

Statutory Planning Committee

Minutes
of ordinary meeting 7527
held on Tuesday, 28 July 2015

Attendance

Members

Mayor Russell Aubrey	Local government representative
Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	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 (Acting Chair)

Officers

Mr Ben Harvey	Department of Planning Director, Policy and Research
Ms Lee O'Donahue	Manager; Schemes and Amendments
Ms Lindsay Baxter	A/Executive Director; Perth and Peel Planning
Ms Rebecca Fuller	Senior Planning Officer; Schemes and Amendments

Observers

Mayor Henry Zelones	City of Armadale
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Presenters

Mr Steve Allerding	Allerding & Associates (Item 6.1 for Item 9.1)
Mr Richard Hammond	Architect – National Lifestyle Villages (Item 6.1 for Item 9.1)
Mr John Wood	Managing Director - National Lifestyle Villages (Item 6.1 for Item 9.1)

Committee Support

Ms Olivia Peters	Committee Support Officer - Department of Planning
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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.

Ms McGowan nominated Ms Taylor.
Ms Taylor accepted the nomination.

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

Resolved

Moved by Mr Hiller, seconded by Ms McGowan

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 9.02 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

Apologies

Mr Eric Lumsden

WAPC Chairman (Presiding Member)

Members on Leave of Absence and Applications for Leave of Absence

Nil

Disclosure of Interests

Nil

Declaration of Due Consideration

All members indicated that they had received & considered the agenda items before the Commission meeting.

Deputations and Presentations

Proposed "Lifestyle Village" (Park Home Park) Within The Jandakot Groundwater Protection Policy Area

Presenter Mr Steve Allerding, Allerding & Associates
Mr Richard Hammond and Mr John Wood,
National Lifestyle Villages

Mr Allerding, Mr Hammond and Mr Wood made PowerPoint presentations in support of this item, to the Committee and answered questions from members.

A copy has been placed on file.

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

No announcements were made.

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

Confirmation of Minutes

**Minutes of the Statutory Planning Committee meeting
held on Tuesday, 14 July 2015**

Resolved

Moved by Mr Hiller, seconded by Ms Burrows

That the minutes of the Statutory Planning Committee meeting held on Tuesday, 14 July 2015, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

Modification of Frasers Landing Outline Development Plan

Resolved

Unanimous agreement from all members

That by an absolute majority, the Statutory Planning Committee:

1. revokes its decision of 14 July 2015, as follows:

“That the Western Australian Planning Commission resolves to:

- 1. approve the modified Frasers Landing outline development plan, subject to the attached Schedule of Modifications;*
- 2. advise the City of Mandurah of its decision.”*

2. adopts the following alternate motion:

“That the item relating to Modification of Frasers Landing Outline Development Plan as detailed in the report dated 26 June 2015 be deferred to the next meeting of the Statutory Planning Committee for further information to be provided in relation to statutory issues as

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

discussed in the officers report."

That the item relating to Modification of Frasers Landing Outline Development Plan, as detailed in the report dated 26 June 2015, be modified due to further advice coming to the attention of the Chairman. This item was modified and due to time constraints, circulated out of session to all members for approval.

The motion was put and carried by an absolute majority.

Statutory Items for Decision

Proposed "Lifestyle Village" (Park Home Park) Within The Jandakot Groundwater Protection Policy Area

File 22-50166-1 and DAP/15/00734
Report Number SPC/864
Agenda Part G
Reporting Officer Manager, Metropolitan South East

Officer's Recommendation

That the Statutory Planning Committee resolves to recommend to the Joint Development Assessment Panel that the application for a Park Home Park at Lot 9007 Warton Road, Piara Waters be refused for the following reasons:

1. The proposed Park Home Park is contrary to Clause A1 of State Planning Policy No. 1 'State Planning Framework Policy' as it is proposing urban development in a rural area, ahead of detailed strategic planning or a Metropolitan Region Scheme Amendment or Town Planning Scheme Amendment including associated technical studies and therefore does not achieve the following:
 - "ii. assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

- iv. adopting a risk-management approach which aims to avoid or minimise environmental degradation and hazards; and
 - v. preventing environmental problems which might arise as a result of siting incompatible land uses close together".
2. The proposed Park Home Park is contrary to State Planning Policy No. 2.3 - 'Jandakot Groundwater Protection Policy' as it proposes an 'incompatible' land use in a Priority 2 area and therefore does not achieve the following objectives:
- "i. ensure that all changes to land use within the Policy Area are compatible with long-term protection and maintenance of groundwater for public supply and maintenance of associated ecosystems;
 - ii. to prevent land uses likely to result in contamination of groundwater through nutrient or contaminant export;
 - iii. to balance environmental protection with the economic viability of the existing land uses;
 - iv. to maintain or increase natural vegetation cover over the Policy Area; and
 - v. to protect groundwater quality and quantity in the Policy Area in order to maintain the ecological integrity of important wetlands hydraulically connected to that groundwater, including wetlands outside the Policy Area.
 - vi. meet the 2 hectare minimum lot size required by the State Planning Policy".
3. The proposed Park Home Park is contrary to State Planning Policy No. 2.7 - 'Public Drinking Water Source Policy' as it does not comply with the principles of risk minimisation as identified for the Priority 2

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

area and therefore does not achieve the following objective:

"The objective of this policy is to ensure that land use and development within PDWSAs is compatible with the protection and long-term management of water resources for public water supply."

4. The proposed Park Home Park does not meet the requirements of the City of Armadale Town Planning Scheme No. 4 as it does not comply with the requirements of Part 5B of the Scheme for General Rural zoned land, namely:
 - i. The proposed Park Home Park does not meet the minimum setback of 15 metres from all lot boundaries.
 - ii. The proposed development exceeds the maximum building coverage of 500 square metres.
 - iii. The proposed development does not comply with the minimum lot size of 40 hectares, as it effectively creates leaseholds akin to urban development.
5. The proposed Park Home Park would create an undesirable precedent for the further subdivision of P2 Priority area land zoned Rural - Water Protection as it is not in accordance with relevant provisions of Western Australian Planning Commission policy, Department of Water policy and the City of Armadale Town Planning Scheme No. 2.
6. Approval of the development is contrary to orderly and proper planning by reason that the density proposed is inconsistent with the existing strategic planning for this locality and may prejudice its future planning and development.
7. The land is zoned Rural - Water Protection in the Metropolitan Region Scheme and General Rural in the City of Armadale Town Planning Scheme No. 4. The purpose and intent of this zoning is to preserve the area's current rural use and

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

density of development. The development proposes land use intensification and the introduction of non-rural activity in conflict with the zoning objectives.

8. The proposed Park Home Park seeks to create residential scale development in a locality which is zoned Rural in the Metropolitan Region Scheme, which would conflict with the intent and purpose of such zoning.
9. The lot is adjacent to a 'moderate' to 'extreme' bush fire rating. The Planning for Bush Fire Protection Guidelines (WAPC 2010) outlines a general presumption against development in areas with an 'extreme' rating. The proposed application has not provided appropriate separation distances between development and the 'extreme' rating.

Resolved

Motion to defer

Moved by Mr Hiller, seconded by Mayor Aubrey

That the item relating to Proposed "Lifestyle Village" (Park Home Park) Within The Jandakot Groundwater Protection Policy Area as detailed in the report dated 15 July 2015 be deferred, to allow the report to be modified to better reflect the land use planning reasons and having due regard for policy/merit. This item was circulated to all members out of session for endorsement.

The motion to defer was put and carried.

Policy Items for Discussion/Decision

Planning Bulletin 69 – Bush Forever Areas

File	DP/12/01248
Report Number	SPC/865
Agenda Part	A
Reporting Officer	Manager Policy Development & Review

Statutory Planning Committee

Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

Resolved

Moved by Ms Bartle, seconded by Mayor Aubrey

That the Statutory Planning Committee resolves to:

- 1. endorse the revised Planning Bulletin 69 – Bush Forever areas;*
- 2. approves forwarding the revised Planning Bulletin to the Minister for Planning for noting prior to publication.*

The motion was put and carried.

Confidential Reports

City Of Stirling Local Planning Scheme No. 3 Amendment 43 - For Final Approval

File	TPS/1323
Report Number	SPC/866
Agenda Part	B
Reporting Officer	Planning Manager, Schemes & Amendments

THIS ITEM IS CONFIDENTIAL

7527. 12 Stakeholder Engagement & Site Visits

Nil.

Urgent Business

7527.13.1 Modification of Frasers Landing Outline Development Plan
(Item 9.4 of Statutory Planning Committee Meeting 14 July 2015)

In consideration of the out of session item, members commented on the desirability of having a standing item on meeting agenda action items.

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

Statutory Planning Committee

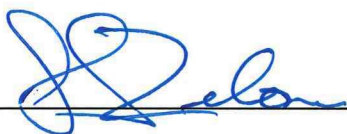
Minutes
of ordinary meeting 5727
held on Tuesday, 28 July 2015

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| 7515.14.1 | Detailed Area Plan report | Establishment report to be TBA presented to the Committee |
| 7517.14.1 | Building Codes | To be discussed at a future TBA meeting of the Committee |
| 7517.14.2 | Sub-Regional Planning Frameworks | A presentation to be made to the TBA Committee at a future meeting |
| 7527.9.1 | Proposed "Lifestyle Village" (Park Home Park) Within The Jandakot Groundwater Protection Policy Area | Report to be presented to the TBA Committee on 'retirement villages' and the DOP's policy setting in regards to land use and the policy/merit discussion |
| 7527.15 | Closure | |

The next ordinary meeting is scheduled for 9.00 am on 11 August 2015.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.21 am.

PRESIDING MEMBER



DATE

11/10/2016

