

**Statutory Planning Committee**

Minutes  
of ordinary meeting 7523  
held on Tuesday, 26 May 2015

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**Attendance****Members**

Mr Eric Lumsden	WAPC Chairman (Presiding Member)
Mayor Russell Aubrey	Local government representative
Mr Ray Glickman	WAPC appointee
Mr Ian Holloway	Professions representative
Ms Elizabeth Taylor	Community representative

**Officers**

Ms Johanna Dowsett	<b>Department of Planning</b> A/Principal Planning Officer; Regional Planning and Strategy
Mr Johan Gildenhuys	Planning Manager; Regional Planning Strategy
Ms Kym Petani	A/Executive Director; Perth Peel Planning

**Committee Support**

Mr Luke Downes	Committee Support Officer - Department of Planning
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**7523.1 Declaration of Opening**

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

**7523.2 Apologies**

Nil.

**7523.3 Members on Leave of Absence and Applications for Leave of Absence**

Ms Bartle, Ms Burrows, Mr Clifford, Mr Hiller and Ms McGowan had previously submitted applications for a leave of absence for the Statutory Planning Committee meeting scheduled for 26 May 2015.

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### 7523.4 Disclosure of Interests

Nil.

### 7523.5 Declaration of Due Consideration

No declarations were made.

### 7523.6 Deputations and Presentations

Mr Nick Ayton (Ayton Baesjou Planning) provided a statement on behalf of Mr Bestall. Copies were circulated to members prior to the meeting for consideration.

A copy has been placed on file.

### 7523.7 Announcements by the Chairperson of the Board and communication from the WAPC

The Chairman advised that he had been provided with a briefing note in regards to legal advice on Madora Bay. A copy will be circulated to members.

The Chairman announced that the Department of Planning is working on a briefing note to provide to the Minister in related to the Multi-Unit Codes.

### 7523.8 Confirmation of Minutes

#### 7523.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday, 12 May 2015

**Resolved**

***Moved by Mr Glickman, seconded by Mr Holloway***

- 1. To amend the minutes under item 7522.14.1 to change 'Pension' to 'Person';*
- 2. That the minutes of the Statutory Planning Committee meeting held on Tuesday, 12 May 2015 as amended, be confirmed as a true and correct record of the proceedings.*

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

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### 7523.9 Statutory Items for Decision

#### 7523.9.1 Subdivision to Create Two Rural Residential Lots

File 151337  
Report Number SPC/837  
Agenda Part C  
Reporting Officer Planning Manager, Peel

#### Resolved

***Moved by Ms Taylor, seconded by Mayor Aubrey***

*That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 31 (No. 55) Red Road, Parklands as shown on the plan dated 23 January 2015. This decision is valid for three years subject to the following conditions and advice:*

#### CONDITIONS:

- 1. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government).*
- 2. Prior to commencement of subdivisional works, a detailed plan identifying building envelope(s) on all lots on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development, to the satisfaction of the Western Australian Planning Commission. (Local Government)*
- 3. A fire management plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3) to the specifications of the local government*

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*and/or the Department of Fire and  
Emergency Services. (Local  
Government)*

4. *A notification, pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*

*'The lot(s) is/are subject to a fire  
management plan.' (Local  
Government)*

5. *A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificates of title of the proposed lot(s) advising of the existence of a hazard or other factor. 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 in close proximity to known  
mosquito breeding areas. The  
predominant mosquito species is  
known to carry viruses and other  
diseases.' (Western Australian  
Planning Commission)*

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)*

### ADVICE:

1. *In regard to Condition 6, Western Power provides only one underground point of electricity supply per freehold lot.*

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



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7523.9.2

### Shire of Esperance Local Planning Strategy Amendment 2 - Consent to Advertise

File DP/15/00123  
Report Number SPC/838  
Agenda Part E  
Reporting Officer Statutory Planning Manager - Central Regions

#### Resolved

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

*That the Western Australian Planning Commission resolves not to certify the Shire of Esperance Local Planning Strategy Amendment 2, Condingup under Regulation 12A(3) of the Town Planning Regulations 1967 (as amended) and refuse advertising of the proposal for the following reasons:*

- 1. 'Intensive-Agriculture' in this location is not prohibited by the Local Planning Scheme or Strategy at present, as it is a Discretionary use within the current zone;*
- 2. the amendment is inconsistent with SPP 1 State Planning Framework and SPP 3 Urban Growth and Settlement as it does not provide a logical expansion of an existing settlement, and is isolated from existing infrastructure, markets, services and employment centres;*
- 3. the amendment is inconsistent with SPP 2.5 Land Use Planning in Rural Areas as no evidence of demand from industry for lots in the Shire or in Condingup has been provided to justify the proposal, and any future businesses would be isolated from markets and supporting infrastructure.*
- 4. the amendment, if approved in its current form, could set an undesirable precedent for proponents circumventing WAPC policy by amending local planning strategies to provide for fragmentation of rural landholdings;*

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5. *the amendment does not meet the requirements for certification as outlined in Regulation 12A(3) of the Town Planning Regulations 1967 (as amended), as it does not apply state and regional planning policies.*

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

### **7523.10 Policy Items for Discussion/Decision**

Nil.

### **7523.11 Confidential Reports**

#### **7523.11.1 Draft State Planning Policy 5.2 – Telecommunications Infrastructure**

File DPI/14/00071/1  
Report Number SPC/839  
Agenda Part A  
Reporting Officer Planning Manager - Strategic Infrastructure

**THIS ITEM IS CONFIDENTIAL**

#### **7523.11.2 City of Karratha Town Planning Scheme No. 8 Local Planning Scheme Amendment No. 37 – for Final Approval**

File TPS/1397/1  
Report Number SPC/840  
Agenda Part B  
Reporting Officer Planning Manager – Pilbara

**THIS ITEM IS CONFIDENTIAL**

#### **7523.11.3 Shire of Coolgardie – Local Planning Strategy – Consent to Advertise**

File TPS/1171  
Report Number SPC/841  
Agenda Part E  
Reporting Officer Statutory Planning Manager, Central Regions

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### 7523.12 Stakeholder Engagements & Site Visits

Nil.

### 7523.13 Urgent Business

#### 7523.13.1 Aged Persons Housing

Mr Glickman provided members with a brief overview of the Framework for Aged Persons Housing.

Mr Glickman spoke on a range of topics, these included:

- The responsibility of the regulation of home and facility based care by the Commonwealth and the responsibility the Western Australian Government has for the delivery of health and housing.
- The need for care facilities to cater for end of life or severe dementia/mental health patients only with the majority of aged care to be delivered in residence. Suitability of housing will be key in the provision of successful aged care in the residence and to prevent institutionalisation.
- A framework to foster suitable supply of aged-friendly housing is required and these dwellings should be located close to transport, shopping, services and recreation sites.
- It has been identified that in many Local Government Authorities it is difficult to establish small-sized dwellings in established areas.

#### Resolved

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

*That the Statutory Planning Committee resolves to establish a WAPC/SPC working party or other more appropriate mechanism to examine whether the current planning framework is conducive to meeting seniors' housing needs including appropriate design (internal and external) and recommend what changes, if any, are required to foster such development and, as a consequence, promote successful care delivery to older people in non-institutional settings.*

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

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### 7523.14 Items for Consideration at a Future Meeting

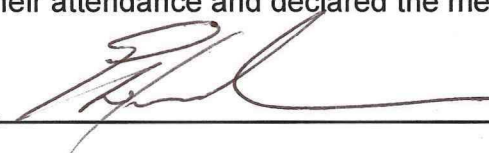
Item No	Report	Request	Report Required
7510.7	Legal Services' review of delegations	Report to be presented to the Committee	TBA
7515.14.1	DAP report	Establishment report to be presented to the Committee	TBA
7517.14.1	Building Codes	To be discussed at a future meeting of the Committee	TBA
7517.14.2	Sub-Regional Planning Frameworks	A presentation to be made to the Committee at a future meeting	TBA
7519.14.1	Housing Choice by Construction	Member Ian Holloway to present (20 minutes) to the next SPC meeting	09/06/2015

### 7523.15 Closure

The next ordinary meeting is scheduled for 9.00 am on 9 June 2015.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.01 am.

PRESIDING MEMBER



DATE

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