

Statutory Planning Committee

Minutes

of ordinary meeting 7545

held on Tuesday 24 May 2016

Attendance

Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member)
Ms Megan Adair	WAPC appointee
Mayor Russell Aubrey	Local government representative
Ms Sue Burrows	WAPC appointee
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
Mr Ross Thornton	Nominee of the Minister for Regional Development

Officers

Ms Kerrine Blenkinsop
Mr Cameron Bulstrode
Ms Vanessa Crispe
Mr Glen Finn
Mr Neil Fox
Ms Rebecca Fuller
Mr Robert Hodges
Ms Lee O'Donohue
Mr Paul Sewell
Mr Emille van Heyningen
Mr Philip Woodward

Department of Planning

WAPC Secretary
Planning Director, Peel Planning
Executive Assistant, WAPC
A/Assistant Director General, Perth and Peel Planning
Planning Manager, Metro South West
Senior Planning Officer, Schemes and Amendments
Planning Manager, Metro Planning Central
Planning Manager, Schemes and Amendments
Planning Manager, Metro South West
A/Planning Director, Metro North
Planning Director, Northern Regions

Presenters

Mr Joe Algeri	Altus Planning & Appeals ^{Item 9.2}
Mr Daniel Arndt	City of Cockburn ^{Item 9.5}
Cr Kevin Allen	City of Cockburn ^{Item 9.5}
Mr Andrew Trosic	City of Cockburn ^{Item 9.5}
Mr David Read	TPG Town Planning, Urban Design and Heritage ^{Item 9.5} and Item 11.6
Ms Tanya Trevisan	TRG Properties ^{Item 9.5}
Mr Scott Archibald	TRG Properties ^{Item 9.5}
Mr Ross Duckham	RobertsDay Item ^{11.2}
Mr Cade Taylor	Defence Housing Australia ^{Item 11.2}
Mr Lex Barnett	Taylor Burrell Barnett Item ^{11.3}
Ms Mimi Wong	Golden Group ^{Item 11.3}

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

Mr Andrew Sugiaputra	Golden Group	Item 11.3
Mr Lyle Robertson	Development Management Group	Item 11.3
Mr Frank Arangio	Creative Design+Planning	Item 11.3
Mr Jason Hick	Emerge Associates	Item 11.3
Mr Fraser Henderson	City of Stirling	Item 11.4
Mr Daniel Heymans	City of Stirling	Item 11.4
Ms Alison Healey	TPG Town Planning, Urban Design and Heritage	Item 11.6

Committee Support

Irene Obales

Commission Support Officer

7545.1 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.

7545.2 Apologies

Nil.

7545.3 Members on Leave of Absence and Applications for Leave of Absence

Ms Burrows has previously been granted a leave of absence for the Statutory Planning Committee from 18 April 2016 to 30 May 2016.

7545.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Mayor Russell Aubrey	7545.11.1		Impartiality

Mayor Aubrey declared that he would depart the meeting for Item 7545.11.1 City Of Melville – Amendments No. 73, 76 & 78 To Community Planning Scheme No. 5 – Final Approval, and take no part in discussion or voting on the item.

7545.5 Declaration of Due Consideration

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

7545.6 Announcements by the Chairperson without discussion

Nil.

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

7545.7 Confirmation of Minutes

7545.7.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 10 May 2016

Resolved

Moved by Ms Taylor, seconded by Mayor Aubrey

That the minutes of the Statutory Planning Committee meeting held on Tuesday 10 May 2016, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7545.8 Deputations and Presentations

7545.8.1 Application to Subdivide Lot 212 Matheson Road, Ascot, to Create Two Survey Strata Lots on Land Zoned 'Residential and Stables' (Item 9.2)

Presenter Mr Joe Algeri, Altus Planning & Appeals

Mr Algeri made a presentation to the Committee in support of the subdivision.

Moved to Item 8.3

7545.8.2 Proposed Amendment to Port Coogee Local Structure Plan (Stages 3A, 5 and 6) (Item 9.5)

Presenter Mr Daniel Arndt, City of Cockburn
Cr Kevin Allen, City of Cockburn
Mr Andrew Trosic, City of Cockburn

Mr Arndt and Cr Allen made a presentation to the Committee to raise issues in relation to the Proposed Amendment to Port Coogee Local Structure Plan (Stages 3A, 5 and 6) and requested that the amendment be refused. Mr Arndt and Cr Allen answered questions from the members.

7545.8.3 Proposed Amendment to Port Coogee Local Structure Plan (Stages 3A, 5 and 6) (Item 9.5)

Presenter Mr David Read, TPG Town Planning, Urban Design and Heritage
Ms Tanya Trevisan, TRG Properties
Mr Scott Archibald, TRG Properties

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

Mr Read made a presentation to the Committee in opposition of the amendment and answered questions from the members.

Moved to Item 8.2

7545.8.4 City of Rockingham Town Planning Scheme No.2 - Amendment No. 57 - For Final Decision (Item 11.2)

Presenter Mr Ross Duckham, RobertsDay
Mr Cade Taylor, Defence Housing Australia

Mr Duckham made a presentation to the Committee in support of the amendment and answered questions from the members.

A copy has been placed on file.

7545.8.5 Shire of Murray – Town Planning Scheme 4 Amendment 236 for Final Approval (Item 11.3)

Presenter Mr Lex Barnett, Taylor Burrell Barnett
Ms Mimi Wong, Golden Group
Mr Andrew Sugiaputra, Golden Group
Mr Lyle Robertson, Development Management Group
Mr Frank Arangio, Creative Design+Planning
Mr Jason Hick, Emerge Associates

Mr Barnett, Mr Sugiaputra, Mr Hick, and Mr Arangio made a presentation to the Committee in support of the amendment and answered questions from members.

A copy has been placed on file.

7545.8.6 City of Stirling – Local Planning Scheme No. 3 – Amendment No. 58 – For Final Decision (Item 11.4)

Presenter Mr Fraser Henderson, City of Stirling
Mr Daniel Heymans, City of Stirling

Mr Heymans made a presentation to the Committee in support of the amendment and answered questions from members.

A copy has been placed on file.

7545.8.7 Shire of Ashburton Town Planning Scheme No. 7 – Amendment 28 – For Final Decision (Item 11.6)

Presenter Mr David Read, TPG Town Planning, Urban Design and Heritage
Ms Alison Healey, TPG Town Planning,

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

Urban Design and Heritage

Mr Read made a presentation to the Committee in support of the amendment.

7545.9 Statutory Items for Decision

7545.9.1 Consideration Of The Guildford Local Structure Plan No. 41

File SWAN/2016/1/1
Agenda Part C
Reporting Officer A/Planning Manager, Metropolitan Planning North East

Resolved

Moved by Ms Taylor, seconded by Mr Hiller

That the Statutory Planning Committee resolves to:

refuse the Lot 18 James Street, Lot 137 Scott Street, Lots 12 and 13 Wellman Street Local Structure Plan No. 41 for the following reasons:

- The Local Structure Plan proposes residential density and development with a density greater than R12.5 (in this case R30 and R40) within the 25-30 and 30-35 Australian Noise Exposure Forecast ultimate 2014 noise contours which is inconsistent with State Planning Policy 5.1 'Land Use Planning in the Vicinity of Perth Airport'.*
- The Local Structure Plan is inconsistent with the objectives of State Planning Policy 3.5 'Historic Heritage Conservation' as it proposes residential development that will adversely affect the Guildford Conservation Precinct. The structure plan proposes development at a scale which is considered to be out of character as a whole with the predominant scale of residential buildings in the Guildford locality. The proposal is inconsistent with the scale*

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

of existing residential development immediately adjacent on Scott Street and Wellman Street which is predominantly single storey in scale and with existing residential buildings on James Street.

The motion was put and carried.

7545.9.2 Application To Subdivide Lot 212 Matheson Road, Ascot, To Create Two Survey Strata Lots On Land Zoned 'Residential And Stables'

File 1294-15
Agenda Part G
Reporting Officer Planning Officer - Metropolitan Planning Central

Officer's recommendations:

That the Statutory Planning Committee resolves to approve the application for subdivision of Lot 212 Matheson Road, Ascot as shown on the plan date-stamped 6 November 2015. This decision is valid for three years subject to the following condition(s) and advice:

CONDITIONS

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 electricity supply service to the survey strata lot(s) 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. (Western Power)
2. Common walls being shown on the survey strata plan as prescribed "party wall easements", pursuant to Regulation 14G of the Strata Titles General

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

Regulations 1996 and Section 5D of the
Strata Titles Act 1985. (Local
Government)

ADVICE

1. With regard to Condition 1, Western Power provides only one point of electricity supply per freehold (green title) lot.

Members discussed the deputation that has been made and agreed to defer the item for further legal advice.

Resolved

Motion to defer

Moved by Ms Adair, seconded by Mr Holloway

That the item relating to Application To Subdivide Lot 212 Matheson Road, Ascot, To Create Two Survey Strata Lots On Land Zoned 'Residential And Stables' be deferred for further legal advice.

The motion was put and carried.

7545.9.3

Proposed Waterslides, Pool And Pump Rooms – Additions For Outback Splash Waterpark

File 21-50462-1

Agenda Part G

Reporting Officer A/Planning Manager - Metropolitan North East

Resolved

Moved by Mr Glickman, seconded by Ms Taylor

That the Statutory Planning Committee resolves to approve the application for development at Lot 900 (No. 1635) Neaves Road, Bullsbrook, subject to the following conditions:

1. *Development must be in accordance with the following plans:*
 - a) *Setbacks from Easement Plan, plan 1 of 5, date stamped 2 March 2016;*

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

- b) *Raft Slides & Splash Pool Zone, plan 2 of 5, date stamped 2 March 2016;*
 - c) *Stage 3 Site Plan, plan 3 of 5, date stamped 9th March 2016;*
 - d) *Raft Slides & Take Off Towers, plan 4 of 5, date stamped 9th March 2016; and*
 - e) *Splash Pool Zone Elevations, plan 5 of 5, date stamped 9th March 2016.*
2. *Prior to the commencement of site works, additional Dampier Bunbury Pipeline warning markers must be installed, to the specification of Dampier Bunbury Pipeline and to the satisfaction of the Western Australian Planning Commission.*
3. *Prior to the commencement of site works, temporary fencing must be installed along the Dampier to Bunbury Natural Gas Pipeline. Fencing must be installed to the specification of Dampier Bunbury Pipeline and to the satisfaction of the Western Australian Planning Commission.*
4. *Prior to the land use commencing, permanent fencing or a suitable barrier must be installed along the Dampier to Bunbury Natural Gas Pipeline boundary to the specification of Dampier Bunbury Pipeline and to the satisfaction of the Western Australian Planning Commission.*

Advice Notes

1. *Approval must be obtained from the DBNGP Land Access Minister prior to the commencement of any on-ground development works within the DBNGP corridor.*
2. *A Section 41 approval must be obtained, pursuant to the Dampier to Bunbury Pipeline Act 1997, for any of the following:*
- i) *Encroachment by construction personnel, equipment, building*

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

materials and/or spoils; and

- ii) Construction of access road(s), movements of heavy machinery across the DBNGP corridor.*
- 3. No vibrating/compacting equipment is to be used within 20 metres of the DBNGP pipelines.*
- 4. Prior to clearing of any native vegetation, a clearing permit must be obtained from the Department of Environment Regulation.*
- 5. Any further proposals to increase the number of vehicle parking bays and/or development that will increase trip generation, may require a revised Traffic Impact Assessment in order to determine the performance of the Neaves Road/Della North Road intersection.*
- 6. Dampier Bunbury Pipeline has advised that the Dampier to Bunbury Natural Gas Pipeline that traverses the property was designed to a T1 (urban) standard under Australian Standard 2885 Pipelines - Gas and liquid petroleum.*

DBP have advised that it will not be able to support future development of the site where the visitor numbers in attendance at any one time exceeds current expected levels, which is estimated at 2,000 persons per day during peak season.
- 7. The landowner/applicant is advised to discuss future plans for the development of the site with Dampier Bunbury Pipeline to confirm possible upgrading requirements of the Dampier to Bunbury Natural Gas Pipeline.*

ADVICE TO THE LOCAL GOVERNMENT:

The City of Swan is advised that should further development that would increase patronage be proposed, the Western Australian Planning Commission would expect the land to be

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

rezoned under the City of Swan's Local Planning Scheme to a more appropriate zoning, prior to further approvals being issued.

The motion was put and carried.

7545.9.4

Structure Plan Amendment - Karingal Green Outline Development Plan - Lot 426 Pipe Lily Drive, High Wycombe

File SPN/0808M-1
Agenda Part G
Reporting Officer A/Planning Manager, Metropolitan Planning North East

Resolved

Moved by Mr Glickman, seconded by Ms Taylor

That the Statutory Planning Committee resolves to:

- 1. Approve the amendment to the Shire of Kalamunda Karingal Green Outline Development Plan to recode Lot 426 Pipe Lily Drive, High Wycombe from R30 to R60. The approval is valid for a period of 10 years.*
- 2. Advise the Shire of Kalamunda of its decision accordingly.*

The motion was put and carried.

7545.9.5

Proposed Amendment to Port Coogee Local Structure Plan (Stages 3A, 5 and 6)

File SPN/0803M
Agenda Part C
Reporting Officer Planning Manager, Metro South West

Officer's recommendations:

That the Statutory Planning Committee resolves to:

1. require the Port Coogee Local Structure Plan to be modified in accordance with the attached schedule of modifications and for the modified plan to be resubmitted to the WAPC for approval; and

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

2. advise the City of Cockburn of its decision accordingly.

The members discussed the deputations that have been made and agreed to defer the item to enable discussion by the City of Cockburn, the applicant and Department of Planning in relation to the issues raised within the report, issues raised by the deputations and the issues outlined under the Report Conclusion:

It is recommended by the Statutory Planning Committee that the proposed amended Structure Plan be modified in a manner that would make it suitable for approval. The key modifications are directed towards addressing impact on character and amenity, beach overshadowing, visual amenity, traffic and parking, and road design.

It is recommended that the amended Structure Plan be modified as follows:

1. The building heights on the Island (Stage 5) to be retained as 13.6 metres on the northern and eastern sides of the Island, and that the Structure Plan include a concept plan demonstrating how the requirement of a 13.6 metre height restriction on the northern and eastern sides of the Island will transition to a maximum height of 17.3 metres on the remainder of the Island;
2. A concept plan to be included showing how public parking will be provided on the Island (Stage 5), including the extent and location of parking, as well as linkages to the public road providing access to the Island. In calculating parking bay requirements, the Department of Transport's standard of 0.5 parking bays per boat pen is to be used, and a minimum of 90 boat pens is to be designated on the concept plan;
3. The pedestrian access way connecting to the boat pens in the south western corner of the Island (Stage 5) to be shown as linking to the public road providing access to the Island;
4. The road design of the Stage 6 precinct to be redesigned in order to satisfy the 17.9 metre road reserve guideline set out in Liveable Neighbourhoods for residential densities of R60 –

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

R80, and for the design to enable safe waste vehicle movement; and

All of the above modifications to be undertaken in consultation with the Department of Planning and the City.

Resolved

Motion to defer

Moved by Mr Holloway, seconded by Ms Taylor

Dissent: Mr Hiller

That the item relating to Proposed Amendment to Port Coogee Local Structure Plan (Stages 3A, 5 and 6) be deferred to enable discussion by the City of Cockburn, the applicant and Department of Planning in relation to the issues raised within the report, issues raised by the deputations and the issues outlined under the Report Conclusion.

The motion was put and carried.

7545.10 Policy Items for Discussion/Decision

Nil.

7545.11 Confidential Items

7545.11.1 City Of Melville – Amendments No. 73, 76 & 78 To Community Planning Scheme No. 5 – Final Approval
File TPS/1449, TPS/1461 & TPS/1612
Agenda Part B
Reporting Officer Manager – Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

7545.11.2 City Of Rockingham Town Planning Scheme No.2 – Amendment No. 157 – For Final Decision
File TPS/1660
Agenda Part B
Reporting Officer Planning Director, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

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- 7545.11.3 Shire Of Murray – Town Planning Scheme 4
Amendment 236 For Final Approval**
File TPS/0589/2
Agenda Part B
Reporting Officer Planning Director, Peel Planning

THIS ITEM IS CONFIDENTIAL

- 7545.11.4 City Of Stirling – Local Planning Scheme No. 3 –
Amendment No. 58 – For Final Decision**
File TPS/1552/1
Agenda Part E
Reporting Officer Planning Manager – Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

- 7545.11.5 Shire Of Serpentine-Jarrahdale – Local Planning
Scheme Amendment 191 – For Final Approval**
File TPS/1554
Agenda Part E
Reporting Officer Senior Project Planner - Metropolitan
South-East

THIS ITEM IS CONFIDENTIAL

- 7545.11.6 Shire Of Ashburton Town Planning Scheme No.7 –
Amendment 28 – For Final Decision**
File TPS /1652
Agenda Part G
Reporting Officer Senior Planning Officer – Northern
Regions

THIS ITEM IS CONFIDENTIAL

7545. 12 General Items – Publications, Briefings and Updates

- | | | |
|------------------|---|-----------------------------|
| 7545.12.1 | The Landing Page | N/A |
| 7545.12.2 | The WAPC Monthly Report | April 2016 |
| 7545.12.3 | Freedom of Information Status Report | N/A |
| 7545.12.4 | State Administrative Tribunal Report | Due in July
2016 |

7545.13 Stakeholder Engagement and Site Visits

Nil.

Statutory Planning Committee

Minutes
of ordinary meeting 7545
held on Tuesday 24 May 2016

7545.14 Urgent or Other Business

Nil.

7545.15 Future Actions

7545.16 Meeting Closure

The next ordinary meeting is scheduled for 9:00 am on 14 June 2016.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 11:15 am.

PRESIDING MEMBER

Elizabeth Layton

DATE

24 June 2016