

Statutory Planning Committee

Minutes
of ordinary meeting 7516
held on Tuesday, 10 February 2015

Attendance

Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member)
Mayor Russell Aubrey	Local government representative
Ms Megan Bartle	WAPC appointee
Mr Martin Clifford	Regional Minister's nominee (Deputy)
Mr Ray Glickman	WAPC appointee
Mr Stephen Hiller	WAPC appointee
Mr Ian Holloway	Professions representative
Ms Gail McGowan	Director General, Department of Planning
Ms Elizabeth Taylor	Community representative

Officers

Ms Kim Colquhoun	Office of the Director General
Ms Natalie Cox	Planning Manager; Perth and Peel Planning
Mr Robert Cull	Senior Planning Officer; Perth and Peel Planning
Ms Stephanie O'Dea	Senior Planning Officer; Schemes and Amendments
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 for item 11.1) (item 6.1 for item 11.1)
Mr Chad Ferguson	Planning Context (item 6.1 for item 11.1 and item 6.3 for item 11.3) (item 6.1 for item 11.1)
Mr Charles Johnson	City of Subiaco (item 6.2 for item 11.1)
Mr Brett Lovett	Ferraro Planning and Development Consultancy (item 6.3 for item 11.3)
Ms Marlaire Lavery	
Mr Eugene Ferraro	
Mr Mark Zagar	Landowner (item 6.3 for item 11.3)

Committee Support

Mr Luke Downes	Committee Support Officer - Department of Planning
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7516.1 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.

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7516.2 Apologies

Ms Sue Burrows WAPC appointee

7516.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

7516.4 Disclosure of Interests

Nil.

7516.5 Declaration of Due Consideration

No declarations were made.

7516.6 Deputations and Presentations

7516.6.1 City of Subiaco Town Planning Scheme No. 4 - Amendment 22 for Final Approval

Presenter Mr Charles Johnson, Planning Context

Mr Johnson made a presentation to the Committee and answered questions from members.

7516.6.2 City of Subiaco Town Planning Scheme No. 4 - Amendment 22 for Final Approval

Presenter Ms Marlaine Lavery, City of Subiaco

Ms Lavery made a PowerPoint presentation to the Committee and answered questions from members. A copy has been placed on file.

7516.6.3 City of Wanneroo District Planning Scheme No. 2 - Amendment 130 - for Final Approval

Presenter Mr Eugene Ferraro, Ferraro Planning and
Development Consultancy

Mr Ferraro made a PowerPoint presentation to the Committee and answered questions from members. A copy has been placed on file.

Mr Zagar tabled three items "Submissions of Support", "Cities of Cockburn and Swan Approve Poultry Sheds to Storage Use" and "Sharing Nowergup's Natural Assets". Copies have been placed on file.

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7516.7 Announcements by the Chairperson of the Board and communication from the WAPC

THIS ITEM IS CONFIDENTIAL

7516.8 Confirmation of Minutes

7516.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday, 20 January 2015

Resolved

Moved by Mayor Aubrey, seconded by Ms Taylor

That the minutes of the Statutory Planning Committee meeting held on Tuesday, 20 January 2015, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7516.9 Statutory Items for Decision

7516.9.1 Lakelands Mixed Business Precinct Outline Development Plan (ODP) - for Final Endorsement

File SPN 0652
Report Number SPC/784
Agenda Part C
Reporting Officer Planning Manager - Peel

Members agreed to amend the recommendation on the basis of usability and functionality of the access ways.

Officer's Recommendation

That the Western Australian Planning Commission resolves to:

1. refuse to endorse the Lakelands Mixed Business Precinct Outline Development Plan as the proposed access arrangements are not appropriate and would adversely affect the function of Mandurah Road as a Primary Regional Road;
2. advise the City of Mandurah of its decision and recommend the City, in conjunction with

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the landowner, investigate alternative land use options for the site which do not depend upon the construction of a new full-movement intersection with Mandurah Road.

Resolved

Moved by Ms Taylor, seconded by Mr Clifford

That the Western Australian Planning Commission resolves to support the Lakelands Mixed Business Precinct Outline Development Plan subject to the access arrangements in terms of the functionality of Mandurah Road be left in left out only.

The motion was put and carried.

7516.9.2

Modifications to the 'Halls Head Town Centre Precinct Plan', City of Mandurah

File SPN/0635
Report Number SPC/785
Agenda Part C
Reporting Officer Planning Manager - Peel

Members agreed to defer the item in order to obtain more information on the submissions and the issues relating to traffic.

Officer's Recommendation

That the Western Australian Planning Commission resolves to:

1. endorse the modifications to the Halls Head Town Centre Precinct Plan stamp date 5 November 2014, subject to the following modifications;

- a) Provision 2.2.3(b) of the Halls Head Town Centre Precinct Plan to read as follows:

"Where a split density is shown on the Precinct Plan, a Residential Density Code Plan is to be submitted consistent with any residential density shown on the

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Precinct Plan. The Residential Density Code Plan requires the approval of the WAPC as a minor modification to the Precinct Plan prior to the subdivision application being determined.

The Residential Density Code Plan shall thereafter form part of the Precinct Plan.';

- b) Table 1 - Land Use Table of the Halls Head Town Centre Precinct Plan shall be modified by linking specific zones in Town Planning Scheme No 3 to the precinct plan zones in the row 'Other Uses'.
- c) Modifying Figure 2 - Simplified Zoning Plan to ensure the sub-precinct zones legend is consistent with zones identified on the zoning plan.

- 2. advise the City of Mandurah of its decision accordingly.

Resolved

Motion to defer

Moved by Mr Holloway, seconded by Mayor Aubrey

That the item relating to Modifications to the 'Halls Head Town Centre Precinct Plan', City of Mandurah be deferred to the next meeting of the Statutory Planning Committee to obtain more information on the submissions and the issues relating to traffic.

The motion to defer was put and carried.

The votes were recorded as follows:-

For: Mr Lumsden, Mayor Aubrey, Ms Bartle, Mr Clifford, Mr Glickman, Mr Holloway, Ms McGowan and Ms Taylor

Against: Mr Hiller

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7516.9.3

Proposed Subdivision of One Lot into Two Lots - Lot 7 (No. 52) Victoria Avenue, Claremont

File 150334
Report Number SPC/786
Agenda Part G
Reporting Officer Planning Manager, Metropolitan Central

Resolved

Moved by Ms Bartle, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to approve the application dated 8 July 2014 subject to the following conditions.

CONDITION(S):

1. *Proposed Lot 1 being modified to achieve a minimum lot size of 551m² and proposed Lot 2 achieving a minimum lot area of 691m². (WAPC)*
2. *The access leg forming part of the rear lot shall be a minimum width of 3 metres, free of any building projections associated with existing site development and depicted on the diagram or plan of survey (deposited plan) and subdivision plan accordingly. (Local Government)*
3. *All buildings 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)*
4. *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)*
5. *The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government)*

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6. *The land being filled, stabilised, drained and/or graded as required to ensure that:*
 - a) *lots can accommodate their intended development;*
 - 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;*
 - c) *stormwater is contained on-site, or appropriately treated and connected to the local drainage system*
(Local Government)
7. *A 4.24 metre truncation is to be provided at the junction of the access way and the proposed rear lot. (Local Government)*
8. *A 2.12 metre truncation is to be provided at the junction of the access way and the road reserve. (Local Government)*
9. *Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)*
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)*
11. *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)*
12. *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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ADVICE:

1. Any retaining walls on lot boundaries exceeding 0.5m in height (above natural ground level) are to be designed and certified by Practising Structural Engineer to the satisfaction of the Town of Claremont. Approvals are to be sought before works.
2. In regard to Condition 4, 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 5, 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. In regard to Conditions 10 and 11, 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 83 of the Water Services Act 2012 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.
5. In regard to Condition 12, Western Power provides only one underground point of electricity supply per freehold lot.
6. Future development of the site will be subject to Swan River Trust development policies. This includes Trust Policy SRT/D3 Development Setback Requirements which requires a development setback of 10 metres or 20% of the average depth of the lot, whichever is the lesser, from the landward boundary of the Parks and Recreation reservation. Trust policy SRT/D3 also requires that any fence to be

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constructed along the boundary of the Parks and Recreation reserve shall be open view with a maximum height of no more than 1.8 metres.

The motion was put and carried.

7516.9.4

Subdivision of Two Multi Lots to Create Two Freehold Lots - Lot 2 and Pt. Lot 3 (No. 75) Goldsworthy Road, Claremont

File	150805		
Report Number	SPC/787		
Agenda Part	G		
Reporting Officer	Planning	Manager,	Metropolitan
	Central,		

Resolved

Moved by Ms Taylor, seconded by Ms McGowan

That the Western Australian Planning Commission resolves to approve the application dated 14 October 2014 subject to the following conditions.

CONDITION(S):

- 1. 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 service to the lot(s) shown on the approved plan of subdivision. (Western Power)*
- 2. The provision of easements for existing or planned future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)*
- 3. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)*

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4. *Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s 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. *Other than buildings, outbuildings and/or structures required for retention, all buildings, outbuildings and/or structures present on the proposed lots at the time of subdivision approval which require modification to comply with setbacks being demolished and materials removed from the lots. (Local Government)*
7. *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)*
8. *The right-of-way being widened by 0.8 metres along the full frontage of the land the subject of this application by the applicant/owner transferring the land required to the Crown free of cost for the purpose of widening the right-of-way. (Local Government)*
9. *The portion of the right-of-way abutting the western boundary of the subject land and any portion/s of the right of way required to be widened for the purpose of this subdivision being sealed, drained and paved to its full width and the remaining portion of the right-of-way from the western boundary to the nearest constructed road being made trafficable. (Local Government)*

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ADVICE:

1. *With regard to Condition 1, Western Power provides only one point of electricity supply per freehold (green title) lot.*
2. *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 83 of the Water Services Act 2012 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.*
3. *In regard to Condition 6, 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. *The Town of Claremont advises the applicant/owner that Clause 36 (6) of Town Planning Scheme No.3 requires, where practical, vehicular access to be provided from a secondary street, laneway, common property access leg or the like. The applicant/owner should investigate any potential implications, prior to effecting the subdivision.*

The motion was put and carried.

7516.10 Policy Items for Discussion/Decision

Nil.

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7516.11 Confidential Reports

- 7516.11.1 City of Subiaco Town Planning Scheme No. 4 - Amendment 22 for Final Approval**
File TPS/1359
Report Number SPC/788
Agenda Part B
Reporting Officer Planning Manager, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7516.11.2 City of Wanneroo - Local Planning Scheme Amendment 102 - for Final Approval**
File TPS/996
Report Number SPC/789
Agenda Part B
Reporting Officer Planning Manager - Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7516.11.3 City of Wanneroo District Planning Scheme No. 2 - Amendment 130 - for Final Approval**
File TPS/1337/1
Report Number SPC/790
Agenda Part B
Reporting Officer Planning Manager, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7516.11.4 State Administrative Tribunal Review: Invitation to Reconsider Decision for Commercial Vehicle Parking and Outbuilding at Lot 20 Padbury Avenue, Herne Hill**
File 21-50433-1
Report Number SPC/791
Agenda Part G
Reporting Officer A/Director Metropolitan North East

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7516.12 Stakeholder Engagement & Site Visits

Members agreed at an earlier meeting that a site visit to the Swan Valley policy area would be held in the near future.

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7516.13 Urgent Business

7516.13.1 Discussions with UDIA on Statutory Planning Processes

The Chairman advised members that a discussion with the representatives of the UDIA on statutory planning processes would occur in the near future.

7516.13.2 Clarification of Site Visit

Ms McGowan advised that the site visit to Serpentine-Jarrahdale area was to address commercial issues.

7516.14 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7510.7	Legal Services' review of delegations	Report to be presented to the Committee	TBA
7515.14.1	DAP report	Establishment report to be presented to the Committee	TBA

7516.15 Closure

The next ordinary meeting is scheduled for 9.00 am on 24 February 2015.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.43 am.

PRESIDING MEMBER _____

DATE _____