



Statutory Planning Committee

Minutes

Meeting No. 7563
Tuesday, 28 March, 2017

Members:

- Mr Eric Lumsden - Chairperson, WAPC
- Ms Megan Adair - WAPC Appointee
- Mr Ray Glickman - WAPC Appointee
- Mr Steve Hiller - WAPC Appointee
- Mr Ian Holloway - Professions representative
- Ms Gail McGowan - Director General, Department of Planning
- Ms Elizabeth Taylor - Local government representative
- Mr Ross Thornton - Nominee of the Minister for Regional Development

Apologies:

- Ms Sue Burrows - WAPC appointee

Officers:

- Ms Kerrine Blenkinsop - WAPC Secretary
- Ms Alice Brown - Planning Manager Metro South East
- Mr Paul Ellenbroek - Planning Manager, Urban Design and Development
- Mr David King - Graduate Planner
- Ms Irene Obales - Commission Support Officer
- Ms Jacquie Stone - Planning Director, Metro Central
- Ms Jasmine Tohill - Senior Planning Officer, Metro South East
- Ms Holly Wilson - Commission Support Team Leader

1. Declaration of opening

The Chairman declared the meeting open at 10:30am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

2. Apologies

Ms Sue Burrows - WAPC Appointee

3. Members on leave of absence and applications for leave of absence

Nil.

4. Disclosure of interests

Nil.

5. Declaration of due consideration

Nil.

6. Announcements by the Chairperson without discussion

Ms Blenkinsop introduced Commission Support Team Leader, Ms Holly Wilson to the Committee.

7. Minutes

7.1 Amendment of Minutes - Meeting No. 7561 on 28 February 2017

A motion was moved to amend the minutes from SPC Meeting No. 7561 held on 28 February 2017, to include resolution 2 on Item 9.7 Subdivision Application, Lot 9005 Rock Cliff Circle, Nullaki, as it was deleted due to technical error.

Moved by Ms Taylor

Seconded by Ms McGowan

That the minutes of the Statutory Planning Committee meeting held on Tuesday 28 February 2017, be amended to include resolution 2 on Item 9.7 Subdivision Application, Lot 9005 Rock Cliff Circle, Nullaki.

The motion was put and carried

7.2 Confirmation of minutes - Meeting No. 7562 on 14 March 2017

A motion was moved to amend the minutes from SPC Meeting No. 7562 held on 14 March 2017, to correct the following:

Item 8.1 to state, "Messrs Drewett, Skinner and Martin made a presentation to the Committee against the subdivision application and answered questions from members".

Item 8.2 to state, "Mr McQueen made a presentation to the Committee in support of the subdivision application and answered questions from members".

Remove Mr Hiller's dissent on Item 9.2 Subiaco Activity Centre Plan.

Moved by Ms McGowan

Seconded by Ms Taylor

That the minutes of the Statutory Planning Committee meeting held on Tuesday 14 March 2017, be amended as outlined above.

The motion was put and carried

8. Deputations and presentations

8.1 Subdivision Lots 50 and 80 Wollaston Avenue and Lots 9006, 554 and 555 Armadale Road, Haynes (Item 9.1)

Presenter: Mr Kris Nolan, Urbis and Mr David Barham, Urban Quarter

Messrs Nolan and Barham made a presentation to the committee in support of the subdivision application, requested to remove Conditions 3 and 33 and answered questions from members.

8.2 Amendment to State Planning Policy 3.1 Residential Design Codes, R-Codes Practice Notes and Compliance Assessment Checklist (Item 11.2)

Presenter: Mr Paul Ellenbroek, Planning Manager, Urban Design and Development

Mr Ellenbroek made a presentation to the Committee on Amendment to State Planning Policy 3.1 Residential Design Codes, R-Codes Practice Notes and Compliance Assessment Checklist. Mr MacLennan and Ms Stone were present to answer questions from the Committee.

A copy has been placed on file.

9. Statutory items for decision

9.1 Subdivision Lots 50 and 80 Wollaston Avenue and Lots 9006, 554 and 555 Armadale Road, Haynes

Members discussed the deputation that had been made and agreed to endorse the Officer's recommendation subject to the removal of Condition 33 and Advice Note 11; Replace Lot 168 with Lot 166 on Condition 1; and correct Attachment A of the report.

Moved by Mr Hiller

Seconded by Mr Glickman

That the Statutory Planning Committee resolves to approve the application to subdivide Lots 50 & 80 Wollaston Avenue and Lots 9006, 554 & 555 Armadale Road, Haynes subject to the following conditions and advice:

CONDITION(S):

Modifications

1. *The plan of subdivision is to be modified such that proposed Lots 142, 143, 144, 166 and 167 and the section of road reserve immediately adjacent, as shown on Attachment A, are retained as part of Balance Lot 1, unless modifications proposed to the Precinct C Structure Plan have been approved by the Metropolitan Redevelopment Authority. (Metropolitan Redevelopment Authority)*
2. *In the event that modifications to the Precinct C Structure Plan are approved by the Metropolitan Redevelopment Authority to support the creation of those lots identified under Condition 1, the layout of proposed Lot 167 is to be modified such that safe and convenient vehicular access is provided to the street. (Metropolitan Redevelopment Authority)*
3. *The plan of subdivision is to be modified such that Lots 185 to 215, as shown on Attachment A, are retained as part of Balance Lot 1 until such time as the adjoining orchard on Lot 45 Gray Road is removed. (Western Australian Planning Commission)*

Contributions

4. *The applicant/landowner contributing towards development infrastructure provisions pursuant to the Wungong Urban Water Redevelopment Scheme 2007. (Metropolitan Redevelopment Authority)*
5. *The landowner/applicant making a pro-rata contribution towards the cost of the acquisition of the primary school site identified in the subdivision locality. (Department of Education)*

Roads/ Footpaths

6. *Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.*

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local

government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)

- 7. In the event that modifications to the Precinct C Structure Plan are approved by the Metropolitan Redevelopment Authority to allow the creation of the road reserve identified under Condition 1, satisfactory arrangements are to be made with the local government for the cost of upgrading and/or construction of Tenth Road to form part of the contiguous Ripplemead Avenue road reserve. (Local Government)*
- 8. All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's Liveable Neighbourhoods policy. (Local Government)*
- 9. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:*
 - a) street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;*
 - b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly;*
 - c) temporary turning areas are provided to those subdivisional roads that are subject to future extension; and*
 - d) embayment parking is provided abutting the proposed foreshore reserve and school site.*

*to the satisfaction of the Western Australian Planning Commission.
(Local Government)*
- 10. The proposed access way to Lot 56 being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)*
- 11. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area. The approved shared paths are to be constructed by the landowner/applicant. (Local Government)*

Drainage

- 12. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water, consistent with any approved Local Water Management Strategy. (Local Government)*
- 13. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)*
- 14. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)*

Site Works

- 15. A Construction Management Plan is to be prepared and implemented by the applicant to the specifications of the City of Armadale in consultation with the Metropolitan Redevelopment Authority and the Department of Environment Regulation. (Local Government)*
- 16. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:*
 - a) lots can accommodate their intended use; and*
 - 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.**(Local Government)*
- 17. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report*

certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and

In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government)

- 18. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment Regulation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan. (Department of Environment Regulation)*

Servicing

- 19. 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)*
- 20. 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)*
- 21. 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)*
- 22. 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)*
- 23. 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)*
- 24. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)*

Public Reserves

25. *The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for Recreation and Drainage, Recreation, Foreshore Management and/or Conservation and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)*
26. *An Asset Management Plan shall be prepared to detail lifecycle requirements for the operation, maintenance, replacement and funding of all grassed and vegetated areas, park furniture, footbridges, public equipment and infrastructure and all areas of hard and soft landscaping to the satisfaction of the Western Australian Planning Commission. (Local Government)*
27. *A Landscaping Master Plan and Management Strategy is to be prepared and implemented to the satisfaction of the Western Australian Planning Commission. (Local Government)*
28. *The Landscape and Irrigation Management Strategy, approved as part of the Structure Planning process is to be implemented as part of the subdivisional works on the advice of the Metropolitan Redevelopment Authority and the City of Armadale, to the satisfaction of the Western Australian Planning Commission. (Local Government)*
29. *Landscaping plans for the Wungong foreshore are to be prepared and implemented in accordance with the approved Wungong Urban Water Redevelopment Area Foreshore Management Plan. (Metropolitan Redevelopment Authority)*
30. *Suitable vehicle barriers/ bollards are to be provided along the boundary or within the roads abutting public open space areas and the Wungong River and Neerigen Brook foreshore reserves to the satisfaction of the Western Australian Planning Commission. (Local Government)*
31. *Uniform fencing being constructed along the boundaries of all of the proposed lots abutting public open space, the Neerigen Brook and the Water Corporation Service Corridor (Coomal Road). (Local Government)*
32. *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).

General

33. Local Development Plans(s) being prepared and approved for all lots abutting public open space, the Neerigen Brook and the Water Corporation Service Corridor that address the following:

- a) Building orientation and design;*
- b) Stormwater requirements;*
- c) Setbacks;*
- d) Fencing requirements;*
- e) Vehicle access;*
- f) Car parking locations;*
- g) Bin storage areas; and*
- h) Other design aspects, where considered appropriate by the Metropolitan Redevelopment Authority.*

*to the satisfaction of the Western Australian Planning Commission.
(Metropolitan Redevelopment Authority)*

34. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject of a Local Development Plan are advised in writing that Local Development Plan provisions apply. (Metropolitan Redevelopment Authority)

35. A Notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above as shown on the current BAL Contour Plan dated February 2017, 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 land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land'
(Western Australian Planning Commission)*

36. *Arrangements being made to the satisfaction of the Western Australian Planning Commission for the preparation and implementation of a Mosquito and Midge Management Strategy. (Local Government)*

37. *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)

ADVICE

1. *The Metropolitan Redevelopment Authority advises:*

- i) *A Developer Contribution Scheme (DCS) is being administered by the Metropolitan Redevelopment Authority (MRA) for the Wungong Urban Water project area. The DCS provides for Scheme works to be undertaken by the Authority on behalf of all landowners. Should a landowner/applicant wish to undertake works included in the DCS, the landowner/applicant must enter into a legal agreement with MRA. The landowner/applicant is advised to contact the MRA for further information.*
- ii) *In relation to Condition 29, measures should be undertaken to implement any relevant requirements of the Metropolitan Redevelopment Authority's approved Wungong Urban Water Redevelopment Area Foreshore Management Plan, as applicable to the subdivision site.*
- iii) *With regard to Condition 15, a Construction Management Plan for any sites with adjoin or include a Bush Forever site, a wetland/ wetland buffer covered by a Wetland Management Plan, or a foreshore buffer the plan shall include:*
 - a) *The minimisation of clearing and vegetation disturbance;*
 - b) *The control and monitoring of construction impacts such as dust, drainage and erosion;*

- c) *The prevention of weed spread and the spread of plant disease such as dieback; and*
 - d) *The inclusion of environmental protection specifications in all construction related contracts.*
- iv) *With regard to Condition 37, the Mosquito and Midge Management Plan is to protect the health, welfare and amenity of future residents from disease vector (mosquito) and nuisance insects (midges) whilst maintaining environmental values.*
- v) *All water level and water quality monitoring bores on the site are to be preserved, not relocated and remain in good working order to the satisfaction of the Metropolitan Redevelopment Authority.*
- 2. *With regard to Condition 6, as part of detailed design drawings the landowner/applicant is to demonstrate that the proposed 13 metre wide road reserves can accommodate all services, and paths and suitable batter and/or retaining treatments adjacent to the Neerigen Brook and Wungong River foreshore areas.*
- 3. *In regard to Conditions 6 - 9, the landowner/applicant is advised that the road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision.*
- 4. *The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.*
- 5. *Conditions 12 & 13 have been imposed in accordance with Better Urban Water Management Guidelines (WAPC 2008). Further guidance on the contents of urban water management plans is provided in 'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions' (Department of Water 2008).*
- 6. *With regard to Condition 16, soil stabilisation plans should be prepared utilising the Erosion and Sediment Control Manual for the Darling Range, Perth Western Australia published by the Upper Canning Southern Wungong Catchment Team which are*

available at no charge from the City. The plans should include measures for the continuous stabilisation of earthworks during and after the construction period to ensure all soils will be retained within the bounds of the subject land.

7. *Condition 18 makes reference to an 'acid sulphate soils self-assessment form'. This form can be downloaded from the Western Australian Planning Commission's website at: www.planning.wa.gov.au*

The 'acid sulphate soils self-assessment form' makes reference to the Department of Environment Regulation's 'Identification and Investigation of Acid Sulphate Soils' guideline. This guideline can be obtained from the Department of Environment Regulation's website at: www.der.wa.gov.au

8. *The landowner/applicant is advised that the Department of Environment and Regulation has prepared dust control guidelines for development sites, which, outline the procedures for the preparation of dust management plans. The dust management plans are generally approved, and their implementation overseen, by Local Government. Further information on the guidelines can be obtained from the Department of Environment and Regulation's website: www.der.wa.gov.au under air quality publications.*
9. *With regard to Condition/s 19, 20 & 21, 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.*
10. *With regard to Condition 23, Western Power provides only one underground point of electricity supply per freehold lot.*
11. *ATCO Gas Australia have High Pressure gas infrastructure in the immediate vicinity of the property. ATCO Gas must be notified of any works within 15 metres of High Pressure gas infrastructure before those works begin. Construction, excavation and other activities may be restricted in this zone. No pavements (including crossovers) are to be constructed over the pipeline without consent from ATCO Gas Australia. Various pipeline safety tests may apply. The applicant is advised to contact ATCO on 9499 5272 in this regard. Anyone proposing to carry out construction or excavation works must contact 'Dial*

Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure.

The motion was put and carried

Ms McGowan left the room at 11:39 am and returned at 11:43am.

9.2 Application to Subdivide Lot 18 (21) Deane Street, Cottesloe Into Two Freehold Lots

Members discussed the site visit conducted before the meeting and agreed to approve the subdivision application subject to final refinements of the Conditions.

Moved by Ms Adair

Seconded by Ms Taylor

That the Statutory Planning Committee resolves to approve the plan of subdivision for Lot 18 Deane Street, Cottesloe dated 16 March 2016, subject to the following conditions:

CONDITIONS:

1. *The land being filled, drained and/or graded as required to ensure that:
 - a) the lots can accommodate their intended development;
 - b) finished ground levels at the boundaries of the lots the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)*
2. *A 1.35 metre wide right-of-way widening is to be provided, constructed and drained at the landowner/applicants cost along the southern boundary of the subject land. The right-of-way widening is to be accurately illustrated and denoted on the Diagram or Plan of Survey (Deposited Plan) and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)*
3. *Suitable arrangements being made with the local government for the provision of a vehicle crossover to service Lot 1 as shown on the approved plan of subdivision. The design of the crossover is to be generally in accordance with 'Crossover Option 3' listed in the Transcore technical note dated 1 December 2016, provided in*

support of the application. (Western Australian Planning Commission)

4. *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)*
5. *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)*
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)*

FOOTNOTES:

1. *In regard to Condition 3, the applicant is to liaise with the Town of Cottesloe in relation to the design of the crossover and footpath works required to facilitate vehicle access in accordance with 'Crossover Option 3'.*
2. *In regard to Conditions 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 of the proposed subdivision.*
3. *In regard to Condition 6, Western Power provides one underground point of electricity supply per freehold lot.*

The motion was put and carried

10. Policy items for discussion / decision

11. Confidential items

11.1 Shire of Jerramungup Local Planning Strategy Amendment

THIS ITEM IS CONFIDENTIAL

11.2 Amendment to State Planning Policy 3.1 Residential Design Codes, R-Codes Practice Notes and Compliance Assessment Checklist

THIS ITEM IS CONFIDENTIAL

11.3 Finalisation of State Planning Policy 1 State Planning Framework

THIS ITEM IS CONFIDENTIAL

12. Corporate matters – publications, briefings and updates

Nil.

13. Stakeholder engagement and site visits

13.1 Cottesloe Site Visit in Relation to Application to Subdivide Lot 18 (21) Deane Street, Cottesloe Into Two Freehold Lots

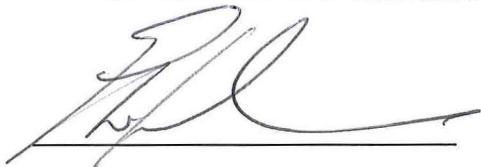
14. Urgent or other business

15. Items for Consideration at a Future Meeting

16. Meeting closure

The next ordinary meeting is scheduled for 9:30 am on 4 April 2017.

There being no further business before the Board, the Chairman thanked members for their attendance and declared the meeting closed at 12:09pm.

A handwritten signature in black ink, appearing to be 'J. L.', written over a horizontal line.

CHAIRMAN