

## **Statutory Planning Committee**

Minutes  
of ordinary meeting 7529  
held on Tuesday, 25 August 2015

### **Attendance**

#### **Members**

Mayor Russell Aubrey	Local government representative
Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	A/Director General, Department of Planning
Mr Martin Clifford	WAPC appointee
Mr Ray Glickman	WAPC appointee
Mr Stephen Hiller	WAPC appointee
Mr Ian Holloway	Professions representative
Ms Gail McGowan	Director General
Ms Elizabeth Taylor	Community representative (Presiding Member)

#### **Officers**

Ms Lindsay Baxter	<b>Department of Planning</b> A/Executive Director; Perth and Peel Planning
Mr Ben Harvey	Director, Policy and Research
Mr David MacLennan	A/Executive Director; Regional Planning and Strategy
Mr Cath Meaghan	Director; Wheatbelt
Ms Kylie Woods	Senior Legal Officer

#### **Presenters**

Ms Sandra Eckert	Department of Lands (Item 6.1 for Item 11.1) and (Item 6.2 for Item 11.2)
Ms Sze-Hwei Yen	Department of Lands (Item 6.1 for Item 11.1) and (Item 6.2 for Item 11.2)

#### **Committee Support**

Ms Olivia Peters	Committee Support Officer - Department of Planning
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### **7529.1 Declaration of Opening**

Due to the absence of the Chairman 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.**

**Resolved**

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### **Moved by Mr Holloway, seconded by Mr Clifford**

*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 8.58am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

### **7529.2 Apologies**

Mr Eric Lumsden

Chairman WAPC

### **7529.3 Members on Leave of Absence and Applications for Leave of Absence**

Nil

### **7529.4 Disclosure of Interests**

Nil

### **7529.5 Declaration of Due Consideration**

No declarations were made.

### **7529.6 Deputations and Presentations**

#### **7528.6.1 Amendments to the Land Administration Act 1997: Intrusions into Crown Airspace; Determinable Freehold Title and Authorised Encroachments**

Presenter Ms Sandra Eckert; Department of Lands  
Ms Eckert made a PowerPoint presentation in support of the recommendation to the Committee and answered questions from members.

A copy has been placed on file.

#### **7528.6.2 Amendments to Section 152 and 168 of the Planning and Development Act 2005**

Presenter Ms Sandra Eckert; Department of Lands  
Ms Eckert made a PowerPoint presentation in support of the

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recommendation to the Committee and answered questions from members.

A copy has been placed on file.

### **7529.7 Announcements by the Chairperson of the Board and communication from the WAPC**

Ms McGowan advised that a PowerPoint presentation, on the Planning and Development (Local Planning Schemes) Regulations 2015, would be circulated to Members after the meeting.

### **7529.8 Confirmation of Minutes**

#### **7529.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday, 11 August 2015**

**Resolved**

***Moved by Mr Holloway, seconded by Mayor Aubrey***

*That the Statutory Planning Committee resolves:*

- 1. To amend the minutes to reflect minor changes to the attendance list;*
- 2. That the minutes of the Statutory Planning Committee meeting held on Tuesday, 11 August 2015 as amended, be confirmed as a true and correct record.*

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

### **7529.9 Statutory Items for Decision**

#### **7529.9.1 Proposed "Lifestyle Village" (Park Home Park) within the Jandakot Groundwater Protection Policy Area**

File 22-50166-1 and DAP/15/00734  
Report Number SPC/887  
Agenda Part G  
Reporting Officer Manager, Metropolitan South East

**Resolved**

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

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*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 proposal is contrary to State Planning Policy No. 2.3 - 'Jandakot Groundwater Protection Policy' and State Planning Policy No. 2.7 - 'Public Drinking Water Source Policy' as it is listed as an 'incompatible' land use within the Priority 2 water protection area. .*
- 2. The proposal does not meet the minimum separation distance required between the City of Cockburn Kennel and Cattery zone and the proposed development as defined by the Environmental Protection Authority's Guidance for the Assessment of Environmental Factors No. 3 Separation Distances between Industrial and Sensitive Land Uses.*
- 3. The proposal has not sufficiently addressed the noise impacts to the development as a result of the adjoining City of Cockburn Kennel and Cattery zone, the Jandakot Airport and Warton Road as a freight route.*
- 4. The proposal seeks primary access from Warton Road which has been identified as a primary freight route in the Statement of Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Residential traffic movements associated with the development application as proposed will likely impact on the efficient movement of freight through this area.*
- 5. 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.*



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6. *The proposed Park Home Park would create an undesirable precedent for the same or other types of development within the P2 Priority area land zoned Rural - Water Protection as it is not in accordance with relevant provisions of Western Australian Planning Commission policy or Department of Water policy.*
7. *The land is zoned Rural - Water Protection in the Metropolitan Region Scheme. The purpose and intent of this zoning is to preserve the area's current rural use and density of development. The development proposes land use intensification and the introduction of non-rural activity in conflict with the zoning objectives.*
8. *Approval would be contrary to orderly and proper planning as the proposed development is inconsistent with the planning intentions for this locality and may prejudice any future strategic planning and/or development of the locality.*

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

### **7529.10 Policy Items for Discussion/Decision**

NIL

### **7529.11 Confidential Reports**

#### **7529.11.1 Amendments to the Land Administration Act 1997: Intrusions into Crown Airspace; Determinable Freehold Title and Authorised Encroachments**

File DP/11/02645  
Report Number SPC/883  
Agenda Part A  
Reporting Officer Planning Director and Senior Legal Officer

**THIS ITEM IS CONFIDENTIAL**

#### **7529.11.2 Amendments to Section 152 and 168 of the Planning and Development Act 2005**

File DP/11/02645  
Report Number SPC/884

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Agenda Part A  
Reporting Officer Planning Director and Senior Legal Officer

### THIS ITEM IS CONFIDENTIAL

**7529.11.3 Planning and Development (Local Planning Schemes) Regulations 2015 – Review of Planning Bulletin 112/2015 and Approval of Structure Plan Forms**

File DP/15/00045/1  
Report Number SPC/886  
Agenda Part A  
Reporting Officer Director, Wheatbelt Region

### THIS ITEM IS CONFIDENTIAL

**7529.12 Stakeholder Engagements & Site Visits**

Nil.

**7529.13 Urgent Business**

**7529.13.1 Section 16.E**

Ms McGowan advised that a large number of submissions have been received on the planning frameworks, analysis has been done and a special briefing will be arranged for Members of the SPC, WAPC and ICC. Ms McGowan encouraged Members to familiarise themselves with Section 16.E and provide feedback.

**7529.13.2 Senior Management Meeting – September 2015**

Ms McGowan requested a volunteer Committee Member to attend the next Senior Management Meeting (Scheduled for September 2015).

Mr Glickman offered to attend.

**7529.13.3 Attending Officers at SPC Meetings**

Mr Glickman requested that any officers attending the Statutory Planning Committee meetings be listed on the Running Sheets for meetings, to provide Members with advice on officers' position within DoP.

**7529.13.4 Aged Persons**

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Ms Taylor queried whether any actions have been taken regarding Committees setup for Aged Persons.

Mr Glickman advised that this had been awaiting the return of the Chairman, and he would now be liaising with Mr Lumsden.

### **7529.13.5 Process Following SPC Meetings**

Ms Taylor queried the process following decisions made at the Statutory Planning Committee meetings and how these were then actioned.

Ms Burrows advised of the following process:

1. In relation to agenda items that are non-confidential, resolutions are published via the Minutes on the DoP website for public viewing; and
2. In relation to agenda items that are confidential, resolutions cannot be published externally and officers are not at liberty to disclose any details.

### **7529.14 Items for Consideration at a Future Meeting**

<b>Item No</b>	<b>Report</b>	<b>Request</b>	<b>Report Required</b>
<b>7510.7</b>	Legal Services' review of delegations	Report to be presented to the Committee	<b>TBA</b>
<b>7515.14.1</b>	Detailed Area Plan report	Establishment report to be presented to the Committee	<b>TBA</b>
<b>7517.14.1</b>	Building Codes	To be discussed at a future meeting of the Committee	<b>TBA</b>
<b>7517.14.2</b>	Sub-Regional Planning Frameworks	A presentation to be made to the Committee at a future meeting	<b>TBA</b>
<b>7527.9.1</b>	Proposed "Lifestyle Village" (Park Home Park) Within The Jandakot Groundwater Protection Policy Area	Report to be presented to the Committee on 'retirement villages' and the DOP's policy setting in regards to land use and the policy/merit discussion	<b>TBA</b>

### **7529.15 Closure**

The next ordinary meeting is scheduled for 9.00 am on 8 September 2015.

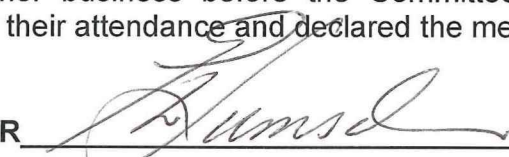
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There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.46am.

PRESIDING MEMBER



DATE

