV
Report Number SPC/608
Agenda Part A
Reporting Officer Manager - Statutory Planning, Central Regions

Resolved

Moved by Mr Ord, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to:

- 1. approve the amendment of deemed-to-comply provisions of State Planning Policy 3.1 Residential Design Codes as contained in the City of Greater Geraldton Outbuildings Local Planning Policy, adopted by the City of Greater Geraldton on 26 November 2013;*
- 2. notify the local government accordingly.*

The motion was put and carried.

7497.9.2 City of Kalgoorlie-Boulder R-Codes Policy (Rcodes01) to Vary State Planning Policy 3.1 Residential Design Codes

File TPS/0458
Report Number SPC/609
Agenda Part A
Reporting Officer Manager - Statutory Planning, Central Regions

Resolved

Moved by Mr Ord, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to:

- 1. approve the amendment of deemed-to-comply provisions of State Planning Policy 3.1 Residential Design Codes as contained in the City of Kalgoorlie-Boulder Residential Design Codes Policy RCODES01*

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*(Attachment 1), adopted by the City of
Kalgoorlie-Boulder on 16 December 2013;*

2. notify the local government accordingly.

The motion was put and carried.

7497.9.3

Indian Ocean Drive Planning Guideline – Final Approval

File	DP/12/00980
Report Number	SPC/
Agenda Part	A
Reporting Officer	Strategic Planning Manager, Wheatbelt Region

Ms Clegg and Ms Baskind provided further information in answer to members' queries.

Resolved

Moved by Mr Holloway, seconded by Ms Burrows

*That the Western Australian Planning
Commission resolves to:*

- 1. determine the submissions in accordance
with the attached schedule of submissions;*
- 2. endorse the Indian Ocean Drive Planning
Guideline subject to minor editing and
publish the document on the Western
Australian Planning Commission website;*
- 3. prior to publication, forward the Guideline to
the Minister for Planning for noting.*

The motion was put and carried.

7497.9.4

Consideration of WAPC Modification 38(I) to the North Alkimos Local Structure Plan No. 73

File	SPN/0012
Report Number	SPC/611
Agenda Part	C
Reporting Officer	Senior Planning Officer, Metro Planning North West

Resolved

Moved by Mr Ord, seconded by Mr Holloway

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That the Western Australian Planning Commission resolves to:

- 1. re-affirm, in part, the inclusion of Modification 38(i) in its 10 November 2009 Schedule of Modifications, requiring the transit precinct to be included in the Centre Zone;*
- 2. advise the City of Wanneroo accordingly.*

The motion was put and carried.

Moved to Item 10.1.

7497.9.5 Proposed Subdivision – Lots 323 And 324 (79) Rupert Street, Subiaco

File	148979
Report Number	SPC/612
Agenda Part	G
Reporting Officer	Planning Officer, Metropolitan Central, Perth and Peel Planning

Resolved

Moved by Mr Clifford, seconded by Mr Ord

That the Western Australian Planning Commission resolves to approve the application for amalgamation and resubdivision of Lots 323 and 324 Rupert Street, Subiaco as shown on the plan date stamped 30 October 2013 subject to the following conditions and advice:

CONDITIONS:

- 1. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lots 323 and 324 at the time of subdivision approval being demolished and materials removed from the lots. (Local Government).*
- 2. 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*

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supply to the lots shown on the approved plan of subdivision. (Western Power).

3. *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).*
4. *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).*
5. *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).*
6. *All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed. (Local Government).*

ADVICE:

1. *In regard to Condition 1, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.*

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2. *In regard to Condition 2, Western Power provides only one underground point of electricity supply per freehold lot.*
3. *In regard to Conditions 3, 4 and 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 of the proposed subdivision.*

The motion was put and carried.

7497.9.6

Subdivision to Create Three Survey Strata Lots for Residential Purpose at Lot 355 Solas Road, Morley

File 1324-13
Report Number SPC/613
Agenda Part G
Reporting Officer Planning Officer - Metropolitan Planning Central

Resolved

Moved by Mr Clifford, seconded by Mr Ord

That the Western Australian Planning Commission resolves to approve the application for survey-strata of Lot 355 Solas Road, Morley as shown on the plan date stamped 11 October 2013 subject to the following conditions and advice:

CONDITION(S):

1. 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)
2. All septic sewer systems including all tanks and pipes and associated drainage

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systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed. (Local Government)

3. Pursuant to Section 150 of the *Planning and Development Act 2005* and Division 3 of the *Planning and Development Regulations 2009* a covenant preventing vehicular access onto Morley Drive East being lodged on the certificate(s) of title of the proposed lot(s) at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of the Western Australian Planning Commission, in accordance with the plan dated 11 October 2013 (attached) and the covenant is to specify:

"No vehicular access is permitted from Morley Drive East." (Western Australian Planning Commission)

4. Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Western Australian Planning Commission and to the specifications of the local government. (Local Government)
5. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)

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6. 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)
7. 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)
8. 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)
9. 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 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. In regard to Condition 1, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.
2. In regard to Conditions 6, 7 and 8, 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

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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.

3. In regard to Condition 9, Western Power provides only one underground point of electricity supply per freehold lot.
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The motion was put and carried.

7497.9.7

Development to Create One Grouped Dwelling and Four Multiple Dwellings - Lot 174 (No. 42) Winchelsea Road, Nollamara

File	20-50468-1
Report Number	SPC/614
Agenda Part	G
Reporting Officer	Planning Officer - Metropolitan Planning Central

Resolved

Moved by Mr Clifford, seconded by Mr Ord

That the Western Australian Planning Commission resolves to refuse the proposed development of one grouped dwelling and four multiple dwellings at Lot 174 (No.42) Winchelsea Road, Nollamara as the application does not comply with section 6.3.3 of State Planning Policy 3.1 Residential Design Codes in respect to the provision of on-site car parking.

The motion was put and carried.

7497.9.8

Approval to Commence Development for a Public Transport Authority Bus Depot - Lot 8278 Ocean Reef Road, Craigie

File	34-50105-5
Report Number	SPC/615
Agenda Part	G
Reporting Officer	Planning Officer, Metro Planning North West

Resolved

Moved by Mr Clifford, seconded by Mr Ord

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That the Western Australian Planning Commission resolves to approve the application to commence development for a Public Transport Authority bus depot at Lot 8278, Ocean Reef Road, Craigie, subject to the following conditions and advice:

CONDITIONS

- 1. This approval relates specifically to the attached plans date-stamped 15 November 2013 by the Department of Planning, on behalf of the Western Australian Planning Commission.*
- 2. A noise barrier with a minimum height of 3.0 metres being provided along the western and northern boundaries of the application site, in the location shown on the attached plan, to the specifications of the Department of Environment Regulation, and to the satisfaction of the Western Australian Planning Commission.*
- 3. A Construction Management Plan being prepared and implemented to the specification of the City of Joondalup and to the satisfaction of the Western Australian Planning Commission.*
- 4. A Site Management Plan being prepared and implemented to address the issues of noise, lighting, dust/odour, and any other matters arising from the depot operation likely to impact on the surrounding residences, to the specifications of the City of Joondalup and to the satisfaction of the Western Australian Planning Commission.*
- 5. Detailed landscaping plans for the site being prepared and approved by the City of Joondalup prior to the commencement of development. Landscaping and reticulation shall be established in accordance with the approved plans prior to the occupancy of the development and shall thereafter be maintained to the specification of the City*

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of Joondalup and to the satisfaction of the Western Australian Planning Commission.

6. *An on-site stormwater drainage system with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied and thereafter maintained to the specification of the City of Joondalup and to the satisfaction of the Western Australian Planning Commission.*
7. *The car parking areas, driveways and points of ingress and egress shall be designed in accordance with the requirements of the Australian Standard for Off-street Car Parking (AS 2890). Such areas to be constructed, drained and marked prior to the practical completion of the development and thereafter maintained to the specification of the City of Joondalup and to the satisfaction of the Western Australian Planning Commission.*
8. *The car parking area is to be provided with one shade tree for every four (4) bays prior to the development first being occupied and thereafter maintained to the specification of the City of Joondalup and to the satisfaction of the Western Australian Planning Commission.*
9. *The access street/Ocean Reef Road intersection being modified to accommodate right and left turn vehicle movements onto Ocean Reef Road, to the specifications of Main Roads WA and the City of Joondalup, and to the satisfaction of the Western Australian Planning Commission.*

ADVICE TO APPLICANT

1. *All development must comply with the provisions of the Health Regulations, Building Code of Australia, Public Building Regulations and all other relevant Acts, Regulations and Local Laws. This includes*

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the provisions of access and facilities for people with disabilities in accordance with the Building Codes of Australia.

2. *With regard to Condition 3, the City of Joondalup advises that the Construction Management Plan shall address the following:*
 - (a) all forward works for the site;*
 - (b) the delivery of materials and equipment to the site;*
 - (c) the storage of materials and equipment on the site;*
 - (d) the parking arrangements for the contractors and subcontractors;*
 - (e) the management of dust during the construction process;*
 - (f) any other matters likely to impact on the surrounding properties.*
3. *With regard to Condition 9, Main Roads WA advises as follows:*
 - (a) The developer shall be responsible for all costs involved in the design and construction of the intersection and access. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and constructions drawings and any site inspections.*
 - (b) Main Roads approval for the construction drawings is required before any work is undertaken within the Mitchell Freeway reservation. A detailed traffic management safety plan while working within the road reservation is to be submitted as part of this approval.*
 - (c) All enquiries shall be directed to the Metropolitan Region Asset Manager (North).*
4. *With regard to the Mitchell Freeway road reserve:*

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- (a) *no earthworks shall encroach onto the reserve;*
- (b) *no stormwater drainage shall be discharged into the reserve;*
- (c) *the applicant shall make good any damage to the existing verge vegetation within the reserve; and*
- (d) *the ground levels of the freeway boundary are to be maintained as existing.*

5. *ATCO Gas Australia has high pressure gas mains in the vicinity of the property, and a high pressure gas service on the property. ATCO Gas must be notified of any works within 15 metres of high pressure gas infrastructure before those works begin. Construction, excavation and other activities may be restricted in this zone. No pavements (including crossovers) are to be constructed over any pipeline without consent from ATCO Gas Australia. Various pipeline safety tests may apply. The applicant is advised to contact ATCO in this regard.*

The motion was put and carried.

The Chairman arrived at 9.20 am and resumed the Chair.

7497.10 Confidential Items

7497.10.1 City of Swan - Local Planning Scheme Amendment No. 90 - For Final Approval

File TPS/1089/1
Report Number SPC/616
Agenda Part B
Reporting Officer A/Director - Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7497.10.2 City of Stirling Local Planning Scheme No.3 Amendment No.32 - Consent to Advertise

File TPS/0973
Report Number SPC/617
Agenda Part B
Reporting Officer A/Director - Schemes and Amendments

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THIS ITEM IS CONFIDENTIAL

- 7497.10.3 Shire of Ashburton Local Planning Scheme Amendment No.24 - For Final Approval**
- | | |
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| File | TPS/1022/1 |
| Report Number | SPC/618 |
| Agenda Part | B |
| Reporting Officer | Director Planning, Northern Regions
Principal Planning Officer, Pilbara |

THIS ITEM IS CONFIDENTIAL

- 7497.10.4 Shire of Broomehill Tambellup Local Planning Strategy - Request for Consent to Advertise**
- | | |
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| File | TPS/0465/1 |
| Report Number | SPC/619 |
| Agenda Part | E |
| Reporting Officer | Planning Officer |

THIS ITEM IS CONFIDENTIAL

- 7497.10.5 Shire of Esperance - Local Planning Scheme No.23 Amendment 14 - For Final Approval**
- | | |
|-------------------|------------------------------------|
| File | TPS/1174/1 |
| Report Number | SPC/620 |
| Agenda Part | E |
| Reporting Officer | Planning Manager - Central Regions |

THIS ITEM IS CONFIDENTIAL

- 7497.10.6 Shire of Shark Bay Local Planning Scheme No. 4 - Resolution to Prepare a Scheme**
- | | |
|-------------------|------------------------------------|
| File | TPS/1301/1 |
| Report Number | SPC/621 |
| Agenda Part | E |
| Reporting Officer | Planning Manager - Central Regions |

THIS ITEM IS CONFIDENTIAL

7497.11 General Business

Nil.

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7497.12 Items for Consideration at a Future Meeting

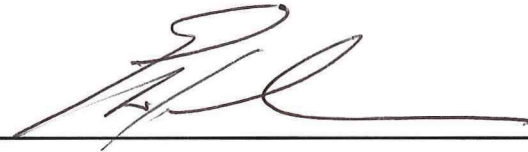
Nil.

7497.13 Closure

The next ordinary meeting is scheduled for 10.00 am on Tuesday 25 March 2014.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.00 am.

PRESIDING MEMBER



DATE
