

## **Statutory Planning Committee**

Minutes  
of ordinary meeting 7502  
held on Tuesday, 27 May 2014

### **Attendance**

#### **Members**

Mr Eric Lumsden	WAPC Chairman (Presiding Member)
Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	WAPC appointee
Mr Martin Clifford	Regional Minister's nominee (Deputy)
Mr Ian Holloway	Professions representative
Ms Gail McGowan	Acting Director General, Department of Planning
Ms Elizabeth Taylor	Community representative

#### **Officers**

Ms Lindsay Baxter	Planning Director; Perth and Peel Planning
Ms Natalie Cox	Planning Manager; Perth and Peel Planning
Mr Robert Cull	Senior Planning Officer; Perth and Peel Planning
Ms Rebecca Fuller	Senior Planning Officer; Schemes and Amendments
Mr Ben Harvey	Director, Policy and Research, Infrastructure, Projects, Policy and Research
Mr Ben Hesketh	Senior Planning Officer; Perth and Peel Planning
Mr Emille van Heyningen	Planning Manager; Perth and Peel Planning
Mr Richard Reeve	Coordinator; Committee Support
Mr Mathew Selby	Planning Director; Metropolitan Central Perth and Peel Planning

#### **Presenters**

Mr David Caddy	TPG Town Planning, Urban Design and Heritage (item 6.1, 6.3)
Ms Mariska van der Linde	TPG Town Planning, Urban Design and Heritage (item 6.1)
Mr Henry Dykstra	Harley Dykstra (item 6.2)
Mr Matt Raymond	TPG Town Planning, Urban Design and Heritage (item 6.3)
Mr Ian Day	D2 Property (item 6.4)
Mr Peter Lee	Hassell (item 6.4)
Mr Deon White	Roberts Day (item 6.4)
Ms Kathy Bonus	City of Subiaco (item 6.5)
Ms Marlaine Lavery	Ms Elyse Maketic (item 6.5)
Mr Malcom McKay	McKay Urban Design (item 6.5)
Mr Stephen Tindale	City of Subiaco (item 6.5)

#### **Committee Support**

Mr Luke Downes	Committee Support Officer - Department of Planning
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### **7502.1 Declaration of Opening**

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.

### **7502.2 Apologies**

Nil.

### **7502.3 Members on Leave of Absence and Applications for Leave of Absence**

Nil.

### **7502.4 Disclosure of Interests**

Nil.

### **7502.5 Declaration of Due Consideration**

No declarations were made.

**Moved to item 7.**

### **7502.6 Deputations and Presentations**

#### **7502.6.1 Development: Additional Poultry Farm Sheds - Lot 505 Henderson Road, Hopeland**

Presenter Mr David Caddy, TPG Town Planning, Urban Design and Heritage

Mr Caddy provided a PowerPoint presentation to members of the Committee against the recommendation. A copy has been placed on file.

#### **7502.6.2 Development: Additional Poultry Farm Sheds - Lot 505 Henderson Road, Hopeland**

Presenter Mr Henry Dykstra, Harley Dykstra

Mr Dykstra provided a presentation to members of the Committee in favour of the recommendation.

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**7502.6.3 City of Swan - Local Planning Scheme Amendment No. 90 - for Final Approval**

Presenter Mr David Caddy, TPG Town Planning, Urban Design and Heritage

Mr Caddy provided a PowerPoint presentation to members of the Committee in favour of the report. A copy has been placed on file.

**7502.6.4 Amendment 18 to City of Subiaco Town Planning Scheme - Consideration for Final Approval**

Presenter Mr Deon White, Roberts Day

Mr White provided a PowerPoint presentation to members of the Committee in favour of the report. A copy has been placed on file.

**7502.6.5 Amendment 18 to City of Subiaco Town Planning Scheme - Consideration for Final Approval**

Presenter Ms Elyse Maketic, City of Subiaco

Ms Maketic provided a PowerPoint presentation to members of the Committee regarding the implications of the proposed amendment. A copy has been placed on file.

**Moved to item 9.3.**

**7502.7 Announcements by the Chairperson of the Board and communication from the WAPC**

The Chairman advised that a meeting with members of Committees will be organised to discuss the agenda process in the near future.

**7502.8 Confirmation of Minutes**

**7502.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday, 13 May 2014**

**Resolved**

***Moved by Ms Taylor, seconded by Mr Holloway***

*That the minutes of the Statutory Planning Committee meeting held on Tuesday, 13 May 2014, be confirmed as a true and correct record of the proceedings.*

***The motion was put and carried.***

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**Moved to item 6.1.**

Members agreed to endorse, en-bloc, all the recommendation associated with Items 7502.9.1, 7502.9.2, 7505.9.4 and 7502.10.5.

**Resolved**

***Moved by Ms McGowan, seconded by Ms Bartle***

That the Statutory Planning Committee resolved to endorse, en-bloc, all the recommendation associated with Items 7502.9.1, 7502.9.2, 7505.9.4 and 7502.10.5.

***The motion was put and carried.***

### **7502.9 Reports**

#### **7502.9.1 Amendment to State Planning Policy 3.1 Residential Design Codes – Multiple Dwellings, Parking and other Incidental Changes**

File 1 May 2014  
Report Number SPC/651  
Agenda Part DP/14/00301/1  
Reporting Officer Planning Manager, Urban Policy

**Resolved**

***Moved by Ms McGowan, seconded by Ms Bartle***

*That the Statutory Planning Committee recommends that the Western Australian Planning Commission resolves to:*

- 1. endorse the proposed amendments to State Planning Policy 3.1 Residential Design Codes 2013 as outlined in Attachment 1; and*
- 2. seek the approval of the Minister for Planning to prepare the proposed amendment in accordance with section 26(1) of the Planning and Development Act 2005.*

***The motion was put and carried.***

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7502.9.2

### **City of Subiaco Local Planning Strategy – for Final Endorsement**

File DP/12/00457/2  
Report Number SPC/652  
Agenda Part D  
Reporting Officer Senior Planning Officer, Schemes and Amendments

#### **Resolved**

***Moved by Ms McGowan, seconded by Ms Bartle***

*That the Western Australian Planning Commission resolves to endorse the proposed Local Planning Strategy (dated December 2013) in accordance with the Town Planning Regulations 1967 (as amended), subject to the modifications outlined in the attached Schedule of Modifications being carried out.*

***The motion was put and carried.***

7502.9.3

### **Development: Additional Poultry Farm Sheds - Lot 505 Henderson Road, Hopeland**

File 29-50077-1  
Report Number SPC/653  
Agenda Part G  
Reporting Officer Acting Planning Manager Metropolitan South East

#### **Resolved**

***Moved by Ms Taylor, seconded by Mr Holloway***

*That the Western Australian Planning Commission resolves to approve the application for the proposed development at Lot 505 Henderson Road, Hopeland subject to the following conditions:*

- 1. The development shall be carried out in accordance with the development plan dated 29 July 2013;*
- 2. A maximum of 252,000 birds are permitted onsite at any one time in accordance with the "Odour Impact Assessment" prepared by SLR Global Environmental Solutions dated 23 September 2013;*

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3. *There shall be no staggering of growth cycles of birds on the site;*
4. *All bird catching and poultry cleanout operations at the end of each bird growth cycle shall take place in all poultry sheds onsite during a single period no longer than 72 hours;*
5. *An Operational Management Plan shall be prepared for the poultry farm and be submitted to and approved by the Shire of Serpentine Jarrahdale prior to the issuance of a building permit for the works the subject of this approval;*
6. *Within 12 months of the commencement of use of one or more of the new poultry sheds, and thereafter as required by the Shire of Serpentine Jarrahdale, the owner shall commission a suitably qualified person to undertake an Odour Assessment with field monitoring in the final weeks of a growth cycle, in summer. The Odour Assessment report is to be submitted to the Shire of Serpentine Jarrahdale within the 12 months of the commencement of use;*
7. *Subject to the findings of the Odour Assessment report subject of Condition 6, the Shire of Serpentine Jarrahdale may by notice in writing, require the landowner/operator to implement further odour attenuation measures;*
8. *Prior to the commencement/occupancy of one or more of the proposed sheds, bunds are to be constructed along the western and northern periphery of all sheds, consisting of 2.5 metre earthen bunds with vegetative screening and a solid 1.5 metre fence on top of the bund. The bunds are to be located as close as possible to the tunnel fan ends of the sheds in order to assist in odour dispersion, and maintained to the satisfaction of the Shire of Serpentine Jarrahdale;*

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9. *Detailed plans of the proposed bunds to be constructed along the western and northern periphery of all sheds, including specifications, elevations and details of fencing and vegetation proposed to be planted along the bunds are to be submitted to the Shire of Serpentine Jarrahdale prior to issuance of a building permit for one or more of the proposed sheds;*
10. *Prior to the issuance of a building permit, for one or more of the proposed sheds, a Landscape and Vegetation Management Plan showing the areas proposed to be planted, including the species and the number of each species, shall be submitted and approved by the Shire of Serpentine Jarrahdale. The implementation of the approved Landscape and Vegetation Management Plan shall commence within 12 months of a building permit, for one or more of the proposed sheds, being issued and is to be completed within two years of the building permit being issued. Vegetation onsite is to be maintained in accordance with the approved Landscape and Vegetation Management Plan, to the satisfaction of the Shire of Serpentine Jarrahdale;*
11. *No indigenous vegetation or trees shall be cleared outside the footprints of the poultry sheds, dwellings, service buildings and internal road network shown on the plan referred to in Condition 1 or to accommodate the earthen bunds required in Condition 8, except with the prior written consent of the Shire of Serpentine Jarrahdale;*
12. *Submission of a Biosecurity Risk Management Plan to the Shire of Serpentine Jarrahdale is required prior to a building permit, for one or more of the proposed sheds, being issued, in accordance with the Biosecurity and Agriculture Management (BAM) Act and Regulations;*
13. *The operator shall ensure that the use of water for washdown is minimised. Any*

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*discharge of water (washdown water, stormwater) from the premises including seepage to groundwater, other than directly to sewer or septic cisterns, shall be via treatment in silt traps, nutrient extraction swales, detention ponds, settling ponds or other effective mechanisms to remove nutrients and chemical agents to the satisfaction of the Shire of Serpentine Jarrahdale; and*

- 14. A sign is to be installed onsite, at a location visible from the Henderson Road frontage of the subject land, indicating the type of operation, hours of operation and possibility of undesirable environmental impacts on the surrounding areas.*

### ADVICE

- 1. A planning consent is not an approval to commence any works. A building permit must be obtained for all works prior to the commencement of any of the works covered by this approval including earthworks. The building permit is to demonstrate the separation of the proposed poultry sheds from the groundwater table, to a minimum separation distance of one metre;*
- 2. In relation to Condition 5, the Operational Management Plan shall incorporate the odour minimisation measures as outlined in the "Odour Impact Assessment" prepared by SLR Global Environmental Solutions dated 23 September 2013. Poultry shed design and management, plus the management of stock feed, water, waste products, dust, noise and all other aspects of poultry farm operations is to comply with the management guidelines set out in the Environmental Code of Practice for the Poultry Industry in Western Australia May 2004 (as amended) and the Operational Management Plan shall be complied with at all times;*
- 3. In relation to Condition 13, separate facilities should be provided for the retention of both*

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*washdown, waste waters and storm water to prevent the settling pond overflowing during major storm events and not filtered waste waters possibly impacting on any natural drainage lines or natural waterways. All water treatment facilities are to be regularly maintained to minimise the discharge of nutrients, total suspended dissolved solids, total suspended solids and other pollutants to ground and surface water resources;*

4. *Licensing from the Department of Water is required prior to any groundwater abstraction or the taking of surface water in accordance with the Rights in Water and Irrigation Act 1914;*
5. *The landowner/applicant is advised that the proposal is located within the Peel-Harvey Catchment and the provisions of the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992 and the Statement of Planning Policy No. 2.1 - Peel-Harvey Coastal Plain Catchment shall apply; and*
6. *Stormwater is required to be contained onsite to the satisfaction of the Water Corporation.*

***The motion was put and carried.***

**Moved to Item 10.1.**

### **7502.9.4 Create 5 Survey Strata Lots for Commercial Purpose Including Common Property**

File 159-14  
Report Number SPC/654  
Agenda Part H  
Reporting Officer Planning Officer, Northern Regions

**Resolved**

***Moved by Ms McGowan, seconded by Ms Bartle***

*That the Western Australian Planning Commission resolves to approve the application for survey-strata subdivision of Lot 5 Sandhill Street, Wedgefield as shown on the plan date-stamped 17 February 2014, subject to the following conditions:*

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### CONDITIONS:

1. *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)*
2. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Horizon 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. (Horizon Power)*
3. *The transfer of land as a Crown reserve free of cost to Horizon Power for the provision of electricity supply infrastructure. (Horizon Power)*
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. *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)*
6. *The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)*

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7. *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)*

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

### ADVICE:

1. *In regard to Condition 1, 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. *In regard to Condition 2, Horizon Power*

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*provides only one underground point of electricity supply per freehold lot.*

3. *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.*
4. *The Department of Fire and Emergency Services (DFES) advises that historical research has revealed that during the past 100 years, former elements of the Australian Defence Forces may have conducted training and/or operational activities within or close to the area of the proposed subdivision. It is possible that as a result of these activities, the subject area may contain unexploded ordnance (UXO). Whilst it is considered that the possible risk from UXO on the land subject to this approval is minimal, an absolute guarantee that the area is free from UXO cannot be given. Should, during subdivisional works, or at any other time, a form or suspected form of UXO be located, DFES has advised that the following process should be initiated:*
  - a) *do not disturb the site of the known or suspected UXO;*
  - b) *without disturbing the immediate vicinity, clearly mark the site of the UXO;*
  - c) *notify Police of the circumstances/situation as quickly as possible; and*
  - d) *maintain a presence near the site until advised to the contrary by a member of the WA Police Service or Defence Forces.*

*Further advice on this issue may be obtained by contacting the Unexploded Ordnance Unit, Department of Fire and Emergency Services.*

***The motion was put and carried.***

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### **7502.10 Confidential Items**

**7502.10.1 City of Swan - Local Planning Scheme Amendment No. 90 - for Final Approval**

File TPS/1089/1  
Report Number SPC/655  
Agenda Part B  
Reporting Officer A/Director - Schemes, Strategies and Amendments

**THIS ITEM IS CONFIDENTIAL**

**7502.10.2 City of Belmont Local Planning Scheme Amendment No.4 - for Consent to Advertise**

File 28 April 2014  
Report Number SPC/656  
Agenda Part TPS/1277  
Reporting Officer Director, Schemes and Amendments

**THIS ITEM IS CONFIDENTIAL**

**7502.10.3 Amendment 18 to City of Subiaco Town Planning Scheme - Consideration for Final Approval**

File TPS/0765/3  
Report Number SPC/657  
Agenda Part B  
Reporting Officer Senior Planning Officer Metropolitan Planning Central

**THIS ITEM IS CONFIDENTIAL**

**7502.10.4 Adoption of the Jindree Local Structure Plan No. 84**

File SPN/0504  
Report Number SPC/658  
Agenda Part C  
Reporting Officer Senior Planning Officer, Metropolitan Planning North West

**THIS ITEM IS CONFIDENTIAL**

**Moved to item 10.6.**

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### **7502.10.5 City of Greater Geraldton Public Open Space Strategy – Consent to Advertise**

File DP/12/00269  
Report Number SPC/659  
Agenda Part E  
Reporting Officer Manager – Statutory Planning, Central Regions

**THIS ITEM IS CONFIDENTIAL**

### **7502.10.6 Amendment No. 110 to the City of Mandurah Town Planning Scheme No. 3 - for Final Approval**

File TPS/1038/1  
Report Number SPC/660  
Agenda Part F  
Reporting Officer Planning Manager

**THIS ITEM IS CONFIDENTIAL**

## **7502.11 General Business**

### **7502.11.1 Multi Residential Codes**

Mr Holloway raised the issue of R40 codes and the discussion with Urban Development Institute of Australia regarding a move down a 5m lots in respect to Liveable Neighbourhoods.

### **7502.11.2 Deputations and Presentations**

The Chairman requested that deputations and presentations made to the Committee be reminded that a maximum of 15 minutes is allocated for their use and that a request for an extended period of presentation time be sought from the Chairman for approval.

## **7502.12 Items for Consideration at a Future Meeting**

Nil.

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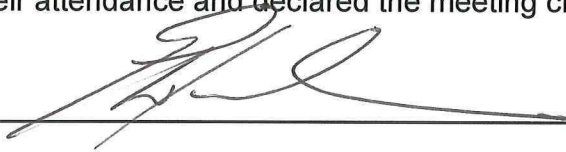
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**7502.13 Closure**

The next ordinary meeting is scheduled for 9.00 am on 10 June 2014.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 11.25 am.

**PRESIDING MEMBER** \_\_\_\_\_



**DATE** \_\_\_\_\_